

Some issues of criminal liability by reason of economic decisions

Prof. Dr. László Kóhalmi*

Head of Department of Criminology and Penal Law

Faculty of Law, University of Pécs

Abstract

Traditionally several levels of the conceptual approach to economic criminality obtains. The ordinary „average citizen” construes economic criminality as all crimes, offences or unethical conducts as a consequence of which the actors of everyday economic life gain unlawful pecuniary advantage according to public opinion

According to the approach of the broad scope of criminal law economic criminality includes not only the conducts expressly qualified as economic crime in the penal code of the particular country, but also certain crimes against property, certain official crimes, certain corruptions and certain breaches of confidentiality.

A basic difference obtains between risk and risking. The risky economic decisions of economic actors does not entail holding responsible under criminal law, if the assumed risk is permitted. Permitted risk is a kind of negative condition of culpability, which precludes criminal liability for the injury of the interest protected by criminal law via activity (assumption of risk).

Keywords: *criminal liability, economic crime, permitted risk.*

I. The concept of economic crime

According to some views economic crime is a necessary concomitant of the market economy: For prosecuting authorities of the states with socialist social establishment orientation amongst the entangled threads of economic crime implied novelty to some extent. Prosecution and law-makers equally needed time to become familiar with the operational methods of economic crime emerging along the logic of the market economy. The clarification of criminal liability is many times not unproblematic in case of economic delinquencies with a far-reaching scope of perpetrators in several cases.

In criminal sciences the status of economy is peculiar, since economic criminality is a criminological, whereas economic crime is a concept of criminal law¹.

* Email: kohalmi.laszlo@ajk.pte.hu

¹ Wiener, A. Imre, *A gazdasági bűncselekmények fogalmáról* [About definition of economic crime]. Állam-és Jogtudomány 1979/1. pp. 42-47. See: Dharma Raj Bhusal: *Economic Crime Law and Legal Practice in the context of Nepal*. Inaugural dissertation for getting a doctoral degree (doctor juris) from the Faculty of Economics and Business Administration of Chemnitz University of Technology, Germany, 2009. p. 12.: „Economic crime including money laundering today is a part of the major transnational organized crime. It is really difficult to give an exact definition of economic crime. A person is acquiring easy money in his life in different ways which do not respect the socially accepted norms. When activities are outside of the accepted social norms, the law tries to prevent them, and then the activities are illegal and ultimately a crime. There are various motivating factors for a person to commit a crime. Those factors may be classified in various ways. A financial criminal not only attempts to accumulate money from illegal sources but its activity is also threatening the economic order and creates a hurdle for national development.”

The concept of economic criminality is necessarily broader than that of economic crime, since upon the analysis of criminality criminology according to its own viewpoints examines not only economic crime but other crime (against property and corruption²) as well. The legal subject of economic crime³ is the intervention of the state, i.e., the economic management by the state construed in a broader scope into economic life⁴.

We can assert that traditionally several levels of the conceptual approach to economic criminality obtains. We can frequently encounter a more or less unified ordinary concept, we can also coin a criminological definition as well as a criminal legal concept encompassing a broader, finally a narrower area of positive law. The discourse may be aggravated or misguided if we don't know at which level the opinion-maker joins the debate.

According to Mihály Tóth, the conceptual approach to economic criminality is viable at a so-called ordinary level, the criminological definition as well as the criminal legal concept of economic criminality in a broader or a narrower sense are also justified.

The ordinary „average citizen” construes economic criminality as all crimes, offences or unethical conducts as a consequence of which the actors of everyday economic life gain unlawful pecuniary advantage according to public opinion⁵. Thus, beyond the scope of actual criminals, public opinion construes as economic criminals the millionaire „businessman” or the vendor selling beer for the multiple amount of the purchase price at the beach, both of whom exploit the legal regulatory gaps, although neither of them can be held responsible in a criminal legal sense since neither of them are criminals⁶. The before-mentioned definition attached to the name of László Pusztai is undoubtedly the most general, at the same time the most imprecise and pliable by reason of its emotional touch. Ordinary economic delinquencies are marked by negative social judgement, though legal responsibility cannot be attached to these conducts⁷ as Mihály Tóth assumes⁸. In such cases even the prosecuting authorities are in a difficult situation since in these conducts legal and illegal elements mingle and it is problematic to justify the culpability of the perpetrator before the penal courts.

According to the criminological approach criminality related to business management includes crimes related to economic activity⁹, which may encompass corruption¹⁰, crime against property and expressly economic crimes¹¹. The Achilles heel of this definition is the formulation of conceptual content of „economic activity,” since

² Tóth, Dávid, *A korrupciós bűncselekmények szabályozásának története Magyarországon* [The history of the regulation of corruption crimes in Hungary]. Büntetőjogi Szemle 2015.3. pp. 107-112.

³ Gál, László István, *The criminal law protection of the stock market in Hungary*. Journal of Eastern-European Criminal Law 2015.2. pp. 44-46.

⁴ Fehér, Lenke, *Gazdasági bűnözés, gazdasági bűncselekmények* [Economic criminality, economic crime], Jogtudományi Közlöny 1981/1. p. 74.

⁵ Pusztai, László, *A gazdasági bűnözés* [Economic criminality]. In: Gönczöl Katalin – Korinek László – Lévai Miklós: *Kriminológiai ismeretek – bűnözés – bűnözéskontroll* [Criminological knowledge – criminality – control of criminality], Corvina Kiadó. Budapest, 1999. pp. 186 – 188.

⁶ Tóth, Mihály, *A gazdasági bűnözés és bűncselekmények néhány aktuális kérdése* [Some Topical Issues of Economic Criminality and Crime], MTA Law Working Papers, 2015/4. p. 2.

⁷ A so-called consensus prevails concerning the fact that company cars and company mobiles are used by the employees for private purposes or a professional training justifies a luxurious cruise.

⁸ Tóth, M. *op. cit.*, p. 3.

⁹ Szilovics, Csaba: *About the Causes of Corruption in the Hungarian Public Procurement System*. Journal of Eastern-European Criminal Law 2014.2. pp. 104-106.

¹⁰ Gál, László István, *Economic Bribery as a Part of Economic Criminal Law and a Concomitant of Political Corruption*. Journal of Eastern-European Criminal Law 2014.1. pp. 24-26.

¹¹ Pusztai, L., *op. cit.* It is worth noting the problems related to the taxonomic placement of money laundering.

the definition may become boundless. A further difficulty consists in the fact that the economic activity may at many times convey a meaning related to economics¹².

Furthermore, conceptual overlaps appear concerning the essential differentiae specifica of „white-collar criminality”, „grey economy” and „black economy.”

It is rightful to pose the question whether the broker committing a brokerage fraud of billions is a white-collar criminal, an economic criminal, fraudster, embezzler or none of these.

According to Mihály Tóth in criminological terms economic criminality is deemed to be accomplished in the process of business management or a form of criminality closely related to it, which with respect to the method of commission (frequently via using or abusing the legal forms and framework of business management) or its result is suitable to injure or jeopardise primarily and typically the order and obligations of business management as well as the framework of honest and lawful management beyond injuring contingent individual interests¹³.

According to the approach of the broad scope of criminal law¹⁴ economic criminality includes not only the conducts expressly qualified as economic crime in the penal code of the particular country, but also certain crimes against property (e.g., fraudulence, negligence, fraud, embezzlement), certain official crimes (e.g., abuse of office), certain corruptions (e.g., bribery) and certain breaches of confidentiality (e.g., the breach of trade secret)¹⁵.

According to the approach of the narrow scope of criminal law economic criminality consists in the totality of prohibited conducts enumerated in the chapter of „economic crime” in the penal code of the particular country.

Antal Fonyó draws our attention to the fact that the demarcation of economic crime, the method of the establishment of the relevant legal facts of the cases pose a unique and difficult task to makers of criminal law both from legal political and legal technical viewpoints, because the changing criteria via which crime against property and economic crime can be distinguished are based on rather „relative values”¹⁶. According to Mihály Tóth, no really unequivocal demarcation can be accomplished owing to the equivalence of the forms of ownership and the mingling of property and management relations. What can be established is that both economic criminality and crime against property injure property

¹² Tóth, M., *op. cit.*, p. 4. E.g., The author who intends to describe the conceptual differences and the sameness of „black economy”, „grey economy” or „white-collar criminality” takes on a rather difficult scientific task of legal interpretation.

¹³ Tóth, M., *op. cit.*, p. 5.

¹⁴ It is only a peculiarity that Imre A. Wiener, who had a definitive ideological role in Hungarian economic criminal law for a long time distinguished the so-called internal and external economic crimes. I do not agree with this typology. According to Tamás Sárközy internal economic crimes do not directly injure economic and production relations (only indirectly), but they do injure the external component of the economic system, the form of business management entangled with political, legal and other elements. The activity of the direction of the economy by the state is only one component of the forms of business management. Internal economic crime is basically designed to protect the totality of the forms of business management via criminal law. See more amply, Sárközy, Tamás, *A „belső” gazdasági bűncselekmények alapvető anyagi jogi kérdései* [Basic substantive legal issues of „internal” economic crime], Jogtudományi Közlöny 1968/1. pp. 25 -26.

¹⁵ Of course, it is difficult to present an exact basis for the enumeration.

¹⁶ Fonyó, Antal, *A gazdasági köteleességeket sértő bűncselekmények* [Crimes Violating the Obligations of Business Management] in Bodgál-Bodrogi-Erdősy-Fonyó-Gál-Gáspár-Kovács-Pintér-Wéber: Magyar büntetőjog - Különös Rész [Hungarian Criminal Law. The Special Part], BM Könyvkiadó, Budapest, 1981, pp. 116-117.; See further, Fonyó, Antal, *A gazdasági bűncselekmények fogalma* [The concept of economic crime], Kandidátusi értekezés tézisei [Thesis of candidate dissertations]. Szeged. 1961. p. 10.

relations, however, economic criminality is peculiarly related to the process of business management (production, manufacturing, distribution, circulation), whereas crime against property manifests itself not in these processes, but in the violation of the property and ownership relations topical at the time of commission.

According to Tóth we can establish that economic criminality injures or jeopardises legal interests always in certain dynamic, mobile systems of relations necessarily attached to these, whereas crime against property is generally static and violates a certain situation, a state, property relations independent of processes.

II. The conception of the so-called socialist criminal law on economic criminal liability

In socialist states under the totalitarian nightmare of the Marxist ideology the predominant view was that in the state of socialism, or in its superior social conformation, i.e., in communism criminality simply withers and ceases. If and so far as criminality sustains in socialism, its cause is the infiltration of retrograde, bourgeois elements into the countries of the socialist block. Namely, the socialist human being is superior to the „Western” human being, that is, the citizens of capitalist states. The morality of the socialist man is more developed than that of their western counterparts, therefore, they do not commit crimes. If somebody does commit crimes, they are apparently insane, because they do not recognise the superiority of socialism, consequently, they need to be confined to mental hospitals (or in a better case to prison).

This encompasses the conception of the official politics about criminality. This was supported by several „scientific” mercenary pen-pushers, who elaborated plenty of pseudo-scientific theories, on the basis of which the so-called Marxist foundation of criminal liability was concocted. The predominance of the conformity of scientific logics to the rules was not important, but a striking, relevant quotation from the classicists of Marxism (Marx, Engels or Lenin) needed to be found and explicated and in the end the given problem was covered with a pseudo-scientific, seemingly criminal legal sauce.

There were few scientists who took the courage and escaped this Marxist and pseudo-scientific play, by risking their existence they intended to fulfil the requirements of penology instead of the ideological expectations of the state party.

According to my opinion one of the most significant figures of the modern Hungarian science of criminal law, Emil Erdősy did not conform to socialist expectations, but in case of economic crime he endeavoured to determine the essential criteria of criminal liability in terms of the aspects of the bourgeois science of law.

III. Risk manifest in economic life and criminal liability

The expression of risk has a fairly broad scope of meaning, however, the science of law including criminal law can exploit only a narrow scope of its meaning.

First of all, we need to set forth that neither the professional, nor the everyday usage makes a sharp distinction between the concepts of risk and risking (assumption of risk), although they should.

Risk has a dual meaning: on the one hand, it means the main feature of the given conduct, in particular, uncertainty, the possibility of the occurrence of drawback, on the

other hand, it implies the human activity itself¹⁷, which occurs on the basis of a conscious decision under circumstances with uncertain outcome as Emil Erdősy formulates¹⁸.

A basic difference obtains between risk and risking. According to Emil Erdősy risk is inseparable from human conduct, since „it emerges via the conduct, although we do not identify it with the conduct as phenomenon since risk in itself is not a phenomenon, but it is a feature which marks the conduct with peculiar nature.” Risk is merely a feature of the given conduct, the possibility of hazard, damage, trouble or inconvenience incurred by the activity or undertaking¹⁹.

Risking (the assumption of risk)²⁰, however, means human conduct, „subordination or conscious subjugation with a view to a definite objective...” In the course of this either the intended consequence or some detrimental outcome (the destruction of a property) may occur. According to Emil Erdősy risking is a purposeful conduct with uncertain outcome²¹.

Risk in terms of criminal law postulates culpability, because it may be mentioned only related to conducts which qualify as crime²². The criminal legal relevance of risk crops up when it is unsuccessful. The unsuccessful assumption of risk and crime belong to the same group of phenomena²³.

The objective feature of risking is the uncertainty of the activity, that is, the risking person does not know all conditions of the conduct, namely, (s)he commences a process of activity which involves the possibility of inauspicious consequence²⁴, e.g., the managing director of a property renovating company purchases a property at a very favourable price without having seen it first. Criminal law designates this as a hazardous situation.

The subjective substantial element of risking is purposefulness. The condition of the enforceability of criminal liability is jeopardising or the actual injury of values protected by criminal law²⁵.

The risky economic decisions of economic actors (e.g., managing director) does not entail holding responsible under criminal law, if the assumed risk is permitted. According to Emil Erdősy permitted risk is a kind of negative condition of culpability,

¹⁷ It is worth paying attention to the extraordinarily pithy thoughts of Ferenc Irk published in this topic: „(...) Risk is closely related to human behaviour, to an activity, doing or not doing. In my opinion risk may become what it is when man has recognised or could have recognised the hazards of some phenomenon or activity. We generally do not speak of the risk of high tide, at most only with respect to those countries where we have recognised that this physical phenomenon may incur danger or do damage to man. Risk not recognised by man does not fall under the concept of risk even if according to a later realisation it really incurred danger. We have mentioned the risk entailed by certain pesticides or insecticides since we had recognised their harmful effect to health. Thence only from this time on is man capable of risking as a form of action.” See more amply, Irk, Ferenc: *A rizikó és a gondatlan bűncselekmények* [Risk and Negligent Crimes], *Jogtudományi Közlöny* 1980/3. pp. 180-181.

¹⁸ Erdősy, Emil, *A megengedett kockázat a büntetőjogban* [Permitted Risk in Criminal Law], Akadémiai Kiadó, Budapest, 1988. p. 12.

¹⁹ Interpretational Dictionary of Hungarian Language.

²⁰ See Wiener A. Imre: *Kockázat és bűnösség* [Risk and culpability]. *Állam-és Jogtudomány* 1972/1. pp. 93-99.

²¹ Erdősy, E., *op. cit.*, p. 13.

²² Erdősy, E., *op. cit.*, p. 32.

²³ Erdősy, E., *op. cit.*, p. 65.

²⁴ Erdősy, E., *op. cit.*, p. 66.

²⁵ See further, Wiener, A. Imre, *A gazdasági vezetőknek a beosztottak bűncselekményéhez kapcsolódó büntetőjogi felelőssége* [The criminal liability of managers for the crimes of their subordinates], *Magyar Jog* 2003/12. pp. 706-708.

which precludes criminal liability for the injury of the interest protected by criminal law via activity (assumption of risk)²⁶.

In his monography titled „permitted risk” Emil Erdősy expounds that the differentiae specifica of the concept are as follows:

- The basis of risking is some specific social necessity.
- The hazard incurred by risking is proportionate to the expected social benefit.
- The risk contains the necessary safety conditions.
- The risky decision is realistically founded.
- The risky decision is directed by socially useful objective²⁷.

Upon making decisions on criminal liability, criminal courts should proceed with due respect to the aspects above. However, practice unfortunately indicates that decisions by the magistrates often lack this conceptual scheme.

IV. Permitted economic risk

The regrettable concomitant of economic life is risk. Economic risk proceeds fundamentally from the uncertainty related to economic activity since economic life, the operational mechanisms of the economy are extraordinarily complex and unpredictable. The consequences of economic decisions, their overall effects cannot be determined with complete accuracy²⁸.

So far as we accept the statements above, we may rightfully pose the question: on what basis is criminal legal consequence attached to an unforeseeable and unpredictable process?

In economic life the purchase of valueless shares may qualify as a totally faulty decision. However, after some weeks when it turns out that valuable and easily exploitable gold deposits can be found on the territory of the shareholding, the price of the shares soars. Of course, the opposite may also be true: a seemingly shell-proof investment may become complete bankruptcy, since the estates of the company are radioactively contaminated.

Economic risk differs from other kinds of risk (transport risk, medical risk, sports risk, technical risk) inasmuch as in its emergence and formation concrete political, social, economic and legal factors are determining. In our days, unfortunately, the profitable operation of a company may be promptly devastated by politics, whereas political support may create billionaires out of unworthy entrepreneurs.

Erdősy defines the particular features of economic risk as follows:

- the object of risk: financial value or pecuniary relationship²⁹
- in the majority of given cases the interaction of series of conducts shapes the final consequence
- in some cases it can be measured, while in other cases it cannot³⁰

²⁶ Erdősy, E., *op. cit.*, p. 71.

²⁷ Erdősy, E., *op. cit.*, p. 73.

²⁸ Erdősy, E., *op. cit.*, p. 122.

²⁹ According to Erdősy unsuccessful risk with respect to financial value manifests itself in the form of pecuniary disadvantage.

³⁰ According to Erdősy „measurability means primarily the possibility of calculation, secondly the calculability of the reciprocal effects of the assumption of risk. It often emerges in economic life that the non-commission agent sells the product below the level of the purchase price (e.g. in the scope of the discount sales of clothes). In such a case it may also occur that the company stores the seasonal product (swimming costumes) and intends to sell it next year. This incurs storing expenses and it is uncertain what will be fashionable next year and whether the company can sell the old-fashioned clothes. The decision on either of the options (discount sales or storage) by the manager incurs risk”.

- decision-making situations are partly typifiable and thereby partially can be regulated by law
- unsuccessful risk manifests itself as pecuniary disadvantage³¹

V. The criminal legal evaluation of permitted economic risk

One type of legal responsibility is criminal liability. Criminal liability differs from other manifestations of legal responsibility in general terms³² (under civil law or labour law) with respect to the conditions of responsibility.

The prerequisite of criminal liability is the commission of crime³³. Consequently, economic risk becomes a criminal legal issue, if the specific economic activity is circumscribed by a legal facts of the case under the Special Part of the Penal Code, but this activity is marked by features of risk, owing to which criminal legal consequences are not applicable versus the conduct³⁴.

In accordance with Emil Erdősy risk needs to be construed in a differentiated manner, that is, the general effect of permitted risk, the preclusion of criminal liability need to be examined in relation to its certain concrete forms of manifestation.

According to its criminal legal taxonomi³⁵ „and” function of permitted risk is not characterised by an either-or relation, namely, permitted risk precludes either culpability or the unlawfulness of the act. The right construction is the both-and approach, that is, permitted risk is a precluding circumstance in some cases in re the disposition-like character of the act, in other cases in re the culpability of the perpetrator.

According to Erdősy the essence of the assumption of risk is not *„whether the conduct injures interests protected by criminal law, but whether the hazardous act with uncertain outcome fully complies with the specific professional rules or in the absence of specific professional rules (or in case of the breach of prevalent professional rules) whether the detrimental consequence of the decision on the assumption of risk is imputable to the person assuming the risk on grounds of wilful or negligent commission”*³⁶.

VI. Closing remarks

The proof of the commission of economic crimes is problematic since the prosecuting organs often do not dispose of proper economic knowledge. Therefore, recourse to an expert (professional counsellor) is required for passing meritorious decisions in all the phases of the criminal procedure. In a significant part of the cases even the decision whether lodging a criminal procedure is justified requires economic expertise³⁷.

³¹ Erdősy, E., *op. cit.*, p. 128.

³² See further, Wiener, A. Imre, *A gazdasági tevékenységgel kapcsolatos büntető szankciók* [Criminal sanctions related to economic activity], *Jogtudományi Közlöny* 1984/ pp. 301-303.

³³ Földvári, József: *A büntetés tana* [The Doctrine of Punishment], Közgazdasági és Jogi Könyvkiadó, Budapest, 1970. pp. 72-75.

³⁴ Erdősy, Emil, *A termelési kockázat és büntetőjogi felelősség* [The risk of production and criminal liability], *Jogtudományi Közlöny* 1971/7. p. 366.

³⁵ See Stănilă, Laura, *The legal person and the tax evasion offenses. From theory to practice*, *Journal of Eastern European Criminal Law* 2015.2. pp. 157-161.

³⁶ Erdősy, E., *op. cit.*, p. 159.

³⁷ Pusztai László: *A gazdálkodás menetében elkövetett bűncselekmények bizonyításáról* [On proving crimes committed in the course of business management], *Magyar Jog* 1977/2. p. 114.

During investigation the lack of economic knowledge is crucial, since the knowledge and interpretation of rules of law referred to in a framework disposition imply difficulty for the members of the authority³⁸.

According to Tamás Sárközy the inconceivably complicated mesh of the conglomerate of economic and production relations lies at the heart of the difficulties of holding criminally liable for economic activity. The recognition of the real direction of economic processes is an extraordinarily difficult task, since the implicit element of economic decisions is risk, in particular, the outcome of purposeful economic activity diverges from the intended.

Several objective circumstances interfere with economic processes. economic output emerges as the resultant of several human activities. Economic conducts are influenced by a mass of super-structural elements, they are affected by various impetuses³⁹.

The continual change, dynamics (and cycles) of economic circumstances perform lead to criminal legal problems on the one hand in relation to the establishment of culpability, on the other hand in relation to the economic process and to the „selection” of the person requiring actual criminal penalisation.

Holding criminally liable may be detrimentally affected by the detachment of the economic law-making of the given country from the specific economic circumstances, by inflexibility and over-complicatedness, e.g., the continuous change of the rules of taxation.

Criminal law is on familiar grounds if life or physical integrity is injured, since in these cases the establishment of crime is not problematic. In economic criminality, however, the real objects are business management and the order of the direction of the economy.

Several times criminal law is inclined to retreat instead of the resolution of problems of economic criminal law, because it turns out that it is unable to penetrate into this area. Frequently a long time passes between the accomplishment of the act and the recognition of its being an economic crime. Generally during this time the punishability⁴⁰ of the act expires. The retreat of criminal law from certain areas of economic criminality is unjustified. Although both the responsible person and the person who could decide who is responsible are really difficult to find. Cutting the Gordian knot of the situation would be by all means supported by making the decision mechanism more regulated, transparent and clearer.

A typical contradiction of our days is on the one hand the promotion of risk and creativity, on the other hand the policy of enhancing personal responsibility. In this area of tension the golden mean should be found, which could by all means be supported by the serious consideration of general and professional ethical norms along with legal provisions.

References:

1. Bhusal, Dharma Raj, *Economic Crime Law and Legal Practice in the context of Nepal*. Inaugural dissertation for getting a doctoral degree (doctor juris) from the Faculty of Economics and Business Administration of Chemnitz University of Technology, Germany. 2009.
2. Erdősy, Emil, *A megengedett kockázat a büntetőjogban* [Permitted Risk in Criminal Law], Akadémiai Kiadó, Budapest, 1988.

³⁸ Pusztai, L., *op. cit.*, p. 117.

³⁹ Sárközy, T., *op. cit.*, p. 26.

⁴⁰ See: Stănilă, Laura: *To punish or to torture? About inhuman treatment in the recent view of the Strassbourg Court*, Journal of Eastern European Criminal Law 2017.2. pp. 256-259.

3. Erdősy, Emil, *A termelési kockázat és büntetőjogi felelősség* [The risk of production and criminal liability], *Jogtudományi Közlöny* 1971/7. pp. 365-371.
4. Fehér, Lenke, *Gazdasági bűnözés, gazdasági bűncselekmények* [Economic criminality, economic crime], *Jogtudományi Közlöny* 1981/1. pp. 73-78.
5. Földvári, József, *A büntetés tana* [The Doctrine of Punishment], Közgazdasági és Jogi Könyvkiadó, Budapest, 1970.
6. Fonyó, Antal, *A gazdálkodási kötelességeket sértő bűncselekmények* [Crimes Violating the Obligations of Business Management]. In: Bodgál-Bodrogi-Erdősy-Fonyó-Gál-Gáspár-Kovács-Pintér-Wéber, *Magyar büntetőjog - Különös Rész* [Hungarian Criminal Law. The Special Part], BM Könyvkiadó, Budapest, 1981.
7. Fonyó, Antal, *A gazdasági bűncselekmények fogalma* [The concept of economic crime], *Kandidátusi értekezés tézisei* [Thesis of candidate dissertations]. Szeged. 1960.
8. Gál, László István, *Economic Bribery as a Part of Economic Criminal Law and a Concomitant of Political Corruption*. *Journal of Eastern-European Criminal Law* 2014.1. pp. 22-32.
9. Gál, László István, *The criminal law protection of the stock market in Hungary*. *Journal of Eastern-European Criminal Law* 2015.2. pp. 43-49.
10. Irk, Ferenc: *A rizikó és a gondatlan bűncselekmények* [Risk and Negligent Crimes], *Jogtudományi Közlöny* 1980/3. pp. 178-186.
11. Pusztai László, *A gazdálkodás menetében elkövetett bűncselekmények bizonyításáról* [On proving crimes committed in the course of business management], *Magyar Jog* 1977/2. pp. 113-120.
12. Pusztai, László, *A gazdasági bűnözés* [Economic criminality]. In: Gönczöl Katalin – Korinek László – Lévai Miklós: *Kriminológiai ismeretek – bűnözés – bűnözéskontroll* [Criminological knowledge – criminality – control of criminality], Corvina Kiadó. Budapest, 1999. pp. 186 – 197.
13. Sárközy, Tamás, *A „belső” gazdasági bűncselekmények alapvető anyagi jogi kérdései* [Basic substantive legal issues of „internal” economic crime], *Jogtudományi Közlöny* 1968/1. pp. 25 -34.
14. Stănilă, Laura, *The legal person and the tax evasion offenses. From theory to practice*, *Journal of Eastern European Criminal Law* 2015.2. pp. 153-164.
15. Stănilă, Laura, *To punish or to torture? About inhuman treatment in the recent view of the Strassbourg Court*, *Journal of Eastern European Criminal Law* 2017.2. pp. 256-268.
16. Szilovics, Csaba, *About the causes of corruption in the hungarian public procurement system*. *Journal of Eastern-European Criminal Law* 2014.2. pp. 101-109.
17. Tóth, Dávid: *A korrupciós bűncselekmények szabályozásának története* [The history of the regulation of corruption crimes in Hungary]. *Büntetőjogi Szemle* 2015.3. pp. 107-112.
18. Tóth, Mihály, *A gazdasági bűnözés és bűncselekmények néhány aktuális kérdése* [Some Topical Issues of Economic Criminality and Crime], *MTA Law Working Papers*, 2015/4. pp. 1-21.
19. Wiener A. Imre, *Kockázat és bűnösség* [Risk and culpability] *Állam-és Jogtudomány* 1972/1. pp. 91-106.
20. Wiener, A. Imre, *A gazdasági bűncselekmények fogalmáról* [About definition of economic crime]. *Állam-és Jogtudomány* 1979/1. pp. 42-63.
21. Wiener, A. Imre, *A gazdasági tevékenységgel kapcsolatos büntető szankciók* [Criminal sanctions related to economic activity], *Jogtudományi Közlöny* 1984/ pp. 301-305.
22. Wiener, A. Imre, *A gazdasági vezetőknek a beosztottak bűncselekményéhez kapcsolódó büntetőjogi felelőssége* [The criminal liability of managers for the crimes of their subordinates], *Magyar Jog* 2003/12. pp. 705-710.