

## Negative Practices of Advertisers between Deception and Misinformation ... Influences and Regulations

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### Introduction:

It was not taken into account the spread and great development of the advertising in the life of the nations. Advertising in its positive and functional sense involves an objective and positive approach to the target audiences, which means an advertising message that, does not involve deception, manipulation or fraud.

Deception in advertising is the bad faith promotion to believe something that is not true or not all truth, and appears in omission, camouflage, or concealment, and self-deception<sup>(55)</sup>.

Manipulation is effecting a person, body, or group in a way that involves camouflage or manipulation<sup>(2)</sup>.

Fraud is “concealing the defect of the product from the buyer”<sup>(3)</sup>. In order to the advertising manipulation plays its role more effectively, any evidence to show it must be concealed. For advertising manipulation to be persuasive and successful, deceitful people or people under its effect must feel that the objects presented are real, natural, it's called a gray propaganda consisting of facts mixed with lies<sup>(2)</sup>.

Deception and manipulation practices fool limited-educated audience environment where the rate of ratification and belief is high for them, and this means that educated or well-educated segments need more effort to be fooled by deceptive or misleading advertising message<sup>(1)</sup>. Therefore, the research is directed towards studying the negative practices of advertisers between deception and manipulation.

### Key Words:

Advertising, Deception, Misinformation, Influences, Regulations.

### Research problem:

1. To what extent are some advertisers negatively engaged in the midst of intense market competition?
2. How are deception, misinformation and fraudulent advertising in order to control consumer behavior and persuade him to distinguish advertisers' products and services?
3. What are the damages caused to the consumer audience as a result of exposure to this type of ads?

### Objective of the research:

1. Learn about the negative practices of some advertisers in the field of advertising activity.
2. Explain the effects of deceptive and misleading ads on consumers.
3. Learn about the laws regulating in different countries to reduce their negative effects.

### **Research Importance:**

1. Providing a safe future environment for advertising activity, with the aim of advertising positively towards the public interest of consumers.
2. Control the activity of advertising companies practicing deceptive and misleading ads.
3. It helps to review the effects of deceptive and misleading ads to establish laws regulating advertising activity in different countries to protect the public from these hidden practices.

### **Research Methodology:**

In order to achieve the research objective, the descriptive analytical research methodology was taken into account, which helps to analyze the main points that constitute the subject of the research, namely: the positive side of the advertisement, maneuvering and negative practices of advertisers, the negative effects of deceptive and misleading advertisements, and international and Arab laws and regulations governing the advertisement.

### **Theoretical Framework for Research**

#### **First Topic: The Positive Aspect of Advertising**

Despite the fact that advertisement permeates our environment almost to saturation, little has been done to raise the public's level of awareness. Advertising represents a category by itself; it is the result of an integrative activity through which graphic design, photography, printing, illustration and computer-supported manipulation of images come together. This makes ads a real cultural and technical record of a society; it is tangible, collectible, disposable. Ads reflect the aesthetic tastes of not only those who produce them, but also of the public they address. They are an image of that public, and their continuous change is the result of the change of their public. Obviously, this is an interrelation. Mediating between the elements that define a market, i.e., between those who produce and those who use, ads are generated as signs that re-present their object in various ways. Ads can introduce new products fulfilling an informative, even educational function; ads can consolidate the role a certain product plays in human life and act as kind of public memory; ads can invite comparisons, exercising a critical function; ads can contribute to changes in consumption and production, in behavior, and in our system of values.<sup>(53)</sup>

Ads are forms of visual communication that affect our way of thinking, reading, speaking, and writing. They have a social nature and a significance that extent beyond their rather short life span. Dealing with ads means defining the types of sign processes that lead to their interpretation. We should be able to explain why such a short-lived product involves refined aesthetic means, psychological knowledge, sophisticated marketing strategy, investment of money and creative time, and so many other elements. This help to be aware of the entire power of an ad, to be cautious about the visible and invisible aspects involved, to achieve the intended goal.<sup>(53)</sup>

#### **Definition of Advertising**

Advertising is a means of communication with the users of a product or service. Advertisements are messages paid for by those who send them and are intended to inform or influence people who receive them <sup>(8)(9)(10)</sup>.

### Advertising Importance:

Products will not be able to take place in markets without ads <sup>(10)</sup>. Creating demand for a products that does not already exist <sup>(10)</sup>. Increasing competition among producers and attracting more potential consumers, reduce prices, raise the products quality. <sup>(11)</sup>. Create a good mental image of company reputation <sup>(11)</sup>. Support's salesmen to sell products and services <sup>(11)</sup>. An effective way to educate and improve consumers' tastes <sup>(11)</sup>. Gives the consumer a wide selection range of product to purchase <sup>(11)</sup>.

### Advertising Psychological Communication

- 1. Searching for the truth:** Consumers always searching for the truth between ads, is the advertiser's goal is to pass the message to achieve their own goal? Or is it for the public interest? <sup>(10)</sup>.
- 2. Underlying feelings:** Advertising uses the inherent feelings in the human subconscious by playing on their instincts, to employ them to serve their own interests <sup>(10)</sup>.
- 3. Advertising message:** It is important to formulate the message in a way that suits the audience, respects their mentality, traditions, and carries the aesthetic values with the functional side <sup>(10)</sup>.

### Types of Advertising <sup>(9)</sup>

- 1. Educational Advertising:** Related to the totally new products in the market, or old products that were updated and consumers needs to be informed about it.
- 2. Indicative Advertising:** This type of ads designed to inform audience about how to satisfy their needs, and how to buy products in a short time and lowest prices.
- 3. Informative Advertising:** Support industries by supplying the audience with data which could build trust with their products.
- 4. Reminder Advertising:** Remind the consumer about the product or service, or to introduce new life or new theme into existing campaigns.
- 5. Competitive Advertising:** Efforts between comparatives companies producing same products.

### Second Topic: Maneuvering and Negative Practices of Advertisers between Deception and Misinformation

- 1. Consumption is the Key of Happiness:** An attempt to create a global consumer cultural model threatening national identity, while focusing on consumption as the key to happiness, (figure 1) and (figure 2) <sup>(12)</sup>.



(Figure 1) Happiness Shopping



(Figure 2) Journey Home with your bags

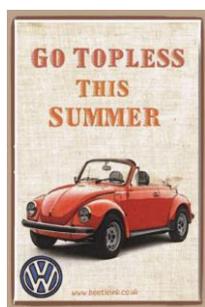
2. **Commercial Seizure of the Subconscious:** Advertisers have created a secret technology to control the public behavior invisibly, based on managing the human motivations, directing them to serve marketing and trade, for profit and wealth. Which lead the public into a buying pathological behavior, (figure 3), (figure 4), (figure 5) and (figure 6) <sup>(13)</sup>.



(Figure 3) Jantzen Looks for you



(Figure 4) Manipulation of the Public. Switching Pants



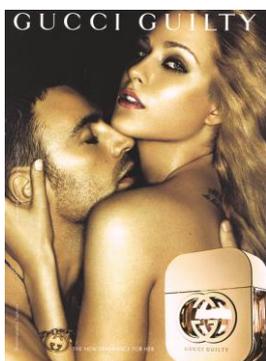
(Figure 5) Volkswagen .. Go Topless



(Figure 6) Volkswagen .. Topless

3. **Dumping and Believing:** Entertainment industry based on simplification, flattening and diminishing the ability and effectiveness of people to think properly, by dumping them with entertainment by various media, which led the public to become naive <sup>(14)</sup>.

4. **Sexual Restraint:** Some advertisements promoting individual's failure to achieve sexual maturity. By exploiting subconscious fears and forcing them to curb sex taboos, the media ensures reckless restraint looking for alternative values, which traders provide in commercial and consumer products. Sexual restraint (which is reinforced by the media) is the most successful marketing technique, (figure 7) and (figure 8) <sup>(13)</sup>.



(Figure 7) Gucci Guilty



(Figure 8) Ice Cream Federici .. A pregnant Nun

**5. Negative Change of Society's Values:** Advertising has evolved as it contributes to the formation of social values, and thus began its modest role in communicating information about products and services to people <sup>(15)</sup>. Advertisement raises appetite, and opens new horizons to identify products that were previously unknown, and there is no real need for them so advertisers deliberately delude viewer's need <sup>(57)</sup>.

**6. Keep up with Fashion:** Women (perhaps more than men) have been programmed hard to feel low-class unless they are properly dressed. Of course it is a matter of money. Fashion accreditation training must start early (at the young age) until enslavement and eternal dependence of the public are assured by the industry, (figure 9) <sup>(13)</sup>.



(Figure 9) Tommy Hilfiger .. Slim and Fat Women Fashion

**7. Promote the Culture of Consumption Pattern:** Advertisings participates in the popularization of the consumer pattern, making the public a consumer, and then turning it into a commodity sold to advertisers with advertising agencies <sup>(17)</sup>. Some advertisings have turned human into a consuming animal running after the glamorous products <sup>(19)</sup>.

**8. Changing Human Lifestyle:** A key witness supports the theory is that America's media-oriented economy has in fact changed human lifestyles from infancy to early adulthood at both the conscious and (most important) the unconscious levels. A part of human life practices will be more integrated and influential in human personality, or become an integral part of human nature for life, than those learned or tried during childhood, especially in the first two years of age, (figure 10) and, (figure 11) <sup>(13)</sup>.



(Figure 10) Mother Care .. Don't be Pregnant !!



(Figure 11) Children Abuse in Advertising

**9. Consolidate the Preference of Western Product:** International Advertising seeks to form similar global values towards the Western product as the best and unbeatable. The international advertising has contributed to the promotion of so-called international brands, which are of course Western brands that have given it great economic and marketing power by linking them to celebrities from singers, actors and football players <sup>(22)</sup>.

**10. Establish the Culture of Hygiene:** Advertising promotes for the culture of hygiene, which has become the public obsession's, threats of the presence of germs, bacteria and dirt, as well

as microscopic or sub-microscopic animals on emotional health, the implicit emotional meaning of the word "filth" in ad fantasy is more threatening than physical meanings; disease and infection. The meaning of the word cleanliness includes halitosis, obesity, dandruff, oily hair, skin diseases, whiter teeth, slightly dirty clothes, and constipation, (figure 12) and (figure 13) <sup>(13)</sup>.



(Figure 12) Meet the Cleaner of your Dreams



(Figure 13) Cleans like Clorox, Smells like Paradise and Serenity

**11. The Negative Impact on Consumer Psychology:** Prof. Gerald Zaltman, in his book "Consumer Unconscious," states that procurement decisions are made without consumer awareness and explained why, using deceptive methods that reach the decision-making center. This is called the subconscious mind, and this behavior is reflected in the rush of consumers to buy products as if they are submitting to a deep-rooted prior influence <sup>(58)</sup>. Media technologies have become active in a vacuum that may be moral or immoral <sup>(23)</sup>.

**12. The Sense of Smell Accomplish Huge Trade:** Advertising motivate women to use cosmetics to look charming, more attractive and natural look. So to become natural, a woman must become more exotic with her extensive use of cosmetics, through which she claims to make her natural <sup>(13)</sup>.



(Figure 14) Lux with Karina Kabour

### Third Topic: Types of Negative Influences of Deceptive and Misleading Advertising:

1. **Moral Influences:** Awaken the roots of class struggle in society <sup>(1)</sup>. Encourage consumerism in society <sup>(58)</sup>. Promote negative new trends, values and lifestyles <sup>(27)</sup>. Considered a serious indicator in guiding adolescent behavior <sup>(58)</sup>. Some sexual excitement ads to stimulate the recipient <sup>(26)</sup>. A way to wash people minds <sup>(59)</sup>.

2. **Cultural Influences:** Unite young people of both sexes on one fashion culture <sup>(60)</sup>. The standard of happiness in society has become dependent on the pleasure and pleasure of consumption <sup>(60)</sup>. One of the main tools for the dissemination and transfer of capital values <sup>(2)</sup>. Misuse of advertising time and exposure of the public to negative values <sup>(60)</sup>. The public's reluctance to read <sup>(2)</sup>. All cultures in the advertising landscape have become permeable <sup>(31)</sup>.

3. **Economic Influences:** Invasion of foreign products to domestic markets, replacing national products <sup>(31)</sup>. The imposition of consumer burdens exceeded the purchasing power of some consumers, leading them to borrow <sup>(30)</sup>. The occurrence of public prey easy to the temptations of producers and advertisers <sup>(35)</sup>. Maximizing consumer formulas of unjustified luxury habits <sup>(36)</sup>. Public waste a lot of money that can better return to society<sup>(1)</sup>.
4. **Social Influences:** Cracking the social structure, as some advertisements cause social stratification <sup>(37)</sup>. Some advertising break into the family atmosphere without permission, announcing products and services that go beyond public and social taste, i.e. (women's towels, or family planning methods) <sup>(27)</sup>. Rebellion against the family in order to get money to own modern and expensive products <sup>(1)</sup>. Changing the concept of leisure activities <sup>(15)</sup>. Acquiring strange habits on society, such as the family's reliance on unhealthy takeaways of foreign brands <sup>(15)</sup>. Some foreign advertisements seek to localize the helplessness of life <sup>(39)</sup>. Some ads offer imaginary imagery of a non-existent virtual reality <sup>(41)</sup>.
5. **Political Influences:** Most satellite channels were created by political decisions, to assert political presence in cosmic space <sup>(47)</sup>. Breaking through political and security boundaries, it began to transcend cultural boundaries and interfere with psychological characteristics <sup>(43)</sup>. Abolished the word "nation", or at least in its geographical concept <sup>(45)</sup>. Some channels serve political goals and the interests of their large transnational corporations <sup>(2)</sup>.
6. **Health Influences:** Promote unhealthy eating habits and behaviors <sup>(37)</sup>. Advertisers exploit the public's passion for fitness, health, and fear of being overweight <sup>(35)</sup>. Formulate advertising messages containing wrong eating habits <sup>(41)</sup>. Serious health risks resulting from advertisements for cosmetic surgery and slimming <sup>(26)</sup>.

#### **Fourth Topic: The Arab and International Governing Advertizing Laws and Regulations**

1. **United State of America:** The organization began through the self-regulation of the advertising in 1880 <sup>(49)</sup>. In 1911, special non-governmental committees were formed to counter the abuse of advertising activity <sup>(50)</sup>. The advertisement of alcohol, tobacco, ammunition, weapons, astrologers' advertisements, fireworks and bets "with the exception of state-regulated bets" was banned <sup>(24)</sup>.
2. **United Kingdom:** In 1928, advertising activities in Britain established first by "Inquiry Committee" to monitor advertising activity. Successive governments in Britain have adopted a package of legislations, including "The Trade Standards Act" 1968, "The Legislative Trade Act" 1972, The First National Law of Practice of Advertising, 1974 <sup>(50)</sup>, the Trade Names Act of 1985, and The Misleading Advertisements Regulations 1988. The Misconduct of Property Act 1993 <sup>(15)</sup>, also prohibited the display of advertisements on public holidays and weekends <sup>(21)</sup>.
3. **France:** In 1953, the French government established the Office of Advertising Examination, which was reorganized in 1970. In 1973, Royer, one of France's former ministers, passed one of the most stringent legislations on deception and deceptive declarations <sup>(49)(50)</sup>.
4. **Sweden:** The government takes strict action against advertising, considering that advertising for children is unethical <sup>(26)</sup>.

5. **Germany:** Self-regulatory organizations have existed since the 1950s<sup>(50)</sup>. Adult programs and advertisements are not allowed until after 11:00 pm to protect children. The German Advertising Board is responsible for developing a code of ethics for advertising practices<sup>(49)</sup>.
6. **Belgium:** The Advertising Board has the function of civil oversight, applying the rules of the World Chamber of Commerce and other subsidiary laws and the recommendations of the Advertising Court<sup>(50)</sup>. The government also prohibits television adverts during children's programs, five minutes before and after programs<sup>(26)</sup>.
7. **Italy:** Italy is one of the leading countries in this field, where it has been able to translate European legislation through national laws suited to the specificity of its society<sup>(49)</sup>. Italy has succeeded in advertising legislation and in the process of advertising censorship through a set of laws and institutions where Italian law has adhered to the general principles set forth in the legislation of the Council of the European Common Market<sup>(51)</sup>.
8. **Denmark:** The main legislation is the Publicity Law of 1974, some of which have been tightened in a subsequent amendment under the name of, The Marketing Practices Act 1986. Denmark also has the Union of Advertisers and Advertising Agencies and the Federation of Advertising Agencies<sup>(49)</sup>.
9. **Australia:** The government has taken measures to prevent the display of imported foreign advertisements, as they are reproduced locally so that foreign cultural values do not override local ones<sup>(26)</sup>.
10. **Latin America:** Some governments limit foreign ownership of advertising agencies to minimize the impact of foreign advertising. As well as the complete prohibition of advertisements that include pictures of blatant women<sup>(26)</sup>.
11. **Egypt:** Decree-Law No. (66/1956) of 26 February 1956 was issued in Egypt, which is free from any mention of deceptive or misleading advertisements. In March 2017, the Congress approved a law regulating the advertising of health products and services<sup>(64)</sup>. In 2017, the Egyptian Ministry of Information has issued the media code of honor<sup>(65)</sup>. In May 2018, the Egyptian government approved a law regulating advertising on public roads<sup>(66)</sup>.
12. **Sultanate of Oman:** The Press and Publications Law was promulgated by Royal Decree No. 49/1984 and its Executive Regulation (25/1984) to include all standards that would protect the nation and the public<sup>(67)</sup>. The Law on the Control of Artistic Works was also promulgated by Royal Decree No. 65/1997<sup>(68)</sup>. The advertising industry in the Sultanate of Oman is highly codified and regulated. In 2016, the Omani Media Code of Honor was issued<sup>(70)</sup>.
13. **Saudi Arabia:** The Saudi Ministry of Information issued a guide in 1985, explaining the rules and basics of commercial advertising in Saudi television<sup>(52)</sup>.
14. **United Arab Emirates:** The National Media Council issued a guide for the advertising sector issued by the National Media Council to organize and follow up the media and advertising content in the country, in order to determine the general principles, frameworks and standards governing advertising in the media, which are as follows: Federal Law No. (15) 1980, on publications, Publication and Cabinet Resolution No. (23) 2017 on media content<sup>(72)</sup>.

**Results:**

1. Some advertisers use the subconscious and unconscious area to control the behavior of the audience invisibly.
2. Some advertisers go too far in formulating their advertising messages, by programming the audience with new false beliefs that work for advertisers.
3. Advertisers use sex heavily in advertising to effect the audience, even if the product or service is far from the sex area or has nothing to do with it.
4. Deceptive and misleading advertisements change negative values of society, as well as changing human lifestyles.
5. Deceptive and misleading advertisements have a huge impact on society by imposing and maximizing consumer burdens, wasting a lot of money, and cracking the social structure, as some advertisements cause stratification of society, and some advertisements break into the family atmosphere without asking permission for products and services that go beyond Public taste and social modesty, and some ads offer imaginary images of virtual reality does not exist, and the awareness of the public is formulated by a few media and advertising makers.
6. Many countries have not realized the dimension of deception and manipulation in advertising, but have not been sufficiently legally exposed to it, which may protect the public from the negative practices of advertisers.

**Recommendations:**

7. The need to teach the ethics of advertising work in the faculties of advertising design, arts and media.
8. Strict laws are passed by governments toward advertisers who use deception, manipulation and fraud in their advertising messages.
9. The importance of issuing a law to regulate advertising in every country of the world, within the culture of each society, and taking into account customs and traditions, as well as religions.
10. The need for the International Advertising Association in New York to adopt an international law that regulates the work of the advertising industry, which works to ensure the protection of the public from the negative practices of advertisers and their exploitation and programming to the public through deception, deception and fraud.

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