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The ethics of branding, customer-brand relationships, brand-equity strategy, and branding as a societal institution

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A R T I C L E I N F O

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A B S T R A C T

The subject of branding, customer-brand relationships, brand equity strategies, and branding as a societal institution has become so controversial that an anti-branding movement has become widespread across several continents. This movement maintains that branding is not just problematic, but ethically wrong. This article uses the Hunt-Vitell theory of ethics to provide a framework for explicating people's personal moral codes, which in turn, helps us to understand the ethical controversy over branding. The article (1) provides a brief discussion of the nature of branding, (2) identifies major arguments that support the view that branding is morally wrong, (3) overviews the H–V theory of marketing ethics, (4) explicates the H–V theory's "personal moral codes" framework, and (5) shows how it provides a starting point for those who seek to understand, evaluate, and investigate the ethics of branding.

> *The morality of free markets derives from the opportunity to exercise personal prerogative. The morality of marketing organizations derives from the potential of one group of people to satisfy the wants and needs of another. It is important that we not indict, and attempt to curtail, the processes that foster consumer choice when our quarrel is actually with the choices consumers freely make.*
>
> (Debra Jones Ringold, 2006, p. 66)

1. Introduction

Firms find it increasingly desirable to develop and promote their corporate and product-level brands, to use trademark laws to protect the equity in their brands, and to adopt what has come to be referred to as "brand equity strategy" (Aaker, 1991; Keller, 1998). Likewise, *consumers* find it increasingly desirable to develop relationships with brands, to become loyal to their favorite brands, and to participate in brand communities. Indeed, some consumers identify so strongly with particular brands that they become a part of consumers' "extended selves" (Belk, 1988).

Despite the growing importance of brands to both firms and consumers, the subject of branding as an organizational practice, customer-brand relationships, brand equity strategies, and branding as a societal institution has become so controversial that an anti-branding movement has become widespread across several continents (Holt, 2002; Johansson, 2004, 2006; Klein, 1999; Lasn, 2000). Underlying the rapidly developing, anti-branding movement is the view that, in some significant way, branding, consumer-brand relationships, brand equity strategies, and the societal institution of branding are not just problematic, but *ethically wrong*. Given that the anti-branding movement has an ethics component, it would seem that understanding the controversial nature of contemporary branding could benefit from understanding and applying formal, marketing ethics theory.

The purpose of this article is to propose that a particular ethics theory, which has come to be known simply as the "Hunt-Vitell" theory of marketing ethics (Hunt & Vitell, 1986), can provide a starting point for explaining key aspects of the controversy surrounding the ethics of branding. Specifically, the thesis of this article is that the Hunt-Vitell (hereafter, H–V) theory provides a framework for explicating people's *personal moral codes*, which in turn, helps us to understand the ethical controversy over branding. As to the structure of the article, it (1) provides a brief discussion of the nature of branding and how it promotes competition, (2) identifies some of the major arguments that support the view that branding is ethically wrong, (3) overviews the H–V theory of marketing ethics, (4) explicates the H–V theory's "personal moral codes" framework, and (5) shows how the personal moral codes framework can provide a starting point for those who seek to understand, evaluate, and investigate the ethics of branding.

2. The nature of branding and how it promotes competition

The American Marketing Association defines "brand" as:

> A name, term, design, symbol, or any other feature that identifies

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> one seller's good or service as distinct from those of other sellers. The legal term for brand is trademark. A brand may identify one item, a family of items, or all items of the seller. If used for the firm as a whole, the preferred term is trade name.
>
> (Bennett, 1988)

The word "brand" can be traced to the Germanic word "brandr," which referred to the mark made by burning with a hot iron (Jevons, 2005). "Marking by fire" to indicate ownership traces at least back to 2700 BCE, when Egyptians branded oxen with hieroglyphics (Bastos & Levy, 2012). However, Aaker (1991, p.7) uses the example of Ivory soap's introduction in 1881 to point out that "it was not until [early in] the twentieth century that branding and brand associations became so central to competitors."

Starting around 1900, fewer and fewer goods were sold in bulk as commodities and more and more goods began to be sold with trademarks identifying the producer. Beginning with the seminal work of Shaw (1912), marketing has justified these marks on the grounds that they (1) tend to reduce consumer's search costs (because consumers are assured that a product with the same brand would perform similarly to products previously purchased), (2) make it possible to identify and hold accountable those firms that produce products of inferior quality (because an individual firm's products are no longer indistinguishable commodities), (3) provide an incentive for firms to produce higher quality goods (because such goods will warrant higher prices), and (4) enable firms to earn higher profits (because of the higher prices warranted by the higher quality of branded goods).

Beginning in the late 1980s, the "idea emerged…that brands are assets, have equity, and drive business strategy and performance" (Aaker, 2014, p. 7). Brand *equity* may be viewed as the value that accrues to firms as a result of brand ownership. Ultimately, this value results from the positive associations that targeted consumers and industrial buyers have with respect to the brand (Keller, 1998). What, then, is brand equity *strategy*? The fundamental thesis of brand equity strategy is that, to achieve competitive advantage and, thereby, superior financial performance, firms should acquire, develop, nurture, and leverage an effectiveness-enhancing portfolio of "high equity" brands (Hunt, 2010, 2018).

2.1. Brands and firms' competitiveness

How do brands influence firms' competitiveness? Starting from the perspective of the resource-advantage (R-A) theory of competition (Hunt & Morgan, 1995; Hunt, 2000) brands can be *resources*. That is a brand can be considered as not just a general "asset" that adds value to the firm, but a type of asset that is a *resource*. When is a brand a resource? A brand is a resource when it contributes to the firm's ability to efficiently and/or effectively produce a market offering that has value to some market segment(s). To be a resource, it must be stressed, the brand must be perceived to *add value* to the market offering in the eyes of some market segment(s).

Aaker (2014, p. 10) maintains that a "primary brand-building goal will be to build, enhance, or leverage brand equity" because such brand-building efforts will result in a portfolio of "high equity" brands. What, then, in R-A theory terms, is a "high equity" brand? A high equity brand is one that, by triggering highly favorable associations among targeted consumers, adds such value to the market offering that the resulting increase in firm effectiveness moves the market offering to the right in the marketplace, competitive position matrix (see Fig. 1). Some brands, of course, actually *reduce* the value of the offering, as when, for example, consumers associate the brand with shoddy merchandise. In such circumstances, the market offering moves to the left in the matrix, and the brand is characterized by R-A theory as a "contra-resource" (Hunt & Morgan, 1995).

Hunt and Morgan (1995) identify seven prototypical kinds of resources, financial, physical, legal, human, organizational, informational, and relational. As to these categories, a brand may be considered to be both a relational and legal resource. It is a *relational* resource because brand equity is a manifestation of a firm's relationship with consumers. It is a *legal* resource because trademark law prevents competitors from appropriating the value of the firm's investment in developing the brand's equity. Hence, R-A theory provides a theoretical foundation in competition theory for marketing's brand equity strategy (Hunt, 2010, 2018).

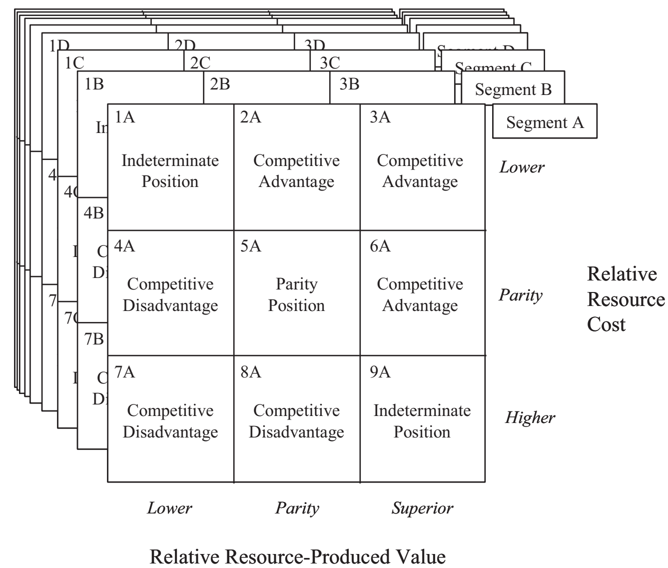

Fig. 1. Competitive position matrix.
Read: The marketplace position of competitive advantage identified as Cell 3A, for example, in segment A results from the firm, relative to its competitors, having a resource assortment that enables it to produce an offering that (a) is perceived to be of superior value by consumers in that segment and (b) is produced at lower costs than rivals.
Note: Each competitive position matrix constitutes a different market segment (denoted as segment A, segment B,…).
Source: Adapted from Hunt and Morgan (1995).

3. Branding is ethically wrong

The major arguments supporting the view that the organizational practice of branding is ethically wrong share some common themes. To illustrate these themes, this section focuses on the works of the antiglobalization activist Klein (1999) and the marketing academic Johansson (2004, 2006).

3.1. Arguments of antiglobalization activists

Attacks on the ethicality of branding by antiglobalization activists have been greatly influenced by the book, *No Logo,* by Canadian journalist and social activist Klein (1999). (An Internet search for "No Logo" will yield over twelve million hits.) Klein's (1999) book is a detailed attack on global brands, especially *American* global brands. Ironically, Klein, (1999, p. 3) very first sentence is the rough equivalent of Aaker's (2014) "brands as assets" observation: "The astronomical growth in the wealth and cultural influence of multinational corporations over the last fifteen years can arguably be traced back to a single, seemingly innocuous idea developed by management theorists in the mid-1980s: that successful corporations must primarily produce brands, as opposed to products."

Klein (1999) is divided into four sections: No Space, No Choice, No Jobs, and No Logo. The first section documents the pervasiveness of global brands and "examines the surrender of culture and education to marketing" (p. xxi). The second chastises global brands for replacing local alternatives and "reports on how a vastly increased array of cultural choice was betrayed by the forces of mergers, predatory franchising, synergy, and corporate sponsorship" (p. xxi). The third relates global brands to job losses in developed countries, that is, it "examines the labor market trends that are creating increasingly tenuous relationships to employment for many workers, including self-employment, McJobs, and outsourcing, as well as part-time and temp labor" (p. xxi). And the final section sets out an agenda for antiglobalization activists, with the aim of "sowing the seeds of a genuine alternative to corporate rule" (p. xxi).

Throughout her book, Klein (1999) charges that global brands exploit Third World workers (e.g., by the use of sweatshops and child labor), increase domestic unemployment, reduce domestic wages, erode workers' rights, censor the media, and debase local cultures by making them more homogeneous. To fight the claimed tyranny of corporate brands, Klein (1999) argues for boycotting global brands, disrupting shareholder meetings, filing lawsuits, and picketing trade conferences. Her hope is that, "as more people discover the brand-name secrets of the global logo, their outrage will fuel the next big political movement, a vast wave of opposition squarely targeting transnational corporations, particularly those with high name recognition" (Klein, 1999, p. xviii). Since Klein (1999), the anti-branding movement has grown steadily.

Readers should note two aspects of the arguments of those in the anti-branding movement that may be nonobvious. First, although the term "morality" is often thought to apply solely to individual people, the anti-branding movement clearly uses "morality" and "immorality" as appropriate descriptors of the practices of *organizations*, namely, global corporations. Likewise, this article, consistent with the "social responsibility" literature, maintains that it is appropriate to use the language of ethics and morality in the evaluation of firms. Second, those in the anti-branding movement are not providing a wholescale critique of free-market, economic systems. That is, they are not providing a general critique of the type of economic system that is often—quite misleadingly—described as "capitalism" (McCloskey 2018, p.11). Rather, they are focusing specifically on the alleged immorality of the *practice of branding* by key players (i.e., large corporations) in the global economy. Likewise, this article focuses on just the ethics (morality/immorality) of the practice of branding. That is, this article is not designed to be a wholesale defense of free-market economies.

3.2. Arguments of marketing academics

In marketing academe, a major claim that the practice of brand marketing is "immoral" comes from Johansson (2006):

> I am going to make the argument that American marketing is *morally* bankrupt. American marketing practices have helped turn the American way of life into its lowest common denominator. I don't mean in terms of material welfare, but in terms of quality of life. … We marketers encourage unlimited spending, outrageous behavior and the unmitigated pursuance of individual gratification. And we do this because we have the marketing tools to do it…As President Bill Clinton said in a weak defense of his own sexual pursuits: "I did it because I could." Americans use the same excuse implicitly and sometimes explicitly—*and it is equally immoral*. (p. 37; italics added)

Johansson's moral bankruptcy claim is detailed in his book, *In Your Face* (Johansson, 2004), which has fifteen testimonials on its cover, almost half of which are from prominent marketers. The following is a representative sample of the *marketers'* comments (with authors' names deleted): "*In Your Face*…should be required reading for every American student of business." "[It is] an honest, thoughtful, and provocative essay on 'brand America' and the good, bad, and ugly of American marketing practices globally." "[It] confesses to the darker side of American marketing practice…obesity, environmental degradation, feeding of greed and lust…commercialism, and insensitivity to local cultures." "[It is] a very thoughtful and passionate wakeup call to all of us who believe in the American way to global marketing." As the comments by other marketing academics show, Johansson is not alone in his "moral bankruptcy" claim.

Johansson's (2004, p.12) argument against the practice of branding begins with the question, "What are global marketers doing wrong?" He responds, "The answer seems to lie in their emphasis on global branding." Using Klein's (1999) anti-branding analysis as a starting point, Johansson links anti-branding with three movements: (1) anti-marketing, (2) antiglobalization, and (3) anti-Americanism. He maintains, "The Americans were the main proponents of [the Iraq] war, and they were also the main proponents of globalization. Anti-Americanism and anti-globalization seemed two sides of the same coin, and marketing surely played a common role in both movements" (2004, p. xviii). Linking anti-Americanism with antiglobalization enables him, he maintains, to explain the fact that 121 of the allegedly nefarious brands indexed in Klein's *No Logo* were American, and only nineteen were European.

Johansson (2004) agrees with Klein's charges against American branding practices. He also faults American marketers and what he calls the American government's "Brand America campaign" for arguing their positions with "arrogant zeal" and an "in-your-face attitude" (p. 17). He accuses American marketers of promoting "materialism and superficiality" (p. 39), and he complains that "the rate of technological innovation is so high [in America] that products are obsolete while still perfectly functional" (p. 40). Indeed, "the free market system … is out of whack, and our consumer paradise has turned into a quagmire of commercialism, consumption, and materialism" (p. 41). For him, "The problem with these brands is that they encourage an *American lifestyle* based on superficiality and fads, all engineered by profit-seeking marketers. It is this new consumerspace, with its in-your-face marketing techniques, that threatens engrained ways of life and traditional culture" (p. 119; italics in original).

Although Johansson (2004) acknowledges that "there is no gainsaying the statistical fact that the standard of living is higher with free markets" (p. 72), he maintains that American pro-globalist writers fail to recognize that "in most other societies, particularly those older than America, … economic and social progress is much more of a zero-sum game" (p. 158). That is, he argues, in most societies—but not America—one group's economic gain is another's loss, one group's progress is another's regress.

For Johansson (2004 p. 159), "In the race to the bottom [in America], marketing has, not unwittingly, played a major role." The "race to the bottom" in America results from its racial and cultural diversity: "Considering the multiracial, multi-ethnic, and multicultural mix of people inhabiting the U.S., the popular choice of the majority naturally involves a 'lowest common denominator'" (p. 159). Why must a multicultural society sink to the "lowest common denominator?" Because, he explains, whereas "advanced and sophisticated expressions or products" can be used in racially, ethnically, and culturally homogeneous societies, in America, "to appeal to a multicultural and multiethnic mass market, simple statements about simple things that all can agree on are needed" (p. 159). He concludes his moral argument against American brand marketing by, as he puts it, trying to find grounds to "accentuate the positive" (p. 183). Alas, for him, "I would like to say there are some positive signs [in American brand marketing], but honestly, I don't see any" (p. 183).

Readers should note that the arguments of both Klein (1999) and Johansson (2004, 2006) claim that the practice of branding is ethically wrong because the societal institution of branding, as it has been developed in American marketing, has strong negative consequences. Furthermore, the claim that branding is ethically wrong is stated without equivocation: the critics *know* that branding is ethically wrong. We turn now to reviewing the H–V theory of ethics and developing the "personal moral codes" framework, before investigating the ethics of branding.

4. The Hunt-Vitell theory of marketing ethics

Laczniak (2015) review finds that recent decades have witnessed an "explosion" in empirical research on marketing ethics:

> Much of this work was triggered by the formulation of positive (or descriptive) models…such as Ferrell and Gresham (1985) and Hunt and Vitell (1986), which gave researchers frameworks for organizing their explorations of variables influencing ethical decision-making…. [These] two articles …are not just among the most cited in ME [marketing ethics] but in all of academic marketing.
>
> (Laczniak and Murphy 2015, p. 3)

A major reason that the Hunt and Vitell (1986, 2006) theory has been used so frequently in research is that it contributes to explaining a wide variety of ethical/moral phenomena. Here, the intent is to use it to help understand, evaluate, and investigate the controversy over the ethics of branding. First, I overview the theory's key relationships.

4.1. The H–V theory's key relationships

As discussed in much greater detail in Hunt and Vitell (2006), the purpose of the original, *Journal of Macromarketing* article (Hunt & Vitell, 1986) was to (1) provide a general theory of ethical decision-making and (2) represent the theory in a "box and arrow" process model that would (3) draw on both the deontological and teleological ethical traditions in moral philosophy. While deontologists believe that "certain features of the act itself other than the *value* it brings into existence" make an action or rule *right*, teleologists "believe that there is one and only one basic or ultimate right-making characteristic, namely, the comparative value (nonmoral) of what is, probably will be, or is intended to be brought into being" (Frankena, 1963, p. 14). Tests of the H–V theory and the comments of scholars resulted in a modest revision in the early1990s (Hunt & Vitell, 1993). Because the revised model, displayed in Fig. 2, is argued to be a *general* theory of ethical decision-making, not just of *marketing* ethics, I show how the theory incorporates multiple ethics' perspectives and concepts.

The H–V model addresses the situation in which individuals confront problems that are perceived as having ethical content. (Because the perception of an ethical problem in the situation triggers the process depicted by the model, if one does not perceive some ethical content in a problem situation, subsequent elements of the model do not come into play.) The next step is identifying possible alternatives or actions that might be taken to resolve the ethical problem. Because it is unlikely that an individual will recognize the complete set of possible alternatives, the decision set will be fewer than the universe of potential alternatives. Indeed, ultimate differences in individuals' behaviors may be traced, in part, to differences in their sets of perceived alternatives.

Once the individual perceives the set of alternatives, two kinds of evaluations take place: deontological and teleological. In the deontological evaluation process, people evaluate the inherent rightness or wrongness of each alternative's behaviors by comparing them with a set of predetermined deontological norms. These norms are personal values or rules of moral behavior. They range from (1) general beliefs about things such as honesty, stealing, cheating, and the importance of individual freedom to (2) issue-specific beliefs about deceptive advertising, product safety, sales "kickbacks," confidentiality of data, and respondent anonymity. The norms, take the form of beliefs such as: "It is always right to…;" "it is generally or usually right to…;" "it is always wrong to…;" and "it is generally or usually wrong to…."

The deontological norms include both the "hypernorms" and "local norms" of integrative social contracts theory (Donaldson & Dunfee, 1994; Dunfee, Smith, & Ross, 1999). Local norms are context specific and community-based, whereas hypernorms are universal norms that represent "principles so fundamental to human existence that…we would expect them to be reflected in a convergence of religious, philosophical, and cultural beliefs" (Donaldson & Dunfee, 1994, p. 265). Hypernorms represent "a thin set of universal principles that would constrain the relativism of community moral free space" (Dunfee et al., 1999, p.19).

In contrast, the teleological evaluation process focuses on four constructs: (1) the perceived consequences of each alternative for various stakeholder groups, (2) the probability that each consequence will occur to each stakeholder group, (3) the desirability or undesirability of each consequence, and (4) the importance of each stakeholder group. Both the identity and importance of the stakeholder groups will vary across individuals and situations. For example, the stakeholders may (or may not) include one's self, family, friends, customers, stockholders, suppliers, and employees, as well as others of one's race, ethnicity, and gender.

Although the theory proposes that the teleological evaluation process is influenced by the desirability and probability of consequences, as well as the importance of stakeholders, no specific information-processing rule (such as a lexicographic process) is posited. Indeed, the theory proposes that the information-processing rules will differ across different people's personal moral codes. The result of the teleological evaluation will be beliefs about the relative goodness versus badness brought about by each alternative. An interpretation of the teleological evaluation (TE) process for an alternative *K*, with regard to stakeholders 1, 2, 3, …m, who have differing importance weights (IW) is:

$$TE_K = \sum_{n=1}^{n=m} [IW_1 \times PosCon_1 \times P_{Pos}] - [IW_1 \times NegCon_1 \times P_{Neg}] + [IW_2 \times PosCon_2 \times P_{Pos}] - [IW_2 \times NegCon_2 \times P_{Neg}] + \ldots$$

In this formula:

IW_1 = Importance of stakeholder 1
$PosCon_1$ = Positive consequences on stakeholder 1
$NegCon_1$ = Negative consequences on stakeholder 1
P_{Pos} = Probability of positive consequences occurring
P_{Neg} = Probability of negative consequences occurring

The preceding formula is an *interpretation* of the teleological process. The theory does not posit that people actually make these detailed calculations, but it suggests that people go through an informal process, for which the formula is an idealized, formalized representation.

Next the "core" of the model posits that an individual's ethical judgments (for example, the belief that a particular alternative is the most ethical alternative) are a function of the person's deontological evaluation (i.e., applying norms of behavior to each of the alternatives) and teleological evaluation (i.e., an evaluation of the sum total of goodness versus badness likely to be provided by each alternative for all relevant stakeholders). That is, EJ = f(DE, TE), where "EJ" is Ethical judgments, "DE" is Deontological evaluation and "TE" is Teleological evaluation. *Some* individuals in *some* situations may be strict (e.g., "Kantian") deontologists and, therefore, will ignore completely the consequences of alternative actions (i.e., TE = zero), and some may be strict (e.g., "utilitarian" or "ethical egoist") teleologists (i.e., DE = zero). However, the theory proposes, such results are unlikely across many people and situations.

The H–V model posits that ethical judgments impact behavior through the intervening variable of intentions. Like Petty and Cacioppo (1986) and Jones (1991), the theory proposes that both ethical judgments and intentions should be better predictors of behavior in situations where the ethical issues are central, rather than peripheral. Indeed, the issue-contingent model of Jones (1991) uses the H–V theory as a theoretical foundation and focuses on the importance of moral intensity for understanding ethical situations.

The theory proposes that ethical judgments will sometimes differ from intentions because TE also directly affects intentions. That is, though people may perceive a particular alternative as the most ethical, they may intend to choose another alternative because of certain preferred consequences (e.g., there might be significant positive

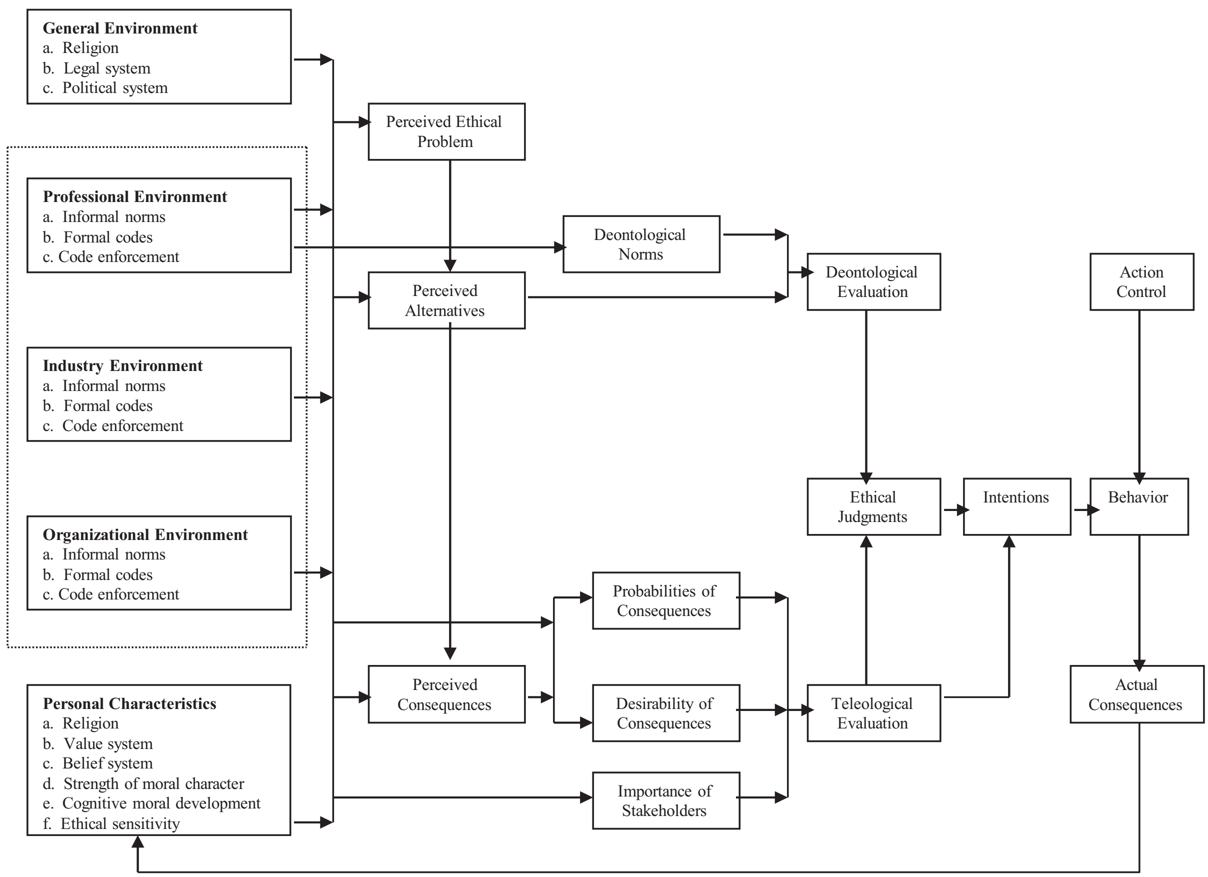

Fig. 2. Hunt-Vitell theory of ethics.
Note: the portion of the model outside the dashed lines constitutes the general theory. The portion inside the dashed lines individuates the general model for professional and managerial contexts.

consequences to one's self as a result of choosing the less ethical alternative). The theory suggests that when behavior and intentions are inconsistent with ethical judgments, there will be feelings of *guilt*. Therefore, two individuals, *A* and *B*, may engage in the same behavior, yet only *A* may feel guilty, because *B's* behavior is consistent with his or her ethical beliefs.

What is called *action control* in the model is the extent to which an individual actually exerts control in the enactment of an intention in a particular situation (Ajzen, 1985; Tubbs & Ekeberg, 1991). That is, situational constraints may result in behaviors that are inconsistent with intentions and ethical judgments. One such situational constraint is the perceived *opportunity* to adopt a particular alternative (Zey-Ferrell, Weaver, & Ferrell, 1979).

4.2. Learning and personal characteristics

After (ethical/unethical) behavior, an evaluation of the actual consequences of the alternative selected takes place. That is, *learning* occurs, which provides feedback to "Personal Characteristics." Hegarty and Sims (1978) examined whether a system of perceived rewards and punishments could change behaviors in a situation involving ethical content. They concluded that "the results lend support to the notion that many individuals can be conditioned (i.e., can "learn") to behave unethically under appropriate contingencies" (p. 456). Conversely, the H–V theory maintains that individuals can also be "conditioned" to behave *ethically*.

The theory identifies several personal characteristics that often influence specific aspects of the ethical, decision-making process. A priori, compared with nonreligious people, one might suspect that (1) highly religious people would have more clearly defined deontological norms and (2) such norms would play a stronger role in ethical judgments. In a consumer ethics setting, Vitell, Paolillo, and Singh (2005) explore the impact on ethical beliefs of both intrinsic and extrinsic religiosity, where the former is characterized by people sincerely incorporating faith and religious beliefs into everyday life, and in the latter, people simply use religion as a source of comfort and/or social support. They find that, while extrinsic religiosity has little impact on one's ethical beliefs, intrinsic religiosity is a significant determinant.

An individual's value system also impacts the decision process. Many different values impact ethical decision making. Consider, for example, "organizational commitment." Hunt, Wood, and Chonko (1989) find that corporations that have high ethical values will, subsequently, have employees more committed to the organization's welfare. Similarly, a four-country study indicates a positive link between organizational commitment and the decision maker's perception that ethics should be a long-term, top priority of the organization (Vitell & Paolillo, 2004).

"Belief systems" focuses on the individual's set of beliefs about the world. For example, Singhapakdi and Vitell (1991) explore the impact of Machiavellianism as a belief system. More generally, the kinds of beliefs likely to influence ethical decision-making are those that reflect how people believe the world "works." To what extent does one believe that all people are motivated solely by self-interest? That is, in moral philosophy terms, to what extent does a person believe that all others are guided by ethical egoism? The theory suggests that, to the extent that people believe that self-interest (i.e., in neoclassical economics' terms, "utility") maximization is how the world actually *works*, this belief will guide their behavior by influencing the perceived consequences of alternatives and their probabilities. Similarly, when people believe that everyone is motivated by "opportunism" (self-interest seeking with guile), this belief will influence behavior.

Strength of moral character is an important moderator of the relationship between intentions and behavior. Drawing on Aristotle's virtue ethics, Williams and Murphy (1990) emphasize the important function of role models in developing a virtuous moral character (i.e., having such virtues as perseverance, courage, integrity, compassion, candor, fidelity, prudence, justice, public-spiritedness and humility). Thus, people with high moral character would have the strength of will to behave in a manner consistent with their ethical judgments.

Cognitive moral development (Kohlberg, 1984; Rest, 1986; Trevino, 1986) has received much attention in the ethics literature. Goolsby and Hunt (1992) find that (1) marketing practitioners compare favorably with other social groups in their level of cognitive moral development and (2) that marketers scoring high on cognitive moral development tend to be high in social responsibility. Because a higher stage of cognitive moral development implies a greater capacity to reason through complex ethical situations, it would seem that people high in cognitive moral development would (1) bring in more deontological norms in any situation and (2) consider the interests of more stakeholders. Using a sample of purchasing agents, Cole, Sirgy, and Bird (2000) explore whether cognitive moral development moderates the relationship between the desirability of consequences to "self-versus-others" and TE. They find, contrary to hypothesis, no moderating relationship.

As a final personal characteristic, some people are, quite simply, more *ethically sensitive* than others: when placed in a decision-making situation having an ethical component, some people never recognize the ethical issue. Recall that the model starts with the perception that there is some ethical problem involved in the situation. Studies of ethical sensitivity have begun in the areas of dentistry (Bebeau, Rest, & Yamoor, 1985), professional counseling (Volker, 1979), and accounting (Shaub, 1989).

In marketing, Sparks and Hunt (1998, p. 105) explore the ethical sensitivity of marketing researchers and find that "the greater ethical sensitivity exhibited by marketing research practitioners can be attributed to their socialization into the marketing research profession, that is, by their *learning* the ethical norms of marketing research." Furthermore, they find a negative relationship between relativism and ethical sensitivity. Apparently, relativists' disbelief in moral absolutes reduces the likelihood of ethical violations "standing out" among other issues: when *all* issues are relativistic shades of gray, ethical issues may just blend in with everything else. Sparks and Hunt (1998) also find a counterintuitive, negative relationship between ethical sensitivity and respondents' formal training in ethics, which they explain as resulting from the possibility that existing ethics' education programs may be serving only to strengthen relativistic views. Indeed, McNeel (1994) points out that ethics training in higher education has become, increasingly, "value free."

4.3. Environmental influences

Since the work of Bartels (1967), marketing has stressed the role of culture in influencing ethics. Likewise, the H–V model stresses the importance of "Cultural Environment" in influencing the process of ethical decision making. The boxes in the model labeled "Industry Environment," "Professional Environment" and "Organizational Environment" orient the model toward ethical situations for business-people and the professions. The theory proposes that all industries, professional associations, and organizations have complex sets of norms, some of which are formalized in codes, but most of which are informal norms communicated in day-to-day interactions. These norms form a framework by which individuals are *socialized* into their respective organizations, professions, and industries.

5. The personal moral codes framework

The H–V theory helps us understand the extraordinary diversity of ethical judgments when (1) different people confront similar ethical situations/contexts, (2) people pass judgment on the ethicality of the actions of others, including organizations, and (3) people differ on the ethicality of societal institutions. It does so by providing a framework for explicating individuals' *personal moral codes*. This framework can provide a starting point for answering the question: why do different people hold such widely different views as to the morality of branding, customer-brand relationships, the brand equity strategies of firms, and the societal institution of branding? According to the H–V theory, differences in ethical judgments result from differences in personal moral codes, which are constituted by differences in:

- the rules for combining the deontological and teleological evaluations;
- the deontological norms held;
- the relative importance of particular norms;
- the rules for resolving conflicts among norms;
- the rules for interpreting the applicability of norms in particular situations;
- the importance weights assigned to particular stakeholders;
- the rules for combining the teleological components;
- the perceived positive consequences for particular (e.g., highly important) stakeholders;
- the perceived negative consequences for particular (e.g., very unimportant) stakeholders;
- the perceived probabilities of positive and negative consequences for particular stakeholders.

We now apply the H–V theory and its personal moral codes framework to understanding the controversy over the ethics of brands.

6. Investigating the ethics of branding

Why do people have such widely divergent views concerning the ethics of the organizational practice of branding? The H–V theory provides a "starting point" for investigating this issue. Recalling that the personal moral codes framework applies to people's judgments as to the ethicality of organizational behaviors, the H–V theory points researchers toward exploring for (1) different deontological *evaluations* and (2) different teleological *evaluations*, which implies searching for people's (3) different deontological *norms* and (4) different perceived *consequences* for (5) unimportant versus important *stakeholders*. Our focus here is restricted to *fundamental*, deontological and teleological starting points.

6.1. A fundamental, deontological starting point

Consider the issue of deontological norms. Although there are numerous deontological norms that might contribute to explaining differences in views as to the ethics of branding, the fundamental starting point, I suggest, is the norm of *freedom*. Indeed, the norm of freedom, I argue, could potentially qualify as a "hypernorm" (Donaldson & Dunfee, 1994; Dunfee et al., 1999). For example, the Catholic Church's Catechism states:

> Every human person… has the natural right to be recognized as a free and responsible being. All owe to each other this duty of respect. The *right to the exercise of freedom*… is an inalienable requirement of the dignity of the human person
>
> (*Catechism of the Catholic Church*, 1995)

Note that the Church's Catechism does not claim that freedom is morally correct because of its positive consequences. Nor does it say that freedom is morally correct because it favors particular stakeholders. Rather, it says that freedom is morally correct because *every* human person has a "natural right" to freedom because it is an "inalienable requirement" for the "dignity of the human person." Thus, for the Catholic Church, human freedom is a *fundamental*, deontological norm.

The concept of freedom in the Western intellectual tradition has historically been associated with freedom *to* and freedom *from* (Westermann, 1945). Common freedoms "to" are the freedom to speak one's views, to practice one's religion, to work at one's trade, and to own one's property. The fundamental freedom *from* is the freedom from coercion:

> this Essay…assert[s] one very simple principle, as entitled to govern *absolutely* the dealings of society with the individual in the way of compulsion and control… the sole end for which mankind are warranted…in interfering with the liberty of action of any of their number, is self-protection. That the only purpose for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm to others. …To justify that, the conduct from which it is desired to deter him must be calculated to produce evil to someone else. The *only* part of the conduct of any one, for which he is amenable to society, is that which concerns others. In the part which merely concerns himself, his independence is, of right, *absolute*. Over himself, over his own body and mind, the individual is *sovereign*.
>
> (Mill, 1859/1947, p.10; italics added)

Note that Mill, one of the founders of utilitarianism, is actually proposing a fundamental, absolute, *deontological* norm of individual freedom from coercion. Indeed, the very definition of a governing "state" in the Western tradition is often viewed to center on its being the *only* entity that can *legally* coerce:

> Coercion, however, cannot be altogether avoided [in a society] because the only way to prevent it is by the threat of coercion. Free society has met this problem by conferring the *monopoly* of coercion on the state and by attempting to limit this power of the state to instances where it is required to prevent coercion by private persons.
>
> (Hayek, 1960 p. 21)

Therefore, differences in judgments as to the ethics of branding, when viewed from a deontological perspective, often spring from differences in the inherent value attached to the fundamental dignity of the human person, the basic right to exercise freedom. This freedom includes the right to own one's body, to own one's name, and to own the proprietary names of those entities (i.e., "products") one creates. Therefore, according to the freedom deontological norm, individuals and firms own the names of their brands and have the right to speak of them and advocate for them. Likewise, consumers have the right to own branded products, to form relationships with the brands owned by individuals and firms, to join brand communities, and to consider brands as part of their own "extended selves."

Therefore, the freedom norm implies that branding, consumer-brand relationships, brand equity strategies, and the societal institution of branding, from a deontological perspective, ought to be considered *fundamentally* ethical. Those critics of the practice of branding are failing to give due consideration to what, I argue, could potentially be considered a hypernorm: the norm of freedom.

However, the H–V theory of ethics implies that, for most people, both deontological and teleological considerations influence ethical judgments. To the teleological issues we now turn.

6.2. A fundamental, teleological starting point

As the fundamental starting point for a teleological evaluation of the ethics of the organizational practice of branding, one must focus on the overall, societal consequences of branding. Ideally what one might want is to conduct an experiment in which one randomly assigns a sample of societies into two groups: one in which branding is specifically allowed or encouraged, and one in which branding is specifically forbidden or at least discouraged. Although a controlled experiment is not possible, the last century actually produced a reasonably close "natural" experiment.

The single most important macroeconomic phenomenon of the twentieth century was the collapse of the planned economies (which were premised on the cooperation of state-owned firms under the direction of a central planning board), and the concomitant success of the market-based economies (which are premised on competition among self-directed, privately owned firms). The results of this great, natural experiment showed that "Economies premised on competing firms are far superior to economies premised on cooperating firms in terms of total wealth creation, innovativeness, and overall quality of goods and services" (Hunt & Morgan, 1995 p. 3). Therefore, investigating the branding/trademark experience of the, now defunct, Soviet Union would come close to satisfying the ideal experiment related to the overall societal consequences of branding.

After the Bolshevik revolution of 1917, Soviet central planners believed that all "bourgeois" societal institutions related to the economy should be abolished, including money, money-denominated prices, advertising, and branding. For example, the Soviet Union in its early years experimented with vouchers ("to each according to his need") and other alternatives to the institutions of money and prices. However, the result was economic chaos:

> In 1920, production… [fell] to 13% of that of the pre-war period. The cause of this decline was not only the war, but also, to a large extent, the utterly defective distribution of the means of production under the system of natural [i.e. Marxian] socialism…It almost never happened that the production goods allotted to an undertaking by various Governing Boards were matched in quantity or quality
>
> (Brutzkus 1922/1935, pp. 106–7)

Because of the economic chaos, the Soviet Union abandoned vouchers in the 1920s and reinstituted the societal institutions of money and prices. A similar fate befell the institutions of advertising and branding.

The work of Goldman (1960)—writing decades before the collapse of the Soviet Union— provides a detailed examination of the "lessons" that one can learn from the Soviet Union's experience with regard to the "bourgeois," societal institutions of advertising and branding. Being an orthodox, neoclassical economist, Goldman's (1960) article, published in the *Journal of Political Economy*, begins by reviewing the standard, neoclassical economics' view that branding is societally undesirable because it constitutes product differentiation, which would then result in the inefficiencies of "monopolistic competition." He then points out that the Soviet Union's original objective was for each plant to produce homogeneous goods (similar to the homogeneity required for the neoclassical, "industry supply" curves). Homogeneous products, it was argued, would result in the efficiencies implied by the equations of perfect competition. (Why waste money on different versions of the same generic product?) Furthermore, Soviet production goals and the evaluations of plant managers were set in quantitative terms (e.g., so many tons of steel, etc.), not in terms of the quality of goods produced.

However, Goldman's (1960) study—to the surprise of both neoclassical and socialist economists—found that shoddy products in the Soviet Union's economy were rampant, despite the huge inspection costs brought about by an ever-increasing, army of inspectors. By the 1950s, Goldman (1960) points out, not only was the Soviet Union finding that advertising was an efficient societal institution for informing consumers about products, but Soviet planners, in a desperate attempt to improve quality, made it obligatory that *every* plant in the Soviet Union place a "production mark" *(proizvodstennaia marka)* on all output. Goldman (1960) quotes a Soviet planner as to why they made the branding of "commodities" obligatory for all plants:

> This makes it easy to establish the actual producer of the product in case it is necessary to call him to account for the poor quality of his goods. For this reason, it is one of the *most effective weapons* in the battle for the quality of products" (p. 399; italics added).

But, Goldman (1960) then discovered, holding Soviet producers accountable for shoddy quality was not the only beneficial consequence of obligatory trademarks. He also found that a more elaborate and attractive form of mark, a *tovarnyi znak,* while sometimes optional, was made obligatory for 170 groups of goods (including all goods that were to be exported). Again, Goldman (1960) quotes a Soviet planner as to the quality-enhancing benefits of the "competition" that resulted from mandating the use of trademarks:

> Due to its originality, the trademark makes it possible for the consumer to select the good which he likes… this forces other firms to undertake measures to improve the quality of their own product in harmony with the demands of the consumer. Thus the trademark promotes the drive for raising the quality of production.
>
> (Goldman, 1960 p. 351)

What, then, are the lessons to be learned about the use of branding as a societal institution? What does the "natural" experiment tell us about branding? The Soviet Union's experience supports the view that (1) firms' use of the societal institution of branding to identify their products and (2) consumers' use of trademarks as indicators of quality are not problems for a society to solve (as neoclassical, "product differentiation" theory suggests). Instead, trademarks are institutions that serve as highly important quality control and quality-enhancing devices in real economies (as opposed to the mathematical economies of neoclassical economics). How important are trademarks? They are so important that command economies *mandated* that firms use trademarks, even in those situations where all plants were supposed to produce *homogeneous* commodities. In short, our natural experiment suggests trademarks (brands) are not significant problems for society to solve. Rather, they are institutions that solve significant, societal problems.

What, then, are the implications for the ethics of branding? Recall that the H–V theory stresses the need for a teleological evaluation. On a *fundamental*, teleological basis, branding is ethically right because of brandings' highly positive societal consequences. Readers should note that *all* stakeholders have a "stake" in the positive consequences of the societal institution of branding. That is, all stakeholders benefit from such positive consequences as improvements in the quality of products and the increased ability of society to hold accountable those producers of shoddy or unsafe goods. Anti-branding critics, unfortunately, ignore (or are ignorant of) the positive consequences of branding as a societal institution.

7. A concluding invitation

Historically, marketing has viewed branding as beneficial to firms, consumers, and society-at- large because brands (1) tend to reduce consumer's search costs (because consumers are assured that a product with the same brand would perform similarly to products previously purchased), (2) make it possible to identify and hold accountable those firms that produce products of inferior quality (because each firm's products are no longer indistinguishable commodities), (3) provide an incentive for firms to produce higher quality goods (because such goods warrant higher prices), and (4) enable firms to earn higher profits (because the higher quality of branded goods warrants higher prices). Therefore, branding, customer-brand relationships, brand-equity strategies, and branding as a societal institution have been viewed by marketing as a "win-win-win" situation for firms, consumers, and society.

In recent years, a worldwide, anti-branding movement has arisen that maintains that branding is ethically wrong. This article shows how the H–V theory and its "personal moral codes" framework can provide a starting point for understanding, evaluating, and investigating the ethics of branding. Specifically, the H–V theory points researchers toward exploring for different (1) deontological evaluations and (2) teleological evaluations, which implies searching for people's different (3) deontological norms and different (4) perceived consequences for (5) important versus unimportant stakeholders.

As a first step in the evaluation of the ethics of branding, our deontological analysis argues that differences in evaluations of branding often spring from differences in the inherent value attached to the dignity of the human person, the basic right to exercise freedom. This freedom includes the right to own one's body, to own one's name, and to own the proprietary names of those entities (i.e., "products") that one creates. Therefore, individuals and firms own the names of their brands and have the right to speak of them and advocate for them. Likewise, as the epigraph reminds us, consumers have the right to own branded products, to form relationships with the brands owned by individuals and firms, to join brand communities, and to consider brands as part of their "extended selves." Therefore, the freedom norm, a potential hypernorm, implies that brands, consumer-brand relationships, brand equity strategies, and the societal institution of branding are *fundamentally*, deontologically ethical.

As the starting point for a teleological evaluation of the ethics of branding, one must focus on the overall, societal consequences of the practice of branding. Drawing on the case of the Soviet Union's mandating the use of the societal institution of branding to identify each firm's products, this article finds that branding, consumer-brand relationships, brand equity strategies, and the societal institution of branding are *fundamentally,* teleologically ethical because of their positive societal consequences.

I close with an invitation to readers. Although this article presents a useful starting point for evaluating the ethics of branding, consumer-brand relationships, brand equity strategies, and the societal institution of branding, I encourage readers to use the H–V theory and its "personal moral codes" framework to further develop the deontological and teleological evaluations of branding. Specifically, readers are urged to revisit and reflect on the arguments of antiglobalization activists and those marketers who allege that branding is ethically wrong. What deontological norms are implied by branding's critics? Are the alleged negative consequences of branding real or fabrications? Are branding's critics actually attacking branding or the actions of particular firms that happen to own the brands being attacked? Are branding's critics actually anti-branding or are they just anti-American? Are there ethical grounds for the coercive acts implied by branding's critics?

Marketing's "responsibilities framework" (Hunt, 2007, 2010) implies that marketing is a university discipline that aspires to be a professional discipline and that, accordingly, has responsibilities to four major clients: society, students, practice, and the academy. To society, marketing is responsible for providing objective knowledge and technically competent, socially responsible, liberally educated graduates. To students, marketing is responsible for providing an education that will enable them to get on and move up the socioeconomic ladder and prepare them for their roles as competent, responsible marketers and citizens. To marketing practice marketing is responsible for providing a continuing supply of competent, responsible entrants to the marketing profession and for providing new knowledge about both the micro and macro dimensions of marketing. To the academy, marketing is responsible for upholding its mission of retailing, warehousing, and producing knowledge, its contract with society of objective knowledge for academic freedom, and its core values of reason, evidence, openness, and civility.

Because of the centrality of branding to the discipline and practice of marketing, the responsibilities framework implies that the marketing discipline has a duty to provide a civil, reasoned, evidence-based evaluation of the ethics of branding, consumer-brand relationships, brand equity strategies, and the societal institution of branding. This article is a start.

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