

The Deterrence of Corporate Crime through Criminal and Administrative Liability

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This Article won the Best Thesis Award for Class '96. The Author proceeds from the observation that though we have a civil and administrative system of holding corporations and its agents liable, the criminal aspect of corporate activity is sorely overlooked. The Author maintains the position that an evaluation of the system shows the inadequacy of the law in ensuring that the corporate offender is adequately punished. And even if an agent is punished, the corporation itself is insulated from the consequences of crime. The Article thus evaluates the twin aspect of corporate criminal liability and compares them to the existing system of criminal and administrative penalties. The Author posits that existing system of criminally penalizing responsible corporate officers should be maintained but must be more clearly defined. It must also be supplemented by a more effective system of administratively sanctioning the corporation.