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## Meet Casper Venbjerg Hansen

Senior Compliance Manager  
Coloplast  
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See page 16

**27**

Ten tips to  
engage your  
Recall and  
Crisis teams

Melanie J. Scheaffer

**33**

Current trends in corporate internal  
investigations, Part 1: Maintaining  
privilege and confidentiality

Vince Farhat, Nicholas B. Melzer,  
and Juan M. Rodriguez

**41**

Export controls  
compliance: The  
often overlooked  
billion-dollar risk

Matthew A. Goldstein

**49**

Has corruption  
given all of  
us willful  
blindness?

Mónica Ramírez Chimal



by Akindele O. Fayombo, CCEP-I

# Gift giving and entertainment culture in Nigeria

- » Attempting to rationalize gift-giving as part of the culture should be overtly discouraged. Establish guidelines so employees know they cannot accept gifts above a certain monetary value in the course of discharging their duties.
- » Considering that the matter of cultural dependence is a given, define what constitutes bribery as when the giver in any relationship is not in a position that would require reciprocity.
- » If a bribe is morally reprehensible on one hand and gift-giving is cultural on the other, we need to consciously use our gut instinct to make clear the distinctions between an ordinary gift and an inducement.
- » Using monetary value as an indicator will definitely play a major role in influencing our decisions on “Trojan horses” that appear as gifts.
- » Gifts for which the giving and acceptance cannot be published or subjected to public knowledge obviously confront the ethical thought process and, therefore, should not be tolerated.

**I**t is undeniably imaginary to assume that the gift-giving and entertainment culture in Nigeria has nothing to do with the act of bribery in the country. As in most African countries, Nigeria is very much likened to a gift-giving cultural society. It may



Fayombo

seem impossible to ascertain what constitutes bribery in such a place, where it is cultural to visit anyone and somewhat impolite to show up empty handed. In the same vein, refusing to accept a gift is frowned at, especially where it is coming from an older person to the younger one. It is fairly a contradictory ridden process

between the gift-giving culture on one side and ethics on the other.

I dare say, the reason Wong and Beckman<sup>1</sup> posited that bribery is an accepted and sometimes expected business practice in many developing countries is not far-fetched

in view of the antecedent of such cultural societies. The “giving” and “acceptance” most definitely center on different reasons and the perspective from which the act is saddled. It can be deemed very challenging, with respect to violating anti-bribery laws, as we try to identify when a gift becomes a bribe in the context of cultural dependence.

Pacini et al<sup>2</sup> note that “in some cultures, bribes are an ordinary and necessary cost of doing business.” Millet<sup>3</sup> suggests that countries (or cultures) could be classified by the extent gifts enter into business relationships.

## When does a gift become a bribe?

I have met with different schools of thought on gift-giving and bribery, and one too many dwell on the act and not the type of gift. Hence, I seek not to bother about technicalities here, but to explore the concept and new

ways of thinking about gift-giving, bribery, and ethics.

Let's take, for instance, an invitation by a vendor to a cocktail party which is perceived to be merely cordial and should ordinarily not be a problem, when compared to other types of gifts that can or may cause certain compliance breaches leading to costly regulatory fines and bad publicity. Yet, questions like these come to mind: What is the size and purpose of the cocktail party? Aren't the caviar, posh wine, and champagne out of this world, such that insider information is lost in casual conversations?

In Nigeria, most organizations and industries established guidelines, rules, and protocols, which posit that employees should avoid directly or indirectly accepting or giving any gift above a certain monetary value in the course of discharging their duties. However, for any organization or industry having the view of attaining highest integrity, the Code of Conduct and Ethics cannot stop at such guidelines or protocols ipso facto.

Owing to what appears to be an African cultural dependence, the avarice of bribery in developing countries, such as Nigeria, stems from a pseudo-ability to identify the thin line between a bribe and a gift. Typically, the decisive question of intent becomes a decider here, as one would imagine!

It is a given that the culture of gift-giving differs from one entity to another and its transformation to either grow or contract is also to be expected in terms of how its cultural dependence plays out on the issue of bribery. Gifts create a perception

of an uncalled-for influence, no matter how nominal in value they may appear. Conversely, following your organization's Code for accepting or giving gifts would not provide a legal defence to prosecution, even if it does illustrate your resolve to obey the rules.

The value of a company's emblazoned pen may be an indicator of the purpose of the offer. Offering an emblazoned Mont Blanc

will most definitely take a jab at your gut instinct, especially when it wows you.

Stimulating an ethical thought process, I will take a cue from Professor Craig Johnson in his book, *Meeting the Ethical Challenges of Leadership*.<sup>4</sup>

What informs my suggestion

is that your inability to trivialize the gift becomes your "stench test." Therefore, if an emblazoned Mont Blanc pen is worth a wow, the underlying intention is worth criticizing. Another test question would be, is my or employees' attendance at the vendor's cocktail party really worth the news flash? To this very extent, it is unethical to attend an event, such as a cocktail party, where the inclusive purpose is to further the vendor's interest.

Clearly, the tendency for the erosion of the thin line between gifts and bribery is very high, and the potential to damage your reputation is not worth the risk. Where the intent is unclear, it undermines trust in a business relationship, and what constitutes bribery ultimately is a question of intent; whereas uprightness in any giving culture may be subject to investigation but not criticism.

Clearly, the tendency for the erosion of the thin line between gifts and bribery is very high, and the potential to damage your reputation is not worth the risk.

## Conclusion

We can deduce the following:

- ▶ In Nigeria, there appears to be an increasing attempt to rationalize the gift-giving culture to justify the tendency of accepting a bribe; this should be overtly discouraged. Otherwise, institutions and most organizations in the country would not attain their potential for highest integrity, no matter what the established guidelines, rules, and protocols, which suggest employees can accept directly or indirectly as gifts not above a certain monetary value in the course of the discharge of their duties.
- ▶ Considering that the matter of cultural dependence is a given, we can lessen the burden of an extensive and unequivocal definition of what constitutes bribery if we can admit that it is safer where the giver in any relationship is not in a position that would require reciprocity.
- ▶ While it is practically a universal understanding that bribe is morally

reprehensible on one hand and gift-giving is cultural on the other, we need to consciously use our gut instinct approach, which will make clear the distinctions between an ordinary gift and an inducement.

- ▶ Also, from the angle of value as an indicator, this will definitely play a major role in influencing our decisions on “Trojan horses” that appear as gifts.
- ▶ Finally, if the giving and acceptance of a gift cannot be published or subjected to public knowledge, it obviously confronts the ethical thought process and, therefore, should not be tolerated. \*

1. A. Wong and E. Beckman: “An Applied Ethical Analysis System in Business” in *Journal of Business Ethics*, 1992; Vol. 11, No. 3, pp. 173-178.
2. C. Pacini, J.A. Swingen, and H. Rogers: “The role of the OECD and EU conventions in combating bribery of foreign public officials” in *Journal of Business Ethics*, 2002; Vol. 37, No. 4, pp. 385-407.
3. J. Millet: “Gift Giving Savvy: How to Avoid Blunders and Faux Pas,” July 24, 2004. Available at <http://www.cultural.savvy.com>.
4. Craig E. Johnson: *Meeting the Ethical Challenges of Leadership: Casting Light or Shadow*. SAGE Publications, 3<sup>rd</sup> Edition, 2008.

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