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The Spanish Prisoners: Knowledge, Trust and Deceit in e-Marketing

Abstract

The rapid growth of 'faceless' dealings via the Internet has coincided with an upsurge of multidisciplinary interest in trust, its conditions of existence, and the role it plays in facilitating commercial transactions and social life more generally. This paper argues focuses on a particular abuse of trust, the online fraud that has come to be known as the '419 advance fee fraud' letter. Widely disseminated in recent years as an email message, the letter solicits the recipient's assistance in the transfer of misappropriated funds (money laundering) in return for a substantial share of the sum involved. The victim is then persuaded to pay various 'advance fees' in order to see the transaction through. The paper argues that current conceptualisations of trust in electronically mediated interactions suffer from a number of limitations and that as an example of successful online (fraudulent marketing), the 419 marketing enterprise constitutes a useful vantage point from where the complex role of trust in e-marketing might be re-examined.

Keywords: e-marketing, electronically mediated interactions, knowledge, fraud, trust

1 Introduction

Crime, economists tell us, is but business carried out by illegal means. We might therefore expect developments in business organization to be reflected, at least to some degree, in developments in criminal organization. Our interest in this paper is on fraudulent online business as a kind of (albeit distorting) mirror in which the issues and preoccupations of (legitimate) e-business are nonetheless reflected. More specifically our focus is on a successful fraudulent e-marketing enterprise as a useful vantage point from where the complex relationship between trust and marketing might be usefully explored.

The take-off in electronic business in recent years, and the corresponding increase of computer mediated commercial transactions, has coincided with an upsurge of interest in trust on the part of many disciplines including economics, decision analysis, psychology and sociology. This is clearly more than a coincidence. Within the area of marketing itself, there is an increasing amount of trust-related research. As Arnott and Wilson (2005) note, "the heavily researched areas of relationship marketing, customer relationship management, branding, etc., support the need to understand, to gain and to maintain long term relationships which, at least from the customers' perspectives, are based almost entirely on trust and

confidence in the organization”. Against this backdrop, the persistent view that electronically mediated interactions entail higher levels of risk and uncertainty makes them into ideal-typical trust-requiring situations. (Knights et al, op cit). Indeed, business academics, consultants and politicians, appear to miss no opportunity to emphasise the importance of trust as an essential precondition for an effectively functioning electronic marketplace (Leadbeater, 2000; Handy, 1995). In this paper in contrast, we discuss the abuse of trust; focusing on what we might call, an online ‘confidence business’. Our subject matter is a the successful e-marketing of the so-called – after the relevant statute of the Nigerian penal code - 419 fraud; an email variant of the ‘Spanish Prisoner’ (or ‘advance fee’) confidence trick. A measure of the success of the 419 marketing is the fact that by 2003, it had become – according to the FBI (2003) - the 9th most common form of online fraud and the one with the highest reported median dollar lossⁱ (\$3,864 – the median dollar loss for all Internet frauds is \$229) (see also BBC News 2001b). The rest of the paper is organized as follows. Sections 2 and 3 sketch out the background to, and set out the *modus operandi* of, 419. Section 4 reviews existing research on trust and explores its applicability to the marketing of 419. Finally Section 5 offers some concluding remarks and suggestions.

2 Background

A ‘Spanish prisoner’ narrative goes more or less like this: Immensely rich and powerful Lord X has been captured by the Spanish. In possession of important military secrets and/or being a close adviser to Queen Elizabeth (I), Lord X is pretending to be a common soldier. His captors having no idea who he really is have set his ransom at a pittance. In the normal course of events Lord X could pay this ransom out of his loose change. Under the circumstances however, he cannot draw upon his vast fortune without revealing his identity. Anyone prepared to pay this small amount and ransom Lord X from his Spanish captors can expect to be richly rewarded upon the noble lord’s return.

In 419 marketing, initial contact takes the form of an unsolicited e-mail from a complete stranger expressing his/her desire to transfer millions of dollars to the recipient’s bank account. The subject line typically reads ‘business opportunity’, ‘personal’ or ‘confidential’, while the body of the message articulates some variant of the following narrative: Dear Sir, I am a close relative/crony of a notorious dead dictator. In the years before his exceedingly corrupt reign was abruptly terminated by his violent death, a substantial share of the loot was deposited in a secret bank account (sums of \$10-40 million are routinely mentioned). This

money is currently under threat from the dead dictator's vengeful successors. I am therefore soliciting your help in the transfer of these funds abroad via your bank account for which service you will be generously compensated with up to 30% of the amount stolen. The recipient is then encouraged to contact the sender and urgently - and in strict confidentiality - supply the personal information requested such as telephone and fax numbers, passport photocopies and bank account details.

In the past three years the authors have between them accumulated over 550 examples of this message. Signatories include *inter alia*; the widow of President Mobutu of Zaire (now Congo – fled after losing a civil war); the illegitimate son of President Kabila (his equally corrupt successor – assassinated); the son of President Guei of the Ivory Coast (assassinated); the wife of President Estrada of the Philippines (in prison); the arms buyer of President Kabbah of Sierra Leone (in prison); the son of the Chief of Security in Sierra Leone (assassinated); the son of Sam Mboma (Sierra Leonian warlord – killed); the widow of Jonas Savimbi (Angolan warlord – killed); the wife of President Charles Taylor of Liberia (fled after losing a civil war); the widow of President Abacha of Nigeria (died); the elder son of Abacha; the younger son of Abacha; the middle son of Abacha; the daughter of Abacha; the cousin of Abacha, the accounts manager of Abacha; even the attorney of the son of the financial adviser of Abacha. A typical 419 letter is displayed in Box 1.

From: oseni mustapha [\[mailto:mustty2@yahoo.com\]](mailto:mustty2@yahoo.com)

Subject: STRICTLY PERSONAL

I AM MAKING THIS CONTACT WITH PROFOUND INTEREST, HAVING CONSIDERED YOU HIGHLY REPUTABLE AND CAPABLE OF ASSISTANCE TO MY UNDERSTATED BUSINESS PROPOSAL AFTER GOING THROUGH A BRIEF PROFILE OF YOUR COMPANY HERE IN THE GHANA INTERNATIONAL TRADE AFFAIRS COMMISSION.

I AM OLIVER KABILA FROM THE DEMOCRATIC REPUBLIC OF CONGO ZAIRE, SON OF LATE LAURENT M. KABILA, THE FORMER PRESIDENT AND COMMANDER IN CHIEF OF THE ARMED FORCES REPUBLIC OF CONGO ZAIRE. PRESENTLY TAKING REFUGE HERE IN ACCRA GHANA (WEST AFRICA) AFTER THE SUDDEN DEMISE OF MY FATHER, FOLLOWING HIS ASSASINATION BY HIS PERSONAL BODY GUARD ON THE 16TH JANUARY 2001. I REFER YOU TO THE TIME MAGAZINE COVER STORY OF THE 12TH OF FEBRUARY.

ON TRUST AND IN UTMOST CONFIDENCE, I AM ESTABLISHING THIS RELATIONSHIP WITH YOU IN BENEVOLENT SPIRIT AS TO ENHANCE IMMEDIATE RESOLUTION TO AN OPPORTUNITY RIGHTLY AT HAND. IN A CLOSE DOOR MEETING HELD WITH MY FATHER BEFORE HIS SUDDEN DEATH, HE DISCLOSED TO ME CERTAIN FACTS AND SECRETS ABOUT HIMSELF AND THAT OF MY STEP-BROTHER GENERAL JOSEPH KABILA (I MEAN THE PRESENT PRESIDENT OF MY COUNTRY). CERTAIN DOCUMENTS WAS GIVEN TO ME THAT DAY BY MY FATHER REGARDING 1000KG OF 22 KARATS GOLD WHICH HE DEPOSITED IN A PRIVATE VAULT OF A SECURITY FIRM HERE IN GHANA. IN ADDITION, \$168 MILLION USA DOLLARS CASH IN TWO TRUNK BOXES ALSO IN THE VAULT. THE \$168 MILLION USD WAS TO BE USED TO WORK ON LEADERS OF THE ECOWAS COMMUNITY, ENHANCING HIS FULL SUPPORT IN POWER. BUT THIS AIM WAS NOT ACHIEVED BEFORE HIS DEATH.

THE ISSUE OF THIS MONEY AND THE GOLD HAS BEEN A SECRET BETWEEN MY FATHER AND I UNTILL HE DIED. THEREFORE, I AM TAKING THIS AS AN OPPORTUNITY TO ENRICH AND EQUIP MYSELF TO FACE MY SECRET AMBITION. AS NOBODY CAN CONVINC ME THAT MY STEP-BROTHER (JOSEPH) IS NOT BEHIND THE DEATH OF MY FATHER.

I HAVE SINCE BEEN IN THIS TOWN IN PURSUANCE OF THE CLEARANCE OF THIS CONSIGNMENT AND I AM SO FAR ABLE TO CLARIFY/CERTIFY ALL PAPERS WITH THE SECURITY COMPANY (WHERE THE CONSIGNMENT IS BEING KEPT IN A PRIVATE VAULT). I HAVE INSPECTED THE BOX BUT COULD NOT OPEN IT DUE TO SECURITY REASONS. BECAUSE MY FATHER DID NOT DECLARE THE CONTENT AS MONEY BUT PERSONAL EFFECTS.

ALL I NEED NOW IS A RELIABLE FOREIGN PARTNER WITH WHOM I CAN CLEAR AND TRANSFER THIS MONEY ABROAD. I HAVE AGREED TO GIVE A REASONABLE PERCENTAGE OF THE TOTAL VALUE OF THIS CONSIGNMENT AS YOUR SHARE. YOU MAY ASK IF I DON'T HAVE INTERNATIONAL CONTACTS TO ASSIST ME ON THIS ISSUE. THE ANSWER IS YES, BUT I HAVE AN AMBITION RIGHT NOW AND WANT TO LIVE IN DISGUISE UNTILL MY AMBITION IS FULFILLED. I EXPECT YOUR KIND URGENT RESPONSE BY PHONE OR EMAIL: mustty2@yahoo.com OR mustty1@yahoo.com TO ENABLE ME FURNISH YOU WITH

MORE DETAILS ON THIS BUSINESS. THANKS IN ANTICIPATION.

OLIVER KABILA CELL PHONE: + 233 22260633 (ON 24HRS)

NB: I SHALL COUNT ON YOUR INDULGENCE TO PLEASE KEEP THIS INFORMATION VERY SECRET and CONFIDENTIAL. AND PLEASE, YOU SHOULD HENCEFORTH ADDRESS ME AS MR. MUSTAPHA OSENI. THAT IS THE NAME I AM NOW USING FOR SECURITY REASONS.

Box 1

In another 419 sub-genre, the message purports to come not from the lifeworld of the dictator himself, but that of his suffering victims: ‘I am Creek Banjul, the first son of Nkono Banjul, the most popular black farmer in Zimbabwe who was recently murdered by the agents of the tyrant Mugabe’ⁱⁱ.

Typically, the recipient is the family’s last hope of getting hold of their remaining assets and starting a new life abroad. While the dictator variant (and that other perennial favourite the corrupt African high official with the over-invoiced contract or the dormant bank account), appeal to naked greed, in the ‘victim’ narrative, greed is clothed with compassion. In some of the more entertaining examples of a 419 message, for instance, the addressee is reminded of the moral duty to grasp the ‘business opportunity’ offered and prevent the money from falling into the hands less altruistic individuals like ‘our chairman General Usman Bello ... and then ... donated to the Trust Fund for arms and ammunition which will further enhance the perpetration of war in Africa and the third world in general’ⁱⁱⁱ Other variants include the will - where a (fictitious) attorneys’ firm notifies recipients that they are the beneficiaries of substantial legacy bequeathed to them by a complete stranger abroad, the ‘damsel in distress’ – where the scammer poses in chat rooms as an attractive woman in need of money to get out of trouble - and of course, the ‘lottery win’, a fraud that had until recently been carried out by fax or phone but is also now frequently appearing in online versions (e.g. Simpson, 2003).

In his classic analysis of what we might call ‘parasite logic’ Michel Serres (1982) uses a tale from La Fontaine^{iv} to illustrate his argument. In Serres’ re-telling, the town rat invites the country rat to dine with him in the house of the tax farmer. The tax farmer is of course the practitioner *par excellence* of a parasitic profession, who is however being himself parasitised by the (town) rat resident in his house, who is turn extending an invitation to his (country) cousin to parasitise on *him*. The 419 letter conjures a similar parasitic chain: the sender is

typically a self-confessed parasite, (the relative or crony of a dictator), who is thus parasitising on an even bigger parasite. Like the town rat, the letter writer is turn inviting the recipient to parasitise on him/her. Of course what the respondent is not supposed to know, is that s/he is in fact at the bottom of the parasitic food chain.

Indeed, 419 marketing efforts are themselves parasitical on the broader cultural phenomenon of spam that is in turn parasitising on contemporary computer mediated communications. 419 missives are in concept not unlike the ‘you are a winner!’ messages that daily bombard Internet users. Once the initial approach has been made, potential victims are identified on the basis of their willingness to provide the fraudster(s) with personal information and documentation. The handing out of such personal information has a double significance. On the one hand, psychologists have repeatedly demonstrated the effectiveness of ‘foot in the door’ tactics as a means of engineering escalating commitment (Freedman and Fraser, 1966). On the other, such documentation constitutes a valuable asset for the commitment of further frauds or for lucrative people smuggling operations. Once the victim has committed him/herself to the proposed (money laundering) enterprise, a variety of taxes, fees and bribes are revealed which must be paid before the hidden fortune can be accessed. There are even some cases in which victims in their desperation to ‘close the deal’ have embezzled large sums of money from employers, relations or business associates (e.g. US Secret Service n.d; Smith at al 1999). In some cases a number of victims – including the former deputy mayor of Northampton (UK) (BBC News 2001b) – have been held for ransom having been enticed to South Africa in pursuance of a 419 ‘business opportunity’. The US State Department has documented over 100 cases in which American citizens had to be rescued in West Africa under similar circumstances (Smith at al op cit: 3). According to an Australian Institute of Criminology paper over 17 people have been killed in the area since 1992^v while attempting to recover their lost funds in person (ibid: 4).

In some cases the fraudsters may approach their former victims for a second time claiming on this occasion to represent the Nigerian authorities (ibid). The recipient is advised that their lost funds have now been recovered and will be released back to them upon the payment of a modest fee to cover certain administrative expenses...

3. The 419 Enterprise and its Customers

‘Some call it 419 or advance fee fraud

I say it’s getting dough from greedy victims abroad

*Without pulling the trigger, contact,
slash 'em with my sword, Lord,
Go-getters make their life better
By sending a letter...'*

Mode 9, 419 State of Mind, Part II

Accounts of the development of online business, whether descriptive, prescriptive or predictive, share what we might call a common origin story (see Knights et al, 2002). In Evans and Wurster's (1997; 2000) influential view, for instance:

'When information is carried by things – by a salesperson or by a piece of direct mail, for example – it goes where the things go and no further. ...What is truly revolutionary about the explosion in connectivity is the possibility it offers to unbundle information from its physical carrier.'

New technologies of electronic networking and delivery are thus revolutionising the ways goods and services are marketed. While the focus of Evans and Wurster and of other similar arguments is clearly legal forms of commercial enterprise, an identical narrative could be constructed to describe the development of the 419 illegal one. Accounts of the 419 scam locate its origins to the 1989 economic crisis in Nigeria caused by the unfortunate conjunction of a drop in world oil prices with the kleptocratic economic policies practiced by the administration of the late General Sani Abacha^{vi} (Ahonsi-Yakubu, 2001; Osimiri, 1997). It has thus become known as 'the Nigerian letter fraud' even though it is currently practiced by the nationals of many countries (Smith et al, 1999). What used to be an essentially *local*^{vii} fraud (Sherwell, 2003:32) has become a world-wide phenomenon. As the Australian Institute of Criminology notes, '[w]hat began as a relatively simple adaptation of a traditional ... ploy has developed into an extensive organised criminal operation' with links to other criminal activities such as drug and people smuggling (Smith et al, 1999). During the first phase of expansion 419 frauds were carried out predominantly by mail. Recipients' names and particulars were culled from trade and telephone directories, newspapers, business journals and membership lists of trade associations. Letters were handwritten and usually posted using counterfeited stamps. As the scheme became more and more internationally successful, 419 'factories' were set up in the Lagos area where the letters were batch produced. The letters were then often transported in bulk to be posted from other countries such as Gabon, South Africa or Botswana in order to disguise their origin. Some indication of the scale of the

enterprise is provided by the amount of 419 mail intercepted by customs authorities around the world. Between August and November 1998, for instance, Australian authorities seized 1.8 million items of 419-related correspondence (weighing 4.5 tonnes) in Sydney alone (ibid:2). In the same year, US Postal Inspectors seized 2 million 419-related mail items in the course of a single operation at New York's Kennedy Airport (BBC News, 1998). In the UK, the National Criminal Intelligence service (NCIS) claims that 419-related mail seizures have in the period 1998-2001 'prevented losses' of up to £63 million in Scotland, £6.8 million in Northumbria, 27.2 million in the West Midlands, 15.5 million in South Yorkshire and £1.5 million in the Greater Manchester area. The total cost of the fraud to British 'consumers' was estimated to be up to £150 million per annum (BBC News 2001a). The biggest single loss reported by an UK individual has been £2 million (Kelly, L. 1999). To the best of the authors' knowledge the highest single recorded loss has been the US\$5 million incurred by a Japanese businessman (Smith et al, 1999: 3).

It should be clear, even from the above brief description, that the Achilles heel of the 419 process is the time letters have to spend within the postal system. For the law enforcement authorities both in the receiving countries and – increasingly – in the countries of origin, it provides perhaps the only opportunity to intercept the message before it reaches its intended targets (BBC News, 1998). 419-related postal items are often identifiable by their use of counterfeit stamps (Smith et al, 1999). By 1999 however, law enforcement agencies in the UK and elsewhere were noting with alarm the increasing appearance of 419 letters in the form of emails. As a NCIS spokesperson put it:

'It's worrying because it's a new means of targeting people by exploiting modern technology Unlike letters, we cannot intercept emails and take them out of the postal system, which prevents millions of pounds of fraud. With emails, it reaches the target immediately and the process is started' (Kelly, 1999).

The rapid expansion since 1999 in the usage of e-mail as the preferred vehicle for 419 frauds has drastically reduced a number of costs associated with letter production and circulation. It has also, as the NCIS comment quoted above indicates, dramatically decreased the possibilities of up-front detection and created a number of additional legal problems concerning, for instance, the identification of where the illegal activity was carried out or the victimisation occurred (Smith et al, 1999). Furthermore, it has opened the field to competition from new entrants both in Nigeria and in other countries (including Gabon,

Cameroon, Ghana, Ivory Coast and South Africa) who have since entered the 419 racket with differing degrees of success. The 419 enterprise thus increasingly resembles the virtual organisation, the arrival of which management gurus and business academics have so often announced with so much fanfare^{viii} (e.g. Davidow and Malone, 1992; Peters, T. 1997). For the 419 entrepreneurs then, email has indeed ‘emerged as a mission-critical business application’. Senders now have less need of ‘production facilities’. E-mails can be sent in much larger numbers that would have ever been possible with paper documents; the FBI 2003 report for instance mentions a 500-fold increase in volume between 2001-2002 (FBI, 2003: 12). At the same time, the usage of anonymising (r)emailers can be reasonably effective in disguising the origin of a message therefore eliminating any need to transport letters to third countries. What we might call ‘spam technologies’ such as *StoftStack Bulk Email Mailer*, *Lighting BulkMailer 1.01*, *PSS Bulk Mailer1.3.21* and so forth, are easily accessible therefore permitting even the least technically sophisticated to engage in bulk mailing activities. Bulk e-mailing can be thus be set up and operated from home or from Internet cafés. There are indications that 419 marketers now operate extensively from Internet cafes, opening and closing dozens of email accounts in quick succession. They harvest recipients’ addresses in the same way and from much the same sources as ‘normal spammers’ do. Inevitably, university e-mail addresses, being some of the longest in use, tend to figure prominently in 419 correspondence. Finally, the ready availability of easy to use website tools and the relatively low costs of website development, has meant that the online migration of 419 has gone hand-in-hand with the creation of a number of bogus web sites of banks, attorneys and security companies^{ix} which - argues the International Chamber of Commerce’s (ICC) Commercial Crimes Service - may function as a route for the payment of ‘advance fees’:

‘These fraudulent websites and unlicensed banking operations are attempting to cash in on a current cyber-phenomenon in which confidence tricksters ... [solicit] ‘advance fees’ for massive bank transfers which subsequently never happen’ (ICC, 2002).

(In the view of the present authors, the role of such web sites is not as routes for advance fee payments – 419 entrepreneurs prefer to use Western Union transfers for that – but are rather used in the course of a transaction to add persuasive power to the 419 marketer’s approach (see figure 1).

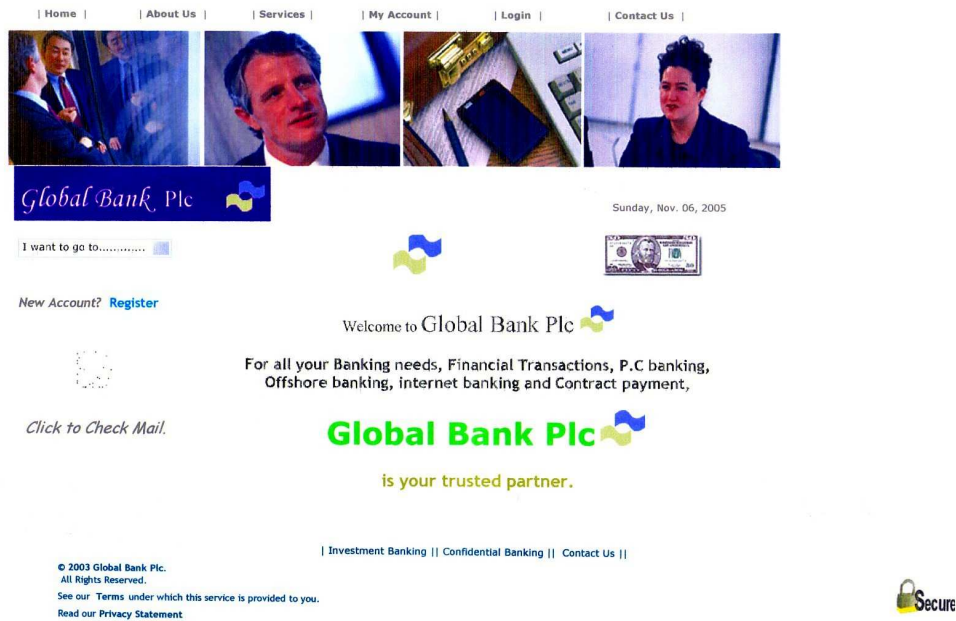


Figure 1: ‘Global Bank’

It is clearly difficult to assess the effectiveness of 419 marketing, particularly since the obvious illegality of the proposed transaction means that many victims may be unlikely to report their losses to the relevant authorities. According to the Metropolitan Police (2003) ‘victims embarrassed by their naiveté and feeling personally humiliated, do not report the crime to the authorities’ (Kelly, 1999). To protect Nigeria’s good name, a new Economic and Financial Crimes Commission (EFCC) has been set up to prosecute 419 entrepreneurs and those who facilitate their work. It also aims to repay the ‘victims’. As Osita Nwajah, an EFCC spokesman put it, ‘We are getting them [419 entrepreneurs] to vomit what they’ve swallowed’ (McLaughlin, 2005). For instance the EFCC recently repaid \$4.4 million to a Hong Kong victim.

The designation of 419 respondents in accounts such as this one as *victims* of, rather than *accessories* to, the fraud being committed reflects the narrow legal point that these individuals stand only to lose and never to gain from this activity. Of course not everyone agrees to split hairs in this way. As Bola Ajibola the UK Nigerian High Commissioner put it, ‘I think it is not only stupid for people to do that but they are what we call ‘criminous participants’, they are criminals themselves’ (BBC News 2001a). Be that as it may, the US Secret Service has calculated that in ten years of operation (1989 – 1998) 419 scammers defrauded their victims around the world out of approximately US\$5 billion that is about half a billion a year which

would give the 419 enterprise the status of a major industry. According to the US Secret Service, 419 frauds are said to gross ‘hundreds of millions of dollars annually and the losses are continuing to escalate’ (McLaughlin, 2005). Taken together, various forms of 419 ‘Spanish prisoner’ fraud are said to be currently generating over \$1.5 billion per annum (Delio, 2002b; Sherwell, 2003). In the 16,164 complaints made to, processed by, the (US) Internet Fraud Complaint Centre (IFCC) in 2002, for instance, 74 individuals incurred losses totalling \$1.6 million (FBI, 2003: 7). (Among the losses not included in the IFCC report is a loss of US\$2.1 million incurred between February and August 2002 by Ann Marie Poet of Michigan who in turn had embezzled that amount from the attorneys firm where she worked (Delio, 2002b).

Parasites, Serres (1982) claims, trade-in talk, praise and flattery for food. Put another way we might say that the *product* (Kottler, 2002) traded by 419 entrepreneurs is – to coin a phrase – ‘the stuff dreams are made of’. The ‘advance fees’ are then the *price* paid by the dreamer. We have in this section discussed at some length the transformations undergone by the 419 distribution networks (*place*). Clearly *promotion* is the key to the success of the 419 enterprise. However, the large sums that the 419 fraud is said to be generating only serves to make the paradoxical nature of the way it is promoted even more puzzling. Why, for instance, would anyone be prepared to believe that a high government official in a distant country is about to transfer untold millions into her/his bank account, or that a complete stranger has named her/him sole beneficiary in his/her will, or that s/he has won the first prize in a lottery in which they do not hold a ticket? What is the basis for the apparent ‘trust’ on the part of the victim that once the requested ‘advance fees’ are paid up, then the dictator’s millions will be forthcoming?

FOR THE BENEFIT OF MANKIND

I am the above named person from Qatar. I am married To Mr.HASSAN AL IBN DADU who worked with Qatar embassy in Mauritius for nine years before he died in the year 2002. We were married for eleven years without a child. He died after a brief illness that lasted for only four Days. Before his death we were both born again Christians. When my late husband was alive he deposited The sum of\$15.Million (fifteen Million U.S.Dollars) with a Security Company. Presently, this Money is still there. Recently, my Doctor told me that I would not last for the next three months due to cancer problem. Though what disturbs me most is my streak. Having known my Condition I decided to donate this fund to a Christian individual ...

I don't have any child that Will inherit this Money and my husband relatives are not Christians and I Don't want my Husbands hard earned money to be misused by Unbelievers or miscreants. I don't want a Situation where this money will be used in an ungodly Manner. Hence the Reason for taking this bold decision. I am not afraid of death hence I know where I am going. I know that I am going to be in the Bosom of the Lord. Exodus 14 VS 14 says that the lord will fight my case and I shall hold my please. Don't need any telephone Communication in this regard because of my health and the presence of my husbands relatives around me always. I don't want them to know about this Development. With God all things are possible. As soon As I receive your reply I shall give you the contact of The Finance/Security Company. I will Also issue you a letter of authority that will empower You as the new beneficiary of this fund. My happiness is that I lived a life of a Worthy Christian. Whoever that wants to serve the Lord Must serve him in spirit and truth. Any delay in yourr reply will give me room in sourcing an alternative.Please assure me that you wi ll act accordingly as I stated Herein. Hoping to hearing from you.

Remain blessed. Mrs Mana Hassan DADU

Box 2

4. Trust and the Marketing of 419

The rapid growth of non-face-to-face, computer-mediated forms of communication and commerce appears to have invested with particular urgency the problem of why should one trust complete strangers – a notion so antithetical to so much of occidental thought (Seligman, 1998). Game theory for instance claims to demonstrate that ‘in any one-shot game, trusting another player is a risky strategy’ (Eckel, and Wilson, 1999: 1) even though this might lead to socially sub-optimal outcomes (Kollock, 1999). The concept of trust is therefore often employed in order to explain the indubitable fact that self-interested actors *do* employ co-operative strategies with complete strangers with whom they can expect no further interaction (Eckel, and Wilson, 1999: 2; Coleman, 1990). Trust, therefore appears in the form of an *inference* drawn from the observable fact of co-operative behaviour.

Since ‘trust’ as an empirical phenomenon appears to, as it were, *exceed* the bounds of game theoretical and (neoclassical) economic analyses (cf. Axelrod, 1980), psychological and sociological theories of trust have been employed in efforts to ‘fill in’ the resulting conceptual –empirical gap. Sociological and psychological perspectives tend to take trusting behaviour not as a paradox but as a ‘social reality’ (Lewis and Weigert, 1985) and set out to identify the

different forms such behaviour can take and to classify the social, cultural etc. conditions and circumstances under which it might be forthcoming (e.g. Fukuyama, 1995; Misztal, 1996; Sztompka, 1999). These efforts have generated a literature far too vast to be summarised here. Suffice to say that no clear consensus has so far produced over what trust 'is' or how it relates to the usual qualifiers such as confidence, risk or predictability often employed in dictionary definitions^x (Knights et al, 2001). Some authors for instance, stress the notion of trust as predictability: 'trust is mutual understanding. Not mutual love, not even mutual respect. Predictability' (Drucker, 1990: 89), while for others '[t]rust begins where prediction ends' (Lewis, and Weigert, 1985: 97). In the interest of brevity we might say that otherwise diverse conceptualisations of the phenomenon and its social, cultural or psychological determinants share an understanding of trust glossed in terms of expectation; a 'state of readiness' for more or less 'unguarded interaction' (Tway and Davis, 1993) with an-Other.

In Luhmann's (1979; 1988) well-known analysis, trust is viewed as first and foremost one of the mechanisms for coping with the uncertainty and complexity of the dilemmas actors face when engaged in social interaction. Were social actors – Luhmann argues – to regard the future behaviour of all those others with whom they cross paths, as totally contingent and unpredictable then the result would be cognitively and psychologically unendurable. Trust is one possible response to the actor's dilemma (power/control might be another), a solution which prevents social paralysis and allows normal social interaction to reliably proceed. Of course, trust can always turn out to have been misplaced. Trusting is therefore a risky investment since it entails commitment 'in advance' to something that has not been proven. Luhmann thus points out the role that legal norms and regulations play by containing the risk of trusting other social actors within acceptable limits. Similarly, Giddens (1990) reiterates the link between trust and uncertainty^{xi} and argues that in (late) modern societies, interaction with 'absent others' is facilitated by social trust in abstract disembedded systems of expert knowledge and power such as medicine, the legal system, or air traffic control. Accordingly, a wide range of 'unguarded' interactions with individual social actors including as doctors, lawyers, bankers, policemen or politicians should be viewed less in terms personal trust but rather in terms of the trustworthiness of the systems that these individuals provide access to.

The notion that conditions of risk and uncertainty constitute trust-requiring situations has also guided much of the extant empirical research on the properties said to 'warranty trust' (Bacharach and Gambetta, 2001). Much of the empirical research on trust generation has tended to focus on three areas: (a) the 'intrinsic' properties of trustor and trustee (such as an

individual’s propensity to trust; (b) the ‘contextual’ properties that shape the trustor-trustee interaction (such as particular institutional arrangements or ‘expert systems’ discussed by Giddens (1990); and (c) the generation and interpretation of signals and cues of trustworthiness. These ‘mechanics’ of trust are summarised in figure 2 (see Riegelsberger, et al 2005).

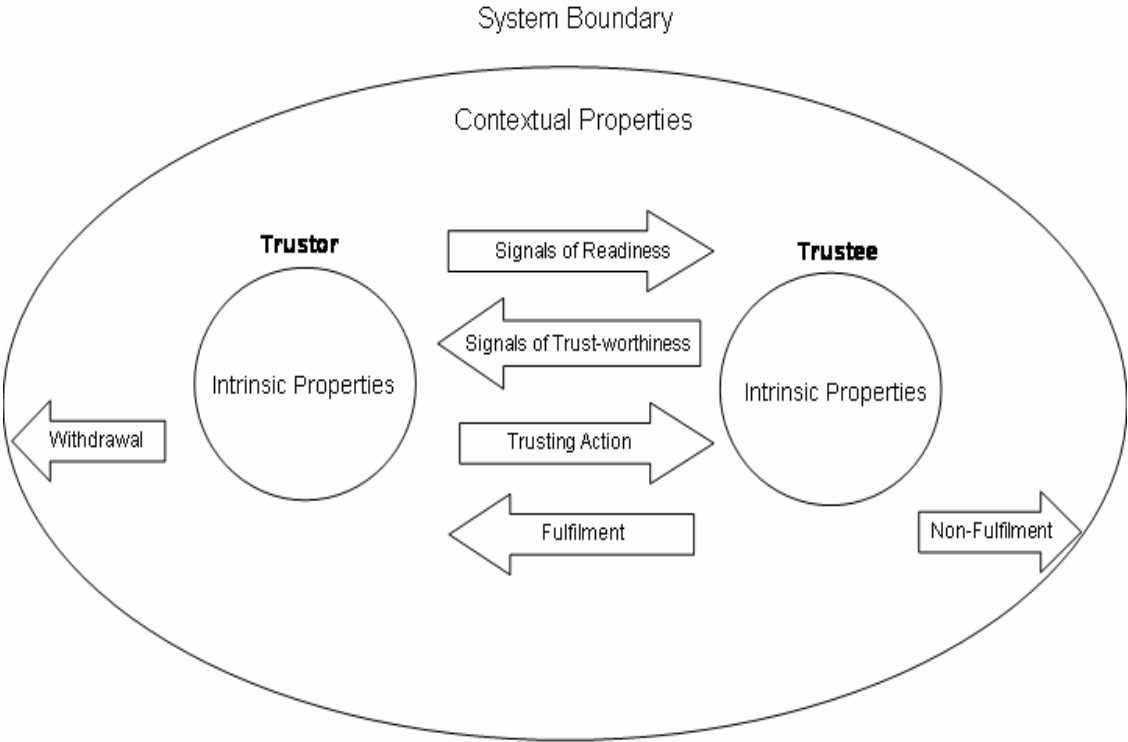


Figure 2: The process of ‘trust generation’.

It is worth recalling at this point that the on-going outpouring of interest in trust, its manifestations and its conditions of existence, is not entirely motivated by, (to paraphrase), a mere desire to *interpret* its role in different contexts, but also a desire identify the ways in which trust might be *engineered* (or at least improved) within particular social arrangements, (such as online markets, virtual organisations, etc (e.g. Handy, 1995; Tway and Davis, 1993; Kollok, 1999; Leadbeater, 2000). Let us also note that engineering trust is also the primary objective of the 419 marketer. How might this be achieved in practice?

Regarding (a) above, the literature on the psychology of trust appears as the obvious place to start. As regards the *trustor*, there is by now a substantial body of experimental research in

psychology which investigates the behaviour of the trusting subject (e.g. Deutch and Krauss, 1960; 1962; Christic and Geis, 1970; Worchel, 1979; Yamagishi et al., 1999). However, given that 419 respondents tend to remain in the shadows, whatever dispositions to trust these may share must, for the time being, remain the subject of speculation. From the point of view of the 419 marketer, the problem of targeting, (i.e. finding whoever *can* be persuaded by a 419 letter) is largely solved through the power and reach of the Internet. That is to say, the ease with which tens of thousands of messages can be mailed all over the English-speaking world in the knowledge that enough of them may be answered to make what is after all a very low cost enterprise, profitable. If statistics presented at the 2002 International Conference on Advance Fee (419) Frauds in New York are to be believed, 'roughly 1% of the millions of people who receive 419 emails and faxes are successfully scammed'. When we turn to the *trustee*, research has identified a range of 'intrinsic' (Riegelsberger, et al 2005) properties constitutive of a trustworthy actor. These include some combination of *inter alia* 'ability', 'integrity' and 'benevolence' (Mayer et al); 'honesty', 'expertise', 'predictability' and 'reputation' (Corritore et al, 2003); and so on. It is clear that such qualities cannot be said to describe the 419 entrepreneur, who is by definition not only dishonest but also unable to deliver the promised millions. Nonetheless, even if a potential trustor lacks the attributes of trust-worthiness he/she/it can attempt to simulate them. Indeed mimicry is commonly identified as a key problem in trust relations (Bacharach and Gambetta, 2003). This brings us forward to (c): the generation and interpretation of *signs* (ibid) of trust-worthiness so more of that bellow. Let us just note in passing that any attempt to simulate trust-worthiness cum 'honesty', 'integrity', 'reputation' or other such qualities, would be, to put it mildly, compromised from the outset given the 419 author's self-presentation as a deceiver and a thief.

Similarly, when we turn from 'intrinsic' to 'contextual' factors (b) we again observe that the means for generating trust at the disposal of 419 marketers, are meagre indeed. 'Contextual factors', it will be recalled, refer to those factors which might induce trustors to 'lower their guard' (Tway and Davis, 1993) and thus render themselves vulnerable to the actions of the trustee even in the absence of reliable knowledge of the latter's 'intrinsic' qualities (Riegelsberger, et al 2005). Expressions such as 'institutional', 'system' or 'control trust' (Zucker, 1985; Giddens, 1990; Tan and Thoen, 2000) are all attempts describe this dimension of a trust generation: trust that is invested in social institutions such as legal norms and enforcement agencies rather than in the qualities of a distant or unknown vendor/trustee.

Consider for instance the spate of recent frauds on Ebay. In a number of highly publicized incidents, would-be buyers sent off thousands of dollars in return for laptop computers that were never dispatched. In just one case, over \$1 million was collected from about 1000 victims by a fraudulent operator called Liquidation Universe (Sullivan, 2003). A closer look at the details shows that the fraudster was exploiting and the high (system) trust and reputation that Ebay enjoys amongst the Internet buying public. Liquidation Universe had traded normally for a number of months and had over 700 positive recommendations from customers. In fact it was even making use of SquareTrade an Ebay seller verification service that had vouched for its legitimacy. By contrast, the illegality of the 'business opportunity' that the 419 marketer proposes to interest the recipient in, is apparent from the outset. Hence there can be not even the illusion of the legal remedies proposed by Luhmann, Tan and Thoen and others as a means for keeping the risks of that attend trusting behaviour within acceptable limits. Furthermore, while the author of the letter may pose as a banker, an attorney or a high-ranking official, it is again obvious that there can be little reliance upon Giddens' 'expert systems' for the purposes of generating trust. After all, these systems are described in the 419 letter as malfunctioning and corrupt and, in any case, are in the process of being betrayed by the writer.

Economists have often argued 'that trust is based on reputation' (e.g. Dasgupta, 1988: 53) a claim echoed by research that has focused on electronically mediated interactions (e.g. Corritore, 2003 et al, 2003). Similarly marketing researchers have long investigated the role of brands in engineering customer trust (e.g. Einwiller, 2001; Chaudhuri, and Holbrook, 2002). Against this backdrop, 419 promotional texts appear to construct an upside-down world. 419 marketers traffic in notoriety rather than reputation. Therefore, generating *signals of trust-worthiness* (c) however counterfeit (Bacharach and Gambetta, 2003), is in this genre highly problematic. 419 marketers have to produce – to quote the OED (i) 'a firm belief in the reliability' of their person and (ii) 'reliance on the truth' of the sub-soap operatic plots of their letters (e.g. see Box 2), with very little by the way of discursive resources. How can such signs be generated? Research in experimental psychology provides us with some clues. Research in this field has often focused on the ways in which the interpretation of cues can be subject to a 'confirmation bias' (e.g. Wason, 1960; 1968; Tajfel, 1969). That is to say subjects will often reduce a welter of potentially conflicting information to a manageable size by attending only to those instances that confirm already held views or theories. According to this research then, when confronted with situations characterised by incomplete knowledge,

uncertainty and ambiguity, subjects often interpret signals in ways that hide or deny their potential as counter-evidence. Tajfel (op. cit.), for instance, draws attention to the role that failure to seek disconfirmation plays in the maintenance of racial stereotypes. One obvious ploy then is the 419 letter's reliance upon orientalist stereotypes, such as the 'dumb African', 'the corrupt African', the 'African victim' (Delio, 2002a) as a way of generating a feeling of superiority – and thus of being in control – in the reader, and therefore promote the 'state of readiness for unguarded interaction' (Tway and Davis, 1993) that researchers describe as the pre-condition of trusting action. It has for example been argued that grammatical and syntactical errors are sometimes inserted deliberately for this purpose (Delio, op cit). This is often combined with various subtle and unsubtle forms of flattery in order, argues the NCIS (Kelly, 1996), to make the recipient feel he/she has been specially selected. For instance:

'I got your name and contact from the Ivoirian chamber of commerce and industry. I prayed over it and selected your name among other names due to its esteeming nature and the recommendations given to me as a reputable and trust worthy person that I can do business with and by the recommendation, I must not hesitate to confide in you for this simple and sincere business.'^{xii}

It could perhaps simplify the issue if we viewed 419 marketers as being engaged in their own version of brand promotion and management. References to dead dictators and their henchmen should therefore be seen as the symbolic attributes of the familiar brand "Third World Corruption", with the recipient being offered the opportunity to buy a piece for her/himself. 419 promotional material thus attempts to discursively situate the writer of the letter in a narrative already familiar to the (predominately) western reader/customer from (often prejudiced) news reporting. The 419 writer thus becomes an *instance* of a familiar category (Tajfel, 1969). In order to jog the reader's memory and provide a touch of verisimilitude references to recent news stories (perhaps with hyperlinks to news agency items), are common in 419 letters. Such appeals to independent verification also index the ways in which a successful 419 approach entails a *shift* in the object of 'trust': from the vendor's/trustee's 'intrinsic' (Riegelsberger, et al 2005) qualities to the circumstances s/he finds her/himself. In turn, this brings us back to the question of the role actually played by trust in institutions, an issue which has figured so prominently in theoretical treatments of trust relations (e.g. Zucker, 1985; Giddens, 1990). It has been noted (Section 3) that such invocations of system trust, *do* play a role, if only to verify that the dictator's millions do indeed exist and are in the possession of the 419 entrepreneur. The various voluminously

stamped (forged) certificates and fake on-line banks are intended to fulfill this role (e.g. fig. 1).

As Bacharach and Gambetta (2003) have noted, such mimicry has costs. In electronically mediated interactions such costs are much reduced: it clearly much cheaper to set up a bank website than a physical branch^{xiii}. Evans and Wurster (1997; 2000), among others have claimed that the trade-off between richness^{xiv} on the one hand, and reach¹ on the other, which formerly governed the economics of information now no longer holds. The spread of connectivity and the dis-embedding of information from physical modes of delivery means, they claim, that reach *and* richness will from now on go hand-in-hand. Nevertheless where the 419 marketing operation is concerned, a lack of ‘richness’ appears to be a necessary precondition for an exploitation of reach. Could the pretence be so easily – or so cheaply – maintained (particularly in the early stages of the sting) if ‘richer’ information were available to the victim?

5. Concluding Remarks

National Airport na me get am
National Stadium na me build am
President na my sister brother
You be the mugu, I be the master
Oyinbo I go chop your dollar, I go take your money disappear.’
Nkem Owoh (Osofia), Chorus of *I Go Chop Your Dollar*

New electronic technologies are, it is claimed, bringing the notion of the ‘efficient market’ out of economics textbooks and close to realisation (e.g. Brynjolfsson and Smith, 2000). One of the main expected effects of the Internet revolution is said to be dis-intermediation, the driving of middlemen and other such parasites out of the ‘electronic marketplace’. In the ‘electronic marketplace’ it is said, all kinds of information are but ‘one click’ away and so information searches are virtually costless (ibid). Thus, the very fact that 419 could have been marketed successfully over so many years is in itself sufficient to claim our attention. The brave new ‘efficient market’ seems to be fostering its own breeds of parasites. Indeed, while beyond the reach of management fashions and the influence of consultants’ blandishments, 419 is in many ways what we might call a typical information age business. As such it both confirms and baffles expectations. On the one hand it appears to confirm what is most

¹ The number of people reached by the information.

celebrated *and* feared about the Internet: Its reach and the access it offers for businesses of all kinds to consumers no matter how far, and to markets no matter how niche, all over the world. The opportunities it provides for anonymity and pseudonymity. At the same time observers often appear baffled that given the amount of information said to be ‘at the fingertips’ of anyone with Internet access, this kind of online fraud could survive for so long, and be as successful as it has. If trust is so problematic in the electronic marketplace as claimed, and as the available evidence seems to suggest (e.g. Knights et al, 2001), why then is it so freely given to the 419 fraudsters?

Much of the existing work on ‘trust’ takes us so far, but no further. Perhaps then we have ended up more or less where we started, with the empirical phenomenon of ‘trust’ still ‘*in excess*’ of the theoretical frameworks designed to apprehend it. ‘Trust’ therefore appears, bemired in ambivalence: both the fragile flower portrayed in much of the literature and, at the same time, a hardy weed growing in unlikely places^{xv}. Clearly, the distinction between flowers and weeds is based on social convention. The description of trust as a sort of weed (parasite) requires us to focus attention to the ways trust is typically conceptualised. Perhaps our models of trust tend, far too often, to be too mechanistic and rationalistic. Perhaps (part of) the answer to the 419 paradox might lie in amending the ways we conceive of ‘trust’: that is in generating more *proximal*, as well as *distal* views of trust relations (Cooper and Law (1995)^{xvi}. Not (or not merely) conceptualise trust in terms of a ‘mechanics’ but rather see it as an emergent *quality* of particular processes of social interaction. Not regard the theoretical schema(ta) employed in research as the *essence* of the phenomenon ‘trust’, but rather – to again coin a phrase – as a kind of ladder that one must throw away once the researcher has climbed. Perhaps, then we need more ‘bottom up’ empirical research of situations said to involve ‘trust’. This is a challenge which marketing research, focused as it is on practical (‘how’) questions, should in principle, find well within its means.

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ⁱ Identity theft was second at \$2,000 (FBI, 2003: 6).

ⁱⁱ 'Creek Banjul' 5 March 2003.

ⁱⁱⁱ 'David Agu' 18 February 2003.

^{iv} Itself borrowed from Aesop (e.g. Jacobs, 1966)

^v One US citizen for instance was found dead on the steps of his hotel having been set on fire (Smith et al, 1999:3).

^{vi} During the 1990s, assets worth \$12 - \$16 billion are believed to have been stolen by Sani Abacha and his relatives and close associates. Shortly after the fall of the regime for instance, Abacha's widow Maryam was prevented from flying to Saudi Arabia with 38 suitcases stuffed with foreign currency. The Government of Nigeria has been for some years engaged in legal proceedings in attempts to force Western banks to return at least some of the money stolen by the Abachas.

^{vii} For example a typical 419 fraud would involve the payment to the 'vendor' of an advance for the sale of a house – while the real owners were away (Sherwell, 2003: Ahonsi-Yakobu, 2001).

^{viii} For instance: 'The short and the long of it: Organizations, as we have known them for hundreds of years, are disappearing. Literally The - next step virtual organisation revolution (yet another damned, real revolution is sweeping the world LITERALLY THE WORLD'. (Peters, 1997:233, emphasis in original).

^{ix} 'The South African Reserve Bank' (www.sarb.org.za), 'Ecobank' (e.g. ecobank.customerservice.inbox.as), 'Sithole Attorneys' (www.sithole-attorneys.co.za) or sa.co.za) are but but a few of the most notorious.

^x According to the Oxford English Dictionary (OED), for instance, trust is, inter alia, 'a firm belief in the reliability or truth or strength of a person or thing ... a confident expectation ... reliance on the truth of a statement etc *without examination*' (emphasis added).

^{xi} Or risk, Giddens does not really differentiate between the two.

^{xii} 'Joseph Toure' 18 Nov 2003.

^{xiii} E.g. as in the 1973 film *The Sting* (dir. George Roy Hill).

^{xiv} Defined originally (1997) in terms of bandwidth, customisation, interactivity, but subsequently expanded to include reliability, security and currency (2000).

^{xv} Perhaps the most extreme example of 'unlikely' trust is in cases of the so-called 'Stockholm Syndrome', where hostages - seemingly against reason - focus their trust on their kidnappers rather than on those working for their rescue.

^{xvi} These are terms borrowed from anatomy where they are used to indicate proximity to, or distance from, a point of attachment or origin (see Gherardi, 1999).