Critique Of “The Ethics Of Sales” By Thomas Carson

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Introduction

Selling is the key function of every business and economic activity. Trade is the transfer of goods in exchange for another good or anything of monetary value. Customers offer a valuable amount of money or any good in exchange for a product or service offered to them by the business; hence, they expect to be aware of the product they are purchasing, ensure the quality of goods or services and determine if their requirements are met. A business’s success lies in the number of sales and satisfied customers, which is achieved through the high quality of products or services and, most importantly, following the ethics of selling.

The common principle revolving around sales is the law of *Caveat Emptor*, which refers to the buyer being the sole person responsible for assuring the quality of a product or whether it meets their requirements before making the purchase. The seller is bound to present his product and service in their truest forms, and it is up to the buyer to make the decision without further information provided. The seller isn’t responsible for informing the buyer of the properties of the product or service. This theory, however, resulted in fewer goods being sold as the consumer was afraid of the consequences of the purchase and the great chances of fraud.

The modern world offers more consumer protection laws and works under the principle of *Caveat Venditor*, which means that the consumer is aware of what he is buying and the risks involved in it. The goods are covered under the implied warranty of merchantability. This means that the product or service is required to follow a certain standard that meets the requirements of the consumer and adheres to its basic purpose. For example, an air conditioner that has a cooling malfunction can be returned by the customer under the warranty policy.

Discussion

Difference between Lies and Deception

Thomas Carson, in his “The Ethics of Sales”, refers to the several ways that sellers exploit customers into buying the products and increasing their sales, which violates the ethical rights of the consumer.

He sheds light on the differences between lies and deception that the seller uses to manipulate the consumer into purchasing the product. Lies are statements that can be called false or entirely incorrect. However, deception is a manipulative way to convince the consumer with an almost false statement that isn't entirely true or false. They are subjective or deceiving in various ways. A deceiving statement might tell half the truth while missing parts that are crucial for the consumer to know and that could change their point of view (Carson, 275-306).

Deception also involves the concealing of important information, such as when companies provide discounts and claim that they are offering a 50 per cent discount on all goods, but in reality, not all goods are subject to the discount; however, it convinces the consumer to buy the product with the misconception that they are paying a lower price. It is morally incorrect for the seller to deceive the buyer with incorrect and incomplete information.

Holley's Theory

David Holley's account of the ethics of sales addresses certain theories regarding the moral codes that should be followed in the process of the exchange of goods. These involve the three undermining conditions for an "acceptable exchange." Firstly, both the consumer and producer are aware of the exchange of goods and their properties. Secondly, neither the producer nor the consumer is forced to be involved in the exchange as a result of coercion or the inability to choose. Lastly, both parties are allowed the benefit of making judgments about the product, its quality, and costs.

However, Carson claims that the theory fails in practice as the producer isn't able to provide complete information about the good in the given time or might choose to conceal some information for his personal gain. Holley's theory offers a choice for both the seller to provide the information and the consumer to investigate the product. This means that the producer isn't bound to provide the relevant information. There is a high chance he might not follow the ethics. The consumer, on the other hand, is always interested in knowing what he is buying because he is spending a fortune. Carson strengthens his argument by illustrating the failures of the theory in real-life cases and criticizing the work of David Holley.

Carson's Four Rules

Thomas Carson, on the other hand, introduces his ethics and also considers the rules for selling goods. He claims that, unlike Holley's theory, it imposes unrealistic and impossible constraints on the seller. According to Carson, sellers have four basic duties called *Prima Facie Duties*. The first rule requires the seller to provide buyers with warnings and precautions regarding the product or service they are selling. Secondly, the producer should refrain from false statements or deceiving claims that can manipulate the client, which refers to the lies and deception involved in the business activity. Thirdly, the seller is ethically bound to provide the consumer with complete, unfiltered information about the product. He is liable to address the queries of the client at the time provided to them.

Moreover, sellers are not obliged to reveal information about their trade secrets that may benefit their competitor. The fourth rule requires the seller not to lead the consumer through false marketing methods or manipulate their choices into buying goods and services for the seller's personal gain. Decisions that the consumer might regret or that may cause harm to them later should be avoided by the seller.

Golden Rule

The Golden Rule implies that both parties reciprocate the ethical actions of the other person. This requires tolerance, compassion, and consideration. The golden rule of ethics supports the four rules introduced by Carson. The first rule requires the seller to inform the buyer about the possible dangers of using the product, which shows a sign of compassion and care for others in response to their trust in you. Similarly, the second rule supports complete and authentic information which is provided on the basis of trust and basic honesty. When a customer invests their genuine fortune, they expect the seller to provide clear and true statements about the product that are free from any deceiving and manipulative features. The third rule offers the client the answers to all their queries, which solves their confusion. At the same time, it protects the retailer from sharing information that may cause them trouble with their competitor. In this case, the Golden Rule of reciprocation is applied when both parties rely on each other to avoid violating their rights. Lastly, the fourth rule addresses the Golden Rule, as salespeople believe that respecting the right to know the entire truth and make an uninfluenced judgment is the key to their success, as they expect people to provide them with similar service.

The Golden Rule is the basic principle of ethics that provides a solution to all issues as it involves both parties participating in an equal situation with costs and benefits. The parties are able to develop trust through the code of reciprocating with each other's goodwill gestures. It makes the salesperson adhere to the trust that is bestowed on them by the client. This makes the process of trading transparent and successful. It contributes to customer satisfaction, which leads to the company's success (Bejou, 170-175).

Application of Theories

Thomas Carson's theories are applicable in real situations, while Holley's theories lack the concept of actual application. Carson's rules make it easier to recognize the difference between moral and immoral practices of sales. The situation discussed in example B is a presentation of immorality in sales. The seller is fully aware of the condition of his car, yet he deceives the buyer into buying it with a false representation of his product, making it appear to be working well in cold weather. This is also an example of lies and deception. The seller makes a deceiving appearance of the car, where he conceals the information about the car's actual condition. The client is not provided with transparent conditions. Moreover, this is also a manipulative approach, which steers the client into making a

decision that they would regret later when the car doesn't perform according to their requirement (Shaw, 306).

In situation C, the seller violates ethics rules 4 and 2, as he steers the client into making a decision that is against their requirements and subconscious will. The seller deceives the client with incomplete information and persuades them into buying a product that may not suit their requirements. In example A, the seller violates the very first rule of safety and precautions, which puts a large number of people at risk for his personal gain. Such practices are applied in real-life situations as well. Using the ethical rulebook for sales could've avoided the situation and built a trustworthy relationship between the seller and buyer, which increased consumer sales.

Example D is a real case study which shows the practices of a moral code of sales that involves both the seller and the buyer. Mr. Mokaram wasn't obliged to do what he did according to the ethical rules; however, he followed the Golden Rule with the presentation of consideration and mutual benefit. He reciprocated the honesty of the insurance policy and the university that supported him. The example shows that Carson's six rules of ethics are helpful in identifying the difference between morally wrong and right.

Conclusion

Ethics of sales are crucial to the activity of business and the exchange of goods and services of monetary value. Ethics and obligations on producers ensure consumer protection, which increases sales as consumers are assured that the product or service they are investing in is worth the amount and meets their requirements. Moreover, Thomas Carson's theories provide the basic principles that the producers are required to follow, which ensures the practice of the Golden Rule of ethics of reciprocation. Holley's theories, on the other hand, are criticized for the incapability of applying them to real-life situations and the fact that they don't meet the standards of the trade market.

The use of ethics in selling and trade is promoted for the purpose of the security of the consumer and the producer to avoid violation of the rights of both parties. The United States of America imposes the rule of implied warranty of merchantability, which assures that the consumer is not exploited and manipulated into wrong choices and their money is misused. Additionally, it ensures that the producer is not tested for false claims about the bad quality of the product. The free market allows both parties to make the decisions.

Works Cited

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