**Annotated Table of Contents** – **Mindful Marketing**

* + Part 1: Marketing and Ethics – An Uneasy Union
    - Chapter 1: A New Approach to Marketing Ethics

Centuries of business history have seen many moral missteps but few have been as nefarious as Volkswagen’s 2015 “[Dieselgate](https://www.cleanenergywire.org/factsheets/dieselgate-timeline-car-emissions-fraud-scandal-germany).” While it’s one thing to act unethically out of negligence and another to do so with some forethought, it’s a whole other level of illicitness to develop, manufacture, and install a “defeat device” designed specifically to trick emission testing systems, thereby not only breaking the law but ignoring any ethical sense of environmental responsibility.

As long as there are humans, there will be improprieties, but as the Part 1 introduction suggested, such offenses have occurred too often and for too long. Something different needs to be done to mitigate them and hopefully avoid the next breaking news scandal. To that end, [Mindful Marketing](http://www.mindfulmarketing.org/) may help. By using the power of branding and a unique 2 x 2 decision-making matrix, as well as providing resources for ethical discussions beyond the classroom and into careers, Mindful Marketing is ‘stickier’ than other approaches to marketing ethics, i.e., more likely to be remembered and used. Central to Mindful Marketing is the idea that good marketing is both effective and ethical, meaning that any given strategy meets marketing goals while also upholding five universal values: decency, fairness, honesty, respect, and responsibility.

* + Part 2: The Need for a Moral Foundation
    - Chapter 2: Consequentialism – Valuing Outcomes

Because of needs to generate sales, earn profits, and increase stock prices, businesses are used to making decisions based on outcomes, so business decision-makers often turn to consequentialism to guide their moral decision-making. For egoism, a moral action is one that creates the best outcomes for the decision-maker, whether that’s an individual or an organization. Utilitarianism, in contrast, tries to take into account the happiness of everyone a moral decision affects and targets the choice that creates the greatest overall net satisfaction (pleasure - pain).

* + - Chapter 3: Nonconsequentialism – Valuing Principles

Making ethical decisions only based on outcomes can lead to questionable choices, such as ones that ignore acts like murder and rape. For that reason, many people try to decide moral issues using moral principles like fairness and honesty. A key question, then, is “From where do those principles come?” It would be difficult to describe all of those potential sources in one of this book’s chapters, but several of the most common sources are Kantian ethics, divine command, natural law, situation, ethics, moral relativism, and virtue ethics.

* + - Chapter 4: Five Universal Values

The sources of moral principles that the previous chapter described often vary based on peoples’ worldviews. For instance, an individual who holds faith convictions might subscribe to divine command, whereas someone who does not may look to natural law as a source of moral principles. Such ethical diversity often exists even within households, so it’s not surprising that moral pluralism is extremely common within organizations, which makes ethical decision-making for companies all-the-more challenging.

However, despite such deep-reaching philosophical differences, there is surprising overlap among worldviews in terms of specific moral principles, which the concept of hypernorms explains. Born from integrative social contracts theory (ISCT), hypernorms are overarching moral principles “fundamental to human existence” that can be identified by analyzing the “convergence of religious, philosophical, and cultural beliefs” (Donaldson & Dunfee, 1994, p. 265). In ethics literature, five specific moral principles frequently appear together: decency, fairness, honesty, respect, and responsibility (Boddewyn, 1991; Damon, 1997; Fam, Yang, & Hyman, 2009; Friedman, 2013; Helm, 2006; Lannon, 2011; Leonidou et al., 2011; Mehta & Mehta, 2017; Neumann, 1957; Nguyen & Klaus, 2013; Warren, Burns, & Tackett, 2012).

These same potential hypernorms also often appear in many organizations’ codes of conduct and ethics, such as those of BP (“Our code, our responsibility,” 2014), Colgate-Palmolive (“Code of conduct: Living,” 2012), NPR (“NPR ethics handbook,” 2018), Sealed Air Corporation (“Sealed Air code of conduct,” 2018), Spotify (“Spotify code of conduct,” 2018), and the World Health Organization (“Code of ethics,” 2017). In addition, the American Marketing Association (AMA) asks marketers to embrace *core values* that are nearly identical to the aforementioned five principles: honesty, responsibility, respect, transparency, and citizenship” (“AMA codes of conduct,” 2017).

It’s for these reasons that each of the next five sections of this book focuses on one of the five universal values: decency, fairness, honesty, respect, and responsibility. Within each section, three chapters explore sets of closely-related issues through specifically-chosen Mindful Marketing articles that describe real cases, raise moral questions, offer unique perspectives, and ultimately aim to increase understanding of and appreciation for each value so readers can use them in their future ethical decision-making.

* + Part 3: Decency
    - Chapter 5: Decency 1 – Swearing, Shaming, and Violence

One of the easiest ways for marketers or anyone to violate norms of decency is by what they say to and about others. Swearing has become increasingly commonplace, especially among those in generations Z and Y, but should marketers encourage cursing? Similarly, social media has increased instances of bullying, which many renounce, yet some marketers appear unconcerned that their strategies support shaming in subtle, if not overt, ways. Most marketers do not depict violence, but some use it in promotion to gain attention and interest, while for a few others, violence is the core of their value propositions.

* + - Chapter 6: Decency 2 – Sex and Shock

Since the *Me Too* movement, marketers have moderated their use of sexual images and inuendo; yet, there are still strategies that seem to be based on the old adage that sex sells, including ones that large swaths of the population see, e.g., the [Pepsi Super Bowl LIV Halftime Show](https://www.youtube.com/watch?v=pILCn6VO_RU) featuring J. Lo and Shakira. Sex is just one way that some marketers *shock* consumers. Other graphic words and images that violate social norms and surprise consumers also represent shock strategies. Although such tactics are frequently effective in grabbing consumers’ attention and keeping their interest, they less often lead to desire and action in favor of the advertisers’ products.

* + - Chapter 7: Decency 3 – Overindulgence and Death

Some marketers don’t want to take responsibility for people while they live, for instance, by helping them not to use their products in excess. In contrast, other marketers seem eager to take advantage of people after they’ve passed, including by monetizing their likenesses. It seems that marketers should bear at least some responsibility in both instances, but how much and for what reasons? Decency-related principles can offer helpful guides for such moral choices pre- and post-mortality.

* + Part 4: Fairness
    - Chapter 8: Fairness 1 – Pricing and Profit

If asked whether what they purchased was fair, consumers most likely will respond ‘yes’ or ‘no’ based on how much they paid and whether they believe they received a fair value for the price. Many moral issues can arise as a result of how organization’s pricing strategies impact consumers, e.g., price discrimination and price gouging. At the same time, companies cannot remain in business unless they are profitable, so a closely-related set of issues involve what represents a reasonable profit.

* + - Chapter 9: Fairness 2 – Safety and Privacy

People don’t want to become injured or ill from using products and certainly no one expects to die. Organizations are legally and ethically obligated to avoid such outcomes. Companies also need to protect consumers in other ways, an increasingly important one of which involves their privacy—compromised information and identities also can injure people in serious ways.

* + - Chapter 10: Fairness 3 – Advertising Abundance

Organizations understandably want to build their brands and keep them top-of-mind with consumers. Unfortunately, those aims can lead companies to communicate with people too often and in ways that are invasive. Firms need to balance their need to promote with an appreciation that people have lives outside the consumption of one organization’s products.

* + Part 5: Honesty
    - Chapter 11: Honesty 1 – Deception and Dissonant Visuals

As the introduction to honesty described, deception is essentially the opposite of honesty and can be divided into two distinct vices: 1) lying – outright breaking the truth and 2) distortion – blurring the truth. There are a variety of ways that unprincipled marketers break and distort the truth, such as by employing native advertising and by using words with misleading meanings. One particularly stealthy way deception can occur is through the use of dissonant visuals, or images that visibly contradict what’s said verbally.

* + - Chapter 12: Honesty 2 – Puffery and Unrealistic Outcomes

People commonly use over-the-top exaggerations that are meant to be funny and that no one takes seriously, e.g., “I would kill for a piece of that cake! Marketers sometimes use the same hyperbole; it’s called puffery, it’s legal, and it’s often ethical, except when the exaggeration is *too* subtle. Such misleading marketing communication can easily deceive consumers, as can a closely-related tact—the promise of unreasonable benefits, or positive outcomes that are unlikely to accrue to any but a few very fortunate consumers.

* + - Chapter 13: Honesty 3 – Influencers

As long as there’s been marketing there have been individuals who have served as agents of their own wares or those of others. Historically, commercial representatives haven’t been hard to identify; however, in the age of influencer marketing many of the incentivized agents seem like ordinary people and are more difficult to detect, which can leave consumers wondering if they’re receiving objective information or a paid-for sales pitch. What's more, sometimes spokespeople aren’t even real people.

* + Part 6: Respect
    - Chapter 14: Respect 1 – Children and Other Vulnerable Consumers

In a commercial exchange there is a natural asymmetry of information that places buyers at a relative disadvantage; however, that power imbalance is magnified for certain consumers. Because of their inexperience and developing cognitive skills, children are among the most vulnerable consumers. Others who should be shown special respect because they can be more susceptible to improper marketing influence are older people, individuals with disabilities, and those who are disadvantaged economically.

* + - Chapter 15: Respect 2 – Appearance and Gender

People look different in many ways, and almost everyone has some part of their physical appearance that makes them self-conscious. In some cases marketers give preferential treatment to people who fit certain physical ideals while marginalizing or even disparaging others. Each person deserves respect for their appearance as well as for another closely-related characteristic, gender, which if approached thoughtlessly can result in portrayals that range from unflattering to destructive.

* + - Chapter 16: Respect 3 – Representing Race

Race is often the first physical feature people recognize when meeting someone new and, unfortunately, frequently make judgments because of it. Through their visual and verbal communication, which often project people to mass audiences, marketers have unique opportunities and obligations to present racial identities in positive ways that affirm instead of stereotype.

* + Part 7: Responsibility
    - Chapter 17: Responsibility 1 – The Environment and Economic Opportunity

While the environment and the economy are entities that affect everyone, certain parts of them impact some people more than others, largely based on where and how they live. Similarly, organizations’ specific environmental and economic impacts often depend on where they’re located and the nature of their operations. This chapter highlights these two key areas of organizational responsibility with special focus on the efficient use of resources and the provision of jobs.

* + - Chapter 18: Responsibility 2 – Racial Justice and Restoration

Throughout human history, the most challenging social relations to navigate have often involved race. From the people they employ, to the customers they serve, to the advertising they use, organizations have countless opportunities to encourage racial reconciliation and avoid intensifying racial divisions. Meanwhile, there are people who find themselves disadvantaged for other reasons, often economically, through no fault of their own or, in other cases, because of poor choices they made. Businesses are uniquely equipped to act on these reconciliatory imperatives.

* + - Chapter 19: Responsibility 3 – Addiction

Almost every company wants consumers to use more of its products, not less, and the thought of anyone being addicted to what it sells seems laughable. However, certain industries and organizations do need to be responsible for real consumer addictions, which involve some of the usually suspects, e.g., alcohol and nicotine, but also might include products that are in some ways even more controversial, e.g., apps and video games.

* + Part 8: Making a Difference
    - Chapter 20: Being a Mindful Marketer – Steps 1 to 5

1. Build your moral foundation
   1. Identify the moral philosophies and other resources you'll use as the basis for your ethical decision-making
   2. Reflect on those tools regularly
2. Keep ethics top-of-mind
   1. Read opinion pieces
   2. Be an armchair ethicist—evaluate the business strategies you see
   3. Subscribe to the Mindful Marketing blog ([www.MindfulMarketing.org](http://www.MindfulMarketing.org))
3. Know the law related to your industry
4. Know your organization’s and industry’s codes of conduct
5. Commit yourself to making moral choices
   * + Chapter 21: Being a Mindful Marketer – Steps 6 to 10
6. Have others help keep you accountable
7. Sweat the little things: practice making moral choices in your daily routine with small decisions
8. Have a moral sounding board—someone who can listen to ethical issues you face and offer sound advice
9. Keep learning marketing
   1. Take classes, earn a degree, earn certificates
   2. Read books, articles, and blogs; listen to podcasts; follow business news
10. Earn your Mindful Marketer Certification

* + Appendices
    - Appendix A: Ethics and the Law
    - Appendix B: Economic Distribution and Economic Systems

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