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UNETHICAL SALES PRACTICES UNDER THE ISLAMIC
MARKETING FRAMEWORK: A NARRATIVE ANALYSIS

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Abstract

Personal selling is one promotional tool of marketing which is notorious for its ill-practices. While many researches are done from a third-party perspective, this paper takes a first-party perspective in data collection and analysis. This paper is a narrative of the writers' personal experience of a car dealer's use of unethical practices to sell. This study is presented in authors' personal tone and perspective. A car dealer was contacted in pure natural settings where his sales tactics were observed and narrated, noted for ethical issues, and discussed from Islamic marketing viewpoint. To explore the same narrative in detail, plot and significance analyses are used. The codes emerged from analysis are further analyzed from an Islamic marketing perspective as to why they are considered unethical. Finally, suggestions on how and why to avoid these practices are also given. This research holds theoretical significance for combining narrative approach with ethics in business; it holds practical significance in identifying and educating the practitioners and consumers about unethical sales tactics and why they should stop.

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Keywords: Personal selling, islamic marketing, narrative analysis, unethical sales practices, significance analysis.



1. Introduction

This paper is a narrative of the author's personal experience of a salesperson's unethical sales tactics. The narratives are presented in first person (author's story) (Noy, 2003). Daiute (2014) says, "narratives are accounts of daily life, stories that spring from the imagination, vignettes of daily life, news reports of events of public interest, histories, gossip, and other oral and written accounts in past, present, and future time" (p. 2), and they help in integrating "past experience into meaningful learning" (McAlpineab, 2016, p. 33). From the three methodological stances – sociocultural, naturalist, and literary (McAlpineab, 2016), naturalist methodology was adopted to focus on the content of the narrative (Bamberg, 2012; Lincoln & Guba, 1985; Riessman, 2001). A car seller was contacted in natural settings for purchasing a car and his sales tactics were observed for identifying unethical practices. Communication and negotiation took place in completely natural settings which resulted in the narratives as mentioned below.

2. Problem Statement

2.1. Ethics and Islamic marketing

Ethics in personal selling have always been an issue of concern in marketing. This narrative sheds light on the same subject from an Islamic marketing perspective. Islamic marketing understands the traditional marketing from a religious point of view. It follows the teachings mentioned in the Holy *Qur'an*¹, evident in the *Sunnah*² of the Prophet Muhammad (Peace Be Upon Him)³, and explicated in the writings of the scholars. Many scholars have written on the same from conceptual perspective (see Abdullah, 2016; Alserhan et al., 2016; Alom & Haque, 2011; Kadirov, 2014; Shamma & Maher, 2012; Sürdem, 2013) as well as practical perspective (see Abdullah et al., 2019; Alserhan et al., 2018; Haque et al., 2017; Shafiq, 2018a; 2018b; Shafiq et al., 2017; Shafiq et al., 2015) and this stream of marketing is gaining momentum.

3. Research Questions

3.1. In order to make a successful sale, what unethical tactics does a sales person resort to?

We meet sales personnel almost anytime we are buying something. Their sales tactics are something not new to criticism. Which tactics would they resort to on any given day, during any given negotiation? This question was answered using first-hand experience of dealing with a used-cars sales person.

3.2. What is Islamic marketing stance on the unethical sales practices found?

This objective looks into the unethical sales practices from the Islamic marketing paradigm. As mentioned above, Islamic marketing, even though generally treated as yet another stream of marketing, offers a dissenting point of view of explaining marketing practices. These are explained in the analysis.

¹ The Holy Book Muslims believe to be revealed by God (Allah) to the Final Messenger (Muhammad Peace Be Upon Him) for guiding mankind.

² The recorded actions and sayings of Prophet Muhammad (Peace Be Upon Him)

³ The one way Muslims show their respect to Prophet Muhammad (Peace Be Upon Him) by sending blessings upon him whenever his name is mentioned.

4. Purpose of the Study

This study was undertaken to identify and analyze the unethical tactics used by sales persons in their daily routine in order to recommend solutions from an Islamic marketing perspective, to educate the consumers, and to regulate the practitioners.

5. Research Methods

5.1. Ethical considerations

“Narrative researchers have an ethical duty to protect the privacy and dignity of those whose lives we study to contribute to knowledge in our scholarly fields” (Josselson, 2007, p. 2). Since in most cases individuals might be recognized while the publication material might affect their reputation (Callary, 2013; Josselson, 2007), therefore, as a narrative researcher we are ethically bound to protect the identity of the character involved. Keeping the said principle in mind, the sales agent name has been kept confidential and assigned a pseudonym.

5.2. Validity and Authenticity

Authenticity and accuracy enhance the validity of narrative research (Bignold & Su, 2013; Darawsheh, 2014; Denzin & Lincoln, 2008), hence being the narrator as well as researcher we will be responsible to make the narrative valid, authentic, and trustworthy (Polkinghorne, 1995). The narrative which follows is written in first person and is based on the writer’s personal experience. To authenticate the research, figure 01 is given. Other available images were not used to protect the identity of the seller. The interaction between the car dealer and researcher, as a narrator, explicitly answers the question “who owns the story?” (Creswell, 2007).

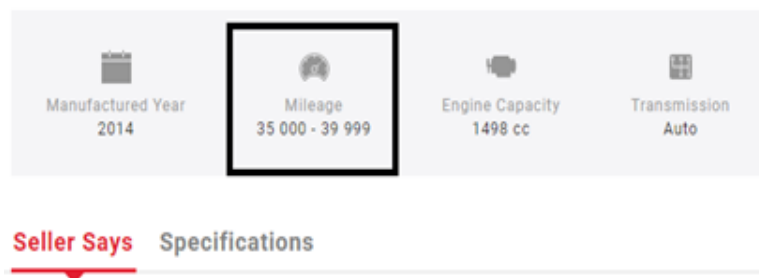


Figure 01. Mileage claimed on the car selling website

5.3. Background of the Showroom Narrative

In February 2019, I was in search of a used Ford Fiesta, sedan, Titanium variant. After an extensive hunt on the two most famous car selling websites of Malaysia, Mudah.my and Carlist.my, I shortlisted a few of them to visit and see. One of them was with a sales agent, Mr. T. I Whatsappped him to get the initial details about the car from which I was satisfied so I scheduled an appointment with him for February 08, 2019 at 3:00 pm at his car showroom. Even though my initial appointment with him was at 3:00 pm but I couldn’t meet this deadline. As I was on my way to the destination, he called again at 4:20 pm to inquire. I was nearby so I told him that I am only 6 minutes away to which he informed me that he closes at 5:00 pm.

I reached within 6 minutes, as estimated by my GPS. I had never met him before, but I almost guessed it was him since he was surrounded by 3-4 other customers and lots of cars. He smiled in recognition and beckoned me to come. It was a warm welcome. He much appreciated that I brought my family with me to see the car and started warming up by saying that he also has a family and how he takes them into consideration when making an important decision. Well, I did believe in him because of my presumption that sales agents will always try to relate the client’s situation with their own in order to make the latter feel comfortable and gain their trust; and I might be wrong.

“Your car is on that side”, he walked me towards the far end of the showroom, “we have parked it here especially for you”, he said with a warm smile. He unlocked the car for us and asked me to start the engine. The car was, undoubtedly, beautiful to look at, cleaned and all tidied up. It started seamlessly too. I turned on the AC and it was chilling. As I was inside the car, I couldn’t quite hear the squeaking sound of the engine, until my wife, who till this point was outside the car, came to inquire. For a moment Mr. T pretended as if there wasn’t any sound at all, but upon insisting he said: “this is normal with Ecoboost® cars. At idle start it makes these noises but after a while the noise is gone”. Initially we believed in what he was saying but when the sound persisted he changed his stance: “Actually the car has been idle for quite long and that’s why the sound of the timing belt. No worries, I will fix it for you before selling”.

As I was scanning through the interior of the car, my eyes went to the mileage the car has done. It showed that the car has completed 76,000 odd kilometers. Something seemed unfamiliar here as I didn’t remember seeing this mileage. I took out the picture of the specifications which Mr. T had put on the car selling website. And I was right! The mileage written was 35,000-39,000 kilometers only (see figure 01). I told him that the mileage in the ad is different. He again went into denial claiming that I might be wrong, to which I showed him the picture. He went quiet, perhaps preparing a script on how to respond. What he said was nothing even near to what I expected: “it must have been a typing mistake, nothing to worry about. But this is the true mileage, no tampering. How can you trust a car made in 2013 and driven only 40,000 kilometers? They must have made it up for you”.

I inquired from Mr. T if I would get a trial period of 1 or 2 weeks after I purchase the car, in case there is some fault in it, so that I can revert to the showroom for fixing it. Mr. T’s reply was: “two weeks! Not for two days, not for two hours even. We sell it as-it-is basis. We don’t know how you drive so how can we give a warranty. Once you are out (of this showroom) the car is yours. You can take it to the company (Ford) and see if they have warranty”.

5.4. Plot Analysis

The plot is analyzed following Labov model (Cortazzi, 1993; Patterson, 2013) of narrative analysis (Table 01).

Table 01. Plot Analysis

Plot Elements	Showroom narrative
Setting	At a showroom
Character- Primary	First person narrator Other character (Salesperson Mr. T)
Initiating action	<i>No worries, I will fix it for you before selling</i>
Complicating action	<i>It must have been a typing mistake</i>

High Point (Climax)	<i>Once you are out (of this showroom) the car is yours</i>
Resolution strategy	<i>Hatchback is not good as it is small, not good for family...it is good if you are single</i>
Resolution/ Ending	<i>I should come there for a test drive and negotiate there</i>
Coda	Driving again all the way for a test drive would mean that I will fall for it.

5.5. Significance Analysis

Researchers apply significance analysis on narratives (Daiute, 2014) to evaluate the expressions and feelings in them (Josselson, 2007; Noy, 2003). Table 02 was formed when significance analysis was applied to the narratives. The emerged categories were further investigated under the light of Islamic marketing principles.

Table 02. Significance analysis by types of evaluative devices

Evaluative devices categories	Narrative about Mr. T	Expected markers/ Islamic perspective
Psychological states	No worries	Hiding Facts
Affective expression	-your car -especially for you	Tactic to please the customer
Cognitive expressions	Nothing to worry about	Misrepresentation
Speech	Must have been a typing mistake	Perceived deception
Intensifiers	-It still makes it -Yes, it's 2013/14	Misinformation
Causal connectors	That's why the sound of the fan belt	Hiding facts
Negations and hedges	Not for two days, not for two hours even	Responsibility of the product
Qualifiers	Yeah, trust me	Misinformation
Metaphors and sayings	We don't know how you drive	Responsibility of the product

6. Findings

6.1. Incident of perceived lying

While he was taking me towards the car, I kept thinking that he has dedicated a special place for my 'to-be' car. But I felt utterly disappointed when I found that it was not any designated place rather a certain corner of the showroom where any car would be parked if it got a chance. How did I get to know this? Well, he posted random pictures of the car on the car selling website. It was at the exact same position now as it was in those pictures.

Islamic marketing concern:

He didn't do anything special so why claim it! This may seem very simple and harmless tactic, but actually it is a lie to please the customer to make him feel special. Islamic marketing permits promotional activities, as long as they are telling the truth (Shafiq, 2018a; Shafiq et al., 2016) as truth is the foundation of a Muslim's life (Haque et al., 2017). Allah Almighty commands people to speak only the truth (*al-Ahzāb*: 70⁴; *an-Nisā*: 9⁵). Islamic marketing never permits telling a lie, even if it means losing a sale.

⁴ "O ye who believe! Guard your duty to Allah. And speak words straight to the point."

⁵ "And let those fear (in their behavior toward orphans) who if they left behind them weak offspring would be afraid for them. So let them mind their duty to Allah, and speak justly."

6.2. Incident of hiding facts

When I turned on the AC and my wife inquired about the squeaking sound, Mr. T first denied hearing any such sound and then later gave a dubious reply (refer to narration above). At that moment, I thought to myself, “*ah! So there is a problem actually which you were trying to hide at the first instance*”.

Islamic marketing criticism:

Why hide a defect when you know it exists, while the customer cannot see it (Rice & Al-Mossawi, 2002; Shafiq, 2018a). From Islamic point of view, hiding a defect will sell the product but it will not have blessings (*barakah*) in it⁶. In contemporary business terms, you will lose the goodwill if you sell a defected item without revealing its defects. This is explicitly forbidden in Islamic marketing (Abuznaid, 2012; Beekun, 2003; Hakim et al., 2011; Haque et al., 2017; Haque et al., 2011; Shafiq, 2018a; Shafiq et al., 2016). The Prophet Muhammad (Peace Be Upon Him) used to tell all the defects of his products before selling so that there wouldn't be even a hint of cheating in his transactions (Arham, 2010; Haque et al., 2017; Kartajaya & Sula, 2006). This was done to safeguard the interest of the buyer and to demonstrate that trust is more important than bigger profits, as the buyer would trust him for not hiding the truth.

6.3. Incident of perceived deception

The difference between the exact mileage and the mileage given in the ad was pretty obvious to understand the fact that he was trying to hide behind his ‘true mileage’ claim and ignoring the bait he actually set – another ill-practice in sales.

Another similar incident was found when the seller wrote the year of make. While it was stated as 2014 in the ad, the actual year of make in the documents was 2013 and only the registration was done in 2014. Upon identifying this inconsistency, his response was: “Yes, it's 2013/14”.

Islamic marketing concern:

This is an example of (perceived) deception. The potential buyers were lured in to see a car with low mileage, while actually the mileage was more than double of what was stated. The seller knew about it but purposely did not write it in the ad in order not to repel the potential buyers.

Similarly, the second incident is also an example of deception, where the actual year of make is different than what was written in the ad, perhaps for the same reason as the first one.

Deception is outrightly prohibited in Islamic marketing (Abdullah & Ismail, 2011; Abuznaid, 2012; Al-Buraey, 2004; Anwar & Saeed, 1996; Arham, 2010; Bari & Abbas, 2011; Behravan et al., 2012; Damirchi & Shafai, 2011; Hassan et al., 2008; Haque et al., 2011; Rice & Al-Mossawi, 2002; Shafiq et al., 2016) and is tantamount to lying. And lying is one trait that both, the Holy Qur'an and the Sunnah of Prophet Muhammad (Peace Be Upon Him) have very strictly reprimanded.

⁶ Prophet Muhammad (Peace be Upon Him) said the following about trade: “If both the parties spoke the truth and describe the defects and qualities (of the goods), then they would be blessed in their transaction, and if they told lies or hide something, then the blessings of their transactions will be lost.” In the same line, Beekun (2003) narrates an incident that took place at the time of ‘Umar ibn al Khattāb when a man selling water-diluted milk was punished by ‘Umar, the reason not being that it was not safe for consumption, but because the ratio of milk and water was not revealed to the buyers (Shafiq, 2018).

6.4. Incidents of perceived misinformation

- **Incident 1:** Ford had stopped selling its Fiesta sedan model in 2015. Afterwards it only produced the hatchback version. I knew it, but for the sake of conversation as well as exploring more I asked Mr. T why Ford stopped selling its sedan version. Mr. T was very quick in negating my claim saying: “no, it still makes it! Yeah, trust me, it still has.” “Okay...” I made a note to myself, “now something is really fishy.”
- **Incident 2:** The ad said that this car (which is a sedan version) comes with an EcoBoost® engine. Mr. T also repeatedly claimed the same, at least thrice (if I remember correctly), during his sales pitch. Well, I had also done my little research and knew that this engine does not come in sedan cars, but only hatchbacks; I told him the same, but who can out-argue a sales agent who is aiming to win! So he insisted that this is EcoBoost®.

These incidents of misinformation were based on the premise that customers who don't know much can easily be cheated by misinformation. Had I not done my 'research' on the car I would have simply believed in whatever he was saying and ended up in giving a favorable evaluation to the car.

Islamic marketing concern:

When selling a product, it is vital to take care of the interest and rights of the customer. It is the duty of the seller to tell everything about the product to the customer and where information is lacking the seller should remain quiet or get more information before claiming anything; but giving out false, half-true, or non-evidence based information is not an Islamic way of selling (Abuznaid, 2012; Anwar & Saeed, 1996; Damirchi & Shafai, 2011; Hakim et al., 2011; Hassan et al., 2008; Haque et al., 2011; Saeed et al., 2001).

Shafiq et al. (2016) equates such situation to exaggeration. If taken in light of exaggeration, the notion of justice comes into play. Justice has been emphasized numerous times in the Holy Qur'an, such as: “and when you speak (make sure that you) speak with justice” (al-An'am: 152). Over praising or exaggeration can be a tricky terrain. It is allowed under certain conditions (see Shafiq 2018a for details) but it is better to avoid it. In Islamic transactions it is utmost necessary that only the true and authentic information is given to the customers.

6.5. Incidents of pressure selling (hard-sell approach)

At multiple instances, I felt Mr. T used pressure selling tactics to force me take a decision in his favor. The following elaborate those instances:

- **Incident 1:** I noticed that there were many other Ford Fiestas (at least 2 hatchbacks and 1 sedan) in his showroom. I inquired about one of the hatchbacks as I liked its design more than the sedan. But his evaluation of hatchback was not very favorable: “Hatchback is not good as it is small; not good for family. It is not very comfortable. You see, the [rear] seats are just above the [rear] tires... it is good if you are single.” As for the other sedan (older variant) he didn't even let us see it and kept on insisting that the one that we initially came for is newer and is Titanium version with EcoBoost® engine. Why he didn't let me see them? My wife told that she saw a few other potential customers inspecting these older versions. Reading Mr. T's mind would sound like this: ‘I should let Ali concentrate on this car only and not give him any choices, especially when there

are other customers willing to buy those ones. This is how I can make him decide in favor of this car.’

- **Incident 2:** I requested for a test drive and he insisted on getting a deal first. It was my right to get a feel of the car before actually making a deal but he didn’t allow. This was again a pressure tactic to make me decide in haste.
- **Incident 3:** He called me again the next day (February 9, 2019) at around 2:30 pm inquiring about my decision. By this time I was almost through a successful negotiation for another car. I told him the same that if he gives me his car at price X, I will consider it. His stance was that I should come over to his showroom for a test drive and let’s negotiate there. I knew it was pressure selling and not worthwhile. I was living about 40 kilometers away and driving again all the way there was bound to get a good result for him; after all, I wouldn’t drive this far in vain.

Islamic marketing criticism:

Seller has no right to pressurize the buyer into a purchase. His job is to give fair and true information about products, without manipulating the situation to his favor. This is equal to cheating in Islamic business ethics.

7. Conclusion

This research explicated how sales personnel resort to unethical practices for their gain. In order to do so, a first-person narrative approach was used which helped in understanding and explaining the phenomenon. The observations were then analyzed using Islamic marketing principles to comment on their ethicality.

Our behaviors are, most of the time, by choice. We decide what we want to get the desired consequences. Typically, these behaviors are guided by previous experience which distill the behaviour consequence relationship. Sales personnel resort to unethical practices by choice too because they know performing certain behaviors are likely to result in desired consequences, as found in this research. When looked at from an Islamic marketing lens, these unethical practices result in dual-loss – one here, the other in the Hereafter. Logically, Muslims should be the last to perform such practices, if any. For their religion very clearly prevents them from doing so and warns them of severe punishment.

This research, hopefully, will make the readers (and if there are any sales agents reading this) realize their mistakes and help to improve their ethical conduct. It will also fill a literature gap where first-person narrative analysis is generally missing from research. It will also open up the possibility of conducting research in more ‘experiential’ circumstances in the field of Islamic marketing, which is currently dominated by surveys or secondary data.

P.S. If you are wondering about my decision, I did not buy the car from our dear friend Mr. T. I just could not be satisfied with his car nor his selling tactics. Had one of these things be satisfying, I would have given my decision in his favor.

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