



Consumerism, business practices and government regulations: A study of consumers in Enugu state, Nigeria

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Abstract

The study was an exploration of consumerism, business practices and government regulations to assess their impact on the socio-economic development of Enugu State. It sought to find out the extent of consumerism, the prevailing business philosophy and the level of implementation of government regulations. The study which was conducted among the consumers in Enugu metropolis had a sample size of 1200 respondents selected through a two stage sampling procedure. Data collected through questionnaire were analyzed with descriptive statistics. Results revealed that consumerism practices are still low due to lack of adequate knowledge, poverty, legal hick-ups, high illiteracy rate, nonchalance and weak government support. The prevailing business philosophy is profit maximization and Government agencies were inactive in enforcing regulation owing to corruption. In conclusion, Consumer Right Tribunal, Environmental Protection Tax and inclusion of consumer education in the educational curriculum were advocated.

Keywords: consumerism, business practices, regulation, environmental protection tax, consumer right tribunal

Introduction

It is a known fact that there exists a growing inequality between producers and consumers of goods and services. This inequality of powers as reported by marketing scholars tend to be to the advantage of the producers, who were strengthened by the growing philosophy that the consumers can only buy what is available (ready market) and the prevailing business practice based on age long maxim of “caveat emptor” (buyer beware) (Bello, Suleiman and Danjuma, 2012) ^[10]. Despite of the fact that marketing practices of the 21st Century have evolved to the level of where sound marketing practices (ethics) and social responsibility form the basis for all marketing practices, producers in some developing nations still practice marketing from the crude stand point of “production concept”.

To counter this ugly stand, consumers have expressed one form of discontent or the other against the activities of producers. This has led to a consumer movement known as “consumerism”. Consumerism is a school of thought which focuses on both empirical research and conceptual thinking in solving problems related to consumers’ welfare and consumer satisfaction. It covers area of consumer complaints as deceptive advertising, product safety, information disclosure, high pressure sales tactics and environmental protection (Bello *et al*, 2012) ^[10]. Chaubey, Kala and Gupta, (2012) ^[12] assert that consumerism is a social force within the environment designed to protect cultural values, physical environment and quality of life and protect the consumers by exerting legal, moral and economic pressure on business. It is a group movement voluntarily initiated by concerned consumers to

pressurize government to adopt necessary legislative measures to protect their interests. Consumerism aims to stop the negative practices of producers that infringe on the rights of the consumers, such as misleading advertising, unsafe product, hoarding, profiteering, deceptive packaging, incorrect weights and measures, adulteration etc. It is a measure to adjust the injustices in marketing practices, make them more responsive, sincere, trustworthy and committed to addressing consumers’ needs efficiently (Chaubey, *et al* (2012) ^[12]. Thus, consumerism is seen by Ayozie as the “Shame of Marketing” as the emergence of consumerism is a result of the failure of marketing to be practiced appropriately (Ayozie, 2013) ^[8]. This school of thought has become a social force which business must contend with.

Business practices; based on the maxim of ‘Caveat Emptor’ has prevailed in the business parlance to become a norm. Consumers have to develop “third eye” to identify the genuineness of any product. This business construct runs counter to the modern philosophy of marketing based on consumer sovereignty. Business practice is a model, a guide to assist managers and business operators in the exploration, proposal development and implementation of new product/service offering or the enhancement of existing service (Harris, EdBaker, Berry, Halloran, Lindauer, Ragucci, McGivney, Taylor & Haines, 2008). It is a wide held philosophy guiding business operations, a blue print on how business is to be practiced or the general practice of business within a given cultural, geographical, political or social environment. Acceptable business practice should identify and address the factors in the consumer decision making, such as,

quality, convenience, price and past experience, enhance the status of the consumer and be timely. Thus, business practices should aim at optimal satisfaction of the consumer, not profit maximization. It should aim at sustainability and hinge on the Triple Bottom Line (TBL) of economic, social and environment. The common business practice of most businesses is skewed toward profit maximization. As such some traders deliberately import, package and sell fake, substandard or adulterated products to unsuspecting consumers (Nwankwo, 2012, Oko & Osuagwu, 2013) ^[37, 40]. This practice runs counter to the principles of consumer sovereignty.

Globally, government of nations has shown commitment in the protection of consumers from the exploitative tendencies of producers and promotion of consumer sovereignty. Several laws have been enacted in this regard. In the U.S., tying agreement that tend to lessen competition substantially is frowned at (Kotler & Keller, 2006) ^[30]. In Thailand, Low Income Earners are protected by law that ordered that low priced and high-priced product brands are marketed alongside one another (Kotler & Keller, 2009). In the international arena exists the Unfair Contract Terms Act, 1977 concerned with the application of exemption clause by service providers; the Supply of Goods and Services Act, 1982 which states that services must be carried out with 'reasonable care and skill', within a reasonable time and at a 'reasonable charge. The Trade Description Act (TDA) of 1968 & 1972 and the Misrepresentation Act of 1967, dwelling on advertising practices (Ayozie, 2013) ^[8], were all meant to regulate business operations. In Nigeria, we have the Advertising Practitioners Council of Nigeria (APCON) established by Decree 55 of 1988 as a replacement of the TDA. The Standard Organization of Nigeria (SON) established by Act 56 of 1971 as amended in 1976, 1984 and 1990 respectively, charged with the regulation of standard of products meant for consumption in Nigeria. National Agency for Food and Drug Administration and Control (NAFDAC) established by Decree 15 of 1993 to regulate the production and distribution of food and drugs in Nigeria, among others. Given these array of agencies and laws aimed at protecting the consumer. One expects ecologically friendly products, ethical business climate and environmental sustainability.

Statement of the problems

Consumers' interests have always been relegated to the background while business operators exploit different target markets to achieve their profit motive (Oko & Osuagwu, 2013) ^[40]. Such exploitative practices are evident in almost every sphere of business: Landlords in Enugu Metropolis insist on two years rent ranging between N600,000 to over N1,000,000 for a 3 bedroom flat, and the payment of huge un-refundable sums for tenancy agreement and agents commission, uncontrolled/uncensored advert of herbal products that claim to cure all ailment from headache to epilepsy, exorbitant electric bills for energy not consumed or indefinite disconnection of supply by Enugu Electricity Distribution Company (EEDC) for nonpayment. Also, of note among the telecommunication networks are cases of network failure, drop calls, network distortion, call diverts and intrusion into the consumer's privacy with unsolicited

advertisements. These nefarious business practices as evident in Enugu State have persisted to become the norm.

Several government agencies both state and federal operate within Enugu State, so also are laws and regulations. Among these are the Rent Edit that gave birth to the Rent Tribunal, the Advertizing Practitioners Council of Nigeria (APCON), Consumer Protection Council (CPC) established in 1992, Nigeria Communication Commission (NCC) 1992, Service Compact (SERVICOM), National Agency for Food and Drugs Administration and Control (NAFDAC), etc. One then wonders the persistence of negative business practices that continuously impoverish consumers in Enugu State.

Objectives of the study

This paper assesses the rate of responsiveness of consumers in Enugu state to consumerism, their assessment of business practices and government regulations. Specifically, the study tends to:

- (1) Examine consumers' attitude towards consumerism and the changing market practices.
- (2) Examine the environmental impact of socially irresponsible business practices.
- (3) Assess the effect of government orders in promoting the growth of Micro, Small and Medium Enterprises (MSMEs) in Enugu state.
- (4) Assess the rate at which consumer education and information are available to different consumer groups within Enugu state.

Review of related literature

Consumerism in the Changing Market Practices

Consumerism practice in Nigeria has been adjourned as inactive (Onah, 1979, Agbonifoh *et al*, 2007, Ayozie, 2013, Oko & Osuagwu, 2013) ^[8, 3, 41, 40] owing to the absence of enabling environment hence Nigerian consumers' rights are neglected. In developed and most developing countries, consumerism practices strived due to the combined efforts of the government, associations and individual consumers garnished with journalistic supports. But in Nigeria, recorded consumerist struggles were mainly by government through regulatory interventions and few journalistic supports, individual consumers and association struggles were relatively non-existent (Oko & Osuagwu, 2013, Halliru, 2012) ^[40, 20]. Though consumer associations like the Consumer Awareness Organization, Consumer International etc exist, but they are grossly inactive as most people do not even know of their existence (Halliru, 2012) ^[20]. As such, the level of consumerist activities is on the decrease even though the level of education and access to media information are on the increase. This assertion was supported by Oko & Osuagwu, (2013) ^[40] which stated "... unlike the past, Nigerians do not express dissatisfaction in exchange relationship by instituting court actions against producer and marketers".

In the literature, were some recorded cases: The case of my pickin baby teething powder product of Barewa Pharmaceuticals Limited where the company's officials were found guilty of negligence that resulted to the death of many babies. In 1986 Omotayo instituted action against Ragolis producers of pure natural water for breach of duty of care. The case went in favour of the plaintiff in 1988 (Oko & Osuagwu,

2013)^[40]. Also, on record is the Yemi Olukoya V Guinness Nigeria Plc, a case of breach of duty of care. The plaintiff noticed a foreign material inside the bottle of Harp Lager Beer he bought that resulted to the plaintiff's instant vomiting (Oko & Osuagwu, 2013)^[40].

Aside from these few cases in the past, several issues of breach of the rights of consumers occur without any action instituted. The issues of exorbitant rents charged by landlords in Enugu that contravene the rent edict, issues of exorbitant and unwarranted electric bills and high-pressure sale of herbal concoctions with unverified claims of efficacy resulting to several mismanaged health cases abound. Though non-institution of legal proceeding for a breach of consumers' right may not be a clear indication of a low level of consumerism as some other factors like poverty and delay in court proceedings are variables to investigate. But consumers are generally becoming nonchalant and resign to faith in cases of breach of their rights thus encouraging producers/marketers to infringe even more on their rights.

Chaubey, Kala and Gupta in a study of consumers of Pharmaceutical products discovered that only 29.8% demand for receipt after purchase of pharmaceutical products (Chaubey, Kala and Gupta, 2012)^[12]. Preliminary survey result of this study shows that most consumers do not read product inserts before using the product, as such lack the legitimacy to institute a legal action in case of a breach. Though consumer's dissatisfaction is the foundation of consumerism, but it is not enough to spark off consumerist struggle where the consumer lacks the vision, is nonchalant or the political situation does not support such struggle. Thus, a sound political system based on civilian democratic principles, high level of qualitative education and high consciousness of health and environmental implications of industrial activities are prerequisite for pushing people to activist consumerism (Onah, 1979)^[41]. Enugu, a state in the South-east Nigeria is a democratic state, but the educational system is quantitative rather than qualitative (Halliru, 2012)^[20] and the health and environmental consciousness of industrial operations are grossly lacking. Thus, consumerism is still at the crystallization stage going by Kaynak's Consumerism Life Cycle (CLC) Kaynak, (1982).

The Statement which Ayozie credited to Onah in Onah, Ndolo and Allison, (2006:55) where he asserted thus:- "today's consumer is better educated than his forebears and thus less willing to accept the exaggerated salesmanship and misleading advertisements, shoddy goods and even bits of deceit that buyers once considered the natural hazards of commerce" is but a hyperbole. Marketers/producers are applying high aggressive sales strategies, media promotions and appeals to influence the psyches of consumers into irrational and wasteful expenditure. This accounts for why a Nigerian lady will spend as much as N150,000.00 for a Brazilian weave, N80,000.00 or more for a Turkey gown that is no better than the ones made in Aba. Nigerians spent huge sums of money to acquire the latest models of cars which are a mere modification of the exterior of their former models and mobile phones that will become obsolete with the introduction of a higher model a few months after. Producers/ marketers in Nigeria (Aba precisely) understood perfectly the psychology of Nigerian consumers; who prefer to buy foreign products

and as such brand most of their products (shoes, men's and women wears) as made in US, Turkey, etc.

Also, of note to have contributed to the low development of consumerism are ideological differences in business coupled with socio-cultural philosophies of the Easterners. Easterners consider litigation as a waste of valuable time and money and as such resort to informal complaints and being careful (Oko & Osuagwu, 2013)^[40].

Consumerism practices in developed economies have the tendency to uplift the status of the consumer towards the attainment of the goal of marketing, that is, improvement of health, economic and social welfare of the consumer and environmental sustainability. In Enugu State (Nigeria by extension) consumerism practice is a negation of standard (Oko & Osuagwu, 2013)^[40]. This condition may not be far from the assertion of Gill, (1973:592) "that consumerism is threatened not only by the concentration of economic power in small number of firms but also by the failure in many case of the so-called regulatory agencies to do anything to improve the situation.

Irresponsible Business Policies and the Society

Policy is guidelines which set out priorities for sustainable development of the sector (society) and measure for servicing disadvantaged areas of the sector (society) Vijay & Mitra, 2009)^[51]. Business policy is guidelines that direct the navigation of business operations towards sustainability. It is a set of ideas that form the basis for decision making in business. Irresponsible business policies are parochial and negate the tenets of sustainability while concentrating on immediate gains with long term negative effects on the environment. The negative effects of irresponsible business practices can be evidenced in improper disposal of wastes (solid, liquid and gaseous), high skepticism of advert messages/advertised products, production and sale of fake, substandard, defective and adulterated products etc.

i) Improper Waste Disposal

Most people lack the knowledge that certain types of wastes are disposed in specific ways, in order to keep from contaminating the environment. This knowledge deficiency tends to be common among the residents of most developing countries. Improper waste disposal apart from being an eye sore, loss of resources and releasing of toxins can create environmental problems, health problems and even economic concerns. It is a common feature to see heaps of garbage littering the streets, overfull dumpsters, fumes from production plants discharging into the air and sewage water flowing out from residential or commercial buildings.

Disposing wastes improperly prevents resources from being reused (recycled). This is particularly true of plastics, metals and papers resulting to heavier reliance on virgin materials at a higher energy cost. Some wastes contain certain chemicals, thus are capable of leeching organic or chemical compositions to contaminate the ground where they accumulate or contaminate surface and ground water (uk essay.com, 2015). Surface and ground water are variable sources of water supply for a great percentage of the populace in Enugu State owing to insufficient /inefficient pipe borne water system.

Improperly disposed wastes often found their ways into the

drainage, channels, blocking the free flow of drainage waters. This often results to flooding with its devastating effects as experienced in the 2012 nationwide flooding. Also associated to improper waste disposal are the environmental health challenges. Aside from releasing the green house-gases that affect the ozone layer adversely, they provide natural habitat for flies, mosquitoes and rodents that spread diseases. These consequences have a heavy negative externality cost on the public. The Federal Environmental Protection Agency (FEPA) charged with prescribing standards for water quality, effluent limitations, air quality, atmospheric protection, ozone protection, noise control and control of hazardous substances and removal control method (FEPA Decree 59 of 1992) enforce such standards at the expense of the public not the firms.

ii) Skepticism of Advert Messages

Skepticism is an inclination to disbelieve an argument (Obermiller & Spangbery, 2000) ^[38]. It is a kind of cognitive response that varies based on the content and context of the communication (Mohr, Eroglu & Allen, 1998). It is a mistrustful predisposition or negatively valence attitude towards motives and claims made by advertisers (Hernandez & Affonso, 2013). People often are skeptical about advertisement and doubt the credibility of advert messages since advertisement only discloses positive side of a product (Chein Wang & Yu Chein, 2012, Obermiller & Spangberg, 2000).

The get-rich-quick syndrome has made marketers/producers to make verbose claim about their product(s) with the intention of convincing consumers to make purchase (American Cancer Society, 2015). This let-buyer-beware attitude had lead to the growing skepticism among consumers, making intelligent purchase decisions more difficult as the consumer battles to strike a balance between the advert claims and realities. There are adverts of herbal products with the claim of curing different sicknesses, some herbal medicine practitioners even claim of having the cure to Human Immunodeficiency Virus (HIV). Advertising skepticism affect the consumer's interpretation, evaluation and response to offerings. Owing to the high level of illiteracy and low level of awareness, coupled with the strong belief in spiritual manipulations as the cause of sicknesses, some people (especially among the rural populace) believe that cure to some sickness are not known to modern medicine. As such, they believe in the verbose claims of these herbalists' herbal concoctions. Though herbal medicine can have high efficacy, but the wide un- scientifically verified claims in their adverts give room to skepticism among conscious consumers.

Advertising skepticism can be a healthy, beneficial trait that protects consumers from deceptive marketing tactics (Koslow, 2010). For many marketers it poses a serious threat because over skeptical consumers may become very distrustful (Hernandez & Affonso, 2013). Advert messages are meant to persuade, motivate and educate the consumers to making intelligent decisions (Adirika, Ebue&Nnolim, 2000) though consumers do develop coping tactics, thus avoiding being drawn into the advertisement.

iii) Production and Sale of Fake, Substandard,

Adulterated and Defective Products.

The production, distribution and sale of fake, substandard and adulterated products have been endemic in urban markets in Nigeria owing to the increasing inequality of power between manufacturers and consumers. This growing inequality with the manufacturers having an upper hand (Monye,2005) coupled with weak regulatory agencies not only lead manufacturers to issue out misleading information about their products through deceptive adverts but also encourages the growth of fake, substandard, adulterated and defective products (Umenyi, 2007).

Fake or counterfeit product is any product or service that is deliberately mis-labeled and presented to the market purported to be what it is not (Dogarawa, 2013). Substandard products or services are properly identified and labeled products with verifiable sources but fail in certain basic standards (Dogarawa, 2013). Adulteration arise when production and distribution processes do not conform to good practices, whereby product contain filthy or decomposing particles or other foreign particles than what genuinely forms part of the original product (Dogarawa, 2013).

Defective product among legal theorists is when the product fails to provide safety expected by the consumer while taking into cognizance (a) the presentation of the product (b) the use to which it could reasonably be put to (c) the time when the produce was put into circulation (Goicovici, 2011).

Flowing from the definitions of Dogarawa, Nigerian consumers are faced with incidences of fake, adulterated and substandard products due to the quality of goods and services made available to them (Ekenem, 2011). Some marketers/producers deliberately produce, import, package and make available fake, adulterated and substandard products to unsuspecting consumers. Consumers are therefore left in an unsafe position of having to pay for fake or substandard goods and services thus exposing them to numerous problems including poor safety and quality goods and services (Oni Ojo and Iyiola, 2014).

On daily basis, we buy and use products produced by different manufacturers and even trust our safety on such products. When such products fail due to their substandard nature, the resultant effect is often devastating. The incidences of fake or substandard spare parts, electrical parts/appliance and collapsed buildings in New Haven 1998 and Abakpa Nike 2002 are some of the outcomes of such business practices. Consumers live in the mercy of dishonest and irresponsible business interest (practices) as such exposed to poor quality product and services (Igbadi, 2011). Preliminary finding of this study fingered poverty, illiteracy and nonchalance as giving impetus to this irresponsible business practice. The dwindling economic power of Nigerians aggravated by the disparity of value between Naira and Dollar translated to inability of consumers to go for quality products. As such marketers prefer to sell low quality products which the people can afford. Again, the high rate of illiteracy and nonchalance among even the elites, result to the unwillingness to take legal actions against manufacturers/marketers for the breach of contractual rights; have encouraged the nefarious practice.

Nigerians have been made to buy cheap, substandard, adulterated and defective products without warranty by manufacturers. Every activity, business or otherwise is

governed by laws which establish acceptable standards and conducts of operation, the production of goods or services below or above the stipulated standard is a breach of the law (Dogarawa, 2013). The punishment or remedies for such breached depend on the circumstances surrounding the act, its magnitude, intention and agreement behind the action, time and age of the parties involved. Poorly manufactured /marketed products can tarnish the image/reputation of a firm, deplete its market share, competitive ability and profit. To avert such pragmatic firms, adopt different systems such as warranty, service guarantee, price, adverts and brand names to communicate quality and re-assure their customers /consumers.

Government's Regulation of Business in Enugu State

Regulation of Business is imperative as the world becomes a complex global market. Business regulators (government or industry) should be aware not only of their own interests, narrowly defined but also of other effects such as, those on economic efficiency, trade, equity and the environment (OECE, 1997). Regulatory styles vary from country to country and from industry to industry. Regulation may set market conditions, such as market entry conditions, price control, product requirements and contract terms or social obligations such as environmental obligations, safety regulations, advertizing and labeling requirements (Stewart, 2013). The impact of regulation on the economy is dependent on the nature, efficiency and effective implementation. Thus, some regulations may yield negative effect on the economy. Regulation especially if they are performance-based may induce innovations that benefit consumers, producers and the society. In some instances, it may even increase competitiveness by improving the quality of product and services, giving firms that produced those products and services a first mover advantage (Porter & Van der Linde, 1995, Atkinson & Garner, 1987 & Castro, 2011).

The regulatory system of business in Enugu State can be classified into three categories: non-state or self regulation, co-regulation and state regulation. Non-state (self) regulation involves private market-based institutions governing their actions through voluntary agreements, peer pressure and other methods to coordinate their actions. Business establishments in Enugu State fall under and are regulated by different associations with established principles and norms guiding their operations. Co-regulation occurs when government and industry jointly administer the regulatory process. In co-regulation, government agencies and organizations act as watch dogs and oversee the implementation and enforcement of industry standards. Government institutions like Department for Petroleum Resources (DPR), National Agency for Food and Drugs Administration and Control (NAFDAC), Enugu State Waste Management Agency (ESWAMA), Ministry of Commerce etc. provide the oversight functions to ensure compliance to industry standards and soft laws. Finally, state regulation involves government entities through legislations and executive orders regulate the activities and actions of the private sector.

Whichever option, self regulation, co-regulation or state regulation is meant to promote and encourage micro, small and medium scale enterprises (MSMEs) to effectively

contribute to the growth of the economy. MSMEs have been identified as the vehicle for economic growth, emancipation and development (Anigbogu, Onwuteaka, Edoko & Okoli, 2014). In most developing and developed countries, MSMEs, strongly supported by government through provision of enabling environment have led to the growth of radical and incremental innovative ideas and the Gross Domestic Product (GDP). In Enugu State, though the government through SME Center claims to assist SME operators but the activities of some government agencies send different signals.

Preliminary finding of this study reveals that MSME operators in Enugu are subjected to harsh strangulating conditions through exorbitant rates and double taxation by the agencies of the government. For instance, a road side mobile telephone air time (recharge card) seller will be compelled to pay sanitation rate of N1,200.00 annually, purchase from ESWAMA a plastic trash can for N6,500.00, pay advert permit of N2,500.00 annually to the local government authority and pay for business premises of about N6,000.00 annually to the state through the Ministry of Commerce. These draconian measures have sent many school leaver entrepreneurs back to the labour market while some took to other obnoxious practices to make ends meet. Though government regulation of business might be necessary, but the risk of over regulation is potentially greater than the risk of under regulation (Castro, 2011).

Consumer Education Awareness and Behaviour

Consumer awareness is the degree to which the consumer is aware of its rights as a consumer. This is predicated on the amount and level of information made available to the consumer through consumer education. Several scholarly studies have proved the link between consumer education and consumer awareness. Vijayakumar & Venugopal, (2012) in a study of consumer rights awareness in India, postulates that consumer education enhances consumer rights awareness. Babaogul, Sener & Surgit, (2010) affirms that consumer education is the key to consumer rights awareness. Several other scholarly researches have also proven a strong link between consumer right awareness and effective consumer behaviour in terms of protecting consumer rights (Ishak & Zabil, 2013, Ahlawat & Shekar, 2009 and Nair, 2012). Bello, Aduke & Danjuma, (2012)^[10] postulates that when awareness is low among consumers, consumerism is in near absence. Thus, there exists a relationship between consumer education, consumer awareness and consumer behaviour.

Consumer education in Nigeria is currently at low ebb (Onah, 1979^[41], Agbonifoh *et al.*, 2007^[3], Ayozie, 2013^[8] and Oko & Osuagwu, 2013)^[40], this may be among other things due to the weak commitment of government to consumer education. Though the government has enacted the Consumer Protection Act 2004, it has not enhanced consumer protection due to poor consumer education. In India for instance, educational institutions play a significant role in raising consumer right awareness. Consumer rights affairs were embedded in the syllabus of educational institutions, this helps to create a wide spread awareness of consumers' right among consumers. (Vijayakuma and Venugopal, 2012). In Nigeria the reverse is the case, consumer rights education are not part of the syllabus of educational institution, while statutory agencies and bodies

like Consumer Protection Council, Consumer Awareness Group, Standard Organization of Nigeria among others have performed below par. Aside from NAFDAC under the leadership of Late Prof. Dora Akunyili, (2000-2010) that raised the consciousness of the consuming public on their rights as consumers and how to protect such rights, other agencies exist merely on paper.

There exists a general awareness by consumers of consumer rights and privileges but, general awareness is not enough to ignite a positive consumer behaviour. A study in India indicated that though respondents were generally aware of consumer protection rights only 10% of the respondents had approached the Consumer Forum for redress (Khurana & Khurana, 2012). Even among the elites, only 5% actually lodges petition against sellers for a breach of their consumer right (Kulkarni & Mehta, 2013). These studies were collaborated by Njuguna, Oloko and Oyugi, (2014) which established that even when consumer rights awareness is high, consumerism may remain relatively low. This may include among other things the lack of in depth knowledge of consumer rights, high technicalities in filling claims against the producers and nonchalance among the consumers that make them to resign to faith. Nwaizugbo and Ogbunankwor asserts that in Nigeria, even where the consumers are aware of their rights, they do not know which agency to approach and how in the event of an abuse (Nwaizugbo and Ogbunankwo, 2013). This indicates that specific knowledge and awareness of consumer rights and protection is seriously lacking.

Communication mode and intensity are factors that could affect consumer information dissemination. Jayasubramanian and Vaideke, (2012) affirms that general public awareness of consumer rights and consumer protection measures is affected by lack of proper communication. For communication to be effective the channel of communication must be right and the intensity sustained. The factors that led to the success story of NAFDAC include among other things, the sustenance of high intensity of information dissemination using different channels of communication to ensure that every consumer was reached. Preliminary finding of this study revealed that most consumers in Enugu are generally aware of the existence of consumer rights, but lacked the specific knowledge of what these rights are or the agencies to approach in case of a breach.

Related theories

Moral Theory of Utilitarianism

Utilitarianism is a normative theory of ethics which views the right or wrong action from the stand point of cost benefit analysis to the society. It argues that all the good and bad consequences of an action must be weighed before one decides whether an action is right or wrong (Gray, 2010). An action is then said to be "right" as long as it satisfactorily causes good consequences compared to alternative action and vice versa. Utilitarianism, therefore, does not encourage egoism, as such, it is wrong to cheat/harm others to benefit one. Rather it promotes the collective good/benefit of all (most) against a few persons or groups. It is therefore imperative to behave in a rational way that would be rational for anyone. Applying this to business practices, utilitarianism supports business practice in so far as it is built on sound

ethics. Business operators should seek to promote the collective wellbeing of the populace; not personal gains.

Positive theories of regulation

The ‘positive theories of regulation’ is a product of a school of thought that seeks to examine why regulations occur. It aims to provide economic explanation of regulation and to provide an effective analysis of regulation (Johan, 2010). This body of theories include the interest group theories that describe stakeholders’ interest in regulation, theories of market power that describes market operators interest to control the market, and theories of government opportunism that describe why restrictions on government discretion may be necessary for the sector to provide efficient services for customers. (Regulation body of knowledge, n.d.) These theories conclusively agreed that regulation occurs because (i) consumers and customers deserve to be protected from the market powers especially when competition is ineffective or non-existent; (ii) operators desire protection from rivals, (iii) government is interested in ensuring that operators’ interests align to government’s interest and also to overcome asymmetry of information with business operators, and (iv) business operators desire protection from government opportunism.

Materials and methods

This study was conducted within Enugu metropolis; the population of this study comprises all the inhabitants of the metropolis. But for a study of this nature, only respondents of 18 years plus that can read and write were used. This was because they were assumed to possess the experience, and ability to respond intelligently to the questionnaire. 1200 respondents formed the sample size selected through a two-

stage sampling procedure. Firstly, the study area was stratified into three zones: high, medium and low-income layouts. Secondly, a random sampling approach was used to select 400 respondents each from the zones. The respondents were mainly urban inhabitants. 450 copies of questionnaire were duly completed and returned giving 37.5percent of the sample. An exploratory research design was adopted, exploratory research design is most appropriate when the study is embarked to discover ideas and insights (Ezejelue, Ogwo & Nkamnebe, 2008). Literature sources include text books, academic journals and government publications relevant to the topic. Data were collected by the use of structured questionnaire designed in Likert’s five-point scale, grouped under six headings of: product quality and information, advertising, consumer consciousness, business philosophy and practices, other marketing activities and government regulations. Face and content methods were used to validate the research instrument while the test-re-test approach was used to collect data for reliability test using Cronbach’s Alpha. A co-efficiency value (r) of 0.732 proved that the instrument was reliable. Data analysis was with percentages, tables, and means to determine extent of skew. Sample means were obtained by assigning values of 5 to strongly disagree, 4 to Disagree, 3 to Uncertain, 2 to agree and 1 to strongly agree. The responses of consumers to the Likert type questionnaire items were grouped and presented in tables 2 to 7 as consumer attitude toward product quality and information, advertising, consumer consciousness, business philosophy and practices, government regulations and other marketing activities.

Table 1: Demographic Characteristics of Respondents

Demographic Characteristics	Characteristics	Number of Respondents	Frequency 450	Percentage 100
Gender	Male		262	58.33
	Female		188	41.67
Age	18 years – 28 years		72	16.0
	28 years – 38 years		135	30.0
	38 years – 48 years		138	31.67
	48 years – 58 years		63	14.0
	58 years plus		37	8.33
Academic Qualification	FSLC		30	6.67
	GCE/WASC/SSCE		74	16.33
	OND/NCE		102	22.67
	HND /BSC		130	29.0
	MASTERS		87	19.33
	PH.D		27	6.0

Source: Field Study 2017

Analysis of the demographic characteristics of the respondents revealed that 58.33% were males while 41.67% were females. The respondents were found to be dominated by those within the ages of 28 years and 48 years, they constituted 61.67% of the entire sample. The educational distribution of the respondents also revealed that they were capable to respond intelligently to the questions as only 6.67% only possessed

First School Leaving Certificate. Over 50% of the respondents had either a National Diploma or a Bachelor’s degree.

Note: For tables 2 to 7, category responses for strongly disagree and disagree were summed up in one cell while strongly agreed and agreed cells were also summed up in another cell.

Table 2: Attitudes toward Product Quality & Information

	Response Categories						Sample Mean
	Strongly Disagree & Disagree		Uncertain		Agree & Strongly Agree		
	%	Freq.	%	Freq.	%	Freq.	
1. Fake, substandard and adulterated products are shielded from	75	337	5	23	20	90	3.825

entering the markets							
2. Varieties of competing brands make intelligent buying decision more difficult	15	67	35	157	50	225	2.475
3. Manufacturers always ensure that their products quality are high	35	157	25	112	40	180	2.925
4. Information manufacturers give about their products are always true	65	292	10	45	25	113	3.60
5. Manufacturers intentionally design and produce products which will wear out quickly	15	67	7	32	78	351	1.605
6. Differences among most competing brands are insignificant and unimportant.	13	59	2	9	85	382	1.92

Source: Field Study 2017

The responses above revealed that 75% of the respondents disagreed that fake, substandard and adulterated products are shielded from entering the markets, 50% agreed that the presence of variety of products and brands make intelligent buying decision difficult. As to whether manufacturers ensure high quality offering, the respondents did not skew to any side, 40% agreed, 35% disagreed while 25% were uncertain.

65% of the respondents disagreed that information manufacturers give about their products are always true, 78% agreed that manufacturers purposely produce products that will wear out fast, while 85% agreed that most competing brands, the differences are insignificant and unimportant to consumers.

Table 3: Attitudes toward Advertising

	Response Categories						Sample Mean
	Strongly Disagree & Disagree		Uncertain		Agree & Strongly Agree		
	%	Freq.	%	Freq.	%	Freq.	
7. Advertisement presents a true picture of the quality of the product	58	261	10	45	32	144	3.39
8. Most product adverts are believable	72	324	18	81	10	45	3.94
9. Government should be more committed to regulating advertising and other marketing activities	7	31	5	23	88	396	1.785

Source: Field Study 2017

Responses in table 3 above revealed that 58% of the respondents disagreed that advert messages present true picture of the product advertized, 72% disagreed that product

adverts were believable while 88% agreed that government should show more commitment to regulating advert messages and other marketing activities.

Table 4: Attitudes toward Consumer Consciousness

	Response Categories						Sample Mean
	Strongly Disagree & Disagree		Uncertain		Agree & Strongly Agree		
	%	Freq.	%	Freq.	%	Freq.	
10. Most Consumers know their rights as consumer	9	42	2	7	89	401	1.8
11. Most Consumers can get to any length including instituting legal actions to protect their rights	83	375	5	23	12	52	4.075
12. Long legal proceedings, illiteracy, poverty and nonchalance are some of the factors that inhibit consumerist action	1	5	2.67	13	96	432	1.56
13. Most consumers are conscious of what to do when their right are infringed including which agency to report to.	74	333	20	90	6	27	4.02
14. Consumer groups have done well in creating an informed consumer.	80	360	8	30	12	52	4.025
15. Consumers have perfect knowledge of what they want and can identify them	53	237	10	45	37	168	3.23

Source: Field Study 2017

The interpretation of the analysis in table 4 above revealed that 89% agreed that most consumers were aware of their rights, 83% disagreed that most consumers can get to the extent of instituting legal action in the instance of a breach of their right. As to whether long legal proceedings, illiteracy, poverty and nonchalance were some of the factors that inhibit consumerists' actions, the responses skewed completely to the affirmative as 96% agreed. To measure the level of

consciousness of consumers on what to do if their right is infringed, such as, which agency to approach 74% of the respondents disagreed that consumers have such specific knowledge, 80% also disagreed that consumer groups have done well in educating the consumers, while 53% disagreed that consumers have perfect knowledge of what they want and can identify such.

Table 5: Attitude towards Business Philosophy and Practices

	Response Categories						Sample Mean
	Strongly Disagree & Disagree		Uncertain		Agree & Strongly Agree		
	%	Freq.	%	Freq.	%	Freq.	
16. Most business operate on the philosophy that the consumer is always right	70	315	7	30	23	105	3.70
17. Business operators are more interested on profit than consumer satisfaction	10	46	2	8	88	396	1.835
18. Most business operate on the philosophy of let-buyer-beware	8	37	2	8	90	405	1.775
19. Most business operators are conscious of the environment and ensure its protection	56	250	7	32	37	168	3.275
20. Product guarantees and warranties are gimmicks as they are highly inaccessible.	30	135	9	42	61	273	2.54
21. Manufacturers often abandon their duties to consumers if their product fails	23	105	7	30	70	315	2.30
22. Most business operators contravene government regulations	29	132	11	48	60	270	2.54

Source: Field Study 2017

Analysis of the responses in table 5 above revealed that 70% of the respondents disagree to the assertion that most businesses operate on the philosophy of consumer sovereignty, 88% agreed that most business operators were more interested on profit maximization than consumer satisfaction. Supporting these assertions, 90% of the respondents agreed that most business operate on the philosophy of “let-buyer-beware”. On the measurement of environmental consciousness and protection, 56% disagreed that most business operators were conscious of the environment and ensures its protection. 61% agreed that product guarantees and warranties advanced by manufacturers to reduced perceived risks about their products were but marketing gimmick as they were hardly accessible. 70% agreed that manufacturers often abandon their duties to their customers and consumers of their products if their products fail to meet the consumer satisfaction. On strict adherence to government regulations, 60% of the respondents agreed that

most business operators deliberately contravene government regulations.

The responses displayed in table 6 below portrayed that the respondents did not skew to any side on whether government policies and programs were committed to promoting SMEs, while 47% agreed, 44% disagreed, 9% were undecided. On which regulatory approach is preferable, 59% disagreed to government regulation of business and thus preferred business self regulation. 80% of the respondents agreed that government has not done much to promote consumers right, as such should be more committed. On the effect of excessive bills and double taxation on the growth of MSMEs, the respondents skewed completely to the negative, 93% agreed that growth of MSMEs have seriously been undermined by excessive bills and double taxations by government. Also 93% of the respondents agreed that the government should be more committed to ensuring a market free of fake, substandard, adulterated and defective products.

Table 6: Attitude towards Government Regulations

	Response Categories						Sample Mean
	Strongly Disagree & Disagree		Uncertain		Agree & Strongly Agree		
	%	Freq.	%	Freq.	%	Freq.	
23. Government policies and programs are committed to promoting MSMEs	44	198	9	42	47	210	2.96
24. Government regulation of business are preferable to business self regulation	59	267	14	63	27	120	3.49
25. Government should show more commitment to the promotion of consumer rights	12	53	8	37	80	360	1.975
26. SMEs are seriously undermined by government through excessive bills and double taxation	2	8	5	22	93	420	1.625
27. Government should be more committed to ensuring a market free of fake, substandard, adulterated and defective products	3	12	4	18	93	420	1.64

Source: Field Study 2017

Analysis of the responses in table 7 below revealed that 56% of the respondents disagreed to the assertion that sales promotional games and contexts by manufacturers were generally dishonest. 82% agreed that products required by an

average family are generally available at convenient places. On the prices of basic products, the responses were distributed, though above a half 52% agreed that prices of basic products were affordable, 42% disagreed to this

assertion. The qualities of after-sales-services offered by marketing firms were agreed by 53% of the respondents to be

encouraging.

Table 7: Attitude towards Other Marketing Activities.

	Response Categories						Sample Mean
	Strongly Disagree & Disagree		Uncertain		Agree & Strongly Agree		
	%	Freq.	%	Freq.	%	Freq.	
28. The sales promotional games and contests by manufacturers to promote sales of their products are generally dishonest	56	252	18	81	26	117	3.45
29. Products required by an average family are generally available at convenient places	13	60	5	23	82	367	1.975
30. The price of basic products required by an average family are relatively affordable	42	187	7	30	52	233	2.85
31. The quality of after-sales-services offered by marketing firms are encouraging	29	131	18	82	53	237	2.655

Source: Field Study 2017

Results and Discussions

The study made some sterling revelations some of which supported previous findings by other researchers. On the assessment of consumers’ attitude towards consumerism, the study revealed that consumers have general knowledge about their right but lack the specific knowledge of which agency to approach when their right is infringed and the procedure for seeking redress. This supported the findings of Nwaizugbo & Ogbunankwo, (2013) and Nkamnebe, (2009). It was also revealed that long legal proceedings, high level of illiteracy, poverty and nonchalant attitude even among the elites were among the reasons why consumerist actions have been low.

The government also, the study revealed, has not given enough attention to the protection and promotion of consumers’ rights. As such, many manufacturers deliberately produce or import fake, substandard and adulterated products. This finding supported the assertions of Onah, (1979) [41], Agbonifoh *et al* (2007) [3], Ayozie, (2013) [8], and Oko & Osuagwu, (2013) [40] that consumerism practices were low due to lack of government support. Even though, government often confiscates such goods and destroy them when found, but their importers often go scot free. Also revealed is the existence of high level of skepticism among the consumers about advert messages with unverified claims.

On the impact of business policies and philosophy, the study revealed that policies and philosophy of most businesses were not rooted on consumer sovereignty. Most businesses still pursue profit maximization objective as against consumer satisfaction, as such buyers must beware when they make purchases. Secondly, most businesses are not environmental conscious/ friendly in their operations. They do not include in their plan of operation how to manage their residues, as such these residues have imposed serious challenges and externality costs on the society. This supported the findings of Oko & Osuagwu, (2013) [40] that disposable packages as residues litter the environments, block drainages, and constitute heaps of refuse in major and minor streets.

Some businesses the study revealed deliberately contravene government regulation in their operation as evidenced among firms that import fake, substandard or defective products against the stipulate of Standard Organization of Nigeria (SON). Also are landlords in Enugu that charge rents above

what the rent edict stipulated. The study also revealed that product guarantees and warranties advanced by manufacturers to consumers are gimmicks, as they contain clauses that make it impossible for an uninformed consumer to access the claim. These have persisted over the years owing to the high level of illiteracy and poor consumer education among the consuming public.

On the effect of government regulations on business, it was revealed in the study that the growth of MSMEs in the state have been seriously undermined by excessive bills and double taxations by the government. The government expects MSMEs operators to pay so many bills that often extorts the little capital of the young entrepreneurs. This act has contributed to the heightening rate of unemployment.

The study also revealed that, though they exist government rules and regulations guarding business operations, the enforcement of some government rules and regulations have been below par. This accounts for the reason why fake, substandard and adulterated products still find their ways into the markets, and also why some business operators deliberately disobey government rules on product quality standard and environmental protection. The reasons for such lapse in enforcement were traced to high corruption among the staff of the enforcing agencies, which prefer their palms to be greased than to do the right thing.

On the rate of consumer education, the study revealed that although there is a high general knowledge among the consumers but, specific knowledge on how to seek redress and the tenets of consumerist actions are still very low. The government and consumer right promotion groups have not really done well to educate the consumers. Aside from the campaign championed by NAFDAC some years back that gave rise to the general knowledge no other agency or body have replicated what was done by NAFDAC.

Conclusion

The concept of marketing in the 21st Century is rooted on the sovereignty of consumers. Consumers’ right to information, quality product and protection against exploitative tendencies of the manufacturers should not be jettisoned. Business policies and government regulations should be geared toward achieving economic growth and environmental sustainability.

Policy makers, regulatory agencies and consumer groups should intensify effort to make consumer education available through public awareness campaigns, seminars and workshops. Business groups should ensure that members operate within the tenets of the industry best practices while policy makers should ensure that government policies are enduring and promote entrepreneurial growth.

Recommendations

1. Consumerism is a social force that is inevitable, enduring and beneficial, organized consumer groups, government, regulatory bodies and the press should promote consumer education through public awareness campaigns, seminars and workshops.
2. Consumer education should be included in the curriculum of studies in primary, secondary and tertiary institutions in Nigeria.
3. A Consumer Rights Tribunal should be instituted to handle litigations of breach of consumers' rights and consumerism related matters. Such cases should be discharged free while the tribunal should discharge cases within a maximum of 180 days.
4. The Advertising Practitioners Council of Nigeria (APCON) should in collaboration with other regulatory agencies and institutions ensure that advert messages are correct and verifiable to reduce the skepticism associated with advertising.
5. There is need for a continuous tracking of business practices to ensure sustainable market growth. Industry best practices should be encouraged through industry self regulation while government provides the oversight function.
6. Environmental Protection Tax (EPT) should be introduced to be paid by manufacturing firms to take care of the cost of disposal of the wastes generated from the consumption of their products.
7. Finally, a downward review of the bills charged on MSMEs in Enugu state and elimination of double taxation to encourage economic growth and reduce unemployment is advocated.

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