A Corpus-Assisted Critical Discourse Analysis of the Reporting on Corporate Fraud by UK Newspapers 2004 - 2014

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The candidate confirms that the work submitted is her own and that appropriate credit has been given where reference has been made to the work of others.

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Abstract

This thesis examines how British newspapers reported corporate fraud between 2004 and 2014. A corpus of approximately 85,000 news articles was collected from seven major daily and three major Sunday British newspapers and examined using corpus-assisted critical discourse analysis. This analysis follows principles set out by Fairclough (2015).

The costs of corporate fraud are financial and intangible (Punch, 1996), including the corporate tax gap (HMRC, 2015), the undermining of democratic processes (Punch, 1996), and global wealth inequality (Slater and Kramers, 2016; Kramers, 2017).

This thesis draws on Sykes and Matza's (1957) 'techniques of neutralisation', which asserts that those accused of having committed deviant acts employ a specific set of arguments to negate them. Newspapers' use of these techniques creates a narrative in which corporations are generally relieved of their alleged responsibility for acts of fraud. Corporations are presented as being forced to perform acts that are not always in line with (the spirit of) the law. Responsibility is transferred to regulators and investigators, who are represented as simultaneously too harsh, potentially stifling business growth, and too lenient, allowing corporations to get away with fraud.

My original contribution is primarily methodological and analytical. I linguistically analyse a corpus of corporate fraud news, covering a decade of reporting, using a combination of CDA and corpus methods. Previous work on newspaper representations of corporate crime employs little linguistic analysis and covers at most a year of reporting (see Evans and Lundman, 2009 [1983]; Wright *et al*, 1995; McMullan and McClung, 2006; Williams, 2008; Cavender and Mulcahy, 1998). A further point of originality is theoretical, as I elaborate on the various ways in which techniques of neutralisation (see Sykes and Matza, 1957; Fooks *et al*, 2012) are expressed.

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Typography and Abbreviations

This thesis follows the corpus linguistic convention of using the asterisk (*) as a 'wildcard' character, meaning that the asterisk can replace any (string of) character(s), both letters and numbers. All spellings, bolds and italics in quotes are original unless marked otherwise. Outside of quotes, italics indicate target nouns. Important elements of quotes are underlined. Underlining is not original unless marked otherwise.

BNC – British National Corpus

BoA – Bank of America

BoE – Bank of England

CADS – Corpus-Assisted Discourse Studies

CDA – Critical Discourse Analysis

CLAWS – Constituent Likelihood Automatic Word-tagging System

COCA – Corpus of Contemporary American English

CSR – Corporate Social Responsibility

DHA – Discourse-Historical Approach

DoJ – Department of Justice

FCA – Financial Conduct Authority

FSA – Financial Services Authority

HMRC – Her Majesty's Revenue and Customs

OED – Oxford English Dictionary

OFT – Office of Fair Trading

ONS – Office for National Statistics

PPI – Payment Protection Insurance

RASIM – Refugees, asylum seekers and (im)migrants

SEC – Securities and Exchange Commission

SFO – Serious Fraud Office

UCREL – University Centre for Computer Corpus Research on Language (University of Lancaster)

USAS – UCREL Semantic Analysis System

Chapter 1.   Introduction

Corporate fraud is a very serious matter. Zucman, quoted in *The Independent* (Chu, 2016)*,* estimates that globally, about $200bn of tax revenue is lost through constructions of the kind facilitated by firms like Mossack Fonseca (the law firm at the centre of the Panama Papers scandal, which showed that several institutions and individuals, including politicians, made use of their off-shore financial services. These services allow them to have money off-shore, which may or may not be reported to the appropriate tax authorities, and these tax authorities generally lack the means to be informed of these off-shore possessions). HMRC estimates the 2013/14 tax gap to be £16.5bn for small-to-medium sized enterprises and £9.5bn for large corporations, £26bn in total (HMRC, 2015). This tax gap means that slightly over £71m in tax revenues are lost every day. However, the tax gap alone does not indicate the full extent of the damage done by corporate (tax) fraud, nor is corporate fraud just tax fraud. The damage of corporate fraud, in general, is not solely financial. For instance, Zucman (in Chu, 2016) indicates that the use of offshore tax havens also contributes to global wealth inequality. In 2017, this global wealth inequality is such that the eight wealthiest individuals have as much wealth as the poorest half of the world population (Kramers, 2017). This is down from 62 in 2016 and from 388 in 2010 (Slater and Kramers, 2016). Furthermore, Punch (1996) suggests that corporate fraud can also undermine political legitimacy, as excessive corporate wealth can give corporations and individuals undue influence over national governments. As a result, corporate fraud is a far more serious crime than it is normally portrayed to be by British newspapers.

This thesis examines how newspapers report fraud committed by, or on behalf of, corporations, for the benefit of these corporations. Alternative uses by British newspapers of 'corporate fraud' define it as victimising and affecting corporations (see, for instance, *The Daily Mirror*, 2017), but this is not the definition used in this thesis. The corpus consists of articles taken from UK newspapers. These are normally written in British English, for the British market and tend to be headquartered in London or another major British city. The corpus is limited to 2004-2014. This thesis focuses on offering a description of newspapers' reporting of corporate fraud and explaining how trends in newspaper reporting on this topic coincide with economic and political trends.

This thesis does not primarily aim to evaluate whether the media actually function as a Fourth Estate in their reporting of corporate fraud, drawing on the notion of the 'Fourth Estate' to mean the role of the media as a watchdog criticising

abuses of (political) power (*A Dictionary of Journalism*, 2014, S.v. *fourth estate;* S.v. *watchdog role*; *A Dictionary of Media and Communication*, 2016, S.v. *fourth estate*; S.V. *watchdog*). However, what is suggested, at the end of chapter 5, is that the media, on the topic of corporate fraud at least, appear to function in part as a tool of the establishment. This assumption is certainly supported by the recent appointment of former Conservative MP, former Chancellor of the Exchequer, and advisor to investment company Black Rock, George Osborne, as Editor of the free newspaper *London Evening Standard.*

The reporting of corporate fraud, as argued in this thesis, follows developments in the British economy. I suggest that denial of responsibility, denial of injury, and condemnation of the condemners (Sykes and Matza, 1957) is a media-political response to the global financial crisis, and deflects blame from corporations to regulators, possibly because of coinciding social, political and economic interests.

This thesis answers the question of *how British newspapers linguistically represented cases of corporate fraud between 2004 and 2014.* The research methods of this thesis are underpinned by (Faircloughian) critical discourse analysis. CDA has been criticised for being political in nature (Jeffries, 2010; 2014; Widdowson, 2004; Baker, 2012), which supposedly delegitimises the research and researcher for not being sufficiently detached. It has been suggested that all research is necessarily political and the strength of CDA is that it explicitly acknowledges this fact (Fairclough, 1996, pp.52-3). Furthermore, as Steiner (1985, p.229) puts it,

> [w]e are not 'neutral observers'; we are taking sides against forces of destruction. This view of rational enquiry does not take the doctrine of detachment for granted; rather it assumes that knowledge can be sought out of concern, out of a feeling of involvement and responsibility.

In other words, the critical discourse analyst is motivated by a perceived necessity to respond to the (potential) effects of texts. There is a danger here that the analyst ends up picking texts and text elements that support their position, but the use of corpus-assisted methods to describe these texts mitigates this danger somewhat, as does the process of peer review through examining whether the analyst's interpretation holds up under scrutiny.

A number of sub questions aid in answering the main research question. These are as follows:

1. How are acts of corporate fraud named?
   a. How are these labels modified?
2. How are participants in corporate fraud cases named?
   a. How are these labels modified?
3. How are the circumstances of corporate fraud cases named?
   a. How are these labels modified?
4. Which metaphors commonly recur?
   a. What do these metaphors imply about these cases of corporate fraud?
5. Who commits these acts?
   a. Who is affected by these acts?
   b. What is used to commit these acts?
6. What are the obligations of participants in corporate fraud cases?
   a. By whom are these obligations imposed?
7. Where on the epistemic spectrum are accounts of corporate fraud placed?

In other words, this thesis interprets the results of corpus linguistic investigations of four text elements: lexis (questions 1-3), examined in chapter 6; metaphor (question 4), examined in chapter 7; transitivity (questions 5 and, partially, 6a), examined in chapter 8, and modality (questions 6 and 7), examined in chapter 9. The lexical analysis, chapter 6, answers the questions of how acts, participants and circumstances are named, as well as how these labels are modified. It is presumed that the author of the news article has chosen a specific label from a range of possible labels, because it has the intended connotations and presuppositions. As such, labels can serve, for instance, to deny the injury or harm of a crime (Sykes and Matza, 1957) or to condemn condemners (*ibid*). For instance, the labelling of regulators as *watchdog*, instead of the more formal *authorities* and the labelling of acts of corporate fraud as *accounting problems* rather than *fraud*, signal ideological choices made by the author(s). *Watchdogs* may be modified by adjectives such as 'ineffective', whilst the specific 'fraud' can be modalised with a modifier like 'alleged'. The answers to these questions reveal whether any blame is assigned by the authors for acts of fraud and, more importantly, who is actually blamed. The metaphor analysis, chapter 7, answers the question of which metaphors commonly recur. Systematic metaphors indicate an author's ideology, as argued by Lakoff and Johnson (1980). Much like labels, metaphors carry implications about the intended meaning. However, in metaphor, this is largely due to 'what is possible', given the source domain. The transitivity analysis, chapter 8, serves to show the lines of actions and responsibility. This analysis can show whether, for instance, responsibility is denied (Sykes and Matza, 1957). The modality analysis, in chapter 9, finally, shows both the responsibilities and obligations of participants, as well as evaluations of the epistemic value of accounts of corporate fraud cases. For

instance, by delegitimising accounts of corporate fraud cases, newspapers and other commenting parties can condemn condemners or misrepresent the evidence (Fooks, Gilmore, Collin, Holden and Lee, 2012).

This thesis argues that newspapers tend to neutralise this very serious form of crime, by creating a narrative in which the regulators are presented as the true villains of these cases because they impose restrictions on corporations. These restrictions are perceived to be unfairly burdensome. Newspapers suggest that these unfair restrictions are the reason that corporations commit corporate fraud. In these newspaper articles, there is little reference to the impact of these crimes. When impact is mentioned, it is euphemised. Furthermore, responsibility for these crimes is often obscured, although there will be exceptions in which it is not. As I examine various articles written for various newspapers over a number of years, there will be instances in which corporate fraud is outright condemned and responsibility is explicitly attributed to those who chose to commit fraud, but the overall trends in corporate fraud reporting are most important in shaping perceptions of and attitudes toward corporate fraud.

The current thesis is underpinned by Sutherland's theory of differential association (1955), which states that both the techniques and attitudes that facilitate crime are learned through a process of communication. Neutralising reporting of corporate fraud provides potential corporate fraudsters with the requisite arguments to excuse this behaviour. This reporting also pre-emptively excuses fraud so that tackling corporate misbehaviour is of low, or even non-existent, priority. This thesis is informed by the belief that corporate fraud is harmful and undesirable and that (news) media should function as a Fourth Estate to hold government and corporations to account, rather than function as a corporate mouthpiece. It must, however, be acknowledged that from one viewpoint, the media can be considered part of the establishment, perpetuating a certain status quo. Althusser (2008, p.24), for instance, identifies the media as one of the ideological state apparatuses. Indeed, the financial interests of some of the corporate and private owners of British newspapers suggest that they function as members of the corporate sphere, rather than as a Fourth Estate.

This thesis examines a corpus consisting of 54 million tokens, comprised of slightly under 85,000 news articles, taken from seven daily and three Sunday national British newspapers. The chosen newspapers have the highest circulation of all national British newspapers. These newspapers are *The Daily Mail, The Daily*

Telegraph, The Financial Times, The Guardian, The Mirror, The Sun, The Times, The Mail on Sunday, The Sunday Times and *The Sunday Telegraph*. The data collection strategy cannot guarantee perfect representativeness, but attempts have been made to collect a corpus that is as representative of British national newspaper reporting on corporate fraud as possible. Furthermore, the size of this corpus is comparable to the RASIM (newspaper articles on refugees, asylum seekers, and (im)migrants) corpus, which also covers a decade of newspaper reporting (KhosraviNik, 2008; Baker, Gabrielatos, KhosraviNik, Krzyzanowski, McEnery, and Wodak, 2008, p.276).

Whilst the corpus is limited, for practical reasons, to articles published up to, and including, 31 December 2014, corporate fraud is an ongoing issue. On April 3, 2016, *The Guardian* (Harding, 2016) reported that the so-called 'Panama Papers', leaked records from Panamanian legal firm Mossack Fonseca, showed that many wealthy individuals and corporations use offshore accounts, which, in certain cases, allow these individuals and corporations to avoid paying tax. These tax constructions have initially been linked to Russian president Vladimir Putin and the Icelandic then-prime minister Sigmundur Davìð Gunlaugsson (Harding, 2016), before being linked to the British then-prime minister David Cameron on April 4 (Garside, 2016). Yet, as Google Trends show, the furore over these revelations did not last long (2016). The number of searches in the UK peaked on April 5 and by mid-April, interest in the Panama Papers returned to near non-existent (Google Trends, 2016). Even when public outrage over acts of corporate and personal tax fraud is great, and leads to inquiries into government officials' tax affairs and in some cases their sacking, such outrage is short-lived and easily redirected. My hypothesis is that this lack of systematic condemnation is at least partially due to the portrayal of corporate fraud by UK newspapers, which tends to be neutralising, focusing on negative effects on the accused corporations, rather than on those directly victimised.

Criminological literature on corporate fraud is relatively sparse. Since Sutherland's seminal work seven decades ago (*White Collar Crime,* 1949), research into white collar crime has become an established part of the field of Criminology. Regardless, research on white collar crime remains niche, as the majority of criminological literature still focuses on volume crimes (e.g. petty theft) and gruesome yet relatively rare crimes (e.g. serial murder). Criminological research into media reporting of crime is relatively mainstream, as evidenced by the establishment of research groups and centres dedicated to this topic, including the

Centre for Law, Justice and Journalism at City University London (2016) and the Crime, Culture and Control Research Group at the University of Kent (2016).

In Language and Media Studies, too, there has always been an interest in crime and criminal literature. Tabbert (2015), for instance, investigated naming strategies in a corpus of English and German crime news and Machin and Mayr (2013) investigated how the Paddington rail crash has been reported by the press.

The original contribution of this thesis is primarily methodological. There have been previous attempts at uniting CDA and corpus linguistics (see Tabbert, 2015; UCREL, 2016). However, my combined methodological approach has not previously been applied to a corpus that is of a similar size to mine (compare Tabbert, 2015, at approximately 75,000 words, and Machin and Mayr, 2013, at 300 articles). Previous approaches did not include transitivity and modality analyses (compare UCREL, 2016). It is also analytically novel, as the corpus-assisted critical discourse method is newly applied to the topic of corporate fraud. American criminologists have carried out previous investigations into news reporting of this topic (Cavender and Mulcahy, 1998; Evans and Lundman, 1983; McMullan and McClung, 2006; Williams, 2008) but few applied linguists, with the notable exception of Machin and Mayr (2013), have carried out investigations on this topic (as also pointed out by Machin and Mayr, 2013). Nevertheless, these previous efforts offer excellent guidance on how to conduct the current study, as is further detailed in the chapters 2, 3 and 4. Finally, this thesis offers theoretical novelty, in particular with regard to techniques of neutralisation. I do not just draw on the various techniques described by Sykes and Matza (1957) and Fooks *et al* (2012), among others, but also show that these neutralisations are, where explicitly expressed, created through, for instance, modality, and, where implicitly expressed, through grammar.

The research question of how British newspapers represent cases of corporate fraud between 2004 and 2014 is answered by first examining developments in the British economy and politics, as well as newspapers' composition of crime news. The Labelling chapter, 6, argues that the accused are portrayed as systematically important, investigators and regulators as overly hostile and victims as near non-existent. Chapter 7, the metaphor analysis, elaborates on these findings to show that regulation is perceived as (overly) burdensome and business is either war or a game, respectively necessitating aggressive strategies and negating the seriousness of rule breach. Chapter 8, on agency, shows the direction of action, i.e. who affects whom or what and with what. This analysis

shows that rather than being held responsible for committing fraud and victimising people, the accused are portrayed as subject to regulatory intervention. Chapter 9, the modality analysis, examines newspapers' evaluations of the truth and legitimacy of fraud accusations. This last chapter also investigates the indications of the needs and obligations of the involved parties. In particular, regulatory parties have many obligations, which leave little room for error.

The next chapter examines the literature relating to definitions of corporate fraud, techniques of neutralisation and previous research into the representation of corporate wrongdoing by news media.

Chapter 2.   Corporate Fraud and Newspapers

The current chapter explores literature relating to the question of how British newspapers have portrayed corporate fraud over the decade 2004-2014. This chapter argues that although it is a very serious type of criminal behaviour, newspapers do not report it with similar levels of seriousness. This lack of gravity is likely due to the financial and political interests of the owners of these newspapers. By using techniques of neutralisation (see Sykes and Matza, 1957), newspapers can influence perceptions of (corporate) (mis)behaviour.

This chapter first defines corporate fraud and examines how newspapers have, in the past, written about corporate fraud and the broader topic of corporate crime. The second section offers an overview of Sykes and Matza's (*ibid*) theory of techniques of neutralisation, with reference to Sutherland's (1955) theory of differential association and modern research into the use of techniques of neutralisation in corporate crime discourse. The third section briefly examines the political and economic concerns of newspapers and their readers. This examination is further developed in the fourth section, which considers previous research into newspaper reporting of corporate crime, arguing that newspapers tend to consider corporate fraud exceptional and not particularly newsworthy.

2.1. Corporate Fraud

This section argues that corporate fraud is a serious form of crime. However, existing research on corporate fraud specifically, and corporate crime more generally, is very limited. The research that does exist suggests that media outlets generally do not describe corporate crime and corporate fraud as serious forms of crime. This section begins by defining corporate fraud, before considering existing research on the topic.

2.1.1. Defining Corporate Fraud

Providing a definition of 'corporate fraud' is difficult, not least because there are a number of different criminal acts that may be given this label. For instance, white collar crime that affects corporations, committed by individuals, as well as fraud committed by corporations, can all be called 'corporate fraud'. This thesis defines corporate fraud as that which has been committed by corporations against individuals and other corporations.

In the noun phrase 'corporate fraud', the head noun is 'fraud'. As such, the meaning of 'fraud' will be considered first. 'Corporate' is merely a modifier to

indicate the specific type of fraud. Both English and American legal and colloquial definitions must be considered. Whilst the newspapers under investigation are British, a number of cases of corporate fraud included in my corpus occurred in the United States. Furthermore, previous academic research into media reports of corporate crime tends to be American (see Cavender and Mulcahy, 1998; McMullan and McClung, 2006; Slapper and Tombs, 1999; Williams, 2008; Wright, Cullen and Blankenship, 1995). Colloquial meanings of 'fraud' have also been taken into account, as it is assumed that newspapers, in their communication with readers, draw on colloquial understandings before precise legal meanings.

In both English and American legal scholarship, 'fraud' is something of a catch-all term, comprising a range of acts. The American *Encyclopedia of Crime and Justice* (1983*,* p.797) redirects the reader to 'consumer fraud', 'mail fraud' and 'theft', where in each instance a broad definition of fraud is applied to a specific set of circumstances. 'Consumer fraud', for instance, is described as "deceit in commercial transactions" (*ibid,* p.238) and as "conduct aimed at swindling customers" (*ibid*). Similarly, *Black's Law Dictionary* (1990*,* p.670) describes 'fraud' as a "misrepresentation of the truth or concealment of a material fact to induce another to act to his or her detriment". *Jowitt's Dictionary of English Law* (1977*,* p.827) describes fraud as an "advantage gained by unfair means; a false representation of fact made knowingly or without belief in its truth or recklessly, not caring whether it is true or false". In other words, fraud is generally understood to be a false, deceptive representation of goods and services. *Black's Law Dictionary* (1990*,* p.671) gives a number of examples of fraud, such as election fraud, insurance fraud, mail fraud, tax fraud and wire fraud, whereas *Jowitt's* (1977*,* pp.827-9) recognises that the range of acts which may be classified as fraud is very large. The common factor in these examples is that fraud is a misrepresentation of a situation for the benefit of the actor. In other words, in legal scholarship, 'fraud' can be defined as the range of acts which have in common the fact that a situation, good or service has been misrepresented or (data about) certain aspects of it have been withheld, to the benefit of the actor and with negative consequences for those who have been acted upon.

Colloquial definitions of 'fraud' do not vary much compared to the legal definition. The *Oxford English Dictionary* (2015, hereafter OED) defines 'fraud' as "criminal deception: the using of false representations to obtain an unjust advantage or to injure the rights or interests of another" or, following entries 3 and 4, simply all acts and methods of deception that are to another party's detriment. I also examined

collocates to 'fraud' in the British National Corpus (BNC, 2015), a 100m word collection of spoken and written texts collected between 1991 and 1994 (Burnard, 2007). About 10% of words are spoken, the remainder are written (*ibid*). The written texts, both imaginative and informative, were published after 1960, with most, including all informative works, published after 1975 (*ibid*), while the spoken component was collected and transcribed between 1991 and 1994 from speakers across the UK and from various 'context-governed' sources such as broadcasts, lectures, and court sessions (*ibid*). I generated collocates for 'fraud' through the Brigham Young University interface for the BNC (2017), selecting all collocates between 4 words to the left and 4 words to the right. Table 1 shows an overview of the top 100 collocates of 'fraud' in the BNC (2015), divided into seven categories.

Table 1: Top 100 collocates of 'fraud' in the BNC

Criminal justice	*Types*	*Deception / Hidden*	*Related crimes*	*Cases*	*Scale / Complex*	*Other*
Accusations	Card	Deceit	Abuse	BCCI	Complex	Amid
Accused	Cheque	Deception	Conspiracy	Maxwell	Counts	Arising
Allegations	Electoral	Detect	Corruption		Large-scale	Attempted
Alleged	Insurance	Detecting	Drug		Massive	Connection
Arrested	Long-firm	Detection	Embezzle-ment		Scale	Director
Cases	Mail	Discovered	Forgery			Involving
Charged	Mortgage	Discovery	Intimidation			Metro-politan
Charges	Securities	Dishonesty	Malpractice			Obtained
Commit	Tax	Error	Negligence			Officers
Committed	VAT	False	Racketeer-ing			Powers
Convicted	Welfare	Irregularities	Stolen			Prevent
Crime	Wire	Mis-represen-tation	Theft			Prevention
Crimes		Uncovered				Relating
Criminal						
Detectives						
Guilty						
Illegal						
Inquiry						
Investi-gating						
Investi-gation						
Jailed						
Offences						
Office						
Perpetrated						
Police						
Prosecution						
Serious						
Squad						
Squads						
Trial						
Trials						
Victims						

As Table 1 shows, in British use in the 1990s, fraud was presented as a legal matter. Accusations and allegations are made, investigations completed, arrests made, charges laid and cases are brought to trial so that the guilty can be convicted. It is characterised as a deceptive act and is linked to other forms of white collar crime. 'Fraud' is exemplified by a bank breaking banking regulations, in the process committing a notorious crime.

The collocates of 'fraud' in the Corpus of Contemporary American English (Davies, 2008, hereafter COCA) are very similar to those in the BNC. These collocates include words in the semantic field of criminal investigations. Again, varieties are specified and references to deception are made. The noteworthy differences include the fact that legal collocates specify the jurisdiction and include words such as 'federal'. Specific examples differ also, and are those such as 'Medicaid' fraud and 'WorldCom'. To summarise, the OED, BNC and COCA all suggest that, in colloquial use, 'fraud' indicates cases where particularly financial information or information affecting the finances of the parties involved, is withheld or misrepresented. As such, the colloquial meaning of 'fraud' is not particularly different from the legal definition, although specific examples differ per jurisdiction.

As the *Encyclopedia* (1983, p.239) notes, consumer fraud can be split between criminal and civil cases. In civil law, fraud is a violation of an agreement between two legal persons, rather than of any legal statute. Remedies in civil law cases, which can only be awarded by a civil court, include refunds, forced delivery of goods and services, and financial compensation. Criminal consumer fraud, on the other hand, is an intentional or reckless deception of the consumer and is punishable by a criminal court. For any consumer seeking compensation after securing a criminal conviction, a case would still have to be brought before a civil court (*ibid*). Most cases of consumer fraud, therefore, appear before civil, rather than criminal, courts, as a criminal court cannot award compensation to the aggrieved party (*ibid*, pp.238-9). This distinction is also maintained by other legal sources. As *Black's Law Dictionary* (1990) notes, the difference between civil and criminal fraud is vague and concerns a legal distinction between whether an act of fraud has been committed with intent (civil) or wilfully (criminal). To secure a criminal fraud conviction, the accused must be proven beyond reasonable doubt to have actively decided to commit fraud. In civil fraud, the accused may have committed fraud through simply being negligent in the active prevention of fraudulent behaviour (*ibid*). *Jowitt's* (1977) also refers to the division between civil and criminal fraud. The first is a matter of, for instance, contract law or of

commercial law in the case of violations of commercial legal statutes. The second is fraud contrary to criminal legal statutes, such as theft by deception and false accounting (*ibid*). Whilst fraud is clearly contrary to the law, fraud cases are not always taken to a criminal court.

In fact, as Nelken (2012, pp.631-2) writes, not all illegal corporate acts are always considered criminal, nor are all criminal corporate acts always illegal. The difference between these concepts is that illegal acts are all those which are formally legislated against, whereas criminal acts are those acts which are socially considered criminal. Most acts that are illegal are also generally perceived as being criminal, especially violent acts such as murder or very common crimes such as petty theft. Some acts may be considered criminal or at least deviant, by (parts of) society but are not actually illegal. These acts may be in the process of becoming legislated against. Examples include such cases as relate to new technologies. The Internet, for instance, created a range of situations that were difficult to foresee by legislators until after they had occurred, such as revenge pornography. Finally, some acts are legislated against but not, or no longer, actually perceived as criminal (by some parts of society). In the 1960s, these acts included homosexuality, whilst nowadays they could be argued to include cannabis use. Corporate fraud then sits on the border between these two areas. Legislation against various forms of fraud clearly exists. Corporations, being legal persons, can be guilty of these acts. However, the perception of these acts as criminal varies. The law, and thus that which is defined as illegal, is necessarily relatively inflexible, as it applies to the entire jurisdiction. That which is criminal, however, is socially defined and more context-dependent. Acts of (corporate) fraud are in fact often presented as civil law cases, i.e. between legal persons than between a legal person and the law, although exceptions exist in which these acts are presented as criminal, in particular when a case has been decided in a criminal court. The tendency to present fraud cases as civil law matters gives them a certain ambiguity, which can be used to negotiate whether corporate fraud should be represented as criminal or 'merely' illegal.

The modifier in 'corporate fraud', 'corporate', can be defined through 'corporate crime'. Corporate crime is not specifically legislated against, or even defined in legal theory. It is, instead, a criminological umbrella term describing a range of acts. As Nelken (2012, p.625) writes, corporate criminal acts may, apart from stereotypical economic and financial crimes, and contrary to a number of narrow definitions, include death and violence. The broadest definition is that

'corporate crime' means criminal acts on behalf of and by companies and corporations (*ibid,* p.630; Slapper and Tombs, 1999*,* pp.14-6; Croall, 2001*,* p.5). This is, however, still a very broad definition.

The definition of 'corporate crime' may be delineated further and more clearly by excluding related but not synonymous, acts. Acts of individual white collar crime, in any case, must be excluded. These are crimes committed by what Sutherland (1949*,* p.9) refers to as persons of a high social status, for example, "business managers and executives", "in the course of [their] occupation". As these have been committed for the benefit of that individual, rather than on behalf and for the benefit of a corporation, individual white collar crime cannot be corporate fraud, although corporate fraud does fall under the general white collar crime-umbrella. Other acts to be excluded are state crimes, as committed by and on behalf of the state, and organised crime, as committed by and on behalf of an organisation specifically founded for the "purpose of committing criminal acts" (*Wetboek van Strafrecht,* article 140, section 1, my translation). Questions then remain as to who counts as a corporate actor.

One pertinent English law concerning corporate responsibility is the 2007 *Corporate Manslaughter and Corporate Homicide Act.* This Act defines organisations capable of manslaughter and murder as corporations; police forces; partnerships, trade unions or employers' associations and government departments listed by Schedule 1 of this Act (2007, section 1, subsection 2). As such, the meaning of 'corporate' in 'corporate crime' is fairly broad but very clearly legally delineated. In such cases, senior management is held ultimately responsible for acts of fraud.

Following these legal and colloquial definitions, the current research defines 'corporate fraud' as indicating:

> those cases in which a corporation or a (number of) employee(s) or member(s) of a corporation, for the benefit and on behalf of said corporation, act(s) in a manner that conceals, falsely represents, or misrepresents the status or situation of a good, service or case, to their unjust advantage, resulting in negative consequences for other individuals, legal persons or for society as a whole, including injuring their rights.

2.1.2. Gravity of Corporate Fraud

Despite the fact that corporate fraud cases are often presented as a civil law matter, rather than as criminal, it is a highly costly and damaging form of crime. Punch (1996, pp.59-68) offers a non-exhaustive list of the possible negative (intangible)

consequences of corporate crime. One thing is clear: corporate fraud victimises more people than just consumers. Other (indirect) effects, to both individuals and states, are high financial and political costs, to the extent that corporate crime is more expensive than all other forms of crime combined.

As Punch (*ibid*) acknowledges, data on corporate crime is difficult to collect, firstly because corporate crime, presumably, has an even larger 'dark figure' (instances which go unreported (*A Dictionary of Sociology,* 2014)) than more stereotypical forms of crime. Second, because of the power of corporations and the lack of prioritisation by the police. Third, because individuals may only be victimised to a limited extent (called 'salami slicing' (Kabay, 2002)), which means that individuals may not find it worth reporting. Finally, individuals may be unaware of their victimisation, as in the case of price cartels. As such, it is hard to precisely estimate the impact of corporate fraud. Nevertheless, the following data show that corporate fraud is not to be underestimated.

Victims of corporate crime are not just consumers and staff. Other businesses, as well as the business environment, are also negatively affected. The cost of corporate fraud is not just financial; it is also political. By using "bribery, corruption, favouritism and conflicts of interest", corporate fraud has the capacity to undermine "political legitimacy" (Punch, 1996, pp.66-7) and by extension, democracy. Even if the cost to consumers and staff is not taken into account, the political cost cannot be ignored. Criminal behaviour gives the delinquent corporation an unfair competitive advantage and diminishes trust in markets (Punch, 1996*,* pp.67-8). Governments and taxpayers, too, can be victimised (Punch, 1996, p.66), through tax shortfalls. All in all, this means that many more people are (indirectly) victimised by corporate fraud than may initially be assumed.

Corporate fraud is also financially expensive. In 1983, the defrauding of consumers by corporations cost "American consumers hundreds of millions of dollars annually" (*Encyclopedia of Crime and Justice,* 1983, p.238). Antitrust violations, a form of corporate crime, in the US in 1980, have been estimated to have cost between $30bn and $60bn (Conyers, 1980). To compare, in 1992 the US Bureau of Justice approximated the total US cost of personal crimes to be about $17.6bn (Rosoff, Pontell, and Tillman, 2010*,* p.28). Similarly, in 2015, *The Independent* reported, in the aftermath of the release of the Panama Papers, an estimation by LSE researcher Zucman that "roughly $7.6 trillion" "is held offshore" (Chu, 2016). These offshore holdings include both corporate and individual wealth,

but this estimate nonetheless marks that much corporate wealth is undetected and thus untaxed. Similarly, HMRC (2015) estimated the tax gap (the difference between the tax that should have been collected by HMRC and what has actually been collected) of large businesses to be £9.5 billion and of SMEs to be £16.5 billion. This is an estimate for just one year.

Corporate fraud is a form of crime that merits serious attention from both policymakers and the general public. However, as the next section outlines, newspapers are inclined to either ignore corporate fraud news or lack gravity in its reporting.

2.2. Techniques of Neutralisation

Failing to acknowledge the gravity of an act, ignoring the act, or even justifying it, are all forms of neutralisation. Sykes and Matza (1957, pp.666-7) write that (prospective) delinquents use such techniques both post-hoc and beforehand to "protect the individual from self-blame and the blame of others after the fact" and to "make deviant behavior possible" despite social controls. They (*ibid*, p.666, italics original) define neutralisation as "*an unrecognized extension of defenses to crimes, in the form of justifications for deviance that are seen as valid by the delinquent but not by the legal system or society at large*". Delinquents do not learn these techniques in isolation: Sykes and Matza (1957) draw on Sutherland's theory of differential association to explain this process.

Sutherland (1955, p.77) writes that there are nine elements in the process of the potential delinquent becoming an actual delinquent. Actual delinquency can only occur in situations that are defined, by the potential delinquent, as appropriate for criminal behaviour (*ibid*). These nine elements of the process are as follows:

1. Criminal behavior is learned.
2. Criminal behavior is learned in interaction with other persons in a process of communication.
3. The principal part of the learning of criminal behavior occurs within intimate personal groups.
4. When criminal behavior is learned, the learning includes (a) techniques of committing the crime, which are sometimes very complicated, sometimes very simple; (b) the specific direction of motives, drives, rationalizations and attitudes.
5. The specific direction of motives and drives is learned from definitions of the legal codes as favorable or unfavorable.
6. A person becomes delinquent because of an excess of definitions favorable to violation of law over definitions unfavorable to violation of law.

7. Differential associations [(un)favourable definitions and exposure to them] may vary in frequency, duration, priority and intensity.
8. The process of learning criminal behavior by association with criminal and anti-criminal patterns involves all of the mechanisms that are involved in any other learning.
9. While criminal behavior is an expression of general needs and values, it is not explained by those general needs and values since non-criminal behavior is an expression of the same needs and values. (Sutherland, 1955, pp.77-9).

Particularly relevant elements of this theory are the notion that criminal behaviour is learned (1) like any other form of behaviour (8), through communication (2). The mention of 'communication' suggests that there is a need to investigate criminal discourses. These include both discourses *of* criminals, which I am not examining in this thesis, and discourses *about* crime and criminals, which I am. The focus of such an investigation should be, following Sutherland's (1955) theory, the "motives, drives, rationalizations and attitudes" present in these criminal discourses. Whilst Sutherland (*ibid*) writes in point three that criminal behaviour is learned in intimate social groups, Bandura (1990, p.55) suggests that print and television can also be valid sources of learning behaviour or learning justifications for behaviour. As such, it is important to investigate discourse in all settings. This thesis focuses on newspaper discourse.

Sykes and Matza (1957) argue that Sutherland (1955) is largely correct in his theory that delinquent subcultures learn both the techniques of committing crimes and the "attitudes favorable to the violation of law" (Sykes and Matza, 1957, p.664). However, they (1957) add that (criminal) subcultures are not fully independent from mainstream culture. Subcultures are always embedded within this larger, dominant culture (*ibid*). As such, an analysis of the representation of specific crimes in this dominant culture is as essential as the responses to specific crimes within (criminal) subcultures. Sutherland (1955) implied that the attitudes that allow delinquents to violate the law are largely positive, i.e. breaking the law is considered a good thing, within the subculture at least. However, Sykes and Matza (1957) propose that these attitudes are more likely to be neutralising than positive, due to the embeddedness of the subculture in broader society, which disapproves of such behaviour. The delinquent is still aware that their actions are generally considered delinquent (*ibid*). This means that the "motives, drives, rationalizations and attitudes" (Sutherland, 1955, p.78) simply help the delinquent justify their actions by claiming that criminal behaviour, in a given situation, is excusable, rather than preferable. Sykes and Matza (1957) describe five specific techniques of

neutralisation. They are the 'denial of responsibility', 'denial of harm or injury', 'denial of the victim', 'condemnation of the condemners' and 'appeal to higher loyalties' (*ibid*). The next five paragraphs will outline what each of these techniques means.

Denial of responsibility is the defence or excuse that the offending act has not been intentionally committed by the accused or that the accused had no other option but to commit this act (Sykes and Matza, 1957, p.667). Denial of responsibility includes the notion that the act has been accidental (*ibid*). Defending an act as 'accidental' is similar to the tendency discovered by Jewkes (2011, p.24) and Mayr and Machin (2012, p.203), whereby corporate crime is described as though it were a natural disaster. This denial of responsibility also includes the defence or excuse that the delinquent behaviour is due to external factors, such as parents, friends or a socio-economic situation (Sykes and Matza, 1957, p.667). This technique of neutralisation does, in some cases, hold up in courts of law, through for instance 'diminished responsibility' in cases of homicide (*Homicide Act 1957, section 2*).

'Denial of injury' suggests that there has been no real harm done by the act committed (Sykes and Matza, 1957, p.667). This denial includes excuses that the victim suffered no adverse material damage or, when the victim did suffer material damage, excuses that the victim can easily afford this damage (*ibid*) or has insurance covering the damage.

'Denials of the victim' are those techniques of neutralisation which suggest that there has been no victim (*ibid,* p.668). Again, this denial can play out in a number of ways. Related to the denial of injury, if no 'real' injury has been inflicted, then there is no real victim and vice versa (*ibid*). A second way to deny the victim is to deny the affected a 'victim'-status (*ibid*). Denying the victim their status can be done by pointing out that the affected is routinely engaged in criminal or deviant activities (*ibid*). Sykes and Matza (*ibid*) offer the example of homosexual and racial minority victims suffering from, respectively, homophobic and racially motivated attacks. In these attacks, offenders, and those sympathising with the offenders' motivations, claim that the victims deserved it and that they were sinners, beasts or other forms of sub- or non-human. Other examples include the phenomenon of 'slut-shaming', in which survivors of sexual aggression and assault are assigned some level of responsibility for their victimisation (Randall, 2010, pp.408-9), through evaluations of alcohol consumption (*ibid,* pp.412-4), dress (Bandura, 1990, p.93)

and perceived promiscuity (Randall, 2010, p.414). Similarly, Gregoriou (2011, p.172) produces a 'deservability scale', indicating which victims of serial killers are represented as most deserving to be victimised, such as other serial killers and child molesters, to those least deserving, such as babies, children, beautiful women and (prospective) mothers. Whilst Gregoriou (2011) examines serial killer fiction, she also points out that this scale is applicable to crime media more broadly, and even to the criminal justice system. This scale also relates to Christie's (1986) theory of the ideal victim, who is innocent, respectable and unrelated to the offender, as opposed to the non-ideal victim, who is not.

'Condemnation of the condemners' is a defence which shifts the focus onto the behaviour and motivations of those parties who respond negatively or disapprovingly to the actions of the potential delinquent (Sykes and Matza, 1957, p.668). It is a change of subject in criminal discourse, a red herring, which obscures the behaviour of the delinquent.

Finally, 'the appeal to higher loyalties' is the excuse that the committed acts serve interests that are above the law and above mainstream norms (*ibid,* p.669). Sykes and Matza (*ibid*) acknowledge that this defence does not indicate a total disregard for the law. It merely indicates a prioritisation of other norms, values and goals, over the law (*ibid*).

Both Sutherland's theory of differential association (1955) and Sykes and Matza's techniques of neutralisation (1957) can be applied to behaviour that is not in violation of the law or mainstream norms. For instance, it is possible to suggest that all behaviour is learned through communication and one part of this communication consists of learning attitudes in favour of law-abiding behaviour. Likewise, Sykes and Matza's techniques (*ibid*) may be slightly altered to serve as techniques of motivation: emphasis on responsibility and agency (one has the ability and responsibility to act in a certain way); emphasis on gain; emphasis on who else benefits; condemnation of those not behaving as prescribed and an appeal to higher loyalties (e.g. religious norms and values). Shoenberger, Heckert and Heckert (2012) have, for instance, carried out work on the use of techniques of neutralisations to 'defend' or encourage positive behaviour. The current research, however, is limited to the application of techniques of neutralisation to criminal and illegal deviance.

The theory of techniques of neutralisation can be applied to any number of deviant behaviours. For instance, Strutton, Vitell and Pelton (1994) examine

neutralisations of consumer-initiated fraud, finding that shoplifters use these techniques to justify their behaviour, in particular, if the shop in question is perceived as being 'unfair'. Ugelvik (2012) focused specifically on the denial of the victim in prisoners' narratives, finding that prisoners use this technique to continue being able to represent themselves as moral persons. Johnston and Kilty (2016) showed that security guards of psychiatric hospital units use Sykes and Matza's (1957) techniques of neutralisation to reduce their feelings of guilt about using violence and force to restrain patients. Spraitz and Bowen (2015) found that denial of responsibility and denial of injury, in particular, were commonly used techniques of neutralisation by priests in the Archdiocese of Milwaukee who have been accused of sexual abuse.

Despite the wide range of deviant behaviours that have been investigated, explicit investigations of techniques of neutralisation in discourses on and of corporate crime are limited in number. For instance, Evans and Lundman (2009 [1983]) and McMullan and McClung (2006) found that the responsibility of offenders in acts of corporate violence is denied or diminished in newspaper reporting of these acts. Corporate criminals often use techniques of neutralisation (Stadler and Benson, 2012). For instance, Piquero, Tibbetts and Blankenship (2005) found that MBA students, presented with a hypothetical case that allowed for corporate offending, would indeed use techniques of neutralisation to defend it. Piquero *et al* (*ibid*) write that these MBA students are influenced in particular by the attitudes prevalent in their corporate climate, which is in line with Sutherland's (1955) hypothesis that criminal behaviour is learned from the social environment. The most pertinent finding from this study is the fact that profit is the most important goal, above adherence to the law (Piquero *et al*, 2005), which is an appeal to higher loyalties. They (*ibid*) also found that older students are more likely to use these techniques than younger students. The same dataset was later used to examine whether there are any differences between men and women in using techniques of neutralisation (Vieraitis, Piquero, Piquero, Tibbetts and Blankenship, 2012). Men were more willing to commit corporate crime and tended to deny injury, whereas women condemned the condemners (*ibid*). To summarise, previous research shows that (potential) white collar criminals do in fact use techniques of neutralisation. However, such research is limited in number and in the variety of data.

Research on the use of techniques of neutralisation by institutions or institutional representatives is even harder to find. The most useful work on institutional techniques of neutralisation is by Fooks *et al* (2012), who write about

corporate social responsibility (CSR) documentation and how CSR documents are used to defend potentially questionable corporate behaviour. They (*ibid*) found that individuals and the corporation whose CSR documentation they examined use a wide range of techniques of neutralisation, including many not described by Sykes and Matza (1957).

A particularly pertinent part of this paper is an overview of "techniques of neutralization as they apply to corporate actors" (Fooks *et al*, 2012, p.286). In this overview, the authors do not just explain Sykes and Matza's (1957) theory but also summarise newer research into various techniques and introduce several new forms. More recently introduced techniques of neutralisation included in Fooks *et al's* (2012) article are Klockars's (1974) Metaphor of the Ledger; Minor's (1981) defence of necessity; Thompson's (1980) dispersal of blame / transfer of responsibility, and Bandura's (1990) dehumanisation of the victim. The next paragraphs describe these techniques.

Klockars's (1974, p.161) 'Metaphor of the Ledger' suggests that delinquent or deviant behaviour can be offset by past, current and future non-deviant and/or positive behaviour. Whilst Klockars does not explicitly identify the metaphor of the ledger as a technique of neutralisation, Fooks *et al* (2012) and Minor (1981, p.298) do.

Minor (1981, p.298) criticises Sykes and Matza (1957) for a lack of clarity in the 'denial of the victim'. As indicated, this denial is two-fold: either the victim is unknown/non-existent or the victim deserves to be victimised. Minor (1981, p.298) writes that the lack of acknowledgement of a victim is rather close to a denial of injury. He (*ibid*) also suggests that the 'defence of necessity' should explicitly be included in the list of techniques of neutralisation, although he does acknowledge that it is close to one of the two variations of denial of responsibility: blaming external factors. 'Necessity' is also close to the appeal to higher loyalties.

Thompson (1980) also examines varieties of denial of responsibility, in particular in an institutional context. Thompson (*ibid*) does not, in fact, make any reference to techniques of neutralisation. He (*ibid,* pp.907-8) instead investigates who or what is blamed in an institution. This blame may be placed on, for instance, external circumstances (*ibid*, p.907), or on the collective without reference to the responsibility of an individual person who is part of it (*ibid*, p.908). The most pertinent parts of this article are those that suggest that denial of responsibility is

possible through a diluting or transfer of responsibility through a collective, or to external circumstances.

Like Klockars, Bandura (1990) also does not explicitly mention techniques of neutralisation. However, he writes that potential perpetrators justify their own actions to themselves (*ibid*, pp.46, 48), as well as to others to "reduce the likelihood of reprimands" (*ibid*, p.58). These justifications can be learned through interactions with parents and peers (*ibid*, pp.54-5), echoing Sutherland's (1955) theory of differential association.

The learned justifications outlined by Bandura largely correspond to the five techniques outlined by Sykes and Matza (1957). For instance, Bandura's 'moral justification' (1990, pp.72-8) is much like the appeal to higher loyalties. He (*ibid*, pp.81-4, 84-6) also discusses 'displacement' and 'diffusion' of responsibility, both of which fall under the umbrella technique of denial of responsibility (Sykes and Matza, 1957). Blame, he writes (*ibid*), can be attributed to the environment, thus becoming a denial of responsibility (Sykes and Matza, 1957). In other cases, blame can be attributed to antagonists (Bandura, 1990, p.92), which could include a condemnation of the condemners (Sykes and Matza, 1957). He (1990, pp.79-80) explicitly mentions how the use of agentless passives represents deviant acts as accidental or down to external forces. This occurs, however, under the heading of 'euphemistic labelling' (*ibid*), which generally serves to deny the injury (Sykes and Matza, 1957) caused by deviant acts, or to deny the gravity of these acts. Denial of injury (*ibid*) is furthermore achieved by "disregard[ing] or distort[ing] (…) consequences" (Bandura, 1990, p.86).

Aside from (implicitly) drawing on traditional techniques of neutralisation, Bandura (1990) also introduces two new techniques. These are the 'dehumanisation' mentioned by Fooks *et al* (2012, p.286) and the 'advantageous comparison' (Bandura, 1990, p.80). The advantageous comparison is fairly straightforward. Like displacement of responsibility, the advantageous comparison shifts the focus of the narrative. This technique of neutralisation works by drawing on "flagrant inhumanities" so that the delinquent conduct in question "appear[s] trifling or even benevolent" by contrast (Bandura, 1990, p.80). Dehumanisation works as a variant of denial of the victim. (Potential) victims are not represented as humans but as sub-human objects or animals without "feelings, hopes and concerns" (*ibid,* p.88).

Finally, Fooks *et al* (2012, p.286) introduce several of their own techniques of neutralisation. They are:

- Misrepresentation (denial) of the evidence: A variation of denial of harm where corporate actors question the evidence for regulatory intervention.
- The defence of legality: By pointing to the legality of their product/actions, corporate actors excuse their negative impact on public welfare and justify the existing liberty of action of the company.
- For the good of the cause / for the greater good: A variant of appealing to higher loyalties. Corporate actor claims their behaviour was/is for the greater good, producing long-term consequences that serve as a justification of their actions.
- Expression of right: A variant of appealing to higher loyalties where corporate actors justify behaviour with reference to (unspecified) universal rights that protect business freedoms.
- Protection of the weak: A variant of appealing to higher loyalties where corporate actors claim that behaviour (producing socially suboptimal outcomes) is justified to protect the interests of other, less powerful groups.
- Assertion of rationality: A variant of condemnation of the condemners where, by making claims about what is reasonable, fair, constructive and proportionate, the corporate actor questions the reasonableness, fairness, etc., of its detractors.
- The world has moved on: Corporate actor claims that shifts in public attitudes rather than their own behaviour explain public condemnation. (*ibid*, p.286).

These techniques are mainly elaborations on Sykes and Matza's (1957) traditional techniques of neutralisation. However, the defence of legality and the excuse that the world has moved on are new (*ibid*) and follow Fooks *et al*'s (2012) examination of CSR documentation.

The strength of Fooks *et al's* (*ibid*) approach is that it is based on an investigation of excuses and justifications in tobacco industry documents, rather than being theoretical. As such, it has more grounding than Sykes and Matza's (1957) initial approach. The fact that Fooks *et al* (2012) find evidence for the use of all these techniques strengthens the validity of Sykes and Matza's initial theory. As Fooks *et al* (*ibid*) specifically investigate potentially questionable corporate behaviour, their research also supports the application of the theory of techniques of neutralisation to the current research on corporate fraud reporting.

A final important consideration by Bandura (*ibid*) is that these justifications, or techniques of neutralisation, can work individually but the whole is greater than the sum of its parts. When combined, these techniques reinforce each other.

2.3.Newspapers

News media do not simply present an unmediated reflection of events but rather translate and define these events for themselves and their readers (Louw, 2005; Hartley, 1982; Kuhn, 2007). Therefore, the political importance of newspapers is two-fold. On the one hand, newspapers may influence people's opinions whilst, on the other hand, people are likely to purchase newspapers whose politics are in line with their own views. Bednarek and Caple (2012, p.6) write that the media are powerful with regard to "the influence they exert both on our governments and major institutions and their ability to shape our ideas and behaviours". Similarly, Chibnall (1977) asserts that newspapers attempt to reflect and change the opinions held by their readerships. Newspapers may establish and re-establish the norms and values of these groups (*ibid*). This is particularly relevant with regard to the current thesis, as crime news and crime fiction are most people's only sources of information about crime (Chermak, 1995, p.95).

Newspapers' translation or distortion of events is not random but systematic (Chermak, 1994, p.98), and has the effect of maintaining existing social structures and lending legitimacy to certain moralities over others (Louw, 2005). This is not always intentional. However, the desire to present a news article as objective leads reporters to seek out people who are perceived to be authorities on the topic at hand. These people tend to also be part of socially powerful groups (Kuhn, 2007; Cottle, 2003; Machin and Niblock, 2006). This means that newspapers have a tendency to lend legitimacy to established authorities and established moralities, despite their ostensible political identity. This creates a cycle in which a particular authority and morality are continuously re-established, whilst other perspectives are obscured. One issue with the media is that they tend to over-represent sensational and dramatic crimes (Howitt, 1998, p.30-1; Gray, 2009). As such, the actual prevalence of certain types of crime is misrepresented.

Maintaining social structures and lending legitimacy to particular views does not necessarily always mean voicing dominant views. This maintenance may simply consist of denouncing or obscuring other points of view and their proponents. Those holding opposing views may be cast as *other* or as *deviant* (Louw, 2005; Cottle, 2003; Fowler, 1991). This marginalisation, criminalisation and, when taken to its extreme, demonisation, may lead to those persons espousing opposing views being more often, and more harshly, subjected to the criminal justice process (*ibid*). Those who do not hold opposite views are less often prosecuted. This demonisation of other perspectives can also distract from any criminal or deviant acts committed

by those who are privileged. For example, Wright *et al* (2009 [1995]) comment that newspapers often show a restraint in reporting on corporate wrongdoing that is absent in reporting on crimes committed by disenfranchised parties (although there are instances in which newspapers are less restrained in reporting fraud, or more restrained in reporting crimes allegedly committed by disenfranchised parties). One possibility is that this difference is due to journalists' fear of litigation by companies with 'deep pockets', or prosecution under the Contempt of Court Act (1981).

Jewkes (2011, p.41) asserts that news stories which support conservative ideology tend to be assigned a higher news value than stories that do not. This may mean that newspapers influence readers to vote on the conservative side of the political spectrum, like *The Sun*'s 1992 boast to have been an important factor in the Conservative Party's win. On the other hand, this could mean that the British public is, to a great extent, conservative, which is then reflected by newspaper writing.

Chermak (1994, p.102) shows that about 10.6% of all news in his investigation is crime news. When the business and sports sections are removed, this number rises to 16.1% (*ibid*, p.103). Chermak does acknowledge that, for instance, sports crime may be found in the sports section (*ibid*, p.101). As business crime may similarly be found in the business section, it appears that Chermak does not consider sports and business crime as 'typical'. Nevertheless, crime is an essential part of print news. Crime, presumably, does not make up a full 16.1% of all events on any given day and thus it could be argued that crime is generally overrepresented in news. Chermak (*ibid*, pp.104-9) offers three reasons why this is the case: this reporting informs readers about crime and law enforcement; reporting crime and prosecution deters, and crime has various stages which may all be considered worthy of report. However, Chermak (1994) does not consider more critical and political reasons why newspapers may have such a focus on crime, in the sense that he does not consider that crime reporting serves to reaffirm existing norms and values or indeed, as has been argued in this thesis, that crime reporting can neutralise specific forms of crime. This disregard of socio-political factors does not affect the merit of Chermak's (*ibid*) other hypotheses, which relate to the composition and relative importance of various crime stories.

Chermak's (*ibid*) scale of the importance of a particular story has four categories: tertiary, secondary, primary and super primary. He (*ibid,* p.122) defines tertiary news as "filler", unimportant news that is included to fill pages, and describes secondary news as "stories [that] have the potential to be important news"

but a lack of sources and a level of ordinariness prevents these stories from being classed as 'primary' (*ibid*). Primary news, meanwhile, indicates those stories that are printed on the front page of the newspaper or the front page of a particular section and are supplemented with an image (*ibid*, p.122). Furthermore, a primary story ties in with ongoing concerns and is followed across various stages of the legal process (*ibid*). Chermak (*ibid*) describes super primary stories as having both national and international appeal, in the sense that these events affect readers of these newspapers, as well as people abroad. Reporting on these events is intensive and such articles can contain any number of different stories, including witness and victim accounts and analyses of causes (*ibid*). However, super primary stories are, as Chermak (*ibid*, p.124) indicates, very rare.

A recurring lament in previous research on corporate crime is the fact that it is largely under-reported (Evans and Lundman, 2009 [1983]; Wright *et al,* 2009 [1995]; McMullan and McClung, 2006; Machin and Mayr, 2013), compared to the over-reporting of crime in general. If indeed newspapers are reluctant to publish any stories about corporate fraud, why are any included in the first place? As Jewkes (*ibid*, p.42) indicates, there are certain characteristics which indicate the level of newsworthiness of a story. These characteristics are news values and the more news values found in a story, the more newsworthy it is (*ibid*). Very simply put, some stories of fraud are very newsworthy (Jewkes, 2011, p.41). Punch's (1996, p.40) description of corporate crime as a form of "sexy upper-world intrigue" hints at one reason why newspapers include corporate fraud news.

Bednarek and Caple (2012, p.40) outline several different definitions of news values. Generally, news values those elements of a story that producers prefer and are imagined, or known, to be preferred by readers (*ibid*). Jewkes (2011, p.42) points out that it is unlikely that journalists and news editors would have an actual list against which a story is compared in order to determine whether it should be included in that day's paper. This process is more likely to be intuitive, with journalists sharing or being aware of their readers' desires and ideology (*ibid*) or, as Richardson (2007, p.92) would have it, with journalists imagining their readers' preferences. This means that some news is repressed but other news is amplified. The seminal research on news values has been conducted by Galtung and Ruge (1965, pp.52-60), who found the following news values:

- Frequency (the frequency and duration of the event must be similar to that of the publishing medium, e.g. a brief action is more noteworthy to newspapers than a drawn-out process);

- Threshold (the notion that a story needs to have a certain impact);
- Unambiguity (the event should be easy to interpret);
- Meaningfulness (both in cultural proximity and relevance to the reader);
- Consonance (the audience may require an update on an ongoing event);
- Unexpectedness (the news is actually new, e.g. breaking news);
- Continuity (as a consequence of the value of 'consonance', follow-up reports are also news);
- Composition (the event is not too similar to different news that has recently been reported);
- Reference to élite nations and élite people;
- Personification;
- Reference to something negative (*ibid*, see also Fowler, 1991*,* pp.13-4).

Galtung and Ruge (1965, p.60) write that these values are not independent of each other. Many are, in fact, related. For instance, 'consonance' and 'continuity' are very similar and preclude the option for an event to be 'unexpected'. However, expected news can still have such an impact that it is considered an important headline, to the extent of being 'breaking'.

For instance, when the results of the 2015 mayoral elections in London were announced, the outcome was not particularly unexpected, given the results of polls. Nevertheless, Sadiq Khan's election as Lord Mayor of London was still brought as 'breaking news' by the BBC's Breaking News Twitter account (2016). Twitter is an ideal medium to illustrate the different values attached to frequencies. As Twitter allows a great number of very short updates, it can serve very well to report drawn out processes. Whereas the BBC Breaking News Twitter (2016) account posts an update several times every hour, the BBC news webpage only brings breaking news at a maximum every several hours. Print newspapers, being published once a day but offering much more space, are more suitable for in depth reports of actions and occurrences, rather than processes. Finally, the values of continuity, unexpectedness, reference to elite nations and people and meaningfulness may combine to contribute to the threshold value of the story.

Jewkes presented a more up-to-date list of news values in 2011. Her values (*ibid*, p.45) refer explicitly to crime news, rather than news in general, but nonetheless overlap with Galtung and Ruge's (1965) values:

- Threshold [see also Galtung and Ruge, 1965];
- Predictability [combining 'unexpectedness', 'consonance' and 'continuity', Galtung and Ruge, 1965];

- Simplification, [which is similar to Galtung and Ruge's unambiguity (1965)];
- Individualism;
- Risk to the reader [related to 'meaningfulness', Galtung and Ruge, 1965];
- Sex;
- Celebrity or high-status persons, [similar to Galtung and Ruge's, 1965, 'reference to elite people'];
- Proximity [also related to 'meaningfulness', Galtung and Ruge, 1965];
- Violence or conflict;
- Visuals [meaning the inclusion of photographs or videos];
- Children,
- Conservative ideology (Jewkes, 2011, p.45).

By exploring which news values apply to the news articles on corporate fraud that have been published by the relevant newspapers, the question of why these articles have been published in the first place may be answered. This will also answer the question of why this news has been given the priority that it has.

Newspapers, even by the simple act of selecting which stories to run and which to discard, lend legitimacy to established authorities and established moralities. This propagation of one perspective above others has the effect of shaping people's opinion on various matters. It also influences policy and enforcement prioritisation.

2.4. Newspapers on Corporate Fraud

Previous research shows, as outlined in this section, that corporate crime news tends to be neutralised. Unfortunately, this previous research is rather limited.

Corporate crime is claimed to be less interesting to the general public than other crime news (Cavender and Mulcahy, 1998). Cavender and Mulcahy (*ibid*) criticise this belief about reader interests by commenting that the lack of coverage of corporate crime is what creates this lack of interest in the first place. Williams (2008) writes that generally, newspapers report corporate crimes as exceptional, thereby suggesting that corporate fraud has a different status than other forms of crime, which may be used as 'filler' news and as such are reported as 'ordinary' events.

Crime reporting tends to focus on 'whodunnit', particularly in relation to individuals (Cavender and Mulcahy, 1998). For instance, in Evans and Lundman's (2009 [1983]) comparison of two US cases of corporate price fixing, the coverage of these cases of corporate fraud focuses heavily on the individuals involved, rather than on corporate defendants. Villains and heroes are common, if not essential, narrative roles (Cavender and Mulcahy, 1998). Machin and Mayr (2013, pp.84-7)

indicate that in crime reporting, the perpetrator and victim are usually ideologically squared, that is, they are set up as opposites. Moral boundaries must clearly have been broken, to teach readers a lesson about deviance and acceptable behaviour (Cavender and Mulcahy, 1998). Crime reporting also should have a resolution (*ibid*).

The problem with corporate crime news is that it does not easily fit this narrative framework (*ibid*). Evans and Lundman (2009 [1983], p.538) indicate, for instance, that readers and writers alike are simply unaccustomed to considering legal persons, rather than natural persons, as being capable of criminal acts. Corporate fraud is generally complex (Mayr and Machin, 2012*,* p.202), which makes it difficult to cover in the limited time and space generally allotted to a news story. Corporate criminal acts violate the news value of 'simplification', or the ability to cover it within the readers' limited attention span (Jewkes, 2011*,* p.47), as these cases are inherently complex. Corporate crime also lacks unambiguity (Galtung and Ruge, 1965), which is the value of being both clear and easily described using stereotypes (Fowler, 1991*,* pp.13-4, 17-9).

However, published reports on corporate crime focus on those elements that could be forced to fit the framework anyway (Cavender and Mulcahy, 1998), and that are generally considered newsworthy. In their conclusion, Cavender and Mulcahy (*ibid*), suggest that the predominance of the crime news framework can actually enhance the salience of corporate crime news whenever it can be made to fit said framework but limits its newsworthiness when it cannot. As such, it is worthwhile to consider whether the portrayal of corporate fraud in my corpus fits a particular narrative framework.

Generally, corporate fraud reporting is neutralising. Instead of being indicated as criminal, corporate wrongdoing is often represented as a 'disaster' or 'scandal' (Jewkes, 2011*,* p.24; Mayr and Machin, 2012*,* p.203), although there are exceptions in which corporate wrongdoing is indeed reported as criminal. The differences between 'crime', 'scandal' and 'disaster' generally concern responsibility and consequences. Punch (1996, p.40) characterises scandals as "sexy 'upper world' intrigue", which may dent credibility. In crime, specific persons are actively responsible for causing harm. The scandalous action is less criminal and more 'immoral' (Mayr and Machin, 2012*,* p.203). In disasters and accidents, responsibility lies entirely beyond human power (Mayr and Machin, 2012, p.203). They are "acts of God" (Jewkes, 2011, p.25). This directly links to techniques of neutralisation, in particular the technique of denying responsibility (Sykes and Matza, 1957). Casting

corporate fraud as scandalous or the result of an accident may be done for ideological reasons, to avoid explicitly assigning blame to powerful parties.

In fact, the criminality of corporate crime is diminished or indeed even entirely denied. One explanation is that this is done to prevent defamation lawsuits. Evans and Lundman (2009 [1983]) found a distinct lack of the "language of criminality" (*ibid*), which they characterise as simply using the word 'crime' to indicate these acts. 'Crime' is a rather limited definition of a 'language of criminality' but even then, their findings are in line with the findings of other researchers. Similarly, in their analysis of the reporting of the 'Imperial Food Products Fire', Wright, Cullen and Blankenship (2009 [1995], p.22) show that, historically, US news media are reluctant to "socially construct corporate violence as a crime". US news media have been hesitant to "label acts of corporate crime as violence", at least not until the US government had done so (2009 [1995]). Like Wright *et al's* (2009 [1995]) study, McMullan and McClung's (2006) article concerned a case of corporate violence. The Westray mine explosion has been reported as an accident (*ibid*), rather than the result of *criminal* negligence. McMullan and McClung (2006, p.75) report that only 6% of all news actually reported this disaster as a consequence of a "violation of the law". Unlike in Wright *et al's* (2009 [1995]) newspaper articles, journalists did not cover the events as criminal at all, even after a public inquiry found incriminating information (McMullan and McClung, 2006, p.76). These findings indicate a misrepresentation of the evidence (Fooks *et al*, 2012) and denials of injury and responsibility (Sykes and Matza, 1957). By not reporting, or through neutralising reporting, newspapers imply or explicitly indicate, that markets continue to be trustworthy and "engines of economic growth and cornerstones of financial prosperity" (Williams, 2008, p.488) despite cases of corporate wrongdoing.

It is in newspapers' own interest not to be too critical of corporations, as such criticism can alienate both readers and potential advertisers. One can, therefore, expect newspapers to take a less critical stance toward socially harmful behaviour when it is done by corporations, compared to when it is committed by (disenfranchised) individuals. Furthermore, they are bound by the Contempt of Court Act (1981), which stipulates that newspapers (and other media) may not report on ongoing cases in a manner that risks impeding or prejudicing the course of justice. As a result of this law, journalists have the duty to report any crime only as criminal once a verdict has been reached (see also Wright *et al*, 2009 [1995], p.32). Furthermore, reflecting "larger power structures in society" (*ibid*, p.34), journalists

will be particularly reluctant to do so in cases of corporate crime. Wright *et al* (2009 [1995]) do admit to the possibility of "a more sympathetic assessment" of this coverage, suggesting that it is possible that reporters want to "let justice run its course". However, they are willing to assign responsibility when reporting other crimes (*ibid*), in apparent contravention of the Contempt of Court Act (1981). For instance, Tabbert's (2015, pp.91-102) analysis of British newspapers' portrayal of offenders shows that normally, newspapers are not nearly so cautious when reporting criminal causes. In fact, even non-delinquents can be tarred with the brush of delinquency, without much hesitation. *The Daily Mail*, for instance, labels Syrian refugees as terrorists (Drury, 2015).

Previous research is limited in covering only one, or a small handful, of cases of corporate crime. Wright *et al* (2009 [1995], p.25) criticise previous research for only including up to five newspapers and covering only a few days of reporting, whereas their own research covers ten newspapers and all reporting on this particular case. For instance, Cavender and Mulcahy (*ibid*) analyse only one case of corporate crime, drawing on the reporting of only three newspapers. An exception is Williams (2008), who examined over 300 articles, taken from papers and magazines, covering the Enron and WorldCom cases. Most studies also only cover a limited time span, of a year (Williams, 2008) at most. In McMullan and McClung's (2006, p.73) study, for instance, only a limited time span has been covered, concerning one case only and from only one news organisation. A further limitation of these aforementioned studies, except for Machin and Mayr's (2013), is their focus on US cases (Nelken, 2012, p.625), although corporate crime and fraud are not limited to just one country, and can be transnational when multinational companies are involved or money crosses borders.

Williams (*ibid,* p.474) criticises existing research on media reporting of corporate crime for focusing on what should have been reported, rather than the active representation of these crimes. He (*ibid*) gives a list of examples of this previous research that he claims focuses too much on 'what should have been', including Evans and Lundman's (1983) study. Williams (*ibid*, p.476) claims instead to have employed a method that "can be described as a type of Critical Discourse Analysis", and he explicitly references Wodak and Fairclough. However, his method lacks any form of linguistic analysis. Furthermore, critical discourse analysis, according to Fairclough (2015, p.48) actually explicitly draws on 'what should be', contrary to Williams's (2008) claims of what research into media reporting of crime should focus on ('what is').

Machin and Mayr (2013) also use critical discourse analysis (but properly) to examine 300 newspapers texts, published in 1999 by seventeen UK newspapers, both national and regional, about the Paddington rail crash. They found (*ibid*) that this crash, although the result of corporate negligence, has been reported in terms of a natural disaster. This can be classified as a denial of responsibility (Sykes and Matza, 1957). The news focused on drama, with graphic descriptions of the crash and survivor accounts (Machin and Mayr, 2013), thereby increasing the news value of these stories. In the second stage of reporting on the Paddington rail crash, the heroes of this crash were celebrated (*ibid*), which fits the crime frame outlined by Cavender and Mulcahy (1998). At this stage, there was still "no reference to human or criminal agency" with regard to the cause of the crash (Machin and Mayr, 2013, p.69). Even later, when causes had been sought in the formal investigation, the crash was still not reported as being caused by *criminal* negligence (Machin and Mayr, 2013). Blame has been assigned by way of moral, instead of legal guilt (*ibid*). As Cavender and Mulcahy's framework (1998) suggests, there is a focus on individuals and on personalisation (Machin and Mayr, 2013) as a way to make this news fit the dominant crime news frame.

Criminologists have done most of the research cited above with little linguistic focus. Machin and Mayr's (2013) article is an exception, as their research applies critical discourse analysis, following the principles set out by, among others, Fairclough. Regardless, the coverage of multiple cases of corporate crime, over time spans longer than a year, in geographical regions not limited to the US, has not previously been researched. I will argue that my research is more reliable and generalisable than previous research, which only covers one case or only a year's worth of reporting at most. This is one of my thesis's original contributions.

In conclusion, I hypothesise that newspapers are hesitant and careful in reporting corporate fraud, to the extent of actively neutralising this news.

2.5. Chapter Summary

This chapter has shown that corporate fraud is a serious and damaging issue, and one that newspapers do not represent in a serious fashion. British newspapers use techniques of neutralisation, instead, to write about these acts, possibly due to their own corporate interests. An exploration of criminological literature and legal theory has led to a workable definition of corporate fraud. This concept is defined, on page 23, as:

> Cases in which a corporation or a (number of) employee(s) or member(s) of a corporation, for the benefit and on behalf of said corporation, act(s) in a manner that conceals, falsely represents, or misrepresents the status or situation of a good, service or case, to their unjust advantage, resulting in negative consequences for other individuals, legal persons or for society as a whole, including injuring their rights.

The need to make this definition explicit is grounded in the fact that multiple cases are investigated and they have to be evaluated against this definition.

An important finding that crops up time and time again in research on media reporting of corporate crime, is reluctance among newspapers, even those that are ostensibly left wing, to be (highly) critical of corporations. This reluctance is politico-economic. Being critical of corporations is contrary to many newspapers' ideologies and financial interests. To broadsheets, alienating potential advertisers is simply bad business.

Furthermore, corporate fraud is a complicated topic, both to define and to report on, which may alienate readers. As such, it is possible to conclude that newspapers would not find it beneficial to focus on corporate crime in general and corporate fraud specifically. Instead, newspapers appear to function as a mouthpiece for corporate Britain, using techniques of neutralisation to mitigate the effects of accusations of fraud on such companies.

The next chapter explores which methods are most suited to answering the question of how UK newspapers reported corporate fraud over the period 2004-2014.

Chapter 3. Critical Discourse Analysis and Corpus Linguistics

The previous chapter justified my choice to include British national newspapers, defined 'corporate fraud' and discussed previous research into corporate fraud reporting by newspapers. The current chapter argues that critical discourse analysis is the most suitable approach, given its attention to the social context of discourse.

Critical discourse analysis, or CDA, is a continuation of critical linguistics. Both approaches draw on various linguistic theories and tend to borrow methods from various strands to linguistics to conduct their analyses (Widdowson, 2004). Both CDA and critical linguistics assume that language shapes and is shaped by social structures (Fairclough, 2015; Wodak, 2001). This thesis investigates the portrayal of corporate fraud, a 'crime of the powerful' (see Sutherland, 1949). How acts, and indeed crimes, of the powerful are reported may contribute to these powerful people and institutions maintaining their power. The fact that these people and institutions are powerful possibly influences this reporting in the first place. As CDA similarly presumes that language both affects and is affected by social structures, it is the most appropriate approach. Indeed, despite his unconventional use of CDA, Williams (2008) considers it a useful methodology for analysing the reporting of cases of corporate fraud. I have used Fairclough's version of CDA in this thesis as Fairclough (2015, p.129-30) provides a useful checklist of linguistic items to examine and has an explicit aim that is similar to my own: to "change reality for the better" (Fairclough, 2015, p.48).

CDA is not, however, without its flaws. Its aims are political, which invites accusations (and perhaps actual instances) of cherry-picking (see, for instance, Jeffries, 2010; 2014; Widdowson, 2004; Baker, 2012). Furthermore, its open, eclectic approach to useful linguistic tools and theories is criticised as encouraging incoherence and lack of systematicity (Widdowson, 1998, pp.137-8, 149; 2004, p.97).

Widdowson (2004) promotes the use of corpora to remedy some of critical discourse analysis's more egregious flaws (as Widdowson perceives them), in particular, the potential for cherry-picking. Similarly, Halliday (1992) expresses great enthusiasm for the possibilities corpus linguistic methods offer traditionally qualitative approaches. Many more researchers have since come to share this insight. Criminologists, too, recognise the value of examining large corpora of text. Wright *et al* (2009 [1995], p.25), for example, criticised previous research on the

representation of corporate crime for considering articles from too few newspapers, drawn from overly limited time spans. As such, corpus linguistics is evidently a method worth considering, precisely because it allows for an analysis of a large number of texts, by including articles published in a large variety of newspapers over a number of years.

This chapter first establishes why critical discourse analysis is the appropriate approach to my corpus of corporate fraud news, given my research questions. It then outlines how corpus linguistics enhances CDA. I answer my research questions, outlined in chapter 1, by exploring lexis, metaphor, transitivity, and modality.

3.1. *Critical Discourse Analysis*

This section sets out arguments in favour of CDA and considers objections historically raised against it. CDA is a continuation of critical linguistics under a different name, reworked by a different set of academics (see Wodak, 2001, pp.12-3, footnote 2; 2006). Fairclough, in his 1985 paper, mentions explicitly taking up the label 'critical' to indicate a connection with critical linguistics, as well as to signify the intentions of CDA. However, Fairclough (1985, p.747) warns that CDA's connection to critical linguistics must not be taken as an indication of an adherence to identical views.

In the last chapter of *Language and Control* (Fowler and Kress, 1979) describe critical linguistics. Critical linguistics focuses, as detailed in section 3.1.1, on language in the social context, with particular reference to the function of language in reflecting, maintaining, and building social structures. Sociolinguistics and critical linguistics are normally considered different from one another in that "[c]onventional sociolinguistics" considers the concepts of 'language' and 'society' as separate but linked, and does not sufficiently acknowledge that language influences social structures as much as it acknowledges the reverse (*ibid*, pp.189-90). However, Fowler and Kress (1979, p.187) criticise the notion that linguistics and sociolinguistics are somehow different: "we follow Halliday in requiring that social meanings and their textual realizations be included within the scope of grammatical description". In fact, they (1979, p.188) indicate, "the structure of a language should generally be seen as having been formed in response to the structure of the society that uses it". Critical linguistics does not use texts as sources of data to establish either "the general construction of language (…) or the characteristic expression of some social group", but as complete and "independent

subjects for critical *interpretation*" (*ibid,* p.195). Critical linguistics aims to "demystif[y]" authors' and speakers' aims. While there are no fixed guidelines or a fixed checklist of analyses that should be conducted to reveal a text producer's aim, they (1979) do offer five suggested points of analysis: transitivity, modality (focusing on naming conventions, pronouns, speech acts, and deixis, with only some attention to modal verbs), transformations (nominalisations and passivisations in particular), classification (focusing on relexicalization and overlexicalisation), and coherence, order, and unity. Kress and Hodge (1979) describe these in more depth in *Language as Ideology*.

Fairclough (1985), in coining CDA, builds on the same assumptions as Fowler *et al* (1979a). Fairclough's (1985) CDA and Fowler *et al*'s (1979a) critical linguistics differ little, if at all, although Fairclough (1985) does claim that his views are not *per se* similar to those of Fowler *et al* – even if he does not clarify how they are different. Both approaches are inherently inter- or "transdisciplinary" (Fairclough, 2012): Kress and Hodge (1979, p.3) write that their newly proposed linguistic approach should also draw on sociology and psychology (and sociologists and psychologists should similarly be knowledgeable about "language phenomena"), whereas Fairclough (2012) draws on a variety of social science fields and topics. The main difference is Fairclough's (1985) development of the three social levels, "the social formation, the social institution, and social action", i.e. between society, a particular social group or institution, and the text itself, and how each affects the others, which he explains in great detail. These are later by Richardson (2007) named as 'social practices', 'discursive practices', and 'text'. Fairclough also provides a more detailed checklist (2015, p.129-30, see section 3.1.4). As I generally follow Fairclough in this thesis, and as it appears to be the more popular term, I adopt the label 'CDA' also. As Fairclough (2015) explicitly differentiates between his own and Wodak's approach to CDA (also called the discourse-historical approach, or DHA, see section 3.1.2), I will also, where appropriate, refer to 'Faircloughian CDA' to differentiate between the two.

(Faircloughian) CDA is a contested approach to analysing texts. CDA is politically motivated (Wodak, 2001, p.9; Fairclough, 2015, p.5; Fowler, *et al,* 1979; Jeffries, 2010; Widdowson, 2004; Baker, 2012; Poole, 2010) but this is not inherently problematic (Fairclough, 2015, pp.51-3; Poole, 2010). The critical discourse analyst must ensure that four points are taken into consideration to ensure the eclectic and politically motivated nature of CDA do not have an adverse effect on the quality of the analysis: to ensure methods and theories are coherent

and consistent; to iterate between interpreting the text and its social context; to offer multiple interpretations where possible, and to be upfront and explicit about political views. To safeguard against cherry picking texts that support the analyst's view, despite a potential multitude of contemporary texts that do not support the analyst's view, corpus linguistics is offered by various researchers (Toolan, 1997, p.96; Poole, 2010, p.144; Jeffries, 2014, pp.418-9; Orpin, 2006; Sinclair, 2004; Baker *et al,* 2008) as a method that should be part of CDA also, as detailed in more depth in section 3.1.5.

3.1.1. Language and Power

Like critical linguistics, CDA considers language to be a social act (Wodak, 2001, p.1). Fowler *et al* (1979b, p.1), in this regard, draw on Sapir and Whorf's notion that language use reflects and even creates – "embodies" – a person's perception of reality. The second preposition raised by Fowler *et al* (*ibid,* italics original) is that socio-economic variables create different groups who use different language varieties, which "reflect and, what is more, actively *express* the structured social differences which give rise to them". "[L]anguage usage", write Fowler *et al* (*ibid,* italics original), "is not merely an effect or reflex of social organisation and processes, it is *part* of social process". Linguistic expressions and their forms are explicitly linked to the social context of their use and users (Fowler and Kress, 1979, p.189; Kress and Hodge, 1979, p.5; *The Linguistics Encyclopaedia,* 2002*,* p.105). As Fowler and Kress (1979, p.190) put it, it is not just the social structure that influences language use. Language use also

> serves to confirm and consolidate the organizations which shape it, being used to manipulate people, to establish and maintain them in economically convenient roles and statuses, to maintain the power of state agencies, corporations and other institutions (Fowler and Kress, 1979, p.190).

In other words, language is very politically powerful.

This notion, that language is a social process, also draws on Sapir and Whorf's idea that language use is indicative of and affects "views – or 'theories' – of reality" (Fowler *et al,* 1979b, p.1). Kress and Hodge (1979) offer more information about critical linguistics' reliance on, in particular, Whorf's work on the links between language and perception, indicating (*ibid,* p.5) that "[w]hat we see is limited by where we look and what we focus on". Language is "given by society" and allows us to communicate with others about our perceptions and experiences (*ibid*). In other words, the language we use shapes how we make sense of the multitude of

sensory inputs of our experiences, allowing us, in turn, to share these experiences with others who speak our language.

The theoretical assumption that language shapes society draws, to some extent, on Halliday's (1973, p.41) interpersonal metafunction by establishing and maintaining roles. Halliday has outlined three metafunctions: the ideational (divided into the experiential and the logical); the interpersonal, and the textual (*ibid*). The ideational metafunction is the use of language to communicate "a content in terms of the speaker's experience and that of the speech community" (*ibid*, p.37). The interpersonal metafunction indicates that language use establishes and negotiates a particular interpersonal relation between language users (*ibid*, p.41). The textual "fills the requirement that language should be operationally relevant" (*ibid*, p.42). In other words, the textual metafunction is the use of language to create a coherent and cohesive text.

In his development of CDA, following critical linguistics, Fairclough expresses a "particular interest in the relation between language and power" (*ibid*, p.2) and aims to analyse the relation between language and social inequalities (*ibid*). Fairclough (2015, p.3, italics original) notes that his approach focuses both on the "power in discourse" or how power relations are realised in a particular interaction, and the "power *behind* discourse", or how power relations exist in and shape the social order. Rather than seeing language and society as separate entities that occasionally overlap and interact, CDA assumes that language has a social function, in that language creates and supports existing social structures (Fairclough, 1985, p.746; 2015, pp.54-9, 67-71).

Fairclough's CDA has three specific functions, which are: to critique discourse; to explain the role of discourse in "the existing social reality" and to serve "as a basis for **action** to change that existing reality in particular respects" (*ibid*, p.6, emphasis original). The benefit of this approach is that it responds implicitly to Fowler's (1987, p.488) suggestion that critical language analysis needs to offer space to an exploration of the social context in which language is used. This latter aim makes the political dimension of CDA more explicit. Similarly, Wodak (2001, p.9) asserts that one of the elements of being critical is "taking a political stance explicitly". Fairclough (2015, p.5), indeed, does not conceal his antipathy to capitalist society and existing social structures in contemporary Britain.

To summarise, CDA assumes that language affects social structures and is, in turn, affected by social structures. It uses Halliday's (1973; 1994) systemic functional linguistics to underpin its methodological approaches.

3.1.2. The Development of CDA

In the introduction of the third edition of *Language and Power* (2015), Fairclough discusses, among other things, the progress made in CDA in the 30 years since the publication of his 1985 paper on the goals of discourse analysis. In this new introduction, Fairclough (2015) addresses two particular issues. The first is that since the 1980s CDA has developed in three distinct directions: the discourse-historical approach, ethnographic linguistics, and Fairclough's own (*ibid*). The second is that CDA has been heavily criticised over the years (*ibid*). This section examines Fairclough's description of the development of CDA. Of the three directions that Fairclough describes, I will examine the first and third direction first. This leaves the second direction, corpus linguistics, which I will discuss last as it is the one used in the current research.

The first direction is Wodak's 'discourse-historical' approach (DHA), which, according to Fairclough (*ibid*, pp.19-20), starts by examining inconsistencies and contradictions in the discourse, then follows by "demystifying" the "'manipulative' character" of the discourse and ends by aiming to transform and improve communication. Fairclough (*ibid*, p.20) criticises DHA by asserting that it does not explain how the discourse under examination contributes to the existing social reality. Consequently, DHA does not critique this social reality (*ibid*). Finally, and most importantly, DHA does not actively aim to change this social reality. Evidently, Wodak and Fairclough have taken up different perspectives on CDA. This explains why Wodak considers CDA and critical linguistics as more or less synonymous, whilst Fairclough does not. A third approach is 'ethnographic sociolinguistics', which Fairclough dismisses fairly simply by stating that ethnographic sociolinguistics and Faircloughian CDA have different objectives. Thus, ethnographic sociolinguistics is not a form of CDA, as far as Fairclough is concerned (*ibid*, p.24).

This leaves the second approach, corpus linguistics. Fairclough (*ibid*, pp.21-3) states that corpus linguistics is, at best, a descriptive methodology. In other words, corpus linguistics can only indicate what is literally present in a text. This approach can complement CDA, but corpus linguistics cannot replace CDA as a critical approach (*ibid*), as it is also important to consider what is not present in the text but should be. Fairclough indeed warned against corpus linguistics replacing

the critical approach in CDA (1985, p.759), coincidentally pre-empting Widdowson's suggestion that corpus linguistics could be a suitable avenue of exploration for future CDA-applications (Widdowson, 2004, p.110). Whilst Fairclough acknowledges the possibility that corpus linguistics may be a suitable complement to CDA, he has less faith in its use than others.

The advantages of Fairclough's CDA are that it formally offers a framework for an analysis of a discursive situation and social context and that it offers a relatively clear set of guidelines and aims. Furthermore, Fairclough's preoccupation with power relations makes his CDA suitable to this research. This is because corporate crime has been described by Sutherland (1949, p.9) as a "crime of the powerful".

3.1.3. *Criticism of CDA*

The second matter Fairclough discusses in his 2015 introduction is the criticism raised against CDA over the last three decades. Common concerns include the explicit politics of CDA (see Jeffries, 2010; 2014) and the limited data CDA usually works with (see Widdowson, 1995; 2004).

Widdowson (2004, p.97) criticises Faircloughian CDA for not applying systemic functional linguistics in any sort of systematic way, "expedient[ly] picking and choosing whatever aspect of [systemic functional linguistics] seems useful for its purposes". This 'picking and choosing' also includes drawing on ideas taken from entirely different parts of linguistics (*ibid*). Widdowson supposes this to be a negative aspect of CDA but it could be argued that choosing the most appropriate ideas and methods to investigate discourse actually strengthens the analysis. As a result of this picking and choosing, CDA may be a rather loose framework, an "*ad hoc* bricolage" of theoretical and methodological concepts (Widdowson, 1998, pp.137-8, 149; 2004, p.97), a checklist, rather than a framework (Widdowson, 2004, p.92). This is something Toolan (1997, p.99) also mentions. Widdowson (2004, p.95) argues that in one of Fairclough's examples, Fairclough does not draw properly on the framework he outlined and does not indicate how the aspects he includes fit together in the framework. This means that, if one is to carry out CDA responsibly, one must ensure that all methods, and the theories underpinning them, are complementary and coherent (Widdowson, 1998, p.138) and are up-to-date (*ibid*, p.141). Most importantly, one must have a clear procedure and follow this as "systematical[ly] and comprehensive[ly] as possible" (Widdowson, 2004, pp.110, 160).

Widdowson (1995, p.159) also criticises the interdisciplinary nature of CDA. Depending on the analyst's focus, critical discourse analysis leans inevitably to either the linguistic or the sociological, which in turn influences data selection and the significance attached to findings (*ibid*). "In one case", Widdowson (*ibid*) comments, "you will look at social data as evidence of language processes and in the other case, you will look at linguistic data as evidence of social processes". Good CDA should aim to do both, iterating between interpretations, and Widdowson (*ibid*) believes that it should be possible, at least, to bring the linguistic and the sociological closer.

Like many others (see Jeffries, 2010, 2014), Widdowson (2004, p.158) has problems with the political nature of CDA, calling it "discourse analysis with a mission", which is not an unfair criticism, given Fairclough's (2015) statement that CDA aims to address social issues. Related to this, Baker (2012, p.254) raises an interesting and pertinent question:

> If a corpus analysis of the media representation of bankers found that they have been negatively represented as greedy, irresponsible, etc., then should this be raised as a point of concern with recommendations for curbing such representations?

As noted, Fairclough (2015, p.48) claims that the starting point of CDA is the discrepancy between what is and what should be. Toolan (1997, p.89) similarly suggests that CDA needs to offer a prescription of how things *should* be written about to "minimize inequity, hegemony and control". 'What should be' presumably depends on the researcher. In other words, despite criticism, CDA should be informed by the political commitments of its users, who should employ it as something of an academic intervention strategy to encourage change in their societies (Fairclough, 2015, p.52).

One problem with 'what should be' is that the researcher may (unwittingly) cherry-pick, selecting those features that support a preferred interpretation (Widdowson, 1995, p.169, 1998, pp.143-6; 2004, pp.103-10, 157; Poole, 2010). Instead, the researcher should uncover all, or at least a plurality, of possible interpretations of a text and explain them (Widdowson, 1995, p.169). However, says Widdowson:

> [t]he difficulty is that it is hard to see how such an analysis can ever be systematically undertaken. For if all language is so loaded, so 'ideologically saturated', then there is no redundancy. Every feature of the text carries its ideological charge and this will interact with others in all manner of ways. So how do we know under what textual

> or contextual conditions one feature takes on particular saliency and overrides the others? (Widdowson, 1998, pp.146-7).

Widdowson (1995, p.159) suggests that in order to be valid, CDA should offer a multitude of possible meanings based on particular conditions. Through multiple interpretations, CDA would also at least partially remedy accusations of researcher bias in establishing (a) meaning(s). Whilst it is impossible to avoid all bias in textual analysis, acknowledging various interpretations means that various biases are presented and so bias is somewhat balanced out. Fairclough (1996, p.50) understandably takes issue with accusations of bias and writes in response that his 1992 book, in fact, warns against considering just one interpretation and instead also urges for a consideration of the plurality of interpretations of a text. Poole's (2010, p.1) paper shows that it is possible to use CDA to analyse a text from "a political perspective antithetical to Fairclough's". Fairclough (1996, p.51) acknowledges, however, that this diversity of interpretations is not generally present in various applications of CDA. In other words, one way of addressing the issue of partiality is by acknowledging multiple interpretations from different political perspectives.

Whilst acknowledging political points of view, one must still follow Widdowson's (1998, pp.139, 142, 150) advice to be critical of one's own work, as, of course, all researchers should be. In other words, a second way of addressing the issue of partiality is by acknowledging it, and then re-examining one's own work for bias.

A third way of addressing partiality is by "[adhering] to the principles of scholarly enquiry" (Widdowson, 2004, pp.163, 173-4), for instance by conducting falsifiable (Leech, 1992, pp.112-3) and replicable research. Indeed, Partington, Duguid and Taylor (2013), despite advocating CADS rather than corpus-assisted CDA, advocate that the subjectivity of discourse studies can be somewhat alleviated by at least, as far as possible, fulfilling the criterion of replicability. Using corpus linguistic methods helps, in this regard: given the same input, the same version of the same corpus software will give the same output. My task is then to report my research methods in such a way that my research can be replicated and falsified – and, indeed, to be explicit about my assumptions, including my political views.

3.1.4. Faircloughian CDA

Fairclough (2015, pp.48-50) summarises his CDA approach very succinctly in his checklist. His CDA starts by assessing the internal contradictions (between what is and what should and could be) in a text. Fairclough's CDA explains these

contradictions between 'what is' and 'what should be' in terms of the existing social reality. Faircloughian CDA findings should then use this explanation to determine the necessary action to "change reality for the better" (Fairclough, 2015, p.48). Directed by this political aim, the methodologies and theories of Faircloughian CDA are inherently interdisciplinary, drawing on many different fields in the arts, humanities and social sciences. Because of the prospective nature of 'what should be', Faircloughian CDA focuses mainly on contemporary texts and their relation to social change (*ibid*, pp.48-50). The interdisciplinary, contemporary focus of CDA is one of the reasons it is highly suitable for the current research.

One of the main issues with critical linguistics is that its methodological framework offers little space for a systematic exploration of the socio-political, economic, historical and discursive context of a text. Yet both Fowler (1987, p.488) and Steiner (1985, pp.225-7) indicate that exploring this context is of vital importance for valid critical analysis, not least since it is impossible for future readers of analytical outputs to have the same intuitive knowledge of the context of a text as contemporary analysts and readers have (Fowler, 1987, p.488). The discursive situation also influences which particular linguistic forms are significant (*ibid*; *The Linguistics Encyclopaedia,* 2002, p.103). Without due attention to context, any critical analysis is rather less valuable. (Faircloughian) CDA therefore explicitly insists upon placing the text analysis within an analysis of the text's historical context. CDA accounts for both the discursive situation in which the text has been created and the wider social structure which created these discursive situations in the first place.

Fairclough reminds the critical discourse analyst that "interpretations are generated through a combination of what is in the text and what is 'in' the interpreter" (2015, p.155). Similarly, the text is originally produced by what is 'in' the producer and what is 'possible' in the particular situation (see Kress, 1985, p.68). The features Fairclough (2015, pp.159-61) recommends the analyst to consider include the actual activity, topic and purpose of the discourse; the participants and their role or function in the discourse (as well as, presumably, their relations outside of the particular situation), and the role of language in this context. Regardless of whether these features carry any inherent meaning, they affect the interpretation of the text. Fairclough (*ibid*, p.158) concludes that text and situational context affect each other. As such, the situational context must be examined as well.

Fairclough's 1985 (p.748) paper identifies "three levels of social phenomena": "the social formation, the social institution and social action" (*ibid*). These levels influence each other top-to-bottom as well as bottom-up (*ibid*). In *Language and Power*, Fairclough (2015) neatly outlines the three stages of Faircloughian CDA as description, interpretation and explanation. Fairclough's stages of CDA are not discrete. Given that meaning is inherently context-dependent, any analysis of text features will necessarily include some reference to this context. Fairclough (*ibid*) advises a recursive analysis, where text description is informed by interpretation and vice versa. Fairclough also offers guidelines for analysis in the form of summarising questions:

A. Vocabulary
1. What *experiential* values do words have?
   What classification schemes are drawn on?
   Are there words which are ideologically contested?
   Is there *rewording* or *overwording*?
   What ideologically significant meaning relations (*synonymy, hyponymy, antonymy*) are there between words?
2. What *relational* values do words have?
   Are there euphemistic expressions?
   Are there markedly formal or informal words?
3. What *expressive* value do words have?
4. What metaphors are used?

B. Grammar
5. What experiential values do grammatical features have?
   What types of *process* and *participant* predominate?
   Is agency unclear?
   Are processes what they seem?
   Are *nominalizations* used?
   Are sentences active or passive?
   Are sentences positive or negative?
6. What relational values do grammatical features have?
   What *modes* (*declarative, grammatical question, imperative*) are used?
   Are the pronouns *we* and *you* used and if so, how?
7. What expressive values do grammatical features have?
   Are there important features of *expressive modality*?
8. How are (simple) sentences linked together?
   What logical connectors are used?
   Are complex sentences characterized by *coordination* or *subordination*?
   What means are used for referring inside and outside the text?

C. Textual Structures
9. What interactional conventions are used?
   Are there ways in which one participant controls the turns of others?
10. What larger-scale structures does the text have? (*ibid*, pp.129-30).

Fairclough (*ibid*, p.128) uses an applied linguistics toolset including, at least, punctuation, turn taking, speech acts, direct and indirect speech, as well as analysis of visuals. In many ways, this toolset is not much different from that of critical linguistics, despite the assertion that many different tools could be used in CDA if they fit the overall theory and framework. Thus, CDA differs from critical linguistics not in terms of toolset but in its explicit inclusion of the interpretation and explanation stages. Following Fairclough (2015), the explanation stage is intended to make sense of the possible meaning(s) of the texts under description.

The framework of CDA allows for a great number of applications and a great number of applied methodologies, making the toolset essentially eclectic. Any approach can still be called 'critical discourse analysis' so long as the theoretical underpinnings of methodologies and applications follow those of CDA (Wodak, 2001, p.3). Richardson (2007), for instance, applies slightly different labels to Fairclough's stages of description, interpretation and explanation. Richardson's labels (*ibid*) do not indicate the analytical stage, but the focus of analysis instead. Thus, as his (*ibid*) first stage considers the text as it exists on a page or is audibly uttered, he labels Fairclough's descriptive stage the 'text'-stage. Richardson's second label, 'discursive practices', points to the discursive context as the focus of Fairclough's interpretation stage. The third, 'social practices', places the text and interpretation in their socio-historical context. Mayr and Machin (2012) meanwhile integrate the interpretation and explanation stages in their text analyses. All these approaches, nonetheless, have in common the fact that a text is described, interpreted and explained.

No CDA toolset is designed to offer an exhaustive description of all features which may influence the manifold meanings that exist in a text or corpus. The toolset used in my research is designed to answer two questions. The first question considers how cases of corporate fraud are represented and how they are evaluated. Lexis and metaphor are examined to answer this question. The second question asks how the power relations in these cases of corporate fraud are represented. Transitivity is particularly suited to answer questions about processes and participants. Modality shows what is presented as a categorical truth, what as an unconfirmed possibility and what as an obligation.

Faircloughian critical discourse analysis lends itself to analytical and political myopia. Having said that, it is also a very valuable approach, as it offers a structural manner of analysing texts and contextualising this analysis. Most

importantly, critical discourse analysis explicitly acknowledges and even draws on the biases that are inherent to textual analysis. One way of augmenting the validity of this analysis is by using corpus linguistics and by offering multiple possible interpretations.

3.1.5. Corpus Linguistics

Fairclough (2015, pp.21-3) writes that in its most basic form, corpus linguistics is merely a descriptive methodology which can only be used to supplement a critical analysis. Seemingly sophisticated options, such as *Wmatrix*'s semantic tagging, are merely the result of pre-coded algorithms and inputs. However, this does not mean that corpus linguistics is not a suitable methodological approach. In fact, McEnery and Hardie (2012, p.28) write that "it is possible to explore research questions that would almost be unimaginable otherwise", provided the corpus is appropriately annotated and the researcher has the right search tool available. Although corpus software cannot replace the human researcher, it can accelerate and simplify parts of the analytical process.

Given the flexibility of language and the limited options of corpus linguistic software, one may expect descriptive outputs to have limited accuracy. For instance, Rayson, Archer, Piao and McEnery's (2004) paper discusses the accuracy of semantic tagging in *Wmatrix*. *Wmatrix* uses the UCREL Semantic Analysis System (USAS) to tag corpora semantically (this will be covered in more depth in chapter 4). Rayson *et al* (*ibid*) claim that the precision of USAS in semantically tagging a sub-corpus is 91%. One must consider in this regard that this also means that 9% is inaccurately tagged, which could be a problem, particularly for large corpora. *Wmatrix* is particularly prone to mis-tagging nouns, verbs and adverbs (*ibid*).

A 9% inaccuracy rate, although significant, may be outweighed by the fact that a multi-million-word corpus can be tagged swiftly and relatively cheaply. Furthermore, the inaccuracies are in the system's output, not in the output's application. The software is not prone to exhaustion, distraction or even simple doubt, as human researchers are. Inaccuracies lie entirely in the programming, which is systematic. Given that a human researcher takes the outputs and contextualises them, regardless of whether this contextualisation uses CDA or any other approach, the analyst may pick up many of these systematic errors. *Wmatrix* even has the function of adding new entries to its dictionary (Rayson, n.d.), which helps in reducing the error rate. Indeed, Baker *et al* (2008), highlight the importance

of human input in corpus research, noting that it is eventually the researcher who considers corpus output and who selects which outputs to generate in the first place. As CDA can be particularly labour intensive (*ibid*, p.285), corpus linguistics, when used properly, can be a very effective and efficient additional method. It must be pointed out here that given my reliance on pre-existing tag sets, my work is corpus-based (see section 3.1.6).

Regardless of its drawbacks, corpus linguistics is increasingly popular for use with CDA and other critical language approaches, as also indicated in the CDA section. Toolan (1997, p.96) and Poole (2010, p.144) appear to be in favour of using corpus techniques in CDA, and Jeffries (2014, pp.418-9) also recommends corpus linguistic methods as a (future) direction for her methodology of Critical Stylistics. She and Walker (2012) have already used corpus linguistics in the recent past, in a paper that examines socio-political key words taken from broadsheet reporting, to analyse ideology in the period 1998-2007. Orpin (2006) likewise points out the use of corpus linguistics in CDA and writes, following Stubbs (1997), that the use of primary and reference corpora can be a valid way of strengthening CDA's findings. Orpin (2006) goes on to refer to a number of past papers combining CDA and corpus linguistics and argues that most of them consider grammatical and lexical choice in particular, which is the forte of corpus linguistics. She (2006) specifically remarks on the methodological difficulty in combining the two approaches for all points of analysis, given that corpus linguistics is largely quantitative, whilst CDA is qualitative. Sinclair (2004, pp.115-9), finally, indicates that corpus methods distance the analysts from the object of analysis, and offers a measure of objectivity, as it enables quantitative comparisons to be made with reference corpora.

Baker *et al* (2008) describe a possible 'synergy' of corpus linguistic and CDA approaches. They (*ibid*) attempt to unify the theories and methodologies of CDA and corpus linguistics, whilst avoiding errors and misapplications made in previous research. They apply this synergy to their 140m word corpus containing "discourses of refugees and asylum seekers in the UK press 1996-2006" (*ibid*, p.274). They also criticise past corpus-assisted research for ignoring CDA theory or even lacking any discourse-critical aim (*ibid*). Similarly, McIntyre (2012) warns that corpus linguistic tools merely offer support for qualitative claims, rather than providing any conclusive answers. He develops this warning further in his 2015 paper, in which he criticises many corpus stylistic analyses for mainly counting textual features, with little interpretation. Meanwhile, CDA-focused research is criticised for having failed to use corpus linguistics to its full potential, sometimes

even just using a corpus as a repository of examples (Baker *et al*, 2008). In this case, the danger of a corpus-based approach lies in simply displacing the 'cherry-picking' critique.

Baker *et al* (2008) raise concerns about corpus size. A small corpus can lack the scope needed for a full analysis and may not be representative of the discourse to be analysed, to the extent of being actually unrepresentative (*ibid*). This exemplifies the criticism of cherry-picking (*ibid*). One important conclusion of Baker *et al* is the notion that the corpus itself could also be too large for in depth CDA, necessitating the selection of sub corpora to consider particular phenomena (*ibid*, p.285).

Corpus-supported methodologies should be, following the scientific method, falsifiable, complete, parsimonious in their assumptions, strong and objective (Leech, 1992, pp.112-3). McEnery and Hardie (2012, p.15) raise important additions to Leech's principles. They acknowledge that total accountability is not achievable (*ibid*). Nevertheless, the current research aimed to be as accountable as possible. Chapter 4 sets out exactly how the corpus of corporate fraud has been analysed.

There are certain weaknesses in corpus linguistics, such as the fact that taggers are not 100% accurate. However, if carried out rigorously, corpus linguistics offers a very valuable addition to critical discourse analysis and can serve very well to counteract some of the myopia to which CDA may lend itself.

3.1.6. *Corpus-Assisted Discourse Studies*

Having set out the general aims and assumptions of critical linguistics and (Faircloughian) CDA, I will briefly turn my attention to the approach of corpus-assisted discourse studies, or CADS. I have titled this thesis 'a corpus-assisted critical discourse analysis' to signal an adherence to Fairclough's approach, albeit enhanced with corpus linguistic methods. The approach suggested by Baker *et al* (2008, p.295) is also termed 'corpus-assisted critical discourse analysis', albeit that the RASIM project, whose research team includes Wodak, draws on Wodak's DHA, rather than Fairclough's CDA. However, the use of the phrase 'corpus-assisted' is related to CADS, hence the need to discuss this particular approach to discourse analysis.

CADS aims to "[uncover], in the discourse type under study, (…) *non-obvious meaning*, that is, meaning which might not be readily available to naked-

eye perusal" (Partington *et al*, 2013, p.11, italics original), with a particular focus on "how language is used to (attempt to) influence the beliefs and behaviour of other people" (*ibid,* p.5). These stated aims highlight the links between CADS, critical linguistics and CDA, although with less of an explicit focus on the role of discourse in maintaining and creating social structures / power relations, and more focus on ideology and actions. Like critical linguistics and CDA, CADS makes explicit that the context of text is also an important aspect of the analysis (*ibid*, p.10).

The phrase was coined by Partington in 2004 (Partington *et al*, 2013, p.10). Although a CADS approach inherently makes use of corpus linguistic methods (Partington, 2010) (hence 'corpus-assisted'), it is, like CDA, essentially eclectic (*ibid*), "employ[ing] as many [techniques] as required to obtain the most satisfying and complete results". This is also the reason Partington *et al* (2013) offer for choosing 'assisted', rather than 'corpus-driven' or 'corpus-based': corpus methods are essential to CADS, but CADS is not limited to corpus methods, as implied by both 'based' and 'driven'.

Tognini-Bonelli (2001, pp.65-6) outlines the differences between 'corpus-based' and 'corpus-driven'. In corpus-based research, the corpus is used to disprove a hypothesis (*ibid*, p.65). More simply put, corpus-based research draws on pre-existing linguistic theories and descriptions (*ibid*, p.65), rather than formulating new theories and descriptions based on the corpus evidence (*ibid*, pp.84-5). This approach may, however, also lead to a level of myopia: Tognini-Bonelli (*ibid*, pp.65-6) gives the example of the word 'any', which is, through a corpus analysis, shown to be used for negative statements, validating a pre-existing theory. However, it would not be acknowledged that 'any' may also be used "for a lot of other things" (*ibid*, p.66). Corpus-driven research, on the other hand, formulates a new theory based on the corpus (Tognini-Bonelli, 2001, pp.84-85). As my methods rely on pre-existing assumptions and theories, such as the pre-existing categories of modality (Simpson, 1993) and the participant functions in systemic functional linguistics (Halliday, 1994), in respectively my modality and transitivity analyses, my research is, following Tognini-Bonelli's (2001) categorisation, corpus-based.

As indicated, corpus methods are essential to CADS. Indeed, CADS is the result of, as Partington (2006, pp.3-4, see also Partington, 2010) puts it, "the realisation that some of the methodology and instruments commonly used in Corpus Linguistics might be adapted for the study of features of discourse". Much like

corpus-assisted critical discourse analysis, CADS combines the quantitative analysis of corpus linguistics with the qualitative analysis of (critical) discourse analysis (Partington, 2006; Partington, 2010). Previous work carried out that has explicitly been named 'CADS' includes an investigation of irony in White House press briefings, televised political interviews in the UK, and UK broadsheet articles, which uses primarily concordances (Partington, 2007), although the article itself makes no reference to CADS beyond the abstract. Partington (2008) later develops this study, but again does not mention CADS beyond the abstract. Both papers, however, are studies of corpora, and also draw on information regarding the social context of the texts included in these corpora.

Other work named 'CADS' includes a study of UK policy debates and media reports of MRSA (Koteyko, Nerlich, Crawford, and Wright, 2008), which uses a combination of CDA, frame analysis, and 'storyline' analysis. The latter two are examined using corpus methods (concordances in particular), leading the authors to claim their approach is 'CADS' (*ibid*). Koteyko (2010) later examines the use of the word 'carbon' in a corpus of RSS feeds. In this paper, Koteyko (2010, p.657) mentions that "corpus linguistic techniques can be successfully applied to uncover relationships between language and society", a description of method that can be applied to both CADS and corpus-assisted CDA. Indeed, Koteyko (2010, p.658) also discusses CDA assumptions about the relationship between "discourse and action", writes about the success of previous studies in using corpora in CDA research, and suggests that "a combined corpus linguistics and CDA analysis" (2010, p.659) is used in this paper. In other words, despite Koteyko's (2010, p.656) stated aim to promote CADS, she simultaneously describes her research as corpus-assisted CDA. It seems, then, that the differences between CADS and corpus-assisted CDA are very small, despite Partington *et al*'s (2013) claim otherwise. In fact, CADS is apparently so similar to corpus-assisted CDA that Rash (2011), Freake, Gentil and Sheyholislami (2011), and Zhang and Mihelj (2012) misattribute the acronym CADS to the RASIM-project researchers, specifically referencing Baker *et al*'s (2008) paper as a guide, rather than Partington's work. Similarly, Törnberg and Törnberg (2016, p.405) place corpus-assisted CDA under a CADS umbrella, writing that they "take a novel approach to the CADS perspective by (…) combining CDA and topic modelling".

Partington *et al* (2010, p.10) do insist that there is a difference between CDA and CADS:

> It must be emphasised that CADS is not tied to any particular school of discourse analysis, certainly not, for instance, *critical* discourse analysis (CDA). Unlike CDA, it has no overarching political agenda and has very different attitudes to and traditions of how language data should be managed.

Baker (2014), in his review of Partington *et al* (2013), writes that he would have found it interesting to know the authors' perspective on the analysed topics. Baker (*ibid*), however, also acknowledges the oft-repeated complaint about CDA's political nature. Baker (2015, p.144) later writes that "the two approaches share a lot in common in the use of similar corpus-based methods, although they differ somewhat in terms of motivations for conducting research", with CADS being more "exploratory" and CDA being more explicitly critical.

A second difference lies, perhaps, in the role of corpus linguistics in CADS, compared to in CDA. Partington (2010) distinguishes between traditional corpus linguistics and CADS, noting that traditional corpus linguistics often works with large corpora that are representative of "the language 'as a whole'", focusing on a limited number of aspects of the language. CADS, on the other hand, normally works with specialised corpora, focusing on a specific discourse type and aiming to examine as many aspects of this discourse type as possible (*ibid*). This differentiation between corpus linguistics and CADS does not specifically set CADS apart from CDA, as for instance the RASIM project also uses a specialised corpus, focusing on a specific discourse type (see Baker *et al*, 2008; Gabrielatos, 2007). However, the fact that Partington (2010) focuses on this matter at all illustrates the corpus linguistic focus of CADS. CDA, on the other hand, adopted corpus linguistic methods as part of its toolset (rather than as the toolbox itself) following suggestions from, for instance, Widdowson (2004), Toolan (1997), Poole (2010), and Jeffries (2014). Furthermore, Fairclough (2015), in his writing, appears reluctant to adopt corpus linguistic methods, and sceptical about their value. In other words, whereas corpus linguistics is integral to CADS and indeed the reason for its existence, they are not to CDA.

In other words, CADS and corpus-assisted CDA are largely similar, in particular as both are corpus-assisted examinations of language, using various tools borrowed from all over linguistics (and beyond) to perform these examinations, and both assume that creating a text is a social act. The difference lies, mainly, in why the research is conducted. CADS' lack of an explicit political stance is why, in this thesis at least, I used CDA: CDA has an explicit aim to, in colloquial terms, try and "[change] the world for the better" (Fairclough, 2012).

3.2. Context and Composition

This section outlines the approach used in this thesis to contextualise the analyses. Fairclough (2015) focuses specifically on relations of power, in terms of society, institutions and situations. These three notions, of society, institutions and situations, are not, Fairclough (*ibid*, pp.172-4) points out, distinct levels but different perspectives.

By examining the social context, one could, Fairclough (*ibid*, pp.174-5) warns, be drawn into an extended sociological analysis. CDA does not require a complete socio-historical study of the relevant period, whether distant, or near past, or ongoing at the time of analysis. Instead, the research dictates the need for a particular level of detail (Fairclough, 2015, p.175). Care must be taken to not stray too far from the actual linguistic framework and to keep the text as a central concern.

In this thesis, links to the context are made through newspapers and their decision to report corporate fraud news. An important consideration here is that newspapers may attach different levels of importance to different stories, which is reflected by the resources available to report a story. These resources are not just money but also those of space and time. Two variables indicating these various resources are word count and page number. Chermak (1994) suggests that these variables may indicate one of four levels of relative importance, ranging from tertiary to super primary. He (*ibid*) indicates column inches for space, rather than word count but either is a suitable metric for comparison. Column inches indicate actual article size on the page, whereas 'word count' indicates the length of the article. Both variables nevertheless allow for comparisons between newspapers. It must, however, be taken into account that tabloids are formatted differently from broadsheets; as such, comparisons are best made within categories. Column inches depend on word count as much as font, as well as included photographs. As such, this variable carries slightly more information than mere word count. As column inches are not directly available, using the data generated by *Lexis Nexis*, it has been decided to use word count instead. Facsimiles of these newspaper articles have not been collected, as this would have taken up disproportionate amounts of time, given the fact that this corpus contains tens of thousands of articles.

3.3.Analysis

This section describes why the four points of analysis that have been chosen to investigate the discourse of corporate fraud are most appropriate, given a corpus-assisted critical discourse analytical approach. This section also discusses whether it is possible to carry out these analyses using corpus linguistic methods. These analyses are described in the same order with which they appear in this thesis: lexis, metaphor, transitivity and modality.

3.4.1. Labelling

The importance of investigating lexis is argued by Fowler (1991, p.80) in his account of the tools of critical discourse analysis. As he (*ibid*, pp.80, 82) writes,

> the vocabulary of a language or of a variety of a language, amounts to a map of the objects, concepts, processes and relationships about which the culture needs to communicate.

As such,

> [i]t is an elementary but fundamental, task for the critical analyst to note, in the discourse s/he is studying, which terms habitually occur, what segment of the society's world enjoy constant discursive attention.

In other words, the lexical analysis is based on the hypothesis that word choice and description are indicative of ideology. The results of this analysis are described in chapter 6.

I use the word 'labelling' in this thesis to allude to two different, but somewhat related, concepts. The first concept is from the field of Criminology and was coined by Becker (1963). It states that labels are applied by social groups to specific individuals to mark them as outsiders and cast judgment on these individuals. The second concept is from Francis (1994) and relates to the cohesive use of nouns to refer to other, longer, stretches of text. These nouns can similarly be used to convey the attitude of the author toward this particular stretch of text (Francis, 1994).

The lexical analysis is mentioned in section A of Fairclough's "ten questions" (2015, pp.129-30), Vocabulary. Fairclough (*ibid*, pp.131-2) writes that some lexical items belong "per se" to a certain ideological framework, whereas in other cases, collocation gives these items a clearer meaning. Fowler (1991, p.84) also writes that some words have a very strong meaning and connotation of their own, whereas others are "coloured by their contexts". As Mayr and Machin (2012, p.28) note, "those meanings an author or speaker wishes to convey may not be

communicated overtly but in a more subtle way that requires careful analysis in order to reveal precisely what those meanings are". The Faircloughian critical discourse analyst is, furthermore, not just to consider the meaning of certain words within their particular context but is also to relate the use of these words to the relationships between participants (Fairclough, 2015, p.134).

The OED defines the verb 'label' as indicating the act of physically attaching a label to, or printing this label on, other physical matter. 'Label' can also be used figuratively in a similar manner, but in that case also is an act of categorisation. The noun 'label', in its seventh and "chief current sense", is a physical item "bearing [the] name, description, or destination" of a certain object. Again, this use can be figurative as well.

Particularly relevant, then, is Richardson's (2007, p.49) reflection on an author's word choice: it is indicative of the identity imposed, by a journalist in Richardson's (and my) particular work, on a person, object, or situation, thereby foregrounding certain aspects and obscuring others.

Becker's (1963) labelling theory specifically relates to those who break the established rules of a particular social group, in order to mark them as outsiders. In other words, the labels explored by Becker (1963) are those that reduce a complex human being and their complex behaviours and actions solely to those actions, behaviours, and characteristics that (negatively) set this individual apart from the mass. This process is "not infallible; some people may be labeled deviant who in fact have not broken a rule. Furthermore, (…) the category of those labeled deviant [may not] contain all those who actually have broken a rule" (Becker, 1963, p.9). Those named 'deviant' may also reject the label (*ibid,* p.1). They may, in fact, use techniques of neutralisation to justify why they do not deserve this label; Becker (1963, pp.1-2) offers the example of someone named 'deviant' questioning the competency and legitimacy of those doing the labelling, which is a condemnation of the condemners. Becker (1963, pp.12-3) also points out that for a label to 'stick', the act of labelling, or the making of an accusation, has first to be performed, then taken up by others, and then continuously be re-applied. By extension, if a similar set of phrases is used to refer to the same person, matter, or act, at a high frequency, this person, matter, or act, will be associated with this phrase, and the highlighted aspects will continue to be highlighted, to the extent of defining this person, matter, or act. The question arising here is: which words are, at a high frequency, used to

refer to acts of corporate fraud and people and institutions involved in corporate fraud?

The linguistic concept of labelling, as indicated, is used by Francis (1994): retrospective labels serve to encapsulate or summarise a longer, preceding, stretch of text, and tell the reader how to interpret this particular preceding stretch of text. Partington (1998) explains the differences between 'labelling noun phrases' and 'general noun phrases', although both have a cohesive function. As Partington (1998, p.97) points out, labels, or anaphoric nouns, as presented by Francis (1986; 1994), are a category of general nouns, and labels are, specifically, used metadiscursively (Francis, 1986), i.e. to discuss the text itself, whereas a general noun is any noun used as a reference that lacks specificity.

Halliday and Hasan (1976, p.279) present the specificity of references as forming a continuum: repetition (highly specific, precise reference), synonyms, superordinates, general nouns, and pronouns (unspecific reference). Signalling the referential function of a particular noun is the definite noun 'the', marking this information as given, rather than new, even if the lexical item is new (Halliday and Hasan, 1976; Francis, 1994). Other reference elements may also be used (Francis, 1994). In fact, Partington (1998, pp.91-2) shows that other reference items include 'a', 'such' and 'sort of'.

This continuum is also apparent in the results presented in chapter 6. Repetitions are used endophorically. Superordinates are common both exo- and endophorically: exophorically through the synecdochal use of the name of a company to refer to the executives that ultimately initiated these corporate fraudulent acts, and endophorically to refer to acts (both verbal and material) that are described in more detail elsewhere. General nouns, too, are rather common, and pronouns are so common that I, like Tabbert (2015), have excluded them from my analysis.

A general noun, as may be inferred from Halliday and Hasan's (1976, p.279) continuum, falls, in terms of specificity, somewhere between the superordinate ('furniture' for 'chair') and the pronoun ('it' for 'chair'). Yamasaki (2008) similarly differentiates between specific nouns, which refer to defined, specific matters, and unspecific nouns, which do not. Unspecific, or general, nouns, are instead given specific meaning through the specific items to which they (anaphorically) refer. Winter (1992) also indicates that modifiers, as well as the clauses to which this general noun refers, also add specificity to this general noun.

Although the general noun appears to be devoid of inherent meaning, it is not entirely so. Halliday and Hasan (1976, p.279) point out that general nouns are still more specific than pronouns. In Halliday and Hasan's (1976, p.279) example, the general noun 'task' is still more precise than the pronoun 'it', as 'it' can refer to just about anything (they (*ibid*) indicate that the use of 'it' excludes people, although this is debatable), whereas 'task' "generally excludes people and animals, as well as qualities, states and relations, and it always excludes facts and reports". For this reason, general nouns can still include information about the author's attitude toward the referenced matter, as being either positive or negative (*ibid*, p.276; Francis, 1994, p.93). If this attitude is not conveyed by the general noun itself, attitudinal modifiers may be added (Halliday and Hasan, 1976; Francis, 1994). General nouns also allow the author to remain vague, expressing "attitudes and feelings without needing to locate an exact or precise referent" (Carter and McCarthy, 1997, p.16). Carter and McCarthy (1997, p.19) also indicate that a language user may use vague language, which they consider general nouns to be a part of, in an epistemic fashion: "[v]ague expressions (…) allow the speaker not to commit themselves completely to the truth value of a proposition".

As Francis (1986, p.31) puts it:

> [B]y virtue of its conceptual meaning [the anaphoric noun] may *add* something to the 'given' that it labels, by expressing a particular attitude towards it that has not previously been made explicit. (…) Moreover, this synonymity may of course be both partial and illusory: partial because to call something an *allegation*, say, is to capture only one aspect of its total meaning, in this case its interpreted illocutionary force; illusory because the proposition in question may not have been an *allegation* at all in the sense in which most people would understand the term, but something else: a verifiable fact, say, or a justified accusation. Moreover, the writer himself may well be aware of this but choose the label nevertheless, perhaps as a signal of hypotheticality rather than as a negatively-connotated evaluation. The strategic possibilities are endless (…).

A third use of the phrase 'labelling' occurs in theory on metaphor. Deignan, Littlemore and Semino (2013), Semino, Deignan and Littlemore (2012), and Littlemore (2001, pp.335-6) note that metaphor can fill a lexical gap, labelling a new concept by drawing on its similarity to existing concepts.

In other words, a label is, to find the similarity between the criminological and linguistic concepts, a phrase applied to a certain matter, that purports to summarise it, but also foregrounds specific aspects over others, and that allow the

author to communicate a certain attitude toward this matter. But general nouns are not the only nouns that must be examined. Specific nouns are just as important.

Previous research shows that lexical analysis can be very useful in examining how the agents in crime news are described. For instance, Tabbert (2015) follows Jeffries's (2010) approach of Critical Stylistics and investigates, in particular, the noun phrase. This approach implicitly follows Fairclough's (2015, p.131-2) and Fowler's (1991, p.84) point that meaning is not just created in the head noun but also in collocates and concordances, thereby also elaborating on Halliday and Hasan's (1976) and Francis's (1994) indication that general nouns are given (additional) meaning through modifiers: all nouns are given additional meaning, whether attitudinal or otherwise, through modifiers. Concordances are also important to Sinclair (2004), who indicates that the grammatical form of a word also contributes to its meaning. Jeffries (2010, p.19) writes that the noun phrase, in particular, can indicate more than simply a modification of the head noun. Noun phrases may also describe processes and relations between different objects and concepts, for instance through nominalisation. Nominalisation, in fact, has the effect of obscuring who is responsible for these processes and makes it harder to question whether any of these attributes actually are part of the head noun (*ibid*, pp.21-5). In other words, use of nominalisation allows certain characteristics to be taken for granted.

Take, as an example of the importance of examining (all) nouns, Tabbert's (2015, pp.103-4) analysis of the labelling of victims in her corpus of English crime news. This investigation allows her (*ibid*) to conclude that victims are represented in line with Christie's (1986) theoretical 'ideal victim'. Similarly, Gregoriou's (2011, pp.33-6) analysis of the naming and describing of a victim shows how this specific victim is constantly and consistently represented as undeserving. This previous research indicates how the naming of offenders and victims affects their representation.

The question remains: which words are, at a high frequency, used to refer to acts of corporate fraud and people and institutions involved in corporate fraud? Adolphs (2006, p.2) suggests that corpus methods serve particularly well to aid the generation of lists of nouns and their corresponding collocates and concordances. In fact, one of the earliest corpus linguistic methods, before the development of electronic concordancing programs, was the creation of frequency lists by way of manually counting tokens in a corpus (*ibid*, p.4). Using corpus linguistic methods,

the vocabulary of a corpus (or the vocabularies of several sub corpora) can be generated. Corpus methods also allow for a rapid output of the actual co-text (concordance) of those lexical items that merit further investigation, for instance, to show their use and possible meaning. However, as Mahlberg and McIntyre (2011) point out, a key word list only goes so far: qualitative analysis of these key words is required in order to establish their meaning and meaningfulness.

Figure 1 shows the concordance output produced by *AntConc* (Anthony, 2015). The target noun, i.e. the noun taken from the keyword list for further examination, is *fraud* (frequency 2,482), which is coloured blue. To the left (1L), in red, is the modifier 'corporate', showing that the phrase 'corporate fraud' is at the very least present in this corpus. Other 1L-modifiers, which would also show up in red, would indicate which other forms of fraud are also reported on, whether the fraud is alleged or confirmed or particularly egregious, and so on. To the right, in green and fuchsia (1R, 2R), are those crimes corporate fraud is associated with ('and bribery', 'and a string of misbehaviour'), where it occurs, or by whom it is committed ('among firms', 'at Parmalat'), how it is deterred ('by trawling') and that corporate fraud can be prosecuted ('corporate fraud case').

3.4.2. Metaphor and Metonymy

Much like lexis, metaphors also represent identities and indicate which particular perspective has been taken up by the author of a text. This thesis follows Lakoff and Johnson's (1980, pp.3-7) theory that metaphor reflects conceptualisations of everyday experiences, highlighting and obscuring different aspects of the target domain (*ibid*, pp.10-1). These metaphorical conceptualisations can, in turn, influence behaviour (*ibid*, p.5).

As with the other points of analysis, metaphor is commonly investigated in critical discourse analysis and critical stylistics (Fairclough, 1992; 2015; Jeffries, 2007; 2010; Richardson, 2007). As Steen (1994, p.5) notes, examining metaphor is useful in a broader examination of the "social construction of reality". Koller (2004, p.2) elaborates on this point, remarking that

> By using particular metaphors, writers can (…) define a topic, argue for that conceptualization and persuade readers to share in their metaphor and thus relate to them. In short, metaphor is ancillary in constructing a particular view of reality. In doing so, it serves an ideational function.

In other words, metaphors help make certain constructions of reality common sense (Koller, 2004).

Figure 1: Example *AntConc* concordance display, sorted 1L, 1R, 2R

Hit	KWIC
647	RRUPTION and bribery are the fastest growing forms of corporate fraud, a survey by PricewaterhouseCoopers reveals. It claims the p
648	naming any specific person, in order to crack down on corporate fraud. Although the judges dismissed the application yesterday, furt
649	, the outsourcing group at the centre of India's largest corporate fraud. Amid fears that the true scale of the deception is not
650	es</title> A MAJOR investigation by the FBI into alleged corporate fraud among firms involved in the subprime mortgage crisis threate
651	ociated recession uncovered an extraordinary wave of US corporate fraud and a string of misbehaviour by banks and brokers. There is
652	ress problems that have long hampered the fight against corporate fraud and bribery. Mr Alderman said in an interview that the SFO
653	aud enforcement task force" to investigate and prosecute corporate fraud and deter wrongdoing. "This task force's mission is not just
654	US in this area." Mr Rakoff has extensive experience with corporate fraud and is not against forcing companies to pay for misdeeds. In 2
655	ruptcy in late 2001. Lay and Enron became shorthand for corporate fraud and late-night comics looking for an easy laugh. Lay testified
656	will react. Haymarket Management Services investigates corporate fraud and operates a confidential whistleblowing hotline for clients.
657	nine' in fight on fraud</title> The growing complexity of corporate fraud and the intricacies of the US legal system are affecting the
658	dmine' in fraud fight</title> The growing complexity of corporate fraud and the intricacies of the US legal system are affecting the
659	is the toughest sentence yet for a case that symbolised corporate fraud, and was handed down in a Houston court after the judge
660	usiness and, ultimately, economic recovery. But specialist corporate fraud and white-collar crime lawyers predict that lobbyists will fail
661	ntence should become the benchmark for future cases of corporate fraud, as Douglas Berman, an Ohio State law professor and blogger
662	More interesting, and potentially devastating, is the jumbo corporate fraud, as managers, desperate to sustain the impression of success,
663	Worried about corporate fraud?"</title> "Worried about corporate fraud?" asks an e-mail. Something called the Financial Crime Forum
664	chief executive who blew the whistle on a $1.7bn (£1bn) corporate fraud at Japanese electronics giant Olympus has brokered an out-of
665	scandals that went before, such as Europe's largest ever corporate fraud, at Parmalat. The EUR13bn (bn$20) black hole unveiled there i
666	dford, the former Olympus boss who blew the whistle on corporate fraud at the Japanese electronics firm, saw his claim for unfair dismi
667	HE US The investigators * The President's Task Force on Corporate Fraud at US Department of Justice The law * Foreign Corrupt Practi
668	ases, taking £8.27million. Immigration, human rights and corporate fraud barrister Balbir Singh was the highest-earning legal aid crimin
669	centive for the Government to document the true scale of corporate fraud because it would lead to an apparent rise in crime rates. "
670	. Companies would be able to "put up their hands" to corporate fraud, bribery, market-fixing and other white-collar offences, and pa
671	courthouse in Chicago to begin his trial on charges of corporate fraud -but it was his daughter, Alana, who stole the show. Rarely
672	e report examined who is best at "detecting and deterring corporate fraud" by trawling 230 alleged cases in the US between 1996 and 20
673	ition 2 Gotham City vows to continue its crusade against corporate fraud BYLINE: Miles Johnson and Henry Mance in London and Tobia
674	4, 2013 Friday Labour plans massive increase in fines for corporate fraud BYLINE: Owen Bowcottguardian.co.uk LENGTH: 612 words A
675	15, 2013 Saturday Financial: Labour eyes crackdown on corporate fraud BYLINE: Owen Bowcott, Legal affairs correspondent SECTION
676	ith Mahindra Satyam, the company behind India's largest corporate fraud case, in a $1bn stock deal. The merger will create a
677	ith Mahindra Satyam, the company behind India's largest corporate fraud case, in a $1bn stock deal. The merger will create a

Halliday (1994, p.341) makes clear that investigating metaphor from an SFL perspective is not about the use of words or phrases. The use of metaphor is very similar to vocabulary choice, in that it is a(n unconscious) choice about how to express a particular notion (*ibid*). Jeffries (2010, pp.20, 44) also treats metaphor as a choice, not unlike word choice. Similarly, Fairclough (2015, pp.136-7) asks the critical discourse analyst to analyse metaphor as question four of section A, Vocabulary, of his ten-question list.

Metaphorical conceptualisations offer a specific system to draw on, and with which to make sense of the target domain (Lakoff and Johnson, 1980). In other words, metaphors "involve understanding one kind of experience in terms of another kind of experience" (*ibid*, p.116), mapping a source domain onto a target domain. Deignan *et al* (2013, p.6) note that "[t]ypically, source domains are more concrete, embodied, simple, accessible and clearly delineated than target domains, which tend to be relatively more abstract, subjective, complex, inaccessible and poorly delineated." The systematicity of metaphor, which allows a source domain to be mapped onto a target domain, also allows for new, creative, unconventional metaphors, as only parts of the source domain are actually used, leaving the remainder of the source domain to create new but conceptually consistent imaginative metaphors (Lakoff and Johnson,1980, pp.52-3). Not all aspects of the source domain neatly fit the target domain or vice versa (*ibid*, p.13). Some

metaphors initially appear to contradict others, although Lakoff and Johnson (*ibid*, pp.44-5) point out that a consistent fit can still be discovered.

It is important here to note that Steen (1994) distinguishes between conceptual and linguistic metaphors. Conceptual metaphors are figures of thought, whereas linguistic metaphors are manifestations of these thought patterns (*ibid*). Cameron (2010) discusses the notion of a 'systematic' metaphor, which is a recurring (linguistic) metaphor or set of related metaphorical expressions. Deignan *et al* (2013 p.9) note that a metaphor may be systematic at three different levels: the local, so the metaphor is systematic within a particular discourse event; the discourse level, so the metaphor is systematic within a specific discourse community, and global.

As Deignan *et al* (2013) point out, different discourse communities use different metaphors for different reasons, depending on their discourse aims. As such, the novelty of a particular (linguistic) metaphor is highly context-dependent (*ibid*, p.19). Koller (2004) indicates that the use of accepted, systematic in-group metaphors also establishes group members as such. Corporate news journalists often use the same, or similar, metaphors as those they write about, and who read their articles (Koller, 2004). In fact, it is likely that corporate news "journalists emulate the ones they report on – that is, their audience. It seems that the writers' chief aim is to entertain and flatter their readers through imitation rather than to challenge their defining power by proposing alternative conceptualizations on a large scale" (Koller, 2004, p.108).

As Lakoff and Johnson (1980, p.160) point out, "the people who get to impose their metaphors on the culture get to define what we consider to be true". This is particularly important because metaphors obscure and highlight particular characteristics or properties of objects and experiences (*ibid*, pp.10-3, 163; Koller, 2004; Deignan *et al*, 2013, p.6). As such, metaphor relates to the ideational and interpersonal metafunctions of language (Halliday, 1973) by creating and sustaining social structures. Following Koller's (2004) indication that business news journalists often adopt the metaphors used by business people, this implies that newspapers are likely to employ linguistic metaphors that portray corporate behaviour positively, and all matters that could negatively impact corporate aims negatively.

Previous research shows that WAR is a particularly common source domain when writing about crime. Fairclough (1992, p.71) considers one metaphor of "dealing with drug traffickers as fighting a war". This representation of drug

traffickers as the enemy marginalises or obscures other potential representation of traffickers (Fairclough, 1992, p.72). Fairclough (*ibid*) shows that whilst a Home Affairs Committee report about drug trafficking only uses this metaphor once, an article in *The Sun* about this report elaborates on it. Mayr and Machin (2012, p.171) note that war metaphors are also commonly applied to other forms of crime, and indeed Gregoriou and Ras (under consideration) show that RESPONDING TO HUMAN TRAFFICKING IS WAR. WAR is similarly a common metaphor in the corpus of corporate fraud news, in that dealing with corporate fraudsters is also described as fighting a war. It is also a very common source domain in general business reporting (Koller, 2004), making it a rather obvious choice for reports on business crime. Steen (1994, p.4) also shows that WAR is a common metaphor in sports reporting, noting that "if football is war, then almost anything is allowable to attain the goal of victory". By extension, the prevalence of the WAR-metaphor in corporate fraud reporting justifies the use of otherwise unjustifiable means to reach the desired goal; the question is then which goal it is that is desired.

Steen (1994, 2008) explores the cognitive process related to creating and employing conceptual metaphors to read and create linguistic metaphors, but I have no room in this thesis to detail this process. Steen (1994, p.17) points out that Lakoff and Johnson's notion of the conceptual metaphor is social or cultural, rather than psychological, noting that "[a]lthough the relevant linguistic metaphors may be analysed conceptually to characterize the knowledge structure of a speech community as a whole, such resulting conceptual metaphors at the cultural level do not have to carry over directly into the individual minds of participants in that culture". In other words, while it is reasonable to assume that systematic linguistic metaphors are indicative of a (sub)cultural understanding of a particular matter, this does not mean that each individual member of this (sub)culture understands this matter in this particular manner.

3.4.3. Agency

The main question transitivity analysis answers is: who is doing what to whom/what, how and with what? (Richardson, 2007, p.54; Mayr and Machin, 2012, p.52). Jeffries points out that, through transitivity choices, the reader is presented with "clear notions of who is in control, who is a victim and so on" (2010, p.47).

The analysis of transitivity occurs in most forms of critical linguistics and CDA, for instance in Fowler *et al* (1979a) and Kress and Hodge (1979). Fairclough (1992, p.178) gives an example of antenatal care information. In it, says Fairclough

(1992), medical staff are often represented as agents, whereas pregnant women occur as goals (*ibid*).

Transitivity may be used to obscure or foreground responsibility (Mayr and Machin, 2012, p.52). This responsibility can be expressed through agency and passivity (Fairclough, 1992, pp.165-72). For instance, Fairclough focuses on passivity (1992, p.182; 1995, p.147), because agentless passives obscure which agent is responsible for a certain action. Whilst (complete) active clauses always have an agent, whether an actual person, a corporate or institutional entity or a personified object, not all passive clauses do.

Fairclough (1992) draws extensively on Halliday's (1985) theory of transitivity and it is in this regard particularly that Systemic Functional Linguistics underpins Faircloughian CDA. Halliday's model of transitivity is still popular today among critical discourse analysts and critical stylisticians (see Fairclough, 1992; 1993; 1995b; 2003; 2015; Richardson, 2007; Jeffries, 2007; 2010; Mayr and Machin, 2012), even if its application varies. Fairclough (1992, pp.109-10) explores transitivity by considering voice and nominalisations.

Halliday (1973, p.141) marks transitivity analysis as being key to investigating the ideational metafunction, particularly its experiential component, at the level of the clause. To express how a person perceives the 'goings-on' of their environment, they use, according to Halliday (1994, p.106), the grammar of transitivity. Analysing transitivity consists of considering three aspects: the participants (the actors and those acted upon), the processes and the circumstances (*ibid*, pp.107-8). Halliday's model is used in this thesis to examine transitivity. The choice to consistently mark one participant as an agent and another as a goal is certainly ideological (Mayr and Machin, 2012, p.52) and it is the responsibility of the critical discourse analyst to examine the ideological purpose of this representation. Reasons for obscuring agents, for instance, may include the agent being obvious, irrelevant or unknown (Fairclough, 1992, p.182). Agency may also be obscured for political reasons (*ibid*).

Particularly pertinent is Mayr and Machin's (2012, p.56) remark that transitivity may be used to express blame. Jeffries (2010, p.39) illustrates the use of transitivity to assign blame very clearly with the example of a cyclist and a motorist, who, in a disagreement over who is to blame for their collision, may respectively claim that "'[t]hat bastard hit me!'" and "'[y]ou rode into me'". Active sentences can be used to assign responsibility for other actions (Mayr and Machin, 2012, p.58),

whilst passive sentences can mark who is a victim (*ibid*). This aspect of transitivity is investigated by Tabbert (2015) and in this thesis.

Some passive constructions can be reliably identified by corpus software, even if these constructions are not specifically tagged as 'passive'. For instance, CQL queries can be used in *SketchEngine* (Kilgariff *et al*, 2014) to list all sentences with a 'standard', in so far as possible, passive construction. Nevertheless, the description and interpretation of transitivity still rely on researcher input. This reliance on the researcher supports the view that corpus linguistics, as a methodology, is limited, though highly useful as a tool to increase descriptive efficiency.

3.4.4. Modality

Modality analysis is, again, a fundamental component of critical linguistics, CDA and Critical Stylistics research (Jeffries, 2007, p.182). Like transitivity, modality is a large part of Halliday's SFL (1994, pp.88-92), although not in the form the current research applies it.

Fairclough covers modality in his 1992 book, explaining the validity of analysing the modality of media texts. News media regularly transform complex, ambiguous events and statements into categorical facts in their purported aim to communicate "fact, truth and matters of knowledge" (Fairclough, 1992, p.160). Meanwhile, in other situations, the use of modality may indicate power or a distinct lack thereof (*ibid*, pp.159-60). Fairclough's 1992 approach draws mainly on Hodge and Kress's (1988) concept of 'affinity', which signifies the speaker's commitment to the utterance. Simpson (1993, p.47) confirms that modality expresses "a speaker's attitude toward, or opinion about, the truth of a proposition expressed by a sentence". As such, a modality analysis can be of great help in exploring the producer's ideology (Jeffries, 2007, p.182). Simpson's (1993) system of modality, particularly the deontic and epistemic forms of modality, reflect this preoccupation with the speaker's commitment to the truth of their claims. In other words, what it mainly signifies is the speaker's ability or willingness to present an utterance as fact.

Following Fairclough's CDA (1995a, pp.146-7) and Jeffries's work (2010, pp.114-23), this research uses Simpson's model of modality (1993). He identifies four specific modal systems (1993, p.47). These four are the *deontic, boulomaic, epistemic* and *perception.* The first, deontic, indicates a "continuum of commitment" (*ibid*). Deontic modality is realised through modal auxiliaries, verbs and adjectives. Simpson exemplifies it through: "[y]ou are obliged to leave" and "[i]t is necessary

that you leave" (*ibid*, pp.47-8). Boulomaic modality expresses desire and again is realised through verbs, adverbs and adjectives. Simpson (*ibid*) offers the example: "I hope that you will leave" to illustrate how verbs communicate boulomaic modality. Similarly, "[i]t's good that you're leaving" and "[h]opefully, you'll leave" respectively illustrate the use of adjectives and adverbs to create boulomaic modality. Thirdly, epistemic modality explicitly evaluates the truth value of a proposition. Simpson (*ibid*, pp.49-50) points to categorical assertions which are, on the surface, non-modal but which are "epistemically stronger" than any utterance which includes very strong epistemic modality, such as his example "[y]ou are right", versus the epistemically modalised "you are possibly/probably/clearly right". The final form of modality in Simpson's model is perception. Perception does not indicate categorical mental processes (as the transitivity analysis may pick out) but instead indicates epistemic statements filtered through human perception. Simpson (1993, p.50) exemplifies this distinction by offering the examples of "you're clearly right" (which is epistemic) and "it's clear that you are right" (which is perception). The functional difference between these two modalities, however, is unclear. For this reason, perception modality has been counted as epistemic modality where applicable.

Fairclough deviates from Simpson's model in *Analysing Discourse* (2003, pp.167-70) by omitting boulomaic and perception modality. Richardson (2007, p.60) largely copies this example, by identifying "two principal forms: truth modality and obligation (or duty) modality." Fairclough (2003, pp.167-70) includes a differentiation in levels of commitment in epistemic and deontic modality that is high, median or low. 'High' epistemic modality indicates certainty; 'median', probability and 'low', possibility. 'High' deontic modality indicates requirement ("you must"), 'median' that which one is supposed to do ("you should") and 'low' indicates allowance (*ibid*) ("you may").

One problem with modality analysis is that certain verbs are relatively ambiguous. Context determines whether a verb such as 'can' should be interpreted to indicate either the possibility (which would be epistemic) of an action being performed or the ability (which would be categorical, as it indicates possession of an ability) to do this action. For instance, in Mayr and Machin's (2012, p.187) example "I can do this essay", 'can' may indicate the possibility that the essay will be done but it can also, categorically, indicate the speaker's ability to write an essay. Such a verb is an example of what Mayr and Machin (2012, p.187) indicate as the *dynamic* modality type.

How corpus methods have been used in previous research to find forms of modality is unclear. Leech (2004, p.1), for instance, by his own admission, draws heavily on advances in corpus linguistics for his exploration of modal auxiliaries. Unfortunately, he does not set out any methodology for investigating them. He (2004) merely displays his findings. Leech (*ibid*, pp.72-106) considers the specific possible meanings of six modal auxiliaries, rather than any particular model of modality. He also does not explore any other possible indications of modality, such as adverbs and adjectives.

Baker (2006), on the other hand, offers one possible corpus approach to modality by taking a type ('allege*') and then counting modal verbs occurring within three spaces to the right and left (*ibid,* pp.160-1). This approach certainly offers some interesting results for this one word and Baker (*ibid*) finds that certain forms of modality correlate with particular forms of 'allege'. The adjective 'alleged' generally forms part of a strongly deontic utterance, whilst the verb 'allege' is much more uncertain (*ibid*, p.161). This approach is unfortunately not suitable for the present research in the form that Baker presents it, as it focuses primarily on modal types, rather than on other lexical items that may collocate with modal types. However, the approach may be adapted to create a corpus-assisted approach to certain quantifiable features, which may be complemented by a sub-corpus to investigate more qualitative elements. The specific corpus-assisted approach this research takes is more explicitly outlined in the Methods chapter.

Modality analysis is essential to assess how newspapers evaluate, for example, accusations, but also to examine how newspapers represent the obligations of corporations and their accusers.

3.4. Chapter Summary

This chapter outlines the history and aims of critical discourse analysis, as well as earlier research that used corpus linguistic methods to analyse those particular features that may be of interest in critical analysis. As has been established, critical discourse analysis is a particularly appropriate approach to examining texts from a certain political stance, whereas corpus linguistics accommodates large-scale text analyses. A solid synthesis of these approaches, as described in the next chapter, facilitates a large-scale politically informed text analysis.

CDA draws on Halliday's systemic functional linguistics in particular and assumes that "linguistic structure [is linked to] social structure" (Fowler and Kress, 1979, p.185). To distinguish Faircloughian critical discourse analysis from other

approaches, it is necessary to note that Faircloughian CDA has a very specific, political, practical aim: to encourage social change (Fairclough, 2015, p.20). Faircloughian CDA focuses both on "power in discourse" and "power *behind* discourse" (*ibid*, p.3, italics original).

CDA's political aims have been cited as problematic. Fairclough (1996, pp.52-3), however, counters that all research is ideologically informed and it is a merit of CDA that it is open about it. CDA has also been accused of being an unsound, inharmonious, ill-conceived methodological framework. However, as CDA is merely a framework, these criticisms are not applicable universally and must necessarily be re-evaluated for every piece of research that uses CDA. The adoption of corpus linguistic methods by CDA is necessary (Widdowson, 2004; Fairclough, 2015), if only to pre-empt criticisms of cherry-picking.

Fairclough's CDA consists of three stages. One is the contextualisation that Fowler explicitly requested (1987, p.488), as future and non-local readers cannot have the same intuitive knowledge of a context as contemporary and local analysts and readers may be assumed to have. The other stages describe and interpret the text or in this case, the corpus. Multiple linguistic aspects can be considered. In the research that follows, the aspects described are lexis, for which a variety of corpus linguistic methods have been employed; metaphor; transitivity, following Halliday (1994), and modality, following Simpson (1993).

The next chapter outlines these methods used in this thesis. In particular, it describes the synthesis of critical discourse analysis and corpus linguistics that has been used to perform the analyses that show that corporate fraud is generally neutralised by British newspapers.

Chapter 4.   Methods

The previous chapter discussed the theories underpinning CDA and corpus linguistics, arguing that CDA is the appropriate approach for my research. The current chapter outlines how corpus-assisted critical discourse analysis has been applied in this investigation of newspapers' reporting of corporate fraud in the period 2004-2014.

My method is a synthesis of corpus linguistics and critical discourse analysis, with the aim of producing the type of reliable critical analysis Widdowson (2004) demands. This analysis shows the techniques that are (implicitly) used by British newspapers to neutralise acts of corporate fraud. This method is relatively novel in applied linguistics, with particular regard to corpus approaches to transitivity and modality. The methods outlined in this chapter also allow us to achieve a greater understanding of how language is used in techniques of neutralisation, with particular reference to corporate fraud.

The first section outlines data collection strategies and describes the manner of processing the collected raw articles to create a corpus of corporate fraud news. The second section, Context and Composition, includes a survey of statistical metadata. The third to sixth sections describe the methods for analysing, respectively, lexis; metaphor, drawing on the strategy set out by Deignan (2005) and Charteris-Black (2004) to find and investigate metaphor in a corpus; transitivity, following Halliday's theoretical model (1994), and modality, following Simpson's (1993) model.

4.1. Data Collection

In order to study data, it must first be gathered. This section describes the methods used to do so, with reference to the data collection methods employed by researchers in the RASIM project (see Baker *et al*, 2008; Baker, 2012; Gabrielatos, 2007; KhosraviNik, 2008, 2010).

The global economic crisis of the early twenty-first century properly began in the summer of 2008. Thus, articles from some years before 2008 have been collected to ensure a corpus that has been in equal parts affected and unaffected by the events of 2008. 2004 has therefore been chosen as the starting point. The end point has been limited, for practical reasons, to 31 December 2014, to give me sufficient time to actually examine the corpus. However, this material may have covered cases that began before 2004, such as the collapse of Enron, and

continued after 2014, such as the investigation of Google's alleged tax avoidance. These temporal parameters result in a minor imbalance, as the corpus covers four and a half years pre-crisis and five-and-a-half years since the start of the global economic crisis.

The corpus must be realistic, as time, finances and the availability of texts may be constrained (Biber, Conrad and Reppen, 1998, p.250). Gabrielatos (2007) remarks that "there is a tension between (...) creating a corpus in which all the texts are relevant but which does not contain all relevant texts available in the database and (...) creating a corpus which does contain all available relevant texts, albeit at the expense of irrelevant texts also being included" (Gabrielatos, 2007, p.6). In the first case, important data, linguistic or otherwise, may be absent. In the second, "corpus building (...) can become unduly time-consuming" (Gabrielatos, 2007, p.6), both in terms of removing irrelevant texts so as to reduce 'noise' or the presence of unwanted material and in terms of diminishing returns in relation to effort. For example, McIntyre (2012) limits the size of his blockbuster corpus to thirteen screenplays, 300,000 words, as his corpus requires highly labour intensive pre-processing. A larger corpus, in this case, is simply too time-consuming to work with to be realistically doable (*ibid*).

Biber *et al* (1998, pp.246-50) point out that a corpus should, first and foremost, be representative of the language variety it investigates. In my case, it should be representative of national UK newspapers' writing about corporate fraud. To achieve this representativeness, the texts must be diverse enough to cover linguistic variation (Biber *et al*, 1998, pp.246-50). In this study, this diversity is achieved by including articles from newspapers situated at various points of the political spectrum and with readerships that vary in socio-economic status. As such, the initial aim of data collection was to collect all relevant articles published by six national, daily UK newspapers that have the largest circulation figures: *The Daily Mail*, *The Daily Telegraph, The Guardian, The Mirror, The Sun* and *The Times. The Financial Times* has also been included given its relevant specialist interest and formal headquartering in the UK. Where applicable, respective Sunday editions have also been included. These Sunday papers were *Mail on Sunday, The Sunday Times* and *The Sunday Telegraph*.

Important practical and methodological comparisons can be made to the University of Lancaster's University Centre for Computer Corpus Research on Language's (UCREL) multi-year, six-person, ESRC-funded 'RASIM' project. This

project examines the evolution of discourses surrounding refugees, asylum seekers and (im)migrants in the UK press over the period 1996-2006 (UCREL, 2016). RASIM-data collection began by selecting core search terms, based on the overall research question and subsequently included related search terms (Gabrielatos, 2007).

Lexis Nexis (2016, hereafter simply referred to as *Lexis Nexis*) has been used to collect these articles. In the case of my corpus, as with the RASIM corpus, an appropriate set of search terms had to be selected first. This was made more difficult in my case because of the ambiguity of the concept of 'corporate fraud'. *Corporate fraud* is a relatively fruitless search term. It generates a mere 466 hits within the relevant timeframe, many of which are irrelevant as they refer to corporations being affected by white collar fraud conducted by individuals and aimed against the corporation, rather than on behalf of the corporation. Alternative search terms, detailed in the appendix, however, yield many more (relevant) hits. These alternative search terms were found by first considering recent cases of corporate fraud that fit the definition, and institutions accused of fraud, such as 'Fannie Mae' and 'Freddie Mac'. Rosoff *et al's* (2010) book on American white collar crime, *Profit Without Honor,* has been used as a guide to finding cases of corporate fraud that first came to light in 2004. Subsequent search terms, such as 'tax avoidance', have been generated through a manual evaluation of the search hits by examining approximately 225,000 headlines, as well as *Lexis Nexis*'s display of search term concordances per article. This assessment followed the definition of corporate fraud given in chapter 2, so that most irrelevant articles could be discarded. The appendix lists all search terms used. In those instances, in which it was unclear whether a case or article qualified as referring to 'corporate fraud', news articles have been read in full to decide whether to collect the article in question for the corpus.

Gabrielatos's (2007) method of generating search terms entails first choosing a set of query terms that function as a 'seed'. The hits of these terms are then collected and processed to create key word lists (*ibid*). The value of these key words as additional search terms is then mathematically established through what Gabrielatos (2007) labels the Relative Query Term Relevance or RQTR, score. This method, although useful when evaluating potential search terms for less ambiguous phenomena, such as human trafficking (Gregoriou and Ras, under consideration), could not be used here as even the most obvious potential search term, i.e. *corporate fraud*, generated so much noise as to be unusable as a 'seed' query term.

This is why a semi-manual approach has been used instead. My method is largely similar to Gabrielatos's (2007), drawing on the results of an initial search to further generate additional search terms, in a snowball-like manner, but proposed additional search terms were evaluated by the researcher, rather than through Gabrielatos's (2007) mathematical formula. The drawbacks of the manual approach include its time-consuming nature and the fact that the list of search terms is less likely to be exhaustive.

Data collection tested the validity and utility of the definition of corporate fraud given in chapter 2. For instance, the case of Bernard Madoff's Ponzi-scheme fulfils Sutherland's (1949, p.9) criterion for white collar crime: it is a crime committed by a person of "respectability and high social status in the course of his occupation". Bernard Madoff created a Ponzi-scheme, also known as a pyramid scheme, and encouraged people to invest in it (Lewis, 2010). These people believed they were investing in a legitimate investment scheme, because of Madoff's reputation (Lewis, 2010). However, Madoff used the investments of newer investors to pay off earlier investors and also took money for himself (Lewis, 2010). This scheme was carried out through Madoff's own company but the intended beneficiaries of this scheme were Madoff, his family and his friends (Lewis, 2010). As such, the actual Madoff case does not qualify as a case of corporate fraud, following my definition, as the company, which served Madoff's purposes, has not been the intended beneficiary of this fraud.

However, other companies, including banks such as JP Morgan Chase, have been complicit in this scheme by directing potential investors toward it (Guerrera, 2009). These banks benefited monetarily from directing potential investors to this scheme, so if their actions were undertaken in bad faith, they qualify as a form of corporate fraud. Most of these external corporate parties may initially be assumed to have acted in good faith, assuming Madoff's scheme to be legitimate, and so their actions, although ultimately damaging and contributing to an act of white collar crime, cannot initially be defined as corporate crime. As the Madoff-inquiry progressed, however, evidence surfaced that JP Morgan Chase, among possibly other parties, may have been aware of the fraudulent nature of Madoff's scheme (Guerrera, 2009). At this point, inquiries into the actions of these corporate parties became inquiries into (potential) corporate fraud. Articles relating to investigations into the bad faith of corporations regarding Madoff's Ponzi-scheme have therefore been considered relevant.

A further question can be raised as to whether a case can be considered one of 'corporate fraud' when fraud has not been proven in court. A great number of cases included in the corpus, if not most, were settled out of court. In these cases, fraud has been neither proven nor disproven. For this reason, articles were included from the point of allegation onward. All articles have been assessed in chronological order, meaning that reporting for cases could be followed from the beginning. The endpoints of cases were not always clear, as particularly high-profile cases, such as the Enron case, have been referred to, or commented on, long after sentencing or settlement.

All articles judged relevant are stored as .txt files and were subsequently processed through *Lexis Nexis Output Organiser 1.0* (Norton, 2015, hereafter *Output Organiser*). This software is a Python script developed by Christopher Norton (University of Leeds, Department of Linguistics and Phonetics) for my research. *Output Organiser* divides the *Lexis Nexis* .txt-output into separate.txt-files, one file for every article. The script also marked the headlines with <title> and </title> tags and exported the metadata to a .csv file. These metadata included newspaper, bylined authors, word count, page number, section and date of publication. This Python script also sorted the articles into their relevant folders, per newspaper and per year.

The resultant .csv-file was then manually converted into a Microsoft *Excel* file (Microsoft, 2013, hereafter *Excel*). Duplicate articles were marked in the *Excel* file. The cells for unique entries and the first entry of every duplicate have been coloured green to show which articles were not duplicate and therefore to be kept. This colouring left the duplicates, which were to be removed, clearly visible in white cells. The corresponding article files were manually removed from the corpus folders. Finally, by using *Excel*'s search-and-replace function, all cells that had not been coloured were deleted. See Table 2 through Table 5 for an illustration of this process. In these tables, the columns present, respectively, the unique article identification number, the newspaper in which it has been published (abbreviated to one or two letters, e.g. *The Daily Mail* is indicated using 'DM', *The Times* is indicated using 'T' and *The Daily Telegraph* is indicated using 'DT'), the page on which it was published, the title (colour-coded), the day, month and year in which it was published and then various iterations of the date of publication. In Table 2, all titles are visible, but the cells containing duplicates have not been coloured green, whereas the cells containing unique titles *have* been coloured green. In Table 3, all uncoloured cells have been cleared. The corresponding article files in the corpus

folders have similarly been deleted. The remaining necessary action is to delete these entries from the *Excel* file. In Table 4, titles have been alphabetically sorted, which puts empty cells first. Table 5 finally shows that only two, of the original four, entries remain in this *Excel* sheet.

At this point, all articles published by all relevant newspapers on a randomly chosen day (selected using *Excel*'s 'RandBetween' function) in 2004, 2006, 2008, 2010, 2012 and 2014 were assessed in full and all articles covering corporate fraud were downloaded and processed. One day in every even year was chosen to limit the number of hits, as these six dates alone generated over 12,000 hits, yet only 41 articles referenced corporate fraud as defined in chapter 2. These 41 articles were all marked as duplicate by the *Excel* file, showing that these articles had already been found through previous searches. It was at this point that data collection ceased. Beyond this point, the time-cost and the potential for the corpus to become too noisy outweighed the need to include every single article referencing corporate fraud that has been published by the selected UK newspapers between 2004 and 2014. Ceasing data collection on corporate fraud at this point resulted in a corpus of 90,443 articles, 53.8 million tokens and 184,151 types. For comparison, the entire RASIM corpus contains over 170,000 articles (KhosraviNik, 2008) and 140 million tokens (Baker *et al*, 2008, p.276). See Table 6 for a breakdown of national broadsheets and tabloids per year for the article- and token counts.

4.2. Composition and Context

Chapter 5 examines how many words these stories took up in their respective newspapers and where they have been placed. The selection of metadata follows Chermak's (1994) argument that *word count* and *page number* signify the importance of an article to its newspaper. These categories are not exhaustive, as there may be other indicators of the importance of an article. However, these are the most quantifiable indicators and thus most suited for statistical comparison.

Lexis Nexis Output Processor (2015) exported the metadata of the articles to a Microsoft *Excel* workbook. This file type can be exported to other programs, such as *IBM SPSS Statistics 22* (2013; hereafter referred to as *SPSS*). *SPSS* has been used to calculate statistics, correlations between and statistical differences between dependent variables, such as word count or how many articles have been produced when and by which newspaper.

Table 2: Data including duplicates, unique items coloured green

126471	T		40	BUSINESS	Economics	24	7	2009	24/07/2009	Jul-09
126472	T		42	BUSINESS	Cattles' auditor inquiry	24	7	2009	24/07/2009	Jul-09
126475	T		42	BUSINESS	need to know	12	8	2009	12/08/2009	Aug-09
126482	T	Alex Spence	57	BUSINESS	Poacher turned gamekeeper wants more ammunition in hunt for erring accountants	17	11	2009	17/11/2009	Nov-09

This stage left the articles to be removed clearly visible in white and grey. Corresponding .txt-files were removed from the corpus directory.

Table 3: Data with uncoloured items removed

126471	T		40	BUSINESS		24	7	2009	24/07/2009	Jul-09
126472	T		42	BUSINESS	Cattles' auditor inquiry	24	7	2009	24/07/2009	Jul-09
126475	T		42	BUSINESS	need to know	12	8	2009	12/08/2009	Aug-09
126482	T	Alex Spence	57	BUSINESS		17	11	2009	17/11/2009	Nov-09

Table 4: Data sorted alphabetically by title; empty cells are grouped

126471	T		40	BUSINESS		24	7	2009	24/07/2009	Jul-09
126482	T	Alex Spence	57	BUSINESS		17	11	2009	17/11/2009	Nov-09
126472	T		42	BUSINESS	Cattles' auditor inquiry	24	7	2009	24/07/2009	Jul-09
126475	T		42	BUSINESS	need to know	12	8	2009	12/08/2009	Aug-09

Table 5: Data with rows including empty title-cells removed

126472	T		42	BUSINESS	Cattles' auditor inquiry	24	7	2009	24/07/2009	Jul-09
126475	T		42	BUSINESS	need to know	12	8	2009	12/08/2009	Aug-09

Table 6: Number of words and articles in the corpus and sub corpora

Newspaper		2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	Total
Broadsheets	**Articles**	7,416	6,260	11,246	5,724	5,926	6,236	5,687	5,685	8,056	7,820	6,098	76,154
	Percent	87.53%	88.11%	89.42%	83.10%	83.44%	84.84%	83.33%	82.47%	80.89%	80.00%	81.35%	84.20%
	Words	4,030.42	3,409.10	6,946.27	3,459.22	3,814.78	4,148.62	3,408.94	3,621.35	5,561.24	4,648.22	3,899.08	46,947.3
	Percent	88.11%	88.41%	91.04%	85.08%	85.46%	86.39%	83.99%	84.90%	94.28%	83.11%	84.32%	87.21%
The Financial Times	Articles	3,937	3,061	5,506	2,543	2,806	2,489	2,129	2,177	2,677	2,595	2,152	32,072
	Percent	46.47%	43.08%	43.78%	36.92%	39.51%	33.86%	31.19%	31.58%	26.88%	26.55%	28.71%	35.46%
	Words	2,033.97	1,568.72	3,107.83	1,265.22	1,515.17	1,344.36	1,183.71	1,181.03	1,459.50	1,430.82	1,256.76	17,347.1
	Percent	44.46%	40.68%	40.73%	31.12%	33.94%	27.99%	29.16%	27.69%	24.74%	25.58%	27.18%	32.22%
The Guardian	Articles	885	776	1,728	960	987	1,205	959	926	1,741	1,828	1,177	13,172
	Percent	10.44%	10.92%	13.74%	13.94%	13.90%	16.39%	14.05%	13.43%	17.48%	18.70%	15.70%	14.56%
	Words	533,138	437,062	1,093,47	639,182	627,402	767,507	661,572	938,294	1,925,36	1,297,89	1,057,85	9,978,74
	Percent	11.65%	11.33%	14.33%	15.72%	14.05%	15.98%	16.30%	22.00%	32.64%	23.21%	22.88%	18.54%
The Telegraph	Articles	1,242	987	966	925	927	928	1,122	1,087	1,706	1,401	987	12,278
	Percent	14.66%	13.89%	7.68%	13.43%	13.05%	12.63%	16.44%	15.77%	17.13%	14.33%	13.17%	13.58%
	Words	663,295	517,361	591,409	597,502	604,555	535,820	639,060	599,304	984,793	816,500	590,288	7,139,88
	Percent	14.50%	13.42%	7.75%	14.70%	13.54%	11.16%	15.75%	14.05%	16.70%	14.60%	12.76%	13.26%
The Times	Articles	1,352	1,436	3,046	1,296	1,206	1,614	1,477	1,495	1,932	1,996	1,782	18,632
	Percent	15.96%	20.21%	24.22%	18.82%	16.98%	21.96%	21.64%	21.69%	19.40%	20.42%	23.77%	20.60%
	Words	800,014	885,955	2,153,56	957,308	1,067,66	1,500,93	924,596	902,729	1,191,58	1,103,00	994,174	12,481,5
	Percent	17.49%	22.97%	28.22%	23.55%	23.92%	31.25%	22.78%	21.16%	20.20%	19.72%	21.50%	23.19%
Tabloids	**Articles**	1,057	845	1,331	1,164	1,176	1,114	1,138	1,208	1,903	1,955	1,398	14,289
	Percent	12.47%	11.89%	10.58%	16.90%	16.56%	15.16%	16.67%	17.53%	19.11%	20.00%	18.65%	15.80%
	Words	543,943	447,126	684,025	606,419	649,288	653,815	649,768	643,880	337,197	944,823	725,272	6,885,55
	Percent	11.89%	11.59%	8.96%	14.92%	14.54%	13.61%	16.01%	15.10%	5.72%	16.89%	15.68%	12.79%
The Daily Mail	Articles	832	668	861	874	881	768	746	766	1,096	1,113	860	9,465
	Percent	9.82%	9.40%	6.85%	12.69%	12.40%	10.45%	10.93%	11.11%	11.01%	11.39%	11.47%	10.47%
	Words	468,509	379,067	509,457	486,313	534,124	519,456	501,689	485,363	68,938	638,935	518,507	5,110,35
	Percent	10.24%	9.83%	6.68%	11.96%	11.96%	10.82%	12.36%	11.38%	1.17%	11.42%	11.21%	9.49%
The Mirror	Articles	167	134	300	189	170	176	197	233	403	444	292	2,705
	Percent	1.97%	1.89%	2.39%	2.74%	2.39%	2.39%	2.89%	3.38%	4.05%	4.54%	3.90%	2.99%
	Words	55,691	54,879	115,464	84,559	69,743	73,053	78,352	102,592	146,810	176,895	128,179	1,086,21
	Percent	1.22%	1.42%	1.51%	2.08%	1.56%	1.52%	1.93%	2.41%	2.49%	3.16%	2.77%	2.02%
The Sun	Articles	58	43	170	101	125	170	195	209	404	398	246	2,119
	Percent	0.68%	0.61%	1.35%	1.47%	1.76%	2.31%	2.86%	3.03%	4.06%	4.07%	3.28%	2.34%
	Words	19,743	13,180	59,104	35,547	45,421	61,306	69,727	55,925	121,449	128,993	78,586	688,981
	Percent	0.43%	0.34%	0.77%	0.87%	1.02%	1.28%	1.72%	1.31%	2.06%	2.31%	1.70%	1.28%
Totals	*Articles*	8,473	7,105	12,577	6,888	7,102	7,350	6,825	6,893	9,959	9,775	7,496	90,443
	Percent	100.00%	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00%
	Words	4,574.36	3,856.23	7,630.30	4,065.63	4,464.07	4,802.43	4,058.71	4,265.23	5,898.44	5,593.05	4,624.36	53,832.8
	Percent	100.00%	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00%

The Kruskal-Wallis test (Field, 2013, pp.236-8, 445) compared the averages of these values per newspaper and calculated whether these differences have been statistically significant. Statistical significance indicates the probability that the difference (if any) between dependent variables is coincidental. In order for some disparity to be considered statistically significant, the chance of this disparity being due to coincidence (indicated with an italicised letter '*p*') must be smaller than .05. The smaller the *p*-value is, the more certain one may be when claiming that the difference is statistically significant. If *SPSS* outputs that $p<.05$, the variation is significant. It is 95% certain that the variation is not coincidental. *P*-values merely indicate the statistical significance of a difference. They indicate nothing about the causes of these differences. It is possible to speculate that these differences are due to the independent variable, *newspaper*. However, this statistical analysis does not acknowledge that even an 'independent' variable, like *newspaper*, is likely to have also been affected by various unrecorded variables, such as readership and editor. It is also possible to speculate that these statistical differences are due to other unrecorded independent variables, such as economic developments, which potentially affect both *newspaper* and the dependent variables.

Each variable has a null hypothesis, which claims that there are no statistically significant differences between dependent variables, as compared by the independent variable *newspaper*. In other words, the null hypotheses suggest that any differences observed are coincidental. The second hypothesis is the alternative, which claims that there are indeed variations and that these variations are not coincidental.

The four hypotheses are as follows:

H^1_0: The average *word count* does **not** differ significantly per *newspaper.*

H^1_a: The average *word count* does differ significantly per *newspaper.*

H^2_0: The average *page number* does **not** differ significantly per *newspaper.*

H^2_a: The average *page number* does differ significantly per *newspaper.*

4.3. Labelling

Chapter, 6, describes the results of the lexical analysis, examining the noun(s)/noun phrases used to refer to acts of fraud and those who were (allegedly) party to these acts.

The examination of the labelling of actors and actions is relatively common in critical discourse analysis. KhosraviNik (2010) takes an explicitly qualitative approach and investigates a small selection of articles from the RASIM corpus using Wodak's Discourse-Historical Approach (Wodak and Meyer, 2001) and Van Dijk's Socio-Cognitive approach (1991). Tabbert (2015), on the other hand, takes a corpus linguistic approach. Tabbert's monograph specifically investigates the labelling of different parties to crime, e.g. offenders and victims (*ibid*) and is, therefore, a useful guide.

Jeffries (2010, p.18) points out that primarily nouns are used to label items and acts. The remainder of the noun phrase adds additional information (*ibid*). This theory leads to the following questions to guide the examination:

1. Which nouns are used to refer to acts of fraud?
2. Which nouns are used to refer to parties to these acts of fraud?
3. Are these nouns modified in any way?

As Tabbert (2015) primarily follows Jeffries's Critical Stylistics, Tabbert indeed first generated a word list for her corpus (*ibid*, p.77) to identify relevant nouns. She then manually extracted all nouns that possibly "named an offender, a victim or a crime" (Tabbert, 2015, p.78).

The lexical analysis of my research also began by generating a word list. Any concordancing program can almost instantaneously output a word list, sorted alphabetically or by (normalised) frequency.

One issue in generating a word list, even if it were to contain just content words, is that not all target words are used solely as one specific part of speech. *Accused*, for instance, is also used as a (passive) verb and as an adjective. To respond to these issues, the corpus has been tagged using *TagAnt 1.1.2* (Anthony, 2014, hereafter *TagAnt*), which uses *TreeTagger* to assign a part of speech tag to each word. When searching a word used as a particular part of speech in *AntConc* 3.2.4w (Anthony, 2014, hereafter referred to as *AntConc*), one searches '[word]_[POS-tag]'. For instance, to search for *accused,* used as a noun, the appropriate search term is *accused*_N*.

Tabbert (2015, p.78) limits her list of nouns to be investigated to 11 and 9 minimum occurrences in her respective English and German crime news corpora. She provides little empirical basis for choosing this particular limit. Nevertheless, she argues justifiably that limiting this word list "keep[s] this analysis manageable"

(Tabbert, 2015, p.78), echoing Biber *et al's* considerations (1998, p.250). Tabbert's corpora contain respectively 7,034 and 10,960 types (Tabbert, 2015, p.75). My corpus contains 183,702 types, so the criterion of manageability needs to be applied here too. A frequency of 10, on average, for corpora of approximately 75,000 tokens (Tabbert, 2015, p.78), calculates roughly to a relative frequency of 0.01%. In a corpus of 53.8m tokens, a relative frequency of 0.01% means an absolute frequency threshold of 5,380. All types not used as either common or proper nouns have been discarded.

As indicated, Mahlberg and McIntyre (2011) note that a key word analysis only goes so far: a qualitative analysis is required in order to establish their meaningfulness. This can be done by looking at collocating items. Jeffries (2010, pp.21-23) helpfully lists the linguistic items which add to the description of a particular noun. They include adjectives, determiners, relative clauses and modifiers in complementary positions (Jeffries, 2010, pp.21-22). An example of such an approach in a crime news context is provided by Tabbert (2015, p.78), who explored collocations and concordance displays. Collocations and concordances have also been used in my analysis to examine the modification of the nouns of interest.

The program used to analyse the selected nouns and their modifiers is *AntConc*. The concordance was first sorted 1R, 2R, 3R, in order to establish if each type either was to be discarded or if it belonged to any (or all) of the following categories: case; accused; alleged crime scene; accuser; regulator; investigator; alleged victim; (criminal) justice and legal process and to examine commonly reoccurring concordance patterns. The concordances have then been sorted 1L, 2L, 3L, for further investigation. Through this process, commonly recurring concordances on either side of the noun, including the items outlined by Jeffries (adjectives, determiners, relative clauses and modifiers in complementary positions (2010, pp.21-22)), could be recorded. This process resulted in several sub word lists (one for each category, e.g. 'case', 'accused'), with collocates recorded for each target noun, i.e. for each noun in the keyword list, with a frequency greater than the cut-off threshold, that has been examined in this thesis. These word lists per category served as the basis for my analysis.

Tabbert (2015, p.78) explicitly disregards all categories but those of 'crimes', 'offenders' and 'victims', as other parties have not been pertinent to her research. In my study, such disregarded parties are equally crucial in creating a

narrative of an allegedly criminal act, particularly in complex cases such as those examined here.

In summary, this lexical analysis generates lists of the labels applied to parties to alleged acts of corporate fraud, such as the accused and the victims, as well as labels applied to these acts specifically. Through concordances, it was determined to which each category every pertinent noun belonged. It was also established how these labels have generally been modified and used throughout the corpus.

4.4. Metaphor and Metonymy

The method for examining metaphor in the corpus differs greatly from the methods set out in sections 4.3 and 4.5. As Charteris-Black (2004, p.35) points out, it is difficult to establish a truly reliable method of identifying metaphors in corpora when using computer methods. Koller, Hardie, Rayson and Semino (2008) write that previous research tended to start by selecting a particular metaphor and then examining its concordances in the corpus.

Deignan's (2005) monograph is particularly useful for its comprehensive overview of previous (computational) corpus-assisted metaphor research. In response, Deignan (2005, p.93) outlines several general approaches to corpus-assisted metaphor research. Deignan's (*ibid*, p.93) main approach relies on a pre-identification of relevant lexical items. This is, as Koller *et al* (2008, p.143) point out, a problematic approach, as it means that "further tokens of particular types can be automatically retrieved, but new metaphoric types cannot be identified, unless they happen to occur in close proximity to node expressions". Furthermore, this method is unlikely to show which metaphorical expressions are systematic.

Deignan's second possible approach (2005, p.93) is to select a small sub-corpus and work through it manually, though she does not use this method in her monograph (2005). Koller *et al* (2008, p.143) indicate that the findings from such a sub-corpus are often then "concordanced (…) in the rest of the data". Problematically, this sub-corpus may not representative of the full corpus, depending on which sampling method has been used. Examining a sub-corpus is the method used by Sanford (2008), who manually identified and categorised metaphors in a 40,000-word subsection of the Santa Barbara Corpus of Spoken American English. Charteris-Black (2004, p.35) uses the combined approach described by Koller *et al* (2008): he first manually identified potentially metaphorical

key words in a sub-corpus and then investigated them in the full corpus. This method is more likely to uncover systematic metaphors.

Computers cannot, without any input other than a command equivalent to 'find metaphors', recognise a metaphor. Computers can, at best, extract syntax that is common to metaphors or extract pre-determined specific metaphors (e.g. follow commands equivalent to 'find [part of speech]' or 'find "[noun][verb][noun]"'). It cannot find a systematic metaphor. For instance, a corpus program cannot find all instances of INVESTIGATIONS ARE WARS.

A more practically workable method of metaphor identification in corpora, proposed by Koller *et al* (2008, p.144), relies on the semantic tagger in *Wmatrix*, based on the assumption that semantic domains "can correspond to the source domain of metaphoric expressions". For instance, *Wmatrix* can show the prevalence of the source domain G3 (warfare, defence and the army, weapons) in my corporate fraud corpus, which I can then examine to see if this semantic domain is also a source domain for metaphoric expressions in this corpus.

I combine two methods in this thesis by computationally analysing a sub-section of the full corpus, comprising 1m words, and manually analysing a headline corpus. The first step in this research was to examine manually 5% of headlines recorded in the metadata *Excel* file. Although the journalistic genre is not directly thought of as particularly creative (Machin and Mayr, 2012, p.164), tabloid headlines, in particular, can be a rich source of metaphor. Furthermore, as Deignan (2005, pp.217-8) writes, tabloid headline writers sometimes point out the metaphorical nature of conventional expressions, by using them literally rather than metaphorically or by subverting them. This process entailed the analysis of 4,247 headlines, creating a sub-corpus of 38,026 tokens. This token count approaches Sanford's (2008) 40,000 (approximate) token sub-corpus of the Santa Barbara Corpus of Spoken American English. Not all of these headlines are particularly rich or unconventional; one is simply *The Daily Mail*'s 'News in Brief' column.

It may be the case that universal mappings have been overlooked in favour of less conventional metaphors. Conventional metaphors are readily processed, whereas original metaphors require more "mental work" (Goatly, 2007, p.22). In colloquial terms, original metaphors are more likely to produce an 'oh, hang on, here's one'-moment. This is not inherently problematic, as metaphors not relating to the research question have been, in any case, disregarded.

The Pragglejaz Group (2007) proposes a useful method for manually identifying metaphorical expressions, suggesting that critical discourse analysts, in particular, would find their proposed method useful. This method is as follows:

1. Read the entire text–discourse to establish a general understanding of the meaning.
2. Determine the lexical units in the text–discourse.
3.
    a. For each lexical unit in the text, establish its meaning in context, that is, how it applies to an entity, relation, or attribute in the situation evoked by the text (contextual meaning). Take into account what comes before and after the lexical unit.
    b. For each lexical unit, determine if it has a more basic contemporary meaning in other contexts than the one in the given context. For our purposes, basic meanings tend to be —More concrete; what they evoke is easier to imagine, see, hear, feel, smell, and taste. — Related to bodily action. —More precise (as opposed to vague) — Historically older. Basic meanings are not necessarily the most frequent meanings of the lexical unit.
    c. If the lexical unit has a more basic current–contemporary meaning in other contexts than the given context, decide whether the contextual meaning contrasts with the basic meaning but can be understood in comparison with it.
4. If yes, mark the lexical unit as metaphorical. (Pragglejaz Group, 2007, p.3)

They (*ibid*, 2007) suggest that to ensure the reliability of this method, ideally at least two analysts examine the text. Unfortunately, this was not possible in my study, but the findings from my manual analysis are supported by the findings from the method next outlined, based on Koller *et al*'s (2008) method.

Wmatrix has been used to explore the main semantic domains in a sub-corpus of one million tokens. Given imbalances in the original corpus, such as the number of articles published by various newspapers, a decision has been made to reproduce these imbalances in the sub-corpus, so that findings could be generalised to the original, full, 54m word corpus. The sub-corpus has been selected randomly by first renaming all files per folder (year > newspaper) using AdvancedRenamer (Jensen, 2016). All files per folder were then collated using *TXTCollector* (De Groot, 2015). The word count in these collated files was then reduced to the necessary number to create a representative sub-corpus whilst retaining complete articles. Table 7 outlines the word counts of each section of the sub-corpus.

Goatly (2007, pp.17-20) points out that multiple related items from the source domain are usually mapped onto related items in the target domain. This is a conceptual metaphor: a series of related, specific metaphoric expressions

(Charteris-Black, 2004, p.9). As Lakoff (2002, p.63) writes, these higher-order metaphoric expressions can be particularly valuable in identifying ideology. Koller *et al* (2008), as indicated, suggest that these source domains can be identified through an examination of the semantic categories in a corpus. The benefit of semantic tagging is that it can be used to identify semantic domains that are relatively unique to the primary corpus when compared to a reference corpus. This use of a reference corpus is based on Kövecses's (2005, pp.284, 286; 2006) suggestion that different groups and (sub)cultures can use different metaphors. It follows then that the newspapers included in the corpus may have used different systematic metaphors and thus different semantic domains, when writing about this topic, compared to the metaphors used by the creators of the texts included in the reference corpus. The reference corpus that has been used to establish which semantic domains are statistically significant is the BNC Written English Sampler. The BNC Written English Sampler contains over one million words, covering such genres as, for instance, 'prose fiction' and 'world affairs' (UCREL, 1998). A particular benefit of having sample and reference corpora of a similar size (both approximating 1m words) is that raw frequencies can serve very well to illustrate particularly large differences between the corpora. There is, however, one particular issue with using this BNC Sampler as a reference corpus. Certain topics, such as 'war', are more prevalent in the world affairs sub-corpus of the BNC than it is in the corporate fraud corpus.

'War' is much more unexpected in the corporate fraud corpus but it would be unlikely to be flagged up as a key semantic category. For this reason, aside from generating a list of statistically significant semantic categories, a plain frequency list of semantic categories has also been created.

Koller *et al* (2008) focus in particular on the secondary tags assigned to lexical items, assuming these secondary tags to indicate the source domains for items used in conventional metaphoric expressions, whereas source domains would only be indicated as the primary tag if the metaphor is particularly novel. In their first research project, however, they are only able to examine primary tags, due to practical restrictions of *Wmatrix* (*ibid*). In this project, they examine, in particular, semantic domains that are unexpected given the topic of the corpus (*ibid*). These unexpected domains are presumed to be source domains (*ibid*). They also manually examine lexical items that have these unexpected semantic domains as a secondary tag, and "checked the associated concordance lines" for "possible candidates for metaphoric usage" in the word list (*ibid*, p.150). This manual double-

Table 7: Word count per section in the sub-corpus

	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
The Daily Mail	8953	7233	10078	9088	10637	10029	9656	9174	13903	12439	10225
The Daily Telegraph	12575	9130	11141	11628	11712	10705	12479	11225	19624	16475	11759
The Financial Times	39435	31093	28103	24953	29593	27028	23673	23729	28893	28635	24416
The Mirror	1127	994	1042	1580	1520	1393	1499	2045	2906	3535	2254
The Guardian	10457	8568	10843	12307	12189	14680	12870	18737	37279	24866	24203
The Sun	359	347	548	647	853	1225	1414	1080	2209	2412	1375
The Times	16349	17548	21436	18731	21311	29580	16847	15801	22133	20879	18524

checking was possible for their corpus, considering its size (30,000 words, Koller *et al,* 2008), but was not possible for mine at 54m words. Instead, I triangulated my results by also manually examining the headline corpus, described above. One drawback of this method, as it relies on the identification of unexpected semantic domains, is that whilst it is possible that the primary corpus includes a systematic metaphor of FRAUD IS BUSINESS, it is not out of the ordinary to find the semantic domain of 'business' in this corpus, given the corpus topic of corporate fraud. Koller *et al* (2008) examined concordances for all items tagged as one of the unexpected semantic domains; so did I.

Koller *et al*'s (2008, p.153) second research project uses an augmented version of the USAS tagger that "changes the ranking of the tags so as to list in first position tags for a particular domain that has been pre-specified as relevant". The third project similarly depends on pre-identified semantic domains (Koller *et al,* 2008). To identify these semantic domains of interest, Koller *et al* (2008) still use the criterion of being unexpected given the topic of the corpus. In other words, the best available method for me to identify source domains in my corpus of corporate fraud is to generate a list of semantic domains and producing concordances for all items tagged as belonging to one of these unexpected semantic domains. This is precisely the path I followed.

In summary, the analysis of metaphor in this corpus uses two different approaches (manual analysis of headlines and computational analysis of a sub-corpus) to triangulate findings, to ensure that these findings can be generalised to the full corpus. The first approach examines headlines manually. The second approach uses a one million-token sub-corpus, which is balanced to reflect the full corpus, and analyses it using *Wmatrix*, using semantic tagging to uncover potential systematic metaphor and comparing the semantic tags to the BNC Written English Sampler-reference corpus. Combined, these approaches give a reliable overview of metaphor in the full corpus. Whilst these approaches are not exhaustive, together they are both efficient and effective.

4.5.Agency

Halliday (1994, p.34) writes that there are three different "kinds of meaning that are embodied in the structure of the clause": "clause as a message" (the textual metafunction), "clause as an exchange" (the interpersonal metafunction) and "clause as representation" (the ideational metafunction) (*ibid*). The "clause as

representation" communicates patterns of experience (*ibid*). Representation is achieved through grammar (*ibid*), which chapter 8 analyses.

Extracting and examining transitivity-related elements from the corpus is not a straightforward process, as process types (*ibid*, p.107) cannot be tagged by currently available software. Transitivity processes consist of three basic components:

(i) the process itself;

(ii) the participants in the process;

(iii) circumstances associated with the process (*ibid*).

A list of participants (ii) has already been generated by the lexical analysis.

Halliday suggests that participant functions (*ibid,* p.159) can be realised through prepositions (*ibid*), which in turn may indicate the nature of the process (i). He (1994, p.166) identified typical prepositions associated with agents and beneficiaries. However, there is the possibility that nouns co-occur with non-typical prepositions in any of the identified functions or indeed without any, as in, for example, 'Mary gave John a gift', where beneficiary 'John' is not realised with a typical preposition 'to'. Indeed, the lack of a preposition is the norm and the inclusion of a preposition has a foregrounding function (*ibid*, p.168). Furthermore, corpus linguistics is a positive methodology, as it is normally used to identify and analyse those tokens that are actually present, rather than absent. A reverse-key word analysis (analysing which words are key in the reference corpus when compared to the primary corpus) can indicate a relative absence of key words in the primary corpus (McIntyre and Walker, 2014). Unfortunately, this approach cannot be adapted to identify agents, beneficiaries and the range, as they can all also be presented without typical prepositions. As such, these participant functions cannot be reliably identified using my methods.

One way to approach transitivity from a corpus linguistic perspective is to generate concordances and categorise these manually (see Bartley and Hidalgo-Tenorio, 2015). This is, however, a very time-consuming process, prone to many errors (e.g. lack of systematicity). A practical solution is offered by *SketchEngine* (Kilgariff, Baisa, Bušta, Jakubíček, Kovář, Michelfeit, Rychlý and Suchomel, 2014, hereafter referred to as *SketchEngine*), a browser-based application. *SketchEngine* has the option of generating a 'word sketch' for every noun, which includes an indication of the frequency of use of this noun as a subject and as an object. The

subject and object do not completely map onto Halliday's concepts of the actor and goal (or equivalent labels applicable to non-material processes). In a non-ergative phrase, for instance, the subject maps onto the Medium, whereas in an ergative phrase, the subject is the agent (Halliday, 1994, p.164). In this thesis, I will be using traditional grammatical concepts, i.e. 'subject' and 'object', to examine transitivity, and will consider whether the subject is so of an active, or a passive, sentence, to establish whether they are affecting, or affected, akin to Fowler's (1991, pp.70-80) example. As such, my method draws on a simplified adaptation of SFL.

Table 8 shows the frequencies applicable to *scandal* (as a noun). The first column shows the target noun; the second column and third how often it appears as a subject (compared to the total frequency of this target noun); the fourth and fifth how often it appears as an object (compared to the total frequency of this target noun) and the final column shows the actual total frequency with which *scandal* occurs as a noun.

Table 8: Example of raw and normalised frequencies for subject and object

Noun	Subject	%	Object	%	Frequency
Scandal	8,150	27.17%	5,234	17.45%	29,994

SketchEngine also offers the opportunity of examining how often these subjects occur in a passive construction. This examination is done through CQL queries in the concordance-function. By using the query [lemma="…"] [tag="V.*"]{0,1} [tag="VB.*"] [word=".*d" & tag="V.*"], *SketchEngine* generates a concordance consisting of the following elements:

> [lemma under investigation] [verb (optional)] [verb, form of 'to be'] [verb ending in –d]

This approach does not show all passives, as, for instance, it does not pick out passives created with a form of *to get;* but it does show the majority of passives. The exclusion of *get*-passives is intentional, as Mitkovska and Bužarovska (2012) show that English has many *get*-verb phrases that have the same structure as a passive sentence, but the subject retains a level of agency, as in "get married". The method described in this particular section explicitly focuses on those grammatical constructions in which the subject is without agency.

Table 9 exemplifies the output for the described queries. The lemma *scandal*, which occurs as a subject 8,150 times, is a passive (as defined in the CQL query) in 376 instances or 4.61% of subject-occurrences, as shown in Table 9.

Table 9: 'Scandal' as passive

Noun	Frequency	Subject	% (of total frequency)	Passive	% (of subject)
Scandal	29,994	8,150	27.17%	376	4.61%

Whilst it is not possible to show conclusively how often a target noun is the subject of an agentless passive, using my method, it is nonetheless possible to broadly estimate how often passives do include an agent. []{0,4} [word="by" & tag="IN"] has been added to the CQL query to see in how many instances there was an agent identified in sentences in which the target noun has been the subject. This addition creates the following sequence:

> [lemma] [optional verb] [to be] [verb ending in –d] []{0,4} [by as preposition]

In this sequence, the element []{0,4} allows between zero and four words to occur between the final verb and the preposition (tag _IN) *by*.

Table 10: 'Scandal' as passive with agent

Noun	Frequency	Subject	% (of total Freq.)	Passive	% (of subject)	With agent	% (of passives)
Scandal	29,994	8,150	27.17%	376	4.61%	162	43.09%

Table 10 shows that 43.09% of the times *scandal* is the subject of a passive, in 162 instances these passives include an agent, established by the aforementioned CQL query.

The CQL-element (?i) has been added before every word in the query, as this element indicates that *SketchEngine* outputs all occurrences of these words regardless of capitalisation. Without the element (?i), *SketchEngine* is case-sensitive.

In summary, this transitivity analysis identifies the agency of participants in the corpus through an investigation of the grammatical function of the pre-identified nouns, using *SketchEngine*. This analysis outlines the direction of action – who affects whom or what and who is affected by whom or what.

4.6. Modality

As with transitivity, investigating modality by way of corpus methods is not straightforward, due to the flexibility of the theoretical categories of modality. Therefore, the aim of this modality analysis is to uncover to what extent cases have been epistemically represented. Where on the epistemic continuum are cases

situated? A second aim is to investigate whether the participants in these cases have any obligations and needs. A different approach is required for each research aim. My first approach combines an automated and manual method, whereas my second method is fully automated.

Modality is not just created through verbs but also through modal adjectives and adverbs (Fowler, 1991; Simpson, 1993; Jeffries, 2010). In a pilot study, I produced concordances for a selection of modal auxiliaries and modal adverbs and adjectives in a two-million word, 2,500 article sub-corpus of articles published by my newspapers between 1 January 2004 and 31 December 2014 (Ras, 2015). In this pilot study, I first used Wmatrix to tag the sub-corpus for parts of speech, then examined which types tagged _J* (adjective) and _R* (adverb) were key compared to the BNC Written Sampler (*ibid*). I also used *CFL Lexical Feature Marker* (Woolls, 2011) to generate a list of modal auxiliaries in the sub-corpus (Ras, 2015). I then examined the concordances for each of the items on the resultant word list (*ibid*). The problem with this study is that its methods cannot be upscaled to my whole corpus due to soft- and hardware limitations, and it focuses primarily on modal items, rather than on the use of modal items in relation to the parties and cases in my corpus.

The most obvious alternative approach to modality is to examine all concordances for all target nouns that have been selected in chapter 6. This is my method that produces concordances which are then interpreted manually. Nouns categorised as cases, the legal process and crime scenes have indeed been examined using concordances. Once again, the program used to generate concordances was *AntConc*. The concordances have been sorted 1L, 2L, 3L. I examined in particular epistemic modality as presented in these concordances. Unfortunately, this process is prohibitively time-consuming given the size of my corpus. For this reason, a fully automated method was used for those categories that contain a relatively large number of high-frequency types, such as the accused, which has 95 types with a cumulative frequency of 1,763,598.

This automated method focuses on obligations and needs, which are, to a certain extent, indicated by modal verbs (see Knight's (2015, pp.24-26) overview of modal verbs). Modal verbs are a closed class, so their automated examination is relatively straightforward. However, just examining modal verbs without any reference to the target nouns selected in chapter 6 does not allow for comparisons per target noun or per group (such as the accused), as established in chapter 6. As

with the transitivity analysis, outlined in the Agency section, CQL queries are used. The first element of a query is the target noun, followed by the modal verbs. This precise process is outlined below.

Knight (2015, p.23) indicates the following categorisation of modality using the verb phrase, based on the Cambridge English Corpus:

1. Core modal verbs:
   1.1. Can
   1.2. Could
   1.3. May
   1.4. Might
   1.5. Will
   1.6. Shall
   1.7. Would
   1.8. Should
   1.9. Must
2. Semi-modal verbs:
   2.1. Dare
   2.2. Need
   2.3. Ought
   2.4. Used
3. Verbs with a potentially modal meaning:
   3.1. Hope
   3.2. Manage
   3.3. Suppose
   3.4. Seem
   3.5. Wish
   3.6. Want
4. Lexicalised modal phrases:
   4.1. Had better
   4.2. Be meant to
   4.3. Be obliged to
   4.4. Be supposed to (*ibid*, p.23)

Not all verbs are, as Knight (*ibid*, p.22) writes, used with the same modal purpose. Indeed, some verbs can have multiple purposes and these modal verbs, such as *might, need and may,* can be indicated as 'dynamic' modal verbs (Mayr and Machin, 2012, p.187), as they can indicate multiple types of modality. For instance, 'need' may indicate either boulomaic modality, as in "I need food" or deontic modality, as in "I need to do this (or else)". I similarly indicated these 'dynamic', but dynamic type 1 to distinguish them from the dynamic 'can/could' (type 2). The relevant modalities here are deontic (obligation / promise) and boulomaic (desire / needs).

The following distinctions can be made:

Table 11: Modal verbs by modal function

Deontic	Boulomaic	Epistemic	Dynamic 1	Dynamic 2
Will	Hope	Suppose	Might	Can
Shall	Wish	Seem	Need	Could
Would	Want		May	
Should				
Must				
Dare				
Ought				
Had better				
Be meant to				
Be obliged to				
Be supposed to				

For each target noun in the groups accused, accusers, victims and investigators/regulators, six CQL queries have been formulated in *SketchEngine*. It must be noted that *SketchEngine* also considers *ought* and *need* as core modal verbs, indicated with the tag 'MD'. The six queries are as follows:

1. Core deontic verbs: []{0,4} [word="will|shall|would|should|must|ought" & tag="MD"]
2. Other deontic verbs: []{0,4} [lemma="dare" & tag= "V.*"]
3. Deontic phrase: []{0,4} [tag="VB.*|VH.*"] [lemma="mean|oblige|suppose"]
4. Boulomaic verbs: []{0,4} [lemma="hope|wish|want" & tag="V.*"]
5. Core dynamic 1 verbs: []{0,4} [lemma="need|might|may" & tag="MD"]
6. Core dynamic 2 verbs: []{0,4} [lemma="can|could" & tag="MD"]

They all follow the CQL queries for the target nouns, which are formulated [word="…" & tag="NN(S)"]. In these queries, the ellipsis is replaced by the actual target noun and the tag is either NN or NNS depending on whether the target noun is respectively singular or plural. For instance, the outlined queries would follow [word="banker" & tag="NN"] for the singular noun *banker*. 'Had better' (Knight, 2015, p.23) has been excluded from the queries, as the relevant CQL query predominantly produces sentences where the lemma 'good' indicates an evaluation of the quality of the object (e.g., 'X has good Y') rather than emphasising the deontic value of the verb (e.g. 'X had better').

The raw frequencies for these queries have been recorded in *Excel* and normalised using the cumulative raw frequency of these modal verbs and phrases. The raw frequencies were then accumulated and normalised to allow for comparisons per group. Table 12 shows the results for the singular target noun *banker*. Each column displays, on the second row, the raw frequencies with which

each modality occurs. The third row shows the normalised frequencies, as a percentage of the total number of occurrences of modality. I then interpreted these frequencies.

Table 12: Modality frequencies for 'banker'

Noun	Core deontic	Other deontic	Deontic phrase	Boulo-maic	Dynamic 1	Dynamic 2	Total Freq.
Banker	226	1	4	43	44	87	405
	55.80%	0.25%	0.99%	10.62%	10.86%	21.48%	100.00%

Take the results in Table 12 as an example of the interpretation of the results of this automated method. The results for *banker* contribute to the cumulative raw frequencies for the group of the accused. A singular banker, evidently, has, compared to all other forms of modality, rather a high number of obligations, as shown in the column for core deontic. As such, one may hypothesise that bankers are invited, if not required, to perform a particular set of activities. Note also that this analysis of modality does not offer any insight as to how often this generic banker's activities are represented categorically, as once again, this particular corpus linguistic approach is a positive methodology and as such cannot detect the *absence* of modal constructions. Categorical constructions, however, are not devoid of modality. In fact, "there is no epistemically stronger statement than a categorical assertion" (Lyons, 1977, p.808). Nevertheless, categorical constructions do not normally include items which mark modality. My approach can output explicitly sought-for modal items but it cannot show the absence thereof. Examining concordances would offer more scope to discover and investigate absences but this is, as indicated, prohibitively time-consuming in the context of this study.

In summary, this modality analysis examines the obligations and desires of alleged parties to acts of corporate fraud and the epistemic evaluation of these acts. As such, it answers three questions: do the newspapers present these acts as having truly occurred? Do the newspapers present the alleged parties to these acts as capable of doing anything? Do the newspapers present these alleged parties as having to do anything? This analysis answers these questions through a mixed methods approach. The first question is answered qualitatively using concordances. The second and third questions are answered quantitatively using CQL queries in *SketchEngine*. The outlined approach, whilst not perfect, suits the purposes of this research whilst following Biber *et al's* (1998, p.250) advice on manageability.

4.7. Chapter Summary

This chapter answers the question of how to investigate the ways in which British newspapers cover the topic of corporate fraud, drawing on definitions set out in the Literature Review. It also outlines the particular combination of tools used in this research.

Corpus linguistic methods support and enhance the linguistic tools used in the descriptive stage by improving the reliability of critical discourse analysis, as suggested by Widdowson (2004). It removes many manual elements from the process of selecting the features to be described. Nevertheless, a qualitative assessment remains necessary, as also pointed out by McIntyre (2015). This method is useful and strong, precisely because it combines the depth of CDA with the systematicity of corpus linguistics. Automated processes that highlight elements to consider do not suffer from researcher pre-conceptions, loss of attention and other human factors but qualitative analyses of these elements facilitate a nuanced categorisation, interpretation and explanation.

Data were collected using qualitatively selected search terms, creating a corpus of 90 thousand articles and nearly 54 million words. Word counts and page numbers were compared between newspapers using the statistical Kruskal-Wallis test. Lexis, metaphor, transitivity and modality have all been analysed using a corpus-assisted approach. These methods are not ideal, as they are open to the criticism of cherry-picking. They are also not exhaustive. Taken together, however, they facilitate a reliable and significant method of analysing neutralisation in corporate fraud reporting. It is also important to note that these particular methods are novel, in particular in their combination.

The next chapter shows that corporate fraud reporting appears to be used to find the culprits in times of economic difficulty.

Chapter 5.   Composition and Context

This chapter explores the socio-economic and political context in which the selected newspapers published their articles on corporate fraud and the composition of this reporting. This chapter hypothesises that developments in corporate fraud reporting are linked to the 2008 global financial crisis, which created a purported new will to tackle fraud and improve records that detail cases of corporate fraud.

The Composition section indicates that there is little correlation between the purported ideology of the newspapers included in the corpus and the importance assigned by these newspapers to stories of corporate fraud. In fact, prioritisation of corporate wrongdoing is instead linked to global and national developments and, in particular, the global economic crisis. This is particularly evident in the section on election manifestos. "Regulating the banks" has been an important element in both the Labour and Conservative Party manifestos during the 2010 elections (it had not been previously). Similarly, the method of recording of fraud rates has drastically improved after 2012.

This chapter argues that the increased political attention to "regulating the banks" and improved fraud recording methods signify an attempt to find the guilty party, or a scapegoat, for the economic difficulties caused by the crisis. This argument, that newspapers serve a scapegoating function, is developed in the remainder of this thesis, which shows that newspapers direct blame away from the accused corporations. Not the accused, but regulators and investigators are under intense scrutiny with regard to their responses to cases of corporate fraud. Actual cases, by contrast, tend to be indicated using general nouns, thereby understating the (alleged) criminality of the accused.

The next section, 5.1, will show how the number of articles published on the topic of corporate fraud varied over the decade 2004-2014. Section 5.2 shows that whilst there are differences in the importance of corporate fraud news, these differences lie not along political but along socio-economic lines. This finding is also supported by the examination of election manifestos, detailed in section 5.3. Political parties all generally focus on reducing business regulation, the exception being the 2010 elections, in which corporate wrongdoing was an important discussion point. The final section, 5.4, shows that methods of recording fraud rates have improved in recent years, following the economic crisis. It also shows that there are few, if any, direct links between reported fraud rates and newspapers' tendency to report corporate fraud.

5.1. Corporate Fraud Reporting

On average, the number of articles published on the topic of corporate fraud has remained relatively steady since 2004. However, there are clear peaks and troughs in the number of publications over time. Figure 2 shows these peaks and troughs. There are peaks in early 2004, the first half of 2009, the summer of 2010 and a very clear increase since the start of 2012, peaking at the change of year 2012/2013.

Various events could have caused these peaks. For instance, the 2009 increase is likely due to reporting of events at the start of the global financial crisis. It is probable that investigations into the collapses of various (American) financial institutions were starting to generate large amounts of news at this point. The 2012/2013 increase is best explained by increased attention in the United Kingdom to multinational corporate tax avoidance and evasion, as has been explored by Ras (2013). During this period, *The Guardian* broke the news that large, multinational corporations, including Facebook, Amazon, Google, eBay, Starbucks, Microsoft and IKEA did not pay taxes at a level that might be expected, given their UK turnover (*ibid*). This increased attention to corporate wrongdoing, particularly tax avoidance, follows the 2008 crisis and indicates a need to address matters of corporate malfeasance. As they are large, foreign corporations, they will have been easier to condemn than British companies (*ibid*), as foreign companies make more ideal offenders (see Christie, 1986) than these British ones. Indeed, many large and small British companies have been offered as an example of those affected by the lack of tax payments made by, for instance, Amazon (Ras, 2013). This is also explored in chapter 6.

Figure 2's y-axis shows the number of texts collected that were published in this the period, while the x-axis indicates the quarter of the year in which a particular article was published: between the first quarter of 2004 at the far left to the last quarter of 2014 at the far right. Space constraints limit the ability to show quarter-labels on the x-axis, but all relevant data points are accounted for in the graph.

Figure 2: Number of articles published over time
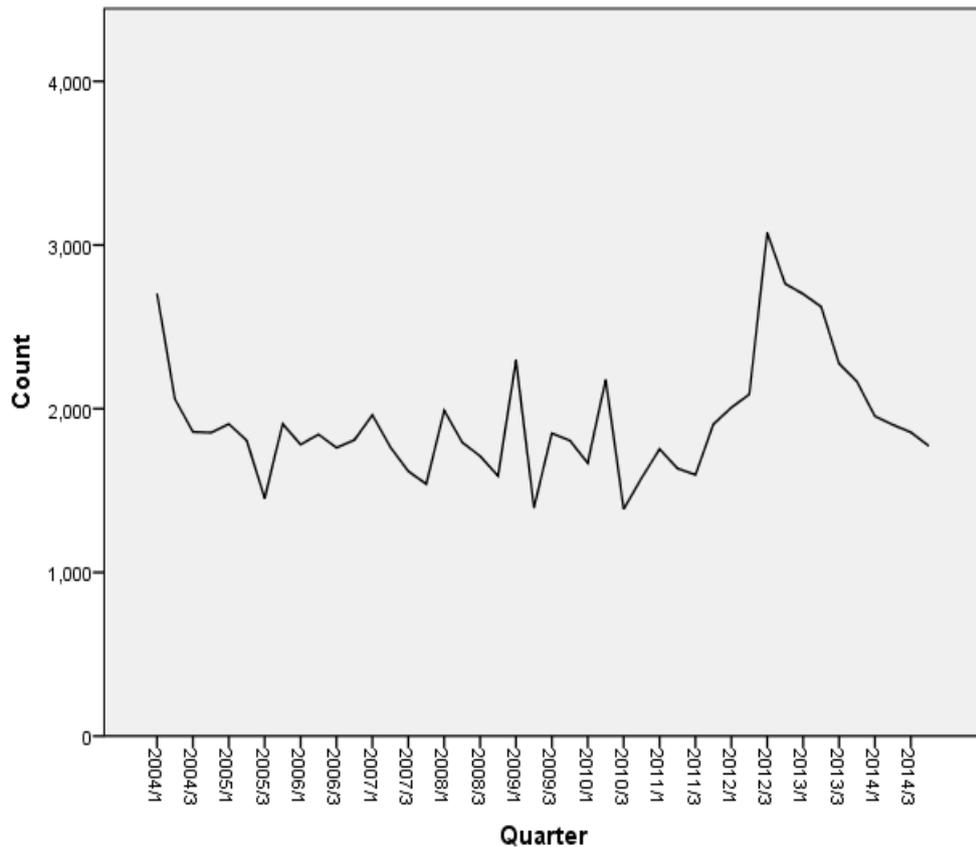
5.2. Composition

This section reports what priority fraud articles have been given by various newspapers. It draws primarily on the work of Chermak (1994), whose investigation into the composition of news in general and the prioritisation of crime news has proved particularly relevant. There are three factors to composition: section, word count and page number. This section shows that newspapers' purported ideology has little effect on the level of importance assigned to corporate fraud reports. Instead, their type, i.e. tabloid or broadsheet, and by extension readers' socio-economic status, has a much larger effect.

Corporate fraud news is certainly not used as 'filler' or 'tertiary' (*ibid*, p.117) news, as other crime news may be. Using corporate fraud news as 'filler' would create the impression that corporate fraud is common. Whilst corporate fraud is indeed common, this is by no means the impression newspapers would want to convey. Having said that, fraud news is also not normally reported as 'super primary' news (*ibid*, pp.123-4).

5.2.1. Sections

The first aspect worth considering is in where in the paper the story has been published. This part of the chapter shows that corporate fraud tends to be reported as business news. This categorisation sets it apart from more stereotypical crime news, which is reported in the 'general news' sections of various newspapers. As such, corporate fraud news is marked as a 'niche' interest.

White collar and corporate crime are normally reported in the business section (Chermak, 1994, p.101). This is also the case for my corpus. The sections in which the newspapers included in my corpus publish their corporate fraud articles are shown in Figure 3 and Figure 4.

Figure 3 shows that the majority of corporate fraud news has been published in the 'Business and Finance' section of these newspapers. 'General news' is the second biggest category, at 20.5%. This percentage includes articles published in tabloids which do not actually have any business or finance sections.

Figure 4 shows that broadsheets, in particular, tend to cover this news as 'Business and Finance' news. *The Mirror* and *The Sun*, on the other hand, publish it as 'General News', mainly due to the fact that neither has a dedicated 'Business and Finance' section. It is also clear that the *Daily Mail* has published a large number of 'Uncategorised'-articles. This lack of categorisation is an issue with data collection, as *Daily Mail* articles downloaded from *Lexis Nexis* contain very little metadata.

Figure 3: Sections in which the articles were published
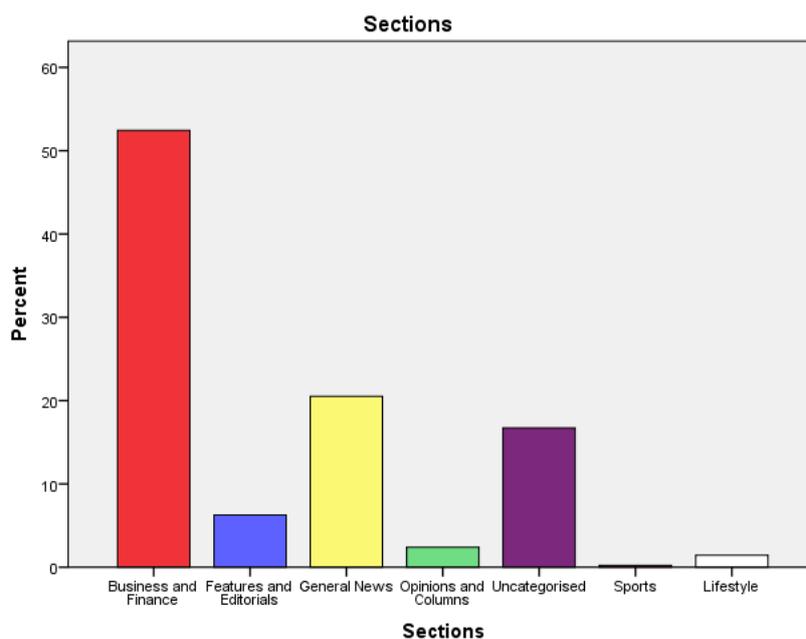
Figure 4: Sections in which articles were published by newspaper
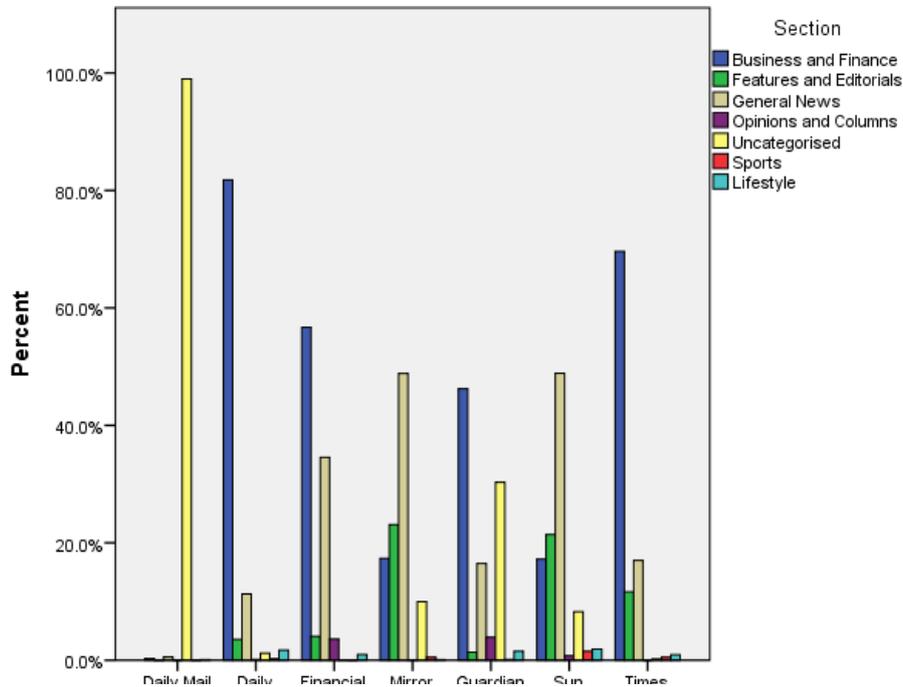
These categorisations are not unexpected (Chermak, 1994, p.101). However, they do have an ideological meaning, in the sense that corporate fraud news is not treated as ordinary crime news. For comparison, *The Guardian*'s website has a 'Law' subsection, which falls under 'UK news'. By placing corporate fraud news in the 'Business' section, newspapers signal that corporate fraud is a specialist, or even niche, interest. The implication is that corporate fraud news is only of interest, and relevant, to those readers who also have an interest in business news, rather than all readers. However, corporate crime and corporate fraud, as indicated in the Literature Review, potentially affects every citizen, both directly and through, for instance, unfair tax payments (HMRC, 2015; Punch, 1996; Chu, 2016).

To summarise, newspapers tend to place corporate fraud news in niche interest sections, where available, rather than categorise it as 'General news', (as with traditionally conceived crime). This categorisation implies that corporate fraud news is of less interest to ordinary citizens than other news, despite it affecting all of us.

5.2.2. Word Count

This section argues that the small differences in word count between various newspapers show that ideological differences may affect reporting of corporate fraud.

Figure 5: Word count frequencies histogram
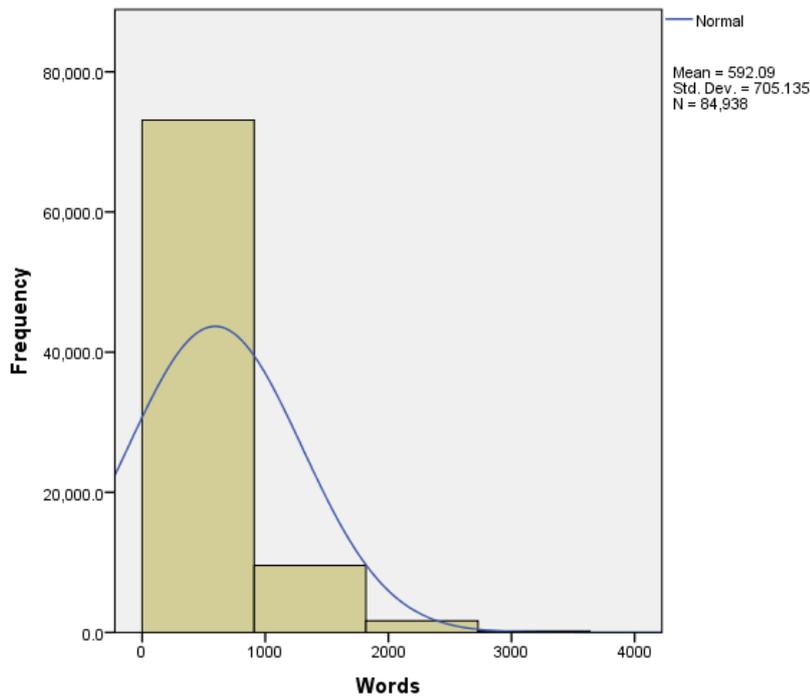
Figure 5 displays a histogram marking the distribution of word counts across the corpus. As this histogram shows, the large majority of news articles contain between 0 and 1500 words. On average, these articles contain 592.09 words. In an increasingly small number of cases, in what is the 'tail' of the histogram, more than 2500 words are used. These rare large articles are 'Features and Editorials', which offer an in-depth perspective on a certain topic. This result means that despite the notion that this news may be marginalised, corporate fraud news is not exempt from becoming 'super primary' news (see Chermak, 1994, p.101).

The majority of articles, however, are not nearly so long. Neither, however, are they particularly short. At 592 words, on average, these articles cannot simply be regarded as 'filler' (*ibid,* p.117). This result means that corporate fraud news is not usually reported as 'routine' news. This tendency, again, affects readers' perception of the prevalence of corporate fraud.

Not all newspapers offer corporate fraud news the same amount of space. Also, as tabloids, in general, tend to publish shorter articles than broadsheets, it is expected that the average word counts for tabloids with regard to corporate fraud are also shorter than the average word counts for broadsheets. As *The Financial Times* is a special interest paper, one might expect its articles to be the longest.

Table 13: Word counts per newspaper

Newspapers	Mean	Minimum	Maximum
Tabloids	508.99	8	16909
The Daily Mail	586.98	26	16909
The Mirror	381.07	8	4513
The Sun	305.88	18	2687
Broadsheets	608.54	5	23997
The Daily Telegraph	563.22	5	19121
The Financial Times	526.15	17	9494
The Guardian	749.52	35	23935
The Times	667.67	6	23997
Total	589.45	5	23997

Table 13 shows that tabloids, on average, have lower word counts than broadsheets. *The Guardian* has the overall highest average word count (and the highest maximum word count). These differences between papers are statistically significant ($p < 0.05$). The differences are generally clearest between tabloids and broadsheets. These differences may be linked to socio-economic differences, as tabloids tend to have readers with a lower socio-economic status (C2DE, the lower three socio-economic classes) than broadsheets (ABC1, the upper three socio-economic classes) (Cole and Harcup, 2010).

Corporate fraud news is more likely to be reported as exceptional rather than ordinary, which again distorts the public's perception of its frequency and impact. This result is in line with Williams's (2008) finding that corporate crime is represented as extraordinary. There are statistically significant differences in word count between newspapers, which could be due to differences between readerships.

5.2.3. *Position in Paper*

This section contributes to the argument that corporate fraud news is not treated as ordinary. There are again clear differences between newspapers but not along ideological lines. Differences between newspapers are more likely due to socio-economic factors, as also suggested previously.

As Figure 6 shows, the majority of these articles are published within the first twenty pages of these newspapers. In fact, 7.2% of all articles are published on the front page. This result indicates that there are some cases that are reported as either 'primary' or 'super primary' news (Chermak, 1994, pp.122-4). Even when these cases are not primary news, the histogram shows that these newspaper articles are at least, going by page number, assigned a 'secondary' level of importance (*ibid*, p.121). The fact that corporate fraud news is assigned 'super primary' importance but no 'tertiary' importance reinforces the finding that corporate fraud news is reported as not-ordinary.

Figure 6: Histogram for page numbers
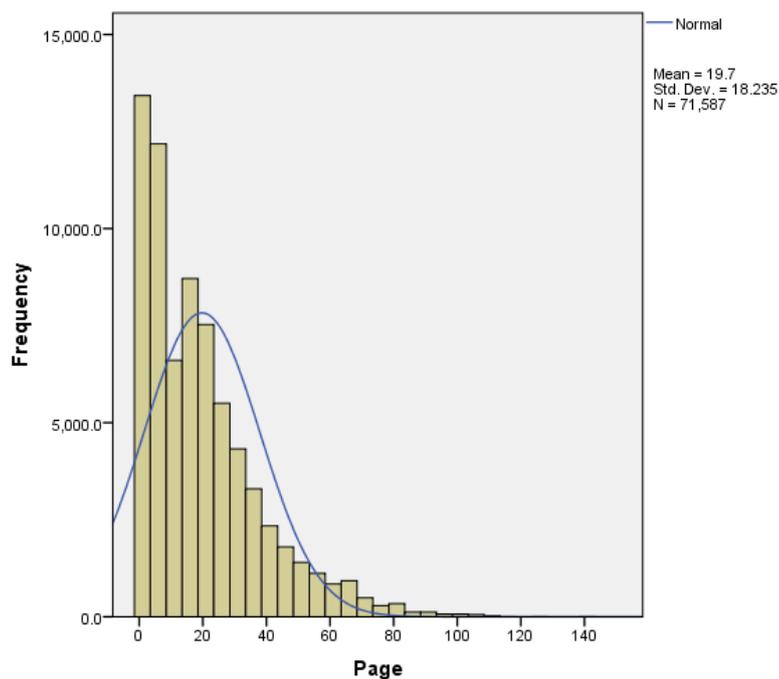
Table 14: How often a news article is on the front page, in percentages

Newspaper	First Page Percentage
The Daily Mail	3.4%
The Daily Telegraph	14.9%
The Financial Times	7.0%
The Guardian	4.6%
The Mirror	1.4%
The Sun	1.0%
The Times	5.4%

Table 14 shows how often newspapers place these articles on their front pages. Tabloids do this least, followed, perhaps unexpectedly, by *The Guardian.* In the case of *The Guardian*, however, this placement is because their articles tend to

be long and therefore necessarily feature on inside pages. *The Daily Telegraph* and *The Financial Times* most often place articles on the front page. These results indicate that these stories are not particularly important to tabloids, but are rather important to *The Daily Telegraph* and *The Financial Times.* This is again presumably due to readership and general focus. These results also show that newspapers prefer to represent these stories as exceptional, in line with Williams's (2008) findings.

The boxplot in Figure 7 shows that there are clear differences between newspapers in relation to where they place their stories on corporate fraud. The circles and asterisks in the boxplot indicate outliers, i.e. those articles that deviate to such an extent from the norm that *SPSS* does not include them in the actual boxplot (but nonetheless shows them on the graph).

Figure 7: Distribution of pages by newspaper

These results show that tabloids have placed stories much further into the newspaper than broadsheets. In fact, the *Daily Telegraph* and *The Financial Times* have a much narrower spread than all other newspapers. This narrowness is due to
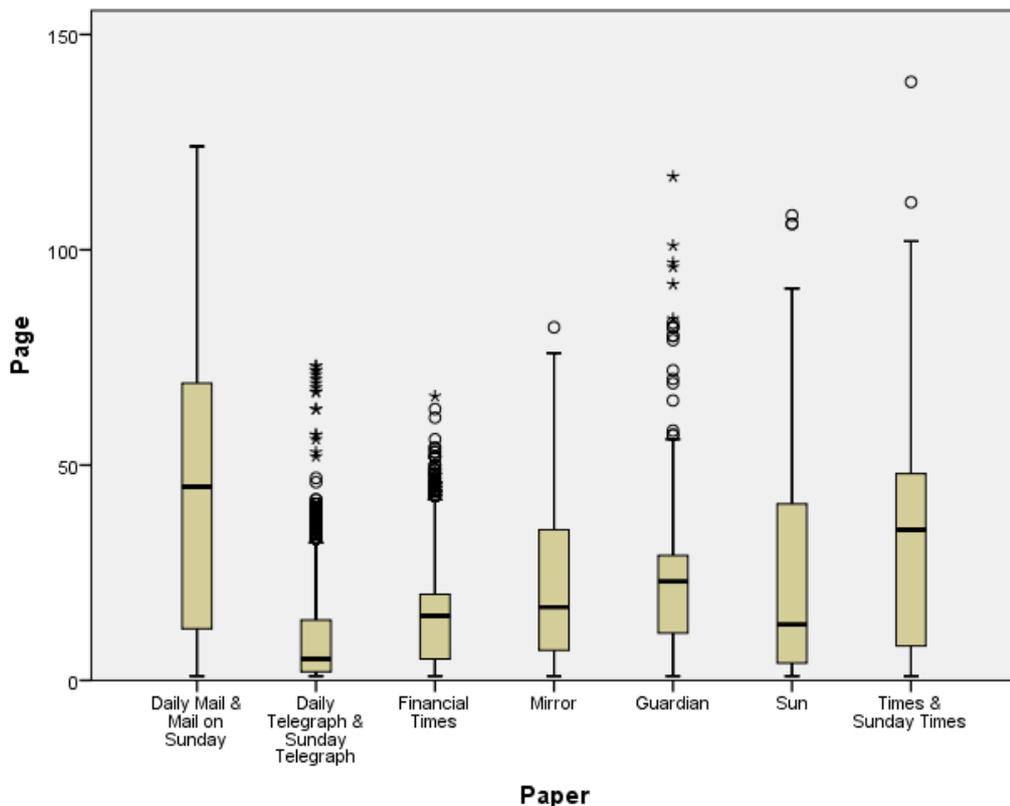
the fact that they are the only two newspapers that are still published on traditional broadsheet-sized paper, giving them a lower total number of pages. All other newspapers, even if formally designated as 'broadsheets', such as *The Guardian* and *The Times*, are published on paper of a size that was historically only used by tabloids. As such, *The Financial Times* and *The Daily Telegraph* have fewer overall pages than the other newspapers. Therefore, how often an article is placed on the front page is a more reliable indicator of the relative importance assigned to articles on corporate fraud than the average page number. The split with regard to first page placement rates follows the split between broadsheets and tabloids, with tabloids again, as in the case of word count, assigning less importance to reports of corporate fraud than broadsheets.

5.2.4. *Composition Summary*

As indicated by previous research and the previous sections, corporate fraud news is not reported as ordinary news, which means that readers will have a distorted view of its frequency compared to that of other crimes. Whilst there are differences between newspapers, they are not clearly along ideological lines, as both traditionally C/conservative papers, such as *The Times* and traditionally Labour/left wing papers, such as *The Guardian*, tend to assign stories of corporate fraud similar levels of importance.

These results mainly show the differences between newspapers as grouped by readers' socio-economic status. Tabloids, such as *The Sun*, tend to use fewer words and place such stories in the General News section. These differences are partly structural, as tabloids do not normally have a Business News section and generally have shorter articles than broadsheets anyway. Newspaper type, i.e. broadsheet or tabloid, and thus readers' putative socio-economic status, is a much clearer predictor of the resources allocated to these stories than the political preferences of readers and editors.

The Guardian spends the most words on these stories, which is why their articles do not tend to be on the front page. *The Financial Times*, as indicated, is a special interest paper, which explains why corporate fraud news is relatively important to it. *The Times* allocates a large number of words to these articles, whilst *The Daily Telegraph* places its articles in relatively prominent positions. Both, then, still assign a clear level of importance to these articles, although in different ways.

The most important finding that reoccurs throughout the previous sections is the fact that corporate fraud news is not treated as routine, in line with earlier research findings.

5.3. Election Manifestos

The previous section indicates that there are no major differences between newspapers with different political views in the importance assigned to reports of corporate fraud. This section examines election manifestos and argues that there are indeed no major differences between political groups in the importance attributed to the topic of corporate wrongdoing. This section also provides new insights by showing that the overall increase in attention to corporate fraud can be linked to developments in the global economic crisis, linking back to the trends described in section 5.1, showing that the overall attention to acts of corporate wrongdoing is increasing, and had its most extreme peaks between 2009 and 2013.

Prior to 2008, corporate wrongdoing was not a major concern to political parties. Manifestos published by the Labour and Conservative Parties for the 2005 election do mention 'business regulation' but only in very general terms. For example, the Labour Party claims that they will "only regulate [business] where necessary" (2005, p.22). The topic of 'regulation' and its portrayal as a burden, occurs 8 times in the Labour manifesto. Similarly, the Conservative Party talks about reducing "the burdens on business through deregulation" (2005, p.4); 'regulation' only occurs 6 times in its manifesto. The Liberal Democrats discuss business regulation 5 times, again in a context of relieving business's regulatory burden (2005) and UKIP refer to 'regulation' 18 times, again all in the assumption that regulation, particularly European regulation, is a burden on business (2005). The Green Party do not write about business regulation in their 2005 election manifesto. None of these parties mentions regulation as a solution to corporate wrongdoing. Overall, 2005 shows a dip in the number of newspaper articles published on the topic of corporate fraud, suggesting that this news was crowded out by election news. In short, in 2005, corporate wrongdoing had little priority.

After 2008, everything changed, and corporate wrongdoing became a much more important topic. Newspaper reporting of corporate fraud reached a peak in this year. This interest in corporate wrongdoing is reflected by party manifestos for the 2010 elections. Labour wrote, "banks will face tighter regulation" (2010, p.14), discussing 'regulation' 16 times. Similarly, the Conservative Party wrote, "[w]e need to change the way we regulate our banks to stop a crisis on this scale ever

happening again" (2010, p.29). The Liberal Democrats are also calling for improved "global financial regulation" (2010), whereas UKIP (2010) maintains an apparent contradiction, calling for relieving the burden of (EU) (banking) regulation whilst simultaneously calling for increased controls on what banks are and are not, allowed to do. The Green Party, again, do not mention anything related to business regulation.

By 2015, regulation of banks specifically and business more broadly had again become less of a concern, although the Conservative Party indicates that "[w]e will make sure our financial services industry is the best regulated in the world with our new system of supervision led by the independent Bank of England" (2015, p.9) (they do not elaborate on this topic). The Liberal Democrats continue to focus on controlling banks but diminishing business regulation (2015), UKIP returned to its focus on EU regulation, without referencing banking regulation (2015) and the Labour Party makes little mention of regulation anywhere. In fact, only the Green Party manifesto (2015, p.46) specifically mentions corporate wrongdoing, by explicitly condemning "recklessness and greed" in the "UK finance industry".

In general, then, it is clear that corporate wrongdoing is only rarely prioritised by political parties. The burden of regulation is focused upon instead. Only in 2010, with the global economic crisis raging, did increasing corporate regulation become an important topic. Five years later, priorities returned to normal, with the exception of the Green Party, which only now started to actually focus on this type of corporate behaviour.

5.4. *Reported Fraud and Fraud Victimisation Rates*

This section shows that following the global economic crisis, the methods used to record fraud and fraud victimisation have improved, which indicates changing political priorities. This section examines trends in fraud reporting, in terms of both actual reports made and the methods used to record fraud victimisation. These changing priorities, as well as the actual fraud rates recorded, have influenced newspaper reporting of fraud.

It has long been recognised that police report rates do not offer a reliable picture of crime in the UK, due to the 'dark figure' (*A Dictionary of Sociology*, 2014, s.v. *dark figure of crime*), which consists of all crimes not reported to or unrecorded (or inconsistently recorded) by the police (Coleman and Moynihan, 1996, pp.27-9). Instead, for other forms of crime, the Crime Survey of England and Wales has been used to more accurately indicate developments in crime rates and as a basis for

policy. However, the Crime Survey was not used to record fraud rates until 2011. As such, this section shows that it is not a development in actually recorded fraud rates, but a new will to tackle fraud (or a need to be seen as willing to tackle fraud), that led to new efforts to improve fraud recording, which in turn contributed to newspaper reporting of corporate fraud.

Whilst corporate fraud has a large cumulative impact, in the sense that it is a very costly crime, as shown in the Literature Review, the impact on individuals may be relatively negligible. This is a form of 'salami slicing': a method of fraud whereby the perpetrator metaphorically steals thin slices of salami or actually defrauds individual victims only to such an extent that the fraud is either undetected or considered unworthy of further attention (Kabay, 2002). However, if such acts are repeated often enough, the perpetrator still ends up with a substantial portion of 'salami', a substantial gain.

Given that crime writing is often readers' only source of information about crime (Chermak, 1994, pp.95-6), readers and victims tend to be unaware of the broader impacts of corporate fraud, such as the undermining of democratic processes and increases in global inequality. Other forms of crime, such as vandalism and drug use, are more visible and 'closer to home' and as such draw much more attention from readers. In turn, this visibility may contribute to readers' and voters', preferred policing priorities, which influence political priorities with regard to crime control.

One obvious explanation of why reports of fraud made by members of the public are more numerous in some years, compared to others, may be that these are years in which fraud rates are particularly high. Another explanation is that current developments in the recording of corporate fraud rates show a new dedication to the accurate recording and reporting of fraud, which may indicate a change in the prioritisation of fraud and thus a change in the prioritisation of tackling fraud.

Figure 8 shows that between 2004 and 2011, recorded fraud rates dropped (Home Office, 2015; ONS, 2016). From 2011, these rates increased (*ibid*). These rates show that there is no obvious link between the increases in fraud reporting by newspapers in 2009 and 2010 and fraud rates but increasing fraud rates since 2011 (*ibid*) do partially explain the general increase in fraud reporting from late 2011 / early 2012 onward.

The break in the trend in 2011 is due to a change in data gathering methods. The rates for 2004-2011 have been taken from police reports (Home Office, 2015) and therefore only comprise fraud that has actually been reported to the police, rather than all fraud that actually occurred. The rates for 2011-2015 have been taken from the Crime Survey for England and Wales (ONS, 2016), which records victimisation rates. Both trends include all forms of fraud, including fraud committed by individuals.

Figure 9 shows that as a percentage of all crime recorded, both by the police (Home Office, 2015) and by the Crime Survey (ONS, 2016), fraud rates fell between 2004 and 2011 and rose from 2011 onward (Home Office, 2015; ONS, 2016). This is more likely due to increased attention to fraud, and improved recording methods, than to actual increases in fraud. It is not clear whether any actual changes in fraud victimisation rates correlate with changes in corporate fraud reporting. However, new changes in the methods of recording fraud, and fraud victimisation, indicate a new will to present accurate data on fraud, in order, presumably, to tackle this problem. As this change in methods was introduced in 2011, it contributed to the overall increase in corporate fraud reporting from 2012, in particular as it indicates a desire to respond to corporate tax fraud.

As such, a chicken-and-egg question presents itself: did increased recorded fraud rates increase newspaper reporting on fraud or did newspaper reporting on fraud create the incentive to improve recording methods? I argue that it is neither. Improved recording methods indicate a shift in the prioritisation of corporate fraud. Similarly, increased reporting of fraud more likely also follows this shift in prioritisation. In other words, both changes are due to a third variable, which is linked to socio-economic conditions.

The Office for National Statistics has recently reviewed and tested its methods for recording fraud victimisation, which has been used from October 2015 onward (ONS, 2015). Future fraud rates may, therefore, be more reliable than historic fraud rates.

Figure 8: Total fraud rates 2004 – 2015 (Home Office, 2015; ONS, 2016)
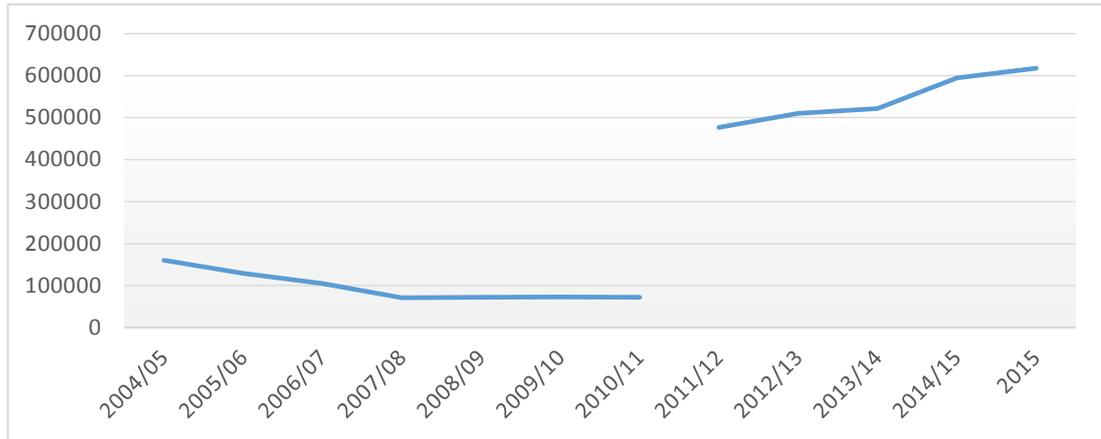
Figure 9: Fraud as percentage of total crime rate - 2004 – 2015
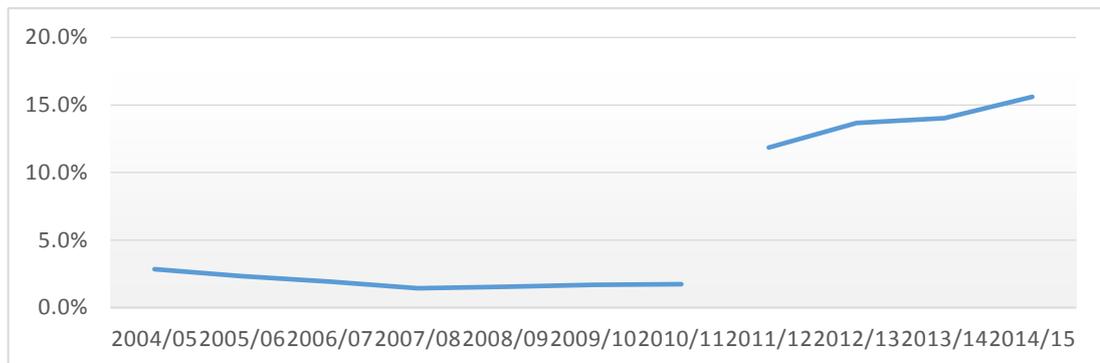
New methods of recording fraud falsely indicate a recent, large increase in fraud. However, there are no reliable data that indicate that more fraud has actually been committed since 2012. The reality is that fraud has been prioritised. Increased newspaper reporting of fraud is more likely due to this increased prioritisation of fraud, rather than actual increased fraud rates.

5.5. Chapter Summary

There are clear differences between the levels of importance assigned to corporate fraud stories by newspapers in terms of composition, e.g. where in the newspaper the article appears. However, the differences between newspapers do not strictly follow readers' political preferences. Instead, these differences are more likely due to readers' socio-economic status. This chapter suggests that newspapers' responses to corporate fraud are shaped by economic and financial factors, rather than changing party political preferences. These economic factors, however, do affect the priorities of political parties.

What is shown in fraud victimisation rates and election manifestos is that from about 2008/09 onward, there has been more attention from law enforcement and government to fraud and corporate fraud, which may be one of the causes of

newspapers' vastly increased reporting of corporate fraud from mid-2012 onward. Corporate fraud is written about more frequently in times of economic difficulty and after economic recovery, in order to find those responsible for causing economic problems.

The remainder of this thesis argues that the increase in reporting does not, however, serve to hold corporations responsible. Instead, the focus of blame is moved away from corporations, and on to regulators and investigators. Possible explanations for this shifting of blame should be sought in the presumption that the media perpetuate a certain politico-economic status quo.

The next chapter covers the findings of the first linguistic analysis, the lexical analysis. In particular, it shows that investigators and regulators are described in highly negative terms.

Chapter 6. Labelling

The previous chapter argued that increased reporting on corporate fraud follows economically difficult times and suggests that this reporting, therefore, serves to appoint a guilty party for these difficulties.

This chapter argues those accused of corporate fraud, i.e. corporations such as JP Morgan Chase, Enron, Google, as well as their executives, are not considered mainly responsible for acts of fraud. Instead, regulators and investigators are accused of being too aggressive in their approach to corporations. In other words, the naming and describing of participants in this corpus serves to divert attention away from the accused, thereby neutralising these acts of fraud.

The inclusion of this analysis is based on Fowler's (1991, p.80) argument that "the vocabulary of a language (…) amounts to a map of the objects, concepts, processes and relationships about which the culture needs to communicate". I have given this chapter the title 'labelling', rather than 'lexis', to refer to two particular concepts: Becker's (1963) notion that labels cast judgement, and Francis's (1994) notion that nouns have a cohesive use in referring to other stretches of text.

This chapter draws on the notion that the noun used to refer to a particular concept has an ideological value, as does way this noun is modified (see Jeffries, 2010, p.18; Richardson, 2007, p.49). This assumption is detailed in chapter 3, section 3.4.1. As such, target nouns (i.e. the nouns in the key word list) and their modifiers have been examined. In order to investigate these modifiers, concordances have been generated for each target noun as identified through the key word list. These concordances were initially sorted 1R, 2R, 3R, then 1L, 2L, 3L. This sorting means that, as also exemplified in chapter 3, I first asked the concordancing program, *AntConc*, to show the concordances of the target noun, which is in position 0 (blue in Figure 10), in alphabetical order going by the first word on the right (1R), then, if there were multiple instances of the same word occurring on in the position 1R, in alphabetical order going by the second word on the right (2R), then by the third word on the right (3R). After examining concordances shown as such, I double-checked my findings by also sorting 1L, 2L, 3L (first to the left, second to the left, then third to the left), as the re-occurrence of certain terms on the left may have been overlooked by only examining concordances sorted to the right. Figure 10 shows an example of a concordance display sorted 1L (red, first sorted alphabetically according to the first word on the left), 1R (green, then sorted

alphabetically according to the first word on the right), 2R (fuchsia, then sorted alphabetically according to the second word on the right).

Tabbert (2015) differentiates between offenders and victims in her analysis of the labelling of participants in crimes. However, non-offenders and non-victims also serve to create the narrative of an allegedly criminal act. For instance, the labelling of cases is important, too, as there is a noteworthy difference between, for instance, reporting that there are *problems* at a particular company, rather than that *fraud* has been committed.

Figure 10: Example *AntConc* concordance display, sorted 1L, 1R, 2R
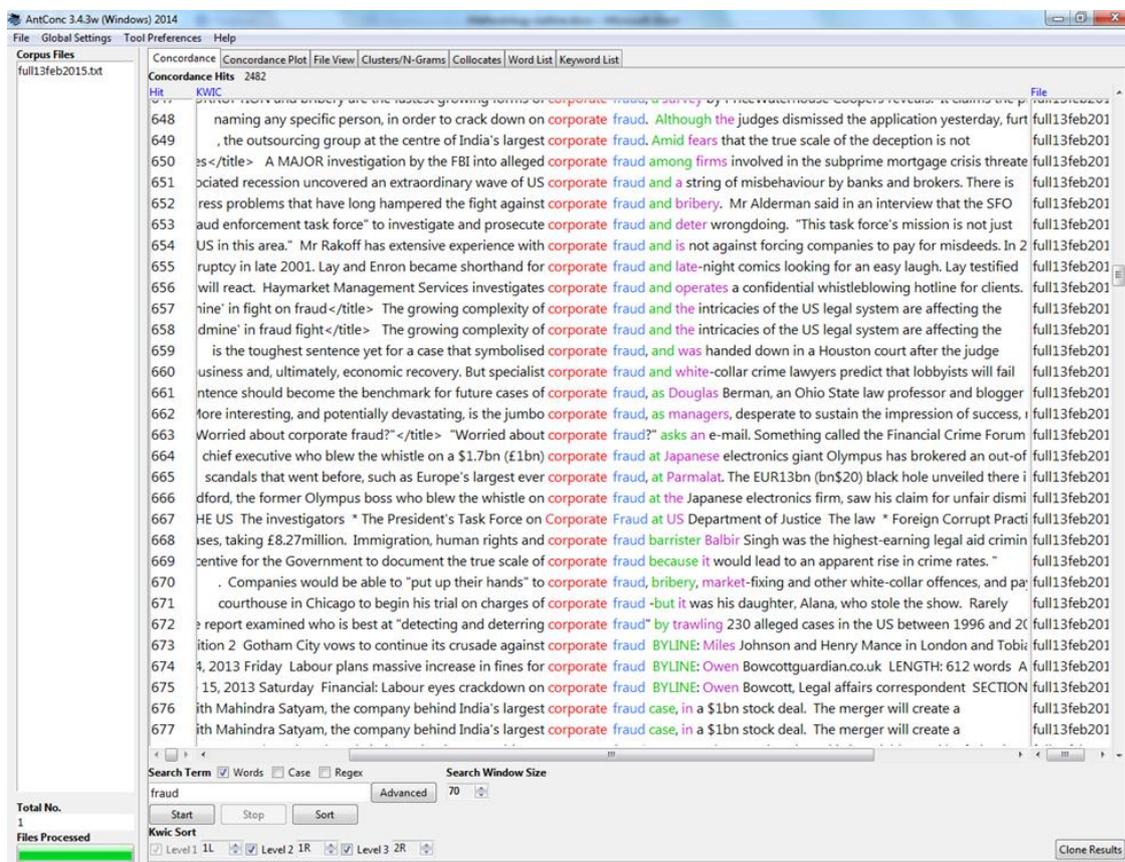
My thesis, therefore, examines the nouns used to refer to cases, the accused, investigators and regulators, accusers, victims, the legal process and crime scenes. This chapter will present findings from the lexical analysis in that particular order. There is some overlap between the various categories, as most nouns can be used to indicate a number of participants or functions, as for instance *watchdogs* can be investigators, regulators, as well as accusers, depending on their particular role at a specific point in the criminal justice process.

6.1. Cases

As this section shows, corporate fraud cases are generally not represented as serious. They are indicated using general nouns, and the consequences of these cases are either not mentioned or underestimated. Rather than condemning these crimes, this naming serves to create sympathy for the accused. This section first explores the labels applied to cases of corporate fraud and argues that responsibility tends to be obscured. It will examine the argument that accusations are represented as challenges. It must be noted that the use of these nouns is anaphoric (see Francis, 1994), used to refer, a noun phrase, to (complex) events that may or may not have been described in more detail in the same, previous, or indeed subsequent news texts. Many of these nouns are general, collocating with modifiers to indicate how these referenced cases are to be interpreted (see Francis, 1994; Jeffries, 2010; Fairclough, 2015; Fowler, 1991).

Many of the nouns used to refer to cases of corporate fraud are general. These nouns include *case**, *issue**, *problem** and *situation,* which Francis (1994, p.89) indeed marks as such. None of these labels indicate the criminal nature of corporate fraud. Carter and McCarthy (1997, p.19) indicate that the use of 'vague terms' may serve an epistemic function. This is also how I interpret the use of these nouns in this context, as epistemic about the actual nature of the described acts. Whilst *issue* and *problem* do, to an extent, evaluate these *situations* as negative, they do not acknowledge that these corporations have been accused of crimes. An example is: "the government and Consob had first begun to examine the situation at Parmalat in July 2003" (Barber, *The Financial Times*, 2004). Rather than indicating that crimes have been committed at and by Parmalat, this news article instead considers what has happened as merely a *situation*. This is an example of how newspapers employ the technique of neutralisation known as 'denial of injury' (Sykes and Matza, 1957), in its most extreme form: denying that a crime took place in the first place. It may, however, be argued that acknowledging a *situation* without suggesting that this *situation* may be criminal is in accordance with the Contempt of Court Act (1981).

Problems and *issues* are represented as having sprung up naturally or even organically, as in: "[m]ost of HSBC's current problems have their roots in poorly managed [mergers and acquisitions]" (Jenkins, 2012). This example suggests that there can be no real responsibility for these *problems*. Instead, they just appear suddenly, as though they were weeds, implying, metaphorically, that

although they can be removed or exterminated, little can be done to prevent them springing up again. *Root** is a collocate to *problem** at a rate of 0.06%. Similarly, no responsibility is assigned in *situations*, which can only be responded to. Again, there is nothing that can trigger or suppress the occurrence of *situations*. This means that the existence of cases is acknowledged but the accused are not responsible for creating these cases. What the accused are responsible for, however, is responding to the challenges created by these cases. That is indeed how cases are represented: as challenges. Not only is it denied that any criminal events occurred but those responsible for these events, criminal or not, are unacknowledged.

Another noun used to refer to these cases is the superordinate *scandal,* which is less 'attitudinally neutral' (Francis, 1994, p.93), as it indicates that this situation is generally considered at least embarrassing. Nonetheless, it still does not indicate that this *situation* is criminal. *Scandals* are, however, challenging; they 'grow', 'widen', 'embroil' and 'engulf' (see Figure 11). These metaphorical constructions serve to indicate that the *scandals* faced by corporations, because of corporate fraud, are not unlike natural disasters, and position the accused corporations as near-victims, rather than potential offenders. *Issues*, *problems* and *situations*, likewise, though less threatening, are represented as needing to be resolved.

Another type of challenge is presented by *cases,* which are 'brought' for investigation or trial and are then lost or won. As such, *cases,* too, are represented as a narrative ordeal, a challenge, as for instance in: "[a] High Court case <u>challenging</u> extortionate bank charges is being <u>fought</u> at the moment" (*The Mirror,* 2009). This example describes a narrative, contained in very few words. It indicates the setting, the High Court, as well as the specific scene, in which a bank is invited to defend itself against charges that it levies extortionate fees. Noteworthy also is the use of 'fought', which implies that this trial is metaphorically represented as a battle. Some of these metaphorical constructions are considered in more depth in chapter 7.

As these cases are simply challenges to be overcome by the accused, newspapers also assess the level of the challenge of a case. This assessment is done from the perspective of the accused, thereby increasing sympathy for them. A *problem*,* in particular, is 'big*' (at a relative frequency of 0.28%), whereas the *issue** is 'big*' (0.18%), 'important' (0.09%), and 'serious' (0.07%). Therefore, these matters may be hard for companies to resolve, although they are not directly

threatening A *case**, particularly a 'court' *case**, is very 'complex' (0.07%) and 'serious' (0.09%), and cannot be ended until some decision has been reached.

Similarly, a *situation** is 'difficult' (0.15%), 'bad' (0.11%), and 'serious' (0.07%), and so relatively difficult to deal with. There is, however, also a hint of the absurd to a *situation*, through collocates such as 'bizarre' and 'ridiculous' (both 0.02%), for instance in: "[t]he whole episode "comes over to the world like Alice in Wonderland, a bizarre situation", [a British former Olympus executive] said, targeting what he perceived as the old, cosy relationships that defined corporate Japan" (Smart, *The Times*, 2012). In this example, *situations* are considered unusual, even weird but, again, not criminal. *Scandals* are particularly damaging to the accused, as they are widely reported. Cases, then, are difficult challenges and are evaluated from the perspective of the accused.

Galtung and Ruge (1965, p.61, note 2) write that in order for it to be reported, news has to tell a story. By highlighting the challenging nature of these cases, these cases become a story. Furthermore, as these cases are evaluated from the perspective of the accused, the accused are those facing these challenges, i.e. the protagonists. This makes investigators and regulators, as instigators of these cases, antagonists. As a result of these roles, condemners are condemned (*ibid*, 1965).

Figure 11: Concordance lines for 'scandal*', sorted 1L, 2L, 3L

Hit	KWIC
151	ems has complained that it has been buffeted by a scandal beyond its control. The British Government, it h
152	estoring the reputation of the SFO, damaged by a scandal over pay-offs to executives and by the collapse
153	ntry, investors' concerns have been deepened by a scandal over the backdating of stock options – once cons
154	ntry, investors' concerns have been deepened by a scandal over the backdating of stock options – once cons
155	in Iraq and had been temporarily depressed by a scandal involving a competitor company. Mr Bos bought at
156	easy election victory, finds himself dogged by a scandal that fermented when he was Mr Chretien's finance
157	s Hollande, admitting he had been "wound-ed" by a scandal over a minister's Swiss bank account , tried to
158	ng wheel. Matsushita has been embarrassed by a scandal involving a type of kerosene heater, which cause
159	ng wheel. Matsushita has been embarrassed by a scandal involving a type of kerosene heater, which cause
160	dent. The firm, which has become engulfed by a scandal involving offshore payments that has attracted t
161	dent. The firm, which has become engulfed by a scandal involving offshore payments that has attracted t
162	sident. The firm, which has become engulfed by a scandal involving offshore payments that has attracted th
163	y of Å£1 a year. The Co-op has been engulfed by a scandal at its banking division. Page 34 ? 6 Bradford &
164	et. The combative politician had been felled by a scandal that this weekend still defies easy explanation
165	PMG, dealing a further blow to a firm forced by a scandal to downsize drastically in Japan. For the first
166	Their willingness to return was not helped by a scandal at the unfortunately named British Biotech, whose
167	aq's murky politicking, vividly highlighted by a scandal at the Trade Bank of Iraq, set up and assisted by
168	ance. A Chinese state-controlled company hit by a scandal actually did something about it. For all you
169	ole in his March budget." Labour was hit by a scandal in 1998 after it emerged that Geoffrey Robinson,
170	the company to compensate shareholders hit by a scandal over stock options. Steve Wozniak, who started
171	the company to compensate shareholders hit by a scandal over stock options. Steve Wozniak, who started
172	strong period of recovery after it was hit by a scandal over the way it had been overstating its reserves
173	and Deutsche Bank 6.9%. WestLB, also hit by a scandal at its proprietary trading desk, has denied repo
174	shorter, to give a company that has been hit by a scandal a fairer price, said analysts. Sebi's proposed a
175	copes, cameras and medical equipment was hit by a scandal in 2011 after Michael Woodford was dismissed as
176	nglo Irish Bank, which was last week rocked by a scandal over secret loans to its former chairman. A to
177	ecent debacle at Bumi, which has been rocked by a scandal over hundreds of millions of dollars worth of ir
178	s were sometimes well directed, as was shown by a scandal over fraud, nepot-ism and mismanagement that for
179	best-sellers of new authors, were tarnished by a scandal they claimed to have no knowledge of. Hundreds
180	dmitted that his position has been weakened by a scandal exposing Luxembourg's role in corporate tax avoi
181	nancial Times has learnt. Last week Cadogan, a scandal-hit Ukrainian gas explorer, asked the panel to p
182	he Fire Brigades Union branded the wasted cash a "scandal" in the light of cuts.
183	recordings by other musicians. The claim caused a scandal as Hatto, who died last year aged 77, had been d
184	past have illegally monitored its staff caused a scandal in Germany and sent the company's current chief
185	rs to pension funds in Greece this year caused a scandal after it emerged that state pension funds bought
186	lies with Christmas shopping vouchers charging a scandalous 143 per cent interest. Shopacheck has dropped
187	lies with Christmas shopping vouchers charging a scandalous 143 per cent interest. Shopacheck has dropped
188	mis-sold payment protection insurance claims – a scandal that has already cost UK banks nearly ÅÅ11bn –
189	h sentence for corruption, bringing to a close a scandal that shook the local banking sector and saw nume
190	half-year investigation into Enron' s collapse, a scandal that shocked financial markets and caused deep e
191	. . . Don't forget, the best way of concealing a scandal is to find a fake one and focus public opinion on
192	, the Irish beef baron is struggling to contain a scandal that threatens the reputation of his company and
193	market learnt since Madoff's arrest? And could a scandal of such magnitude – the largest in US history –

Another way of denying responsibility for creating these cases is through blaming the *system*. This dispersal of blame (Thompson, 1980) works by creating a defence of necessity (Minor, 1981), in the sense that corporations may not have had a choice but to commit corporate fraud, due to the fact that the *system* has failed. This argument also condemns the condemners (Sykes and Matza, 1957), who are held responsible for creating and maintaining the *system*.

A particularly intriguing case of 'blaming the system' exists with regard to *practice*. Such defences are made concrete in arguments that particular forms of corporate fraud are 'normal business' *practice*. If a 'code of' *practice* allows, and indeed encourages, unethical behaviour in some companies, it is widely condemned. Similarly, the industry created to facilitate tax *avoidance*, whilst not illegal, is considered unacceptable. These condemnations appear to be concessions to the notion that corporate fraud is or should be, illegal and is damaging. However, these condemnations blame the system, rather than the

individual. If individuals or institutions are also blamed, as I explore in the next section, then these condemnations may be attempts to pinpoint contributing factors. As the next section shows, however, the accused are not held responsible for acts of fraud. As such, these condemnations of the *system* are transfers of blame.

This is not to say that all *systems* are 'bad': good *systems* are 'fair', 'effective' and 'efficient', see Figure 12. As such, a dichotomy is created. Good *systems* justify the need for *systems* in the first place, whilst those that allow for abuse, either by facilitating it or by actively encouraging it, take the blame for corporate fraud. This dispersal of blame places responsibility on those tasked with maintaining and facilitating the *system*: regulators.

Figure 12: Concordance lines for 'system*', sorted 1L, 2L, 3L

Acts of corporate fraud are generally indicated with general nouns, but there is a categorical exception to this finding. Acts that threaten other corporations, undermine the credibility of *markets* and directly undermine the perceived fairness of a good *system* are roundly condemned. For instance, *market abuse*, *mis-selling*, *corruption* and *price-fixing* are all represented as being at least scandalous, if not explicitly criminal, as for example: "FSA starts first criminal market abuse prosecution" (Croft and Tait, 2004). Market abuse is described as 'criminal' in 0.55% of the total number of occurrences of *market abuse*. Note that this example also implies that non-criminal *market abuse* is a possibility. Increased regulation and

investigation, including intense *crackdowns*, are considered a viable, even desirable, way of managing these alleged crimes. In fact, the *market* itself is portrayed as a victim of *market abuse*. As the *market* is critical in commerce, causing the market to be negatively affected may, in turn, affect all consumers and providers in this market, thus creating a knock-on effect. As such, *market abuse* is an almost ideal crime. *Practices* that threaten the stability and integrity of the market are condemned.

This is not to say that the accused are never held responsible for these cases. For example, *traders* and *bankers* are represented as having caused *crises*, in particular, the global financial crisis and *scandals.* An example of this is "to pay for an economic crisis <u>caused by</u> bank bosses" (Quinn, 2008), in which *bankers* are identified as the agent in causing the crisis. Generally, however, this responsibility is diminished, diluted or entirely attributed to other parties.

The nouns used to label cases tend to serve a euphemising function and to deny the responsibility (Sykes and Matza, 1957) of the accused. In fact, they serve to re-cast the accused as victims. By representing cases as challenges, there is also a tendency to signify dramatic development, which follows the findings of Galtung and Ruge (1965) as well as Cavender and Mulcahy (1998), that corporate crime news is forced into a certain narrative mould in order to be newsworthy.

6.2. The Accused

This section argues that the accused are generally not held responsible for acts of corporate fraud. The accused are corporations, such as Google, Enron, HSBC, and executives of these companies. There are exceptions to this argument, particularly in the case of foreign corporations, which are relatively easily represented as Christie's (1986) "ideal offender". The difference in representation is argued to be attributable to the fact that foreign corporations are less crucial to the British economy and can, therefore, be used as scapegoats. This relates to the technique of neutralisation that Bandura's (1990, p.80) calls the advantageous comparison, whereby the delinquent attempts to seem less immoral by claiming to be, at least, not so bad as someone else.

Christie (1986) suggests that there are certain qualities that offenders may have that facilitate their being indicated 'offender'. When an offender has all these qualities, they are, as Christie (*ibid*) calls them, 'ideal'. Ideal offenders do not exist in a vacuum but in conjunction with ideal victims (*ibid*). He (1986, p.26) describes the ideal offender as "morally speaking, black against the white victim". The ideal

offender is dangerous, other, difficult if not impossible to sympathise with, and lacks a previous victim status (Christie, 1986). Ideal offenders do not exist in reality, only in the imagination and the media to strengthen attitudes against those crimes committed by less ideal but real, offenders (*ibid*). He (1986, p.25) offers the example of the 'narkohai', an imaginary character who imports vast quantities of narcotics for cynical monetary gain, created to strengthen attitudes condemning drug trafficking. Real narcotics importers are, according to Christie (*ibid*), likely to also be drug users and likely to have previously been a victim, possibly of broader social inequalities such as poverty but an accurate portrayal of these offenders may stir unwanted sympathy. An alternative use of the 'narkohai'-type ideal offender, not suggested by Christie, is to divert attention, away from real offenders to potentially imaginary others, who can serve as scapegoats, in line with Bandura's (1990, p.80) notion of the advantageous comparison. The function of these ideal offenders is then to diminish, if not outright deny (Sykes and Matza, 1957), the responsibility and culpability of actual offenders.

Those corporations that are represented as ideal offenders are generally foreign. *HBSC*, a big, international bank, is, in its concordances (see Figure 13), associated with and held responsible for, explicitly criminal acts. In the case of the example, this crime is facilitating money laundering: "American politicians accused HSBC of putting commercial interests before preventing money laundering" (Robertson and Hosking, 2012). In general, American and international banks are more clearly vilified than British banks. *Lehman Brothers*, often indicated by just *Lehman*, but also sometimes fully as *Lehman Brothers*, is explicitly referred to as being 'American', as in: "US bank Lehman Brothers" (McEntee, 2010). *Goldman Sachs* is used as an example of a morally questionable agent in the American banking sector, as in: "it has done a Goldman Sachs and bet against its customers" (Brummer, 2010), where the phrase 'doing a Goldman Sachs' is shorthand for profiting from economic collapses. Both *JP Morgan Chase* and *Morgan Stanley* are described as having been 'fined' for their 'crimes'. Furthermore, *JP Morgan* is explicitly linked to Bernard Madoff's Ponzi-fraud, by managing so-called 'feeder funds' in bad faith, as well as directing potential victims to Madoff. Claims of fraud have also been made against *Merrill Lynch* but the takeover of *Merrill* by the *Bank of America* eventually overshadowed the news of accusations. Other accused foreign banks include *UBS*, *Citigroup* and *Deutsche Bank*. Indeed, *Deutsche Bank*'s German origin is emphasised. All are associated, through concordances (see Figure

14), with 'charges' and 'lawsuits'. As such, the foreign-ness of foreign banks is emphasised and contributes to their status as offender.

Similarly, 'American' non-banking corporations are also more often linked to criminal acts than British corporations, although, like British companies, they are also reported in general business news, and can also be linked to corporate wrongdoing without being indicated as 'wrongdoer'. However, the phrase 'tax avoidance by' is completed with 'American', 'US' or named US companies 26 times, compared to 'British' companies at a frequency of 10. *Google* is often grouped with *Amazon*, *Starbucks* and *Apple* as an example of 'global', 'multinational', 'tax avoiding' 'giants', although each is also referred to individually both an example of these 'giants', but also in news reporting general business developments. These corporations are, again, easily perceived as ideal offenders. They are large and powerful, not easily represented as victims, and, most importantly, foreign. This means that the label of offender, in the sense used by Becker (1963), has been (implicitly) applied to these corporations, and is successfully and continuously re-applied.

The clearest example of such an ideal, successfully labelled offender is *Enron,* which has become shorthand, and a benchmark, in relation to major financial crimes. *Enron* is the 'narkohai' of corporate fraud. Following Christie (1986), *Enron* serves to strengthen attitudes condemning other instances of corporate fraud, as in the case of *Satyam,* nicknamed the "Indian Enron" (Duke, 2009). A high-frequency (at 0.85% of the total occurrences of *Enron*) three-gram is *the post-Enron world*, emphasising the impact its collapse has had on the world of finance.

Bad *companies* are those represented as ideal offenders. These *companies* are, importantly, 'foreign' (0.17% of collocates). They are also morally black: 'corrupt' (0.03%). Links also exist between the success of a company, how easily these companies are represented as ideal offenders, and whether they are represented as offenders at all. Much like the criminalisation of ordinary offenders, those companies and individuals which are relatively unsuccessful are treated more clearly as offenders. For instance, *hedge funds* in financial 'trouble' are criticised for their 'greed', and 'cheap' *brokers* are generally indicated 'bogus', whereas more successful *hedge funds* and *brokers* are more sympathetically represented.

Figure 13: Concordance lines for 'HSBC', sorted 1R, 2R, 3R

Hit	KWIC		
4284	k is promising and its shares are undemanding	HSBC has become the latest UK lender to see its third-
4285	E> Ever since Bernard Madoff's arrest in 2008,	HSBC has been a prominent member of the list of banks
4286	lender would be scuppered. The net result for	HSBC has been a marked swing towards the ultraconserva
4287	ion should not have been allowed FULL TEXT	HSBC has been accused by a leading US senator of helpi
4288	r rigging Libor when Mr Varley was in charge and	HSBC has been accused of money laundering for Mexican
4289	anti-money-laundering system 'flawed'</TITLE>	HSBC has been accused of creating an anti-money-launde
4290	C TELLS DIPLOMATS TO FIND ANOTHER BANK</TITLE>	HSBC has been accused of wreaking havoc at embassies
4291	being involved with tax havens will reduce."	HSBC has been accused of helping customers avoid tax t
4292	STRAPLINE STRAPLINE STAPLINE STRAPLINE</TITLE>	HSBC has been accused by Belgian authorities of helpin
4293	<TITLE>HSBC in tax fraud probe</TITLE>	HSBC has been accused of letting rich customers avoid
4294	<TITLE>Tax evasion inquiry</TITLE>	HSBC has been accused of helping wealthy Belgians to e
4295	to London's status as a global financial centre.	HSBC has been among the UK-based institutions to signa
4296	uirements to The Mail on Sunday and merely said: '	HSBC has been applying a rolling programme of "five f
4297	p explain why - as reported by Money last month -	HSBC has been asking some customers making large cash
4298	s customers up the wrong way with its demands.	HSBC has been asking some customers making large cash
4299	he reputational damage could be long-lasting.	HSBC has been attempting to transform itself into a se
4300	introduce." Along with its high street rivals,	HSBC has been caught up in a number of mis-selling sc
4301	back of information supplied by Mr Falciani, and	HSBC has been charged by the French, Belgian and Arge
4302	"Another good day at the bingo, Mrs Sanchez?"	HSBC has been chastised by a US Senate subcommittee f
4303	y broken US rules. Twice in the past 10 years	HSBC has been cited by US bank regulators for deficie
4304	t bad loans, in the second half of this year.	HSBC has been cutting back on its bloated cost base, h
4305	LE>HSBC IS SUED OVER 65BN MADOFF FRAUD</TITLE>	HSBC has been dragged into the Bernard Madoff fraud sc
4306	FOR CRIMINALS'</TITLE> BRITAIN'S biggest bank	HSBC has been dragged into yet another potential scand
4307	debts fail to rein in the Asian tiger</TITLE>	HSBC has been dug out of a hole by its roaring Asian t
4308	d at the annual meeting last year. Since then	HSBC has been engulfed in scandals, including being fi
4309	to wildlife habitats. That is a major crime, and	HSBC has been financing that crime. In Sarawak, 95% o
4310	to wildlife habitats. That is a major crime, and	HSBC has been financing that crime. In Sarawak, 95% o
4311	e. It follows the news that HFC Bank, owned by	HSBC, has been fined more than Å£1 million by the Fin
4312	sale of bonds to help old pay for care</TITLE>	HSBC has been fined a record Å£10.5m and must pay Å£29
4313	SBC is fined over mis-selling of bonds</TITLE>	HSBC has been fined a record Å£10.5m ($16.4m) and must
4314	ave as badly as ever. Since the start of 2011,	HSBC has been fined Å£10.5Åmillion for mis-selling i
4315	<TITLE>HSBC MEXICO FINE</TITLE>	HSBC has been fined ÅÅ17.5m by the Mexican authoriti
4316	<TITLE>$27m fine for HSBC in Mexico</TITLE>	HSBC has been fined $27.5m (ÅÅ17m) by the Mexican regula
4317	and perks to at least Å£6million. Scandal-hit	HSBC has been fined a record Å£1.2billion for money-la
4318	5m was levied by the UK regulator. Since then,	HSBC has been fined Å£1.2bn for breaching money-launde
4319	TLE>HSBC made to halt US repossessions</TITLE>	HSBC has been forced to stop repossessing homes of def
4320	E>THE SKY FALLS IN ON HSBC'S US LEGACY</TITLE>	HSBC has been forced to set aside another Å£500m to co
4321	ORFEITS 61.3M OF HIS BONUS</TITLE> THE boss of	HSBC has been forced to forfeit 61.3million of his bon
4322	TO ADOPT FSA CONDUCT CODE</TITLE> A HUMILIATED	HSBC has been forced to agree to a new code of good be

However, success and wealth are only acceptable up to a certain level. 'Excessive' power and wealth can just as easily be used to emphasise the danger and lack of possible victimisation. This is what occurs for *bosses* and *lawyers*, who are described as 'wealthy' and 'well-paid' but also as 'aggressive' and 'disgraced'. This morally black (Christie, 1986) 'greed*' (at relative frequencies of 0.02% and 0.01% for, respectively, *boss** and *lawyer**) is also the characteristic that is used to delegitimise *executives, chairmen and directors*, as well as *employees* and 'corrupt', 'dodgy', 'unscrupulous', 'crooked' *bankers* and *traders*, as in, for instance: "[w]ealthy bankers who have allegedly dipped their hands in the till" (Sunderland, *The Daily Mail*, 2006), also illustrated by Figure 15. Note that in this example, a metaphorical euphemism for white collar crime, 'dipping hands in the till', is used, rather than the more explicitly criminal 'defrauded the company', for which it stands. Nonetheless, the wealth of these bankers serves to indicate their lack of excuse: they are already wealthy, so would have no 'legitimate' reason for committing fraud. Also, note that these are individuals, not corporations.

Figure 14: Concordance lines for 'charges', sorted 1R, 2R, 3R

Hit	KWIC
1345	urities and Exchange Commission filed civil fraud charges against Goldman and one of its executives, Fabri
1346	artment of justice is examining possible criminal charges against Goldman and, in Britain, the Financial Se
1347	e kind of mortgage-backed security central to the charges against Goldman. As ripples spread from Friday's
1348	kind of mortgage-backed security central to the charges against Goldman. As ripples spread from Friday
1349	t within minutes of the announcement of the SEC's charges against Goldman. Because synthetic CDOs are r
1350	ut over the year of $20 billion this year. The charges against Goldman came days before the Senate is ex
1351	ties and Exchange Commission to file civil fraud charges against Goldman could spark actions from investor
1352	be ratcheted up in the coming days. The SEC's charges against Goldman have heightened criticism of inve
1353	d following US regulators' filing of civil fraud charges against Goldman last month. The cost of insuri
1354	ecurities and Exchange Commission has handled the charges against Goldman looks nakedly political. The tim
1355	licans regularly outvoted on issues including the charges against Goldman. Ms Schapiro insists that talk
1356	s might explain the SEC's decision to file civil charges against Goldman on Friday without warning the ba
1357	has no impact on us." The SEC announced fraud charges against Goldman on April 16, alleging that the b
1358	osses on CDOs. Within hours of the SEC -filing charges against Goldman on Friday, Mr Pickhardt wrote to
1359	tock drop by more than 5% when the SEC announced charges against Goldman on Friday. The US treasury sec
1360	ay, saying it did not plan to press any criminal charges against Goldman or its employees. "Whether the
1361	first time since US regulators filed civil fraud charges against Goldman over a mortgage-backed security.
1362	first time since US regulators filed civil fraud charges against Goldman over a mortgage-backed security.
1363	bank chief. This month, the SEC brought fraud charges against Goldman over the way it sold one CDO, th
1364	Securities and Exchange Commission's civil fraud charges against Goldman Sachs in connection with a $1bn (
1365	he US Securities and Exchange Commission's fraud charges against Goldman Sachs. If imposed by G20 gover
1366	to the Securities and Exchange Commission's fraud charges against Goldman Sachs in the US (though the FSA
1367	rities and Exchange Commission (SEC), filed civil charges against Goldman Sachs and one of its bankers, ch
1368	the same April day that it announced civil fraud charges against Goldman Sachs. Mr Kotz will report next
1369	director</TITLE> Since news of the civil fraud charges against Goldman Sachs broke on Friday, Fabrice T
1370	C, which last week earned plaudits for its fraud charges against Goldman Sachs after a year of being pill
1371	f the Securities and Exchange Commission's fraud charges against Goldman Sachs continued to be felt acros
1372	C, which last week earned plaudits for its fraud charges against Goldman Sachs after a year of being pill
1373	sentiment that flared up with last month's fraud charges against Goldman Sachs failed to prevent senators
1374	ther toxic inventions still looms large. The SEC charges against Goldman Sachs come as efforts continue by
1375	urities and Exchange Commission filed civil fraud charges against Goldman Sachs, accusing the bank of misl
1376	to clients, a debate that flared after the fraud charges against Goldman Sachs, is one of the last areas o
1377	s the Securities and Exchange Commission's fraud charges against Goldman Sachs have encouraged politician
1378	t week's Securities and Exchange Commission fraud charges against Goldman Sachs. The danger, executives
1379	last year. Last month the SEC filed civil fraud charges against Goldman Sachs, accusing the bank of misl
1380	s contrasting with profits for Wall Street, fraud charges against Goldman Sachs and an increased focus fro
1381	y the Securities and Exchange Commission's fraud charges against Goldman Sachs, which were settled yester
1382	nd the Securities and Exchange Commission's fraud charges against Goldman Sachs. Route map, Page 4 Seba

In cases in which non-ideal, British companies are accused, individuals can
be used to dilute or divert responsibility from the executives who would be legally
responsible if the company as a whole were to be found guilty. Whereas foreign
corporations are as a whole held responsible for acts of corporate fraud, individual
employees are often blamed instead of British corporations. This is done, for
instance, through the adjective 'rogue', which is a collocate to 0.04% of instances of
employee*. Figure 16 shows the use of 'rogue' *employee** in concordances.

This is not to say that British corporate are never held responsible for acts
of fraud, but the tendency to shift blame onto individual employees and foreign
companies is noteworthy. By establishing these foreign, ideal, offenders, British
newspapers create room to defend corporate fraud committed by non-ideal (i.e.
'British') offenders. The implicit excuse is that British companies may be bad, but at
least they are not as bad as *Goldman Sachs, Google* or *Enron.* This is Bandura's
(1990) advantageous comparison. Other defences of corporate fraud allegedly
committed by British companies run the gamut of classical techniques of
neutralisation. Denial of responsibility is established, as indicated, by blaming a
company's employees. *Lloyds* and *RBS* are state-controlled, so the blame is shifted

to the state. *Northern Rock*, likewise, has not been held directly responsible for the problems for which it has been investigated. In a classic denial of injury (Sykes and Matza, 1957), these problems are indicated a 'crisis', rather than the result of crime. In other words, whilst the label of offender (Becker, 1963) is applied to British corporations, but does not 'stick' (*ibid*, pp.12-3).

Figure 15: Concordance lines for 'banker*', sorted 1L, 2L, 3L

Furthermore, the language of victimisation applied to these institutions is noteworthy. *Barclays* is described as having been threatened by scandal and investigations, as in: "the regulatory investigations still looming over Barclays" (Marlow, 2014), whereas *Northern* and *HBoS* 'needed rescuing'. This language of victimisation further diminishes the 'ideality' of these banks as offenders, thereby possibly even increasing reader sympathy.

A further defence of the behaviour of British companies is established through the neutralising technique of 'defence of necessity' (Minor, 1981). This is a variation of the appeal to higher loyalties (Sykes and Matza, 1957) and may also be related to the appeal to the 'greater good' (Fooks *et al*, 2012). The importance of *business*, the *market* and the *system* is continually emphasised. By emphasising how British *banks* are 'systematically important', in other words, 'too big to fail', British *banks* and other corporations are, in practice, excused for acts of fraud. Similarly, 'powerful', 'international' *political groups* are associated with positive attributes and profitable *hedge funds* and *brokers* are subject to less criticism than their less profitable counterparts.

These findings suggest that the label of 'offender' sticks more easily to non-British companies than British companies. When a British corporation is accused of corporate fraud, responsibility for these acts is transferred to individuals within the company. Thus, these strategies represent corporate fraud as an act that is not committed by British companies.

Figure 16: Concordance lines for 'employee*', sorted 1L, 2L, 3L

Newspapers treat foreign and British corporations very differently. Foreign corporations are easily represented as Other, ideal offenders. British companies, on the other hand, when accused of corporate fraud, are defended or excused. British corporations are relieved of their responsibility, for instance by blaming the state. The impact of these crimes is diminished by labelling them *crises.* The defence of necessity (Minor, 1981) offers one possible reason for this difference. These British corporations are integral to the British economy. Foreign companies then serve as a distraction or as a comparator that allows the excuse that, at least, British corporations are not *Enron.*

6.3. Investigators and Regulators

A common evaluation of all people and agencies identified as investigators and/or regulators is in terms of their legitimacy. Are they entitled to respond to accusations of corporate fraud, and are their responses fair? This section argues that newspapers' labelling of investigators and regulators undermines the authority of these agencies.

The *FSA*, *SEC*, *OFT* and *DoJ* are all generally criticised for 'alleged mismanagement', 'hostility', 'ineffectiveness' and 'sluggishness'. Figure 17 shows that *FSA* also collocates with 'fail*'. As the *FCA* is relatively new, it still has to gain the negative reputation other *watchdogs* have. Much like other investigative agencies, the *SFO* has been heavily criticised. It is represented as 'incompetent' but also 'underfunded', as in: "the Treasury (…) has already ringfenced £3.5m to the underfunded SFO specifically for Libor" (Binham, 2013b), showing simultaneously that the *SFO* is not normally sufficiently funded to take on large cases and that there is a cost attached to taking on cases of fraud. The *Revenue* offices in both the US and the UK – in particular *HMRC* – are more successful in their investigations into corporate fraud, more specifically tax fraud. Again, however, these *bodies* are criticised, in this case for being too 'lenient'. All *authorities* and *agencies* are criticised as 'expensive' and 'ineffective', as in: "the SEC's many critics (…) feel that the agency is toothless" (*The Guardian*, 2009a). Paradoxically then, these regulators are portrayed as both 'too tough' and 'toothless'. There is no winning: by intensifying investigations and regulations, these agencies are too aggressive and unfair, whilst a reluctance to pursue allegations and impose regulations is considered being too lenient. Referring to these institutions by these noun phrases serves to delegitimise the efforts of investigative and regulatory *bodies*, through the technique of neutralisation that 'condemns the condemners' (Sykes and Matza, 1957). In other words, investigators and regulators are successfully (as in,

continuously) negatively labelled (see Becker, 1963). Whilst it is possible that there are differences between newspapers, my method does not allow me to draw reliable conclusions about any differences between newspapers.

This delegitimisation of investigative and regulatory parties is not solely restricted to specialist agencies. Governments, too, are criticised. The laws implemented by *countries, ministers* and the *EU* are considered 'controversial' (see also Figure 18) and 'tough'. This criticism only intensifies for foreign *countries* and *officials*. However, 'wealthier', more industrialised *countries* are criticised less harshly than 'developing' and 'third world' *countries* and their *officials*, a common collocate to which is 'corrupt' (at 0.07%).

The *Labour Party* is criticised. I use the sub-corpus created for the metaphor analysis to generate the quantitative data for this assertion. In this sub-corpus, *Labour* occurs a total of 245 times, *Tory* 72 times, and *Conservative* 65 times. Newspapers include more criticisms of the *Labour Party* than criticisms of the *Conservative Party*, as 19.63% of sub-corpus concordance lines (generated through *Wmatrix*) of *labour, tory* or *conservative,* with a concordance display width of 150 characters, contain a clear criticism the *Labour Party,* whereas only 9.16% of these concordance lines showed a clear criticism of the *Conservative Party.* An example is: "[David Cameron] said a Tory government would act "very early on" and <u>criticised Labour</u> for dragging its heals" (Murray-West, Gammell and Butterworth, 2010, spelling original). This difference in the number of criticisms of either party may partially be explained by the fact that the Conservative Party were in opposition for six and a half years of the duration of this corpus and the Labour Party for four and a half. Even taking this difference into account, though, criticisms made by Tory MPs are over-represented compared to criticisms made by Labour MPs. A more equitable distribution would be 12% of concordance lines containing criticisms of the Conservative Party and 17% containing criticisms of the Labour Party. This suggests that newspapers indeed favour *Conservative* points of view. This is in line with Jewkes's (2011, p.42) listed news values. Adherence to C/conservative ideology is, according to Jewkes (*ibid*), a contributing factor in determining whether a news story is included in the paper.

Figure 17: Concordance lines for 'FSA', sorted 1R, 2R, 3R

Hit	KWIC
13169	keting literature but the tables provided by the FSA fail to do this. He also said the FSA u
13170	wo uncomfortable questions. First, why did the FSA fail to realise earlier that it is unten
13171	<TITLE>Why did the FSA fail to spot 'Shrek'?</TITLE> For a for
13172	regulator to blame for Arch Cru's demise? The FSA failed Arch Cru's 20,000 investors by au
13173	is overseen by the Financial Services Authority (FSA), failed at its first serious test when
13174	ly need to read the report to appreciate that the FSA failed because lots of people failed to
13175	compensation when she found no evidence that the FSA failed in its regulatory responsibilitie
13176	man, now Ann Abraham, finds no evidence that the FSA failed in its regulatory responsibilitie
13177	se facing mortgage debt in retirement because the FSA failed in its remit to protect them. WH
13178	Parliamentary ombudsman finds no evidence that FSA failed in its regulatory responsibilitie
13179	ent in 2005 and the Financial Services Authority (FSA) failed in its role as supervisor. His a
13180	s year, Alistair Darling makes it clear that the FSA failed in its regulation of Kaupthing. '
13181	n earlier, that the Financial Services Authority (FSA) failed in its duty as regulator to resp
13182	that the regulation was not fit for purpose. The FSA failed in two of its statutory duties: t
13183	rvene earlier in a products life cycle." '' 'The FSA failed in two of its statutory duties: t
13184	that the regulation was not fit for purpose. The FSA failed in two of its statutory duties:
13185	ne earlier in a products life cycle." '' 'The FSA failed in two of its statutory duties: t
13186	<TITLE>FSA failed savers, claims ex-Singer boss</TIT
13187	<TITLE>FSA 'failed spectacularly', say MPs</TITLE>
13188	report. A committee of MPs has found that the FSA failed to act on clear warnings that Ic
13189	ean-up of the UK meat trade follows criticism the FSA failed to act fast enough when Ireland's
13190	twofold. First, that, given his involvement, the FSA failed to afford him his statutory righ
13191	ant financial institutions. Osborne believes the FSA failed to analyse institutional risks, w
13192	s low as 88p. Even a reassuring statement by the FSA failed to calm nerves. When news of the
13193	ative institution". REGULATORY FAILINGS The FSA failed to challenge Stevenson's upbeat a
13194	who fear existing policies may not be valid. The FSA failed to comment. I can tell you thoug
13195	trading standards officers, supermarkets and the FSA failed to detect the banned substance. T
13196	trading standards officers, supermarkets and the FSA failed to detect the banned substance. T
13197	rised into coming up with instant solutions, the FSA failed to differentiate between the stat

The modification of labels identifying investigative newspapers condemns the condemners (Sykes and Matza, 1965). Other newspapers explicitly condemn *The Guardian,* which is most explicitly critical of corporate fraud, as 'hypocritical'. Nevertheless, not all agencies and individuals are considered unsuitable for investigating and regulating corporate fraud. The *police* and 'government-supported' and 'governmental' *experts* are both allowed to comment on accusations of corporate fraud without being criticised.

Those agencies tasked with investigating accusations of corporate fraud, both officially and unofficially, are condemned for their interference. Agencies whose remit is to regulate financial markets are also condemned, as they are simultaneously too lenient and too hostile and aggressive. As such, the negative labelling (see Becker, 1963) of investigators and regulators serves a very clear neutralising function: condemning the condemners (Sykes and Matza, 1957).

Figure 18: Concordance lines for 'EU', sorted 1L, 2L, 3L

Hit	KWIC
1470	mittee voted yesterday to soften a controversial EU proposal on corporate auditing. The dr
1471	position to new rules</ TITLE> A controversial EU directive designed to clamp down on irr
1472	rope, but would rigorously contest controversial EU directives. A Treasury minister would
1473	ntly debating the package of deeply controversial EU/IMF dictated reforms inside the parliam
1474	comes ahead of the introduction of controversial EU rules known as Mifid – or the Markets i
1475	are elected. Sarkozy said if the controversial EU fiscal pact – which he supports – was n
1476	l hold a vote about opting into the controversial EU measures before the Rochester & Strood
1477	l hold a vote about opting into the controversial EU measures before the Rochester & Strood
1478	e been charged. EU reform THE controversial EU Reform Treaty will be rubber stamped in
1479	e been charged. EU reform THE controversial EU Reform Treaty will be rubber stamped in
1480	in the last six months. Take the controversial EU alternative investment fund managers di
1481	ountries' markets and, ever-close to controversy, EU sanitary standards lowered to enable, s
1482	ting to regain their clients' trust and convince EU authorities that they still have a righ
1483	efused to participate or been unable to convince EU officials that they have upgraded anti-
1484	eration of Accountants warned that the fraud cost EU countries around Å£70bn a year – "effec
1485	European police agency, estimates VAT fraud cost EU member states (EURO)5 billion in lost t
1486	same lines, stating that price fixing is costing EU citizens several billion euros a year.
1487	d fought off potentially complicated and costly' EU rules on country of origin labelling.
1488	oles. The country wants to renegotiate its costly EU bailout, which Brussels should firmly r
1489	<TITLE>Corruption 'costs EU states ÃÅ100bn a year'</TITLE> Corrupt
1490	estment in machinery and increased running costs. EU regulations prohibit the sale of meat t
1491	nd names across the EU each year are counterfeit. EU officials agree that fake cigarettes ar
1492	sidents of tax havens in neighbouring countries, EU member states introduced the directive
1493	sidents of tax havens in neighbouring countries, EU member states introduced the directive
1494	st, and in co-operation with, other countries. EU membership has no intrinsic value. It o
1495	, to govern all benchmarks across the 28-country EU. The plans outlined yesterday still ha
1496	variety of ways. With the rules set to cover EU banks' operations globally, and global
1497	act. The Schengen arrangements, which cover 13 EU countries plus Iceland and Norway, faci
1498	n arrangements on border controls, which cover 13 EU countries plus Iceland and Norway, faci
1499	officials show that the Assad regime is cracking, EU foreign ministers said today, AP report
1500	n Union plans to regulate hedge funds and create EU-wide bodies to oversee markets, banks a
1501	e funds to ward off another financial crisis. EU ministers have faced severe criticism o
1502	e EU that Tokyo's principles meet EU criteria. EU companies have been required to use IFR
1503	1m savers suffered losses. A highly critical EU report claimed the British Government f
1504	he Square Mile. While a minister, I criticised EU banking secrecy at a seminar attended b
1505	law 'will punish female drivers': FSA criticises EU insurance plan</TITLE> Young women dri
1506	rk out, this confirms that you can obtain a cross-EU banking licence from Malta, operate in
1507	ked liabilities and has also secured the crucial EU insurance licence he would need to star
1508	Resistance in the EU is also slowly crumbling. EU finance ministers meeting in Dublin fin
1509	promulgation of appropriate corporate culture". EU regulators would follow an approach ado
1510	ackground to the story is here. The cumbersome EU decision-making process is eased along
1511	financial regulation and tax, described current EU solvency law, which dates back to the 1
1512	financial regulation and tax, described current EU solvency law, which dates back to the 1

6.4. Accusers

Much like the nouns used to refer to investigators and regulators, the nouns referring to accusers undermine the credibility and legitimacy of their accusations. This undermining is primarily done through modifiers which represent accusers as overly hostile and aggressive toward the accused, generally incompetent. Like investigators and regulators, accusers cannot win. This section first examines how aggression is foregrounded through the applied modifiers, then it explores how incompetence is highlighted. It should be noted that this category has many of the same target nouns as the category 'investigators and regulators'. This is because many of the named agencies, such as the *Serious Fraud Office* and *Financial Conduct Authority*, in these categories, have several formal functions: continuously monitoring and regulating the market (regulator), and initiating formal investigations

(investigator) by making formal accusations (accuser). Regulating and investigating is done by the same institutions and people, hence the conflation of these two categories. Many others, however, besides these institutions and people, also make accusations, meaning that a separate category was required for this action.

Many investigative agencies are labelled as overly hostile and aggressive. This is particularly the case for the *Securities and Exchange Commission* and the *Serious Fraud Office*, which are explicitly indicated 'hostile', as in: "(…) risk being caught out by a hostile SFO investigation" (Binham, 2013a). To support this argument further, measures imposed and accusations made by the *European Union* are indicated 'tough', 'heavy-handed' and 'controversial'. The aggression of reporting *media* is also noted, in particular, by the verb 'to pillory'. Consequently, these agencies are represented as threats to the accused and continuously negatively labelled (Becker, 1963). This representation is not just a very clear case of 'condemning the condemners' (Sykes and Matza, 1957) but also one that denies the responsibility of the accused (Sykes and Matza, 1957) by implying that there is a need (Fooks *et al*, 2012) for the accused to aggressively defend their interests, even if in doing so, these companies happen to break the law.

As indicated, investigative agencies simply cannot win. When they are not represented as overly hostile or aggressive, they are considered too lenient, or simply incapable of handling their remit. For instance, the *Office of Fair Trading* is indicated as 'ineffective' and its various unsuccessful court appeals are widely reported, for instance in "the OFT was forced to withdraw from a legal battle" (Poulter, 2006), again drawing on the metaphor of there having been a legal challenge. Both the *Financial Services Authority* and its spiritual successor, the *Financial Conduct Authority*, are characterised as 'mildly sinister' and 'sluggish', whilst *watchdogs,* in general, are seen as 'sloppy'. Indeed, there are numerous accusations from governmental parties that these *watchdogs* have been negligent, as in: "the SEC (…) had been asleep at the wheel" (Brewster, 2004). This lack of effectiveness leads to various calls for the creation of a 'super-agency'. However, organisations that actually have broader remits and powers, such as the *European Union*, are indicated 'superfluous'. As such, regulatory agencies appear to be 'damned if they do and damned if they don't'.

Figure 19: Concordance lines for 'watchdog*', sorted 1R, 2R, 3R

Hit	KWIC
15291	ove the way it makes priorities. Last year the watchdog was criticised by consumer groups for t
15292	ce the clarity" of its policy and decisions. The watchdog was criticised by the Competition Appea
15293	elopment. At the time, the OECD's anti-corruption watchdog was criticising the government over th
15294	elopment. At the time, the OECD's anti-corruption watchdog was criticising the government over th
15295	oney they cost, with companies alleging that the watchdog was denying "potentially life-prolongin
15296	dependent Parliamentary Standards Authority. The watchdog was designed to oversee a more efficien
15297	shut down the FSA in 2009 largely because the watchdog was 'desperate to look tough and claim
15298	estigation.'' Legal sources said yesterday the watchdog was dropping its first action to focus
15299	ms denied that the restrained approach showed the watchdog was either admitting that ignorance of
15300	er a tribunal in the Philippe Jabre case said the watchdog was entitled to push for even tougher
15301	er a tribunal in the Philippe Jabre case said the watchdog was entitled to push for even tougher
15302	s promise. Standard Life acknowledged that the watchdog was examining all aspects of the busine
15303	heatley, the FCA's chief executive, said that the watchdog was examining other insurers' sales of
15304	ied out by KPMG on behalf of BaFin, the financial watchdog, was "expected for the end of the mont
15305	ay takeover (see Commentary, facing page). The watchdog was expected to question ABN Amro, advi
15306	me from 2012. The FSA, the financial markets' watchdog, was expected to relax the rules on sel
15307	me from 2012. The FSA, the financial markets' watchdog, was expected to relax the rules on sel
15308	lished in 1998. Yesterday, it emerged that the watchdog was extending its investigation to a fu
15309	t drive in 2012 prompted by accusations that the watchdog was failing in its duty to carry out ri
15310	picion at the FSA over the past week. But the watchdog was forced into action when HBOS shares
15311	urities and Exchange Commission, the Wall Street watchdog, was forced to step in after rumours sw
15312	urities and Exchange Commission, the Wall Street watchdog, was forced to step in after rumours sw
15313	>FSA owns up to Rock failings</TITLE> The City watchdog was forced to admit yesterday its monit
15314	up to Northern Rock failings</TITLE> The City watchdog was forced to admit yesterday that its
15315	ek are surprising as they come so soon after the watchdog was forced to pay Morrison's Â£ 100,000
15316	k of England but which died out after the current watchdog was formed. Lombard, Page 18
15317	. But one might wonder whether the advertising watchdog was fully up with events in terms of th
15318	commission, or KPK, indicating yesterday that the watchdog was getting ready to "lift up to the i
15319	tes and punishes firms and individuals since the watchdog was given its full powers just over thr
15320	ices and Markets Act, which created the FSA, the watchdog was given the power to impose unlimited
15321	e of the Atlantic, the thing that upset the City watchdog was Goldman s failure to admit over her
15322	ne of the BA four's defence barristers, that the watchdog was guilty of "incompetence on a monume
15323	ompliance inspections and examinations, said the watchdog was having "a lot of discussion" about
15324	638,000 on top of her salary of 6196,000. Her watchdog was heavily criticised for giving Harin
15325	organ will not match BarCap's offer. The City watchdog was heavily criticised last week for sc
15326	DENT ONE in ten inspectors working for the NHS watchdog was hired despite not being up to the j
15327	it had been "declared in full" to a party funding watchdog, was in line with the rules and that th
15328	<TITLE>City watchdog was in the lap of failed banks</TITLE>
15329	ner, FSA chief executive, who indicated that the watchdog was inclined to work with the investmen
15330	found in virtually every home in the country. The watchdog was informed by Premier Foods on Februa
15331	the probe related to beyond saying that the City watchdog was interested in "certain actions" of
15332	reporting of suspicious trades when in fact the watchdog was interested in one particular trade
15333	s Authority. The York-based firm said the City watchdog was investigating "certain issues" in r
15334	s said in a statement that the Brussels antitrust watchdog was investigating five companies, and

Similarly harsh criteria are imposed on individuals making accusations. However, the main criterion here does not relate to the way in which accusers approach their remits, in terms of being either sufficiently tough or sufficiently lenient, but distinguishes between individuals whose accusations are taken seriously and those whose accusations are not. In order for the accusations of an individual accuser to be heard, this individual is represented not unlike Christie's 'ideal victim' (1986). A counterpart to the 'ideal offender', Christie's (*ibid*, p.26) 'ideal victim' is a person who is "morally white" and who has no prior involvement with the offender. 'Ideal victims' are also weak, or tend to be involved in "respectable" activities, at least at the time of their victimisation (*ibid*). The respectability of these individual accusers, in particular, is highlighted. For instance, *people* are 'hardworking', whilst *families* are 'middle class'.

Christie (*ibid*, p.21) also points out that victims, in his theory, have to be "powerful enough", or rather, have to not lack the power, to have their accusations heard in the first place. Indeed, primarily the complaints of relatively powerful individuals are included. They are *investors, shareholders, employees, MPs*, as well as *clients* and *consumers*. 'Working class' *families* are not mentioned in the corpus, only 'middle class' *families* are, both as accusers and as victims.

The expertise of various accusers, or the support of *experts*, adds to the legitimacy of *claims*. These specialists are, for instance, *experts, analysts, employees, advisers, officers, prosecutors, MPs, presidents, secretaries of state and politicians,* as in: "<u>analysts</u> claimed it had [been] used to artificially boost its working capital" (Stewart, 2004). In this example, general *analysts* are used to indicate that there is some credibility to the claim that a company may be been deceitful in its accounting. In order to be both heard and taken seriously as an individual Accuser, the criteria to be satisfied include respectability, relative power and, if possible, knowledgeability.

There are also factors that can undermine a particular accuser's claims. For instance, *lawyers* accuse *investigators* of victimising the accused, thereby undermining *investigators'* findings and allegations, despite *investigators*' expertise. *MPs* are considered particularly harsh, driven by anger to 'attack', 'grill' and 'lambaste', which, as with *watchdogs*, undermines their allegations – they, too, are too hostile to make proper allegations, despite *MPs*' relative power and presumed knowledgeability. Furthermore, individual *officials* and *politicians* can be represented as 'corrupt' and 'dodgy', as in Figure 20, negating Christie's (1986) criterion for "moral whiteness".

Accusers are in a difficult position. Accusers must have a certain level of power in order to be heard in the first place. However, once these accusations are heard, they are quickly undermined. For instance, *watchdogs* are too aggressive and too sloppy in their work. Individual accusers have slightly more leeway but are nonetheless subject to very strict criteria. Anger and prior involvement in questionable activities render any accusation moot. Once again, this representation negatively labels accusers (see Becker, 1963), which serves to delegitimise the condemners (Sykes and Matza, 1957), thereby contributing to the neutralisation of corporate fraud.

Figure 20: Concordance lines for 'politician*', sorted 1L, 2L, 3L

Hit	KWIC
1991	come the modern-day General Motors by convincing politicians and regulators that what is good for Gold
1992	terest group that considers Mr. Obama a 'corrupt politician,' obtained documents showing that, based o
1993	igure for Italians fed up with arrogant, corrupt politicians after he slashed the tyres of a disabled
1994	er, said that the amnesty would benefit "corrupt politicians" such as Cesare Previti, a former lawyer
1995	er, said that the amnesty would benefit "corrupt politicians" such as Cesare Previti, a former lawyer
1996	ms that exist so that dodgy businessmen, corrupt politicians and international crooks can legally stas
1997	plundering of Africa's mineral wealth by corrupt politicians and officials. While the crackdown on ta
1998	n countries where they have brought down corrupt politicians - such as under the widespread "white han
1999	led "rent-seeking" by greedy executives, corrupt politicians, self-serving bankers and tax-dodging cel
2000	byzantine world of smallholder farmers, corrupt politicians and travelling middlemen is resistant to
2001	better reference point and benchmark for corrupt politicians and business people alike around the worl
2002	isation has actually meant big bucks for corrupt politicians," says Brahma Chellaney, professor of str
2003	the US was the favorite destination for corrupt politicians from around the world to set up companies
2004	uspicion of power-crazed and increasingly corrupt politicians (another trait we share with most Britons
2005	bonanza for India's alarmingly numerous corrupt politicians, bureaucrats and army officers (whom BAE,
2006	? For Spain has become a country full of corrupt politicians, prostitutes and gangsters all fuelled by
2007	? For Spain has become a country full of corrupt politicians, prostitutes and gangsters all fuelled by
2008	illion aid get to the poor of India... or corrupt politicians</TITLE> MUCH of Britain's promised £1bi
2009	g Berlusconi, in contrast to the sleazy, corrupt politicians who had preceded him, as a clean and hone
2010	nly (EURO)6m. Whistleblowers alleged that corrupt politicians planned to pocket the difference, and Ang
2011	ments. "We've known for some time that corrupt politicians in Cambodia and Laos are orchestrating th
2012	flets in Dublin with the slogan "jail the corrupt politicians". Yesterday it was reported the Irish In
2013	en having a ball, linking Messi with the corrupt politicians and bankers who have been Spain's shame i
2014	who provided a "veneer of legitimacy" to corrupt politicians in developing and transition countries, h
2015	who provided a "veneer of legitimacy" to corrupt politicians in developing and transition countries, h
2016	ral voters repeatedly to deliver power to corrupt politicians unworthy of leading the Buddhist kingdom.
2017	show individual states are riddled with corrupt politicians. This week there was uproar when Britain
2018	ith Washington's powerbrokers or, worse, corrupt politicians, or to influence issues that have little
2019	ith Washington's powerbrokers or, worse, corrupt politicians, or to influence issues that have little
2020	ust. They are rattled to the core.'' Corrupted politicians usually retain some friends after their f
2021	awareness regarding the extent of corruption. " Politicians, government, business and institutions th
2022	o thousands of businesses across the country. Politicians from across all the major parties yesterd
2023	rial was convened, newspapers around the country, politicians in Washington and an inflamed public were
2024	rial was convened, newspapers around the country, politicians in Washington and an inflamed public were
2025	hat any dynamic society needs. But, of course, politicians cannot tolerate any economic activity tha
2026	and arrogant. Bankers paid lobbyists and courted politicians. Their influence is vividly narrated in M
2027	arly "did very well". Along the way he courted politicians and business tycoons, his surname usually
2028	tural gas. On his rise to the top, Lay courted politicians and was closest to the Bush family. He s
2029	tural gas. On his rise to the top, Lay courted politicians and was closest to the Bush family. He s
2030	edge funds</TITLE> The US industry is courting politicians with donations to ward off stricter regul
2031	a government adviser. He once said: 'Courting politicians, and in particular prime ministers, I thi
2032	t we publish: the list would include the courts, politicians, anyone domiciled in Europe, and any lawy
2033	also claim up to pounds 1,500 for staff cover. Politicians who are defeated or stand down get a "win

6.5. Victims

In terms of types (26 types were categorised as 'victim'; the keyword list contains 194 types in total), there are very few victims in this corpus of corporate fraud news. For comparison, 95 types refer to the accused. This tendency could suggest that corporate fraud is a victimless crime, were it not that the Crime Survey for England and Wales (ONS, 2016) shows that individuals are indeed directly affected by corporate fraud. And even those rates do not account for indirect victimisation, such as through the tax gap (HMRC, 2015). The lack of reported victims goes some way toward denying their existence (Sykes and Matza, 1957). This section argues that 'ideal victims' (Christie, 1986) are exceptions, since these victims can simply not be ignored. In an extension of Becker's (1963) theory, it may be suggested that 'victims' are those to whom the 'victim' labelled is continuously successfully applied, which more likely happens to ideal than non-ideal victims. Ideal victims are included

in these news reports because they appeal to the reader, offering a human-interest angle. Furthermore, by establishing an ideal victim, newspapers also establish a list of criteria to which anyone affected by corporate fraud must adhere in order to be allowed to consider themselves victimised. In other words, newspapers effectively limit both the actual number of victims and the number of potential victims.

Christie (1986) lists five criteria for an individual to meet in order to qualify as the 'ideal victim'. Much like the 'ideal offender', the 'ideal victim' does not exist, although certain parties are more easily represented as such than others, such as children and the elderly (Christie, 1986, p.19). Christie's (*ibid*) criteria are as follows:

- The victim is weak;
- The victim was carrying out a respectable project;
- She was where she could not possibly be blamed for being;
- The offender was big and bad;
- The offender was unknown and in no personal relationship to her. (*ibid*)

Weakness is emphasised in various ways but the most frequent semantic domain indicating a form of perceived weakness is a lack of money. For instance, the *NHS* is 'cash-strapped', *countries* are 'poor' or 'developing', *businesses* are 'struggling', *individuals* are 'disadvantaged', *consumers* are 'impoverished' and *borrowers* are 'desperate', 'low income', 'over-indebted'. Other forms of weakness include age (being a *child*) and being bullied, as in the case of "NatWest staff were cajoled into pushing PPI on to customers" (Collinson, 2012), suggesting *staff* have been working under duress and are therefore not responsible for actually selling PPI.

Figure 21: Concordance lines for 'individual*', sorted 1L, 2L, 3L

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15729  ningful rights in law, such as being able to vote individual directors on or off the board, says Ch
15730  ow the names and addresses of rich and vulnerable individuals around the world." He said the breach
15731  ich? Legal Services, says: " There are vulnerable individuals who receive these types of threatenin
15732   unscrupulous advisers who encouraged vulnerable individuals to "unlock" their pensions early, whe
15733  of debt - including targeted  help for vulnerable individuals, stricter rules and better financial
15734   and "ensure sensitive cases involving vulnerable individuals, for example those with mental health
15735  ody of evidence which shows that many vulnerable  individuals who have financial problems are not g
15736  there was likely to be a "hangover" of vulnerable individuals who had committed cartel offences bef
15737  there was likely to be a "hangover" of vulnerable individuals who had committed cartel offences bef
15738  en using so-called "suckers lists" of  vulnerable individuals, and persuade them to buy shares in c
15739  en using so-called "suckers  lists" of  vulnerable individuals, and persuade them to buy shares in c
15740  th cheques will impact on  millions of vulnerable individuals, small businesses, charities, clubs a
15741  ll. This disregard for the   needs of vulnerable  individuals and loyal small businesses on the par
15742  ons, Mr Shred. But you are the sort of vulnerable individual who could easily be left behind in coa
15743  avings".  She told me: "They   prey on vulnerable individuals. If in any doubt, people should conta
15744   savings". She told me: "They prey on vulnerable  individuals. If in any doubt, people should conta
15745  the financial position of potentially  vulnerable individuals such as children who are the benefici
15746   groups say they are pests who target  vulnerable individuals and cajole them into making a claim .
15747  s matter in a way that protects  these vulnerable individuals at an extremely difficult time for th
15748  s against the banks of mis- selling to vulnerable individuals. The settlement did not address those
15749  st Â£ 400,000.  Letters are sent to vulnerable individuals saying they have won prizes of up to Â£
15750  st Â£ 400,000.  Letters are sent to vulnerable individuals saying they have won prizes of up to Â£
```

The second characteristic is respectability. The *NHS* is responsible for healing the nation and indeed the 'importance' of 'local' *NHS* 'services' is emphasised. Respectable characteristics of an *individual** include 'success*' (collocate with a relative frequency of 0.01%). 'Successful' *people* are potentially less weak than other victims but are comparatively more respectable. For instance, a *customer**, *client** and *saver** are largely 'wealthy' (at respectively 0.01%, 0.12%, and 0.03%) and 'elderly' (0.02%, 0.01%, and 0.03%). *Staff,* not weak but respectable, are 'skilled' (0.01%), 'senior' (0.30%) and 'dedicated' (0.02%), and a *person** is 'good' (0.04%) and 'honest' (0.01%).

Prior relationships between accused and victims did exist in many cases, such as in the case of *customers, clients, savers, consumers, staff, investors, employees*, so it is important for newspapers to emphasise that these victims have been unaware of the goings-on at these allegedly fraudulent corporations. 'Unwitting' (collocate to *victim** at a relative frequency of 0.02%), 'unsuspecting' (0.01%), and 'misled' (0.01%), see also Figure 22, signify that these victims could not have prevented their victimisation. For instance, *investors* have been 'cheated by companies' and have been 'unsuspecting of any ongoing fraud', as in: "<u>investors were misled</u> about Merrill Lynch's financial condition" (Frean, 2014). *Shareholders*, equally close to corporations, are largely 'clever' and 'sceptical' but despite these characteristics still ended up being 'misled'. Because these victims are all closely linked to the accused, their lack of knowledge has been highlighted, instead of their lack of links to the act itself. This is also consistent with the definition of fraud as an act involving mis- and false representations – victims must have been unaware of the reality of the situation for it to be truly fraud. The highlighting of this particular characteristic of the fraud victim simply serves to show that these victims are 'real'.

That these victims are 'ideal' is not in itself sufficient reason for the fact that they have been included in this reporting. Another set of modifiers points to why victims could not be entirely erased from the news. These victims are 'ordinary' *people*: 'British', 'average' and 'middle class', as in "<u>[t]housands of British people</u> have fallen victim to [boiler room fraud]" (Jagger, 2008). These qualities are in line with Galtung and Ruge's (1965, p.54) news values of "cultural proximity" and "relevance". Readers identify with these victims and are likely to know or be, any of the *staff* or *consumers* affected by cases of corporate fraud, which increases the appeal of these reports.

The fact that only 'ideal victims' are included in this corpus suggests that the only people who are allowed to identify as victims of corporate fraud are those

who fulfil very narrow criteria, much like the accusers. Only those to whom the label 'victim' is continuously applied are identified as 'victims'. The implication is that everyone else who has been, or is, affected is, in some way or another, either complicit or deserving. A further implication, based on the notion that the accused have acted out of need (Minor, 1981), is that non-ideal victims affected by cases of corporate fraud are simply unfortunate but inevitable collateral damage of the corporate profit-making process. Only the most ideal victims are actually included, to prevent sentiments turning against the accused.

Figure 22: Concordance lines for 'victim*', sorted 1L, 2L, 3L

```
7825  n the next few weeks WILL end  up as unsuspecting victims of a new breed of sharks - holiday clul
7826   While many savers have clearly been unsuspecting victims of massive fraud, there is no reason wh
7827  lding is kept.  Sales '  staff' call unsuspecting victims and push investment opportunities. The
7828  sonal and financial information from unsuspecting victims  Charity publishing Fake publishers cal
7829  sonal and financial information from unsuspecting victims  Charity publishing Fake publishers cal
7830   our big banks, which persuaded most unsuspecting victims to buy this cover for their loan and cr
7831   in the share price just before the unsuspecting  victim of the scam bought into the company?  We
7832     <TITLE>THE WATTS RESIGNATION: The unsuspecting victim of 'a clear putsch by the Dutch': Sir Ph
7833  r their pension pots. They  were the unsuspecting victims of appallingly lax regulation and crim
7834  ates of deposit. They were issued to unsuspecting victims by Stanford International Bank in Antig
7835   that conmen were trying to sell to unsuspecting victims. The latest wheeze is "land banking", v
7836  pelling case - after all, they were  unsuspecting victims of a massive accounting fraud - invest
7837  H: The scam only comes to light when unsuspecting victims receive enormous phone bills running in
7838  ew thousand for "taxes", then more and more until victims run out of money or patience.  Easy to
7839   Many medical negligence cases will  be unviable. Victims of industrial diseases and the widows a
7840   founder of PlusFunds, insists he is an unwitting victim of the Refco scandal, but, like it or no
7841   founder of PlusFunds, insists he is an unwitting victim of the Refco scandal, but, like it or no
7842   founder of PlusFunds, insists he is an unwitting victim of the Refco scandal, but, like it or no
7843   founder of PlusFunds, insists he is an unwitting victim of the Refco scandal, but, like it or no
7844  to show he is innocent. Mr Auchi  is an unwitting victim and he should be compensated by Elf."  A
7845  ing cuts were taped and exposed, was an unwitting victim of Operation Blackwatch, an attack unit
7846  n the months ahead: was Mr  Lay another unwitting victim of Enron, or a smooth-talking salesman p
7847  dogs warn that people can easily become unwitting victims of a scam, as anyone who releases their
7848  ed to customers and said they  had been unwitting victims of fraud at some point in their supply
7849   case raises concern that a new wave of unwitting victims may emerge from Mr Madoff's investment
7850  tly aware of fraudsters out to separate unwitting victims from their money. "Scammers are always
7851  out my intervention you may  become the unwitting victim of someone close to you."  In return she
7852  esses from middle men in the UK.   The unwitting victims on these lists may be on there only bec
7853   to encourage the view that he  was the unwitting victim of a set of blue-blooded bankers who pus
7854  re time to steal more money  from their unwitting victims. Joint accounts are particularly vulner
7855  utives who would comment said they were unwitting victims of AIBIM's investment practices at the
7856  terated with horse, maintain  they were unwitting victims of fraud elsewhere in the supply chains
7857  rs around the world that they  too were unwitting victims, with many fund managers personally inv
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6.6. Legal Process

In the material included in this corpus, the legal process serves two distinct functions. The first is as a narrative device, framing the story. The second is situated within that narrative frame and relates to the representation of investigators and regulators as overly harsh. This second function is the representation of the legal process as a(n) (overly) harsh challenge to the accused or as an (unfair) imposition upon the accused. These nouns are, again, anaphoric (Francis, 1994), (very briefly) referring to complex events. These nouns are more specific than the nouns used to refer to cases, as indicated in section 6.1, but again modifiers (see Francis, 1994;

Jeffries, 2010; Fairclough, 2015; Fowler, 1991) are used to indicate how readers are to interpret these events.

This harshness is particularly clear in the use of *legal process*, which is 'lengthy', 'expensive', 'painful' and 'protracted', as in: "dragging matters through <u>a slow legal process</u>" (*The Daily Telegraph*, 2012). This example not only indicates that the legal process is slow but also that 'matters', more accurately indicated 'allegations of corporate wrongdoing', are a heavy burden, which must be 'dragged', implying that it takes a lot of effort to get them 'through' the legal process. The harshness of the *law* and of *legislation* is noted by modifiers such as 'tough', 'aggressive', 'onerous' and 'controversial' (see Figure 23). *Claims* and *charges* are also represented as burdens and threats to the accused through collocations including nouns such as 'floods' and 'deluges', as in "overwhelmed by a <u>deluge</u> of mis-selling claims" (Prestridge, 2005). Once *charges* against a company have been made, there is room for *campaigns* to be launched. They, too, are undermined, through adjectives like 'intense' and 'ferocious', and the motivations of *campaigners* are called into question through 'dirty tricks'. An example is: "[t]he claims have been flatly denied by the banks mentioned in the dossier and City sources are claiming they are part of <u>a dirty tricks campaign</u>" (Watkins, 2005), which undermines the credibility of such claims. Much like investigators, *investigations* are too invasive. Indeed, the accused are described as 'surviving' *investigations*, as they tend to be rather 'aggressive'. Being subjected to the legal process is a very unpleasant experience from the perspective of the accused.

Figure 23: Concordance lines for 'legislation', sorted 1L, 2L, 3L

```
697   was not always the source of the most contentious legislation.  Charlie McCreevy, the EU's internal
698   , warned that more upheaval over the  contentious legislation aimed at preventing organisations from
699   hts group Liberty. It    falls under contentious legislation introduced in 2004 on extradition, ost
700   l under the "unfair terms''  in consumer contract legislation. Consumer groups said this paves the w
701   which came into force in 1999. The fair contracts legislation is designed to protect consumers again
702   eases could contravene Unfair Terms in Contracts  legislation as they were a blank cheque to increas
703   , given that the UK already has unfair contracts  legislation (Unfair Terms Consumer Contract Regula
704   er problem is Russia' s "sometimes contradictory" legislation and regulations that govern business.
705   d down the impact of any possible new gun control legislation. "We deal with this all the time. It's
706    ones covering quango reform  and tobacco control legislation.  As usual, I'll be covering all the b
707   in</TITLE> MPs last   night backed controversial  legislation allowing terror suspects on the run in
708   he security services and to bolster controversial legislation to enhance online surveillance.  "Nice
709   dent saw him push  through Congress controversial legislation - including landmark social security,
710    which would abrogate the need for  controversial legislation to bring about Railtrack's demise, and
711   cal support for moves to change the controversial legislation. Gordon Brown, the chancellor, is unde
712   al support for moves to change the  controversial legislation.  * Orange, the mobile phone operator
713   al support for moves to change the  controversial legislation.  * Orange, the mobile phone operator
714    prepared to consider changing the  controversial legislation that sparked weeks of bruising battles
715    by the Gambling Commission.   The controversial  legislation was passed despite warnings that such
716   o have our case heard here."   The controversial  legislation allows the American authorities to ext
717   o have our case heard here."   The controversial  legislation allows the American authorities to ext
718    to the smooth introduction of the controversial  legislation by advising its members that they were
719   as part of a sweeping review of the controversial legislation.  Christopher Cox, chairman of the US
720   as part of a sweeping review of the controversial legislation.  Christopher Cox, chairman of the US
721   d this month - the third  since the controversial legislation was introduced. Mr Clarke had to resig
722   in June, it instead forced through controversial  legislation that will raise social security premiu
723    it defeat the big boys?</TITLE>   Controversial legislation allowing consumers to band together to
724    JAPANESE CONSUMER LOANS</TITLE>   Controversial legislation to lower the interest rate cap on cons
725    JAPANESE CONSUMER LOANS</TITLE>   Controversial legislation to lower the interest rate cap on cons
726   ratic party is to press ahead with controversial  legislation to lower the interest rate cap on cons
727   ratic party is to press ahead with controversial  legislation to lower the interest rate cap on cons
```

The 'legal' *system* has to 'regulate' 'effectively', 'efficiently' and 'fairly'. Much like investigators and regulators, the legal process treads a fine line between being overly harsh and ineffective. The legitimacy of *claims* and *charges* is undermined through adjectives such as 'bogus', 'disputed', 'dubious', 'erroneous', 'excessive', 'fake', 'fraudulent', 'frivolous', 'inflated', 'misleading' and 'unsubstantiated'. *Audits,* on the other hand, as they are 'financial' and carried out by 'experts', are a form of investigation that is more acceptable. Nevertheless, there is a wariness with regard to 'false' *audits*, meaning that these processes, too, must be continually 'regulated' and 'improved'.

Like investigators, *investigations* can be ineffective and sloppily carried out, being described as 'botched', as in for instance: "the man who instigated the failed investigation into the Tchenguiz brothers' dealings with Kaupthing" (Dennys, 2012). Similarly, the target noun *loopholes* marks the leniency of the process, as in: "block the bank from exploiting a loophole that could have cost the exchequer £500m" (Houlder, 2012). In this example, *loopholes* are illustrated to be potentially very expensive and therefore condemnable mistakes.

Sanctions such as *fines* and *imprisonment* are not imposed enough to make the target noun cut-off. In other words, these sanctions are not commonly

enough applied to corporate fraud cases, or reported, to be included in my word list. Other outcomes like *compensation* and *settlement* are reported enough to be included. Note that the payment of *compensation* or a *settlement* is not an admission of guilt but rather a financial inducement for claimants and prosecutors to cease pursuing the case. This tendency is examined in the next chapter as part of the metaphor of the ledger, which quantifies criminal acts and claims they can be offset by positive behaviour or indeed payment.

Over the course of the *case*, it will have become clear whether the respective authorities are likely to uphold the charges brought against the accused. As such a judgement becomes more inevitable, newspapers are more willing to acknowledge the potential legitimacy of *cases* and *trials*. Nevertheless, 'weak' *cases* are still roundly condemned, in particular as cases are, despite their strength, challenging. Stronger cases, however, are presented as more justified than weaker cases. *Trials* are still represented as both a 'threat' and 'expense' to the accused, as for instance in: "Adoboli trials threatens to hit morale at UBS" (Murphy, 2012) and: "the company said it settled to avoid an expensive trial" (Wiesmann, 2008). This latter example may be considered an implicit admission of responsibility by the company, but it is not reported as such.

In line with this change in the evaluation of cases is the narrative function of the legal process. The nouns categorised as relating to the legal process signal the aim of the current stage of the Process and establish continuity and chronology by (implicitly) indicating which stages came before and which are likely to come after. For instance, *charges* and *claims* are explicitly linked to *investigations* and *inquiries*, in the sense that *investigations* and *inquiries* normally follow *charges* and *claims*. These expressions possibly structure the texts and narratives, forming part of Halliday's (1994) "textual metafunction".

Figure 24: Concordance lines for 'case*', sorted 1R, 2R, 3R

Newspapers have a tendency to question the legitimacy and methods relating to *claims* and *investigations*, and to sympathise with the plight of the accused in being subjected to these *trials*, with all associated costs, both monetary and non-monetary. This representation can be linked to two particular techniques of neutralisation. The first is the condemnation of the condemners (Sykes and Matza, 1957) or rather, the condemnation of the condemnation process. The second is Klockars's (1974) metaphor of the ledger, which is implicit in the condemnation of the legal process, as though the trials of the accused are harsher than deserved. This metaphor is also explicit in the use of *compensation* and *settlement*, as though these allegations do not have to be pursued once they have been, quite literally, paid for.

6.7. Crime Scenes

Crime scenes are treated as having been negatively affected by (too harsh) regulation and the fallout from corporate fraud cases. This representation, again, undermines the authority of regulators and condemns the condemners. In addition, these crime scenes, such as the *market* and the *industry*, indicate why the newspapers included in my corpus have published these stories of corporate fraud. They are geographically and culturally close, thus increasing the relevance to the reader (Galtung and Ruge, 1965, p.54).

Corporate misbehaviour is roundly condemned when it affects *the market* and has a knock-on effect on other companies. An example of this crime is *market manipulation*, as in: "Ed Davey (…) has promised to severely punish anyone found guilty of market manipulation" (MacAlister, 2012), in which the determination to

punish market abusers is presented with the word 'promise', which generally has a positive connotation. It is also a form of deontic modality, which I examine in more depth in chapter 9. As such, corporations have a responsibility toward maintaining the 'integrity' of the *market* (see Figure 25) and of 'performing well' and 'efficiently'. This partially explains why newspapers are hesitant to condemn 'systematically important' *banks* in particular for acts of corporate fraud: such accusations could affect the 'integrity' of the *market*, either directly by damaging these 'systematically important' *banks* or by staining the reputation of these *banks* and by extension of the *market.*

Figure 25: Concordance lines for 'market', sorted 1R, 2R, 3R

Hit	KWIC
39001	Conduct Authority, the regulator responsible for market integrity, consumer protection and competit
39002	n, head of the CFA Institute Centre for Financial Market Integrity, Europe, Middle East and Africa
39003	led traders could abuse retail investors, hurting market integrity. Exchanges have responded to
39004	ial services regulator and was head of the FSA's market integrity group from September 2001 to Marc
39005	he former head of the FSA enforcement division's Market Integrity Group (the inquisitors of the Cit
39006	veillance and enforcement mission while promoting market integrity in the energy markets," CFTC cha
39007	EU level for transparency and common rules about market integrity in wholesale energy markets."
39008	why Kenneth O'Donnell, manager of Enforcement and Market Integrity, informed several firms before I
39009	ally released at 8.37am. No harm done, right? Market integrity intact? Well, look at the price a

This means that 'unregulated' or 'under-regulated' *industries* must be dealt with. Again, this notion places responsibility on the regulators, rather than on the accused and leads to the criticism that regulators and investigators are ineffective. For instance, the *AIM* is 'too lightly regulated', as in: "accusations from key US figures that Aim is not stringently regulated" (Essen, 2007). However, regulation must not be too harsh. For instance, 'crowded' *markets* are particularly affected by 'external' 'regulatory' influences, as in: "[p]rivate banks are also being hit by regulations" (Masters, 2009), whilst *countries,* in particular Britain, have been 'damaged', 'destroyed' and 'hit' by 'European' and 'international' 'sanctions' and 'regulations'. Regulators have the unenviable task of regulating these *markets* strictly enough so that no scandals occur but also lightly enough so that no company or *industry* is adversely affected by regulatory measures.

These news articles have been published because they are relevant and of interest to the readers. These *sectors, markets, industries and* 'this' *country* are 'British' and 'our own'. This value is also reflected by frequent collocates of various stakeholders: 'British' *companies*, 'British' *families*, 'British' *people* and 'British' *households*, as in: "British investors should be thankful for that small mercy" (Watkins, 2004), "[s]o far, British banks have paid out Pounds 4.5 million" (Phillips, 2004) and: "what British tax payers need now is behaviour change from Barclays"

(Treanor, 2011), also illustrated by Figure 26. These examples indicate that Britain and the British, in particular, suffer from the fallout of corporate scandal. Evidently, newspapers perceive that corporate fraud and corporate fraud reporting, affect British readers because fraud harms the British economy and its various parts. Newspapers' consistent use of neutralising language suggests that they are attempting to keep British readers from holding corporations responsible for their (indirect) victimisation as a result of corporate fraud.

The representation of crime scenes serves to illustrate the fragility of the British economy and explains, to a certain extent, why 'systematically important' corporations are not condemned when accusations of corporate fraud have been made, whereas foreign corporations are represented as relatively ideal offenders. It also explains why regulation and investigation are such delicate undertakings, as they have effects not just on individual corporations but also on the broader *market*. Both harsh and lenient approaches can have very damaging effects, which explains why regulators and investigators are continually criticised.

Figure 26: Concordance lines for 'British', sorted 1R, 2R, 3R

6.8. Chapter Summary

This chapter draws on the theory set out in section 3.4.1. Labels are used to (briefly) refer to complex events or people (Francis, 1994). However, the choice of label, or the label's modifiers, cast judgment on these events and people. If this label indicates the person to be an offender, and the label is continuously re-applied, the label is successful, according to Becker (1963).

This chapter shows that the labels applied to cases of corporate fraud tend to be general, which suggests that the severity of acts of corporate fraud is generally underplayed, thereby diminishing both their impact and the subsequent responsibilities of the accused. Only foreign companies, not British companies, are successfully labelled as offenders. Instead, regulators and investigators are successfully negatively labelled, as they are held responsible for negative impacts on the British economy because they have an approach that is either too aggressive or too lenient.

As shown in this chapter, many target nouns in the corpus serve to find scapegoats. For instance, 'bad' *systems*, 'foreign' *corporations*, 'rogue' *individuals, watchdogs and* 'controversial' *laws* are all blamed before 'systematically important' British companies. This can be explained by examining the representation of crime scenes. The British economy is of paramount importance. Accusations and regulations could affect entire sectors of the economy. Regulate and prosecute too leniently and the *system* is 'corrupt'. Regulate and prosecute too harshly and existing corporations may collapse.

Blaming 'foreign' *corporations* distracts from the alleged crimes of British companies. The excuse can then be made that despite all problems of the 'British' *market,* at least British companies are not quite as bad as, for instance, *Enron*. This conforms to Bandura's (1990) example of an advantageous comparison.

Real victims of acts of corporate fraud must be ignored, as this would leave corporations open to much harsher criticism and increased criminalisation. Only those people who fulfil very narrow criteria, to whom the 'victim' label can easily successfully be applied, are identified as victims, and they serve, much like the *market*, to indicate when an alleged crime is simply too big to ignore or excuse. All other victims, who are non-ideal, to whom this label is not successfully applied, and therefore not 'actual' victims, are simply collateral damage of capitalism.

Cases are presented as challenges and the accused are given the role of protagonist, fighting against accusations. This battle is metaphorical and is therefore considered in more depth in the next chapter.

The nouns used to refer to various elements of cases of corporate fraud serve to neutralise the responsibility of (British) companies, either directly or by deflecting blame onto regulators, investigators or other parties. It also implies that these acts are outweighed by the various challenges encountered by the accused, along the lines of Klockars's metaphor of the ledger (1974).

The next chapter, on metaphor, continues the argument that corporate fraud is neutralised by the reporting of British newspapers, by examining various metaphors which are particularly prevalent in the corpus and which serve to diminish the impact of corporate fraud.

Chapter 7.   Metaphor and Metonymy

This chapter builds on the arguments set out in the previous chapter. It argues that the (systematic) metaphors employed by these UK newspapers in reporting corporate fraud between the years 2004 and 2014 have a neutralising function, establishing business as a highly dangerous competition, which enables corporations to claim fraud as necessary to the pursuit of profit. There is a strong emphasis on a very particular type of fairness, in the sense that corporations negatively evaluate the burden and restrictions of, for instance, *tax, law* and the aftermath of accusations of corporate fraud, as they 'unfairly' limit corporations' ability to compete. By extension, regulators and investigators are condemned for not regulating sufficiently leniently. The metaphorical representations of corporate fraud and its alleged perpetrators and condemners serve to neutralise fraud and shift the focus, or even blame, for fraud, onto the motivations and actions of regulators and investigators.

Investigating metaphor is important, as indicated by Fairclough (1991; 2015); Jeffries (2007; 2010); Richardson (2007); Steen (1994), and Koller (2004), as metaphors function in a similar fashion to anaphoric labels (see Francis, 1994), by summarising an event, person, or (set of) relation(s) in a small number of words that lead readers to a particular evaluation of the matter by highlighting and obscuring particular aspects of the target domain (Lakoff and Johnson, 1980). Metaphor choice is indeed considered similar to word choice by Halliday (1994, p.341); Jeffries (2010, pp.20, 44), and Fairclough (2015, pp.136-7). It is important to distinguish between conceptual metaphors, which are metaphors through which the world is understood, and linguistic metaphors, which are the manifestations of this understanding (Steen, 1994). If linguistic metaphors are related to other metaphors, and these sets are recurring (systematic, see Cameron, 2010) not just at the local level, but at the discursive or even global level (see Deignan, 2013), they may be indicative of a shared understanding of the world within the discourse community, or even more broadly (*ibid*). The use of metaphors that are systematic at the discursive level also helps an individual to be established as a member of a particular discourse community (Koller, 2004). Koller (2004, p.108) suggest that corporate news journalists adopt the metaphors used by corporate readers, to "entertain and flatter" these readers. In other words, recurring metaphors in corporate news will tend to favour a corporate interpretation of events. Aspects of target domains that are particularly relevant to these corporate readers will be highlighted through the choice of source domains. It must be noted that whilst recurring linguistic metaphors

may be indicative of how a discourse community understands (aspects of) the world, not every member of this discourse community actually understands the world as such (see Steen, 1994, p.17).

This chapter uses two methodological approaches to examine linguistic metaphor in the corpus of corporate fraud. Each method uses a sub-corpus, instead of the full corpus; multiple approaches are needed in order to ensure that findings can be generalised to the full corpus. The first method uses a headline sub-corpus. This corpus is comprised of 5% of all headlines recorded in the full corpus metadata *Excel* file, randomly selected using *Excel*'s RandBetween function. These 4,247 headlines have been manually assessed. Specific metaphoric expressions that were found were then grouped, in order to find systematic metaphors. The second method computationally assesses semantic domains (following Koller *et al,* 2008) in an approximately 1m word sub-corpus of the full corpus, which is about 1.2%. This limit is due to practical limitations of the research, in that *Wmatrix* can and will not process corpora that are much larger than one million words.

The second method is based on the assumption that prevalent semantic domains can indicate systematic metaphors, following Koller *et al*'s (2008) method. When a domain is particularly unexpected, given the topic of the full corpus, it is particularly noteworthy (*ibid*). Other semantic domains can also indicate the use of a metaphor, but are indistinguishable from semantic domains that are used non-metaphorically. For instance, "[e]verybody has to pay their dues" (Bokhari, 2004), which is found in the semantic domain 'Money and Pay', is missed, as 'Money and Pay' is certainly an expected semantic category with regard to the topic of corporate fraud. On the other hand, the semantic category 'Children's Games and Toys' is highly unexpected, given the corpus topic. This category includes such words as 'players', as in "the dominant players in the US market" (Barber, Postelnicu and Wighton, 2004).

As the first approach is manual and qualitative and the second is computational and quantitative, the two complement each other. The first requires the analyst to determine which (parts of the) headlines are metaphorical and if so, whether these metaphors are pertinent to the current research. Limitations are human, in the sense that manual analysis may be more prone to unsystematic error and (unwitting) cherry-picking. The second approach facilitates the processing of large amounts of text in reduced time. Limitations of the latter approach include the fact that metaphors are not normally marked, for instance lexically or

orthographically. For this reason, metaphor identification still occurs manually after identifying pertinent semantic domains. Not all metaphors can be recovered. As such, this chapter does not present all metaphors that occur in the entire corpus of corporate fraud or even all those that occur in the sample corpora.

Examining all metaphors would also be undesirable. Many linguistic metaphors are not systematic. Furthermore, many metaphorical expressions that occur in the full corpus or the sample corpora are present in many different discourses. For instance, a conventional systematic metaphor describes various institutions as organic beings, with heads ("Ex-head of Parmalat jailed for 18 years" (Dinmore, 2010)), arms ("Kerviel trades raised suspicion in SocGen arm last September" (Arnold, Daneshkhu, Hall and Hollinger, 2008)) and hearts ("Qatar aims at London's heart" (*The Daily Mail*, 2013)). This kind of conventional metaphor is present in a multitude of discourses and does not offer the same kind of insight into the representation of corporate fraud as metaphors that are both prevalent in and mostly limited to, (newspaper) reporting of corporate (mis)behaviour. The investigation of conventional, widely used metaphor is perhaps best left to researchers examining metaphor in the English language in general.

This chapter first examines some general points about metaphors as they appear in newspaper reporting on corporate fraud. It then considers how pertinent aspects of the *law*, *taxes* and the consequences accusations of corporate fraud are highlighted and evaluated. Finally, this chapter investigates how metaphorical oppositions and competitions are created and how this relates to techniques of neutralisation.

7.1. Metonymy

A very common trope, in fact so common that it forms part of English legislation, is metonymy. In other words, this trope is systematic (Cameron, 2010) on a near-global level (Deignan *et al*, 2013). This section responds to the question of whether the corporation or individual employees are to be held responsible for criminal acts. The law recognises the corporation as a legal person, and as such a highly conventional trope is the *totum pro parte*, in which the corporation is shorthand for its employees. In some way, then, the metonymy is also a label, as it exophorically (Francis, 1994) refers to a set of people employed by a particular company, rather than the company itself. As a result, personification is very common when discussing corporations.

Institutions and their staff are usually referred to in a whole-for-the-part metonymy (Lakoff and Johnson, 1980, pp.38-9), in which the entire corporation is held responsible or affected by the decisions of a few people who work for it. This is not just a question of legal responsibility but also, and more importantly for my study, a question of how responsibility is attributed in newspapers. Consider, for instance, the fact that many acts are attributed to these institutions, rather than to the people within them. An example from the headline corpus is: "FSA drops City investment banks from fraud compensation scheme" (Thal Larsen, 2007). *FSA* refers to the institution of the Financial Services Authority, the forerunner of the Financial Conduct Authority. By attributing the ability to "drop banks" to the entire *FSA* rather than (a collective of) individuals responsible for making this decision, the *FSA* is represented as a singular entity. A further example is "Merrill alerted regulators with concerns over Lehman accounts" (Sender, 2010). In this example, *Merrill* is the entity that does the alerting, rather than any specific person employed by the firm *Merrill Lynch*. Similarly, in "Goldman hopes for SEC settlement on lesser offence to avoid fraud charge" (Gapper and Guerrera, 2010), *Goldman* is the entity that hopes, rather than those employed by Goldman who may ultimately be held responsible for the fraud charge. Finally, in "HSBC in talks to settle Iran claims" (Wilson, 2012), HSBC talks, rather than those employed by HSBC to negotiate and settle such claims. If institutions, rather than individuals, are represented as capable of 'dropping', 'hoping', 'talking' and 'alerting', then a case can be made for treating these examples as instances of metonymy.

The conceptualisation of corporations as single actors can also serve as a journalistic strategy to increase interest from readers. Readers are more likely to be able to identify corporations than these corporations' *executives*. By referring to simply the corporation, reporters increase recognition through familiarity, drawing on Galtung and Ruge's (1965) news value of 'relevance'. Metonymically referring to corporations, however, also affects how the corporation is described. In fact, the use of metonymy means that the acts of a very small number of *staff* or *executives* could affect the entire corporation's reputation. The section on the metaphor of the ledger illustrates how this works in practice.

The corporation name is used as a label, and for recognition purposes, when discussing cases of corporate fraud. However, whilst metonymies are interesting, they do not quite explicitly support the argument that corporate fraud is neutralised, in particular as they are systematic (Cameron, 2010) on a level beyond that of newspaper writing of corporate fraud. The metaphor presented in this

chapter, such as RULES ARE CONSTRAINTS and BUSINESS IS AN AGGRESSIVE COMPETITION, are much more explicit examples of the metaphor used to neutralise corporate fraud.

7.2. The Metaphor of the Ledger

This section draws on Klockars's (1974, pp.151-61) "Metaphor of the Ledger". This metaphor relies on the linguistic potential to metaphorically quantify experiences and other non-tangible matters. In this regard, Lakoff and Johnson (1980, p.25) write that metaphor allows

> us to pick out parts of our experience and treat them as discrete entities or substances of a uniform kind. Once we can identify our experiences as entities or substances, we can refer to them, categorize them, group them and quantify them.

The metaphor of the ledger quantifies the delinquent act and argues that quantifiable past, present and future acts offset this delinquency. It is implied that every person or institution has their own ledger, which is why the fact that corporations, not individuals, are held responsible for acts of corporate fraud as legal persons is relevant. This metaphor is again systematic (Cameron, 2010) on a level beyond that of newspaper writing on corporate fraud, but, given Fooks *et al*'s (2012) categorisation of this metaphor as a technique of neutralisation, the notion that delinquent acts can and must be paid off suggests that this metaphor is particularly systematic in communication about delinquent acts.

Klockars's metaphor of the ledger (1974) is not a specific (systematic) metaphor. It is instead a technique of neutralisation, in the sense that this metaphor indicates an open category of arguments that neutralise criminal acts. It operates following the presumption that all acts can be quantified and, if necessary, offset against one another. Klockars (*ibid*, p.161) illustrates this metaphor by using a professional handler of stolen goods, Vincent Swaggi, who uses various excuses to maintain "a positive, moral, decent self-image", despite working 30 years in his particular profession. Klockars (*ibid*) writes that these excuses, or "positive anecdotes", are intended to offset criminal or morally questionable acts. This notion, that questionable behaviour can be offset by good behaviour, is what Klockars (1974) identifies as the metaphor of the ledger. The moral value of a person is the result of a subtraction of negative deeds from positive deeds. In practice, this metaphor relies heavily on various conventional and specific metaphors, including those that quantify experiences and non-physical attributes.

Alleged offenders are not the only ones using the metaphor. Klockars (*ibid*) mentions a judge describing the moral ledger of a prisoner who has "'<u>paid his debt</u> to society'". Examples of the use of similar specific metaphors, implicitly referencing the ledger, in the corpus are: "E&Y <u>pays</u> for past indiscretions" (Michaels, 2004) and: "[b]anks <u>pay</u> heavy <u>price</u> for Libor cartels" (Griffiths, 2013). In both cases, the verb 'to pay' has a double meaning, as these firms pay actually, through fines and settlements, and metaphorically, for their alleged wrongdoing. These examples show that at least some conventional forms of this metaphor are used in the corpus. 'Pay' is categorised by *Wmatrix* as belonging to either the semantic field I1.1, 'money and pay', or I1.2, 'money: debts'. The first category occurs in the *Wmatrix* corpus at a relative frequency of 1.60, the second at 0.55. Figure 28 and Figure 27 show 20 concordance lines (of, respectively, 14,858 and 5,123) for each of these semantic categories., indicating that these categories are generally used to describe elements of the world of finance, rather than metaphorically to refer to non-financial matters. This may indicate that 'paying for one's crimes' is indeed understood to refer to financial payment, rather than any form of retribution.

Figure 27: Concordance lines for I1.1: Money and pay, unsorted

```
forward in our pursuit of      restitution    for funds and asset
er Digital which allegedly     paid           hefty bonuses to ex
visers likely to have been     paid           by the taxpayer fro
any East European migrants     pay            fees to enter Brita
ks start to show in splits     payout         deal </TITLE> UP to
pensated for part of their     losses         after Financial Ser
een 50pc and 70pc of their     losses         . But the arithmeti
earlier hopes and of total     losses         on splits , whose c
apital structure and hefty     debt           gearing described a
Committee put investors '      losses         at Pounds 6.5bn , a
sses at Pounds 6.5bn , and     losses         on zeros , or zero
rust and Pounds 7.7m being     paid out       . This is bound to
sed for splits should have     paid           more than Pounds 10
ld Banking Ombudsman for a     mortgage       endowment he said w
4 to cover a Pounds 20,900     mortgage       . The Pounds 32-amo
up windows could leave you     paying         Pounds 500 for a ne
at the term APR relates to     loan           costs , two thirds
e term APR relates to loan     costs          , two thirds are in
hat so many are sitting on     mortgage       endowment policies
endous credit card or bank     debts          seem merely to unde
```

The ledger is such a "dead", or conventional, metaphor that it is a basic tenet of the criminal justice system. For instance, examples of financial sanctions levied as a result of corporate fraud accusations are *settlements* and *fines*. The ubiquitous use of *settlements*, both as a lemma and as a concept, to punish corporate fraud, illustrates that corporate fraud is considered repayable with a suitable (and negotiable) sum of money. The prosecuting and defending parties come to an agreement that settles the defendant's alleged 'debt to society', in a contract and transaction that is both real and metaphorical. The root 'settle*' occurs 465 times in the sub-corpus of 1m words, at a relative frequency of 0.05%. 'Fine', 'fines' and 'fined' occur cumulatively 641 times in this sub-corpus (0.06%). This result, however, also includes the use of 'fine' as an indicator of the status of a good, service or mood, as in: "drinking fine wines" (Brummer, 2004). Nevertheless, both sanctions occur more in the corpus than, for instance, *prison* (*imprisonment*,

Figure 28: Concordance lines for I1.2: Money and debts, unsorted

```
gement fees and irregular    payments      received by Black and othe
ursuit of restitution for    funds         and assets inappropriately
restitution for funds and    assets        inappropriately taken from
taken from the company 's    coffers       and in our efforts to sign
ional' . Black claims the    payments      were approved by the nonex
r concerns were raised by    shareholder   Tweedy Browne . His initia
man . He is still a major    shareholder   but failed to block the bi
r but failed to block the    billionaire   Barclay brothers ' Pounds
to have been paid by the     taxpayer      from the legal aid budget
' statements and proof of    tax           payments . These are meant
atements and proof of tax    payments      . These are meant to show
of 'zero' shares in split    capital       trusts may be compensated
' shares in split capital    trusts        may be compensated for par
otiations . The firms say    investors     may recoup between 50pc an
on splits , whose complex    capital       structure and hefty debt g
sury Select Committee put    investors     ' losses at Pounds 6.5bn ,
losses on zeros , or zero    dividend      preference shares , at Pou
rdeen for its Progressive    unit trust    and Pounds 7.7m being paid
be run by a new company ,    Fund          Distribution Ltd ( www.fun
tise for claims shortly .    Investors     at three splits firms outs
```

imprisoned, as well as *prison*) and *jail** (*jailed*, *jail*), indicating that the penal response to corporate fraud more reported by corporations is financial. The frequency of the reporting of these specific penal strategies suggests that corporate fraud can be offset by monetary payment, despite its great (intangible) cost, or that newspapers prefer to report cases resulting in financial sanctions to imprisonment. This frequency is also in accordance with the fact that financial sanctions are the only sanctions that can reasonably be applied to corporations as a whole. A similar use of the ledger is also apparent in the victim's civil right to sue for compensation. This right allows the victim to ask for a financial award that is supposed to offset the physical, psychological and indeed financial costs of victimisation.

Klockars (1974) does not actually address the fact that the ledger is a basic tenet of the (English) legal system. Instead, he (*ibid*) generally considers situations in which past positive acts are brought up, by the accused, to compensate for the accused's alleged crime (*ibid*). As a related example, Fooks *et al* (2012) mention how actors within British-American Tobacco brought up this company's philanthropic work as a defence of its (legal) routine activities, i.e. making tobacco products. It is difficult to find manifestations of this specific variation of the metaphor of the ledger using corpus linguistic methods, as such arguments are normally more complex than a query in either *Wmatrix* or *AntConc* can accommodate. One example of such a complex metaphor in the corpus is a statement made by Sandy Weill of Citigroup, in which it is argued that corporate philanthropy can, in the eyes of the public, "offset" corporate scandals (Wighton, 2005). The headline for this article, however, is "Weill focuses on donations by companies" (*ibid*), showing no trace of this particular metaphor.

The metaphor of the ledger is indeed found in the corpus in the form described by Klockars (1974). It is also embedded in the criminal justice process; manifestations of this embedding have been presented. Specific metaphor supporting the presumption that corporate fraud can be offset either accommodate or realise, quantification of non-quantifiable acts, aspects and experiences.

7.3. Highlights and Disguises

Metaphors are able to quantify, but they can also be used to highlight and disguise particular aspects of the target domain, depending on the aims of the author. Those aspects that are most pertinent to the party whose point of view is represented are foregrounded and evaluated either positively or negatively, depending on how this party is affected. Less pertinent aspects, or aspects that would undermine the author's aim, are obscured. As such, metaphors have a strong experiential value (Halliday, 1994), as they indicate how the author or speaker understands the world. In many ways, this is similar to Francis's (1986, p.31) concept of the anaphoric noun, in which the particular noun (phrase) used to refer to a previous expression is a strategic choice to foreground "only one aspect of its total meaning". This chapter argues that the aspects foregrounded and evaluated by the systematic metaphors described indicated that developments are generally reported from the perspective of the accused.

As further sections in this chapter point out, the conceptualisation of, for instance, *law* and *tax* as, respectively, constraints and a matter to avoid, highlight

particular aspects, whilst obscuring others. In these two cases, the reasons for doing so are relatively clear. Describing the *law* and *taxes* as constraints and burdens foregrounds negative aspects of these matters and obscures the fact that the *law* serves to protect all members of the community, and that *taxes* can be used to finance, for instance, the NHS, schools and roads. Consider, for instance, the idiomatic 'tax burden', used in: "[t]he rising corporate tax burden" (Watts, 2006). In this example, *tax* is described negatively, without any mention of the positives of *tax.* As such, these systematic metaphors present *law* and *taxes* from the perspective of those who have to abide by them and pay them, rather than from the point of view of those who benefit from *tax* spending and the protection of the *law* (i.e. all of us). The adoption of these metaphors, in particular, appears to favour the perspective of corporations attempting to avoid paying taxes and adhering to the law. As Koller (2004) notes, it is likely that corporate news journalists have taken up these particular metaphorical sets not necessarily because this is how they understand the world (see Steen, 1994), but because they wish to imitate their audiences, which, presumably, consist primarily of business readers (Koller, 2004). Whether business readers of these newspapers use these metaphors because they are systematic beyond the speech community (see Deignan, 2013) and they happen to support these readers' perspective, or whether these metaphors are systematic beyond the speech community of business readers because they have been communicated by business journalists and adopted by readers beyond the business community either to emulate business journalists or business readers is, for me, impossible to establish. What is important, however, is that these metaphors favouring the business perspective exist and are continuously reproduced, as they enable corporate fraudsters to neutralise their crimes.

A further example of how metaphors highlight and obscure particular aspects of the target domain is one in which those people who accidentally or intentionally pass on valuable or damaging information about a company or project are indicated 'leaks'. 'Leaks' are a negative, unwanted result of a structural weakness. This metaphor, therefore, represents the passing on of sensitive information as a negative act. This metaphor acknowledges the fact that these leaks can show that corporations may be involved in questionable activities, but evaluates these revelations negatively rather than positively, as in the following example: "<u>Leak shows</u> Nando's link to network of off shore tax havens" (Leigh, Ball and Haddou, 2014). This example presents the story from the perspective of those negatively affected by the 'leak', i.e. Nando's, rather than from the perspective of

those who are or will be, positively affected by witnessing and receiving this information, such as regulators and, indirectly, *tax* payers.

Metaphors can highlight particular characteristics, whilst obscuring others, and therefore serve to communicate how the author or speaker understands the world. This chapter argues that metaphor can be and have been, used in this way to facilitate the neutralisation of corporate (mis)behaviour.

7.4. Rules Are Constraints

This section argues that the *law* is represented as unnecessarily and unfairly constraining and that this representation neutralises the act of breaking the *law*. It must be noted here that *law, legislation* and *regulations* (and specific legal acts) are all exophoric labels referring to bodies of texts publishes elsewhere. The *law*, *legislation* and *regulations* mark the difference between that which is legal and that which is illegal. Foregrounding particular aspects of these concepts must be done in the co-text of these words, rather than through the choice of label. This section argues that those aspects of the *law* that are foregrounded particularly affect the accused and are negatively evaluated.

As also alluded to in the previous section, the linguistic metaphor that foregrounds the restrictive nature of the *law* is systematic (Cameron, 2010) on a level that goes beyond the speech communities (see Deignan *et al*, 2013) of business journalists and business readers. However, this foregrounding of the restrictive nature of the *law,* which is portrayed as unfair, helps corporate fraudsters neutralise their crimes by drawing on Sykes and Matza's (1957) condemnation of the condemners. The focus is shifted onto the actions of the regulators, thereby also drawing on Thompson's (1980) dispersal of blame. Furthermore, THE LAW IS A RESTRICTION also violates the (implied) need for business freedom, thus giving space to an "appeal to higher loyalties" (Sykes and Matza, 1957). For instance, in "[k]eep business free to innovate" (Armstrong, 2006), the case is made that the Sarbanes-Oxley Act (2002) is so stifling that it would negatively affect almost the entire British economy if it were to be imposed on not just American but also UK companies. This Act requires companies trading in the US to keep track of their finances and makes executives responsible for financial wrongdoing committed by the company. Finally, an argument can be made that the overly restrictive nature of *law* implicitly contributes to Klockars's ledger (1974), thereby offsetting corporate criminal acts.

Law, *legislation* and *regulations*, are not just conceptualised as any constraint, but as a particularly tricky, even dangerous one. Examples of these metaphors include: "[r]isk managers <u>escape</u> FSA insurance <u>regulation</u>" (Treanor, 2004), in which REGULATION IS IMPRISONMENT and: "White House riles unions with push to <u>relax</u> some security laws" (Nasiripour and Demos, 2012), in which LAW IS TIGHT but must be LOOSENED. This idea of the *law* as a tricky, negative constraint is further supported by the fact that it can be described as complex, which makes it difficult to handle, as for instance in: "[w]atchdog admits <u>complex</u> law <u>hampers</u> enforcement" (Tyler, 2005). Similarly, in "London really wants <u>light</u> regulation" (*The Financial Times*, 2006), the weight of *regulation* suggests that it is a burdensome matter, rather than a safeguard against misbehaviour. Whilst the *law* undeniably aims to restrict certain behaviours, the qualities of the *law* foregrounded in these examples are evaluated from the perspective of the accused, portraying the *law* as an obstruction. An alternative point of view, of potential and actual victims, in which *laws* against corporate wrongdoing would serve as a protective constraint, is therefore not acknowledged and indeed obscured.

On the other hand, in "Japan looks to <u>tighten</u> <u>up</u> regulations" (Jopson, 2004), REGULATION IS LOOSE but must be TIGHTENED. This metaphor implies that *regulation* is too slack. This is actually in line with the idea of *loopholes*, which imply that regulators have not been sufficiently careful to ensure that newly created laws are 'watertight'. This finding is in accordance with findings from the Labelling chapter, which showed that regulators are represented as never acting quite right. They are too harsh or too lenient, but never just right.

This systematic metaphor ties in with several techniques of neutralisation. The representation of *laws* as obstructions draws on elements of Sykes and Matza's (1957) condemnation of the condemners, by implying that the *law* is unfair and harsh, or unfair and too lenient. This metaphor also calls into question the motives of regulators. If the *law* in practice obstructs business, then the regulators may have intended for it to obstruct business. The alternative perspective, that the *law* intends to protect the public from corporate excess, is obscured. This is Thompson's (1980) dispersal of blame, as it means that not the accused but regulators are blamed.

The foregrounding of the obstructive nature of the *law* through metaphor furthermore facilitates defences of 'necessity' (Minor, 1981) and 'pursuit of the greater good' (Fooks *et al*, 2012), the greater good being performing well on the *markets* and contributing to the (British) economy. This 'greater good' is made

explicit in: "Korean judges have often imposed relatively light sentences on tycoons convicted of financial offences, citing their contributions to the economy" (Song, 2008). It is also implied in: "The British Chambers of Commerce said the economy was still fragile despite a pick-up in domestic sales" (Verjee and Bolger, 2006), which indicates that sales, which create revenue, are an important factor in the economy. As such, it is implied that corporations should be able to pursue sales and profits, presumably without undue restriction from the *law*.

Fooks *et al's* (2012) paper specifically refers to (implied) necessary business freedoms, which are unnecessarily and 'wrongly' constrained by *law.* Breaking the *law* in the pursuit of revenue and sales means breaking the *law* in pursuit of a greater good (*ibid*). Regulators may be held responsible for creating a situation in which corporations have been affected by legislation and unable to continue as before. The argument that the situation is unnecessarily and indeed undesirably constraining also facilitates a denial of responsibility (Sykes and Matza, 1957) on the part of the accused, as the situation 'forces' them to seek alternative or illegal means of making a profit.

Whilst the conceptualisation of the *law* as an obstruction does not inherently justify breaking it, it does facilitate defences which do not justify but neutralise breaches of the *law* in pursuit of *business.* The metaphorical foregrounding of negative aspects of the *law*, whilst obscuring its positive aspects, casts aspersions on regulators, redirecting blame away from the accused. It shows that business journalists have indeed taken up the perspective of their corporate readers, rather than taking up a critical role, in line with Koller's (2004) findings.

7.5. Tax Is An Obstacle

This section argues that the aspect of *tax* that is foregrounded through metaphor is the fact that it can be considered a burden. As such, the *tax* 'burden' can also offset delinquent behaviour. The portrayal of *taxes* as a heavy, unfair, burden supports a sympathetic and indeed neutralised, interpretation of *tax* 'avoidance' and *tax* 'evasion'. As indicated before, the conceptualisation of *tax* as a burden is systematic beyond the speech communities (see Deignan *et al*, 2013), it again favours the perspective of the corporate reader (see Koller, 2004).

Metaphors that characterise taxation as a BURDEN or HURDLE are conventional and common. The conventional representation of *tax* as a burden is particularly apparent in the related adjective *taxing*. Whilst the etymology of *tax* suggests that the noun has been derived from the verb, which simply means 'to

value' (as in 'valuation') (*OED, s.v. Tax*, v, I.1., 2016), current use of the word *tax* carries a connotation of being burdensome (*OED, s.v. Tax,* v., I.4., 2016). A creative use of the double meaning of *tax* as a verb meaning 'to burden' and *tax* as a verb meaning 'to charge taxation', can be found in: "MPs tax Barclays boss over havens" (Farndon, 2011). The description of *tax* as a burden is also apparent in the use of phrases indicating a reducing of the weight of this burden, as in: "[c]orporate structure would reduce tax on revenues" (Bowers, 2013).

The conventional systematic metaphor of *tax* being an OBSTACLE includes the recurring *tax* 'avoidance', *tax* 'evasion' and *tax* 'dodging'. In the full corpus, 'avoidance' and 'evasion' occur as collocates to *tax* at relative frequencies of respectively 0.74 and 0.45. Examples of headlines including these metaphors are: "[i]t's not wrong to avoid tax" (Giampaolo and Wood, 2012) and: "Credit Suisse 'helped US tax evaders'" (Chon, Scannell and Shotter, 2014). These examples show that *tax* is generally unwanted and that it can be avoided, as though it were an obstacle on a path or journey. Headlines can also indicate the level of *tax*, as in: "Brown raised corporate taxes to finance voter handouts" (*The Financial Times,* 2005) and: "[b]ut London really wants light regulation and lower taxation" (*The Financial Times*, 2006), which also foregrounds the weight/burden of *regulation*. Marking the level of *tax*, as is done in these headlines, again foregrounds the characteristic of *tax* as an obstacle, which can, if too high or too big, be difficult to pass. One way to do so is through 'circumvention', as is indeed done in: "circumvent tax and social security laws" (Tomkins, 2006).

Tax, more specifically the *tax authorities*, are generally represented as a threat to the accused. Those who are accused of *tax* 'avoidance' or 'evasion' are in danger of investigations and prosecution. For instance, in: "Germany's drive against tax evaders strikes at the heart of Swiss bank secrecy" (Sage, 2010), the drive to catch *tax* evaders is wielded as a weapon by Germany, with potentially devastating consequences for Swiss bank secrecy. The *taxman* is portrayed as an aggressive, though not entirely successful, entity, in: "[t]axman's raid on Swiss bank accounts is £2.5bn light" (Mostrous, 2013). Note that 'raid' is also associated with military aggression. This example, therefore, attributes (military) aggression to an already vilified *taxman*. A similar example is: "'[t]he taxman tried to frighten my clients into paying'" (Murray-West, 2011). Other frequent collocations which emphasise the perceived threat of *tax* are *tax* 'haven' and *tax* 'shelter', in for instance: "KPMG warned of 'death spiral' in tax shelter fraud case" (Bawden, 2007) and: "Liechtenstein moves to end years of secrecy as international pressure grows on *tax*

havens" (Stewart and Leigh, 2009). 'Haven*' occurs as a collocate to *tax* at a relative frequency of 0.37, whereas 'shelter*' does so at a relative frequency of 0.06. 'Raid*' is a collocate to *tax* at 0.02. In these examples, *tax* becomes something against which to take cover, as though it is a potential catastrophe.

Finally, the use of the word *loophole,* as in: "Treasury widens 'tax loophole' review to investigate 4,000 posts" (Dixon, 2012), suggests that there are also other ways of circumventing *tax*. However, the word *loophole* tends to be negatively evaluated, implying a slackness in *tax legislation*. As such, the overall description of *tax* is in line with the metaphorical representation of *law*. Both are either unnecessarily obstructive or too insufficiently stringent. This metaphor, therefore, again contributes to a condemnation of regulators.

As with *legislation*, these metaphors foreground particular characteristics of *taxation*. They emphasise that *tax* is unpleasant, and reduces a person's, or company's, freedom to move and act. This characterisation also obscures other aspects of *taxation*, such as the fact that it is a contribution made by all tax payers to support certain important communal services and facilities. By focusing wholly on negatives, any acts by private individuals and companies that serve to reduce *tax* contributions are rendered relatively unobjectionable, if not actually condonable. Efforts by politicians to reduce the *tax* burden are, by extension, not acts that reduce the funds available for investment in certain important communal services and facilities but acts that are to be applauded.

This systematic metaphor of tax as a burden serves generally to neutralise corporate fraud. It employs an alternative version of the metaphor of the ledger (Klockars, 1974), in which having suffered prior to committing criminal acts offsets these offences. As the payment of *taxes* is considered such a burdensome task, *tax*-reducing strategies, such as criminal *tax* evasion, would offset some of this burden. Furthermore, through the employment of the metaphor of TAX IS A BURDEN, the actual impact of *tax* 'avoidance' and *tax* 'evasion' is diminished, resulting in a 'denial of injury or harm' (Sykes and Matza, 1957). This characterisation does not condone *tax* fraud per se but, nonetheless, supports a sympathetic and neutralised interpretation of this type of corporate wrongdoing.

7.6. The Consequences of Fraud are Messy

This section argues that newspapers tend to metaphorically represent cases of corporate fraud as *messes*. *Mess* refers generally to the aftermath of cases of corporate fraud, and is, therefore, a label (see Francis, 1994). The choice of *mess*

as a source domain is strategic (see Francis, 1986), as it negatively evaluates the consequences of corporate fraud. As this metaphor, again, follows the perspective of the accused rather than the public, it is again indicative of business journalists' tendency to take up the metaphors employed by their corporate readers, rather than challenge them (see Koller, 2004).

Various examples of this metaphor can be found in the headline corpus, such as: "[t]he irony at the heart of the BoE's role in the Libor <u>mess</u>" (Giles, 2012) and: "BA to Virgin: a fine <u>mess</u> you got us into" (Russell, 2007). Both of these headlines indicate their respective cases of corporate wrongdoing explicitly as a *mess. Mess*, in these examples, is a label (see Francis, 1994) referring to the situation of being accused of, and investigated for, corporate fraud. The choice of noun (see Francis, 1986) / source domain (Lakoff and Johnson, 1980) evaluates this situation negatively, suggesting that these metaphors follow the perspective of the accused corporations. The alternative point of view, that investigating Libor-rigging and BA and Virgin's alleged cartel may have positive consequences, is ignored.

Mess, tagged O4.2- ('appearance: ugly'), in 100% of its occurrences in the sub-corpus, is used metaphorically to describe a complex, negatively evaluated financial situation. In fact, the majority of uses of lexical items tagged O4.2- (and O4.2---, 'monstrosities'), are metaphorical, indicating situations and characteristics that reflect badly on, or affect negatively, these corporations. Figure 29 shows 20 concordance lines for this semantic category (of 441). Note that these concordance lines include the word 'mark', which is not used to negatively evaluate an appearance, but is used to marked that something has been 'marked'. The remainder of words in this category, however, are negative evaluations, drawing on the source domains of aesthetics and sensations.

In BA's accusation that Virgin "got" them "into" "a mess" (Russel, 2007), Virgin is only represented as responsible for finding the mess and dragging two companies into it, rather than (co-)creating it. The example of the 'Libor mess' (Giles, 2012) does not relate to the BoE as the actor behind actual acts of fraud, but as a (failing) respondent to the banking crisis. Regulators and other authorities are in general, as established in the chapter on Labelling, held responsible for corporate fraud, by, for instance, creating overly restrictive laws that force corporations to find illegal ways of making a profit. As such, this specific metaphor is an example of Sykes and Matza's (1957) denial of responsibility for the actual crime.

Another related metaphor actually does indicate who is responsible, at least partially, for creating a *mess*. "Giving the FSA more power will only further <u>muddle</u> the financial system" (Fletcher, 2009) suggests that by simply waiting, rather than giving the FSA more power, matters will eventually settle. The implication is that regulators are at least partially responsible for an undesirable situation, thereby 'condemning the condemners' (Sykes and Matza, 1957). This example also supports the hypothesis that *mess* does not indicate corporate fraud itself but the backlash following allegations.

The use of metaphor such as *mess* evaluates the backlash following cases of corporate fraud negatively, following corporate interests (see Koller, 2004). The metaphor of THE CONSEQUENCES OF FRAUD ARE MESSY furthermore either blurs the responsibility for these cases, or blames regulators instead.

Figure 29: Concordance lines for O4.2- (Appearance: ugly), unsorted

```
ure of those who have fallen    foul          of the time bar f
of adding to the chaos with     muddled       rules . Financial
could have been wider of the    mark          , as shown by the
s over time . ' The RSA sale    marks         the company 's vi
e overexcited . But even the    dismal        scientists think
good . Those with a question    mark          over their prowes
wig Christopher Dickson , is    running down  its caseload befo
tructure' . But he saved his    harshest      criticism for the
rks which they describe as a    mess          . In a recent rep
s and boxes that contained a    dirty         secret . Inside w
reases the rate if any black    marks         appear . Yet lend
file which might uncover any    nasties       . If your broker
is no risk to health and the    tainted       taste is a qualit
ject to the recall . <TITLE>    UNBEARABLE    </TITLE> Consumer
stress and anxiety has been     unbearable    , ' says Rebecca
pments have revealed serious    imperfections in the functionin
rities would eventually turn    nasty         . Investors who p
gs accounts . But there is a    nasty         trap for the unwa
nge towards the 1 pc or 2 pc    mark          before tax . But
.. Making no difference FULL    marks         to the Financial
```

7.7. The Consequences of Fraud are a Disaster

This section argues that labels (see Francis, 1994) borrowed from the semantic domains weather and geography are used, much like the semantic domain of *mess*, to evaluate developments that the accused will find undesirable, but will not always be evaluated similarly from the perspective of, for instance, the public (see Koller, 2004). Furthermore, presenting situations as natural disasters obscures or denies, responsibility for acts of fraud. Meteorological and geographical terms occur, respectively, 218 and 1256 times in the sub-corpus. These topics are somewhat

unexpected (Koller *et al*, 2008) as a topic in a corpus of corporate fraud news, given that the topics of weather/geography and financial crime are not naturally related.

Specific examples of bad weather and natural disasters that are found in the headline corpus include: "BA 'dirty tricks' storm'" (McGhie, 2006), "[g]athering storm over 'secret' bailout for failed event" (McIntosh, 2010) and: "UBS emerges leaner amid turbulence" (Murphy and Simonian, 2011). Specific examples of geological phenomena used as metaphor include: "[s]hockwaves from loss spread across the markets" (Neville and Treanor, 2012) and: "Galleon chief faces wave of insider trading evidence" (Clark, 2009). 'Storm' and 'turbulence' are tagged as the semantic domain W4, 'weather', which occurs in the *Wmatrix* corpus at a relative frequency of 0.02. Lexical items tagged W4 are used metaphorically at a rate of 68.81%, generally to indicate consequences to corporate acts. These metaphors evaluate these consequences negatively. A notable exception is the metaphorical use of the item 'cloud', indicating shared online data storage. See Figure 30 for a selection of 20 concordance lines (of 218) for W4.

Figure 30: Concordance lines for W4: Weather, unsorted

```
n 2005 , he adds . While the    flurry       of cases is to
LE> US stocks edged lower in     choppy       trading yester
anks and brokerages became a     barometer    of what might
r ; and Japan was helping to     flood        world markets
hey got carried away by this     wind         of savings to
particularly in the current      climate      , that
But in the current business      climate      , it is
t , which wants to clear the     clouds       from the scand
ention , in today 's febrile     climate      , political -
elf like a fat man braving a     blizzard     in ballet shoe
s , Ms Cole said the current     flurry       of cases refle
essage as " shrill " and a "     snowstorm    " . News Corp
TLE> UBS emerges leaner amid     turbulence   </TITLE> Sergi
rading against severe market     turbulence   caused by the
hose final notices should be     scorchers    . The question
for EISs has been met with a     flurry       of launches in
9th in its global corruption     barometer    . " There are
we get things wrong " amid a     blizzard     of aggressive
itizens . Build a European "     cloud        " Neelie Kroes
s to create a homegrown data     cloud        server busines
```

What these examples have in common is that they all negatively evaluate developments that are undesirable to the accused. For instance, in "[g]athering storm over 'secret' bailout for failed event" (McIntosh, 2010), it is the backlash over the bailout which is evaluated negatively. Similarly, in "[s]hockwaves from loss spread across the markets" (Neville and Treanor, 2012), the fallout of losses is

equated with an earthquake or explosion. Note that in this specific example, the *markets* are affected, which has in the previous chapter already been established as a negative, unwanted consequence of cases of corporate fraud. The negative evaluation of these events extends to describing them as threatening, as in "Galleon chief faces wave" (Clark, 2009). This representation of events makes it difficult to argue that they may have positive or neutral, effects as well. For instance, the backlash over a bailout, described as a "[g]athering storm" (McIntosh, 2010), may result in more effective legislation relating to when a bailout is appropriate. Yet this backlash is presented as though it is generally undesirable.

Furthermore, representing *banks*, *markets* and *Galleon's* chief as victims of, and threatened by, BAD WEATHER and NATURAL DISASTERS, works to increase sympathy for their predicament. As such, this metaphor also appeals to higher loyalties (Sykes and Matza, 1957), particularly the defence of necessity (Minor, 1981), as the threat of potential disaster may neutralise, if not legitimise, a wide range of corporate responses. The imperative is for corporations to survive and thrive, meaning that, much as has been implied by the restrictive and obstructive nature of *legislation* and *tax*, strategies for doing so are neutralised. Again, this is indicative of business journalists' uptake of metaphors that are presumably commonly used by business readers (Koller, 2004), as these metaphors favour the corporate perspective.

It must also be noted that no one can generally be held responsible for disasters and the weather. As such, by describing these developments as such, the responsibility for them is obscured, thus effectively denying responsibility (Sykes and Matza, 1957). It is not acknowledged who, for instance, is "flooding the markets with bad news" (Litterick, 2008), nor is it acknowledged that BA and Virgin are responsible for the "storm" that BA finds itself in (McGhie, 2006). This lack of a responsible party also makes these events more threatening, adding to their perceived danger.

The aftermath of cases of corporate fraud is described as 'bad weather' or a natural disaster. As such, this aftermath is negatively evaluated by the standards of corporate interests. Furthermore, the responsibility for this aftermath is obscured, following Sykes and Matza (1957).

7.8. Investigations Are Battles

This section asserts that *investigations* are represented as BATTLES, almost like WARS, in which regulators and investigators are the aggressors and the accused are defenders. The most applicable techniques of neutralisation are then the condemnation of condemners, the appeal to higher loyalties (Sykes and Matza, 1957) and the defence of necessity (Minor, 1981). As in the previous two sections, the choice of a particular noun phrase from a particular source domain, used as an exophoric reference, is strategic (Francis, 1986; Lakoff and Johnson, 1980; Halliday, 1994).

Figure 31: Wartime recruitment poster (Field, 1914)

An example of a headline explicitly representing the relation between investigators, regulators and the accused, as a WAR, is: "[t]he global tax <u>war</u> needs you" (*The Guardian,* 2012). This particular headline not only represents attempts to curb *tax* 'avoidance' or 'evasion' as WAR. It also employs intertextual strategies by referring to wartime recruitment posters for the armed forces. These strategies include the poster displayed as Figure 31, designed at the start of the First World War. Two things must be noted here: the first, that this intertextual and metaphorical strategy characterises global *tax* 'avoiders'/ 'evaders' as the enemy; the second, that this is a headline from *The Guardian and* generally an exception, since headlines from other papers are not nearly so sympathetic to those 'battling' *tax-* and other forms of corporate fraud. Other examples painting investigations and regulatory attempts as WAR include: "[b]<u>attle lines</u> drawn over SEC-Citi deal" (Scannell, *The Financial Times*, 2011) and: "[m]is-selling <u>battle</u> over rates swap hit" (*Mail on Sunday,* 2014). These headlines simply note that a BATTLE is occurring, without a call to arms for either side of the fight.

In over two-thirds of headlines that explicitly refer to watchdogs as involved in a metaphorically violent or war-like act or event, watchdogs are indicated as the aggressors and corporations as defenders, as in *The Guardian* headline. The implication is that this aggression is negative, as in: "JPMorgan has made itself a target for regulators" (Gapper, 2013) and in: "Banks face invasion by Brussels 'spies'" (O'Sullivan, 2010). In select cases, the investigators are even represented as countries or generals recruiting for war, with their employees (or, in this particular

example, an anthropomorphised computer program) as soldiers: "SEC <u>enlists</u> Robo-accountant <u>in</u> <u>battle</u> <u>against</u> company fraud" (Jones, 2013).

As such, these metaphors add a military connotation to INVESTIGATIONS. By extension, regulators and investigators are (overly) hostile and their methods are (overly) damaging. These metaphors also offer room for neutralisations on the part of the accused corporations. These include the defence of necessity (Minor, 1981), which is for instance used in: "mutual investors could not survive the effects of the new rules" (Hunter, 2004), creating a life-or-death situation. These also include an umbrella technique of neutralisation, the appeal to higher loyalties (Sykes and Matza, 1957), which can also include the defence of 'for the good of the cause' (Fooks *et al*, 2012). The representation of regulators and investigators as the aggressors is a very straightforward condemnation of the condemners (Sykes and Matza, 1957). An alternative interpretation of this systematic metaphor is possible. This interpretation posits the cause of investigators and regulators as a worthy one for which to fight. The next chapters will show that the more accurate interpretation is that INVESTIGATIONS ARE BATTLES in which regulators and investigators are considered (unreasonable) aggressors.

The series of events following accusations of corporate fraud is generally represented negatively, to the extent of being portrayed as a BATTLE or WAR. This foregrounding of negative aspects serves to increase sympathy for the accused, thereby also condemning the condemners (Sykes and Matza, 1957).

7.9. Business Is An Aggressive Competition

The notion that BUSINESS is competitive is one of the basic tenets of the free market, and is therefore likely reproduced by business journalists, following Koller (2004), as evident from the metaphors BUSINESS IS WAR and BUSINESS IS SPORTS. These metaphors are, as shown in this section, often realised through nouns and verbs that reference, both endo- and exophorically, acts of communication. Through the use of source domain, these acts are portrayed as aggressive, even if they are not. Again, it is irrelevant whether this source domain was used because the author of the text genuinely understands the world in this way (see Steen, 1994), or because they wish to signal their membership of a particular discourse community (see Koller, 2004), or because they wish to invite the reader to perceive these acts in such a way (see Francis, 1986; Koller, 2004). These linguistic metaphors highlight the corporate experience of feeling under threat and constantly having to 'fight' for 'survival'. They can also serve to excuse certain crimes, using the defence of

necessity (Minor, 1981), implying that the imperative to survive and flourish, as a company, is paramount. As Koller (2004) shows, both source domains are extremely common in business reporting. In fact, 8.03% of headlines feature metaphors drawing on violence and war to evaluate actions that affect the institutions in my corpus.

Richardson (2007, p.67), when noting the characterisation of WAR, mentions the inverted systematic metaphor WAR IS BUSINESS. The fact that BUSINESS and WAR tend to co-occur, at least in metaphor, suggests that they are inextricably linked. Examples of metaphorically violent confrontations in business, between business parties, are: "M&S Chief attacks Goldman" (Pretzlik, 2004) and: "[i]nvestors hit Tesco with legal action" (Sunderland, 2014). Furthermore, functions in the corporate hierarchy bear titles with military connotations, such as the *chief* and various *officers.*

The semantic category 'warfare, defence and the army' appears 1,357 times in the sub-corpus, which is a relative frequency of 0.15%. Other relevant semantic categories are 'violent' (2007, 0.22%) and 'damaging and destroying' (1403, 0.15%). Both 'violent' and 'damaging and destroying' occur at a significantly higher frequency in the corporate fraud sub-corpus than in the BNC Written Sampler (at relative frequencies and LL ratios of respectively 0.17, 50.72, and 0.08, 182.03). However, the corpus of corporate fraud news does not directly describe violent forms of crime. Nonetheless, the semantic categories of 'violent' and 'damage' occur frequently and are indeed statistically significant. Figure 32, which displays 20 concordance lines for G3 (of 1,356), shows that whilst the semantic domain for warfare includes many non-metaphorical items, i.e. items that refer to actual military organisations and events, and (20 concordance lines each of, respectively, 2,006), show that the 'violent' and 'damage' domains are used to negatively evaluate matters that negatively affect the accused (although the latter domain also includes the word 'victim').

Figure 32: Concordance lines for G3: Warfare, defence and the army, unsorted

```
d probe </TITLE> GARDA have      raided        the offices of
ents were seized during the      raid          . Five former
's IFSC office , which was       raided        on Tuesday ,
ends Provident . One of its      officers      handled the ca
big bank had a prop desk .       Armed         with the compa
as profitable , it was also      incendiary    . It caused da
, are sucking money out of       frontline     public service
se , while at the same time      invading      our privacy .
es , and wards described as      war zones     , the Mid Staf
ard Broadbent , is ready to      capitulate    following an i
in May in a series of dawn       raids         in London and
ather served in the Chinese      army          in the 1931-45
Chinese army in the 1931-45      war           with Japan bef
a target for Mao 's brutal       army          as they seized
o was said to have secretly      shot          a video of the
, the chateau is now Gou s        fortress      in the West .
affairs . And this week 's       spy           spat with the
ar-old Anastasia Baburova ,      gunned down   in broad dayli
in the case of fugitive KGB      officer       Alexander Litv
about the Kremlin 's rusty       arsenal       and shambolic
```

A second metaphor that can be placed under the heading of BUSINESS IS AN AGGRESSIVE COMPETITION is BUSINESS IS SPORTS. SPORTS, as a semantic category, is not significant but does occur 644 times, at a relative frequency of 0.07%. As Figure 35, displaying 20 (of) concordance lines for the semantic category K5.1, Sports, shows, many of these instances refer to actual sporting events and actual sports, but some are also metaphorical. Examples of this metaphor include: "[j]udge plays hardball with SEC and BoA" (Quinn, *The Financial Times,* 2009), taken from baseball; "Witty comes out fighting in GSK's corner" (Ward, *The Telegraph,* 2014) and: "Abraham takes the gloves off" (Dolan, *The Telegraph,* 2004), the latter two both taken from boxing. Note that two of these examples, "[playing] hardball" (Quinn, 2009) and "[taking] the gloves off" (Dolan, 2004) are both indicators of the particular game being played turning, or inherently being, especially competitive or aggressive. Much like WAR, SPORTS then serve to illustrate the seriousness of BUSINESS. Furthermore, like BUSINESS IS NOT A GAME, SPORTS shows that the rules must be obeyed.

Figure 33: Concordance lines for E3-: Violent/angry, unsorted

```
ral Eliot Spitzer 's latest    assault        . His target
when Norwich Union sparked     outrage        by unveiling
that the endowment will not    hit            its target ,
Lifeline for Pearl </TITLE>    BATTERED       life insurer
33/4p , BP 121/2p to 440p ,    hit            by fears tha
s of this code of conduct .    Retaliation    against empl
rip-offs </TITLE> BANKS are    hitting        customers wh
sising how badly this would    hit            the income t
Fed meeting calmed fears of    aggressive     US interest
ow look at them . They were    aggressively   sold down to
top job at AIG </TITLE> THE    turmoil        at American
f Evan Greenberg , the more    abrasive       of Hank Gree
thout someone giving them a    kicking        be it Legal
renched that it is only the    threat         of a radical
or is the ability to create    mayhem         . McCarthy c
oss the Atlantic to see the    turmoil        that New Yor
biggest cases of financial     abuse          . If re-elec
capitalism works . <TITLE>     Furious        King fires b
is it is almost as daft to     pick on        women as it
<TITLE> Beware : endowment     turmoil        </TITLE> Dea
```

The metaphor of BUSINESS IS AN AGGRESSIVE COMPETITION suggests that the competition between corporations is perceived as an aggressive, even threatening, situation. Sykes and Matza (1957), suggest that the accused or delinquent may perceive him-, her- or itself as a "billiard ball", propelled not by their own decisions but moved by external forces. This perception allows the delinquent to deny their responsibility (*ibid*). The implication of this self-perception is that if competition in the *market* is tough, then the accused must do whatever is necessary to either win or 'survive'. This technique also relates to Minor's (1981) "defence of necessity", which suggests that the accused had no choice but to commit their alleged crime. Steen (1994, p.4) similarly points out that WAR-metaphors excuse most behaviours: "[I]f football is war, then almost anything is allowable to attain the goal of victory".

Figure 34: Concordance lines for A1.1.2: Damaging and destroying, unsorted

```
er recent disasters that have  destroyed      nest-eggs nationwide
dowment policies , which have  crashed        in value . Endowment
had hundreds of letters from   victims        of the endowment sti
nds 1 billion compensation to  victims        of endowment mis-sel
e time that this would not be  harmful        because most compani
urther breaches . The company  broke          its own rules on the
at new accounting rules would  slash          profits . Indeed , 2
mber of companies . BID talks  collapsed      within three hours a
powers to force the banks to   slash          the fees , possibly
tself , but the manner of her  destruction    of her rivals confir
ergat ( world record holder )  falling apart  in the last few mile
ls as Pounds 1bn BCCI lawsuit  collapses      </TITLE> BANK of Eng
ght by the liquidators of the  collapsed      Bank of Credit and C
' after the case dramatically  collapsed      yesterday . King , w
as auditor and adviser to the  collapsed      MG Rover is a positi
the causes of the carmaker 's  collapse       in June . Nonetheles
that even if you were sold a   rotten         investment years ago
ly , they can be subjected to  ruinous        and humiliating pre-
ld Gaming , is close to being  bust           , and PartyGaming ha
d the tourist industry not to  rip            off the Ryder Cup cr
```

Figure 35: Concordance lines for K5.1: Sports, unsorted

```
 a gamble is just a zero sum   game           . You either win or ,
travelling in America . The    game           is now over . But unli
Disciplinary Scheme it is a    race           against time . With th
Do n't fleece fans </TITLE>    SPORTS         Minister John O'Donogh
rged that some of Ireland 's   golf courses   are hiking their fees
ect those in the industry to   exercise       restraint . ' Labour '
cise restraint . ' Labour 's   sports         spokesman , Jack Wall
n Sunday , in a team bonding   exercise       which stars Tiger Wood
Ryder Cup package a round of   golf           , dinner and commemora
the usual E165 for a weekday   game           at the course . Hotel
ts the rules and watches the   game           flow unless those rule
myself . I needed someone to   field          phone calls from prosp
has missed Ofwat efficiency    goals          by millions of pounds
1131/2p . PG recently bought   sports         betting group Gamebook
them being just a marketing    exercise       . We will be told Brit
f focus is still Scardino 's   goal           then there must be que
nline services - both worthy   goals          . The company points t
was designed to be more user   friendly       . Yet it drew fierce c
modest . <TITLE> SECOND JJB    SPORTS         DIRECTOR SUSPENDED </T
has been suspended from JJB    Sports         as the retailer wrestl
```

The idea that BUSINESS IS WAR and BUSINESS IS SPORTS diminishes the accused's responsibility for their alleged crimes by drawing on the defence of necessity. Note that this metaphor foregrounds the competitive aspect of BUSINESS, obscuring, for instance, the alternative perspective that BUSINESS could be cooperative.

7.10.   Business is a Game

This section includes specific metaphors like BUSINESS IS A GAME and BUSINESS IS GAMBLING. Reporters draw on the serious connotations of these source domains (risky), rather than on the more pleasant associations (carefree and fun) to emphasise the dangerous and complex side of business. In other words, these metaphors are related to the metaphors in the previous section, which portray business as an aggressive competition.

GAMES occur in this corpus at a raw frequency of 150 (0.02%). The concordance lines for this semantic domain are in Figure 36 (showing 20 concordance lines of 150 of the semantic category K5.2, Games, which primarily refers to gambling and football, both actually and metaphorically) and Figure 37 (showing 20 concordance lines of 110 of the semantic category K6, Children's games and toys, mostly metaphorically used). When compared to the BNC Written English Sampler, the sub-corpus of corporate fraud includes a significantly larger number of semantic items relating to games, at a log likelihood value of 34.87. As the log likelihood threshold for statistical significance $p < .05$ is at 6.63, this prevalence of game-related semantic items is highly significant indeed.

Figure 36: Concordance lines for K5.2: Games, unsorted

```
as it distanced itself from "   casino          banking " in
ehind the bike sheds " playing  chess           or doing Rubi
d , the regulator was promptly  trumped         by Charles Ri
ravel business , and the Parma  football club   are still for
he federal agency would spur a  domino          effect , lead
e risk . Gaming VC , an online  casino          operator , ga
rtainment , Britain 's largest  computer        games company
re of a major firm to create a  domino          effect across
a long way and pragmatism now   trumps          purity . It '
er whether he would be able to  juggle          it with his o
haircut , a poker lesson for a  chess           lesson . I su
ative Investment Market as " a  casino          " . Quoted ou
e could be nothing more than a  casino          . " I prefer
ank 's business interests were  trumping        its complianc
riend with whom he founded the  casino          group . Wynn
where he is seeking to build a  casino          resort of his
s that inside knowledge of the  casino          business help
reaping its benefits by asking  casinos         in neighbouri
jing to sustain his profitable  casinos         in Macau , bo
of his money through his Macau  casinos         . A spokesman
```

The systematic metaphors of BUSINESS IS A GAME and BUSINESS IS GAMBLING highlight the risks of doing business. For instance, in "[m]anipulating markets is a dangerous game" (Plender, 2004), corporations are implicitly warned to

take precautions when manipulating markets. The implications of: "[p]lay fair on petrol prices" (Groves, 2011) and: "[t]ax cheats owe pounds 14bn" (*The Mirror,* 2004) appears to be that if one is to consider BUSINESS a GAME, then at least one also has to 'play by the rules'. It is, however, unclear what these rules precisely are. Headlines such as: "Barclays boss to axe casino bankers" (Duke and O'Connell, 2012) and: "UBS fined £8m over gambling with clients' cash" (Ebrahimi, 2009) imply that risk-taking behaviour can go too far, tipping the scales from taking a calculated risk to reckless gambling. As implied by both BUSINESS IS WAR and BUSINESS IS A GAME, one must be serious when doing any sort of business, including having well-informed and 'fair' strategies, rather than allowing chance to dictate the outcome.

The use of metaphors relating to childhood games, such as in "[s]top playing Hide and Seek on rates" (*The Daily Mail*, 2014) implies that people in the corporate environment do not always take business seriously. The metaphor itself is that BUSINESS IS A Game. However, in this particular case, the use of an imperative to stop condemns this particular attitude.

Figure 37: Concordance lines for K6: Children's toys and games, unsorted

```
Rumours that a private equity        player        will bid for Fin
as already become an important       player        lending to Afric
eatment for minor falls in the       playground    , while children
n Jobs , as the most important       player        in Apple 's rise
artered each year , as a major       player        in the global fi
ers and giving the established       players       a real run for t
ers with their stores on every       roundabout    and the inexorab
dit cards , two of the biggest       players       in the market fi
idates , we will be one of the       players       . We want to mak
e it gave BSkyB - the dominant       player        in the pay-TV ma
oms watchdog , once additional       players       enter the market
mers . Sky has always been the       playground    bully of the pay
Ashley is a professional polo        player        . Rake himself p
were jokes about Portsmouth 's       players       thinking they co
" It will take a long time to        play out      . '' The credit
cession and we 're seeing that       play out      in a very early
nal density that both of these       players       have achieved as
o figures from one of the main       players       in the market ,
does not allow for enough new        players       to join the mark
. As a result , Aberdeen will        leapfrog      the 200-year-old
```

The notion that BUSINESS IS A GAME is fully in line with the metaphor that suggests that BUSINESS IS WAR. Both suggest that business is a competition, but one that is aggressive and therefore must be taken seriously. The representation of BUSINESS IS A COMPETITION pits corporations against one another. If this competition is lethal, as it is in the case of WAR, various normally unacceptable tactics become comparatively more acceptable. However, it is imperative that the various

participants in BUSINESS take the process sufficiently seriously and 'play fairly'. This means that whilst regulators and investigators are normally held to a very high, in many cases impossible, standard, the accused are not cut unlimited slack.

7.11. Chapter Summary

The function of this chapter is to offer further support for the argument that corporate fraud is neutralised. Specifically, this chapter argued that the metaphors used in the corpus of corporate fraud also serve as techniques of neutralisation, with particular reference to the metaphor of the ledger and to defences of necessity.

The choice to examine metaphor is supported by Fairclough (1991; 2015), Jeffries (2007; 2010), Richardson (2007); Steen (1994), Koller (1994), and Halliday (1994), as "the people who get to impose their metaphors on the culture get to define what we consider to be true" (Lakoff and Johnson, 1980, p.160). Metaphors favouring the perspective of one group that become, or are, systematic on a level beyond the discourse community (see Deignan *et al*, 2013) are therefore particularly important. In this sense, examining the metaphors used by newspaper writers is imperative. Koller's (2004) finding that business journalists tend to adopt the metaphors of their business readers, rather than adopt a more critical perspective, is, then, somewhat concerning. Whilst the use of linguistic metaphor may be unintentional because the author genuinely holds this conceptual metaphor (see Steen, 1994), it may also be intentional, for instance to signal membership of a particular community (see Koller, 2004), or to invite readers to understand a particular matter in a particular light (see Francis, 1986; Koller, 2004). In other words, metaphor 'choice' is not unlike word 'choice' by Halliday (1994, p.341); Jeffries (2010, pp.20, 44), and Fairclough (2015, pp.136-7).

In order to examine metaphors, a headline corpus of 4,247 headlines (41,594 tokens) has been manually assessed. A second sub-corpus, consisting of a random sample of about 1m tokens, has been created to facilitate a computational method. The value in these combined corpora lies in the fact that they offer the ability to use a qualitative approach as well as a quantitative approach. These methods are complementary, ensuring that the findings presented in this chapter are both reliable and generalisable to the full corpus. These findings are also a good starting point for examining metaphors in the full corpus, using concordances and collocates.

The systematic metaphors examined in this chapter generally highlight and evaluate particular characteristics of a concept from the point of view of the accused

corporate parties, in line with Koller's (2004) findings. This perspective increases sympathy for their position. The fact that, for instance, *tax, legislation* and the backlash following accusations, including *investigations,* are evaluated negatively potentially adds to the accused's ledgers, serving to pre-emptively negate the harmful impact of their alleged crimes.

The accused are under constant threat from both regulators and other corporations. When corporations are up against *watchdogs*, their competition is WAR. *Watchdogs* are the aggressors, whilst corporations defend. This metaphor increases sympathy for the defenders and paints their strategies as necessary. The competitions are likewise WAR-like when a corporation is up against another corporation and in these cases, defence and offence strategies, which may include fraud, are equally necessary.

Furthermore, the findings that *legislation*, *taxes* and *investigations* present a heavy, unfair burden and even danger, to the accused by limiting their ability to compete also serves to condemn the condemners (Sykes and Matza, 1957), such as regulators and investigators.

There is, however, condemnation of those corporations that approach BUSINESS as though it were a GAME. In particular, those among the accused who break the 'rules' and affect the *market* are condemned, showing that whilst there is a lot of scope for the accused to find excuses for their wrongdoing, they are not granted an unlimited freedom to do as they please without consideration of the effects on the *market* or other corporations.

Overall, the implication is that there is a strong sense of fairness and reasonableness that privileges companies and is actually at odds with the law. Both regulators and the accused are expected to indeed act both fairly and reasonably, according to this sense of fairness and reasonableness, in pursuit of a presumed common goal of general economic success. Regulators are uniformly condemned when not regulating and investigating within reason or with reasonable force. Similarly, corporations are condemned when behaving unfairly toward other corporations or when affecting the *market.* On the other hand, they are excused for illegitimate behaviour when this behaviour can be attributed to the prior actions of the regulators, in the sense that *regulation* may be described as too restrictive and *taxation* as too obstructive.

The main systematic metaphors in these corpora serve to neutralise the impact of corporate fraud. The neutralisation effected by the metaphors presented in

this chapter includes denying responsibility (Sykes and Matza, 1957), dispersal and transfer of blame (Thompson, 1980), denying injury (Sykes and Matza, 1957), and condemning the condemners (Sykes and Matza, 1957) by painting them as overly aggressive. These neutralisations also include appeals to higher loyalties (Sykes and Matza, 1957) through defences of necessity (Minor, 1981). The next two chapters offer further support for the interpretation that the language of corporate fraud reporting neutralises acts of corporate fraud.

Chapter 8.   Agency

This chapter analyses transitivity in the corporate fraud news corpus to establish the represented agency of those who have (allegedly) committed, fallen victim to or responded to cases of corporate fraud. The overall finding is that acts of fraud are neutralised, as the accused are absolved of responsibility, whilst accusers, investigators and regulators are represented as affecting the accused by creating legal challenges. This means that those whose formal role is to facilitate the condemnation of the guilty are condemned, instead of the accused.

As indicated in chapter 4, I draw on a simplified adaptation of Halliday's SFL. Rather than use Hallidayan terms such as 'actor' and 'goal', I instead consider subjects and objects, and whether these subjects are in passive or active sentences. I also do not examine process types. *SketchEngine*'s word sketch function has been used to examine how frequently each lemma occurs in the corpus as a subject and how frequently as an object. *SketchEngine* enables the generation of the concordances of phrases, for which CQL queries have to be entered. Using this facility, it could be determined how often these subject lemmas occurred in a passive construction, using the CQL query [lemma=" "] [tag="V.*"]{0,1} [tag="VB.*"] [word=".*d" & tag="V.*"]. This query includes 'have been [verb]', 'were being [verb]', 'was [verb]', 'is [verb]' and other variations on passive sentences constructed using 'to be'. The queries for passive constructions were run twice, with the second run adding [{0,4} [word="by" & tag="IN"] to indicate how often these passives included an agent within six words to the right of the final verb, as in: "[t]hese companies have been criticised by the Financial Services Authority" (Thornhill, 2004). In this example, the target noun *companies* is followed by a variation on 'to be': 'have been'. This is then followed by another verb, ending in -ed: 'criticised', indicating a passive. Finally, the inclusion of the preposition 'by', as the first word to the right of 'criticised', indicates that this is not an agentless passive but an agentive one, the agent being the *Financial Services Authority*.

These methods indicate, at best, estimations and broad indications of the frequency of passive and active sentence, since, for instance, passive sentences can also be created in different ways, which cannot be found using CQL queries without producing substantial amounts of false positives. For instance, I have not queries 'to get [verbed]', due to its tendency to produce false positives. This is not to say that the CQL query that was eventually used does not also produce false positives, but there are substantially fewer of them. I initially also examined results that relating to prepositions that were pre-identified by Halliday (1994, p.163).

However, this method proved unreliable, as it cannot identify transitivity patterns which use either non-typical prepositions or no prepositions at all. This means that no real conclusions could be drawn from that method, other than 'in X instances, the noun Y is preceded by preposition Z'.

This chapter first establishes the grammatical / transitivity averages of the corpus of corporate fraud news, by examining the average normalised frequencies of each particular grammatical function. Subsequently, the grammatical / transitivity patterns for each set of participants and circumstances in acts of corporate fraud are examined in detail.

8.1. *Statistics for the Full Corpus*

This chapter analyses transitivity in order to examine the agency of the parties in the corpus and the grammatical roles of cases and places. It argues that cases of corporate fraud are played down and that the accused are generally absolved of responsibility, whilst the accusers and investigators / regulators are represented as actively causing legal consequences for the accused. This section shows the overall results for the corpus so that the comparison of the results for each noun category to the rest of the corpus is clear.

Using the methods outlined in chapter 4 and in this chapter's introduction, the following results have been generated for the corpus:

1. Relative frequency of subjects: 27.39%
    1.1. Of which are passive: 6.64%
        1.1.1. Of which include an agent: 29.02%
2. Relative frequency of objects: 19.91%

These results were generated using the methods outlined in chapter 4 and then averaged for the full corpus. The spreadsheets detailing these results for each target noun are available for consultation on the accompanying CD-rom. These results show that, according to *SketchEngine*, more than a quarter of all target nouns take the subject position, primarily in active sentences as, also according to *SketchEngine*, only 6.64% of sentences are passive. The fact that agents are included in 29.02% of passives (identified through the use of the preposition 'by') indicates that those affecting others are, in some cases at least, explicitly identified. This chapter assumes that those identified as agents are those affecting the subjects of passive sentences. Fairclough (2015, p.141) writes that

> agentless passives (...) leave causality and agency unclear. In some cases (...) this may be to avoid redundancy, if that information is already given in some way. In other cases, it can be obfuscation of agency and causality.

In other words, when a target noun is the subject of an agentless passive, agency is obscured, thereby diminishing or even denying the responsibility of those affecting the subject. In "delays are most often caused *by problems* locating policy documents" (Dyson, 2004), *problems* are explicitly identified as the cause of *delays*. *problems*. If, for instance, the responsibility for acts of corporate fraud is not made explicit, this indicates a denial of the responsibility of the accused. For instance, in: "At the centre of the latest storm is Alfonse D'Amato, a former New York senator who has been a director since 1999, making him the only remaining person to have been on the board in 2000 and 2001, when the fraud was committed" (Waters, 2006), it is implied that D'Amato is, in some way, linked to this fraud, but it is not clear whether he is, in fact, accused of having committed this fraud.

The function of this chapter is to examine which participants have agency and which participants are passive/affected. The main question of the current chapter is: who affects and who is affected?

8.2. Cases

This section argues that the grammar of the nouns and the lemmas that refer to cases, such as *scandal, situation* and indeed *case*, downplays the responsibility for acts of fraud and undermines their gravity.

The grammar of cases not only denies responsibility (Sykes and Matza, 1957) but also diminishes or even denies the impact of corporate fraud (*ibid*). As chapter 6 indicates, there is a difference between specific target nouns that explicitly indicate criminal acts and general target nouns that are comparatively euphemistic. This difference is also apparent in grammar, particularly with regard to the ascription of responsibility in passive sentences. Fairclough (2015, p.141) asserts that agentless passives may obscure the responsibility for the act, which may be indicated either by the verb phrase or by the subject noun phrase. Specific, 'criminal' target nouns are less often represented as the subject of agentive passives, at an average of 0.33% of instances, than general or non-criminal target nouns, at 0.40%. However, this difference is not significant. For instance, specific target nouns like *avoidance*, *crisis*, and *mis-selling*, but also the general *problem* and *scheme* feature an agent when they are the subject of a passive sentence, as in: "the crisis caused by Shell's admission" (Hope, 2004), in which *Shell* is explicitly

held responsible for causing a *crisis*. On the other hand, criminal target nouns like *bribery, corruption*, *PPI* and *wrongdoing* have an agent less often compared to the overall results for the corpus, as in: "[b]ribery was accepted throughout industry and business in Germany until it was outlawed in 1999" (Woodhead, 2010). In this example, the fact that bribery used to be common is foregrounded, but those who outlawed it are obscured. The obscuring of those accepting bribery, and of those committing other acts of fraud, indicates that the responsibility for these acts is underplayed. Newspapers allow those responsible to avoid blame for more explicitly criminal acts by assigning responsibility for acts and situations that are identified by labels without criminal connotations, but not for acts with explicitly criminal labels. This is not to say that responsibility is never assigned; the numbers show that there are instances in which it is. However, newspapers have a tendency to avoid assigning responsibility for corporate fraud, presumably related to the Contempt of Court Act (1981).

Another way of denying responsibility for fraud is by substituting the agent in a passive sentence. For instance, *corruption* and *scandal** are more often preceded by the preposition 'by' than is average for cases, at respectively 3.62% and 4.06% compared to 2.13%, indicating that it is not the criminal but the crime that is held responsible for the experiences of the subject, as in: "the sector has also been hit by scandal" (Joliffe, 2004). In this example, the case, rather than the accused, is taken as the cause of the damage implied. Similarly, whilst cases are not often used as subjects (at 19.6%, compared to the overall corpus average of 27.39%), particularly not of active sentences, *scandal*, as in: "this scandal goes far deeper" (*The Daily Mail*, 2004) and *situation*, as in: "the situation will deteriorate over time" (Hazell, 2004), are more often the subject of an active sentence than the overall relative frequency for cases would predict. This use again substitutes the act or situation for the accused, indicating that it is not the accused who is responsible for the negative consequences, but the act or situation itself. Again, the numbers indicate that there are instances in which the accused is held responsible, but the tendency is to avoid doing so, which may be related to the Contempt of Court Act (1981).

In fact, speaking generally, the lemmas in this category are most often used as the subject of passive (at 10.48%, compared to 6.64%) sentences that do include an agent (at 38.11%, compared to 29.02%), compared to the rest of the corpus. This indicates that cases are either the result of or affected by, the actions of others. Nonetheless, the majority of passive sentences featuring a case-lemma

as a subject are agentless. The fact remains that these others are more often identified for non-criminal lemmas, than for crime-specific ones.

Denial of the impact of corporate fraud is also established through the grammatical foregrounding of non-criminal lemmas, whilst crime-specific lemmas are relegated to comparatively less prominent grammatical positions. Non-criminal lemmas are, compared to the average for cases, relatively often either subject or object, whilst crime-specific lemmas generally fall below the cases-average for both these positions. Similarly, non-criminal lemmas are also more often used as objects than crime-specific lemmas are. This is not to say that specific nouns are always in a less prominent grammatical position than general nouns, but doing so goes against the overall trend.

The grammar of nouns and lemmas that are categorised as cases underplays both responsibility for, and the gravity of, cases of corporate fraud. This grammar helps to create a picture of corporate fraud in which (euphemistically indicated) cases may actually directly cause negative consequences, but in few cases is anyone actually held responsible for them. It is as though they simply occurred out of nowhere, just to create difficulties.

8.3. The Accused

This section shows that the accused are generally the subject of passive sentences, thereby foregrounding their experiences at the hand of other parties. This grammatical structure suggests vulnerability in the accused, leading to a defence of necessity (Minor, 1981). It also indicates a denial of responsibility (Sykes and Matza, 1965), as the accused are ascribed little agency. As such, the grammar of the accused supports a neutralisation of corporate fraud.

A note must be made about the statistics for this category of target nouns. Not only does it hold the greatest number of types but these types also tend to have a relatively large number of tokens, compared to others. As such, the corpus averages for the transitivity analysis will have been skewed by those types categorised as 'accused'. For this reason, any deviations from the corpus average, for target nouns indicating 'accused', are noteworthy, even if they seem rather small.

The accused are highly passive, grammatically foregrounding the experiences of the accused that are initiated by other parties, rather than focusing on the acts of the accused. The accused are not normally held responsible for acts

of corporate fraud, as those who lack agency cannot commit criminal acts. This high level of passivity is indicated by a percentage of 7.00%, indicating that 7% of all lemmas indicating 'accused' are used as the subject of a passive sentence. This score must be compared to the corpus average, which is 6.64%. As such, the accused are more passive than (most) other parties in the corpus. An example of this tendency is: "Barclays has been fined £290m in the UK and the US for its "serious, widespread" role in manipulating two City interest rates used to determine the cost of borrowing" (Sparrow, 2012). This example shows that the focus is not on the accused's actions but on their experiences at the hand of other parties. The fact that Barclays is fined for the very serious offence of manipulating interest rates appears to be an afterthought, further hedged by the fact that 'serious, widespread' occurs in quotation marks, indicating direct speech. Direct speech (re)presentation can have several functions, including that of enhancing the dramatic value of the report (see Short, 2012). Certainly, in this case, DS also serves as a dramatic device. However, it also serves to distance the reporter from the reported speech, presumably, practically speaking, to protect the newspaper from accusations of defamation by emphasising that it was not the reporter but the reportee who made this claim. Regardless of motivation, the effect of the passive construction and the use of Direct Speech, in this example, is a focus on Barclays and its punishment, rather than on Barclays's alleged role in manipulating interest rates. This focus on the accused's vulnerability and the challenges faced by them is also in line with findings from chapter 7.

Also indicating a lack of agency is the fact that the accused are less often preceded by the preposition 'by', at 4.05% compared to 4.40%. This difference is not significant, but does indicate that fewer target nouns categorised as accused are used as agents in passive sentences. However, at 4.05%, the accused are still occasionally pointed out as the agent in a passive sentence, marking that in 1 out of 20 sentences featuring the accused, they are marked as the agent of an act.

Furthermore, whilst the accused, like most other parties in this corpus, tend to have fewer passives that include an agent compared to the corpus average (at 28.00%, compared 29.02%), it does have the highest percentage of agentive passives of all participants, as in: "companies under investigation by the Financial Services Authority" (Moore, 2004). This example and this tendency mark that the accused indeed are affected and who is doing the affecting is explicitly indicated.

There is a particular focus on what affects British companies, rather than what affects *all* companies. This focus is evident when considering which corporations are used as the subject and which are not. Assuming the subject to be the focus of the sentence, this means that *Barclays* (37.12%)*, BP* (37.51%)*, Citigroup* (33.13%)*, HSBC* (36.35%)*, RBS* (39.43%)*, Tesco* (36.54%), and *UBS* (37.78%), are focused upon; *Anglo* (which is Irish, 14.15%)*, Deutsche* (11.43%)*, Enron* (14.72%)*, Goldman* (20.38%)*, Lehman* (13.96%)*, Merrill* (10.78%), and *Morgan* (as in JP Morgan Chase, 13.70%), are not. British companies or companies with a large and important presence in Britain, are focused on. Foreign companies are not. In other words, at least grammatically speaking, British companies are more important than non-British ones. This is not unexpected, as Galtung and Ruge (1965) indicate that geographic and cultural proximity are important values in determining whether a story is published as news.

Because of the high absolute frequencies of lemmas and nouns in the category of the accused, the norms for this category are particularly close to the corpus averages. As such, any deviations, no matter how small, are taken very seriously. As shown, the accused are generally passive, which serves to deny their responsibility for acts of corporate fraud and shifts the focus to how the accused are affected, for instance by regulatory actions. This is in line with findings from, for instance, chapter 7, which shows that the accused are generally perceived as undergoing tough challenges.

8.4. *Investigators / Regulators*

Investigators and regulators are the most active group in the corpus. As indicated in previous chapters, they are pitted against the accused. The transitivity analysis shows that of all parties in the corpus, investigators and regulators are ascribed the most agency, being the subject at respectively 34.80% and 35.76% compared to 27.39%. This abundance of agency implies that regulators and investigators are those setting relevant processes in motion. These are the processes that affect and challenge the accused. As such, responsibility for the consequences of corporate fraud is not ascribed to the actual fraudsters, nor those merely accused of fraud, but instead to those investigating cases and creating and enforcing regulations. In other words, the transitivity of investigators and regulators serves to condemn the condemners, and thereby neutralise corporate fraud.

Investigators and regulators are very active. At an approximate average of 35%, compared to a corpus average of 27.39%, they are, in any case, remarkably

often used as subjects. This difference is significant at $p<0.05$. Similarly, at an approximate average of 4%, compared to a corpus average of 6.64%, these subjects less often the subject of a passive sentence than other words in the corpus. This difference is also significant at $p<0.05$. Investigators and regulators are still, however, occasionally the subject of a passive sentence, and, in the majority of occurrences, not the subject at all. This signals that investigators and regulators are also 'affected', not just 'affecting'. Nevertheless, out of all their grammatical functions, they are most often the subject of an active sentence.

As investigators and regulators tend to be active, whereas the accused tend to be passive and affected, a relatively self-evident interpretation is that investigators and regulators are, in fact, those affecting the accused. This interpretation is supported by the fact that they are preceded by the preposition 'by' at rates of 7.96% and 8.58%, compared to a corpus average of 4.40%. An example of this use is: "cases brought by enforcement teams" (*The Daily Telegraph*, 2005), in which, though *cases* are the subject, *enforcement teams* are the actors. Even when they are not explicitly mentioned as the agent in a passive, they may be implied, as in: "Barclays has been fined [by?] £290m in the UK and the US" (Sparrow, 2012). What these examples show, in addition to the fact that regulators and investigators have a substantial amount of agency, is that they are represented as using this agency to affect the accused, for instance through bringing cases and fining banks.

This interpretation is also in line with findings from other chapters and serves to condemn the condemners through a defence of necessity and appeal to higher loyalties: if, for the accused, the highest goal is turning a profit and investigators and regulators constrain this ability by introducing regulations and pursuing the accused for breaches of regulations, then those at fault are investigators and regulators, not the accused. This interpretation is further supported by the fact that the suffering of the accused is grammatically foregrounded by featuring the accused as the subjects of passive sentences.

Investigators and regulators are the most active parties in this corpus. They may be held responsible for the consequences of acts of fraud, in particular as these consequences negatively affect the accused. This construction serves to diminish the responsibility of alleged criminals and instead focuses on the responsibilities of condemners.

8.5. Accusers

In grammatical terms, accusers are very similar to investigators and regulators. This is perhaps unsurprising, as there is a substantial overlap in terms of the lexical items that are included in each group and the act of accusing is inherently transitive, affecting another party. Nonetheless, there is a difference in active-ness between those persons and institutions that are essential to the workings of the criminal justice system and those that are not. Accusers who have the power to initiate investigations, or indeed make accusations after such investigations, are indicated by target nouns that are also categorised as investigators and regulators. The difference is contextual and determined through investigations of concordance lines. When these parties conduct or call for an investigation, they are investigators; when they regulate, they are regulators, and when they accuse, they are accusers. Other accusers, however, make such accusations because they have been victimised in some way by acts of corporate fraud. One difference between victims and accusers is grammatical. Victims have less agency than accusers. Another difference is, again, contextual. Victimised accusers are not acknowledged as victims. This section shows that, in general, accusers have, relatively, a lot of agency, comparable to that of investigators and regulators, rather than victims.

Accusers are the subject in 31.98% of occurrences (compared to 27.39% for the corpus). High-frequency subject lemmas include *analyst, authority, expert, FCA, FSA, lawyer, OFT, people, politician, prosecutor, regulator, SFO and watchdog. Prosecutor,* in particular, is relatively often the subject, at 60.89% (although *prosecutor** can, in 40% of occurrences, also be, for instance, the object or an agent in a passive). An example of this is: "a prosecutor told a New York court that she was guilty" (Warren, 2004). Similarly, at 5.66% (compared to 4.40% for the full corpus), all nouns in this category of accusers are relatively often preceded by 'by', as in: "The allegations by the prosecutor's office are unfounded and malicious" (Gow, 2007). These statistics show that, overall, accusers tend to be active and to be ascribed agency.

In other words, accusers tend to be those who act, rather than those who are acted upon, much like investigators and regulators. This again reinforces the argument that investigators and regulators are those who actively affect the accused: not only do they carry out the investigations and enforce the regulations that are such an imposition, they also make the accusations that see the accused prosecuted. In more ways than one, then, investigators, regulators and indeed accusers are responsible for the challenges faced by the accused.

As indicated, there is a division between those accusers who also take on a regulatory role, such as the *FCA,* and those who are victimised accusers, such as *consumer*(s) and *shareholder*(s). Compared within the category of accusers, the former lemmas are more used as the subject of active sentences. The latter, although still relatively often the subject compared to the rest of the corpus, are not as often used as subjects as other accusers. Similarly, those organisations and people who may also be categorised as Investigator / Regulator tend to appear more often (compared to other lemmas categorised as Accuser) following the preposition 'by', indicating that they also particularly often serve as the agent in a passive sentence. In other words, regulatory / investigative accusers have more agency than victimised accusers. This is not to say that there are no instances in which regulatory or investigative accusers have no agency, and victimised accusers have agency. These instances are, however, less common than the inverse.

Accusers are, much like investigators and regulators, highly active participants in this corpus of corporate fraud. This is largely due to the high use of Accuser-lemmas as subjects and agents. However, differences exist between well-known institutions and lesser-known individual accusers. There is a foregrounding of, and increased ascribing of agency to, those lemmas and nouns that have more pivotal roles in the criminal justice system. As with investigators and regulators, this indicates that accusers are represented as those who cause (negative) consequences for the accused. As such, accusers are held more responsible for the negative effects of corporate fraud than the actual alleged criminals. Again, this transitivity serves to neutralise acts of corporate fraud and relieves the accused of (part of) their guilt.

8.6. Victims

Primarily 'ideal' victims are included in the corpus *as* victims. Others are more accurately described as accusers. This section shows that victims are among the most passive and vulnerable participants in the corpus, which is presumably related to the fact that accusers are inherently active, whereas victims are inherently passive. Those who affect victims are generally obscured, meaning that the accused are not assigned any blame for harm caused to victims. This grammar breaks the link between offender and victim, thereby diminishing or even denying, the grounds for a victim's claim to victimhood.

Victims' lack of agency is marked by the fact that the lemmas categorised as such are not often used as subjects (although they sometimes are, at a rate of

24.29% against the corpus average of 27.39%). Particularly infrequent subjects are *business, city, country, market, NHS* and *other.* Finally, being preceded by 'by' at a rate of 3.43%, victims are also less often the agent when compared to the corpus average of 4.40% (although, again, they are in 3.34% of occurrences). When these figures are taken together, it is clear that victims are not generally active, nor do they have much agency.

In fact, victims are mostly acted upon. When they are the subject of a sentence, victims are the subject of a passive sentence, at a rate of 7.67%, compared to the corpus average of 6.64%. This foregrounds their suffering. It is, however, difficult to determine who victims depend on and who have victimised them. In only 23.55% of uses in the passive sentences of which victims are the subject are agents identified, compared to 29.02% for the rest of the corpus. Those which are particularly agentless are *borrower, child, customer, employee, man, NHS, people, shareholder and staff*. These nouns indicate those victims most directly affected by crises at corporations, such as their *staff* and ideal victims such as *children*. These are also the victims that are most likely to draw sympathy from readers, as they are most like Christie's (1986) ideal victim and/or can easily be related to by readers, as in the case of *employees/staff* and *customer*. By not identifying their victimisers but still including ideal victims, the newsworthiness of these stories is increased, without necessarily increasing disapproval of the accused. Ideal victims not only offer the 'human interest' angle, increasing newsworthiness but also establish a very high threshold for people to pass in order to qualify as a victim, thereby, effectively, limiting the number of victims. Finally, by not identifying victimisers, these victimisers' responsibility for their actions is denied.

In summary, victims have relatively little agency, compared to the corpus average. *Children,* in particular, are acted upon. Particularly affected and potentially vulnerable parties feature in agentless passives, once again obscuring responsibility for acts of corporate fraud. In other words, even grammatically, victims are made to fit the criteria for being 'ideal' as discovered by Christie (1986): they are indicated as weak/vulnerable and, by being highly passive, are removed from any notion of responsibility with regard to the corporate fraudulent acts that ended up victimising them.

8.7. Legal Process

Unlike the accused, investigators and regulators, and accusers and victims, parts of the legal process are not active participants. They are, grammatically speaking,

instrumental. This use is grammatically acknowledged through the use of lemmas categorised as legal process as, for instance, the subject of passive sentences.

At a mere 18.57%, lemmas categorised as legal process are not very often used as a subject, compared to the rest of the corpus (at 27.39%). Even when they are used as such, it is as the subject of a passive sentence (at 10.36% compared to 6.64%). This lack of agency is further indicated by the fact that these lemmas are not often used as the agent in passive sentences, at 2.29%, compared to a corpus average of 4.40%. These lemmas *are*, however, used in the object position, at 29.80%, compared to 19.91%, as in: "Mr Ebbers told the court" (Doran, 2005), indicating that the *court* and other parts of the legal process are entities to which, or to whom, things are done. These grammatical tendencies show an apparent similarity between victims and the legal process. Both are not particularly active and both are acted upon / used.

In almost one-third of passives, legal process lemmas feature as subjects in sentences that also include an agent. In other words, those who set various elements of the legal process in motion or those who affect it and those who use it are made explicit. This could be used to condemn the condemners, as legal processes are inherently linked to cases of corporate fraud and do pose challenges to the accused. Alternatively, the identification of the agents involved in legal processes could be interpreted as a celebration of the successes of the condemners, showing that they have the power to challenge the accused. Given that previous chapters show that the legal process is conceptualised as a challenge, this alternative interpretation is unlikely.

To summarise, elements of the legal process are passive and are used and initiated by others. These others are, presumably, accusers, investigators and regulators. Combined with the findings in earlier chapters that investigators and regulators are particularly hostile and that the legal process tends to be particularly restrictive and challenging, this shows that investigators, regulators and accusers are held responsible for the difficulties experienced by the accused – rather than holding the accused responsible for their own difficulties, caused by the corporate criminal acts they allegedly carried out. In other words, this grammar compounds the technique of neutralisation that condemns the condemners (Sykes and Matza, 1957).

8.8. Crime Scenes

The overall transitivity percentages for lemmas categorised as crime scenes show that they tend to be passive. Those affecting crime scenes are explicitly identified.

Crime scenes are less often the subject of a sentence (at 25.08%, compared to 27.39%) and when they are, they are more often the subject of a passive sentence (at 7.03%, compared to 6.64%), as for instance in: "Better to see British squaddies die trying to enforce peace in the Balkans than the City be asked to lift the veil on the money from political leaders that arrives in the Square Mile" (MacShane, 2009). They are also less often the agent (at 3.61%, compared to 4.40%). In other words, crime scenes are grammatically backgrounded, represented as relatively unimportant compared to other categories in this corpus. There are instances in which they are foregrounded, but these tend to be exceptional.

For instance, *AIM* is used relatively often as a part of subject phrases in active sentences, as in: "AIM regulators have tried to halt African Petroleum" (*The Times*, 2010). However, this target noun is also important in other categories: *AIM* is also used to indicate the regulators of this particular market, as in the previous example.

8.9. Chapter Summary

This chapter analyses transitivity to examine the agency of the parties in the corpus and the grammatical roles of cases and places. It argues that cases of corporate fraud are underplayed and that the accused are generally absolved of responsibility, whilst the accusers, investigators and regulators are represented as actively causing legal consequences for the accused.

Whilst there are differences in agency between accused companies and individuals, the accused have generally been represented as having been acted upon. Those doing this acting are accusers, regulators and investigators, as indicated by their high use as the subject of active sentences and their tendency to be the agent in passive sentences. Victims have very little agency, but can be foregrounded to enhance the 'human interest' angle. Obscuring those who are responsible for their victimisation, victims are the subject of agentless passives. The legal process has to be initiated by legal agents and, as previous chapters show, is considered unreasonably restrictive. As a result, those legal agents initiating legal processes, investigators, regulators or accusers, are responsible for causing difficulties for the accused.

The overall conclusion is that there is a reluctance to ascribe responsibility for acts of corporate fraud. The actions and effects of accusers, investigators and regulators are made very clear, thereby potentially condemning the condemners (Sykes and Matza, 1957). In other words, this chapter's analysis adds to the argument that corporate fraud is played down.

Chapter 9.   Modality

This chapter argues that systemic fraud is generally played down, and focuses on whether the legitimate regulators and investigators are carrying out their tasks appropriately. The main finding is that cases are underplayed and that the accused are generally absolved of responsibility. Cases are represented with epistemic modality (see Fairclough, 2003, pp.167-70), evaluating both the likelihood of their actually having occurred and the likelihood of the illegality of the actions described. While this approach is legally correct, it is rather different from the categorical approach taken with those who are accused of having committed, in Sutherland's (1949) terms, a crime of the powerless. As such, this use of epistemic modality indicates a conscious move by newspapers to avoid explicitly holding the accused responsible for criminal acts. This chapter also contends that elements which could be considered circumstantial (see Halliday, 1994, p.151), i.e. crime scene and legal process, are categorical in terms of existence. In other words, there is no question about whether crime scenes or (parts of) the legal process exist. However, newspapers do debate whether these locations and processes are affected by corporate fraud or whether they will affect others. This possible doubt serves to deny the injury done by corporate fraud.

The accused, like the accusers, investigators and regulators, feature in a large number of deontic constructions. However, the deontic constructions of the accused are simply promises to "do better" (Pratley, 2012), as in: "In a letter released last night, Werner Seifert, chief executive, promised some corporate governance reforms and a return of capital" (Cohen, 2005). To promise to do better is, after all, expected of them in these cases. Deontic constructions are also predictions about the likelihood that the accused will be affected by the actions of others.

Given the relatively active nature of the accusers, investigators and regulators, it is justifiable to presume that these parties are characterised by their obligations and promises, since they are generally expected to respond to cases of corporate fraud. The victims, finally, continue to be represented as acted upon and have a large number of needs.

This chapter continues the argument that crimes are played down, that the responsibilities of the accused are unclear and not the focus of attention, and that the accusers, investigators and regulators are held responsible for delivering the

appropriate response to cases of corporate fraud. This construction redirects attention from the accused to investigators and regulators.

As indicated in chapter 3, the current chapter requires two different approaches. The first has been used to examine the target nouns, i.e. the nouns identified through the key word analysis, that were categorised in chapter 6 as cases, legal process and crime scenes. This approach generated concordances for each of these nouns, which have then been sorted alphabetically in the order of the first word to the left, second word to the left and third word to the left (1L, 2L, 3L). Through this approach, (epistemic) modality, as created through verbs, adjectives and adverbs (Fowler, 1991; Simpson, 1993; Jeffries, 2010), is analysed manually. The second approach recorded frequencies of modal verbs, categorised following Knight (2015), occurring after the nouns categorised as accused, accuser, victim or investigator / regulator. To do this, six CQL queries were constructed to uncover the frequencies of, respectively, core deontic verbs occurring within 5R of the noun (these verbs are *will*, *shall*, *would*, *should*, *must* and *ought*); other deontic verbs within 5R (*dare*); deontic phrases (*to be* or *to have*, combined with *mean*, *oblige* or *suppose*, where the first verb occurs within 5R); boulomaic verbs within 5R (*hope*, *wish* and *want*); core dynamic verbs (*need*, *might* and *may*) and other dynamic verbs (*can* and *could*). The recorded frequencies have subsequently been normalised. Categorical constructions were not recorded in this second approach.

This chapter first establishes the overall trends of the corpus with regard to modality, before considering modality per category, e.g. the accused compared to investigators and regulators.

9.1. Statistics for the Full Corpus

This section shows the overall results for this corpus, as generated using the methods outlined in chapter 4 and the introduction to this chapter.

Table 15: Modality frequencies per category

	Core deontic	Other deontic	Deontic phrase	Boulomaic	Dynamic 1	Dynamic 2
Accused	67.07%	0.05%	0.70%	6.40%	9.21%	21.57%
Investigators	64.31%	0.07%	0.66%	7.38%	7.92%	19.67%
Regulators	64.78%	0.10%	0.70%	7.43%	7.86%	19.13%
Accusers	60.76%	0.07%	0.66%	7.94%	9.17%	21.77%
Victims	54.75%	0.07%	0.55%	9.31%	10.56%	21.35%
Average	*61.45%*	*0.06%*	*0.67%*	*6.89%*	*9.17%*	*21.70%*

Table 15 shows the average relative frequencies of each form of modality. Green cells in this table indicate scores that are above the corpus average, whereas red scores are below. The single yellow score is equal to the overall average. These numbers have been created by taking the total of each form of modality for each target noun, normalised using the appropriated cumulative frequency for each form of modality. As the combined results for core deontic verbs, other deontic verbs and deontic phrases make up almost two-thirds of the results for this corpus, this table shows that, in terms of modality, the corpus focuses on the obligations and promises of those who are involved, in some capacity, in these cases of corporate fraud. The next largest category indicates the use of the two verbs 'can' and 'could'. These verbs are not strictly deontic, but dynamic. These verbs operate simultaneously on the epistemic continuum. This epistemic quality renders the deontic power of these verbs relatively limited, as these verbs indicate that it is possible for a certain action to be performed, but do not explicitly indicate an obligation to perform these actions (although it may be implied). Generally, this table also shows that the accused have a different modal profile compared to other parties. They have fewer needs/desires, but tend to have many obligations. Other parties, on the other hand, have more needs/desires, and fewer explicit obligations.

The results per noun category (accused, accusers, victims and investigators and regulators) further detail which noun categories have had relatively more obligations imposed on them and which have had fewer. High deontic and dynamic 2 (can/could) scores indicate a high number of obligations, whereas high boulomaic numbers indicate a high number of needs, as relates to each category and even to each individual target noun. The next section argues that the modality for cases, in particular, tends to deny the accused's responsibility, by raising the question of whether these cases even occurred.

9.2. Cases

As indicated in chapter 6, there is a split between specific nouns that indicate instances of fraud or inappropriate corporate behaviour, such as *corruption* and *wrongdoing,* and general nouns that are less explicit in condemning developments occurring at these corporations, such as *issues* and *problem.* This section argues that crimes are generally represented with increasingly low epistemic modality when the criminal nature of the indicated act becomes more explicit. In other words, specific are more extremely epistemically modalised, compared to general nouns.

The method used to examine the nouns relevant to this section draws primarily on a manual examination of concordances.

There are two ways in which cases are modalised. The first works by suggesting that an act may not have been illegitimate, which facilitates the 'defence of legality' outlined by Fooks *et al* (2012). This defence draws on the notion that, even if wrong, a particular act was not actually illegal, and therefore no actual crime has occurred (*ibid*). For example, in those instances in which these target nouns do refer to (potentially) illegitimate practices, epistemic modality is used to evaluate whether these practices are indeed illegitimate, 'fraudulent' or 'abusive', as in: "uncovered the <u>allegedly fraudulent practices</u> behind the astonishing rise [in the circulation of the New York paper *Newsday*]" (Teather, 2004). The second form of modalisation offers the possibility that the act itself had not even occurred in the first place, as in: "alleged tax avoidance" (Boffey, 2010) (see also Figure 38).

Figure 38: Concordance lines for 'tax', sorted 1R, 1L, 2L

Hit	KWIC
8156	ir manager, poured £ 26 million into an alleged tax avoidance scheme ? Millions of pounds have
8157	rotesters opposed to government cuts and alleged tax avoidance. High street stores belonging
8158	might of smugness, sanctimoniousness and alleged tax avoidance that any material can take. Sel
8159	ss after a series of banking scandals and alleged tax avoidance by multinational companies. E
8160	fice. It comes after public outrage at alleged tax avoidance by Google, Facebook and comedia
8161	took office. It comes after outrage at alleged tax avoidance by Google, Facebook and comic J
8162	website giving details of Barclays Bank alleged tax avoidance schemes. The newspaper and oth
8163	the core." The report also says Boots' alleged tax avoidance is equal to 78,000 nurses' annu
8164	sted consumer brands in recent months by alleged tax-avoidance structures." While the Prime Mi
8165	contributions, new restrictions to combat alleged tax avoidance in limited liability partnershi
8166	of internal Barclays reports documenting alleged tax avoidance schemes and (ii) Trafigura and
8167	r of the US, are under investigation for alleged tax avoidance on capital gains made in South
8168	rgeted Barclays, Topshop and Vodafone for alleged tax avoidance with a series of sit-ins. Like
8169	NESSES and individuals being targeted for alleged tax avoidance are being left in "limbo" as HM
8170	Accounts Committee report next week for alleged tax avoidance, days before the world's leader
8171	mes that have been sharply criticised for alleged tax avoidance, including Google and Starbucks
8172	and Amazon came under political fire for alleged tax avoidance, focus turned to the accountan
8173	of the banking standards commission have alleged tax avoidance on an "industrial scale". If Ba
8174	nt adviser was questioned because of his alleged tax avoidance. The businessman banked the bi
8175	a group of former executives involved in alleged tax avoidance and inappropriate trading pract
8176	an Irish newspaper of being involved in alleged tax avoidance and inappropriate trading pract
8177	dodgy practices at the school, including alleged tax avoidance and "hush, hush foreign investm
8178	stry opened a criminal investigation into alleged tax avoidance by PwC in Russia. The Moscow c
8179	try opened a criminal investigation into alleged tax avoidance by PwC in Russia. The Moscow c
8180	nual income. After investigations into alleged tax avoidance by Amazon, Google and Starbucks

Non-criminal target nouns, which are used to refer to acts of corporate fraud, are generally represented categorically or with high epistemic modality, which indicates a high probability that such a case exists. *Situation, case*, issue* and problem** are used to imply, but not explicitly state, that there are illegitimate goings-on at corporations, as in: "an informal US Securities and Exchange Commission investigation into accounting <u>issues</u>" (*The Times*, 2006). In this example, the rather euphemistic *issues* is presented categorically. Other nouns are represented with

high epistemic modality, as in: "[there is an] obvious problem (..) with the FSA's treating customers fairly requirement" (Milner, 2012). Figure 39 shows the pattern for *situation.* Similarly, nouns that can, technically, refer to legitimate practices, such as *operations, practice*, scheme*, process and takeover,* are also represented categorically or with high (see Fairclough, 2003, pp.166-70) epistemic modality. This is despite the fact that in this corpus, they have connotations of questionable corporate behaviour.

Figure 39: Concordance lines for 'situation', sorted 1R, 1L, 2R

Compare this to target nouns such as *corruption, fixing, fraud, insider* (*trading*), *mis-selling and wrongdoing.* These are, generally, all modified by phrases of medium to high (see Fairclough, 2003, pp.166-70) modality such as 'alleged' and 'accusations of', as for instance in: "Tiner summoned the bosses of 21 firms involved in the sector to show them evidence of alleged wrongdoing" (Dunne, 2004). These target nouns and their epistemic representations indicate that phrases explicitly referring to illegal behaviour are more often epistemically modalised than target nouns which refer to (technically) legal acts. The inverse is possible; general nouns may be presented epistemically, and specific nouns categorically. Doing so, however, is exceptional, in particular as it may put the newspaper at risk of prosecution under the Contempt of Court Act (1981) or a civil suit for defamation.

Tax avoidance is of course not the same as the illegal act of *tax evasion.* Instead, it refers to the use of legal loopholes by corporations and private individuals

to pay as little tax as possible (Croall, 2001, p.60). Nevertheless, it is epistemically represented as though it were an illegal act, as in: "alleged tax avoidance" (Boffey, 2010), presumably due to its connotations of wrongness and immorality.

As a result of the Contempt of Court Act (1981) and the power of corporations, newspapers are careful to avoid explicitly accusing the accused, in the sense that representations with low epistemic modality, are used before the verdict. High epistemic and categorical representations, such as: "exposing the Enron fraud" (Kaminska, 2014), are used after the court has come to a guilty verdict. These findings are in line with Wright *et al's* (2009 [1995], p.32) finding that US newspapers are hesitant to label acts of corporate crime as violence until after the US government has indicated them as such.

This argument is illustrated particularly well by the multifunctional general noun *case**. *Case** is represented using a wide range of epistemically modal words and phrases, including high: "blatant case" (*The Sun*, 2013), medium: "potential case" (Abbott, 2010) and low: "could have a case" (Hill, 2009). If a *case* is in doubt, it is legally risky for a newspaper to write categorically that there is a *case* of corporate fraud at a company, as this may be grounds for a defamation suit or prosecution under the Contempt of Court Act (1981). In these instances, labels like *situation, problem** and *issue** are preferable options, as is a modifier like 'potential'. The claim that there are *problems* or *issues* at a company does not explicitly accuse this company of criminal behaviour, even if a phrase like "accounting issues" (*The Times*, 2006) does imply it. Similarly, by writing that one "could have a case" (Hill, 2009), or may have a case, as in Figure 40, against a company, the fact that there are questionable goings-on is acknowledged, without explicitly stating that this company has, in fact, committed an act of corporate wrongdoing.

Figure 40: Concordance lines for 'case', sorted 1L, 2L, 3L

Hit	KWIC
815	, he made it clear that the Government may have a case to answer." Kelly referred to things
816	be a shortfall on the endowments, you may have a case for compensation because whoever sold
817	Endowment policyholders who think they may have a case for compensation should first contact
818	'?" He added: "While the Government may have a case for targeting specific incidences of t
819	Investors who were sold the endowments may have a case for compensation perhaps because they
820	She argues that policyholders today may have a case for compensation not just from insurer
821	documentation was not clear, then you may have a case, as this would constitute mis-selling.
822	bulk of your savings into a bond, you may have a case. WRITE to the organisation that sold
823	is possible that by [Wednesday] they may have a case put to them against which they can ent
824	possible that by then (Wednesday) they may have a case put to them against which they can ent
825	yholders were advised by lawyers they may have a case for mis-selling against the private ba
826	o have established that Merrill Lynch may have a case to answer, and so it has initiated a f
827	l experts suggested last night that it may have a case to answer. The Department for Transpo
828	ld only last for five years, then you may have a case for reclaiming all of your premiums.
829	isplayed in flashing lights, customers may have a case for compensation even if it stated in
830	ck of control. In any case, investors may have a case for compensation if GFX was regulated
831	led to carry out work as planned, you may have a case. If, on the other hand, the delay occu
832	s supposed to do, it looks like Madoff may have a case. Madoff ripped off charities, widows
833	n unfairly treated by lenders and who may have a case against them. Financial Mail became i
834	e correct annuity policy for you, you may have a case based on "competent advice". Potential
835	ary duty. But his finding that they may have a case to answer on the Repo 105 transactions
836	ns (eg, are you self- employed?), you may have a case. 3 Think you''ve got a case? Write to
837	s (eg, are you self - employed?), you may have a case. 3 Think you''ve got a case? Write to
838	experts are now saying that customers may have a case for claiming compensation against the
839	isks were not properly explained, you may have a case for redress. Mr James said: "We canno

It may be suggested that through this carefulness, newspapers are allowing the law to take its course. Such a sympathetic assessment is also offered by Wright *et al* (2009 [1995]). Indeed, under the Contempt of Court Act (1981), they have to be very careful about epistemically reporting active cases. However, Tabbert (2015, pp.91-102) points out that newspapers' reporting of other, stereotypical, forms of crime is not nearly so cautious. As such, the fact that reporters are more careful here is particularly noteworthy.

Regardless of the intentions of newspapers in modalising target nouns that explicitly refer to criminal acts, the effect remains the same. By using unmodalised general nouns, like *problem** and *issue*,* and specific nouns with low epistemic modality, as in: "suggestions of insider dealing" (Hosking, 2007), newspapers effectively negate the gravity of acts of corporate fraud. If this is the correct approach, pre-verdict, it should be applied uniformly to all other forms of crime. As this is not the case (see, for instance, Tabbert, 2015), this approach signifies a technique of neutralisation. The use of general nouns, such as *problem*,* to indicate, for instance, accounting fraud, is not unlike Sykes's and Matza's (1957, p.667) example to illustrate the denial of injury, in which car thieves label their activities 'borrowing'. By modalising specific nouns, newspapers suggest that there is a possibility that these acts are a) not abusive (denial of injury, *ibid*), b) not illegal (defence of legality, Fooks *et al*, 2012) or even c) non-existent. The last technique

has not been raised as a technique of neutralisation in the literature reviewed but the suggestion that a(n) (criminal) act may not even have occurred in the first place clearly also serves to neutralise accusations of criminal behaviour.

Cases of corporate fraud are generally indicated using nouns that are epistemically modalised. This has the effect of denying the injurious effects of corporate fraud, thereby neutralising it.

9.3. The Accused

This section uses the second method of assessing modality, which employs CQL queries. In other words, the method for investigating the modality of the accused is more quantitative, compared to the qualitative method used to examine the modality of cases. Given the high raw frequencies for most nouns included in the accused noun category, as well as the number of nouns included in this category in total, the accused are likely to have influenced these corpus averages. Any deviations, therefore, no matter how small, have to be taken seriously.

Overall, the accused tend to collocate with deontic phrases and words, as in: "executives must make sure [policies to prevent bribery] are followed by everyone in the organisation" (Wilson, 2010). This tendency indicates that the accused are assigned comparatively more obligations. However, deontic representations can also indicate promises, such as the future tense of 'to be', 'will', indicates. Indeed, the high deontic scores for the accused more often indicate promises than obligations and as such serve a neutralising function. Obligations are reported, but are the exception. Reporting promises is Klockars's (1974) metaphor of the ledger, which he describes by citing the delinquent Vincent Swaggi, who neutralises his criminal behaviour by mentioning his past positive actions. Similarly, this metaphor can draw on future positive actions, i.e. promises to do better. For example, company spokespeople, on behalf of corporations, tend to make many promises to do better, to avoid corporate misbehaviour in the future, as in: "In a letter released last night, Werner Seifert, chief executive, promised some corporate governance reforms and a return of capital" (Cohen, 2005).

Most target nouns in this category collocate with core deontic modality indicators. Extremes in this regard are *chairman, division, lenders* and *officers,* as in: "a chairman must mentor the chief executive" (West, 2013). Other nouns which score highly on core deontic are *agency, AIG, bank, Barclays, board, building* (*society), Citigroup, commission, director, executive, government, group, HBoS, insurers, Lloyds, Merrill* (*Lynch), minister, Morgan, partner, providers, RBS, regime,*

(*Northern) Rock, Royal* (*Dutch Shell / Bank of Scotland), staff, standard, team* and *UBS.* See Figure 41 for a concordance to *executive**. These nouns identify banks, building societies and financial institutions, and also people working for them. All have been accused of corporate wrongdoing and all have made promises to do better, or have explicit (legal) obligations to do better. These deontic verbs are forward-looking, as in the case of 'will', which shows that this is indeed a promissory modality, rather than a form of modality indicating obligations imposed by external parties. An example of such a promissory modality is: "RBS will agree to pay a sum of around pounds 100m [to settle a lawsuit]" (Hall, 2006), in which it is implied that *RBS*'s promise to settle negates the negative impacts of their alleged wrongdoing. It does imply an acknowledgement of culpability, but also draws on the Metaphor of the Ledger to suggest that wrongdoing can be offset monetarily. In other words, by reporting companies' (self-imposed) future obligations, newspapers facilitate a neutralisation of corporate fraud.

However, not all obligations are self-imposed. The fact that the accused are passive (see chapter 8) suggests that many of these obligations are imposed by external parties, both invisible and explicitly mentioned, with regard to responding to accusations made about the accused, as in: "Barclays has been forced to hand over the details of hundreds of thousands of customers' offshore accounts" (Warwick-Ching, 2006). British companies, such as *Barclays, Lloyds, HBoS* and *Royal* (Bank of Scotland) are particularly passive. As such, the high core deontic scores for many British companies indicate that they are burdened by externally imposed obligations. Alternatively, this suggests that these companies are held to account and are considered culpable. Given, however, that legal process is metaphorically presented as unfairly restrictive, these obligations characterise the British accused as particularly put-upon.

Figure 41: Concordance lines for 'executive*', sorted 1R, 2R, 3R

Hit	KWIC
40027	m 24 to 48 hours, the maximum allowed before the executive must either be charged with an offence or
40028	have been ruined because of flood water. "The Executive must ensure that the much needed external
40029	sible as the behaviour of its employees so chief executives must ensure that they are rewarding the r
40030	30m</TITLE> Allen Stanford, the convicted bank executive, must forfeit $330m held in offshore accou
40031	choose not to accept this offer. While corporate executives must generally live with their financial
40032	oston judge demanded the former Anglo Irish Bank executive must get rid of his house in Malahide. As
40033	if there is one growth opportunity the new chief executive must get right, it is Barclays' strategy
40034	if there is one growth opportunity the new chief executive must get right, it is Barclays' strategy i
40035	general view at the time was that either Barings' executives must have been in league with Mr Leeson
40036	IPO. People close to the company believe other executives must have been involved in the transactio
40037	man of the jury, the two former Anglo Irish Bank executives must have briefly thought they were in th
40038	in the bank to argue the case that the next chief executive must have close ties to German politicians
40039	ment. A company which fired its first three chief executives must have had something amiss with its ma
40040	prosecuting, told Southwark crown court: "Every executive must have known anti-competitive behaviour
40041	ictory to prove its mettle and a case against BA executives must have seemed the perfect choice. Wha
40042	n't be paid. Shareholders have long demanded that executives must have "skin in the game". But now tha
40043	't be paid. Shareholders have long demanded that executives must have "skin in the game". But now tha
40044	he energy market as a whole. In other words, SSE executives must hold themselves partly to blame for
40045	are in the past. Most importantly, the new chief executive must implement the changes without hurting
40046	e at Murdoch's London court that key editors and executives must learn to live with constant speculat
40047	al peering over the other, BAA's brand new chief executive must look like a soft target for airline e
40048	al peering over the other, BAA's brand new chief executive must look like a soft target for airline e
40049	of having policies in place to prevent bribery, executives must make sure they are followed by every
40050	rne tells RBS: take Libor fine from bankers' pay: Executives must meet cost of US penalty, not taxpay
40051	ide in 2003 and because of legal changes. Non- executives must now attend more meetings, devote mor
40052	ikely that candidates for both chairman and chief executive must now be found from outside the bank, i
40053	or which they were responsible, just as US chief executives must now certify their accounts. CEOs hav
40054	. Meanwhile, Dick Parsons, Time Warner's chief executive, must persuade the company's board to supp
40055	titution does not abide by EU rules, traders and executives must realise that they won't get away wit
40056	Tuesday. Boy, how Bob Diamond, the bank's chief executive, must regret being the first to report mul
40057	boards must discuss the FSA review and the chief executives must respond to the FSA's demands by the
40058	nks must write off billions of dollars and chief executives must "retire". For Mr O'Neal and Mr Princ
40059	Lloyds THE former Lloyds Banking Group chief executive must rue the day he bought HBOS. The stric
40060	n bail while the appeal is pending. The two Tyco executives must serve time in New York state prison
40061	ns will be placed on purchase orders and that top executives must sign off expenditure. Staff must o
40062	TLE> Bernard Ebbers, the former WorldCom chief executive, must stand trial in New York rather than
40063	He's already been chopped and other senior Shell executives must surely be checking the fine print of
40064	e Sarbanes-Oxley Act that followed is that chief executives must swear to the accuracy of their compa
40065	nancial services industry. The former HBOS chief executive must take the main responsibility for the
40066	h former Invesco colleague Craig Newman as chief executive. "My job is to analyse companies. I have v
40067	ere mentioned as possible bidders. CRH's chief executive Myles Lee had told Bloomberg News in New Y
40068	I became a journalist. I have also been a chief executive myself, albeit of a very small company. I
40069	e a number of Citigroup and Salomon Smith Barney executives, myself included. Objectively, no one sh
40070	e a number of Citigroup and Salomon Smith Barney executives, myself included. Objectively, no one sh

Most other, non-British, companies (*AIG, Deutsche, Goldman, HSBC, Lehman, Sachs, Merrill, Morgan, Citigroup, Rock, UBS and lender*, insurers, bank, providers*), individuals more easily accused than ordinary workers (*insider, managers, partner, chairman*) and those with regulatory power (*minister, government*), are, however, not quite so passive. This lack of passivity suggests that ideal offenders (Christie, 1986), which are relatively powerful and 'alien' or 'foreign' (in both the sense of non-British and less well known), have more straightforward obligations and make more straightforward promises. As such, ideal offenders (*ibid*) are under more scrutiny than non-ideal offenders.

Whether the accused have actually done anything that requires a judicial response is also up for debate. The accused are defended by the possibility that no harm has actually been done, as also shown in the previous section. Sykes and Matza (1957, pp.667-8) describe the 'denial of injury' as a "hazy", rather than explicit, expression of the legal distinction between *mala in se* and *mala prohibita*. *Mala in se* is the notion that an act is wrong "in [itself]", whereas *mala prohibita* is the idea that an act may be illegal but may not actually be morally wrong (*ibid*). As such, *mala prohibita* is the inverse of the 'defence of legality' mentioned by Fooks *et al* (2012), which states that even if something may be argued to be wrong, it is not illegal. Sykes's and Matza's (1957) 'denial of injury' is used by the delinquent to suggest that even if the act in question was against the law (*prohibita*), due to the fact that no great harm has been caused, it is not actually wrong (*mala in se*). This defence is, for instance, used by *Barclays* against the allegation that they defrauded customers through so-called 'dark pool' stock trading: "[i]n its rebuttal, Barclays says: "Fundamentally, the complaint fails to identify any fraud - establishing no material misstatements, no identified victims and no actual harm."" (Treanor, 2014). Similarly, Société Generale-fraudster Kerviel defended his fraud by claiming he "had intended no harm to the bank" (*The Guardian,* 2008).

Analyst, banker*, city, client*, countries, executives, investor, manager and traders all score highly on both dynamic 1 and boulomaic. These scores indicate that individuals working for companies, are not directly held responsible for initiating changes but they may desire them. Boulomaic scores, in particular, indicate desires, whilst the dynamic 1 category indicates verbs which can be read as either boulomaic or deontic, depending on context. An example is: "traders want a body that can overturn decisions" (Makan, 2013). This shows that when the accused do have agency, it usually indicates an expression of their desire, rather than that they take responsibility for their actions.

In summary, most of the accused recognise that changes are called for and they make promises to make these changes. This is shown by the fact that the accused, generally, are the subject in deontic sentences. The deontic signifies an obligation or promise, which then draws on the metaphor of the ledger. When these representations feature British banks, these obligations are actually imposed on investigators and regulators rather than the accused. This result suggests that newspapers treat British banks differently, i.e. more sympathetically, than other financial institutions.

9.4.Investigators / Regulators

Both investigators and regulators are highly active, as pointed out in chapter 8. Furthermore, chapter 6 suggested that regulators and investigators are portrayed as being ineffective. Combined with the argument of this chapter, this indicates that newspapers represent regulators and investigators as having to perform certain actions and wanting to do so but being unable to do so. This representation is particularly applicable to specific British financial watchdogs, as general nouns and non-British non-financial institutions have fewer explicit obligations.

Much like the accused, investigators and regulators have relatively high scores for core deontic. These scores suggest that investigators and regulators have a high number of obligations and that they make many promises, compared to the rest of the corpus. The interpretation of the core deontic scores as indicating promises is also supported by the high scores for boulomaic, which indicates that investigators and regulators have a large number of needs and desires. These scores imply that there are many courses of action which are desirable for investigators and regulators and that they promise to take these courses.

Specific watchdogs have more explicit obligations than general investigative and regulatory institutions. For instance, *authority, body, committee, division, FCA, FSA, office* (*_np,* which indicates the Serious Fraud Office*), officer and watchdog,* all score particularly high on core deontic, as in: "[t]he consumer <u>watchdog must</u> show that it has provided benefits worth more than five times what it spends to enforce competition laws" (Atkinson, 2007). These nouns all tend to refer to specific investigators and regulators, rather than general watchdogs. On the other hand, *adviser*, authorities, country, experts, officials, person* and *members* are more general indicators of regulators and investigators and as such, it is difficult to pin specific obligations on them. Their obligations are described using can/could, indicating that whilst *authorities* 'can' offer a particular response, it depends on the particular *authority* whether this response 'must' occur. Nevertheless, all *watchdogs* are expected to offer at least some form of response.

This split between the obligations of general and specialised agencies is best illustrated by *regulator* and *regulators* and by *authority* and *authorities. Regulator* is specific to a particular market or a particular industry, as in: "the <u>regulator should</u> have seized the Virgin Atlantic emails" (Milmo, 2012). It has a relatively high core deontic score. *Regulators*, on the other hand, is less specific, as in: "[r]egulators want more consumer protection on credit cards" (*The Financial*

Times, 2013). It does not score highly on core deontic but does score slightly above the category norm for the boulomaic and dynamic 1 categories. Likewise, the singular *authority* scores highly on the deontic categories but the plural *authorities* does not score nearly as highly on these categories. These scores signify a difference in use: *authorities* refers to authorities in general, who 'can' (high score on dynamic 2 (can/could)) offer a response, as in: "British <u>authorities could</u> ask for the case to come under UK jurisdiction" (Bradshaw, 2010). The singular *authority* is furthermore tagged _np, which indicates that this target noun either refers to the *Financial Services Authority* or the *Financial Conduct Authority*. As they are two specific authorities, their actual obligations can be discussed in detail, as well as enforced with more confidence.

As well as scoring highly on core deontic verbs, *FSA* also scores highly on the boulomaic category, as in: "<u>FSA wants</u> reform of listings rules" (Gribben, 2008). Whilst the *FSA* has the responsibility for supervising the financial markets and for carrying out investigations (as implied by core deontic), it has limited regulatory authority, as indicated by the example and implied by the boulomaic scores. There is much the *FSA* wants to do, and much it should do, but the implication, made explicit in chapter 6, is that it is highly restricted in its actions. The effect of these representations is that watchdogs are condemned, both explicitly and implicitly, for being unable to perform their duties. Sykes and Matza (1957) describe this particular technique as being, among other things, an accusation of hypocrisy and uselessness. As an illustration, they (*ibid,* p.68) offer a characterisation of the police as "stupid" and "brutal". This is similar to the characterisation of investigators and regulators as simultaneously too harsh and too ineffective. If investigators and regulators are unable to perform their duties, no matter how much they want or need to, then they may also be unable to handle cases of corporate fraud.

A division also exists between specific financial authorities, such as the *FCA* and the *SFO* and general regulatory and investigative institutions such as law *enforcement, police and* Her Majesty's *Revenue* & Customs. The latter nouns do not have high core deontic scores but do register high scores for dynamic 1 and dynamic 2 (can/could), as for instance in: "<u>police could</u> probe the case" (Wright, Shipman and Massey, 2009). These scores indicate that general law enforcement responses to (allegations of) corporate fraud are possible and indeed desired. However, these responses are not required, as would be indicated by high deontic scores. This division also suggests that, despite criticism, more specialised agencies are more appropriate to handle these cases.

Finally, there is a division between British and non-British institutions, in that the latter again have lower core deontic scores. The *SEC* (Securities and Exchange Commission), for instance, scores relatively low (62.06%) on the core deontic category (although higher than the corpus average at 61.45%) but slightly higher on deontic phrase (0.82% to 0.67%), boulomaic (8.20% to 6.89%) and dynamic 1 (9.57% to 9.17%). The reason may be that, as opposed to the other specific, specialised agencies, the SEC is not British but American, so its obligations are perhaps less well known. A similar thing holds true for *country.* Other countries are too foreign for newspapers to outline any specific obligations. Instead, low deontic modality, as indicated in this case by a very high frequency of can/could items, is the only realistic modality that can be used. The *EU* is represented similarly: it scores at a low level in all categories but can/could. It may also be unclear what the EU's remit in these cases is, as is also evident from the dispute between the EU and Ireland over Apple's tax payments (Crilly, 2016), in which it was debated whether the EU has the power to dictate the tax payments Apple is to make to the Irish government.

Regardless of whether regulators and investigators have specific obligations or whether they are simply expected to take a certain course of action, the effect of such representations is a form of condemnation of the condemners, in particular because no other parties in this corpus have similarly explicit obligations. However, specific, British, financial institutions are held to higher standards than foreign, non-specific, non-financial investigators and regulators. This is the inverse of the results for the accused. As such, British corporate fraud news is more intensely neutralised than foreign fraud news.

In summary, British watchdogs are held to particularly high standards by imposing obligations (through core deontic verbs), as opposed to suggesting a course of action (through dynamic 1 and dynamic 2 (can/could) verbs), when compared to the standards to which a non-British, specific, financial institution like the *SEC* is held. These standards set British watchdogs up for failure. Such failure is made explicit through labels such as 'ineffective' (see chapter 6), as well as the use of boulomaic verbs, which imply that whilst these watchdogs may 'want' to take a particular course of action, they are unable to do so. 'Condemning the condemners' (Sykes and Matza, 1957, p.668) serves to shift the focus away from potentially criminal acts to the behaviour of those condemning such acts. British investigators and regulators, in particular, are condemned and the effect of such

condemnation is that the accused are under less scrutiny than they would otherwise have been.

9.5. Accusers

The accusers score slightly below the corpus average on core deontic, but tend to score slightly above the average for boulomaic. These scores imply that the accusers have fewer obligations or make fewer promises compared to other parties and have more needs and desires than them. This is what sets the accusers apart from investigators and regulators.

There is an absence of references to the specific tasks of accusers. It is unclear what they are expected to do. For instance, accusers have slightly elevated can/could scores, which implies that there is some uncertainty about the possible responses and responsibilities of these people – they 'could' take a certain course of action but it is unclear whether they 'must'. In other words, if the responses and responsibilities were more certain, they would be represented deontically.

Adviser, analyst*, broker, client*, experts, investor*, people and *prosecutors* all score highly in the boulomaic category. This marks a powerlessness in the accusers, as they may desire a particular outcome, but appear not to be in the position to achieve it. This high level of need could possibly add to the burden of the accused, as the accused are, presumably, held responsible by accusers for creating this need in the first place. However, this powerlessness of the accused also adds to the responsibilities of investigators and regulators. Accusers may need a particular response, such as an investigation or tighter regulation. As such, it also is investigators' and regulators' responsibility to respond.

Take, as a case study, the lemma *client. Client*,* singular and plural, tends to score relatively lowly on the deontic categories (*client*: 54.61% on core deontic, 0.19% on other deontic, and 0.19% on deontic phrase; *clients*: respectively 51.07%, 0.07%, and 0.88%; corpus 61.45%, 0.06%, 0.67%) but highly on both boulomaic (respectively 11.68%, 12.90% and 6.89%) and dynamic 1 (respectively 11.49%, 11.50% and 9.17%). This means that *client** has few responsibilities but many needs, as in: "clients want justice to be done for what they have lost" (Hall, 2006). As *client** is also present in the victim category, these scores could simply mark the naturally dependent nature of being a *client*. A similar pattern presents for *investor*.* The plural, *investors*, is also in the victim category. This is also the case for *people. Prosecutors* tend to score only slightly higher on boulomaic and deontic, suggesting

that *prosecutors,* too, depend on others – specifically, judges and juries – to achieve their desired outcome.

The accusers are, on the whole, characterised by their desires and needs, which add to the many responsibilities of investigators and regulators. Furthermore, they have low deontic scores, which sets them apart from investigators and regulators.

9.6. Victims

Victims are relatively passive when compared to all other groups. They have little autonomy to instigate change. This is reflected by the fact that they generally score relatively lowly on all deontic categories. They score particularly highly, however, on the boulomaic and can/could categories, demonstrating that there is a particular focus on the victims' needs and desires. The focus on these needs sets them apart not just from the accused but also from the accusers, investigators and regulators. This pattern indicates why these parties have been designated the victims.

The victims are, primarily, defined by their needs and expectations. All victims score relatively high on the boulomaic category, as illustrated by: "[m]y <u>clients want</u> justice to be done for what they have lost" (Hall, 2006). Again, this emphasis on the needs of victims adds to the responsibilities of investigators and regulators: victims are in no position to actually ensure this justice is done. Instead, it is up to investigators to examine the case properly and ensure that the accused see their day in court. Furthermore, there are many representations detailing what they 'need' or 'may' do or 'might' expect as reparation, as in: "Victims need to be listened to and helped - too many tell us that when they complain they are treated with contempt" (Budworth, 2012), adding to the same burden.

In apparent contradiction to the fact that victims have very little agency, as established in the previous chapter, *consumer, members, NHS, shareholders and staff* score particularly high on core deontic. However, as the previous chapter also pointed out, the victims are generally passive. As such, these deontic scores do not refer to obligations or promises on the part of victims but on the part of others who affect these parties. For instance, "unwitting <u>staff should not be penalised</u>" (Willsher, 2013) clearly shows a response to *staff* that has been formulated deontically. However, this sentence imposes obligations on regulators and investigators, rather than the victims. There is negation in this example but it does not affect the modality value. The example still makes a statement about the imperative to punish or in this case, not punish, *staff*. As such, negation is only useful to determine the required,

desired, or possible outcome of a particular situation, rather than to establish whether this outcome is indeed required, desired, or possible, and to what extent.

The modality patterns for the victims indicate that they have more needs than other noun categories. These needs are established through boulomaic representations and deontic passives. The victims have less autonomy than other noun categories to make changes happen. There is also a focus on how to best respond to the victims. This focus is reflected by the many promises made by the accused. There is an obligation for external parties to respond to these victims. This obligation adds to the burden of investigators and regulators. As such, the representation of the victims as weak and powerless adds to a neutralisation of corporate fraud news in a roundabout way.

9.7. Legal Process

For this part of the analysis, the concordances for target nouns categorised as 'legal process' have been examined. As the modality analysis of target nouns relating to the legal process shows, most elements of the Process are represented categorically. However, newspapers use epistemic modality to raise doubt over the veracity of accusations and to question whether the law has actually been broken.

Campaign, inquiry, investigation*, probe, process and *court* are categorically represented. This is not unusual, as *investigations* and related nouns (such as *probe* and *inquiry*) only become news after they are announced. These *investigations* produce, or follow up on, allegations.

The truth of accusations is generally up for debate. *Audit, case*, charges* and *claim** are epistemically represented, as in: "false audit reports" (Seib, 2009), "dodgy claims" (Sherwood, 2004) and "false charges" (Dolan, 2006), regardless of the actual credibility of these accusations. This tendency is also illustrated by Figure 42. Newspapers emphasise that accusations may be false (even if they are not), to a greater extent than they would for accusations of more ordinary crimes. As such, newspapers offer space for a misrepresentation of the evidence (Fooks *et al*, 2012). It is again possible that newspapers are simply letting justice take its course (see Wright *et al*, 2009 [1995]). However, given their far less hesitant approach to other forms of crime (see Tabbert, 2015, pp.91-102), by consistently framing *charges* and *claims* as invalid, corporate fraud accusations are, in fact, neutralised. Fooks *et al* (2012) characterise the technique of neutralisation which they label 'misrepresentation of the evidence' as working in two possible ways. First, the evidence of wrongdoing may be denied. Second, the value and validity of evidence

against wrongdoing may be overstated. In this case, by overstating the possibility that statements are false, newspapers facilitate a denial of evidence of wrongdoing.

Figure 42: Concordance lines for 'claim*', sorted 1L, 2L, 3L

Hit	KWIC
15737	SFO's lawyers. It accuses him of making false claims to the authorities over his knowledge of
15738	SFO's lawyers. It accuses him of making false claims to the authorities over his knowledge of
15739	.'' Sir Allen has been accused of making false claims to investors about the returns he could
15740	Mr Altikriti accused Mr Cameron of making false claims about the Cordoba Foundation under the p
15741	dge Steiger told Jennings: Prisoners making false claims for damages through solicitors or otherw
15742	ailing to deliver what they promise, making false claims and putting people under pressure to buy
15743	, later pleaded guilty in the US to making false claims about the oil, sold on to US refineries.
15744	However, this does not explain one massive false claim on his website, which says that Corn Wal]
15745	However, this does not explain one massive false claim on his website, which says that Corn Wal]
15746	methods, such as user feedback, to monitor false claims and are not involved in the negotiation
15747	e inquiry. Mr Morley blamed the 18-month false claim, which he has repaid, on "sloppy account:
15748	The company is accused of submitting more false claims than any other. Fakley insists that is
15749	ng to cheaper tariffs elsewhere because of false claims about rivals. Not all the criticism lev
15750	n on the subject of who covers the cost of false claims. A Ministry of Justice spokesman said:
15751	y. It found several possible examples of false claims that jobseekers had been placed in work.
15752	uditors found several possible examples of false claims that job seekers had been placed in worl
15753	mis-selling is false and three-quarters of false claims come from fee-hungry claims management c
15754	are now primed to spot "telltale signs" of false claims: "I won't say what those are though." 1
15755	destructive, confidence-sapping threat of false claims years ago. Passport blackmail WITH 360
15756	al wealth. Friedman, meantime, was wary of false claims of advance. "The progress appears spotty
15757	roportion are utterly bogus. The wave of false claims has been fanned by cold-calling vulture
15758	y Act protects consumers from misleading or false claims. However, manufacturers try to differer
15759	n the same. Shell fined Pounds 84 m over false claims SHELL has been fined Pounds 84million a
15760	laim to be foreigners would help to police false claims – and Ashcroft for one, who set up his c
15761	njunctions prohibiting them from repeating false claims. The authority said that it had no choic

When it is established within reason that a corporation has committed a certain act, the question remains as to whether this act is actually illegal. Following Fooks *et al* (2012), this points to a 'defence of legality', a technique of neutralisation whereby questionable behaviour is defended by the claim that it is not actually against the *law*. This is a defence used for *tax avoidance*, as in: "tak[ing] steps to minimise one's tax liabilities is still a perfectly legal activity, tax avoidance is not a crime" (*The Financial Times*, Houlder, 2005). As a result, acts that are contrary to the spirit of the law, if not contrary to the actual law, are generally neutralised.

Newspapers generally represent elements of the legal process as categorical. There are, however, instances in which these elements are modalised. These instances serve to neutralise corporate fraud by calling into question the validity of various accusations and by raising the question of whether a particular form of behaviour is actually contrary to the law. These representations draw on two particular techniques of neutralisation, first suggested by Fooks *et al* (2012): misrepresentation of the evidence and the defence of legality.

9.8. Crime Scenes

For this section, the method in which concordances have been examined to explore the relevant modal representations has been used. Newspapers tend to

epistemically represent the likelihood that various locations have been affected by alleged acts of corporate fraud. The effect of this representation is that the injury of fraud is denied, in the sense that if no damage is done to (metaphorical) locations, such as the *market*, then the crime may be considered less serious than if damage is actually done. The denial of injury is, like the condemnation of the condemners, a technique of neutralisation.

Whilst the existence of locations is taken for granted, the possibility of events occurring at these places is epistemic, raising the question of whether any act of fraud actually took place. For instance, *Anglo* Irish Bank is marked by "suspected fraud" (McElroy, 2009), thereby emphasising that this fraud may not have happened, again following the Contempt of Court Act (1981). Similarly, whether *markets* are affected or have been manipulated, is epistemic, as for instance in: "the investigators are examining alleged market manipulation" (Marlow, 2009), also illustrated by Figure 43. Historical events at financial institutions, such as collapses and convictions, are, however, treated categorically, in line with Wright *et al*'s (2009 [1995], p.32) findings. This is similar to findings for cases and the legal process, which show that there is a shift in modality once a corporation or executive is found guilty or the case is settled.

Crime scenes are those institutions at which alleged fraud has occurred and therefore have been affected. Because such alleged fraud has occurred at these places, there is a presumption that those responsible for overseeing and maintaining these locations, wish to, or should wish to prevent its reoccurrence. In these cases, the use of the location nouns is metonymical. An example is *industry.* Deontic representations are included to describe what certain *industries* promise to do after reports of (structural) illegitimate behaviour in a certain *industry,* as in: "the car industry will collaborate to drive the scammers out" (*The Guardian*, 2009b).

Figure 43: Concordance lines for 'market', sorted 1R, 1L, 2L

Hit	KWIC
2189	unal rejected the appeal argument that it was not market abuse because the orders were in derivat:
2190	r losing a final appeal against an accusation of market abuse. Winterflood, owned by UK financi.
2191	atest industry effort to fend off accusations of market abuse and educate participants in the hai
2192	atest industry effort to fend off accusations of market abuse and educate participants in the hai
2193	ainst the UK financial regulator's accusations of market abuse. In a suave performance, Mr Buckii
2194	<TITLE>Railway companies accused of market abuse</TITLE> Companies which own railw.
2195	<TITLE>French accused of 'market abuse' in BPB bid battle</TITLE> THE Fro
2196	to Northern Rock, it could have been accused of market abuse. The u-turn was vital to avert the
2197	yesterday sent out copies to all those accused of market abuse, and who would now have the opp-or:
2198	ibility of a permanent ban after being accused of market abuse by the FSA. The regulator accused I
2199	ibility of a permanent ban after being accused of market abuse by the FSA. The regulator accused I
2200	Paul "The Plumber" Davidson, who was accused of market abuse when the company floated on AIM in
2201	d largest shareholder, have also been accused of market abuse by the special prosecutor and will
2202	d-largest shareholder, have also been accused of market abuse by the special prosecutor and will
2203	s consumer harm occurs. Individuals accused of market abuse also attracted much higher fines a:
2204	Mr Hannam – the former City rainmaker accused of market abuse and fined ÂÅ450,000 for allegedly
2205	annam – the JP Morgan Cazenove banker accused of market abuse in February 2012 – is still not re:
2206	, Paul "The Plumber" Davidson, who was accused of market abuse when the company floated in 2002. I
2207	njunction to stop him committing further acts of market abuse. In a groundbreaking move Samuel I
2208	d the FCA always take seriously any allegation of market abuse,' the two enforcers said. It has I
2209	n would follow in wake of EU raids Allegation of market abuse now 'under urgent review'</TITLE>
2210	ullett after an investigation into allegations of market abuse made by a former employee last yea:
2211	s resolved its investigation into allegations of market abuse by the companies and individuals tI
2212	s resolved its investigation into allegations of market abuse by those companies that have accep:
2213	ation against Aberdeen to examine allegations of market abuse Oct 14 2002 Chris Fishwick is forc:

The epistemic evaluation of whether fraudulent behaviour actually occurred or is actually fraudulent in, or at, a crime scene, is a neutralisation, in the sense that whether the crime itself has happened is up for debate. Questioning whether a crime has happened can qualify as a denial of injury, as also argued in the legal process and cases sections. The cases section, in fact, raises three ways in which criminal acts are denied: a) through a denial of injury, b) through a defence of legality (Fooks *et al*, 2012) and c) entirely. By denying that a crime has happened, all three techniques of neutralisation are employed here. Metonymically, these crime scenes, although technically those responsible for them, also make promises to counteract fraudulent behaviour in the future. As outlined in the section relating to the accused, such promises are part of the metaphor of the ledger (see Klockars, 1974), in which future positive behaviours can be used to offset past or present negative acts.

In summary, there is a question of whether any of these places have actually been affected by any acts. The effect of this modalisation is that corporate fraud news is neutralised, mainly through a denial of injury. Furthermore, with particular regard to those target nouns which overlap with the accused, the occurrence of fraudulent acts is denied or balanced by promises, as a realisation of the metaphor of the ledger.

9.9. Chapter Summary

The most fundamental question this chapter answers is also the one that has the most potential to undermine any prosecutor's argument: is there a case to be answered? It has been said that if there is no body, there is no crime. Likewise, if no fraud has taken place, then there is no case.

This chapter analyses modality in the corpus to answer this question by drawing on two different methods. For the cases, legal process and crime scene sections, the concordances of all target nouns have been evaluated. For the remaining sections, CQL queries have been used in *SketchEngine* to record the percentages for each of six modality categories.

With regard to the question of whether a crime has occurred, it is indeed implied in certain cases that a particular act may not have taken place. For instance, cases are indicated using non-specific nouns and the question of whether a particular act has actually occurred in, or at, a crime scene is epistemically modalised. Even when it is acknowledged that a particular event has occurred or an act has been committed, the question is raised about whether this event or act is morally or legally wrong. For instance, there is the epistemic representation of whether an act is against the *law*, which is Fooks *et al's* (2012) 'defence of legality'. When an act is illegal, i.e. mala prohibita, there is nevertheless still a debate about whether the act is also mala in se. Sykes's and Matza's (1957) 'denial of injury' effectively negates the option that such an act is indeed mala in se.

Furthermore, the accused are able to deflect the blame for these fraudulent acts by making promises. Non-ideal accused, in particular, i.e. British companies, have their obligations forced upon them by external parties. The relatively more ideal accused, i.e. non-British companies, have more responsibilities or make more promises. This result means that the non-British accused are approached with less sympathy or caution than the British accused. Earlier chapters showed that regardless of whether the accused are British, newspapers downplay the possibility that they have committed any fraudulent acts. Similarly, despite differences between British and non-British accused, the prevalence of promises is neutralising, through the metaphor of the ledger (Klockars, 1974), which serves to deflect attention from (the harm of) past acts to (the benefit of) future acts.

Responsibility is more clearly assigned to the active accusers, investigators and regulators, where the difference is that whilst all three groups have many desires, only investigators and regulators can and will perform actual investigative

and regulatory actions. This is also because the remit of accusers is relatively unclear, given their varied backgrounds, whereas the remit of investigators and regulators is more clearly outlined, for instance in policy documents. This argument is supported by the fact that specific regulators, such as the *FCA*, collocate more with deontic verbs than general and unspecified regulators, such as *watchdog*, and the deontic verbs with which specific regulators are associated also tend to be stronger, e.g. 'must' instead of 'might'. Given the active nature of investigators and regulators, their high scores for deontic representations signify a preparedness on the part of newspapers to, in colloquial terms, 'tell them what to do'. When combined with earlier analyses that found these noun categories to be portrayed as 'ineffective', these scores signify the neutralising strategy of condemning the condemners (Sykes and Matza, 1957). Condemning the condemners serves to shift blame from the accused to the accusers and investigators and regulators. By focusing on the responsibilities of investigators and regulators, rather than on the responsibility of the accused, newspapers manage to do precisely that.

This chapter shows once again that these newspapers tend to neutralise these (alleged) acts of corporate fraud by employing many different techniques. These include various ways of deflecting responsibility from the accused to investigators and regulators. The accused promise to 'make up for it', which draws on Klockars's (1974) metaphor of the ledger, whilst Sykes and Matza's (1957) condemnation of the condemners is facilitated by the many obligations foisted upon regulators and investigators.

Chapter 10.   Discussion

This concluding chapter restates the research question and the answer my thesis provides, with special reference to the theory of the techniques of neutralisation. It then examines in more depth the representation of each group of participants in acts of corporate fraud by UK newspapers. It also summarises the methods used to answer these research questions and address possible weaknesses in these methods. Finally, recommendations for practice and future research are made, with particular reference to the imperative to challenge harmful dominant narratives.

The main research question of this thesis is *how did British newspapers linguistically represent cases of corporate fraud between 2004 and 2014?* Sub questions are how these acts, and those who participate in them, are indicated, which systematic metaphors commonly recur, who is held responsible for these acts, whether participants have any responsibilities, and if so, which, and finally, whether accounts of corporate fraud are epistemically evaluated, and if so, how. Cases of fraud tend to be named as 'fraud', but as less explicitly criminal matters, such as *problem* or *issue*. When they are indicated as explicitly criminal, they tend to be epistemically modalised, as in *alleged tax evasion*. The accused tend to be approached with a level of sympathy, in particular if these corporations are British. Foreign, more 'ideal' offenders are modified with words including *greedy, corrupt* and *reckless*, whereas British corporations are modified so less often, and are more often indicated as being on the receiving end of threatening metaphors such as the CONSEQUENCES TO FRAUD ARE NATURAL DISASTERS and INVESTIGATIONS ARE WAR. The transitivity analysis also shows that their suffering is grammatically foregrounded. Investigators, regulators and accusers, meanwhile, are indicated as simultaneously *hostile* and *ineffective watchdogs*, unable to perform their duties in a manner that is 'just right'. They are indicated as being on the initiating end of metaphors such as INVESTIGATIONS ARE WAR, and the transitivity analysis shows similar levels of initiation of acts by investigators, regulators and accusers. Furthermore, accusations made tend to be highly epistemically modalised through modifiers such as 'dodgy' and 'false'. There is, finally, a denial of all but the most 'legitimate' victims, in the sense that only 'ideal' victims are actually presented as victims. Other affected people are not afforded similar levels of sympathy. They tend to be presented as the recipients of acts performed by invisible agents, breaking the link between offender and victim. In other words, between 2004 and 2014, British newspapers presented cases of corporate fraud as initiated by (incompetent) investigators and regulators, as burdens to British corporations, and with limited

effect on the British public. The next seven sections outline the findings for each participant, case and circumstance in more detail. These summaries show that cases of fraud are generally presented in an understated fashion; responsibility is transferred away from the accused, while regulators, investigators, and also accusers are instead blamed. As a result of this representation, newspaper reporting of corporate fraud serves a neutralising function, despite the financial and intangible costs of this crime (Chu, 2016; Her Majesty's Revenues and Customs, 2015; Punch, 1996; *Encyclopedia of Crime and Justice,* 1983; Conyers, 1980; Rosoff *et al*, 2010, p.28), which contribute to rapidly increasing global wealth inequality (Slater and Kramers, 2016; Kramers, 2017).

10.1.   Neutralisation

The media use techniques of neutralisation to excuse what Sutherland (1949, p.9) calls "crimes of the powerful". Sutherland's theory of differential association states that both the techniques of, and justifications for, criminal behaviour are transferred through communication (Sutherland, 1955). Sykes and Matza (1957) refute the notion that criminal behaviour is justified, instead suggesting that it is (only) neutralised. The difference is that justification encourages such behaviour, whereas neutralisation merely excuses it. Assuming the media are part of the establishment, then establishment crimes can be excused, both pre-emptively and post-hoc, through media communication.

Sykes and Matza (1957) outlined five techniques of neutralisation: denial of responsibility, denial of injury, denial of the victim, condemnation of the condemners and appeal to higher loyalties. Since then, other techniques have been described (see Klockars, 1974; Thompson, 1980; Minor, 1981; Bandura, 1990; Fooks *et al*, 2012). My research has found that most of these techniques are indeed used by newspapers in their representation of corporate fraud, consequently excusing these acts.

The reporting of corporate fraud between 2004 and 2014 follows a narrative in which the legal process offers clear, predictable points of resolution. In this story, put-upon corporations-as-protagonists struggle against the heavy burdens of regulation and investigation. This burden is continuously increased by regulators and investigators. investigators are both hostile and ineffective, whilst it remains to be seen whether the claims of accusers are at all legitimate and true. Because of increasing pressures and competition, corporations end up breaking the rules. This rule-breaking is serious but responsibility for the consequences is

assigned to the regulators for driving these corporations to that point. This narrative is in line with earlier research, which found that the responsibility of corporate criminals has been obscured or denied (Machin and Mayr, 2013; Jewkes, 2011; Mayr and Machin, 2012; Wright *et al*, 2009 [1995]; McMullan and McClung, 2006) and that the criminal nature of corporate crime has been underplayed (Punch, 1996; Jewkes, 2011; Mayr and Machin, 2012; Evans and Lundman, 2009, [1983]). Whilst private individuals are affected by the consequences of these breaches, only in a minority of cases are these individuals actually portrayed as victims. As such, this particular consequence of corporate fraud is generally obscured.

The narrative neutralises the reporting of corporate fraud, both through the classic techniques outlined by Sykes and Matza (1957), such as denial of responsibility, denial of the victim and condemnation of the condemners, as well as through techniques such as Klockars's (1974) metaphor of the ledger and Minor's (1981) defence of necessity. This result is in line with findings that corporate criminals, as well as ordinary ones, use techniques of neutralisation to address and justify their acts (see Stadler and Benson, 2012; Piquero *et al*, 2005; Vieraitis *et al*, 2012; Fooks *et al*, 2012).

As indicated by previous research (see Punch, 1996; *Encyclopedia of Crime and Justice,* 1983; Rosoff *et al*, 2010; HMRC, 2015), corporate fraud is, and should be, considered a very serious form of crime. Not only is it a financially expensive crime, it also has broader effects on political legitimacy (Punch, 1996, pp.66-7). Newspapers' reluctance to condemn outright those accused of fraud and their increased scrutiny of regulators and investigators could sympathetically be explained as the media fulfilling its role as the Fourth Estate. However, given that corporate fraud reporting is neutralising, and as newspapers intensify their reporting in response to economic developments, they appear to direct blame away from corporate parties, and on to regulatory and investigative parties. This portrayal is due to links between news media, corporations and political interests. This argument is supported by the finding that intensification of this narrative occurs following economic downturns and increased political focus on topics such as corporate wrongdoing, meaning that this narrative serves to deflect blame from corporate parties, onto scapegoated regulators and investigators. This argument is also illustrated by, for instance, the recent announcement that former Conservative Chancellor of the Exchequer George Osborne was appointed as the Editor of the *London Evening Standard*.

The analysis of the articles in my corpus suggests that newspapers have created a narrative in which corporations, which are not blameless but also certainly not responsible for any negative consequences, struggle against the pressures created by regulators and investigators. These regulators and investigators are for this reason condemned. Whilst there are traditional victims in this corpus, they tend to be obscured and only included when 'ideal'.

10.2. Cases

Cases are generally indicated not as 'fraud' but as more general, less explicitly criminal or illegal, actions. Furthermore, there is little to no focus on who is responsible for these (and other) forms of corporate misbehaviour.

The labels applied to acts and allegations of corporate fraud serve to play them down. Thus, chapter 7 argues that acts of corporate fraud are treated as quantifiable and offset-able, by other acts. The 'weight' of these cases is, according to chapter 6, described as minor. This denial of the impact of acts of corporate fraud is also achieved by characterising them metaphorically as *messes*, which can easily be cleaned up. This characterisation of cases as largely insignificant can be explained by the criminological theory of techniques of neutralisation (Sykes and Matza, 1957). This euphemistic labelling is a case of Sykes and Matza's (1957) denial of harm or injury. Despite the fact that these acts are contrary to law, or contrary to the spirit of the law, as in the case of tax *avoidance*, most acts are described as little more than corporate mischief.

There is little focus on who caused these situations. This lack of focus on responsibility for cases is also apparent from the findings of chapter 8. More often than not, cases are portrayed as occurring suddenly, without origin, and causing difficulties for the accused. This result is similar to McMullan and McClung's (2006) and Machin and Mayr's (2013) findings that cases are portrayed as occurring accidentally. This result is also supported by the findings of chapter 7, which show that negative events like the *recession or insider trading*, are represented as 'hand of God'-occurrences (see also Jewkes, 2011, p.25). Only in the most explicitly criminal cases is there any suggestion of victims and responsibility. The fact that no responsibility for these cases of corporate fraud is acknowledged is Sykes and Matza's (1957) denial of responsibility. According to Sykes and Matza (1957, p.667), this denial may occur through arguments that "deviant acts are an "accident"", as well as through arguments that these acts have been caused by external forces or have been a forced response to these external forces. In the

context of this corpus, external forces would, for instance, be the actual market / industry / economy or more clearly defined actors, such as investigators and regulators.

Wright *et al* (2009 [1995], p.22) show that newspapers are hesitant to label corporate crime as criminal. The fact that papers distance themselves from explicit accusations, as found in chapter 9, certainly adds to these findings. There is instead a focus on breaches of implicit rules of the industry and market, rather than breaches of the law. Evans and Lundman (2009 [1983]) also found that the language of criminality is absent from corporate fraud reporting, although their definition of this language is somewhat narrow.

In fact, these cases are presented as challenges to the accused. By portraying cases as challenges to the accused corporations, room is also created for 'appeals to higher loyalties' (Sykes and Matza, 1957), in particular the 'defence of necessity' (Minor, 1981). As a corporation should try to continue to function and, at the very least, break even, these challenges create situations in which a variety of strategies, both legal and illegal, aimed at overcoming these challenges are at least understandable, if not commendable.

In summary, cases of corporate fraud are generally neutralised. This is mainly done through euphemistic labelling. cases of corporate fraud are simply not represented as criminal, but, at most, as scandalous. This result implies that the accused are not, in fact, particularly serious criminals and instead may be "sexy" (Punch, 1996), even if not innocent, protagonists. Compare the manner in which Jordan Belfort, the protagonist in Scorsese's *The Wolf of Wall Street* (2013; based on Belfort's memoirs, 2007), despite his many questionable and criminal acts, is perceived as glorified (McDowell, 2013; Child, 2013; Kolhatkar, 2013; Friedlander, 2013). Metaphorically, cases of corporate fraud are considered simple instances of rule-breaking. This rule-breaking is further neutralised by references to the needs of corporations to survive in the market.

10.3.   The Accused

The portrayal of the accused is relatively complicated. The accused are not straightforwardly cast as innocents, nor are they explicitly vilified. The systematic importance of British corporations, in particular, goes a long way to neutralising, if not defending, their alleged criminal acts.

The metaphor analysis shows that the size and wealth of a corporation are considered an indicator of its significance. Institutions and wealthy individuals are considered essential to the economy and so are treated with some leniency, as Williams (2008, p.488) also found. Markets and corporations are important factors in the economic prosperity of a nation, so all cases of corporate wrongdoing are then, necessarily, represented as exceptions. Acknowledging that corporate fraud is common would undermine trust in the economic system. Size, success and cultural and geographical proximity are particularly important factors in whether an institution is considered an 'ideal offender' (Christie, 1986). Larger, more successful, more local companies tend to be more important in determining a nation's economic prosperity. In this regard, chapter 6 shows that a distinction is made between geographically distant institutions and 'systematically important' geographically close ones. The latter are indicated more sympathetically. Given the overall focus on large, wealthy, British and American corporations, the accused are generally approached with a level of sympathy and leniency. This focus on important and wealthy corporations could be considered an appeal to higher loyalties (Sykes and Matza, 1957), in that these characteristics implicitly invoke a defence of necessity (Minor, 1981), a defence of previous behaviour having been for the greater good, and even an expression of right (Fooks *et al*, 2012). The implicit defence of necessity is due to the fact that these corporations are British and 'systematically important' / 'too big to fail'. The need to protect and enhance the British economy is presupposed and these corporations are established as essential to this aim. As such, any (negative) behaviour that allows these corporations to compete globally is, if not encouraged, at least tolerated, despite tangible and intangible costs.

In fact, the accused are portrayed as being under attack, thereby further increasing sympathy for them. This is done, for instance, by emphasising the competitive nature of the (global) market, which is illustrated by the set of metaphors that indicate that BUSINESS IS A COMPETITION. These competitions may be relatively friendly, such as SPORTS and GAMES, in which case any breaking of the rules has diminished gravity. In other cases, these competitions take the form of an all-out WAR. These systematic metaphors offer room for a defence of committing acts of corporate fraud for the 'greater good', in this case, the British economy. A related greater good is that of making a profit, which benefits, if not the British public, at least the stock- and stakeholders. The importance of these greater goods allows these corporations to do whatever they consider necessary to further their

own goals because their goals are so closely tied to the needs of the British economy.

In other instances of semi-victimisation, the accused are metaphorically portrayed as subject to the 'bad weather' / 'natural disaster' that is the backlash that follows accusations of corporate fraud. This representation shifts the focus away from alleged corporate fraud to the negative consequences of this backlash on the accused, implicitly drawing on the classic technique of neutralisation of 'condemning the condemners' (Sykes and Matza, 1957). By extension, the responsibility of the accused, in actually committing acts of corporate fraud, is denied or diminished (see Sykes and Matza, 1957). The finding that responsibility for corporate crime is obscured or denied is common in all previous research (see Jewkes, 2011; Mayr and Machin, 2012; McMullan and McClung, 2006; Machin and Mayr, 2013).

As chapter 9 shows, there is a focus on future obligations and promises of companies to 'do better'. This focus on obligations draws heavily on Klockars's metaphor of the ledger (1974), as it suggests that any actions that have been or are considered delinquent can simply be offset by future behaviour.

Chapter 8 suggests that the accused are passive and acted upon by invisible agents. This result is contrary to Tabbert's findings (2015, p.98), in that she shows that offenders in her English news corpus are normally active. Whilst agents are not explicitly mentioned in the passive representation of the accused, this grammar casts aspersions on the motivations and behaviour of those affecting the accused.

Newspapers have much sympathy for the perceived plight of the accused. They are not established as innocent but neither are they as straightforwardly vilified in the same way as regulators. A distinction is made between 'ideal offenders' – foreign corporations routinely engaged in questionable activities – and non-ideal offenders. These non-ideal offenders are large multinational companies, whose existence and prosperity is considered essential to the British economy. This latter category of offenders is, in fact, the one most often reported on by these newspapers. This focus is, presumably, because British companies and executives make more sympathetic protagonists. As a result, the responsibility of these alleged offenders is systematically obscured or denied.

10.4.   Investigators / Regulators

Investigators and regulators are portrayed very negatively. They are described as ineffective and hostile. Whilst regulators and investigators have a great number of obligations, there is no end to the criticism that they receive for fulfilling these obligations (or at least attempting to do so).

Chapter 6 shows that investigators and regulators are generally criticised for being ineffective, expensive and overly hostile. These labels draw into question the legitimacy of these agencies investigating and regulating cases of corporate fraud. One of the most striking features is the use of the lose-lose labelling: these agencies are represented as either too harsh, in line with the criticism of hostility, or they are too lenient.

An example of a very specific villain is the metonymic and personified *taxman*, who is represented as an annoying, even aggressive, antagonist. This hostility is further illustrated by the results of chapter 8, which show that investigators and regulators are generally very active. It is argued in chapter 8 that this grammatical tendency serves to pit regulators and investigators against accused corporations, which renders the narrative of corporate fraud relatively unambiguous: this is a narrative in which corporations are accused of the supposedly minor crime of corporate fraud, to which investigators react with unnecessary hostility. In this regard, Cavender and Mulcahy (1998) found that reports of corporate crime become a story containing heroes and villains. By representing the relation between investigators and regulators, on the one hand, and the accused, on the other, as one of hostile opposition, in which investigators are the aggressors and the accused are defenders, room is created for defences of necessity (Minor, 1981) and expressions of right (Fooks *et al*, 2012). If investigators are overly hostile and aggressive, then the accused have an understandable need, and even right, to defend their position to the best of their ability. This perceived need may not legitimise illegitimate tactics and behaviours but it certainly neutralises them.

Chapter 9 furthermore shows that investigators and regulators are normally held responsible for the consequences of investigations and regulations. This finding supports the argument made about the accused, that the focus is shifted away from the behaviour of corporations to the motivations and behaviour of investigators and regulators. The main technique of neutralisation that is apparent from this representation of investigators and regulators is the condemnation of the

condemners (Sykes and Matza, 1957). By deflecting attention from the actual fraudulent acts and by questioning the motives of those who have the responsibility of responding to these accusations, there is no room to actually respond to accusations of corporate fraud.

Investigators and regulators are represented as the villains in the story of corporate fraud. Chapter 6 has shown that they are both hostile and ineffective, and are generally pitted against the accused. As such, the motivations and tactics of investigators and regulators are drawn into question or even condemned. This condemnation shifts focus away from the actions and responsibilities of the accused and as such serves to neutralise corporate fraud.

10.5.   Accusers

Accusers are treated in a similar way to investigators and regulators, and with the same effect. The effect is, in particular, a condemnation of the condemners and denial / transfer of responsibility (Sykes and Matza, 1957; Thompson, 1980). The main difference is that accusers have more needs and desires than investigators and regulators, as indicated in chapter 9.

Much like investigators and regulators, accusers are defined by their hostility. More often than not, the legitimacy of their claims is called into question. This representation serves to undermine the judgment and motivations of these accusers. As such, this characterisation is a clear case of 'condemnation of the condemners' (Sykes and Matza, 1957). An important observation from chapter 6 is that only the accusations of the most legitimate, respectable ordinary people and institutions are reported with relatively little hedging, compared to other accusers.

Accusers are, like investigators and regulators, generally active and as such may be (implicitly) represented as causing negative consequences to the accused. This representation shifts the focus away from the accused to the accusers. This serves both as a denial of responsibility (Sykes and Matza, 1957) and a transfer of this responsibility (Thompson, 1980).

What sets the accusers apart from investigators and regulators is their modality. Institutions and individuals with regulatory power have high deontic modality, suggesting they have a large number of responsibilities. Individuals without this regulatory power have low deontic modality but high dynamic modality, suggesting that whilst they may have the opportunity and ability to respond and comment on these accusations, they do not have the responsibility to do so. On the

whole, accusers have high boulomaic modality, suggesting that they are mainly characterised by their desires and needs, rather than their obligations.

The reliability and legitimacy of accusers are generally called into question. This result indicates that their claims are condemned or at least not taken as seriously as they should be. Like investigators and regulators, accusers are held responsible for initiating the series of legal consequences which affect the accused. Once again, this tendency serves to shift focus onto the motivations and tactics of condemners, away from those who should rightly be condemned.

10.6. *Victims*

Victims have a relatively unimportant role in the story of corporate fraud. Only those victims that are 'ideal' (Christie, 1986) are featured but the responsibility for their victimisation has been obscured.

Victims play only a small part in the narrative, creating a denial of the victim, as well as a denial of injury (Sykes and Matza, 1957), as, without a victim, there is a question of whether any actual harm has been done by the accused. As shown in chapter 6, only those victims that fulfil the very narrow criteria to be considered 'ideal victims' (Christie, 1986) are actually reported on. These victims are either financially vulnerable, as in the case of *borrowers, children and staff* or they are (financially) respectable, as in the case of *investors, shareholders and* the *NHS*. Furthermore, *unwitting, misled* and *lack of choice* all suggest that they have no complicity in these alleged crimes. In other words, there is a denial of all but the most 'legitimate' victims.

They must, nonetheless, be included. Victims add a 'human interest' angle, increasing newsworthiness. The very narrow criteria that have to be fulfilled in order for a person to qualify as a victim, furthermore, limit the number of possible victims of these acts.

The vulnerability of victims, in particular, is also foregrounded in chapters 8 and 9. Chapter 9 shows that victims have a comparatively large number of needs. Victims are largely passive and are acted upon by invisible agents. This passivity is similar to the transitivity pattern of victims as discovered by Tabbert (2015, p.107).

Finally, agents are generally invisible, which means that whilst ideal victims are acknowledged, there is no explicit link with those who have victimised these people. This lack of a link serves to deny the responsibility (Sykes and Matza, 1957)

of the accused – there are some actual victims but the accused are not held responsible for their victimisation.

In summary, victims are obscured. Their victim status is generally denied, except in those cases where the victims are so 'ideal' that they cannot be ignored. When these victims are included, their vulnerability is emphasised. However, there is no explicit link between victims and their victimisers. This result means that not only is there a denial of victims but also a denial of responsibility (Sykes and Matza, 1957).

10.7.   Legal Process

As the analyses show, the legal system is a valid system. However, it is represented as (ab)used by investigators and regulators to unreasonably challenge corporations that may have bent the rules. This bending of the rules is, whilst illegal, to a certain extent necessary to continue making a profit, as rules are, very simply, too restrictive. The legal process also offers a narrative framework with pre-defined points of resolution.

The most commonly reported outcome of these fraud cases is the settlement. This result is, as indicated in chapter 7, in line with Klockars's metaphor of the ledger (1974), which indicates that crime can be quantified and offset using positive, quantifiable, behaviour.

Chapter 6 shows that the legal process is particularly complex and a tough ordeal for both the accused and prosecutors. As shown by this analysis, the most burdensome parts of the criminal justice system are laws and regulations, which are, according to the metaphor analysis, generally portrayed as being unreasonably and unfairly heavy and constricting. This characteristic of the legal process is further supported by the transitivity finding that many of the accused are subjected to it. It may be argued that since this is the ostensible function of the legal system, it is clearly effective. However, I argue that this representation has the overall effect of neutralising corporate fraud, as the metaphor of the ledger (Klockars, 1974) allows for previously suffered burdens to be offset by current delinquent behaviour.

The representation of the legal process as unnecessarily restrictive also leaves room for defences of necessity (Minor, 1981), appeals to higher authorities (Sykes and Matza, 1957) by appealing to the greater good (Fooks *et al*, 2012), and expressions of right (Fooks *et al,* 2012). If laws and regulations are unfairly restrictive and the greater goal is making a profit, then these corporations may have

a need, even a right, to bend, if not break, these laws and regulations. In enforcing these laws and prosecuting the accused for breaches, regulators and investigators are, by extension, unnecessarily aggressive. Indeed, the metaphor analysis shows that these investigations and inquiries tend to be represented as battles, in which regulators and investigators are the aggressors and the accused are the defenders. The fact that there are parts of the legal process, such as actual trials and inquiries, that have to be initiated by the regulators and investigators, reinforces the idea that regulators and investigators are the aggressors. This portrayal condemns the condemners (Sykes and Matza, 1957).

The legal process also follows Cavender and Mulcahy's (1998) finding that reports of corporate crime are structured like crime stories with a clear resolution. regulators are villains, the accused are protagonists and the legal process is a series of battles. Every stage of the legal process has a clear resolution. The accused either win or lose. As a result, only the question of whether the accused will be subjected to the next stage of the legal process is considered uncertain. This finding also supports the fact that investigations are, metaphorically speaking, represented as BATTLES or WARS.

In summary, the legal process is characterised as an unfairly restrictive burden on corporations whose (legitimating and neutralising) goal is profitability. This characterisation serves a number of techniques of neutralisation, including the metaphor of the ledger (Klockars, 1974) and appeals to higher loyalties (Sykes and Matza, 1957). The legal process also serves as a narrative frame, which allows newspapers to pit regulators and investigators against the accused. At the end of every stage in the legal process, there is an opportunity for resolution, offering a highly appealing delineated time and location for every section of the 'story' to be reported on.

10.8.   Crime Scenes

Crime scenes are treated, grammatically, as locations. Locations are generally grammatically represented as passive and, following chapter 8, 'circumstances'. Crime scenes are affected by the actions of other parties in this corpus.

However, crime scenes are not normally affected by acts of corporate fraud. Instead, according to chapter 6, these locations are affected by regulations and law. As chapter 8 points out, those acts that affect locations are acts for which responsibility must be taken very seriously. This is particularly the case if these locations are geographically and culturally close, such as Britain and America. This

reflects Galtung and Ruge's (1965, p.54) news value of 'proximity'. This representation once again shifts the focus onto the regulators, thereby condemning the condemners (Sykes and Matza, 1957).

In summary, locations are represented as near-circumstantial elements. However, this does not mean that they are not affected by corporate fraud. This representation again shifts focus onto the actions and motivations of regulators and investigators.

10.9.   *Evaluation of Methods*

The method used in this thesis is a form of corpus-assisted critical discourse analysis. Using corpus linguistics to do CDA is a response to criticisms of CDA from, among others, Widdowson (1995; 1998; 2004). Widdowson (1995, p.169, 1998, pp.143-6; 2004, pp.103-10, 157) suggested that CDA has a tendency to 'cherry-pick'. Corpus linguistics has been suggested as a method that would, at least partially, counter that criticism (Widdowson, 2004; Fairclough, 2015).

This is not to say that corpus linguistics solves all the issues that are raised with regard to the methods and purposes of CDA. Corpus linguistics can only do so much, particularly when applied following CDA. One limit encountered in this study is that CDA relies on interpretations of qualitative text elements, whilst corpus linguistics is a highly quantitative method. New methods had to be devised and existing methods had to be adapted, which has not been always easy or faultless. The CQL queries and word sketches used for the transitivity and modality analyses only show, at best, estimations and broad indications of certain forms of transitivity and modality, since, for instance, passive sentences can also be created in ways that the relevant CQL query did not and cannot, process without generating too many non-passive results. As such, more colloquial and less typical passive representations, such as 'to get [verbed]', are ignored, while other, non-passive sentences that nonetheless follow the structure of 'to be [verbed]', are generated.

Another recurring issue is that corpus linguistics, as a method, is purely descriptive and positive. As such, it cannot be exhaustive. Corpus queries simply ask the software to generate results that fit the query without deviation and therefore all queries are necessarily non-exhaustive. For instance, the transitivity analysis originally described results that relate to prepositions which have been pre-identified by Halliday (1994, p.163), ignoring those instances in which particular transitivity functions are indicated through, for instance, syntax or situational context (although some syntax has been taken into account by intentionally searching for verb

phrases to the right of the target noun/lemma). However, these results were excluded from this thesis, as the methods proved insufficiently reliable. They cannot identify transitivity patterns which use either non-typical prepositions or no prepositions at all. The only reliable conclusion that could be drawn from these queries is that 'in X instances, the noun Y is preceded by preposition Z'. Nevertheless, examining the grammar a corpus, either SFL or another grammar, can be a very valuable addition to corpus-assisted critical discourse analysis.

The difficulties of conducting computational corpus analysis are most acute in the metaphor analysis. These problems were resolved by selecting a sub-corpus of headlines for manual analysis and by examining semantic domains in a 1m token sub-corpus. This method was also non-exhaustive. CQL queries including POS or semantic tags could be formulated for grammatical and lexical items that typically form part of a metaphor. This follows previous research into the grammar of metaphor. Unfortunately, such queries also yield much 'noise'. Because of the non-exhaustive, quantitative, nature of my corpus queries, certain analyses have been performed manually to offer a qualitative perspective.

The human factor of (mental) exhaustion has been a particular issue during that part of the Labelling analysis where collocates and concordances were considered. Several items had frequencies in the tens of thousands, so attention occasionally flagged. This human factor has been minimised as much as possible by examining only a limited number of items per day and by using the Pomodoro technique (Cirillo, 2016), a time management method whereby one works in bursts of 25 minutes, then breaks for 10 minutes, in order to sustain concentration over long periods of time.

The systematicity of corpus software negates many human errors. However, due to the facts that software is pre-programmed and language use is more flexible than this software can currently account for, no software is entirely accurate. For instance, Chris Norton's *Output Organiser* has been designed according to an initial manual organisation and clean-up of *Lexis Nexis* output. However, it occasionally failed to recognise a newspaper title or failed to find specific metadata items due to the fact that *Lexis Nexis* output layouts tend to change (subtly) over time. These issues have been partially resolved by adjusting the Python script as soon as an error came to my attention. Similarly, *Wmatrix*'s USAS and CLAWS taggers are not entirely accurate (see Rayson *et al*, 2004).

Errors that came to my attention have been responded to on an ad-hoc-basis by adjusting interpretations and analyses where necessary.

A further question concerns appropriate corpus size and reference corpora. A 40,000-word sub-corpus of headlines is not representative of a 54m word corpus of full news articles. However, the results from the quantitative analysis of this 40,000-word sub-corpus have been triangulated by also manually analysing a sub-corpus consisting of 5% of headlines, thereby increasing the reliability of these results. Similarly, the reference corpus used to establish which semantic domains are key in the headline corpus consists of only 1m words, collected from texts published between 1960 and 1994 (Burnard, 2007). The benefit of having a similarly-sized reference corpus is that stark differences in raw frequencies are particularly clear, and, in the spirit of Biber *et al* (1998), it was the most practical reference corpus, given the constraints on my time and money.

The consideration of sub-corpus size also raises questions about the size of the full corpus. For example, Baker *et al* (2008, p.285) warn against having a corpus that is too large, as that may result in a corpus that cannot be analysed in sufficient depth. A further consideration is that of noise. Gabrielatos (2007, p.6) writes about how, at a certain point, the use of further search queries created more noise in the corpus. Noise, in turn, diminishes the reliability of results. Where depth is required, such as in the metaphor Analysis, the creation of sub corpora becomes necessary but, as indicated, these sub corpora may not be representative of the full corpus. Tabbert (2015) uses a much smaller corpus, which yielded very useful results nonetheless.

Related to or indeed preceding the notion that large corpora may impede in depth analysis, is Biber *et al's* (1998, p.250) comment on the manageability of research. I am encountering issues with regard to data storage and data processing as it is. A larger corpus would only exacerbate these issues. This problem could partially be resolved by investing in more powerful computers, more storage space and a faster Internet connection but doing so requires financial resources that were unavailable in this particular situation.

On the other hand, it is possible that my corpus may not be large enough to be fully representative. The RASIM corpus contains articles from fifteen national and regional tabloids and broadsheets (Baker *et al*, 2008, p.277), whereas mine only contains articles from seven national broadsheets and tabloids. Furthermore, my search terms will not have been exhaustive, as I could not follow Gabrielatos's

(2007) method of generating search terms, due to the confusion that exists about what actually constitutes corporate fraud following both criminological literature and colloquial understandings. Having said that, expanding the corpus would only exacerbate the problem of producing potentially superficial interpretations. Furthermore, it should be noted that whilst the size of my corpus is comparable to the RASIM corpus, the RASIM project was a collaboration of six established academics (UCREL, 2015). My corpus, on the other hand, has been analysed by a single PhD student.

A recommendation for future research is then to focus, in more depth, on the reporting of specific cases or over a shorter time frame, so as to diminish the size of the corpus without sacrificing the representativeness brought by including several newspapers and using multiple search queries.

A final concern is that of the reliability and usefulness of external data. For instance, *Lexis Nexis* outputs lack multimodal data, whilst the Home Office / Crime Survey for England and Wales fraud numbers are inconsistent over time as data gathering methods have changed.

Issues include the non-exhaustiveness of the methods used and concerns about the size and representativeness of the corpus that was collected. The benefit of these methods, regardless, is that they offer a representative, critical, linguistic analysis of newspapers' reporting of corporate fraud. As my conclusions are supported by earlier research, these methodological issues do not undermine my findings.

10.10.   Originality

The primary novelty of this thesis is its methodology. While other researchers have previously attempted to combine CDA and corpus linguistics (see, for instance, Tabbert, 2015; UCREL, 2016), they did not consider automated corpus-assisted approaches to transitivity and modality (compare UCREL, 2016) or, when they did consider transitivity and modality, did so manually (compare Tabbert, 2015). As such, my thesis is original in the sense that it offers linguists new insights on combining CDA and corpus linguistics. For instance, chapter 8 shows that corpus-assisted CDA approaches should also consider grammar, rather than just examining concordances and collocates.

Secondly, previous research into corporate fraud considered the content of newspapers, but did not analyse the linguistics of these articles (see Cavender and

Mulcahy, 1998; Evans and Lundman, 1983; McMullan and McClung, 2006; Williams, 2008). My thesis here shows that criminologists should examine, specifically, the lexis and grammar of newspaper articles, and gives pointers on how to do so. One particular contribution of my thesis here is showing how techniques of neutralisation work linguistically, which will aid criminologists in actually identifying these techniques.

10.11.   Recommendations

The dominant narratives described in this thesis are likely to be deeply embedded. The most obvious recommendation, then, is for organisations and individuals campaigning against corporate crime to establish alternative narratives, insofar as this does not already occur. Particularly successful prosecutions of fraud cases should be more widely communicated. There is also a role for organisations like the FCA and the SFO to educate the public. The FCA does offer outreach speakers but their services are aimed at corporate parties (Financial Conduct Authority, 2016). A useful addition to these programmes would be for anti-fraud officers to visit secondary schools and colleges, not unlike the outreach done by police constabularies to primary schools (see, for instance, West Yorkshire Police, 2016).

Journalists, too, have a duty. The Contempt of Court Act (1981) keeps them from describing corporations as fraudulent if they have not yet been convicted of this act, and it would be unethical to recommend a breaking of the law. It is, in fact, their duty to report a case as an accusation before it has been adjudicated. However, given their lack of restraint in reporting crimes allegedly committed by less powerful parties, journalists still privilege corporations. As such, the main recommendation is to report all crimes epistemically until judgment has been reached, and to treat all accused with the same leniency afforded to corporations accused of corporate fraud. With regard to reporting (mis)behaviour within the realm of finance, reporters are encouraged to be aware of naming choices and metaphors that privilege the viewpoint of corporate actors. In particular, they are encouraged to challenge the use of metaphors that negatively evaluate tax and legislation intended to curb corporate wrongdoing.

A final responsibility for challenging the harmful, currently dominant narrative of corporate fraud lies with critical discourse analysts and criminologists. It is imperative that they continue researching corporate crime reporting. It is advised that future research making use of the methods outlined in my thesis focuses on a smaller corpus. The reporting of a single case, such as the Panama Papers / the

Mossack Fonseca case, could yield nuanced findings my research is not able to provide. A further worthwhile analysis would be to examine my corpus not synchronically but diachronically. A diachronic analysis could be more explicitly linked to social, political and economic developments and so would offer a more in-depth explanation of why corporate fraud is reported as it is. A further necessary analysis examines the stances of individual newspapers, as there will differences between newspapers, relating to ideology, that this thesis, due to various restrictions, has overlooked. These studies all must take on board the limits of my grammatical analysis.

To summarise, this research has found that there is a dominant narrative in corporate fraud reporting, which relieves corporations of their direct responsibility for acts of corporate fraud and places blame on regulators instead. This narrative is linked to economic developments and to power structures in society. To further support this finding, future research using my corpus or similar corpora should be diachronic in order to link results more explicitly to social and political developments.

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Appendix: Search Terms

This appendix uses the asterisk (*) as a wildcard-marker. *Lexis Nexis* does not recognise the asterisk as a wildcard, so where the asterisk occurs in the search term list, it means that the relevant variations were used as individual search terms ('variation 1' OR 'variation 2' OR … OR 'variation n', e.g. 'mislead' OR 'misleading' OR 'misled'). Furthermore, *Lexis Nexis* has some flexibility in that, for instance, it includes hits with and without hyphens regardless of whether the search term was hyphenated. However, it does not have the flexibility to bring up different spellings, such as both –ise and –ize for 'unauthorised', so in these cases both spellings were entered.

1. Federal national mortgage association OR Fannie Mae
2. Federal home loan mortgage corporation OR Freddie Mac
3. Corporate wrongdoing
4. Corporate AND fraud
5. Company AND fraud
6. Misl* investors
7. Account* irregularit*
8. Price fix*
9. Libor
10. Mis-sell*
11. Rate fix* OR rate rig*
12. PPI
13. Dark pool
14. Market abuse
15. Euribor
16. Tax avoidance OR tax evasion
17. Back dat* OR backdat* AND stocks
18. Overstat* profits
19. AMF
20. SFO
21. Watchdog
22. SEC
23. OFT
24. FSA
25. FCA
26. WorldCom

27. A4e

28. Google

29. Langbar

30. Whistleblower AND company AND financial

31. Torex

32. BCCI OR Bank of credit and commerce international

33. Enron

34. Anglo Irish Bank

35. Goldman Sachs

36. Citi*

37. Topshop AND tax

38. Vodafone AND tax

39. HSBC AND tax OR launder*

40. Royal Dutch Shell AND overstat* AND reserves

41. Olympus

42. SocGen OR Societe Generale

43. HP OR Hewlett-Packard AND Autonomy AND Lynch

44. BofA OR BoA OR Bank of America

45. Starbucks AND tax avoidance OR tax evasion OR tax dodg* OR tax cheat

46. Merrill Lynch AND sub prime OR subprime

47. Bear Stearns AND investors AND subprime OR sub prime

48. Parmalat

49. Amazon AND tax avoidance OR tax evasion OR tax dodg* OR tax cheat

50. AstraZeneca

51. Ahold AND account*

52. HealthSouth AND account*

53. HealthSouth AND account*

54. Wells Fargo AND mortgage OR misl*

55. Equitable Life

56. Virgin AND price fix* AND BA OR British Airlines

57. Nikko Cordial

58. Deutsche Bank AND sued OR accused OR account*

59. Tesco AND tax avoidance OR tax evasion OR tax dodg* OR tax cheat

60. iSoft

61. Lehman Brothers AND SEC OR sub prime OR subprime OR fraud

62. Standard and Poor's

63. Countrywide

64. Amvesco OR Invesco AND investigation OR settle*

65. Livedoor AND securities

66. G4S AND fraud OR overcharg* OR tag* OR scandal

67. GlaxoSmithKline AND fraud OR whistleblower OR bribe

68. Lloyds AND tax avoidance OR tax evasion OR tax dodg* OR tax cheat

69. Satyam

70. Facebook AND tax avoidance OR tax evasion OR tax dodg* OR tax cheat

71. BAE AND corruption

72. UBS AND subprime OR sub prime

73. UBS AND inquiry OR investigation OR settle*

74. UBS AND tax avoidance OR tax evasion OR tax dodg* OR tax cheat

75. RBS AND Barclays AND fix* OR collusion OR rig*

76. RBS AND tax avoidance OR tax evasion OR tax dodg* OR tax cheat

77. RBS AND subprime OR sub prime AND inquiry OR investigation OR probe
    OR trial OR settlement OR settle* OR scandal

78. JP Morgan AND corruption OR manipulation

79. JP Morgan AND Madoff

80. Barclays AND tax avoidance OR tax evasion OR tax dodg* OR tax cheat

81. Barclays AND money launder*

82. Barclays AND dark pool

83. Barclays AND gold AND fix*

84. Kaupthing AND scandal OR inquiry OR investigation OR trial OR arrest OR
    verdict

85. ENRC AND scandal OR inquiry OR probe OR investigation OR verdict OR
    trial OR arrest

86. Google AND tax avoidance OR tax evasion OR tax dodg* OR tax cheat

87. Apple AND tax avoidance OR tax evasion OR tax dodg* OR tax cheat

88. SwissAir

89. Adelphia

90. AOL OR America Online

91. Bristol-Myers Squibb AND account* OR collusion

92. Vivendi

93. Halliburton

94. Qwest

95. Peregrine AND fraud OR securities OR Andersen OR scandal

96. Tyco AND account*

97. AIG AND account*

98. Sino-Forest

99. Kinross Gold

100.   Dynegy

101.   Refco AND scandal OR fraud OR securities OR debt

102.   Cattles AND account*

103.   Credit Agricole AND collusion OR unauthorised OR unauthorized

104.   Rhodia

105.   Nortel AND irregularities OR fraud OR scandal

106.   Lucent AND scandal OR account* OR fraud

107.   Moulinex

108.   Fortis AND inquiry OR investigation OR probe OR trial OR verdict
     OR settle* OR settlement OR sentence

109.   Company AND overstat* AND earnings

110.   Misl* shareholders