

The Risk of Freedom Briefing

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The Power of Advertising

J.B. Priestley coined the term 'admass' in 1955, to denote the kind of society that he believed to be emerging in postwar Europe and America — a society in which attitudes and social relations were increasingly shaped by advertising and the mass media, and increasingly detached as a result from their roots in moral sentiment. Shortly afterwards Vance Packard published in America his phenomenally successful book, *The Hidden Persuaders*, an indictment of the new forms of advertising which in many circles was taken as the definitive statement of the case against it. Advertising, as Packard saw it, was no longer the simple process of putting a product on sale. It involved a no-holds barred manipulation of the feelings and perceptions of the public. The techniques were derived from the instruments of propaganda that had been used in two world wars, and involved displacing thought by image and rational choice by wish-fulfilling fantasy.

The argument was taken up by J.K. Galbraith, in his witty demolitions of the self-image of American capitalism. Galbraith's contention was that the purpose of advertising is not to satisfy wants but to create them. In the 'affluent society' the economy depends on a constant artificial stimulation of demand, and the simplest way to achieve this is by creating artificial desires. *The Affluent Society* was published in 1958, but it has lost little of its appeal. True, the indictment is directed less now towards advertising as such and more towards the corporate brand, as we illustrated in our last issue of this *Briefing*. Nevertheless, the burden of the argument remains the same: through branding and advertising the consumers are tempted to make choices that bear no relation to the quality or utility of the goods that they buy. Increasingly we live in a virtual economy, in which it is not commodities that are traded, but images.

Moreover corporate brands now typically spend far more on advertising and promotion than on the production of their goods. As a result they create formidable entry costs to the markets that they dominate, costs which the small producer cannot afford. In this way they rapidly kill off real competition and divide up the territory between two or three competing brands — brands distinguished not at all by their products, but only by the images through which they are sold. The images so unfeelingly exploited by Benetton are designed to persuade those who purchase Benetton's products that they are buying not clothes only, but a redemptive form of social mem-

bership. And, while broadcasting its concern for the world's poor, Benetton's advertising campaigns ensure that the world's poor could never save themselves by selling clothes, since they could never enter the market. The contemporary denunciation of branding and advertising gives a new twist to Marx's critique of 'wage slavery'.

Nevertheless, the fact remains that without advertising, new producers cannot put their goods on sale. Moreover, the evils complained of by those who dislike modern advertising are due less to the attempt to gain customers, than to the media employed in doing so. It is TV, not the TV advert, that puts a premium on image over thought; it is the mass media that habituate us to the manipulation of our feelings; it is the sound-bite culture that prefers sentimental fantasy to real and exploratory desire. Take away the adverts, and the manipulation would remain, as we know from the BBC.

Nevertheless, in the case of risky products, governments are under pressure to introduce outright advertising bans. The assumption is that advertising is necessary to recruit new consumers, so that, without advertising, the number of smokers, drinkers, gamblers or whatever would gradually decline. As John Luik argues in this issue, however, the evidence suggests that this is not so, and that advertising does not attract people to a product but only to a brand. Hence the only effect of advertising bans is to freeze the market share of the various competitors — one reason why Philip Morris, for example, seems quite happy with the attempt to ban the adverts that have given it a near monopoly in so many parts of the world. Once adverts are banned, the one who is ahead in the market can relax with the thought of a job well done.

We are now entering a strange twilight world in which products can be legally sold and yet not legally advertised. This undeniably raises questions of freedom, and the use of state power. We might agree with Ben Filmer, that there is no right to manipulate, since manipulation is itself a threat to freedom. But surely, if you are doing something legal, you have a right to say so. If advertisements merely described a product, while refraining from all the image-mongering that Filmer deplores, there could hardly be an argument for banning them, however risky the product — provided, of course, that the risk is acknowledged by the advert.

*"It is TV,
not the advert,
that puts a
premium on
image over
thought"*

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Risky Speech

John Luik

The arguments for banning the advertising of risky products are twofold: first, that the products themselves are intrinsically dangerous, and, second, that advertising is designed to attract consumers to these products. Thus the wrongness of risky product advertisements is to be found in the conjunction of unacceptable risk with the intentional effort to portray that risk as attractive.

There are three arguments that can be advanced in reply: two founded on empirical evidence, and one on more general principles concerning freedom. Let us begin with the empirical arguments.

The advocates of advertising bans for risky products, like the critics of advertising in general, quite often have a profoundly mistaken view about what advertising is, what it is intended to do and what indeed it cannot do. Central to their view is the belief that advertising is able to create needs and wants in individuals that are not only wholly contrived but also unconscious.

The vast majority of careful studies, however, do not demonstrate that advertising possesses any such capacities. They show that advertising is most often used to attract consumers to a particular brand of product as opposed to a particular product. No one advertises to increase the sale of detergent, petrol, or spirits, but rather to increase the sale of, or retain the loyalty to, a particular brand of detergent, petrol or spirit. Risky product advertising is thus not an initiator of risky behaviour.

The evidence for this brand preference function of advertising with respect to risky products can be seen in numerous studies of tobacco and drinks advertising that have been done over the last twenty years. These studies, including one on tobacco use and advertising in the UK done by Clive Smees for the Department of Health, clearly show that while advertising might affect the distribution of the market with respect to brands it does not increase either total consumption or the number of new smokers.

These results have been recently confirmed by Canadian analyses of some 25 years of data on the use of alcohol, tobacco and illegal drugs by Canadian high school students. Despite a variety of variables, including advertising, the prevalence of all the above moved in similar patterns over the entire period. Given that illegal drugs are not advertised, it is impossible to explain this pattern as a product of advertising.

The literature about the initiation of smoking, drinking and gambling is enormous. Yet few students cite advertising as a key factor in encouraging individuals, particularly youth, to begin these activities. The evidence suggests that it is not advertising but most likely the nature of the risky product itself that attracts users.

The evidence is similarly strong with

respect to advertising bans. Since such bans have been in place for the last 60 years there is a wealth of evidence about how they actually work. Perhaps the most compelling case is drawn from the Canadian province of Saskatchewan where in 1983 a 58 year-old ban on alcohol advertising was ended. Despite the introduction of alcohol advertising there was no increase in sales of alcohol. Similar studies of countries that have tried bans of tobacco advertising have shown that such bans have reduced neither overall consumption nor juvenile uptake of smoking.

Alongside these two empirical arguments against advertising bans is a third argument founded on the principle of autonomy. Such bans against risky speech infringe the principle of autonomy in at least three senses.

“advertising is directed to brand preference decisions as opposed to product decisions.”

First, they suppress the right to free expression, depriving not only speakers of their right to say certain things, but also listeners of their right to hear certain things. Without freedom of speech and the intellectual, cultural, economic and political diversity that it represents, genuine individual autonomy becomes impossible and without such autonomy the democratic process is itself impossible.

They manipulate the social environment in such a fashion as to control the thoughts and choices of citizens through suppressing competing points of view. Through suppressing competing messages the State commits itself to a programme of determining the truth, and in so doing it restricts not simply individual autonomy but individual responsibility as well. What is at stake here is the ability of citizens to exercise independent judgement. As US Supreme Court Justice Blackman observed that attempts to restrict product information represent a ‘covert attempt by the State to manipulate the choices of its citizens, not by persuasion or direct regulation but by depriving the public of the information needed to make a free choice.’

Third, bans on risky product advertising attempt to establish through legislative fiat one healthy, rational and moral life plan from which deviations are not permitted. Indeed, part of the purpose of such bans is to represent such deviations as abnormal and immoral. By collectively distinguishing legitimate from illegitimate risk they remove from the individual both the right and the responsibility to make his own risk assessments. Such an involuntary socialization of risk is fundamentally at odds with a democratic society founded on autonomy. If we cannot trust the rationality of the smoker who concludes that his enjoyment of smoking is worth the risk of a shorter life, can we trust the rationality of the overweight who regularly ignores our pleas to start an exercise programme, or the rationality of the lottery ticket buyer, who, ignoring all the odds, still gambles his money?

A truly healthy society is one founded in freedom of choice — even if that includes the freedom to advertise risky products.

Prof John Luik is an academic and consultant

The ‘ACE’ Consumer

Ian Christie

In the mid 1990s I worked for a consumer marketing consultancy, tracking changes in public attitudes and behaviour in the hope of providing corporate clients with insights into social change that would one day bring them more revenue.

The underlying assumption we all shared was that the better we understood ‘the consumer’ the more likely it was that marketing strategies could be devised to part her reliably from her money. Now and then we would write for or even read quasi-learned journals for the advertising industry in which elaborate theories and models were canvassed, all supposedly bringing nearer the day when a scientific grasp would be achieved of just how you could be sure of snaring a consumer audience with your ad.

This was all a mass delusion. Indeed, it has now been recognised as such by many consumer consultants, who can make a surprisingly good living by telling companies the unpalatable truth — that the consumer is in some sense unknowable and unpredictable.

The old joke that half the marketing budget is wasted, but we don’t know which half, has survived all the attempts to turn advertising and consumerology into a quasi-science. Presumably Sainsbury deployed the same expertise when creating the successful recent campaign starring Jamie Oliver, as when they failed spectacularly to sell an ad featuring the much-loved John Cleese. What makes one effort work and the other fail is an elusive mystery, down there in the dark with the postmodernist’s doomed quest for the Other.

But perhaps it is less of a mystery than it might seem. The great days of advertising have been in specific places and times. In the West, Vance Packard’s *Hidden Persuaders* could only have the force it did in the 1950s and 1960s, as a mass affluence culture emerged for the first time.

Likewise, advertising had a field day in the post-communist societies liberated after 1989. And it is a vibrant medium in developing countries where millions head for the booming cities. Advertising, then, works on the impressionable.

But there is a built-in time limit to this potency. By a certain age, most of us have learned the script and seen through the mechanisms. Much of the time, ads make no difference — we ignore them or skip them, or, if they are unignorably entertaining or strange, we enjoy a look; but we rarely do what the ads want us to do.

The experienced consumer is, in the phrase coined by the environmentalist Tom Burke, ‘ACE — affluent, confident, educated’. As a result, in the phrase of the food policy expert Tim Lang and his colleague Colin Hines, the seasoned modern consumer becomes ‘ungovernable’. Whatever the advertisers do, the ungovernable ACE consumer is not to be predicted.

Ian Christie is an associate of openDemocracy.net

Subvertisements Ben Filmer

Whenever governments set out to restrict or ban advertising of any product, the cry goes up from producers that this violates their freedom of speech, deprives customers of necessary information, and involves a massive abuse of the powers of the state. To this I reply that advertising is not speech in any normal meaning of the word, that few adverts convey information that is not common knowledge and that it is no abuse of state power to protect the public from psychological manipulation and moral and aesthetic pollution. It is up to those who defend advertising to show what good it does, rather than for the state to protect a freedom that nobody other than the producers ever desired.

Of course, there is something that used to be known by the name of advertising that is wholly innocent: the practice, still followed in most small-ads, of announcing an item for sale, and giving a description of its qualities. This really is speech, it really does convey information, and it really would be an abuse of state power to forbid it. But advertising as we know it today is only very tangentially

related to that ancient and legitimate practice. Nobody needs to be told that Marlboro cigarettes, Johnny Walker whisky or the Landrover Discovery are for sale. Nobody is ignorant of their qualities or would learn anything new from the adverts that trick us into wanting them.

Adverts as we know them are not concerned to convey information at all, but rather to manipulate the sentiments of the viewers in ways to which they would strongly object if they knew about it. The only bit of information contained in a cigarette advert is that added by the government, which tells you that smoking is a serious health risk. Maybe that makes cigarette adverts mildly better than whisky or car adverts, which are entirely silent about the dangers of drinking and driving. But the cigarette advert is not there to broadcast the health warning. It is there to recruit purchasers, regardless of any countervailing knowledge, and irrespective of their real desires. It does this by techniques that in other circumstances are called brainwashing: offering fantasies of social triumph, preying on fears of social failure, promising spurious balms for real psychological misfortunes — in short by-passing the capacity for free rational choice, and treating people as

slaves to their own inadequacies.

So why should there be a freedom to do something that works by extinguishing freedom? The market economy is an admirable thing, when it involves free choice by both buyer and seller, achieving a deal that is agreeable to both. But when one party conceals information behind mesmerising images, using massive economic power to put fantasies in the place of realities and transitory wishes in the place of serious rational needs, the market is no longer free, human dignity is compromised, and the resulting imbalance reaches right into the souls of the purchasers. Add to this the fact that many adverts involve degrading, sexist, ageist and even paedophile imagery and that all are composed with a tastelessness that is shocking to anyone not immured from childhood by the TV screen, and the case for advertising controls becomes overwhelming. And when it comes to dangerous products, there is no argument against a ban on advertising, so far as I can see, apart from the fact that the advert might contain the only information worth having: namely, that you shouldn't listen to it. But you knew that already.

Ben Filmer is researching a book on corruption

Veneering the World Renate Veilchen

The philosopher Jürgen Habermas has described the 'colonisation' of the *Lebenswelt* by modern commercialism. It is not just products that are branded: all human experience comes marked with the chatter of the market place. Just as the religious believer sees God in everything, and reads all nature as a sign, so does the disciple of capitalist commercialism see brands in everything, and reads all nature as an advert.

We are so used to this that we do not notice it. That is why we believe ourselves not to be influenced by advertising: the influence is so pervasive as to cancel itself out. If everything is an advert, nothing is. Only our attitude to the *Lebenswelt* is changed — we live in a world of saleable things, in which nothing is sacred.

Maybe this is why we feel uncomfortable when the culture of advertising invades some hitherto innocent space. These images are not merely conveying information; they are recruiting people to a new form of life. For the third-world peasant the billboard is like an evangelical sermon. It summons him to leave his ancestral fields and his local gods, to abandon his ancient pieties, and to join in the frenzy of buying and selling. The billboard is a far-greater enticement towards Westernisation than any treaty signed by his rulers. It is the triumphant flag of the new world-order. And those who flock to it are exalted by its power, believing themselves to be marching behind it to a new world of freedom. Yet in that new world people become aware of adverts only to condemn them, in something like the terms used by Habermas.

Renate Veilchen is a management consultant

Decency in Advertising Ian Crowther

Advertising is a commercial species of rhetoric: it deploys the intoxicating language of persuasion to make us see the best in a product. There is always in rhetoric a kind of excess. For rhetoric calls into being, as of course advertising does likewise, another and apparently unreal world to redress the dull aches and frustrations of this one. People are not satisfied with the plain, unvarnished truth. They demand of a product that it possess potency; that it should transfigure in some way the humdrum routines of daily existence. As Charles Revson put it when he was President of Revlon, 'In the factory we make cosmetics; in the store we sell hope.'

Not to say that the advertising practitioner has a licence to tell downright lies. Just because, in the words of Dr. Johnson 'promise, great promise, is the soul of an advertisement', it does not mean that the promise should be devoid of substance. While the truth about a product, inartistically presented, will probably not even be noticed, lies about a product, artistically presented, will just as surely end in disaster. Ordinary prudence dictates that a company establish a reputation for honest dealing, otherwise it will not long continue in business. And just in case the businessman is tempted to make misleading claims, there are consumer protection laws on the statute book — notably, the Trade Descriptions Act — that will punish him for doing so. Moreover, advertising regulates itself through the Advertising Standards Authority, which does its best to enforce the injunction of the British Code of Advertising Practice that all advertisements 'should be legal, decent, honest and truthful.' What Carlyle called 'the all-deafening blast of puffery' may still be with us, magnified many-fold by our modern mass media of communications, but today's puffs have never been so

vulnerable to false-advertising charges.

Even so, that weasel word 'decent' in the Advertising Code should give us pause. It lacks the objectivity of 'legal, honest and truthful.' Who is to say what constitutes decency in a society which has largely given up on any overarching standards of morality? The collapse of moral certainty has left the way clear for the yob tendency in advertising to gain ascendancy. Yob advertisements today, unlike their older equivalents, cannot resort to outrageous claims (without running foul of the law) as a means of getting products noticed. However, they can achieve the same end by outraging the sensibilities of the public through the use of shocking images and offensive language. Whereas any company with a reputation or brand to protect is unlikely these days to go in for duplicitous advertising, it is far less inhibited about pushing the boundaries of decency, if that will improve sales.

It is worth insisting on the obvious truth that, as William Blake put it, 'we become what we behold.' Yes, advertising is about selling products, but in the process of doing so it cannot avoid promoting attitudes and behaviour, too. Images of violence, of aggression, of obscenity may indeed mirror the decadent way we live now, but they also contribute to the coarsening of our society by lending a kind of legitimacy to brutish attitudes.

If adverts are, as Charles Revson implied, in the business of selling attitudes as well as products, then we must judge and control them accordingly. They can no longer tell lies about the products. Should they then be allowed to deceive us about lifestyles and emotions? If not, how do we prevent it?

Ian Crowther is a freelance advertising copywriter and former creative director of an Ad. agency

Advertising to Children: The Fears and the Facts

Adrian Furnham

Many people accept advertising on the grounds that we are rational beings, able to make decisions for ourselves, and that adverts help us to know what is available to purchase, at what price and with what effect. But the same people are often deeply hostile to adverts that are likely to be seen by children, on the grounds that children don't have the ability to make reasoned choices, and that they are being encouraged to acquire tastes and habits that may be both harmful to them physically and psychologically and costly to maintain. You can sympathize with this worry, without believing that it is really well-founded. For the arguments are backed up with evidence that is at best anecdotal, at worst an example of the very emotion-stirring that is being complained of. This is an area in which the most urgent need is for empirical research. And the research simply does not support the complaint. Children too are rational choosers. Their desires are more firmly shaped by learning, by parental example, and by rational discussion than by any of the images that they encounter on TV. And, by following common-sense guidelines, we can ensure that children are no more exposed to dangerous habits by adverts than they are by peer-pressure, by the

cultural climate and by the native stupidity of our species.

In my pamphlet *Children and Advertising* (see publications) I summarize research that shows advertising to be a very minor influence on the habits and dietary choices of children. 25 years ago the ghost of Vance Packard appeared in an American paper entitled 'The Unhealthy Persuader', which suggested that television viewing promoted unhealthy rather than healthy eating. Careful research has shown this belief to be false. Parents remain in control of their children's diet, whatever appears on TV: the problem is getting children to eat in the first place. Although the myth persists that children are specially 'vulnerable' to advertising, it seems that children, like the rest of us, see adverts as providing information about a brand, which can be ignored by those who are not interested in the product. If it were not so, it would be difficult to explain the failure of negative advertising campaigns, such as those designed to prevent children from taking up drinks, drugs or smoking. Once again, it is not the adverts but the parental influence and example that affect the child's behaviour.

Adrian Furnham is Professor of Psychology at UCL.

Kasky v. Nike, California Tony Curzon Price

David Mamett, in *Glengarry Glen Ross*, one of his gritty dramas of business life, has the head-office remind the branch employees of the ABC of corporate success: "Always Be Closing". Corporate success is about closing the right deals at the right times. ABC. There is no corporate innocence in communication. ABC. Gone are the times when a Mill, father or son, could in good faith defend free trade while being senior officers of the East India Company.

When Nike defended itself in a Public Relations Campaign against charges of mistreating its third world workforce. Marc Kasky, a San Francisco radical, sued for "Misleading Advertising". Nike's defence — rejected by the Californian Supreme Court — was that its PR campaign was not of a commercial nature. The ABC of the modern corporation is well understood, and Nike's defence not credible.

Consumers also have their ABC. Always Be Choosing. The advertising industry understands that we need to see our free choice as meaningful. Why these gym shoes and not those? Between products which are — from the functional perspective — indistinguishable. As gym shoes go, these are just the same as those. But these mean rebellion, those mean leaps of faith.

The anti-capitalist agitator creates his own ABC in exploiting the consumer's need for meaningful choice: "Always Be Campaigning". Goodness is found not in your thoughts, intentions or personal relationships, but in your cupboards. How many grains of coffee are unfair? How many dolphins did that tuna kill? Are there still aspects of your habits in which you have

failed to consider their impact on war, conflict, hunger, poverty, environment or indigenous peoples? Is there a subtle reason to prefer Switch over Visa, Volvo over Volkswagen? What more can you (reasonably...) do? *Caveat emptor*, for your virtue is at stake. ABC.

Civil Society — that civilising space between the family and the State — is an excellent forum for these three ABC's to unravel and make sparks. But escalation of any of the three agendas to the level of the State should be treated with suspicion. The corporation should be resisted in its many attempts to hijack the apparatus of State in its own quest to ABC. The State, limited in both virtue and information, should only very rarely do the consumer's choosing. The radical should — almost always, and in any case for a good long time — strive to spread his practices through debate and imitation, not through backroom political manoeuvres.

When Mark Kasky involved California's Misleading Advertising law against Nike, he was engaged in "opportunistic advertising" for his own cause: the suit gives free publicity. But this is the wrong place for debate, and a misuse of the legal system. California's Misleading Advertising law is a bad one, allowing suits by those who have suffered no wrong. The framework of civil law — in which people can seek redress and impartial judgement — is a precious pillar of our social order. To use it as just another forum for advertising — for a company or for a cause — should be stopped before we learn to treat the courts like all the other billboards, ignoring them.

Tony Curzon Price is an economist and company director

Publications

Vance Packard, *The Hidden Persuaders*, 1957 and J K Galbraith *The Affluent Society* 1958, two seminal books.

John Gray, *Advertising Bans: Administrative Decisions or Matters of Principle?* and Mark Bentley & Mai Fyfield *Advertising Bans: Consequences for Consumers*. Both Social Affairs Unit, 1991. Very useful series of pamphlets from SAU. Also, Adrian Furnham, *Advertising and Children*, Social Affairs Unit, 2000 (see left)

Jon Steel *Truth, Lies and Advertising: new advertising and the art of account planning* 1998, conveys the enthusiasm of advertisers.

Naomi Klein, *No Logo*, 2000
Noreena Hertz, *The Silent Takeover — Global Capitalism and the Death of Democracy*, 2001 and George Monbiot's *The Captive State*, 2000, argue that the trappings of capitalism are at odds with a global civil society.

Up in Smoke: Economics, Ethics and Politics of Tobacco Advertising Bans
Chris R. Tame, Nick Elliott, 1991, Forest J. J. Boddewyn *Tobacco Advertising Bans and Consumption in 16 Countries* 1986, International Advertising Association
Just some of the literature generated by the ban on tobacco advertising.

www.

Promotion of Food to Children, 2002, Food Standards Agency, see:
www.foodstandards.gov.uk

British Codes of Advertising and Sales Promotion 11th ed., March 2003, see:
www.cap.org.uk/codes/index.asp

www.adassoc.org.uk/position/ab_qmw_speech.html Speech (Jan 03) by Andrew Brown Director General of the Advertising Association on *Obesity in Children and Young People*. He mentions that in the Advertising Standards Authority's Annual Report (2001) a total of 12,600 complaints were received of which 73 concerned children and 12 were upheld relating to 8 advertisements.

www.adassoc.org.uk/position/main.html
Useful Briefing papers on relevant issues

www.reclaimdemocracy.org/nike/
considers the Nike v Kasky case providing some good links and leads

The three UK monitoring agencies
www.asa.org.uk
www.itc.org.uk
www.radioauthority.org.uk/index.html

www.mediasmart.org.uk
media literacy programme focussed on advertising aimed at 6-11 yr olds, see also:
www.unicef.org.uk/magic for a similar global initiative.