
ETHICAL AND SOCIALLY RESPONSIBLE ADVERTISING: CAN IT BE ACHIEVED?

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ABSTRACT

Prior to establishment of the FTC, consumers had no protection against the claims of advertisers. In 1938, the FTC declared "unfair or deceptive acts or practices" to be unlawful (Preston, 1975). Since that time, regulators, consumer groups, and advertisers have wrestled with the ethical issues involved in "fair" advertising. Recently, social pressures and congressional bans on certain types of advertising have come in conflict with the First Amendment which, as the Supreme Court has ruled, applies generally to commercial speech with certain specific limitations. The paper reviews the history of ethics and social responsibility in the advertising industry in the light of free market economics. Possible incentives for proactive, socially responsible advertising are explored. Implications of the ban on tobacco advertising and proposed bans on alcohol advertising are discussed. Advertising in other industries, particularly education, consumer goods, and gambling are discussed as well. The paper concludes that advertising is protected by the First Amendment and contributes positively to the proper functioning of the free market system. Hence, regulation should be minimized.

INTRODUCTION

The advertising industry has become a vital part of the United States' economy. The Pontifical Council for Social Communications states that advertising has a great influence on a consumer's understanding of life, one's culture, and the world (Foley, 1998). Advertising encourages economic growth through information being made available about competing goods and services. However, advertising can be deceptive, encourage unlimited consumption, create confusion for the consumer, and intensify destructive desires such as lust and greed. Advertising encourages consumption by showing improvement in features and quality of products and services. It promotes products such as colas, cigarettes, and alcohol, which can cause consumers to use products in excess, causing possible dangerous side effects (Boddewyn, 1999). Advertising is only one aspect that goes into shaping consumer choices, and the role advertising plays in either initiating or reinforcing consumer trends is dubious (Schudson, 1984). Laws regulating advertisements should be minimal because the public can self-regulate false or misleading ads through the use of personal boycotts. Private and public consumer advocacy groups exist to inform the public of misleading advertisements, poor quality products, and potentially dangerous products. Government regulation

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