### **Business Administration and Business Economics**

## **Ethics in the Institution of Consumers' Protection**

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**Abstract:** This article aims at emphasizing the level of institutional ethics for the needs of an organization, which is the consumers' protection. By the means of this marketing research which has as a starting point the Fishbein-Rosenberg model, we wish to point out the importance of the main attributes specified by the Law of the Public Servant, whether these can be the basis of the relationship between consumers and economic operators. The institution of consumers' protection acts as an arbitrer in this case and we wish to find out whether these attributes follow the requirements of the relationship between consumer and the institution which protects them.

**Keywords:** high contact services; utilitarianism; management of ethics; ethical efficiency; Fishbein-Rosenberg model

JEL Classification: D18; K32; M21

#### 1. Introduction

The bases of ethical principles are comprehensive but some aspects are relevant for this approach, such as: the utilitarianism, honesty and consumers' rights.

### The utilitarianism

The utilitarianism is an ethical theory which has two essential dimensions:

- a criteria of good and evil, a moral necessity which maximizes good;
- a rule of assessing the moral action according to this criterion.

"The theory has been developed for the first time by John Stuart Mill, for whom utility is the foundation of ethics. According to this principle, actions are directly proportional to the tendency of promoting happiness" (Mureşan, 2003). Two aspects are desirable for both the utilitarianism and other doctrines:

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- the pleasure itself and the means to obtain it;
- ways to eliminate distress since people are different according to the way of reaching happiness.

"There are those who fulfill their desires fast and completely so the level of aspiration is low, and the others, who have a higher level of aspiration and who will find happiness in a more difficult way but they will learn to endure imperfections wisely and calmly" (Muresan, 2003).

### Honesty and justice

The approach of this subject traditionally belongs to Plato and Aristotle, the two Greek philosophers considered to be the originators of this endeavor. For them, justice is a social virtue, (Ştefănescu & Miroiu, (coordinators) 2003) in compliance with which values and advantages are distributed or redistributed according to a diagram considered to be fair and unprejudiced. "All citizens are entitled to equal treatment. Most codes are based on this philosophy" (Engel; Blackwell & Miniard, 1995)

"Fairness and honesty are the heart of a moral business representing the main values of the decision made by marketers. In such a sense, the minimum requirement for the business people is to apply the rules and laws. But behind the rules that need to be followed we do not have to expect a generalized disillusion of customers, a coercion act on the employees or discrimination when applying the rules". (Ferrel & All, 2010).

#### Consumers' rights

"Promoting the principles and mechanisms of free enterprise ensures the coherences necessary for a modern society by the game of the prices, the freedom of consumers to make decisions, by orienting productive investments towards necessary and profitable production, reaching at the same time the balance and arrangements prerequisite for the economy". (Albu & Nedelea, 2006)

Due to the evolution of commercial relationships among producers on the axis producer - consumer, the price as a mediation process between demand and offer does not always reflect quality, which will lead to the appearance of inaccuracy. Respecting consumers by the price asked and paid by them is based on "fairness as characteristic of a market economy which implies that both sellers and buyers involved in the action and each of them individually do not depend on a power that can distort the competition's game. There must be free access to the market, both the producers and the distributors should not be able to restrict the different fields of action in order to get the benefits, and each person's decisions must be made freely". (Albu & Nedelea, 2006)

At this time, economic operators that confront with difficult decisions linked to ensuring an optimal proportion between satisfying consumers' desires and

asserting social responsibility are almost inexistent. "Most economic agents race after a big profit to the detriment of consumers and they put on the market products and services which, in addition to the fact that they do not satisfy the explicit and implicit needs they have been created for, also attempt on consumers' life, health or security." (Albu & Nedelea, 2006)

Precisely in order to dilute these disparities, at the beginning of the sixties consumers' rights appears, starting from the idea that all people are consumers and hence, they have the same rights. All these rights have been formed and clarified over more than 50 years.

## 2. Management of Ethics in Public Institutions

Practice shows the existence inside public institutions of some aspects of immorality regarding both the economic agents controlled, the direct beneficiaries of the selling and buying documents, that is the consumers, but also other citizens within the free services made available by the government.

Official data that support such an endeavour shows the existence of public servants who have immoral behaviour. These have been signaled in the case of institutions which offer "high contact" (Lovelock et al., 2008) services to people or services that are delivered "in the arena" (Norman, 1994). We shall define these services as those needing qualified personnel without which the service can not be delivered. We should add that in the case of public servants within consumers' protection, the service can only be delivered as a result of ethical behavior.

The link between delivering the service and the ethical behavior of the service provider makes this to be framed in the terms of a model where we better understand the term "ethical efficiency", a coherent model of the "worker" we can identify ourselves with and we can be proud of, that we can perceive as being ideal (as the perception on the German working model or on the preciseness of Swiss watches).

Inside the institution of consumers' protection the ethical code of all controlling acts is written in the Law no. 188/1999 regarding the Regulations of Public Servants in conjuction with Law no. 7/2004 regarding the Public Servants' Code of Behavior. Since the beginning of the regulations it was considered that delivering public service must be "durable, professional, transparent, effective and impartial, in the interest of citizens as well as of the authorities and public institutions from central and local administration." (Law no. 188/1999 regarding the Regulations of Public Servants). At the same time, the same laws establish that "public servants must abide by the law, fulfill their work responsibilities professionally and impartially and abstain from any deed that might prejudice legal or natural persons or the prestige of public servants' corps" (Law no. 188/1999). They must

also offer "moral integrity", principle according to which public servants "are forbidden to ask or accept, directly or indirectly, for them or for others, any advantage or benefit with regard to their public position, or to exploit their position in any way " (Law no. 7/2004).

Under these circumstances, the institution of consumers' protection must ensure transparency, safety and morality in its relationship with both economic agents and citizens, even if this structure does not have a moral code.

Unlike social responsibility programs of the corporations, but also due to the fact that the services delivered are in the first line of contact, it is necessary to implement an institutional structure inside the organization which can deal with the administration of moral relationships from the inside, but especially when it comes to the relationships with the exterior: buyers or sellers, "so that general risks generated by immoral behavior should be diminished or, in other words, negative effects should be held under control." (Mureşan, 2013).

Consequently, the main attributes that create pressure on the institution are: moral responsibility, moral integrity, professionalism, impartiality, safety, empathy, transparency and efficiency.

#### 3. Theoretical Notions

Differentiating a product or service is based on a series of attributes by which we obtain a distinct value from that of the competition on a targeted market. In the case of a free public service, the targeted market disappears but a series of attributes which are strictly connected to the public institution generates satisfaction or dissatisfaction and the institution of consumers' protection becomes a mediator between consumer ans seller.

As we have mentioned, any organization or brand must be differentiated from others. So, there is no product which is completely plain or even products of prime necessity that cannot be differentiated. It is wished to emphasize the differences destined to distinguish the offer of an enterprise from that of its competitors. Theodore Levitt suggested "many possible ways of differentiating a product" (Levitt, 1986). All these originate in the differences noticed among the needs expressed by market demand.

However, not all the differences are significant or sought after. A difference must create value for both the organization and for the market. In order to be effective it must equally satisfy numerous demands:

a. *Relevance*. In order to be relevant, a difference must offer a considerable advantage for a sufficient number of buyers;

- b. *Distinction*. The difference must be distinct so that it can not be offered by any other organization;
- c. *Superiority*. The differentiation made by positioning entails a level of superiority linked to the alternative solutions of the same problem;
- d. *Communicability*. The difference must be able to be communicated and its advantages should be the object of a clear and visible demonstration;
- e. *Protection*. The difference must be protected against possible copies or imitations;
- f. Acessibility. The targeted buyer must use the necessary resources to accept the difference in price which could appear after the differentiation;
- g. *Efficacity*. The income obtained from exploiting the difference must make the orhanization rich.

The differences can be concentrated by "attitudes formed by the customers' evaluation of the most important attributes" (Cătoiu & Teodorescu, 2004), which is in fact a characteristic of the organization's perceived image.

Consumers' perceptions of the association differentiation-perception must comply with the strategy chosen by the organization and especially with its communicating axis – which can be assessed by the positioning of a brand. In this sense, it is interesting to see "not only the associations themselves, but also their intensity" (Cătoiu &Teodorescu, 2004).

In order to decide which difference we should promote, we can draw Chart no.1 to choose the competitional advantages.

The organization by means of attributes is assessed with the help of scores from 1 to 10 (columns 2 and 3); the fourth column reveils the importance analysed for the customer with one of the following marks: high (R), average (M), or weak (S). Columns 5 and 6 indicate the possibility of improving these attributes and, finally, column 7 records the final recommendation (final observations), which will allow the orientation of the improving strategy.

Table 1. Choosing competitional advantages

Competitional advantage	Performance of the enterprise (1 –10)	Performance of the competition (1-10)	Importance of improvement (R-M-S)	Feasibility and Celerity (R-M-S)	Improving competitional capacity (R-M-S)	Final observations
1	2	3	4	5	6	7
1						
2						

Source: Iacob Cătoiu - lecture notes

By using the Fishbein – Rosenberg model we ensure the analysis of similarities and preferences expressed by potential buyers/sellers regarding the quality features of

all products/services in that category. The research carried out according to this model requires 2 steps:

- 1 Step 1 identifying and classifying characteristics according to their relevance;
- 2 Step 2 asking the investigated subjects to assess on an interval like scale each of the chosen characteristics; the results obtained will be recorded in a matrix chart for the assigned relevance (chart no. 2)

	$\mathbf{p}_1$	$p_2$	•••	$P_{j}$	•••	$p_{\rm n}$
$c_1$	n <sub>11</sub>	n <sub>12</sub>		$n_{1j}$		$n_{1n}$
ci	$n_{i1}$	n <sub>i2</sub>		$n_{ij}$		n <sub>in</sub>
•••						
$c_{\rm r}$	$n_{r1}$	$n_{r2}$		$n_{ri}$		$n_{rn}$

Table 2. The matrix of the relevance assigned to the product/service

Where:

 $P_{1, p_{2,...}} p_{i,...} p_{n}$  – represent the researched products/services;

 $C_1, c_2, c_i, c_{r-}$  represent the attributes of products/services under research;

 $N_{11}$ ,  $n_{12}$ ,...  $n_{ii}$ ,...  $n_{rn}$  – represent the scores obtained.

The importance of each considered characteristic is established by the subjects of the sample by dividing 100 points among these characteristics, then the characteristics are classified decreasingly according to the average number of points obtained.

Then we ask the people questioned to assign scores from 1 to 10 for the way in which the product or brand to be positioned satisfies the established features. Thus, we obtain the average score recorded for each characteristic. The results obtained are recorded in a summarizing chart of assessing the attributes – (chart no. 3).

According to the linear additive model Fishbein-Rosenberg, the attitude of an individual towards a stimulus (in our case the attributes of a service) can be determined with the elp of the following ratio (Balaure Virgil. – Coord., 2002):

$$p_{jk} = \sum_{i=1}^{n} W_{ik} \cdot Q_{ij} (1)$$

Where,  $p_{ik}$  is the attitude of individual "k "fot the brand "j ";

 $W_{ik}$  is the assessment made by the individual "k" to the relative relevance of attribute" i";

 $Q_{ij}$  is the proportion in which the brand (the product) "j" is satisfactory regarding attribute "i".

Characteristic  $W_{i1}$  $Q_{i1A}$  $Q_{i1B}$  $Q_{i1Z}$  $W_{i2}$  $Q_{i2A}$  $Q_{i2B}$  $Q_{i2Z}$ ...  $W_{ik}$ k  $Q_{ikA}$  $Q_{ikB}$  $Q_{ikZ}$  $\overline{\mathrm{W}_{\mathrm{in}}}$  $Q_{\text{in}A}$  $Q_{\text{inB}}$ n

Table 3. Assessing attributes in Fishbein-Rosenberg model

When we evaluate the attitude of individual "k" for the brand "j" we can also carry out a normalization (which makes the sum of attributes equal 1) on the basis of the following ratio:

$$p_{jk} = \frac{\sum_{i=1}^{n} W_{ik} \cdot Q_{ij}}{\sum_{i=1}^{n} \sum_{i=1}^{Z} W_{ik} \cdot Q_{ij}} (2)$$

Finally, the attribute with the highest average holds the highest position in the consumers' preference. But this analytical representation is not relevant enough.

Consequently, we compensate this analytical methodology with a graphical representation (a positioning map). In order to obtain the graph we draw a chart with the distribution of characteristics that motivate the choice of the product – (chart no. 4).

Table 4. Distribution of characteristics that motivate the relevance of the service

No.	Characteristics considered	Frequency (%)	Angle corresponding to frequency
1			
2			
•••	•••	•••	•••
k			
•••	•••	•••	•••
m			
Total	-	100	$360^{0}$

In the end, we draw a positioning map which allows the researcher to observe visually both the "strong" and "weak" characteristics of the service compared to the relevance assigned by its beneficiaries... The positioning also ensures the possibility of global and comparative assessment of products/services among themselves.

## 4. Case Study

Our application is an example of the way the research of the main attributes perceived by the economic agents and consumers regarding the institution of consumers' protection in Vrancea can be done. The institution is a mediator between the final user and the seller of goods and services, thus the tool to collect data was a survey with 28 questions. The research was carried out from Spetember to Novemebr 2013with 200 questionnaires, only 175 being filled out. The respondents are both economic agents and consumers prejudiced by diverse unsuitable commercial practices.

The research, completed with the additive linear model Fishbein-Rosenberg started from the following hypotheses:

- 1. if there are aspects of immorality among the staff of the institution during thematic controls imposed or as a result of consumers' notifications;
- 2. if these aspects of immorality happen among men or women;
- 3. if consumers are satisfied with how fast they receive an answer to their notification and with the recovering of the damages;
- 4. if the coercive measures taken against economic agents who have defrauded customers by different practices have been transparent, impartial and fair;
- 5. if there are significant differentiations between the main attributes that regulate the morality of the institution's public servants, as well as a hierarchy according to the importance given by both the controlled economic agents and the consumers that are the direct beneficiaries of the services delivered by the institution.

These are the main considered attributes:

- ethical responsibility;
- moral integrity;
- professionalism;
- impartiality;
- safety;
- transparency;
- efficiency.

The scales used are either ordering ones with grades given from 1 to 10, or Likert scales with 5 levels (from 1 = "very unimportant" to 5 = "very important") or dichotomic scales. Analyzing the results obtained on the 6 dimensions from the research carried out within the consumers' protection Vrancea, we have found both positive and negative aspects, contrasting with the moral and ethical levels specified by the existing laws.

The first hypothesis emphasizes the existence of immorality cases. Due to the institution's protection policy, the data about the existence and nonexistence of immorality aspects cannot be made public, but we can consider they exist. The law

demands that they do not exist at the level of the institution, but even if there are a small number of cases, that does not mean that the management should not be held accountable.

The next point of the hypotheses reaches a sensitive spot – whether the affirmative answer for the first aspect concerns men or women.

According to international research "it has been proven that men have a higher tendency than women to break their moral codes when they are forced by critical situations. These behavior patterns are stronger in societies where success is seen as a strictly male attribute, being considered to be a sign of manliness and expertise, while the lack of success represents weakness, cowardice or impotence." In this case we couldn't set a clear difference, the proportion being of 53% in favour of males.

Analysing the third hypothesis we can conclude that the level of customer satisfaction as a follow up of the notifications greatly depends on the recovery of the damage (88%) and less, but not insignificantly, on the rapidity of the answers offered by the institution (12%). The offered answers made us split the hypothesis according to the following figure (figure no. 1):



Figure 1. The level of consumers' satisfaction according to the recovery of the damage and the rapidity of the answers offered for the notifications

An answer that contains three aspects of hypothesis 4 highlights a part of the attributes that set the foundation for morality within the institution. As it is known, as a follow up of the notifications, the responsible economic agents should "discover what consumers want and respond with products or services that offer satisfaction and value" (Kotler, Wong, Saunders, Armstrong, 2005), but most of the times this aspect is ignored. Within commercial policies some economic operators ignore the demands of ethics and deliberately act in a way to determine consumers to reach false conclusions. In this case, the intervention of Consumers' Protection is beneficient since the measures, often coercive, make the economic agents enter in the area of normal commercial practices (Economic operators are not often fined as a result of complaints. Statistics from 2013 in Consumers' Protection Vrancea show that 166 complaints of the total of 550 were not justified, 57 were justified and were solved with a fine or a warning, 54 could not be solved,

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<sup>&</sup>lt;sup>1</sup> http://www.descopera.ro/dnews/9772671.

44 were forwarded to another institution, 26 were not pursued and the rest were solved in an amicable way by the consent of both parties). In this sense, the three components (transparency, impartiality and fairness) were applied to only a part of the complaints. That was the reason why the answers given by the people interviewed did not offer a complete picture, their answers being questionable. The results can be seen in the following figure (figure no. 2):

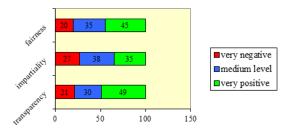


Figure 2. The level of coercive measures (%) on economic operators

Calculating the medium level for the three attributes we can conclude that the first place with an average of 43% is held by very positive attributes in the view of both the economic agents and the consumers, the other levels being of 34% for the medium level and 23% for the very negative.

The last hypothesis brings into foreground a positioning of the main attributes according to the existing laws which establish "public servants' prestige" seen through the eyes of both the economic operators and the consumers.

Analysing the answers we have drawn a map of positioning the next attributes taken into account:

- ethical responsibility;
- moral integrity;
- professionalism;
- safety;
- efficiency.

As we have already mentioned, the Fishbein-Rosenberg model means going through two steps. During the first step we identify the positioning characteristics according to their importance in the consumers' or economic operators' views.

After having interpreted the questionnaires we have obtained a frequency distribution of the answers which is illustrated in chart no. 5. The frequency distribution allows us to make calculations and rank the studied attributes according to the importance given to them by the surveyed people.

Table 5. Distribution of frequency answers on the attributes

Criteria Points	Ethical responsibility	Moral integrity	Professionalism	Safety	Efficiency
0	0	5	7	62	25
5	0	0	9	17	17
10	7	31	32	72	66
15	2	2	5	5	11
20	38	55	68	17	44
25	17	17	14	2	5
30	32	32	27	0	7
40	40	11	7	0	0
50	21	17	2	0	0
60	9	5	2	0	0
70	2	0	0	0	0
80	5	0	0	0	0
100	2	0	0	0	0
Total	175	175	175	175	175

We show the calculation of the average number of points obtained by each characteristic. The calculations were made with the fixed ratio arithmetic average, as shown below:

$$\overline{X} = \frac{\sum_{i=1}^{n} x_i f_i}{\sum_{i=1}^{n} f_i} (3)$$

In chart no. 6 there is the average number of points obtained by each characteristic.

## Where:

- $\bar{x}$  average number of points obtained;
- X<sub>i</sub> number of points assigned by each subject for criterion i;
- F<sub>i</sub> total number of subjects.

Table 6. Ranking the criteria taken into account by the respondents

Criteria	Average number of	Rank in the view of	
Criteria	points	the respondents	
ethical responsibility	35,28	Ι	
moral integrity	25,22	II	
professionalism	20,11	III	
safety	12,14	IV	
efficiency	7,25	V	

We can draw a first conclusion from this step of processing information and that is:

- ethical responsibility is at the top of the preferences, the institution having the obligation to show concern towards both competitiors on the market – consumers and economic operators;
- moral integrity holds a lower place in the preferences compared to ethical responsibility, which was to be expected from the moment of processing the first hypothesis (it signals the inobservance of the moral principles);
- public servants' professionalism is the third option of the respondents who offer an important signal, in compliance with the first two attributes, and it indicates the individual benefit, the moral choice being made by calculating the benefits of a situation;
- on the last place there are the safety and efficiency and we are surpised at this choice. Safety and efficiency should have made people trust the institution, to make it be accepted by the public, which is not happening.

The results obtained expressed only by numbers are little representative, and they increase the difficulty of drawing complex conclusions. In such a situation, making a positioning by means of graphical representation is beneficial. Therefore, the results take shape in a positioning map having 5 representation axes determined by the five researched characteristics. We shall draw a table with the distribution of the researched characteristics (chart no. 7) where we shall record the frequency occurrence of each characteristic and the corresponding angle of each frequency.

Table 7. Distribution of analyzed chatacteristics

No.	Characteristic	Frequency	Angle corresponding to
	Characteristic	occurrence	frequency (°)
1	ethical responsibility	35,28	127
2	moral integrity	25,22	91
3	professionalism	20,11	72
4	safety	12,14	44
5	efficiency	7,25	26
	Total	100	360°

We complete the positioning map using these data, represented in figure no. 3.

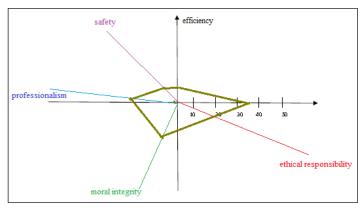


Figure 3. Positioning map

The analysis of the positioning map shows the complexity and the distinctiveness of this service offered to consumers, an institution with some issues in the smooth running of its activity. However, it is not to be ignored that the sum of the first two attributes considered during the research shows that the institution is open towards the community and that the perception of ethical responsibility and moral integrity (with a score above 60%) respects and integrates in its own activity the demands of social responsibility which is being perceived as reflecting contemporary reality.

#### 5. Conclusion

The scientific undertaking has wanted to study the way of finding out the level of ethics and social responsibility within the Consumers' Protection Vrancea. We have analysed the complex aspects of some stated hypotheses in order to be able to envision certain phenomena and issues concerning the legislation, but also the level of social ethics and responsibility within this institution. If there is a legal demand concerning this fact, the actions taken place in the contemporary society on the whole show that the demands completing the moral and ethical profile of the public servant in this institution are only partially followed. Analysing the positioning map of the attributes considered, we draw the conclusion that demands of the social responsibility are strict, this being also due to the general interest of the society. With a percentage of over 60%, the significance of the first two components makes the institution's own activity to be perceived as beneficial by the community. However, a more coherent and practical system is justified either by imposing some legal regulations aiming at this particular activity, or setting up some ethical offices at the level of the regional structures.

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