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Social contract theory and the ethics of deception in consumer research

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Abstract

Deception of research participants is a pervasive ethical issue in experimental consumer research. Content analyses find as many as three-fourths of published human participant studies in our field involved some form of deception, almost all of which employed experimental methodologies. However, researchers have little guidance on the acceptability of the use of deception, notwithstanding the codes of root disciplines. We turn to theories of moral philosophy and use social contract theory specifically to identify conditions under which deception may be justified as morally permissible. Seven guiding principles for research practice are formulated and their implications for consumer researchers are identified, together with practical recommendations for decision making on studies involving deception.
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Deceit is the intentional effort to mislead people. Whether it is morally justifiable is a question of crucial importance because it is a way of making people act against their will and the most common reason for distrust (Bok, 1992; Darke & Ritchie, 2007). Lying, which involves falsehoods that are intended to deceive, is considered morally problematic by virtually all major philosophical traditions and religions. Yet the use of deception in experimental consumer research is a pervasive practice that appears to have reached a 'taken-for-granted' status. Consumer researchers often deem it necessary to disguise their investigations to minimize demand characteristics and hypothesis guessing (Shimp, Hyatt, & Snyder, 1993), and thus find themselves having to decide whether or not to lie to their participants (deception by commission or "active deception"), or to omit pertinent information (deception by omission or "passive deception"). But the argument can be made that deception in research is never morally justifiable (Bok, 1978).

Codes of the root disciplines, such as the American Psychological Association (APA) code, provide uncertain guidance on the use of deception and are not grounded in theories of moral philosophy (Kimmel, 2007; Pittenger, 2002). Considerable attention has been given to deceptive marketing practices (Aditya, 2001; Darke & Ritchie, 2007; Tybout & Zaltman, 1974), but few studies present a formal ethical analysis. Studies that have applied normative theories of ethics to deception in research (Atwell, 1981; Baumrind, 1985; Kimmel & Smith, 2001; Pittenger, 2002; Reynolds, 1982; Toy, Wright, & Olson, 2001) generally do not develop sufficiently detailed analysis and prescriptions to offer specific guidance for experimental consumer research. This paper, in contrast, while building on these studies, applies from first principles social contract theory (SCT), a prominent theory of normative ethics increasingly found in business ethics (e.g., Bailey & Spicer, 2007; Dunfee, Smith, & Ross, 1999; Dunfee, 2006). SCT is used to identify guidelines to govern the use of deception and to provide specific, well-grounded and practical recommendations for consumer researchers. We do not call for the prohibition of deception (as is the case in economics research), but argue for careful evaluation of the circumstances under which it is acceptable, grounding our analysis in theories of moral philosophy as the source of the best-justified standards for ethical evaluation.

Prevalence of deceptive practices

In an exploratory study of the use of deceptive practices by consumer researchers, we conducted a nonrandom survey at the Association for Consumer Research 2002 annual conference.

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We solicited participation from 163 attendees who conduct consumer research and 112 agreed to participate (69% response rate), 81% of whom claimed to utilize experimental research. The use of deception was reported by 86% of respondents; 59% always used deception or used it in more than half of their studies, whereas only 42% claimed to always debrief deceived participants. The most prevalent types of deception involved misrepresentation of study purpose (used "frequently" by 38% of respondents) and making false statements unrelated to the participant's character or identity (25%), but all types of deception queried were employed, including omitting details that might affect willingness to participate (used "occasionally" by 20% of the sample).

It is evident that the use of deception in consumer research not only is widespread but increasing (Kimmel, 2001, 2004; Toy, Olson, & Wright, 1989). Kimmel (2001, 2004) examined empirical articles appearing in the *Journal of Consumer Research* (JCR) and the *Journal of Marketing Research* (JMR). As Table 1 reveals, his findings show a rise in deceptive procedures in human studies over time, an increase attributed to the greater use of active deception, most commonly the misrepresentation of the research purpose and incorrect information about research procedures, equipment, and measuring instruments. The rise in "deception studies" coincided with an observed increase in experimental research investigations. There was little reporting of mitigating practices (e.g., freedom to withdraw, debriefing). While the latter finding is consistent with Toy et al.'s (1989) hypothesis that marketing researchers may avoid debriefing (and our ACR findings), it may instead be due to established expectations about treatment of respondents or journal space constraints. (JCP requires authors to state they have complied with APA ethical standards in their treatment of respondents.)

We conducted a content analysis of all 163 human participant studies appearing in JCR, JMR and JCP during 2006–2007, using the same coding instrument and achieving similar intercoder reliabilities as reported by Kimmel (2001). Table 1 shows a continuation of the trends in methodology and ethical procedures reported by Kimmel (2001, 2004), with 80.4% of the human studies using deceptive practices. Although a majority (113; 69.3%) of the coded human studies employed mild forms of deception (e.g., attributing the research to a bogus sponsor), severe deceptions were observed in a further 18 (11.0%) of the 163 coded investigations.

Mild versus severe deceptions

Mild deceptions "create false beliefs about relatively unimportant issues that are peripheral to the subjects' self-concept," whereas severe deceptions "create false beliefs about central, important issues concerning the subject's self-concept and personal behavior" (Toy et al., 1989, p. 71). Studies measuring reaction time and memory commonly employ mild deceptions, where participants are not forewarned that they will be faced with a recall test after exposure to stimuli or that their reaction time is being measured. Examples of severe deception from our content analysis include the use of mood induction manipulations, procedures intended to influence perceptions of susceptibility to health risks, the provision of false feedback regarding participant empathy levels, manipulations capable of influencing participants' sense of moral obligation or potential life success, and anxiety-arousing manipulations. Debriefing was reported in only 5 of the 18 (27.8%) studies that employed severe deceptions.

In one study a procedure was used to increase prior commitment, whereby participants were told that a company would use their photograph and taped thoughts about a brand for a marketing campaign. In reality, there was no such firm or campaign. The deception was intended to create an attachment to the brand, resulting in increased commitment. Another example is found in a study of trust in consumer–brand relations. Participants were told that photos they had submitted to a photo album web site had been lost, only to learn three days later that they had been found. Participants were led to believe that they were interacting with a real firm (the photo website); in fact, the site had been created by researchers. This procedure enabled the researchers to observe responses to a "real-life" transgression. It is unclear whether participants were debriefed;

Table 1
Evidence of the increase in deception in consumer research.

Years examined	Journals	Number of articles	Number of articles with human subject studies	Number of articles with human subject studies containing experimental manipulations	Number of articles with human subject studies using deceptive practices	Number of articles with human subject studies reporting debriefing	Source
1975–1976	JMR/JCR	171	83	34 (41.0%)	36 (43.4%)	7 (8.4%)	Kimmel (2001)
1989–1990	JMR/JCR	170	111	69 (62.2%)	64 (57.7%)	13 (11.7%)	Kimmel (2001)
1996–1997	JMR/JCR	128	75	51 (68.0%)	42 (56.0%)	17 (22.7%)	Kimmel (2001)
2001–2002	JMR/JCR	169	108	85 (78.7%)	71 (65.7%)	17 (15.7%)	Kimmel (2004)
2006–2007	JMR/JCR/JCP	247	163	144 (88.3%)	131 (80.4%)[a]	43 (21.6%)	Present study[b]

[a] The increase in deceptive practices shown in the present study is in part due disproportionately to the inclusion of JCP. Of the 71 articles published in JCP in 2006–2007, 40 included human subject studies, of which 36 (90%) involved deception and 35 (87.5%) of which utilized experimental manipulations (a similar proportion to the JMR and JCR sample). Of the 176 articles published in JMR and JCR in 2006–2007, 123 included human subject studies, of which 95 (77.2%) involved deception and 109 (88.6%) of which utilized experimental manipulations. Seven (19.4%) of the 36 JCP deception studies were classified as involving severe deceptions; 11 (11.6%) of the 95 JCR and JMR deception studies were classified as involving severe deceptions.

[b] The present study utilized the same coding instrument and yielded similar intercoder reliabilities as Kimmel (2001) original analysis (i.e., above .85 interrater agreement within each judgment category across a random sample of eight articles selected from the overall pool of articles).

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