

# The Cultural and Social Impact Of Society on American Advertising

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*Professor Leff, a noted expert on consumer protection, was asked to analyze and comment on the preceding Article by Commissioner Mary Gardiner Jones. In his response, he challenges several of the Commissioner's basic premises concerning the nature and effect of broadcast advertising and the role of the advertising industry in the societal context. He examines the necessity and potential for success of the Commissioner's exhortations to the industry that its messages and techniques be reevaluated in order better to serve the public interest.*

Commissioner Jones' article<sup>1</sup> was a pleasant surprise. The arrogant insecurities of the professorial classes make us expect that when a high government official unburdens himself (or herself) on basic aspects of his trade, the result will be somewhere in the range between evasive drivel and forthright error. Our expectation, and even our response, is ordinarily harmless enough; the reason a cat can look at a king is that the latter is impervious to frantic mewling and little claws. But in this case, Commissioner Jones' palpable awareness of the ambiguities of policy and the limitations of power denies me even the sweet rhetoric of savagery. That doesn't mean, of course, that I am wholly without caveats, quaeres, and criticisms, but they are respectful ones, addressed not so much to what she said, but to some of the deep and unconscious assumptions, shared by many other people, that inform her essay.

In outline,<sup>2</sup> the thrust of Commissioner Jones' article is quite straightforward:

Most of present advertising seeks to imply that instant salvation of all sorts — personal, professional, sexual — comes from outside, from the acquisition of *things*. This view is typically a white, suburban, middle class view of the world; that is, the view of just one of the segments of society. But it is no better or worse than any other.

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1. Jones, *The Cultural and Social Impact of Advertising on American Society*, p. 379 *supra* [hereinafter cited as Jones].
2. All outlines and summaries are reductionist. I do not mean to suggest by my précis of Commissioner Jones' argument that "that's all there is to it." In fact, it is in the development and qualification of the stages of her argument that its substantial virtues lie.

To show it almost exclusively is subtly to imply that the other possible and existing views and subcultures are deviant and bad. Something should be done about this. Public or private regulation of advertising content is inappropriate, for it risks censorship under more benign names. Instead, diversity should be encouraged and the advertising industry should lead, not only responding to the desires of subsets of the society, but in helping to shape the whole society to a recognition of the value of other and different cultural viewpoints.

Imbedded in this argument are a number of premises about the nature of Americans, American life, and American advertising. Most of them are anything but silly. Some of them, however, are highly questionable.

Premise I: *That the solution to the problems of living comes from things is a belief indigenous mainly to the white, suburban middle classes.*

There is no evidence at all that such a belief correlates with any discernible subgroup in American life — social, racial, economic, or chronological. Such a belief structure describes an element in everyone's world-view. For one thing, it is partially true. Food, clothing, and shelter are things. So is penicillin. If you are hungry, cold, exposed to the elements, and have an ear infection, your happiness *does* come from things.<sup>3</sup> Of course the possession of things, even *those* things, does not guarantee happiness; there are plenty of warm, well-fed, healthy suicides in the world. Nonetheless, you cannot buy money with happiness.

The belief in the sovereign power of possessions, however, is not to be trivialized by confining it to the basic necessities of life. It is one of the natural offshoots of the most powerful and pervasive (though no less insufficient for all of that) of present-day Western philosophical systems: pragmatic utilitarianism. Because of the difficulties in defining non-material goodness, the end of most utilitarian systems tends toward gross increases in *valuable* (I use the word advisedly) things. Admittedly different groups tend to want different kinds of things, but they are still "from outside." After all, LSD is as American as pre-mixed apple pie. In fact, the present so-called drug culture, the supposed province of the young, is almost parodic of this strain in Western civilization. If you are deeply at odds with the universe and are an Eastern mystic, apparently you contemplate and mortify over a long, difficult period of time, hoping eventually to free yourself from the impediments of the senses. In the West you take a pill.<sup>4</sup>

In brief, if the poor, the black, the urban, the rural, and the young don't

3. See, e.g., G. GRASS, LOCAL ANAESTHETIC 104-07 (1969) on nihilism and toothache. And if you open at random what may be the first of the great bourgeois novels, *Robinson Crusoe*, you will be rewarded with an esuriently long list of things which spell the difference between despair and survival in a "hostile" state of nature.

4. Similarly, the ecologically oriented (is that a "class"?) also rely on "things" for satisfaction. They are not exactly consumer goods — rivers, streams, fields, mountains — but they are still "things." And they still have to be bought, often at the expense of other goods.

share a belief in the power of products, it is going to come as a surprise not only to descriptive sociologists, but also to the poor, the black, the urban, the rural, and the young. In fact, a belief in work, character, and training as the source of happiness, the official "Protestant Ethic" (and one of Commissioner Jones' contrasted alternative life styles),<sup>5</sup> is probably more honored, at least in theory, in the suburban middle classes than anywhere else — the other groups know better.<sup>6</sup>

It seems to me that Commissioner Jones has displaced a psychological insight into a class vocabulary. We are all sinners, if craving goods is sinning. True, we do not all sin incessantly, but our rates are not, so far as I can tell, easily correlated with class. It is important to insist upon this, that to associate a world-view with a particular class is analytically and empirically wrong, because the misdiagnosis is likely, as usual, to lead to mistreatment. If one thinks that bourgeois values are being propagated by pictorialization, of middle class milieus, one is likely to imply, as I think Commissioner Jones does, that what is needed is a shift to other settings — ads featuring the urban poor, for instance, or the tenant farmer. If, however, the target of advertising is part of the human psyche, and a Marxist-class-free segment of it at that, then the "correct" transformation, if any is desirable and possible, would be one appealing to other psychological impulses, not to other socio-economic subcultures. To do otherwise is merely to prescribe for the advertisers more successful strategies for selling to groups presently turned off by the current storyboards. That may be a useful message, but one would expect it more from, say, a Kenyon & Eckhart vice-president than from a liberal commissioner of the Federal Trade Commission.

Premise II: *The effect of giving wide exposure to a particular viewpoint is directly proportional to the validity of its content.*

In this premise Commissioner Jones is in good company. To pick just two examples, both Plato and Aristotle to some extent share her implicit belief in this linear educational process.<sup>7</sup> It is not at all clear, however, that exposure of a viewpoint is good for it. If it is a bad message, or a false one, it is pretty clear that exposure and interaction are very bad for it in an evolutionary sense. Like a sickly species, a silly idea, or a lousy product must rely on camouflage. You don't lightly take obviously squishy peaches or obviously inane ideas to a market overt.

But beyond that obvious point, even a good something which is incessantly exposed takes a terrible risk: there is always glut and ennui. If indeed there

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5. See Jones 384.

6. It may be worth pointing out that the advertisements in which these allegedly sub-urban middle class, presumably Protestant virtues are exalted are frequently produced by urban Jews, Italians, and Irishmen. That may help to explain why so many of these paradigms are really parodies.

7. See PLATO, *THE REPUBLIC*, bk. 3; and ARISTOTLE, *POLITICS*, bk. 8, ch. 5.

is, as Commissioner Jones suggests,<sup>8</sup> this new devotion to good things other than goods, and to new visions of authentic life-styles, it may be at least partly the product of pushing "products" as salvation to these several years. And if, as is also suggested, these new visions are mainly the property of the young,<sup>9</sup> it argues far more strongly that televising "the middle class ethic" is the road to its destruction, for the young of today are certainly much more shaped by television than their parents, who grew up before its invention. Perhaps the wisdom for today is to support your local advertising agency. If I favored the nation's movement toward some intuitionist, non-materialist ethic of self-reliance, public good and ineffable interpersonal sweetness, I might hesitate to meddle with the advertisers who channel four billion dollars a year into the cunning albeit accidental destruction of all that they supposedly hold dear (and sell dearly).

My question here is whether one can so blithely assume that since there are observable short-run effects of certain advertising techniques on selling goods, one can easily project similar mechanisms, especially over the longer run, when one is talking about "selling" other things, like attitudes, prejudices, and life styles. The worst thing about word-and-thought control might not be its repressive mechanics (which can be ameliorated when the techniques are as genteel as those suggested and used by Commissioner Jones), but its absurdly inefficient effects which, arguably, border on counter-productivity.

Premise III: *The value of advertising is solely a function of the value of that which is advertised.*

There are several counts upon which this implied premise may be challenged. One has just been mentioned: the ways of man are deep and strange, and selling some things may, at least eventually, loosen the grip of the impulse for those things. In addition, for some people (maybe all people) at least some of the time, it is possible to create added value in things by surrounding them with imaginary auras. Advertising does not just sell a product, it is a product; one would certainly not read Shelley for his ideas. Let us say that certain automobile ads imply that driving a Tyrannosaurus XK8 will give sexual satisfaction of epic proportions (or at least an experience 25% more transcendent than that available from the Pterodactyl 6). That is most likely false, at least as a guide to magnitude. But it is also most likely false that much of the population much of the time will get it, whatever "it" is, any other way. I am willing to concede that one ought not trade a deep and lasting sensual relationship with another human being for a more transient relationship with engineered metal and a veneer of acrylic fantasy, but that is not very frequently the choice proposed, and the trade-off is neither necessary nor

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8. See Jones 390, 395.

9. See *id.* at 390.

sufficient in any event. The question is whether it is better to have a car *with* fantasy than a car *without*. The answer is not the same for everyone. If the *only* difference is that fantasy-fulfilling vehicles cost more, for many people it may be money well spent to the extent that it delivers on its promises. And after all, the advertised promise of a car is not really that its possession is the same as being happily accompanied in bed, but that it will make you feel a little like that. If it does, what's the harm? Does it interdict more "authentic" achievement of the same feelings? Maybe and maybe not. That argument always smells to me like the one about pornography, that the trouble with it is that the premixed fantasy blocks "true" fulfillments. What this argument really comes down to is an attempt to rank people's satisfactions. It is bad to get ones erotic responses out of a book, just as it is bad to buy rather than bake one's bread. But *is* self-generated fantasy better than prepared fantasy, and *is* "reality" better than both? If, for instance, the hallelujah from the Exultate Jubilate can make you feel that everything is possible, and with grace, and for you (a power it shares, I am told, with certain "acid rock" choruses), is that worse than some good, solid, useful, real achievement which might produce the same feeling? Is joy through music worse than joy through Peace-Corps service, or for that matter, than joy through a successful bit of clever economic exploitation? Remember, if Achilles had heeded only the Ralph Nader kind of advice, when given his famous choice between a long-and-comfortable and a short-and-glorious life, he would have gone safely home, first cupping his heel in a rolled up copy of Consumer Reports.

Premise IV: *Selling goodness is cheaper than selling goods.*

This premise, I think, lies at the heart of the prescriptive (as compared to analytical) final portion of Commissioner Jones' paper. I'm not positive, because it's hard to tell precisely what the Commissioner *is* prescribing. It seems to have something to do with selling, because it has to do with the advertising industry. Commissioner Jones wants them to stop doing something (at least stop doing it exclusively) and start doing something else (or at least doing more of it). But what? It is, I suppose, unlikely that the sole message is that the agencies begin selling the finer things in life and social utility *rather than* products.<sup>10</sup> For if that were to mean anything more than that ad agencies should contribute more of their time to "good causes" (an innocuous enough suggestion, but no more significant than any other charitable solicitation), it could only additionally mean that if someone comes in with paid business they should not turn it away because it's in the service of, for instance, clean air or less racism. It is hard to imagine a less necessary exhortation; if the apostles of public good will pay for apostolic success, it is highly unlikely that advertising agencies will refuse to accept their money.

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10. Only one ambiguous paragraph points that way. See Jones 395.

If, however, Commissioner Jones' suggestion is that advertisers ought to sell their products by associating them with the allegedly growing public interest in public improvement, then too the sermon seems superfluous. If the public is concerned with the ecological externalities of certain kinds of detergents or fuels, the advertisers will get them made, indeed in some cases already have gotten them made, on that basis. If images of happy fish will sell soap, such images we will have. But only so long as it sells soap as well or better than other strategies.<sup>11</sup> For once one assumes, as Commissioner Jones does,<sup>12</sup> that there ought to be no non-market interference with either the nature of products which may be produced, or the methods to be used in selling them, it is delusive to suggest that sellers, guided only by market response, fail to maximize sales. Detergents can indeed clean up slums as well as guarantee husbands;<sup>13</sup> in fact it is likely that they can do the cleaning better than the mating. But the question is whether pointing out that cleaning power will sell more of the soap. If yes, then just wait. If not, don't hold your breath. That is, if the real message in the Commissioner's essay is that the advertising agencies and their clients should make and sell public good and alternative life styles *even if it decreases profits*, I am not very hopeful; economic forces are not *that* exorable.<sup>14</sup>

Unless. Unless there is a long-run at odds with the more obvious short-run. As I said at the beginning, the effects of communication are not necessarily linear. In what seems to be a quickly shortening run, some products and some selling techniques may do so much harm that they will turn off, if not the world, at least those who live in it, and living, buy. In other words, even one who operates only with respect to "the market," to human demand, may wish to change the specific ways he sells things and the things he sells once he has read the "real" demand in a new and arguably more accurate way. If he reads it that people are going to turn to public goods and life-style diversity, perhaps to some extent because of glut with his own previous approach, then it will pay to accelerate that trend and meet it first. Now notice I too, like Commissioner Jones, am suggesting manipulation by producers and their agencies of the consumers' demand function. It is absurd to behave as if associating cars with sexual prowess is such a manipulation, while associating them with safety, durability, or fumeless exhausts is not. It is at least possible that the long-term interests of the advertisers and the public coincide, and if

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11. Of course, product proliferation and differentiation will permit producers to sell in the white-knight and healthy-fish markets simultaneously.

12. Jones 393-94.

13. Jones 395.

14. This is particularly true if the real need, for ecological and broader social reasons, is not to reallocate growth, but to control or stop it. See, e.g., E. MISHAN, *THE COSTS OF ECONOMIC GROWTH* (1967); Mumford, *The Megamachine* (pts. 1-4), *THE NEW YORKER*, Oct. 10, 1970, at 50, Oct. 17, 1970, at 48, Oct. 24, 1970, at 55, Oct. 31, 1970, at 50.

that is true, and if the advertisers can be convinced that it is true, then their efforts may be successfully enlisted in Commissioner Jones' (and all the other good guys') cause.

But there are two other possibilities, that the firms' and public interests do not coincide even in the long run, or that even if they do, the advertisers cannot be convinced. What then, if anything, can one do? One can coerce them, either directly (by regulating, even unto banning, their products) or indirectly, by coercing them to manipulate the public in a particular way (or to stop particular manipulations — which is the same thing). The first course of action encompasses a whole system of product control, and the second a whole range of public interventions in information delivery, from setting what "ounce," "pound," "dollar," and "bushel" will henceforward denote, to government propaganda campaigns, to compulsory labelling, to indirect and direct media censorship.<sup>15</sup> All these gambits are presently operative to some extent and likely to increase. Their use raises all kinds of sticky questions, especially those which apply to any partial intervention in a "natural" or at least very broad and complex system. It is not at all clear what the net effect is of any particular intermixing of the political "market," where at least in theory, each person has one equal "lumpy" vote, and the economic market, where people do not start even, but can register intensity by subdividing their stock of "votes."

But the problems raised by these interventions are, thank Heaven, beyond the scope of my present job, commenting on the article of a present member of that national agency having closest jurisdiction over the activities of advertisers and their agencies. My purpose here is but to clarify Commissioner Jones' point. If she is saying merely that advertisers should take account of "the public interest" in their efforts because it is in their interest, or at least not against their interest, then her message is useful. To the extent she is really saying something else, that they should voluntarily shift their activities though it be against their own interest, her message must be seen as either a charitable solicitation, a threat, or vain counsel. It would be nice if one could believe that gracious exhortation could take the place of both the market and the planner in building a "better" society. I can't. And I don't really think that Commissioner Jones can either.

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15. For a review of the whole panoply, see P. KEETON & M. SHAPO, *PRODUCTS AND THE CONSUMER: DEFECTIVE AND DANGEROUS PRODUCTS* (1970).