Ethical Implications of Sales Promotion in Malaysia: Islamic Perspective

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Abstract

Ethics and ethical behavior are drastically being focused on the business society today. The purpose of this research is to explore sales promotional practices in Malaysia, counting its ethical implications from an Islamic point of view and investigates whether it meets ethical demands of Islam to facilitate Marketers' patronage and practices. The study uses Al-Qur'an 2:219, 3:103 and 5:90 as a theoretical model to analyze critically relevant information to determine the extent of ethical legitimacy of techniques used in sales promotion in Malaysia and guotes other applicable references from Al-Qur'an and Al-Hadith as interpretive cogent evidence and methodology. Islam always emphasizes ethical principles in every aspect of business. This ethical ideology strongly recommends Muslims to promote business that guided by the Shari'ah compliance. Many companies are crossing the red zone of ethics and ethical values. The current several promotional strategies of the company's product and services in Malaysia are ethically questionable and problematic. Undue influence or flattering is very common practices done by the several companies and they lead to unethical earning of livelihood and unjust acquisition of revenue through gambling and other ill-perceived means which do not support the ethical values of customers. This study emphasizes the necessity for further research into the ethical attributes of business practices in Malaysia to promote responsibility in the society. The study includes mutual socio-economic and ethical awareness between sellers and buyers to save the society from moral deterioration.

Keywords: Ethics, Promotional techniques, Selling, Islam, Malaysia

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Introduction

People are becoming more concerned about what is actually happening in business organizations in the name of competition, development, and profitability. A growing number of companies are constantly evaluating the unethical practice in sales promotion. Sales promotion activity is drastically increasing due to the media and the part of the transfer of promotion concepts and techniques. Today, sales promotion activities and direct response agencies in Malaysia have been becoming more universal in the business market. However, Islam has emphasized on ethical behavior of sales promotion of a particular goods and services for the social welfare in the society, as it is a code of life. The code of life means everything is included with the religion, for instance, the Muslim's social life, political life and economic life in Islam (Yusuf, 2010). There are lots of discussion of it in the 'Holy Al-Qur'an' and 'Al-Hadith' of Prophet (Peace be upon him). Allah swthas declared that "Indeed, you have in the Apostle of Allah a beautiful pattern of conduct for him whose hope is in Allah and the hereafter and who engages in the praise of Allah" (Al-Quran 33:21). The Prophet Muhammad (Peace be upon him) stated himself "I have been sent only for the purpose of perfecting good morals". He also said that good conduct will be greatest of all attributes in the balance on the Day of Judgment. Ethical behavior on sales promotion of goods and services is the important issue in Islamic Shariyah. Islam allows to Muslim business people to use sales promotional tools or tactics. The producers and sales people should mention products' quality clearly to the customers. If the product is defected they should mentioned it to the customers. Allah swt has mentioned in the Holy Qur'an: "Lo! Allah enjoined justice and kindness, and liberality to kith and kin, and He forbids all shameful deeds, and injustice and rebellion, He instructs you that you may receive warning" (Al-Qur'an, 16:90).

The concept of sustenance being ethically earned is central to the Al-Qur'an's method to wealth and this is supposed to be guiding code of every religious people. The Holy Al-Qur'an singles out for renunciation a myriad of means of unlawful acquisition of wealth, which among others, inclue gambling and theft (Esack, 2002; Yusuf, 2010). In the Holy Al-Qur'an 2:219 and 5:90, Allah swt has declared thus: They ask you (Muhammad) concerning wine and gambling. Say: "in them is great sin, and some profit for men, but the sin is greater than the profit." They ask you how much they are to spend, say: "what is beyond your needs."

Thus, does Allah swt make clear to you His signs: in order that you may consider their consecrations on this life and the hereafter (Al-Qur'an 2:219-20).

Allah swt declared that "O you who believe! intoxicants and gambling (mysir), stones and arrows are an abomination, of Satan's handiwork: eschew such (abomination) that you may prosper" (Al-Qur'an 5:90). Ethical issues are important for an effective compy. Ethics is a branch of moral philosophy that deals with moral behavior. Morality is a complex concept which refers to an ability to judge what is right and wrong. Yousuf (2010) explained the dimensions of sales promotion and their compliance with Islamic code of ethics. In Islam, the relationship with buyer and seller is important issue. The sense has portrayed in the Holy Qur'an 3:103: "And hold firmly to the rope of Allah all together and do not become divided. And remember the favor of Allah upon you –when you were enemies and He brought your hearts together andyou become, by His favor, brothers. And you were on the edge ofa pit of fire, and He saved you from it. Thus does Allah make clearto you His verses that you may be guided." It gives the hints of unity that believe Muslims. Islam always advise for unity and set love and sacrifice for each other (Murad, 2003; Haque, Shahnewaz and Siddikee, 2013).

The Objective of the Study

The objective of this paper is to determine whether sales promotion tactics in Malaysia is ethical or unethical in Islamic view. The main aim of this paper is to examine the importance of ethical practices and how to implement it in business firms. The ethical practices of business organizations in sales promotion help to establish long-term positive relationships with existing and potential future consumers. Descriptive and analytical research methodology is applied in this research paper.Islamic *shariyah*has emphasized ethical behavior in business. Business is halal (permitted) in Islam. Muslim can develop business tactics according to Islamic ethical framework that Allah (swt) has given permission to Muslims. The recent scenarios in Malaysia, some sales promotional strategy of the company's product and services are problematic or questionable. They are earning revenue unethically and their gaining of wealth is prejudice through gambling and other ill-perceived which will not promote the ethical values of Muslims. So, it is significant thatethical responsibility and accountability is essential in sales promotion strategy between the Malaysian sellers and buyers to accumulate the social welfare.

The preparing and implementing a code of business ethics isessential in the business. We believe that there are some universal ethical issues in business which should be incorporated by all of the countries of the world in their code of business ethics, specifically, for sales promotion in any types of products and services. In this study, we have applied a descriptive and analytical research methodology to discuss the importance of having a code of business ethics in sales promotion. The overall objectives of this research study are:

- (i) To explore the importance of ethical implications of sales promotion and ethical behavior in business organizations;
- (2) To determine the Islamic contents of a code of business ethics in sales promotion;
- (3) To recommend ways how to implement this code of ethics in sales promotion in the business organizations.

Literature Review

Ethical practice in sales promotion is the important concerns because unethical practice creates a negative image of business. In Islamic Shariah principle, all the products' defects should be mentioned clearly to the customers. According to the Islamic point of view, women are allowed in advertising for sales promotional activities but Islam does not support the exaggeration for sales promotional devices. Misleading advertising and sales promotional tactics by using manipulation are strictly avoided in Islamic Shariah principles. A competitive marketing strategy sales promotion is a strategic tool or technique for rapid growing business. In addition, sales promotion is the key component of marketing mix strategy for consumers' goods and services globally (Esfahani & Jafarzadeh, 2012). The study byOmotayo (2011) stated that customer have so many choice like product size, colour, design, guality and price etc., so producers should meet the customers' needs and take decision to given sales promotion on products and services. The marketing communication tool and sales promotion offer for consumers' product plays a vital role. It is used to attract the custmer attrenetion and satisfaction to build loyalty in sales promotion. Generally the budget allocation to sale promotion has been increasing dramatically. The marketing strategy is shifting their attention to the applying sales promotion compare to more than advertising activities. Sales promotional activities are enable producers to crate the attention of new customers for their goods and services.

The shopping customers are influenced by the products that offer price discount and other facilities upon the purchasing behavior.

These are some of the fascinating techniques that used to motivate and encourage the customers to consume and purchase the goods and services. It can help to retain the existing customers and at the same time it enables to influence to the new customers. Product used for Christmas decorative and other items used during occasions or seasons are given off-seasonal discounts. For example, during the Eid-ul-Azha or Eid-ul-Fitre or other religious occasions, many companies has given a particular product promotion or discount for a certain period of time but after this period of time the company do not give the promotion for the buying products and services. Study by Yusuf (2010) mentioned that Ghana is facing very stiff competition in the business. The new product is coming frequently into the market and at the same time it takes place to enhancement. Therefore, the measurement of sales promotional activities is essential to retain the market share of the seller or producer in the product market.

Ethical sales promotion for consumers plays a significant role in business (Yusuf, 2010). Islam has established moral principles in business transactions. Particularly, sales promotion or product price discount on a specific products is the important issue. Islam has considred justice and practice ethics in busienss transactions. Allah SWT has declared into surah boni Isra'il in the Holy Al-Quran: "Give full measure when the measure, and weigh with a balance that is straight: that is the most fitting and the most advantageous in the final determination" (Al-Quran, 17:35). Sales people should not cheat with the customers by pushing the defect product or low weight goods. They should earn money right way not by cheating or illegal way. Therefore, those people who earn illegally they are referred to as fraudster in the Quranic language. In Islam, the Muslims are not prohibitted from promoting his business, but they should follow the ethical principles of the religion Islam. Muslimbusinessmen and women are to be moderate and generous in buying and selling activities. The Prophet Muhammad (peace be upon him) asked for Allah's mercy on him who is compassionate in his buying, selling, discount products or promotion for goods and services and in demanding back his money. The sales promotion of goods and services is not only accepted by shari'ah but it also necessary on all Muslims. Good and attractive services of business organization can create customer satisfaction and it makes reputation for the business industry.

Infact, the provision of essential service to society is fard al-kifayah (obligation of sufficiency). In other places, Allah SWT praises the equipment used to promote business (Al-Quran, 35:12).

It could be implicit from these that Islam does not oppose activities aimed at promoting business andindustry. As a matter of requirement, this promotion must be done with greatsensitivity to the moral or ethical rules specified by the Quran and the Sunnah of theProphet (peace be upon him). Accordingly, the annual hajj instituted by Allah and His prophet among the three fruitful months of Shawwal, Zul-Qad and Zul-Hijj was to promoteinternational trade and business (Al-Qur'an, 22:27-28 and 2:198). This support the fact thatone of theapproved ways of promoting sales or attractive one's business in Islam isto sell during conferences, times of pilgrimage, or trade fair, as that will notcompromise purity of intention and justice.

studyOmotayo (2011) has examined the sales promotion on The telecommunication sector in Nigeria. He found that telecommunication sector is highly competitive and telecom operators challenge to appeal and succeed customers through various sales promotion strategies. In every company, profit come from the consumers' repurchase of the products. Usually every repurchase is not connected to consumer's commitment of a brand. However, consumer's commitment is important for a repeat purchase. Therefore, business operators need to develop marketing programs that will not only emphasize customer's commitment but also influence customer to purchase goods and services again and again. Similarly, the function of the sales promotion is not only to support commitment of customers but it encourages repurchase. The effect of sales promotion on consumer behavior has been rising gradually. Sales promotion has effects on various aspects of consumer's purchase decisions such as brandchoice, purchase time, quantity and brand switching. However, whether the effect of consumer loyalty and purchasing behavior could be moderatedby sales promotions has not yet been examined extensively. Regardless of a widespread interestin the relationship between sales promotions and purchasing behavior, most studies focus on the effect of sales promotions on choice at the time they are offered. Only a few have investigated the less effect of sales promotions on brandpreference and the resultant buying behavior once the promotion campaign is rescinded.Sales promotions could be monetary and non-monetary. Both of these types provideutilitarian and hedonic benefits to the consumers. Utilitarian benefits refer to quality, convenience in shopping, saving in time efforts and cost.

Hedonic benefits on the other hand refer to value expression, exploration, entertainment, intrinsicstimulation and self. Several other studies had reported different impact of sales promotionon consumer behavior. For example, consumers gain more from price cut when buying an established up-market brand than a mass market brand. Price promotion elicits temporarychanges in brand and product choices and purchased quantity for established brand inmature market.

These changes are because up-market brands are associated with prestigiousbrand with high level of reliability, low level of risks, greater concerns for customer's needsand stronger hedonic benefits. Monetary sales promotions could lead to negative impact on brand preference and trust. Thisis because monetary promotion can divert attention to financial incentives which may encourage brand switching behavior, increase price sensitivity and make quality criterion less important argued further thatsales promotion can lead to a significant decrease in brand loyalty. From the above discussionssales promotion seem to have double-edge impact on consumer behavior depending on theconsumer level of commitment. However, a less committed consumer is highly influenced by sales promotional efforts. These contradictory findings suggest a need for more research on the effect of sales promotion on consumer satisfaction.

According toShahriar & Tahmores (2011), there is no doubt that sales promotion has important role in marketing arena in this technologically advanced world. Sales promotion is conducted for short period to attract the customers expecting that they will respond with the offer directly and immediately. We know that consumer is the king of marketing. It is true that consumers are highly motivated by culture. In this article, the author examined the effect of sales promotion on consumer behavior based on the culture. Even though there are various factors that influence consumer behavior, culture is the fundamental determinant. In addition, sales promotion generally works on a direct behavioral basis rather than effecting awareness or attitude. Culture influenced in the area of consumers' perception, motivation, learning, and memory, age, self-concept, group influence, social class, sex roles, attitude change, decision making, purchase and post purchase behavior. Luna and Gupta described that culture is discovered through values, heroes, rituals and symbols. Actually, culture affects consumer behavior and act as a determinant. The study by Shahriar & Tahmores (2011) stated that sales promotion play role as a moderator of the effect of culture on the consumer behavior independently.

Samina & Alam (2011) point out that Banking industry is playing an important role in the economic development. He also found that the financial progress of various countries in the world begins with Banking Financial Institutions. Actually, bank is the principal source of credit to individuals, families, business and different units of public and private organization. Bank provides short and long term loan to individuals and business institution as per their requirements but they are increasing active in long term business loan nowadays.

That is why; banks encourage the clients to invest money in productive areas because of the technological advancement. Sales promotion is necessary to meet the competition. It is also essential to make the consumers aware of the new product for getting success in the target market. Unfortunately, many of the developing countries are not that much smart of the regular services of banking industry until now. According to the findings of the authors, promotion activities influence deposit collection and loan distribution of banks in Bangladesh. Commercial banking had expanded its area and they are no more of buying and selling of money. They are using promotion to ensure that their customers are happy with them and enable to attract new customers. In spite of having important role of sales promotion in sales as well as company's profit, there are a few researches on it (Claes, William, & Birger, 1985). The literature on sales promotion expenditure is not good enough compared to advertisement. There is a lack of commitment to see that how sales promotion plays roles and what promotions are really performing. However, Teel and Bearden (1980) found that sales promotion is more effective for unfamiliar brands and can accelerate immediate sales. According to this article, people's tendency to change habit depends on its duration or they are habituated. There is a very little chance to change the habit if it is older. Instead of this truth, sales promotion helps to change the habits of consumers regardless of convenience products. On the other hand, the brands those are established in the market show a greater response in the sales promotion compared to the advertisements.

Marketing is very important to sell product or service in the competitive market. Through proper marketing any company's product, it is little bit easy to reach the main goal of business organization with satisfying the customer of the product (Abdullah & Ahmad, 2010). It is very important for every Muslim marketer to follow the guidelines of Allah (SWT) and teaching of beloved prophet (peace be upon him). Promotion is one of the important segments of marketing mix.

Through promotion, marketer wants to attract customers to the products and services. Promotion is a tool to communicate and persuade potential buyers to buy any products and services. It has great impact on customers buying decision making. Sales promotion influences customers to know the business organization and its products. There are different ways of promotion. Seller's offer free coupons, free samples, premiums, discounts on price, contests, point-of-purchase displays and frequent-buyer programs (loyalty program). Each of the promotion tools haseffectivenessin different situations (Alverez & Casielles, 2005;Rahman, Haque, & Ahmad, 2010). Through promotion business organization wants to increase the sales and makes customers loyal.

Islam allows promotion but Islam also gives some guidelines about how to do promotion, how to maintain right of the customers. It is compulsory for the seller to give all the product related information to the customers. Seller cannot hide any information about the product. They should inform the customers about the benefits of the products,drawback of the products and any other defects of the products. For advertising, Islam gives strict guidelines. Islam does not allow to use women in advertising if it creates illicit attraction to the opposite gender customers. It is not allowed to use girls giving any sexual appeal during advertising. Business organization cannot give any false promise to the customers. Seller cannot describe product aggressively (Hassanet al., 2008).Islam permits to do promotion to attract customers to the products but Islam strictly prohibited using women for advertising then it will create fahesha(fornication) in the society. Islam also forbade using appeal in the promotional activities. Appeal for example sex appeal, fear and emotional appeal that create mental sickness and pressure among the consumers.

Sometimes sales personnel of the business organization over praise the benefits of product or service. That makes customers confused about the product or service quality. When customers buy the product or service, then they disappointed. If they want to change the products, customers can't change the product. It is not permitted in Islam (Trim, 2008). Sellers can earn profit by selling product by over praising but for long term success of the business it is very harmful.Islam permits all types of promotion to sell the products but business people have to remember the teaching of Allah (SWT) and prophet Muhammad (peace be upon him).

Business people have to inform customers about the benefits and drawback (if any) to the customers before selling. They should remember if they being honest with customers then Allah will give barakah (success) to them. It is unethical for sellers not explore all the necessary information of the products during selling. May be there are some defect of the product. If marketer does not explore any information about the products then they have a chance fraud with customers.

It is very true that sales promotions increases the brand familiarity to the customers and increase the sales. There is no problem to advertise the product, sponsor different events to gain popularity or doing direct marketing and personal selling. If seller does sales promotion activity ethically then it is possible to maintain ethical competition in the market.

It will help to achieve the goal of business organization as well as it will help the society (Abdullah & Ahmad, 2010).One Muslim marketer is bound to follow business rules and regulation given by Allah (swt) and practice of Prophet Muhammad (peace be upon him). Muslim marketers have to avoid unethical advertising, manipulation the product (Hassan, Chachi, & Latiff, 2008).To sell the product through promotion is an important tactical tool. But that promotion should not be unethical. Sometimes marketers over praised the benefits of the products. It is not permitted in Islam and considered as cheating. Any types of cheating is forbidden in Islam and prophet (peace be upon him) said: he is not part of us who cheats people (An-Nawawi, 2:770). Al Qur'an gives the specific guideline for sales promotion. Sales person cannot overpraise the product and cannot change the shape the product (Al-Qur'an, 43:19).

Sales Promotion Strategies in Malaysia

Sales promotion is an activity by a company or an organization to promote its existing customers as well as potential customers in the market. Sometimes customers switch during sales promotion period from one established brand to another new brand or prevailing competitor. Actually, sales promotion is really an important tool that plays a great role in the profit of a company even though; sales promotion is conducted for a short period to increase the sales volume and market share. Another objective of sales promotion is to stimulate trial and aggravate the proliferation of new products, brands and brand extensions. Sales promotion is very common tool that is practicing in all over the world for the above mentioned factors. In addition, this is also known as tactical price cutting method on temporary basis. Malaysia which is one of the most rising country in the world is not an exception from practicing this tool. There are two types of sales promotion strategies named price promotion and creative promotion meaning incentives towards its consumers and trade people. In Malaysia, the most practiced sales promotion tools for the consumers' are: money off- coupons or vouchers; bonus pack offers-extra 200 gm per packet; refunds or rebates by cash or coupons which involved one or more purchases and submitting proof-of-purchase by mail or through claims; combined offers- buy product 'A' and get product 'B'. Sampling- tries product in store, attached to another product or sent to doorstep. Premiums of giftsmerchandise offered with purchase of product,loyalty scheme- member card; contestoffer great prizes (Scribd, 2005).

In addition, there are some sales promotions in Malaysia which are not clearly described by the company or sales people.

For example, 'Umobile'prepaid package, when sellers sell this package in trade fairs or any occasions they mentioned that RM 10 free or SIM card free at a price of RM10, but when customer open it they get zero (0) balance. If the customers recharge it again by RM10 and finished the balance then after there is credit balance RM 20. So, it is one kind of cheating with the customers because usually customers believe that they will get balance first time after the recharge.Besides this product, there is so many private companies' product in Malaysia is cheating with customers by using sales promotion tactics. Some products adverting for the sales promotion for t-shirt buy 1 free 1, but actually there is no free t-shirt. They are taking price for 2 t-shirt but they are giving advertising buy 1 free 1. For example, suppose 2 t-shirt prices is RM 200, they mentioned 1 t-shirt price RM 200 during the promotion period, but actually customer cannot observe it.

Sales Promotion in Islamic Perspective

Islam emphasizes the free and independent judgment. Islam does not support the deceptive sales promotional tactics. Al-Qur'an condemns all forms and shapes of false affirmation, unsubstantiated charge, mixture of good and bad, and false testimony.

In the Islamic marketing ethics, it is unethical for the sales people to overpraise his selling products. In Islamic principle, product should be described details by the sellers or company. False impression to promote sell product is strictly prohibited in Islamic ethical framework (Hassan, Chachi, & Latiff, 2008). Therefore, in terms of product promotion strategy, Islamic business ethics has been supported the some important rules and regulations, for example firstly, the producer or sellermust avoid false and misleading sales promotion advertising. Secondly, they should reject of high pressure manipulations and misleading sales promotion tactics. Finally, they should avoid such types of sales promotion that use deception or manipulation or cheating to customers. Islam says that a seller is a person like other human being who is accountable to Allah (swt). He should be honest and fair in his selling business activities or product sales promotion activities. Islamic ethics has given support to exchange the true document, specification of product quality and contents to the customers. Allah (swt) has mentioned into the Holy Qur'an, sura At-Tatfif, verse-1-3: "Woe to those that deal in fraud, Those who, when they have to receive by measure from men, exact full measure, But when they have to give by measure or weight to men, give less than due".

If Muslim business people do not practice these then there could be occurred disgraceful, dishonorable and shameful earning through deceit, treachery, theft and injustice in goods and service promotion tactics. According to Islamic principles, business holders are required to disclose all faults in their product, whether the product has defect or not, they should clearly mention to customers during the sales promotion period. It is a mandatory requirement for the sales people that they should reveal all known defects which cannot be seen on the surface and cannot be found out by the shoppers. Marketing disclosureshould ensure the product quality to the customers by the word of mouth and writing. The Prophet Muhammad (peace be upon him) clearly condemned all manipulative promotional behavior stating that "one who cheats us is not one of us" (AI-Nawawi, 2:770). In Islamic ethics, promotional techniques must not use sexual appeal, emotional appeal, fear appeal, false testimonies and artificial researchappeal, or contribute to the dullness of the mind or encourageextravagance. In the Islamic principles, Islamic ethics strictly prohibits stereotyping of women in sales promotion advertising, and excessive use of fantasy. In terms of product sales promotion strategy, the use of suggestive languageand behavior, and the use of women as objects to attract customers are not allowed in Islamic marketing.

Conclusion and Recommendation

In this competitive business era, it is not very easy to grab a good position in the market without offering sales promotion. Customers do not want to buy only products, but like to get some attractive benefits with products or service. Sales promotion enhances the acceptability of the business organization and their products to the potential market. There are no problems to offer sales promotion to the customers but in traditional sales promotions, there are no such benefits for the customers. Business people try to convince customers in an unethical waymost of the timein traditional sales promotion. If we consider the sales promotion in Malaysia and other parts of the world, we see that there are violations of moral application during offering sales promotion. Business people do not apply moral, ethical, religious teaching in their business. They over praise their product, give false promise about the benefits of the products, use women wrongly during advertisement. All those work are clearly violation of the Islamic teaching. Islam is the complete code of life and if we follow Islamic teaching in all activities of our life we will get prosperity, our all activities will be meaningful.

If marketer follows the meaningful and scientific guidelines of Allah (swt) and practices of Prophet Muhammad (peace be upon him), then they need not practice any unethical way of sales promotion. Marketers should be honest with their valuable customers. The findings of this research are very essential for marketers in every business organization and code of business ethics must be implemented in the organization in objective and effective way.

Marketers should follow the guidelines of The Holy Book "Al Quran" given by Allah (swt) because He gives the necessary advice for human being. Allah (swt) created us and He knows what is good or beneficial for us and what is harmful for human being. Human being can achieve true success by following Al- Qur'an. Marketers also should follow the practices of Prophet Muhammad (peace be upon him). He is the most respected and successful person in human history. He was the most successful business man in his time. If marketers follow his procedure of sales and sales promotion, then they need not to do any unethical practices in sales promotion. It is only possible to establish justice between buyer and seller through following Prophet Muhammad (peace be upon him). Marketers have to gain moral knowledge so that their morality prohibits themselves from any unethical practice with customers. Marketer can't cheat with his customer who has strong moral value. Every business organization should practice morality from top to bottom.

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Appendix

