

LYING AS A MARKETING STRATEGY IN NIGERIA: A MORAL ASSESSMENT

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Abstract

In today's volatile world of commerce, the use of advertisements as a strategy for bringing to the awareness of the populace, products that are available for purchase is common. Thus numerous commercials are today put up to bring about human awareness of products and services. Most of these advertisements either exaggerate or say what is not the case about some products and services. In other instance, these commercials even employ both exaggerations and lies to suit their ends. It is therefore pertinent to question whether or not these acts are morally permissible. This study analytically assesses lying as a marketing strategy in Nigeria using the classical utilitarian and duty ethics of Jeremy Bentham and Immanuel Kant respectively as a paradigm. The paper, a critical analysis, finds that classical utilitarianism endorse lying on the plata of consequences. More so, this paper finds that Kant's deontological ethics on the other hand, condemns the very act of lying as a moral vice regardless of its positive consequences. Following the application of these normative ethical principles, the study concludes that these normative theories concerning lying as a marketing strategy are inadequate. As such, the study proposes situation ethics as a plausible alternative to guide the use of lies in marketing products and services in Nigeria.

Keywords: Lying; Marketing; Moral Assessment; Strategy

Introduction

It is a common sight to encounter marketing executives striving fervently to command the attention and purchase from the public. They may even go as far as trying to use soothing expressions, lies and in some cases hilarious jokes to make people purchase the products that they are advertising. The moral

underpinning of their method or techniques has usually been taken for granted. If someone buys an advertised or marketed product from an executive that came out of the blues, but the product, after application, fails to deliver, what happens? Would the consumer simply wallow in foolishness or sheer ignorance for being swayed by some of these vendors with sugar-coated tongues? What are the moral implications for saying a product has the capacity to fix so and so but fails? Are there any ethical theories that can justify the lies, usually employed by vendors? What are marketing techniques or strategies? Can they necessarily do without lies?

As a way of attempting to answer these questions and actualize its aim, the present essay has five divisions, the first being this introduction. In the second part, the idea of marketing strategy/technique is exposed. The place of lies as a marketing strategy is therefore extrapolated. In the third rift of this study, two popular normative ethical theories: utilitarianism and deontology are employed to assess whether or not it is morally permissible to lie about products and services. We find both of these fairly inadequate. In the fourth section, we recommend situation ethics as a more plausible paragon that may justify lying as marketing strategy. The fifth part concludes the study.

Rationale behind Lying as a Marketing Strategy

In the words of Margarita Isoraite (2009: 114): “strategic marketing is a philosophy that leads to the process by which organizations, groups and individuals obtain what they need and want by identifying value, providing for it, communicating it and delivering it to others.” On a similar note, Hambrick and Frerickson (2001: 23) adds that “marketing strategy has five elements: it deals with where the organization plans to be active; how it will get there; how it will succeed in the market place; what the speed and sequence of moves will be; and how the organization will obtain profits.” For Kotler, “marketing strategy is marketing logic according to which the business unit is marketing. Marketing strategy focuses on target customers” (Kotler, 2003: 29). Whilst talking about the idea of marketing strategy, Anderson (1982: 98) explains further that:

The real lesson of a strategic marketing philosophy is that better performing organizations recognize the basic and enduring nature of the customer needs they are attempting to satisfy. It is the technology of want satisfactions which is transitory. The products and services used to satisfy customer needs and wants changes constantly

From the foregoing except that human wants are not only insatiable but also transitory. With the meaning and supposed nature of marketing strategy tersely stated, the scenarios that introduced this study demands revision from a philosophical perspective. On what grounds does a marketing strategy fulfill the wants of consumers? Is it based on the supposed perception of the manufacturers or the consumers? More so, given that no two persons have the same genotype, would what work suitably for one person necessarily replicate similar output in another? When questions of this nature are posed to any marketing strategist, it is likely that the vendor may either lie or even exaggerate the truth regarding the efficacy of products and services. Before attempting to answer these questions, it is important to first engage in a conceptual clarification of what lying entails.

Peter Hanks (1976: 321), writes that lying “is saying the opposite of what is true.” Now if lying is a marketing strategy employed directly or indirectly for profit accumulation, what are the ethical problems latent therein? Perhaps more importantly, in what specific ways does falsehood enter the fray of marketing products and services? In mind here is the connection between ethics and product decisions. Marketing executives are faced with a lot of ethical problems related to planning and application of product strategies (Siham, 2013).

For example, in new product development process, since ethics and legal subjects are discussed less than it is needed, faulty products are put on the market and so these products damage consumers (Morgan, 1993). Other ethical issues related to product decisions, information on labels can sometimes be used as deceptive although it is technically true (Chonko, 1995). It is also worthy of considering “rubbish problem which packing cause after its usage” (Menezes, 1993: 289). As a consequence, marketing executives are usually faced with ‘bending’ the facts of the products just for the sake of exchange, with minimal regard for health and life.

Given the reasons adduced above, it is crucial to ask: what ethical underpinning serves the occasion for lying as a marketing strategy? Are there any ethical justifications for it? If there is what are they? At this juncture, it would be pertinent to make some forays into the popular normative ethical theories to see if there could be any justification for lying to consumers about products and services by sales or marketing executive. This move is the core of this research since its fundamental aim and scope is not to engage in a conceptual analysis of lying but to investigate what moral normative framework is suitable in endorsing or rejecting (depending on context and status quo), the practice.

Traditional Normative Ethics and the Place of Lies in Business Ethics

Utilitarianism is one of the most powerful and persuasive approaches to normative ethics in the history of philosophy. Though not fully articulated until

the 19th century, proto-utilitarian positions can be discerned throughout the history of ethical theory (Tannsjo, 2002); (Aigbodioh, 1999).

Though there are many varieties of the view discussed, utilitarianism is generally held to be the view that the morally right action is the action that produces the most good. There are many ways to spell out this general claim. One thing to note is that the theory is a form of consequentialism: the right action is understood entirely in terms of consequences produced. What distinguishes utilitarianism from egoism has to do with the scope of the relevant consequences. On the utilitarian view, one ought to maximize the overall good — that is, consider the good of others as well as one's own good. In simple terms, one may state the utilitarian criterion of rightness of particular actions as follows: *an action is right if and only if, in the situation, there was no alternative to it which would have resulted in a larger sum total of welfare in the world.* This means that if there was something the agent could have done instead of the action he or she actually performed, which would have resulted in a larger sum total of welfare in the world, then he or she acted wrongly (Tannsjo, 2002).

Utilitarianism is also distinguished by impartiality and agent-neutrality. Everyone's happiness counts the same. When one maximizes the good, it is the good *impartially* considered. One person's good count for no more than anyone else's good. Further, the reason one person has to promote the overall good is the same reason anyone else has to so promote the good. It is peculiar to no one.

When we consider all of what has been briefly stated about utilitarianism on the one hand, and the situation of the marketing executive who lies to have his/her products purchased, one could query if or not the happiness of the greatest number is attained in the process of lying.

As a matter of fact, utilitarianism does not see anything wrong with the process of lying itself. On the contrary, emphasis is laid on the outcome, the consequence of the lie. Now, putting matters in the proper perspective, would Bentham endorse that marketing executives lie about products and services? The answer is affirmative, provided the consequence of the lie would produce the happiness of the greatest number. In essence, if the outcome of the lie would produce more happiness than unhappiness then Bentham would praise the marketing executive. On the other hand, Bentham would object if the whole lying endeavour would end up leaving fewer people happy but more people in unpleasant situation.

It is therefore the case that for utilitarianism, in the classical sense, lying as a marketing technique is morally permissible if and only if the greatest good of the greatest number is realised. This line of reasoning runs into problems. It has the tendency to pass lying as morally permissible if outcomes are favourable.

However, it is seldom for a moral agent to always know what moral choice or decision would yield the happiness of the greatest number. Furthermore, just what it means to say: ‘happiness of the greatest number’ remains a subject of controversy. These, precisely the pitfall that makes lying as a market technique or strategy flawed. It overlooks the idea of lying itself as to whether or not it is morally blameworthy or not. At this juncture, Immanuel Kant’s deontological or duty ethics enter the fray.

It would be worthwhile to state from the outset that Immanuel Kant’s strand of ethics falls under that which is generally considered as Deontological ethics (Tannsjo, 2002). The roots of the word ‘deontology’ can be found in the Greek words ‘deon’, *duty*, and ‘logos’, *science*. The best-known representative of deontological ethics is the German philosopher Immanuel Kant (Tannsjo, 2002). According to deontological ethics, some types of actions are prohibited, or obligatory, irrespective of their consequences (Tannsjo, 2002). While developing his ethics, Immanuel Kant begins by announcing that “two things fill the mind with constant awe and admiration – the starry heavens above and the moral law within” (Kant, 1998: 43).

Kant seems to be of the view or perspective that the only thing good in all circumstances is goodwill. Kant (1998: 7) further advances that “It is impossible to think of anything at all in the world, or indeed even beyond it that could be considered good without limitation except a goodwill.” There are imperatives that Kant employed to justify his ethics.

For Immanuel Kant (1998: 31) “there is, therefore, only a single categorical imperative and it is this: act only in accordance with that maxim through which you can at the same time will that it become a universal law.” This is the first of the three imperatives. The point Kant makes in his presentation of the categorical imperative is that an act becomes imperative (or commanded) when it ought to be applied to everyone. Miller (1992: 462) comments:

[A] categorical imperative would command you to do X inasmuch as X is intrinsically right, that is, right in and of itself, aside from any other considerations—no "ifs," no conditions, no strings attached . . . a categorical imperative is unconditional (no "ifs") and independent of any things, circumstances, goals, or desires. It is for this reason that only a categorical imperative can be a universal and binding law, that is, a moral law, valid for all rational beings at all times.

Our understanding of what Kant is saying here is simply that we should think of what actions we want to engage in such a way that it were a universal law. If

I intend to stab my friend to death for instance, Kant seems to be saying that would I concede that this (i.e. stabbing one's friend) were a universal law? This is one of the imperatives.

Kant's (1998: 38) second maxim in his own words is thus: "So act that you use humanity, whether in your own person or in the person of any other, always at the same time as an end, never merely as a means."

Kant thought that these and other formulations are equivalent. And from the categorical imperative he 'deduces' all sorts of moral duties. For instance, he deduces that it is always wrong to tell a lie, to kill, to commit suicide, or to break a promise. It is hard to understand how he can believe that the different formulations of the categorical imperative can be equivalent, and it is hard to follow his argument when he 'deduces' different duties from the imperative (Tannsjo, 2002). These are even more entrenched in his third maxim: "act only so that the will through its maxims could regard itself at the same time as universally lawgiving" (Kant, 1998: 39). The will is therefore autonomous and free, for Kant.

With the categorical imperative as the guiding principle of morality, it becomes the impetus for determining whether an act is moral or not. At this point it should be emphasized that Kant's categorical imperative is concerned only with general and abstract moral actions. Therefore, the categorical imperative determines whether or not any act is right or wrong. It is at this point that to do the opposite (to not will to do an act that everyone in similar circumstances would do) would be to invite contradiction.

In summary, Immanuel Kant's meta-ethical system relies on the fundamental realization of the moral law that exists in the agent (subject). When we view the world (the object) we know a priori that morality is universal and necessary. In order to determine whether or not a particular act is good or bad, morally speaking, we must apply the categorical imperative. This imperative or command requires that we fulfil our duty in the circumstance the act is occurring in. The classification of the act rests on whether or not the underlying principle is a practical contradiction (antinomian). If it is not, then the act is considered to be morally obligatory (Guttrie, 2008).

The foray into Kant's metaphysics of morals has been able to show among other things that there is a sense of duty surrounding morality. One is commissioned to act on duty. In other words, a moral agent is either blame worthy or praiseworthy if the act is committed out of a sense of duty. Upon the application of Kant's ethics to the marketing strategy of lying, some crucial ideas may be deduced.

Kant would debunk any form of lying to promote the purchasing power of goods and services by marketing agents. This is because, and as deduced from his Imperatives, if one willed lying as a universal act, one would see that it lacks moral support. More so, the whole affair of lying about products and services does no more than to use fellow humans; in this case, consumers as a means to an end, but not as an end in themselves.

However, a utilitarian marketing executive could riposte that sometimes, lying or exaggeration about products and services could make prospective customers, who would not ordinarily purchase the product, have a change of mind. Therefore, it is justified as a marketing strategy.

The above line of reasoning is not misplaced. However, one cannot wish away the place of the very existence of 'lying' as a moral vice. Kant would implore the marketing executive to assess whether or not the very act of lying would make the world a better place if everyone takes lying as a virtue. The answer is definitely obvious: if lying as marketing strategy is willed universally, there would be chaos and disorder as a consequence. Hence, on no grounds would Immanuel Kant endorse the marketing technique of lying.

So far we have been able to consider the two popular normative ethical theories on the subject of lying as marketing technique. Given the inadequacies that present themselves in each of them, it is pertinent to query at this juncture, whether or not there is other ethical theory that is suitable. By suitable, we mean a theory that is able to admit the inner kernels of utilitarianism and duty ethics.

Situation Ethics and the Viability of Lying as a Marketing Technique

Given that ethics is a series of moral rules and principles, it therefore follows that situations will determine which rules would or not be applicable. And if William Barclay's (1972) submission is taken as axiomatic, situation ethics may then be construed as "a circumstantial ethics that appropriates and utilizes the prevailing factors at a time in the determination of a piece of action" (Igboin, 2005: 49).

Situation ethics insists that each moral choice must be determined by one's particular context or situation, i.e. by a consideration of the outcomes that various courses of actions might have. As a consequence, a good act in one situation may be adjudged otherwise in another situation. According to its foremost proponent, Joseph Fletcher (1997), the only motivating factor in situation ethics is love. This has been validated by Joseph Omeregbe (1993: 119) who harps: "the ground norm of situation ethics is love". Fletcher (1997: 117) amplifies in this connection that:

The situationist enters into every decision making situation fully armed with the ethical maxims of his community and he treats them with respect as illuminators to his problems. Just the same, he is prepared in any situation to compromise then...if love seems better served doing so.

Fletcher's situation ethics falls between the two extremes of legalism and antinormianism. The former defines moral rules and principles as absolute laws that must of necessity be obeyed. Immanuel Kant's duty ethics, briskly considered in the preceding section, clearly falls within this spectrum. Meanwhile, the latter insists that man is free and as a result no law or principle can guide human decision-making. Fletcher (1997) proposes six axioms that are central to situation ethics:

1. Only one thing is intrinsically good; namely love and nothing else;
2. The ruling norm of Christian decision is love and nothing else;
3. Love and justice are the same, for justice is love distributed and nothing else;
4. Love wills the neighbour's good whether we like it or not;
5. Only the end justifies the means and nothing else; and
6. Love's decisions are made situationally, not prescriptively.

It is the case from the discussion so far, that in situation ethics, the 'rule of love' supersedes the 'rule of law'. When a marketing executive takes to the streets to sell products and services, situation ethics call for the principle of love as a basis for moral action. Now, one will easily glean that this normative ethical theory takes care of the pitfalls present in each of the traditional theories we concerned with hitherto. For if I have to employ lies as a marketing technique, situation ethic demands that I reflect if love is promoted. In other words, if I have to sell a product, employing lies as a paragon, will love be promoted in this guise? If the answer is affirmative, Fletcher endorses the action. However, and on the contrary, if the moral agent finds that things outside love would be promoted, the action would be deemed as a moral vice and consequently leaves the moral agent as morally blameworthy.

Conclusion

There is no doubt that when one considers lying as a marketing technique, it would be sheer ignorance to downplay its efficacy. There is any hardly advertisement about products and services that does not either lie or exaggerate the efficacy of products and services. However, situation ethics goes beyond the prescriptions of utilitarianism and duty ethics to posit that love should be the ruling principle. If lying to sell so and so product does not breed love, it

would be morally blameworthy, situation ethics maintain. There are circumstances where lies told out of love have proven to be morally praiseworthy. It is therefore close to the opposite of the truth to consider lying as necessarily evil or the output of lying as to the happiness of the greatest number. A consideration of the principle of love should be at the core of marketing strategies.

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