

THE ETHICAL IMPERATIVE OF CONSTRUCTIVE ENGAGEMENT
IN A WORLD CONFOUNDED BY THE COMMONS DILEMMA, SOCIAL TRAPS,
AND GEOPOLITICAL CONFLICTS

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Abstract

Marketers, consumers and policy makers must function in a complex, dynamic and conflicted world of various systems and competing interests that require myriad decisions. While it is hoped those decisions are ethical, tradeoffs are inevitable. These tradeoffs have consequences for individuals and global stakeholders, immediately and over time; they raise questions about the extent to which any given decision was/is indeed ethical. To explore some issues regarding ethical conduct in complex and conflicted systems that require choices about finite resources -- with implications for consumer and societal welfare -- this chapter revisits literature on macromarketing, the commons dilemma and other social traps; it examines the acts and omissions doctrine, and consequentialism. Building on those literatures, the author argues for constructive engagement. Such engagement should be inclusive, transparent, equitable, sustainable, traceable, and accountable, to ensure the best possible outcomes for the largest number of people, over time. Examples, including an analysis of the Mekong River Basin and a model for constructive engagement of the stakeholders with vested interests in that geopolitically conflicted commons dilemma, are used to make key points. Some considerations for marketing policy and management are discussed.

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“It is the business of the benevolent [marketer] to seek to promote what is benevolent to the world, to eliminate what is harmful and to provide a model for the world.”

– Mo Tzu¹ (5th Century BCE)

Introduction

Much of the world in which marketers make ethical decisions is complex, often poorly understood, and frequently conflicted. Further, our world is replete with dilemmas that require systemic understanding, cooperation among participants (marketers, policy makers, and consumers), and systemic solutions to ensure the most just and ethical outcomes over time. This chapter will therefore explore marketing ethics beyond static dyadic exchanges to include the more dynamic aspects of social traps, to emphasize the importance of systemic analyses, and to insist on the imperative of constructive engagement in a conflicted geopolitical marketscape. These broader macromarketing

¹ We take some interpretive license in quoting Chinese philosopher Mo Tzu (a.k.a., Mo Tsu, Mo Di, Mozi, Motze, Motse, or Micius), who more precisely seems to have stated, “It is the business of the benevolent man to seek to promote what is benevolent to the world, to eliminate what is harmful and to provide a model for the world” (Watson 1967, p. 110).

considerations are vital if we hope to have the most positive impact on the largest number of people and thereby to engage in the most sustainable ethical behavior.

This paper does not attempt a thorough review of the voluminous literature on marketing ethics of the type admirably provided by such authors as Hunt and Vitell (1986, 2006), Ferrell (2007), Laczniak and Murphy (1993, 2006), Nill and Schibrowski (2007), Singhapakdi and Vitell (1990); Smith and Quelch (1993). Truth to tell, the present author is not a marketing ethicist. However, much of his research has explored the interactions of markets, marketing, and society with the objective of improving the human condition (e.g., Manfreda and Shultz 2007; Shultz 1997; Shultz and Holbrook 1999, 2009; Shultz, Pecotich and Le 1994; Shultz et al. 2005; Nguyen, Rahtz and Shultz 2014). In short, this chapter adopts the viewpoint of a macromarketer and argues that (macro)marketing was conceived and instituted to be a fundamentally ethical endeavor, a socially responsible process, and a moral managerial practice intended to enhance the well-being of people and to protect the environments in which they live (e.g., Bartels and Jenkins 1977; Fisk 1981; Layton and Grossbart 2006; Wilkie and Moore 1999). Moreover, failing to apply the leverage of markets and marketing in large-scale problem-solving situations – where markets and marketing have furthered the advancement of civilization – would appear fundamentally *unethical* (Alderson 1965; Bartels 1967; McMillan 2002; Shultz 2007a; Shultz, Burkink, Grbac and Renko 2005).

That said, either deliberately or unwittingly, marketers and consumers often find themselves enmeshed in various social traps wherein their actions, though profitable or otherwise beneficial in the short run, cause harm to society in the long run. Aspects of myopia or misguided incentive structures in a marketing system often drive this

inevitably damaging behavior. Consequently, the marketing system itself must be explored, temporally and spatially, to understand the key players and the effects of their marketing activities over time. Once that system is reasonably well understood, policy makers and marketers can interact, ethically and pro-socially, in ways that enhance outcomes for stakeholders in both the short and long terms.

Constructive engagement encourages policy makers, marketers, and consumers to address the most intractable social traps – including, for example, the commons dilemma. Accordingly, the process explores cooperative interactions with reluctant, oblivious, or recalcitrant marketers; with exploitive, authoritarian, or ineffective governments; and with unaware, uncaring, or unwilling consumers. The objective is to affect feasible, sustainable, and ethical outcomes for conflicted stakeholder-groups the world over (Shultz 2007b). Moreover, *choosing not to engage* the most intractable problems in ways that could redress them, despite being aware and capable, emerges as also *unethical*.

This chapter revisits the question of why many seemingly ethical marketers, policy makers, and consumers fail to think systemically and longitudinally. Further, it considers ways to invoke marketing as a provisioning technology via constructive engagement. Failing to engage constructively with such problems and stakeholders via markets and marketing processes is tantamount to the proverbial “crime of omission” and thus would seem to be inherently unethical. In this connection, the chapter extends and builds upon articles published in the *Journal of Public Policy & Marketing* (Shultz and Pecotich 1997; Shultz 2007b; Shultz et al. 2012; Shultz and Holbrook 1999, 2009) and extends articles by Nill and Shultz (1997) and by Nguyen, Rahtz, and Shultz (2014) in the *Journal of Macromarketing*. The author hopes that the ideas shared here may be of

some value and use to marketers, policy makers, and consumers in making decisions about commonly shared resources that ensure the most optimal outcomes for the largest number of stakeholders. Historical and current examples reinforce certain key points, particularly in the context of a massively complex and poorly understood ecosystem – namely, the Mekong River Basin, a watershed under considerable threat from multiple forms of exploitation with deleterious repercussions for hundreds of millions or even billions of stakeholders (that is, a classic commons dilemma).

Social Traps, the Commons Dilemma, and Marketing

Social traps and their effects on marketing systems pose some of humanity's greatest challenges. Yet the role that marketing plays in promoting or ameliorating social traps, particularly in the form of the commons dilemma, remains poorly understood and inadequately appreciated (e.g., Shultz and Holbrook 1999). Thus, to enhance sustainable ecosystems, to promote social justice, to achieve more ethical decision-making in time and space, to attain the most optimal outcomes for the largest number of stakeholders – all in the interest of encouraging human survival – marketers must adopt a more systemic approach that involves multiple stakeholders in their decision making and that seeks competitive advantages through *commons-friendly* marketing strategies.

The *commons dilemma* refers to a phenomenon whereby the members of a group make choices in which selfish or uncooperative decisions that seem rational because they yield short-term individual benefits produce harmful long-term consequences for the group as a whole and, indeed, for its individual members. This predicament has confounded humanity for millennia (e.g., Aristotle [370~BC] 1976). The classic example is overgrazing (Hardin 1968; Lloyd 1833). More recent illustrations include the over-

consumption or inefficient allocation of water, excessive harvesting, and traffic congestion or pollution from too many gasoline-guzzling cars.² In sum, individuals – in some cases, individual communities, countries, or continents – typically achieve short-term personal, economic, and/or political gains from over-consuming, polluting the environment, and generally abusing scarce resources in ways such that, over time, whole societies, countries, regions, or even the entire biosphere suffer as a result (Dawes 1980; Dawes and Messick 2000; Ostrom, Dietz, Dolšak, Stern, Stonich, and Weber 2002; Hardin 1968; Messick and Brewer 1983; Shultz and Holbrook 1999; Van Vugt 2009; Weber, Kopelman, and Messick 2004; see also Coase 1960; Dasgupta 1982; Ostrom 1990³).

A distinguishing feature of the commons dilemma is the immediate individual incentive to engage in behavior that eventually will harm not only that individual but also other individuals (the larger group, community, country, region) who rely on the shared resources of the commons. Thus, group (collective), spatial (stakeholders in a potentially

² One need not look far to find numerous examples of marketing and societal challenges with connections to the commons dilemma or other forms of social traps; indeed, they are ubiquitous. Consider: globalization; environmentalism and sustainability; energy, particularly fossil fuels and effluence; trafficking (drugs, people, weapons, nuclear material); cartels and malevolent alliances; religious and cultural intolerance; intellectual property rights or violations thereof; economic transition and/or development or failures to transition or to develop; poverty, pandemics and malnutrition; water consumption and contamination; unchecked population growth; genetic engineering; societal angst and anomie; corruption and poor/despotic governance; historical narratives (and lessons learned or not learned), war and arms proliferation, and so on. Some of these challenges interact; they all are replete with predicaments for marketers, consumers and policy makers; they all are, or should be, of interest to marketing ethicists and macromarketers (Shultz 2007b).

³ The literature on commons dilemmas and other forms of social traps is extensive and has been explored across the social, biological and political sciences. We share here a few seminal and directly relevant citations.

large or even vast area not considered by immediate group members), and temporal (long-term) factors are components of commons dilemmas. In short, the tragedy for stakeholders of the commons occurs when seemingly reasonable and relevant incentives elicit lower-payoff selfishness so that, in turn, *all individuals* or stakeholders suffer from acting selfishly rather than cooperating (Dawes 1980; Messick and Brewer 1983). In short, from this perspective, selfish behavior becomes destructive rather than constructive engagement.

Ironically, many problems associated with the commons dilemma have arisen because of economic and technological progress, making it all the more difficult to achieve marketing-based solutions (Rangan, Karim, and Sandberg 1996). However, it appears that marketing – though frequently castigated as a contributor to “the tragedy of the commons” (Hardin 1968, p. 1243; cf. Fisk 1981; Kilbourne, McDonagh, and Prothero 1997) – must also be part of the solution. We are, after all, *Homo Marketus* – the marketing animal. Whether butcher, baker, builder, banker, brewer, or brainy professor, marketing is what we do; it separates us from beasts (Shultz 2007b). Let us, therefore, do good things for future generations – even while we industriously do well for ourselves at the present time. Ethical decision making and behavior requires it. From this viewpoint, the quintessential challenge confronting marketers is to devise and to apply a marketing perspective and toolkit that influences practices and policies, that shapes marketer and consumer behaviors, and that thereby enhances the long-term benefits of various stakeholders in the commons (see also Andreasen 1995; Bloom and Novelli 1981; Fisk 1981; McDonagh and Prothero in press; Nason 1989; Shultz et al. 2012; Walsh, Domegan, and Fleming 2012; Wiener 1993; Wiener and Doescher 1991).

Responsible or prosocial approaches to marketing logically and practically extend the literatures on shared resources and commons traps. While acknowledging Rangan et al. (1996), macromarketers believe that marketing appears well suited to providing solutions to various aspects of the commons dilemma if only marketers and policy makers choose to engage constructively (Andreasen 1995; Hill 2011; Mittelstaedt, Shultz, Kilbourne and Peterson in press; Peterson 2013; Shultz and Holbrook 1999; Viswanathan et al. 2014). We therefore believe that solutions may emerge in various ways, some foundations of which are shared below.

Evolving Foundations of Commons Resolutions

Insights into commons resolutions emerged from relevant literature in the social sciences and marketing. A synopsis of that work follows, with some expansion to cover the broader themes of this chapter. Specifically, the decision to cooperate rather than to be selfish is affected by several factors including individual motives, power or status, payoff structures, group size or similarity, culture, and communication (e.g., Kopelman, Weber, and Messick 2002). Accordingly, some solutions to commons dilemmas depend on changes at the individual level, while others arise from coordinated, organized, or structural changes at the group, across-group, community, national, or even global level. Some resolutions entail actions of selfish short-run individual or organizational interests; others involve ways to influence collective policies and practices to affect social welfare in the long run. Four key components identified by Shultz and Holbrook (1999) included Regulation, Organization, Social Responsibility, and Communication – to which we should now add Marketing. Others have

suggested alternative syntheses or categories. For example, Van Vugt (2009) recently concluded that Information, Identity, Institutions, and Incentives are the key factors for sustaining the commons. Such syntheses or categories are generally complementary to those posited by Shultz and Holbrook (1999); all may be applied during the process of commons analysis and constructive engagement. Note that these schemas should be viewed as partially overlapping themes rather than as distinct mutually-exclusive categories. Some details follow.

Regulation

Regulation presupposes the establishment of some superordinate authority to address the commons dilemma by invoking various interventions and incentives – controls, rewards, and punishments – to affect the behavior of individuals and organizations. These might include rules, fees, taxes, property rights, fines, and prices – a variable near and dear to marketers – so as to optimize use and assign costs for abuse (e.g., Antil 1984; Cairncross 1995; Dasgupta 1982; Rose 2002).

Organization

Organization implies group cooperation or formation, with incentives to create socioeconomic structures or to change interpersonal and geopolitical boundaries to the benefit of commonly shared resources. Alliances of seemingly antagonistic groups or institutions would seem to be particularly useful. Examples might include furniture companies and rain-forest biologists; fishermen, rice farmers, and hydro power-plant builders; trade associations and consumer groups; multilateral agencies or lobbyists and governments. Clearly, while a daunting challenge, helping antagonists see and understand

shared interests in the face of in-group identities remains a key imperative (Dawes and Messick 2000; Young 2002).

Social Responsibility

Social Responsibility occurs when organization members and political leaders believe or learn that cooperation, distributive justice, and sustainability are simply better choices than selfishness, exploitation, and ecological degradation. Information, awareness, and education can teach stakeholders about the nature of commons dilemmas and the need for social responsibility in individual, organizational, and political actions. Note that sense of membership in a common group tends to enhance willingness to make choices more favorable to that group (Messick and Brewer 1983) and that conformity pressures tend to be more effective when members see all stakeholders as essentially in the same group, sharing an identity that enhances trust and cooperation in pursuit of common goals (Rabbie and Horwitz 1969). Changes in loyalties and disregard for altruism may be sparked by many factors, not the least of which are new incentives such as big payoffs to corruption or bribes (e.g., Ölander and Thøgersen 1995; Messick and Brewer 1983; Hopper and Nielsen 1991). Relying on social responsibility in large and complex commons problems may contribute less to ethical management than do regulatory, institutional, and/or structural changes.

Communication

Communication within a group tends to increase the probability of cooperation, including more prudent management of resources (Hackett, Schlager, and Walker 1994), though various forms of feedback can affect these tendencies (Messick et al. 1983), while no one wishes to be a sucker when others are profiting from their own self-sacrifices (cf.

Wiener and Doescher 1991). Traceability – a transparent account of a person’s or organization’s actions – also improves cooperation and encourages commons-friendly behavior for individuals, groups, and companies (Jorgenson and Papciak 1981; Thomas 1992). However, complex real-world dilemmas of global proportions can adversely affect communication, transparency, and trust. Nevertheless, even in wide-spread culturally-diverse and politically-adversarial spaces, when all stakeholders enter a dialogue to resolve the conflicts embedded in commons dilemmas, multi-win outcomes are more probable (Nill and Shultz 1997). Still, it is vital to verify agreements, alleged policy successes, and marketing implications. Agreed upon, incremental, and measurable results are paramount. Such a multi-step verification schema is especially important to ameliorate some of the most intractable crises and conflicts (cf. Coleman 2006; Deutsch 1985; Osgood 1962, 1966).

Marketing

Finally, marketing-related solutions via the marketing mix, consumer studies or market research, and marketing-system analysis can be particularly useful. Product innovation, use, disposal, and recycling; integrated marketing communications; channel efficiencies and supply-chain management; the aforementioned price incentives and profit motives; the conceptualization and management of country-, region- or commons-as-brands (Nguyen, Rahtz, and Shultz 2014) – all are integral to affecting ethical decisions and practices vis-à-vis the commons. Fundamentally, however, consumers must be *aware* of commons exploitation and must believe that they have a *stake* in its preservation and that their behavior will have an *impact* on it (cf. Kinnear, Taylor, and Ahmed 1974; Berger and Corbin 1992). A mere variation in the marketing mix or

consumer education alone is insufficient. Rather, factors endogenous to a commons-cum-marketing-system coupled with constructive engagement by exogenous governments, companies, and multilateral agencies must be incorporated into a broader macromarketing mix.

Summary

In sum, the literature suggests that regulation, organization, social responsibility, communication, and marketing are vital to sustainable commons management. These factors coincide with ideas and practices of systemic and prosocial marketing – that is, macromarketing – with the potential to affect ethical marketing decisions, just business practices, and individual and societal well-being – across systems, over time – *if we choose purposefully to recognize and constructively to engage* the most vexing of social traps.

Constructive Engagement through (Macro)Marketing

As suggested previously, the present chapter pursues a macromarketing orientation and suggests that solutions to the most intractable social traps such as the commons dilemma require constructive engagement in ways that channel the perspectives and practices of macromarketers vis-à-vis the aforementioned foundations of commons resolutions in the service of ethical decision making and moral behavior.

Readers will recall that (macro)marketing fundamentally concerns the context of market(ing) problems and solutions in relation to the welfare of the stakeholders of a marketing system or systems over time (Bartels and Jenkins 1977; Fisk 1981; Hunt 1981; Shultz 2007a). A system can be relatively small, such as a community in Wyoming (Baker, Hunt, and Rittenburg 2007) or very large – as in the cases of India (Venkatesh

2012) and Vietnam (Shultz 2012), two geopolitical and marketing systems that have been the subjects of intense multi-methodological study. Moreover, any given system in which marketers function is increasingly global; it may be comprised of interacting systems or of systems within systems, which ultimately means that everyone is potentially a stakeholder in some type of commons-unfriendly activity in places about which s/he may have only the most superficial understanding. The Mekong River Basin may be the quintessential illustration of such a place for many consumers, a case that will resurface in what follows. The following text offers various macromarketing syntheses as possible frameworks to reorient marketing activities, public policies, and consumer behaviors toward broader societal outcomes for the benefit of global stakeholders.

Ethical Foundation: The Doctrine of Acts and Omissions

The introduction to this chapter suggested that the most impactful decision making, as well as subsequent policies and practices, will envision marketing and marketing ethics well beyond traditional dyadic exchanges at any single moment. Interest accordingly extends marketing ethics – temporally, spatially, organizationally, environmentally, culturally, and politically – to large bodies of stakeholders and to geopolitical affairs that have profound effects, worldwide and irrevocably, on markets, marketing, marketing systems, and citizen-consumer well-being. Marketing ethics therefore fall under the rubric of macromarketing and constitutes a form of constructive engagement in ways that should stimulate more ethical decision-making processes, responsible individual behavior, sustainable organizational practices, just outcomes, and relevant marketing research focused thereon. Such a positioning coincides with the Acts and Omissions Doctrine.

The Acts and Omissions Doctrine holds that there is an ethical difference whether a person or, presumably, a marketing firm or government actively engages a situation or system to bring about a result or, conversely, chooses not to engage in situations or systems when it is foreseen that, because of that restraint, the same result occurs (e.g., Oxford Dictionary of Philosophy 2008; see also St. Olaf 2013; Foot 1967). By contrast, the choice not to engage constructively is tantamount to the proverbial crime of omission. The “crime” is failing to intervene – neglecting to engage constructively – thereby showing malevolent disregard, dysfunctional passivity, or reckless exploitation of the commons by failing to address, prevent, or end said malevolence, dysfunction, or recklessness.

This idea is a form of consequentialism, a philosophy likely first posited more than two thousand years ago. Cicero (44 BC/2010) advanced the concept of “passive injustice” – in other words, failing to oppose, protest, or prevent evident or imminent harmful acts. Again, numerous commons dilemmas – more accurately willful failure to ameliorate them – provide examples. Four centuries before Cicero, Mo Tzu – quoted at the beginning of this chapter and considered to be one of the greatest Chinese moral and political philosophers – argued for state and resource management based on consequentialism. Basic tenets include goodwill (*ren*), inclusive care, and the rejection of aggression. Mohist consequentialism, or Mohism, was perhaps the first systemically wide application of consequentialism as an ethical foundation for state policy. It evaluates the moral value of actions vis-à-vis their contributions to state and citizen welfare or benefit (*li*); interacts benevolently toward others, particularly smaller and more vulnerable states; strives to eliminate harm (*hai*); and embraces the belief that “good consequences for the

world” – for example, sustaining our commonly-shared resources – are the ultimate measure of morality. Readers should note that Mo Tzu condemned war and favored constructively engaging distant states to prevent it (Ivanhoe and Van Norden 2005, p. 60; *Stanford Encyclopedia of Philosophy* 2010).

We now fast-forward 2400 years, from China’s Era of Warring States, to find ourselves mired in the present muck. Ours is a brave new world in which state-led policy-making is increasingly acquiescent or beholden to corporations, global brands, and consumer culture as arbiters of morality and shapers of policy. This trend has accelerated markedly in the past 30 years, especially among the transitioning economies of the Mekong River Basin, which collectively are a growing repository for marketers of all sizes, stripes, and hues – for better but, too often, for worse. Ubiquitous brands, the marketing giants that manage them, and the governments that champion their interests are increasingly impactful consequentialists, lobbying or cooperating with various governmental authorities and cultural/religious institutions to shape policies, marketing strategies, business practices, and consumer behavior – hence, the quote from Mo Tzu that begins this chapter (while parenthetically changing “man” to “marketer”). The emergence of a global troika of marketers, business-oriented governments, and hungry consumers has helped to create a global connectedness, which in turn begs a neo-Mohist question concerning the extent to which such engagement is constructive, particularly in the context of the commons. Some further introduction to *constructive engagement* as policy and practice follows.

Constructive Engagement Primer

Invoking the term constructive engagement, let us borrow primarily from the literature and practices in law and diplomacy (e.g., Forcese 2002), psychology (e.g., International Center for Cooperation and Conflict Resolution 2006), and marketing (Shultz 2007b). Constructive engagement is an amalgam of policy and business practices for prosocial interactions among conflicted countries and regions as well as catalytic subgroups within them – including individuals, communities, government agencies, factions, vulnerable groups, companies, educational or religious institutions, and non-governmental organizations (NGOs). Conflicts typically arise over resources and their control, use, and management – including how, when, where, and why they are marketed and consumed. Destructive processes and ostracism are not encouraged or permitted. However, consistent with the objectives of sustainability, transparency, negotiation, cooperation, and incentives toward mutually-beneficial exchange are important components to constructive engagement. Similar to the expanding corporate social responsibility (CSR) movement in marketing (e.g., Hill and Langan 2014; Laczniak and Murphy in this volume) and policy (UNIDO 2013; Rasche and Kell 2010), activities strive toward optimal benefits for all stakeholders, particularly vulnerable people and fledgling institutions that can serve as catalysts to just, economic, and environmentally sustainable outcomes. Moreover, costs are attached to parties in violation of agreements forged to make the engagement process truly constructive. Ethical and responsible conduct and social justice could be viewed from a Mohist perspective as efforts to meld material interests and moral principles where the objective is to benefit the largest number of stakeholders in the process of engagement while ideally rendering no harm. Further – as no small issue in highly contentious regions confronted with commons

dilemmas, where war has decimated societies, damaged ecosystems, and continues to loom – constructive engagement is a positive alternative to forms of violent conflict and to the obscenely large expenditures, opportunity costs, and destruction that accompany them (Bilmes 2013; Bilmes and Stiglitz 2008).

In this connection, constructive engagement parallels sentiments espoused by macromarketers who, for more than 50 years, have immersed themselves in small and large, near and far, complex, arcane, and occasionally hostile socioeconomic systems with the intent to understand them and to achieve ethical win-win outcomes through engagement and various practices of marketing. They have studied and/or engaged complex systems and, individually or collectively, have drawn attention to the importance of several critical ideas relevant to ethical decision making and to responsible marketing. Among them, an overarching concern for systemic understanding, ethical decision making, and moral behavior; historical perspective; the importance of trade and commerce; market literacy; respect for endogenous forces; behavioral interdiction; market orientation; mutual prosperity; multi-lateral cooperation, peace and peaceful solutions; sustainability, improvements to individual and community quality of life, and broader societal welfare (e.g., Alderson 1956; Arndt 1981; Dróge, Calatone, Argrawal and Mackoy 1993; Kumcu and Firat 1988; Layton 2009; Nason 2010; Pecotich and Shultz 1997; Laczniak and Santos 2011; Shapiro, Shultz, and Tadjewski 2009; Shultz 1997; Shultz et al. 2012; Slater 1968; Taylor and Omura 1994; Viswanathan et al. 2009).

Models of Large-Scale Commons Management and Engagement

But how and with whom – a person, marketing firm, government, or multilateral agency – does one engage? From what perspective, via what

processes, and toward what ends should we strive? Let us consider and expand extant models with hopes of answering such questions and thereby addressing ethical outcomes in a particular and massive commons: The Mekong River Basin. Here, we return to the case of cooperation among various stakeholders with common interests; specifically the shared interest of profiting from and sustaining that Basin.

Stakeholder Negotiation and Compliance Model for Commons Management

Some 15 years ago, in studying the sustainable and equitable management of the commons, Shultz and Holbrook (1999, p. 225) introduced the Stakeholder Negotiation and Compliance Model for Commons Management as a rudimentary but helpful analytic framework for commonly shared resources, as seen in Figure 1. The fundamental logic, plan, and process – with emphases on stakeholder inclusion, communication, transparency, measurement, feedback, and adjustments – remain sound. The model was/is an instructive template for a type of new and ethical thinking for cooperation and sustainability in which multiple and possibly adversarial stakeholders enter a constructive dialogue resulting in specific, measurable, and verifiable outcomes for sustainable management of commonly shared resource(s). Note, too, that in the Stakeholder Negotiation and Compliance Model for Commons Management the participating stakeholders literally must look “outside the box” – beyond selfish perspectives, in the context of welfare for an entire system – to resolve their commons dilemma, which in the original Shultz-Holbrook study was a redwood forest in California (cf. Christensen 1999).

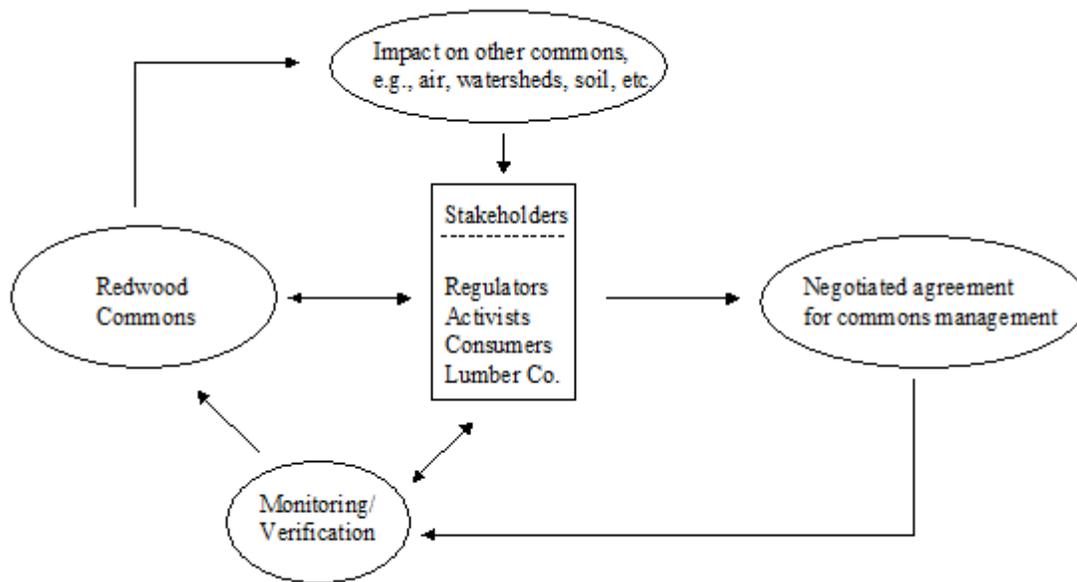


Figure 1. Stakeholder Negotiations and Compliance Model for Commons Management

Source: Shultz and Holbrook (1999, p. 225)

Shifting our attention to the Mekong River Basin, one might be tempted simply to delete “Redwood” from Figure 1, then insert “Mekong River Basin,” and move on with confidence that a clear understanding and ethical resource management would ineluctably ensue. However, the Basin’s size; its variances in topography, governance, culture, industry, and development; its historical tendency toward zero-sum thinking that has escalated to wars and even genocide; and trends for business planning and policy making in the region all reveal this commons to be exponentially more complex than what one finds in the 40 square kilometers of California’s redwood forest. The Mekong River Basin is in fact 20,000 times larger and spans six historically adversarial countries, each of which has governmental institutions better known for corruption than transparency

(Transparency International 2013). The Basin is home to a hundred ethnic groups with as many unique cultures. Its resources are ogled by both rapacious and thoughtful investors, inside and outside the watershed. It has 70-90 million local stakeholders, tens of millions more regional stakeholders, and potentially billions of global stakeholders. Much deeper analysis of multiple systems is therefore required. Keeping in mind some of the strengths of the elegant Stakeholder Negotiation and Compliance Model for Commons Management, we shall eventually turn to a Macromarketing Synthesis, which readers may find helpful for understanding factors, processes, and resolutions in a vast and complex commons, replete with highly contentious stakeholders. But, first, let us consider an expanded overview of the Mekong River Basin.

The Mighty Mekong: Bounty, Commons Dilemma, and System of Systems

A map of the Mekong River Basin (MRB), as seen in Figure 2, hints at the aforementioned numerous complexities. As shown in what follows, several forces that affect a large, internationally shared, and multifaceted commons must therefore be examined and understood if we are to achieve the most ethical decision making and attain the most optimal outcomes for the largest number of stakeholders.

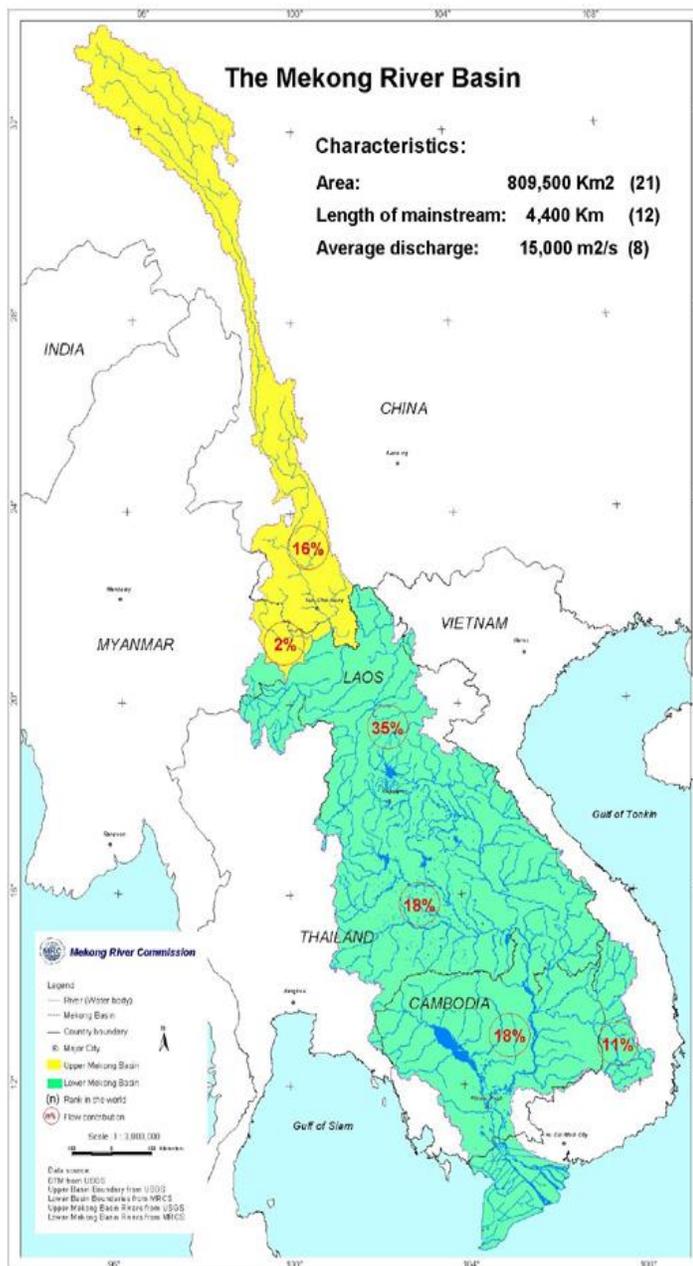


Figure 2: Map of Mekong River Basin; source: ©Mekong River Commission, via UNESCO (2013)

http://webworld.unesco.org/water/wwap/pccp/useful_links/mekong_maps.shtml

The River per se begins more than 5000 meters above sea level in the Tibetan plateau, and meanders through China, Laos, Myanmar, Thailand, and Cambodia, where the Bassac and Tonle Rivers branch away. The Tonle River widens into the Tonle Sap, Southeast Asia's largest body of fresh water and one of the world's great fisheries. From this divergence, the Mekong Delta becomes part of a large fertile plain in southern Vietnam and splits further, forming the *Cửu Long* ("nine dragons"), nine distributaries that pour into the sea. The Mekong flows nearly 4500 kilometers, drains a land area of approximately 800,000 square kilometers, and discharges approximately 475-550 cubic kilometers of water annually into the South China Sea (or "East Sea," depending upon one's political sensitivities⁴). Only the Amazon possesses a greater diversity of flora and fauna. Again, as many as 90 million people (and over 100 ethnic groups) live in its basin; these people are direct or endogenous stakeholders of this bountiful watershed. Tens of millions of other stakeholders in the region are dependent on the power, agriculture, aquaculture, transportation, minerals, tourism, and human resources afforded by it. Indeed, its socioeconomic impact is enormous, growing, and extended around the globe – indicating that, though many of us are far from Southeast Asia, we remain exogenous stakeholders (Mekong River Commission 2013; Cronin and Hamlin 2012).

⁴ Many countries, particularly Vietnam, Philippines, Malaysia, and Indonesia, do not favor the descriptor, "South China Sea," as it connotes Chinese sovereignty and thus control of the riches (e.g., oil) that lie beneath it. The Vietnamese prefer the name, "East Sea." Regardless of name, this body of water -- the assets in it and intense competition for control of them -- is increasingly taking on the appearance of another commons dilemma.

Shultz and Pecotich (1997, p. 57) provided what may be a useful initial analytic framework to represent the countries in which the Basin is located. Originally posited for an explication of Southeast Asia's transitioning economies, it can also be used to assess important factors that need to be well understood if we are to affect commons-friendly outcomes through constructive engagement (including marketing activities) with governments, NGOs, marketers, and consumers in and beyond the Basin. Several interactive factors and forces are highlighted – including natural forces; political, economic, and social forces; administrative and marketing systems; and, ultimately, the effect of all these forces on societal and consumer welfare (see also Shultz et al. 2012, p. 180).

Any thoughtful analysis should include an initial assessment of several forces: natural/physical; political, economic, and socio-cultural; and administrative/marketing. A good start would begin with *natural forces*, to understand the geographic determinants of any particular commons – including physical resources, amounts, and conditions; why those resources are valued; why they were attractive to settlers over millennia; why settlers' descendants choose to remain; and why/where present-day investors and developers see opportunities. This is no small undertaking in the Mekong River Basin. Consider that the Basin's topography varies greatly, from its rugged rocky cold high-altitude largely-desolate narrow origins to its flat verdant tropical more-densely-populated agriculturally-rich wide delta. Its use to humans fluctuates accordingly. Some of the Basin's physical attributes are more attractive to some groups than to others. Over time, they have shaped consumer behaviors, traditions, and cultures. They

now affect governance, governments, and political-economic models for resource management. The wealth of assets and related industries – forestry, agriculture, aquaculture, energy, and mining – is deemed so valuable that it has incited wars and colonial occupations. A net result is considerable mistrust among the peoples and countries of the Mekong Basin – in some parts, to the points of entrenched xenophobia, ongoing military skirmishes, separatist movements, accusations of hegemony, and appeals for help to exogenous stakeholders well beyond the basin, despite decades-long, institutional efforts to foster cooperation within the Basin (Mekong River Commission 2013).

The interactions of natural forces (and their limits), social and cultural forces (particularly population growth), economics, politics, suboptimal marketing systems, and imprudent uses of technology have also led to unsustainable and often damaging exploitation of the assets all along the river and across the basin, disproportionate gain for some stakeholders, and disregard for downstream and external stakeholders. Alas, the Mekong Basin confronts observers with an archetypal commons dilemma. However, note that, significantly, all the countries of the Mekong Basin have implemented policies over the last 35 years to develop socioeconomically. Thus, all countries except Thailand⁵ have introduced reforms to transition from central economic planning to more market-oriented economies – first China in 1979; then, Vietnam and Laos in 1986; then, Cambodia in 1995; and, most recently, Myanmar in 2013 (CIA 2013). The importance of these policy changes cannot be overstated. They have

⁵ Thailand comparatively has had a free-enterprise and market economy for decades.

pulled tens of millions of people out of poverty (UNDP 2013; World Bank 2013), have dampened international tensions, and are creating a trans-basin and regional marketing system that may portend better cooperation with more sustainable economic development and resource management across the Greater Mekong Subregion (Asian Development Bank 2013; Shultz and Pecotich 2006).

Given the liberation from such profound and wide-scale suffering across the countries of the Mekong River Basin, one could argue that this policy shift toward markets and marketing constitutes one of the most ethical decisions in the course of human history. Still – despite remarkable successes in the forms of market development, poverty reduction, the cessation of wars, and greater cooperation among all Southeast Asian states (ASEAN and AFTA), China (ASEAN + 1) and the world (APEC; WTO) – the regional shift to the market has released a gold-rush mentality, both internally and among irresponsible foreign investors and shameless pillagers. Deforestation, over-fishing, illicit trafficking, pollution, and damming, to name just a few examples, are posing existential threats to the Mekong River Basin and its inhabitants. From the present perspective, these damaging trends signal a call for a macromarketing synthesis – that is, a model for constructive engagement in a conflicted glocal commons-based marketscape.

Macromarketing Synthesis: Constructive Engagement in a Conflicted Glocal Commons

The aforementioned body of work from several disciplines and perspectives provides an impetus for a possible synthesis of positions, processes,

policies, and practices vis-à-vis commonly-shared and globally-vested resources. Figure 3 illustrates a plausible series of considerations for ethical management of a commons with local and global stakeholders at the scale and scope of the Mekong River Basin – hence the appellation “Glocal Commons.” Its structure essentially replicates the Macromarketing Synthesis for Constructive Engagement in a Global Marketing System (Shultz 2007b, p. 296), though it also includes some subtle changes that expand and complement ideas developed by Shultz and Holbrook (1999), Shultz and Pecotich (1997), and Shultz and Holbrook (2009).

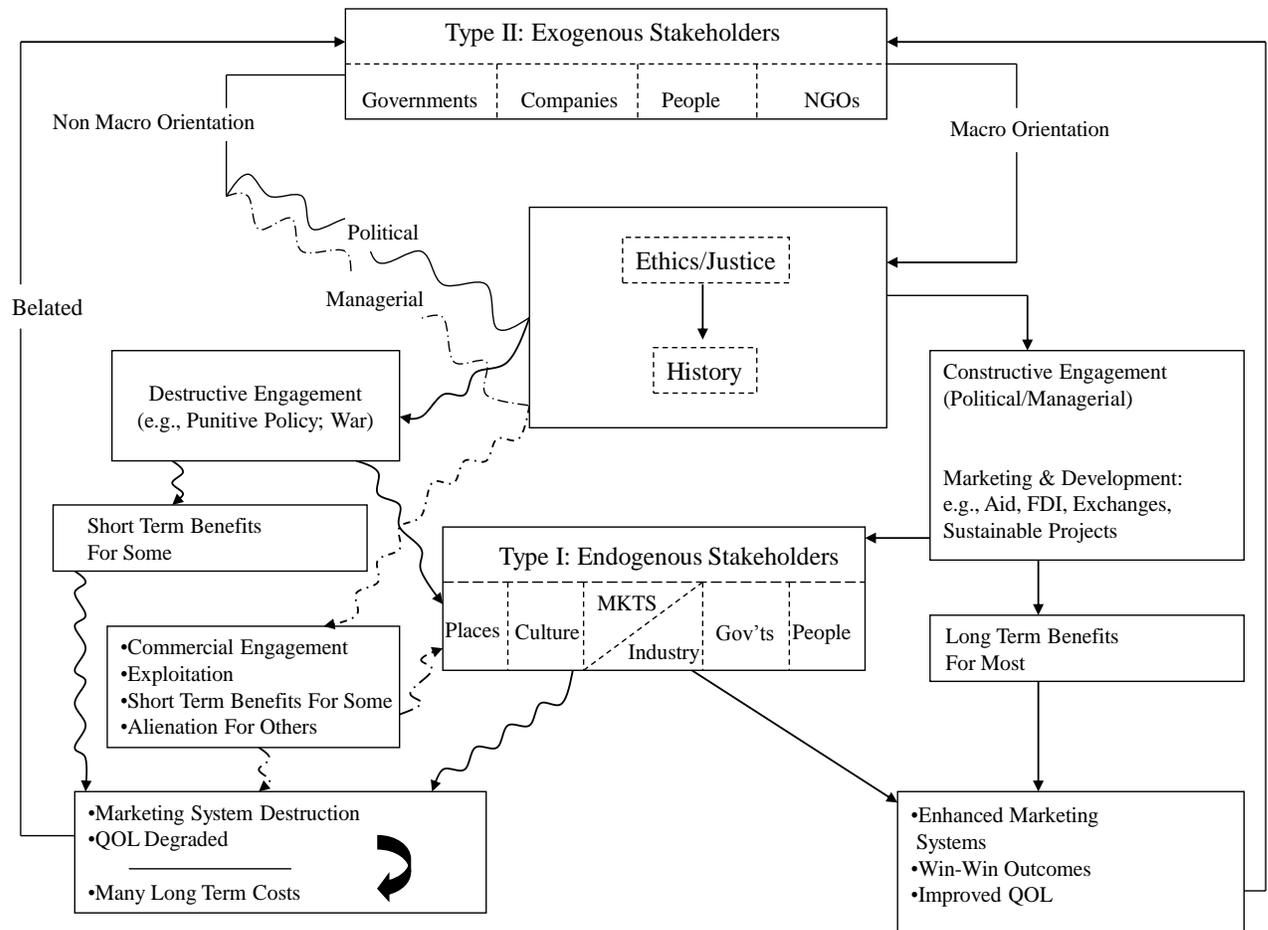


Figure 3. Schema Contrasting Destructive and Constructive Engagement in a Conflicted Glocal Economy (cf. Shultz 2007b, p. 296)

Our schema rests on an appreciation for myriad contributions made by other marketing scholars in general and by the discipline-shaping ethicists in particular. To mention just a few examples, Alderson (1957) alludes to peace through trade; Bartels (1967) suggests the importance of culture, customs, property rights, legal frameworks, and economic factors when making ethical decisions; Ferrell and Gresham (1985) point to the social and cultural environment; Hunt and Vitell (1986) discuss the importance of political and legal

considerations, as well as professional, industrial, and organizational environments; Laczniaak and Murphy (2006) emphasize putting people first and the importance of stakeholders and standards for analysis; Nill (2003) stresses a communicative approach and the role of cross-cultural understanding; Santos and Laczniaak (2009) examine ethical investment/engagement in developing economies; and so on. All these scholars explicitly or implicitly direct our attention to the importance of multiple macro-level factors in ethical decision-making and the role of diverse stakeholders in a marketing system. Readers will also know that (renewed) attention to stakeholder-focused considerations is growing in the marketing academy (e.g., Bhattacharya 2008, 2010; Hill and Langan 2014; Laczniaak and Murphy 2012), as is a concern for taking on large-scale projects replete with conflicting stakeholder interests (e.g., Lewin, Strutton, Paswan 2011; Shultz et al. 2012).

Perspectives and Considerations

The framework in Figure 3 is oriented toward the inclusion of all stakeholders, which are broadly categorized into two types. Type I are “Endogenous” – namely, the countries (and their residents) whose sovereign territory is entirely or partially located in the Basin. These countries have political jurisdiction over parts of the Mekong River Basin, and governmental or citizen’s behaviors that affect all or parts of it within and potentially beyond the countries’ political boundaries. Attention is drawn to factors that constitute a country – idiosyncrasies of all factors for each country.⁶ Type 2 stakeholders

⁶ The original model only focused on Vietnam and the United States, as internal and external stakeholders, respectively.

are “Exogenous” – namely, those that do not have sovereignty over the MRB commons, but do have interests and political influence in it via FDI, shared governance (e.g., ASEAN), or external health-and-wellness issues affected by management of and care for the commons (e.g., UNESCO, WHO, FAO, World Bank, import/export countries, countries and peoples subjected to toxic effluents emanating from the Mekong River Basin).

For many readers, focus and interpretation would likely move from top to bottom, starting with the perspective of exogenous stakeholders and their options for engagement with the countries of the Mekong River Basin. Readers from the countries of the Basin would likely begin their focus and interpretation more toward the center of the schema. Motives for engagement would principally include economic gain (e.g., access to; development of; and sustenance or profit from minerals, food, human resources, and markets) and/or societal welfare (e.g., poverty reduction; increases in quantity, quality, and assortment of goods and services; improvements to security and environmental sustainability).

Policy and marketing practices would be driven by interests in outcomes affecting policy, business, and citizen-stakeholders but perhaps in unbalanced or dysfunctional proportions. It makes sense to call unbalanced or dysfunctional results a Non-Macromarketing Orientation – that is, destructive engagement that evinces a disregard for others sharing the commons. Note the symbolically crooked lines leading to these outcomes. Conversely, a Macromarketing Orientation coinciding with the spirit of constructive engagement would emphasize a concern for ethical decision making and distributive justice for all countries and people with vested interests in the commons.

For practical and symbolic reasons, *Ethics* and *Justice* are placed at the very heart of the schema. A Macromarketing Orientation would also attend to historical narratives (Jones and Shaw 2006; Taylor and Omura 1994), including cultural sensitivities and attempts to understand why, based on their own bounded rationality, others might engage in seemingly irrational or even hostile actions as policy. Laczniak and Murphy (2006) and Laczniak and Santos (2011) share a similar ethical position that hints at broad spatial and temporal considerations for the stakeholders of the system, with important implications for the conduct of marketers and, presumably, policy makers.

Dam(n) Examples

Let us return our attention to the matter of dams and some illustrative implications for constructive engagement. Figure 4 is a composite of maps and trends showing the locations of extant and proposed dams throughout the MRB. It draws particular attention to the potential negative impacts on fisheries and food security. It appears that the relevant dynamic is one of resource conflict – a classic commons dilemma – where overuse and profiteering upstream have immediate deleterious consequences for downstream nations and, eventually, for users upstream as well as for stakeholders beyond the basin.

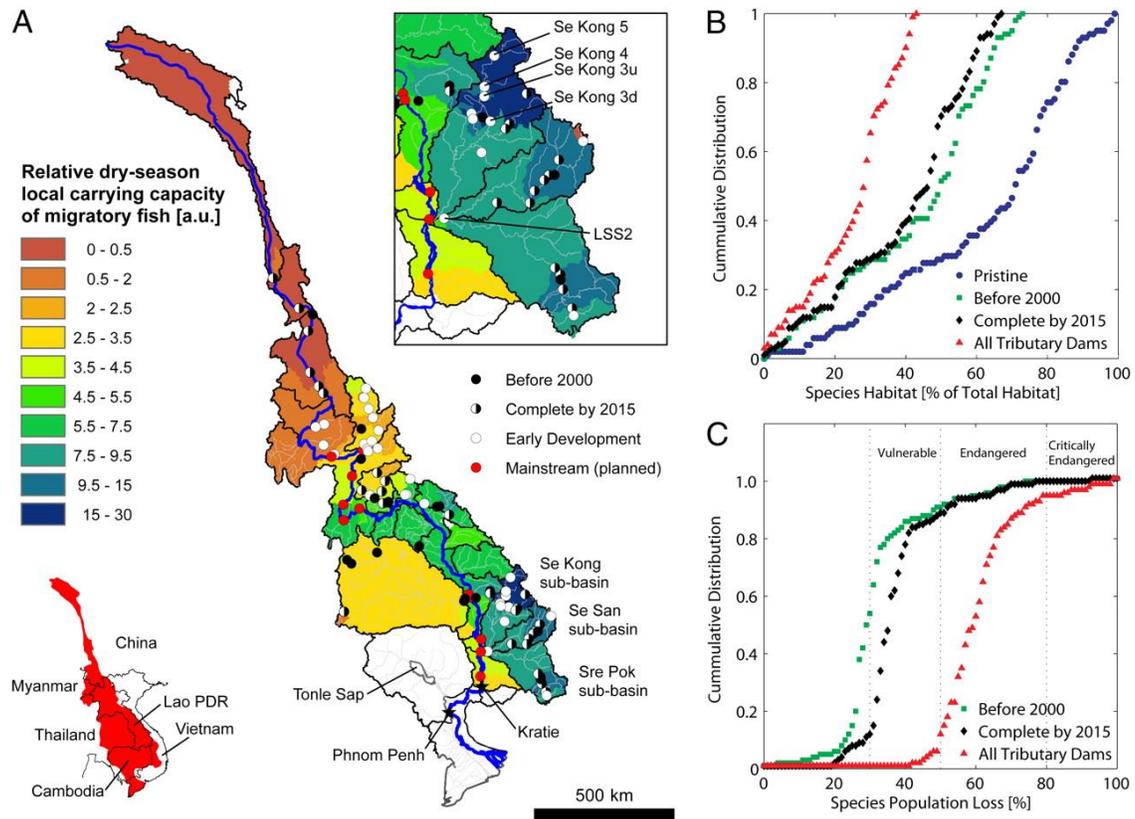


Figure 4. Trading-off fish biodiversity, food security, and hydropower in the Mekong River Basin. Source: Ziv, Baran, So Nam, Rodríguez-Iturbe, and Levin, *Proceedings of the National Academy of Sciences of the United States* (2012)

A map that more clearly demarks the placement of actual and proposed dams directly on the Mekong River and tributaries affecting it is shown in Figure 5. In addition to extant dams in China and newly proposed structures there, we also see several proposals for Laos. The prospective construction of these Lao dams would seem to be especially troubling, not only because of their potential disruption of flow and fisheries, but also because they would violate the delicate cooperative spirit of agreements signed by Laos, Cambodia, Thailand, and Vietnam in 1995 (Dubel 2013).



Figure 5. Dams at various stages of planning, construction and completion, on the Mekong River and its (dis)tributaries. Source: Save the Mekong Coalition / TERRA (2013).

Readers will see that Figure 5 does not show the delta or mouth of the River. Though perhaps merely an oversight by the cartographers, this omission is symbolically significant because some experts believe that current trends for damming and water consumption may turn southern Vietnam into the Mekong Marsh or Swamp (e.g., Dapice

2012). That is, the Mekong River, as we know it, might cease to exist; the consequences of the proposed dam building to the Mekong commons and to its stakeholders therefore could be devastating (e.g., Mekong River Project 2013).

In sum – despite numerous efforts by endogenous stakeholders (governments, NGOS, watch groups, and concerned citizens of the Lower Mekong Countries), with limited success in analyses, policies, and behavior change – the challenges of saving the MRB commons remain daunting (e.g., Mekong River Commission 2013; Cronin and Hamlin 2012). The temptations and accelerating demands for hydro power are killing the Mekong. Add to the mix China’s geopolitical ambitions and its seemingly insatiable hunger for more energy to expand its economy (including plans for seven or eight new large-to-massive dams in addition to those proposed by Laos, in which China also has a vested interest), and China emerges as a growing Leviathan that the five other countries in the Basin are finding difficult to rebuff (Cronin 2012). As captured on the left side of Figure 3, politically and managerially, these dams seem to embody the essence of destructive engagement. In short, permitting unchecked dam(n) development to occur throughout the Basin would be tantamount to a crime of omission – that is, a choice by exogenous stakeholders not to engage in this commons dilemma, a choice that would be unethical.

A Macromarketing orientation suggests opportunities for constructive engagement from larger, distant, and influential exogenous stakeholders such as the United States and the economically-developed countries of Europe, Asia, and Australia. For its part, the US has put forth the Lower Mekong Initiative, an agreement forged in 2009 among four Lower Mekong Countries and the US to

cooperate in areas of environment, health, education, and infrastructure development. Myanmar joined the Initiative in 2012 (US Department of State 2013; Lower Mekong Initiative 2013). Specific outcomes to date include various forms of aid (e.g., USAID and USGS projects, cooperation with the Mississippi River Commission), with impacts on agriculture, food-and-energy security, sustainability, and mutually-beneficial political, cultural, economic, technological, academic, public health, and professional connectivity, exchanges, and collaborations. All potentially produce long term benefits vis-à-vis specific concerns within the Basin, strengthen connections and political gravitas of the LMI countries in ways that may affect China's commons-unfriendly MRB policies, and ultimately create a more transparent and sustainable MRB under clear rules to govern it. Enhanced win-win outcomes for all stakeholders can be reasonably expected to follow – as measured by the “health” of the MRB; improvements to QOL among its residents; and greater harmony, trust, and cooperation among endogenous and exogenous stakeholders.

Summoning Managerial Marketers

Policy makers face clear incentives in the forms of sustainability, peace, prosperity, decency, and human dignity to encourage macromarketing, constructive engagement, and their requisite ethical underpinnings. Marketing managers also have an integral vested interest in a macromarketing orientation and its accordant positive outcomes (Zif 1980; Shapiro 2012, Shapiro in press). Indeed, the marketing firm is a potential catalyst to constructive engagement. A clear understanding of the broad marketing system and a respect for its macromarketing aspects – that is, its history and

cultural ubiquitousness; its regulatory environment; its administrative practices; its ethical decision making; its tangible concern for the welfare of the people in that system; and, of course, its provision of useful goods and services for millions of consumers keen to be included in the global economy – often predict the course of economic development; financial success for firms and individuals; or sustainable peace and prosperity (Shultz et al. 2005).

Foreign Direct Investment, market development, and brand diffusion/building by transparent MNCs and smaller companies from, say, the US, Europe, Japan, Singapore, and Australia (which are beholden to mission statements that include CSR and consumers who demand ethical behavior across a firm's global value chain) have the potential to make enormous contributions to MRB sustainability and societal well-being while earning an "honest profit" (Baumhart 1968). They can shape government policy, commercial practices, and consumer behavior, locally and globally. Innovative new products, services, and brands that improve efficiencies or that render obsolete extant energy platforms and wasteful water-usage practices are most welcome. Moreover, such improvements can help to drive policy and practice in endogenous communities in ways that benefit recycling, sanitation, market literacy, water consumption, energy use, and a myriad other activities. MNCs with investments in the Mekong River Basin are often pressured by a global community of consumers whose loyalties are shaped by CSR in developing economies (Shultz 2007a,b and discussions of Nike in Vietnam). These consumers expect greater transparency, traceability, and accountability. Their involvement or presence can also help to

shape consumer-advocacy and policy changes. One can envision actual or potential applications across the marketing mix that can influence consumers, marketers, governments, and NGOs within the region – as well as stakeholder groups outside it – to enhance the marketing system, to promote win-win outcomes, and to improve the quality of life, both endogenously and exogenously.

A counter-argument might contend that, regardless of good intentions, constructive engagement by exogenous groups – whether governments, companies, or consumers – can produce suboptimal or even harmful outcomes. This argument is not altogether unreasonable. Indeed, shameless exploitation is rampant by both Type I and II Stakeholders. Thus, the schema includes a feedback loop from QOL measures and sustainability indices for the MRB / Marketing System to the exogenous and endogenous stakeholders, enabling assessments of whether any particular form of engagement is actually *constructive*. Agreed-upon measures by stakeholders, collection and interpretation of data vis-à-vis those measures, feedback to stakeholders, revisitation of agreements and the extent to which they were met, and then adjustments or new agreements moving forward enhance the probability for best possible outcomes for the largest number of stakeholders (cf., Osgood 1962; Deutsch 2006). Readers will also observe a similar “Belated” feedback loop for the non-macromarketing orientation. Short of complete devastation of the MRB, destructive engagement will eventually necessitate a reconsideration of policies in ways that will result in still further devastation; financial/social exhaustion; isolation and ostracism; or, ideally, some form of constructive engagement.

Summary

In sum, this chapter presents new syntheses – building on more than two decades of work by the author and incorporating key concepts from the social sciences, marketing ethics, macromarketing, managerial marketing, and policy research – as models and considerations for ethical decision making and moral behavior via constructive engagement in a conflicted global marketscape of commonly shared resources and mutual interests for survival. Beyond the select examples presented here, individuals, traditional marketing firms, NGOs, and governments can apply these ideas to any number of other social traps and commons dilemmas with the objective of rendering adversarial relationships more cooperative, beneficial, and sustainable. To repeat, in a complex and dynamic world, the ideas presented here are not a panacea. However, by applying and empirically investigating some of these concepts, researchers with special interests in macromarketing, managerial marketing, integrated marketing communications, ethics, social responsibility, organizational design, strategic alliances, consumer decision making, economic development, international relations, management by objectives, and so forth can enjoy opportunities – not to mention challenges – to leverage their expertise.

In conclusion, responsible and responsive prosocial activities by marketers and the effective application of marketing tools to macromarketing and public policy may provide an avenue of ethical assistance in the search for resolutions to difficulties stemming from commons dilemmas and other social traps. Indeed, marketers may find themselves in uniquely advantageous positions to affect resolutions in large-scale and complex commons with global stakeholders. Clearly, further investigations as well as both vision and vigilance are needed to overcome the tragic consequences that potentially

stem from the inertia of short-sighted and self-interested policy makers, marketers, and consumers. By working with consumers, regulators, marketing organizations, NGOs, government agencies, interest groups, and researchers – particularly in the areas of international relations, program/project design, product development, communications, consumer behavior, sustainability, ethical decision making, and systems management – marketers might contribute ethical solutions in an area where, too often, they have been vilified for encouraging short-term profiteering, allowing social waste, promoting ecological destruction, and contributing to the tragedy of the commons. By so doing, they/we may (re)discover that the benevolent marketer seeks to promote what is benevolent to the world, to eliminate what is harmful, and to provide a model for the world.

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