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Macfarlane Horn, Jana (2024). Podcasting Corporate Crime: A Critical Analysis of Corporate Crime Discourses in Podcasts. Doctor of Philosophy (PhD) thesis The Open University.

URL

<https://oro.open.ac.uk/101694/>

DOI

<https://doi.org/10.21954/ou.ro.00101694>

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Podcasting Corporate Crime

A Critical Analysis of Corporate Crime Discourses in
Podcasts



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September 2024

The Open University

A thesis submitted for the degree of Doctor of Philosophy in Criminology

Supervised by Dr Simon Carter, Dr Daniel McCulloch and Prof Steve Tombs

Abstract

The media often turns a relative blind eye to corporate crime. Even when corporations cause fatalities or environmental destruction, these actions tend to be perceived as disastrous, accidental, or side effects of corporate activity rather than criminally avoidable harms that should be punished. While corporate crime narratives have been studied in traditional media, they remained underexamined in newer media types.

My thesis addresses this gap by exploring corporate crime discourses in podcasts. It does so through the lens of two emblematic case studies – the 2013 Rana Plaza building collapse and the 2010 Deepwater Horizon explosion and oil spill. It examines 32 podcast episodes that directly discuss these cases to discover the extent to which prevailing power, hegemony and ideology are maintained or challenged in their discourses. Using methodology informed by critical discourse analysis (CDA), I closely scrutinise how subtle changes in vocabulary, intonation, or word connotation can alter the underlying meaning and ideology of statements.

My analysis reveals that podcasters use various frames to discuss corporate wrongdoing, ranging from those who perceive it as a disaster to those who highlight how corporate crimes are rooted in an economic system largely based on exploitative processes and power imbalances. Overall, I found that podcasts show potential for resisting hegemonic discourses of corporate criminality, especially those that frame the cases as a result of systemic issues rather than individual actions. However, the propensity to engage in counter-hegemonic discourses depends on the nature of the podcast, the political affiliation of podcasters and how the podcaster engages with the existing material on the topic.

It is argued that the combination of popularity and counter-hegemony uniquely positions podcasts to *loudly amplify* (rather than silently silence) issues related to corporate power and capitalism, as well as other underlying systemic processes that give rise to corporate offending.

Acknowledgements

They say doctorates are meant to be hard, and wow, were they right. The challenge of doing a PhD, however, was much more manageable because of the people who supported me throughout my journey.

First and foremost, I must give THE biggest appreciation to my supervision team – Prof Steve Tombs, Dr Dan McCulloch and Dr Simon Carter – who supported me through my thesis, listened to my rambles and worries and guided me through developing as a very early career researcher.

Steve, I hardly imagined to be writing this when I first called you about getting involved with corporate crime in 2020. I have learned so much from you, not only academically but also personally and politically. Your passion for fighting for a better world is inspiring and it continuously serves as a reminder that someone, somewhere is suffering and we can do so much to help, even if simply through challenging the status quo with our research. I admire you deeply and it is not least surprising that whenever I mention your name, people only have good things to say about you. Before I get too sappy (which I will save for an in-person encounter), I want to thank you, Steve. I am humbled, grateful and excited to continue your corporate crime legacy for a long time.

Dan, had it not been for you, I probably would have thrown in the towel at some point. You have managed to melt away every single worry and doubt I've ever had about this project. Your direct and recent experience of having gone through the same thing in the same environment was irreplaceable and I have so much gratitude you were part of my journey. Thank you for every bit of motivation, help, guidance and understanding for this unique experience, especially when I struggled the most, and for your endless patience and kindness. You are a truly delightful human, and I am so happy I got to work with you.

Simon, your invaluable insights about hegemony, the media and all things sociology were undoubtedly a large part of my project as well. Thank you for always going above and beyond in your feedback and attention to my writing, and for sticking around throughout my journey. I appreciate all the help and guidance.

I would also like to extend my gratitude to others who were part of my academic journey and inspired my work in many ways: Sarah Tatton, Penny Crofts, and Eleanor Goodwin; my two examiners Jon Davis and Louise Westmarland, the OU SPC department and many others who I've met through conferencing. I am so grateful not only to those who supported me closely but also to those who crossed paths with me and stopped to have a conversation (even the person who claimed we should hold individuals responsible for systemic criminality) that led me to develop as a researcher, but also as a human.

To my husband, Iain – your patience and love (and we know I need a lot of both) never cease to amaze me, I couldn't have imagined ever doing this without you. From never-ending political debates about Marxism all the way to the horrible sense of humour that makes me belly laugh accompanied me every day for these past three years and I would

never have it any other way. You are the most wonderful human, you are everything and I love you, para siempre.

My friends and family, thank you for being patient with me and for entertaining my corporate crime rants, breakdowns, doubts and anxiety. Maminka, ďakujem, že si. Nic, thank you for keeping me safe and sane. Teresa and Nats, thank you for your friendship and support.

Last but not least, to my whippet František who is not able to read or understand what on earth his mum was doing these three years apart from keeping him company and giving him treats on demand. I cannot imagine having gone through this without the emotional support of a dog. I'm so happy you chose us.

And to anyone who ever picks this thesis up, thank you for fighting the cause and deciding to be a comrade. Workers of the world unite.

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Episode 1: Introduction

1. Introduction

Corporate crime is rendered invisible by its complex and sophisticated planning and execution, by non-existent or weak law enforcement and prosecution, and by lenient legal and social sanctions which fail to reaffirm or reinforce collective sentiments on moral boundaries... the type of media to which the majority of people expose themselves under-reports corporate crime, especially in comparison with 'conventional' crimes (Box, 1983, p. 16-17).

Corporations are entwined in every aspect of our lives, so much so that it is challenging for anyone to go one minute without touching, seeing, using, wearing, hearing, reading or consuming corporate products. Society relies on corporate outputs for survival, be it through the food we consume, the clothes we wear, the houses we live in, the electricity we use, or even the water we drink, as well as through many services, such as banking or transportation. This is not problematic *per se*, but as I will show later, the realisation that some corporations quite literally get away with murder, the destruction of the planet and any other harms under the guise of profit maximisation means that it is not hard to think the corporation will kill us unless we kill it first, to borrow the claims of Tombs and Whyte (2015) and Whyte (2020).

It gets worse, though.

Corporations not only get away with causing an immense deal of harm (see Tombs and Whyte, 2014) that far outweighs the harms of more conventional crime but also rarely get included in the discourses of crime. This is attributed mainly to the lack of inclusion of the category of 'corporate crime' in government statistics and the responses to such criminality by the state – much like Box pointed out some 41 years ago, above. However, it is also exacerbated by how the media treats corporate crime, which is the point of departure for my thesis: media conventionalises corporate crimes by either ignoring them or including them in discourses of disaster, individual criminality somewhat

outside of the real ‘crime problem’, or by labelling them as unintended outcomes of financial decision-making that are unfortunate and tragic. Corporate crimes are thus seen as “unforeseeable, unknowable and unpreventable, discrete, isolated and random events” (Slapper and Tombs, 1999, p. 95). There has been considerable research into corporate crime media portrayals, all of which concurs with such sentiment (see Cavender, 1998 or Machin and Mayr, 2013).

It gets even worse, though.

Most research on media portrayals of corporate crime points to the same few points, which further exacerbates the media's inability to be critical of corporate criminality: the largest media outlets are corporations themselves, and they depend on the funding of other corporations through advertising. This is especially true in the digital era when paying the newsagents for a fresh newspaper print every morning is no longer necessary. Combine that with two more exacerbating factors: the predominant way in which the public is informed about corporate wrongdoing is either through the media or from the corporation itself, the very same corporation that has virtually unlimited legal resources to pursue libel and defamation suits any time there is a slight hit of ‘badmouthing’ or blaming a corporation for their wrongdoing. Again, this has all been substantiated by existing research (Levi, 2006).

It gets a little better now.

The media landscape is changing; user-generated content¹ is gaining prominence and popularity amongst the public. The news is now consumed not only through traditional media outlets, such as newspapers or news broadcasts, but also through content created by non-professional journalists independent of corporate oversight. I refer, specifically, to user-generated podcasts as audio content consumed by millions of listeners daily. In fact, a whole new genre deals with criminality: the so-called true-crime genre, which is garnering so much prominence that one could claim that the ‘CSI

¹ I use this term to refer to content that is not made and produced by journalists and large media corporations but by non-professional journalists or amateurs (see Krumm et al., 2008).

effect'² is slowly being replaced by the 'true-crime effect'. Many podcasts are narrated, recorded and produced by amateurs who are not limited by the boundaries of traditional news outlets. Whilst the claim that traditional media outlets, by and large, fail to frame corporate crime beyond isolated incidents is well established, no such comparison exists for podcasts.

So where does that leave us?

In my thesis, I explore podcasts' discourses of corporate crimes. I do so through the lens of two emblematic case studies – the 2013 Rana Plaza building collapse and the 2010 Deepwater Horizon explosion/oil spill. I examine 32 podcast episodes that directly discuss these cases to discover the extent to which prevailing power, hegemony and ideology are maintained and challenged. My methodology is informed by critical discourse analysis (CDA) approaches to closely scrutinise how even subtle alternation in vocabulary, intonation, or word connotation can alter the underlying meaning and ideology behind statements. My research is based on three research questions and one overarching question that I list below:

- 1) What discourses are present in podcast episodes covering the cases of Rana Plaza and Deepwater Horizon?
- 2) How does corporate crime get framed in podcasts' discourses?
- 3) To what extent do podcasts portray counter-hegemonic discourses regarding corporate crime, challenging dominant narratives of corporate activity and its consequences?

My overarching research aim examines: the extent to which podcasts have the potential to challenge hegemony and present counter-hegemonic discourses of corporate criminality.

² CSI effect is the impact of fictitious forensic science shows have on public perceptions of what crime and criminology are (see Shelton, 2008).

1.1. Thesis structure

As I explain here, I devised a slightly different approach to my thesis structure. The introduction provides a conceptual and theoretical context for the three main pillars of my thesis: corporate crime definitions, media and podcasts, and the two case studies.

This thesis adopts an alternative chapter structure, synthesising the literature review with empirical findings. This decision was taken due to the novel nature of my research data sources – podcasts. In fact, my thesis is presented more akin to the structure of a podcast, where the parts discussing my findings can be read as stand-alone pieces on one topic but also form a part of a whole. The thesis can be understood as a podcast, and each ‘Chapter’ becomes an ‘Episode.’ Each of my Episodes starts with a summary of the previous Episode while also stating what is ‘coming up next.’

So, my data sources drive the primary rationale for my somewhat unconventional presentation. As I move through the thesis, I hope it will become clear why my approach to alternative structuring was justified and even required for the type of data I worked with, the type of analysis that underlined my work, and the type of presentation I chose.

In what follows, I set out the structure of my thesis.

Episode 1 (introduction), Episode 2 (methodology) and Episode 7 (conclusion) are delivered in a very thesis-like fashion. The findings Episodes – namely Episode 3, Episode 4, Episode 5 and Episode 6 – synthesise background and literature review with the discussion of findings and are organised thematically via what I call ‘frames’. The concept comes from framing analysis, which identifies how media content is interpreted and understood broadly, helping the consumer label and categorise events (Scheufele, 1999). To frame an event means to promote an interpretation of an issue by suggesting a particular definition, cause, evaluation and treatment recommendation (Entman, 1993). The corporate crime frames I use to limit my thesis results are disaster, crime, harm and systemic problems. For instance, if corporate crime is framed as a *disaster*, there is an expectation of encountering different ideas and themes framed differently than if one were to frame corporate crime within the legal definition of *crime*.

In turn, these frames may offer distinct opportunities for contesting hegemonic conceptions. This approach was primarily driven by how existing research frames crimes of corporations. Machin and Mayr (2012) and Schifferes and Coulter (2013) examine corporate crime through disaster discourses, Wright et al. (1995) and Burns and Orrick (2002) use the context of crime, my own paper (Macfarlane Horn, 2024) recognises corporate crime as social harm and Ras (2021) uses the frame of ‘crime and capitalism’ when referring to corporate crime. As seen in Table 1 below, I focus on four frames of corporate crime: disaster, crime, harm and systemic problem.

Table 1. Thesis Structure

Episode 1	Introduction
Episode 2	Methodology
Episode 3	Corporate crime as a DISASTER
Episode 4	Corporate crime as a CRIME
Episode 5	Corporate crime as a HARM
Episode 6	Corporate crime as a STRUCTURAL PROBLEM
Episode 7	Conclusion

Episode 1 is a conventional introduction to the thesis. After I explain the thesis structure, I will move on to give a theoretical background for the three main pillars of my research: corporate crime definitions, the theory of podcasts and a detailed account of the case studies that I present looking at the context, the legal and political consequences and the harms caused.

Episode 2 moves on to discuss the methodological approaches of my research by delving into CDA with its references to discourse, power and ideology, the complex sampling processes and my reflexivity and positionality.

Episodes 3-6 present the findings from the research. They each integrate the thematic relevant literature review specific with findings and discussion. They are organised thematically and structured in a way of ‘mini theses’ that can be understood as stand-alone pieces, but they also help to answer the overall research questions of the thesis.

As my findings are organised thematically, I wanted the reader to have proximity to the theoretical background for each context so that they could refer to it whenever needed. It was also driven by the podcast focus of the thesis. The findings sections for each episode are organised thematically, and the quotes from podcasts are presented in different shades so the reader can easily distinguish them from the main body of the text. I label the quotes using the abbreviation for each case (DH AND RP), the number of the episode (3-6) and a letter at the end (for instance, the first quote of Episode 3 will be DH3A and/or RP3A). I offer a summary of the findings and discussion in these Episodes, before providing a more extensive summary in the Conclusion Episode.

Episode 3 deals with corporate crime framed as a disaster. I critically explore the term disaster and how it may be applied to my data. It focuses on how disaster discourses reproduce corporate hegemony through the lack of assignment of blame and responsibility to acts that are inevitable consequences of corporate activities.

Episode 4 examines the implications of portraying corporate crime through the lens of legalistic definitions of crime with the notion of individual responsibility at their heart. Corporate crime gets framed as being perpetrated by ‘bad apples’ who victimise humans. While ‘bad apples’ approaches to corporate crime are not necessarily counter-hegemonic, they are a step forward from blameless disaster discourses. In that sense, crime discourses at least open the question of identifying responsibility for harmful or criminal outcomes of corporations, notwithstanding the significant limitations of such discourses.

Potentially moving into a more counter-hegemonic territory, Episode 5 focuses on discourses that expand the definition of corporate crime to include socially injurious actions, including through the lens of zemiology. It does this by investigating corporate harm – actions not necessarily illegal, but claimed as harmful, and they locate the corporation as the origin of that harm. Two types of harm are examined: environmental harm and the harm of exploitation. Unlike the former Episodes, the discussion questions the impact of globalisation on corporate crime perpetration, especially in

terms of the jurisdictional issues and the power imbalances between the Global North and Global South countries.

In the final findings Episode (Episode 6), I scrutinise those discourses that have the potential to be most counter-hegemonic. I do so by focusing on discourses that frame corporate crime as a structural problem deeply ingrained in the workings of our economic systems that work together with corporate power concentrated in the hands of corporations as the key players in realising capital accumulation. This Episode offers the analysis of perspectives previously unobserved in corporate crime media research.

The thesis returns to a more conventional style in Episode 7, in which I attempt to summarise the key findings of my research while also providing a conclusion to the entire thesis. I address the research questions and my overall research aims and synthesise the most crucial findings from Episodes 3 to 6. I also elucidate the key limitations of my study and suggest some future directions.

In short, I scrutinise the mechanisms that uphold hegemony and explore how counter-hegemonic narratives emerge through the discursive representation of corporate crime in podcasts. In doing so, my thesis aspires to contribute to new understandings of how corporate crime is framed in new forms of media and whether hegemony is challenged in their discourses.

I now turn to presenting the theoretical background of my research in the next section which provides an in-depth overview of my three key concepts: corporate crime, podcasts and case studies.

2. Literature and Conceptual Background

As described above, this section aims to provide an in-depth overview and operational definitions of my working concepts: corporate crime, which is discussed first in Section 4, followed by a theoretical discussion of the medium of podcasts in Section 5. It also contains the background and explanation of the two case studies I used to guide my

research – the Rana Plaza collapse and the Deepwater Horizon explosion and oil spill which are scrutinised under Section 6.

Before delving into these discussions, I would like to add that my thesis is rooted in the perspective of critical criminology, not least by recognising that corporate crime is precisely the type of criminality that is impacted by how inequality and power shape criminalisation processes (Lacey, 2013) which is wholly consistent with the focus of critical criminology and consistent with my adoption of a critical methodology. However, there are blurred lines between critical criminology, social harm and zemiology and I inevitably shift between them. Clarifying these blurred lines is not the aim of my thesis. Hence, I will refer to ‘corporate crime and harm’ throughout (for a more comprehensive overview, see Canning and Tombs, 2021).

3. Corporate Crime Definitions

Given that my thesis is based on corporate crime in the context of podcasts, it is essential to establish the meaning of this umbrella term, as how corporate crime gets perceived by media makers is rooted in the complexities of its definitions (Friedrichs, 2010). The ‘definitional quagmire’ (Friedrichs, 2010) of corporate crime within criminology is a complicated journey that evolved from an exclusively criminology-bound concept toward a social harm-centred approach. As corporate crime has always been on the outskirts of criminology, the absence of definitional consensus may contribute to and intensify its neglect within the discipline (Friedrichs, 2010; Rorie et al., 2018). Since the introduction of ‘white-collar crime’ – the corporate crime predecessor – there have been debates that both corporate and white-collar crimes often fail to fulfil the legal classification of criminality and, in doing so, remind us of the social construction of all crime (Nelken, 2017). The disagreement amongst theorists stems from a debate over whether criminal lawbreaking should be the exclusive criterion for defining corporate crimes or if actions merely *punishable* under civil/administrative/regulatory law should be included.

An extension of this debate then developed even further as a group of criminologists and sociologists theorised that crime – due to its social construction and dependence on the very concept that criminology critiques (Canning et al. 2023) – should perhaps be developed into an ontologically distinct field that centres around social harms and thus takes crime *Beyond Criminology* (Hillyard et al., 2004). This is especially appropriate to crimes committed by corporations whose harms are not even formally subject to criminal law (Rothe and Kauzlarich, 2022). In what follows, I move through the evolving concept of corporate crime from its initial conceptualisation, fulfilling the legal definitions of criminality to the broader scope definition that includes social harms. For ease of reference, Figure 1 demonstrates the visual representation of the structure of this section and my evolving concept of corporate crime definitions.

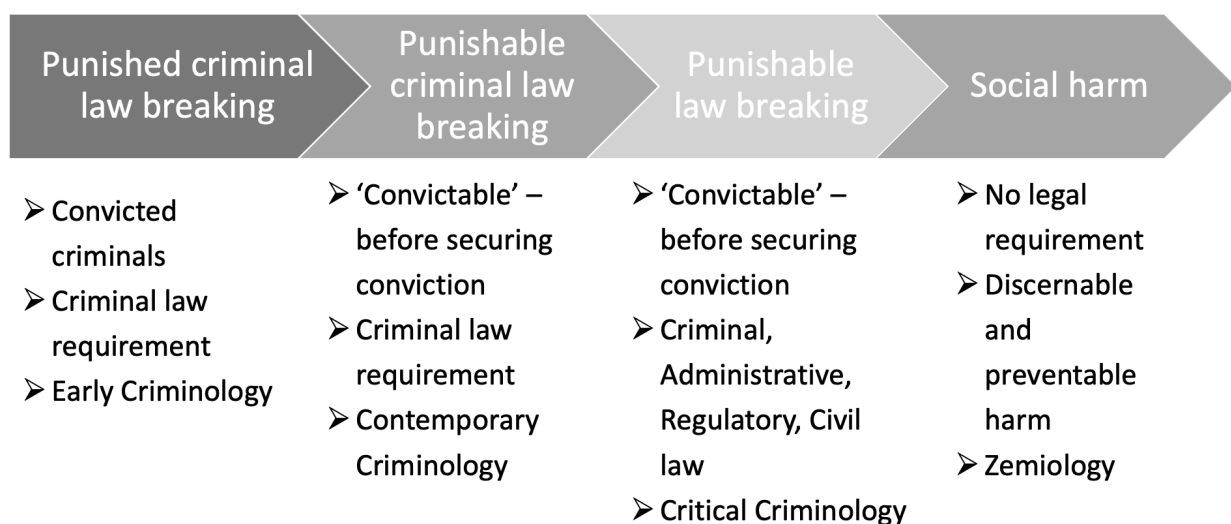


Figure 1. Corporate Crime Continuum

3.1. Corporate Crime Origins: The Sutherland-Tappan Debate

Many contemporary debates about corporate crime originate from Edwin Sutherland’s concept of white-collar crime – crimes of “respectable people of high status in the course of their occupation” (Sutherland, 1949, p.9). He also contends that these actions may be socially injurious, which goes well beyond the boundaries of criminology, a claim that received much criticism (Tappan, 1947; Shapiro, 1983).

Sutherland's primary debate is concerned with the fact that white-collar crime is not often thought of within criminology, suggesting a change in criteria for inclusion into the discipline. He contends that white-collar crime should also include violations dealt with by not only the criminal courts and the police but also other regulatory agencies that may be used to enforce criminal law (ibid.). In doing so, he opens criminology up to acts that may not necessarily be pursued under criminal law, as in some cases, restitution in civil court may be more important to the victims (see Whyte, 2012). Further, the complexity of white-collar crime prosecutions may put pressure on the criminal justice system that prosecutors are unwilling to take on as conviction is often difficult to secure – an aspect observed in contemporary criminal justice proceedings (see Werle, 2018). Lastly, he recognises class bias in law creation, noting that white-collar criminals can impact policies and laws to work in their favour, a claim also reflected in Marx's work (Denzin, 1977; Braithwaite, 1982).

Contemporary scholars accept the presence of class bias in criminal law and recognise Sutherland's impact in the field (Friedrichs, 1992; 2010; Slapper and Tombs, 1999). However, some of Sutherland's work was also found to be problematic. Notably, while Sutherland's contributions had some merit, his definitions were loose and confusing and his methodology was flawed (Friedrichs, 1992). Much of what he called white-collar crime was crime committed by corporations, further complicating the interpretations of his work (Geis, 1991).

The main contemporaneous opposing argument to Sutherland's approach was the work of Paul Tappan, who rejects including acts not in violation of criminal law under the term 'crime' for extending the definition to those that may not pass the reasonable doubt threshold found in criminal law (Tappan, 1947). Criminal laws should be treated as the norm for defining crime given that a group of qualified, representative individuals has approved them. White-collar (and by extension, 'corporate') criminals were only those convicted of such crimes through the criminal justice system, subject to due process (ibid.).

The Sutherland-Tappan debate raises a key issue still present in contemporary debates: should white-collar (and corporate) crimes be limited to *proven* (as opposed to potential) violations of criminal law, or should they be studied under an entirely new discipline?

More broadly, however, the claim that criminal law is neutral and in the general interest has been rejected within critical criminology, where understanding how law-making and law enforcement reflect various biases and interests is now widespread (Reiman and Leighton, 2020). It is also known that criminal laws are inherently biased towards visible criminality as opposed to crimes ‘behind closed doors’, which corporate crime is often referred to as (Crofts, 2022). Whatever may be deemed ‘the crime problem’ is socially constructed (Braithwaite, 1982). Notwithstanding this discussion, my research focuses on corporations and corporate crime, not crimes committed by individuals of high status for their own gain. Following Sutherland’s work, the idea of corporate crime was later developed by Geis (1972) and Clinard and Quinney (1973), among other scholars, as an independent concept of crimes committed by corporations, defining it as “offences committed by corporate officials for their corporation and the offences of the corporation itself” (p. 188). This view was the most widely accepted definition with slight alterations in names and categories (Friedrichs, 2010). However, others theorising in this area have conveyed contrasting views: Cressey argued corporations are incapable of perpetrating crimes; they can only be committed by individuals within these structures (1989). Cressey’s position has since been critiqued and lacked the support of other scholars – corporations are not merely a total sum of the actions undertaken by the individuals within (Braithwaite and Fisse, 1990; Cohen, 1990). Corporate crime scholars increasingly focus on examining how organisational culture and corporate structure both contribute to engaging in corporate criminality (Vaughan, 1999; Huisman, 2016) and thus, I consider corporate crime to be collective and structural rather than individual, albeit I recognise that crimes by corporations of course involve and can simultaneously implicate individuals via acts and omissions.

Expanding Definitions of Corporate Crime

As mentioned above, criminal law upholds existing structures of class and power, which is especially relevant to corporate crime and harm (Crofts, 2022). So, the argument that the sole focus of criminologists should rely on offences included within criminal law, especially those that have already been punished, becomes less convincing. Instead, corporate crime definitions should be expanded based on two rationales:

- 1) They should include acts punished *and* punishable (Braithwaite, 1984)
- 2) They should include offences not only covered under criminal laws but also extend to civil, administrative, and regulatory laws.

Given that criminality is artificially defined and socially constructed is a recognisable position within criminology (Canning and Tombs, 2021), it is tautological to disregard that social construction is also involved in criminalising corporate wrongdoing and enforcing such strict rules for discipline. If criminologists were to focus exclusively on convicted corporate criminals, the discipline would suffer many methodological fallacies. It is, therefore, crucial for a social science to question and challenge its definitions.

Punishable or Punished Acts?

Some corporate crime scholars argue that crime should include offences that are not only punished by law but also merely punishable by it. In other words, 'convictability' is more important than a conviction, an idea grounded in Sutherland's work (Braithwaite, 1984; Salinger, 2005). This is beneficial in two ways: first, it may allow criminologists to engage in discussions of ongoing cases in real-time before the ending of the criminal trial which, sometimes, may take many months to unfold (Kramer, 1984). Second, it is also very relevant when looking at corporations, as we can recognise and counterbalance the problems surrounding the relationship between corporations and

criminal law, justice, and politics³. By that, I refer to the fact that corporate crime is less likely to be detected, subject to legal proceedings, proven/convicted, and ‘effectively’ punished (see Slapper and Tombs, 1999).

Further, simply defining corporate crimes as those punished by criminal law would fail to capture the differential social construction of criminality across borders of nation-states⁴. That is, corporations may, and often do, engage in illegal activities in one country but lawful in another (Passas, 2005). By neglecting crimes punishable by criminal law, acts criminalised in one country will not be captured as they are perpetrated in another country without existing legal safeguards. Whilst jurisdiction is essential, and law is made and enforced by individual nation-states in most cases, scholars who fail to take the issues of jurisdiction and globalisation into account may need to pay more attention to a large portion of corporate wrongdoing, an argument that forms a large part of Episode 5. Most corporations are not bound to one jurisdiction; they function across states. The globalisation of markets enables corporations to move their activity based on the level of legal regulation in different countries so that harmful conduct avoids criminalisation. This type of ‘cherry-picking’ is often referred to as regime shopping (Michalowski and Kramer, 1987). Just because the corporation is perpetrating illegal acts in countries that have failed to criminalise the harmful activity, it would be reductionist to think that we can exclude these actions from the corporate crime discourse based on the absence of a criminal conviction, making it essential to focus on punishable crimes rather than those that have already been punished.

Another significant argument here is based on the discrepancy between criminal law and corporate crime prosecutions. Criminal law is based on the principle of individualistic responsibility with the need for *actus reus* (the act) and *mens rea* (the guilty mind). Given that most statutes lack the infrastructure to include a collective offender – the corporation – it is challenging to apply this principle in corporate crime

³ These are discussed throughout my thesis which wholeheartedly argues that in order to recognise and challenge dominant corporate crime discourses, it is imperative to take a structural outlook of such criminality.

⁴ It is relevant to note here that international criminal law also lacks framework for multinational corporate crimes (Baars, 2017)

(Crofts, 2022). How does one identify the 'guilty mind' of an organisation that employs hundreds, if not thousands, worldwide and is managed across numerous centres? Thus, applying law designed for individuals to corporations is problematic as they do not possess human-like capacities and other intrinsic characteristics that allow them to escape prosecution.

Criminal Law, or Civil and Administrative Law Boundaries?

“The harms caused by corporations generate a category crisis for criminal law: based on classic justifications for criminalisation, public harms caused by corporations should be within the jurisdiction of criminal law, and yet they tend not to be” (Crofts, 2022, p. 5). This leads to some scholars questioning what type of law should be applied in these cases. Clinard and Yeager (1978) and Slapper and Tombs (1999) agree with Sutherland, claiming that corporate crimes may be punishable under criminal, administrative, and civil law as long as the state is the actor doing the punishing. Similarly, Hartung (1950) thought these crimes were a particular category based on the difficulties with distinguishing criminal and civil violations. It was not as important to focus on this detail as the line between criminal and civil is artificial.

Kramer (1984) argued for a definition encompassing criminal acts of commission, omission and negligence that benefit the corporation and are aligned with its normative profit goals. However, Slapper and Tombs (1999) scrutinise this definition by pointing out its restrictiveness – law enforcement does not necessarily need to be limited to criminal law enforcement agencies given that many administrative bodies, as well as the state itself through public inquests and inquiries, can be involved in the regulation of corporate crime without engaging in criminal proceedings. Thus, they suggest including civil, administrative, and regulatory laws in contemporary corporate crime definitions, as recognised by Sutherland himself (1945) and others (Clinard and Yeager, 1978; Slapper and Tombs, 1999; Friedrichs, 2010). This is further supported by Rorie et al. (2018) in their meta-analysis of definitions of corporate crime. They advocate using definitions that are subject to punishment by government agents, be it through criminal, regulatory, or administrative law – a standpoint also adopted throughout my research.

However, even this may become slightly redundant if one considers corporate *harm* instead of *crime*.

3.2. Corporate Harm

“Harm production is structural, institutional, relational, and inherent to both power and powerlessness” (Canning et al., 2023, p. 502), an observation made whilst claiming that criminology fails to capture corporate harm that does not entail legal violations. Indeed, it is unsurprising that harm perspectives are increasingly common in corporate criminology.

Others also recognised this: Clinard and Yeager (1978) point out that unethical and criminal conduct is frequently problematic to distinguish based on their resemblance. Many practices previously labelled unethical are now criminalised, especially concerning environmental causes. Consequently, scholars have attempted to adopt non-legal criteria in their definitions of corporate wrongdoing (Friedrichs, 2010). For some, this has involved claims for a new discipline (zemiology) to offset some of the challenges encountered in criminology. Many criminological issues, corporate crime included, cause harms not criminalised or regulated by the state that criminologists frequently neglect to research due to their restrictive, state-dominated definitions. For that reason, zemiology is offered either as an alternative or a replacement for the field of criminology (Hillyard et al., 2004; Pemberton, 2016).

Hillyard and colleagues (2004) provide a series of criticisms of criminology. Firstly, as I discussed earlier, crime has no ontological reality, meaning that no act itself could be classified as a crime in all circumstances and places. Secondly, many serious harms are excluded from the crime umbrella, including many corporate (and state) crimes, such as environmental pollution and mis-selling. Thirdly, criminology tends to construct crimes, as do most legal principles through a focus on individualistic liability that is difficult to ascribe to a collective entity such as a corporation. Further, the scholars acknowledge the class bias involved in law creation and argue that corporate crime escapes legal definitions of criminality even in legislation specially designed for its

prevention, making zemiology much more suited to evaluate the full extent of corporate wrongdoing (Hillyard *et al.*, 2004; Canning and Tombs, 2021). Elsewhere, Hillyard and Tombs (2017) claim that corporate crimes cannot be explained in criminal law due to the absence of space-time proximity, victim-offender relationship, and (lack of) intention.

For these reasons, zemiology is more suited to encompass corporate harm and is thus legitimate to incorporate into my field of study, as further demonstrated in my case studies.

All this said, the emerging discipline has its limitations, notably the absence of a widely accepted meaning of social harm (Pemberton, 2016). Pemberton argues that the conceptual boundaries of zemiology are difficult to establish as the concept of social harm is based on relativism – who defines what harm and social injury are? If the scope is too broad, it may include actions that are not injurious but merely annoying and disapproving. By contrast, if too narrow, it may fail to encapsulate all harmful actions (*ibid.*), thereby mimicking the conceptual difficulties of criminology.

Many have attempted to conceptualise what constitutes social harm, with Schwendingers' (1970) suggesting a definition that stems from human rights violations. However, Pemberton (2016) argues that the concept of human rights is rooted in the interests of powerful social groups and should not be universally accepted. Other significant works in the field include Tifft and Sullivan's (2001) concept of defining social harm as the interference with the realisation of human potential, which also aligned with Copson's concept of preventing human needs (Copson, 2011 cited in Canning and Tombs, 2021). Further, Hillyard and colleagues (2004) attempted to advocate for using sociological categories to define harmful acts: physical, emotional/cultural, financial/economic, and cultural.

While the approaches mentioned above have been criticised for being too loose and subjective (Yar, 2012; Pemberton, 2016), the key point remains: one needs to acknowledge the definitional shortcomings of harm in relation to crime. That is not to

say that crime and harm are mutually exclusive, but rather to depict the two terms as existing “on a logically connected ontological terrain” (Tombs, 2018, p. 25). For my study, it is not necessary to seek to resolve such conceptual and definitional issues around zemiology and social harm but simply to acknowledge their existence.

3.3. Operational definitions used in this thesis

Since the definition of corporate crime varies amongst researchers, it is essential to clarify how it is understood/used here. Friedrichs (2010) emphasises that defining these concepts should be done following the indication of the purpose of the study. My study is based on case studies of podcast discourses of corporate crime. As the case studies in the following section will show, the victimisation entailed in the cases was multi-layered, and there were difficulties with identifying criminal conduct across all cases. For that reason, the operational definition of corporate crime for this project is:

Corporate crime includes acts and omissions punishable under criminal, civil, administrative and regulatory law, as well as the production of discernible and avoidable harms, perpetrated by corporations and individuals within them.

This definition encompasses a broad definition of corporate crime and corporate harm. It is conceptualised following Rorie et al. 's (2018) suggestion of using Braithwaite's (1984) definition, which includes acts punishable by law, as well as Friedrichs' (2010) and Van Erp and Huisman's (2017) harm-encompassing definitions. This will allow me to examine the full extent of corporate crimes and harms in the two case studies, allowing me to pick up on all corporate misconduct discussed in podcasts.

4. Podcasting and the Media

Now that the conceptual terrain of corporate crime has been clarified, I turn the discussion to the other fundamental aspect of my thesis: podcasts. In what follows, I briefly introduce the media, paying particular attention to the concept of media hegemony. I explain what hegemony is and how it is reflected in discourses about

corporate crime. I then discuss and define podcasts, arguing that certain aspects of podcasting could offer an ideal space for challenging hegemonic discourses of corporate crime. I conclude the section by discussing existing research studies about crime discourses in podcasts.

4.1. The Media

In the following section, I will contextualise podcasting as a media type. Given that my study is focused on podcasting, it is by no means a comprehensive analysis of media in general, but it is necessary to provide a short overview of key media functions relevant to the study of podcasts.

Media can be understood as communication channels that deliver content on current events. For some, this content shapes, validates or questions hegemonic attitudes toward social issues like politics, economics, or crime (Herman & Chomsky, 1988; Katz, 1987; Williams, 2008). This is especially significant for crime, as the media are one of the most important sources of knowledge about crime (Greer, 2010). It has to be noted that the relationship between the press and the public is two-fold: on the one hand, media tends to represent public perceptions, and on the other, media is also responsible for framing what the public thinks (Macfarlane Horn, 2024). That is, media outlets will aim to reflect what the public *already thinks* in order to increase their readership while also framing issues strategically in order to be aligned with their own agendas. The strategic selection and framing of stories are carefully crafted through various well-established and well-researched criteria, which some call news values (Glasgow Media Group, 1976) or newsworthiness (Jewkes, 2015), which need to be aligned with the wider values⁵ of the outlet (Reiner, 2007). This is most apparent in traditional media outlets, such as newspapers, online news outlets, broadcasts or the radio are known for having overtly or covertly conservative values (ibid.), directly involved in reinforcing the hegemonic status quo – discussed in the following section.

⁵ These values can be economic, political, critical, or geographic.

Media may struggle in their corporate crime reporting, which is not entirely surprising; it is difficult to be critical of the corporations whose funding they depend on through advertising (Lynch et al., 2000b). Large traditional media outlets are also corporations; they have profit-based operations (Chomsky, 1989), thus implicitly consenting to and agreeing with the status quo. As Curran et al. (2006) put it, “the power of the media is thus portrayed as that of renewing, amplifying and extending the existing predispositions that constitute the dominant culture”. (p.9). The media is not necessarily responsible for the primary definition of what becomes *the news*. However, they have a structured relationship with those in power who define the events, so it is only expected that what the media will present will reproduce the definitions provided by those in power (ibid.). Media involvement in reproducing the interest of the powerful can be perceived through the framework of media hegemony, to which I will turn next.

4.2. Media Hegemony

Gramsci puts forward ideology as a “sense of a conception of the world that implicitly manifests in art, in law, in economic activity and all manifestations of individual and collective life” (Gramsci 1971, p. 328). He uses the term ‘common sense’ to describe the unconscious ways of perceiving and understanding the world prevalent in society so that hegemony is achieved through legitimising discourses to make them appear common sense and natural, whereas they are ideological and serve to advance the goals of the dominant class (ibid.).

Gramsci proposed the notion of hegemony, denoting how dominant groups in society “succeed in persuading subordinate groups to accept their own moral, political, and cultural values and institutions” (Machin and Mayr, 2023, p. 37). It is important to note that hegemony does not rely on coercion or force but rather on consent: not as an explicit agreement, but more so through the willing participation and endorsement of the dominant ideology (ibid.). This is also aligned with Chomsky’s (1989) work on media, the ‘propaganda model’ according to which the media serve the interests of state and corporate power, which are closely interlinked, framing their reporting and analysis in a

manner supportive of established privilege and limiting debate and discussion accordingly.

For Gramsci, hegemony is not absolute; it is subject to contestation, and it is only ever achieved partially. He introduced the concept of counter-hegemony which challenges the dominant status quo. This is done through engaging in public discourse, which challenges the legitimacy of the dominant groups and presents alternative viewpoints. Cultural hegemony can be viewed as a struggle where hegemony and counter-hegemony battle to win the consent of subordinate classes (Fairclough, 2013). Indeed, even within the podcasts in my sample, it is possible to see a struggle between hegemony and counter-hegemony, which compete for attention.

Given that my research questions are framed around hegemony and counter-hegemony, I must be transparent about what I consider to be (counter-)hegemonic corporate crime discourse. My understanding of hegemony and counter-hegemony of corporate crime in media portrayals is informed by existing research and my positionality as a researcher. I return to positionality and reflexivity in Episode 2, where I also refer to the theoretical background of hegemony in terms of its relationship to power, discourse, and ideology. For now, I attempt to introduce hegemony and counter-hegemony as these relate to representations of corporate crime.

Hegemonic representations of corporate crime in the media refers to media discourses that fail to link corporate crime to broader structures of power that give rise to the offending. This can be done through discourses that frame corporate crimes as ‘accidents, scandals and disasters’ where the incident itself is perceived as having happened on its own and the agency of the corporation is thereby diminished. It can also be apparent in discourses that individualise corporate crimes through the ‘bad apples’ frame that sees only one or more individuals as responsible without linking it to the ‘rotten barrel’. Hegemony in those discourses may also be reinforced by suggesting that the punishment of a few individuals and a financial fine for the corporation will be sufficient to deter further offending⁶. As I shall argue, I also consider discourses that

⁶ Full disclosure: it is not.

frame corporate crime as a disaster in the sense of shifting the attention from its causes to its consequences to be hegemonic. This deflection can be done by overemphasising the economic consequences of the crime, focusing on the discourses of corporate social responsibility, or failing to link the causes to broader structures of economic systems. As I move through the thesis, it will be evident when a statement reinforces or challenges hegemonic views. Regardless of which frame is used to label the event, when corporate crimes get minimised, isolated, normalised, individualised, portrayed as “unpreventable, unforeseeable and unknowable random events” (Slapper and Tombs, 1999, p. 95; see also Mathiesen, 2005), hegemony is reinforced and maintained.

In contrast, counter-hegemonic representations of corporate crime in the media allow for contesting the status quo of corporate criminality through their acknowledgement that corporate crimes are not less serious than many conventional crimes, nor do they isolate, individualise, or normalise them. They are portrayed as more systemic in that they are facilitated by our economic system's dominant moral, political, and cultural values and institutions that prioritise profit over any other social considerations. This is not to say that discourses which fail to frame corporate crime as systemic are inherently hegemonic, merely to point out that if we view hegemony and counter-hegemony as a spectrum, one end would be individualising and/or denial of agency for corporate crime. The other would be linking it to the very structure of capitalism. These concepts are not simple binaries. Ergo, I also contend that counter-hegemony can be observed in discourses that acknowledge any systemic factors that contribute to corporate crime, be it through discussion of topics including, but not limited to, the role of deregulation, globalisation, and corporate lobbying.

Counter-hegemonic perceptions in the media may be more likely to be found in alternative media sources that provide alternative perspectives to dominant discourses found in mass and traditional media sources (Atton, 2002). These are found to originate in small-scale counter-hegemonic groups and individuals and include sources like alternative newspapers, alternative radio, or more independent non-profit sources like blogs or social media. This is also where podcasting originated: it was initially conceived as an independent media source that aimed to offer alternative perspectives

(Berry, 2016). Much of the early podcasting was notable for its artisan production model (Vitis, 2023) with podcast creators describing their primary motivations as providing content unavailable through traditional media outlets (Markman, 2011). However, as will be demonstrated in this section, podcasting can be not only independent but also used and produced by traditional media outlets as an extension of their original content, thus more aligned with traditional media values (Murray, 2009), so the claims about the independent nature of podcasting should not be overstated. Despite that, podcasters report some of their motivations as producing educational, forward-thinking and justice-seeking content (see Markman, 2011 or Clausen and Sikjær, 2021).

Therefore, compared to traditional media outlets, podcasts are less likely to be formally regulated by large media corporations, nor so likely to be bound to any journalistic standards, given that their content can be user-generated (Yardley et al., 2017). They have strong links to blogging based on its links to amateurism and independent production (Sterne et al., 2008) and are not inherently devoted to objectivity and impartiality. This gives them a general ability to present spaces that allow for the challenging of the status quo, especially when in contrast with traditional media outlets. Throughout the thesis, I refer to podcasts as ‘new media’⁷: communication technologies delivered digitally (García-Marín, 2022) contrasted with the term ‘traditional media’, also called old or legacy media. Traditional media sources predate technological developments of the internet and are predominantly distributed through established channels like print, television, or radio (Hodkinson, 2010). I recognise that the ‘traditional’ media landscape is also known for its plurality. Even more traditional outlets have moved to become digital, and they are separated not just by format but by the other factors I have mentioned. In what follows, I delve into what podcasts are and how they treat the discourses of crime.

⁷ Though this is also a contested term in research about podcasts that refer to them as ‘new-er’ media sources (see Berry, 2016)

4.3. Podcasts as Data Sources

In this section, I cover podcasts' conceptual rather than methodological background by discussing their definitions and how they portray crime. I reserve the methodological discussion, including the debate of the podcasts in my sample for Episode 2.

Podcasts are a type of episodic audio media that is released digitally. They developed in the early 2000s as an extension to radio programming and as an alternative to traditional media, with the employment of RSS feeds⁸ that help automate content distribution to podcast directories (Hammersley, 2004). However, it took another decade and a few technological developments before podcasting became widely recognised in popular culture. Podcasting in the form we understand today was pioneered with the release of a podcast titled *Serial* (2014), which discussed a potential miscarriage of justice from the 1990s, alongside the development of the Apple Podcasts application that made it easy for consumers to access content of this type (Bottomley, 2015). Podcasting was considered a 'breakthrough' due to many factors at the time, such as popularity and media attention, innovative storytelling (serialised and in-depth journalism), real-world implications, and commercial viability, leading to increased investment and advertising opportunities, awards and recognition. Contemporary podcasting is still growing in popularity – it is estimated that more than a third of UK adults are monthly podcast listeners, and half of US households are active podcast listeners. This number has almost doubled in the past decade (Makari, 2023). The total number of podcast listeners worldwide in 2024 is estimated to be around half a billion (Howarth, 2024).

Podcasts are accessible to anyone connected to the internet through various platforms on the market, such as Amazon, Apple, Spotify or Google. Producers often engage in cross-media practices, meaning podcasts are frequently supplemented by social media profiles and groups, blogs, webpages and other types of content (Edmond, 2014). As such, the market is diversified, which is also reflected in the lack of a database

⁸ RSS feeds are aggregated online files that have information on every bit of content a site has published (Ma, 2012).

aggregating all podcasts ever created and the lack of understanding of how many podcasts there are overall. As a relatively new popular media form, studies tend to treat them in more general terms rather than analysing a particular case portrayed through various podcasts (Boling and Hull, 2018). Research into podcasts is still relatively infrequent (see Berry, 2016).

Podcasts are known for their flexibility and claims of authenticity – virtually anyone can produce and release podcasts in any location and easily distribute them globally (Berry, 2006; Markman, 2011). They are accessible to most internet users, traditionally not hidden behind any paywalls, which can result in access to wider audiences⁹ (Kinkaid et al., 2020). They have also been described as providing opportunities for a more authentic engagement with topics; they can freely pursue innovative formats that are often less formal than traditional media types (Figuroa, 2022) as well as being able to use language more freely, such as slang or profanity (Berry, 2016). The podcast host can freely decide to cover any themes in any way or shape they prefer and frame topics in the way they. This can have a two-fold effect: on the one hand, it can result in podcasters presenting false information as accurate (the so-called ‘fake news’), which some claim happens with podcasts of the likes of Joe Rogan, whose podcast is controversial due to spreading misinformation¹⁰ (Aroesti, 2023).

In contrast, it can also result in more opportunities to challenge dominant discourses of power and hegemony. This is not to claim that *all* podcasts *will* inevitably present counter-hegemonic discourses¹¹, it is merely to point out that some independent podcasters might have the space to contest hegemonic discourses in a way that is perhaps not as present in traditional media outlets. Given that podcasts are gaining prominence in the media landscape, I argue that the counter-hegemonic potential of podcasts is worthy of criminological inquiry.

⁹ Though even podcasts are increasingly being monetised where there is ‘exclusive’ content available under a paywall of monthly subscriptions.

¹⁰ This implies that while podcasts are free from formal professional standards, there might be an informal set of standards in order to be hosted on some platforms.

¹¹ Far from it being the case, especially given that podcasts cover such a wide spectrum of content that varies from corporate to independent creators.

Another feature of podcasting from any other media type is the hyper-intimacy involved in their production and consumption. The intimacy stems from the production processes (Berry, 2016) and the intimacy connected to how podcasts are listened to. When it comes to the latter, podcasts are often consumed through headphones and earphones, so the voice of the podcast creator is very ‘close’ to the listener (Herrity, 2020). Regarding the former, the production and content of podcasts foster intimacy through the stylistic choices¹² (Vitis, 2022) of the hosts who “use narrative elements forged around emotions and first-person reporting to build intimate relationships between the journalist and the listener” (Lindgren, 2023, p. 704). They tend to use the visceral elements of their voices – such as intonation, volume, speed or more simply an emotional delivery – that is difficult to emphasise quite as clearly in text-based communication (Kinkaid et al., 2020).

Additionally, the ongoing relationship fostered between the host and the listener sometimes through months, if not years, of listenership, also contributes to the intimacy aspect (Rodgers, 2022). It could make listeners feel like they are listening to their friends rather than an anonymous journalist and can make them trust the hosts more, much like in other hosted media types. Listeners report connecting with podcast hosts and the stories they retell, especially in the case of personal narratives (Espinosa de los Monteros 2020 in García-Marín, 2022). The perceived intimacy and flexibility of the medium are considered the ideal conditions for developing peripheral perspectives and giving space to marginal voices (Rodgers, 2022). This can be done either directly through them being hosts and involved in the production processes or indirectly from being guests or the interview subjects. In fact, this is also related to another aspect of podcasting: polyvocality. This occurs when multiple voices are heard in one podcast (King and Watt, 2024) and can help present differing viewpoints and offer different discourses.

¹² These can also include a conversation-format of podcasting where two people are in ‘conversation’ with each other, they make jokes, banter, use colloquial language which can also foster a sense of intimacy.

It is also important to note that podcasts can cover a broad variety of formats ranging from those made independently and somewhat amateurishly which is how the medium started, to those with high production values or are even made by legacy media outlets such as the BBC or the New York Times. Most legacy media outlets produce podcasts which often top podcasting charts. Apple Podcasts report the top 10 shows in the UK for 2023 only include one legacy media-made podcast from the BBC, however, the top free channels are reported as BBC Podcast ranked 1st, The Guardian ranked 3rd and the iHeartPodcasts at number 5 (Apple Newsroom, 2023).

Why podcasts, and why now?

“The recent growth in the podcast medium offers rich new research opportunities for understanding the potential of this relatively recent technological innovation” (Rodgers, 2022 p. 4).

There was an estimated number of 5 million podcasts globally with 70 million episodes in 2022 (Adgate, 2023), yet the amount of research on podcasts is minimal, as suggested in Rodgers’ quote. Given these sources' rising influence, impact and prevalence, my thesis seeks to provide a point of departure for researching podcasts in criminology. Boling (2019) and Boling and Hull (2018) suggest textually analysing the content of podcasts themselves as a fruitful future direction based on their growing prevalence. A further support for such research stems from the data itself; it is publicly available, easily accessible and plentiful, offering ample opportunities for engagement with academia. The result of more analyses could, in turn, be new, more contemporary theories about crime media that are keeping up with modern technological advancements (Rodgers, 2022). Given their rising popularity (Aroesti, 2023) as one of the most popular sources of crime narratives, podcasts remain under-examined within criminology. Now that the rationale for the sources of my thesis has been outlined, I move on to discuss the operational definition of podcasts for my thesis.

Definitions

Based on the multifaceted nature of podcasts, they escape exact definitions, however, a working definition is needed for this thesis. The one consistent agreement across definitions is that podcasts are audio files that are made to be played through personal electronic devices (Boling and Hull, 2018). Some claim that the content of podcasts is 'user-generated' (Rodgers, 2022), meaning that the content of podcasts is created by users (people) rather than brands. I would disagree as many journalistic 'brands' generate podcast content. Some podcasts are also different as they may be an audio recording of a radio show or a lengthy article from legacy media read out loud.

But I rely on Berry's (2016, p. 30) suggestion: "If the text under consideration has not been (and is not intended for) broadcast, then it is not radio". In the same vein, and for pragmatic reasons, if the text under consideration in this thesis has not initially been and is not intended for podcast consumption, then it is not considered a podcast. As such, the operational definition of podcasts here is:

Podcasts are serialised/episodic digital audio files that were recorded, produced, and designed for consumption through personal digital devices and can be downloaded and listened to on demand.

This definition is limited to podcasts that were recorded as podcasts rather than as an extension of radio shows recovered live and then saved into the radio's podcast archives. This distinction is particularly significant and relevant for my sampling strategy: podcasts that were originally radio shows are excluded from the final sample due to being recorded with the particularities of radio formats in mind (such as strict time slots and lack of editing). It also accounts for the fact that they are serialised as well as episodic. What I mean by 'episodic' is that each podcast episode works as a stand-alone piece, which is how I analyse them in my thesis. However, it also works as a part of a 'series' in that multiple episodes might follow the same format or discuss topics from the same viewpoint. It can impact the extent to which discourses are used

and topics are framed. Now that podcasts have been defined, I will discuss their relationship with discourses about crime.

4.4. Podcasts and Crime

An essential contribution of podcasting to criminology is evident when examining the ‘true crime’ genre. In short, the true crime genre¹³ refers to the retelling of real crime stories in an engaging way that has been re-popularised through podcasts (Bruzzi, 2016). It has impacted it so much so that the most famous true crime medium is now podcast (Sherrill, 2022). In fact, the contemporary podcast boom can be traced to the podcast *Serial* (2014), which describes a potential miscarriage of justice in the case of Adnan Syed. The true crime genre is popular amongst podcasts; Sherrill (2022) found that more than 1150 true crime podcasts were made between 2018 and 2019, though this is difficult to corroborate as no directories count all podcasts. Pew Research Center estimated that 24% of the top 300 podcasts on Spotify and Apple Podcasts charts are true crime (Stocking et al., 2023).

Boling (2019) described true crime podcasts as justice-seeking and educational devices powerful enough to influence the criminal justice system. Justice seeking is one of the critical features of the genre overall (Punnett, 2018). This was observed when the Innocence Project, a charity which fights miscarriages of justice in the US, received more funding resulting from podcast popularisation (Reily, 2016 in Boling, 2019), as well as in the case of *Serial* which has helped Adnan Syed’s case to be reopened and re-examined, and the defendant released from prison (Wong, 2023). Stratton (2015) also found that hegemonic discourses on injustice around wrongful convictions can be challenged with podcasting, given that they can cause enough traction and even change the outcomes of CJS.

¹³ I do not use the frame of the true crime genre as a starting point of this thesis due to corporate crime discourses not being prevalent under the true crime label. This is hardly surprising given that corporate crimes occupy the same marginal position within other spaces that discuss crime more generally, be it criminology of crime news.

True crime discourses have previously been accused of blurring the lines between fact and fiction, often receiving the label of ‘infotainment’ or a combination of entertainment and information (Yardley et al., 2017), and in doing so, they can blur lines between what is and is not real (Rodgers, 2022). In short, “true crime is crime fact that looks like crime fiction” (Seltzer, 2017, p. 16) which can be deemed problematic due to its moral and ethical dilemmas (Punnett, 2018). The true crime genre is renowned for using elements of sensationalism and dramatisation (Boling, 2019). The stories of true crime tend to follow narrative structures of stories and narrative archetypes, which might cause the creators of the genre to prioritise entertainment over truth-seeking (McCabe, 2022).

By contrast, (true crime) podcasts have also been described as a positive development in victim justice – they are seen as being able to provide space for victims to engage in debates about criminality (Greer, 2015; Yardley et al., 2017) as well as popularising a post-forensic type of crime content that relies more on the explanations of criminality from the social science standpoint rather than a forensic standpoint (Jermyn, 2013). Victim justice is found to be more prominent in podcasts due to their lesser editorial intervention (Yardley et al., 2017) and victims have more direct access to have their stories heard unedited (Boling, 2019). This can positively impact invisible victims whose victimhood may not be recognised by the criminal justice system and the media (Greer, 2010). This is particularly pertinent when considering victims of corporate crime, as their victimisation is rarely recognised by criminal justice systems (Whyte, 2012). It can also be beneficial for secondary victims (who, again, are prominent in corporate crime) as they frequently worry about the negative representations of them in traditional media portrayals (Yardley et al., 2017). This further strengthens the need to study podcasts that consider corporate crimes and in doing so, contributes to the rationale for my thesis.

Studies of crime portrayals in true crime podcasts or podcasting in general are conflicting, describing them both as reinforcing the status quo and challenging the systemic causes of criminality described in more detail in Section 5.2. The important point here is that such studies tend to focus exclusively on traditional criminality even though enough content on corporate crimes is available in podcasts. As such, the

combination of the under-examined data sources and the need for more research on corporate crime within criminology provides ample rationale for my thesis on two corporate crime cases I discuss below.

5. Case Studies

The following section provides detailed information about the two case studies chosen for this thesis: The Rana Plaza building collapse in Bangladesh and the Deepwater Horizon oil spill. I aim to examine the context of the environment in which the cases occurred, the legal and social consequences and the harm caused by each case. I reserve the discussion of the selection process for the cases for Episode 2.

5.1. Rana Plaza

The case of the Rana Plaza building collapse in Bangladesh is positioned within the ready-made garment (RMG) industry and in the context of globalisation and global outsourcing. This consists of transnational Western corporations outsourcing their manufacturing to Global South countries based on cheaper labour and more lax regulations (Simončič, 2021). Bangladesh is one of the key exporters of RMG with four-fifths of its exports being clothing (Taplin, 2014). This industry is marked by a continual decrease in standards of labour and environment (Laine, 2015). Wages are below living standards, workplace deaths and injuries are common, and it is frequently the only employment option for women locally (Taplin, 2014). Indeed, Rana Plaza is a testament to that. Despite some efforts to improve conditions for RMG workers after the collapse, which I return to later, since 2013, there have been 109 recorded incidents that resulted in 491 injuries and 27 fatalities in Bangladesh alone (ILO, undated). Thus, this case is situated in a series of perpetual acts of human rights abuses, which according to the United Nations (2011), include working conditions and the ability to unionise. This section discusses what transpired and led to the collapse of Rana Plaza, the legal and societal responses/consequences of the collapse, the contributing factors that facilitated this type of offending, and the harm caused by the case.

Context and Background

On the morning of 24th April 2013, the Rana Plaza building, which hosted multiple businesses, restaurants and an RMG factory in Dhaka, Bangladesh, collapsed due to structural failures (BBC, 2013). It held five garment factories that produced garments for at least 29 multinational clothing brands, 15 under different contracts and sub-contracts, albeit many of them denied involvement (Clean Clothes Campaign, 2021). The building was deemed unsafe the day before the collapse as there were structural cracks outside and some businesses started evacuating, which were broadcast on local television (Siddiqui and Uddin, 2016). This was ignored by the factory owner, Sohel Rana, who ordered factory workers to return to work as usual the next day under the threat of having their monthly pay taken away. It took 90 seconds for the building to collapse since it started shaking, which caused 1,134 fatalities and more than 2,500 injuries to garment factory workers. It transpired that the building was structurally compromised for being built on a wetland, without the correct planning permission and without knowing that heavy machinery would be stored in it (Labowitz and Baumann-Pauly, 2014), notwithstanding that the land itself was illegally obtained (Siddiqui and Uddin, 2016). When the victim recovery started, the Bangladeshi government refused help from the UN, arguing that they were adequately equipped for the recovery despite utilising hundreds of volunteers in sandals without any protective equipment (BBC, 2013), further exacerbating the harm caused by the case.

This was not a singular incident of its kind – quite the opposite. A mere few months before the Rana Plaza collapsed, the Tazreen Factory in Dhaka, Bangladesh, caught fire. It killed 117 people and injured a further 200. It was also an RMG factory producing clothes for fast fashion giants such as Walmart, El Corte Inglés, as well as the brand of Disney and the fashion brand Dickies. Like Rana Plaza, the fire also resulted from poor health and safety standards in RMG factories (Clean Clothes Campaign, no date). Notably, there was no such “global outrage” following the Tazreen Factory fire despite sharing many commonalities with the Rana Plaza collapse.

Legal and Policy Consequences

Reuters reports that 38 individuals have been charged with murder over the Rana Plaza collapse (2016). However, the court proceedings have been stalled partly due to the COVID-19 pandemic. Additionally, witness depositions only started in March 2022, almost 9 years after the collapse (Tipu, 2022). The factory owner, Sohel Rana, was sentenced in 2017 to be imprisoned for three years on unrelated charges of corruption (BBC, 2017). As a consequence of the inaction, or inability to act on behalf of the Bangladeshi government, global NGOs and charities have attempted to offer support, seek justice, and encourage legal compliance. These efforts were led by the International Labor Organisation (ILO) which has chaired transnational efforts to alleviate some of the pressures on victims and their families. One such effort resulted in the Rana Plaza Arrangement, signed by key stakeholders (including international clothing brand representatives, the ILO, the Bangladeshi government, trade unions and other NGOs). It included the establishment of the Rana Plaza Donors Trust Fund used for insurance pay-outs for victims and their families (ILO, no date). The efforts of ILO resulted in some positive changes, such as the ability to unionise without the permission of factory owners (Sohel, 2013). However, Siddiqui and Uddin (2016) state that many unions are set up under a false pretence and are, in fact, RMG owner-centric as well as many factories threaten their workers with loss of pay if they do join worker-centric unions which is still clearly a human rights violation.

The insurance payouts for victims were criticised for failing to provide enough financial support – the ILO initially estimated that the compensation amount to reimburse all victims and families should be around 73 million dollars, but this was later cut down to 30 million dollars due to the unwillingness of corporations to contribute to the scheme (ILO, no date). Additionally, no compensation was available for many common conditions caused by the collapse, such as psychological trauma, back pain, or head trauma, and the payouts were insufficient to cover the standard of care that was recommended (Foxvog et al., 2013; Chowdhury, 2017). Some payouts were dependent on providing a DNA sample of the deceased which was highly problematic given that 300 people remained unidentified four months after the collapse, coupled with the

inability of the Bangladeshi government computer systems to analyse DNA samples (Deith, 2013).

There have been international efforts to improve working conditions and occupational health and safety standards in RMG factories. The Global North countries and corporations led these, and they resulted in the establishment of the Bangladesh Accord on Fire and Building Safety and the Alliance for Bangladesh Worker Safety¹⁴ as a means of conducting factory inspections and suggesting a corrective plan of action to fix the issues encountered in the inspections (Alliance, 2018). However, enforcing these plans was problematic as there was an inability to track down all factories within Bangladesh because smaller factories are usually subcontracted by larger ones and operate outside legal boundaries (Labowitz and Baumann-Pauly, 2014). It was also suggested that factory owners were struggling to meet the demands of the corrective action plans financially and had disputes about who was liable for the reparations, the factory itself, or the corporation that subcontracted it (Barua and Ansary, 2017). The latest report suggests that only over half of the inspected factories had acted on the safety suggestions (Alliance, 2018), which leaves millions of workers vulnerable to another Rana Plaza-scale incident.

Harms Caused

There is no denying that the hundreds of fatalities and injuries are at the forefront of the collapse, with over 1,100 people dead and over 2,500 injured, making it the worst single incident in the fashion industry in terms of injuries and fatalities. Given that many RMG factory workers working there are sole breadwinners for their families, the trauma and impact on secondary victims (families and dependents) were immense. The consequences, aside from death and injury, can range from loss of livelihood, and psychological effects of losing a family member, as well as things like PTSD, depression, anxiety, substance abuse and other expected consequences of mass-scale incidents.

¹⁴ Alliance was signed by the US and other North American retailers, fronted by Walmart, as they did not agree with the stringent regulations of Accord signed by European corporations. Alliance lacks legal responsibility to carry out the corrective action plans (Hupp Williamson and Lutz, 2019)

This is further exacerbated by the victims' lack of sense of justice connected to the absence of prosecution of the offender (Snell and Tombs, 2011). The lack of justice, prosecution for the crime, and inadequate compensation may also diminish public trust in the government. Even though the working conditions in Bangladeshi factories have been improved because of the Rana Plaza Agreement, research shows workplace incidents are still too common (ILO, 2023). The case also highlights the unjust treatment of RMG factory workers in developing countries who are forced to endure working conditions that would never be allowed in Western countries.

The RMG industry in Bangladesh is situated within the injustices in the global supply chains which use the subcontracting business strategy as it requires minimal resources and diffuses corporate social responsibility further down the chain (Labowitz and Baumann-Pauly, 2014). The corporations behind the initial contract are rarely held to account for their actions, despite their awareness of the inhumane treatment of RMG workers (Gerber and Jensen, 2016). The efforts of campaigns and alliances to improve industry conditions seem redundant. The rights of the most vulnerable individuals globally keep being violated, and incidents are still far too common.

5.2. Deepwater Horizon

Deepwater Horizon (DH) was an offshore drilling rig owned by Transocean and operated by BP. On 20th April 2010, the DH oil drilling rig positioned 40km from the Louisiana coast in the Gulf of Mexico exploded, caught fire, and caused the largest oil spill in history. The initial explosion on the rig resulted in 11 fatalities and 17 injuries. The oil spill spanned 14 weeks, impacting five surrounding states that were already vulnerable as they had not managed to socially and economically recover from Hurricane Katrina less than five years prior. It was one of the most covered news events of the last decade, with 22% of all news coverage dedicated to it across the US and the UK from April to July 2010 (Pew Research Center, 2010).

Three multinational corporations are connected to the DH oil spill. At the forefront, the oil giant BP managed the entire drilling operation by leasing the DH rig from Transocean.

The third corporation involved was Halliburton, responsible for an inadequate cementing job that contributed to the initial oil leak (National Commission, 2011). In what follows, I delve into the context and background of the corporations, the situation on the rig before the explosion and oil spill and the wider gas and oil industry. This is followed by a section on the legal and political consequences of the case itself and an attempt to quantify the harm the case had caused.

Context and Background

BP's track record of health and safety is poor, to say the least (Amernic and Craig, 2017). The company had been involved in two significant incidents before 2010: an oil spill in Alaska¹⁵ in 2006 which occurred due to poor maintenance and a Texas City refinery explosion in 2005 which killed 15 workers and injured 180 others due to inadequate safety procedures that were not implemented even after having been mandated by the regulators¹⁶. Both incidents were linked to prioritising cost-cutting measures and focusing on revenue generation over safety (Lyall, 2010). Additionally, BP had 10 'near misses' in 2010 alone (Carrington, 2016), which only substantiates BP's track record in terms of environmental and human safety. These cases are not mere unexpected externalities resulting from unforeseen circumstances. They resulted from decades of lacking safety culture, poor government/agency regulation and management disregard of employee warnings that preceded each of the incidents above, underlined by the profitability decision-making observed in the DH case (National Commission, 2011).

In this regard, BP is unremarkable as much of the gas and oil industry has a similar poor safety record. The gas and oil industry is one of the most complex and high-risk industries without clear regulations and policies (Mills and Koliba, 2015). Safety problems are frequent (and frequently reported) and tend to be mitigated only when they make operations impossible, or when incidents occur (Johnson, 2011).

Compliance within the industry in the US is *encouraged* rather than *enforced* and

¹⁵ Prior to the Alaskan spill, BP has failed to inspect the pipelines for more than a decade (Chazan, Faucon and Casselman, 2010)

¹⁶ After the reconstruction of the Texas refinery, the Occupational Safety and Health Administration has fined BP \$87.4 million for continuing to fail to fix safety violations (Kanso, Nelson and Kitchen, 2020)

agencies who enforce compliance are also in charge of collecting royalties from offshore oil extraction, creating a conflict of interest as this industry is amongst the largest revenue sources in the US (US Department of the Interior, 2008; Cherry and Sneirson, 2011). The lack of focus on safety within the industry has led some criminologists like Bradshaw (2015) to argue that health and safety and environmental harm have become so normalised within the industry¹⁷ that the industry itself is criminogenic to the extent of institutionalising the creation of harm.

This was, in part, recognised by the National Commission – the presidential committee in charge of the investigation into the DH oil spill – which found that most of the crucial decisions that impacted the outcome of the explosion and the spill were undertaken by choosing the least costly and the least safe alternative. The agency in charge of safety on the rig has also been found to ignore safety violations; their oil spill prevention plan was designed for arctic waters only and they were aware of the risk of explosion but failed to act upon it (National Commission, 2011). Thus, it was in the economic interest of the regulators and the corporations to continue operations on the rig without addressing the safety issues.

In the month before the explosion, multiple issues had gone unreported or entirely circumvented by intimidated employees who entered false numbers into tests (ibid.). The DH platform project was running tens of millions over budget, months behind schedule, and each day was costing BP hundreds of thousands of dollars, so one can understand why there was pressure to rush the operation with a diminished focus on its safety (National Commission, 2011; Kurtz, 2013). Had BP decided to fix some of the issues the platform engineers reported, they would have to stop their operation, which is estimated to cost \$700 per minute (Barstow et al., 2010, cited in Bradshaw, 2015). Given that the operation was running behind schedule due to an impending rig visit by the CEO, some time-saving decisions were made by onshore executives despite warnings from off-shore employees (ibid.). This is common; Tombs (1989, 1990)

¹⁷ It is important to note that as a high-risk industry, accidents are inevitable and expected (Spezio, 2020). In spite of this and based on the information provided in this section, the DH oil spill and explosion could have been prevented had it not been for the ruthless pursuit of profit and timely delivery over safety compliance (Lyll, 2010).

attributed ‘distorted communication’ as a contributing factor to industrial incidents. This can be observed in ignoring warnings from employees to management who may not be technically advanced enough to make correct decisions. He also mentions the lack of safety culture due to subcontracting and a consequent poor organisation between different stakeholders (in the case of DH, three corporations and multiple regulators have been involved) that further complicates their communication which was also found in the DH case, as described below.

The National Commission investigation exposed three technical causes, each of which can be attributed to one of the three corporations involved in the case. Firstly, BP decided to forego the use of ‘tieback’ liner in the casing of the well as this option would have been \$7-\$10 million costlier and would have taken longer to install (Committee on Energy and Commerce, 2010). Secondly, the cementing job done by Halliburton was done inadequately, though part of this blame is on BP decision-makers as they refused to act on Halliburton’s warnings. Lastly, Transocean had failed to test and adequately maintain the previously damaged blowout preventer – a properly functioning blowout preventer could have shut off the flow of the oil from the well below the platform when it started. The Commission reiterated that each decision involved a trade-off between safety and cost, and best industry practices had not been followed (National Commission, 2011).

Legal and Political Consequences

The legal and political consequences of the case were widespread. The political response from The Obama Administration was conflicting – before the spill, the President had opened more waters to offshore drilling which were, understandably, under a 6-month moratorium on deepwater drilling after the spill¹⁸ and the requirement of proof that a spill can be contained, were it to happen (Bradshaw, 2015). The administration was criticised for withholding information about the spill (Smith et al.,

¹⁸ Though, the moratorium decision was also controversial as it was deemed to harm economies of coastal states which rely on the industry, especially when it comes to employment and livelihood, 17% of Louisiana employees are believed to be in the oil and gas sector (Turcott et al, 2017).

2011) and blocking foreign aid in the clean-up operations, a decision contrary to the Bush administration that accepted foreign aid in coastal waters after Katrina (Bader, 2010). BP's response was similarly problematic – the focus of the executives was directed towards advertising investments rather than clean-up (Kanso, Nelson and Kitchen, 2020), buying phrases on search engines to improve the company's image, with reports showing that the initial stages were mishandled as BP decided to opt for the most cost-effective way of cleaning which was not necessarily the most effective (National Commission, 2010). In the six months following the spill, the company lost a third of its market size (about \$180 billion), the share price dropped by more than a half¹⁹(Turcotte et al., 2017) and its reputation was tarnished to an extent that even companies that previously collaborated with BP have suffered reputational damage (McDonnell et al., 2021).

In 2012, BP pleaded guilty to 11 counts of manslaughter and a felony count of deceiving Congress, for which it received a fine of \$4 billion (Department of Justice, 2012). There were also multiple settlements with impacted businesses (fishery, tourism, individuals), and more funds were set aside for future settlements as some victims were allowed to claim medical expenses years after the spill (Austin *et al.*, 2014). BP was found guilty of gross negligence and wilful misconduct under the Clean Water Act (BBC, 2014). Proportionally, BP's blame was around 67%, Transocean's 30% and Halliburton's 3%, consistent with the findings of the National Commission three years prior. The ultimate cost of the spill to BP was estimated at around \$145.93 billion in the US (Lee et al., 2018). In 2015, there were further settlements with the government, impacted states and other local authorities whilst also continuing to fund the clean-up operations, albeit very minimally (Department of Justice, 2012). The ultimate cost of the spill to BP was estimated at around \$145.93 billion in the US (Lee et al., 2018). Despite criminal charges, the company continues to operate and flourish more than a decade later.

¹⁹ This raises an important question: had BP used a cost-benefit analysis, did the crime 'pay' or has the company spend more money trying to reconcile the damages?

Harms Caused

The consequences of the spill are immeasurable even more than a decade later, ranging from social, economic to psychological, underlined by the environmental damage caused by the spill and the clean-up. Even without any incidents, the offshore oil drilling industry is one of the main contributors to environmental damage and climate change (Kramer and Michalowski, 2012; Ruggiero and South, 2013). Primarily, the DH oil spill impacted the marine ecosystems of The Gulf of Mexico: several species of dolphins, sea turtles, whales, oysters, shrimp, birds, and corals were affected by deformities, the decline in population numbers, or contamination (Takeshita et al., 2017). Some species, for instance, Kemp's Ridley Sea turtle, have observed up to a 50% decline in their population (NOAA, 2010; Ylitalo et al., 2017). Hundreds of thousands of fish are estimated to have died of cardiac arrest and/or have been contaminated by the oil and the dispersant used to break down the oil during the clean-up. Researchers also observed uncommon lesions in fish, birth deformities, underdeveloped organs, and other issues (see Kujawinski et al., 2011 or Beyer et al., 2016, for more information).

The fishing industry also suffered a negative impact: it was not possible to catch as many fish due to decreasing population numbers and polluted waters. The tourism industry has also suffered; many beaches were closed for cleaning and safety, and the government advised cancelling holidays in affected areas during the spill (Keating *et al.*, 2020). Lastly, the already vulnerable communities have suffered devastating effects on their economy; many of them directly depend on the Gulf (for fishing and working in the gas/oil industry, as well as tourism) as a source of their revenue and income (Halmo, Griffith and Stoffle, 2019). Notably, the media was blamed for some of the harms sustained by tourism in the region due to their tendency to inflate the impact (Austin et al., 2014; Oxford Economics, 2010). An Oxford Economics (2010) study estimated the economic costs of the damages to fishing, tourism, and real estate as a combined figure of \$12.3 billion for the 15 months from the spill.

The environmental damage and the risky clean-up operation have also been directly linked to many physical health issues; clean-up workers reported exposure to toxins

causing burning in the nose, throat and lungs, dizziness, unexplained nose bleeds and other symptoms (Jacobs, 2016). Long-term health effects are also predicted by the Exxon Valdes Alaska oil spill survivors and are expected by physicians (Arata et al., 2000). Similarly, the disaster impacted residents' mental health with research focusing on reports of depression, PTSD, substance abuse and anxiety (see Grattan, 2016; Ramchand et al., 2019) linked to the loss of livelihood, financials, and disruption of routine activities. Much of the impact on health, both mental and physical, has not yet been uncovered and is expected to arise decades after the incident (Parker et al., 2020). Moreover, the oil, along with the cleaning agents, entered the food chain (Ortmann, 2012) with the potential to cause further health damage in upcoming years.

It is easy to see how the oil and gas industry's complexity and BP's cost-cutting decisions expedited the most devastating oil spill in history with far-reaching consequences involving the environment, humans, animals, and the marine ecosystem of The Gulf. Though the official reports and the media were quick to point fingers in BP's direction, placing the event into a broader context of a poorly regulated industry with many technical complexities that simultaneously present a high-risk environment in which "accidents" occur frequently is crucial.

RECAP OF EPISODE 1:

In this Episode, I have introduced my research topic, the structure of my thesis and the conceptual backgrounds related to my investigation of corporate crime discourses in podcasts. I sought to situate my thesis within the broader fields of criminology and media studies. I have also provided a rationale for a focus on podcasting in these contexts. In so doing, I have identified a literature gap that I plan on addressing with my contributions.

NEXT ON *PODCASTING CORPORATE CRIME*:

In the next Episode, I set out the research process and methodology used to produce this thesis. I discuss the methods and methodologies for data gathering, the sampling procedure and my positionality as a researcher.

Episode 2: Methodology

PREVIOUSLY ON *PODCASTING CORPORATE CRIME*:

The first Episode of my thesis introduced the research topic, the research questions, the conceptual terrain, and the case studies used in my research.

COMING UP NEXT:

In this Episode, I examine the details of my research process, the methodologies I employed, and the stages of sampling and data analysis. I conclude by reflecting on my positionality as a researcher.

1. Introduction

The main objective of my research is to analyse the extent to which podcasts can engage in counter-hegemonic discourses of corporate criminality. To do so, I adopt a qualitative approach that focuses on explaining complex phenomena, examining in-depth portrayals and interpreting social interactions and meanings (Bryman, 2012). Only a thorough analysis of discourses can identify the underlying notions of hegemony, power and ideology (Machin and Mayr, 2023), making quantitative approaches unsuitable. Qualitative research, according to Denzin and Lincoln (2018) “studies things in their natural settings, attempting to make sense of, or interpret phenomena in terms of the meanings people bring to them” (p. 10). Indeed, I aim to find out what meaning the media brings to making sense of corporate crime within podcasts’ ‘natural’ settings.

To develop an in-depth understanding of corporate crime discourses in the media, I employ a small-scale case study research design that uses existing data sources (the media) and rests upon methodologies of critical discourse analysis. I set out my research approach below.

Firstly, I employ a qualitative, case study research design, emphasising an intensive examination of a setting where the ‘case’ occurs (Bryman, 2012). Case studies are common in corporate crime research; they allow for a deeper type of analysis while also reflecting the fact that corporate crime research, in general, tends to proceed incrementally for a variety of reasons, not least those related to the availability of and access to data (Tombs and Whyte, 2003). I adopt a critical case type of case study²⁰ (Yin, 2009) to examine some of the most impactful corporate crimes of the 2010s – The Deepwater Horizon explosion and oil spill and the Rana Plaza building collapse. The case study methodology is the most widely implemented approach in studying corporate crime (van Erp, 2018); it provides the most structured way of organising complex data, identifies commonalities across ostensibly unique incidents, and is thus also applied here. Case study critics are often concerned with the external validity of such research approaches (Riege, 2003), arguing that one case cannot represent the wider population (Miles, 2015). However, CDA studies rely more on transferability than generalisability (Cheek, 2007) and logical generalisations can be made even from a few critical cases (Patton, 1990). As a result, I am clear that the results of my research might reflect peculiarities and they should be generalised with caution. I return to the case study selection and sampling in section 3.

Secondly, my research design is entirely desk-based, meaning that my data has been gathered from existing sources – in this case, publicly available media (Bassot, 2022). This means that it does not involve collecting data directly from human participants. This type of research has the advantages of being low-risk, inexpensive and relatively predictable (Bassot, 2022). However, it can also produce large quantities of data that may not be entirely relevant to the research question (Bryman, 2012).

²⁰ A critical case approach posits that results observed in the critical case are likely to work anywhere else (Yin, 2009). This approach was driven by the availability and prevalence of data which I explore further in section 3.

Given my focus is solely on existing data, it is imperative to be clear that I am concerned exclusively with media content rather than media production or reception²¹. Despite the relative abundance of media research on corporate crime²² (as will be apparent in Episode 4), there is a gap in the literature that I aim to fill by analysing previously unexplored sources. I focus on podcasts, which were discussed as a media source in Episode 1, Section 5.3. Boling (2019) deems podcasts – as a type of ‘new media’ – fruitful sources of exploration, especially in their portrayals of social issues, serving as the primary rationale for selecting sources for this thesis. I return to the theme of rationale in the next section.

Thirdly, my methodology is informed by research and theory from critical discourse analysis (CDA), particularly the work of Machin and Mayr (2023) and Fairclough (1995a). CDA approaches are helpful for media scholarship because they aim to uncover “the role of language as a power resource that is related to ideology and socio-cultural change” (Bryman, 2012, p. 536). Language is understood as a means of social construction that *shapes* and is *shaped by* society and does not exist in a vacuum. CDA asks who uses language, how, why, when (Van Dijk, 1997) and to what extent (Clark et al., 2021). Fairclough (1995a) describes CDA as a connection between events and texts and the broader social and cultural relationship. Rogers (2011) claims that the main objective of any critical discourse analyst should be to uncover power relations and investigate the embeddedness of inequality in society. This is consistent with my research, which aims to reveal how corporate crime is framed in ‘texts’ and how it fits into broader societal relationships between corporations, the state, and the wider capitalist ideology. Indeed, CDA uncovers how discourse and ideology are intertwined and advocates for social justice and social change (Johnstone, 2018). This is in line with the objectives of my thesis as well as my wider scholarship. I return to the topic of CDA

²¹ This decision was made due to data availability. While it would have been valuable to examine all three aspects, so far, there are no studies that analyse how podcasts portray corporate crimes. As a result, I decided to exclude production and reception given the lack of data on content which needs to be understood in depth first before production and reception are analysed.

²² Albeit the studies that analyse corporate crime non-traditional media outlets are still scarce (see Jarrell, 2007; Cissel, 2012 or Katiambo, 2021).

in section 2.1, where I provide further rationale for employing it and a brief theoretical background of the concepts of ideology, discourse and power.

To sum up, my thesis research is qualitative and entails an in-depth analysis of a defined amount of data. I do not intend to produce generalisable findings that can be applied to understand every corporate crime in every media source. Instead, I wish to contribute to the intersections of criminology, zemiology, media and language studies by providing a detailed account of how two distinct corporate crime cases were portrayed in podcasts. Understanding the complexities of different constructions will allow me to determine whether podcasts offer a more or a less critical standpoint towards corporate crime and, in so doing, uncover how power gets reinforced and challenged within podcast discourses. In what follows, I first present the methodological elements of CDA that my thesis relies on, the process of data collection and sampling and finally, how I analysed my data. The Episode concludes with notes on my positionality and reflexivity.

2. CDA, Ideology, Discourse and Power

This section discusses the methodological approach to my research, namely, critical discourse analysis. It then provides the theoretical background to three crucial concepts of the methodology: ideology, discourse and power.

2.1. Critical Discourse Analysis

As mentioned above, I rely on the critical discourse analysis (CDA) methodology to fulfil my research aims. CDA has been described as having significant potential in social sciences (Kharbach, 2020) and has previously been employed to study corporate crime in the news (Machin and Mayr, 2013). In simple terms, CDA is predominantly concerned with analysing language in context and examining how discourses are shaped by ideology (ibid.). It relies on notions of power and ideology and how perceptions are embedded in discourses covertly or overtly (Fairclough, 2010). In so doing, it investigates how hegemonic power is reinforced through language. It differs from

discourse analysis in that it goes beyond describing how the language works, offering instead a critical engagement with the topic and a “form of intervention in the social world” (Kharbach, 2020, p. 89).

CDA is a specific methodological approach that cannot separate theory and method in the traditional sense, as understood in social research (Fairclough, 2010). “CDA is a mode of critical inquiry where theory and methodology are inherently linked to one another” (Chouliaraki and Fairclough, 2010, p. 1215). For that reason, I rely on the *methodological approaches* of CDA, not least because of the critical nature of its inquiry, which is compatible with my use of *critical* criminological theories. Critical theories refer to those that are aimed at critiquing, revealing and challenging power structures and, in doing so, promoting equality and social inclusion (Muncie, 2001). In criminology, this can include social harm perspectives, decentralising the notion of state-defined crime or addressing the crimes of the powerful. For CDA, critical interest focuses on “four general objects of research: the emergence, hegemony, recontextualisation, and operationalisation of discourses” (Chouliaraki and Fairclough, 2010, p. 1215). My thesis employs the concept of hegemony, which is closely related to discourse, ideology, and power and is often drawn upon by CDA scholars (Fairclough, 2010). CDA can be used to enhance the capacity of existing critical paradigms (Chouliaraki and Fairclough, 2010), and it was also described as being able to reveal more subtle strategies for legitimising corporate crime (Machin and Mayr, 2012), which provides further rationale for using CDA in this thesis.

CDA is an analysis which aims to systematically explore often opaque relationships of causality and determination between (a) discourse practices, events and texts, and (b) wider social and cultural structures, relations and processes; to investigate how such practices, events and texts arise out of and are ideologically shaped by relations of power and struggles over power; and to explore how the opacity of these relationships between discourse and society is itself a factor securing power and hegemony (Fairclough, 1995a, p. 132-3).

The central premise of CDA is, then, the demonstration of how power is reproduced and maintained through language, which must be examined by questioning broader sociocultural practices (Wodak, 2011). While some scholars consider CDA to be a strictly linguistic methodology, others put forward a more dialectical-relational approach to CDA (Chouliaraki and Fairclough, 2010). The dialectical-relational approach addresses the question of assigning meaning to language and the dialectical relationship between linguistics and other social elements in social processes (Fairclough, 2016). This approach favours inter-/trans-disciplinarity over “tight definitions and rigorous methodological protocols” geared more “towards stronger conceptual links between discourse, power and other moments of social process...that make space for novel, interdisciplinary research designs in the field” (Chouliaraki and Fairclough, 2010, p. 1214). This allows for a dialogue between disciplines and theories and can be used for methodological and theoretical development (Bourdieu and Wacquant, 1992; Chouliaraki and Fairclough, 1999). In this thesis, I incorporate theories and methodologies from three distinct disciplines: critical criminology (which draws on concepts from zemiology), linguistics, and media studies. This creates a level of trans-disciplinarity in my analysis, aligning with the dialectical-relational approaches Chouliaraki and Fairclough (2010) advocated.

Although one might argue that my analysis does not fit into the CDA framework, I firmly believe that it aligns with the criteria established by Fairclough (2010). He argues that for research to be classified as CDA, it should meet the following three criteria. First, it should not just analyse discourses but also encompass a transdisciplinary analysis of how discourses relate to social processes. Second, it should be normative and propose ways to address social injustices rather than just describing them. Finally, it should not be a general commentary on discourse, but instead, it should involve a systematic analysis of texts, constantly switching between macro and micro perspectives (ibid.). I have outlined above how I believe my study to be transdisciplinary. Concerning the second criterion, I am clear with my understanding of corporate crime and how I believe it should be addressed and understood by the public. This is further supported in the reflexivity and positionality section at the end of this Episode. Concerning the third criterion, my analysis can be described as systematic and switching between macro

and micro perspectives given that it was an iterative process during which I constantly asked myself the questions suggested by Van Dijk (1997): who uses the language, how, why, when and to what extent. This allows me to uncover whether linguistic, syntactic and stylistic phenomena reinforce or challenge ideological practices (Fairclough, 2013). This is further supported in the structure I chose in Episodes 3-6, where the literature review is integrated with the findings more holistically rather than providing each in separate Episodes which better allows me to switch between the micro and macro perspectives constantly.

In my analysis, I rely on a well-established three-dimensional framework for conducting CDA proposed by Fairclough (1995a/2010), which goes from the smallest unit (text) to the widest unit (sociocultural practice):

1. Text: traditional linguistic analysis concerned with meanings and their forms.
2. Discourse practice: aspects connected to the production and consumption of texts; importance of intertextuality and context.
3. Socio-cultural practice: the wider aspects that allow for a complete understanding of power relations and ideological features of discourse.

Fairclough (2010) states that this framework combines the discourse theory of intertextuality with the theory of power based on Gramsci's concept of hegemony, both of which are essential for my analysis. In fact, Donoghue (2018) argues that Gramscian hegemony is highly compatible with CDA scholarship but severely underused in linguistics and social science, serving as a further rationale for my approach.

Within this framework, it is essential to be transparent about which aspects the researcher concentrates on, even if the analysis only focuses on certain elements (ibid.). As mentioned before, my analysis does not focus on the reception/consumption of texts, and it only uses certain aspects of production to contextualise socio-cultural practices further. I focus on selective linguistic analysis, intertextual analysis and wider sociocultural analysis. My discussion of linguistics may be selective given my positionality as a social researcher rather than a linguist. I return to discussing this in

section 4. Now, I would like to focus on a more detailed account of the dimensions relevant to my research.

1. Text

I refer to the term ‘text’ in an inclusive sense, including written communication and oral communication, much like Fairclough’s concept of text (1995a). Given that podcasts are audio-based media, other aural aspects need to be recognised, such as spoken word, intonation, breaks, emphasis, pronunciation, and tempo, as well as added non-conversational elements, such as music, sound or sound clips (Machin and Mayr, 2023). Podcasts are not necessarily a natural conversation between participants; they can include elements of script that are being read out or relied upon, especially when media corporations make podcasts. However, many podcasts also develop as a conversation, especially when two or more hosts discuss the topic with one another, so it will inevitably include some elements of naturally occurring text. I explain how I conducted the linguistic analysis in section 3.

2. Discourse practice

In traditional media, Fairclough refers to discourse practice as consisting of processes like editorial procedures and how television watching may fit into household routines but also in the narrower sense concerned with the interpretation of texts during production and consumption (1995b). Here, I do not want to discuss reception, but I want to emphasise some of the podcast production processes that form discourse practice and the importance of intertextuality.

The main way CDA differs from standard linguistic analysis is in its emphasis on analysing texts in context, often called intertextual analysis. It focuses on “text from the perspective of discourse practice, looking at the traces of the discourse practice in the text” (Fairclough, 1995b, p. 61). That is, how does the text being analysed link to discourses in texts that came before it and how is it interconnected to genres and styles of other texts (Jäger and Maier, 2009; Farrelly, 2020)? It also includes a degree of

interdiscursivity, or the connection between one text and others (Fairclough, 2003) and how “texts transform and embed other texts which are in a chain relationship with them” (Fairclough, 1995b, p. 75) which is highly significant for podcasts in ways I describe below.

As I mentioned in Episode 1, podcasts are both episodic and serialised: the episodes under consideration here must fit into the broader discourse of the podcast *series*. In that sense, intertextuality is examined as discourse practice in my thesis: even though I analyse specific episodes in detail, I am also aware of the background of each series and have an idea of what other topics have been covered in the series. Another way in which intertextuality is important is connected to how podcasters develop their knowledge on topics: podcasters use other texts and sources, be it media, reports, or even other podcasts to gather knowledge before they present an episode on a topic. In such a way, other texts will relate to the text that forms my unit of analysis (podcast episode). Both aspects will be investigated as discourse practice.

3. Sociocultural practice

The analysis of socio-cultural practice can involve “more immediate situational context, the wider context of institutional practices the event is embedded within, or the yet wider frame of the society and the culture” (Fairclough, 1995b). These contexts are relevant to understanding how particular events “cumulatively constitute and reconstitute social and cultural practice” (ibid., p. 62). For Fairclough, analysis of sociocultural practice is not extensive, given his background as a linguist. Within my research, it is imperative to examine corporate crime as a topic in general, as well as my cases in economic, political, societal and cultural practice, to understand the following: how do political, societal and cultural perceptions and norms shape the way corporate crime is portrayed, and how do the cases fit into the ideology of larger socio-economic systems. This process was iterative; it did not follow a linear route from the analysis of texts, through discourse practice, to sociocultural practice. Instead, some of the

sociocultural practice analysis was done when I conducted my case study analysis²³ and it was then revisited while conducting the textual analysis.

Some of the questions I asked myself include: How do the cases fit into larger socio-economic systems? What factors about the cases shape the way they are perceived culturally? How do the social and political responses to the cases vary? Do the discourses give voice to marginalised groups or are they reflective of existing power structures? How do the cases fit into the broader context of corporate culture?

Only by answering those questions could I interrogate the interaction between the three dimensions—text, discourse practice, and socio-cultural practice. To do so, my research approach needs to be rooted in the theoretical underpinnings of discourse, ideology, and power, which is where I will turn next.

2.2. Discourse, Ideology and Power

The notions of ideology, power and discourse are interconnected and essential for CDA as it aims to “analyse opaque as well as transparent structural relationships of dominance, discrimination, power and control as manifested in language” (Wodak and Meyer, 2009, p. 10). There is an important distinction between how CDA understands language; language is viewed as “in use” (Brown and Yule, 1983, p. 1), paying attention to the social concepts that inform how language is interpreted and used. This is contrasted with more traditional forms of discourse analysis that understand discourse as being ‘above the clause’ (Machin and Mayr, 2013) because they do not link discourses to wider contexts and notions of power.

Any CDA attempt should start with a clear definition of discourse (Kharbach, 2020). In simple terms, discourse is a “particular way of talking about and understanding the world (or an aspect of the world)” (Jørgensen & Phillips, 2002, p. 1), but it is also an element of the social process (Fairclough, 2013). This understanding must be considered a socially and culturally organised way of speaking (Austin, 1962) that helps

²³ And informed by my overall knowledge and research on corporate crime

interpret, create and understand meanings within their socio-cultural contexts (Halliday, 1978). Discourses operate above semantics and grammar, centring around the political, cultural, and social contexts of language (Machin and Mayr, 2023). This context is essential for CDA which perceives language as not a simple communication tool; it is a way of demonstrating ideologies used to constitute, reproduce and at times, challenge power. Understanding language in context is essential for my thesis – the discourses in which corporate crime gets mentioned largely depend on socio-cultural contexts which influence the likelihood, nature, and responses to corporate crime and in doing so, they do, to a greater or lesser extent, support or challenge dominant ideologies.

The way the social world is represented through language is inescapably ideological; it is framed within a particular perspective that relies on dominant cultural beliefs (Kharbach, 2020). Ideology refers to "representations of aspects of the world which can be shown to contribute to establishing, maintaining and changing social relations of power, domination and exploitation" (Fairclough, 2003, p. 9). The ideological aspect of language is central to critical discourse analysis, in other words, discourse does ideological work (Fairclough and Wodak, 1997). In doing so, CDA focuses on "strategies of manipulation, legitimation, the manufacture of consent and other discursive ways to influence the minds and actions of people in the interest of the powerful" (Amoussou and Allagbe, 2018).

Marxist scholars understand ideology as dominant cultural beliefs "that justify particular social arrangements, including patterns of inequality" (Macionis, 2010, p. 257). Discourse can mediate a particular ideology, which can be communicated through discourse, though not all discourses are irredeemably ideological (Fairclough, 2013). For instance, referring to my two case studies as the Rana Plaza structural collapse and the Deepwater Horizon explosion/oil spill is not inherently ideological. However, as will be demonstrated, if these statements are framed as accidents, disasters, or crimes, they become inevitably ideological as they suggest an interpretation of the causes of and the responses to corporate crime.

Ideology usually expresses power or determines and reinforces imbalanced power relations (Wodak, 2011; Fairclough, 2015). Simply put, ideology can be understood as “meaning in the service of power” (Thompson, 1984) or implicit assumptions that (re)produce unequal relationships of power and domination (Fairclough, 1995b). Fairclough adds that “to show the meanings are working ideologically, it is necessary to show that they do indeed serve relations of domination in particular cases” (1995b, p.14).

Ideology is closely related to Gramsci’s (1971) concept of hegemony that I discussed in Episode 1: a process of how the most powerful in the society use cultural institutions to reinforce their power through ideology to maintain the status quo (ibid.). As Ives (2004) puts it: “For Gramsci, language is both an element in the exercise of power and a metaphor for how power operates” (p. 101). In that sense, CDA examines how discourses can be used as ideological instruments; it exposes how ideology and discourse are interlinked and how discourses may be used to communicate hegemonic ideas and reinforce societal power relations. It does so mostly without appearing ideological. Power-reinforcing ideology becomes “naturalised, automatised and common sense” (Fairclough, 2010, p. 67).

At the centre of discourse and ideology lies power: discourses which can never be free of power²⁴ (Fairclough, 1989). Ideologies are also entwined with power as they express power maintenance and/or imbalance. CDA views language as a means to reproduce and reflect the power in society (Ramanathan and Hoon, 2015). This can be done symbolically through representational practices: discourse – say, corporate *disaster* – can impact societal perceptions and ideology. As such, CDA questions the power relations and imbalances mediated in discourses and considers how language discourses contribute to ideology. This is relevant to my research given that I seek to uncover corporate power demonstrated through the discourses of corporate crime in

²⁴ In my thesis, I refer to power in particular and CDA approaches in general through the lens of Faircloughian theories, that is, explicitly focusing on ideology and how language perpetuates power structures (Fairclough, 1989). Other, equally influential scholars deal with such theories, namely Foucault, who views power as diffuse and pervasive, embedded in various forms of knowledge and social practices (Foucault, 2000). These do not underpin my thesis, as I view power as central and explicit (rather than diffuse) in the way corporate crime is treated by the media.

podcasts. I address the methodological aspects of the data collection, sampling and analysis used in my research.

3. Data Collection and Data Analysis

My data collection methods involve three main components: case study methodology, podcasts as sources of data, and sampling of podcast episodes. First, I will discuss these components, and then explain my approach to data gathering and analysis.

As mentioned above, my research was born from my efforts to understand how corporate crime gets framed in the media based on my previous, albeit limited, research on corporate crime framing in quality press outlets (see Macfarlane Horn, 2024). As such, I knew I wanted to examine ‘new’ media outlets, but I was unsure about which outlets and cases to focus on. In terms of outlets, documentaries and online news were also considered. Online news outlets were excluded as it would have been difficult to compare news articles published in the immediate aftermath of the case with podcasts and documentaries made years later when all the facts of the cases were known. Documentaries were excluded between Stages 3 and 4 (below) when I learned that the volume of data my research would generate would have been too large in podcasts alone. The practicalities of visual analysis would have been beyond the scope of my research timelines. In what follows, I describe the stages of my research organised into four groups that I summarise in Table 2 on the next page.

Table 2. Research Process Stages

Stages 1-3: Case Study Selection
1: Selection of case study approach, case sampling
2: Case study analysis conducted
3: Preliminary data assessment, case studies finalised
Stages 4-7: Ethics, Data Gathering and Sampling
4: Considering ethical implications
5: Initial sample created
6: Sampling procedures/data cleansing (3 rounds)
7: Practical implications of working with podcasts
Stages 8-9: Data Collection
8: Data collection and transcription
9: Listening to the full sample and correcting transcripts
Stages 10-14: Data Analysis
10: Identifying overarching narratives and analytical categories from transcript
11: Linguistic analysis of podcasts (written and audio)
12: Developing themes, categories and discourses
13: Contextual analysis of podcasts from which data was extracted
14: Writing up and iterative process of category construction in light of discourses and themes

Stages 1-3: Case Study Selection

The first three stages of my research are concerned with the case study methodology. Stage 1 of my analysis started with the decision to focus on corporate crime cases rather than a more general approach to corporate crime. This was driven by the lack of consistency in how corporate crime gets labelled in public discourses, there is not one straightforward term I could search for that could encompass a wide array of corporate crimes, so this decision was practical.

In choosing the cases, I employed the criterion sampling procedure, a purposeful sampling strategy based on predetermined criteria of importance that refine the full sample (Patton, 2015). There is no central database of corporate crimes, so the cases considered here were based on my previous research, experience, existing literature and supervisory discussions. The sampling strategy for including cases was informed by Tombs and Whyte's (2015) typology that identifies four broad types of corporate crime – crimes against *consumers, workers, environment, and corporate theft/fraud*. My initial intention was to include cases to capture the full spectrum of corporate crimes across a well-established typology (albeit this would be far too extensive given the rate of occurrence for corporate crimes), as well as those meeting the following criteria: alignment with the operational definition of corporate crime (discussed in Episode 1), discovery between 2010-2020, representation in podcasts with the minimum of 5 available podcast episodes for data availability, non-individual victimisation (at least 10 primary victims and/or significant impact on the financial markets/environment) and lastly, the involvement of at least one corporation in the crime. After applying these criteria, my first selection included the following 4 cases: the Theranos fraud²⁵, the Rana Plaza Collapse, the Deepwater Horizon explosion/oil spill, and the LIBOR manipulation²⁶.

Stage 2 included conducting a detailed case study for each case to familiarise myself with the circumstances and outcomes. The results of my case study analyses form a part of Episode 1. Given that the research process especially for CDA is largely iterative (Rogers, 2011), the second stage analysis of case studies made me realise that the Theranos fraud was not comparable with the other cases – due to a lack of demonstratable harm present in the case. Thus, I decided to exclude the case at this stage.

²⁵ Theranos was a biotech company making fraudulent claims about its blood-testing technology, which led to significant financial losses and legal repercussions for its founder, Elizabeth Holmes (Carreyrou, 2018).

²⁶ The LIBOR case involved a market-wide manipulation of the London Inter Bank Offered Rate before and during the financial crash of 2008. LIBOR was a global benchmark for interest rates that were manipulated to their advantage, both individual and organisational (Konchar, 2014).

In stage 3, I was able to move beyond the initial case studies and go ‘into the field’ which involved understanding the data availability for each of the cases. This entailed a first-time familiarisation with my potential dataset. While Rana Plaza and Deepwater Horizon had comparable coverage amongst podcasts, the LIBOR manipulation coverage was lacking with the number of episodes in single digits. This inconsistency drove my decision to exclude the LIBOR case due to the lack of comparability (in terms of volume of podcast episodes) with the other cases and the limited ability to draw conclusions about hegemony from such a small dataset. Therefore, my final sample comprises of two corporate crime cases: Rana Plaza and Deepwater Horizon. The two cases consider different (although sometimes overlapping) aspects or types of corporate crime and, therefore, give a good basis for comparison. The perception of the cases will be ideological due to being inherently linked to questioning wider power structures, making them suitable for my critical discourse analysis approach.

Stages 4-7: Ethics, Data Gathering and Sampling

Stage 4 of my research was concerned with considering ethical implications. I wanted to reiterate that this thesis is desk-based and relies on no data directly connected to human subjects given that it is obtained from the public domain. As such, there was no requirement for formal ethical approval from the university (The Open University, 2021). To point out that no formal approval is necessary for my thesis is not to say that ethics are not present or important for my thesis. In conducting this research, I adhere to the British Society of Criminology Statement of Ethics (no date) and ensure all data is handled with integrity.

Given where that the data comes from, I need to respect the intellectual property rights of podcast creators, including properly citing sources and not using large excerpts of their content without permission. I also ensure that their content is not being misrepresented, misinterpreted, and treated with respect even when I critique their content. I come back to the topics of representation in section 4 where I consider the impacts of my positionality on how I interpret the data.

Now that the ethical implications of my data have been recognised and discussed, I can move on to consider stage 5 of my research process: data gathering. I gathered the relevant podcast episodes by searching a podcast database titled Podchaser²⁷. This database collates podcasts across various distribution platforms, such as Apple, Spotify, and SoundCloud. I used the search terms “rana plaza”, “deepwater horizon” and “BP oil spill” to search for podcast episodes covering these cases. I collated these episodes in an Excel spreadsheet where I recorded the name of the podcast, the title of the episode, the length of the episode, country of origin, date of publication, type of podcast, episode description and podcast description. This allowed me to see the overall size of the sample and consider whether its size was appropriate for my research aims. My dataset included 104 episodes with 72 hours of audio data at this stage, which far exceeded my research capacity and led me to the next stage.

Stage 6 of the research process included cleansing the dataset to make it manageable for my research schedule and ensuring that the sample was relevant to answer my research questions. Relevance was addressed based on the purposive sampling technique with the goal of identifying “sample cases/participants in a strategic way, so that those sampled are relevant to the research questions that are being posed” (Bryman, 2012, p. 418). The purposive sampling approach was sequential and contingent: the former refers to sampling being perceived as an evolving process that begins with an initial sample that is subsequently refined (Teddlie and Yu, 2007) and the latter relies on the evolution of the sampling criteria throughout the research (Hood, 2007). Indeed, I conducted three rounds of what I called ‘data cleansing’ to reduce the sample size to make it more relevant to my research questions.

The first round of cleansing excluded episodes deemed unsuitable for my analysis. These included podcast episodes about the dramatised Deepwater Horizon (2016) film, unintelligible episodes, false positives of my search, and, lastly, episodes that were recordings of TV broadcasts, live interviews, or radio shows. At this point, the dataset contained 57 episodes and 46 hours of data.

²⁷ <https://www.podchaser.com/>

The second round involved reading the descriptions of the episodes and podcasts to assess whether the episode's main point was the case itself, or whether it addressed a wider topic and only mentions the case in passing. Episodes that lacked focus on the case were deemed irrelevant in addressing how podcasts portray the potential counter-hegemony of corporate crime. During this round, I excluded inherently technical and scientific podcasts in the case of Deepwater Horizon, that is, focused on engineering, the science of oil spill clean-up, and/or the expert ecological impacts on non-human animals as they did not discuss the entire case, only specific aspects of it. I also excluded episodes on topics of history (of oil), conspiracy theories, advertising, corporate PR and litigation. For Rana Plaza, I decided to exclude episodes about fast fashion and sustainability that only marginally mention the case itself. This decision was undertaken after having listened to a few of these episodes which included a very minimal discussion of the case itself and instead, focused more on other topics irrelevant to my analysis. At this point, the dataset contained 43 episodes with 35 hours of data which was still beyond the scope of my research.

The third round involved splitting the dataset into relevant episodes (28 in total) – especially those that contained the name of the case in their title – and those that were more contextual (15 in total). I then listened to the 15 contextual episodes to evaluate how much they engage with the case. Three of the 15 contextual episodes were deemed to engage with the cases themselves, so they were added to the relevant episodes dataset and 12 episodes were excluded. These were around topics of Gulf of Mexico restoration, interviews with experts on oil spills and clean-ups, engineering, and background marginal interviews with people in the industry rather than people connected to the case itself. My final dataset comprised of 31 episodes with 26 hours of data (16 on Deepwater Horizon, 15 on Rana Plaza). It should be re-emphasised that the podcasts in general and those in my sample are multi-faceted in terms of their quality, production value and engagement with the topic at hand. While most podcasts in my sample are independently produced, there are also a few examples of podcasts produced by traditional media sources that must be considered in my analysis. For ease of reference, I provide the account of my full sample along with some information about the production value, year of publication, name of the podcast and typology of

podcasts for each case in Appendix A and B. Throughout the thesis, I will be referring to the names of the podcasts rather than the names of the hosts²⁸ (even if known) for the sake of being consistent.

Stage 7 of data gathering involved considering the practical implications of working with podcasts. As mentioned in Episode 1, podcasts are episodic audio media types that focus on the in-depth investigation of topics at hand. Unless the topic at hand is in the host's area of expertise, there will inevitably be a reliance on other sources to inform the knowledge of the topic. This was very much the case in my sample. Sometimes, podcasters were transparent about where they obtained information about the cases (with some even providing a list of sources on their website). I do not wish to closely examine the provenance of the sources that informed podcasters' knowledge of corporate crime. However, for CDA, it is imperative to consider the nature of podcasting as intertextual. That is, podcast accounts of corporate crime will be linked to other texts consumed, analysed and interpreted by journalists/original content creators and podcast hosts. To return to a point above, podcasts are audio media, meaning that they are intended to be consumed through listening only rather than by using other senses which is relevant in the stage I describe below.

Stages 8-9: Data Collection

Stage 8 involved considering the best way of going about extracting my data. After considering the practical implications of transcribing 26 hours of spoken word, I used AI software to transcribe the audio files – otter.ai. This gave me an enhanced analytical focus that produced a more insightful examination of the discourse given that I had more time for the analysis. Otter.ai allows for the upload of .mp3 files onto the website which then listens and transcribes the audio content into a Word document. Podcast .mp3 files are embedded in the websites' source code that allow for audio file playing. I obtained these from the podcast database I used (Podchaser.com), uploaded them

²⁸ Not all podcasts in my sample included the names of the hosts, so I opted to keep the nomenclature consistent across the full sample. This also made it easier to refer to the podcasts in my quotes and across my writing.

onto otter.ai and obtained the document with the written transcription of my podcast episodes along with timestamps.

In Stage 9, I combined the AI transcripts with manual validation to ensure the high accuracy of my data. Otter.ai generates automated captions to transcribe audio files which might lead to inconsistencies in some words. I also had to ensure that the transcript included notes on information captured through sound, such as sound effects, intonation of the hosts, traces of irony or satire, and sound clips from other media types – akin to the methodology of conversation analysis (see Van Dijk, 1999). To do so, I have closely listened to the entire sample while taking notes on my transcripts, adding more detailed information when relevant and correcting what the software missed.

After completing this step, I tested the NVivo software which could be helpful for my data analysis. While such an approach to data analysis would have offered useful coding and searching functionalities, I decided to pursue a paper-based approach that allowed me to immerse myself deeper into the data through physical manipulation, colour-coding and notes in the margins which I felt allowed me to have a more nuanced understanding of the themes and connections as well as increasing the closeness to my data. However, I also kept the digital files of my transcripts to allow for searching through the data more easily in my analysis which is what I discuss next.

Stages 10-14: Data Analysis

CDA is based on dialogic approaches which require researchers to engage in dialogue with the text by asking questions such as: what does the text do; how does it achieve these functions; how does the text relate to wider sociocultural practices and contexts? (Willey-Sthapit et al., 2020). My research involved thematic analysis to identify the overarching analytical categories and themes, linguistic analysis to ascertain the semiotic, rhetorical and stylistic elements in the text and contextual analysis of the podcast from which the episode was extracted. Before I describe the stages of my data analysis, it must be added that the process was iterative in that the stages overlapped,

interacted with each other, crossed over and multiple stages could even happen at the same time, all of which are common features of discourse analyses (Gee, 2014). For that reason, I needed to remain flexible and quickly adapt to be taken as indicated by the data. Therefore, the stages I describe below are more of an account of multiple interwoven stages, rather than a linear step-by-step method.

Stage 10 was my first formal attempt at intensive data analysis. It consisted of a first full read-through of the transcripts for each case to identify overarching narrative themes that could be developed into analytical categories. I annotated relevant passages and underlined where the text indicated certain themes. I then created a mind map of all the identified themes to understand how they interacted and overlapped. This led me to develop 11 analytical categories: technical/scientific, justice, economic/business, people-centric, safety, natural disasters, state, positive spillover, corporation, profit, and systemic issues. Note that not all initial categories are present in my thesis. I realised early on that my dataset was extremely rich and exceeded the capacity of this thesis despite there being only 31 episodes. Therefore, to ensure the most relevance to my research questions, I decided to focus only on categories directly related to the labelling of corporate crime, its offenders, causes and victims.

Stage 11 was based on linguistic analysis of text, much like the first step in Fairclough's (1995a) CDA approach²⁹. This was my second read-through of the transcripts, accompanied by listening to the audio files of the podcast. I employed aspects of the CDA data analysis framework designed by Machin and Mayr (2023). They develop a 7-fold analysis focusing on representing speech, speakers, semiotic choices, actions, concealing, stylistic devices and evasion. For my analysis, the focus was on semiotic choices, such as word connotation and lexical choices, the way agents were described (offenders, victims), the presence or absence of agency and the stylistic devices such as metaphors, audio devices like humour or irony, or the use of explicit language. The linguistic elements were then collated in an Excel spreadsheet where I included the

²⁹ Albeit the rest of my approach does not strictly follow the three-step framework of Fairclough's (1995a) CDA as the latter two steps (discourse and sociocultural practice) are done more iteratively during the write-up stage.

relevant quote, the linguistic element present, and my interpretation of the quote.

During my analysis, I moved between analysing the Rana Plaza case and the Deepwater Horizon case throughout the stages to ensure consistency in the analytical approach at the various stages.

Stage 12 included identifying themes and discourses in the text. I extracted quotes indicative of the analytical categories described in stage 10 and organised them into separate documents for each category, adding my interpretation and commentary. This stage was crucial for seamlessly transitioning between data analysis and the write-up of my findings, given that most of what became my findings in Episodes were already drafted, and I used a large proportion of these early drafts to develop my final findings.

The last two steps of my research process involved analysing the intertextuality of the podcast episodes in my sample and determining a degree of sociocultural practice.

In stage 13, I analysed the wider context of the production of each podcast episode in my sample. I researched the professional background of the podcast hosts, read closely through the podcast and episode descriptions, and investigated what other topics are covered by each podcast and whether they discuss any other corporate crimes. I queried the social media profiles of the podcasts to further inform my knowledge about the discourse practices involved in my sample. I then collated the information in my sample Excel spreadsheet that included information on the podcast category, type (conversational, journalistic, educational, or interview), country of production, number of hosts, production values³⁰, discourses found and any other contextual information. This helped inform how I contextualised the quotes from the previous step and it was a document I kept referring back to during my development and write-up.

The final stage 14 of my data analysis included an iterative process of category construction in light of discourses and themes and a degree of triangulation between

³⁰ I refer to production value in a loose sense in my thesis. It includes the technical quality of the audio recording (such as recording quality, editing, whether sound effects or clips from different sources are used) as well as the quality of the underlying elements, such as research, audio, graphic elements (Gula, 2024). I distinguish between high, medium and low production values based on these elements.

different elements that form the basis of my analysis. I fully immersed myself in the process of analysis while referring back to the existing literature on corporate crime media portrayals, my sample Excel spreadsheet that contained contextual information on the podcasts in my sample, my other spreadsheet with linguistic elements and interpretations, my analytical categories and the possible ways of structuring my thesis. This allowed me to be extremely close to my data to continue the dialectical approach of CDA which allowed me to scrutinise how the three layers (text, discourse practice and sociocultural practice) are intertwined and demonstrated in the discourses of my data and the extent to which ideology and hegemony are present in my sample. I refined my 11 analytical categories into four final discourses that frame corporate crime in the following ways: corporate crime as a disaster, corporate crime as a crime, corporate crime as harm, and corporate crime as a systemic issue. These four discourses inform the rest of my thesis; they are four distinct positions along a spectrum of hegemonic and counter-hegemonic discourses in media portrayals of corporate crime. Before I conclude this Episode, I would like to cover one more important aspect of my methodology: my reflexivity and positionality.

4. Positionality and Reflexivity

While conducting qualitative research, the researcher should recognise their positionality and be reflexive, or “turn the analytical lens back on themselves” (Rogers et al., 2005). This includes reflecting on my position within the research, how my own social, political and cultural beliefs may have influenced my research process, and the selection and interpretation of findings in the analysis of corporate crime in podcasts. While most of my reflections are contained in this separate section, I have alluded to some aspects of being reflexive above, particularly during stages 9, 11 and 14.

The importance of reflexivity is highlighted not only in social research more generally (Bryman, 2012) but also in CDA: Van Dijk (1997) and Wodak (2011) claim that CDA scholars make explicit any political stance, focus on self-reflection during the research process and acknowledge their awareness of methodological and theoretical biases. Researchers’ views of any given discourse are shaped by their own experiences, and it is

impossible to “step outside” to strive for an ‘objective’ view (Alvesson and Sköldberg, 2009). Researchers' positionality should be disclosed in relation to how the researcher is positioned within the society (in terms of class, gender, political affiliations, or ideology) and within the discipline (in terms of theoretical underpinnings that drive the researcher) (Van Dyjk, 1997). In what follows, I first reflect on the research process more generally before delving into the specifics of my positionality.

As mentioned before, my research did not involve collecting data directly from human subjects, nor did I work with vulnerable populations. However, the themes covered by the corporate crime cases in my thesis are challenging to think about and work with – especially for someone dealing with anxiety – given they involve environmental degradation, mass-scale deaths and significant levels of exploitation. There were times while conducting my case studies, particularly when closely examining the enormity of the harm therein when I found it difficult to maintain emotional distance and a degree of objectivity. Being reflective and keeping a research diary allowed me to recognise my struggles, which then resulted in giving myself some space and time away from the heinousness of corporate crime³¹. Once I felt more balanced and less emotional, I could continue researching the cases, finish my case study analysis, and continue my research process.

The two most crucial aspects that impacted my positionality and shaped how I approached my research were my experience studying languages and my political affiliation. Regarding the former, I am a polyglot who speaks four languages, two of which I studied extensively in secondary education. I also have a Spanish-Slovak translation and interpretation diploma, meaning I was taught to understand every aspect of those languages. I received extensive language analysis training in both languages, including syntactical, rhetorical, morphological and symbolical analysis, which I always enjoyed. When I started gathering information on language analysis in CDA, the concepts felt familiar and easy to grasp, strengthening my motivation to use

³¹ It should be recognised that corporate crimes are not only horrific in and of themselves, but the lack of legal response to corporate offending makes them even worse (see Crofts, 2022) which was haunting me during this time.

this methodology. Given that my CDA-related language analysis was self-taught, it inevitably influenced my approach to analysing and interpreting the data. My focus in the analysis was more on the 'simpler' tasks of language analysis, such as identifying word connotations and choices rather than more complex concepts like modality and verb choices. As a result, I might have overlooked some aspects of language in my data or some nuances I have misinterpreted. However, by and large, I believe it will not change the overall direction of the interpretation of my findings, which are more concerned with how discourses link to social practice and hegemony rather than how language shapes certain discourses.

The second crucial aspect reflected in sociocultural and academic perspectives is rooted in my political alignment with the left. I am a critical scholar influenced by Marxist theory who believes that capitalism is deeply flawed and based on inequality and power imbalance. Corporations are at the heart of creating and recreating such inequalities. I believe that they should be entirely abolished or largely restructured to preserve humanity's survival and our planet's future. Academically, my perception of corporate crime is more rooted in a zemiology-driven assessment of corporate harms and inequalities created by corporate power rather than addressing it from a legalistic standpoint. In short, I think it is more important to understand the full extent of corporate harm rather than focus on the nitty-gritty of legal liability for corporations, which is less likely to disrupt the cycle of harm and exploitation perpetrated by the corporations. My wider agenda of a commitment to social justice for corporate crime reflects this through challenging public (and academic) perceptions. After all, CDA is perceived as a normative analysis that is socially or politically motivated (Mills, 1997), so my reflections in this paragraph are crucial to consider.

Having noted that, this could be challenging: Fairclough (1989) states it may be difficult to critically analyse texts that reflect the researcher's ideology as they may appear neutral to them. However, I have found the opposite in my data, whenever podcasts presented counter-hegemonic discourses aligned with my perspectives, I was much more likely to acknowledge them rather than see them as neutral. Seeing corporate power and hegemony being called out and challenged explicitly means someone is

already fighting the good fight, so, I would argue that I am particularly attuned to finding counter-hegemony in corporate crime discourses rather than perceiving them as middle-of-the-road or insufficient. Any challenges to corporate power are politically positive, and given how scarce they are, they are extremely valuable and necessary.

As was demonstrated above, reflexivity profoundly influenced my research process and the interpretation of my findings. Through actively reflecting on my positionality and potential biases, I was able to develop a nuanced understanding of how corporate crime discourses are constructed and contested in podcasts and contribute to a more comprehensive portrayal of the issue. Since CDA research deems it important to remember that two researchers with different experiences may interpret the data differently (Zienkowski, 2017), reflexivity and positionality are crucial for critical discourse analysts and formed an essential foundation in my thesis. With that in mind, any future investigations of the same or related data should consider my positionality to maintain the validity of my research (Gee, 1999).

RECAP OF EPISODE 2:

In this Episode, I have discussed the methodological implications of my thesis, including the CDA approach, the theory of power, discourse, and ideology, as well as my research process and positionality.

NEXT ON *PODCASTING CORPORATE CRIME*:

The next Episode marks the start of my integrated literature and findings Episodes. It discusses the framing of corporate crime through the discourse of disaster.

Episode 3: Disaster Discourses

PREVIOUSLY ON *PODCASTING CORPORATE CRIME*:

Previous episodes have covered a wide introduction to the topic for this thesis and the general approach to data analysis and gathering. We covered how podcasts are made, what features they present, and looked at CDA as a methodology.

COMING UP NEXT:

This is the first episode in which I present the findings of this thesis. I will cover disaster discourses, specifically paying attention to how this particular label shifts attention from responsibility to consequences, which will be demonstrated through the use of certain linguistic features, such as the absence of agents.

1. Introduction

Upon hearing the word *disaster*, many would imagine the devastation and scale of an unavoidable event that nothing and no one could have prevented. It is seen as inevitable. Tsunamis, hurricanes, fires and floods are examples of events that are perceived as disasters. The reason disasters may be perceived as unavoidable could be rooted in the word's etymology: it comes from the Italian 16th-century term 'disastro' which can be loosely translated as 'ill-starred'. It was an astrological term for a calamity blamed on an unfavourable position of a planet, with 'star[red]' most likely intended in the astrological sense of "destiny, fortune, fate." (Merriam-Webster Dictionary, 2024). In a sense, the underlying factors of destiny and fortune can be related to natural disasters being beyond human control 'that no human can be held responsible for' which is how official bodies label disasters too (see Wikipedia entry³² for disasters, 2024). This is the

³² The reason I use a Wikipedia citation in an academic thesis is by no means an endorsement nor do I consider it a reliable source. It is to point out the fact that many podcasters in my sample would start the 'research' for their episodes on a new topic by using a search engine and focusing on the first few results. It was mentioned as a source for many podcasts in my sample, so I wanted to approximate what the hosts might see when planning their podcast episodes which will inevitably impact the discourses they rely on.

central argument of this Episode – disasters may imply that humans cannot be held responsible for them, yet, as my sample indicates, the public discourse of disasters frequently includes corporate crimes. Note that Rana Plaza is regularly referred to as a disaster by official bodies (see ILO report, 2023), as well as the media. Deepwater Horizon was described as an ‘industrial disaster’ by its Wikipedia page (2024) and is frequently included in disaster discourses of media.

Ontologically, it is not necessarily incorrect to refer to corporate crime as a disaster, many corporate crimes carry similar devastation and disruption of disasters. However, I argue that by calling corporate crimes disasters, we are erasing corporate involvement and corporate blame in creating the conditions that gave rise to the ‘disaster’. Crime discourses which turn to ‘acts of God’ and accidents³³ erase corporate accountability for crimes, thereby contributing to pro-corporate hegemony and dominance.

The main point of this episode is to examine discourses of disasters in podcasts’ coverage of the Rana Plaza case and the Deepwater Horizon case. I first provide a background of literature in the study of disasters, paying special attention to two phenomena: the natural vs human-made typology of disasters and the role of human agency in disasters. I then discuss the intersection of disaster discourses of corporate crime in the media and more fictional genres, such as horror. This is followed by section 3 which presents the findings from my dataset and a discussion that integrates findings with existing literature. Through these, I find what implications framing corporate crimes as disasters has for corporate criminology and how it may shape the public perceptions of corporate crime.

2. Background/Literature Review

It is easy to understand how corporate crime may become framed as a disaster, especially in the media. After all, the term disaster is much more sensational and newsworthy than a more neutral language like collapse, crash, or spill. The consequences of corporate crimes are most akin to disasters: such crimes can

³³ A term I unpack more later.

eradicate thousands of people at one time, destroy communities that are already vulnerable, they can devastate the environment, or cause displacement³⁴. Disaster literature (see van Bavel et al., 2020) cites some consequences of disasters as land loss, capital destruction, economic crises and mortality. Each of these has also been a prominent feature of the cases being examined here particularly, and corporate crimes more widely. The sheer amplitude of costs and consequences associated with corporate crimes is unmatched by conventional crime (see Reiman and Leighton, 2020). In such a way and when focussing on consequences and amplitude only – which are also discussed below – corporate crimes can be viewed in the overlap of a Venn diagram of ‘traditional’ crime and disasters. What even are disasters?

The official definitions of disasters in both the public discourse as well as academia are often inconsistent. Disasters as a phenomenon are widely discussed in various fields, namely, the sociology of disasters (a sub-field of sociology), disaster management (a sub-field of risk management), or even environmental studies that examine the impacts of disasters on nature. I focus on here some aspects of the sociology of disasters, drawing on some of its perspectives to see what these imply for framing corporate crime as a disaster.

2.1. Definitions

One of the main issues with disaster definitions is that they could cover a wide array of events ranging from floods to what we clearly understand as corporate crimes. However, not all official³⁵ definitions make this distinction. NGOs tend to rely on their definitions and there may as well be a hundred of them (Perry, 2018). The UN (2024) defines³⁶ disasters as “a serious disruption of the functioning of a community or a society at any scale due to hazardous events interacting with conditions of exposure, vulnerability and capacity, leading to one or more of the following: human, material, economic and environmental losses and impacts.” Note that there are no mentions of

³⁴ All of these consequences can also be observed in both The Deepwater Horizon and Rana Plaza

³⁵ ‘Official’ definitions here is to be understood as non-academic which could be state-initiated definitions, NGO definitions and others.

³⁶ See also Federal Emergency Management Agency (2024) which is in line with UN’s definition

responsibility in this definition, a common feature of official disaster discourses (Perry, 2018) and perhaps related to the original, 16th-century conceptualisation of the term.

2.1.1. Disaster Typology – Necessary or Wasteful?

Disasters, as opposed to crimes, do not have a designated state-sponsored body that determines who is responsible and who bears the blame for them. Disaster response includes NGOs, government-sponsored agencies, private actors, and even individuals who volunteer (Baxi, 2021). The focus is typically on effective and time-efficient responses and risk mitigation rather than assigning responsibility to nature versus humans (Matthewman, 2012), and a shift away from its causes is understandable. But this shift may result in many corporate crimes included within disaster discourses being perceived as blameless, beyond human control.

Disasters tend to be addressed from political, geographical, psychological and sociological perspectives within the academy (Fischer, 2003). Disaster is a contested term even within disaster studies. Scholars have differing views on what acts constitute disasters and what the typology is (ibid.). However, the academy frequently emphasises that both nature and humans (and/or technology) can cause disasters by, for instance, defining them as “big accidents, human and ‘natural’ accidents that are large-scale, expensive, public, unexpected and traumatic (Turner & Pidgeon, 1997, p. 19 in Matthewman, 2012). Granted that ‘(human) accident’ is perhaps not the best choice of words given the connotation may exclude corporate harms resulting from decades of neglected safety policies and flawed economic systems that are more ‘systemic’ than ‘human/individual’.

Regarding disasters, it seems like the tensions in academia are between two perspectives: those that distinguish between natural and technological/human-made disasters and those that do not. In the latter group, Baum et al. (1983) point out: “Some are convinced human-made and natural catastrophes are comparable and can be understood as similar” (p. 352). Similarly, when Perry (2018) discusses disasters, he equates earthquakes with aeroplane crashes – one is nature-induced, and aeroplane crashes very clearly include a degree of human agency as humans design and control

an aeroplane. Claiming that a natural phenomenon is similar to criminal, deviant or harmful behaviour can be dangerous. The more it happens in public discourses, the more it can contribute to inept social constructions of corporate crime and, thereby, the normalisation and conventionalisation of corporate wrongdoing³⁷. Those who differentiate between types of disasters mention ‘human-made’ disasters (some of which could, in theory, include corporate crimes), natural disasters, and technological disasters (which again could include corporate failures of technology, such as the Deepwater Horizon well). Baum et al. (1983) distinguish between technological and natural disasters and recognise that technological disasters have predictors and ignored warnings, while it is impossible to predict the exact character and impact of natural disasters. They argue that scholars should not confuse the two as there are important differences between them.

In their paper about the Deepwater Horizon, Kotsakis and Boukli (2023) argue that oil spills are an example of human-made disasters. Even though they add that disasters are only a single event within an epidemic, such expositions are unsatisfactory. Deepwater Horizon is a clear example of corporate crime of monumental proportions. This thesis posits that however disastrous the consequences of corporate crime may be, a corporate crime must be named as a *crime* – even accepting, as zemiologists such as Kotsakis and Boukli would argue, that this crime may have a whole series of non-criminal antecedents and consequences. Naming corporate crime *as a crime* – rather than a disaster - within academia is more likely to shift the marginal position of it within criminology. The authors fail to do that in their paper.

Another interesting point of the proponents of this distinction comes from Tierney’s (2014) work. She argues that there is no such thing as ‘human-made’ disasters and that all disasters should be seen as arising from human causes. Even natural disaster responses can be rooted in the imbalance of powers wherein insufficient resources are allocated to deal with certain features and locations of disasters. A clear example of

³⁷ Though the normalisation of corporate crime is not limited to the frames of disaster, it occurs when corporate crime is recognised within the discourses of legalistic definitions of criminality which I discuss in Episode 4.

this would be the aftermath of Hurricane Katrina where a nature-caused disaster was harmful to those holding the least power in the society, both as a result of preparedness and response (Smith, 2006). Additionally, many natural disasters are now occurring with increasing frequency due to climate change caused by humans (Zandalinas et al., 2021). The claim that all disasters arise from human causes could potentially be beneficial from the perspective of recognising corporate crime. However, human agency is less explicit in all disasters, let alone those caused by corporations and – as I will demonstrate in the next section – the issue of agency in *corporate disasters* is an important one.

2.1.2. *The Role of Human Agency in Disasters*

Having discussed the definitional problematics of natural versus human-made disasters, I will now discuss the role of human agency in disasters. Agency in this context refers to having the ability to act to produce a certain result, which in corporate crimes could be related to the responsibility and legal liability of offenders. While agency is important in many disaster studies, it is particularly fruitful here due to the links to the attribution of corporate responsibility in the perpetration of crime. I discuss corporate crime discourses and the attribution of individual *criminal* blame in Episode 4, so here I plan to consider what agency means in the context of disasters.

The very definitions of disasters attempt to conceal human agency by failing to establish a possibility of human decision-making in creating disasters. The shifting focus from causes to consequences and the omission of focusing on any agent perpetrating a crime is a linguistic feature commonly examined in CDA studies (Fairclough, 1995a). In a sentence, an agent is the person/object/entity that is the ‘doer’ of the described action. For instance, a “corporation caused a disaster” would see the corporation as the agent that is activated, the *corporation* (noun) caused the disaster by their action. This carries a different connotation to a statement with passivated agents, such as a “corporate disaster”, which sees the word corporate as an adjective which cannot be an agent with the ability to act (Machin and Mayr, 2023). It may even perceive corporate actors as victims of the disasters they, themselves caused!

Consequently, the disaster becomes depersonalised and corporate responsibility is entirely overlooked, or as Ras (2021, p. 89) puts it, “conveniently omitted”.

A similar phenomenon can be seen in texts that attribute consequences to the disaster itself rather than to actions (or omissions) of a corporation. Machin and Mayr (2013, p. 69) use the example of the Paddington rail ‘disaster’³⁸ victims that makes ‘no reference to human or criminal agency. People are victims of the disaster itself, rather than of specific actions.’ The use of nominalisations and personifications³⁹ (see section 3.3) can further obscure agency by attributing it to non-human objects which can see brakes, explosions and pieces of equipment being blamed for disasters which simply leaves a lot of questions unanswered regarding accountability and responsibility. This is not a coincidence – given the power corporations benefit from in society, the discursive techniques that maintain corporate innocence in corporate crimes can be seen as processes operating on an ideological level and in turn maintain this power, thereby supporting the hegemonic status quo which is where I turn to next.

Disaster discourses of corporate crimes are then not only seen as ideological but also as hegemonic. Media outlets and journalists frequently use corporate press releases as sources for their research. In doing so, they draw upon what the corporation – a powerful group – defines as disaster (see Berkowitz, 2019). The key pro-hegemonic effect of disasters is in its downplaying of agency – media tends to foreground the suffering and human-interest stories while remaining non-accusatory towards the corporation (Ras, 2021; Nash, 2008, Machin and Mayr, 2013). There may be some mentions of responsibility, but it tends to be individualised and backgrounded compared to people's suffering. The absence of agency of the offending corporations in disaster discourses can thus be perceived as hegemonic by essentially deleting

³⁸ A crash between two passenger trains that occurred in London in 1999 with 37 fatalities and 417 injuries. It was linked to the privatisation of British rail and placing more importance on profit over safety (ibid.).

³⁹ Nominalisation is a process by which verbs and actions become nouns and personification anthropomorphises inanimate objects.

corporate involvement in the disasters they have caused themselves. In doing so, corporations are only reinforcing their social power.

2.2. Disasters and Media

Media reporting of disasters is pivotal throughout all disaster phases: before, during, or after. Disaster management recognises the media as an indispensable tool for raising awareness, disseminating information, fostering preparedness, and facilitating aid and support in the aftermath of a disaster (Perry, 2018). The media coverage they receive shapes how disasters are recognised and responded to (Hannides, 2015). The typical approach to reporting disasters follows a sequence that includes inviting the reader to witness the horror, highlighting acts of heroism and resilience, appealing to our shared moral values, and providing a platform for dissent and diverse viewpoints. (Turner, 1982). Human-centric graphic descriptions and survivor accounts are often prevalent in disaster reporting (Machin and Mayr, 2013). In the realm of disaster reporting, the media often relies on sensationalising the event through hyperbole, metaphors and other emotive word connotations to attract more attention and increase reads/views for profit purposes (see Davis and McLeod, 2003, Tierney et al., 2006). This focus on sensationalism results in media bias and can lead to misconceptions about the event, which can be harmful to society, especially when it comes to harms related to mental health (Wessely, 1987; Ahern et al., 2002; Stack, 2003).

This thesis does not aim to comprehensively analyse general disaster media discourse beyond the introductory overview provided above (for comprehensive analyses, see Tierney et al., 2006). Rather, I only consider findings relevant to corporate crimes within the context of disaster discourses. Much of the disaster media discourse includes elements of dramatisation, suffering and heroism which I also found in my dataset. One important finding of disaster media research is that media is crucial in influencing public perceptions of disasters (Sood et al., 1987) – especially in the first few days of the aftermath. This is also common in corporate crime media portrayals (see Macfarlane Horn, 2024).

Before discussing what literature says about corporate ‘disasters’ let me note that including corporate crimes within disaster discourses is not necessarily inaccurate. Indeed, the sensationalism of corporate crime may raise awareness and profile of *prima facie* uninteresting and highly technical offences that readers may brush over otherwise. However, the effects of disaster discourses for corporate crimes are far from unequivocally favourable for corporate criminology. I know of only two existing studies that examine corporate crimes that were reconceptualised through the discourses of disaster: Machin and Mayr (2013) who investigate the 1995 Paddington rail crash and McMullan and McClung (2006) who look at the collapse of the Westray Mine⁴⁰. Disaster discourses are “commonly employed for occupational health and safety and environmental crime” (Machin and Mayr, 2013, p. 65). Unsurprisingly, the term disaster is more newsworthy and sensational and increasing readership and profitability takes precedence over the ‘truth’ (McMullan and McClung, 2006).

Disaster discourses cause corporate crimes to be framed by obscuring actions, causes and participants (Machin and Mayr, 2013). In line with earlier discussion, actions are focussed on disaster aftermath and consequences rather than actions that led to it. Participants are framed as heroes and survivors instead of perpetrators or culpable subjects. Causes are reinterpreted as disasters that occurred due to the force of nature rather than as a result of human intervention, or they are entirely omitted and events are seen as happening on their own, or due to the fault of physical objects that are assigned human-like qualities (McMullan and McClung, 2006). This only reinforces pro-corporate hegemony in the media, both factual outlets but also through fiction which I turn to next.

2.2.1. Disaster Fiction – The Horror Genre

What the public conceptualises as disasters may come from their consumption of factual media, such as news outlets but also from fictional media content. I consider fictional disaster portrayals here for several reasons. I use the notion of horror – a fictional genre – as a sub-discourse of disaster when talking about corporate crimes.

⁴⁰ An explosion at a Canadian mine which killed 26 miners, it happened due to lacking safety protocols and prioritising profit over safety (Cooke, 2003).

Additionally, it is important to note the growing popularity of the "disaster film" sub-genre (IMDb, 2024), with the film *Deepwater Horizon*⁴¹ (2016) being categorised as such. The film portrays a dramatised version of the case rather than a documentary which counts the events as happened. Despite that, many podcasters mentioned having watched the film to inform their knowledge of the case.

As mentioned in the previous section, Machin and Mayr (2013) find horror a feature of disaster reporting. Even though the authors most likely referred to horror in the sense of intense fear and shock, horror could also be understood as a fictional film genre that invokes fear and disgust (Tudor, 1997). There are many overlapping features between horrors and corporate crimes, so much so that corporate crimes could perhaps be reconceptualised using the emotion and horror genre. According to Penny Crofts (2022, p. 23), "corporate harms horrific in and of themselves and the relative absence of criminal legal response to them is also horrific". Corporate crimes and harms are horrific and, the lack of legal responses to them only doubles the extent to which they can be considered horrific. The harm caused by corporate criminality is schema incongruent⁴², harm and devastation so bad that people cannot even comprehend or understand it. The devastation is linked to the direct consequences of the crimes and the ripple effects of corporate harms that I explore below.

Crofts (2022) sees the commonalities between horror and corporate crime in three key areas: widespread geography, a (potential for) mass victimisation, and a broad temporal frame. I address each of the elements briefly here.

⁴¹ The film is problematic for several reasons, not least because of being categorized as a disaster film (IMDb, no date). It presents a dramatized and sensationalized account of the events leading to the explosion and oil spill, emphasizing graphic depictions of injuries and trauma. Rather than drawing from the actual investigation, it is based on a New York Times article (Barstow et al., 2010), leading to a portrayal that frames BP officials as the primary decision-makers and Transocean as the victim of BP's poor choices. This oversimplifies a case that was much more complex. Additionally, the film concludes by honoring the victims with their names and pictures before the final credits, a point I explore further in Episode 4.

⁴² Begs to add a psychological definition of schema incongruence here: the phenomenon in which incoming stimulus information is not compatible with existing knowledge and expectations is known as schema incongruity (Mandler, 1982).

On mass victimisation, for example, the number of fatalities linked to the opioid epidemic is estimated to be 350,000 in one decade in the US alone (McGreal, 2018). No single crime causes as much direct physical harm and devastation, and it may be difficult to comprehend just how extensive corporate crimes and harms can be, especially corporate activities with less immediately visible consequences, such as environmental damage and climate change. These have a broad temporal frame. Further examples here could include chemical waste dumping and exposure to toxic chemicals that take years, if not decades to be uncovered. Based on the transnational activity of corporations, the geography of, for example, the sale of unsafe or dangerous products is widespread.

Such broad temporal and spatial frames are phenomena observed in corporate crime victimisation. They also lack fit with most criminology which focuses on an event and a proximate offender and victim in the forms of individuals. Another observation made at the intersection of corporate crime and horror is that horrors often lack blame attribution – “we can feel horror for extreme harms without a responsible agent” (Crofts, 2022. p. 29). She adds that this is common for natural disasters and accidents where horror can be felt without blameworthiness. The horror genre often portrays a corporation as a source of evil⁴³, but rarely explores why corporations are evil.

Here is further justification for why the horror genre may be relevant for corporate crime scholarship. Horror has five elements: suspense, fear, violence, gore and the supernatural, albeit not all five must be present to count as horror (Tudor, 1997). Suspense is present in the immediate aftermath of both cases: 3,000 individuals were trapped in the Rana Plaza building after the collapse and it was unknown if anyone was alive or dead. The oil spill also caused suspense, as it was uncertain whether it was still spilling. Violence and fear are apparent from the outset, with fatalities and injuries, and people trapped in the collapsed building as well as the 11 fatalities that sank with the Deepwater Horizon oil rig. Fear accompanies violence and uncertainty in both cases. Other forms of violence and harm are covered in more detail in Episodes 4 and 5. The

⁴³ This is portrayed brilliantly in the *Alien* (1979) movie franchise.

gore element may not be so foregrounded in the cases themselves, however, survivor stories and graphic descriptions feature in disaster discourses for both cases. These are discussed in section 3.2. Lastly, the supernatural element is less obviously present but can still be discerned in some expressions, such as ‘act of God’ or ‘beyond nature’.

Whilst there are overlaps between the horror genre and corporate crime, as well as corporate crime framed as a disaster and horror, it must be acknowledged that horror could be seen as yet another sensational discourse of corporate crime. It recognises many aspects of issues in corporate criminality, yet framing corporate crime as horror in the media may miss the links to systemic violence creation and is still by and large hegemonic.

3. Findings And Discussion

This section presents findings from data, integrated with discussion, then addressing what the findings mean for the study of corporate crime. Disaster discourses were relatively common in my dataset with many episodes produced in a podcast about disasters. Each of the series *Disaster Area*, *Destination Disaster*, and *Disastrous History* all have an episode on either one of the cases. Deepwater Horizon coverage was much more engaged with this discourse, which could be attributed to the oil spilling for over three months, so the immediate aftermath was much more prolonged than in Rana Plaza, which collapsed in only a few minutes. This could have resulted in many more newsworthy events that are synonymous with the aftermath of natural disasters.

The main difference between data obtained from podcasts rather than news media outlets is that podcasts are far less contemporaneous than news. Appendix A and B demonstrate that the first podcast episode was released in 2016, 3 years after the Rana Plaza collapse occurred. Indeed, some podcasters present the cases as a story with a beginning, middle, and end. Hence, the elements and the linear progression are more observable, but others focus on different aspects of the cases. For both cases, *the Alarmist* focuses on, in their own words, “history's greatest disasters... find out who's to blame” (Alarmist, 2022). The most prominent aspects/features of disasters included: the vastness of impact, the images of trauma and suffering, the graphic descriptions of

horrors and the denial of agency. Each of these also includes a few subcategories that will be presented below.

3.1. Disaster Semantics

Disaster discourses in portrayals of corporate crimes are common. Turcotte and colleagues (2017) found discourses of disaster in national news portrayals of the same case being portrayed here – Deepwater Horizon. This paper has been framed from the perception of Deepwater Horizon ‘disaster’. It is easy to see how Deepwater's consequences resemble any natural disaster, especially based on its scale and environmental impact. It was the second-largest oil spill in history.

Similarly, the Rana Plaza collapse was one of the deadliest industrial incidents of our century with a death and injury toll of thousands. However, it was perceived much less as a ‘disaster’ and more as a deliberate action of one individual than Deepwater. To capture the extensiveness of such cases, podcasters turn to hyperbolic and exaggerated language that could capture such suffering and devastation.

This section discusses the words – especially nouns and adjectives – used to describe the cases. I look less at the differences between the meaning of terms that often get synonymised with disasters, such as accident, tragedy and catastrophe and more on the connotation of the disaster discourses overall. The first quote that stands out is from the BBC podcast *In the Balance* which describes the episode in the following way:

RP3A: Today, we're looking back to one of the most devastating industrial accidents of modern times (In the Balance, 2016)

In RP3A, the host uses the words “devastating industrial accident” to describe the Rana Plaza case. The term devastating is aligned with disaster discourses to try and convey how impactful, harmful and damaging the case was. This is one of the key features of disaster discourses that focus more on the devastation and suffering than the causes. Disasters are notable for their damage and impact, so using the word could be considered value neutral. However, the term ‘industrial accident’ is laden with value and underlying ideology. Firstly, the whole term could be contested in its entirety, no

workplace incidents are wholly accidental, and circumstances may give rise to the ‘accident’ to occur (see Vaughan, 1999). But more importantly, the word ‘accident’⁴⁴ implies an ‘unfortunate incident that happens unexpectedly and unintentionally’ (Merriam-Webster Dictionary, 2024). Certainly, there may not have been an intention to damage the environment, to cause deaths to thousands of people or marine animals. However, each case had a series of *underlying* causes and missed opportunities to prevent the impact in both cases. Calling either an accident may serve as a legitimization of these causes; it makes them more mundane and accepted as a part of ‘doing business’ (Breeze, 2012).

As RP3A is the introductory sentence to the podcast episode, the listener who may be unaware of the case before engaging with the content would think from the outset that the case was an accident with very little blame rather than an event resulting from corporate or systemic causes. While this quote is presented here to demonstrate the impact of the case, one additional interesting linguistic feature is observed therein. It uses the word “back” to describe the distance between the time of recording and when the case happened. This is used to distancing the listener from the happenings of the case, despite having published the episode a mere three years after the building collapsed. It could be argued that this operates on an ideological level to convey the message that there has been a resolution and the ‘case is closed’, or that justice has been served, even though this is not the case. It could also signify that now the factory conditions have been improved, we can look ‘back’ to the ‘older’ and ‘harder’ times, but most of the issues workers faced in Rana Plaza are still felt to date (Tipu, 2022).

The podcast *Mile Higher* uses the word “devastating” similarly to BBC above but for the Deepwater case. However, they add “story” as a noun to label the case.

DH3A: It’s truly a devastating story (Mile Higher, 2021)

⁴⁴ Even when we talk about accidents, we also need to recognise that they may be preventable (see Perrow’s normal accident theory, 1999)

The word “*story*” suggests recounting past events that may be true, or fictional. The story could mean anything from a ‘fairy tale’ that is entirely made up or a retelling of history which is very much fictional. Fairclough (1995a) posits that we often think of stories in fictional rather than factual contexts. This is further supported by reliance on the Deepwater Horizon (2016) movie which is mentioned several times throughout the podcast episode. The episode itself is titled “The 2010 Deepwater Horizon Rig Disaster: The Heroic Story of Mike Williams” (Mile Higher, 2021), so predictably, there will be an abundance of disaster discourses contained within. The name uses the words “story” and “heroic” together which could suggest that the narrative structure⁴⁵ of a story may be present. The podcast makes it difficult to distinguish where they rely on the movie synopsis versus the facts of the case, it blurs the lines by stating “Deepwater Horizon is it's very similar to how it played out the incident itself” (ibid.). This is somewhat contrasted by using recordings from interviews and documentaries as a commentary of the key actors in the case (such as the crew on board, the CEO of BP, or news reporting). Essentially, this is a discursive strategy used to legitimise the episode's discourses and ‘truth-telling’ (McMullan and McClung, 2006).

Others use different words to describe the cases and their consequences. I discuss a few quotes about this below and return to it further in section 3.4, where I talk about agency.

DH3B: the absolute worst nightmare (Southern Discomfort, 2021)

DH3B describes the Deepwater Horizon as “the absolute worst” and “nightmare.” The use of hyperbolic language is not uncommon and can be explained by the fact that the oil spill was most likely the worst possible outcome and scenario for both BP and the public. The word connotation of nightmare is of interest here: the semantics of nightmare suggest fear, anxiety and horror as a symbolic meaning, however, if taken literally, a nightmare is first and foremost a dream that people wake up from. There is no waking up from environmental damage and loss of life, and equally, the Earth cannot

⁴⁵ This is interpreted very loosely as exposition, rising action, climax, falling action and resolution (Chen and Zheng, 2019)

wake up from non-renewable resources (such as clean ocean water) that have been lost due to the oil spill. Consequently, the event is framed as something with an impact that will perish and improve rather than last forever.

A different podcast also focuses on the impacts and consequences, but from a more economic perspective:

DH3C: The devastation was incalculable (Swindled, 2020)

Two words are worthy of discussion here: “devastation” and “incalculable”. As opposed to the terms above, devastation can be perceived as more value-free in the context of disaster discourses and lacking agency. It does call the aftermath of Deepwater Horizon “devastation” which captures the spill's damage and destruction so much so that there is almost nothing left.

DH3C is from the podcast *Swindled* frequently discusses white-collar crime - it uses the description of ‘financially motivated crimes’ (*Swindled*’s own description) - so it may have a more intricate understanding of the causes and consequences of corporate crimes. It covers other corporate crimes, such as the HeathSouth accounting fraud, The Imperial factory fire, and the Challenger shuttle explosion. In this sense, devastation, as opposed to disaster, is more value-free and neutral. This is contrasted with the use of the second word: “incalculable” which can be seen as intertextual here – the podcast host presents it as something that cannot be assigned a monetary value, seeing the extent to which he is concerned with the financial impacts of these crimes. Indeed, there may not be a monetary value when considering the impacts of the Deepwater Horizon explosion as the residual impacts of large-scale corporate crimes can be felt for years, if not decades (Rothe and Kauzlarich, 2022). However, when losses from natural disasters are constructed as economical, so incalculable in a monetary way, it could be linked to the neoliberal ideology which is perhaps less expected from a podcast about economic crime (Cox and Nilsen, 2007). This makes the overall statement confusing ideologically, which is also perpetuated in the following quote from the *White-Collar Crimes* (2022) podcast:

DH3D: So, it's understandable when you have a big disaster, somewhere like that, the impact is going to be huge (White-Collar Crimes, 2022)

This quote contains many elements, but for this discussion, I shall focus on three specific features.

Firstly, the author describes the event as a “big disaster”. It almost seems like this is an overlexicalisation where the word big precedes the word disaster even though this is unnecessary. It does not serve a semantic/grammatical function, it is essentially redundant, and it is surely presupposed that a disaster will be *big*. Is there such a thing as a *small* disaster? The function of it could be to sensationalise the statement or to further emphasise the extent of the crime.

Secondly, the podcast host uses a technique of presupposition by stating “it’s understandable”. Presupposition assumes the meaning of a statement or a word and is commonly used in language. Machin and Mayr (2023) use the example ‘the bag is heavy’ as it presupposes the reader knows what a bag is and what heavy is. Using the words ‘it is understandable’ in the sense of obviousness leads the listener to think about the event and to almost take the whole statement for granted. If the impact of big disasters is presupposed to be as ‘huge’ as Deepwater Horizon’s, it could contribute to the normalisation of mass-scale corporate deviance. This normalisation only serves to maintain the pro-corporate status quo and corporate power in society, so it could be argued that – if something is expected to happen – it could contribute to what we perceive as hegemony.

Lastly, it calls the impacts of the case ‘huge’. The word huge is descriptive; it suggests significant magnitude and scale. It could be described as more sensational and conversational than synonyms such as ‘large’ or ‘immense’. A more conversationalist style could be applied to gain proximity and intimacy with the listener, but perhaps it lacks the ideological charge when examined without reference to the previous paragraph.

This section aimed to present the semantics of some of the terms used to describe and label the corporate crime cases presented in this thesis. It is difficult to balance where some quotes should be presented, as they do not neatly fit into any categories and are more nuanced and complex. For instance, discourses of disasters are often accompanied by descriptions of environmental harm, especially the immediate effects that are observable. The language surrounding the effects on the environment in the case of Deepwater is discussed in more detail in Episode 5 along with other harms stemming from the cases as a more holistic picture of social harms related to corporate crimes on both individual and societal levels. Each of these could easily gain a separate section, or perhaps even an episode in this thesis. Now, I discuss some of the dramatised effects observed within disaster discourses.

3.2. Dramatisation of Suffering: Sensationalism in Disaster Discourses

As emphasised throughout the literature review, the dramatisation of suffering is typical for media disaster reporting. Events become framed to augment the suffering and the direct impact of the ‘disasters’ on individuals even when some of the systemic causes of the disasters – or in this case, corporate crimes – are known. Suffering is foregrounded, whilst causes and blame attribution are backgrounded. Shock, suffering and trauma are more sensationalised and newsworthy features of disasters and consequently, sell more news. Financial gain may motivate podcast makers to produce content with a compelling narrative that could garner more listens and attention, especially if they procured sponsorships based on increasing listenership (Haygood, 2007).

As sensational narratives in disaster discourses maintain the status quo by shifting the focus away from responsibility to consequences, they rely on existing structures of knowledge and hegemony. Additionally, as podcasts rely solely on the aural experience of the listeners, sensationalism may be presented through aural devices, such as alliterations and voice changes. Overall, the dramatisation of suffering was more present in the Deepwater sample rather than Rana Plaza which could be related to the availability of the *Deepwater Horizon* (2016) film for the case, as well as a degree of racism which I come back to in Episode 5. Dramatisation of suffering in this sense will

include the dramatisation of actors, consequences, and a section of graphic descriptions that fit under the angle of the horror genre. I present these features in turn below.

If there was one statement that could be the archetype of dramatisation on the Deepwater Horizon rig, it would be the quote below from *Swindled*:

DH3E: There were no alarms, no warning signs, just a noxious odour of foul taste and the unnerving visual of drilling mud being forcefully reversed out of the derrick like a volcano. Then the entire rig started shaking, the computer screen splashed warnings and then boom (Swindled, 2020)

As mentioned before, *Swindled* describes itself as using narrative storytelling techniques which may include dramatisation and foreshadowing. How this section is narrated is more like a flood/storm with the words being said fast without any breath or pause taken between them which only increases the dramatisation. The looming sense of threat of violence and disruption is emphasised by using words with negative connotations that describe force, speed and massive impact, such as “noxious” and “foul” to describe senses like taste and smell: “forcefully”, “boom” and “volcano” to describe the impact. This is turned into a spectacle that the listener could question whether these descriptions are factual or fictional, much like watching the ‘disaster’ movie *Deepwater Horizon* intends them to feel. This is done to sensationalise the event and to serve a narrative purpose. However, the effect of doing so is argued to foreground the suffering and trauma while also backgrounding the causes and responsibilities of ‘disasters’ (Nash, 2008). As such, it can be seen as subtly carrying ideological meaning and effect, similar to the below:

RP3B: When he closes his eyes, he can hear the ones he was unable to save, their screams and the grinding of the hacksaw blade biting into bone, their limbs smashed beyond repair. There is no help. There is no respite. None then, and none now. He opens the bottle and pours the liquid over his head. For a moment the pungent smell of gasoline mercifully covers the stink of rot (For Want of a Nail, 2022)

The podcast similarly uses narrative storytelling to make the listener feel closer to the story. The host uses words like “pungent”, “smashed”, “screams”, “stink”, and “rot” which have negative connotations evoking feelings of disgust to describe a situation of a man taking his own life after having survived the Rana Plaza collapse. Multiple senses are integrated into the feeling of disgust, smell (stink, pungent), sound (screams, grinding of the hacksaw), touch and vision (smashed limbs). This is done to truly represent a performative experience for the listener and draw them into the story which is also accomplished through the way the host uses her intonation. The sentences are uttered without taking a breath in between them and putting a stronger emphasis on the words invoking disgust.

The host uses an alliteration – an aural narrative technique based on the occurrence of the same letter or sounds at the beginning of closely connected words (Machin and Mayr, 2023) – in “blade biting into the bone” (repetition of the “b” and “t” sounds) by which she explains the survivor had to witness during the collapse. It was common to witness such drama when hundreds of people were piled under a collapsed building. By using descriptive and graphic language in such a way, the podcast host achieves the dramatisation of the events by invoking disgust which also features in the horror genre. Compared to the previous quote, this one feels much closer to the stylistics of the horror genre, which I return to later, and much more personal as it involves the human body rather than movement or velocity.

Even though this excerpt was taken from a podcast episode about the Rana Plaza collapse, it was difficult to find more dramatic descriptions in disaster discourses for the case. Many episodes are more connected to Rana Plaza as an epitome of the harms stemming from fast fashion rather than as a one-of-a-kind disaster that ‘shook the world’ like Deepwater Horizon did. Consequently, this section, or even this whole episode may feel imbalanced with more content presented on the Deepwater Horizon case, which is not a coincidence, more so the artefact of my sample.

3.2.1. *Dramatisation of Actors – Heroes and Survivors*

The previous section focused on the dramatisation of the events of the disaster while this section aims to look at how actors in the events were framed. Heroes and survivors are often overrepresented in disaster discourses. For the Deepwater case, heroism was much more common whereas for Rana Plaza it was survivor representation. Machin and Mayr (2012, p. 69) refer to “the surviving mother and child found in the rubble” as the archetype for dramatised actors. Interestingly, a similar image was present in the Rana Plaza where two people were found in the rubble hugging one another, looking almost as if they had fallen asleep. Some podcast episodes provide detailed descriptions of this image (Disaster Area, 2017), even suggesting listeners look for this picture online to become more involved in the story.

The recovery in the Rana Plaza case resembled post-earthquake recovery efforts where survivors were trapped under the rubble for multiple days. Much of the dramatisation of survivors was centred around this event. One way in which the actors were dramatised was observed in multiple podcasts:

RP3C: one woman described drinking her own blood to stay alive (Compass, 2017)

RP3D: some of those that were buried in the rubble, they drink their own urine to survive (Blood & Wine, 2020)

Here, RP3C and RP3D both use the image of “drinking one’s own urine” to survive. I perceive the underlying meaning to be two-fold here: firstly, it could be seen as being used for dramatic effect to depict the victims’ trauma; secondly, it also could have an underlying meaning of ‘othering’ the Rana Plaza victims, since drinking urine is quite a dehumanising act. Given that the victims of the collapse were people of colour, it begs to question whether there is a degree of racism in this depiction. RP3D also describes the image of “buried in the rubble” which could also be perceived as being used for dramatic effect. However, a podcaster would be hard-pressed to find a less dramatic synonym as people were quite literally buried alive under the rubble of a large building.

When podcasters omitted graphic descriptions of the rubble and recovery, they would refer to two more specifics of the Rana Plaza case for dramatic effect: one, that there was a day-care centre in the building at the time of the collapse and two, that one survivor lasted 17 days before being recovered. The former was only mentioned in two episodes with hosts commenting on not finding a confirmation in their sources that this was the case. Whenever the fact that “a large number of children” (Blood & Wine, 2020) may have been among the victims came up, the hosts expressed their shock and desperation. However, I was surprised that child victims were not a more salient point of the collapse, given that they are often described as ‘ideal victims’ in the media. I return to this point when discussing the ideal victim theory in Episode 4. The latter – an unlikely survivor – was mentioned in connection with the fight against fast fashion and industry conditions in Bangladesh. The survivor Reshma Begum, who survived 17 days under the rubble, is now an avid activist and campaigner for improving fast fashion factory conditions in Bangladesh. This makes the mention newsworthy and offers hosts a point of transition into other narratives.

Heroism

While the survivor narrative featured in the Rana case, the narrative of heroism was apparent in the Deepwater Horizon coverage. Mike Williams, a worker on the rig, had saved more than one life during the explosion. One podcast, *Mile Higher*, goes so far as to frame the whole episode through the eyes of the hero – Mike Williams – who is the central personality of the battle of the explosion. As mentioned in DH3A, the episode is titled “The 2010 Deepwater Horizon Rig Disaster: The Heroic Story of Mike Williams” and it is not easily distinguished where the facts of the case end and the film begins. While it is welcome to be transparent, this only further blurs the lines between fact and fiction in the episode and the case, especially as the host goes on to say, “but obviously, it's a movie, so there's some details that are different” (Mile Higher, 2021). This may confuse the listener given that the episode is presented in a factual, rather than fictional way despite relying on a ‘disaster’ film to inform its knowledge.

Machin and Mayr (2013) state that disaster discourses sometimes take a central figure onto which heroism can be pinned which was the case for Mike on the board of the

Deepwater Horizon rig. Not to take away from Mike's actions, this deflects attention from the more systemic factors onto what the podcast calls:

DH3F: a mind-blowing story of heroism as well. It's very inspiring (Mile Higher, 2021)

The podcast, as shown in DH3A, tends to call the case “a story”. However, in DH3F I want to focus on other aspects, particularly the use of the adjectives “mind-blowing” and “inspiring” as descriptors of the Deepwater Horizon case. The event is framed as something more positive, perhaps encouraging the listeners to reimagine the story as not having an overly negative outcome. In this case, it further reinforces the individualisation of corporate offending as it emphasises the micro-perspective of ‘disasters’ (individual heroism) rather than the macro-perspectives (how ‘disasters’ may be caused by broader systemic factors). This, in a way, can also be linked ideologically to neoliberalism which strongly emphasises individualism and views individuals as the primary agents of activity, action and agency. In doing so, it deflects the presence of deeply embedded systemic factors.

Another podcast that discusses Mike in the context of his heroic actions is *The Real News Podcast* (2022). The episode is in an interview format where the host interviews a man who used to work on BP-owned oil rigs to discuss some insider perspectives and details about the case. However, there is much less sensationalism than in the first quote, as the interviewee simply states that Mike's actions were heroic without going into minutiae of what occurred on the rig. As will be shown throughout Episodes 4, 5 and 6, the *Real News Podcast* uses more counter-hegemonic discourses given that it is established as an ‘alternative’ media source, so it is not surprising that discourses of individual heroism are lacking.

3.3. Horror

As described in section 2.2.2, I draw upon the concepts of the horror genre to reimagine disaster discourses of corporate crimes. This is particularly useful as some of the podcast episodes in my sample use the labels of ‘horror’ or ‘bad things’ – such as

Hillbilly Horror Stories, Antemortem, or All Bad Things. The horror narrative can be perceived as dramatisation being taken to the next level. In fact, quote RP3B which describes the feelings of disgust is almost verging on the horror genre. It is not surprising to find horror-like descriptions in the data, some of the facts of my cases and corporate crime in general – as Crofts (2022) brilliantly put it – could easily be mistaken for a horror movie. This includes but is not limited to the sheer magnitude of victims of Rana Plaza, the fear stemming from the months of uncertainty of oil spilling in the Deepwater case, or the dead bodies being found in the rubble of the collapsed Rana Plaza building. The fact that both cases are extreme exemplars of direct corporate crime fatalities can lead podcast makers to use the most hyperbolic and graphic language they can think of. In short, the consequences of the cases were so extreme and unprecedented that it seemed only appropriate to use language that reflects that. When some podcasters refer to the cases, they sometimes label them ‘horrors’ explicitly, as shown in the following quotes:

RP3E: What a fucking horror story (Das Criminal, 2020)

DH3G: Everyone watched in horror as the oil spread out (Swindled, 2020)

In RP3E, Rana Plaza is reconceptualised as not only a ‘horror’ but using an expletive adjective of “fucking horror” as a rhetorical strategy to emphasise this point. Swearing, primarily through using language as strong as ‘fucking’ can invoke feelings of shock; some listeners may not expect such language to be used in the journalistic type of media, however, it is used in podcasts often. DH3G is slightly different, the host describes what Turner (1982) calls ‘bearing witness to the horror’ in disaster media portrayals wherein this stage tends to be highlighted for disaster discourses. This only further strengthens the rationale for including the horror genre under the umbrella of disaster discourses.

Swindled (2020) uses the same language in the Deepwater case by saying “everyone watched” the oil spilling “in horror”, meaning that the oil spill was unexpected, unpredictable and essentially the worst-case outcome for the case. Both statements

align with Crofts' interpretation of horror as "a response to harm so extreme or abnormal that it cannot be easily assimilated into one's understanding of the world" (2022, p. 24). Given that this was the largest oil spill in the world, the related harm could be labelled as extreme and abnormal, and it may be more challenging to understand than a more localised and contained oil spill.

One of the features of horrors that share commonalities with corporate crimes is the mass victimisation of both. This was recognised in the sample:

RP3F: magnitude of death and murdered victims (Blood & Wine, 2020)

The victimisation in Rana Plaza was so vast and far-reaching that it could easily be compared to mass victimisation which is more common for war crimes (Walklate and McGarry, 2015). There are not many human-caused or induced harms or crimes that could claim thousands of human⁴⁶ victims within such a short period. RP3F then does something interesting: it combines the mass victimisation element found in the horror genre – and thereby falls under disaster discourses – while also explicitly calling it a "murder" which is more akin to crime discourses. As stated above, not all quotes reflected a single discourse, a phenomenon recognised as interdiscursivity in CDA studies (Fairclough, 2010). But it is also a bit of an oxymoron to have a combination of murder – a crime which carries human agency in its commission – alongside disasters – which deny the very same agency. 'Death' (in the way that disasters can also carry fatalities) is not the same as 'murder' and I would argue that having them side-by-side is ambiguous: did some Rana Plaza victims die while others were murdered?

3.3.1. *Human Body as a Spectacle*

Most commonly, the horror genre involves graphic imagery related to the human body, which is used as a spectacle. Unlike the horror genre frequently encountered in films and books, there are no visual or textual elements to podcasting, so it may require more

⁴⁶ The same cannot be said about non-human victims with the extent of environmental harms imposed on society stemming from corporate activities. In fact, if we compare the non-human victimisation of the Deepwater case, it could be argued that the magnitude of that case far outreached the victimisation of the Rana case. However, no one made this argument in the dataset.

effort to elicit the same kind of response through spoken word only. This was done through detailed descriptions of injured human bodies, as demonstrated in the four quotes I present in this section:

RP3G: An additional 2500 people were injured including amputations, organ damage, and paralysis (For Want of a Nail, 2022)

RP3H: his skull was shattered, his brains were spilling out (Blood & Wine, 2020)

If the listener only heard the two extracts out of context, they may imagine a ‘slasher’ horror film such as *The Texas Chain Saw Massacre* (1974) rather than a corporate crime. These movies are notable for the dismemberment of the human body by a sharp object, hence the name. In place of the blade, the objects in the Rana Plaza case are described as metal poles and beams, wall fragments and heavy machinery that caused such an effect. The human body being presented as a spectacle is not new within criminology – it was previously researched with connection to the public implementation of the death penalty as well as, more relatedly, in the true-crime genre. The true-crime genre mainly focuses on the human body as a central idea of pursuing the offender (Seltzer, 2013) and is relevant as *Blood & Wine* labels itself a ‘true-crime’ podcast.

Like horrors, the harms of corporate crime are “nasty, haunting, insidious, imaginative” (Crofts, 2022, p.41). It is easy to perceive how haunting and imaginative the imagery of amputated limbs, paralysis shattered skulls and brains spilling out can be, so much so that they could evoke feelings of extreme repulsion to the extent of needing a ‘trigger warning’ for such content. The harms of Rana Plaza are easily framed as horrors which may be connected to the predominant harm being bodily injury and death. This is slightly different for the Deepwater case which I return to later. For now, I wanted to discuss one more quote of interest from the Rana Plaza case:

RP3I: bodies crushed beyond belief; with limbs or even heads missing...children amongst the dead (Disaster Area, 2017)

Similar to RP3G and RP3H, the host relies on the spectacle of the human body to create a dramatic horror-like atmosphere by describing “heads missing” and “crushed bodies”. However, I included this quote due to the other dimension the host references: “dead children”. As mentioned in section 3.2, this could be seen as something even nastier than dead adults – given childhood is often associated with innocence – and even more incongruent, invoking not only disgust and fear but also other negative emotions such as sadness and desperation. I return to discussing children as victims in Rana Plaza in Episode 4. For now, I turn to the last quote I want to discuss in this section:

DH3H: blood streaming down his face... pool of blood (Alarmist, 2022)

Generally speaking, the Deepwater Horizon disaster discourses are much more focussed on the victim and survivor dramatisation than the horror genre, despite the scale of the harms in the case. Podcasters use horror-like descriptions more so with connection to blood and bodily fluids and minor injuries rather than the traumatic injuries suffered in Rana Plaza. This could be attributed to two factors. Firstly, it is perhaps an artefact of the case, when compared to Rana Plaza, there were only 11 fatalities on Deepwater Horizon and the bodies were never recovered. Secondly, one must wonder whether the underlying notion of racism where Global South lives count for less than Global North lives also influenced the portrayal of the case⁴⁷. *The Alarmist* described one victim with “streaming” and “pool of blood”. However, this is where the fictional representation of the case becomes essential: as far as I am aware, there were no images of victims captured during or after the explosion. Therefore, the podcast host must have relied on the *Deepwater Horizon* (2016) film to inform her knowledge of the case and fill in the gaps. Unquestionably, there were injuries on the rig, but they were not central to the case, the environmental damage was. So, it is understandable that fewer horror-like descriptions existed in the Deepwater case.

To return to a point I made in Episode 1, podcasting adds a further dimension compared to written media types, namely, the sense of hearing. The emotion of horror is also emulated through recordings of shouting and screaming and dramatic music to

⁴⁷ I develop this notion further in Episode 4.

sensationalise the gore and suffering, much like the horror genre does. Even the quote RB3B I mention earlier is using aural rhetoric devices like alliteration to enhance the dramatisation of the genre. BBC's *The Compass* (2017) plays a clip of people screaming and shouting in the background to emulate how it must have sounded during the Rana Plaza collapse which is very clearly used to dramatise the situation artificially. It almost sounds more like a spectacle form, like theatre or fiction created using narrative structures and aural devices. This is a technique which can potentially be used by other aural media types, such as the radio, however, in podcasts, it is used deliberately and as a means to an end and in doing so, can further dramatise the aftermath of corporate crime and obscure the agency of the cases.

Lastly, Crofts mentions one more key finding in her paper about blameworthiness and horror. She claims that one commonality between horror and corporate crimes is that “[it] does not require having someone or something to blame” (2022, p. 29). This is observed across all three features I am working with in this section: horror, disaster, and corporate crime. In the next part of this Episode, I turn to how the role of agency was exemplified throughout disaster discourses.

3.4. Denial of agency

One of the key and most problematic issues with reconceptualising corporate crimes as a disaster is the extent to which agency is denied through disaster discourses. Indeed, the downplaying, obscuring or flat-out denial of agency has been a theme more or less present, in different ways, in the discourses I have presented so far, throughout the Disaster Semantics section at the beginning of my findings. Most obviously, the agency is denied through words that imply lesser blameworthiness and responsibility, such as an accident or natural disaster, but less apparently when diverting from responsibility and focussing on the consequences of the said disasters.

The effects of downplaying and obscuring agency are inherently ideological; “representational practices may have significant ideological effects” Fairclough (1995a, p. 109-110), which is quite apparent in disasters which are represented as fate, or not being able to be controlled by humans. It becomes ideological as failing to blame

corporations for their wrongdoing maintains existing structures of corporate power and it normalises corporate harm. These processes are done subtly and perhaps even without people's knowledge as Mathiesen's (2005) theory of 'silently silencing'⁴⁸ suggests. I examine how this is done in my dataset first, more generally, and second, more particularly by using syntactic nominalisation strategies and agentless passives.

Is it clear that denying agency in the act through language gives the listener the feeling that the event is unforeseeable and unpreventable. This was, to an extent, already covered earlier, but I want to return to it here:

RP3J: the worst accidental building disaster (Compass, 2017)

RP3K: the most devastating industrial accidents of modern times (In The Balance, 2016)

I include the two quotes here because they have one thing in common: both podcasts were produced by a legacy media outlet, the BBC. RP3J uses the commonly employed "disaster" I have already discussed, and RP3K brings the word "accident" into the mix. An accident can be defined as "an unforeseen and unplanned event or circumstance" (Merriam-Webster Dictionary, 2024) and it is a contested term which some argue should not be used in circumstances such as car crashes⁴⁹ (see Strömberg, 2015). While this thesis does not intend to go into detail about the etymology and analysis of the word accident (see Tombs, 2006 for a comprehensive analysis), I wanted to point out that agency is denied through the discourses of 'corporate accidents' in the same way as it is through 'corporate disasters' (Tombs, 2006). BBC then, very clearly, refers to the case in a pro-hegemonic way, not challenging the status quo, which is also to an extent expected, given it is a legacy media outlet mostly supportive of the governmental status quo. However, the denial of agency through language was also present in the rest of the sample that is not journalistic.

⁴⁸ I discuss the theory in Episode 4.

⁴⁹ Unsurprisingly, an industry group comprising corporations was involved in reframing car crashes as accidents in the 20th Century.

In RP3L, the host calls the event a “disaster”, but what is of more interest is the word that follows it. In much the same ways as lightning, the disaster “strikes”. Using the analogy of lightning as a source domain⁵⁰ directly equates corporate crime with natural disasters. There is no human agency behind weather elements, such as lightning. Further, the word “strikes” in the context of disasters is defined as “to occur suddenly and have harmful or damaging effects on” (Merriam-Webster Dictionary, 2024). This quote could be used to signpost the entire episode as an epitome of disasters beyond human control.

However, after the host states this, she goes on and contextualises the quote a little further by adding the word “again”. She mentions a previous occurrence of fast fashion factory deaths in Bangladesh – albeit through using the word “accident” – namely the Tazreen factory fire.⁵¹ The host explains that there have been many fatalities in the fast fashion industry in Bangladesh which suggests the presence of underlying systemic issues. However, by labelling these events as accidents and disasters, the crimes seem to be happening to the industry rather than in the industry or being caused by it. This was also found in a study that analyses BP press release discourses where the Deepwater Horizon is portrayed as an event happening to BP rather than being committed by BP (Ras, 2021). In so doing, agency is denied through positioning the actors as the object (the receiver) rather than the subject (the doer).

Consequently, denying agency in the act through language implies to the listener that there is no intention behind the event but that it is even unforeseeable and, therefore, unpreventable. ‘Things’ are observed to be happening of their own volition or are syntactically changed to reframe the actor in question as an actor that events happen

⁵⁰ A source domain for rhetoric devices refers to the source from which the device is drawn (Machin and Mayr, 2023). Here, it would be lightning, an element of force and nature.

⁵¹ A factory fire in Bangladesh that happened only months prior to the Rana Plaza collapse, killed 117 and injured a further 200 people. When the fire broke out, workers were unable to leave the building due to locked emergency exits that were supposed to prevent workers from leaving (Chowdhury, 2017)

to. As I explain in the next part, this is further reinforced through linguistic strategies: nominalisations, personifications and agentless passives.

3.4.1. Nominalisation and Personifications

In this section, I discuss the strategies of nominalisation - when verbs and processes are represented as nouns and personification – assigning human-like capabilities to inanimate objects (Machin and Mayr, 2023) - herein to provide more context and background for the concealing of agency in the disaster discourses of corporate crimes. My aim is not to go into extensive detail as this is not a thesis in linguistics, but to explain phenomena relevant to the study of podcasts' portrayals of corporate crime. Nominalisations were described as having multiple effects, the most important of which was removing responsibility and agency, where events are observed as happening on their own which can conceal agents and perpetrators (Machin and Mayr, 2023). This can be observed in the following quote:

DH3I: the cause [of the explosion] was the failure of the cement to set (The Good The Bad and The Pure Evil, 2022)

DH3J: the rig explosion sank the Deepwater Horizon (The Real News Podcast, 2022)

DH3K: a surge of methane gas (Southern Discomfort, 2021)

Describing the explosion on the rig as happening due to “failure of the cement to set” eliminates the possibility of asking ‘why’. If the sentence was rephrased to: “the cause was the cement failing to set”, the listener is invited to ask why that was the case, or the podcasters could continue with ‘due to...’. By changing the verb ‘to fail’ to a noun (the failure), this option is eliminated and with it, the opportunity to assign blame and responsibility. One slight change in language can have far-reaching consequences when it comes to agency. A similar phenomenon is observed in DH3J and DH3K where “the explosion” could be rephrased as ‘the rig exploded’ and “a surge” could be replaced with “methane gas surged” which would again allow the listener to ask why. This was a prevalent linguistic strategy employed in the portrayals of the Deepwater case, especially from those hegemonic podcasts. I observe a similar instance with

personification which happens when human qualities are assigned to objects, processes or abstractions (Machin and Mayr, 2023). The objects become almost human-like actors with their agency and rational minds. Take the following quotes:

DH3L: the BOP [blowout preventer] didn't do what it was supposed to do (Thomas and Rae, 2021)

DH3M: the rig explosion sank Deepwater Horizon that killed 11 workers (The Real News Podcast, 2022)

In DH3L, the blowout preventer (BOP) is said not to have done what it was supposed to do, in much the same way as a person who forgot to do what they had promised to have done. The blowout preventer is a technology *controlled, designed and operated* by humans and has minimal decision-making skills. It failed because of poor maintenance and incorrect wiring (National Commission, 2011) rather than a piece of technology 'acting up'. There was an option for a complete shut-down of the well but given that the whole piece of equipment was not aligned correctly due to poor maintenance, it did not perform as expected. It was not because it *decided* to do so, but because humans did not maintain it correctly. The statement conceals that there were, indeed, some human actors who made decisions that made the BOP act unexpectedly. DH3M sees the explosion as the agent that sank the rig and the agent that killed the workers. Yes, the explosion did result in the deaths of 11 workers but phrasing it as "the rig explosion" does not invite the listener to think who was behind the explosion as "the rig exploded" would. The explosion is assigned a human-like agency and suddenly can kill humans. It could be that both quotes can also be perceived as hegemonic – they fail to question the status quo and conceal the power imbalances by mitigating corporate responsibility and involvement in the Deepwater Horizon explosion and oil spill.

3.4.2. *Agentless Passives*

The last way in which disaster discourses can be seen as devoid of agency is through the use of 'agentless passives. This strategy refers to sentences which omit or background the agent, such as the sentence 'the house was built'. Van Leeuwen (1996) calls it a method of exclusion whereby the attention of the reader – or in this case, the

listener – is refocused. Sometimes, the agent can be inferred and demystified easily, but at other times the agentless passive can have ideological effects, in much the same way nominalisation can. I focus only on four examples in which this has been done.

RP3M: Large cracks appeared in the building (Compass, 2017)

RP3N: the building was subsequently increased by two or three stories (Compass, 2017)

The listener can generate varying degrees of inference. In RP3M, there is no indication as to why the large cracks appeared, they seemed to have appeared on their own and it is unclear what the reason may be. In comparison, RP3N observes the “building having been increased by two or three stories”; the listener could hypothetically think about who would benefit from increasing the capacity of the building. Neither of the quotes specify the agent or assign blame in any capacity, the listener does not know who is responsible for either of these actions. However, RP3M could be labelled more ideological as inferring any agency from it is impossible.

In the Deepwater Horizon case, agentless passives are used similarly, relying more on the technical details of the case seen in the following quote:

DH3N: The recently installed core was structurally too weak (Let Me Google That, 2019)

The listener is given the information of the core being “structurally too weak” and “recently installed” but the information about who installed the core and why it was structurally too weak is omitted. This could result in the listener inferring that the core was incorrectly installed (which it was not), or that the structure was unintentionally weak, perhaps even due to nature with no acting capacities. Neither inference would be aligned with what is known about the Deepwater Horizon case from official investigations.

To conclude the discussion of findings for the disaster discourses in my data, I have chosen the following quote with two more features that are worth mentioning:

RP3O: They've had to increase the amount of buildings and capacity that they have to make garments as fast as the demand has increased (Sustainability of, 2020)

Firstly, RP3O uses the pronoun “they” to conceal the identity and agency behind the decision-makers. Who are they? And why did they have to increase the capacity of the building? This linguistic feature can be used for rendering invisible or obscure, where ‘they’ can refer to whoever has power in this situation, so in this sense ‘us’ with no power is different from ‘them’ with power to make decisions about building capacities (Machin and Mayr, 2023). In the latter part of the sentence, the reason for the increase in capacity is assigned to the “demand” that has “increased”, essentially using the argument that fast fashion production had to be increased within the building due to the increased demand for the products. I unpack this some more below.

In CDA, this is suppression of the agent: demand is not something that has the power to change things or to make decisions, it can be defined as “the desire of consumers for a particular commodity, service, or item” (Merriam-Webster Dictionary, 2024). Demand is increased due to particular agents operating on the market, yet it is presented as “natural and inevitable; something that must be responded and adapted to, rather than something that should be critically interrogated” (Machin and Mayr, 2023, p. 122). Increased demand is taken for granted; it remains unchallenged and is informationally foregrounded as accepted and as the status quo. This is an extension of a longstanding capitalist discourse in which the market is seen as a natural phenomenon to which producers, workers and governments must bend. The demand rising does not mean it must be met; it means that profits are increased with the increasing extent to which it is met. Take, for instance, the example of fast fashion: the majority – around 80% – of fast fashion garments end up in landfills (Clean Clothes Campaign, 2019). Yet, this is not presented to the listener as a fact related to the increased ‘demand’ which only further reinforces the capitalist ideology this statement has connotations of. In doing so, the discourse remains hegemonic.

RECAP OF EPISODE 3:

In this Episode, I discussed the implications and consequences of framing corporate crime as a disaster. I examined some of the literature on the sociology of disasters and closely examined how disaster discourses neutralise corporate crime through lacking agency.

NEXT ON *PODCASTING CORPORATE CRIME*:

In the next Episode, I examine the implications of framing corporate crime within the narrow confines of legalistic definitions of crime, particularly the offenders and the victims of corporate crime.

Episode 4: Corporate Crime Discourses

PREVIOUSLY ON *PODCASTING CORPORATE CRIME*:

in Episode 3 I explained how framing corporate crime as a disaster produces the effects of eliminating the responsible agent and turning corporate crime into acts without any human responsibility and agency.

COMING UP NEXT:

In this Episode, I look at the discourses that frame corporate wrongdoing within the legal definition of crime. I show how framing corporate crime through the lens of crime reduces the acts (and omissions) to individual acts with human victims, thereby failing to recognise the more systemic causes behind corporate criminality. I look at three aspects of crime: the label of crime, the perpetrator, and the victims.

1. Introduction

As argued throughout this thesis, criminal law is inept at dealing with corporate crime, not least because corporate crime is not an individual offence⁵². Further, much corporate crime is not recognised as crime, and much harmful corporate activity is dismissed as an inevitable by-product of essentially productive corporate activity within contemporary capitalism (Tombs and Whyte, 2015). Given these observations, discourses that recognise corporate crime as a crime in the sense of its legalistic definitions could be beneficial for raising public awareness about harmful corporate activity. Compared to corporate disasters, portraying corporate crimes within the context of traditional criminality acknowledges the human agency and offenders behind these harms. This shifts the perception from unavoidable acts outside human control (such as in the case of ‘disaster struck’) to deliberate (or negligent) actions with

⁵² Scholars tend to use the term white-collar crime to refer to the individual perpetration of crimes ‘in the suites’ (see Friedrichs, 2010).

identifiable wrongdoers. This is a positive discursive change, as it acknowledges that corporate crimes do not just *happen* – there is complicity involved, which, in turn, may increase awareness of corporate crimes being *committed*. However, this perspective does little to understand corporate criminality as an interplay between individual, organisational and systemic factors, thus reducing corporate crime to individual perpetration with human victims.

The structure of this Episode is similar to that of Episode 3. First, I present a literature review relevant to the findings, focusing specifically on three aspects of corporate crime: the label of crime, the perpetrator and the victim. Second, the findings are presented in Section III using the same three subheadings. As will be apparent, crime discourses are very different for each case – this may be the result of the countries where the cases occurred, or the circumstances of the cases. Given the differences in the crime discourses surrounding Rana Plaza and Deepwater Horizon, I present my cases under different subheadings.

I want to preface the literature review by stating that crime discourses were much less present in my sample than disaster discourses. Out of the 30 different podcasts, the word ‘murder’ and the suggestion that this was a corporate *crime* were only made in 7 episodes – not as common as the discourses of disaster present in the majority of the episodes. So, there is much less propensity to label corporate crime a crime, a finding in line with previous research on corporate crime media portrayals (Wright et al., 1995; Machin and Mayr, 2013; Macfarlane Horn, 2024). Although the frequency of terms does not form the primary focus of my qualitative analysis, it can highlight that discussions surrounding corporate crime tend to be less prevalent than those concerning disasters.

2. Background and Literature Review

The media rarely uses the language of crime when discussing corporate crimes, as often mentioned in corporate criminology (Machin and Mayr, 2013). Most research has one common thread: corporate crime is not considered a crime (see Baucus and Dworkin, 1991; Friedrichs, 2010). Some scholars go beyond and state that when it is

conceptualised and referred to as crime, it is more akin to minimising the harms of the crime rather than a product of any structurally ingrained injustices (Rothe and Kauzlarich, 2022). Indeed, this is the point of departure for this episode: what happens when corporate crime is thought of as a *crime* where crime is perceived through the legalistic definition of an act against criminal law with a defined individual perpetrator and a human victim?

I focus on just that: crime discourses of corporate crime framed through three elements: the language of criminality, the perpetrators and human victims. In what follows I provide a review of existing literature that examines each element and a discussion on how the media tends to portray these.

In Episode 1, I introduced the operational definition of the term ‘corporate crime’, and how it developed from criminally *punished* acts to acts that are *punishable* under criminal, administrative, regulatory, or civil laws. Here, I explore corporate crime represented somewhat differently – as an *act* (or omission) perpetrated by an individual *offender* with discernible *victims* – and observe whether (and how) the two cases fit into this conceptualisation in the podcasts’ discourses of the cases. Indeed, I use the three very same parameters for such analysis: the act itself which is referred to explicitly as a *crime*; the *offenders* who are primarily individual rather than systemic or organisational; and the *victims* who are human⁵³. By no means is it implied that there are no discourses discussing collective offenders, blaming the entire structures of economic systems for the cases and discussing victimisation beyond human victims. These are present and will be considered in Episodes 5 and 6. For continuity and structure, I refer to the two aspects of criminality in the hegemonic sense of the word that stem from traditional definitions of criminality, rather than how it is understood in corporate criminology. Discourses that recognise corporate crime through a legalistic definition of crime are the starting point for this Episode.

⁵³ As opposed to non-human animals and the environment which will be discussed in Episode 5 alongside environmental harm.

Corporate crimes are less likely to get labelled as crimes in traditional media for various reasons, including the lack of police investigations and prosecutions of corporate criminality. The relationship between law enforcement and the media is often mutually beneficial, allowing the police and courts to be the primary definers of crime news (Machin and Mayr, 2013). Journalists often have ongoing relationships with police officers and can be strategically positioned at courts where offenders get punished (Faucher, 2023). Given corporate crime rarely gets investigated by the police, nor prosecuted in criminal court, traditional media is less likely to report on corporate crimes within crime news.

The absence of a relationship between podcast makers and law enforcement/courts might mean that crime newsworthiness in podcasts will look different. Section 3.1 examines the explicit reference to the cases as crimes. I then move on to section 3.2, where I discuss the individualisation of perpetrators and how this contributes to the isolation of corporate crime, thereby impacting public and media perceptions of corporate criminality as non-systemic. Section 3.3 covers human victims of corporate crime as related to the idea of ideal victimisation and newsworthiness.

2.1. Corporate Crime in Media

Compared to disasters, labelling corporate wrongdoing a crime has one important difference in connotation: the degree to which human agency is ascribed to the acts (or omissions). Disaster discourses obscure human agency: crimes, conversely, carry a different sense of liability and blameworthiness, be it negligence, recklessness, or intention (Moore, 2010). There is undeniably a sense of human agency in criminal acts and/or omissions, seemingly closer to the reality of corporate offending. However, to refer to corporate crime as a *crime* is far from ideal – the intricacies and issues with individual criminal liability, organisational structures and criminalisation processes are not recognised. Nevertheless, doing so recognises that people perpetrate these harmful acts, which can be controlled by altering behaviours instead of being taken as acts of God entirely out of human control.

Whenever the term ‘crime news’ is mentioned, scholars and audiences rarely think of anything but street crime (Greer, 2010). Robbery, sexual assault, theft, violence and drug-related criminality are recurring themes of crime news discourses which render corporate crimes (and other crimes committed by the powerful) along with their victims invisible (Rothe and Kauzlarich, 2022; Cavender and Mulcahy, 1998; Hupp Williamson, 2018). None of this is surprising – the media largely focuses on legally defined crime categories (Reiner, 2002). This can include corporate crime – especially when the harms of such resemble conventional criminality (Burns and Orrick, 2002) - so, corporate crimes do not get entirely ignored by the media. I argue that there are three dominant ways the media engages with corporate crimes based on how they implicate the offenders in the perpetration of the act. I explore them below:

The first level involves strategic ignorance. Some corporate wrongdoing can go deliberately unnoticed in the crime media discourse, especially for environmental corporate crimes (Lynch et al., 2000b). They are reduced to acts beyond human control, as discussed in Episode 3, or they can also be framed as externalities of corporate activities, inevitable consequences of economic prosperity, which I return to in Episode 6.

In the second level, corporate crimes are not ignored, but it is difficult to find criminality in them (Machin and Mayr, 2013). This can be done either through framing corporate crimes as accidents/disasters without any human agency – as covered in Episode 3 – or by not allocating any criminal blame to them by calling them mistakes, errors (McMullan and McClung, 2006), or other euphemisms, such as ‘creative accounting’ used for some financial corporate offenders (see the Enron case study in Barlow and Barlow, 2010).

The third and final level involves including corporate crimes in the crime news discourse, but simultaneously individualising the perpetrators and isolating the incident. There is a focus on individual offenders, and as Rothe and Kauzlarich (2022, p. 25) put it: “The crimes tend to be minimised and personalised, to portray the “perpetrators” as victims themselves, and seldom are systemic control and domination, such as capitalism, implicated, even casually.” Links to any systemic

factors are omitted, and the crime gets so downplayed that it is essentially reduced to one occurrence, at one point in time, perpetrated by one offender going against the normative goals of the corporation (Hupp Williamson, 2018). The media can, then, be perceived as complicit in the normalisation of corporate crimes (Machin and Mayr, 2013) through two techniques: conventionalisation and pulverisation. The former refers to how corporate crime is portrayed as normal and common in the public debate so that it becomes almost habitual or conventional⁵⁴ (Carson, 1979 in Tombs and Whyte, 2015). The latter refers to how corporate crime gets isolated through various isolation techniques, such as individualisation, normalisation⁵⁵, and decontextualisation. The event gets isolated by being made into something unique and atypical, rather than something common and systemic, thereby pulverising the event in the public debate (Mathiesen, 2004). Doing so ensures that the link between corporate offending and wider societal structures which allow it to go on in the first place is never made in mass media. Simply put, the media “decontextualises corporate crimes, eliding the very organisational dimension that is their defining characteristic and obscures the larger structural context of the behaviour” (Vaughan, 1999; McMullan, 2006, Cavender and Miller, 2013, p. 918).

In their portrayals of crime, the media tend to rely on news values to deem which events make it into the news and which are not newsworthy (Jewkes, 2015). News values include proximity, unexpectedness, negativity, personalisation, timeliness (reporting something that just occurred), conflict and unambiguity (Bednarek and Caple, 2017). Again, if one were to take many examples of corporate crime, one would find that they are highly ambiguous due to the legal status of corporate crime, depersonalised due to its links to systemic issues, not timely due to a slow release and spread of harm, expected as a side effect of capitalism and not necessarily conflicting due to the lack of resistance against corporate criminality in traditional news. This makes corporate

⁵⁴ Also connected to Gramsci’s (1971) perception of hegemony as ‘common sense’ I discussed in Episode 1.

⁵⁵ Normalisation may seem contradictory to individualisation, but in this scenario, Mathiesen uses the example of an oil spill in Norway that became isolated from the debate on health and safety/corporate crime and then “*normalised by comparisons with accidents in general in dangerous work performed under difficult conditions, as well as with the mining accidents*” (Mathiesen, 2004, p. 40).

crimes not newsworthy in traditional media. However, for the sake of this Episode, I will focus on the news value of proximity and interpret it as the distance between where the event occurred and where the target audience and media creator are located which was an important aspect of podcasts' discourses of victimisation in my case studies. In what follows, I discuss the research of corporate crime in the media.

2.2. The Perpetrators of Corporate Crime

It is perfectly acceptable to address the potential perpetrator of a crime in news coverage, a practice commonly encountered when the 'definers of crime' – such as the courts or law enforcement – refer to the perpetrators of traditional crimes (Faucher, 2023). The conventional definers of crime are mostly absent in corporate crimes which usually do not get investigated by the police, nor are they prosecuted in criminal courts (Larsson, 2012). Given this discrepancy, the media tends to rely on the corporations – the offenders themselves – to inform them about the perpetrators and the accusations. Now, let us imagine that the offenders have also received extensive preparation from their cultivated and carefully chosen PR departments tasked with ensuring that the corporation's image remains positive in the public eye. The scenario in which the potentially guilty offender has unmitigated support, a full department of people specifically trained to 'fix' their image⁵⁶, as well as a relative absence of any independent bodies that can challenge their accounts through independent investigation would be unlikely in any other area of criminology!

So, it is no surprise that crime media avoids assigning blame to the corporate entity, especially under the threat of libel and defamation (see Levi, 2006). Instead, they focus on individual perpetrators; after all, crime news likes a good attribution of responsibility for wrongdoing (Cavender and Mulcahy, 1998). Such individualisation of responsibility for corporate crimes can be consistently found across financial, environmental, or health and safety corporate crime portrayals in the news (Barlow and Barlow, 2010; Benediktsson, 2010; Hupp Williamson, 2018; Lofquist, 1997; Williams, 2008; Schifferes

⁵⁶ This department is also prepared to take legal action if there is a slight indication that the statement may be defamatory towards the image of the corporation (Levi, 2006).

and Coulter, 2013). When media depict these crimes, they focus on individual defendants, the crimes themselves tend to be minimised and personalised and even portray the perpetrators as the victims themselves (Ras, 2021). Rarely is there an implication of systems of control and domination, such as capitalism (Rothe and Kauzlarich, 2022), and bad apple discourses of corporate criminality can be found even in the most critical traditional news outlets – also known as quality press in the UK (Macfarlane Horn, 2024).

In corporate criminology, the attribution of individual responsibility for collective crimes is called the ‘bad apples’ theory. ‘Bad apples’ are a few individuals who are blamed for the crime in question. If this theory is employed, it minimises the prospect of the whole corporate system being called into question. Corporations are thus perceived as morally good with only a few individual bad apples going against the normative goals of the corporation and a system generally working well (Snider, 1990; Barak 2017). The intention behind promoting this narrative could be to improve public image and to minimise negative publicity (Benediktsson, 2010). Thus, the slight shift of focus from ‘rotten barrel’ to ‘bad apples’ allows corporate power to go unchecked as an ideological effect. There is no surprise that bad apple frames are as prominent within media portrayals of corporate crime, given that they perpetuate that there is nothing wrong with the hegemonic status quo.

The bad apple theory can also be exercised through scapegoating. This refers to assigning blame to ‘low-hanging fruit’ if we use the same analogy of an apple tree, which in a corporation means junior to mid-management rather than shareholders and the actual decision-makers (Garrett, 2015). “Scapegoating is a distraction from more important causal processes that, if unchanged, increase the likelihood that the wrongdoing will be repeated” (Geis, 1967 in Lee and Gailey, 2007, p. 54). It is easy to see how individual assignment of blame through scapegoating contributes to the pulverisation of corporate crimes given that the links between bad apples and a rotten barrel are never made, so much so that it becomes the accepted status quo – the hegemony of corporate crime media portrayals.

2.3. The Victims of Corporate Crime

While traditional criminology may perceive corporate crime – especially financial corporate crime – as victimless, the full extent of corporate crime victimisation is impossible to conceptualise, let alone count (Rothe and Kauzlarich, 2022). Corporate crime victims are rarely included in public discourses on victimisation. There is barely any data collected by the government on corporate crime victims. As corporate crimes rarely get prosecuted through criminal law, there is also no official space for the victims to establish their victimhood and make their voice heard (Whyte, 2012). Crime statistics do not include these types of victims, and even when they can be quantified, corporate crime victimisation is, at best, estimated (see Tombs and Whyte, 2008). Even when the consequences of corporate crime resemble those of traditional criminality – such as loss of life or grave injury – the official discourses fail to recognise the victims as such (Snell and Tombs, 2011).

It is also important to note that corporate crime victimisation goes well beyond direct harm and impact. Rothe and Kauzlarich (2022) use the categories of direct, indirect, or unknowing victims, where direct victims are equated to those who “can be thought of the same way as in interpersonal street crimes with immediate harm or impact” (p. 183); indirect victims can be victimised as a secondary effect of the crime and can be more long-term than the immediacy of direct victims and, the authors argue, they merit equal attention from criminologists as whole generations of people can be victimised; meanwhile unknowing victims do not know having been victimised. Others identify most corporate crime victims as invisible (Whyte, 2012), given their victim status is rarely recognised not least through their lack of engagement with the criminal justice system. Corporate crime victims may include governments, non-human animals, consumers, other corporations, the public, or the environment (Croall, 2001). This invisibility is also perpetuated in the media, where most corporate crime victims are framed as victims of the event that brought the corporate crime into the public spotlight, such as victims of the collapse (Rana Plaza), or victims of the explosion (Deepwater Horizon), rather than identifying who is to blame for the crimes themselves (McMullan and McClung, 2006). Alternatively, corporate crime victims may also be

recognised as ‘numbers’ or ‘faceless’, especially when “their victimisation is the result of the inept status-quo system of the production of violence” (Rothe and Kauzlarich, 2022, p. 185). This can also be attributed to the problems of linking diffuse victims to corporate activity and victims’ unawareness of being victimised (Whyte, 2012).

This Episode spotlights exclusively on direct victims of the two corporate crime cases as the starting point was how corporate crime gets conceptualised within the constraints of legalistic definitions of crime. In what follows, I examine the concept of ‘ideal victim’, which is relevant given that the podcasters treated victims differently in my two case studies. Christie (1986, p. 18) defines an ideal victim as “a person or category of individuals who, when hit by crime, most readily is given the complete and legitimate status of being a victim”. It is a similar status to hero or traitor, maybe more of a trope, but often used in social sciences and media studies. A most apparent example of ideal victims is a mother and a child who are portrayed as entirely undeserving. Christie claims the victim must meet six aspects or attributes to be considered ideal. The victim must be perceived as weak, as a part of a respectable project, not blameworthy, victimised by a big/bad offender who is unknown, and the final attribute is the victim is powerful enough to make their case known without threatening strong countervailing vested interests (ibid.).

The last attribute is of interest: corporate criminologists could argue that corporate crime victims can never be ideal victims as ‘strong countervailing vested interests’ of corporate capitalism will inevitably be challenged by shedding light on victims of corporate criminality. Suppose the corporations in the Global North are the perpetrators. In that case, the Rana Plaza victims can be perceived as non-ideal, given that legitimising their victim status could well challenge the strong countervailing vested interests of globalisation. Comparatively, the Deepwater Horizon victims can be perceived as more ideal due to being a part of a respectable project, which by one podcast was attributed to the heroic oil workers who risked their lives to provide the world with the much-needed commodity of oil and gas. In such a way, Deepwater Horizon victims are entirely undeserving of having been victimised, and they are victims of the *explosion* rather than victims of poor decision-making and profit-prioritising.

Additionally, an issue with Rana Plaza victims could also be attributed to the news value of proximity, as well as the ideological value of human life. The news value of proximity (Galtung and Ruge, 1973; Jewkes, 2015) essentially means that more local events receive more coverage whereas events happening far away may be neglected. I mention it here because of the very different levels of proximity between the podcast hosts for each case. The Deepwater Horizon case happened in the US, where most of the podcasts from my sample have been made and produced (see Appendix B), whereas the Rana Plaza case occurred in South Asia. There may be more sympathising with local victims, which is also related to the ideological value of human life. Additionally, one cannot overlook the fact that there may also be a degree of racism towards the Rana Plaza victims who are of South Asian descent and whose lives may be perceived as mattering less than white victims in the Global North. Consequently, news values must be considered in more systemic contexts as it is not only geographical proximity that makes Rana Plaza victims less ideal but also the socio-political context of the power imbalance between the Global North and Global South, racism and corporate power that render this victimisation less 'ideal'.

In what follows, I present findings and discuss corporate crime discourses that fit into the strict confines of legalistic definitions of crime. I do this in three sections: first, I discuss how podcasts assign the label of 'crime'; second, I focus on the offenders; and third, I discuss the human victims of corporate crime.

3. Findings and Discussion

This section presents findings regarding corporate crime discourses. It merits mentioning that crime discourses of corporate crime were found through explicit references to crime through search terms such as "crim-(-inal, -e, -es)", "homicide", "manslaughter" and "atrocities" which is relevant in section 3.1. The rest of the results then follow the same structure as the literature review section, with a discussion on perpetrators followed by a discussion of human victims of corporate crime.

3.1. Language of Crime

Before focussing on the framing elements, I intend to establish the extent to which podcasters use the language of crime in their depictions of Rana Plaza and Deepwater Horizon. The ‘language of crime’ carries a different connotation than words such as accident, disaster, or wrongdoing. Crime is a politically charged term, contested and deeply ingrained in public perceptions. Corporations are perhaps not the primary thought when someone says crime (except when you are a corporate crime researcher, like me). It is also ideological, given that it carries a set of assumptions, values and power dynamics that reflect and reinforce the interests of those in power to create and enforce laws (Braithwaite, 1982). As such, there is a two-fold argument that can be made: on the one hand, referring to the actions of Rana Plaza and Deepwater Horizon as crimes renders them serious enough to be deserving of criminal punishment but, on the other hand, it could also allow non-criminalised harms to remain invisible. I delve into this discussion more below, first presenting the Rana Plaza case and then following it with Deepwater Horizon.

3.1.1. *Rana Plaza*

The first quote is from a podcast titled *Working Life Podcast*. It describes itself as a pro-union podcast concerned with the issues of the working class (Working Life Podcast, 2017). The podcast covers the Rana case across two episodes, one of which is an interview with Christy Hoffman – the General Secretary of the UNI Global Union (2018) – and Reshma Begum – an activist fighting for better conditions for factory workers and a survivor of the Rana Plaza collapse – who offer differing perspectives. The host, Jonathan Tasini who is a politically left-aligned reporter, opens the episode up with:

RP4A: In April 2013, there was a mass murder of 1138. I want to say that again, 1138 garment workers at the Rana Plaza factory in Bangladesh, that was the biggest toll of workers being killed ever in a manufacturing accident in the history of humanity. I use the word murder because the collapse of the eight-story building that housed

sweatshop garment factories wasn't some astonishing surprise (Working Life Podcast, 2017)

The host refers to the case as “mass murder” which suggests that there is human agency behind the act, using the word murder given that “the collapse of the eight-story building that housed sweatshop garment factories wasn't some astonishing surprise” which suggests that the offender(s) had foreseen that the collapse might occur. Doing so goes beyond pure individualisation of crime discourses as it indicates a degree of systemic involvement and even structural ignorance that was undoubtedly present in the Rana Plaza case. However, it should be highlighted that murder normally implies a degree of premeditation or intention which is not necessarily present here, so a more legally correct term to use would be *manslaughter*. The use of “murder” in these contexts could be seen as a rhetorical device, common in true-crime genres, to induce shock in the audience.

One could perceive this statement as counter-hegemonic, however, its potential is undermined by referring to the case as a “manufacturing accident”. Accidents, by definition, are events that happen without apparent causes, so referring to the case as an accident as one well as not-at-all-surprising murder in breath is slightly antithetical and it can leave the listener confused, ideologically. Discourses that frame corporate crime beyond accidents and disasters and instead, perceive them as stemming from more systemic causes, or as something that was bound to happen based on preceding circumstances can be linked to intertextuality. The *Working Life Podcast* established itself as pro-union and more on the left of the political spectrum with the host Jonathan Tasini, who is well-versed in issues about corporate power in the US, not least due to his occupation as a political strategist and activist. This can explain its propensity to take an ideological stance on current issues, albeit it was done clumsily and semi-counter-hegemonically in this example.

The labels Rana Plaza received in podcasts’ discourses were not limited to ‘mass murder’. The following examples use death and murder:

RP4B: They got charged with murder (All Bad Things, 2017)

RP4C: magnitude of death and murdered victims (Blood & Wine, 2020)

In RP4B, the host uses the word “murder” to explain that the perpetrators got charged with murder, essentially labelling the case a crime. However, given that the responsibility is assigned to the individuals accused of the crime, other systemic factors (such as globalisation, exploitation of the Global South by the Global North and capitalism) get overlooked. Rana Plaza collapse required much more nuanced and systemic participation than more localised corporate crimes due to its global character and involvement of many actors, the government as well as many fast-fashion corporations (Chowdhury, 2017). Calling it a murder that individuals get charged for can isolate and individualise the event which is undoubtedly hegemonic. As demonstrated throughout the Episode, the *All Bad Things* podcast is prone to assigning individual liability for Rana Plaza.

In RP4C, interestingly, the podcasters use the terms “magnitude of death and murder victims”. Again, this suggests corporate crimes are *perpetrated* rather than *accidental*, however, it does little to suggest more systemic participation. The episode that covers the Rana Plaza case is titled “Murdered at Work II”. The hosts cover two cases in this episode, the Rana Plaza collapse and the case of radiation exposure and poisoning from the early 20th century. The first volume of this episode, titled “Murdered at Work”, discusses a workplace shooting and two reporters being shot during a live interview. While radiation poisoning in a factory can be described as related to corporate criminality given its occupational character, the other two cases of ‘murdered at work’ are more individual and less systemic. Overall, the podcast defines itself as ‘true crime’ and it discusses predominantly murder which is suggested by its name of *Blood & Wine* where wine refers to sampling a different wine every episode and blood refers to murder. The hosts explain that their rationale for choosing the Rana Plaza case was the sheer amount of victimisation and, in my opinion, easy to find through a search engine. Consequently, it is expected and almost understandable that the hosts may not be

familiar with the structural forces that drive corporate criminality and in doing so, unable to portray the complexities and nuances of corporate crime.

A similar observation is made in RP4D:

RP4D: [Sohel Rana] makes decisions that fucking kill people (All Bad Things, 2017)

The last quote I wanted to discuss here uses not the 'official' term of murder or homicide, but instead, refers to the act as "decisions that fucking kill people". The host uses a different register and vocabulary that is more conversational than legalistic and uses profanity. Using expletives may serve as a way to get closer to the listener through language that is much more conversational and easier to understand. It could also be said that explicit language invokes more of a reaction and is used for dramatisation in much the same way horror depictions were described in Episode 3. The connotation of "fucking killing people" is different from stating "murder" and while both reference the language of crime, they are different. In RP4D, the language of crime is portrayed through more of an inference: it states that Sohel Rana's (factory owner) *decisions* killed people and while it is true, it was not Sohel Rana's hands that killed the victims. It feels like there is even more distance created between the victims and the offender which further removes the assignment of responsibility for the collapse. It is clear that the blame is assigned on an individual level which is where I turn to in the next section. This discourse is hegemonic as it perceives the factory owner as the sole decision-maker for circumstances that surrounded the collapse of the building which, as relayed in the case study in Episode 1, is far from the reality.

3.1.2. *Deepwater Horizon*

Compared to Rana Plaza, discourses that included Deepwater Horizon in the context of crime were even less foregrounded in the sample. This finding was surprising given that the corporations involved in the case were found guilty in criminal courts, whereas the Rana Plaza collapse involved no criminal fines for corporations involved. This could be attributed to several factors, such as the nature of the harm (environmental harm versus

loss of human life), public perceptions largely impacted by the *Deepwater Horizon* (2016) Hollywood disaster film, and even more systemic/ideological causes, such as corporate power in the Global North and the power BP's PR strategy during and after the spill. Each of these factors is discussed throughout my thesis. Simply put, discourses of the Deepwater Horizon disaster are much more frequent and common than framing the case as a crime.

For Deepwater Horizon crime discourses in my sample, only two different podcasts explicitly refer to the case as murder or homicide. The first quote is from a podcast called *The Hartmann Report*. The host repeatedly refers to Deepwater as corporate homicide and the episode is titled "WAS DEEPWATER HORIZON A CORPORATE HOMICIDE?".

DH4A: This is corporate homicide, it's not an accident (The Hartmann Report, 2021)

Then, the host refers to the case as "corporate homicide" and contrasts this with using the word "accident". Accidents are sudden and imply that the causes were unintentional or outside human control, as discussed in Episode 3. By contrasting the term accident with homicide, the host suggests a degree of human agency in the events. Note I do not say intention as corporate deaths are more likely to be the result of negligence or recklessness that does not amount to intention, albeit there might be foresight or even a contingency plan that accepts that deaths *might* occur (Reiman and Leighton, 2020).

This podcast episode includes an excerpt from an interview between the host – a progressive political commentator Thom Hartmann – and investigative journalist Gregg Palast. Hartmann labels himself a democratic socialist and is politically aligned to the left (Weigner, 2013). Palast investigated the events of the Deepwater Horizon, uncovering that BP had misled US Congress in stating that a Deepwater Horizon-like incident had not previously occurred. Yet, there was a similar blowout at the Caspian Sea in 2008, two years before the Deepwater Horizon (Webb, 2010). Given that this was only mentioned in one other podcast of my sample – The Real News Network which is

also left-leaning in its political ideology - it could be stated that such contextual knowledge of the Deepwater Horizon case is not common and more likely to appear in critical sources of knowledge. This could be seen as ideological since it appears in podcasts with left-leaning ideology. It explicitly points a finger towards complicity in the homicides (instead of accidental deaths) on the board of the Deepwater Horizon, albeit it should be added that the homicide is only related to human beings rather than the thousands of non-human animals that also died as a direct result of the case.

Another word used to refer to the case in the context of crime was atrocity, as observed in DH4C.

DH4C: The company had an ugly history of environmental disasters and other atrocities (Swindled, 2020)

The host uses the word “atrocity” to refer to some of the adverse consequences of BP’s actions. Atrocity is a word usually more akin to war crimes of genocide and crimes so serious they can only be perpetrated on a large scale. The legal definitions of atrocity are not so consistent with the most common understanding of corporate crime⁵⁷ as they are likely to refer to international crimes such as genocide (Huisman et al., 2015). However, framing corporate crime as atrocity in a looser sense could relay the seriousness of such offences better than crime, harm, or disaster ever could. The harm of corporate activities could be compared to the scale of harms caused by war crimes, or the impact and consequences of natural disasters – as explained in the previous Episode and as expressed through the first part of the sentence in DH4C – “the company had an ugly history of environmental disasters⁵⁸”.

Indeed, DH4C frames Deepwater Horizon as a part of other environmental cases in which the main offender – BP – was involved, which is in stark contrast with Mathiesen’s (2004) theory on isolation techniques of corporate crime. DH4C is, then, contextual and loaded with ideological meaning. First, the podcast discusses many other corporate

⁵⁷ Though corporations can be involved in atrocity crimes (see Lambridis, 2010)

⁵⁸ Although the use of the word *disaster* here is a bit unfortunate

offenders, such as Union Carbide, Imperial Food Products, Procter & Gamble, or the Dalkon Corporation (Swindled, 2024); so, finding a suggestion to structural and systemic roots of corporate criminality is no surprise considering the context of the podcast, but it is certainly surprising to find structural links in media portrayals of corporate crime (McMullan, 2006). The host does not explicitly place individual blame, quite the opposite. The perpetrator in the quote is the company. Moreover, acknowledging that this is not the first time the company has committed an offence could suggest that the law is inept at preventing corporate reoffending and punishing the corporation – a significantly consistent finding in literature (Crofts, 2022). The host has a nuanced understanding of corporate accountability that allows him to consider cases in a wider context that is not frequently encountered in any media portrayals of corporate criminality, making this finding significant for my thesis.

The host goes on to try and simplify the case for the listeners by using rhetorical devices:

DH4E: Some say the cover-up is worse than the crime. But if there is no body, or oil in this case, there is no crime (Swindled, 2020)

Here, the host uses the analogy of “no body, no crime”. He refers to the legal concept of *corpus delicti*, meaning that if there is no body, the defendant cannot be charged with murder (Perkins, 1962). The host here compares the phrase “no body, no crime” to “no oil, no crime” which refers to BP’s efforts to hide the amount of oil that was spilling from the public during the first few weeks of the spill (BBC, 2014). He suggests that this could have contributed to how the criminal justice system treats corporations as, logically, if there is no evidence of crime, there will be no punishment. The metaphor has a deeper meaning, it aims to describe many corporate crime complexities in terms of the prosecution and the power corporations have to share only the desirable information that portrays them in a better light than the truth. In a sense, there is an ideological intention behind this, and the host is critical of the status quo, explaining his distrust in how the state deals with corporate crime and how the “hearings in Washington” (Swindled, 2020) never amount to any justice for corporate crime victims.

Overall, there were slight differences between how the cases were portrayed – while Rana Plaza focused on using words such as murder and blaming discernible but individual offenders, the Deepwater Horizon case portrayals used more contextual narratives, albeit the crime label was much less frequently used in this case.

Similar to the previous Episode, the simple label corporate crime receives in its portrayals inevitably impacts how the public perceives it. People will think differently about a disaster or accident than they would about an atrocity, a murder, or a homicide/manslaughter, each with differing hegemonic implications. While traditional media rarely labels corporate actions as crimes, doing so emphasises that these events are not accidents—someone is to blame. However, this often focuses on individual perpetrators, which does little to challenge the dominant hegemony of corporate power. In the next section, I explore how podcasts frame the perpetrators of these crimes.

3.2. Perpetrators

The main problem of portraying corporate crime as crime lies in the inability of the criminal justice system to adequately capture the collective character of the offender, nor to focus on the more systemic causes of corporate criminality. This leads to portraying a few ‘rogue’ offenders as bad apples of an otherwise functioning system, or scapegoating, where the blame is assigned to a few lower-level individuals instead of those in power who may have been the decision-makers.

Both phenomena contribute to pulverisation, whereby offenders (as well as the incidents overall) are isolated with the aim of diffusing blame (Mathiesen, 2004). This is especially present in Rana Plaza discourses, which often do not go beyond portraying the factory owners as the bad apples of the system, whereas Deepwater Horizon tends to scapegoat the BP managers who were on the rig during the explosion. Below, I explore the implications of individualising offenders of corporate crime for each case separately.

3.2.1. Rana Plaza

Holistically and based on the case study, many different individuals could be seen as the perpetrators in the Rana Plaza collapse, ranging from the primary factory owner, Sohel Rana, the engineers, building developers, government workers who granted the flawed planning permission, or even other factory owners (BBC, 2013). The most salient offender in my sample was the factory owner, Sohel Rana who is portrayed as greedy and indifferent to suffering and the seed of all evil for the case.

RP4E: Rana is the biggest piece of shit that ever existed...make[s] decisions that fucking kill people (All Bad Things, 2017)

In RP4E, *All Bad Things* uses the label “fucking killing people” and calls Sohel Rana “the biggest piece of shit that ever existed” which is a classic example of bad apples in corporate crime media portrayals. The use of the rhetorical device of explicit language assigns blame with finality; no one can misinterpret that Sohel Rana was the one that should be blamed, given he is not a piece of shit but the *biggest* piece of shit that ever existed. Additionally, it is stated that his decisions “killed people” rather than having contributed to the environment in which people were killed. No link is made between factory owners, the climate of outsourcing, the power imbalance between the Global South and Global North or the global supply chains. Most importantly, there is no mention of why these decisions were made. How fast fashion supply chains work is not being challenged, nor questioned, it is taken for granted, accepted as something normal and therefore hegemonic. This is done similarly below:

RP4F: quotas imposed by factory owners that oversell to their clients and underpay their employees (Alarmist, 2021)

In RP4F. the host blames not only Sohel Rana but also other factory owners, which acknowledges that this issue goes far beyond what happened in Rana Plaza. It is ambiguous as it is unclear whether all factory owners are bad apples due to “overselling to their clients and underpaying their employees” or whether something more systemic

is at play. The podcast episode overall recognises some degree of systemic market-wide participation in practices that harm fast fashion factory workers where one host of the podcast argues that “cis-capitalist-hetero-patriarchy” should be to blame for the Rana Plaza collapse (Alarmist, 2021). In RP4F, factory owners are the bad apples to be blamed for creating the conditions in which the crime happened. The issue is that it shifts the blame onto the factory owners who impose such conditions on the workers through overselling to their clients, rather than the clients threatening to go elsewhere if prices become too competitive, an issue I explore further in Episode 5. In that sense, the link between systematicity and bad apples is never made.

Building upon the idea explored in RP4E, I wanted to go back to the *For Want of a Nail* podcast which centred around developing the bad apple frame for Sohel Rana as well as other factory owners:

RP4G: Sohel the Shithead and the owners of the five factories ordered everybody back inside and terrorise them into complying. And that in my opinion, makes Sohel the Shithead and those factory owners murderers (For Want of a Nail, 2022)

The host of this podcast gives Sohel Rana a nickname and calls him “Sohel the Shithead” throughout the whole episode, emphasising how morally corrupt Sohel was. This analogy or metaphor is derogatory and offensive. This discourse focuses on individual blame and in doing so, diverts the attention from broader systemic issues. It is designed to provoke an emotional reaction in the listener and provides a moral judgment as it perceives Sohel Rana as morally corrupt. In a sense, if a podcaster perceives as one person being responsible for the death of over 1,100 people, this perception likely causes a schema incongruent which I mentioned in Episode 3 when discussing corporate crime through the lens of horrors (see Crofts, 2022). If any one individual causes thousands of deaths, they must be evil or morally corrupt, otherwise, we are unable to comprehend how this is possible.

Moreover, the host also states that other factory owners are “murderers” in their decision to send the workers back into an unsafe building. This is not necessarily

incorrect – factory owners did send people back into an unsafe building which collapsed shortly after it was deemed unsafe by the fire brigade (BBC, 2013). However, by isolating these few individuals, the host fails to link the Rana Plaza case to wider inequality and power structures. The listener will only perceive a few individuals as responsible for the collapse rather than linking it to how economic and corporate power facilitate such cases. In this sense, this statement is entirely hegemonic.

The centrality of the factory owner in the case is also linked to other factors – and relatedly Sohel Rana was also arrested for other charges of corruption (BBC, 2017). The podcast builds him up as an evil villain and a ‘thug’ who is greedy and arrogant. He is perceived as the seed of all evil, the ultimate worst apple of an otherwise normal system.

RP4H: Sohel the Shithead...hired thug...a lot of political influence...mayor was in his pocket... (For Want of a Nail, 2022)

RP4I: And it was all a result of one man's greed and arrogance, and how that was spread via corruption and bribery to officials around him (For Want of a Nail, 2022)

RP4J: In Bangladesh, garment manufacturers are extremely politically connected and wield a lot of power (Working Life Podcast, 2019)

In RP4H and RP4I, the host of *For Want of a Nail* continues with the same narrative which strongly emphasises Sohel’s involvement not only in the collapse but also in the corruption of other officials that allowed the Rana Plaza building to be extended without proper planning permission (BBC, 2013). In the former, the host acknowledges that Sohel Rana gained economic and political power. In RP4I, Sohel’s “greed and arrogance” is seen as the root of the evil “spread via corruption and bribery to officials around him”. To me, the blame for corruption and bribery lies not solely with one party, there is one party who offers the goods and the other party that accepts it, it requires the involvement of more than one party, both of which are equally complicit. Therefore, the host’s blame for corruption is perceived as misassigned as it does not spread from

one person to another and the reality of it is more nuanced than that. While corruption and bribery are systemic to an extent, the host could instead ask: Why was there a need for corruption/bribery? What was the end to which corruption was used? Why did the factory owner need illegitimate means to achieve his goal? These questions remain unanswered.

In contrast, RP4J essentially expresses the same idea of corruption and bribery. Still, it does so in a much more contextual way that provokes less of an emotional reaction in the audience and is thereby more objective. Here, the *Working Life Podcast* calls garment manufacturers “extremely politically connected” and “wielding a lot of power”. Doing so foregoes the individualisation of Sohel Rana as the sole cause of the Rana Plaza collapse and instead, it points to conditions common throughout the market. It discusses power more explicitly whereas RP4H/RP4I use words like political influence, bribery, greed and arrogance that are much more emotionally charged.

The broader participation observed in RP4J is also reflected in the two quotes below that discuss more than one person as having been involved in the collapse:

RP4K: Local courts in Bangladesh... they put 41 people on trial for murder charges who were responsible (Social Entrepreneurship & Innovation, 2021)

RP4L: This is absolutely one of the saddest and most infuriating stories I have ever heard. Naked greed and indifference caused the deaths of over 1100 people...greed of three dozen rich fuckheads (For Want of a Nail, 2022)

RP4K describes 41 individuals having been charged with murder for the events of Rana Plaza (which suggests that there were plenty of bad apples on that tree, but it fails to connect such broad participation to something more systemic). In contrast, RP4L describes three dozen individuals (in other, expletive and sensational words) having been greedy and indifferent and thus causing deaths. I am presenting these two quotes side by side to highlight the differences in their discourses. RP4L is much more sensational and value-laden than the RP4K, it mentions explicit words like “*fuckheads*”

who are “*greedy and indifferent*” to describe the offenders. The full podcast episode is quite sensational, and the explicit language is something the host uses very often to entice a reaction from the listeners. The podcast name itself ‘for want of a nail’ is a proverbial rhyme⁵⁹ which illustrates how small, insignificant action can escalate and become a significant failure. The host thus perceives the case more as a “small” failure of individual greed and indifference rather than perceiving it as stemming from broader structures of capitalism, consumerism and economic power concentrated in the Global North that is at play. There is a degree of systematicity in that sense, but it is incorrect as Rana Plaza did not stem from a series of bad, individual decisions. Instead, the decisions were only made due to being ideologically driven, as demonstrated in Episode 6.

The overall issue with the bad apples discourse in the Rana Plaza case is that it fails to question and make links between factory owners and wider structures of power imbalances between the Global South and North that allow this type of offending to happen in the first place. Simply put, the concept of corporate crime perpetrated by bad apples of an otherwise working system is taken at face value. Many complexities of corporate crime remain unquestioned, so the discourse is mainly hegemonic.

3.2.2. Deepwater Horizon

The Deepwater case follows a similar pattern of individualisation of blame discourses. However, it is done more subtly with some recognition of structural factors, such as negligence, or pressure from individuals in charge that contributed to the decision-making processes on the rig. Surprisingly, there is some discussion of scapegoating which in corporate crime refers to the process of assigning blame to one individual regardless of whether they were deserving of it or not. In this case, it was a few middle managers who were also prosecuted individually for the negligent death and injury of workers on the rig (BBC, 2014).

⁵⁹ The full proverb goes: "For want of a nail, the shoe was lost; For want of the shoe, the horse was lost; For want of the horse, the rider was lost; For want of the rider, the message was lost; For want of the message, the battle was lost; For want of the battle, the kingdom was lost" (National Poetry Day, 2024).

The first quote pins the blame onto two BP supervisors who were on the rig on the night of the explosion:

DH4F: two highest-ranking BP supervisors onboard the Deepwater Horizon known as BP well site leaders or company men... negligently caused the deaths of 11 men and the resulting oil spill (Antemortem, 2021)

DH4F refers to the supervisors as “company men” which highly suggests reducing the individuals to only their function. This process is recognised in CDA as functionalisation. It describes people in terms of their occupation or ‘function’ in society, which sounds much more impersonal and can contribute to the legitimacy of those being portrayed (Machin and Mayr, 2023). When the listeners imagine these so-called company men, they will see men in suits, with high-stakes jobs, making decisions on a high floor of a corporate office. Rarely would they imagine what is perceived as ‘traditional’ perpetrators of crime. Calling them company men reduces these individuals to that image and nothing else. The suggestion that such individuals should be imprisoned can be incongruent – men in suits are not the typical offender profiles of criminals, except when you are a corporate criminologist.

The second aspect of the quote that is interesting is the mention of negligence which is not commonly found among individualistic portrayals of corporate crime as they do not tend to go into as much detail. However, a federal judge ruled that BP’s behaviour was attributed to ‘gross negligence’ and they have acted ‘recklessly’, so the use of the word negligence may be related to what podcast hosts read online in preparation for recording the episode rather than an actual understanding of what negligence means in corporate crime. If that were the case, words like negligence and recklessness would not appear alongside discussions of the spill as it was unravelling in traditional media outlets. This podcast was made well after all the facts of the case have been published, so the word negligence, in this case, may be used to increase the professionalism of the episode rather than to discuss any blame assignment of corporate criminality.

Overall, despite mentioning the nuance of negligence for corporate offending, DH4F highly individualises corporate offending as it assigns blame to two individuals and in doing so, only reinforces the existing power dominance of corporations. A similar view is portrayed in DH4G:

DH4G: just for greed man, for money...that dude wanted to push ahead to get back on schedule, and he killed 11 people and probably millions of animals. (Thoughtz Out Loud, 2019)

Here, the podcasters explain that a “greedy dude killed 11 people and probably millions of animals” instead of “company men negligently caused the deaths of 11 men”. Even a non-expert layperson can sense the difference in tonality/register and vocabulary between the two quotes. DH4G appears more conversational and uses the word “dude” to describe the offender. The word selection of *dude* is a stylistic choice, one that is conversational and personal – dude is someone nice and cool, it is not a word normally associated with perpetrators of violent crime. This choice could contribute to the minimisation of the actions of perpetrators of crime. It could have been used for audience engagement as much of the podcast episode is very conversational, and even the title uses an incorrect, more colloquial spelling of the word ‘thoughts’⁶⁰, but it inevitably has a different connotation as if the host used a word associated with criminality, such as perpetrator, or offender. In doing so, human involvement in the crime is individualised, minimised and thereby hegemonic.

Another difference lies in the assignment of intent where in DH5F the individual (or two) is seen as “negligently causing deaths” and in DH5G “dude kills people” which sounds like “dude” could have done it with his bare hands. The connotation of the distance inserted between the offender and the crime in DH4F could be interpreted as other, more systemic, factors that could also have contributed to the 11 deaths and it is up to the listener to fill in the blanks. On the other hand, DH4G leaves no space for imagination, and it oversimplifies the complexity of corporate offending, there is never

⁶⁰ The hosts also use the words “suit and ties” (Thoughtz Out Loud, 2019) to describe BP officials on the rig elsewhere in the episode which is more akin to the “company men” from DH4F.

one “dude” who “kills people” and “pushes to get back on schedule”; corporate chains of command are known for diffusing responsibility as much as possible (Braithwaite, 1992) and causes of corporate crime are much more systemic and complex.

While DH4F and DH4G blamed the BP officials on the rig, others took to blaming the CEO of BP at the time, Tony Hayward:

DH4H: Under Hayward's guidance, BP had downplayed the spill. In fact, Hayward was heard complaining that the spill was taking up all of his time. Poor guy (Antemortem, 2021)

DH4I: It's a greedy son of a bitch... he actually got ousted because, after this whole thing... They actually fired him. (Mile Higher, 2021)

The podcast *Antemortem* from DH4H, much like in DH4F, demonstrates some understanding of corporate decision-making, it describes the crime as having happened “under Hayward’s guidance” rather than Hayward directly killing the victims and causing the spill. To an extent, a CEO may well be the primary decision-maker of the company, but many more interests need to be considered, such as the shareholders, partners and others. The quote uses irony to describe the CEO as a “*poor guy*” which is meant to be a structural opposition, or expressing what one thinks as an antonym (Machin and Mayr, 2023), given that the host does not perceive Hayward as a poor guy, much the opposite. DH4I uses “greedy son of a bitch” to describe Hayward, which has a stronger connotation – due to being a curse word – and emotional impact than ironically saying “poor guy”. Greed as a theme comes up yet again in the context of individuals rather than greedy corporations competing to dominate the industry⁶¹.

Lastly, the Deepwater Horizon case also recognises a degree of scapegoating. While this is commonly recognised in academic knowledge (Garrett, 2015), it was somewhat unexpected to find a mention of it in my sample. Two quotes are of note:

⁶¹ I explore the term “greed” in Episode 6 further.

DH4J: These were all mid-level executives, so there wasn't anyone from a high level that was prosecuted (When It Goes Wrong, 2022)

DH4K: I'm not so upset with them, maybe because I don't really know the details. I do feel like they were hung out to dry. I feel like they are the low-hanging fruit. Yeah... They were the scapegoat (Southern Discomfort, 2021)

Both quotes criticise that mid-level executives were blamed and prosecuted for the crime, suggesting a degree of injustice. In either of the quotes, it is unclear whether the hosts thought that high-level executives should instead have been prosecuted, which would suggest that corporate offending is still individualised, which seems to be the case for DH4J. Alternatively, it could be said that DH4K does not specify a different party that should be prosecuted, letting the listener decide what their preferred outcome would be. DH4K as opposed to DH4J does not make any suggestions as to whether more systemic factors should be blamed, such as the “board” or other stakeholders for creating hostile conditions in which the crime was allowed to happen. As such, it seems potentially counter-hegemonic in criticising the status quo of prosecuting mid-level executives. However, it is too tentative to be considered genuinely counter hegemonic.

3.3. Victim Justice

The last aspect of crime I cover in this Episode is victim justice. As discussed in section 2.3, the way victims of crime get portrayed in the media can make them appear on a scale from entirely undeserving to entirely expected. There were differences between the portrayal of victimisation in the two cases. Leaning on Christie's theory of the ideal victim (1986) I explored in section 2.3, more sympathy was expressed for the Deepwater Horizon victims (they appeared more ideal) whereas for Rana Plaza, victims were collectivised and functionalised despite meeting some of the ideal victim traits. In the following section, I delve more into this discussion, presenting the two cases in turn. To reiterate, in this Episode I am only referring to human victims to make it consistent with legalistic definitions of criminality. Non-human animals and other types of victimisation (such as environmental) are discussed in the next Episode.

3.3.1. Rana Plaza

The victims of Rana Plaza included 1,134 deceased, over 2,500 injured as well as their families. In general, the victimisation caused by the case was predominantly observed in injuries and fatalities which with itself carry even more non-criminalised types of harm, such as loss of livelihood, PTSD after the incident, or inability to work and provide for their families (ILO, no date). The prominence of death and injuries in the case could be a part of the explanation as to why Rana Plaza was more likely to be labelled within the legal definitions of crime which I discussed in section 3.1.

The victims of the Rana Plaza collapse were referenced many times throughout my sample. This included references to “Rana Plaza victims” (BBC, 2016), or as “victims of the fast fashion industry” (For Want of a Nail, 2022). This was unproblematic and consistent with perceiving the Rana Plaza case within the legal definitions of crime with human victims. My sample of Rana Plaza episodes has 48 direct references to the word ‘victim’. However, when it became problematic was when victims were referred to as something other than people or victims which is what can be observed below:

RP4M: The disaster killed more than 1100 garment workers (BBC, 2016)

RP4N: more than 1000 workers were killed (Working Life Podcast, 2017)

In the examples, the victims are referred to as “workers”. This is a phenomenon called functionalisation or collectivisation where people are grouped based on similar characteristics (collectivisation) or based on their occupation/function (functionalisation) (Machin and Mayr, 2023). However, as opposed to the example of “company men” in DH5G, there is no legitimisation in calling the victims workers, quite the opposite. It dehumanises the victims and reduces them to only one characteristic, their work. It is not necessarily that the term ‘victim’ is never used, but it is given less salience than the term “worker” found in the text more than 450 times as opposed to 48 times for victims. Granted, the term “worker” is applied to the victim of the collapse and factory workers more generally when discussing the circumstances of the fast fashion

industry. However, when this is compared to the victims of Deepwater Horizon, which, as will be demonstrated were humanised and treated with respect, it cannot be overlooked that collectivising victims of the Rana Plaza collapse into “workers” can inevitably be linked to underlying processes. Rana Plaza claimed over 1,100 victims while Deepwater Horizon killed 11 victims and injured a further 17 people, yet 11 victims were seen as having more value and deserving more respect than 1,100. I unpack this some more after discussing the next aspect of importance here.

Additionally, the victims are rarely represented as grammatical agents⁶², things seem to be happening *to* them rather than being done *by* them. For instance, *Alarmist* (2021) uses the sentence “workers were ordered to come back” where workers are deemed powerless and dependent on whatever the factory owners decide. This linguistic choice can be perceived as ideological. In capitalism, the ultimate objective is to obscure the worker as the only source of value by exchanging labour for a wage in pursuit of amassing capital. When workers are not presented as active agents in sentences, the discourse is seen as accepting capitalist ideology that devalues individual labourers’ agency. In my sample, workers are perceived as lacking grammatical agency (as the subjects performing actions) and real-world agency (as individuals with power and in control of their circumstances). They are depicted as powerless against factory owners’ decisions. This framing only helps maintain the power dynamics between powerful factory owners and subservient workers.

This is also linked to the perception of workers being expendable. In capitalism, labour is a commodity that can be replaceable. If workers refuse or are harmed, others will always take their place. The disposability of workers is highlighted in the two quotes below:

RP4O: If a worker dies or gets themselves injured, there's always more where that came from (For Want of a Nail, 2022)

⁶² Grammatical agent in a sentence is the ‘doer’ of the action. For instance, in the sentence “Corporation committed a crime” the agent is the corporation. In the sentence “crime was committed” the agent is omitted.

RP4P: You're just not good enough. You deserve what you are [ironically] (All Bad Things, 2017)

In RP4O, the disposability of workers is explicitly recognised: the podcast host states, ironically, that in case workers are injured, “there are more where that came from”. This suggests that many more willing workers can and will replace those who have died because they are forced into living in a situation where any employment (even working in dangerous conditions for poverty wages that barely cover essential expenses, such as rent) is better than no employment. It could be argued that the workers are no longer victims of corporate crime, but victims of the economic system. It is almost expected that people who fall victim under the guise of economic prosperity claiming to benefit the majority in the long run, a few (thousand) victims for the greater good of more jobs being created in a developing country are disposable and are quickly forgotten. This type of discourse suggests the podcast host understood that the Rana Plaza case was not a one-off incident but is part of a larger whole of capitalist exploitation of workers who are perceived as disposable and expendable, albeit, as mentioned before, the whole episode is ambivalent about whether it recognises the case as systemic or individual.

A similar view is shared in RP4P. To understand this quote, it needs to be more contextualised: the podcast hosts are ironically criticising the perception that people who are born into such poverty that is observed amongst the garment factory workers in Bangladesh have the agency to “pull themselves by their bootstraps” to try and change their socio-economic situation. They say, ironically, that such people “deserve what they are” and suggest that if they “tried harder”, they could achieve prosperity. All of these statements are made ironically to indicate the systemic poverty and disadvantage that cannot simply be changed by “working harder” and in doing so, the podcasters offer a contestation to the capitalist status quo.

Even though including these types of quotes under the heading of victimisation in the Rana Plaza case might seem out of place, the relevance here is that perceiving victims of Rana Plaza as disposable is inherently ideological as it links to the economic

rationality of capitalism. Doing so can either be perceived as accepting the status quo by simply calling the victims “workers”, or it can offer contestations and resistance to it by recognising the systemic creation of such victimisation and disposability.

Returning to a point I made earlier, the term victim is also used in connection to the Rana Plaza collapse which can be observed in the quote below:

RP4Q: the magnitude of death and murdered victims (Blood & Wine, 2020)

In RP4Q, the podcasters refer to the Rana Plaza fatalities as “murder victims” which recognises their victim status and does not deny their victimhood. By assigning the word “murder” to the victims, it links them to a crime rather than perceiving the victims as nothing else but “workers”. What was interesting about the depiction of victims of the Rana Plaza case was that in different contexts, they would be considered the most ideal type of victims. Most garment factory workers who were present during the Rana Plaza collapse were women as well as some children, a point I return to later. In the eyes of Christie’s theory of ideal victim, women and children are frequently referred to as the most undeserving and innocent types of victims (Christie, 1986).

However, in the case of Rana Plaza, it is clear that other factors are more important than their age and gender in rendering their victim status as ideal. I argue that their race, religion and geographic location become more important than their age and gender. The majority of Rana Plaza victims were people of colour, Muslim and located in the Global South. This unique combination might have a knock-on effect on not only how their victim status gets recognised, but also on how likely podcasters are to deem them deserving or undeserving and to the ‘newsworthiness’ of even engaging in discussions surrounding the victims in the first place. As such, one cannot deny there is a degree of racism involved in the decisions of podcasters to depict Rana Plaza victims as nothing more than workers, thereby portraying them in a way that is dehumanised.

Additionally, one more factor further supports my line of argument, which is almost entirely overlooked in my sample. Some of the victims of the Rana Plaza collapse were

children who are usually considered as the most ‘ideal’ victims of crime. There was a daycare centre in the building and children were found among the fatalities after the collapse (Labowitz and Baumann-Pauly, 2014). This was only recognised by three podcasts in my sample (*Das Criminal*, *Blood & Wine* and *Disaster Area*). Rather than being discussed at length, it was briefly mentioned as a fact of the case. This is contrary to what is known about portraying individual victims of crime where innocence and children are seen as much more newsworthy (Bednarek and Caple, 2017).

Lastly, as mentioned in section 2.3, to be considered ideal, victims need not threaten any strong countervailing vested interest (Christie, 1983). Rana Plaza victims do just that, they threaten the strong interests of the economic system which only undermines how likely they are to be perceived as ideal. It could be argued, then, that the race and location of the victims of the Rana Plaza case were deemed important factors in rendering the victims as non-ideal, especially when compared to the Deepwater Horizon victims whom I discuss next.

3.3.2. *Deepwater Horizon*

As mentioned above, the victims in the Deepwater Horizon case were much more personalised and humanised than the Rana Plaza victims which I have attributed to a degree of racism and the ideology of capitalism. The story of the Deepwater Horizon victims is entirely different which is most notable in podcasters’ decision to read the names of the 11 people who died on the rig and to provide them with a few seconds of silence as a sign of respect. While there were many podcasts in my sample that did this, I selected a quote from *Antemortem* to demonstrate a fundamental difference of victimhood in each case:

DH4L: I told you that 11 crew members on the rig died. They were [names read out loud] ... (Antemortem, 2021)

In DH4L, the podcast host refers to the victims as “crew members” which is a functionalisation. As opposed to the “workers” in RP4M/RP4N, portraying the victims as

“crew members” makes them sound like part of a whole (crew), as important members of a larger body that is not ideological given that it does not reduce them to the fact that the only power, they possess is the ability to deliver labour in exchange for wages. In that sense, crew members are free of ideology. It does, however, make them sound more ‘ideal’ given that they are perceived to belong to something (the crew) and could be perceived as part of a larger project of significance⁶³ which adds to their ideal victim status.

More importantly, the statement is followed by reading out a list of names of the 11 victims who died on the rig, which is done not only in this quote, but also in other podcasts in my sample, namely *Antemortem*, *Southern Discomfort*, *Mile Higher*, *Destination Disaster*, and *Causality*. *Southern Discomfort* even used dramatic background music when reading the names out loud. I perceive this as a humanising and legitimising technique that shows far more sympathy towards the Deepwater Horizon victims rather than the Rana Plaza victims. Now, I am not suggesting that the same should have been done for the Rana Plaza case as the victimisation was much larger, but the same could have been achieved by stating that there would be a few seconds of silence to honour the victims of the collapse. This did not occur once throughout the sample and discussions were moved towards responsabilisation of the consumers which I return to in Episode 6. I perceive this as a failed opportunity to legitimise Rana Plaza victims and afford them the same degree of sympathy. Still, it is not surprising to find that ‘white lives matter’ more than people of colour which has been found in media research (Dixon and Linz, 2000).

The legitimisation of Deepwater Horizon victims could also be linked to the Hollywood namesake movie *Deepwater Horizon* (2016), which used a similar technique of pictures of the victims with sad music being played in the background after the movie ended. Given some podcasters said they watched the film, they might have taken inspiration from it and wanted to pay the same ‘respects’ to the victims.

⁶³ As mentioned before, oil is perceived as a commodity that is necessary and people who ‘risk their lives on the rig’ are perceived as heroes (Suchman, 1995).

Another feature I include under the heading of victim justice is the suggestion of BP being the victim of the Deepwater Horizon explosion and spill. This is commonly found in corporate crime portrayals, especially when examining the press releases of corporations (Breeze, 2021; Ras, 2021) whereby the offender of corporate crime is framed as a victim of the circumstances of the incident. In my sample, this was found in the two quotes below which praise BP for admitting to the crime despite not being the ones that were at fault:

DH4M: ... helps a little saying like, alright, we were at fault. Sure. This is one of our representative's, bad [fault]. But we'll take fault for it and take care of you guys (Toughtz Oud Loud, 2019)

DH4N: they did take responsibility for it even though they are leasing this thing right. Technically, it's not like their company (Wanna Match, 2021)

In DH4M, the podcasters suggest that BP's reaction to the post-Deepwater Horizon climate was favourable given that they "took fault" for the fault of "one representative" and were framed to "take care" of the victims. This is similarly portrayed in DH4N, where it is suggested that BP was only "leasing the rig," and they are seen positively as having "taken responsibility" for something that was not entirely their fault.

Firstly, DH4M emphasises the 'bad apples' frame I discussed in section 2.2 where one individual is seen as being singled out for corporate crime despite the systemic blame, which wrongly individualises corporate offending. This is far from the case, even the criminal court judgment ruled that 67% of the fault lies with BP (Department of Justice, 2012b), so the podcast claiming that Deepwater Horizon was not BP's fault is factually inaccurate. In taking the blame away from BP, DH4M re-frames the offender as a victim of the explosion that simply happened on the rig and BP is perceived as acting suitably for paying out compensation and paying for the clean-up of the oil spill despite not being *entirely* at fault. DH4M can be linked to Mathiesen's (2004) concept of pulverisation whereby an incident undergoes various isolation techniques and is not perceived systematically as a part of a whole.

In DH4M, the statement “taking care of you guys” has a very different connotation than a statement saying, “we will pay compensation that may not even cover the medical bills of the injured⁶⁴.” The naivete with which the presenters view corporate crime victimisation increases even more when the hosts call BP’s decision to take responsibility for Transocean’s actions and to “*take care*” of the victims honourable rather than the result of legal proceedings. DH4N follows a similar suit where it is claimed that BP took responsibility for Transocean’s actions, which also conceals corporate power structures. BP is seen as acting responsibly which is given more salience over the other irresponsible decisions that BP made. This could be compared to the metaphor of the ledger often used in corporate crime media reports where one positive action is seen as having disregarded all previous wrongdoing (Klockars, 1974; Ras, 2021). Doing so legitimises and neutralises corporate crime and in doing so, it fails to challenge the hegemonic perceptions of corporate criminality.

RECAP OF EPISODE 4:

In this Episode, I discussed the implications of discourses that frame corporate crime within the narrow confines of legalistic definitions of crime. I argued that doing so creates narratives that individualise, normalise, and conventionalise corporate offending in the media.

NEXT ON *PODCASTING CORPORATE CRIME*:

In the next Episode, I delve into how two types of harm are portrayed in corporate criminality. Namely, I examine the extent of environmental harm and the extent of exploitation of developing countries and workers.

⁶⁴ See ILO (2023) – the victim payouts did not cover the medical bills for some victims on the Deepwater Horizon rig

Episode 5: Social Harm Discourses

PREVIOUSLY ON *PODCASTING CORPORATE CRIME*:

In Episode 4, I looked at the consequences of viewing corporate crime as more traditional criminality with individual offenders and human victims rather than being perpetrated due to complex and multi-layered interactions and structures at individual, organisational and systemic levels.

COMING UP NEXT:

In this Episode, I take corporate crime ‘beyond Criminology’ and focus instead on how the dimensions of social harms of corporate crimes are portrayed. I do so by examining the discourses of environmental harms and harms associated with exploiting developing countries and their workers.

1. Introduction

The amount of power corporations wield and the lack of accountability for their wrongdoing allows them to get away with causing immense harm (Barak, 2017). Not all harm that corporations cause is always criminalised; even if it is, it may only be against the law in certain jurisdictions (Rothe and Friedrichs, 2014). As I discussed in my case studies in Episode 1, even the cases in my sample include much harm that is not criminal. In the Rana Plaza case, this can refer to the lack of criminal legal proceedings after the collapse, or the poverty wages of garment factory workers, the second lowest anywhere in the world (TCWGlobal, 2024). Similarly, not all harms committed by BP, Transocean and Halliburton during and after the Deepwater Horizon were criminalised.

This was recognised by corporate criminologists who advocate for using social harm approaches in the study of corporate crime (Woodward, 2021) and serves as a point of departure for this Episode: I turn away from the label of crime and disaster and focus

instead on the impacts of corporate activities that are most likely not to be criminalised. To me, social harm sits above discourses of crime as it shifts the focus from individual perceptions to more organisational and systemic ones. In this Episode, I adopt a social harm approach encompassing a broader spectrum of effects of corporate activity that is not limited to legalistic definitions of crime. Some of these harms might already be criminalised – such as the criminal prosecution under the Clean Water Act in the Deepwater Horizon case (BBC, 2014), and some might entirely escape legal definitions and be perceived as harmful but expected consequences of ‘doing business’ which I return to in the following Episode. Here, I revisit the concept of zemiology (or the study of social harm) discussed in Episode 1 as a theoretical point of departure for corporate crime definitions. I centre my argument around two types of social harm: harm to the environment and the harms of of exploitation.

Social harms are rarely mentioned in traditional media portrayals of corporate crime. Still, given that listening to podcasts with nuanced arguments that challenge corporate power was my primary inspiration behind this thesis, this Episode examines the extent to which podcasts engage with the notion of social harm. This Episode’s structure resembles that of Episodes 3 and 4 where I first present a background/literature review relevant to the findings, followed by a discussion of the findings focusing on two main types of harm: harm to the environment and harm stemming from exploitation. The latter refers to the exploitation of developing countries in the sense of cheap labour, lesser regulations and even neo-colonialism as well as the exploitation of workers in the sense of poverty wages, dangerous working conditions and even modern slavery.

Before delving into the literature review, it is essential to clarify that the two categories of harm I discuss as a part of my findings are limited to how environmental harm and harms connected to exploitation are depicted, labelled and understood. That is, I do not focus on how they are/should be punished or whether or not they should be criminalised. Instead, I take the destruction of the environment and the exploitation of the Global South and its citizens at face value and explore the discourses surrounding these two themes. My discussion includes references to highly systemic issues, such as neocolonialism or globalisation, I reserve the discussion of capitalism and corporate

power for Episode 6 even though they technically fit within a zemiological analysis. This was driven mainly by my thesis' argument that capitalism and corporate power are the underlying reasons for these systemic processes, so they are discussed separately.

2. Background and Literature Review

As mentioned in the introduction, I focus on two types of social harm associated with my case studies: environmental harm related to the Deepwater Horizon oil spill and exploitation of developing countries and their workers related to the Rana Plaza collapse. I understand zemiology – the study of social harms – as the theory which fills the gaps in criminological understanding of corporate crime by shining a light on acts that are not necessarily criminal, but unquestionably harmful. Zemiologists believe “harm production is structural, institutional, relational, and inherent to both power and powerlessness” (Canning et al., 2023, p. 502). In the context of corporate crime, this means that the structural causes, such as neoliberal capitalism and global outsourcing, give rise and essentially permission to corporations to act in a way that prioritises their profit over harming nature with its resources, the economy, the environment, and also us – people. In what follows, I address two distinct categories of social harm in turn: environmental harm and the harms of exploitation.

2.1. Environmental Harm

The initial category of social harm I address in this section pertains to environmental harm habitually caused by corporations (Whyte, 2020). This is not to say that corporations cause all environmental harm – other perpetrators like states can also be involved in environmental damage by failing to regulate sectors that harm the environment, or by directly owning a natural resource (see Wegenast, 2016). However, as will be demonstrated, most environmental damage is caused by the corporate nexus which forms the basis of my analysis.

The term ‘harm to the environment’ refers to the environment broadly, including both human and non-human life, as well as to the biosphere and ecosystems (see for

example Brisman and South, 2018, Kramer, 2020). Corporations are responsible for many of these harms: only 100 companies are responsible for over 71% of carbon emissions over the past 30 years and the top 50 polluters are responsible for over 50% (Griffin, 2017). Additionally, they externalise these harms, meaning that environmental harm becomes collateral damage of “necessary” corporate activity (Whyte, 2020).

Environmental harm can sometimes be captured under criminal or regulatory laws like in the Deepwater Horizon case – the three offending corporations were indicted in the US under the Clean Water Act for the oil spill. However, this type of legislation is ineffective, as much of corporate activity is transnational, making it difficult to prosecute corporations across different jurisdictions (Barak, 2016). Additionally, each jurisdiction might have varying interests⁶⁵ to regulate the environment (see Shinsato, 2005). The fact that the powerful do not protect the environment should come as no surprise given the pinnacle of global economic systems – capitalism – requires that profit takes precedence over the protection of the planet (Whyte, 2020) and much of this power is held in the hands of corporations.

Various perspectives exist for conceptualising environmental harm, be it through the lens of green criminology, zemiology, or criminology under the label of ‘crimes of the powerful’, as well as through exploring the concept of ecocide. When it comes to the former, green criminologists take the idea of damage to the environment as central to their scholarship, whether that is focussing on the causes, responses, or prevention of such (see McClanahan, 2020). They rely on criminal, civil and regulatory systems to regulate ‘green crimes’ and only refer to systemic factors when linked to law-making. Hence, the notion of ‘crime’ remains central in their scholarship. Thus, for the purposes of this thesis, I move away from the perspectives of green criminology given its emphasis on environmental concerns rather than the issues of corporate power.

⁶⁵ These interests can vary from political interests that simply overlook the importance of the environment, such as the Brazilian president Bolsonaro (Greenfield, 2023), but they can also include the need to maintain foreign corporate investment in developing countries (Tombs and Whyte, 2009).

Instead, I rely on the approaches from scholars within zemiology who advocate for using this discipline for examining environmental issues. Woodward (2021) contends that “zemiology can contribute to our understanding of global environmental harm by provoking deeper consideration of underlying structural features and how these can be effectively responded to” (p.2). This perspective is also upheld by Kotsakis and Boukli (2023), who advocate for the relevance of zemiology in the study of oil spills. They explore the notion of ‘transversal harm’ which goes beyond straightforwardly ‘one-type’ social harm approaches and centres around the idea of “cross-cutting at the intersection of multiple registers of harmful effects... along with poverty, inequality, competitive individualism, consumptive lifestyle, a whole host of other social issues” (Kotsakis and Boukli, 2023, p. 88-89). As such, transversal harm approaches, to them, frame environmental harm as being “embedded in ‘existing varieties of capitalism”” (Pemberton, 2015 in Kotsakis and Boukli, 2023, p.83). While their account and a new theory for environmental harm are compelling, the perspective of Canning et al. (2023) stipulates all harm creation as systematic and institutional by arguing that “harm is a product of unjust, complex economic, political and social relationships, frequently expressed as global inequalities” (p. 515). Following that, I find the idea of transversal harm redundant given that all harm can be considered transversal in different ways.

Lastly, I wanted to introduce the concept of ‘ecocide’ or “the extensive damage, destruction to or loss of ecosystems of a given territory, whether by human agency or by other causes, to such an extent that peaceful enjoyment by the inhabitants of that territory has been severely diminished” (Higgins, 2012, p. 3). Ecocide goes beyond green criminology, zemiological environmental harm and transversal harm as it truly centralises ecological destruction at the heart of its analysis. It recognises the power imbalances embedded in ecological destructions such as climate change by arguing that those who are least responsible for it and least able to change anything are those who are worst affected by it (Shiva, 2008; Bulkeley and Newell, 2010; White, 2017). In his exploration of ecocide and crimes of the powerful, White (2017) argues that ecocide is a harm-defining process which can be conceptualised criminologically as a type of crime. He links environmental degradation and transformation to the nexus of capitalism, the global capitalist mode of production and the power held by

transnational corporations obliged to continuously prioritise profit over environmental concerns⁶⁶. Whyte (2020) develops this line of thought by arguing that corporations have “limitless capacity for destruction” and to eradicate ecocide, we need to “kill the corporation before it kills us” (p. 173-175). This is a position I also adopt in my thesis, given the prevalence of corporate involvement in destroying the environment.

Environmental harm has many forms: it can be direct, as was observed in the Deepwater Horizon case where the corporations caused a three-month-long oil spill and subsequent toxic clean-up which directly polluted the waters of the Gulf of Mexico, devastated its ecosystems and killed or deformed millions of animals. This is only the direct environmental impact rather than the residual harm to the residents of the Gulf and people involved in the clean-up (see Episode 1). The harm can also be more indirect, as observed in the Rana Plaza case where the environmental harm is more related to the whole industry that deliberately produces clothing of low quality from unsustainable synthetic materials such as polyester to reduce the life cycle of clothing to force customers to buy more (Simončič, 2021). Simply put, the Rana Plaza collapse did not ‘cause’ any out-of-the-ordinary environmental harm. Still, it is part of the fast fashion industry which is notable for its environmental pollution (ibid.).

The environmental harms of fast fashion include reliance on fossil fuels in making synthetic materials, toxic wastewater pollution, toxic dyeing, and the connection of unsold items—in particular, up to 85% of them—sitting in landfills (McFall-Johnson, 2020). The industry is the second worst polluter after gas and oil (Sustain Your Style, 2020), which often escapes academic and popular attention.

Before discussing media depictions of environmental harm perpetrated by corporations, I would like to add that my narrow conceptualisation of environmental harm only considers harm relevant to my case studies. Many other types of

⁶⁶ Again, this is another overlap between environmental harm and corporate power, but I reserve the discussions of power for the next Episode.

environmental harm exist but are out of my research's scope and will not be discussed here.

2.1.1. Environmental Harm in the Media

Both environmental harm and crime are significantly underreported in traditional media sources (Brisman and South, 2014). When reported, there is a disproportionate focus on individual, rather than systemic offenders like corporations (Lynch et al., 2020a). As relayed throughout my thesis, media frames many corporate environmental harms as industrial accidents and disasters (see also Katiambo, 2021). If solutions are proposed, many overlook the complicity of systemic causes, such as the capitalist market economy, while deflecting the attention towards consumers who are encouraged to consume less rather than holding corporations accountable for acting irresponsibly (Whyte, 2020).

Much of the literature on media portrayals of environmental harm coincides with “disaster” reporting I have already covered in Episode 3. While corporate crime coverage is generally low compared to traditional criminality, environmental corporate crimes receive even less attention within corporate crime portrayals (Lynch et al., 2000b, Brisman and South, 2014). Within these crimes, long-term environmental harms become underreported while simultaneously overreporting the risks associated with the “disaster” (Fitzgerald and Baralt, 2010). Lynch, and colleagues (2000b) investigated the extent to which corporate environmental crime was reported in Floridian local news. They find that only nine out of almost 900 articles covered ‘accidental’ chemical releases. Hupp Williamson (2018) examined how the infamous case of DuPont’s⁶⁷ water contamination was portrayed in the news, finding that the media plays an important role in framing public opinion on the case. It tended to individualise blame for the offending while encouraging the public not to overreact by introducing new regulations before knowing scientific findings, thereby minimising the risk of such environmental harm.

⁶⁷ DuPont is the company involved in designing and implementing the PFOA material on non-stick pans. In 2024, they were indicted for contaminating public water systems with ‘forever’ chemicals, exposure to which was linked to different types of cancer (American Cancer Society, 2024).

Other works include reporting the Deepwater Horizon case, though papers that focus directly on the analysis of the environmental harms of the case are lacking. Authors use different standpoints instead. For instance, Ras (2021) investigated techniques of neutralisation⁶⁸ in the news' portrayals of the Deepwater Horizon case and neutralisation in the shareholder press releases by BP. Still, she lacks any explicit callouts to environmental harm. Paulson et al. (2015) examined how the case (albeit they refer to it as the Deepwater Horizon 'disaster' which is very problematic and contested in this thesis) was framed across US and UK newspapers, finding a conflict between environmental and capital protection. However, their quantitative analysis is not entirely relevant to my thesis.

Simon (2000, p. 643) argues the inherent underreporting of corporate environmental harms obscures the participation of corporate polluters and governmental agencies in its perpetration. Here, it is important to state that corporations are involved in maintaining their environment-friendly image through 'greenwashing'⁶⁹ all the while openly polluting the environment. I return to the topic of CSR in Episode 6. This can be done by implementing the metaphor of the ledger which deems present wrongdoing to be offset by previous positive actions (Klockars, 1974; Jarrell, 2009). I would argue that systemic underreporting of corporate environmental harms, the 'greenwashing' techniques and the use of the metaphor of the ledger go beyond neutralisation. More accurately, it could be called deception because it makes it even more difficult for the media to uncover corporate environmental crimes – they get diffused, perceived as blameless, or individualised and the quantification of the harms to the environment is neglected. Observing how podcasts' portrayals of corporate environmental harms may differ from those of traditional media outlets, which I examine in section 3.1 will be interesting.

⁶⁸ Many criminologists rely on Sykes and Matza's (1957) theory of five techniques of neutralisation which allow offenders to neutralise their engagement in wrongdoing: denial of responsibility, denial of injury, denial of the victim, condemnation of condemners, and the appeal to higher loyalties. I do not explicitly rely on this theory in my thesis.

⁶⁹ A CSR technique that many corporations that harm the environment engage in by pretending that they are, indeed, environmentally friendly. Combination of 'green' and 'brainwashing' (see Cherry and Sneirson, 2011)

2.2. Harms of Exploitation

The second type of social harm I focus on herein is the harm of exploitation, especially in the context of the Global South. I refer to exploitation using the Marxist school of thought as a normative and central condition of the capitalist mode of production (see Jaeggi, 2016). Capitalism systematically involves the exploitation of the working class given it is designed to prioritise profit maximisation at the expense of workers. In the context of this section, the primary exploiter is the Western corporation and the exploited include developing countries and their workers. I investigate these in turn below.

2.2.1. Exploitation of the Global South

Corporate exploitation of developing countries is a systemic issue deeply embedded in the unequal power distribution between the corporation and the developing country, an issue that consistently prioritises the pursuit of profit (Jackson, 2011). The underlying process that allows corporations to exploit developing countries – many of which form a part of the Global South – is globalisation which increased the integration of global economies but in doing so, it made corporate crime less visible and more ambiguous (Tombs and Whyte, 2020). Globalisation is fundamentally economically driven (Rothe and Friedrichs, 2014) and oriented towards maximising profit (Tombs and Whyte, 2009). Those benefitting the most are corporations and consumers in the West, but this is done at the expense of exploiting the citizens and the resources of developing countries (Gonzalez, 2015). I briefly unpack this in this section while focussing on key interrelated aspects of such exploitation: jurisdictional issues and neo-colonialism.

The difference between corporations and state entities is that corporations expand far beyond the borders of one country. Some scholars like Barak (2016) or Kramer and Michalowski (1987) use the label of transnational corporations or multinational corporations, or they include their discussions on these crimes under the state-

corporate crime umbrella⁷⁰ (Rothe, 2020). Friedrichs and Rothe (2014) use the label ‘crimes of globalisation’ for crimes and harms driven by globalisation's expanding conditions. This perspective is relevant to my thesis, especially the Rana Plaza case, given that globalisation is the main underlying systemic process that allows these harms to be perpetrated on such a large scale.

While economists have praised globalisation for creating “complex new networks”, it also introduced “new forms of exploitation” (Gallagher, 2009, p. 279). In the context of the transnational operation of corporations, exploitation stems from the differences in legal systems and regulations across jurisdictions, or as Passas puts it: “globalisation of markets and enterprises makes for fragmented regulation” (2005, p. 775). Global North countries have stricter environmental and workplace regulations (Braithwaite, 1984) while developing nations are often forced to relax their regulation in exchange for foreign investment (Ciocchini and Greener, 2023). Consequently, some harmful conduct that is illegal in the Global North remains lawful in the Global South. Passas (1999) calls this ‘criminogenic asymmetries’ while Kramer and Michalowski (1987) call it the ‘space between the laws’ in their paper on corporate crime in Global South countries. They use the examples of poor working conditions, environmental pollution, and lacking consumer safety. One example of such space between the laws is export processing zones (EPZs). EPZs are “lawless or liminal zones with the deliberate intent of attracting corporations – to operate within a haven from the law” (Tombs and Whyte, 2020, p. 20).

It should be noted that Global South nations are not the sole drivers of regulations in developing countries, or the use of EPZs due to having different ideology or economic systems. It is mainly driven by foreign investment into a developing area that is supposed to have this symbiotic harmony: the area is uplifted in an economic sense by creating new jobs and ‘boosting the economy’ while the investors are allowed to maximise their profits even further with tax breaks and less enforcement on environmental and occupational regulation (Tombs and Whyte, 2009). In reality, this

⁷⁰ While this is a relevant take, especially in the context of Rana Plaza, I avoid using this typology for it could be argued all corporate crimes require some involvement of the [capitalist] state due to pursuing the same interests of profit maximisation (see Tombs, 2012)

only reinforces corporate power and exploitation of the Global South. This is further reinforced by allowing foreign investors to raise legal claims against host countries if they perceive new regulations negatively impacting their investment⁷¹ (Ciocchini and Khoury, 2018)! Even if a developing nation tried to keep resisting and proceeded with stricter regulations, corporations can simply shift their production from one developing country and move it to another, if it makes sense, financially. This is referred to as ‘regime shopping’ whereby a corporation can essentially ‘shop around’ to find the cheapest regime to move their production into and exploit (Tombs and Whyte, 2009). This suggests a conventionalisation of corporate offending to an even higher degree, given that the harms a corporation will cause in a developing country will be entirely externalised and written off as part of the system's normal working, or an expected outcome of the market economy. I return to the topic of externalities in Episode 6.

So, let us consider the entirety of the argument I have so far made and will continue to support in the next section: the power and control “corporations exercise over the economies of developing countries is not unlike former colonial power” (Kurek, 1981 in Simončič, 2021, p. 355; Passas 2005), or neo-imperialism (Ciocchini and Greener, 2023). Developing countries that had been ruined by decades of colonialism and imperialism are in a similar position yet again, though with a different exploiter: the corporation. They are hard-pressed to find a better option than the prospect of foreign investment to ‘boost the local economy’ and ‘create new jobs. In line with an argument made by Ciocchini and Greener, (2023, p. 1313): “Neo-colonial corporate activity is defined by a weakening or re-articulation of the legitimation functions of the state achieving licentious profiteering through disinhibited relations with ecology and reduced limits on the exploitation of labour.” This, in turn, causes the harm – often environmental harm and labour exploitation – to be geographically located in the country of production. At the same time, the wealth that was extracted is transferred to the Global North countries. It is the exploitation of labour I turn to next.

⁷¹ The so-called Investor-State Dispute Settlement or ISDS – add a note on this as a demonstration of corporate power

2.2.2. Exploitation of workers/labour

It comes as no surprise, then, that global exploitation, much dependent on the pursuit of cost-cutting and increased profit margins, will see workers of developing countries exploited. While there is no internationally accepted definition of worker exploitation (OSCE, 2018), I refer to the exploitation of labour as perceived in the Rana Plaza case which includes but is not limited to long working hours, dangerous working conditions, inability to unionise, poverty wages, threats of loss of pay, physical and psychological abuse (Simončič, 2021).

A body of literature examines health and safety crimes, occupational crimes, occupational hazards, or more simply deaths and injuries at work (Tombs and Whyte, 2007). While there is inevitably a degree of exploitation in both gas and oil and the fast fashion industry (Conway and Robertson, 2021; Gunawan, Matahariza and Putri, 2023), in the context of this thesis, I only wish to discuss exploitative practices in the context of global outsourcing in developing countries, referring to factory work, especially in the fast fashion sector⁷². It is estimated that over 1,600 people died from 2012 to July 2017 in garment factories and over 20 million workers in the industry are suffering from work-related illnesses (Common Objective, 2018). However, this is a likely gross underestimate given that data is relatively scarce in the area.

This has also been recognised as exploitation by the ILO (2022) which refers to exploitation in the fast fashion industry as “unjust pay, excessive work hours, physical and verbal abuse, unsafe working conditions... it mainly occurs when companies wish to increase their profit margins...employees might find themselves working in inhumane conditions with seemingly no alternative.” The industry is marked by constantly lowering labour and environmental standards (Laine, 2015). There have been initiatives to improve the working conditions, especially in the aftermath of the Rana Plaza collapse (Accord and Alliance for Fire Safety that I discussed in Episode 1). Still, these are

⁷² This decision was driven by the lack of demonstratable exploitation in the case of Deepwater Horizon (see Episode 1 case study section). It is not to say that there is no exploitation of workers in the gas and oil industry – see Nasser (2022)

deemed ineffective and inefficient, much like most other legislation that tries to restrict corporate power (Richards, 2022).

Allain et al. (2013) perceive labour market inequalities as encouraging corporations to exploit workers, particularly through the complexity of subcontracting (Barrientos, 2013; Lerche, 2007). Tombs (2016) claims safety and profit are ultimately contradictory, thereby it might be impossible to reconcile safe working practices in the context of global outsourcing of supply chains. Others offer a very contrasting and controversial approach, such as Powell's (2014) book where he defends sweatshops based on garment factory work as the least harmful and exploitative option, deeming it necessary for the development of the Global South that eventually leads to better conditions. To claim that exploitative working practices that cause enormous harm are the only way to improve the long-term conditions of the labour market is controversial. It is not only ideological and supportive of the status quo of capitalism and global outsourcing, but it also renders the exploitation of the workers of the Global South legitimate and further contributes to the conventionalisation and normalisation of corporate deviance.

Last, I want to note the intersectionality of labour exploitation in the fast fashion industry. Most of the workers in Rana Plaza as well as in the garment industry are women who are further marginalised due to being seen as “secondary citizens under the patriarchal systems prevalent in the Global South” (Hewamanne and South, 2023, p. 153) which makes it easier to justify their exploitation. The authors demonstrate that women in the Global South disproportionately bear the harms of exploitation and the environment for that matter. So not only is there an aspect of colonialism and racism, but also sexism that becomes intertwined and is used to further rationalise the exploitation so much so that it can amount to modern slavery⁷³.

From the literature review above, it is clear that corporate *harm* does not always amount to corporate *crime*, which is the main rationale for implementing zemiological

⁷³ Modern slavery is increasingly being linked to corporate power and harm in terms of fast fashion (Richards, 2022), state-corporate harm (Marmo and Bandiera, 2022), global supply chains (Stringer and Michailova, 2018), or Global South Outsourcing (Michailova and Stringer, 2018). Despite its mention in my data, my thesis does not delve deep into this topic.

approaches in my thesis. It was demonstrated that environmental harm and harms associated with exploitation are rooted in systematic processes of global capitalist markets. With that in mind, I now turn to discussing my findings.

3. Findings and Discussion

Surprisingly, the discussion of harms associated with the two case studies in my data was much more prevalent than for crime discourses. Both cases included many references to environmental harm, or the harms connected to exploitation which I delve into below.

3.1. Environmental Harm

Before discussing the perceptions of environmental harm, it should be highlighted that environmental degradation had a different position in each case. For Rana Plaza, the environmental harm was discussed in the context of the whole industry. The Rana Plaza collapse was perceived as a catalyst that 'shed light' on the industry's harms, including environmental harm. For Deepwater Horizon, environmental harm was central to the case and considered one of the largest impacts of the case itself. There were differences between how environmental harm was perceived in each case.

Rana Plaza

The discourses of environmental harm in the Rana Plaza case were few and far between. When the environment was discussed, it was not looked at critically. The discourse mostly discussed consumer responsabilisation, or how consumers (rather than corporations) can act more socially responsibly and be more environmentally conscious. One such example is below:

RH5A: Fashion produces 10% of the world's harmful emissions. It is the second most polluting industry on Earth. The only thing worse is oil (Alarmist, 2021)

RH5A uses the phrase “harmful emissions” which does not have a strong word connotation when compared to a statement such as ‘planet-destroying’ or ‘contributing to climate change’. It lacks an explanation as to what harm the emissions cause, and how/if they contribute to climate change and it lacks any specificity as to what the types of harm are and what the effects of pollution are. This is also reflected in the second sentence “Fast fashion is the second most polluting industry on Earth” where the abstractness of the term “polluting industry” can obscure the harms impacting real lives and ecosystems in detrimental ways. The last sentence compares the environmental harms of fast fashion to those of oil and gas, which might underscore the severity and urgency of fast fashion's environmental impact, which is usually glamorised. It also touches on the systematicity of the environmental harms associated with fast fashion by arguing that the entire industry is causing environmental harm rather than stating that the harms are the aftermath of the case itself which, as will be demonstrated, is lacking in the Deepwater Horizon case.

Overall, the environmental harms related to the Rana Plaza case are not very salient in my sample. Of course, the direct consequences of the Rana Plaza collapse are not environmental in as much as they are with the Deepwater oil spill, however, given that the fast fashion industry is “the second most polluting industry on Earth”, I would expect a much larger engagement with the topics surrounding environmental harm with concrete references towards the harmful effects of fast fashion. Instead, what the listener is presented with across my sample is discourses surrounding consumer responsabilisation and mobilisation to decrease the environmental impacts of the industry. I return to this discourse in Episode 6. Now, I will discuss the extensive discourses surrounding environmental harm in the case of Deepwater Horizon.

Deepwater Horizon

Environmental harm is at the centre of any oil spill, so it is only natural such harms receive much salience in the podcast episodes of my sample. Some podcasts offered an extensive discussion of environmental harm (for instance, *Destination Disaster*) while others only offered short mentions of how damaging the oil spill was with less

detail and concrete information. Most podcasters acknowledged that the oil spill had negative consequences for the environment, though how this is framed differs across podcasts. The two wider themes of the environmental harm of the Deepwater Horizon case were nature as a non-renewable/limited resource and the connotation of the words used for the environmental harm. I discuss the former below.

DH5A: we're running behind schedule, there's no just natural schedule here, you're making the schedule, you're working with the people that are like, 'you control that'... Earth is on no schedule (Alarmist, 2022)

DH5B: there was a game by BP that nature is like some type of toilet that...just flushes itself out (The Hartmann Report, 2021)

DH5C: Yes, nature can heal from one-off industrial disasters. But when you know, perpetual disaster becomes the mere price of doing business. And when that business takes priority over everything else, not even Mother Nature can recover from that (The Real News Podcast, 2022)

DH5D: You can't fuck with the Earth (Toughtz Oud Loud, 2019)

Each statement above covers the theme of the Earth and/or nature not being a renewable resource. In other words, if forests, seas, oceans and other natural resources are wasted and destroyed, there is no way of repairing them. The consequences of destroying the Earth can be as severe as the extinction of humankind. Podcasters use different words and analogies to make this concept understood – DH5B uses the analogy of a “toilet that does not flush itself out” to approximate the concept to the listener which can be understood as an aim to use colloquial language to feel closer to the listener to invoke a more friend-like relationship between the podcaster and the listener. This is common for podcasting as a media type, as discussed in Episode 1.

DH5A is trying to use the analogy of “being on schedule” to contrast the fact that the oil rig was “running behind schedule⁷⁴” while “the Earth is on no schedule.” It points to the fact that the companies artificially create schedules to drive profit rather than anything natural, contrasted by mentioning the Earth and nature. It depicts some of the ideology behind corporate profit-seeking through setting targets and schedules to maximise profit attainment. The quote also mentions that warnings may have been ignored by those who tried to point out the artificial nature of schedule-setting.

This theme is further expanded in DH5C where “one-off disasters” (albeit this is not the most correct label to use – see Episode 3 for more discussion on this) are perceived as something nature can recover from while “perpetual disaster” in which “business takes priority over everything else” is seen as something nature cannot recover from. The distinction between “one-off” and “perpetual” is an oversimplification of processes behind corporate crimes in particular, and “disasters” more generally. For instance, a “one-off disaster” such as the Chernobyl explosion can be catastrophic enough for nature not to recover from it and vice-versa, perpetual “disasters” can have a small enough impact to remain undetected for decades which is the case for much corporate water pollution⁷⁵, so much so that they become routine, normalised and almost acceptable. In DH5C, prioritising business/profit is seen as earth-destroying and while this may be the case, it is by no means the only process that “mother nature cannot recover from”. Individuals can, to an extent, also contribute to destroying nature by, for instance, fishing/hunting/poaching endangered animals for personal gain. Having said that, the discourse explicitly mentioning “when business takes priority over anything else” is ideological as it highlights the prioritisation of profit at any cost. I return to this discourse in the following Episode.

Additionally, the statement that “not even Mother Nature can recover from that” is interesting for various reasons. Firstly, the statement “Mother Nature” is used here metaphorically as an anthropomorphism given that it is a common Western analogy. In

⁷⁴ This phrase was used many times throughout the podcasts as it formed the basis of the case itself and is used as a justification for having overlooked some of the health and safety failsafe that could have prevented the spill (National Commission, 2011).

⁷⁵ Such as the infamous cases like DuPont, PG&E, or the Flint Water Crisis (Hupp Williamson, 2018)

the sense of anthropomorphism, a human-like element (the image of a mother) is assigned to a non-human being (nature). One cannot overlook that it could be related to reinforcing gender roles in society whereby women are perceived as more caring and nurturing. Adding the word “even” in front of “Mother Nature” in the statement points to the podcaster perceiving Mother Nature as very caregiving and nurturing, so the emphasis on the word “even” strengthens the caregiving sentiment. It can also be an oversimplification as it could suggest mother nature can look after itself which may be the case when human intervention is minimal. Still, it does not apply in the contemporary world where humanity abuses natural resources and overconsumption is a daily part of modern life. It is also not the responsibility of “Mother Nature” to be caregiving and nurturing, like a mother and characterising it in a human-like capacity might overlook the aspects of the indifference of nature, it is not a living and breathing human with a decision-making capacity, it exists outside of the human agency and nature has no capacity for morality. This is similar to when nature is perceived as ‘resilient’, thus able to rapidly recover from damage caused to it. However, this is also the result of anthropomorphism and ascribing agency to an amoral and arational⁷⁶ object/phenomenon. In essence: in corporate crimes, nature is not an actor, humans and corporations are. Nature is the passive receiver of the actions corporations and humans decide to enact on it. Nature cannot be kind, unkind, rational, or moral. If it is described as such in the context of corporate criminality, it could be argued that agency is taken away from corporations and instead, it is assigned to nature which is seen almost as complicit in corporate crime perpetration, it is seen as an actor with agency. Thus, this could be perceived as ideological, especially when combined with identifying only “perpetual disasters” as those that, one, are based on profit maximisation and two, are those that damage the environment.

Lastly, DH5D uses a simpler concept of “you can’t fuck with the Earth” and while this is an emotionally charged statement, it is also an oversimplification. What are the consequences of “fucking with” the Earth? And what does it mean to do so? The statement refers to BP’s multiple failed efforts to stop the oil from spilling, but there is a

⁷⁶ I use the word ‘arational’ in the same way I use ‘amoral’ (see Episode 6 for an in-depth discussion) – void of rationality and void of morality.

lot of silence and unfinished thoughts around the quote, so it is difficult to see what the hosts were referring to. Nevertheless, it suggests that nature is a limited resource that should not be messed with. My interpretation of the expression “don’t fuck with it” is that it can imply that the object of the sentence (“it”) poses a grave danger if messed with and can be used in connection with people as a threat “don’t fuck with me, or else [there will be consequences] ...”. It is unclear what the consequences of “fucking with the Earth” could be, but one thing is for sure: they will not be light. One example that comes to mind is the devastating millions of barrels of oil that spilt after the explosion on the Deepwater Horizon rig as a consequence of “fucking with the Earth” which the hosts could have perceived as such. It is an oversimplification in a sense, as there are complex underlying processes that go on between the “fucking with the Earth” and the environmental harm that results from it, such as capitalist profit maximisation, corporate amoral calculation or simply prioritising profit over environmental protection.

In a similar vein, the word ‘fuck’ seems quite popular amongst podcasters’ descriptions of the environmental harm of the Deepwater Horizon case.

DH5E: Oil fucked the Gulf shore ecosystems (Antemortem, 2021)

DH5F: [dispersant] it fucks up the ecosystem (Wanna Match, 2021)

Both DH5E and DH5F use a variation of the swear word “fuck” to describe the environmental impact the Deepwater Horizon oil spill had on the ecosystems. Swearwords are not typically encountered in traditional media portrayals of corporate crime which could be attributed to the type of medium podcasts are. As opposed to journalistic media types, podcasts are user-generated and offer the freedom to engage with a topic without enforcing formal journalistic regulations and standards. Generally speaking, using profanity in public discourse is emotionally charged given its propensity to describe extreme cases and scenarios in a way that is approachable to the listener, but it could also be used to emphasise a point. It could be perceived as beneficial instead of using a euphemism, such as the one in DH5G, so the listener is forced to acknowledge the severity of the oil spill's environmental impact.

DH6G: The true damage to the wildlife will never be known (White-Collar Crimes, 2022)

Here, the podcast host uses “damage to the wildlife” to describe the environmental harm of the oil spill that followed the explosion on the Deepwater Horizon rig. He contends that the “damage will never be known” which could be interpreted as damage so extensive it will never stop, can never be found out, or it could be construed as hedging – deliberate ambiguity and vagueness. If something will never be known, perhaps it is impossible to measure, not necessarily due to how extensive it is, but because there are issues with its measurement, which in the case of wildlife can be the case. Such vague “damage” can be interpreted differently by every listener.

Now, if we take the word “to damage” as existing on the same scale as “to fuck up”, it could suggest that damage can be repaired whereas something that is “fucked” may be broken beyond help or repair. What is the antonym, or the opposing process? How does one un-fuck something? No scale measures these terms; after all, the strength of these will be in the eye of the beholder to borrow a cliché metaphor, or the researcher's reflexivity, to use a more academic term. I interpreted them as repair being the antonym of damage whereas “fucked”, to me, has a stronger connotation of more devastating environmental harm that is much harder to fix.

Other podcasters used less charged terms to describe the environmental harm from the Deepwater Horizon case.

DH5H: ...huge impact on marine life (When It Goes Wrong, 2022)

DH5I: But the long-term impact had certainly been felt; both the environmental and economic impact of the spill was intense (Let me Google That, 2019)

DH5J: [Burning oil] is super bad for the environment (Disastrous History, 2021)

DH5K: Burning oil is not particularly good for the air (White-Collar Crimes, 2022)

While the descriptors are used for a particular aspect of the environmental harm of the case, it is easy to see how they could have similar connotation that is much softer than that of words like damaged, catastrophic, or *fucked*. DH5H uses “huge impact” which is a conversational and colloquial turn of phrase and through it, the host tries to encompass a wide array of impacts. The connotation is different when the listener hears “huge impact on marine life” versus “oil fucked up the marine life” where the latter statement is much more charged and impactful. Some could even argue that “with huge impact” could be more of a euphemism than “fucked up” as the swear word forces the listener to recognise the harsh reality of the devastation that the oil spill caused.

DH5I calls the impacts “intense”. I wanted to discuss it because the hosts use “environmental and economic impact” in the same breath. Yet, they are two different types of impact with distinct consequences and harms accompanying them. Environmental harm transcends individual-level harm in that its consequences can be felt for and after decades, even centuries. Economic impact, in this sense, can be felt straightforwardly, immediately, and directly, although it can also be endured over time. For the Deepwater Horizon case, the host could be referring to the fact that in the immediate aftermath of the case, many residents in the Gulf were experiencing harm associated with financial hardship (Oxford Economics, 2010). This was due to not being able to work in the gas and oil industry resulting from the moratorium on deep-water drilling, as well as the fishing industry, it was impossible and unsafe to catch fish through the oil. Overall, the fact that environmental and economic impacts differ is overlooked by equating them in one sentence, which could give the listener the connotation of them being similar, highlighting ecological impact regarding economic rationality. While the former two quotes looked at the environmental impact more generally, DH5J and DH5K discuss a particular aspect– burning oil. Generally speaking, oil gets burned after any oil spill which is linked to many adverse environmental and public health effects (see Kanso et al., 2020), which both quotes use a variation of the word “bad” or “not good” to describe. This can be interpreted as an oversimplification; it is difficult to see how the opposite would be true: is not burning oil *good* for the air? The whole area of ecological impact cannot be reduced to those actions that are “bad for

the environment” and those that are “good for the environment”. In the same vein, the quotes do not allow for processes that may be going on in the ‘grey area’ to be acknowledged. This makes the statement almost dismissive and matter of fact without discussing the underlying interests behind it, for instance, that the company that suggested and was in charge of burning said oil had ties with BP⁷⁷. Statements that portray the environment through the lens of binary opposites (good/bad) oversimplify the complex interactions behind environmental degradation and fail to challenge the status quo of how corporations contribute to environmental harm.

While the above quotes are simplistic, other podcasters acknowledged broader issues of the environmental harm perpetrated by the oil and gas industries and offered more contextual discourses:

DH5L: Insatiable, planet-destroying oil and gas industries... we know what these companies are doing to the planet (The Real News Podcast, 2022)

DH5L is a quote that is perhaps more akin to being included in discourses of corporate profit maximisation. The podcaster uses the phrase “planet-destroying industries” related to environmental harm, so I decided to examine it here, given it can be placed into the context of the word connotation for environmental harm. Compared to statements such as “not so good for the environment”, or “damaged the environment”, planet-destroying has a much stronger connotation. There is a certain finality to it, what has once been destroyed can hardly be repaired and the only process of redemption may be replacing it, but that cannot be applied to the planet. There is no second planet to move to after the Earth has been destroyed – a widespread turn of phrase used in discourses of environmental damage and climate change (see Thaler’s book titled *No Other Planet*, 2022). Using the adjective “planet-destroying”, then, can be interpreted as having a strong connotation, perhaps even compared to the strong statement “fucked up the environment”.

⁷⁷ This was acknowledged in a different podcast – *Swindled* (2020) – but not in *Disastrous History*, nor *White-Collar Crimes*.

How DH5L differs from quotes DH5E and DH5F that use swear words, however, is how it assigns the blame for destroying the planet to “insatiable oil and gas industries” instead of to oil. Oil, as seen in the example DH5C, is anthropomorphised in many of the discourses herein and it is blamed for harming the environment despite not having the agency to do so. For instance, the quote “oil damaged ecosystems” sees the oil as the actor without saying that the humans and industries responsible for oil extraction were behind letting the oil damage the ecosystems in the first place. DH5L recognises this dimension and rightfully points a finger at the industry rather than the oil itself. So, not only does DH5L perceive the planet as not being able to be repaired, but it also assigns blame to the industry rather than the commodity. In doing so, it explores the industry's power dynamics as a whole rather than just the commodity it produces, foregrounding the counter-hegemonic discourses of oil and gas industries being blamed for environmental harm on the whole.

I explore more counter-hegemonic discourses on corporations and corporate power in Episode 6. However, I want to preface it by saying that the *Real News Podcast* offers many of these discourses. The episode I analysed is based on an interview with a man who used to work at oil rigs and has first-hand experience with the industry. The creator uses terms like *working-class issues* to describe the podcast and the ideological stance of the creator is evident from the Deepwater Horizon episode throughout which several references are made to unionising and improving the lives of working people in the US. The same podcast episode makes another reference to the environmental harm of the Deepwater Horizon case below:

DH5M: And you know, I could go on for an entire hour about the environmental consequences of the oil spill. But even that, you know, that wouldn't do it justice. Honestly, it kind of brings me to the point of tears, and I find it very hard to read the words (The Real News Podcast, 2022)

In DH5M, the host tries to explain the severity of the environmental consequences by stating that he could talk about them for an hour and that would not even “do it justice”. Stating this recognises the extensivity of the environmental consequences of the

Deepwater Horizon case. A more interesting part comes in the second sentence where the host explains his emotional reaction to how adverse the “environmental consequences” were. This kind of language is not as frequent in traditional media reporting of corporate crime which might be more akin to following journalistic standards where the journalist is an external observer reporting on the case (Canella, 2023). It can also be perceived as a humanisation of the consequences of oil spills that far exceed the environment and have implications on human lives, similar to my observation in DH5I. The sentence urges the listener to connect emotionally with the content, thus can be an effect of the hyper intimacy of podcasts as new media sources, as discussed in Episode 1. However, it also has to be pointed out that the emotional impact of environmental harm can evoke feelings of “this was a tragedy” rather than understanding the intricacies of how “insatiable planet-destroying gas and oil industries” from DH5L perpetually destroy the planet and natural resources in the pursuit of profit. Given that both quotes were found in one podcast episode, they can be used to highlight that any podcast episode will engage with different discourses throughout and they will compete for attention, salience and (counter-)hegemony. After all, podcasts are a ‘long-form’ type of media and will inevitably contain discourses of different nature within any given episode.

3.2. Harms of Exploitation – Rana Plaza

The other type of harm I am concerned with in this Episode is what I title ‘harms of exploitation’. It was laborious to consolidate the rest of the discourses of (non-environmental) harm that I encountered throughout the podcasts. They include discussion of global exploitation, worker exploitation, gender inequalities and the power imbalance between the Global North and the Global South. It is also important to note that most of the discourses of exploitation refer exclusively to the case of Rana Plaza as it occurs in an industry known for its ‘global supply chains’ as it openly conducts its work across borders (Labowitz and Baumann-Pauly, 2014). This is not the case for the gas and oil industry – or at least not in the context of an oil spill that occurred where the offending corporation usually conducts its operation. So, all of the discourses in this

section are Rana Plaza exclusive. I attempt to keep the discourses under two headings, with exploitation of the Global South and worker exploitation being discussed in turn.

3.2.1. *Exploitation of the Global South*

This section covers discourses around the exploitation of and in the Global South. I refer to the Global South in the geopolitical and economic context rather than the geographical context. These countries include developing nations often subject to decades of imperialism and colonialism (Ciocchini and Greener, 2021) with Bangladesh being a prime example. How exploitation is viewed can have widely differing connotations which impact the extent to which it is perceived as an *accepted* consequence of socioeconomic conditions or as a harm that should be *challenged* and *addressed* which can be observed in the three quotes below.

RP5B: we have to see this as a global industry, you know, the exploitation is endemic (BBC, 2016)

RP5C: international corporations like Nike and GAP have repeatedly been caught exploiting workers in countries like Bangladesh (Das Criminal, 2020)

RP5D: It happened because international garment companies like Benneton, Primark, Matalan, and Mango exploited people for huge profits, not caring a damn about their conditions and slave-like conditions halfway around the globe (Working Life Podcast, 2017)

The main difference between the three quotes is the grammatical category of the word 'exploitation'. In RP5B, "the exploitation" is portrayed as a noun, whereas in RP5C and RP5D, the word becomes a verb "to exploit" which means it is an *action* (rather than an actor) perpetrated by someone onto someone else. RP5B portrays exploitation as an agent by stating "exploitation is endemic" as if exploitation had the power to change things and the capacity to act, rather than describing it as a process that particular agents cause. This is referred to as suppression in CDA whereby certain information is intentionally, or unintentionally omitted from the discourse which can sometimes have

ideological underpinnings (Machin and Mayr, 2023). In my data, the intention may be deliberate, given that RP5B is from a podcast produced by an originally traditional media outlet (BBC News) which has been caught in being biased in portraying multiple social issues (see Stanyer, 2021). The episode in my sample provides many hegemonic narratives around globalisation and global supply chains, it is based on a discussion between the host and a “factory owner, a fashion designer and the man responsible for drawing up the new rules intended to make life better and safer for the people making our clothes” (BBC, 2016). Even the episode description itself could be deemed ideological in the sense that “the man who is responsible for making life better and safer” rather than the man who is protecting human rights or helping exploited workers. The positive connotation of “better and safer” in the episode description gives the listener a sense that things might have been “bad” and “unsafe” which is different from a statement that would say new rules that protect fundamental human rights or eliminate dangerous working conditions. The latter could suggest that contemporary fast fashion factories are modern slavery epicentres (Lusty and Richards, 2024), while the former has a different connotation. I return to this theme in quote RP5N. For now, it is essential to note that for RP5B, intertextuality is important, and a slight alteration of the grammatical category of a word may have severe implications for its meaning about the underlying structures of power that give rise to the exploitation.

Compared to RP5B, RP5C and RP5D see exploitation as a verb and assign an agent, or a doer, of such exploitation. Both quotes point a finger at international fast-fashion corporations with RP5D focusing on corporations implicated in the Rana Plaza factory and RP5C names and shaming notorious “repeat offenders” like Nike and Gap (see Merk, 2015), or activated actors⁷⁸, to use CDA-friendly terminology. Here, the verb to exploit is used in its dictionary definition: “to benefit unfairly from the work of (someone), typically by overworking or underpaying them” (Oxford English Dictionary, 2024). According to this definition, exploitation involves both the exploiter and the exploited whose relationship is inevitably defined by an imbalanced power distribution.

⁷⁸ Activated actors refer to the process in which social actors realise their agency (van Leeuwen, 2008). In the sentence “GAP and Nike were caught exploiting workers”, the two companies are active agents that are causing the exploitation with their conduct.

In that sense, the simple use of the word exploitation/to exploit may carry an ideological meaning given that acknowledging processes as exploitation inherently implies a power imbalance between the exploited and the exploiter. However, when exploitation is constructed as an actor, there is little recognition of any underlying processes that give rise to exploitation, or that exploitation is a process rather than something that is taken at face value. On the other hand, there is some counter-hegemonic potential when actors are seen as perpetrating exploitation. The latter example in quotes RP5C and RP5D suggests some counter-hegemony given that fast-fashion corporations are identified as the perpetrators of exploitation, so actors are not suppressed.

A similar phenomenon can be observed in RP5D's identification of the working environment in the factories as "*slave-like conditions*". The connotation of this statement is undeniably strong, it could invoke an emotional reaction from the listener given that it suggests that factory workers have no freedom to choose not to work, they are chained to the work despite having little financial autonomy and no prospects of upward mobility. Additionally, the fact that the factory owners tried to revoke workers' monthly wages if they had not worked in dangerous conditions in a building that was quite literally falling apart when they showed up for their shift also suggests slave-like conditions. Global South factory work has often been termed modern slavery in academia (Bhakoo and Meshram, 2021), so the leap to slavery is not as far-fetched as it may seem, especially in the context of unlivable wages and withdrawn wages that fast fashion workers experienced in the Rana Plaza factory. RP5D also identifies the motivation of the fast-fashion companies as "huge profits" which is also ideological as it portrays the corporations as profit-driven entities. As this topic relates to the pursuit of profit, it is discussed in the following Episode where I delve into systemic issues of profit prioritisation at any cost.

Other podcasts have also identified that some degree of exploitation is happening, however, they blame different parties and use words with varying connotations to describe the conditions in the factories:

RP5E: the employees who work in the garment factories, sacrifice their safety and health and well-being simply because these Westernised countries are doing absolutely everything they can to cut down on costs as much as possible (Sustainability of, 2020)

RP5F: this is how the government makes their money... is by offering all this cheap labor and stuff (Hillbilly Horror Stories, 2022)

RP5E also perpetuates the idea of profit-maximising efforts by the corporations by calling them out on “cutting down on costs as much as possible”. While this is interesting and points to the ideology of the capitalist pursuit of profit at any cost (which is the main topic of Episode 6), a more relevant caveat of the quote lies in identifying the “Westernised countries” as the creators of the precarious working conditions in the Global South. This is a different perspective related to RP5G. Western countries are blamed for allowing corporations based in the West to move their production lines into countries with notoriously relaxed working conditions and cheaper labour for profit. In that sense, global exploitation can be – and has been (see Rothe, 2020; Ciocchini and Greener, 2021) – perceived as a state-corporate crime rather than a corporate crime. This viewpoint recognises state involvement in creating harmful conditions for workers in the Global South: the ‘home’ states of the corporation are guilty of allowing them to be able to outsource their production to the Global South and the Global South countries are then forced to keep their regulations lax with the view of not losing corporate operations to a more ‘economically competitive’ developing country (Tombs and Whyte, 2009).

Additionally, RP5E describes the workers as “sacrificing their safety and health and well-being” which could suggest that the workers are doing this with consent and voluntarily. This quote is in stark contrast with RP5D where the workers are seen as being forced into slavery rather than workers willingly sacrificing their lives for employment. The most crucial point is that if they had any other choice, they would probably not have willingly gone into a building that was falling apart, many of them perhaps even knowing their life could end that day. Such a statement deflects from corporate involvement in creating conditions in which people are forced into work and in a sense, it places the

responsibility onto the workers instead. This is further discussed in the following section.

While RP5E claims responsibility for the exploitation lies with “Westernised countries”, RP5F places the blame onto the Global South itself by “offering all this cheap labour and stuff”. They omit that Bangladesh is low on the global poverty index and that their primary source of income as a country is the exports from the ready-made garment industry (Labowitz and Baumann-Pauly, 2014). Bangladesh has no other option but to keep “prices competitive⁷⁹” so foreign investment helps the residents, no matter how harmful it may be for them. Put simply, the country is desperate, and it has little choice if their goal is economic prosperity resulting from foreign investment.

Another thing of note is the construction of exploitation as “cheap labour” in RP5F which has a different connotation to “modern slavery”. This is not to say that labour is not objectively cheap in the Global South, but in the context of the Rana Plaza case portrayals, cheap labour seems like a euphemism for modern slavery. If I hear the term cheap labour, I imagine someone somewhere is being charged less for a job than a competitor could, but I hardly imagine workers being locked in ‘sweatshops’, working 16-hour days and being beaten if they protest. Dismissing labour as “cheap” instead of calling it “modern slavery” or at the very least, exploitation, has a connotation of being something relatable which is highly problematic⁸⁰. Indeed, it can be linked to the intertextuality of the podcast. I would go as far as to state that there appears to be a racist undertone woven throughout the episode. The hosts claim to never have heard of Bangladesh, they call the rescue efforts after the factory collapse “primitive”, and they mistakenly think that the only brands involved in the factory collapse were luxury retailers and claim that Walmart, where you can “buy cheap stuff”, is a much better option despite Walmart also having been involved. The episode is poorly researched

⁷⁹ I use this in quotation marks, as Rocking our Priors (year) used these words when describing why Bangladesh keeps driving the prices down.

⁸⁰ Here, I refer explicitly to how a non-expert listener might understand these terms in terms of perceived gravitas to illustrate how even slight alterations in language might have vast implications on discourse. Both “cheap labour” and “modern slavery” are exploitative working practices, but when compared side-by-side, “modern slavery” carries stronger emotional, legal and moral weight. I return to this discussion after quotes RP5P and RP5Q.

and factually inaccurate – can someone who has never heard of Bangladesh appropriately identify the nuances of what Bangladeshi workers may be experiencing?

Moreover, it fails to link the fact that Bangladesh is a country that has been impacted by colonialism, that is, policies based on the exploitation of the country and its citizens, albeit colonialism was perpetrated by imperialist countries, or corporations acting on behalf of their interests (see Stern, 2023). Contemporaneously, it could be argued that corporate control over the Global South can be perceived as neocolonialism, or economic imperialism (Ciocchini and Greener, 2021). Under this guise, it is legal for corporations to exploit workers in different countries by turning a blind eye to dangerous working conditions and even knowingly damaging the environment of the countries. Some, if not most, of this happens in the remit of legality despite being extremely harmful, which was recognised by a few podcasters, albeit not in a way that is necessarily counter-hegemonic.

RP5G: it's because of Western countries, like the US like a lot of European countries, just taking advantage of the people in the countries, it's literally I mean, colonialism today is what it is, because these wealthy countries just coming into these poor countries, and just taking full advantage of everything. (Blood & Wine, 2020)

RP5H: And again, trade policy can be criticised as neocolonial. You know, the idea that we're saying that we won't trade, we won't give you these trade benefits, unless you change some internal governance structure. All these things can be critiqued as neocolonial (Rocking our Priors, 2018)

I chose the quotes above as they mentioned colonialism, though there were few mentions in the dataset overall. RP6G uses the statement “taking advantage” to describe how “wealthy countries just come into these poor countries and take full advantage of everything”. Now, there is no denying that wealthy countries have an advantage over post-colonial countries, however, taking advantage could also carry a neutral or even a positive connotation of making the most out of opportunities that are presented in a positive sense. After all, the word advantage has a positive connotation.

It can imply that there is a strategy, or opportunity behind being able to take this advantage without necessarily any harm being perpetrated. In this context, “taking advantage” could also be a synonym for exploitation. However, for me, taking advantage is more of a euphemism for exploitation as it has a much lesser connotation.

Exploitation can give the listener an insight into the extent of harm and unethical use of power that happens hand-in-hand with exploitation.

This is perhaps more apparent if I rephrase RP5C/RP5D:

RP5C1: international corporations like Nike and GAP have repeatedly been caught **exploiting** taking advantage of workers in countries like Bangladesh (Das Criminal, 2020)

There is no subtle implication that taking advantage is harmful or exploitative. It simply states that there is an advantage to be taken, such as “cheap labour” (as observed in RP5F) or “trade benefits” (as observed in RP5H). Neither implies the vast harm perpetrated on the workers and the environment nor invites the listener to challenge the status quo or critically interrogate the reasons behind the perceived advantage. Trade benefits, nor cheap labour are necessarily inherently harmful. Still, if combined with the word “exploitation”, the listener could ask who is perpetrating this exploitation and to what end. Consequently, the subtle change of words that may be perceived as similar carries a different underlying meaning that relies on challenging the existing power structures.

What RP5G and RP5H have in common is that they view the “advantage” in economic terms. RP5G uses the terms “wealthy and poor countries” whereas RP5H portrays the “trade benefits” in the context of “things that can be critiqued as neocolonial”. There certainly is an economic advantage to exploitation but this is done at the expense of harming people and the environment which both quotes omit to say. However, this topic is more connected to discourses of capitalism presented in Episode 6. RP5H also touches upon the discourse of regime shopping I return to in the following section by stating that there is a party (which they call a royal “we”, supposedly being a country or a corporation) that is essentially extorting the post-colonial country into changing their

“internal governance structure” in exchange for “trade benefits”. While this is a clear example of corporations being able to pressure governments into loosening the regulation of their activity, this is not criticised in the episode. Quite the opposite, it takes it at face value. It progresses the episode by saying that it is only natural that corporations are moving their production based on cost and will strive to “*make clothes as cheap as possible*” (Rocking our Priors, 2018). This is not surprising, given that the podcast is hosted by two academics, who research corporate accountability/social responsibility, so the idea that corporate social responsibility *does* exist under capitalism is encountered throughout the whole episode.

As mentioned in section 2.2.1 of this episode, regime shopping refers to the ability of corporations to shop around for the country with the least regulations and little economic strain to reduce the cost of the service they seek which can be demonstrated through cheaper infrastructure and overheads, low tax rates, weaker regulations and others (see Tombs and Whyte, 2009). Interestingly and somewhat unexpectedly, the phenomenon was recognised in my sample:

RP51: ... This is the fault of corporations... But it's also the fault of developed countries as nation-state entities, because these countries allow companies to move their manufacturing to other countries to avoid domestic labour laws, and always have too much like a nationalist either, but sometimes I wonder if it's feasible to enact laws such that a company say Walmart must adhere to labour laws of the country it's incorporated in regardless of where the factories are located (Das Criminal, 2020)

Das Criminal describes the intricacy of “developing countries allowing companies to move their manufacturing to other countries to avoid domestic labour laws” which is perhaps the most poignant and well-explained issue of transnational corporations and global supply chains I have encountered in my sample. This suggests (host and home) state complicity in creating harms stemming from corporate capitalism. However, it should also be added that corporations could always change the country they are incorporated in to avoid stricter laws. The podcast episode of *Das Criminal* was

relatively counter-hegemonic and involved many narratives that criticise corporate power which will be discussed further in Episode 6.

The Alarmist further recognised the discourse of regime shopping and an imbalance of power.

RP5J: These brands have so much power because they bring so much income into these countries (Alarmist, 2021)

Here, the host implies the power imbalance between the powerful corporations and the country that lacks power as it depends on the income generated through corporate outsourcing. Indeed, developing countries rely on the jobs created by corporate outsourcing. Much of their GDP is based on exports done through corporate outsourcing, feeding the global supply chains and dressing the customers of the West (see Gunawan et al., 2023). Given the imbalance of powers between the corporations and developing countries, exploitation is almost inevitable, especially if it results in a more cost-effective option for the corporation. Legacy media outlets do not often recognise such discourses as they point to highly systemic issues with globalisation and transnational corporations, and they provide a much more well-rounded perspective of corporate power and capitalism than research encounters in traditional media.

3.2.2. Exploitation of Workers

The exploitation of workers is demonstrated through discussions about the abysmal working conditions as well as the exploitation of workers, especially in the context of gender power imbalances. I want to emphasise that I only consider discourses directly related to the exploitation of the workers of the Global South and the nuances related to this theme rather than the overall labelling of health and safety in Global South factories, which I could dedicate an entire chapter to. This is not to say that Global North workers do not get exploited, merely to suggest that Deepwater Horizon workers were not constructed as being victims of exploitation in the same sense. Rather,

Deepwater Horizon workers were more likely to be perceived as heroes who “risked their lives” to provide us with oil, a commodity we all depend on and need. Therefore, worker exploitation in my thesis focuses on the Rana Plaza case.

Podcast episodes in my sample tended to recognise that fast-fashion factory workers are victims of exploitative labour practices to a lesser or higher extent. Different podcasters portrayed distinct aspects of the complexities of worker exploitation.

RP5L: They work long hours at high risk for little pay. And it would not be an exaggeration to call what they are suffering through exploitation. But for many, it's still the best option that they have (For Want of a Nail, 2022)

In RP5L, the podcast host recognises the combination of three factors: long work hours, high risk and little pay which she refers to as “suffering” that in her opinion amounts to exploitation. As explained multiple times throughout the previous section, the word connotation of exploitation could be seen as ideological given that there is an acknowledgement of a power imbalance between the exploiter and the exploited. Compared to RP5B where it is simply stated that “exploitation is endemic”, RP5L refers to some of the conditions that she considers exploitation. Even though exploitation is used as a noun, it is done so in a way that recognises it as a process rather than an actor with decision-making capacities.

The second sentence is also of interest when related to the exploitation of workers, the host states “for many, it's still the best option that they have”. So, while she acknowledges that exploitation may be going on, she also states that the workers have no option, but to accept the work that they know is dangerous and exploitative. This is a common theme I return to when discussing quotes RP5R and RP5U in the context of female workers. The implication of such a statement is twofold and somewhat contradictory. On the one hand, it recognises that workers of the Global South have very little economic power compared to corporations that bring work into the area and that there may also be high levels of unemployment. People have living expenses and families to feed, so naturally, they will accept any work they can get, especially when

they are female workers for whom it may not be socially and religiously⁸¹ acceptable to find other types of work. Recognising this may suggest that the host is aware of certain nuances related to power imbalances for workers of the Global South.

On the other hand, by identifying the option as the *best* rather than the *only*, the host inevitably contributes to the discourse of suffering for a job being socially accepted or deemed necessary for economic progression. It is difficult to label this appropriately, so I use a quote from another podcast from my sample that summarises it better than I could, albeit very hegemonically: “we keep jobs we hate for the paycheck” (Disaster Area, 2017). Every listener can easily relate to this statement, we all have perhaps had a job we did not enjoy but had to keep paying the bills. However, in the context of factory work in developing countries, this can be perceived as a contributing factor to the normalisation of the horrible working conditions in the Global South by comparing it to how we would perceive “unsafe work” in the North which is different given there are laws and regulations in place to protect workers in the Global North much more than workers of the Global South countries⁸². It can also be perceived as normalising the exploitation of the Global South and workers within at the hands of capitalist imperialism and colonialism, thereby having an ideological undertone.

Overall, this is an interesting quote. It proves that even a single sentence can have two opposing discourses competing for attention, salience, and hegemony, and the interpretation of such would depend on the listener's positionality, context, and perhaps a degree of knowledge about geopolitics.

Most podcasters recognise that the working conditions for fast-fashion factory workers are precarious. However, they use words with different connotations to express this thought, which can be observed in the quotes below.

⁸¹ Fast fashion factory work may be the only acceptable employment for Bangladeshi Muslim women because it aligns with cultural and religious norms emphasising modesty and gender segregation and is socially accepted due to the prevalence of women in these roles.

⁸² This is not to say that there is no exploitation in the Global North, merely to suggest that it might look differently given that there are more legal safeguards against exploitative legal practices.

RP5M: most of the clothes worn in affluent Western countries are made under dangerous and even deadly conditions...we could suddenly no longer deny that people were literally dying to make our clothes (For Want of a Nail, 2022)

RP5N: slave-like conditions ... unsafe dangerous factories (Working Life Podcast, 2017)

RP5O: That's why it is one of the cheapest places to make clothing due to low labour costs and shortcuts on safety (All Bad Things, 2017)

While RP5M and RP5N identify the conditions as “dangerous”, “deadly”, “unsafe” and “slave-like”, RP6O uses the words “cheapest”, “low labour costs” and “shortcuts on safety” instead. It is not difficult to see the difference in connotation when the descriptors are directly compared. I have discussed the strength of these connotations in RP5F. However, it begs to add that “deadly” has perhaps even a stronger connotation than “dangerous” and points to the fact that the conditions are certainly involved in the killing of the human victims of the Rana Plaza collapse. “Slave-like” – as I discussed in RP5D – can be perceived as ideological as it touches upon the fact that working conditions in the Global South amount to modern slavery.

Here I wanted to make two additional observations. The second sentence in RP5M suggests that the Rana Plaza collapse catalysed the West’s acknowledgement of the workers dying to “*make our clothes*”. While this is true, it fails to add that this was not the first-time workers perished at the hands of the fast-fashion industry⁸³. A large-scale incident in November 2012 occurred in Dhaka, Bangladesh. The Tazreen factory fire caused 117 deaths and over 200 injuries (ILO, 2022) and one of the fast-fashion giants, Walmart, was present in both Tazreen and Rana Plaza. The host noted that the Tazreen factory fire occurred, however, the link is made much later in the episode, so the listener might struggle to make this link. As a result, there is nothing “sudden” about

⁸³ There was also another case of fashion-related factory fatalities which was mentioned across the sample – the Triangle Shirtwaist Fire that occurred in 1911 in New York City (see AFL-CIO, 2024).

workers dying at the hands of fashion made for developed countries and labelling it as such fails to acknowledge the preceding conditions that contributed to it.

Secondly, the connotations of the words used in RP5O are of interest. I discussed the implications of “*cheap*” in the context of labour in RP5F, so here I will focus on “*low labour costs*” and “*shortcuts on safety*”. Using words such as cheaper or lower cost can make the situation seem more relatable to the listeners and justify the cost-benefit decisions that corporations make to opt for the cheapest option on the market. We can all relate to wanting the cheapest option possible. However, when these decisions are taken at an individual level, the consequences are not as severe as the global exploitation of developing countries.

Indeed, labour is far cheaper when outsourced to developing countries, but this is done at the expense of worker exploitation which RP5O dismisses by calling it “shortcuts on safety”. Safety shortcuts downplay the severity of the precariousness of fast-fashion factory work, and it could be more akin to identifying them as cutting corners⁸⁴ where possible rather than pointing to a more systemic issue. It maintains the existing power structures of global supply chains when compared to RP5M and RP5N as “shortcuts” can be easily fixed whereas “slave-like conditions” may be much more challenging to resolve. A similar discourse was also observed in RP5P.

RP5P: As the disaster awoke the world to the poor working conditions faced by workers in the ready-made garment sector... correcting safety infractions in factories (Let's Get Grim, 2022)

RP5Q: So, this is the game, going all over the world and exploiting human workers (The Working Life, 2017)

Within this quote, exploitation receives the label “poor working conditions”, and the dangerous working conditions are labelled “infractions” (as well as framing the event disaster, which I already discussed in Episode 3). While “poor working conditions” may

⁸⁴ I explore this term in Episode 6.

describe the same practices as “exploitation” or “modern slavery,” the connotations vary significantly. A listener unfamiliar with the nuances of labour practices might interpret “poor working conditions” as unfortunate but tolerable, whereas “modern slavery” or “exploiting human workers” evokes systemic harm and moral outrage. In that sense, I would compare “poor working conditions” to a euphemism for “dangerous and deadly working conditions”. It should be added that this distinction is not static or rigid, nor is it universal. Every individual or community might describe these distinctions differently. After all, exploitative labour practices are dynamic and context specific. What one might perceive as poor working conditions, another one might argue amounts to modern slavery. My thesis does not mean to impose rigid categories on these experiences; rather, it attempts to recognise that some terms might be more or less open to hegemonic contestation.

Additionally, it should be added that my sole interest in drawing distinctions between these terms is to explore how the terminology in podcasts might impact the way listeners – especially those with no experience in corporate crime and labour issues – perceive the seriousness of these practices. It is by no means dismissing or diminishing the lived experiences of those subject to exploitative labour practices. The focus here is not on how workers themselves label their conditions but on how podcasters construct and communicate these issues, often with varying levels of nuance and accuracy. In the same breath, I also recognise that those who have experience of exploitation might wish not to be labelled as victims and would instead prefer being called workers to maintain a sense of agency and independence. While this might be preferable to some workers, from the sense of corporate accountability – the key issue of my thesis – it might obscure the systemic and structural issues that underpin exploitative labour practices, such as neocolonial economic dynamics or globalised corporate power. Reflections like these are important as they underscore how language choices shape narratives about harm, responsibility, and agency in public discourse while also recognising that these assumptions might differ for those with lived experiences of exploitation.

Returning to the RP5P quote, by stating “the poor conditions faced by the workers” it shifts attention from those that create these conditions (international fast-fashion corporations) to workers who are simply stuck in these circumstances for they have no other employment option. “Poor working conditions” hardly amount to exploitation and calling them so omits to mention the involvement of corporations in exploiting developing countries by constantly driving prices down when outsourcing to developing countries to maximise their profits.

I wanted to put RP5P in contrast with RP5Q, where the podcaster uses “exploiting human workers” instead of “poor working conditions” to highlight how different the connotation can be. The host uses the word “human” to refer to workers which humanises them and might invoke more sympathy in the listeners. This is infrequent in my sample as was demonstrated in the previous Episode where I examined the dehumanisation of the Rana Plaza victims. Doing so emphasises that there were human beings who were exploited and as a result of the exploitation, have died. The host attributes “going all over the world” in the context of worker exploitation, highlighting the nature of global outsourcing. While there is no identification of the corporate exploiters in the quote, the podcast suggests that the issue is complex, systemic, and amounts to more than “poor working conditions”.

Another way in which exploitation is mentioned is when podcasters refer to the fact that most of the Rana Plaza victims were women. Only a few podcasts mention this and even if they do, it is not done so in a way that challenges the patriarchal structures of society, especially in the context of mostly Muslim countries such as Bangladesh. I examine three quotes that reference female workers below.

RP5R: With a workforce of over 4 million people, mostly women, dedicated to the fashion sector... Most garment workers are not paid livable wages ... Still, these paychecks allow independence for the garment industries’ mostly female workforce and continue to be in high demand (Alarmist, 2021)

Many facets of RP5R could be discussed but I aim to focus on two. Firstly, the overall tone of the quote sounds like it could have come from a more traditional news outlet which is understandable given that the podcast host is a journalist. The main theme is the acknowledgement that there is suffering, and the wages are not “livable”, yet the “paychecks allow independence for the garment industries’ mostly female workforce.” This statement fails to challenge existing control systems by emphasising that something is better than nothing. It talks about “*independence*” for the “*female workforce*” as if the women were dependent on their husbands’ income and wanted to become less dependent on them. In reality, many female garment factory workers were proven to seek work in the first place because they were the sole breadwinners of their families due to issues like disability and/or illness (see Williamson and Lutz, 2019).

Moreover, it perceives workers as “dedicated to the fashion sector,” which has a positive connotation that portrays the factory workers as part of a larger cause of providing people around the world with nice fashion items. This is a further euphemism that fails to account for the exploitation of the Global South, and it portrays factory workers as having agency and deciding to dedicate themselves to sewing clothes. In contrast, the reality is much more complex and controlled by powers far beyond the individual.

Secondly, the host refers to working women as the “female workforce” which is depersonalising and dehumanising the workers. Referring to them as women workers or workers who were women would be much more personal and it would perceive them as human beings rather than reducing them to one feature only: their labour capacity. Additionally, RP5R also mentions that “workforce continues to be in high demand” which further emphasises economic imperatives of profit over ethical considerations. Still, it does so in a way that fails to challenge existing systems. Instead, it normalises the exploitation of the “female workforce” as an unavoidable consequence of market forces.

A similarly hegemonic perception is portrayed in the next quote.

RP5S: far more needs to be done to give these women a voice... the female labor force, there is big discrimination that also needs to be overcome (BBC, 2017)

RP5S also refers to the workers as “the female labour force” which is similarly dehumanising as RP5R. The podcast also uses the process of nominalisation – constituting a verb/process as a noun – when it uses “discrimination” that “needs to be overcome”. It looks at discrimination as a noun rather than a process of oppression created and perpetrated systemically, it is seen as something that happens rather than something that is created. It removes agency from actors who perpetrate said discrimination by stating that it needs to be overcome. Instead, it uses abstract terms and provides no solutions apart from “far more needs to be done.” The listener most likely agrees with the statement. Still, it seems more like virtue signalling rather than offering solutions, or attributing responsibility to *who* perpetrates discrimination, *to what end* and *how* can it be addressed. It is also unclear what kind of discrimination the podcasters are referring to, is it based on race, gender, or other characteristics?

Another caveat of RP5S is that it uses discourses of individual responsabilisation by stating that “far more needs done to give these women a voice.” This shifts the attention away from corporations that should be acting in more socially responsible ways (I expand upon this theme in Episode 6) toward women who can be given more power and voice⁸⁵ to be louder about the issues that are going on in the factories. It fails to mention that even if women are given a voice, the underlying issues of factory work for women in Bangladesh are not likely to change. This is further explored in the next quote:

RP5T: Women could now have a source of independent income... The patriarchal Bangladeshi culture is often used as an excuse to pay women far less than their male

⁸⁵ Also, it inherently portrays women as not having a “voice” in the first place and being silently obedient, which is rooted in gender stereotypes.

employees in some and similar jobs. Sexual harassment and rape are also common....
(For Want of a Nail, 2022)

As opposed to RP5R and RP5S, RP5T acknowledges some underlying processes that female factory workers face in Bangladesh and in doing so, it is far more counter-hegemonic. While the host does emphasise the independent income discourse also present in RP5R, it foregoes using “female workforce” and instead, refers to the workers as “women” which is much more humanising and portrays the workers as human beings who are not solely considered as the source of labour. While the use of “independent income” is not necessarily an accurate representation of the socio-cultural context of Bangladeshi factory work, such a statement could be explained by the context of the podcasts: they were both made in the Global North by people who are middle-class where it is more historically common for women to go into employment (as opposed to staying at home with the children) for “independent income” given that the male breadwinners will provide for the family by going to work. While this perception is also rooted in some inherent gender biases and stereotypes, it is not necessarily surprising or out of the ordinary to find in my dataset and it further emphasises the lack of proximity between the hosts and the Rana Plaza victims that could contribute to a lack of understanding on the behalf of podcasters.

Having said that, the rest of RP5T is much more nuanced than the previous quotes. The host refers to underlying issues that women face in the industry, such as the gender pay gap, sexual harassment as well as patriarchal culture. This shows a more nuanced understanding that points to systemic issues that portray the simple issue of the “female workforce” as much more complex than “discrimination that needs to be overcome.” In doing so, it does much more to challenge the common-sense assumption that female workers in Bangladeshi factories have independent income which is a step in the right direction.

RECAP OF EPISODE 5:

In this Episode, I analysed how two distinct types of social harm were portrayed in podcast discourses of corporate crime: environmental harm and harms related to the exploitation of the Global South countries and its workers.

NEXT ON *PODCASTING CORPORATE CRIME*:

In the next Episode, I examine corporate crime discourses through the lens of systemic issues rooted in capitalist systems that prioritise economic prosperity and give great amounts of power to corporations.

Episode 6: The Structural Roots of Corporate Crime

PREVIOUSLY ON *PODCASTING CORPORATE CRIME*:

In Episode 5, I examined how the dimensions of social harm associated with corporate crime are portrayed within podcast discourses, focusing on two types of harm: environmental harm and harms associated with the exploitation of developing countries and their workers.

COMING UP NEXT:

In this Episode, I shift focus from analysing the labels associated with corporate crime to exploring the underlying structures that contribute to corporate offences, particularly those related to corporate power, social irresponsibility, amoral calculation, and the prioritization of profit.

1. Introduction

As should be clear by now, the production of corporate crime does *not* happen without agency (Episode 3), at an individual level (Episode 4), nor do the underlying harms stemming from globalisation fully explain corporate offending (Episode 5). In this Episode, I propose the need to examine corporate criminality as a product of underlying structures of social and economic systems. This perspective is mainly counter-hegemonic and is missing even for critical media outlets.

This is the last ‘findings’ Episode of my thesis. Unlike the former three Episodes, it moves beyond looking at the two cases as single events. Instead, I investigate the underlying structures of the corporation and the economic system that facilitate corporate offending. Time and time again, it has been demonstrated that corporate

crime is not a single event⁸⁶, nor can it be explained by criminological theories that are designed for individual offenders. Rather, the offending is highly systemic, and the offender is different to how society understands an offender of a crime.

In this Episode, I delve deeper into the intricate power dynamics inherent within corporations and capitalism and how these structures incentivise, facilitate and perpetuate processes that normalise and neutralise corporate crime. Building upon the conceptual groundwork from the previous Episode where I examined how globalisation fosters corporate criminality through the exploitation of resources, labour and developing countries, I aim to provide a comprehensive overview of the systemic forces at play. That is, globalisation is driven by the objective of facilitating international trade agreements to encourage the accumulation and exchange of capital, so in that sense, it is a central component of capitalist expansion. Similarly, environmental degradation and the neglect of ecological concerns can be attributed to prioritising profit over social responsibility towards the environment. Consequently, the argument I present in this Episode is a macro-perspective that encompasses the harms I explored in Episode 5.

In what follows, I first provide a background and literature review covering more generally what I mean by systemic perspectives. Then I delve into discussing the corporation and corporate power, corporate social irresponsibility, the corporation as an ‘amoral calculator’ and the struggle between corporate and consumer social responsibility. I then move on to examine the findings in Section 3.

2. Background and Literature Review

“The past three decades have witnessed an enormous increase in the power, influence and profitmaking capacities of the corporation” (Bittle, 2015, p. 137). Economic power worldwide is increasingly concentrated in the hands of fewer and fewer corporations which has enormous implications for society (Parkinson, 1995; Oxfam, 2024). This is

⁸⁶ Indeed, this is also apparent in my two case studies which are covered in more detail in Episode 1. Rana Plaza was the second large-scale fast-fashion factory incident with a death toll in 100s in Bangladesh and BP, the main offender for Deepwater Horizon had a history of two large-scale corporate crimes in the 21st century.

fuelling inequalities. Indeed, the world's five largest corporations combined are valued at more than the combined GDP of all economies in Africa, Latin America and the Caribbean (Oxfam, 2024). Let me unpack this further: the economic power of 5 corporations is larger than that of 153 countries. The GDP of Apple alone is greater than that of France – the seventh-biggest country economy in the world (ibid.). Combined with the fact that corporate power operates without limits, there is no imposition on how large and powerful a corporation can get (Barak, 2015), it is difficult not to perceive this power as being autocratic.

Corporate power is not absolute and without contestation, which is apparent in the discourses I have found in my thesis. Another site of hegemonic challenges can be observed in alternative media sources that often can and do contest corporate power in particular and capitalist ideology in general, given they are openly anti-establishment and intend to challenge the status quo (Cushion, 2022). However, these challenges are few and far between. Given that the unaccountable power corporations can wield is unmatched, there is a need to examine corporate crime discourses and do so critically (Soederberg, 2010, Blakeley, 2024).

Corporate criminality is unlike any other, more prominent crimes. Its very definition contends that it does not happen at an individual level, so through the very conception, it would be pointless to try and apply individual theories of crime to it. That is why I focus on a more systemic and structural approach to corporate crime that perceives corporate crime as a structural problem, underlined by the ideological legitimization of capitalism. Corporate crime is “embedded and endemic within the capitalist system” (Box, 1983, p. 63). So, to understand corporate criminality more systematically, rather than individually, it is necessary to link it to structural roots which I try to do in the next section.

2.1. Structural Explanations of Corporate Crime

The most apparent argument about the structural roots of corporate crime is based upon the claim that capitalism itself is criminogenic (Pearce and Tombs, 1998). It is

easy to see how the undue pursuit of maximising and expanding profit at any cost at the heart of capitalism may incentivise practices that put profit over people. In more criminological terms, I rely on Davies' (2022) definition of 'criminogenic' as "containing structurally embedded factors that lead to crime and harm as part of standard production processes" (p. 91). While he applied the theory to the construction industry, it can easily be applied to capitalism as a whole. Patten (2021) also claims that 'criminogenic' refers to creating conditions likely to lead to criminality or social harm.

This claim is also reflected in the work of many other scholars: Rothe and Friedrichs (2014) link the criminogenic environment to globalisation, Lynch et al. (2015) claim that "the capitalist treadmill of production drives economic development to continually expand in the pursuit of profit regardless of the eco-system consequences" (p. 133). Some scholars link whole industries that flourish due to the criminogenic nature of capitalism which can be observed in Bradshaw's (2015) work on the criminogenic nature of the oil industry, or Denzin's (1977) work on the criminogenic nature of the American liquor industry. Many scholars also link the state as complicit in the criminogenic processes of capitalism that produce corporate harm (see Tombs, 2012). Another perspective relevant to the systemic roots of corporate crime is Nollkaemper's (2008) framework of systems criminality where he argues international crimes are caused by collective entities where individuals are embedded that reach beyond individual responsibility, arguing that responsibility should be attributed to the systemic level rather than the individual level. When dealing with corporate criminality that may be categorised as unintentional or a side effect of the normal workings of the economic systems, the definition of structural violence is also useful. Iadicola and Shupe (2013) and Winter (2012) contend that structural violence "occurs when the hierarchical ordering of individuals in a society is in the process of being established, maintained, extended, or reduced" (p.199). This is also supported by Soron (2007) who perceived structural violence as embedded in the routine mechanisms of dominant power relations.

The 'structures' of structural violence are characterised by Rylko-Bauer and Farmer (2017) as "broad-scale cultural and political-economic structures such as caste,

patriarchy, slavery, apartheid, colonialism, neoliberalism... they are violent because they result in avoidable deaths, illness and injury and they reproduce violence by marginalising people and communities, constraining their capabilities and agency, assaulting their dignity, and sustaining inequalities” (p. 2). Bittle and Hebert (2019) assert that “relying on a structural perspective encourages us to consider organisational or political-economic factors associated with corporate crime” (p. 487) which is in line with the argument I present in my thesis. I contend that structural perspectives are valuable and essential to fully understand and analyse critical discourses of corporate crime within the framework of critical discourse analysis (CDA). The primary objective of CDA is to investigate the underlying manifestation of power, spanning from overt to more subtle forms, permeating every layer of society (Fairclough, 1995a). Neglecting to acknowledge corporate crime as systemic could, in effect, result in overlooking how discourses reinforce power and inequality. The foundational principle of CDA focuses on structural perspectives rooted in the unequal power distribution. Therefore, the application of CDA, in tandem with concepts of hegemony and structural perspectives, serves as a fitting approach for critical research.

Media discourses that frame corporate crime in this context can be viewed as an exercise of counter-hegemony to varying degrees, a notion I will explore in Section 3. Throughout my thesis, I argue that recognising any structural contexts of corporate crime and harm, even in very subtle ways, as alluded to in Episode 5 on harm, constitutes a counter-hegemonic stance. Such recognition challenges the status quo and is largely absent from what we know about corporate crime media portrayals within traditional media sources where structural analysis is often lacking.

I refer to ‘structural contexts’ similarly to Rylko-Bauer and Farmer (2017), focussing specifically on how they apply to corporate crime. They are the conditions rooted in the macro-principles of how society is structured, how economic systems function and the design of the institution that commits corporate crime – the corporation. It can include processes such as corporate monopolisation of industries (that is, the process by which large corporations can merge and absorb small corporations under their brand), globalisation with all its facets (which I covered in detail in Episode 5), the state-

corporate nexus (the symbiotic relationship between states and corporations that recognise corporate involvement in state matters through lobbying, political donations, as well as the state reliance on corporate profitability through the creation of laws and policies that benefit the corporation⁸⁷). But more generally, all these processes are underlined by the ideological legitimisation of capitalism, creating the perfect conditions for corporate crime and power to flourish.

In this Episode, I focus on some components of such processes that can be linked to the blooming of corporate crime and harm within capitalism. These include the systemic analysis of corporation and corporate power and corporate social irresponsibility which leads to corporate amoral calculation. I first discuss these in the following sections which cover the literature review and background. I then discuss the findings in section 3 that reflect a slightly altered structure compared to the literature review where I focus on the three discourses and a fourth one, prioritisation of profit.

2.2. Corporation and Corporate Power

This section provides a broad introductory overview of a corporation. It unpacks the essence of corporate power, focusing specifically on the distinctive attributes of corporations that underpin their wide-reaching influence.

Corporations date back centuries, but in their current form, the early traces are often backdated to British “chartered companies” such as the East India Company operating during the 16th and 17th centuries (Stern, 2023). They were particularly significant in British exploration and colonisation which could lead some to argue that corporations were intricately tied to exploitative practices since infancy. This was further developed in the following two centuries through industrialisation and technological advancements which further observed more incorporations, especially with the introduction of limited liability for shareholders and investors. By the end of the First World War, around 87% of US goods were manufactured by corporations (Berle and Means, 1968 in Tombs and Whyte, 2015). Given that my thesis does not have to get into

⁸⁷ For a more detailed explanation, see Tombs, (2017)

copious detail about the history of the corporate form⁸⁸, I will now flash forward another century. However, before I do so, I want to add that the 20th Century was marked by a very particular socio-economic/political climate in Western countries where capitalism was seen as the better alternative to socialism and communism, seen as a liberation, freedom for all and freedom for the market (Blakeley, 2024). This was the context of the Cold War, wherein the conflict between the rival regimes only bolstered corporate power to corporations under the guise of capitalism. The premise was that the prosperity and capital accumulation for a select few would inevitably lead to an economic “trickle-down effect” benefitting the broader population. After all, it is easy to rationalise that more freedom for corporations meant more jobs created in an area that could stimulate local economies and foster consumer spending. But this process ultimately bolsters corporate economies, thereby reinforcing corporate power and it does very little for the utilitarian purpose of ‘greater good’.

Corporations have been described as ‘capital personified’ (Baars, 2019, p. 11), the very ideation of capitalism (Whyte, 2020). They concentrate a large quantity of power in the hands of the few; some would argue this is the antithesis of capitalism based on competition between actors (Blakeley, 2024). However, given that there is no limit on corporate power, capitalism becomes rooted in the concentration of economic resources and decision-making power within large corporations which is obvious from my earlier description of corporations raking in higher GDP than some countries. The possession of corporate power refers to their ability to make decisions based on shareholder profitability rather than public interest (Parkinson, 1995). What is worse, corporations operate with no limits on how much power they can possess, so much of it goes “unchecked” (Barak, 2015). It should be added, however, that their power does not solely rely on the idea of coercion or direct control, it can be much more overt and can be exercised through legitimate means, such as hegemony by failing to criticise the status quo of corporate power (Gramsci, 1971), acquiescence and consent through the reluctant acceptance of the system where no valid alternatives are possible, or even

⁸⁸ For a comprehensive overview, see Tombs and Whyte (2015) Chapter 3: Constructing the Corporation.

consent that is manufactured, in the famous words of Herman and Chomsky (1988), or consensus. I will now look at how possessing such power leads to further inequalities.

Research done by Oxfam (2024) specifies four ways in which inequality is fuelled by corporate power, namely: rewarding the wealthy which is done through driving down wages and the lobbying power corporations have; dodging taxes by exploiting tax havens and the loopholes of the global economy; privatising public services and commodities such as education, water or healthcare which directly prioritise profit over social welfare and lastly, driving climate breakdown. This is done entirely under the guise of capitalism, in other words, “corporate production of harm and law-breaking are routine outcomes of the way that business is conducted” (Tombs and Whyte, 2015, p. 34). There is no requirement for corporations to pay for the harms of their activities, these harms get ‘externalised’ in the sense that they are sitting outside the accounts of corporations, being perceived more as side-effects of the normative goals of the corporation, they simply do not affect the market prices. Externalities can range from environmental degradation to injury, death, harm to animals and more generally any type of social harm that might or might not be criminalised. Corporations rarely bear the social cost of this burden (ibid.). The harm is externalised in place of profit given that corporations are legally liable to create the maximum return of investment for their shareholders, so much so that it led Bakan (2004) to use the term ‘externalising machines’ for corporations. I return to the profit prioritisation topic in section 3.3.

It should also be added that the kind of ‘unaccountable power’ that corporations wield has been described as “the envy of even the most authoritarian state” (Blakeley, 2024, p. 9). The kind of power that does not need to prioritise ‘public interest’ as political power does (or at least, should). The kind of power that only prioritises shareholder interest. The kind of power that is not elected through democratic processes, so that the society has no say over whose hands the power is in. The kind of power that cannot be refused or rejected due to corporate monopolisation of different markets. The kind of power that is larger than the power of some states, yet it is overlooked while stepping through every inch of public life and existence. It is the opposite: it gets reinforced and maintained through mainstream discourses which is where I conclude this section.

Central to this thesis is the concept of hegemony, as articulated by Gramsci (1971) who refers to it as the mechanism by which the ruling class uses ‘cultural institutions’, such as the media, to maintain and reinforce their power. As highlighted throughout my thesis, corporations are the primary source of information regarding their actions, some of which will inevitably be criminal or harmful. The dissemination occurs directly through their public relations departments or indirectly through press releases and reports that then get interpreted by the media (Davis, 2000). Similar to how the media shapes the narratives about crime, corporations construct the narrative about their wrongdoing. Specialised professionals, often entire departments, facilitate this process, employing strategies to frame public perceptions of corporate wrongdoing (Wade, 2002). One such tactic is the delusion of corporate social responsibility which is where I turn to next.

2.3. Corporate Social (Ir-)responsibility

In this section, I will examine CSR and its origins, then critique its approaches, demonstrating that it is merely symbolic rather than actual. While there is no official agreed-upon definition of what CSR stands for (Gjolberg 2010), it mostly refers to practices that rely on corporate self-regulation to integrate social and environmental concerns into their operative frameworks (Tombs, 2016). Put more simply – corporations can and should contribute positively to society and behave according to a set of ‘values’ as any upstanding member of society should (Fauset, 2006). CSR ‘values’ are not legal principles; they are merely a set of agreed-upon qualities (in much the same way that human beings have positive personality traits or qualities) that corporations are encouraged to adopt. The idea of CSR was initially conceptualised in the 1960s-70s and re-popularised at the start of the 21st century by the United Nations which defines it as “a management concept whereby companies integrate social and environmental concerns in their business operations and interactions with their stakeholders” (2024). It was introduced to fill the gap of international law⁸⁹ due to the increasingly globalised

⁸⁹ It is not difficult to see how the decision to exclude corporate crime, especially from international criminal law, is much more in line with the ideology of capitalism and corporate profits ‘trickling down’ in the global outsourcing system, despite the adverse effects and harms it causes (Baars, 2017)

corporate operations. Fauset (2006) raises a great point about the problematics with the very concept of the label of 'responsibility': there is no obligation to act responsibly, and corporations often use the word 'commitment' to values to demonstrate going beyond their legal obligations, so responsibility becomes self-defined, and it cannot be measured externally. Corporations often frame themselves as being 'committed' to socially responsible values which can have none other than positive connotation.

Some of the key CSR issues include environmental management, labour standards and working conditions, gender balance, human rights, and my personal favourite, 'good governance' (UN, 2024). If I use CDA to unpack some of these claims, I am unsure what the so-called 'social responsibility issues' mean. What type of governance can be labelled as 'good'? Whose labour standards are corporations adhering to? There are stark differences in labour standards in a pro-union Denmark as opposed to in developing countries, as demonstrated in the Rana Plaza case. Why should gender be 'in balance' rather than promoting 'gender equality'? Why should the environment be 'managed' (which could suggest that even non-renewable resources should be somewhat rationed and managed rather than protected) rather than conserved?

The critics of CSR approaches often replace the term with corporate social irresponsibility, which is far more common than CSR in criminology and organisational studies (Kotchen & Moon, 2012). Indeed, CSR has often been dubbed a PR tool used to manage tarnished reputations and promote better ways of working through virtue signalling (Frankental, 2001; Breeze, 2021). It is largely symbolic, vague and a mere rhetorical tool (Castka et al. 2004; Lepoutre and Heene 2006). Some even claim that CSR cannot be congruent with profit maximisation (Reither, 2016) that is nothing more than virtue signalling. The roots of why the concept of CSR was introduced are also systemic in and of their own. As Mitchell (2002) puts it, "The specific ways in which the laws governing the American corporation and the social thinking from which they arise can lead us to expect nothing other than corporate irresponsibility" (p. 49). So why introduce the concept of CSR in the first place?

As Conley and Williams (2005, p. 37) note, CSR principles “reinforce rather than redress the power imbalance between corporations and civil society in subtle but effective ways.” The concept of CSR is deliberately vague and imprecise, creating a void to be filled by powerful corporate interests (Livesey and Kearins 2002) that only serve to maintain and reinforce their power. When CSR does not suit the corporate narrative – especially when it directly conflicts with profit-maximising, it gets overlooked and ignored (Banerjee and Wathieu, 2017). This can be observed in the case studies I use: it is predictably cheaper to subcontract fast fashion manufacturing to the Global South. Still, there is no way a corporation can claim this is more socially responsible than manufacturing clothes in non-developing countries that may charge more. Still, they also have more legal precedents about health and safety at work and better protect their workers. Equally, the same is true in the environment where deep water oil extraction is harmful to the environment yet is being pushed. For environmental issues, the type of corporate social irresponsibility – especially the one used pre- and post- Deepwater Horizon – has been termed “greenwashing” (Cherry and Sneirson, 2011). I would also add that no amount of CSR could offset the scale of environmental harm that corporations such as BP and Shell are responsible for even during their regular operation, let alone when an incident happens.

The strategic overlooking of CSR as and when it suits vested corporate interests is only employed to pave over the fact that corporations' only social responsibility is to increase profits and prioritise shareholders (ibid). Unlike social responsibility, shareholders' interests are legally mandated to be put above everything else which Bakan (2004) argues makes corporations pathological at pursuing profit, given their only ‘value’ (in the sense of both moral and economic values) is their share price. Put simply, the corporate structure is incapable of acting in socially responsible ways (Fauset, 2006), given its *raison d’etre* is profit maximisation for its shareholders. This has caused some to term corporations ‘amoral calculators’ which I unpack below.

2.4. Amoral Calculators

As shown above, corporations must prioritise monetary motivations over social or moral concerns. Some claim this is linked to their very structure: the maximisation of their profitability makes them void of morals, which is why CSR can never be more than a PR tool (Frankental, 2001). Simply, it performs the function it had been designed for (maximising profits) regardless of its impact on others (Mitchell, 2001). This made some people label corporations amoral calculators which refers to their lack of morals. Now, amoral is not to be confused with immoral – amoral signifies the actor has no understanding of morality, and it plays no part in their decision-making processes.

So, what does it mean to refer to corporations as ‘amoral calculators’?

Amoral calculators are motivated entirely by profit-seeking, and their decision of whether or not to comply is an economic one based on the calculation of the relative costs of non-compliance (sanction and probability of detection) and the profits to be gained through non-compliance (Black, 2001, p. 9).

It is a term that refers to the cost-benefit decision-making undertaken by corporations where morality is perceived as playing no role. For critical scholars, amorality is not ascribed at the organisational level to management, but more so to the corporation's overall structure given the importance it assigns to instrumental rationality and its imperative on profit and lack of understanding about morals (Baars, 2019). Indeed, even Sutherland – the ‘father’ of white-collar and corporate crime himself – perceived corporations as “rationalistic, amoral and non-sentimental” (Sutherland, 1983, p. 236-8). It should also be added that amoral calculation is not used here as an explanatory variable for corporate criminality; nor is it a sole predictor of it; nor do I claim that corporations are entirely amoral and corporate amorality causes corporate crime. It is merely used to point out how corporate decision-making processes are void of morality which is integrated into the very structure of the corporation, it is the other side of the coin of CSR and is interlaced in the fabric of corporations and that corporations, to a greater or a lesser extent, engage in this behaviour.

This view is also held by Bittle and Quaid (2022) who argue amoral calculation is a specific and important part of the corporation, it is embedded in their structure. Whyte (2020) contends that “even life and death corporate decisions are taken from an economic standpoint” (p. 28), and profit maximisation will be prioritised over human rights, environmental concerns, or worker safety (Pearce and Tombs, 1998; Snider, 1990; Tombs and Whyte, 2007). This, however, is not to say that corporations exclusively operate from an ‘exploiter and exploited’ context (Gibson-Graham and O’Neill, 2001). Each corporation experiences many internal and external conflicts and struggles that will shape their decision-making and operations (ibid.). In some cases, the ‘moral’ or socially responsible decisions can be consolidated with the least costly decisions (Levi and Lord, 2023), though others would disagree this is the case (see Parkinson, 1995). Indeed, even scholars who tried to debunk the amoral calculator frame have failed to challenge it (Gibbs, 2012).

Amoral calculation stems from the pressure to maximise corporate profits at any cost (Pearce and Tombs, 1998) the doctrine upon which capitalism rests. Corporations are, by law, required to prioritise the interests of their shareholders, or as Glasbeek (2017) puts it, they are entities driven solely by their economic considerations, often disregarding socially responsible concerns, making them inherently criminogenic. Indeed, whenever a corporate crime occurs, it is routinised and rationalised based on the necessity of capital accumulation (Barak, 2015) and the harms are perceived as externalities of corporate activities, to the extent that leads some to label corporations ‘externalising machines’ (Mitchell, 2001; Bakan, 2004).

Profit maximisation is, then, perceived as the dogmatic element of capitalism and unconstrained profit from corporate activity is the end. As Bakan puts it: “The corporation’s legally defined mandate is to pursue, relentlessly and without exception, its own interest, regardless of the often-harmful consequences it might cause to others” (2004, p.1-2). This is evidenced repeatedly, with each new corporate crime case that comes to light – especially the Deepwater Horizon case in which the official investigation found profit maximisation at the heart of every decision contributing to the explosion and subsequent oil spill (National Commission, 2011). Corporations are

‘capital personified’ (Baars, 2019), driven by their incessant pursuit of profit (Artz, 2004) woven into the very fabric of capitalism. Perceiving prioritisation of profit at any cost without any moral obligation as a crucial aspect of corporate crime is necessary as it allows for questioning more structural perspectives of corporate criminality and the challenging of inherent power imbalances in society which get reproduced through discourses.

2.5. Consumer Responsibilisation

While the previous sections were concerned with linking capitalism to the intricacies of the corporate form, I now turn the discussion to a different, albeit related, feature of capitalism: consumerism in the context of fast fashion. I do so by exploring consumer social responsibility, as opposed to corporate, social responsibility. This is a frequently discussed theme that emerges in fast fashion discourses relevant to the wider context of the Rana Plaza case. In what follows, I provide a brief overview of what I mean by consumerism and how it links to the concepts of consumer social responsibility.

Consumer social responsibility is a term I coined to identify the processes in which consumers are tasked with “voting with their dollar” so to speak, or to make socially responsible choices with their purchases. There is a shift from demanding that corporations act in socially responsible ways and instead, emphasising the role of the consumer in perpetuating social harms through which corporation they decide to support, financially. It sheds light on the intricate dynamics of consumerism within contemporary socio-economic frameworks. At its core, consumerism refers to the socio-economic order which encourages the ever-increasing acquisition of goods *beyond those necessary* (Rothe and Collins, 2023). This phenomenon is starkly illustrated when looking closely at some of the statistics of the fast fashion industry: clothing sales have doubled. At the same time, garment usage and wear as well as quality have declined, 80% of all made clothes end up in landfills and the amount of clothes burnt or buried in a landfill every second is equivalent to a rubbish truck (Clean Clothes Campaign, 2019). While scholars across disciplines such as environmental science, business/marketing studies, or green criminology recognise the detrimental

impact of consumerism, the links between consumerism, capitalism, corporate power and social harm are largely unexplored (Rothe and Collins, 2023).

It is not a big leap to recognise that the most profitable business model of any product in the world is to make it at low cost and low quality, so that the consumer will be forced to purchase a new product more frequently, thereby truly maximising corporate profits (ibid.). This is a highly systemic issue in fast fashion, the market is oversaturated with fast fashion companies across different prices. Baudrillard (1998) notes that the ‘consumer society’ we live in is so entwined with the world order that it makes consumption pathological. Renner (2002) claims that the invisible imprint of violence associated with the consumption of goods renders invisible the harms corporations commit in the name of profit.

The discourse of consumerism is discussed here because of its inevitable link to the discourses of a systemic ideology of neoliberalism that relies on individualisation and responsabilisation of consumers. Consumption and purchases are framed as a pathway to personal well-being and fulfilment, which becomes part of cultural hegemony (Collins and Rothe, 2020). Parkinson (1995) and Whyte (2020) contend that this is a systemic deflection of responsibility from those in power and control onto consumers who have no control. In doing so, it places consumers at the forefront of social responsibility over their purchases instead of challenging the social responsibility of corporations. After all, consumer sovereignty is more of an illusion when examining the fast fashion industry. Markets are largely uncompetitive, many fast fashion corporations regardless of their price point use the same factories to produce their garments⁹⁰ (Parkinson, 1995) and there are no clear regulations as to what fashion is considered ‘socially responsible’ or ‘environmentally friendly’. However, it should be noted that human agency plays some part in consumerism given that many consume well beyond what is necessary even for a very comfortable living. Still, it develops in the context of structures that are more systemic than individual (Bourdieu, 2000). Consequently,

⁹⁰ This was also apparent in the Rana Plaza case that hosted many fast-fashion corporations varying from Primark and Walmart up to designed brands like Prada (ILO, no date).

consumer social responsibility emerges as an illusion that perpetuates rather than challenges corporate hegemony within the consumerist paradigm.

3. Findings and Discussion

Before I delve into the discussion about systemic discourses of corporate criminality, I want to preface the section by saying there was far less coverage of systemic contexts of corporate crime in my data compared to disasters, crimes, and harms. One podcast relied on largely systemic perspectives in my sample (Das Criminal), which will be apparent as I move through the discussion. Still, the rest of the sample was not as explicitly counter-hegemonic. I also want to note that Rana Plaza and Deepwater Horizon are not discussed separately but combined, as there were not many differences between the two cases. I develop the discussion of findings across the subheadings, discussing corporate power, corporate social irresponsibility, amoral calculation and profit prioritisation.

Before engaging in the discussion under each subtitle, I want to focus on a quote from the sample that epitomises the theme of this Episode.

RH6A: individual responsibility as a response to structural problems doesn't work. This is the fault of landowners and corporations (Das Criminal, 2020)

The hosts of *Das Criminal* explicitly refer to the Rana Plaza collapse as a “structural problem” that cannot be solved by assigning “individual responsibility”. It attributes the collapse to “landowners and corporations” rather than the factory owner himself, which was a common framing technique of individualisation I covered in Episode 4. In that sense, RH6A can be perceived as counter-hegemonic whereas discourses that individualise the attribution of responsibility are hegemonic. The discourse of structural issues not being ‘solvable’ through individual solutions is generally supported by academic research (see Gross and de Dreu, 2019; Strohminger and Táiwò, 2023) and corporate criminology (Whyte, 2020).

The same viewpoint is reflected in the episode description: "But, it was more than a simple mistake on the part of the building's architects or construction workers; it resulted from capitalist greed — valuing profits over workers' safety" (Das Criminal, 2020). The podcast offers a nuanced understanding of how corporate crimes can be rooted in the capitalist pursuit of profit at any cost, driven mainly by corporations. The fact that the hosts have a holistic understanding of corporate crime could result from their political leanings which are openly expressed throughout the episode. The podcast also uses the tagline of "true crime with a political twist", making the concept of intertextuality⁹¹ relevant. As mentioned in Episode 1, podcasts are *episodic* and serialised, meaning that certain themes might be revisited in each episode that will be aligned with the aims of the overall podcast.

Given that the podcast is overtly political, it is unsurprising that the hosts delve deeper into the intersection of crime and politics and do so in counter-hegemonic ways. As will be shown multiple times in this Episode, the podcast frequently references counter-hegemonic discourses that are critical of the contemporary political and economic situation and show resistance to the status quo. This is done by exposing corporate power, which I will discuss next.

3.1. Corporate Power

After making it to the very last Episode that discusses corporate crime discourses related to the concepts of power and ideology, the claim that corporations possess great power in capitalism should not be surprising, nor should it be difficult to defend this claim. As will be shown, podcasters engage with the concept of corporate power through different discourses. This section covers explicit references to corporate power while the further subsections included under this heading reference demonstrations of

⁹¹ Intertextuality is the means by which one 'text' relates to the 'texts' in the wider structure (Fairclough, 1995a). I refer to it in the context of how one episode (my unit of analysis) relates to the wider structure of the podcast it is a part of.

such power: corporate social irresponsibility, amoral calculation and consumer social responsibility.

As shown in the literature review section, the vast and unlimited power corporations have allowed them to externalise many social harms and instead, present them as expected consequences of economic activity. This is not often recognised in discourses of corporate crime in the media, but was found multiple times in my sample:

RP6B: wealthy elites who caused this tragedy were completely unharmed. The poor destitute and struggling were the ones who paid the ultimate price (For Want of a Nail, 2022)

DH6A: think it's just, it's when you look at the disparity between the multi-millions and billions of dollars that these companies make, and then you just think about, you know, their lives in terms of ordinary, people it's, it's, it's very hard to reconcile all of that (Southern Discomfort, 2021)

Both quotes discuss the extent of the impact of the respective corporate crimes on two distinct populations: the top 1% of “wealthy elites” or “billion dollar-making companies” and “poor destitute and struggling” or “ordinary people.” Both quotes use an antonymous comparison to highlight the differences between the populations they refer to. RP6B touches on the fact that the powerful – fast fashion corporations in this case – suffered no adverse consequences after the case whereas those most vulnerable “paid the ultimate price”. This is reflective of what Rothe and Kauzlarich (2022) refer to as harms of crimes of the powerful being borne by those least powerful which is mostly recognised by neo-Marxist scholars of crimes of the powerful and corporate crime (see Tombs and Whyte, 2015, or Barak, 2017). However, the lack of any “consequences” for the fast fashion corporations in the Rana Plaza case can also be related to the absence of mandatory fines/legal consequences in the context of lacking international laws.

DH6A uses a similar analogy: they contrast the billions of dollars corporations make and the “lives of ordinary people” in the Deepwater Horizon case context. They use

hedging (“you know” and the “it’s” repetition) which refers to deliberate ambiguity that can be ideological. In this case, I would argue it stems from the lack of knowledge and awareness about corporate crime and perhaps an emotional response to the crime. I would argue that the concept of schema incongruent that Crofts (2022) uses in her research of corporate crimes through the lens of horrors (as explored in Episode 3) may be relevant here. The hosts find the economic discrepancies between corporate wealth and the lives of ordinary people “very hard to reconcile”, so it may be that the information the host is receiving is not compatible with their expectations. Overall, both quotes point to inequality between corporate power in terms of wealth and ordinary people who lack power which is in and of itself challenging the dominant discourses of corporate crime.

The following episode, which discusses the causes and consequences of the Rana Plaza collapse, highlights a different account of corporate power, albeit using a similar antonymous comparison to RP6B and DH6A.

RP6C: This is a story of governmental corruption, of avarice, of callous and rude negligence, of helplessness, arrogance, and the little people who are literally crushed to death by the uncaring steps of industry giants (For Want of a Nail, 2022)

The word “story⁹²”, to me, has a connotation of being fictional rather than factual. While the host refers to a multitude of systemic factors that impact the garment industry as well as wider socio-political structures, the quote is included herein as the key contraption occurs when there is a mention of a powerful corporation demonstrated through “industry giants” that are contrasted with the least powerful, the “little people.” There is a lot to unpack about this statement.

Firstly, the host employs narrative storytelling techniques (which I mentioned in Episode 1, section on podcasts) that dramatise the event to the extent that it becomes slightly over-dramatised. The host lists things such as “governmental corruption”, “avarice”, “callous/rude negligence,” “helplessness,” and “arrogance” that sound almost like an

⁹² As I alluded to in Episode 3.

alliteration – the repeating of a group of letters (in this case, a, ce, s, and r) across consecutive words. The adjectives she ascribes to the nouns are loaded with sentiment – negligence is seen as “callous and rude.” In contrast, all three words could easily be used interchangeably and almost like synonyms. Additionally, she also uses the imagery of being “crushed to death” which could perhaps also belong to the horror subsection of Episode 3. It is not necessarily an exaggeration, as being crushed to death is a likely consequence of a building collapse. However, the crushing is being perpetrated by “the steps of industry giants” – the powerful fast-fashion corporations who outsourced their work into these factories in the first place, so the quote is more appropriate to discuss in this context.

Secondly and very aptly, the host emphasises how these cases happen as a result of a multitude of factors—the corporate pursuit of profit (“avarice”), governmental corruption, and corporations' negligence to care about the workers who are quite literally “helpless” and who end up crushed by the “uncaring” actions of powerful corporations. Recognising such an interplay between different systemic factors truly challenges the dominant discourses of corporate crime.

Overall, the quote highlights one important feature: the apparent lack of power “little people” have compared to the corporation, much like in the case of RP6B and DH6A. It also touches upon the fact that there was government corruption which points to the state-corporate symbiosis that also contributes to the perpetuation of corporate crime (Tombs, 2012). The host avoids assigning blame to one party, she explains the complex interaction of different levels that gives rise to corporate offending that is consistent with contemporary research in corporate criminology (see Barak, 2017, or Macfarlane Horn and Tombs, 2024) and is challenging the status quo of corporate crimes being framed as individual criminality or disasters.

Building upon the same line of argument of state-corporate symbiosis in the Rana Plaza case, others also recognised it, albeit in a less tentative fashion:

RP6D: These brands have so much power because they bring so much income into these countries (Alarmist, 2021)

RP6E: The companies which confirmed they sourced their garments from Rana Plaza swore to establish a relief fund worth \$40 million to assist the families of the deceased and the survivors with medical bills, lost wages and whatever other financial help they might require. A year later, however, only \$17 million had been deposited into the fund so far. (Disaster Area, 2017)

While RP6D is also included in the previous Episode, I wanted to mention it here as it makes an explicit and direct link to corporate power. The host of the *Alarmist* podcast recognises that fast fashion corporations have so much power over the Global South countries as they depend on the income they generate in places where foreign investment is not only sought after but also necessary⁹³. Indeed, some corporations now have more economic power than countries (Tombs and Whyte, 2015), causing the corporations to quite literally, be able to get away with murder, which is precisely what can be observed in the Rana Plaza case. The host does not go into much detail about other aspects of the socio-political situation in the Global South countries she is referring to, she merely recognises that this is the case and does not explain the reason behind the inequality between corporate and state power.

RP6E presents an interesting discourse related to the fact that there were no legal consequences for the brands that outsourced their garment work to the Rana Plaza factories. The host states “companies... swore to establish a relief fund” and highlights that less than half of the promised money has been deposited into the fund so far. Firstly, it seems that the corporations had a choice here – to pay up, or not to pay up which is already pointing to how much power they have to essentially get away with killing thousands when they need to. They have promised to pay and later decided to only half-deliver on their promise, which can be related to how corporations use PR strategies to manage their public image and mitigate any backlash against them. After

⁹³ With the acknowledgement that it was the Western countries and corporations that drove developing countries into the ground in the first place...

all, Rana Plaza was labelled a “PR nightmare” for those involved (Ma, 2013), and a pledge of millions – regardless of whether it is fulfilled or not – for the victims and their families is a form of corporate social responsibility. I return to this theme in the next section. For now, it is sufficient to say that the podcast points to some of the power imbalances that prevent corporate crime victims from receiving adequate compensation and support.

The discourse of compensation as a punishment for corporate crimes also comes up in the Deepwater case, albeit it is framed differently.

DH6B: So, in total for everything that they were forced to pay, BP ended up paying \$54 billion (Disastrous History, 2021)

DH6C: October 3rd, 2010, the federal response would come to \$850 million, most of which was reimbursed by BP (The Good, The Bad and The Pure Evil, 2022)

The main difference between my two case studies lies in their punishment and legal consequences for the corporations: for Deepwater Horizon, fines were imposed directly onto BP, Transocean and Haliburton, whereas in the Rana Plaza case, there was no legal obligation for the corporations to pay a fine. It could read in a more value-free tone: “BP was legally liable to pay \$ amount.” This is far from the case for the two quotes herein. DH6B sees BP as having been “forced to pay” and DH6C go as far as to say “reimbursed” when referring to BP having paid for the federal response to the oil spill.

Being “forced to pay” for something might suggest that BP initially hesitated to provide any compensation and external factors – the courts – mandated them to do so. It can also point to their reluctance to admit responsibility and even acknowledge that the oil was spilling in the first place which is precisely what happened in the case. This is hardly a reflection of corporate social responsibility (CSR), and neither is the fact that BP did not offer to pay for the federal response, as pointed out in DH6B. I develop the idea of CSR in the following section.

3.2. Corporate Social (Ir)responsibility

Corporate social responsibility often gets discussed alongside the idea of corporations ‘not caring’ about their workers, albeit each of the following quotes engages with the topic at hand differently:

RP6G: It's pretty clear that the local government and international corporations didn't give two shits about these people before they dropped a building on them. So why would they give a shit about them afterwards? (For Want of a Nail, 2022)

RP6H: Like just not giving a fuck about people. That's it. You are a fucking dollar sign to me that's all you are. I couldn't give a shit (All Bad Things, 2017)

RP6I: So, the demand is still the problem that the secondary cause of Rana Plaza was basically the short lead times demanded by Western retailers and fast fashion consumers yes, we want low prices, high human cost be damned and we want our cheap clothes (All Bad Things, 2017)

Here, we can see that RP6G and RP6H use a similar explicit statement of corporations not being concerned about the safety and wellbeing of the factory workers in the Rana Plaza building – “not giving two shits” and “not giving a fuck”, both of which are, again, not a reflection of corporations acting in a socially responsible way. RP6G references the aftermath of the collapse, especially the lack of fair compensation victims and their families received, the host fails to mention why the corporations may fail to look after their workers properly, whereas RP6H hits the nail on the head. The host uses an analogy of equating the workers with “dollar signs” to convey that they can only be perceived through their instrumentality in making products that turn into capital. I return to the discourses of profit prioritisation in section 3.3. The latter is also related to the discourse of workers being considered expendable and easily replaceable that was mentioned across two podcasts: “fast fashion workers are extremely disposable” (Sustainability of, 2020), “there's always more where that came from” (For Want of a Nail, 2022). Both quotes further exemplify how and why corporations lack a caring side,

thus acting in a socially irresponsible way and they do so ideologically, given that it alludes to discourses of the instrumentality of workers in creating capital.

While RP6I also explains the same idea of corporations not caring about the “human cost” of fast fashion, it also adds another party to blame for the high human costs: the consumers. The discourse of consumer responsabilisation is a well-known hegemonic deflection technique whereby corporations are seen as acting in the interests of the demanding consumer (Cherrier and Türe, 2023). It takes for granted increasing the profitability for corporate shareholders while diminishing corporate agency: when prices for services increase (such as prices of fabric materials, or logistics), fast fashion corporations need to be able to maintain/increase profitability in some way, so they need to offset the increased cost somewhere and it surely will not be shareholder and CEO bonuses. The cost is usually offset by lowering production standards by either increasing profitability or moving the production into a factory that will charge less for their labour and focus less on protecting the environment. Note how all these strategies are only marked by corporate social irresponsibility. So, I include some discussion of consumer responsabilisation and consumerism more widely under the umbrella of CSIR rather than in a separate section and I refer to the discourses as consumer social responsibility and discuss it in the context of Rana Plaza:

RP6J: American consumer doesn't think about this... in some way is causing this by their demand... Because if you see the consumer, the consumer perspective where we can get the good quality and less price.... nothing is free in this world, somebody has to pay (Working Life Podcast, 2017)

RP6K: factories just have to cut corners in order to keep the costs low. So they can fulfil these orders for brands that are demanding lower and lower costs, because customers are demanding lower and lower costs (Sustainability of, 2020)

In RP6J, the consumer is blamed for fast fashion's harms in demanding decreased prices while maintaining the same quality. Even though this discourse was found in the *Working Life Podcast* which established itself as pro-union and more on the left of the

political spectrum with the host Jonathan Tasini who wrote a book titled ‘The Audacity of Greed: Free Markets, Corporate Thieves and The Looting of America’. Jonathan is a well-known American political strategist and activist focusing on work, labour and the economy (Guardian, 2024). So, finding such a hegemonic discourse in his podcast was slightly surprising. However, this extract was from his interview with Christy Hoffman, the General Secretary of the UNI Global Union (2018), a global union federation whose discourses throughout the episode are rarely counter-hegemonic. This is where polyvocality comes into play – the fact that multiple (poly-) voices and people (-vocality) could offer different discourses even within one episode of a podcast, discourses that compete for and against hegemonic consent.

Additionally, in the latter part of the quote, with “nothing is free in this world, somebody has to pay”, the podcaster further reflects the same discourse found in RP6H and RP6I where workers are perceived only through their instrumentality in creating capital. “Somebody” is the workers and they “have to pay” [the price for cheap fast fashion] and the price is enduring the appalling conditions in which they work. This also related to the discourse covering externalities I introduced under the Corporate Power section and the normalisation of such practices under the guise of ‘it is the price of doing business’. Such discourse is ideological because it fails to challenge the status quo and only perpetuates the idea that high human or environmental costs are an expected side-effect of the capitalist pursuit of profit.

RP6K is similarly hegemonic: by referring to factories having to “cut corners” to fulfil orders for “brands that are demanding lower costs because customers are demanding lower costs”, it shifts the attention from the corporations who are merely following the demand of the customers who simply *need* to buy cheaper garments. I have two issues with this statement: what does a customer demanding lower prices look like in practice? And two, does this account for designer fast fashion brands which were also caught outsourcing their work in places like the Rana Plaza? This is a clear account of consumer responsabilisation with fingers being pointed at consumers instead of corporations that create these conditions in the first place. It is a prime example of a ‘race to the bottom’ whereby developing countries are forced to sacrifice quality

standards and worker safety to reduce the cost of production to keep up with this illusion of 'demand' (Rudra, 2008). Demand in fast fashion hardly gets created solely by the consumers given that 3 out of 5 fast fashion garments are unsold and end up in landfills (Clean Clothes Campaign, 2019), so the responsibility, or lack thereof, for the overproduction of garments is more so in the hands of corporations rather than the consumers.

The last point I want to cover under consumer social responsibility is how (counter-) hegemony was presented as a battle between two types of discourses:

RP6L: We have a lot of power in our purchases (Alarmist, 2021)

RP6M: Ultimately, everybody's guilty (All Bad Things, 2017)

RP6N: I agree that thrifting clothes rather than buying new ones is better for the environment and such, but it doesn't stop the oppression of workers in Bangladesh. (Das Criminal, 2020)

In RP6L and RP6M, podcasters were referring to consumers as those who should be acting in more socially responsible ways (be it through not supporting fast fashion at all, or purchasing clothes second-hand), which, as I alluded to before, deflects the attention from CSR. An opposing view is presented in RP6N where consumers acting in more socially responsible ways might help the environment but it “doesn't stop the oppression of workers in Bangladesh” given its links to systemic exploitation and capitalism. In such a way, these two discourses are in direct contrast regarding consumer responsabilisation.

3.2.1. The corporation as an Amoral Calculator

Now that I clarified consumer social responsibility, I wanted to return to how CSIR can be framed as an instrument of amoral calculation on behalf of the corporations. As explained in section 2.4, corporate amoral calculation refers to corporations operating without regard for ethical, moral or socially responsible considerations. 'Amoral' differs

from ‘immoral’ – the Merriam-Webster Dictionary (2024) describes the adjective immoral as behaviour that conscientiously goes against morality. In contrast, amoral refers to having no sense of morality, having no concern as to whether a behaviour is right or wrong. In this sense, corporations can be described as amoral rather than immoral given that corporate decision-making processes are rooted in analyses of costs, benefits and risks, usually through monetary calculations (hence the word calculator) and morality, arguably, plays no role in their decision-making.

While some podcasts recognise and call out the amorality of corporations, others may point the finger at the wrong processes, as observed in the two quotes below:

RP6O: The thing is, business will never have individual human life in its best interest. It will always be business in business's best interest (All Bad Things, 2017)

RP6P: Unfortunately, the factories' interest in hitting production deadlines, took precedence over workers' lives (Let's Get Grim, 2022)

I chose to compare the two quotes above side by side given that they use the same discourse yet approach the theme from two different narrative standpoints. RP6O and RP6P discuss the issue of individual lives being perceived as less important than business interests. RP6O uses a more generalised language of “business” where they can refer to any type of business, whether it is the factories or the fast fashion corporations. In RP6P, the host equates business interests with “factories’ interests in hitting production deadlines.” Nominalising the verb “to produce” into the noun “production” obscures the agent setting the deadlines. The listener is not told what this production is and who is it being done for. Had they used the verb form by stating, for instance, “the fast fashion corporations whom the workers produce clothing for,” it would have allowed the listener to infer that it must be the corporations whose deadlines are prioritised over workers’ lives. Additionally, the factories are only “*interested*” in hitting production deadlines due to depending on the corporations to pay workers’ salaries given that labour in the ready-made garment sector is generally outsourced, sometimes even multiple times (Simončič, 2021).

RP6O epitomises the subtitle of this section: corporation as an amoral calculator. It acknowledges the precedence of the legal duty towards the business and its shareholders – a point I return to later – rather than the so-called social responsibility. “Business” can have multiple meanings – a polysemic word, especially in the construction “it will always be business in business’ best interest.” The first “business” of the sentence refers to a trade in terms of its volume and profitability. The second business that is possessive could be replaced with a company, a corporation or a brand. If both were to be replaced in the sentence, it would read: “profitability will always be in the best interest of a corporation” which is a phrase that could easily be found in academic literature about corporate criminology (such as Tombs and Whyte, 2015, or Barak, 2015). I return to discourses related to profitability later.

So, what can “business being in business’ interest” look like, and whom does it benefit? In the *Swindled* (2020) podcast – in reference to the Deepwater Horizon case – the host argues that “the shareholders’ interest is the only one that ever matters.” Indeed, the legal duty and responsibility corporations have towards their shareholders has a much larger legal precedent than any social responsibility ever could. As Bakan (2004) puts it, it has to be pursued relentlessly, without exception and with a disregard for any other consequences. This is apparent in RP6O, as the listener could infer that individual human lives will never be perceived as a priority for corporations. If anything, the loss of human life is perceived as a negative externality – a mere cost of doing business. It is not intended, but it cannot be argued that negative externalities cannot be foreseen. This is where I turn to next.

RP6Q: Certain companies might even factor the likelihood of such a disaster into their choice to work with the factory into their decision-making process (Disaster Area, 2017)

Another central notion of corporate amorality is rooted in their instrumental rationality or how corporations adopt means to their end (Rothe and Kauzlarich, 2022). As discussed throughout my thesis, the *raison d’être* of any corporation is profitability, so it is only rational (albeit amoral) that the corporation will take steps like cutting budgets, decreasing health and safety as far as regulations allow, and pursuing the least costly

alternative in every conceivable way. It can go as far as the Disaster Area podcast points out, “the likelihood of such disaster may be factored into their decision-making process.” This has been well documented in the Ford Pinto case⁹⁴ where the cost of human life was attributed to \$22,000 (Pardue et al., 2013). If we take this at face value, it should not be surprising that corporations can and do reinforce “instrumental rationality within decision-making processes” (Rothe and Kauzlarich, 2022, p. 47). After all, if there is no law or regulation that a certain decision goes against, the corporation is legally obliged to pursue the most cost-effective option, regardless of the social cost and negative effect on individuals, countries, the environment, or non-human animals. In this quote, the host talks about deciding to work with a factory, but this can easily be applied to many corporate decision-making processes.

Disaster Area hits the nail on the counter-hegemonic head here. Despite the slip-up of attributing the label of disaster to the Rana Plaza case (which I discussed in Episode 3), the discourse of corporate amoral calculation has an ideological function. It approaches a subject that rarely receives attention in hegemonic discourses of corporate crime, it is highly systemic. Using the term “certain companies,” the podcast prompts listeners to inquire further, inviting them to question which companies are implicated. Unlike specifying “companies like Primark, Walmart, or Benneton might factor likelihood of such disaster into their decision-making processes”, this open-ended phrase encourages independent investigation and research, fostering critical engagement with the discourse, as well as avoiding legal issues such as being threatened with a lawsuit.

The corporate social irresponsibility and amoral calculation discourses were much more apparent in the Rana Plaza case than in the Deepwater Horizon case. I would argue this is the artefact of the facts of the case rather than a finding itself. Deepwater Horizon was more recognised for its environmental impact and prioritising profit over safety more instrumentally and superficially where oil extraction was pushed despite

⁹⁴ The infamous case of Ford Pinto exposed how cost-benefit analyses led to the production of a car with a design flaw, causing fuel tank fires and vehicle explosions. Despite knowing about the defect, the corporation decided not to recall the vehicles as it was costlier than litigation and subsequent compensation.

questionable safety. In contrast, Rana Plaza was framed more as the broader lack of social responsibility of amoral fast fashion corporations. Having said that, some explained their irritation towards corporate amorality in the Deepwater Horizon case:

DH6D: But it leads into like, the biggest thing apart from the environmental thing that pisses me off. It was done for money. Without caring about human life or anything else, right? Fucking Benjamins first (Toughtz Oud Loud, 2019)

In this quote, the hosts attribute the Deepwater Horizon case to financial motivation in “it was done for money” and “fucking Benjamins first” where in the latter analogy they are referring to \$100 bills with Benjamin Franklin on them. In a sense, this is more of a profit prioritisation discourse. Still, the amoral frame is relevant as the hosts explain the decisions were made “without caring about human life or anything else” which underlines the amorality in corporate decision-making. Regrettably for the corporations involved, the instrumentality had gone out of the window as the overall costs of the Deepwater Horizon case far outweigh the costs related to fixing the health and safety issues (National Commission, 2011). However, had a large-scale incident not happened, the incurred benefit of completing the oil extraction would have been higher than the cost.

The hosts use emotionally charged, expressive language and a conversational style, inviting listeners to share their outrage. Indeed, the podcast format is notable for bridging the relationship between the host and the listener, so much so that it induces what scholars call “hyper intimacy” and can even result in the listeners trusting the host more than they trust, say, a traditional media journalist⁹⁵.

The quote can also be linked to RP6G to RP6I where the corporation is perceived as not caring about human life, looking at it as a mere externality of the workings of the economic system. In a sense, thinking that corporations can “care” like a human can is anthropomorphising them, or assigning human-like qualities to inanimate objects. There is nothing human about corporate structure despite the law designating it as a

⁹⁵ This has been discussed in Episode 1.

private person. Doing so can lead the listener to think that corporations are capable of feelings, which they are not as most of their operation is based on instrumental rationality and the prioritisation of profit at any cost which is where I turn to next.

3.3. Profit Prioritisation

The issue of profit prioritisation has been mentioned in many podcasts and different forms. I want to note that even a slight change in language can carry substantial ideological differences. For a more comprehensive understanding, I decided to organise this section according to a scale I devised for terms that refer to the prioritisation of profit, from the least to the most counter-hegemonic. The scale is shown in Table 3 below and unpacked as I move through this section.

Table 3. Scale of hegemony in terms of expressing profit

1	Cheap/Saving money
2	Cutting costs/corners
3	Greed
4	Profit - at any cost/over safety/over everything

The word *cheap* may connote the reinforcement of neoliberal narratives by failing to criticise the underlying structures that perpetuate exploitation and inequality. I have already mentioned in Episode 5 that the connotation of *cheap labour* can be seen as a euphemism for *exploitative labour practices*. After all, calling something cheap is very relatable for any listener who can see the corporation applying the same reasoning as themselves when deciding how to spend their funds. However, dismissing something as “cheap” without exploring its reason may inadvertently reinforce hegemonic narratives by failing to link the cost-effectiveness to what is being compromised.

Compared to the term cheap, *saving money* may have more of a positive connotation, especially when used to justify the riddance of unnecessary consumption, or in the sense of individuals *saving money* to afford something ‘good’ or ‘nice’ long-term. The issue with applying the same language to corporations is that there is nothing positive or

neutral about them saving money. This saved money is not used for anything good, noble, or socially responsible. It is used only to increase shareholder profits and the board bonuses which are already unreasonably high. In such a way, it perpetuates the image of frugality as necessary for economic constraints. It still points to the prioritisation of profit, but not in a counter-hegemonic way.

Thirdly, the term *cutting corners/costs* has some potential to present counter-hegemonic discourses linked to corporate criminality. It points to corporate activity's high human and social costs and challenges corporate instrumental rationality. It also points to a neoliberal emphasis on austerity and efficiency where “corners” may not be as important in the big scheme. Frugality is perceived as necessary, compromises on small decisions may lead to higher profitability longer-term, though this is perceived as harmful, especially in the context of social harm imposed on workers, the environment and society. In such a way, it may be perceived as counter-hegemonic when framed as something negative. The listener is invited to consider underlying reasons beyond pragmatic responses to economic pressures. However, if the cut corners and costs are presented as normalised and necessary, there is less potential to challenge dominant narratives.

The next term on the scale/typology I devised is “greed” which as opposed to the former terms, directly critiques the excessive pursuit of wealth and economic growth which underpins capitalist societies. Greed has a negative connotation when used in an individual context and can be connected to excess wealth. Indeed, when applied to corporations, “greed” highlights how pursuing profit at all costs can lead to exploitation and harm, with a select few benefiting at the expense of the majority. This raises fundamental questions about the legitimacy of capitalism, which often prioritises the interests of the wealthy elite over the well-being of the broader society.

Lastly, the terms *profit -over everything*, *-at any cost*, *-over safety* are inherently counter-hegemonic by explicitly pointing to the reasons behind profit maximisation as it establishes profit should not be the ultimate goal of corporate activity. For instance, *profit over safety* highlights how financial gain is being prioritised at the expense of

workers' safety and well-being and the protection of the environment. This goes hand in hand with corporate social irresponsibility where immoral and unethical practices are being challenged and uncovered for the underlying prioritisation of short-term profit rather than long-term social responsibility and sustainability. Similar to the case of the term *profit over everything/at any cost* where everything else is compromised over profitability and financial gain in the name of capitalist ideology. It explicitly challenges this notion and in so doing, it undermines the economic rationality of capitalism.

As I tried to explain above, terms like *profit over everything* and *profit over safety* directly confront the hegemonic discourse of capitalist rationality and economic self-interest. In contrast, terms like *cheap* and *saving money* may offer more subtle subversions. This is by no means a rigorous scale. As will be demonstrated, some podcasters use more subtle language (such as saving money) alongside a longer explanation of how these factors are systemic which can result in stronger cases made for counter-hegemony. But, generally speaking, if I had to consider how strong the narratives surrounding the pursuit of profit are in subverting dominant hegemonic discourses, I would order them this way. Additionally, it serves as a good way to organise this section and to keep it following my research questions that aim to find the counter-hegemonic potential of podcasts. I explore each of the terms below.

3.3.1. *Cheap/money-saving*

RP6R: It's just... it ain't about safety. It's about how cheap we can do something (Hillbilly Horror Stories, 2022)

RP6S: Anybody else that's got a huge name in clothing, they probably have their stuff made in Bangladesh. No kidding. That's what they do. This is because they have the lowest wages in the entire world... If you have a huge clothing order you need to get a very quick turnaround time, and as cheap as possible (Hillbilly Horror Stories, 2022)

RP6R and RP6S both refer to the same podcast, *Hillbilly Horror Stories*. To me, the podcast episode was very poorly researched, the hosts incorrectly referred to brands

that were having their garments made in Rana Plaza and went as far as to say that they never heard of Bangladesh. In RP6R, they express that “making cheap [clothes]” took precedence over “safety”, but they do not go into detail as to why this is the case or who is to blame. In RP6R, they call wages of the factory workers “the lowest in the world” which has a different connotation than calling them “poverty wages”. The latter would point to the fact that even in Bangladesh, fast fashion factory wages are not allowing decent living for the workers while the former statement does not have such connotation. In the second part of the quote, they state “If you have a huge clothing order you need to get a very quick turnaround time, and as cheap as possible” which frames the pursuit of corporate outsourcing in the Global South as a necessity for making clothes “cheaply” and “quickly”. This entirely fails to contest hegemonic narratives and instead, is only taking for granted that the workers of the Global South will be exploited for cheap labour. This was also reflected in the BBC podcast which went even further on the scale of hegemony:

RP6T: That basic need to keep finding a cheaper source unfortunately hasn't gone away. And therefore that danger for cutting corners is always there (BBC, 2016)

There is a lot to unpack in this short statement, I want to focus on four aspects in particular:

1. “basic need”
2. “cheaper source”
3. “danger is always there”
4. “cutting corners”

Firstly, using the term “basic need” sounds like the podcast is equating economic profitability with other basic needs that are almost primal, such as food, water, or shelter. Given that the *raison d'être* of a corporation is to maximise profits for their shareholders, I suppose referring to it as a basic need is not necessarily wrong per se. Still, it is entirely hegemonic, taking corporate instrumental rationality/amorality at the

expense of human life for granted. It essentially places corporate profits over the value of human life, presenting the harsh reality of the ideology of capitalism.

Secondly, the hosts refer to exploitative labour practices as “a cheaper source, ” similar to RP6S. They portray the word cheap as a positive connotation, given that it benefits the corporation regardless of the social harms associated with it. If this were replaced by “the need to keep lowering safety standards to keep the cost low,” the underlying meaning would shift, and the exploitation of workers would be more foregrounded.

Thirdly, it presents cutting corners as a “danger that is always there.” This is slightly ideological—unless the economic system changes, the race to the bottom will inevitably continue and be dangerous for workers in the Global South and worldwide. However, to me, the meaning of this slightly counter-hegemonic statement is lost in the whole sentence, and instead, the “basic need to find a cheaper source” is given more salience.

Lastly, the hosts refer to “cutting corners” in the sense of saving money or time by overlooking the social costs of corporate activity. It is seen as a frugal and money-saving strategy that is, once again, taken for granted and unquestioned by the podcast. In a similar vein, this is also done in the next set of quotes that focus on the word “money” and “saving money” that I unpack below:

DH6E: Hence, there are two specific points to make about the Deepwater Horizon incident, first and foremost, money (Causality, 2019)

DH6F: But where there's oil, there's money, and where there's money, people will figure out a way (When It Goes Wrong, 2022)

DH6G: The simple truth is that saving some money by delivering early is of absolutely no benefit if people are injured or worse killed, or if there's environmental damage, or if it costs equal or more in the long term (Causality, 2019)

DH6H: That Stroke of Genius saved BP a little more than 100 grand and cost 11 people their lives (Swindled, 2020)

The first two quotes emphasise the centrality of money and profit in corporate decision-making. Still, they do not detail whether other priorities are being demoted at the expense of profit-seeking. This is slightly counter-hegemonic and certainly a step up from calling the case a disaster or individual crime. However, it takes for granted the assumption that money “moves the world” without explaining it any further—so as I mentioned at the beginning of my findings, simply stating it was done to “save money” is not very counter-hegemonic.

Compared to that, DH6G and DH6H talk about saving money and link it to the undesirable outcomes of the case. It points to the fact that the profit is “*not worth it*” if other social harms such as injury, fatality, environmental damage and higher long-term costs are considered. Referring to corporate social irresponsibility is, indeed, quite counter-hegemonic.

In DH6H, the word “saved” is contrasted with “cost” in terms of human life, pointing to the fact that even human life is often reduced to monetary value, especially regarding corporate crime. BP’s decision is compared to the “*stroke of genius*” in an ironic way, so the host perceives BP as stupid for having prioritised saving more than \$100,000 over human lives, similar to the statement made in DH6G. So, if money is saved at the expense of human life and the environment, it is perceived as stupid decision-making which is socially irresponsible.

3.3.2. *Cutting corners/costs*

The second term on the scale of the perceived counter-hegemony in the terms describing profit maximisation is cutting costs and cutting corners. This one is interesting as it was one of the key phrases of the official terminology in the Deepwater Horizon case and was mentioned several times across different podcasts, some of which I discuss below:

DH6I: BP was cutting corners and trying to operate too cheaply... it's believed because of some cost-cutting methods they took to try to cut corners and ultimately led to risking the safety of their workers (White-Collar Crime, 2022)

DH6J: cut corners on safety to save money (All Bad Things, 2017; Disastrous History, 2021; Mile Higher, 2021)

DH6I combines two discourses: “cutting corners” and “trying to operate too cheaply” which can have different connotations. For now, I will focus on the latter as I have a longer discussion later. It is unclear what “operating too cheaply” means – does it mean not following safety protocols, or is it referring to not paying the employees properly? Also, does the host think that “operating ~~too~~ cheaply” is acceptable, but “operating TOO cheaply” is not? All in all, using the word cheaply as a euphemism, the listener is, yet again, faced with a degree of confusion which I already explained in RP6S. The host also adds the word “trying” in front of “operating cheaply” which can be seen as hedging, or deliberate ambiguity.

Additionally, DH6I attribute risking worker safety to “cost-cutting methods” and in doing so, implies a causal relationship between pursuing prudence while endangering workers. It is seen as a deliberate choice rather than an inevitable consequence of economic pressures. The host does not go into detail as to why cost-cutting methods had to be implemented. Still, from the case study, it is apparent this had to be done for shareholder profits given the Deepwater Horizon was running behind schedule and over the budget (National Commission, 2011).

In terms of hegemony, this statement reflects dominant discourses that prioritise economic considerations and profit maximisation over worker safety and well-being. It perpetuates the normalisation of cost-cutting practices within corporate culture, reinforcing existing power structures where the interests of capital prevail. It does not overtly critique them, rather, it takes the statement at face value and is uncritical of corporate power.

I included several citations under DH6J, given that three podcasts were observed to use the very same statement: “Cut corners on safety to save money”. Here, the objective of the cut corners is simple and explicit: economic frugality. If the said “cut corners on safety” is compared to DH6G where “saving money” is linked to being of no benefit if it has a high social cost, one can begin to see how the connotation is different between DH6G and DH6J. “saving money” by “cutting corners on safety” does not imply that there are any further underlying reason as to why this might be the case, it simply accepts the statement without challenging it, making it reflective of dominant discourses.

I will now explain the meaning of cutting corners which is a metaphor in and of itself. It could suggest that procedures or processes are perceived as less essential. Take, for instance, a piece of paper: if one were to cut corners of an A4 sheet of paper that has information printed on it, some words may be cut out from the corners, but the reader would be able to deduce the meaning of the whole sheet even if a few words have been cut out. The discourse implicitly downplays the importance of said processes. It views them as a pragmatic response to external pressures which can result in the normalisation of prioritising cost-efficiency over safety. This is the case in the phraseology of DH6L where multiple podcasters stated that “BP cut corners on safety to save money” which is taken for granted and almost accepted as the listener may think non-essential procedures can be compromised for profit retention. However, the podcasts do not immediately explain that cutting corners on safety is not inconsequential and innocent: it means that the workers were inherently working in unsafe conditions. Indeed, this was the case on the Deepwater Horizon oil rig: all fail safes had not been appropriately maintained given the “cut corners” and, thus were not operating in a safe matter, so the explosion and subsequent spill were not only likely to happen, they were inevitable. This, to me, implies much more than cutting corners on safety, rather, it is compromising the value of human life and prioritising profit over it which is not apparent from the simple statement of “cutting corners on safety for saving money.” Therefore, “cutting corners on safety to save money” as a stand-alone statement only reinforces existing power structures.

However, this may not necessarily be the case when the statement is more contextualised, as it is the case in DH6K:

DH6K: Basically, BP has a long and storied history of doing anything and everything they can to cut corners, skimp on safety and save whatever money they can, no matter who or what it hurts (Disastrous History, 2021)

DH6K links cutting corners with saving money and skimping on safety with “no matter who or what it hurts.” Now, when this is compared to “cutting corners on safety to save money”, the extent to which counter-hegemony is present is easily perceived. In the latter quotes, the consequence of cutting corners is compromised safety which may or may not have any other adverse consequences⁹⁶. In contrast, here, it is not only “skimping on safety”, it is also done with a disregard (“no matter”) of possibly hurting something or someone. This highlights how corporations externalise social harms more explicitly in the name of profit and there is no ambiguity about the consequences of cutting corners. It also points to corporate amorality where the corporation is perceived as not caring, as discussed earlier in this Episode. I return to the safety narrative later in this section where I mention the profit over safety discourses.

Another way corporate profit prioritisation discourses get framed with “cutting” is through “cost-cutting”.

DH6L: A White House commission blamed BP and its partners for a series of cost-cutting decisions and an inadequate safety system, concluding that the incident resulted from systemic root causes that might well recur (Causality, 2019)

DH6M: In fact, all signs pointed to BPS cost-cutting measures as being a major contributing factor to the occurrence of the blowout that had been revealed in the events leading up to the Deepwater Horizon disaster, that to save millions of dollars, BP had repeatedly ignored technical recommendations (Swindled, 2020)

⁹⁶ Discounting the social harm perpetrated on individuals who know they are working in unsafe conditions, but this is not the main argument here.

Both DH6L and DH6M use the term “cost-cutting decisions/measures” but given that the term is not used in isolation, it is followed by a more detailed explanation of how things occurred, it serves a more counter-hegemonic function which I will try to unpack in the next few sentences. DH6L mentions that “the incident resulted from systemic root causes that may well recur” which is essentially the same argument I make throughout this thesis: corporate crime is deeply rooted in systemic factors that never do change if they are perceived as single events that occur as a result of either an ‘act of God’ disaster or individual decision-making processes that are necessary and normal for the workings of the economic system. So, in this quote, *Causality* equally intends to challenge hegemonic perceptions of corporate criminality by linking them to systemic factors that are not simply resolved by imposing a monetary fine on the corporation.

Similarly, DH6M frames the “cost-cutting measures” perpetrated by BP through “repeatedly ignoring technical recommendations” which has a different connotation of strength and blameworthiness than “cutting corners on safety.” In the former, it is suggested that there might have been those who tried to get BP to act on their recommendations, yet BP willingly ignored them multiple times and chose their relentless pursuit of profit instead. It portrays BP as those with decision-making power and points to the inequality between the rig's stakeholders and technicians. In doing so, it relays a degree of counter-hegemony.

Of course, one factor that may have influenced the use of “cost-cutting” and “cutting corners” statements is the official investigation of the case which blames “cost-cutting decisions” for the explosion and the subsequent spill, regardless of how much BP tried to deny them (Greene, 2010). Podcasters who may not understand the complexity of the systemic nature of corporate crime – lack of understanding is common, see RP6R and RP6S – might simply take the statement at face value and not question the underlying meaning of it. Inevitably, this will impact how much they engage in challenging hegemonic perceptions. Suppose the listener listens to *Swindled* or *Causality* instead of the podcasts listed in the DH6J “cutting corners on safety to save money” quote. In that case, they will be presented with a more counter-hegemonic account of profit prioritisation rooted in systemic causes rather than simply “cutting corners on safety”

that may not have adverse consequences unless a *disaster* strikes. All in all, how economic frugality is framed can severely impact the extent to which podcasters engage in counter-hegemony. This is also shown in the next section.

3.3.3. Greed

Another discourse that centres around profit is *greed*. Most dictionary definitions define greed as an insatiable, excessive, or intense desire for something, or an avid desire for wealth and power (Merriam-Webster Dictionary, 2024). In Western religions, greed is considered one of the seven deadly sins, so the word itself has a negative connotation. It was explicitly referenced in both cases:

DH6N: Greed was the reason for their deaths (Mile Higher, 2021)

RP6U: It was all like on-purpose greed (All Bad Things, 2017)

One cannot deny that the Deepwater Horizon case was not linked to BP's greed expressed as an avid desire for wealth and power. The corporations involved pushed the rig operation past its capacity due to running behind schedule and over budget (National Commission, 2011). The same can be said about the Rana Plaza case where greed was attributed to fast fashion corporations and factory owners. However, attributing greed to one single party – be it a corporation, middle management, or even individuals – does not account for the systemic nature of corporate crime. This can be observed in DH6N and RP6U: the statements are highly ambiguous as they do not explain who the greedy party was. It does not specify whether individuals, corporations, shareholders, or capitalism caused the deaths with greed. Unless greed is linked to more systemic factors, such as corporate power or amoral calculation, it is difficult to perceive it as a discourse applied to wider systems that challenge existing power structures. The listener is not told about the underlying structure that drives this greed – capitalism itself.

Discourses that fail to link greed to wider systemic factors carry the potential of individualising corporate crime. In both DH6N and RP6U, even if the greed is attributed

to corporations, the listener can be led to conclude that yes, perhaps some corporations are greedier than others but this does not necessarily mean the whole system is crooked. Greed can be individualised and isolated to a bad apple rather than a rotten barrel so in that sense, its counter-hegemonic potential is quite limited unless there is an explanatory sentence that accompanies the statement.

In RP6U, an explanatory sentence follows the statement: “It was all on purpose. Yeah, so that's the worst part. But anyway, here's hoping Sohel Rana gets his justice” (All Bad Things, 2017). This still leaves the greed quite ambiguous, however, mentioning an individual – the factory owner Sohel Rana – being brought to justice implies that the greed is attributed at an individual level. Additionally, it has to be pointed out that RP6U talks about “on-purpose greed” – can someone or something be *accidentally*, rather than *deliberately*, greedy? Greed requires agency and action (or deliberate omission), so the over-explanation of the term with unnecessary words only further individualises the attribution of greed on an individual level in the statement.

This is not necessarily the case each time the term greed is used. Some podcasters perceive greed in the Rana Plaza case to stem from other than individual causes, as can be seen in RP6V and RP6W:

RP6V: Those two [Rana and Tazreen] disasters became international symbols for the greed and avarice that we see every day from those corporations... (Working Life Podcast, 2019)

RP6W: But it was more than a simple mistake on the part of the building's architects or construction workers. It resulted from capitalist greed, valuing profits over worker safety (Das Criminal, 2020)

In RP6V, the host assigns greed to “corporations” that exercise their “greed and avarice every day”. In this sense, it is much more favourable to call corporations, rather than individuals, greedy. However, to me, greed is more of a human than systemic quality, so calling corporations greedy could be seen as an act of anthropomorphism, assigning

human-like qualities to inanimate objects. Using anthropomorphic language to describe corporations can be seen as ideological in that it may oversimplify corporate motivations and overlook the systemic issues that contribute to unethical or harmful behaviour.

The explanation in the few sentences that follow RP6V talks about the issues of long supply chains that are notable for their inequality between “*comfortable shiny headquarters*” and “poverty-stricken streets of Bangladesh” and it points to the exploitation of “low-wage workers” who produce clothing for a “multibillion-dollar industry” (Working Life Podcast, 2019). In that sense, a degree of resistance to dominant discourses is observed in the podcast episode as corporate greed in fast fashion is viewed in the context of global exploitation and the issues of global supply chains that I touched upon in Episode 5, which are highly systemic. Additionally, the host points to how corporate greed is observed daily, suggesting that such practices are normalised and common across the industry. Such narratives were not surprising given the intertextuality of the pro-union left-centric *Working Life Podcast* I discussed in quote RP6J.

Compared to RP6V, RP6W is not ideologically ambiguous when talking about greed. It assigns greed to capitalism and contextualises the ideology even more by stating that “it was not a simple mistake on the part of the building’s architects or construction workers” which explicitly turns the attention away from individual and organisational contexts towards the systemic context. Discourses of corporate crime that explicitly call out capitalism as a source of greed are the strongest at presenting counter-hegemonic narratives that challenge the status quo of corporate criminality. This is also apparent from the last expression that RP6W uses: “valuing profits over worker safety” which is a discourse I turn to next.

3.3.4. *Profit at any Cost*

By profit at any cost, I refer to discourses that explicitly identify profit coming at the cost of safety and the value of human life for corporations. Those discourses that recognise

corporations as profit-making entities of ‘capital personified’ acknowledge corporate disregard any other concerns except profit maximisation and in doing so, mostly challenge the status quo of corporate crime and power.

This type of discourse was overwhelmingly more apparent in the Deepwater Horizon case where *profit over safety* was more obvious given that corporations prioritised profit over worker safety during multiple key decisions that contributed to the explosion and subsequent spill (National Commission, 2011). However, the reason behind the lack of prevalence of such discourses in Rana Plaza could be brought back to the argument I made in Episode 4 about the ‘ideal victim’. Victims of the Rana Plaza collapse were South Asian, Muslim as well as women⁹⁷ and it was apparent that the death of over 1,100 people of colour was portrayed as more of an externality than the death of 11 Americans.

Despite that, there were some mentions of profit at any cost in the Rana Plaza case which I explore below:

RP6X: Profit came before safety (Let’s Get Grim, 2022)

RP6Y: The fashion brands’ desire to profit at all costs (Alarmist, 2021)

These two statements were perhaps the most counter-hegemonic from my sample, out with the episode of *Das Criminal*, which as I mentioned previously, presents almost exclusively counter-hegemonic discourses. RP6X sees “profit coming before safety” in the Rana Plaza case and in doing so, points to how corporate decision-making disregards any other concerns that might not impact their profitability. To reiterate my point in Episode 5, the lack of a safe working environment in fast fashion factories in the Global South is legal and multinational corporations deliberately exploit it. In that sense, there is more of a reliance on CSR practices which the corporations claim to be committed to, but as was apparent in the Rana Plaza case, hardly deliver on. Indeed, I

⁹⁷ The framework of intersectionality is perhaps also relevant here, that is, the understanding of structural inequalities through the lens of the combination of multiple inequalities that drive further discrimination (see Crenshaw for more)

argue that prioritisation of profit can never be entirely concomitant with socially responsible behaviours. Recognising it as such in a corporate crime portrayal in podcasts is a form of counter-hegemony as it points to the prevailing forces of corporate power and capitalism that are highly systemic.

Similarly, RP6Y talks about “profit at all costs” which is aligned with the argument of “profit before safety” while also being aligned with Bakan’s quote I used in section 2.4⁹⁸. Corporations must pursue profit relentlessly regardless of how much social and environmental cost is incurred. Having said that, the “*desire to profit at all costs*” is assigned to “*fashion brands*” rather than being perceived as an inevitable consequence of the economic system. This is not necessarily wrong, but it could lead the listener to conclude that perhaps ‘brands’ in other industries do not desire to profit at all costs. This is further reinforced in the *Alarmist* podcast: as I mentioned elsewhere, the podcast is dedicated to identifying the responsibility for the world’s ‘disasters’ and in the conclusion of this episode, there is an opportunity to attribute the Rana Plaza case to capitalism itself which is, unfortunately, missed. The host states, “capitalism is at the core of so many things, but for this particular tragedy, don’t you think that fast fashion really just ought to get it?” (Alarmist, 2021). This is related to a point from Episode 1: when discussing podcasts, they must be viewed not only as episodic, but also as serialised where the aim of the whole ‘series’ may overshadow the discourses being used in one single episode, which is essentially what happened here. Capitalism – while recognised as the root of the fast fashion industry – is overshadowed by the host’s desire for entertainment. Would it not be boring for the listener if every ‘tragedy’ they discuss across different episodes comes back as being caused by the underlying ideology of capitalism?

In any case, the discourses in both episodes are certainly systemic and in doing so, challenge the hegemonic perceptions of corporate criminality. Despite the ambiguity of ultimately linking Rana Plaza and the fast fashion industry to capitalism, the episode is full of systemic discourses that even go as far as to identify “cis-capitalist-hetero

⁹⁸ Although profit at all costs could also be related to the economisation of externalities where even human lives are perceived as a ‘cost’, as mentioned in Episode 5.

patriarchy” as being one of the responsible ‘parties’ for the collapse. Such a statement identifies the intersection of four wide systemic issues: capitalism, sexism, patriarchy and transphobia and in doing so, it is highly systemic and challenging the status quo of each of the systems. Any recognition of profit prioritising over human life or safety casts doubt on capitalism, its structures and sustainability.

Similar instances of profit over safety and people were observed in the Deepwater Horizon case, albeit it was framed in a different context:

DH6O: the explosion of the rig was a disaster that resulted from BP’s culture of privileging profit over prudence (Alarmist, 2022)

DH6P: It’s the classic profit over everything... it’s still profits over people (Mile Higher, 2021)

As mentioned, Deepwater Horizon was more notable for prioritising profit over other considerations apparent in DH6O and DH6P. DH6O talks about “privileging profit over prudence” which in this context refers to being careful with unnecessary spending. Worker safety and the protection of the planet should hardly be perceived as unnecessary. This, along with referring to the case as disaster casts doubt on the extent to which the statement challenges the status quo despite discussing a narrative about the prioritisation of profit.

The prioritisation of profit is expressed explicitly through the latter part of the statement and framed within the wider organisational culture of BP. The company has a reputation for normalising practices which privilege profit over any other considerations which is notable from the investigation of three large-scale incidents BP was involved in in the past 20 years (National Commission, 2011). I return to the connection between organisational culture and profit prioritisation when discussing DH6Q and DH6R. Overall, DH6O alludes to some counter-hegemony through their use of discourses that perceive profit as being prioritised over other considerations, but it does so with caution and ambiguously.

There are a few things to unpack in DH6P. Firstly, the hosts refer to “profit over everything” which frames the case within the broader spectrum of profit prioritisation and social irresponsibility. The hosts refer to profit over everything as “classic” which suggests corporations profiting at any cost as something that happens often and commonly, so much so that it becomes accepted and it is not questioned. This links to the conventionalisation of corporate crime discourses which I explored in Episode 4. Corporate crime and harm become conventional and almost expected as side effects of *normal* economic activity. The hosts do not challenge the underlying reasons for the normalisation of harms stemming from corporate activity and in doing so, they fail to be critical about the statement.

The second part of DH6P uses the statement “profits over people”. By referring to people rather than workers, safety, or merely in terms of cost, the listener is left with a powerful image that is much more dramatic. It could also be linked to RP6P and RP6O where profit is seen to be prioritised over “human lives” which, as I stated before, will never be the priority of corporations. Note that the value of human life can be compromised not only through invoking injury or death but also by creating an unsafe working environment that can lead to psychological as well as physical and social harms imposed on workers. I return to this point later.

The statement is emotionally charged and is meant to elicit a reaction in the listener. It does so through the context of a discourse that challenges corporate power and their prioritisation of profit over people. Interestingly, the use of the word “still” before “profits over people” is mentioned in the context of the post-Deepwater Horizon climate where BP is claimed to have *reformed* the whole company which the podcasters challenge and call out by stating that the prioritisation of profit over people remains unchanged. Indeed, this is ideological, unless the wider structure of the economic system we live under remains unchanged, so will the practices corporations use to maximise profits.

Now I want to return to an earlier point I made in DH6O about prioritising profit over safety, which is perceived as part of BP's culture. There were many direct references to unsafe working conditions that became an organisational culture in the Deepwater

Horizon case. For the sake of brevity and continuity, I want to focus on two examples that relate to the narrative of “profit over safety” which were so conventionalised that they became part of the culture of the company:

DH6Q: unspoken reality that safety is, in fact, third [not first] in a lot of these places, because productivity and profit come first. (The Real News Podcast, 2022)

DH6R: But in so many ways, what these industries and these companies are doing is just kind of using the language of safety to pave over the fact that you were doing a fundamentally unsafe thing (The Real News Podcast, 2022)

DH6Q and DH6R are quotes from a podcast from The Real News Network from their part of a series called “Working People.” The Real News Network describes itself as a non-profit media organisation dedicated to “connecting the listener to the movements, people, and perspectives advancing the cause of a more just, equal, and liveable planet. We broaden your understanding of the issues, contexts, and voices behind the news headlines” (The Real News Network, 2024). Other episodes from their podcasts quote corporate prioritisation of profit in the context of railroad incidents, and other pro-union anti-capitalism reportage pieces with direct references to corporate power and corporate crime, such as an interview with avid campaigners against corporate capitalism.

Given the context of the podcast maker, it is not surprising to find counter-hegemonic claims in this podcast, much like in the *Das Criminal* podcast which is openly critical of politics and corporate power. The podcast episode included an interview with an oil rig worker who worked on the Deepwater Horizon rig when the explosion occurred. The guest discusses safety being third “because profit and productivity come first” in DH6Q. This is contextualised further in DH6R where the guest suggests a more systemic participation in these practices related to the industries and companies in a way that could perhaps be associated with Bradshaw’s (2015) argument about the criminogenic nature of the gas and oil industry. It also points to the concept of CSR by stating “using

the language of safety to pave over the fact that you were doing a fundamentally unsafe thing” which identifies CSR as a deception technique.

This discourse foregrounds the systemic issues that underline the disregard for safety – safety comes secondary to profit motives and profit imperatives undermine safety protocols. This is a classic example of corporations acting in socially irresponsible ways and yet another argument against the potential of CSR to be actualising. Both DH6Q and DH6R are ideological in that they challenge the economic rationality of capitalism and in doing so, offer a high counter-hegemonic potential. This is aligned with much of the content covered in this Episode which offers, by far, the most contestation to the hegemonic status quo.

RECAP OF EPISODE 6:

In this Episode, I looked at discourses that frame corporate crime as a structural issue rather than a crime that happens at a certain place and time. Discourses that directly reference the prioritisation of profit, corporate power, and amoral calculation recognise that corporate crime happens due to the underlying structures of economic systems.

NEXT ON *PODCASTING CORPORATE CRIME*:

The next Episode marks the conclusion of this thesis. In it, I attempt to summarise the key findings of my thesis by addressing the research questions from Episode 1 and the limitations and future directions of research in the field.

Episode 7: Conclusion

PREVIOUSLY ON *PODCASTING CORPORATE CRIME*:

In the previous Episode, I scrutinised those discourses of corporate crime in podcasts that offer contestations to the hegemonic status quo. This was observed by addressing the extent to which podcasters framed corporate crime as a systemic issue.

COMING UP NEXT:

This is the concluding Episode of my thesis which summarises the key findings of my research, provides answers to the research questions, addresses any limitations and recommends some future directions for research in the field of media portrayals of corporate crime.

1. Introduction

The extent to which actors are, or should be, held to be responsible, blameworthy and/or criminal for disastrous events is related to the way such events are labelled (Davis, 2006, p. 156).

One of my primary motivations for this thesis was to discover *why* it matters how corporate crime is portrayed in podcasts and to what extent there is potential to be counter-hegemonic in doing so. Framing corporate crime has significant implications: It dictates how the event is treated and responded to, and in so doing, it promotes or supports certain assumptions about corporate criminality.

From existing research, it is clear that corporate crime's routine and frequent production rarely manifests at the individual level (Macfarlane Horn and Tombs, 2024). However, this is hardly recognised in traditional media discourses of corporate crime and harm: in general, media tends to treat corporate crimes as isolated acts that stem

from one ‘bad apple’ or go as far as to deny agency in corporate crimes by stating that they happened ‘accidentally’, or as a result of a ‘disaster’ beyond anyone’s control (Machin and Mayr, 2013). While these discourses are commonly encountered in traditional media outlets such as news, radio or TV broadcasts (see, for example, Wright et al., 1995; Barlow and Barlow, 2010; Ras, 2021; or Macfarlane Horn, 2024), research on more contemporary media sources is limited. The framing of corporate crimes as disasters or crimes is not ‘accidental’ – crime representations in the media always carry a certain degree of ideology as there is a suggestion about the nature of criminals and crime, the integrity of the criminal justice systems as well as the understanding of the social structure (Manning et al., 2021). For those reasons, criminologists must question crime discourses in the news, not least for crimes of the powerful, such as the corporations which hold insurmountable amounts of power in a capitalist society, that can be rendered relatively invisible through hegemonic narratives of criminality.

My thesis aimed to address this by analysing the discourses of corporate crimes in podcasts and exploring the extent to which they offer hegemonic contestations to the status quo. Drawing on the Gramscian concept of hegemony, my thesis attempted to investigate discourses deployed in two corporate crime cases: the Rana Plaza building collapse and the Deepwater Horizon explosion and oil spill.

1.1. Episode Map

In Episode 1, I introduced the research by presenting the conceptual terrain for the three pillars of my thesis: corporate crime, media/podcasts, and my case studies. This demonstrated a gap in research that I aimed to address through my thesis, which emphasises the importance of studying corporate crime discourses in podcasts.

Episode 2 focused on methodology, which was informed by critical discourse analysis. I fleshed out the notions of power, discourse, and ideology and how they related to the concepts I used throughout my thesis. I explained the detailed research strategy that led me to my final dataset of 32 podcast episodes. I concluded the Episode by reflecting on my own positionality.

Episode 3 presented the discourses of disaster and their overlap with corporate crime. I argued that public discourses on disasters often include corporate crimes even though the original definition of ‘disaster’ is based on lacking agency and ill faith. Framing corporate crimes as disasters shifts the focus from responsibility and agency to the consequences, that is, there is an overrepresentation of suffering and immediate consequences of the crime. The causes and intricacies of the crime become backgrounded, if not entirely denied through presenting corporate crimes as disasters void of human agency and outside human control. I argued that the denial of agency for corporate conduct results in the denial of responsibility for social processes and the potential to intervene to change the outcome of the crime. Framing corporate crimes as ‘disasters’ only helps sustain existing power relations and reinforces corporate power and corporate lack of accountability for their crimes.

Episode 4 focused on the consequences of framing corporate crimes within the narrow confines of the legalistic definition of crime. I argued that while there is a difference in connotation rooted in the presence of human agency lacking in the discourses of disaster, the agency for ‘crime’ is assigned on the individual level. Corporate crime gets framed in the individual discourses of ‘bad apples’ whereby criminality is linked to a few individuals isolated from the otherwise ‘good’ company. I argued that the individualisation of corporate crimes through the lens of legalistic definitions of crime fails to question the collective nature of such offending and the processes that contribute to its normalisation and conventionalisation. Additionally, I considered the concept of the ideal victim to address how podcasts treated victim justice for the two cases. For Deepwater Horizon, victim justice discourses were foregrounded, and victims were individualised and ‘paid respects’ to whereas for Rana Plaza, victims were dehumanised and collectivised, thereby portrayed as less ideal.

Episode 5 presented discourses of corporate crime through the lens of harm, focusing on global exploitation and environmental harm. I examined the production of corporate harm in the Global South through dangerous working practices that exploit workers. The environmental harm discourses are examined concerning the terms used to describe it which carry different notions of renewability and perceptions of such harms. I argued

that the discourses of exploitation of Global South countries and workers can carry different connotations that can carry ideological meaning, particularly those that refer to exploitation as ‘cheap labour’ and those that omit the links to neo-colonialism.

Episode 6 recognised that corporate crime production stems largely from systemic factors, notably the ways of working of the capitalist economic system. Corporate criminality was portrayed as systemic and caused far beyond the individual level, an argument I developed throughout the thesis. Ideological legitimisation of capitalism is challenged through discourses that recognise the extent of corporate power and the amoral calculation of the corporation to justify the harm they cause as an externality of their production which is also reflected in discourses on the lack of corporate social responsibility (CSR). These are underlined by the innate need of corporations to pursue and prioritise profit over any other considerations. Despite that, profit prioritisation can be included in hegemonic and counter-hegemonic discourses. It was shown that using words that may be deemed synonymous in other contexts will impact the extent to which pro-corporate and capitalist ideology is reinforced through the discourses.

1. Key Themes and Findings

This section aims to present the key findings from my analysis of corporate crime portrayals in podcasts that cover the cases of the Deepwater Horizon explosion and oil spill in 2010 and the Rana Plaza building collapse in Dhaka, Bangladesh that occurred in 2013. Podcast episodes that focus on these cases were analysed to answer the following three research questions:

- 1) What discourses are present in podcast episodes covering the cases of Rana Plaza and Deepwater Horizon?
- 2) How does corporate crime get framed in podcasts’ discourses?
- 3) To what extent do podcasts portray counter-hegemonic discourses regarding corporate crime, challenging dominant narratives of corporate activity and its consequences?

These are then consolidated into the overarching research aim which addresses the extent to which podcasts have the potential to challenge hegemony and present counter-hegemonic discourses of corporate criminality. I address each question in turn in the following four sections.

1.1. Research Question 1

What discourses are present in podcast episodes covering the cases of Rana Plaza and Deepwater Horizon?

Overall, the discourses surrounding each case in my sample largely reflected how the podcasters framed and understood corporate crimes. Those podcasters who framed the cases as disasters would focus on different aspects of them compared to those who perceive them as the result of systemic criminality that goes beyond individual offending. I focus on how cases were framed in the following section.

Here, I would like to draw on some of the more general discourses in each case. The two cases I examined occurred in different industries, one in the gas and oil industry and the other in fast fashion. I posit that the differences observed in the discourses associated with each case are not a mere result of the industries or an artefact of the circumstances of the case. Instead, they are the result of a complex interplay of factors, some of which are ideological and political. In so doing, they can impact the extent to which podcasters challenge dominant power relations.

The discourses for each case were largely varied across my sample. Each case was represented via the spectrum of frames across different podcast episodes. The consequences and dramatisation of suffering were foregrounded when the podcasters decided to frame the entire case as a disaster. For Rana Plaza, this can be related to the sheer scale of victimisation in the thousands that motivated some podcasters to select the case study in the first place (Blood & Wine, 2020). For Deepwater Horizon, this could be related to the 2016 Hollywood dramatised version of the case, which focuses on the disaster frame given that it is a disaster movie. If podcasters ascribed more systemic

causes to the cases, their understanding was more nuanced and they included discussions about corporate social irresponsibility and prioritisation of profit, albeit some did so more counter-hegemonically than others⁹⁹. What is more interesting, however, is where the two cases differed in their discourses. This could be observed through two main aspects: the treatment of victims and the responsabilisation of consumers.

When it comes to the treatment of victims, it was clear that Deepwater Horizon victims were much viewed as more ideal and sympathy-worthy, as I discuss below. Eleven fatalities from the Deepwater Horizon were prioritised over the 1,135 deaths in the Rana Plaza collapse. The Deepwater Horizon victims' names were read out loud to "pay respects", such as in *Causality; Disastrous History; Mile Higher* and *Southern Discomfort*. No such comparison exists for the Rana Plaza victims and while this might be due to the impracticality of reading out 1,135 names, a minute/few seconds of silence could have been easily used to pay the same respect that the Deepwater Horizon victims were given. As such, Rana Plaza victims tended to be collectivised, turned into "factory workers" and thereby dehumanised. This is important ideologically as it could be argued that those who accept capitalism as common sense could perceive factory worker deaths as inevitable and in doing so, accept that the appalling working conditions for people in Bangladesh are necessary for economic competitiveness. It is more acceptable than the alternative – them not having any work at all.

However, it could also be related to the news value of proximity whereby incidents that happened 'closer to home' may receive more coverage and sympathy as podcasters might find them more relatable, or they might even know people who work in the gas and oil industry or even people who worked on the rig. Despite that, it is difficult to overlook the degree of racism given that the victims of Rana Plaza were of South Asian descent and can, therefore, be deemed as less 'important' or worthy. People of colour in the Rana Plaza case are thereby perceived as more expendable, which one podcaster

⁹⁹ I return to this discussion in answering research question 3, section on 'systemic discourses'

acknowledges by ironically stating “there is more where that came from” (For Want of a Nail, 2022). Additionally, most Rana Plaza victims were also women and people of colour which is an intersectionality that might make them even less favourable to be acknowledged as ideal victims due to underlying notions of racism. Put simply, lives in the Global North count for more than lives in the Global South.

Secondly, the role of the consumer was perceived differently in each case. For Rana Plaza, fast fashion consumers were largely responsabilised and tasked with ending the harms associated with fast fashion. Rather than acknowledging that corporations should act more responsibly, consumers were told to shop less. Simply put, the *grand solution* for avoiding the harms associated with fast fashion is for consumers to buy fewer clothes rather than for corporations to stop exploiting the Global South. There was no such comparison for Deepwater Horizon where podcasters did not suggest using more public transportation, or to purchase electric cars to consume less oil and gas.

Upon reflection, this seems slightly ambivalent: on the one hand, consumer responsibility frames are largely problematic given that the responsibility is first and foremost with the corporations rather than the consumers, so it is not perpetuating this idea that consumers have immense power in their purchases. On the other hand, oil is an entirely different commodity compared to fast fashion. While 80% of clothes are estimated to end up in landfills (Clean Clothes Campaign, 2019) and there is a second-hand market for clothes that directly avoids purchasing fast fashion, people use gas and oil in a way that is more necessary for survival. That is, they use it to heat their homes, feed themselves, transport themselves from and to work, and people might not have any other choice but to consume oil and gas. Fashion, in the sense of consumerism, is a *choice* whereas oil and gas are deemed *necessary*. This is not least due to the oligopolistic nature of the oil and gas industry where no company is seen to have a particularly *clean* record. There is no better option for purchasing oil given that very few corporations – each previously involved in corporate criminality – largely dominate the market. Still, there might be more favourable options for fashion where ‘slow fashion’ and second-hand purchases are seen as more favourable. Recognising these

complexities is essential for a more nuanced understanding of the discourses of consumer responsabilisation in both cases. Reducing the harms of fast fashion to consumer responsibility remains hegemonic as it deflects from how guilty corporations are of perpetuating the harms of fast fashion.

All in all, both cases included varied and balanced discussions that spun across each of the four frames I use to frame my data which is where I turn to next.

1.2. Research Question 2

How does corporate crime get framed in podcasts' discourses?

One of the primary aims of this thesis was to discover *why* it matters how corporate crime is framed in public discourses. Take the two case studies I used in my thesis: Rana Plaza and Deepwater Horizon. To refer to them neutrally as the Rana Plaza *collapse* and the Deepwater Horizon *explosion and oil spill* makes no inferences about the circumstances, blame or proposed punishment for the cases. This dramatically changes if one refers to them as the Rana Plaza *disaster*, the Deepwater Horizon *manslaughter* or the Deepwater Horizon *accident*. A disaster and accident may imply there is no human agency behind the harm the corporations caused in each case. Manslaughter might suggest there is an individual who should be held responsible for their actions. It is clear, then, that how corporate crime is understood and framed has large ramifications on how it gets treated, is responded to, and is reacted to which, in turn, impacts how corporate crime gets understood by the public, which is a position also recognised in research (Machin and Mayr, 2013). Using such frames for corporate crime is not random. It is ideological and impacts how such frames maintain or challenge hegemonic power relations.

Within my thesis, I explored frames in which corporate crime is presented to the audience, focusing particularly on four such frames: disaster, crime, harm and systemic problem. These frames were largely driven by the data I found and their potential to challenge hegemonic discourses of corporate criminality. I used these frames as types

of discourses and as headings for Episodes 3-6. Table 4 below specifies the frames I refer to and some key themes each frame drew upon.

Table 4. Corporate Crime Frames

Disaster	Crime	Harm	Systemic
'disaster' label	'crime' label	Environmental harms	Corporate form and power
Dramatisation – actors/actions	Individual perpetrator	Global exploitation	Corporate social irresponsibility
The horror genre	Exclusively human victims	Worker exploitation	Amoral calculation
Denial of agency			Profit prioritisation

Before I delve into the intricacies of each frame, I want to summarise the key findings for each of them. Recognising corporate crimes as disasters has implications for the agency that is being denied through such discourses and it foregrounds the consequences rather than the causes of the cases. Recognising corporate crimes within the legal boundaries of crimes acknowledges that there is human agency in these acts, but it wrongly assigns it at an individual level. Recognising corporate crime as harm allows for recognising some of the underlying struggles of criminalisation which are extremely important given that corporations can and do impact law-making processes. Recognising corporate crime as a systemic problem is, by far, the most nuanced frame which appreciates that such criminality is encouraged by the conditions imposed onto societies through the pressures of economic systems and the structure of the corporate form.

Within these frames, it is important to note that some discourses were more prevalent in my sample than others. While my thesis is not quantitative, my sample's high prevalence of disaster discourses should not be overlooked. Disaster discourses were most commonly recognised in my sample which could be linked to the sample itself that I provided a typology for in Appendix A, there are 6 episodes in podcasts with a wider theme of disaster compared to 2 episodes in podcasts using the label crime/true-crime. Interestingly, more podcast episodes discussed aspects of harm stemming from

environmental devastation and global exploitation than those that framed the cases as crimes. Interestingly, and perhaps most notably, discourses about systemic issues were present and relatively frequent compared to crime discourses. This could be attributed to my sample given the underrepresentation of true crime podcasts. Still, it can also suggest that podcasts are a more suitable vehicle for portraying the complexity and nuance of corporate crime that is unmatched in traditional media portrayals. The propensity of podcasts to draw upon systemic perceptions of corporate criminality could also be linked to the format that prioritises deep exploration of topics that promote a fuller understanding than a more traditional media format – such as an online national news article of 300 words – does not have room to explore. However, as I alluded to while answering the previous research question, the extent to which podcast hosts understood the systemic perpetration of corporate crime varied from those who fully grasped it (such as *Das Criminal* which is explicitly political and anti-establishment) to those who did not (such as *Hillbilly Horror Stories* that failed to look up Bangladesh on the map). Those who recognised such frames were much more likely to portray resistance to hegemonic perspectives which I explore in answering the next question.

This is not to say that entire episodes of my sample used a single frame for the entirety of the episode. Given the length of each episode (average of 45 minutes), it would be impossible to represent a single discourse and frame. It is merely to point out that the way corporate crime was framed was largely aligned with the context of the podcast episode and the discourses they used. Indeed, this is related to the intertextuality argument I made throughout the thesis: podcasts are serialised and episodic, meaning that the stand-alone episodes are contingent on the wider context of the whole podcast. This could explain some of the variance in the frequency of certain discourses, especially the prevalence of disaster discourses in my sample.

So, what were the implications of particular frames for corporate crime discourses?

To frame corporate crime as a disaster means deflecting from causes to consequences, dramatising actions and actors, augmenting human suffering and removing the agency

from the act. The dramatisation could be an artefact of the “infotainment” category that podcasting is located in where factual information is presented entertainingly and the lines between fact and fiction get blurred which was observed in my data, especially concerning Deepwater Horizon’s portrayals due to the reliance on the Hollywood movie. But by far, the key issue with reconceptualising corporate crimes as disaster is the extent to which agency is denied in disaster discourses. I argued that this is related to the dictionary definition of the word ‘disaster’ which relies on the ‘ill faith’ of the stars and in doing so, diminishing the presence of human agency more generally. Smith (2006) argued that even the effects of ‘natural’ disasters could be exacerbated/reduced through human actions, so this is more of an artefact of the concept of disaster than “corporate” disasters.

To frame corporate crime as a crime means assigning individual responsibility to the actors through the ‘bad apple’ frame of criminality. While the agency is not entirely lacking, it is assigned at the wrong level. Corporate crime occurs through a complex interplay between individual, organisational and systemic factors rather than at a strictly individual level (Box, 1983). This frame also emphasises human victims exclusively which is an issue for most corporate crimes as their harms are in no way limited to humans, especially in the context of environmental degradation. However, it could be beneficial and a step in the right direction compared to framing it as a disaster, especially with quotes like “*This is corporate homicide, it’s not an accident*” (Hartmann, 2021) which move away from the framing of lacking human agency. Seeing the words murder, homicide and atrocity alongside corporate crime certainly could raise the profile of the seriousness of corporate offending. So, in that sense, some discourses could challenge the hegemony of corporate crime, especially in the sense of corporate crime lacking seriousness and only limited to financial offences (Levi and Lord, 2023). However, it also has to be stated that when the consequences of corporate crimes are not limited to human victims, the harms get overshadowed by the crimes. This is consistent with Burns and Orrick’s (2002) findings – the media is more likely to focus on corporate crimes when they resemble the harms of traditional criminality.

I find this frame largely conflicting: on the one hand, promoting crime discourses of corporate crime means it could be included alongside other murders and injuries and contribute to increasing the perceptions of seriousness within the discipline and in the public consciousness. It also recognises that there is human agency behind corporate wrongdoing which does not happen due to ill faith, or as an accident. On the other hand, it fails to recognise the systemic nature of corporate criminality by individualising the offenders, thereby making the highly complex and systemic perpetration of corporate crime appear as an isolated incident perpetrated by 'bad apples'.

To frame corporate crime as harm recognises some of the structural issues connected to corporate crimes, especially through recognising the overlap of state and corporate power. There are links to the power imbalances between the Global South and the Global North that corporations can and do exploit. This framing recognises a degree of exploitation of developing countries and their people that is marked not only through the economic sense but also through a degree of underlying racism that treats workers in those countries as more disposable, they are reduced to only their capacity to work. Such discourses are ideological, given that they can be linked to neo-colonialism and the extent to which they get challenged or reinforced will be reflected in the hegemony found in them. Additionally, the frame of corporate harm recognises the environmental degradation stemming from corporate activities as a real and important issue that allows corporations to get away with destroying non-renewable resources.

An additional distinction should be made about the two frames I mention above: my definition of corporate crime includes both criminal and harmful acts and/or omissions, yet my findings present the issues of corporate crime as a different analytical category to corporate harm. Such explicit distinctions are not necessarily made by podcasters in my sample who are, after all, not academic experts and will most likely not grasp the nuances of these discussions. They often present overlapping narratives where crime and harm, as well as harm and systemic issues are interwoven. Corporate crimes are multi-faceted, and they might not neatly fit into these categories.

To address potential concerns about the validity of the data presented in the podcasts, this thesis recognises that the terminology used by podcasters might differ across the whole sample, as well as differing from my own. This captures the variability and complexity of discourses reflecting in real life situations. The distinctions I use in my analytical categories (legalistic definitions of crime versus social harm) provide a clear way to analyse these discussions even if podcasters do not explicitly articulate these differences. For those reasons, I limited my discussion to two explicit, discernible and preventable types of harm that were most apparent in my cases.

Finally, to frame corporate crime as a systemic problem means recognising the ideological and normative complexities of corporate crime in the widest sense which has the best potential to challenge hegemonic discourses of corporate criminality. This can be observed in discourses criticising corporate power and the corporate form essential for challenging the unchecked harms corporations perpetrate. Systemic problem framing also means that CSR is perceived as a mere technique of deflection that directs people away from rising inequality and corporate reach. Additionally, discourses that point to the prioritisation of profit at any cost – the main feature of capitalist ideology – which to a larger or smaller extent recognises that the patterns of corporate offending go far beyond the notion of one-off events that are the exception rather than the norm. These discourses are most likely to challenge dominant ideology and portray counter-hegemonic discourses due to providing a fuller understanding of the complexity of corporate criminality.

1.3. Research Question 3

To what extent do podcasts portray counter-hegemonic discourses regarding corporate crime, challenging dominant narratives of corporate activity and its consequences?

As demonstrated in my answer to the second research question, language can be relatively neutral – a collapse, an oil spill and an explosion do not carry any ideological meaning. However, crime representations are largely ideological in that they carry implicit meaning of who should be held accountable, how the crime should be

punished and the efficacy of the criminal justice system (Manning, 2021). In that way, one can distinguish between those discourses that accept the hegemonic ideology of corporate crime as common sense and those that show resistance to it through counter-hegemony (Gramsci, 1971). These are not two sides of the same coin, rather, (counter-)hegemony is more like a dynamic spectrum on which discourses can fall, many of which are in tension and contain contradictions.

Throughout the thesis, I argue that hegemonic discourses of corporate crime largely individualise corporate offending and ignore its systemic causes. This also occurs when corporate harm is perceived as an outcome beyond anyone's control with no agency. They perceive corporations as responsible social actors that participate in productive economic activities, and their harms are seen as either expected side effects of the workings of the economic system or accepted as "unavoidable accidents."

Corporate power is open to contestation which is done through foregrounding counter-hegemonic discourses that recognise the criminogenic structure of capitalism and the unyielding power capitalist ideology provides the corporations with. It challenges the notion that corporations must prioritise profit at any cost, even if the cost refers to human lives or the planet's survival. The discourses that acknowledge there is, indeed, the human agency behind corporate wrongdoing or those that perceive corporate harm stems from the exploitation of countries, people and resources which are deeply entrenched in social structures can be considered counter-hegemonic. They challenge the *common-sense* assumptions that accept corporate crime as a side effect of corporate activity.

As evident in my response to research question two, framing corporate crime as either a crime, disaster, harm or a systemic issue significantly impacts the potential for each discourse to challenge hegemonic perceptions. In Table 4, I presented each frame along with some key themes. Table 5 on page 254 extends this by illustrating themes that reinforce the status quo through hegemony and those that challenge it and engage in counter-hegemony. One of my thesis' key findings is that the potential for presenting counter-hegemonic discourses increases as the discourse becomes more systemic. In

other words, discourses that recognise corporate crime as a disaster or a crime have less potential to challenge hegemonic perceptions than those that view it as a result of underlying systematic causes that go far beyond the individual case.

Before delving into the hegemony and counter-hegemony of each discourse, I want to reiterate that the overall framing affects the potential to challenge hegemonic perceptions. Even if a podcast about corporate disasters states: ‘profiting at any cost, no matter who dies’, it is still likely to be perceived as an inevitable consequence of capitalism given that human agency in disasters is entirely lacking. This was observed in Episode 3 where a podcaster tried to explain that there have been previous instances of people in Bangladesh dying in the fast fashion industry (Alarmist, 2021). By using the word “disaster”, the deaths are framed as happening *to* the industry and the corporation rather than *in* or *caused by* the industry. Thus, even if podcasters allude to some systemic factors, by framing corporate crime as a disaster, they fail to link underlying structures to corporate harms.

However, as stated in the previous section, no single podcast episode can present a singular frame of corporate crime with solely hegemonic or counter-hegemonic discourses. Instead, I argue they are presented on a larger scale where hegemony and counter-hegemony often compete for attention and salience, and they might be foregrounded or backgrounded throughout the episodes. This was particularly notable in the podcast episode *of For The Want of the Nail* (2022) where the host presents six underlying causes of the Rana Plaza collapse, each of which is systemic (lacking health and safety regulations, political corruption, ignored warnings and the lack of planning permission for the building). However, the blame is individualised onto the factory owner Sohel Rana who is given the nickname of ‘Sohel the Shithead’, and horror-like descriptions of the aftermath of the collapsed building are foregrounded. Ultimately, this undermined the potential for counter-hegemony due to framing the case as a corporate disaster rather than corporate crime or harm.

In contrast, episodes that perceive the cases in largely systemic contexts – such as the *Real News Network* podcast and *Das Criminal* give a largely counter-hegemonic

account of the cases. In my response to the overarching research question, I return to why this might be the case. For now, I want to focus on the (counter-)hegemony in each of the four frames I unpack below.

Table 5. Hegemonic and counter-hegemonic discourses for each frame

Disaster Discourses				
Hegemonic	disaster/ accident label	horror-like descriptions	dramatisation	denial of agency
Counter-hegemonic				
Crime Discourses				
Hegemonic	bad apples	scapegoating	no link to systemic factors	victimisation limited to legalistic definition
Counter-hegemonic	the 'crime' label	presence of human agency		
Harm Discourses				
Hegemonic	harms that nature can recover from	cheap labour	brands create profit in Global South	
Counter-hegemonic	irreparable environmental harms	neo- colonialism	exploitation	State-corporate nexus
Systemic Discourses				
Hegemonic	Corporate social responsibility	saving money	cutting corners	Consumer responsibilisation
Counter-hegemonic	Corporate form and power	Corporate social irresponsibility	Amoral calculation	Profit prioritisation

DISASTER

As may be obvious by now, disaster discourses have the least potential for challenging hegemonic accounts of corporate power primarily due to taking agency away from the corporations. Corporate responsibility in 'corporate disasters' gets overlooked through omitting/passivating the agent or by equating corporate crimes with natural disasters. It perpetuates the ideology of pro-corporate values which maintains the existing power dominance of the corporation. Such ideology obscures power inequalities in society which can be mediated through discourses. Designating something as a natural disaster could blind us to the structural violence of social systems, particularly contemporary capitalism (Soron, 2007).

The whole notion of disaster events suppresses the causes and responsibilities. Instead, it highlights the consequences, so an argument could be made that disaster discourses are, almost by definition, maintaining the hegemonic status quo. For that reason and in line with arguments made in CDA, representing corporate crimes as devoid of human agency, outside of human control, can have an ideological function, "eliding responsibility for social processes and the possibility of intervention to change them is conducive to a fatalism that may help sustain existing relations of domination" (Fairclough, 1995a, p. 123). For that reason, discourses that frame corporate crime as a disaster are, by and large, hegemonic.

CRIME

The frames that portray corporate crime through the legalistic definitions of crime are more complex and less straightforward than disasters, laying somewhere on the spectrum between hegemony and counter-hegemony. For instance, discourses that frame corporate crime as manslaughter, murder, homicide or mass murder, such as in the *Working Life Podcast* (2017) can capture some of the nuances that point to an act being *perpetrated* rather than occurring beyond anyone's control. It could also contribute to increasing the perceptions of the seriousness of corporate offending (REF). Simply put, framing corporate crime within the legal definitions of criminality is a

step in the right direction towards counter-hegemony. However, I argue this is insufficient to recognise it as counter-hegemonic.

The counter-hegemonic potential of such discourses is undermined by linking crime to individual offenders perceived as 'bad apples' of an otherwise working system. This was done to a large extent in the Rana Plaza case where the factory owner was referred to as being greedy and arrogant (For Want of a Nail, 2022) as well as in Deepwater Horizon where two BP executives were seen as causing deaths to 11 people (Antemortem, 2021). Such a technique can be seen as scapegoating or assigning blame to (a group of) individuals for something that is not necessarily their fault. These discourses cannot be consolidated with systemic perceptions of corporate criminality. Instead, they minimise responsibility for corporate crime, isolating the crimes and turning them into something unique and atypical rather than common and systemic (Mathiesen, 2005).

The discourses of victimisation and victim justice were similarly only linked to legalistic definitions of crime and criminality. As noted in my answer to research question one, I argued that Rana Plaza victims, despite meeting some of the criteria to be treated by the media as ideal victims (gender, perceived innocence), their race and geographic location made them less 'ideal'. The only way the victims were referred to was through their economic instrumentality as labour (workers) which only perpetuated pro-capitalist ideology. Deepwater Horizon victims, on the other hand, possibly related to the proximity to where the podcasts were made, were treated differently, many times their names were read out to pay respects, and they were humanised and personalised and never referred to as workers (despite both cases occurring in the workplace).

Overall, the link between corporate offending and wider societal structures which allow it to go on in the first place is never made. Beyond acknowledging human agency in corporate crime and acknowledging that people dying at the hands of corporations are equivalent to more traditional conceptualisations of murder and homicide, there is very little counter-hegemonic potential in portraying corporate crime within the rigid boundaries of legalistic definitions of crime.

HARM

I argue that discourses which frame corporate crime as social harm have much more potential to challenge hegemonic perceptions of corporate criminality. This was observed in two types of harm: environmental harm and harm stemming from the power imbalances between the Global North and the Global South.

Discourses of environmental harm in my sample were predominantly encountered in the Deepwater Horizon case which can be linked to the fact that the immediate consequences of the Rana Plaza case were not environmental per se. However, the environmental damage of the whole industry could have easily been recognised. How environmental harm was portrayed was crucial for the Deepwater Horizon case, particularly when linked to whether nature can recover from such extensive environmental degradation. After all, the oil spill resulting from the Deepwater Horizon case remains the largest oil spill in the planet's history. Some podcasters use anthropomorphic language, claiming nature can recover and be repaired due to its resilience (White-Collar Crimes, 2022), while others used more definitive discourses where nature was 'fucked' beyond help (Antemortem, 2021). Perceiving corporate harm to the environment as something that can get *magically* fixed is ideological. Failing to link corporate environmental harm to larger resource extraction and overconsumption processes in capitalism is hegemonic and fails to challenge corporate power.

On the other hand, those who view the impact of the Deepwater Horizon case as beyond repair, with the infamous "oil fucked up the environment" (Antemortem, 2021) as opposed to "oil damaged the environment" (White-Collar Crimes, 2022), will perceive the corporate crime as something more serious and less normalised. Those discourses that recognised the prioritisation of profit over environmental concerns were able to point to the systemic causes of corporate criminality. This resulted in an engagement with counter-hegemony.

Discourses that acknowledge the exploitation of Global South countries and workers in the context of the power imbalances between the Global North and Global South have

large potential to be counter-hegemonic. Indeed, some podcasters in my sample linked this exploitation to colonialism, state-corporate power and the nature of global outsourcing which stem from corporations having the power to generate income in Global South countries. This power goes beyond one singular country. Rather, it is recognised that corporations can ‘regime shop’ (Alarmist, 2021) and decide which country’s conditions would provide the largest benefits at the lowest economic cost. However, to remain counter-hegemonic, the workers of the Global South need to be perceived not in terms of ‘cheap labour’. This is because presenting them as ‘cheap labour’ reduces them to their economic instrumentality, that is to nothing more than workers that have no better option but to work for corporations who outsource their labour to the Global South. Podcasts that frame the exploitation by recognising the “dangerous and deadly conditions” (For Want of a Nail, 2022) and recognise the “slave-like conditions” (Working Life Podcast, 2017) of fast fashion factory work have inevitably more counter-hegemonic potential than those that do not recognise such working conditions.

SYSTEMIC

The frame of corporate crime as a systemic issue has the greatest potential to be counter-hegemonic, especially in discourses where corporate power is directly recognised and challenged, and profitability is acknowledged as the primary motivation of corporate activity.

Podcasters who understood the systemic production of corporate crime as a complex interplay between various factors that go far beyond the individual level showed resistance to hegemonic discourses of corporate criminality. Corporate power was questioned especially by podcasters who put the billions of dollars corporations make in contrast with the lives of ordinary people (Southern Discomfort, 2021) and even more notably, by those who explicitly called out the power corporations have in the Global South (Alarmist, 2021). Corporate social responsibility was perceived as an ideological tool allowing corporations to pretend to act in socially responsible ways while not caring about anything but economic prosperity (All Bad Things, 2017; For Want of a Nail, 2022).

This is also reflected in discourses that portray corporations as amoral calculators, meaning that their only criterion is the bottom line without adverse consequences to that (Disaster Area, 2017), or as one podcast puts it: “The thing is, a business will never have individual human life in its best interest. It will always be business in business's best interest” (All Bad Things, 2017). The prioritisation of profit over any considerations is at the heart of these discourses. However, to remain counter-hegemonic, it needs to engage with the idea that prioritising profit is *not* an expected side effect of the workings of our economic system. It is not simply cheap labour or money saving considered when corporations commit crimes. Instead, profit needs to be recognised as the utmost priority that puts economic prosperity over considerations of safety at work, human life, the future of the planet and every other ‘value’.

I found that some discourses may not have a high potential to challenge hegemony even in this largely systemic framing of corporate crime. I postulate that this is most obvious in those prioritisation of profit discourses that use words such as ‘making cheap decisions’ and ‘saving money’. Additionally, I also find that the connotation of ‘cutting corners’ is slightly problematic: operations can continue with cut corners without any adverse impacts, and although the risk might be increased, it does not necessarily mean an incident will occur. Thus, corporate power remains unchallenged when corporate crime consequences are perceived as expected externalities of the ‘cost of doing business’, and hegemony prevails.

Having said that, while these discourses were included in the systemic issue framing of corporate criminality, there was much less inclination to challenge the idea that capitalism itself could be criminogenic and to question the prioritisation of economic over human and environmental survival. As Bittle and Hebert (2019) put it: “relying on a structural perspective encourages us to consider organisational or political-economic factors associated with corporate crime” (p. 487). Therefore, structural perspectives, especially those that recognise that corporations profit at any cost (Alarmist, 2021; Let’s Get Grim, 2022; The Real News Podcast, 2022) can be considered the furthest on the spectrum of counter-hegemony and they have the largest potential to challenge the

common-sense assumptions that corporate externalities are expected consequences of the working of the economic system.

2. Overarching Research Aim

To what extent do podcasts have the potential to challenge hegemony and present counter-hegemonic discourses of corporate criminality?

As shown above, podcasts in my sample did engage in challenging hegemonic discourses of corporate criminality to varying extents, so there is a potential to present counter-hegemonic discourses of corporate criminality in podcasting. However, this potential largely depends on the overall aims and categories that the podcast falls under, the content of the podcast itself, and the nature of the corporate crime in question. It should, therefore, not be overstated that the potential of podcasts to be counter-hegemonic is exceptional and that it could apply to different types of corporate crimes. I unpack some of these notions below.

Within this thesis, I attribute the potential for podcasts to engage in counter-hegemonic representations of corporate crime to a greater extent than other media sources to three underlying reasons:

1. Independence: podcasts can allow for independent creation and production of content without imposing formal journalistic standards, away from corporate oversight and corporate advertising. However, this does not apply to podcasts that are a part of larger media corporations with a reputation for being uncritical of the status quo regulated by journalistic standards (such as the BBC podcasts in my sample).
2. Profitability: not all podcasts are made with profitability in mind, some are made as a hobby, or to educate the public on particular topics. Such podcasts have even more potential to be counter-hegemonic (such as *All Bad Things*).
3. Political/ideological beliefs: people openly critical of the status quo in different social spheres such as the economy or politics are more likely to engage in

counter-hegemonic discourses within their podcasts (such as *Das Criminal*, or the *Real News Network*). However, it could also be that podcasts that are largely counter-hegemonic can still, to an extent, reproduce some notions of the hegemony of corporate crime, especially in terms of the vocabulary around profit prioritisation, such as cutting corners/cheap labour or cutting costs (such as *BBC*, *Causality* or *Hillbilly Horror Stories*).

The potential to present counter-hegemonic discourses can be undermined by:

2. Sources: some podcasters rely on traditionally uncritical news outlets to inform their knowledge of the topic meaning that their potential to be critical is highly undermined given that traditional media (uncritical of corporate crimes) will inform their research. Alternatively, some podcasts result from the plurality and diversification of traditional media outlets, meaning that more stringent journalistic standards will be imposed. This can also be exacerbated by doing poor research on the topic (such as *Hillbilly Horror Stories* with not knowing where Bangladesh was).
3. Entertainment: it also has to be borne in mind that many podcasts are not strictly journalistic or informational, they are on the spectrum of 'infotainment' where they combine information-spreading with entertainment which can undermine the potential for authentic engagement with topics and can instead shift the educational motives onto entertaining the public and increasing listenership (such as the *BBC* inserting dramatic music when the building was collapsing)
4. Intertextuality: podcasts' wider context can hinder their ability to frame corporate crime differently from its intended purpose. For instance, true-crime podcasts will most likely frame corporate crime through the legalistic definitions of crime in much the same way disaster podcasts would focus on the disaster aspects of corporate crimes. This was particularly observed in *White-Collar Crimes*, a podcast hosted by a probation officer. He relied on framing Deepwater Horizon as needing individual criminal punishment, most preferably 'jail time.' Therefore, his framing was far from systemic.

Williams (2008) stated that the media is seen as implicated in reproducing “narrowly hegemonic conceptions of criminality, disorder, and (in)justice” (p. 473). I would like to reject this notion in the realm of podcasting, and based on this thesis, suggest instead an alternative statement that can be applied to podcasts:

Podcasts are a type of media that represent a range of portrayals of corporate criminality. This extends from podcasts that are implicated in reproducing narrowly hegemonic conceptions to those that actively deconstruct them by challenging the underlying economic and political structures that contribute to the proliferation of corporate crime, thereby demonstrating the potential to present counter-hegemonic discourses of corporate criminality.

However, counter-hegemony is not universal in podcasts and podcasters do not always engage in hegemonic resistance. Having said that, I want to reiterate that podcasts are becoming more and more popular as media sources with listenership increasing to half a billion in 2024 (Howarth, 2024), which might mean that counter-hegemonic discourses could also become more widespread. In that sense, I argue podcasts have the potential to be one of the easiest and most compelling sources that **fighters** for resistance to power as demonstrated in corporate crime discourses could engage with to truly popularise counter-hegemonic discourses of corporate criminality that are critical of the prevailing ideology and status quo.

I do not want to overstate the claims regarding the shape of the podcast discourses concerning corporate crime; the scope of my analysis focuses on two cases in particular. However, my thesis offered an in-depth analysis of podcast discourses relating to these two cases. The patterns I identified within these discourses are reflected in the broader media discourses about corporate crime and are not entirely inconsistent with previous research (see Machin and Mayr, 2013, or Macfarlane Horn, 2024). If the reader takes anything from this thesis, I hope it is that the counter-hegemonic potential of podcasts can be used as an important vehicle for resistance to

corporate crime and contributing to a wider public acknowledgement that corporate criminality is complex, systemic¹⁰⁰ and deeply entrenched in capitalist ideology.

5. Conclusion

The concluding section of my thesis engages with my study's limitations, future directions and some concluding remarks.

5.1. Limitations and Future Directions

My thesis, while offering valuable insights into how podcasts frame corporate crime and whether they have the potential to engage in counter-hegemonic discourses of corporate criminality has several limitations. Firstly, my sample is relatively small given that I only focused on 32 episodes that focus on only two case studies which might not fully portray the diversity in podcasts' discourses of *all* corporate crime. However, given the richness of my dataset, more data would not be manageable for my project. This study should be a starting point, rather than a *reference* point for future researchers.

This might impact the generalisability of my findings, as previously discussed in Episode 2. CDA studies rely less on generalisability (see Baker and Levon, 2015) and more on transferability (see Cheek, 2007) due to explicit researcher subjectivity involved in analysing context. Therefore, my sample's size and/or representativeness should mitigate this limitation.

Secondly, while I studied and interpreted the content of the podcasts, I cannot make assumptions about how listeners could perceive the content or whether podcasters intended their content to be interpreted in a certain way. Content production and reception do not form part of my analysis. While I made claims about how podcasts

¹⁰⁰ Consistent with the line of argument developed by Bittle and Hebert (2021): "it is essential for critical scholars to continue to interrogate the legal, political, and social processes of defining corporate crime, as well as those that determine how the state responds (or fails to respond) to such events" (p. 497)

frame corporate crimes; I am clear that I refer only to how this researcher interpreted the content.

Future research should strive to extend the scope of the analysis beyond analysing the content of corporate crime portrayals. For instance, it would be interesting to find out the deeper motivations of podcast makers in terms of how they select, research and frame topics to provide a fuller understanding of podcast production processes. The findings of my thesis could also be used in attempts to encourage higher-quality podcasting, especially to foster more journalistic principles of truth-seeking, accuracy and relative objectivity. While the reason podcasts are unique is their relative lack of formal regulations compared to traditional media outlets, it must be acknowledged that false claims and inaccurate portrayals are far too common and often go unchallenged. In that sense, it would be valuable to apply the findings of my research – particularly Tables 4 and 5 – to address whether the quality of podcast discourses could be improved. By building on the insights from this research, scholars and practitioners could work to ensure that podcasts contribute meaningfully to public understanding of corporate crime and harm.

Additionally, replicating a similar study with larger samples could offer more potential for quantitative analysis, which could be comparative and explore the intricacies of corporate crime alongside other types of criminality, as well as offering the potential to compare podcast portrayals with other types of media (such as documentaries which I considered researching within this thesis).

Another promising direction would be developing the typology I introduced in this research into analytical categories that could be applied by studies of corporate crime, corporate crime portrayals in different types of media or even a broader analysis of corporate crime and hegemony, offering a valuable tool for future inquiries. Further, larger-scale studies about the reception of media discourses of corporate crime might help reveal how these narratives shape public perception and whether counter-hegemonic tools – such as podcasts – could foster a more critical understanding of the media or if podcasts could be used as a vehicle for social change.

Finally, considering that CDA's methodological approach extends to fighting for social justice, I welcome and invite any effort to dismantle the dominant power relations of the capitalist-driven unjust society we live in. This could be done, not least by producing podcasts that disseminate academic counter-hegemonic knowledge and show resistance to hegemonic discourses of corporate crime.

5.2. Concluding Remarks

Those points being made, what I have demonstrated in this thesis is that corporations are extremely powerful entities, power exhibited not least through how the media renders corporate crime invisible. The prevalence of corporate offending is so conventionalised and routinised that it becomes common sense: *of course* there was an oil spill, *of course* a building collapsed and killed people, but we need oil to survive and at least people have jobs, and we prefer cheaper clothes, right?

Wrong.

The harms of corporate crime should not be widely accepted, and society should not be silently silenced into acquiescence because we feel too powerless against multibillion transnational corporations.

Podcasts can help with that!

My analysis shows that podcasts have the potential to show resistance to hegemonic discourses of corporate criminality. Some podcasters explicitly criticised corporations, corporate power, amoral calculation, social irresponsibility and exploitation of nature, humans and entire countries. These podcasters recognise some of the complexities of corporate offending. However, the propensity to engage in counter-hegemonic discourses of corporate criminality largely depends on the nature of the podcast, the political affiliation of podcasters and how the podcaster engages with the existing material on the topic. While this statement is not supposed to suggest that all podcasts will criticise the status quo, it is to point out that rarely is there a vehicle that can truly popularise counter-hegemonic discourses on social issues. The combination of the

potential for popularity and counter-hegemony, I argue, makes podcasts uniquely positioned to *loudly amplify* (rather than silently silence) the issues with corporate power and capitalism, as well as other underlying processes that give rise to corporate offending.

Therefore, I suggest that podcasts should be even more popularised as a vehicle for change in and out of academia so that scholars and activists who are already critical of the status quo can further engage and popularise their views. This could be used to further the fight for positive social change, not least to fight corporate crime, harm and power so that there is a shift in thinking from the idea that corporations *should* be abolished to the notion that corporations *could* be abolished.

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Appendices

Appendix A: Rana Plaza Podcast Typology

Podcast Name	Year	Country	Category	Producers	Production value
Alarmist	2021	US	Disaster	Journalist	High
All Bad Things	2017	US	Disaster	Independent	Medium
Blood & Wine: A True Crime Podcast	2020	US	True Crime	Independent	Medium
Compass (BBC)	2017	UK	Society	Corporation	High
Das Criminal	2020	US/CAN	True Crime	Independent	High
Disaster Area	2017	US	Disaster	Independent	Medium
For Want of a Nail	2022	US	Disaster	Independent	Medium
Hillbilly Horror Stories	2022	US	Disaster	Independent	Low
In The Balance	2016	UK	Financial	Corporation	High
Let's Get Grim	2022	US	Disaster	Independent	Low
ROCKING OUR PRIORS	2018	UK	Education	Academic	Low
Sustainability of:	2020	US	Society	Independent	Low
The Social Entrepreneurship & Innovation podcast	2021	US	Society	Independent	High
Working Life Podcast	2017	US	Alternative News	Writer	Medium
Working Life Podcast	2019	US	Alternative News	Writer	Medium

Appendix B: Deepwater Horizon Podcast Typology

Podcast Name	Year	Country	Category	Producers	Production Value
Alarmist	2022	US	Disaster	Journalist	High
Antemortem	2021	US	True Crime	Independent	Medium
Causality	2019	AUS	Education	Engineers	High
Destination Disaster	2022	US	Disaster	Independent	High
Disastrous History	2022	US	Disaster	Independent	High
Let me Google That	2019	US	Society	Independent	Low
Mile Higher	2021	US	True Crime	Independent	High
Southern Discomfort	2021	US	True Crime	Independent	Low
Swindled	2020	US	True Crime	Independent	High
The Good, The Bad and The Pure Evil	2022	IRE	Disaster	Independent	Medium
The Hartmann Report	2021	US	Alternative News	Journalist	High
The Real News Podcast	2022	US	Alternative News	Journalist	High
Toughtz Oud Loud	2019	US	Conversational	Independent	Low
Wanna Match Podcast	2021	US	Conversational	Independent	Low
When It Goes Wrong	2022	UK	Disaster	Independent	Medium
White-Collar Crimes	2022	US	True Crime	Independent	Medium