Operating at the margins of illegal entrepreneurial markets: Situating ‘Rogue Shopkeepers’ at the SME and Criminal interfaces

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Abstract

In the UK, the shopkeeper is commonly regarded as a heroic figure in the pantheon of business typologies. Nevertheless, seldom is the humble shopkeeper and in particular the activities of those we classify as rogue shopkeepers operating at the margins of illegal entrepreneurial markets subjected to empirical scrutiny. It is common to regard such marginal criminal dealings as being a manifestation of white-collar criminality. White-collar crime is traditionally associated with high status and respectable offenders; the crimes of the powerful; corporate crime and indeed with the occupational crimes of small business owners and entrepreneurs – particularly with those who are said to operate criminal businesses. Instead of concentrating upon this genre as an abstract entity derived from documentary research however robust and scholarly it is, we seek to bring these characters to life using their stories as ethnographies to explain how their activities far from being typical white-collar crimes actually link them to conventional crimes against the community (as well as entrepreneurial opportunism) and not merely crimes against capitalism which is the usual descriptor of white-collar-criminals. We argue that these ‘petite bourgeoisie’ are not white-collar-criminals but are in fact collarless criminals engaging in entrepreneurial marketing albeit at the illegal end of the entrepreneurial spectrum in a Baumolian sense. We also examine the issue of power which we regard as being contingent upon circumstances.

Introduction

It appears to us as if it is often assumed by scholars of business that from a marketing perspective the small business environment is a linear, stable phenomenon where the small businessmen engage only in legal and thus nice entrepreneurial practices (Rhen and Taalas, 2004). However, the business environment as we as experienced scholars of entrepreneurship and criminology understand it is a volatile evolving market place influenced by chaos, complexity and ambiguity where entrepreneurship is practiced as

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productive, unproductive and destructive entrepreneurial activity (Baumol, 1990). Thus we argue that entrepreneurial marketing from a theoretical and practical standpoint must also encompasses the illegal and morally reprehensible aspects of marketing which are also entrepreneurial in nature (Fillis, 2010). It is not a prescriptive approach (Deshpande 1999) but a reality. This is because not all customers are moral either and the illegal market is not always so customer focused (or customer centric) as the legal. Nevertheless, market forces still prevail. Moreover, innovations as understood by (Sheth et al. 2000) can also occur in criminal and immoral marketing contexts.

We argue that our chapter, its subject matter and it arguments provide a more contemporary understanding of the dilemmas and problems facing marginalised small business owners in contemporary society. So there are moral and legal ramifications because illegal entrepreneurial activities can still be effective as entrepreneurial marketing practices (Smith and McElwee, 2015). Alternatively, the crimes could be classified as white-collar criminality (Sutherland, 1961).\(^3\) The ability to operate in the legal and illegal marketing environments and to blend entrepreneurial and criminal social capitals (Firkin, 2005) is in our opinion also part of the competency spectrum of entrepreneurial opportunity. This dictates that engaging is illegal, immoral, amoral or criminal marketing practices can be an innovative and creative solution and an efficient use of available entrepreneurial resources (Shaw, 1999; Smith and Anderson, 2007). Therefore, the stories, scenarios and anecdotes discussed in this chapter are examples of proactive identification and exploitation of opportunities for acquiring

\(^3\) There is also a need to rethink marketing theory at the interface of entrepreneurship (Tadajewski and Brownlie 2008; Blackburn and Kovalainen 2009; and Gartner 2010) including criminal entrepreneurship (Smith, 2009).
and retaining profitable customers through innovative approaches to risk management, resource leveraging and value creation (Morris et al, 2002: p.5).

The subjects of this research – i.e. entrepreneurs, shop keepers and small business owners are entrepreneurial marketers who make use of both formal and informal ways of carrying out business, often with a particular focus on networking via personal and business contacts (Gilmore et al. 2001) albeit not all of whom operate solely in the legal domain. Much of the entrepreneurial activity described here relates to subsistence and survivalist entrepreneurial strategies as opposed to the pre start-up and start-up stages of the enterprise (Hoy 2008) which is normally the focus of academic enquiry. Nevertheless, engaging in marginal and dubious business practices can be a strategy to maintain personal and business income and allow the business to develop over time. Ironically, engaging in illegal practices allows the ‘squeezed; entrepreneurs to obtain an (unfair) competitive advantage over their competitors.

To illustrate this we examine the concept of the rogue-shopkeeper (Newport, 2010; Baker, 2011; Smythe, 2012; Smith and Frondigoun, 2013) who are often the targets of vilification in the tabloid press for being unscrupulous and exploitative. In particular we are interested in their relationship to other social groupings in the expanding typology of white-collar-criminals (Sutherland, 1949). See also Davies, McElwee and Smith (2015) and Smith (2016) for a wider discussion of entrepreneurial crime in the SME sector. In particular we are interested in the distinction between legal, illegal (and thus patently criminal), illicit and the amoral activities of shopkeepers because as Croall (2009, p.128) argues there is a wide gulf in the typology of white-collar-crime. Another unusual facet of white-collar-criminality is the fact that their criminal actions are inexcusable because it is a breach of societies trust in their privileged position.
This involves a breach of trust against their community and communities of practice. Indeed, Friedrichs (1996) refers to perpetrators of white-collar crime as ‘Trusted Criminals’. We are also interested in the links and modus vivendi (Smith, 2009) between such rogues and ‘organized criminals’ who can use their shop premises to channel illegal products such as contraband cigarettes, counterfeit products as described by Croall (2009, p.129).

Although the concept of the rogue-shopkeeper has yet to receive much academic attention, it is well documented in the press by investigative journalists. For example, Newport, Baker and Smythe (2012) all refer to rogue-shopkeepers who exploit children by selling them cigarettes and alcohol as being a national problem, not merely a local one. To date there has been little empirical research in the UK into the rogue-shopkeeper phenomenon and how to police them effectively. This study therefore contributes to the academic literature on so called rogue-shopkeepers in a British context.

**Theoretical underpinning**

Because this study spans both criminology and entrepreneurial marketing (Chaston, 2000) a major element of the review is to synthesise the two often disparate literatures to present a salient theoretically informed framework through which to analyse the data collected. Another purpose of is to identify what kinds of crimes and offences rogue-shopkeepers commit to establish the characteristics of the crimes and offences and the likely character of the offenders.
The shopkeeper: Benson and Ugolini (2003) argue that Britain is a nation of shopkeepers. Nevertheless, the socially constructed nature of the British shopkeeper is mixed and the shopkeeper is invariably cast as both a hero and a villain and sometimes as both simultaneously and equally, there exists, a romanticised view of the shopkeeper. Academic studies of shopkeepers include those of Sofer (1965); Mirković and Berson, (1980); Hosgood (1992): and Benson and Ugoloni (2002). Traditionally, the practice of shopkeeping was generally associated with notions of greed and pettiness, driven by a sordid shopkeeper utility (Sofer, 1965; Hosgood, 1992; Benson and Ugolni, 2002). Moreover, stereotypes of the greedy, grasping shopkeeper (Mirković and Berson, 1980) still has some social currency. Thus historically, in working class-communities, shopkeepers often enjoyed a sense of power as holders or withholders of credit. According to Sofer (1965) the shopkeepers often excused their excesses by blaming the customers of being greedy stupid, gullible and dishonest. Despite the above, the shopkeeper is commonly viewed as a heroic figure (as is the entrepreneur). According to Bechhofer and Elliott (1976) the Petite Bourgeoisie (small-shopkeepers) as a social stratum has attracted little academic study because sociologists have a disdain for those who cannot be cast in the hero's role in any of the major developments of western capitalism. In an earlier study. Bechhofer, Elliot, Rushforth and Bland (1974) studied their attitudes regarding matters of money and meaning. They found that in general terms the majority of shopkeepers are honest and hardworking people who espouse entrepreneurial

4 The ubiquitous shopkeeper as presented in fictional form on British television is both a figure of fun and of national pride. For example the fictional persona of the loveable rogue Arkwright, played by Ronnie Barker in the 1980s comedy series ‘Open All Hours’ is a typical example of the rouguish greengrocer who operates from an equally ubiquitous corner shop and is involved in all types of petty scams to increase his profits. A more gritty, contemporary representation of shopkeeping at the margins is that portrayed in the comedy drama ‘Shameless’ set in the fictional Chatsworth estate where the shop is run by the fictional Karib family and is run by the son, Chesney Karib who is on the fringes of crime and uses the shop as base for his many get rich quick scams.
ideology and aspire towards social mobility. They are generally viewed by society as being hardworking servants to the community. In another study Bechhoffer, Elliot and Rushforth (1971) identified that the market position of such shopkeepers was precarious and that money worries were commonplace. Nevertheless, historically, there is some credence for the concept of the rogue-shopkeeper as a criminal and business typology.

_Rogue shopkeepers:_ Despite the hallowed image of the shopkeeper, not all types of shops are welcome in communities nor are all shopkeepers morally upright – e.g., consider the rise of so called ‘Head Shops’ (Brandt, Sumnall, Measham and Cole, 2010) which sell illegal highs and drug paraphernalia. Such shops can cause community tensions. There is a historical basis to this phenomena. Croall (2009, p.129) makes reference to the low profile of some types of white-collar criminal asserting that it is common to refer to them disparagingly as ‘rogues’ or ‘cowboys’ because their activities are small scale and thus trivial. Indeed, historically from a policing perspective, Morrish (1939) referred to rogue shopkeepers trading in stolen goods being the targets of the ‘infamous Ghost Squad’ of the Metropolitan Police in the 1930s as being shopkeepers in the Home Counties (Gosling, 1959). Such individuals had the money and opportunity to trade in goods which had euphemistically ‘fallen off the back of a lorry’. The rogue-shopkeeper obviously forms part of the genre of the dodgy-businessman and petty villains described by Croall (1989) as being second-hand motor traders, scrap and coal merchants etc. In a training manual for police officers, published by the Police Review, Robinson (1983) remarks ‘You shall know the villain by the company he keeps’. Robinson presented a similar list of suspect occupations from which villains traditionally emerged – namely
scrap metal dealers, taxi-proprietors, second-hand car salesmen, bookies, or publicans. In a similar vein, Cranston (1979) argued that individual trading standards officers brought their prejudicial stereotypes into an investigation with them thus second-hand car salesmen, coal and scrap merchants were targeted as being rogues and villains.

Such activities can be explained through the use of ‘Routine Activity Theory’ (Clarke and Felson, 2003) because the consumers can be seen as a legitimate market to exploit commercially and as a source for increased revenue and commercial activity. Ideologically, there is nothing wrong with such reasoning, but morally and ethically there is.

**White collar criminality:** In this examination of illegal entrepreneurialism and small business crime we take as our starting point Sutherland’s ‘approximate definition of ‘white-collar-crime’ as being ‘committed by persons of high-social status and respectability in the course of ....occupation’ (Sutherland, 1961 as cited in Croall, 1989, p.157). We also acknowledge that Sutherland in conceiving the concept intended it to cover crimes committed by entrepreneurs. Croall (1989) argued that consequentially, white-collar-crime was committed by high-status business people whose crimes were under-reported and underrepresented in the official statistics and because of this were rarely prosecuted and were thus absent from official statistics.

The characters we are interested in, in this study are not rich powerful entrepreneurs, but lowly shopkeepers operating on the fringes of crime. They could justifiably be described as ‘Background Operators’ (Mack, 1964); ‘lower-class villains’ (Chapman, 1968); or ‘Shady Operators’ (Sutton and Wild, 1985). Sutton and Wild describe shady operators as ‘operating on the fringe of the market – peripheral individuals manipulating the system’. The genre of shopkeepers we are interested in could be
regarded as ‘Marginal businesses’ (Ward and Jenkins, 1984) catering for the lower socio-economic groups. We are therefore not dealing with traditional crimes against consumers or consumer protection legislation as already reported on by Croall (1987) but with obvious criminal behaviour differentiated from petty fiddling.\(^5\) In this respect our rogue-shopkeepers are a part of the criminal underworld but apart from it to.

Croall (1989, p.158) remarked that in researching white-collar criminals she was struck by how many apparently routine, petty offences ended up in the courts involving ‘dirty milk bottles and mouldy food’ in which shopkeepers predominated in the typology of working class offenders. Our offenders bear little resemblance to the accepted stereotype of the white-collar-criminal as they are proprietors of small corner-shops or mobile vans with a family heritage in the small shopkeeping trades such as market traders, grocers, bakers, and butchers. These occupations of course reflect the nature of the legal business opportunities found in the sink-housing estates in which they are located in and where they ply their trade. Tilley and Hopkins (2008: 450) suggest that in high-crime-areas businessmen and shopkeepers are often approached by local criminals to buy stolen property.\(^6\) They found it hard to believe that none of their businessman respondents had accepted the frequent offers to reset stolen or counterfeit commodities suggesting that the business respondents may not have been candid, or frank, with them in relation to their probing of the interface between business and crime in this respect. Their notion of net social harm - versus net social benefit is worthy of further consideration and is a key factor in

\(^5\) Such crimes include trades description offences; Food offences such as adulteration of food; Food hygiene offences such as selling food from unhygienic premises; the use of misleading descriptions of goods and prices; and weights and measures offences traditionally dealt with by Trading Standards Officers (See Croall, 1989 for further details). These crimes are normally committed by the shopkeepers as in the course of their trade or business.

\(^6\) Tilley and Hopkins studied the links between organized crime and local business identifying a pressing need to conduct research into this under researched phenomenon.
understanding how many businessmen are either willingly engage in or become ‘suckered’ into organized criminal networks. This notion of collusion between a small minority of members of local business communities and organized criminals is one of the focuses of this particular study (also see Smith, 2016). Conversely, Burrows and Hopkins (2005) in their study of business crime viewed the subject from the perspective of the business being a victim. There is an increasing interest into such links British law enforcement agencies in their attempt to map the extent of serious and organized crime groups in local communities across Britain (Habgood and Mason, 2007).

**High Crime Areas:** Concern with the toxic social issues surrounding slums and ghettos is not a new concern as Simon (1929) called for abolishing crime ridden slums. Ironically, these were often replaced with “sink housing estates” also referred to by Wilson (1963) as “difficult housing estates”; Wallis and Maliphant (1967) as “delinquent areas”; and Stark (1987) as “deviant places”. Cozens, Hillier and Prescott (1999) refer to such “new-build housing projects” as being “criminogenic”. Similarly, Hope and Foster (1992) argue that social forces influence and change the dynamics of crime and community in these “Problem Estates”. Taylor (1995) has commented upon the destabilising impact of crime on local communities; and Warner and Roundtree (1997) on the effects of local ties in shaping links between the community and local crime. High crime areas are associated with high density, sink housing estates with multiple and connected socio-economic problems such as high unemployment, the development of an indigenous under-class (Walklate and Evans, 1999). These social issues when taken into consideration alongside the formation of a dependency culture are at variance with the development of the vibrant enterprise
cultures required for community regeneration. Such areas can legitimately be described as ‘*Criminal Areas*’ (Morris, 1957/2003) where ‘criminogenic markets’ (Sutton and Wild, 1985) exist alongside legitimate entrepreneurial markets. It is in such markets and areas that the legitimate and the criminal-entrepreneur have the opportunity to engage in the trading activities of ‘*passing off*’ and ‘*passing on*’. In this world criminality and unethical actions are often inextricably mixed with legal commerce and where there are blurred lines between legitimate commercial activities [and thus white-collar] and illegitimate economies and economic transactions [and thus criminological] (Croall, 2009). Croall (2009, p.141) argues convincingly that there is a complex relationship between socio-economic status and victimisation because the poor are less able to avoid purchasing cheap (and stolen) goods and may ultimately end up paying more (p.142) for the service.

**Sources of Information**

Here we deal with our sources of information and discuss methodology. This is important because in previous studies of low-level white-collar criminals (including the study of Croall, 1989 discussed above) the studies although robust and empirical in nature are often conducted by patient scholarship using documentary research techniques (Scott 1990/2006) in which the characteristics of the white-collar criminal are identified and profiled in an abstract manner from press clipping, official reports, company records, court transcripts and other official data-bases. The studies of Smith and McElwee (2013) into ‘rogue-farmers’ and Smith and Whiting (2013) into the illegal sale of veterinary medicines were also conducted in this manner in part due to the difficulty of gaining research access to the rogue-farmers and entrepreneurs
involved in the illicit and/or illegal schemes. As a result the profile of the criminals lacks qualitative depth. An earlier study of rogue-farmers involved in the illegal slaughter of sheep for the Halal trade by Smith (2004) utilised retrospective ethnography for similar reasons. Retrospective ethnography (Watson, 2010) is an accepted observation based research methodology in sociologically inspired research circles.

Our approach is an attempt to move beyond conventional criminological research and official sources as argued by Croall (2009, p.130). Accordingly, we have sought to use a ‘lived’ ethnographic approach to try and bring the everyday actions of rogue-shopkeepers to life from the pages of the tabloid press by providing more detail about their crimes in the context of their employment. To do so, we adopt a ‘life-story approach’ (McAdams, 1993) to present their conjoined business and criminal stories. As active researchers we gathered together stories of the characters we discuss and analyse below because they all lived and worked in everyday settings to which we had access as we lived, worked and socialised in the communities we live in. For ethical reasons we have provided the characters with pseudonyms to protect their identities. Thus our stories are shaped by the stories of informants such as police officers, trading standards officers, other businessmen and also by participant observation (Spradley, 1980).

In keeping with the methodology used by Croall (1989) we will discuss the nature of the persistent offences committed by the characters in our stories. The crimes which
we are concerned with include – resetting stolen property\(^7\); drug dealing; trading in contraband cigarettes and alcohol; loan-sharking and money lending. In the UK it is an Offence under the Misuse of Drugs Act, 1971 to deal in controlled drugs. Trading in contraband products to avoid paying the revenue is an offence but one dealt with by HM Treasury and/or HM Customs. Loan-sharking and illegal money lending is a grey area normally dealt with by Trading Standards unless there is an element of violence involved. Other activities such as benefit fraud are dealt with by Government Departments. The issue here is that rogue-shopkeepers by virtue of their privileged position in the community are more sheltered from detection and prosecution because they operate in a semi-private domain where they are trusted to behave as they should. Whilst Theft, reset and drug dealing are clearly criminal offences dealt with by the police the latter are dealt with by Government Departments and penalties are not so severe.

**Who are the rogue shopkeepers?**

Here we present ten stories of shopkeepers to narrate their business and criminal stories in an attempt to understand the illegal, illicit and immoral practices they engage in. In this manner we begin to understand who the rogue-shopkeeper is? In an attempt to answer this question, we present their stories together in tabular form for ease of analysis. See table 1 below:

**Insert table 1 please**

From readings and analysis of the above case stories we argue that although the entrepreneurial characters in our stories committed crimes or moral infidelities in the

\(^7\) In Scotland the crime of receiving stolen goods is known as reset whereas in England, a resetter would be known as a ‘fence’.
course of their occupations that their activities are more criminal than examples of white-collar criminality. First we discuss Russell. His downfall appears to be his hedonistic lifestyle. Yet, he was a family man too he did not set out to become criminal but through a combination of self and circumstance adopted his business modus operandi to accommodate a criminal one. He does not view himself as criminal, merely a pragmatic businessman who did what he had to, to protect his investment. He seemed unaware of the predatory nature of his business and criminal actions. Yet Russell remains more businessman than criminal. Likewise, Joe’s descent into criminality was unplanned and he too probably has hedonism to blame for his downfall. He grew up in a social world where all his peers were drug takers and although he maintained a moral compass he too became sucked into the underworld. Neither Russell nor Joe are ordinary stereotypical criminals (Chapman, 1968). Jack and Bruce’s stories are similar in that they found themselves operating in an alternative world of business where the personal impinges upon the professional. It was their drug habits which led them into a life on the edges of crime. Helen in some ways is atypical in that that was able to compartmentalise her two enterprises and separate them in her mind. She has no remorse but then she has never been caught. All the stories point to a hard-edged business pragmatism. Jimmy is a classic example of the rogue-shopkeeper in that he extracts as much value as he can from his environment which evidences entrepreneurial practice (Anderson, 1995). What he

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8 The hedonistic businessman can often fall from Grace. According to Smith (2016) they are often profligate and prodigal with money, are wasteful, extravagant and are prone to being flash and charismatic. Quite often they have issues with addiction whether it be, with alcohol, drugs, sexual or gambling. They are drawn into a hedonistic domain which they can finance because of their earning capacity. In this domain their reputation as being big spenders and ‘bad-boy entrepreneurs’ provides them with an alternative form of social capital as possessing business nous and often street cred. They are often regarded as misguided lovable rogues. Sometimes their descent is rapid and they sink into the nightmare world of being homeless drunks. Nonetheless, they retain vestiges of their entrepreneurial social capital. They are also prodigal in the sense that they are not given up or shunned by the business community.
does may not be criminal but morally it is clearly on the edge. They all operate in criminal areas on the margins of crime and in a ‘hard business’ environment where they have to stand on their own two feet and guard against being victimised by harder customers; being constantly tapped for money; deal with unpaid bills and unworthy creditors; be taxed by local hardmen and gangsters; and deal with the inevitable break-ins to their premises. Whilst their business practices are unorthodox they are effective in their environments.

**Discussion**

The shopkeepers/small businessmen discussed above are predominantly male, with the exception of Helen. The majority of the businesses, although ostensibly legal and legitimate can be referred to as ‘criminal businesses’ (Croall, 1979). They are not typical representatives of the stereotype of the white-collar criminal. They are very ordinary people typical of the genre of small businessmen in general. They do not present as criminal-entrepreneurs or present a gangster persona. They do not wear ‘flashy suits’, nor typically drive top of the range cars. Nor are they examples of Quinney’s working class blue-collar criminal (Quinney, 1977) in that they invariably dress for comfort in loafers, jean and open necked shirts and seldom wear a shirt or tie. With the exception of Joe there is no crossover to the gangster semiotic. Nor are they Levi’s (1981) ‘Phantom Capitalists’ because they are embedded in the small business community.

A common theme to emerge from the literature of entrepreneurship and small business (Burns, 2012) and from our rogue’s stories is that of the struggle for survival in life and in business. It could be argued that they are victims of Anderson’s self and
circumstance (Anderson, 2000). From an analysis of the stories of our rogue-shopkeepers it is apparent that there is a dichotomous modus vivendi between our rogues and the traditional gangster figures of what is often erroneously referred to as the ‘underworld’ or ‘underbelly’. The relationship can be either symbiotic or parasitical (or a mixture of both at different times). The modus vivendi between the rogue-shopkeepers is also of interest because they are not normally held to be ‘under suspicion’ by the police. As members of society we are raised to revere and respect ‘the entrepreneurial’ and ‘small business communities’ because they are invariably industrious, hard working people who espouse family values. This reverence extends to the police service whose members are indoctrinated to guard, watch and patrol to safeguard the bourgeoisie, the middle classes and the commercial community from the criminal classes. This has been recognised by ex Chief Constable John Alderson (in Alderson, 2003) who noted that the basic function of the police in a capitalist society is to protect. This reluctance to view the enterprising as rogues and criminals thus imbues our rogues with a degree of latitude not open to acknowledged gangsters and businessman gangsters (Smith, 2003).

One must consider motive and motivation. Having presented the stories of our rogue-shopkeepers and discussed the cases in context, it is helpful to consider their motive and motivation for behaving in the obviously criminal and/or illicit manner in which they did. The economist Mark Casson (Casson, 1982) insightfully describes the typical rational business entrepreneur as ‘*homo economicus*’, in that their primary motive for their actions is normally to make a profit. Casson (like Baumol discussed above) also appreciated that the entrepreneur and the criminal have much in common
and can emerge from similar social strata. They go to school together and may frequent and socialise similar haunts, as suggested by Marcus Felson above. This is a view shared by entrepreneurship scholar Margaret Chell (Chell, 2000). In the criminology literature Braithwaite (1978) describes such individuals as ‘...rational human being(s) responding in a normal way to market and society which has built into its structure of social relations a propensity to take advantage of the other’. Are our rogues participating in rational economic behaviour in a favourable market (as suggested by McIntosh, 1974) or are they victims of circumstance (Sutton and Wild, 1985)? The answer is that they are both often simultaneously.

The rogue-shopkeepers possess a unique form of entrepreneurial Social Capital (Coleman, 1968) in being shopkeepers because membership of this segment of the business community provides those in business with a privileged form of social capitals transferable to their families in the form of ‘business nous’ and ‘entrepreneurial social capital’ (Firkin, 2003). Indeed our rogues come from established business families and ‘entrepreneurial families’ who accumulate wealth and property which is passed down the generations.

Our rogues use various rationalisation techniques to assuage their conscience. These include adopting the ideology of caveat emptor or ‘buyer beware’ (Croall, 2009, p.130). They view themselves as providing a service to the community whilst serving their own needs buy staying afloat in business. They routinely dismiss their activities

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9 Traditionally, in a British context this concept is associated with the ‘Spiv’ and ‘Spiverry’ in that many small time entrepreneurs emerged from the black market era after WW2. Indeed the famous case study of Casson’s on ‘Jack Brash’ (in Casson, 1982) which tells the tale of the rise of one such formerly shady individual and typifies this phenomenon and students of crime and entrepreneurship would benefit from reading it.

10 Of course assuming they have one and are not sociopathic.
as being trivial and inconsequential arguing that if they did not provide the service someone else would. They also consider that they are being fairly open in their sharp and/or criminal practices and are thus being fair to their customers. In the case of Russell and Joe they are making an outdated business model profitable again. Moreover they know that they are dealing with vulnerable members of society whom do not have recourse to the law – if you buy something you suspect may be dodgy you are less likely to complain to the authorities.

**Conclusions**

In this chapter we add to the collective understanding of entrepreneurial marketing as a diverse and often complex activity (Gilmore et al, 2013) and to theory and practice and in terms of networks and relationships. We thus advance and enable a more nuanced understanding of effective entrepreneurial marketing theory and practice for the twenty first century. Our research indicated that the problem of commercial exploitation by legitimate but unscrupulous shopkeepers and mobile traders to illegally sell cigarettes and sometimes alcohol and/or other illegal substances to young people is a very real one. This appears from our research to be particularly prevalent in poorer areas where single cigarettes can retail for from 50 to 75 pence each because few young people can afford to pay about £6 for a packet of 20. Such rogue-operators may also increase their profits by selling counterfeit products too. Once such a trade is established it is difficult to stop because a market is created. Unscrupulous shopkeepers can sell cigarettes, alcohol, aerosol spray paint, lighter fuel and even so-called ‘legal highs’ which, once established, has a spill-over effect and becomes a widespread community policing problem.
Our study provides an example of ‘business crime in the community’ (Croall, 1998) and points to areas of crossover between white-collar criminality and ordinary organised crime. Our stories suggest that small local enterprises operating at the fringes of legality may play more of a part in wider sphere of organized crime than we may at first anticipate. The stories evidence the commission of economic/white-collar crime in local neighbourhoods and communities. Yet such crimes still remain practically invisible and ambiguous to the authorities (Nelkin, 2007). Our storied examples cited above may have necessarily been selective and will require to be explored more in depth in later studies. The crimes committed by our rogue shopkeepers are often hidden and deniable criminal activity and sit between the remit of two agencies, the police and trading standards. Accordingly, there is clearly scope for inertia and inactivity. Traditionally, it has been seen as a game of ‘cat and mouse’ between unscrupulous shopkeepers, trading standards officers and the police. In the scale of priorities in modern policing it is a low priority issue. Likewise, for trading standards it is an issue they keep a watch on and if intelligence is received then they will act upon the information received. However, one of the major issues is that in terms of police intelligence gathering they do not have the interface with small shopkeepers to gather such low level intelligence. Our rogue shopkeepers are after all perhaps a part of the ‘folklore of capitalism’ as envisaged by Sutherland (1949). These individuals may be the proverbial prodigal sons of the established business community (Smith, 2016) but it is debatable if their actions can be accommodated under the rubric of white-collar crime as envisaged by Sutherland.

References


**Documentary evidence:**


*Children set to catch rogue shopkeepers 25/06/2002*  
http://www.scotland.gov.uk/News/Releases/2002/06/1838


Table 1 – Business and Criminal Stories
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<th>Business story and legal markets</th>
<th>Criminal story and illegal markets</th>
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<tr>
<td><strong>Russell</strong> is the son of a local shopkeeper whose greengrocery business failed in the 1990s as a result of the expansion of Supermarkets into small town Britain taking business and custom away from the traditional High Street. Russell was born into the family business and expected to take it over upon his father’s retirement. This dictated that he had to look for an alternative income. He was married with children and had left school without qualifications. Having no other trade he invested what money he had in a mobile grocery van and set about making a living for himself and his family. Hel began to ply his trade in the sink housing estates and poorer communities providing a service to the elderly and the infirm and those without the means to travel to out of town supermarkets. He operated the business out of his house in the suburbs. Russell was an avid body builder and worked out at the gym regularly. He did not present himself as a stereotypical businessman and his working attire was denim jeans and ‘T-shirts’. He sported a shaven head and his arms and upper body displayed numerous tattoos. Yet to outward appearances he was a successful businessman with a Mercedes to prove it to the neighbours.</td>
<td>Russell is a complex character because he did provide a service to the elderly and infirm and picked up their papers for them and delivered them to their doors. He always had a friendly smile for his regular customers but has a darker side to his personality. He was involved in the local drug scene and smoked ‘a bit of weed’ and took cocaine at the weekends when he partied. Because of his appearance he blended in with his customer base. He became a low drug dealer supplying elderly and infirm customers with controlled drugs. His grocery van provided the ideal cover and for years his illicit business venture went undetected. He gravitated towards loan-sharking and money lending on a small scale developing a loyal clientele tied to him by debt. To ensure that he received payment Russell entered into a corrupt scheme with a postmistress whereby he held the benefit books of his clients as surety. He cashed their Giros for them and kept what was owed him. Debts had to be paid in full with interest before he surrendered it back to its legal owner. At any given time he held up to forty benefit books hostage. Russell took care not to be too violent with his clientele to maintain a sense of cohesiveness with his customer base. He also dealt in stolen property from the van because he was regularly offered hot property by customers. He supplied counterfeit cigarettes and alcohol too. Nor was he adverse to selling single cigarettes. He thus operated a profitable legitimate business selling groceries from his mobile van which he declared to the taxman and in tandem ran a lucrative parallel illegal business whose earnings he did not declare. He came unstuck when a customer complained to the authorities and a joint agency investigation uncovered his wrong doing. He was charged and convicted of the benefit frauds. He paid his fine in full and continued with his business. There was insufficient evidence to prove the drug dealing, loan sharking and dealing in contraband. Russell is still in business and has not come to the attention of the authorities again. His activities were clearly criminal and not merely white-collar crimes.</td>
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<td><strong>Joe</strong> was ‘the-second-son’ of a local shopkeeper/businessman. As a youth he worked in the family business and learned the ropes. He and his brother (the firstborn son) had a reputation for partying and became involved in the fringes of the drug scene. Due to primogeniture his brother was groomed to take over the family business. Joe was expected to make his own living. He married young and started a family. To support them using his entrepreneurial social capital he bought a ‘burger van’/ shop and developed a customer base. His customer base was in the sink housing estates and industrial estates, factories and fish-yards with large workforces / clientele. He operated the business from his house in the countryside. Joe was not flash and (apart from an earring) did not stand out in a crowd. He worked in jeans and an open necked shirt. He sported a shaven head and his arms and upper body displayed numerous tattoos. His appearance was not intended to prove it to the neighbours. Joe did a roaring trade in the housing estates and industrial sites supplying burgers, chips, hotdogs, crisps, lemonade and other foodstuffs. However, he also traded in contraband cigarettes and alcohol for customers who wanted a bargain. Because of his connections to the drug scene he started supplying drugs discreetly to trusted customers as a sideline. He drew the line at buying and selling stolen property though. He operated two parallel businesses, one legal and declarable and the other illegal and not declarable. For a while custom was steady and he made a good living until an anonymous caller notified the authorities and the taxman. HM Customs and the police began a joint investigation. Joe was caught with a large quantity of contraband alcohol and agreed to pay a large fine to HM Customs and was free to continue his business. Joe is still in business as an independent entrepreneur and now deals...</td>
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<td>Name</td>
<td>Background and Experience</td>
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<td>Jack</td>
<td>Did not come from a business background but had experience in the fast food trade as a manager. Along with another businessman he opened up an Ice Cream Parlour and Sweet Shop which they leased. Initially, it had the appearance of being successful. Jack did not have the stereotypical appearance of a criminal.</td>
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<td>Bruce</td>
<td>Was the introverted son of a businesswoman and had knowledge and experience of business. His hobby was computers and he was highly skilled in computer repair. He set up in business selling and repairing second-hand computers from a traditional shop premises in a side street. Visitors to his premises would assume his business was legitimate. Bruce had a casual ‘techie’ appearance.</td>
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<td>Helen</td>
<td>and her husband took over the lease of a café with a combined sweet shop in a small town high street. When they separated she continued running the business in a highly efficient manner. The business had a professional air of prosperity about it. Helen presented to customers and the public as an articulate, professional, businesswoman with the persona of a chatty ‘favourite aunt’. She had no prior business experience.</td>
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<td>Billy</td>
<td>is a shopkeeper of a general store in a deprived urban housing estate. He used his shop as cover for dealing heroin and sold the drugs in £3 bags.</td>
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<td>Jimmy</td>
<td>is an experienced serial shopkeeper and has owned and run shops in several Scottish towns and cities. His father was a shopkeeper too and Jimmy grew up in shop. Helping his father and mother who socialised him into the tricks of the trade. He has always lived and worked in poor communities and is aware of all the dodges customers pull to try and gain advantage. He is jovial by nature but has a hard edge too. His current business is a corner type shop in a poor area of the city situated on a run-down high street which is near several sink housing estates. His business is a licensed grocer but he specialise in selling out of date products or products nearing their sell by date which he acquires through contacts in the trade. The small shop is an ‘Aladdin’s Cave’. His shop has a cluttered run down appearance and the exterior has seen better days. Jimmy has a robust personality and is loud and voluble and openly sells what his customers need most so he does a roaring trade in spirits and alcohol as well as his discounted foodstuffs. He deals with a lot of rough customers and if they are too drunk he bars them by roaring at them using profane language. If someone steals from him he does not phone the police but charges them double or treble the next time they come in. Jimmy stocks ‘bongs’ for smoking cannabis and other drugs paraphernalia - none of which is illegal to sell. He has industrial sized roll of tin foil which are in demand by drug dealers and openly sells legal highs such as ‘Mephedrone’ to anyone who wants to buy it. Now none of what he does is actually illegal but it may be immoral. He supplies items lawfully to those who break the law. Is he a criminal? No is the short answer. Is he a rogue-shopkeeper? Possibly? Are his immoral activities an example of white-collar criminality? It is open to</td>
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drinks alcohol whilst working. He presents as an average middle aged male shopkeeper dressed in a cardigan, slacks and brogues.

**Gordon and Jan** are married and run adjoining small shops. They are in their late 50’s and stated their businesses four years ago. They employ their daughter and son in law in the businesses and help each other out. Gordon has been a taxi driver and has worked in the third sector and for charities. He has always engaged in entrepreneurial pluriactive side-lines to make money. These include informal enterprise such as repairing electrical items including hoovers and also repairing and refurbishing computers on a strictly off the books ‘cash-in-hand’ basis. He is related to a local criminal family through marriage and many of his family have drug and alcohol related problems. This is what fired his interest in charity work.

Gordon was rumoured to have contracted to do drug runs in the past when hard up. Gordon freely admits being regularly offered stolen property by ‘junkies’ and thieves who call at his shop on a regular basis. To offer him goods such as alcohol, coffee and computer items. He articulated that he would normally tell them to leave his premises and not come back. He alleges that they come to him because they assume that as a small businessman he has money to spare. He admits that some of his businessman peers do buy stolen property. However he does have a standard set of screening questions he asks the callers to establish if they are bona fide sellers. He argues that even junkies and alcoholics may have property legitimately to sell. He has no qualms about making a profit out of others poor circumstances. If a caller is selling a laptop without a cord or a mobile phone without a charger he will know it is not their own property. Gordon always deals with the callers to protect Jan. He would normally not dream of contacting the police to report such offers because they are so frequent. He stresses that to do so would bring too much trouble on his head. He articulates his non-purchase policy as being pragmatic common sense as he knows it would bring too much heat onto his businesses. He argues if you once buy then the thieves know this and pester you. In any-case he argues that if he was ever tempted to buy stolen property he would separate the criminal from the legitimate and deal from home, or elsewhere. He gave examples of buying legitimate property from junkies who formerly had good jobs and hobbies when they could afford good cameras, fishing rods etc. Gordon has further coping strategies for dealing with unwanted customers who pester him too much, or who have problems paying him or try to unreasonably hustle him for discount. These involve ingratiating techniques. If the pests are Eastern European he has developed a friendship with a Polish shopkeeper small businessman who has a shop nearby. He sells goods to him and his close circle at a cost price basis so that he can call in favours when necessary. Thus if he has a troublesome Eastern European or Russian customer he telephones and the friend or one of his associates comes down and sorts the matter out. Gordon alludes to the Polish Shopkeeper having respect within his community and believes he is connected to Polish criminals and possibly the Polish Mafia. This may or may not be true as there is no way of checking this. Gordon also has protection through his criminal friends and if anyone hassles him he can speak to family friends who sort out any issues he has. For example when he was broken into recently he detected the crime and reported it to the police and when the thieves were in jail his friends assaulted the thieves. He stresses that he did not condone this but that is how small town justice is meted out. The criminal
associates and family involved in crime connect him to the local crime Lord although there is no suggestion he is involved in crime. It appears that even on the fringes of crime networking and mutual aid / assistance works as in legitimate business.

| **Hamish** ran a small high street newsagents shop in a deprived urban in city area. He sold single cigarettes for 60 pence per single cigarette He only stopped when warned by the police. | Selling single cigarettes at 60p a time is equivalent to a mark up of 100%. The average cost of a packet of twenty cigarettes is around £6.00. Sixty pence per cigarette is the equivalent of paying £12.00 for a packet of twenty. |