

CHAPTER 10

Ethical Issues Common to Both Public Relations and Advertising

All of us contain Music & Truth, but most of us can't get it out. — Mark Twain

In this chapter, we will look at the ethical issues that public relations and advertising have in common. First, we will look at how the Supreme Court views the differences between the two and the way they use their free speech rights. Then, we'll take a close look at the act of persuasion. It is this communication act that binds public relations and advertising most closely and is also the most ethically problematic. The most frequent complaint against any form of communication is that it is trying to persuade unethically, usually through some form of deception. Both public relations and advertising frequently suffer from this charge. But first, we need to see how public relations and advertising differ before we discuss the ethical issues they have in common.

What's the Difference between PR and Advertising?

Although many people don't understand the difference between public relations and advertising, those within the business see a pretty clear distinction. Here are a few of the primary differences.¹

Paid for or Publicity

- Public relations doesn't usually have to pay for placing messages in the media. Although a good deal of money is spent in PR on such things as "corporate advertising" (basically promoting the image of the company, not its products), the bulk of its messages are publicity. Publicity is basically free coverage often provided by the media and instigated by such message vehicles as news conferences, news releases, and product publicity (trade magazine articles, etc.). Of course, this turns over control of the message to the media in which it will appear. They may edit it as they wish, run it where and when they wish, or not run it at all. This is called "uncontrolled information," and is both the blessing and the bane of public relations. What this also means is that public relations practitioners must be acutely aware of how news is produced and what its requirements are. Increasingly, however, public relations information has become more controlled in the form of or-

ganizational web sites and the use of multiple messages placed on friendly sites or paid for, just like advertising, around the internet.

- Advertising almost always pays for placing its messages. The advantage is that the advertiser has complete control over what the message will say and how, where, and when a message will be placed—because they're paying for that privilege. That's the upside. The downside is that advertising costs a lot of money.

A Different Primary Audience

- Traditionally, public relations messages were generally sent through the media to reach their target public. Thus, the primary audience for most PR messages was generally the media itself. That's why these messages were crafted in the style of the medium for which they are intended. A news release written for a local paper will mimic hard news style (inverted pyramid). A release for an entertainment industry magazine will be more feature-oriented. Although this is still true, much of modern public relations targets specific and often fragmented audiences that can be reached fairly easily by using social media.
- Advertising has always aimed directly at the potential adopter of the product, service, or idea. Although the advertising message is crafted to fit the medium, it is actually designed to appeal directly to the audience that uses that medium. For example, major network news programs attract older viewers, so we tend to see commercials for health aids, insurance, travel, and other interests specific to that target audience. Recently, advertising, like public relations, has realized the value of social media to reach discrete audiences, thus appealing even more directly than ever to specific needs.

Transparency

- Public relations messages are not always as transparent as they could or should be. You never know, for instance, whether that news story about a local company was produced entirely free of influence by the company or not. It could have been stimulated by a news release, furthered by an interview with the company president set up by the PR person for that company, and fleshed out through a carefully prepared backgrounder on the company produced in-house by the PR staff.
- For the most part, advertising messages are recognized by consumers for being what they are—sales pitches. That allows the consumer to take these messages with a grain of salt, setting up the necessary defenses talked about in the previous chapter. This doesn't always sit well with advertisers, who are already complaining that television viewers can now “zap” their commercials out with digital recording devices. The result is an increased reliance on not-so-transparent methods, which we'll discuss later.

Public Relations, Advertising, and the First Amendment

In order to understand how the First Amendment affects the practices of public relations and advertising we first need to understand the differences between protected and non-protected speech and how they apply.

Commercial Speech

A number of federal agencies have at least some control over advertising. The Federal Trade Commission (FTC) deals mostly with untruthful or deceptive advertising, and the Food and Drug Administration (FDA) watches over the advertising of drugs and medical devices. Although the “truth” of advertising is covered more or less adequately by these two bodies (and others at the state and local levels), the nature of commercial speech itself is a vitally important concept. The burning question, for quite a long time, has been whether the type of “speech” engaged in by public relations and advertising should garner the same protection as other speech protected by the First Amendment.

The gradual evolution of speech as a commodity has been lent legitimacy by several Supreme Court decisions, most notably *Virginia Pharmacy Board v. Virginia Consumer Council*, in which Justice Harry Blackmun concurred with the majority when he noted that consumers’ decisions needed to be “intelligent and well informed,” and that the “free flow of commercial information is indispensable” to that process within a free enterprise economy. In so stating, he likened commercial speech (specifically advertising) to other information competing for attention within the marketplace of ideas, and suggested that some consumers might even prefer commercial information over political information—a point made as well by early media critic Walter Lippmann (although more critically). Lippmann had noted in his book *Public Opinion* that the public appetite for the trivial spelled the death knell for any idealized democratic involvement in the political process. In his view, citizens were more concerned with their individual needs than with the state of the nation. Nonetheless, Blackmun’s comment was but one of many along the twisting road toward a doctrine of commercial speech.

Commercial speech was originally an exception to the First Amendment stemming from a Supreme Court decision in 1942 in which the phrase “commercial speech doctrine” was coined. In brief, the doctrine exempted such speech from any First Amendment protection. In the case, the distribution of handbills on the streets of New York City had been banned. The dividing line seems to have been that such information posted or handed out for the purpose of commercial and business advertising didn’t deserve the same protection as information “devoted to ‘information or a public protest.’”²

This exemption of all commercial speech from the First Amendment’s protections remained pretty much intact for a number of years, until the 1970s. During that decade, the Supreme Court made several rulings narrowing the definition of commercial speech and granting it greater protection. In an effort to broaden that protection, the Court, in 1980, set out a four-part test for determining whether commercial speech can be restricted:

- First, the commercial speech “at least must concern lawful activity and not be misleading.” Otherwise, it can be suppressed.

- Second, if the speech is protected, the interest of the government in regulating and limiting it must be assessed. The state must assert a substantial interest to be achieved by restrictions on commercial speech.
- Third, it must be determined whether the regulation directly advances the governmental interest asserted.
- Fourth, it must also be determined whether an imposed restriction is more extensive than is necessary to serve that interest.³

Finally, in 1993, the Court summarized the general principles underlying the protection of commercial speech:

The commercial market place, like other spheres of our social and cultural life, provides a forum where ideas and information flourish. Some of the ideas and information are vital, some of slight worth. But the general rule is that the speaker and the audience, not the government, assess the value of the information presented. Thus, even a communication that does no more than propose a commercial transaction is entitled to the coverage of the First Amendment.⁴

It is important to note that the Court has also recognized “different degrees of protection” accorded to commercial speech. This applies directly to different categories of commercial speech. For example, the first test means that false, deceptive, or misleading advertisements need not be permitted.⁵ This allows the government to require such additions as warnings and disclaimers in order to prevent deception.

Another important product of this series of rulings is that “the court recognized the difference between purely commercial speech such as advertising and noncommercial corporate speech such as that used by public relations practitioners.”⁶ This means that the standards used to define commercial and non-commercial speech are different, which is especially important when trying to decide whether something is purely advertising or public relations. This allows a corporation, for example, to prepare public relations materials, such as brochures, newsletters, news releases, etc., for distribution to its various target publics without restriction—allowing basic First Amendment protection. At the same time, advertising of that corporation’s product or service may be less protected. The determination of exactly what is commercial versus non-commercial, however, is still a bit vague. For example, what is the difference between what is referred to as “corporate advertising” (image advertising that has little or nothing to do directly with product sales) and commercial advertising?

The standards used to define commercial and non-commercial speech are different, which is especially important when trying to decide whether something is purely advertising or public relations.

The distinctions have been further blurred in recent years over the findings in the case of *Kasky v. Nike, Inc.*, which began in 2000.⁷ Nike, whose logo has become a worldwide symbol of athletic shoes and gear, produced a public

relations campaign to counter growing criticism that some of its products (notably, shoes) were manufactured in overseas “sweat shops.” In answer to these allegations, Nike placed paid-for advertisements in newspapers and sent letters to athletic directors at major universities stating their side of the debate. The company was subsequently sued by a private citizen in California under that state’s unfair competition law and false advertising law. Recall that false advertising is exempted from First Amendment protection. In response, Nike claimed that its statements did not constitute commercial speech and were therefore afforded protection.

After both the California superior court and the California Court of Appeals both dismissed the claim, it was taken up by the California Supreme Court. That court developed its own test to determine whether this particular speech act was commercial or not. The three-part test involves the speaker, the intended audience, and the message content. The upshot of this test is that “where there is a commercial speaker, an intended commercial audience, and commercial content in the message, the speech is commercial.”⁸ The Court held that Nike’s speech was commercial because (1) the company is engaged in commerce, thus a commercial speaker; (2) its statements were directed expressly to actual and potential purchasers of its products; and (3) Nike’s statements were of a commercial nature because it described its labor policies in factories in which its commercial products were made.⁹ The Court, in effect, suggested that Nike’s statements, although bordering on non-commercial speech, were not so intertwined with its commercial message as to be inextricable from it. When the U.S. Supreme Court declined to hear the case, the parties settled, leaving the question of what is commercial and what is non-commercial speech unanswered.

The bottom line for public relations seems to be that corporate speech is protected depending on its content. In other words, the right of a corporation to speak out publicly is limited only by what is being said. As Karla Gower, educator and ethics expert says:

The Supreme Court has determined that corporations have important contributions to make in public debates and the content of such speech should be protected . . . Commercial speech, which does no more than propose a commercial transaction or is solely motivated by the desire for profit, receives less First Amendment protection than corporate speech.¹⁰

There are, however, those who disagree that commercial speech deserves even moderate protection. The First Amendment scholar C. Edwin Baker, in his Liberty Theory of constitutionally protected speech, points out that although commercial speech (such as advertising) is protected under the marketplace theory, the liberty theory would not offer it like protection. The reason is that the success of commercial speech is determined by economic market forces. It is not a necessary component of self-fulfillment (one of his criteria for protected speech) since its content is likewise determined by success in the market and not by any abiding sense of value felt by the copywriter. Its purpose is to sell a product or idea and not the discovery of truth or even the participation by all members of society in any decision-making role except as that of a consumer, which, contrary to what the Supreme Court has suggested, is not

equivalent to the role of citizen. In this, the liberty theory is consistent with its own claim that the marketplace approach is based entirely on an economic model rather than a human value model. A human value model would presume that not everything is reducible to the status of a product—some values are intrinsic (have worth of their own) and need not compete for attention or recognition of worth.

The marketing professors Minette Drumwright and Patrick Murphy also point to a confusion among advertising practitioners about how the First Amendment functions in relation to advertising. In a study conducted among working professionals in the field they found that many cite the free speech clause as justification for not self-censoring their product.¹¹ Drumwright and Murphy call this a kind of naiveté.

They suggest that the First Amendment “does not stand for the proposition that all speech is equally worthy and should be uttered or encouraged, or that speakers should not be condemned for the speech that they make.” They point out that, under the marketplace theory, falsity is supposed to be exposed as what it is and justifiably condemned. What they discovered through their research is that many in advertising believe, mistakenly, that the free speech clause exonerates them from personal and professional responsibility. They agree with the proposition reiterated throughout this book that all purveyors of information “have a responsibility to make judgments about speech,” and that “[t]his becomes even more the case as the Supreme Court lessens the distinction between commercial and noncommercial speech.”¹²

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Ethics and Persuasion

Nearly 2,500 years ago, Aristotle wrote *The Rhetoric*, outlining techniques for persuasive communication that have been studied and used ever since. For our purposes, however, it is most important to note that Aristotle placed no moral value on the techniques of persuasion themselves. In fact, he pointed out that they could be used for good or ill, depending entirely on the intent of the user. In other words, the character of the person using these persuasive techniques would determine the ethicality of the persuasive act. Aristotle accepted persuasion as a natural product of democracy. It was a tool needed to offer arguments and counterarguments that would be sorted out by the audience, who would then make the final decision. Persuasion depends now, as it always has, on the acceptance of the persuasive idea by the audience and on their ability to make their own choices free of coercive pressure.

One of the primary differences between journalism and advertising and public relations is that we *expect* the last two to be biased in their points of view. Both advertising and public relations use language to persuade, and, as already mentioned, persuasion is not unethical by nature.

Those who believe persuasion is unethical by nature generally also believe in a very strict version of the “marketplace of ideas” theory—that is, if you provide enough unbiased information for people, they will be able to make up their own minds about any issue. Although our political system is based on this theory to some extent, it is also based on the notion of reasoned argument—including persuasion. People who believe fervently enough in a particular point of view aren’t going to rely on any marketplace to decide their case. They’re going to get out there and argue, persuasively, for their side.

Persuasion and Coercion

The rhetorician and scholar Richard Perloff defines persuasion this way:

Persuasion is a symbolic process in which communicators try to convince other people to change their attitudes or behavior regarding an issue through the transmission of a message, in an atmosphere of free choice.¹³

From an ethical perspective, the last part of this definition is vital. By “free choice,” Perloff means that “a person . . . has the ability to act otherwise—to do other than what the persuader suggests—or to reflect critically on his choices in a situation.”¹⁴

According to the First Amendment scholar C. Edwin Baker, “speech generally depends for its power on the voluntary acceptance of the listeners.” Thus, speech would normally be considered non-coercive. Baker contrasts this normally benign nature of speech with its counterpart, coercive speech.

In general, a person coercively influences another if (1) she restricts another person to options that are worse than that other person had moral or legitimate right to expect, or (2) she employs means that she had no right to use for changing the threatened person’s options.¹⁵

How then does persuasion differ from coercion? Persuasion deals with reason, and sometimes emotional appeals, whereas coercion typically employs force. Coercion is a technique for forcing people to act as the coercer wants them to act, and presumably contrary to their preferences. It can employ a threat of some dire consequence if the actor does not do what the coercer demands, but it doesn’t have to. In the sense we’re talking about it here, coercion refers not to how severe or effective the pressure or influence applied is but to the impropriety of the *form of pressure*.

For example, deceptive speech may intentionally leave out vital information needed by listeners in order to make an informed decision. Without complete information, the listeners are limited in their choices and literally forced to decide in a predetermined way, presumably the way the speaker would like them to decide. Seen in this light, coercive speech would force another into a position they would not have been in but for the act of the communicator. Further, Baker suggests that speech may be deemed coercive if a “speaker manifestly disrespects and attempts to undermine the other person’s will and the integrity of the other person’s mental processes.”¹⁶ This is certainly in line with Kant’s insistence that we respect others through our actions.

Some believe that persuasion, like lying, is coercive, thus harmful by nature. The feminist theorist Sally Miller Gearhart holds that persuasion is, in fact, “an act of violence.” Like a number of other feminist scholars, Gearhart views some communication techniques as reflecting a masculine-oriented approach. Persuasion, in particular, represents a “conquest/conversion mentality.”¹⁷ This approach, according to Gearhart, uses persuasive techniques to convince the persuaded that they are better off accepting a particular point of view. The persuaded, under this model, may or may not be willing to change their points of view. She holds that those who are willing will be self-persuaded when presented with the necessary information, and that others should be left to their own beliefs. Gearhart proposes that we develop a “collective” mode, focusing on listening and receiving rather than the “competitive” mode common to the masculine perspective.

Clearly, this runs counter to the assumption of the ancient Greek rhetoricians, who held that persuasion was a necessary ingredient of democracy. And it seems a bit harsh for other feminist theorists as well. Sonja Foss and Cindy Griffin accept persuasion as one among many techniques that can be used ethically given the right context. They point out, however, that persuasion based on a model of “domination” is decidedly not the ethical approach. Rather, they suggest that persuasion be grounded in a belief that the most desirable outcome of the persuasive act is one of equality and autonomy among the parties. Their ideal persuasive model is one in which all sides are invited to view the alternatives and decide for themselves.

Under this model, the likelihood of change is as great for one party as the other.¹⁸ This same model shows up in other communication theories, such as those of the public relations scholar James Grunig. Grunig proposes that the ideal model for public relations is one that provides for mutual understanding as its goal. This “two-way symmetric” communication model presupposes that all sides of an issue are amenable to change, and that change will come with an increased understanding of all points of view.¹⁹

We must realize, however, that the “traditional” approach to persuasion (whether it is a masculine orientation or not) is the approach that is in effect today, much as it has been for several thousand years. Advocates of all sorts (legal, commercial, and editorial) still subscribe to the tenants of persuasion set forth by the likes of Aristotle and Cicero. And, because this traditional approach is in effect, we must be prepared to deal with the potential for unethical use of both the intent and the techniques of persuasion.

In summary:

The ideal persuasive act is one in which both the ends sought and the means employed by the persuader are ethical, and those being persuaded are allowed the opportunity to reflect critically on the available options and to make an informed and free choice.

The Ethics of Means and Ends in Persuasion

In assessing the ethicality of persuasive activities, we need to look both at the means of persuasion (the techniques used) and at the ends (the results sought). The public relations scholars Benton Danner and Spiro Kiouisis provide us with a “taxonomy of means and ends” that charts the possibilities in four categories.²⁰

1. You can engage in ethically justifiable persuasive acts in an ethical manner (good ends, good means). This type of act occurs in two manifestations:
 - A morally permissible act: One in which the moral agent is neither required by ethics to perform the act nor prohibited ethically from performing the act; that is, to perform the action is moral and to not perform it is also moral.
 - An example of a morally permissible act in the realm of public relations might involve a public health campaign designed to persuade a public of the benefits of appropriate cardiovascular exercise. Although this is a good act, there is no obligation to perform it—what Kant would call an “imperfect duty.”
 - A morally obligatory act: An act that the agent has a moral obligation to perform. To not perform the act would be unethical.
 - For example: Suppose you are the vice president of public relations in a corporation that manufactures children’s clothing. You have discovered information that conclusively shows that the children’s pajamas manufactured by your company are highly flammable. As the public relations chief for your company, not only would you have a moral obligation to attempt to persuade management to reveal this information (so that the danger can be publicized and appropriate recalls initiated), but if you fail in the attempt to persuade superiors to reveal the defect, you would have a moral obligation to reveal the defect yourself (often referred to as “whistle blowing”).
2. You can engage in persuasion that is ethically unjustified, but do so in an ethically proper manner (bad ends, good means). Although you could argue that the means justify the ends, you would be on shaky moral ground.
 - For example, you could use ethical means of persuasion to attempt to convince others of the benefits of selling or using methamphetamines or crack cocaine.
 - You could promote racism by using completely acceptable persuasive tactics—say a speech in which all the rhetorical techniques

are ethically sound.

3. You could engage in unethical tactics of persuasion in a persuasive act that is itself morally justified (bad means, good ends). Because you are using morally suspect means to achieve a good end, you might be able to argue for the ethicality of the entire act; however, the questionable tactics would taint your achievement.
 - For example, you might engage in lies in order to solicit donations for a charity that legitimately helps the homeless. Kant would not see this as a permissible act since the ends, in his view, never justify the means. To tell the truth, regardless of the outcome would be a perfect duty.
 - However, Danner and Kiousis suggest another set of cases under this category that may be morally permissible. These are instances in which the ends pursued are extremely significant—for example, the lives of a large number of people are at stake. For instance, would you lie to save the lives of a great many human beings? Kant would have said no, but our basic humanness would probably disagree with him on this one.
4. Neither the persuasive act itself nor the means employed in persuasion are morally permissible (bad means, bad ends). Acts in this category will always be morally prohibited.
 - For example, you could be employed by a tobacco company and engage in deceptive persuasive acts designed to entice children to start smoking.

To summarize:

- When the means and ends of a persuasive act are each morally sound, the overall act will be ethical. The act may be either ethically permissible (that is, ethics permits one to perform the act) or ethically obligatory (that is, ethics requires that one perform the act).
- When the persuasive means are unethical but the ends sought are ethically justified, the ethicality of the act as a whole isn't as clear. The justification for using unethical means would have to be a strong one.
- When the means are ethical and the ends are not justified, an argument can be logically made in defense of the act, but bad ends are rarely justifiable.
- When both the means and the ends of persuasion are ethically unjustifiable, then the persuasive act itself is unethical (that is, it would be unethical to perform the act).

Guidelines for Ethical Persuasion

The ethical determinants of most of advertising and public relations messages are, thus, those of responsible rhetorical techniques. A number of scholars in the field of rhetoric and persuasion have provided excellent guidelines for determining the morality of both the act of persuasion and the content of persuasive messages. Following is one such checklist for the measurement of the persuasive act itself.²¹

- Is the communication act or technique right in general and/or right in this specific situation?
 - To what extent is the argument valid?
 - Are the best interests of the audience considered?
- Does society hold the communication act or technique to be right in general and/or in this situation?
- Does the communication act or technique appeal to values the society holds to be morally good or bad?
- Are the “real motives” behind the act or technique admirable or at least legitimate?
- What would be the social consequences of the act or technique if it were to become widely practiced by others?

Obviously, these questions reference a number of ethical theories including utilitarianism and Kant’s Categorical Imperative. Consequently, they serve to provide the persuader with a checklist for motives when developing, as every public relations and advertising professional must, a proper marketing mix for the dissemination of a persuasive message. This checklist, or another like it, can be applied both to the act itself and to the communication technique. One of the admonitions contained in the PRSA Code of Professional Standards, for instance, forbids the corruption of media channels. This checklist also speaks to that problem.

The message itself also has the potential for corruption. Obviously, moral intent and ethical technique do not necessarily guarantee subsequently ethical communication. For this purpose, these eight guidelines for evaluating the degree of ethicality in argumentation and persuasion might be useful.²²

- A message should be accurate. It should stay both within the facts and within relevant context, and neither exaggerate nor make false claims.
- It should be complete. Although advocacy implies bias, it is necessary that all arguments be at least recognized. This also refers to the proper attribution of sources.
- Material should always be relevant. Superfluous information only serves to cloud the message.
- Openness implies that alternatives be recognized even if the intent of the message is to promote only one of them.
- The message should be made understandable through the minimiza-

tion of ambiguity, avoidance of oversimplification, and distortion of accuracy.

- Sound reasoning should be in evidence, containing only appropriate appeals to values, emotions, needs, and motives.
- Social utility should be promoted.
- Communicators should demonstrate benevolence through sincerity, tact, and respect for dignity.

Propaganda versus Persuasion

The term *propaganda* has a long and checkered history. Beginning with the Catholic Church, several hundred years ago, the term originally meant to spread the faith. More contemporary definitions indicate how far that original concept has fallen. Ted Smith, editor of *Propaganda: A Pluralistic Perspective*, calls propaganda:

Any conscious and open attempt to influence the beliefs of an individual or group, guided by a predetermined end and characterized by the systematic use of irrational and often unethical techniques of persuasion.²³

The atheism proponent and secular humanist Austin Cline defines propaganda as:

any organized effort to persuade large numbers of people about the truth of an idea, the value of a product, or the appropriateness of an attitude. Propaganda isn't a form of communication which simply seeks to inform; instead, it is both directional (because it often seeks to get people to act in some fashion) and emotional (because it seeks to condition certain emotional reactions to specific situations).²⁴

Cline also points out the basic difference between arguments (in the sense in which rhetoricians use the term) and propaganda. According to Cline, the key difference is that:

while an argument is designed to establish the truth of a proposition, propaganda is designed to spread the adoption of an idea, regardless of its truth and always in a one-sided manner. [emphasis in original]²⁵

Although there doesn't seem to be much connection between what public relations says it does and propaganda, the very nature of persuasion can easily lend itself to less than ethical practices. And most of public relations is still about persuasion.

So, does the act of persuasion through the mass media naturally equate with propaganda? Part of the answer has to do with our own ability, and willingness, to investigate the complexities of issues rather than just accept the simple explanation frequently offered by propaganda. A couple of important psychological theories come into play here, both of which have ethical ramifications.

Theory of Cognitive Dissonance

Dissonance theory, formulated in the 1950s, says that people tend to seek only messages that are “consonant” with their attitudes; they do not seek out “dissonant” messages. In other words, people don’t go looking for messages they don’t agree with already (who needs more conflict in their lives, right?). This theory also says that about the only way you are going to get anybody to listen to something they don’t agree with is to juxtapose their attitude with a “dissonant” attitude—an attitude that is logically inconsistent with the first. What this means (theoretically) is that if you confront people with a concept that radically shakes up their belief structure, you might get them to pay attention. For example, this is the technique employed by some anti-abortion activists when they force us to look at graphic images of aborted fetuses. Although the experience may be truly uncomfortable, it does remind even the most ardent pro-abortion of those among us of the costs of the procedure. The attempt is to shock unbelievers into questioning their loyalties.

Later research revealed that people use a fairly sophisticated psychological defense mechanism to filter out unwanted information. This mechanism consists of four “rings of defense”:

- **Selective exposure:** People tend to seek out only that information which agrees with their existing attitudes or beliefs. This accounts for our not subscribing to the New Republic if we are staunchly liberal Democrats.
- **Selective attention:** People tune out communication that goes against their attitudes or beliefs, or they pay attention only to parts that reinforce their positions, forgetting the dissonant parts. This is why two people with differing points of view can come to different conclusions about the same message. Each of them is tuning out the parts with which they disagree.
- **Selective perception:** People seek to interpret information so that it agrees with their attitudes and beliefs. This accounts for a lot of misinterpretation of messages. Some people don’t block out dissonant information; they simply reinterpret it so that it matches their preconceptions. For example, whereas one person may view rising interest rates as an obstacle to her personal economic situation, another may view the same rise as an asset. The first person may be trying to buy a new home; the second may be a financial investor. Both are interpreting the same issue based on their differing viewpoints.
- **Selective retention:** People tend to let psychological factors influence their recall of information. In other words, we forget the unpleasant or block out the unwanted. This also means that people tend to be more receptive to messages presented in pleasant environments—a lesson anyone who has ever put on a news conference understands.

The Elaboration Likelihood Model

Some people seem easy to persuade and tend to believe almost anything, whereas others seem resistant to persuasion, have their own opinions, and often argue with those trying to persuade them. The fact is that audiences, or publics, exist in multiple forms and use multiple methods of reasoning out decisions, two of which have caught the attention of researchers over the past 30 years or so.

In 1980, Richard E. Petty and John T. Cacioppo developed what they called the *Elaboration Likelihood Model of Persuasion* in which they sought to explain these differences. They suggested that persuasive messages were transmitted and received through two different routes: the central route and the peripheral route. The central route is used by those people who think about messages extensively before becoming persuaded. In other words, they “elaborate” on a message and will be persuaded only if the message is cognitively convincing. The peripheral route is used by those who are unable or unwilling to spend time thinking about a message. Instead, recipients using peripheral processing rely on a variety of cues to make quick decisions, most of which don’t bear directly on the subject matter of the message. For example, when President George W. Bush made his famous “Mission Accomplished” speech on board a naval aircraft carrier wearing a military pilot’s flight suit, he was using several cues (the uniform and setting, among others) to reinforce his persuasive message.

Petty and Cacioppo stress that the central route and the peripheral route are poles on a cognitive processing continuum that shows the degree of mental effort a person exerts when evaluating a message. They are not mutually exclusive approaches. The more listeners work to evaluate a message, the less they will be influenced by cues not relevant to the message itself. The greater the effect of cues not relevant to the message, the less impact the message carries.

For central processing receivers, the cognitive strength of the argument being presented is extremely important. For these receivers, thoughtful consideration of strong arguments will produce the most positive shifts in attitude. In addition, the change will tend to be persistent over time, resist counter-persuasion, and predict future behavior. However, thoughtful consideration of weak arguments can lead to negative boomerang effects (the weak arguments are shown to be exactly what they are and the idea loses the respect and attention of the receiver).

According to Petty and Cacioppo, however, most messages are processed through the peripheral route, bringing attitude changes without actually thinking about the issue. Peripheral route change can be either positive or negative, but it won’t have the impact of message elaboration and the change can be short-lived.

What does all this mean? For those in the business of persuasion, it means the job isn’t as easy as it seems. And it means that the temptation to come up

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with newer, more inventive types of persuasive communication is compelling. That can also mean taking ethical shortcuts in order to achieve the kind of persuasion necessary to sell an idea. See the case study and discussion in the next chapter concerning the Edelman/Wal-Mart scandal for an example of how ever-newer persuasive strategies carry with them some dangerous moral pitfalls.

Propaganda Again

The media ethicist Jay Black suggests several insights based on a lengthy investigation into the concept of propaganda, which can be applied to the producers of propaganda, the contents of propaganda, and the consumers of propaganda. These relate closely to the theories just discussed, and show how important the role of the receiver is in the process of persuasion. On one hand, the person who is easily persuaded by propaganda

is probably seeking psychological closure whether rational or not; appears to be driven by irrational inner forces; has an extreme reliance on authority figures; reflects a narrow time perspective; and displays little sense of discrimination among fact/inference/value judgment.²⁶

In other words, he is seeking information that he already agrees with, and is probably using the peripheral route to gather it. On the other hand, the person who is not easily persuaded by propaganda faces a constant struggle to remain open-minded by evaluating information on its own merits; is governed by self-actualizing forces rather than irrational inner forces; discriminates between and among messages and sources and has tentative reliance on authority figures; recognizes and deals with contradictions, incomplete pictures of reality, and the interrelation of past, present, and future; and moves comfortably and rationally among levels of abstraction (fact, inference, and value judgment).²⁷

These traits are what Petty and Cacioppo have suggested as a defense against “peripheral cues,” distracting and often unrelated information designed to persuade, often unethically. For example, picking a spokesperson solely on the basis of appearance is ethically questionable, but it may work on those using the peripheral route. For those central processors, it would be easily recognized as a cheap trick.

Black also suggests that propaganda contains characteristics generally associated with dogmatism or closed-mindedness. Conversely, ethical (and, as Black calls it, “creative”) communication will expect, even encourage, its audience to investigate the validity and credibility of both the message and the source. Further, propaganda is characterized by at least the following six specific characteristics that make it more easily recognizable:

1. a heavy or undue reliance on authority figures and spokespersons, rather than empirical validation, to establish its truths, conclusions, or impressions;
2. the utilization of unverified and perhaps unverifiable abstract nouns, adjectives, adverbs, and physical representations rather than empirical validation to establish its truths, conclusions, or impressions;

3. a finalistic or fixed view of people, institutions, and situations divided into broad, all-inclusive categories of in-groups (friends) and out-groups (enemies), beliefs and disbeliefs, and situations to be accepted or rejected in toto;
4. a reduction of situations into simplistic and readily identifiable cause and effect relations, ignoring multiple causality of events;
5. a time perspective characterized by an overemphasis or underemphasis on the past, present, or future as disconnected periods rather than a demonstrated consciousness of time flow;
6. a greater emphasis on conflict than on cooperation among people, institutions, and situations.²⁸

And finally, Black concludes with this sage advice:

A fully functioning democratic society needs pluralism in its persuasion and information, and not the narrow-minded, self-serving propaganda some communicators inject—wittingly or unwittingly—into their communications and which, it seems, far too many media audience members unconsciously and uncritically consume. Open-mindedness and mass communications efforts need not be mutually exclusive.²⁹

What Does It All Mean?

Public relations and advertising are not the same thing; however, they do share similar ethical concerns because of the nature of the communication act they share. The act of persuasion, common to both practices, is fraught with ethical complications. Whenever we seek to persuade, the potential to manipulate is a very real temptation. And, as we have learned, manipulation is coercive in that it puts the target of the persuasion in a position that limits his freedom of choice. This can be accomplished through outright lying or, more often, through withholding information vital to a complete understanding of an issue.

Although bias is usually assumed in persuasive acts, that does not mean that information will necessarily be restricted or choices limited. The ethical persuader is transparent at every level: who they are, who they represent, what they are “selling,” and why. Incompleteness in any of these areas has the potential to turn persuasion into propaganda. Respect for those who are the targets of persuasion is paramount if either public relations or advertising is to be considered ethical. As we will see in the next two chapters, there are a number of obstacles to ethical action, and more than a few temptations to do that which is other than completely ethical. It is often in the grey areas that unethical action is rationalized. We will need to work all the harder if we are to shine the light of morality into those corners.

NOTES

1. Based loosely on Apryl Duncan, “10 Differences Between Advertising and Public Relations,” Your Guide to Advertising, <http://advertising.about.com/od/careersource/a/10advpr.htm>.
2. *Chrestensen v. Valentine*, 122 F.2d 511 (2nd Cir., 1941) (2–1 ruling); *Chrestensen v. Valentine*, 34 F.Supp. 596 (F. Dist. Ct., 1941).
3. *Central Hudson Gas & Electric Corp. v. Public Service Com.*, 447 U.S. 557, 563, 65 L. Ed. 2d 341, 100 S. Ct. 2343 (1980), and *Ohralik*, 436 U.S. at 456.
4. *Edenfield v. Fane*, 123 L. Ed. 2d 543, 113 S. Ct. 1792, 1798 (1993), cited in “Advertising is Protected by the First Amendment,” <http://www.lawpublish.com/amend1.html>.
5. “First Amendment, Religion and Expression, Freedom of Expression—Speech and Press,” extracted from *Analysis and Interpretation: Annotations of Cases Decided by the Supreme Court of the United States*, 1992 edition, pp. 1113–1118, with 1996 updates added, <http://www.abuse.net/commercial.html>.
6. Wayne Overbeck, “Unmuzzling America’s Corporations: Corporate Speech and the First Amendment,” paper presented at the Annual Meeting of the Association for Education in Journalism, East Lansing, Michigan, August 8–11, 1981, 1.
7. *Kasky v. Nike*, 02 C.D.O.S. 3790 (California Supreme Court) and *Nike, Inc. v. Kasky*, 539 U.S. 654 (2003).
8. Robert Sprague, “Business Blogs and Commercial Speech: A New Analytical Frame- work for the 21st Century,” *American Business Law Journal*, 44 (1), 127–159.
9. *Ibid.*, 147.
10. Karla K. Gower, *Legal and Ethical Considerations for Public Relations*, 2nd ed. (Long Grove, IL: Waveland Press, 2008), 40.
11. Minette E. Drumwright and Patrick E. Murphy, “How Advertising Practitioners View Ethics: Moral Muteness, Moral Myopia, and Moral Imagination,” *Journal of Advertising*, 33 (2), 12–13.
12. *Ibid.*
13. Richard M. Perloff, *The Dynamics of Persuasion: Communication and Attitudes in the 21st Century*, 2nd ed. (Mahwah, NJ: Lawrence Erlbaum Associates, 2003).
14. *Ibid.*, 12.
15. C. Edwin Baker, *Human Liberty and Freedom of Speech* (New York: Oxford University Press, 1992), 57–60.
16. *Ibid.*, 59.
17. Sally Miller Gearhart, “The Womanization of Rhetoric,” *Women’s Studies International Quarterly*, 2, 195–201.

18. Sonja K. Foss and Cindy L. Griffin, "Beyond Persuasion: A Proposal for an Invitational Rhetoric," *Communication Monographs*, 2, 2–18.
19. James E. Grunig and Todd Hunt, *Managing Public Relations* (New York: Holt, Rinehart and Winston, 1984), 21.
20. Benton Danner and Spiro Kiouisis, "Persuasion and Ethics in Public Relations: Towards a Taxonomy of Means and Ends," paper presented at the Association for Education in Journalism and Mass Communication conference, San Francisco, California, 2006.
21. J. Michael Sproule, *Argument: Language and Its Influence* (New York: McGraw-Hill, 1980), ch. 8.
22. J. Vernon Jensen, *Argumentation: Reasoning in Communication*, (New York: Van Nostrand, 1981), ch. 2.
23. Ted J. Smith, III (ed.), *Propaganda: A Pluralistic Perspective* (New York: Praeger, 1989), 80.
24. Austin Cline, "Propaganda and Persuasion: Misuse of Language and Meaning," About.com, <http://atheism.about.com/od/criticalthinking/a/propaganda.htm>.
25. Cline, "Propaganda."
26. Jay Black "Semantics and Ethics of Propaganda," *Journal of Mass Media Ethics*, 16 (2–3), 132–133.
27. Ibid., 133.
28. Ibid., 134–135.
29. Ibid., 135.