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Marketing Ethics: Advertising, Sales, and Consumerism

INTRODUCTION

A helpful starting point for thinking about the ethics of marketing is to consider a simple exchange between two individuals. You and I agree to exchange your money for my car. You agree to give my son some money in exchange for his willingness to mow your lawn. An attorney agrees to represent a client in exchange for 20% of any settlement. The college bookstore buys back your used textbooks for cash. In each case, a free exchange between two parties is presumed to be ethically legitimate. From a utilitarian perspective, freely chosen exchanges are presumed to work to the mutual benefit of both parties and thereby will increase the overall good. From the Kantian perspective, such exchanges appear to respect the autonomous choices of free individuals.

However, there are three notable circumstances in which the ethical presumption in favor of market exchanges is unwarranted. The exchange will not be mutually beneficial nor would it respect the autonomy of both parties if (1) the parties involved do not fully understand its terms or (2) if it is not fully voluntary. Further, (3) if other important ethical values are violated by the exchange, its legitimacy can be lost. These first two conditions are captured in the common ethical principle of *informed consent.* Parties to an exchange must freely consent to it, and they must be fully informed of its conditions. Utilitarians value informed consent because it would seem a good test for achieving mutual benefit; the fact that both parties fully understand the consequences and freely consent to it is the best way to determine that they will benefit by it. Kantians view informed consent as essentially synonymous with autonomous choice. Both traditions would also acknowledge that other ethical considerations might override the goods attained by free and voluntary exchanges.