

CHAPTER 12

Ethics and Advertising

Many a small thing has been made large by the right kind of advertising.
— Mark Twain

In a special issue of the *Journal of Business Ethics* in 2003, Richard Beltramini of Wayne State University introduced the group of articles by asking whether advertising ethics was an oxymoron. Citing the numerous complaints regularly leveled against advertising, Beltramini argues that it draws so much attention precisely because it is “the most visible business tool today, exposing the public to thousands of messages each day.”¹ He rightly suggests that the emergence of new technology and delivery methods have posed new ethical problems that will naturally require a reassessment of the methods used to evaluate ethicality in the past. He issues a call for action for practitioners to “adhere to potentially even higher standards of ethical conduct than other business functions.”

What follows in this chapter is a recounting of some of the charges leveled against advertising, and an exploration of the research into possible answers. As with public relations, we cannot assume that advertising is unethical by nature. But, in order to prove that, we must point out not only its faults, but also its value to the economic well-being of and its potential contribution to society.

What Is Advertising?

John Phelan, a professor of communications and media studies and media reform activist, defines advertising as a three-part process including the advertisement itself, the advertising agency that produces and places it, and the entity who pays for and sanctions the process and the outcome.² First, there is the *advertiser*. This is the client of the agency: Usually a corporate seller of commodities, the advertiser can also be a political party, a government, a public utility, a religion, a social movement, a charity. Any entity which chooses some medium of the public forum to reach large numbers of the public with a message and is willing and able to pay to do so. Then there is the *advertising agency*—the entity that solicits, creates, and places advertisements and, frequently, measures their effects. Finally, an *advertisement* is any public form of announcement, usually a commodity, aimed to promote the acceptance or purchase of or a preference for the commodity. The commodity can be a product, service, idea, entity, or person.

Phelen points out that most advertisements are pretty straightforward—simply announcements about the availability of basic commodities, along with their attributes and prices. In addition to these are a “culturally significant” smaller number of ads promoting everything from political parties, candidates, and issues to those creating favorable images for various industries, organizations, or ideas—usually to dispel (or distract from) some unpopular belief about them. Finally, there are that small number of ads, often highly visible, that call attention to whatever it is they are selling by using emotional appeal and other cues that attract the less cognitively inclined among us (the “peripheral” processors of the ELM model discussed in Chapter 10).

What’s Good about Advertising?

There is no denying that advertising does good things. Among them, advertising supports a free press. In the United States, most media (both entertainment and news) are supported by advertising dollars. Given their aversion to government control (prevented by the First Amendment), the various media must seek support elsewhere. Although subscriber fees (magazine and newspaper subscriptions, cable television fees, and burgeoning internet pay-to-access sites) defray a portion of costs, these media, and others, simply wouldn’t be viable without other means of support. And that support almost always comes in the form of advertising. Very little of the media in the U.S. today exists free of advertising revenue, including the new media, which are struggling to come up with a workable business model—so far, still based on advertising income.

Advertising is also necessary to the functioning of a free-market economy. It informs the public about the availability of new products and explains the benefits and improvements of existing products, services, and ideas. It helps sustain the healthy competition necessary to such an economy and contributes to general economic growth by so doing. It can result in lowering prices and a general participation by the public in the process of normal consumption. As mentioned previously, the Supreme Court has even equated consumers with citizens, saying, in essence, that in some instances the decisions we make as consumers can be more important to our daily lives than those we make as citizens. To that end, advertising can also inform citizens about the ideas of political candidates, their policy decisions, and often something of their character, and it can bring candidates to our attention who might not otherwise be known.

Finally, advertising, in and of itself, is often viewed as an art form. It employs millions of people who plan, design, write, and create the messages and images we see every day in thousands of advertisements. As with any art form, the best of advertising is witty and entertaining, uplifting and inspirational.

So, What’s the Problem?

Because media are so dependent on advertising revenue for survival, an increase in advertisements and commercials is inevitable, even unavoidable. The result is that we are bombarded with advertising messages, causing what has often been called “information clutter.” Well over 50 percent of all newspaper pages are filled with advertising, roughly the same number for magazines, and a

lesser quantity, but more intrusive in many ways, for radio and television. The average television entertainment half-hour is really only about 20 minutes of programming. The remainder is filled with advertising. Most recently, radio has begun to digitally compress news interviews and talk shows in order to cram in even more advertising. Internet pages are filled with annoying popups, distractingly busy images, and even sounds—including outright sales pitches using both video and audio. Access to news stories frequently pass through “welcome pages” with full-screen, animated advertising acting as road blocks between us and the information we are trying to access.

Even the YouTube videos we used to assume were free of the clutter of advertising are now introduced with ads that you’re forced to watch, if only for a few seconds. And, the page surrounding your video choice is likely to be filled with ads that have been determined by your internet usage preferences—which have been collected by YouTube and its owner, Google. YouTube explains its approach to advertising this way:

While on YouTube, you may see ads appear inside and alongside the videos you watch. It's our goal to make these ads as relevant as possible for you. While we often show you ads based on the topic of the video you are viewing, we also use technology that shows some ads based on interest categories that you might find useful. As you watch videos, or take actions (such as uploading) YouTube stores an advertising cookie in your browser to understand the types of videos you watch. Based on this information, YouTube associates your browser with relevant interest categories and uses these categories to show interest-based ads on videos you watch. For example, if you watch many sports-related videos, YouTube may associate a sports interest category with your cookie and show more sports-related ads to you.³

Apparently, this approach is working. the average top 1,000 YouTube channels make \$23,000 a month in ad revenue.⁴

A side effect of the media’s dependency on advertising dollars is that, in order to survive, media must reach the type of audiences sought by their advertisers, and produce the type of programming and information content that will attract the largest numbers of that audience. This raises a multitude of issues including the cultural and social implications of both advertising and the programming it supports.

Before we tackle those issues, let’s first take a look at some of the approaches to ethics in advertising suggested by modern research. What follows are several ways of looking at modern marketing/advertising communications from a “big picture” perspective. Following that, we will discuss some of the specific issues that constitute much of the potential ethical problems associated with advertising.

Ethical Approaches Specific to Advertising

Advertising is a much-studied industry. Much of that research is related to the effectiveness of advertising and is industry-generated; however, a fair amount of research is given over to ethics. Recent research has also begun to focus on such topics as advertising on the internet and the effects of direct-to-consumer (DTC) advertising, especially pharmaceuticals. Some of these will be addressed later in this chapter. First, however, we will look at some of the more general approaches to studying ethics in advertising.

Moral Myopia

As mentioned in Chapter 4, Minette Drumwright and Patrick Murphy have coined the phrase “moral myopia” to describe the position of many in advertising towards ethics. It bears repeating here, along with more detail, because it applies specifically to advertising.

[M]oral myopia as a distortion of moral vision, ranging from shortsightedness to near blindness, which affects an individual’s perception of an ethical dilemma. Moral myopia hinders moral issues from coming clearly into focus, particularly those that are not proximate, and it can be so severe that it may render a person effectively morally blind. If moral issues are not seen at all or are somehow distorted, it is highly unlikely that sound ethical decision making will occur.⁵

In personal interviews with advertising professionals in eight large metropolitan areas across the country, Drumwright and Murphy found two kinds of practitioners: those who are ethically sensitive and those who are not. For the latter group, ethical issues simply do not “appear to be on the radar screens.” In most cases, these practitioners either thought that ethical issues didn’t apply or, if they noticed them at all, did not discuss them. This is owing to either a failure to see an ethical problem at all or a tendency to rationalize a problem, further distorting its ethical dimensions. Drumwright and Murphy categorize a number of reasons (or excuses) for avoiding ethical issues. The following stand out.

- **An unwavering faith in consumers**—A belief that consumers are too smart to fool through unethical practices, thus advertising messages need not be evaluated for ethicality. The paradox is that advertising is created to persuade, and admitting that it is powerless in the face of smart consumers seems contradictory.
- **Passing the buck**—Putting the onus of ethicality on parties other than the advertising practitioner (parents, peers, the media, clients, etc.). In other words, society is to blame if something unethical is slipping into advertising. This raises anew the question of whether advertising creates or reflects societal mores. More importantly, it absolves advertising of any responsibility in the creation of these messages. As we have seen previously in this book, responsibility and accountability are shared throughout the communication process.

- **Legality equals morality**—A belief that laws governing advertising are sufficient as ethical guidelines. This also leads to the notion that advertising legally sanctioned products (cigarettes, for instance) leaves the moral decision up to the consumer (buck passing). The law, however, only covers the most blatant offenses within society. The nuances are much harder to deal with. Ethics is full of nuances, and typically requires a determined conversation to ferret them all out. In other words, ethics covers what the law does not, and requires hard work. Assuming that what is legal is also the sum of what is ethical is a lazy response to a complex problem.
- **Moral muteness**—The tendency to not rock the boat. Even if advertising practitioners feel there is an ethical problem, there is often a reluctance to bring it up in order to avoid confrontation—which could lead to losing the client. This phenomenon is defined as a situation in which advertising practitioners “do not recognizably communicate their moral concerns in settings where such communicating would be fitting.”⁶ This “muteness” is manifested in several ways: not blowing the whistle or questioning unethical decisions; not speaking up for ethical ideals when that action is clearly called for; and not holding others accountable for their actions.⁷ The authors subsequently identified several excuses that are most frequently used to rationalize moral muteness. Among them are the following:
- **Compartmentalization**—Separating personal ethics from occupational behavior. This results in at least two sets of standards. As discussed in Chapter 3, the tension between professional and personal ethics is always present; however, if ethics is avoided altogether in one’s professional life, the conflict between personal beliefs and what one must do on the job can be very great indeed—and cause a great deal of dissonance. In addition, this compartmentalization is often the result of assigning different virtues to what one does as a professional from what one would ascribe to a “good” person. For example, if an advertising practitioner’s primary (functional) virtue on the job is creativity, then other (moral) virtues, such as compassion, may be ignored simply because, when one is at work, the proper measurement of success is usually considered to be functional. According to Drumwright and Murphy, compartmentalization leads to the avoidance of responsibility for the negative effects of advertising.
- **The client is always right**—The agency model of the client–professional relationship discussed in Chapter 3 privileges functional over moral responsibilities. There is an inclination in advertising to put the clients at the very top of the list of claimants purely because they pay the bills. This leads to a lack of critical judgment, especially as regards ethics. The authors call this a “please-o-holic” tendency, which places the agency in a subordinate position to the client, and, to an extent, absolves it of any moral responsibility (passing the buck, again). As we have seen, the proper relationship between professional and client is a fiduciary one in which decisions as well as responsibility are shared.

Finally, Drumwright and Murphy discovered a second group of advertising practitioners “who typically recognized moral issues and talked about them inside the agency with their co-workers and outside the agency with their clients and potential clients.”⁸ Although this was a smaller group, comparatively, they were “notable exceptions” that they labeled “seeing, talking” practitioners. The authors noted that the most significant difference between these and the previous group seemed to be the moral climate in which they operated. They worked within agencies that “appeared to have some authentic norms regarding ethical behavior that were widely held and clearly articulated by members of the community.”⁹ In line with the major premise of this book, the “seeing, talking” advertising practitioners tended to adhere to a more formal moral decision-making framework involving recognition of the issue, communication about it, and the decision itself.

- **Recognition**—This group of practitioners seem to recognize moral issues when they encounter them, and count on their clients to view issues similarly. Thus, these practitioners “did not conceive of their roles as merely doing their clients’ bidding. Instead, their roles encompassed making judgments and asserting opinions, as would be expected of a trusted partner.”¹⁰ In other words, they follow the fiduciary model outlined in Chapter 3. However, for most of those interviewed who fall into this “seeing, talking” group, the issues they were most likely to recognize were discrete, narrowly focused on the immediate and not on long-term or unintended social consequences. They suggest, in agreement with other, earlier research into advertising, that societal issues are perhaps thought of as too vague and the results difficult to calculate—one of the primary drawbacks to considering a broader definition of social responsibility among organizations in general.
- **Communication**—The “seeing, talking” practitioners also believed in open and direct communication, including that concerning ethical issues, which included plainly stating their own ethical values to potential clients to make sure that those of the client would match up favorably with theirs. They also cited the importance of agency-wide values initiated by those in charge and officially stated as part of the agency culture. These were frequently codified and prominently displayed, not merely as window dressing, but as an affirmation of a recognizable moral climate.
- **Decision**—Another hallmark of this group was the willingness and moral courage to say no, to each other and to their clients. This is in direct contrast to the sentiments of the other group of practitioners for whom the desires of the client were law—ethical or not.

According to Drumwright and Murphy, the “seeing, thinking” practitioners “appear to have mastered the various aspects of Rest’s model of four psychological components determining moral behavior:

1. moral sensitivity (interpreting the situation),
2. moral judgment (judging which action is morally right/wrong),

3. moral motivation (prioritizing moral values relative to other values), and
4. moral character (having courage, persisting, overcoming distractions, implementing skills).¹¹

The result is what they call “moral imagination”—“being able to see and think outside the box, envisioning moral alternatives that others do not.”

On the whole, the research conducted by Drumwright and Murphy, and their accompanying analysis seems to confirm what others have suggested and point to new methods of understanding advertising practitioners and the way they deal with ethical issues. Ultimately, the importance of a moral community/culture can't be overstated, for only within a nurturing environment can moral action be unabashedly practiced. The authors end with a list of propositions, among which are the following suggestions about what sort of working environment is most conducive to a higher level of moral sensitivity.

- Leaders who create a context in which moral imagination can flourish in the offices in which they work.
 - Agencies with a highly communicative corporate culture.
 - Agencies with frequent internal communication about core values.
- Agencies with frequent communication between upper management and lower-level employees about tough ethical issues.
- Agencies with formal ethics policies that have been widely disseminated within the organization and discussed among co-workers.

A Philosophical Approach

Christopher Hackley and Phillip Kitchen, British academics in business and marketing, claim that modern marketing communications have evolved into a “Leviathan,” much in the way Thomas Hobbes described government. That is, today's marketing environment is a vast and omnipresent element of modern society.

They begin by assuming, as do many others, that advertising “does not, in general seek to promote the advancement of human moral sensibility.”¹² They point out that one of the major dangers of marketing is that it is able, and quite willing, to combine emotional and rational appeals, suggesting that, in most cases, the emotional reaction to marketing precedes the rational. Recall the discussion of the Elaboration Likelihood Model in Chapter 6 that supports the notion that consumers of persuasive communication tend to process information either cognitively (using your head) or peripherally (using your emotions), or by using a combination of the two methods.

Another variable in modern consumer culture that contributes to this problem is the blurring of the lines between marketing communications and entertainment. The influence of the symbolic in film has led, they believe, to an entertainment-based advertising medium in which products are more likely to be sold based on symbolic context rather than literal descriptions of their salient features. In other words, a bar of soap becomes a refreshing spring day

rather than a head-to-head competitor with other bar soap with differences defined in actual qualities instead of images.

The authors cite Plato, who, as you recall, didn't have a lot of faith in the people to run their own society. He believed that the masses had neither the education nor the experience to make complex decisions and were ruled mostly by emotion. Plato believed that the information people obtain from their senses, and which they tend to use in making life choices, was merely the result of the projection of reality, not reality itself (remember the parable of the cave?).

The authors conclude by noting that the cumulative effect of modern marketing communications may impair both the critical and moral reasoning of individuals flooded with an endless barrage of messages on a daily basis.

A Professional Ethics Approach

Johannes Brinkmann, a Norwegian sociologist and business ethicist, suggests that marketing ethics would be best viewed as a professional endeavor, allowing it to be subject to the various approaches common to professional ethics. Assuming the criteria of professionalism (as described in Chapter 3 of this book) are met, more or less, by marketing, he outlines four approaches to professional ethics that are typically used in business and marketing (and, by extension, advertising).¹³

- The **moral conflict approach** recognizes that for most professionals ethics is a pretty abstract concept, until they are forced to face an ethical dilemma. As Brinkman notes, “[B]usiness ethics can be an abstract issue for most ordinary business people unless it is experienced in the format of urgent and threatening conflicts and dilemmas.”¹⁴

The problem with this approach is that, unless there is a conflict, very little attention will be paid to ethics in general.

- The **professional code approach** suggests that moral dilemmas are best handled by the implementation of rules, typically set down as codes. Such codes draw maps of expected conflicts, expected or suggested solutions and, perhaps, predictable sanctions. Codes try to exploit the positive functions of legal regulation by institutionalizing rules and laws which are valid for organization members who accept the rules by signature when joining or when passing exams.¹⁵

Strengths of the code approach include the above-mentioned plus such additions as peer pressure from those in the profession, limitation of power, and a broadening of social responsibilities. On the downside, codes are sometimes imprecise, heavy on symbolism, and difficult to enforce.

- The **professional role morality approach** views ethics from the perspective of rights and obligations inherent in the role itself, as opposed to personal ethics. Given that professionals are typically considered to be relatively autonomous in their actions, they are also more responsible for their actions. Conversely, because professional roles generally limit

choices to those requiring professional expertise only, moral responsibility can be reduced somewhat. Thus, professionals may, when faced with criticism, simply blame the role.

For example, the degree of obligation owed a client can outweigh the degree of obligation owed a third party. Or, as Brinkman points out, the professional could simply say, “I withheld information, or even lied as a professional, not as a person.”¹⁶ The major drawback to this approach is that the role becomes the sole arbiter of ethical action rather than the moral agent acting as a “subject with free choices.”¹⁷

- The *moral climate approach* posits that ethics is best understood as being part of an overall climate or culture that a professional is socialized into. A moral climate both shapes and is shaped by its participants.

Derived from a work climate definition, moral climate has been defined as “stable, psychologically meaningful, shared perceptions employees hold concerning ethical procedures and policies existing in their organizations.”¹⁸

The strength of this approach is that it is holistic—it includes the entirety of the cultural and social context in which decisions are made, allowing for a broader consideration of issues, causes, conflicts, and affected parties. The weaknesses of this approach are that it is dependent on the degree to which the individuals internalize the goals of the moral climate (make it a part of their personal and professional ethical system), and the possibility that any given moral climate may be biased in its values in favor of the organization.

Brinkman suggests that these various approaches are not mutually exclusive, and, in fact, are complementary and can be combined—with moral climate being the best approach as a base for incorporating the others.

Moral climates can prevent and handle moral conflict and can be learned by newcomers together with rules and roles. Climates are more or less dependent on ethical codes. Role players produce and reproduce moral climates. Many moral conflicts can be understood as role conflicts, codes describe role rights and duties, etc.¹⁹

Special Issues in Advertising Ethics

As with the other media discussed in this book, advertising has a number of flashpoint issues that seem to recur as areas of concern and subsequent investigation. The ethics scholar John Alan Cohan takes the position, often stated in this book, that, in itself, advertising is neither morally good nor bad. The ethics of advertising has to do with an evaluation of the content and techniques deployed in given bits of advertising, or prestige value of material things.²⁰

Many of the ethical issues discussed here have to do with content and techniques. Others are broader and deal with larger societal issues, such as consumption being equated with happiness. For example, in a report on ethics in advertising produced by the Vatican (yes, the Vatican), the overarching

concern appears to be that advertising often generates its own values or, at the very least, is extremely “selective about the values and attitudes to be fostered and encouraged, promoting some while ignoring others.”²¹ And advertising can sometimes promote values that are not necessarily compatible with a healthy society (healthy on many levels). For example, advertising tends to focus on material gain. In fact, much of advertising promotes a blatantly consumer-oriented culture. For those with enough income to pursue such goals, this might not be a problem (functionally, at least). However, for those millions of society’s members who have trouble enough making ends meet, the feeling of being left out or of needing to compete in the acquisitions race can be problematic. As Cohan puts it, “Advertising often fosters the philosophy that human happiness depends on the possession or prestige value of material things.”²²

However, the historian Michael Schudson suggests that “People’s needs have never been natural but always cultural, always social, always defined relative to the standards of their societies.”²³ Recall that Aristotle would not have us live without the material things that make life comfortable and aesthetically pleasing. On the other hand, he would also not have us value the acquisition of material goods above the acquisition of a good character, which ultimately is what leads to a good life. Regardless, we must also accept that advertising is required by its very nature to paint such a picture—consumption leads to pleasure, which leads to happiness. Whether this is literally true or not, we must remember that advertising is an otherwise valuable element and a mainstay of a free-market economy. It is also capable of doing so without disrespecting those to whom it appeals—consumers.

Following, then, is a short list of some the most common ethical concerns associated with advertising. Note that these are not mutually exclusive and often overlap.

Advertising often attempts to bypass rational thinking and, in so doing, sometimes creates a sort of fiction by avoiding the literal truth.

Much of advertising is aimed at peripheral processors, especially for those products that are difficult to distinguish among, thus requiring the creation of images in order to sell them (perfume, soap, colas, etc.). Because of this requirement, advertising uses all the techniques of entertainment at its disposal to both attract the consumer to products and distract the consumer from consideration of the rational and definable differences among products—which creates grey areas that truth-in-advertising laws don’t cover, and which are vague enough to be ethically troubling.

Symbolic ambience can be defined as the use of emotional images and cultural symbols to create a context for a product, essentially void of actual product attributes.

Some of these grey areas include “puffery,” the use of vague words or phrases such as “the best” or “most desirable.” Carl P. Wrighter called these “weasel words” and warned that they can seem to say something that they

don't literally mean.²⁴ For example, “helps your body grow” doesn't really answer the question of how it helps, or what exactly it's helping—good eating habits, exercise, steroids?

Another, much larger, problem is the creation of images or a kind of symbolic ambience in order to sell products, services, or ideas when comparing actual product attributes doesn't seem to suffice. *Symbolic ambience* can be defined as the use of emotional images and cultural symbols to create a context for a product, essentially void of actual product attributes.²⁵ For example, scenes of crowded, upscale bars full of young, good looking people are a time-honored technique for selling certain types of beer. Or snowy landscapes equal “pure” products. Or a fun day at the beach means that you're obviously enjoying the right brand of cola. These, and hundreds of other similar ambience-creating methods, all avoid the more difficult chore of a straightforward comparison of products.

Advertising tends to classify audiences by type, sometimes leading to stereotyping.

Because audiences are typically classified by a generic typing (typically using demographics), there is a tendency to ignore the subtleties of human character in favor of the most obvious characteristics of a group. The result is that often advertising paints too simplistic a picture of some people, which can be misleading and, sometimes, even offensive. For example, in recent years television has created a genre of men on numerous sitcoms who could only be classified as “the bumbling husband” type. Advertising, in turn, has mimicked this stereotype by picturing both boys and men as incapable of understanding the mysteries of laundry, or cooking a family meal without purchasing it in a bucket, or keeping themselves clean more than a few minutes at a time. Examples range from Homer Simpson to the title character on *Everybody Loves Raymond*. It may seem silly, but doesn't this lower in some way the expectations women have of men in a home setting?

The converse of this is that advertising often ignores certain audiences because they don't fit the demographic. Because advertising, and marketing in general, rely on demographic information (age, education, income, habits of buying and consuming, etc.) to determine their audience, there is a temptation to ignore certain segments simply because they don't fit into the required demographic—the very young, the very old, the poor, for example. If you belong to one of these groups, you may begin to feel that you are not important. The sad fact is that some groups wouldn't appear at all if it weren't for stereotypes. For example, how many Native Americans have you seen in television commercials who weren't stereotyped in some way? Now, ask yourself why they don't appear.

The increasing sophistication of advertising can lead to a lack of transparency.

Consumers have traditionally been able to avoid advertising, but in the “old days” it was much harder. You literally had to skip the advertising in magazines (which was pretty difficult to do), get up and go to the kitchen for a snack

during commercials on TV, switch stations on the radio whenever an ad came on, or just generally ignore what was being shouted at you from every sign on a block of retail stores. Of course, advertising countered with increasingly intrusive techniques to gain your attention, including placards on grocery carts and bathroom stalls, unending rows of kiosks at shopping malls, louder and flashier television commercials, and increasingly larger advertising supplements in newspapers and direct mail.

With the advent of digital media, advertising seized on yet another chance to get your attention; however, the new technology has also created new ways of avoiding advertising—zapping commercials with digital recorders, setting pop-up and spam blockers on computers, etc. The important thing to note here is that, up to this point, consumers have mostly been able to recognize advertising for what it is, and avoid it as they saw fit. We know from both elaboration likelihood and cognitive dissonance theories that, if we recognize that a communication is persuasive, we can set up psychological defenses against it.

But, what if we don't know it's a sales pitch? In response to technological advances that have allowed consumers to avoid certain types of persuasive messages, advertisers have responded with increasingly sophisticated means of calling attention to their products, including methods that avoid the appearance of advertising altogether. This raises the important ethical concern of whether advertising masquerading as “friendly conversation” (or anything other than what it truly is) is deceptive or not. Advertising within social media (sometimes called “viral” marketing) is one of those techniques that will be discussed below.

Advertisers have responded to new technology with increasingly sophisticated means of calling attention to their products, including methods that avoid the appearance of advertising altogether.

Advertising can be offensive and tasteless.

Because of the need to get the attention of audiences, advertisers often resort to techniques designed to “cut through the clutter.”²⁶ This generally means ads designed to get your attention, and nothing gets attention like shocking visuals or copy. In addition, sometimes advertising that we may find offensive has been deliberately designed to “push the creative envelope”—often a euphemism for “you're not hip if you think this ad is offensive.” Other times, advertising professionals are charged with selling products that, by their nature, require approaches that may offend some people. For example, how does one sell perfume or cologne when the main purpose of the product is to attract someone sexually? In order to deal with these issues, many involved in advertising take an approach described earlier as moral subjectivism—everything is a matter of personal opinion or taste, thus it really isn't legitimate to say an advertisement is tasteless or immoral.

Let's turn now to dealing with some of these concerns in more detail beginning with those grey areas where truth often becomes the victim of creative presentation.

Creating the Image: Between the Truth and the Lie

Advertising isn't just about information dissemination; it's also about persuasion, and, as we know, the act of persuasion is fraught with ethical dilemmas. For example, advertising can be outright deceptive, as in all those weight-loss ads claiming remarkable results literally overnight, or the myriad products advertised to enhance sexuality (your spam filter probably handles most, but not all, of these). In the cases where the veracity of the claim is clearly in doubt, intelligent consumers tend to discount the advertisement and the product immediately. For most of us, our "qualified expectation of reality" negates the more blatant attempts to fool us. However, there will always be those, either desperate or merely gullible, who will be fooled. Advertising practitioners cannot simply rely on the old adage *caveat emptor* (buyer beware) when deliberately attempting to mislead consumers. In these cases, the various laws and agencies controlling advertising can be called on to intercede between consumer and advertiser. But these very obvious ethical, and legal, violations are not the most troubling aspects of potentially deceptive advertising.

The real difficulty comes in the grey areas of advertising—somewhere between the absolute truth and the absolute lie. Much of advertising is designed to *motivate* people rather than to *inform* them—either to buy something, adopt an attitude conducive to consuming, stick with a product or idea, or to literally adopt a way of thinking that can lead to the acceptance of an entirely new idea or product. On the face of it, this is not unethical; however, a

potential problem occurs when advertising switches from enumerating actual differences among competing brands to creating a *symbolic ambience* through the use of such things as cultural symbols (American flags), music (your favorite rock song), emotional narratives (happy puppies frolicking with happy nuclear families), and sexual images (always young, barely clothed, and in provocative poses) in order to distinguish their product from other, similar products.

This might be called *advertising through implication*. The *New Oxford American Dictionary* defines *imply* as to "strongly suggest the truth or existence of something not expressly stated." For example, in 1990 the Leo Burnett agency produced a short television commercial for the investment firm Dean Witter. It was composed of seemingly original 1920s newsreel-style footage of a man obliquely identified as Dean Witter giving a fatherly pep talk to a small group of businessmen sitting and standing around a table in a richly appointed office, sipping coffee. The footage was a faded black-and-white, scratchy, jerky, piece—complete with jump cuts and tinny sound. A quiet, East-coast-accented voice emanates from a gentle, bespectacled man we suppose is Dean

Much of advertising is designed to motivate people rather than to inform them—either to buy something, adopt an attitude conducive to consuming, stick with a product or idea, or to literally adopt a way of thinking that can lead to the acceptance of an entirely new idea or product.

Witter, advising his comrades that “We measure success one investor at a time.”

The commercial subtly implies that this footage was shot in a time before advertising learned to manipulate the truth—a time when even businessmen were kind and gentle. Of course, the footage was shot in 1990, using actors, and intentionally designed to look authentic. It’s also unlikely that Dean Witter had an East coast accent, given that he was raised and lived in California, but that’s the sound we expect, because that’s what nearly everyone in movies from the period had. It came to be called “Mid-Atlantic English”—slightly reminiscent of a British accent—and was widely used by both film actors and broadcasters of the period preceding World War II. The point is, no one says the accent is authentic. No one says the footage is authentic. No one says the man speaking is actually Dean Witter. But it is *implied*. Notably, nothing is expressly said as to why anyone should invest with Dean Witter. What the ad does is create an “emotional bond” between the brand and the potential consumer of the product.

According to advertising researcher Rosalinde Rago, the classical approach to marketing has traditionally been to compare products by “performance advantage.” However, with the rise of new technology and proliferation of ever-newer channels of communication, “product differentiation based on functional differences has become increasingly difficult.”²⁷

[A]s brand clutter increases and functional benefits become less distinct and less likely to be acknowledged, marketers have had to rely more on those intangible characteristics of a product and its advertising that serve to establish a unique relationship—or emotional bond—between the brand and the target consumer.²⁸

Because of the ease with which consumers can avoid commercials in this new environment, “Advertising today cannot argue. It must entice. It must seduce. It must present an attitude about the brand that insinuates itself into consumers’ lifestyle aspirations and self-perceptions.” More and more advertising is being developed, which, in addition to illuminating the functional benefit, is designed to engage the viewer in the commercial tale. It demands that the viewer participate and, himself, supply some of the meaning.²⁹

This approach is especially important for *parity products*, those whose attributes are shared broadly with competing products, thus making differentiation more difficult—if not impossible. These include such items as soap, shampoo, cola drinks, beer (especially mass-produced American beer), athletic shoes, perfume and cologne, laundry detergent, and investment firms—to name just a few. The result has been that advertising agencies frequently resort to creating an image that then has to compete with other images for other products. By relying on image rather than actual product attributes, the focus is shifted from the product to an illusion of a better life associated with the purchase of the product. Consumers are left to judge, if they can, the actual differences among

Parity products are those whose attributes are shared broadly with competing products, thus making differentiation more difficult—if not impossible

products, and are sometimes the poorer for not understanding exactly what they are buying other than an image.

Take cola drinks as an example. Most people have a preference and, subsequently, can identify their favorite in a taste test. On the other hand, sugar content seems to have played a significant factor in the early days of taste testing, in which Pepsi typically came in ahead of Coke. In reality, most cola drinks look alike, taste somewhat the same, contain similar ingredients (including caffeine), and are difficult to differentiate through advertising according to their actual physical properties. The result is that we have an ongoing battle between cola cultures, with the prize an increasingly younger, hipper audience. Because the content is not the issue, image becomes the selling point. Without image, we are left with selling the actual attributes, honestly. In the 2009 satirical movie, *The Invention of Lying*, a world is envisioned in which people simply don't know how to lie. The result is commercials that tell the literal truth. For example, what if you had to sell soft drinks only on their honest attributes, like this TV spokesperson for Coca-Cola?

Hi, I'm Bob. I'm the spokesperson for the Coca-Cola company. I'm here today to ask you to continue buying coke. Sure it's a drink you've been drinking for years, and if you still enjoy it, I'd like to remind you to buy it again sometime soon.

It's basically just brown sugar water. We haven't changed the ingredients much lately, so there's nothing new I can tell you about that. We changed the can around a little bit though. See, the colors here are different there, and we added a polar bear so the kids like us. Coke's very high in sugar, and like any high calorie soda it can lead to obesity in children and adults who don't sustain a very healthy diet.

And that's it. It's coke. It's very famous, everyone knows it. I'm Bob, I work for coke, and I'm asking you to not stop buying coke. That's all. Thank you.

Maybe this is the most ethical approach to advertising; however, we don't live in a world of total truth telling.

Nonetheless, advertising a product based on a created image while avoiding the realities of the product's contents couldn't be said to be entirely ethical—especially if the contents are unhealthy. Obvious products in this category include, for instance, cigarettes, which historically were sold based on image alone while consumers were led to believe that image trumped reality. But think about the health factors involved in fast food, alcohol, soft drinks, candy, and myriad other products sold almost entirely through the creation of cultural images. How many of us think of the content of a fast-food sandwich while we're watching a fast-food commercial late in the evening after having

skipped dinner? But is it entirely up to us to weigh the pros and cons of running out to the nearest drive-through for a burger and fries?

Some in advertising have also noted the movement toward fuzzier product identities. Brad VanAuken, a professional consultant on brand strategy, suggests that advertising has become too reliant on emotion as a sales technique. He cites the Continental Airlines slogan “More airline for the money” as an example of branding through an easily recognizable performance characteristic—a reason to choose them over other airlines. Then their slogan was inexplicably changed to “Work hard. Fly right,” which, according to VanAuken, not only doesn’t mean anything, it’s also “silly.”³⁰

He also points out that, even if we are sold products through emotional appeal, we still want “reasons” other than emotional stimulus before we go into debt over a \$50,000 BMW or a \$10,000 Rolex. We may not need a more expensive car or expensive jewelry in order to live completely productive and satisfying lives. However, if we were to at least consider quality and performance, then our decisions would be based on legitimate differences that perhaps meet our actual needs. After all, a BMW is a great performance car, and a Rolex “takes a year to build.”³¹ We can justify purchases as being based on other than emotional satisfaction, but we must have access to that other information presented and available to us in order to do so.

Puffery

Even if an advertisement does present attributes or performance claims, it doesn’t necessarily follow that the claims are legitimate. It may be only mildly frustrating to consumers to notice that the claim a dandruff shampoo “fights dandruff” doesn’t say it eliminates it altogether, or that “Four out of five dentists surveyed recommend sugarless gum for their patients who chew gum,” is so overqualified as to be meaningless as a statistic. However, advertising that sets up a false impression of a product or a product’s benefits to the consumer by seeming to promise actual performance characteristics is acting unethically.

For example, a few years ago, the advertising agency for KFC produced an ad series that was eventually taken out of play on the order of the Federal Trade Commission (FTC). Kentucky Fried Chicken had already opted for calling itself KFC in order to remove the “Fried” part from its image. But they took a giant step backward when an ad claimed that “Two Original Recipe chicken breasts have less fat than a Burger King Whopper. Or go skinless for 3 grams of fat per piece.”

According to Bob Garfield, who writes a regular feature for *Advertising Age* on TV commercials, this was an example of “desperate and sleazy tactics” prompted by the upsurge in consumer willingness to “put their money where their arteries are.”³² As if to slip under the legal wire, fine print briefly flashed the message that KFC is “not a low fat, low sodium, low cholesterol food.” The reality is that there is a five-gram difference between the two fast-food mainstays, and that neither product is especially good for you. The point is that KFC wasn’t actually saying their deep-fried chicken is good for you—they were saying that it had less fat than another fatty, fast-food product. They were implying, however, that it was good for you, and that’s the problem.

In response, the FTC charged the company with making false claims concerning nutritional value, weight-loss benefits, and health benefits that are not substantiated. Eventually, KFC withdrew the claims. However, this case exemplifies the problem of making direct comparison claims for products that are significantly the same (nutritionally at least) and helps explain why so many such products are marketed using images rather than facts. It also points to the problems inherent in exaggerating claims, whether through image cues or simply “fuzzyfying” the facts.

The KFC case is pretty easy to understand as ethically problematic. But what about those claims that are not patently false yet seem to say something about a product that isn’t exactly provable? Techniques ranging from annoying to downright unethical allow for product claims to be made in ways that are either too vague to be understood or too misleading to be considered the literal truth. This is often referred to as “puffery,” which the FTC has defined as a “term frequently used to denote the exaggerations reasonably to be expected of a seller as to the degree of quality of his product, the truth or falsity of which cannot be precisely determined.”³³ This would include such claims as:

- We make the world’s best mattress (Serta)
- America’s favorite neighborhood (Applebees restaurants)
- Nobody does breakfast like IHOP does breakfast
- Fly the friendly skies of United

What these, and thousands of other claims like them, have in common is that they express subjective rather than objective views, and are based on the notion that a “reasonable person” would tend not to take these claims literally (the *qualified expectation of reality* test). As with most such definitions, however, what constitutes a “reasonable person” is open to interpretation. The advertising critic and scholar Ivan Preston wants to know if the FTC chooses to “protect only reasonable, sensible, intelligent consumers who conduct themselves wisely in the marketplace? Or does it also protect those who act less wisely?”³⁴ He argues that the defining factor separating a reasonable person from anyone else should be that “in the given context . . . [the latter] are poorly informed or utterly uninformed. They have not obtained all of the information that can affect the decisions they will make.”³⁵

Preston is bothered by advertisers’ seeming assumption that such claims are not false—that “who’s to say you won’t experience a sense of utter freedom while driving that new car?” is a legitimate matter of opinion and it *could* happen. However, Preston asserts that these features are “attached to products in an entirely arbitrary manner, there because the message says they are, and only because the message says they are.”³⁶ He calls such claims as “Reebok believes in the athlete in all of us” *social-psychological representations*. Claims such as these imply that a product “possesses a feature that in truth exists only in consumers’ social environments or within their own personalities or mental states of mind.”³⁷ The problem with claims such as this is that expressions of self-image

[are] not truly part of the product, but [are] associated with the product only in the representation. The message implied to the consumer, how-

ever, can be that the feature will accompany the product with such certainty that it may be treated as if it were an actual part of the product.³⁸

Unfortunately, the law doesn't cover these vague areas of illusory attributes and implied promises. The law says a claim must be false to be harmful. Preston insists that "The question is not whether [puffery] is false . . . but whether it is deceptive."³⁹

The Ethical Bottom Line for Creating Symbolic Ambience

Does selling a product by creating an image using emotion or other cultural or social cues in order to avoid outright product comparisons necessarily constitute unethical behavior? That would be too harsh a judgment; however, advertising professionals must realize that they have an obligation to present products in such a way as not to build a false impression of what a consumer may expect from a product or to create a "need" based solely on an image. That advertising may create a desire is not necessarily damning. What is questionable is the exploitation of emotions or the circumvention of rational thought processes—which is manipulative. When that happens, a consumer's freedom of choice is limited and her autonomy is violated.

Remember, respect for those with whom you communicate dictates that they understand fully the content of your message. They may not be fooled by talking frogs or football-playing Clydesdales. But they may actually believe that buying a diamond ring designed exclusively for a woman's right hand which says, "me" instead of "we" (which is what the one on the left hand apparently says) somehow makes a woman independent and in charge. After all, the same company that came up with this idea also came up with the concept of the diamond engagement ring some 80 years ago (yes, only 80 years ago) and marketed it through one of the largest advertising agencies of the time. Today, more than 80 percent of American brides receive a diamond engagement ring at an average cost of \$3,200.50 Can advertising create a need? Yes. Can it do so by simply creating an image? Yes. Is there anything potentially unethical about this? Yes.

Respect for those with whom you communicate dictates that they understand fully the content of your message.

Fudging facts and playing with words and images to create a picture that is not quite true is an obvious ethical violation. However, sidestepping reality by projecting an illusion of a product is also problematic, and a dubious practice at the very least. When we do this, we run the risk of misleading our audiences, especially if what we create doesn't address the real needs of the people paying money to participate in our fantasy. Contrary to what some believe, advertising is not in the business of selling dreams. It is in the business of selling things. To the extent that advertising agencies can avoid images that say little or nothing about the actual product, service, or person being "sold," they should do so. At the very least, such images need to be based on real assumptions about the actual affects of the product, not merely on a created illusion.

A Reflection or a Creator of Reality: Stereotyping

Happy, good-looking, thin, mostly white, heterosexual, young people inhabit the world created by advertising. Although many have argued that advertising merely reflects the society and culture inside of which it is produced, the question of exactly what parts of society, which of its cultures, and what values of that society and those cultures are chosen to be portrayed is a big one. Others argue that advertising is extremely selective about what it shows us as reality. Common complaints are that certain values and cultures are virtually ignored. The Vatican report mentioned earlier in this chapter suggested that the absence from advertising of certain racial and ethnic groups in some multi-racial or multi-ethnic societies can help to create problems of image and identity, especially among those neglected.⁴⁰

Over the years, we have seen an increase in the inclusion of some ethnic minorities in advertising; however, recent research into television commercials suggests that, as far as the largest minority segments go (blacks and Hispanics), there is still serious underrepresentation. Some have pointed out that, despite an increase in representation of some minorities, others are ignored.

It is clear that minority groups represent important segments to all types of companies that provide goods and services to Americans. However, advertisers' recognition of the importance of the groups is inconsistent. Many advertisers do not specifically target any minority group. Most advertisers that specifically target minority populations identify Hispanics as their primary minority group target, with Asians identified as their second most important target and with African Americans, the largest group, as their third priority. Other groups, such as Native Americans, are rarely targeted.⁴¹

Because of the lack of representation in advertising (and other media, for that matter), we are often left with an incomplete or erroneous image of some members of our own society. Consequently, to the extent that members of the host society are denied an opportunity to learn about minorities through the media (either in programming or through advertisements) due to insufficient frequency of appearance, or are provided with mainly stereotypical representations, the effect may be to perpetuate stereotypical attitudes toward minority groups, as well as to interfere with the acculturation process of those minorities.⁴²

If we don't see ourselves in the media we consume, or we do see ourselves, but in a way that doesn't really represent who we are, can we then say that those media are truly a reflection of society? Can we legitimately blame advertising, for example, for its abbreviated view of our world? What are the constraints that have led to the incomplete and often inaccurate image that we see when we look into the mirror that is modern advertising?

What is Stereotyping?

The way we most commonly use the term is an outgrowth of a concept first proposed by the journalist, media scholar, and critic Walter Lippmann in 1922. He believed that people simply are not equipped to deal with the subtlety and variety presented by the "real environment" in which they live. Instead, they must construct simpler models of that environment so that they

can better manage it. Stereotypes are those models. However, they are not individually constructed. Stereotypes are the Platonic shadow-show put on by our own culture—a figment of reality at best. As Lippmann put it,

For the most part we do not first see, and then define, we define first and then see. In the great blooming, buzzing confusion of the outer world we pick out what our culture has already defined for us, and we tend to perceive that which we have picked out in the form stereotyped to us by our culture.⁴³

Lippmann's work was primarily in reaction to a world driven in part by a burgeoning new media whose "screech, blare and color" were simultaneously clamoring for the public's attention. He suggested that it was with the help of stereotypes that a media-based society transmitted its cultural canon and explained the complexities of modern life. The narratives that people need to put their world into perspective were created, in part, by these stereotypes.

For Lippman, stereotypes were the domain of unconscious thought and preceded reason insofar as they are created without our direct experience or involvement. We are told about the world before we see it. We imagine most things before we experience them. And these preconceptions, unless education has made us acutely aware, govern deeply the whole process of perception. They mark out certain objects as familiar or strange, emphasizing the difference, so that the slightly familiar is seen as very familiar, and the somewhat strange is sharply alien.⁴⁴

This is a view of stereotypes as being inherently dangerous in that they sidestep rational thought in favor of a shadowy illusion of life, leading the masses clinging to a culture they barely understand while rejecting out of hand that which is foreign to them. Lippmann's vision of how people use the "pictures in their heads" to construct reality, especially a reality they have not experienced first hand, has remained pretty much intact as a concept. He believed that stereotypes were an inevitable by-product of modern existence. In a sense, he was right. They are inevitable—especially in advertising.

Advertising and Stereotyping

Despite the advent of the internet, the average American will still spend one and one-half years of his or her life watching television commercials—either on television itself or, increasingly, produced specifically for online venues such as YouTube. The ads sell a great deal more than products. They sell values, images, and concepts of success and worth, love and sexuality, popularity and normalcy. They tell us who we are and who we should be. Sometimes they sell addictions.⁴⁵

How does one go about explaining an important concept, a product's salient attribute, or the complexity of a cultural ritual in 30 seconds? The limitations of space and time are a very real constraint on advertising. Is it possible for a wedding photographer, for instance, to develop a one-page print ad for her services without using stereotypical images of the traditional, Western-culture wedding? Probably not. Would we consider those images harmful? Probably not. But they are limiting, present only a single cultural picture, and

reinforce certain cultural expectations at a number of levels. Nonetheless, stereotypes allow advertising to shortcut lengthy explanations by setting a context everyone already understands and move directly to the sales pitch.

On the face of it, stereotyping is a neutral tool; however, because advertising both reflects and creates an image of society, it has the power to reinforce the positive or the negative, the helpful or the harmful. Obviously, then, stereotypes can be problematic. They can:

- reduce a wide range of differences in people to simplistic categorizations;
- transform assumptions about particular groups of people into “realities”;
- be used to justify the position of those in power;
- perpetuate social prejudice and inequality.⁴⁶

The most troublesome aspect of advertising is its potential effects on how we view ourselves and others. How many believe that the Irish are heavy drinkers, that Mexicans are lazy, that blondes are dumb, that white men can't jump? Far too many, actually; but those are the most egregious stereotypes, and more easily recognized for what they are. What about the more subtle stereotypes? How do we come to a place in our society where young women believe that what constitutes “normal” weight is barely enough to sustain life? Or that being a male in today's society means being macho, muscular, athletic, and in charge? Or, conversely, that being a male means not being capable of doing anything remotely domestic? Two theories can help us understand why this can and does happen.

Cultivation theory suggests that repeated exposures to media portrayals of a stereotype may result in public acceptance of the stereotype as reality. Over time, the ubiquitous nature of television may tend to provide a consistent, if inaccurate, picture of reality. For example, television sitcoms and commercials both frequently present women as nurturing—to their husbands, children, neighbors—while men are seen as bumbling, sloppy, self-absorbed. Sure, it's funny, sometimes endearing, and plays on what we may already believe. And, if we see this enough, it may eventually become a permanent part of our way of thinking about women, men, and marriage and its concomitant roles. That is the problem. If we accept these stereotypes as reality, how narrow is our understanding of actual women and men and actual marriages, and who ultimately suffers because of that?

Expectancy theory states that repeated media portrayals can build or reinforce expectations that are held for a group. For example, if we are exposed to the same stereotypes repeatedly, we come to expect that people who belong to the group being portrayed consistently in a stereotypical manner will, in fact, act that way in real life. If we belong to that group, we may even begin to believe that *we* should act that way. The more limited the exposure we have to anything other than the stereotype, the more we will tend to imprint the stereotype on the real individual. If you are a young woman and you consis-

The most troublesome aspect of advertising is its potential effects on how we view ourselves and others.

tently see women portrayed as air-headed “shopaholics,” you may, over time, begin to adopt that cliché as a way of life. According to the advertising scholar and researcher Kim Sheehan, the actual effects of these theories are mitigated by the degree to which three variables are present.⁴⁷

- **The range of stereotypes** presented over time—Although it may be true that portraying young women as addicted to shopping constitutes a stereotype, whether we tend to believe the stereotype is accurate may depend on how many other “types” we are exposed to. For example, if the shopping addict is only one of a number of stereotypes of young women we see consistently over time (e.g., as aspiring student, young professional, romantic partner, family member), then we will have a more complete picture of what constitutes a “young woman.”
- **The frequency of portrayals** of individual stereotypes—This links closely with the range of stereotypes because a single image not repeated consistently over time is not likely to become a stereotype. In order for that to happen, it must be repeated to the exclusion of other possible images, ultimately presenting a one-dimensional portrait of a type.
- **The valence of the stereotype**—Are the portrayals negative or positive? Although a positive stereotype is still a stereotype, it is less likely that the results of viewing the stereotype will be harmful. A negative stereotype consistently presented over time (frequency) without balancing, contrary, or compensating images can cause a negative image to be imbedded in the life-view of those watching it.

As Sheehan puts it:

Seeing one single, consistent portrayal of a group of people can affect how we perceive all members of the stereotyped group, either while we are creating advertising messages or when we encounter members of the group in the real world.⁴⁸

Although stereotypes abound in advertising, we’ll address only one here as an example of how they work and their potential affects. The lessons learned from this example are applicable to all stereotypes and the solutions are the same.

Portrayals of Women and Girls

Desperate to conform to an ideal and impossible standard, many women go to great lengths to manipulate and change their faces and bodies. A woman is conditioned to view her face as a mask and her body as an object—as things separate from and more important than her real self, constantly in need of alteration, improvement, and disguise. She is made to feel dissatisfied with and ashamed of herself, whether she tries to achieve “the look” or not. Objectified constantly by others, she learns to objectify herself.⁴⁹

Advertising plays a very large role in what media activist Jean Kilbourne describes as the selling of women to the cosmetics, clothing, and lifestyle industries. The combined messages these industries send out via advertising de-

fine a version of “beauty” that is “unattainable for all but a very small number of women.”⁵⁰ The perfect woman is chic, free of blemishes (in theory, mostly thanks to makeup, but in practice thanks to digital photo manipulation), sexually desirable, vulnerable, and, above all, painfully thin. In fact, we rarely see “real” women in advertising at all, resulting in a kind of invisibility of normalcy that can leave the majority of women staring into a cultural mirror and seeing nothing at all that resembles them looking back. The result is that, over time, women begin to internalize these stereotypes and subsequently reject their own reality as something in need of constant adjustment.⁵¹

This process often begins startlingly early. The average North American girl will watch 5,000 hours of television, including 80,000 ads, before she starts kindergarten.⁵² In 2002, an Australian study showed that teenage girls who watched television commercials in which underweight models appeared lost self-confidence and became more dissatisfied with their own bodies, and that girls who spent the most time and effort on their appearance suffered the greatest loss in confidence.⁵³ The National Institute on Media and the Family cites studies showing that the way girls are portrayed in the media, and advertising in particular, have an overall negative effect.⁵⁴ For example, at age 13, 53 percent of American girls are “unhappy with their bodies.” This grows to 78 percent by the time girls reach 17.⁵⁵

In addition to body image, girls are confronted with images that portray them as sexually erotic at increasingly young ages. Stereotypical images show young girls not only as sexual but also as powerless and as victims. Young women who consume these images over time are strongly influenced by “stereotypical images of uniformly beautiful, obsessively thin and scantily dressed objects of male desire.”⁵⁶

The pressures on girls are exacerbated by the media’s increasing tendency to portray very young girls in sexual ways . . . [T]he fashion industry has begun to use younger and younger models, and now commonly presents 12 and 13-year-old girls as if they were women. Camera angles (where the model is often looking up, presumably at a taller man), averted eyes, wounded facial expressions, and vulnerable poses mimic the visual images common in pornographic media.⁵⁷

Other research has found that the images presented to girls are so narrow as to present a mostly stereotypical picture of who they should be. For example, a study analyzing Saturday morning toy commercials showed that, with regard to work roles, no boys had unpaid labor roles, and girls were mainly shown in traditional female jobs or roles of unpaid labor.⁵⁸ Another suggested that “media also presented an overwhelming message that girls and women were more concerned with romance and dating...while men focus on their occupations.”⁵⁹

Women and girls are bombarded with images of thin, sexual, and often powerless and passive, versions of who they should be. Both cultivation theory and expectancy theory are at work here, and the overall effect is painfully evident. A photograph of a teenage girl appeared on a blog site recently. She was wearing a T-shirt that read, “If found, return to the nearest mall.” She was smiling.

The Ethical Bottom Line for Stereotyping

Advertising practitioners aren't likely to give up using stereotypes, nor should they. As already mentioned, the physical and temporal constraints on advertising literally require that a shorthand method of presenting information in context be used. Nonetheless, given the potential for problems associated with stereotypes—inaccurate or negative portrayals of entire social and cultural groups being the most prominent—advertisers should err on the side of caution. As with any media form, we need to consider any potential harm that is being done, intentionally or otherwise, by our messages. For advertising in general, and stereotyping in particular, harm is a highly potential by-product of the message. Advertising professionals cannot ignore that potential. This doesn't mean that stereotypes should be eliminated altogether. Lippmann was right—a part of our world view is, of necessity, based on these stereotypes. We simply can't know everything about everything. However, we must resist the urge to classify too narrowly that which we do not know. By doing so, we automatically reject the nuances of life. Advertising should help us understand those nuances, relying on stereotypes only when absolutely necessary.

As Sheehan suggests, one of the best ways to do this is to present a range of images more fully representative of reality. Given that in order for most advertising to be effective it must be repeated over time, there would seem to be enough leeway to expand on any portrayal of any group so that a rounded, not a flat, image is created. Another, often cited, suggestion is for advertising agencies to hire people who are members of audiences that are consistently being stereotyped. At the very least, these people may bring an enhanced sensibility to potentially stereotypical messages.

As to the neglect shown to some groups within society who appear only as stereotyped sidebars to some advertising (the old, the very young, the poor)—until advertisers get out among the people who inhabit the real world not reflected in their demographic analyses, those groups will continue to be under-represented or misrepresented. Ultimately, the best way to get rid of stereotypes is to meet the real people you are portraying. This can be accomplished by simply consulting with groups who represent your target audience and asking them their opinions. Respect for others as ends and not just as means to an end, as Kant reminds us, is the real bottom line.

Advertising and the Need for Transparency

Problems arise when advertising shifts from being obvious, thus avoidable, to being hidden or disguised as something else, so as not to be so easily avoided. As mentioned earlier, new technology has made avoiding advertising, especially on television, much easier, forcing advertisers to come up with ever newer approaches to getting your attention. Many of those approaches utilize techniques more often associated with public relations; however, they still fall under the rubric of “marketing.” There are a wealth of terms currently in use to describe these related techniques: Buzz Marketing, Word-of-Mouth-Marketing (WOMM), Viral Marketing, Stealth Marketing, and Social Media Marketing. They all refer to roughly the same technique—spreading the word about a product or idea by using the consumer to help promote it for you. An article

published by the Wharton School of Business at the University of Pennsylvania notes that this technique assumes that a person-to-person marketing message is much more powerful because it is so personal—and that it could potentially reach more people than a broadcast message, if only it is buzzed about in great quantity by people who have very long contact lists and no qualms about promoting products to anyone who will listen.⁶⁰

Although these techniques can be practiced ethically, there are numerous pitfalls associated with them, all having to do with transparency. As the Wharton article points out, these tactics raise “the specter of a paranoid future where corporate marketers have invaded every last niche of society, degrading all social interaction to a marketing transaction, where no one can be certain of anyone else’s true opinions or intentions.”⁶¹

Definitions

Viral marketing or *advertising* refers to using existing blogs and social networks to increase the level of brand awareness of a product. *Viral* is an unfortunate word choice in that it is most often associated (at least in the past) with the spread of sickness or disease. The idea is the same, though. Marketers put out information in various forms on blog sites and other seemingly amateur venues in order to spread the word throughout the internet much faster (and cheaper) than traditional advertising can—thus the term *word-of-mouth marketing*. We will treat “word-of-mouth marketing” here as the overarching term under which the others described below fall. The driving concept is that people will pass on or “share” information, especially if it is exciting or creative. The rise of YouTube to the status of a multi-million-dollar business in just a few years is a testament to this approach. The ethical down side is that information disseminated this way can take on a false credibility because it seems to come directly not from an advertiser but rather from people just like you and me. As the marketing professor Jerry Wind notes, “For years, people recognized the power of word-of-mouth in convincing, influencing, affecting consumer behavior. It has more credibility than traditional advertising.”⁶²

Viral marketing refers to using existing blogs and social networks to increase the level of brand awareness of a product.

Buzz marketing is more hidden beneath layers of person-to-person communication.

Stealth marketing involves a marketer engaging with customers without disclosing that she is paid by the business for which she is marketing a product or service.

Buzz marketing is essentially the same concept, except that the advertising aspect is more hidden beneath layers of person-to-person communication. The technique attempts to make advertising seem more like a conversation between friends in which information is exchanged spontaneously. This may even include actual marketing representatives posing as members of the target audience, often in chat rooms or specific blog sites devoted to the topic under

discussion. This more insidious form of buzz marketing is called *stealth* or *guerilla marketing*. According to the Canadian law firm McMillan, Binch, Mendelson, stealth marketing is “marketing that promotes a product without disclosing any direct connection between the advertiser and the message.”⁶³

Stealth marketing involves a marketer engaging with customers without disclosing that she is paid by the business for which she is marketing a product or service. For example, a business might hire an actor or charismatic person to use a certain product visibly and convincingly in locations where target consumers of such product are located. While using the product in the location, the actor will also discuss the product with people she meets in that location and possibly hand out samples. The actor will often be able to sell consumers on her product without those consumers even realizing it.⁶⁴

This approach is based squarely on the understanding that people will drop their defenses to persuasion if they don't think they are actually being pitched. In other words, people are more likely to accept at face value recommendations about a product, service, or idea if (1) it comes from someone they know, even tangentially, and (2) they thus believe that the person has no vested interest or ulterior motive in presenting them with the information.

As traditional outlets (such as TV and magazines) decrease, become saturated, or are ignored, advertisers must seek ever-newer venues in which to sell their products. Social media outlets are an obvious choice, especially for the various forms of word-of-mouth marketing. *Social media* can be defined as an integration of technology with social interaction. Some have called it the “new democracy.” Internet forums, message boards, blog sites, etc., are all forms of social media. These are places in which people share everything from their personal lives to heated political commentary to creative work. It is also a place in which, increasingly, advertisers seek to become your friend, and that is what we will focus on here.

To Disclose or Not to Disclose: Is There Really Any Question?

That probably depends on whom you ask. In 2005 the non-profit watchdog group Commercial Alert filed a complaint with the Federal Trade Commission citing what they saw as a deeply disturbing marketing trend. The complaint stated that companies are perpetrating large-scale deception upon consumers by deploying buzz marketers who fail to disclose that they have been enlisted to promote products. This failure to disclose is fundamentally fraudulent and misleading.⁶⁵

Commercial Alert cited several instances of what they called “stealth marketing.” The most familiar (probably because of a *New York Times* article) was the 2002 campaign initiated by Sony Ericsson Mobile for its T68i mobile phone and digital camera. The initiative, called “Fake Tourist,” involved placing 60 actors posing as tourists at attractions in New York and Seattle to demonstrate the camera phone. Some of the actors asked passersby to take their photo, which demonstrated the camera phone's capabilities.⁶⁶ Others frequented trendy lounges and bars, engaged strangers in conversation, and found reasons to use their new mobile phones to elicit interest. In neither case did the actors identify themselves as representatives for Sony Ericsson.⁶⁷

Most notably, the complaint also targeted the number-one maker of household products in the United States—Procter & Gamble (P&G). In 2001, P&G started “Tremor,” a word-of-mouth marketing program that actively recruited teenagers to pitch P&G products to their friends.⁸⁰ By 2006, some 225,000 teens were enrolled in the program. The teens were provided with such incentives as coupons, discounts, free downloads, and product samples. The idea was that they would then play up the use of P&G products to their social networking friends. The “connectors,” the name used to define their function, were free to disclose that they were working for P&G, but were not required to do so. In 2005, P&G broadened its focus to include “moms.” Again, this group wasn’t required to disclose their affiliation with the company or let on that their praise of its products was somewhat “induced.”⁶⁸

Commercial Alert’s complaint criticized P&G’s policy of not requiring transparency in their marketing efforts. According to *BusinessWeek*:

Without such disclosure, Commercial Alert Executive Director Gary Ruskin sees the danger of the basic “commercialization of human relations,” where friends treat one another as advertising pawns, undercutting social trust.⁶⁹

P&G countered that by not requiring its “connectors” to disclose that they are working for the company, they are put completely in charge of what they choose to tell their friends. However, others point out that such disclosure would jeopardize the sales pitch by undermining the credibility of the “connectors.”⁷⁰

In December, 2006, the FTC, in a staff opinion, denied the request to investigate P&G’s marketing techniques. They did, however, agree that “companies can deceive people by deploying ‘sponsored consumers’ who hide that they are paid to promote products.” The Commission stated that

in some word of mouth marketing contexts, it would appear that consumers may reasonably give more weight to statements that sponsored consumers make about their opinions or experiences with a product based on their assumed independence from the marketer . . . In such circumstances, it would appear that the failure to disclose the relationship between the marketer and the consumer would be deceptive unless the relationship were clear from the context.⁷¹

More recently, 19 firms were fined by New York Authorities after writing fake reviews on websites such as Yelp, Google Local, and City Search. A sting operation by the local attorney general’s office set up a fake yogurt shop in Brooklyn and sought help from firms offering search engine optimization (SEO) services to help boost its online presence. Not surprisingly, to them at least, several of these firms offered to post fake reviews written by network of freelance writers from all over the world. In some cases, the operation found that many other businesses were already doing the same thing by having their own employees write fake reviews to boost their reputations. The idea behind this tactic is to trick those who read the reviews into thinking that those writing them are other consumers, just like them. As the attorney general’s office noted:

“By producing fake reviews, these companies violated multiple state laws against false advertising and engaged in illegal and deceptive business practices.”⁷²

Of course, this practice is also unethical.

The one thing these cases have in common is that the marketing tactics they use are purposefully designed to create a sense of security for the consumer. However briefly, they believe they are sharing an experience with someone free of motivation other than friendliness, and helpfulness.

The Ethical Bottom Line for Word-of-Mouth Marketing

The fact is, word-of-mouth and buzz marketing work and, because they work, advertisers will continue to use them. As the business professors Andrew Kaikati and Jack Kaikati note:

Despite the criticisms from various quarters, stealth marketing is here to stay. It has a powerful role to play when it is tastefully implemented. As traditional television advertisements continue to lose their effectiveness, brand managers are being pressured to think outside the box by going undercover to reach consumers. To capture the attention of jaded, fickle consumers, they will continue to devise new approaches that are harder to detect. Brand managers are gambling that the benefits of stealth marketing will outweigh the castigations by critics.⁷³

These authors, like the myopic advertisers defined earlier, seem to believe that the marketplace is full of intelligent and independent-minded citizens who “can choose the messages they want to engage with while ignoring the vast majority of ad clutter.”⁷⁴ They believe that the ethicality of the new marketing tactics will ultimately be decided by these “savvy consumers” who will “determine when stealth marketing has crossed some ill-defined line.”⁷⁵ Their only fear seems to be that, as these tactics become more popular, they will lose their stealth value, forcing advertisers to “seek even more creative tactics to stand out in the competitive marketplace.”

The “ill-defined line” being crossed here is not so fuzzy as to go unnoticed by others in the field, however. The Word of Mouth Marketing Association (WOMMA), a leading organization representing marketers who practice this brand of advertising, has developed a code of ethics aimed specifically at such practices as stealth marketing. It clearly calls for what it terms “honesty of identity,” which includes:

- Clear disclosure of identity is vital to establishing trust and credibility.
- We do not blur identification in a manner that might confuse or mislead consumers as to the true identity of the individual with whom they are communicating, or instruct or imply that others should do so.
- Campaign organizers should monitor and enforce disclosure of identity. Manner of disclosure can be flexible, based on the context of the communication. Explicit disclosure is not required for an obviously fictional character, but would be required for an artificial identity or corporate representative that could be mistaken for an average con-

sumer.

- We comply with FTC regulations regarding identity in endorsements that state: “Advertisements presenting endorsements by what are represented, directly or by implication, to be ‘actual consumers’ should utilize actual consumers, in both the audio and video or clearly and conspicuously disclose that the persons in such advertisements are not actual consumers of the advertised product.”
- Campaign organizers will disclose their involvement in a campaign when asked by consumers or the media. We will provide contact information upon request.⁷⁶

The WOMMA code and the increased scrutiny of word-of-mouth practices have encouraged some agencies, such as BzzAgent, one of the largest and most visible buzz marketing agencies in the U.S., to adopt policies that require its agents to disclose their identities. But, as with much else in media ethics, the functional results often dictate the moral response. It seems the practical aspects of disclosure suggest that word-of-mouth campaigns are generally more successful with identity disclosure than without. Apparently, credibility vanishes once people find out they’ve been duped, and the backlash from consumers can be detrimental to the overall campaign, and the product being sold.

Regardless of the practical motivations behind disclosure, advertisers have a moral obligation not to hide their identities. As previously noted, the ethics scholar Patrick Plaisance argues that transparency is an attitude of proactive moral engagement that manifests an express concern for the persons-as-ends principle when a degree of deception or omission can reasonably be said to risk thwarting the receiver’s due dignity or the ability to exercise reason.⁷⁷

In other words, we violate the dignity and autonomy of our audiences when we seek to deceive them, and many forms of word-of-mouth marketing do exactly that. If we are to act as morally responsible communicators, we must treat the “other” as if he or she actually were our friend.

Offensive Advertising

The code of Advertising Ethics and Principles of the American Advertising Federation states that, in the matter of taste and decency, “Advertising shall be free of statements, illustrations or implications which are offensive to good taste or public decency.”⁷⁸ That’s a tall order. And a little vague. What exactly are “good taste” and “public decency” and who gets to define them?

A Matter of Taste?

Is offensive advertising truly in the eye of the beholder? Some would have us believe so. Certainly, many in advertising adhere to the tenets of ethical subjectivism, believing that there is no such thing as offensive—it is all just a matter of taste. And, as the Romans said, *de gustibus non est disputandum* (there can be no dispute over matters of taste). There is also no disputing that advertising sometimes produces material that some find offensive. The first question we need to ask is why it is offensive to some and not to others.

James Barnes and Michael Johnson, both professors of marketing, suggest that ads may appear as offensive to some because of either the nature of the product itself (condoms, sanitary napkins, etc.) or their creative execution (using sex to sell, for instance).⁷⁹ The fact of the product itself being offensive is not generally under the control of the advertising agency—except that it can always decline to take the account. In addition, social mores, including taste, change over time, affecting the first factor. For example, advertising condoms was once considered pretty much off limits. Today, ads for condoms appear regularly in a number of mainstream magazines, though not as much on TV. Exposure to the product can be thus controlled to some extent by placement. On the second factor, creative execution, the agency can be said to have much more, if not total, control. Australian marketing professor David Waller found that even if a product itself might be considered “controversial,” it doesn’t necessarily follow that advertising it would be viewed as offensive.⁸⁰ If it was considered offensive, it is more likely that something else about the ad was offensive other than the product itself. For example, Waller found that people tended to be offended by such associative aspects as sexist images, violence, stereotyping, indecent language, anti-social behavior, and nudity—aspects over which advertisers usually have control.⁸¹

Even if a product itself might be considered “controversial,” it doesn’t necessarily follow that advertising it would be viewed as offensive.

Advertising professor Timothy Christy, however, argues for a more holistic approach. He suggests that variables such as the descriptions of the product, the execution being used, the medium in which it is displayed, and the audiences that are least/most likely to be offended should be considered as a whole. For example:

the use of nudity by itself may be offensive to some, but if nudity is used to promote a product associated with sex to certain audiences in a medium that includes sexual content, the likelihood of offense is lessened. This example alludes to the importance of understanding consumers and tailoring messages to target audiences accordingly.⁸²

He suggests that advertisers can control the level of potential offense in an ad by better understanding how consumers are offended in the first place—in other words, understand your audience. This, he argues, is a by-product of the fact that advertisers are often quite different from those to whom they advertise—a point also relevant to stereotyping.⁸³

In Great Britain, the advertising industry has set up an independent body to police the rules laid down in their various advertising codes—a self-regulatory system. A 2002 report on serious offense in non-broadcast advertising (magazine, billboard, etc.) found that “the majority of the population are quite positive towards advertising, but some feel that sometimes ads just go too far.”⁸⁴ The findings suggest that the reaction to offensive material can be broken down into “emotional” offense and “rational” offense, roughly corresponding with the way people process advertising (e.g., the elaboration likelihood model). For example, an ad depicting a blatantly violent image might elicit an

emotional reaction whereas one using subtle yet harmful stereotyping might prompt a more rational objection. Additionally, people seem more likely to be offended “by proxy” (on behalf of someone else) than to be personally offended; for instance, passing a public billboard containing a sexual image while walking with a child. Not surprisingly, the research showed that offense differed with the age of the viewer.

Younger people tended to be less sensitive in relation to “traditionally” offensive areas, such as sexual images, violence and bad language; but they tended to be more sensitive than older people when thinking about how groups and individuals were portrayed, and were more concerned about the negative portrayal of vulnerable groups.⁸⁵

All groups seemed to agree that the most sensitive images were those that sexualized children or degraded, demeaned, or humiliated vulnerable groups (ethnic minorities, seniors, women, the poor, etc.). However, over three quarters of the people surveyed also felt that it is wrong to use sex to sell unconnected products. Similarly, the majority agreed that violence should never be portrayed in advertising.

Probably the most important finding, and one supported by a number of researchers, is that context affects the level of offense experienced. In other words, the location and type of media were crucial in deciding whether someone was offended or not. If an ad using overt sexual images were placed in a magazine targeted to adult readers, children would be less likely to see it, as would members of religious groups—thus the ad would be less offensive. Choice also plays an important part, because people can choose whether to buy or read certain publications (or prohibit their children from doing so) and thus avoid being offended. Conversely, offensive advertising placed in public places (billboards, posters, store signage) is most likely to be viewed negatively.⁸⁶

Finally, what’s being advertised plays a role as well. People are less likely to be offended by advertising produced by charities (non-profits) for “good” causes even if it uses “shocking or distressing” images. For example, an ad for AIDS awareness stressing condom usage probably would not offend, whereas an ad for condoms by the manufacturer might. So where does that leave us? According to advertising professor Kim Sheehan:

Images that are shocking, disrespectful, or out-and-out disgusting must be evaluated within the context of where they will appear. The sensibilities of the target audience who will see the message must also be considered. This recognizes that a message that is completely appropriate to one target audience may be inappropriate for another.⁸⁷

However, is advertising’s only responsibility as regards offensive material to place it where those most likely to be offended won’t see it? Or is it a much larger issue of what the Yale Law professor Stephen Carter calls “the coarsening of society” in general, and the part advertising plays in that process?⁸⁸

Context affects the level of offense experienced. In other words, the location and type of media are crucial in deciding whether someone is offended or not.

Who Are We Offending, and Why?

A 2007 ad by the Italian fashion house Dolce & Gabbana, appearing in *Esquire* magazine and elsewhere around the world, was pulled by the company after being banned in Italy and Spain following protests. In the ad, a woman, fully clothed in a tight dress and spiked heels, lies on her back, hips raised as a bare-chested man holds her down and four other men look on. The menace in the situation is underscored by the fact the woman is blankly unsmiling and some of the men appear to have slight sneers on their faces.⁸⁹

Consumer groups and women's organizations immediately took offense. Kim Gandy, president of the National Organization for Women, called it "a provocative ad," but one that is "provoking things that really are not what we want to have provoked. We don't need any more violence."⁹⁰ Wally Snyder, president and CEO of the American Advertising Federation, says that the ad ran afoul of what he calls "taste and decency," and certainly does not "advance the image of the advertising industry."⁹¹

Another area of advertising that walks a very thin line is "shock advertising." *Shock advertising* can be defined as an appeal that "deliberately, rather than inadvertently, startles and offends its audience."⁹² Business professor Dar-

In judging the use of certain means to reach a desired goal, we have to ask ourselves whether the goal itself is moral and whether the means used to achieve it are moral.

ren Dahl says that this tactic purposefully elicits offense through the process of "norm violation," by literally flouting law or custom (obscenity or indecent sexual references) or moral or social codes (profanity or vulgarity), or simply by outraging the moral senses (violence, disgusting images).⁹³ For example, the clothing giant Calvin Klein began outraging consumers in the early 1980s with blatantly sexual images of ado-

lescent models such as Brooke Shields (blue jeans) and a childlike Kate Moss (Obsession perfume). In 1995, a campaign featuring "pubescent models in provocative poses caused major controversy and debate when they crossed the line between fashion and pornography."⁹⁴

The advertising campaign—which used images of models who were reportedly as young as 15—was meant to mimic "picture set" pornography of the 1960s. In the magazine ads, young models posed suggestively in a sleazy suburban "Rec Room," complete with cheap paneled walls, a paint splattered ladder, and purple shag carpeting. The TV spots left little doubt that the images intended to imitate pornography.⁹⁵

Eventually, the Justice Department launched an investigation to determine whether the ads violated child pornography laws. The ads were subsequently withdrawn, but not before Klein's reputation for "cool" had skyrocketed. In 1999, another Calvin Klein campaign targeted even younger children, photographed in black and white, frolicking in their underwear. Again, experts pointed out that the images were pornographic because children were sexualized by the particular style of the ads. The ads were pulled within 24 hours.

By contrast, consider an ad campaign that ran in 2000 sponsored by the Breast Cancer Fund. The posters, which ran in public venues such as bus stations, mimicked typical magazine ads in *Cosmopolitan* and catalog images such

as those in *Victoria's Secret*. The models, clothed in trendy underwear, were seen revealing mastectomy scars where their breasts would normally be. The copy read, "It's no secret society is obsessed with breasts, but what are we doing about breast cancer?" One billboard company that had originally donated space refused to use the posters at all. Several other posters were removed following complaints. As we have seen, potentially offensive advertising used in a "good" cause is less likely to be viewed negatively; however, that doesn't mean that it won't offend people at all.

So, what's the difference? In judging the use of certain means to reach a desired goal, we have to ask ourselves whether the goal itself is moral and whether the means used to achieve it are moral. The variables that concern us here are whether the goal, or ends, of advertising a particular product are morally worthy and thereby mitigate the use of morally questionable means. If the end is not viewed as morally worthy, then the use of morally suspect means is questionable at best. Let's assume, for argument's sake, that the goal of simply selling a product or gaining brand recognition in and of itself is basically amoral—that is, it is neither moral nor immoral. It is an economic goal. Further, let us argue that raising awareness of breast cancer and its effects is a good thing—a moral act.

The question posed at the head of this section, "whom are we offending, and why?" now comes into play for both scenarios. Advertisers can rather easily predict whether a campaign will be offensive, and who is most likely to be offended. The part of the question that goes to the morality of the act is the "why" part. By applying the criteria of means and ends, we could say that using shock advertising to draw attention to a moral cause is *probably* ethical—remembering that unethical techniques are still suspect, even in a good cause. However, if we accept that selling a product or simply drawing attention to a brand is an amoral end, then the morality of using potentially offensive tactics to accomplish that end deserves a much harder scrutiny. As David Waller reminds us:

For those involved with controversial products or controversial campaigns, it appears that they should be aware of the potential to offend the public. . . [They] should also be aware of what issues are the ones that offend their customers, and be socially responsible enough to refrain from openly being offensive.⁹⁶

Further Use of the Means–Ends Paradigm in Advertising

We can use the means–ends paradigm detailed in Chapter 7 and applied above as a good starting point from which to investigate ethicality in advertising overall. We can look at the means used (how are we doing it?), and the ends sought (why are we doing it?) in order to judge the ethicality of an action. A good end does not necessarily justify questionable means, but it does help (the breast cancer example). Conversely, an ethically unjustifiable end (selling cigarettes) cannot be vindicated by ethical means. We must use a modicum of caution, however, in judging the validity of both means and ends. If we take too critical a stance regarding the purpose of advertising, almost nothing can be justified. For example, if we assume that the practice of advertising naturally

subverts personal autonomy, or produces, de facto, a society of mindless consumers, then no amount of moral justification will suffice. On the other hand, if we conceive of advertising as a necessary component of a free-market economy and as an important contributor to the “marketplace of ideas,” then we must regard it as also capable of acting ethically—indeed require it to do so. As the Vatican report suggests, “[a]dvertising can violate the dignity of the human person both through its content—what is advertised, the manner in which it is advertised—and through the impact it seeks to make upon its audience.”⁹⁷

In using the means–ends paradigm, however, we must also consider the important role of intent. Aristotle defended his how-to book on persuasion (*The Rhetoric*) by arguing that the act of persuasion is neither good nor evil. Only the person using it can determine its morality by his intent. A person of good character would not perform an evil act. Likewise, Kant argued that an act can be judged moral *only* by the intent of the actor. Thus, a moral act is one that is intended by the actor to do good, not evil. How do we factor intent into the equation? The following example will help illustrate.

An end might be viewed as morally unjustifiable by most people—such as selling cigarettes. However, the means used to accomplish the selling could be entirely above board. For instance, some cigarette ads even mention the health risks or include information on how to quit. So, if the goal (or end) of advertising is to sell a particular product or idea, then we can first ask whether that end is, in itself, morally justifiable.

If we assume that the act of selling is itself neither moral nor immoral (amoral), then we must ask if the product being sold is questionable. For example, if cigarettes are thought by many to be a bad (even evil) product, can any tactic used to sell them mitigate that fact? *An immoral end cannot be justified by moral means.*

On the other hand, alcohol abuse is epidemic within certain groups in our society. Is it the alcohol that is bad, or is it the act of selling it to those who are most vulnerable to its abuse the immoral part of the equation? In this case, the tactic used to sell the alcohol (means) is beside the point. If we cannot judge the ethicality of an act by either its ends or its means, we must question its intent, which goes to the act itself. When the very act of selling something is questionable (it *could* cause harm) but not necessarily morally unjustifiable (the use of alcohol, unlike tobacco, is not necessarily harmful), then it cannot be amoral. That is, morality can then be attached to the act. In this case, the act of selling alcohol by intentionally targeting at-risk groups is unethical.

We can use this same paradigm to explore each of the problems in this chapter by asking if:

- the act itself is morally *unjustified*: the selling of harmful products such as cigarettes;
- the act itself is morally *justified*: making people aware of the breast cancer epidemic;
- the means are questionable: use of potentially offensive images, or the creation of misleading images instead of the use of simple facts, or the use of stereotypes that might prove harmful over time to certain groups within society;

- the intent is honorable or not: concealing the identity of product “advocates” in order to deceive consumers into believing they are talking to “regular people.”

What Does It All Mean?

Of all the media discussed in this book, advertising is probably the most criticized, and, sometimes, the most maligned. We should remember, however, that advertising is not inherently unethical any more than public relations or journalism. It contributes to the culture in which we live, both by reflecting it and by contributing to it. As the Vatican report on advertising puts it, “[A]dvertising can, and often does, play a constructive role in economic growth, in the exchange of information and ideas, and in the fostering of solidarity among individuals and groups.”⁹⁸ Advertising can be creative, often humorous, and even uplifting at times. Many consider it an art form.

We must also remember that what advertising seeks to accomplish, in most cases, is the sale of a product or the adoption of an idea (often leading to the sale of a product). Advertising affects the consumer directly, in myriad ways— some good, some bad. Because of this, a “fundamental principle” is enjoined: “[T]hose who commission, prepare or disseminate advertising . . . are morally responsible for what they seek to move people to do.”⁹⁹

The ethics of advertising don’t boil down to simply recognizing shady tactics. It is a matter of wanting to do the right thing. As we have seen, that is most often effected by working from within a moral climate in which ethical issues are recognized and dealt with.

The indispensable guarantors of ethically correct behavior by the advertising industry are the well formed and responsible consciences of advertising professionals themselves: consciences sensitive to their duty not merely to serve the interests of those who commission and finance their work but also to respect and uphold the rights and interests of their audiences and to serve the common good.¹⁰⁰

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