

The Innovative and Creative Businesses –Need for Legal and Ethical Practices

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Abstract

Innovative businesses make Bangladesh known to the World as a creative nation. She possesses the 8th largest population in the 92nd largest area among the ranking of 195 countries in the World. Initiative with innovation and creativity is important human quality for entrepreneurship and entrepreneurship. Innovative and creative people do new business and also keep ongoing business alive in competitions. Perfect competitions contribute to national development that demands legal and ethical innovation and creativity. Business by definition means remaining busy with legal works where tangible goods and intangible services are produced and exchanged. Cumulative counts of all goods and services of a country in a year make the gross national product (GNP). Adult literacy, GNP per capita, and life expectancy at birth are interdependent indicators of national development in perfect business competitions. These products and processes of businesses must be legal but may not be always ethical. Business of tobacco is legal but marketing a carcinogenic product is definitely not ethical. The study followed the legal and ethical research framework and norms in order to encourage benevolent innovation and creativity in businesses.

Keywords: Business, Development, Innovation, Creativity, Legal, Ethical.

1. Introduction

Business and development are complimentary to each other. The root word *busy* with suffix *ness* provides the meaning of *business*. Business means to remain busy with productive and meaningful work. Products are both tangible goods and intangible services. Gross national product (GNP) is one of the prime indicators of sustainable national development. Ergonomics or work study divides works into three categories: good work, bad work, and no work. Innovative and creative businesses ensure productivity by minimizing bad work and no work, and maximizing good work in business. Legal and ethical works are definitely good works. Legal and ethical appear synonymous, but not always same. Legal relates to legislations; the acts, ordinance, and codes passed in national parliament. Ethical on the other hand are human moral practices; socio-economic, ethno-cultural, and religious creeds. Selling cigarettes is legal but not ethical.

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Innovation has links with invention and discovery where entrepreneurs and intrapreneurs continuously modify goods and services to optimize revenues. Innovative people possess creative minds and initiatives to make something new. These creations should be benevolent and ethical besides the main motive of earning profit. All organs of a country contribute to the national development through their occupational and entrepreneurial activities i.e., businesses. Development is sustainable once economic activities cater for and conform to social and environmental needs. All public and private businesses need to adopt triple bottom line or 3Ps accounting: People (social), Planet (environmental), and Profit (financial). Humans are in both supply and demand sides of businesses: they produce tangible goods and intangible services and also consume those. Prosumers is a portmanteau where producers are consumers themselves.

Bangladesh is keeping pace with lot of innovative and creative businesses due to rapid digitalization and internet accessibility. Marketing, supply chain, accounting, finance, personnel etc. became partially or fully online keeping production and storage functions Brick and Mortar. Creativity of entrepreneurs works behind process and product innovations. Product innovation has got two categories: innovation of goods and innovation of services. This creativity in innovative businesses is to be legally covered by the Constitution of the People's Republic of Bangladesh 1972 and by various legislative acts and ordinances like Information and Communication Technology (ICT) Act 2006, The Consumers Rights Protection Act 2009, etc. Legal and ethical innovation and creativity are needed for holistic benevolence in the society. Human beings to play the dual roles of the producers as well as the consumers.

2. Problem Statement

A business must be legal as defined in various business laws, but nowhere it is written that a business must be ethical. Students of business studies are taught that businesses should be ethical as far as practicable. This gave rise to the unethical businesses and unethical business practices with legal coverage in various countries of the world including Bangladesh. On the legal and ethical issues, business personnel remain in complexities and dilemma. Innovation and creativity for social benefits possess a dichotomy of contrasting motive of gaining financial profit while serving humanity.

3. Research Objectives

The general objective of this paper is to study the role of legal and ethical innovation and creativity in businesses interlinked with entrepreneurship and intrapreneurship nationally and internationally. The specific objective is to critically analyze the effect of illegal and unethical business practices in the society and need of legal and ethical innovation and creativity for sustainable national development of Bangladesh.

4. Research Questions

4.1 Primary Question: What is the need of legal and ethical practices in innovative and creative businesses for productivity and sustainable national development?

4.2 Secondary Question: How do the entrepreneurs and intrapreneurs ensure the innovative and creative businesses are legal and ethical in the context of Bangladesh?

5. Literature Review

Christensen (2011) brought lessons on diversified and alternative products using innovative technologies in industries and optimizing opportunity costs in national economy. He discussed how creative minds enhance entrepreneurship and intrapreneurship among people. Homo sapiens are adaptive and adoptive in innovator's dilemma. Their inclusive use in multifaceted national productive projects can enhance sustainable national development. Gini (2012) showed through his mathematical formula popularly known as *Gini Ratio* how socio-economic ethics and morality can ensure even distribution of national wealth among people. Henning (2005) discussed ethics in creativity for betterment of mankind. He stressed the need of axiology in businesses where ethics combines with aesthetics. He showed how the development macro indicators were raised with ethical business practices in socio-political and economic fields.

Khan (2016) provided legal and ethical guidelines on national development to remove the micro and macro level barriers. His long involvement with Bangladesh civil service since 1971 Liberation War to military backed rule 2006-7 gave him scope to see Bangladeshi people's innovative and creative capacities. He mentioned of the cumulative gains by involving every individual through public private partnership (PPP). Khan (2002) depicted the legal histories of businesses, positive and negative plays in third world countries especially in Bangladesh. Kimet.al (2015) wrote about up and down trend in perfect market competition using innovation and creativity. They made comparative study of blue ocean strategies with red oceans highlighting business competitions. Their encouragements of monopoly (single seller) and monopsony (single buyer) through innovation and creativity remain in the realm of paradox and fallacy.

Schumpeter (2016) described destructive creation or creative destruction for capitalism to survive. A proponent of innovation economics and capitalism defended his position migrating to Harvard from Austria after WW I. He described that innovative process, product and services attract buyers and consumers in new markets with new goods and services. He prescribed modus operandi of innovative businesses and creative ideas in national development. He suggested for upholding democratic environment and maintaining social rights and welfare side by side. Skousen (2007) drew comparison among extreme left, mixed, and extreme right political economy phenomena vis-a-vis display of innovation and creativity in various sectors for sustainable macro development at various era. Smith (1776) wrote about maximizing wealth of nations

through involvements of all in economic activities. His *laissez faire* or free market concept had socio-political ramifications in subsequent eras.

6. Research Gap

Creativity had been misrepresented in innovative businesses. Some creativity is unethical and evil, harmful, and not beneficial to society. There are other creative innovations of which usefulness or harmfulness depends on users; innovators may not be blamed for such legal and ethical creativity to be illegal and unethical. This dichotomy created an understanding gap and research gap in asking empirical survey questions on some pertinent issues and receiving appropriate answers. Respondents in general remained indifferent in facing my academic research queries. The Chattam House Rule is not yet institutionalized in our academia that western practitioners follow to excel in surveys. This rule guarantees the respondents and discussants not to be named, framed or referred. Respondents' feelings of insecurity to fall as victims in business legal issues make research gaps in getting authentic facts and figures.

7. Methodology

This research followed quantitative, qualitative, and eclectic approaches collecting and exploring relevant primary and secondary data. Primary data collection was through in-depth interview asking closed-ended, open-ended and contingency questions. Officials in legislative and regulatory bodies, business personnel of both services sector and goods sector, direct and indirect beneficiaries had been target population. Surveys were conducted combining probabilistic and non-probabilistic samples. In probabilistic method, stratified samples were taken partitioning target population into subpopulations. In non-probabilistic method, snowball sampling was carried out where initial respondents referred subsequent respondents from their acquaintances.

Books, journals, publications, documents, websites and various online resources were used for collecting secondary data. The Right to Information Act 2009, The Official Secrets Act 1923, and the Statistics Act 2013 were consulted and followed in the process of writing this paper. Univariate analysis of variance (ANOVA) and multivariate analysis of variance (MANOVA) depicted phenomenological differences among respondents due to inherent individual perception, consciousness, judgment and emotion. Systematic empirical investigations, percolation and triangulation on primary and secondary data assisted in finding useful information to fulfil the predictive and descriptive purpose of this research.

8. Innovative and Creative Businesses

Any business has to be innovative to survive in competition. The owners of the business possess entrepreneurship trait whereas employees have intrapreneurship quality for creativity and innovation to keep a business running profitably. Bangladesh Parliament passed the Competition Act 2012 to ensure perfect market competition and to remove imperfections like monopoly, duopoly (two sellers), oligopoly (few sellers),

monopsony etc. Experiences proved that legal measures are not sufficient if ethical and moral behaviour of people are absent. Laws have their inherent black holes through which unethical people can always continue their evil works for self-gains costing a lot on society. Dichlorodiphenyltrichloroethane or DDT invention and innovation was good as insecticide in agribusiness but caused great damage to environment. Silent Spring by Rachel Carson (1962) is such a depiction on business profit vs ethics dilemma. Consequently Americans passed Anti-Trust laws.

8.1 Entrepreneurship and Intrapreneurship

Entrepreneurship is the process of planning, organizing, launching and executing a new business, which is often initially a small or medium enterprise (SME). The people who take ventures and create these businesses are called entrepreneurs. An entrepreneur is an individual who possesses the qualities and abilities to find and act upon opportunities to translate inventions or technologies into new products: tangible goods or intangible services. An entrepreneur is able to recognize the commercial potential of the invention and organize the capital, talent, and other resources that turn this invention into a commercially viable innovation. SME Foundation sponsored by Ministry of Commerce, and Ministry of Industries encourages innovation and creativity following SME Policy 2019.

Intrapreneurship is the entrepreneurship of employees who innovate in established firms, in addition to similar productive activities on the part of new businesses. These people possess positive and optimistic mind-sets; endeavour to fill up the glasses full instead of complaining about half empty glasses as pessimists. Bangladesh Investment Development Authority (BIDA) welcomes such people with entrepreneurship and intrapreneurship traits which have been established by BIDA Act 2016. Access to Information (a2i.gov.bd) Authority works to empower civil servants with intrapreneurship for providing citizen-centric public services in Bangladesh. Combining meritocracy with bureaucracy gave positive results in government services. Practice of laws and ethics removed kleptocracy to great extent.

8.2 Invention and Discovery

Inventors and discoverers are talented and hardworking persons who get due credit for their inventions and discoveries. Italian Electrical Engineer and a Nobel winner of 1909 in Physics Guglielmo Marconi (1874-1937) invented Radio. He had been an entrepreneur too who founded the Marconi Wireless Telegraph and Signal Company in UK in 1897. Thomas Alva Edison (1847–1931) was an American inventor and business entrepreneur. He is credited with developing many devices in fields such as electric power generation, mass communication, sound recording, and motion pictures. These inventions had a widespread impact on the modern industrialized world. Bangladesh Council of Science and Industrial Research (BCSIR) assist in carrying out business ventures which was founded through BCSIR Act 2013.

Discovery of America by Christopher Columbus (1451-1506) and Amerigo Vespucci (1454-1512) opened endless business scopes including colonization. British East India Company got incorporated in London Stock Exchange in 1600 and came to Indian subcontinent for doing business. Dutch, Portuguese, Spaniards, French and other European companies sailed to Asia, Africa, America, and Australia as part of *mercantilism*. These merchants turned to colonialists in these continents of Asia, Africa, America and Australia illegally and unethically though legalized subsequently. Inventors and discoverers are few, but innovators and entrepreneurs multiply with intention of earning profit and maximizing assets.

8.3 Innovation vs Exnovation

Innovation is not the same as invention. Innovation is more apt to involve the practical implementation of an invention or discovery. Innovation is improved ability to make a meaningful impact in the market or society with new invention. All innovations may not require an invention. It often grows with the improvisation and reverse engineering process. It is a sort of customization and modification when a problem being solved is of a technical or scientific nature. The opposite of innovation is exnovation.

In commerce and management, exnovation occurs when products and processes that have been tested and confirmed to be the best-in-class are standardized to ensure that they are not innovated further. The Patents and Design Act 1911, the Copy Rights Act 2000, and the Trademarks Act 2009 support exnovation.

8.4 Kaizen Philosophy

Successful implementations of innovations use the Japanese approach known as Kaizen: Sino-Japanese *kai* ‘change’, *zen* ‘good’, and Kaizen means continuous improvement. It became famous from Masaaki Imai’s 1986 book *Kaizen: The Key to Japan’s Competitive Success*. Kaizen is an ongoing effort to improve products, services, and processes by five functions: *Seiri* (sort), *Seiton* (set), *Seiso* (shine), *Seiketsu* (standardize), and *Shitsuke* (sustain). These efforts seek ‘incremental’ improvement over time (1 to 1.1 to 1.2 and so on) or ‘breakthrough’ improvement all at once (0 to 1). Innovations improve both tangible goods and intangible services and make businesses more productive and valued. Just-in-time delivery processes are being copied in Bangladesh by on-line innovators. Innovations open new markets. Export Promotion Bureau (EPB) of Bangladesh established by EPB Act 2015 assist innovative entrepreneurs in exploring foreign markets.

8.5 Serendipity as Luck

Serendipity means an unplanned, not-thought-for, fortunate and productive inventions or discovery by accidents and sagacity. It is a *fortunate happenstance* or a *pleasant surprise*. Serendipity is a common occurrence throughout the history of product invention and scientific discovery. The name comes from *Serendip*, an old name for Sri

Lanka (Ceylon), hence *Serendip* or Swarnadip (Gold Island) by Arab traders. Persian fairy tale, *The Three Princes of Serendip* describes that an angry King exiled his three princes to a distant East island. They were making inventions and discoveries, by trials and experiments. Princes were getting results by chances which they were not expecting. “Verily, Allah will not change the condition of a people as long as they do not change their state themselves.” (The Holy Quran: SuraAr-Ra’d 13:11). One has to try and remain ready to seize an opportunity.

Serendipity is what favouring many Bangladeshi micro entrepreneurs in their SMEs. When some individuals actively explore opportunities, results definitely appear. It demands willingness to go with the flow of events. Serendipity plays important role in the creative and innovative business realms. Serendipities with many people and events: Archimedes (287-212 BC) - buoyancy theory, Fleming (1881-1955) - antibiotics discovery, Newton (1642-1726) -law of gravitation, Marie Curie (1867-1934) - radioactivity, Harry Wesley (1917-2011) - super glue, and Spencer Silver (born 1941) - post-it note. Discoveries of the Ruins of Pompei (Mount Vesuvius) in 1891, the Dead Sea Scrolls (Hebrew Jewish manuscripts) in 1946, and many others were serendipities. A farmer Haripada Kapali (1992) revolutionized a high yielding variety (HYV) paddy in Bangladesh named *Haridhan* by serendipity.

Psychologist Kevin Dunbar and his colleagues at University of Maryland estimate that of all scientific inventions and discoveries 30% to 50% are accidental i.e., serendipitous. Hossain (2000) quoted from serendipitous discovery of WariBatesh war that an entrepreneur and an innovator should be sagacious to benefit from an accident. Louis Pasteur (1822-1895) said that chance favours only the prepared minds. The entrepreneurs and innovators in Bangladesh should prepare and train their minds for observational rigors towards legal and ethical innovation and creativity. There are volumes of examples about the role and contribution of serendipity or happy accidents in the entrepreneurship and intrapreneurship. Research suggests that business innovators are taught various heuristics and best practices that allow their venture capital to benefit from serendipitous occurrences.

8.6 Heuristics for Innovation

Heuristic derives from Greek *heureka* uttered by Archimedes (287-212 BC) meaning to find or discover. Archimedes was tasked by King of Syracuse to determine whether impure metal had been substituted by the goldsmith to make Queen’s gold crown. Archimedes had to solve the problem without breaking the crown. While taking a bath, he noticed that the water level in the tub rose as he got in, and realized that this effect could be used to determine the volume of the crown. Water is incompressible, so the submerged crown would displace an amount of water equal to its own volume. By dividing the mass of the crown by the volume of water displaced, the density of the crown could be obtained. This density would be lower than that of gold if cheaper and

less dense metals had been added. Archimedes then took to the streets crying *heureka*, *heureka* meaning ‘I found, I found’.

Heuristics is an approach by an entrepreneur and an innovator to problem solving or self-discovery as Archimedes did. It employs a practical method not guaranteed to be logical or rational; but instead sufficient for reaching an immediate goal. When finding an optimal solution is impossible or impractical, then heuristic methods are used for finding a satisfactory solution by entrepreneurs and intrapreneurs. Resilience of Bangladeshi people is rooted to heuristics; their mental shortcuts ease the cognitive load of making a decision. Innovators’ heuristics include using a rule of thumb, an educated guess, an intuitive judgment, a guesstimate (portmanteau of guess and estimate), profiling, and common sense from their gut feelings. Heuristics have risks; financial risk minimization is done through the Insurance Act 2010.

8.7 STEM (Science, Technology, Engineering, and Mathematics) Education

Science, Technology, Engineering, and Mathematics (STEM) are very important for creativity, innovation, serendipity and consequently profitable businesses. UN's Education for All (EFA) declaration endorses STEM education. The 8 Millennium Development Goals (MDGs) and the 17 Sustainable Development Goals (SDGs) emphasized STEM education. UNESCO had set SDG 4 Target 4.3 to nurture creativity which says, “By 2030, ensure equal access to all women and men to affordable and quality technical, vocational and tertiary education including universities.” Article 17 of the Bangladesh Constitution provides that all children receive free and compulsory education including STEM. Bangladesh National Education Policy 2010 endorsed STEM educations that enhance creativity and innovation in businesses. Analogy may be drawn between stem of a growing tree and STEM of creativity and innovation.

8.8 Legal and Ethical Aspects

Entrepreneurs and intrapreneurs are sole agents of personal, societal and organizational development with their definite character traits of creativity and innovation. Doing businesses for making profit by taking calculated risks warrant ethics within legal limits. Business means to remain busy with legal, ethical, profitable and environment friendly works where there will be exchange of products: tangible goods and intangible services. Legal forms of businesses in Bangladesh are 6 types: Sole Proprietorship, Partnership, Companies, Cooperatives, Franchise, and Others. These 6 types possess 6 major business functions. Supply Chain Management (SCM), Production and Operation (PoM), Marketing and Sales are Line functions; Human Resource Management (HRM), Accounting, and Finance are Staff or Support functions. White collar crimes prevail in Line and Staff functions in varying scale and gravity.

6 types of businesses follow relevant Acts or Ordinances: Sole Proprietorships – the Trade Organizations Ordinance 1961, Partnerships – the Partnership Act 1932, Companies – the Companies Act 1994, Cooperatives – the Cooperative Societies Act

2001, Franchises – the Reciprocity Act 1943, and Others e.g., Government Organizations (GOs), NGOs, International GOs (IGOs), INGOs etc possess their individual Acts/Ordinances. Not-for-profit organizations follow the Societies Registration Act 1860. Army Institute of Business Administration performs edupreneurship under BUP Act 2009 as its affiliated institute. British East India Company colonized India, Dutch East India Company colonized Indonesia; commerce and trade turned into political business with illegal and unethical innovation and creativity.

The Trade Organization Ordinance 1961 demands a trade license to start a business. The Partnership Act 1932 and the Companies Act 1994 ask for registrations submitting relevant documents at the Office of the Registrar of Joint Stock Companies and Firms (RJSC). Public limited companies need to be listed in stock exchange(s). Our stock exchanges at Dhaka and Chittagong have to follow Exchanges Demutualization Act 2013 to avoid share related scandals. The Cooperative Societies Act 2001 mentioned three types of cooperatives: Primary with minimum 20 members, Central with 10 Primaries and National with 10 Centrals. The Reciprocity Act 1943 is inadequate to run franchise in Bangladesh. Col Harland Sanders' Kentucky Fried Chicken (KFC), Coca-Cola etc. continue franchisee(s) at Bangladesh while relevant authorities are working on an elaborate Franchise Act.

8.8.1 Ignoring Laws and Ethics

It may not be possible to know and keep track of all acts, ordinances, and codes passed or repealed in the parliament. Jurisprudence suggests that no citizen can ignore existing laws. No court will accept ignorance of a law, not knowing a law may itself constitute an offence. Online businesses are stories of innovation and creativity in Bangladesh, but business laws bind them to have registration and possess trade licenses. About 40% of such mushrooming online entrepreneurs and innovators do not possess any business registration or a trade license. All Line and Support functions of business are not possible to be performed online; few functions have to be Brick and Mortar. Amazon, Uber, Pearson, Airbnb models are imitated by our innovative and creative youngsters. Legal and ethical aspects are ignored in many cases e.g. Safe Foods Act 2013, Hotels and Restaurants Act 2014 are not followed by online food vendors.

Business laws like the Information and Communication Technology (ICT) Act 2006, Sales of Goods Act 1930, Customer Rights Protection Act 2009, Public Procurements Act 2006, Labour Act 2006, Indecent Advertisements Prohibition Act 1963 etc. are not sincerely followed. Television commercials (TVC), leaflets, online marketing, social media apps (applications) are innovative and creative. ATL (above the line) and BTL (below the line) marketing at times cross legal and ethical limits in their contents and contexts. Many white-lie TVCs are neither legal nor ethical. Ethical aspects are beyond laws; not limited by enactments in parliament but are age old moral behaviour and best

practices. Branding FMCG (fast moving consumer goods) as Halal warrants rethought. Creating monomania showing consumptions by celebrities is unacceptable.

Promotional sales are frequently conducted violating laws or ignoring it. Bangladesh Penal Code (BPC) 1860 Section 294B says, “Whoever offers, or undertakes to offer, in connection with any trade or business or sale of any commodity, any prize, reward or other similar consideration, by whatever name called, whether in money or kind, against any coupon, ticket, number or figure, or by any other device, as an inducement or encouragement to trade or business or to the buying of any commodity, or for the purpose of advertisement or popularizing any commodity, and whoever publishes any such offer, shall be punishable with imprisonment of either description for a term which may extend to six months, or with fine, or with both.” Human consciences and ethics are usually made as laws; and this is why we need not to study and memorize laws.

8.8.2 Triple Bottom Line Accounting (TBL)

The Constitution of the People’s Republic of Bangladesh 1972 Article 13 describes the principles of ownership of means of production and distribution: (a) state ownership, (b) cooperative ownership, and (c) private ownership. One needs a creative mind for innovative business, and work legally and ethically for ownership. Ergonomics or study of works suggests maximizing good work and productive work, and minimizing bad work and non-productive work. Bangladesh Constitution 1972 Article 20 (1) says. “Work is a right, a duty and a matter of honour for every citizen who is capable of working”. Labour Act 2006 prescribed dignity of labour in business. Innovative and creative works, not legal and ethical, have to be discouraged against profit motive. UN prescribed TBL for legal and ethical innovation and creativity.

TBL accounting for Planet, People, and Profit (3Ps): environmental accountability, social accountability, and financial gains respectively. All innovative and creative businesses are not environment friendly. Environment Conservation Act 1995 cannot ensure it because of business malpractices. Effluent Treatment Plants (ETPs), Sewage Treatment Plants (STPs), Carbon Credit etc. are not in proper order for Green business. Business or corporate social responsibility (CSR), is mostly on paper. CSR of illegal and unethical business is unsolicited. Harmful products are in business like tobacco, alcohol, private coaching quack medicine etc. Greek Philosopher Hippocrates (460-370 BC) asked practitioners, “*Primum non nocere* (First do no harm)”. Deviations of Hippocrates Oath and TBL accounting exist in health and other sectors.

8.8.3 Creative Destruction for Growth

Innovation in entrepreneurship and intrapreneurship employ ‘the creative destruction’ what Austrian Economist Joseph Schumpeter (1883-1950) prescribed for capitalism to grow. It is to replace in whole or in part inferior innovations across markets and industries, simultaneously creating new products including new business models. Emails destroyed postal mails. Creative destruction is largely responsible for

the dynamism of industries and long-run economic growth. The Competition Act 2012 should have ensured an entrepreneurial ecosystem. Ecosystem is found progressing with entrepreneurship education, advocacy programs, business-friendly laws, venture capital financing, business incubators, seed accelerators, bank loans, angel investing, and government grants. Tax holidays and rebates are practiced in Income Tax Ordinance 1984, Value Added Tax and Supplementary Duty Act 2012. Innovation Design and Entrepreneurship Academy (IDEA) fosters innovators in Bangladesh.

8.8.4 Consequence of Innovation and Creativity ignoring Laws and Ethics

Controlling creativity and innovation is important as exnovation concept developed. Slash and burn cultivation of Jhum or hill is innovative agriculture but it destroy flora and fauna. Shifting cultivation by innovative Jhumias are destroying forests gradually. Swiss chemist Paul H Muller got Nobel Prize for discovering dichlorodiphenyltrichloroethane (DDT)'s insecticidal affect that was being used creatively. American biologist Rachel L Carson (1962) could alert the government authority to impose nationwide ban on the indiscriminate use of DDT and synthetic pesticides through her historic book *Silent Spring*. This book documented adverse environmental effects caused by uncontrolled use of chemicals. Environment Conservation Act 1995 restricts chemical industries' illegal and unethical marketing and indiscriminate use of chemicals in Bangladesh.

Holy Quran's Yajuj-Majuj (Sura 18: Al-Kahf) has similarity with Gog-Magog mentioned in the Bible's New Testament as evil destroyers. Holy books mention that Zulqarnain went to the north and built walls to protect the world against these devils Yajuj-Majuj or Gog-Magog. Chikungunya, Ebola and such other ancient killer viruses locked up in glaciers were never seen before, and are now getting free with melting of ice due to global warming. Carbon emissions in the industries are at the root of global warming. The more the illegal and unethical creativity and innovation, the more the consequences like Corona epidemic. Legal and ethical partnering regionally and internationally can take lead in arresting the causes of climate change and other evils to save the Earth Planet. Innovative and creative businesses become malevolent when food adulteration, use of formalin, and malpractices kill people.

8.8.5 Legal and Ethical Benevolence in Historiography

Historiography of innovative and creative business strategy through SunTzu (544-496 BC)'s the Art of War, Koutilya (375-283 BC)'s the Arthashastra, and Machiavelli (1469-1527)'s the Prince provide critical thoughts on the dichotomy between business profit vs legal and ethical norms of innovation and creativity. Epic Mahabharata depicts Kurukshetra War between cousins; 5 Pandavas and 100 Kauravas. Kurukshetra is now a district in Indian State Haryana where the war occurred between right and wrong, Dharma and Adharma. Lord Krishna remained with Pandavas throughout the war, and the conversations between the 3rd Pandava Arjun and Charioteer Lord Krishna is Srimad Bhagavad Gita. One can experience in Mahabharata how legal and ethical aspects

followed in war and other businesses. Greek Homer's epics Iliad and Odyssey too highlight the benevolence of legal and ethical aspects in all businesses including polemology.

Confucius (551-479 BC)' philosophy would never allow producing and marketing business goods and services harmful for humans and society. The soft drinks, power drinks, cigarettes, adulterated foods, etc are in markets with brand innovation and creativity after repeated health warnings by physicians. In health sector, education sector, and other service sectors one finds the use, misuse and abuse of business innovation and creativity lacking legal and ethical aspects. Golden Rule says, "Do for others as you expect others do for you." Silver Rule says, "Do not do to others as you expect others do not do to you." Innovation and creativity break these rules in absence of laws and ethics: celebrities pose in private censorship, intelligentsia talk in product sponsorship. International Organization for Standardization (ISO), Bangladesh Standards and Testing Institution (BSTI) and other regulatory bodies oversee so that business innovation and creativity can remain in right perspective.

9. Conclusion

Innovative and creative businesses supported by laws and ethics are at the base of national sustainable development. All citizens are in business either in public or private, in for-profit or not-for-profit organizations. 6 major functions in 6 types of business demand initiative and pro-action to excel. Sole Proprietorship, Partnership, Company, Cooperative, Franchise, and Others follow related business laws like the Trade Organization Ordinance 1961, the Partnership Act 1932, the Companies Act 1994, the Cooperative Societies Act 2001, the Reciprocity Act 1943, the Societies Registration Act 1860 etc. respectively. Procurement or SCM, PoM, Marketing and Sales are the Line functions whereas Finance, Accounting and HRM are the Staff functions in a business where white collar crimes prevail in varied contents and contexts.

Entrepreneurs are business starters, and intrapreneurs are business movers. These people are innovative and creative besides possessing other traits like upholding laws and ethics. The legal and ethical aspects of Line functions and Staff functions are at times ignored or neglected in name of innovation and creativity as revealed in the surveys. 40% respondent informed that they are either not aware of the contents or cannot match with the contexts of relevant business laws like the Sales of Goods Act 1930, the Indecent Advertisement Prohibition Act 1963, the Customers Right Protection Act 2009, the Competition Act 2012 etc. The certifications for good manufacturing practice itself became a for-profit business. Organizations with ISO and BSTI standards are randomly found adulterating products, manipulating processes like ETPs in name of innovations and creativity.

Mushrooming online businesses lack legal and ethical requirements on the products: tangible goods and intangible service they provide. Many of such innovators found ignorant about the Brick and Mortar or physical operation aspect. Customers get

bluffed with fake and poor quality products. Innovative and creative business people should never play tricks and tricks on customers. Conserving environment should also be in the top priority. Responsible business through TBL accounting adds to sustainable national development. Monopoly, monopsony, duopoly, oligopoly etc. created by innovative ideas go against collective interest for which the Competition Act 2012 work in line with American Anti-Trust laws. Society cannot trust each and every business; the financial profit motive gives rise to innovation and creativity which may not be always legal and ethical.

10. Recommendation

Innovation and creativity in business with product and process need to be balanced and weighed against legal and ethical criteria. Many innovative and creative businesses yielded negative outputs in GNP and had been malevolent to humanity. The Sales of Goods Act 1930, Prohibition of Indecent Advertisements Act 1963, Customer Rights Protection Act 2009 and such other legislations should be observed strictly.

Innovative and creative businesses grow up with ingenuity and initiative of entrepreneurs and intrapreneurs for which innovation and creativity friendly ecosystem is required. As a resilient and innovative nation Bangladesh should continue enacting business friendly laws, providing STEM education, arranging venture capital, ensuring access to information, and maintaining social order and IDEA through the rule of law.

Innovators and creative people should be provided with incentives for legal and ethical innovation and creativity including serendipitous outcomes. Exnovation and attempt of kleptocracy, plagiarism, and other malpractices must be guarded by the Patents and Designs Act 1911, Copy Rights Act 2000, the Trademarks Act 2009, the Penal Code 1860. Regulating authorities including ISO and BSTI have to patronize.

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