

These three factors provide a convenient framework for the ethical issues considered in this chapter. One of the prime ways in which an exchange can fail to meet the fully informed condition occurs when either party is the victim of deception or manipulation. The first two readings in this chapter offer ethical analyses of deceptive advertising and sales practices. Market exchanges are also ethically suspect when the parties to the exchange are subject to nondeceptive but manipulative influence. The Reading 11.3 by Glenn Braunstein and Reading 11.4, "Consumer Privacy Bill of Rights," issued by White House National Economic Council and the Office of Science and Technology Policy, examine ways in which consumer autonomy might be threatened by marketing practices. Reading 11.5 by Juliet Schor argues that contemporary advertising tends to create a consumerist mentality that is harmful both to society and to individuals.

### DECEPTIVE MARKETING, ADVERTISING, AND SALES

Marketing, advertising, and sales are, at their core, attempts to influence consumer behavior. Of course, an attempt to influence is not, in itself, morally objectionable. Some influences are clearly acceptable, whereas others are examples of undue influence. Our challenge is to find some consistent and principled way to distinguish ethically legitimate influences from those that are ethically illegitimate. We can start toward a principled criterion to distinguish between legitimate and illegitimate influences if we attend to the features of clear cases in each category. Rational persuasion, for example, is a paradigmatically acceptable means of influence because it respects personal autonomy, that is, the capacity to make free and reasoned choices. Coercion by force sits at the opposite extreme. Forceful coercion violates autonomy by effectively preventing free choice. The gunman's offer of "Your money or your life" is a forced choice between giving up your cash and risking your life. It is a choice, but it is the antithesis of a free choice.

We find a number of influences between the acceptable influence of rational persuasion and the undue influence of forceful coercion. We can begin to categorize them by the features they share with these two paradigm cases.

One way I can exert undue influence is through deception. One is deceived when one is misled to believe something that is not true. Typically, the intention behind deception is to get the deceived person to act upon the false belief, usually in a way that benefits the deceiver. An obvious, but not the only, way to deceive someone is to tell an outright lie—that is, intentionally tell a falsehood with the intent to deceive. Deception shares ethically important features with coercion by force. It is not physical mugging but a mental mugging. It interferes with autonomy not by physical force but more subtly by interfering with the capacity to reason. By implanting a false belief in a person's mind, the deceiver hopes to be able to exert an undue influence on decision making. Like force, the deceiver typically also exhibits disrespect by treating the other person as only a means to one's own ends. Deception is thus the negation of the moral equality of others as free rational agents.