In this chapter, existing literature on eight selected ethical issues for research are covered which are influencing youth behaviour in India and is a matter of grave concern for Indian advertising industry. The day by day deterioration in the ethical content in advertising is an alarming sign for our proud inherited culture. This advertising is affecting youth lifestyle their behaviour and attitude. The literature also reviews various laws which regulate ad industry and how an absence of a single uniform legislation is the need of the hour. The chapter on literature review has been divided in to three parts. The first part deals with literature which has been worked from the year 1990 – 2000. In the second half literature from 2001 – 2010 has been covered. Last part reviews work from 2011 till date.

3.1 Literature Review – 1990– 2000 (The Era of Globalisation begins)

Advertising has been considered as a means of information about brands which confuses consumer and often misguides (Littlechild, 1982).
It was highlighted that ethics in business decision-making rests on the assumption that good ethics is good business (Abratt and Sacks, 1988).

When asked about the acceptability of various products being advertised on television, only two products were seen as unacceptable by a sample of college students: contraceptives for men and contraceptives for women. Feminine Hygiene Products has also been mentioned in industry articles as having advertisements that are in “poor taste”, “irritating” and “most hated” (Aaker and Bruzzone, 1985).

Marketing has always been open to criticisms about unethical practices (Singhapakdi and Vitell, 1990). (Barnes and Dotson, 1990) discussed offensive television advertising and identified two different dimensions: offensive products and offensive execution. The products which were in their list included condoms, female hygiene products, female undergarments, and male undergarments.

(Wilkie, 1990) agrees that advertising has both positive and negative aspects but they do not apply to all advertisements. He has listed the “seven sins” charged by advertising’s critics.

Use of subtle forms of advertising like subliminal and psychoactive ads needs to be given serious ethical consideration from a human welfare perspective. A psychoactive ad is any emotion-arousing ad that can cause a meaningful, well-defined group of viewers to feel extremely anxious, to feel hostile toward others, or to feel a loss of self-esteem (Hyman and Tansey, 1990).

Hyman, Tansey and Clark (1990) identify 33 prime topics for those researchers who plan to focus their efforts on advertising ethics. The seven most important topics out of this list include: use of deception in ads, advertising to children, tobacco advertising, alcoholic beverage ads, negative political advertising, racial stereotyping, and sexual stereotyping.
Advertising has been found to lead to general behavioral changes, even when that behaviour has nothing to do with the product that is advertised. Advertising often shifts the relative importance of consumer values (Feather, 1990). The value corruption in advertising points out that advertising changes the values of youth, promotes materialism and undesirable products in society, persuade people to buying things to merely show off, whereas undesirable refers to the sexual imagery in advertising (Pollay & Mittal, 1993).

For advertisers the problem can be that a controversial advertising campaign can be very successful or very damaging, depending on what ultimately happens in the marketplace. For example, the clothing company Benetton has long been criticized for its advertising which uses controversial images to send a message of "social concern" (Evans, 1993).

Advertising, a traditionally high-profile management function since World War II (Tansey and Hyman, 1993) perpetuates a paradox. (Shao, 1993) and (Shao and Hill, 1994) analyzed advertising agency attitudes regarding various issues, including the legal restrictions of advertising of "sensitive" products, which can be controversial for the agency that handles the account. The products/services discussed in these studies were cigarettes, alcohol, condoms, female hygiene products, female undergarments, male undergarments, sexual diseases (eg. STD's, AIDS), and pharmaceutical goods.

On the one hand, it is commonly touted by business and the academy as a major economic, social and competitive force in post-world war economies to inform consumers about available products and help guide them in the buying process (Pratt and James, 1994).

Scepticism about advertising could be reduced through strong advertising regulations which is need of the hour Indian context (Calfee & Ringold, 1994). Advertising ethics has sustained itself as a towering lightning rod for controversy; perhaps, because it is the most visible business tool today,
exposing the public to thousands of messages each day, which are sometimes more than questionable (Treise, 1994).

The same view as also presented from a slightly different perspective, that good ethics is good for business (Davis, 1994b).

In another study it was felt that there is a need for major public policy changes regarding advertising, especially for cigarettes and demand their glossy advertising campaign to be banned. Successful ad campaigns push sensitive products such as tobacco and alcoholic beverages which influence vulnerable minds by showing such products as trendy, cool, fashionable and subject to consumption through peer pressure and indulgence. Such appeals in ads encourage youth to adopt harmful habits like smoking and drinking and prove derogatory to the society (Martin Jr., 1994).

It has been seen that advertising draws attention to the calls for major public policy changes, specifically for cigarettes, and demands their glossy advertising campaigns to be banned. Successful ad campaigns pushing such sensitive products as tobacco and alcoholic beverages can influence vulnerable minds by showing such products as trendy (cool), fashionable, and subject to consumption through peer pressure and indulgence. Such persuasive ad appeals encourage youth to adopt harmful habits like smoking and drinking, and prove derogatory to the good of society. To this accord, major public policy changes called for by medical associations and regulatory bodies can influence the nature of ad campaigns running attractive messages and promotions for such products perceived as unhealthy and harmful especially for younger generations, and their corrective actions can even lead to the banning or curtailing of such promotion activities for the good of society (Martin Jr., 1994).

From a scientific viewpoint, the effectiveness of sex appeals is also questionable (LaTour and Henthorne, 1994).

A study from (Severn, 1990) showed that reckoning a highly sexually loaded advertisement leads to a significantly lesser of reflecting on the advertised
product by the participant. Further, they argued that sexual appeals can have higher effectiveness when there is interdependence between product and sex appeal (e.g. advertising for undergarments).

Nevertheless, research on sexually explicit material has shown that choice enhancement proponents, such as some advertisers and liberals, tend to oppose censorship and restrictions on such material unless there is evidence that it causes harm, while consumer protection proponents, such as certain feminists and conservatives, tend to advocate restricting sexually explicit materials and/or banning them altogether (Gould, 1994).

Many a times the sponsors may be disguised or concealed as well, thereby misleading consumers; as a result, the truth gets shadowed by the information asymmetries created by the advertisers’ network, thereby violating consumers’ right to know and judge the communication. Consumers feel manipulated and exploited when exposed to such advertising messages, and tend to develop negative message-oriented ethical attributions (Davis, 1994b).

For generation Y, despite the rapid development in media, especially the internet, it is apparent that the regulations on the contents and executions in advertisement stipulated by the governing bodies, such as the Advertising Code in Malaysia are still prevailing (Deng, 1994).

On the other hand, it has, since long, been a bull's-eye for public wrath (Laczniak, 1995).

On the one hand, there are socially embarrassing or controversial products (e.g. undergarments, or hygiene products for women). On the other hand, there are products which are sold under regimentations by law because of their potential harm on society (e.g. pharmaceuticals, alcohol, or cigarettes). Ads for controversial products, which cause a negative reaction, and thereby offence, can result in negative publicity, complaints to advertising regulatory bodies, falling sales, and product boycotts. Now-a-days, society is more open-minded to advertisements for unmentionables (Fahy, 1995).
(Olson, 1995) has compiled a list of unintended negative effects of advertising and described these effects in terms of eight criticism categories, drawing on the writings of many social scientists and humanists. Focus on some aspects of unethical practices in advertising used by different advertising agencies and marketing clients.

Based on the earlier mentioned interviews, there are several roles that sex appeals may serve. First, sexual material in an ad is an initial tempt to the advertisement, therefore it has the stopping power. Second, as sex is arousing, it is used to enhance the delivered message. It is not only arousing but emotion educing, easy to relate, and most of all memorable. The last role is that these ads can create desire to the product due to the evoked emotional responses such as excitement, feelings of arousal and lust that can change the consumer's mood. However, when sex appeal ads are used in an inappropriate way, like using it only as an attention device, utilizing the female body, humiliating the female role or insulting propriety, weak brand recall and may also drive consumers to negative attitudes towards the brand. Therefore, this type of ad must be used in a cautious way in order for it to result in satisfying results (Taflinger, 1996).

Forceful abusive nature of fear appeal can be an inhumane tool that is capable of victimizing and inducing traumatic effects in more vulnerable audiences like young children and elderly folks who are more susceptible to unscrupulous business practices. Whereas the fear appeal might be useful for preventing young adults from drunk driving or from the use of drugs, it is still questionable to what extent the fear appeal should be used (LaTour, 1996).

It was found that advertising causes a negative impact on the target group. A subliminal ad exposure draws audiences’ attention at the sub-conscious level of mind; it can prove risky or harmful when such messages may trigger unintended emotions or actions (Huang, 1997).

Advertising pushes the boundaries of what is acceptable and familiar. Confusion between law and ethics has existed from times unknown. It is hard
for advertisers to understand that either law or ethics should be present in advertising. If there is no law present on a subject it should be regulated by ethics. Ethics in advertising needs to be analysed from micro and macro aspects. In micro aspect it affects individuals by ads and campaign etc while in macro perspective it makes a difference on an aggregate on society (Nebenzahl and Jaffe, 1998).

Another study reveals that more than three fourth of the consumers believe that most of the advertisements appearing in mass media contain one or more unethical or deceptive practices. These practices are seen more in product advertisements than in service advertisements.(Abideen and Muraleedharan,1998)

(Hackley,1999) for example, present evidence on consumer suspicion and antipathy toward, and investor concerns about advertising ethics. There are certain moral principles that are quite crucial to ethical advertising. Moreover, these principles emphasize truthfulness, the dignity of the human person as well as the social responsibility. First, truthfulness in advertising highly recommends that the advertisements should avoid misrepresenting the truth by implying things that are not real or denying relevant facts. While the principle of the dignity of the human person criticizes advertisements that violate our right to raise any responsible choices or even make a good use of baser tendencies. Finally, the social responsibility highly criticizes and violates advertisements that encourage wasteful lifestyles which may either damage the environment or create any sort of ecological problems (Foley,1999).

Codes of ethics should be updated regularly by the industry itself in order to regulate and control the advertising profession together with the feedback from ethicists, church people and/or consumer groups. However, the government should start to intervene if all the earlier mentioned ways had failed. This can be done by the government focusing their attention to advertisements that are mainly targeting vulnerable groups as children and the elderly. In case of any
harm done by such advertisements, corrective notices should be published and injured parties should be compensated by advertisers so as to overcome such harm (Foley, 1999).

In general, individuals differ in their attitudes towards advertising and in their assessment of the ethicality of the ad. The challenge is to design a persuasive communication while creating perceptions or attitudes that are positive or ethical; for example, avoiding dramatic advertisements which exploit the vulnerability of smokers and drive unnecessary demand. These processes involve improper handling techniques. This balance of persuasion and ethics is important when individuals who do not like an ad may have a negative attitude toward the product itself (Snipes, 1999).

Children generally lack the developmental ability to give consent to the release of personal information to an advertiser. This is an even greater problem for children when they are offered incentives for providing personal information, or when personal information is required before they are allowed to register for contests, join a kids’ club, or play games.

The study points out that parents, government, industrial groups advocating self-regulation, advertising personnel, and Internet marketers are all responsible for insuring children's safety on the Internet or any other medium of exposure. The Federal Trade Commission Act places legal and regulatory limits to prohibit deceptive or unfair advertising in any medium. The act specifically reminds advertisers that children may be more easily misled than adults; hence, advertisers should take care and not misrepresent products advertised to children (Austin and Reed, 1999).

As the amount of advertising increases, it would appear that there has been an increase in the amount of controversial advertising shown in various media. Some of reasons for this include that society has become more complex, increased awareness of the harmful effects of some products and as agencies try
to become more creative to "cut through the clutter" to gain attention and brand awareness (Waller, 1999).

(Waller, 1999) presented a list of 15 controversial product that aimed to range from extremely offensive to not very offensive: Alcohol, Cigarettes, Condoms, Female Contraceptives, Female Hygiene Products, Female Underwear, Funeral Services, Gambling, Male Underwear, Pharmaceuticals, Political Parties, Racially Extremist Groups, Religious Denominations, Sexual Diseases (AIDS, STD Prevention), and Weight Loss Programs. He also included six reasons for offence: Indecent Language, Nudity, Sexist, Racist, Subject to Personal and Anti-social Behavior.

Over the years advertising and marketing communication messages have created a lot of debatable ethical issues, due to the public belief, that advertisements nowadays deeply affect the way people perceive themselves and the world surrounding them, including crucial actions and behaviors. (Foley, 1999).

Motivating moral corporate behavior within companies among its workers can be done through several ways. First; “Companies are institutionalizing ethics through formal structures such as codes of conduct; reporting mechanisms like ethics compliance officers, hot lines and whistle blowing; organizational structures like ethics and social responsibility committees, ethics advisory councils and judicial boards; and control devices such as social and ethics audits and performance evaluations which contain ethical criteria” (Lantos, 1999).

(Sirgy and Su, 2000) suggest that increased visual and semiotic literacy is an important component of societal marketing. However, if drawing upon sexist and racist typicality’s, these images, in the effort to resolve complex meanings, could result in potential negative communication and offend targeted consumers.
In another study it was found that men are found to be less satisfied with their financial situation after exposure to advertising featuring very successful men (Gulas & Mckeage, 2000).

Samudhra Raja Kumar. C. (2000) has conducted a study on “consumers” attitude towards advertisements” and concluded that the advertisers must concentrate more on the information and social aspects in any advertising and must avoid advertising for harmful products and exploitation of women. The government should also play a key role in framing regulations regarding advertisements relating to exploitation of women. Individuals or groups who comprise of this communication, thereby impacted by stereotyping, feel insulted, subordinated and oppressed as they would lose control of how they, their society, and their culture are being portrayed and interpreted. Stereotypes are very often used in advertising. Women are also often stereotyped in advertising. Most of the time they are shown in situations where someone has to take care of the household or when cosmetics or hygiene products are needed (Mayne, 2000).

3.2 Literature Review – 2001 – 2010 (post globalisation era)

Sexuality and use of sex appeal in advertising is a major area of ethical concern. Many ads present sexual appeals which reflect upon weak roles of women, showing them as submissive and in need of constant alteration or improvement as suggested (Cohan, 2001).

Such messages tend to seriously offend the concerned gender or groups, as the ads would wrongly influence believers of such messages to disrespect the inflicted groups (Cohan, 2001).

Critical attention in the mass media to such highly visible practices as deceptive advertising, bait-and-switch selling tactics, the invasion of consumer privacy, deceptive pricing, and selling under the guise of marketing research has raised a number of ethical concerns and threatens to seriously tarnish the image and reputation of legitimate marketing practitioners (Kimmel, 2001).
Such messages also create degrading role models for women, which tend to be wrongly absorbed by the target group. Cohan felt that sometimes commercials not only demean women but gradually change the psyche of people around women (Cohan, 2001).

However it was also argued that advertising was a western concept which slowly crept into all parts of the world and brought various affects on lifestyle, opinion and values of the people (Stearn, 2001).

Advertising is considered as a source of information for all types of sectors like economy, social and other factors in the marketing world (Cohan, 2001).

Public policy on sexual advertising may focus on both supply (i.e., the sexual advertisements as well as advertisers and related others) and demand (i.e., the audience). However, it is clear that strong overt sexual appeal in print ads triggers controversy and may not be well-received by consumers. Vulgar use of sexual appeal in ads can wrongly influence uncultivated impressionable minds, and hence legal regulations must be in place to curtail and ban such messages. Otherwise, good of the society continues to be at risk of debilitation by offensive images and distasteful exposures. (Kimmel, 2001).

Advertising is blamed to tend to ratchet up the quest for material gain, leading consumers to believe that happiness depends on attaining a high material standard of living, and acquiring more and more things (Cohan, 2001).

The use of controversial images has been successful or a number of organizations in the past (Phau and Prendergast, 2001). This is particularly important when the reason for controversy is based on the nature of the product. Studies have found that products like cigarettes, alcohol, condoms, female contraceptives, and feminine hygiene products, were perceived as controversial products that could offend when being advertised, but included in their study sexual connotations, subject too personal, evoking unnecessary fear, cultural sensitivity, indecent language, sexist images and nudity (Phau and Prendergast, 2001).
Disguised and obtrusive advertising mostly deals with the way messages are presented to audiences, and whether the sender discloses himself in an appropriate and traceable way. In a broader sense, deceptive claims are an inherent part of advertising messages (Kimmel, 2001).

Cohan identifies the ethical issues involved with women's advertising, and argues that ads can be successful in generating sales without portraying women as things or as mere sex objects, and without perpetuating various weakness stereotypes. Women's advertising redefines attractiveness from something natural to an unattainable ideal. Compared to men, women are positioned differently (Cohan 2001).

Moreover, advertising on the internet poses great ethical concerns, and internet advertising issues are on the forefront of marketers who have any dealings via the World Wide Web. In the context of electronic marketing the potential harm results from the fact that an organization developing user profiles can accumulate potentially sensitive information about a user, based on his or her Internet activities (Charters, 2002).

Marketing communication depends largely on visual representation to produce meaning, brand images and spectacular simulations that create associations in consumers' minds (Borgerson and Schroeder, 2002).

Similarly, Gupta Anandsen (2002)in his research on “Ethics in advertising” stated that the success of advertising depends on public confidence and no practice should be permitted to resort to immorality and indecency.

Advertisers should fulfill their obligations towards the society.

Advertising has been in discussion even during the 1950’s in India. It was considered as wasteful or deteriorating. Mahatma Gandhi opposed advertising even in those times (Kaptan 2003).

This criticism got weight when it was opposed by Pandit Nehru by saying advertising persuades unnecessary (Mazzarella, 2003).
To further validate his findings Subhash Chanter and Rishi Raj (2003) found that unethical advertisements irrespective of the positive perceptions, unethical advertisements create a negative impact on the society. Also, majority of the people perceive the phenomena of unethical advertising as negative for the advertised product. The effects of advertisements are hard to perceive but in another study it was found that participants who viewed romantic advertisements rated themselves as more romantic than participants who watched classicist advertisements (Nairn and Berthon, 2003).

On the other hand, it has, since long, been a bull's-eye for public wrath (Burnett, 2003). (Waller, 2003) noted that most of the research has observed “controversial advertising” as a negative concept, and if controversial advertising resulted in only negative responses advertisers would shy away from this type of campaign. However, advertisers are not shying away but using it in increasing numbers. Some people term advertising ethics as an ultimate oxymoron. Businesses grumble over the high costs of this necessary evil's effects on shrinking margins. Advertising ethics has sustained itself as a towering lightning rod for controversy; perhaps, because it is the most visible business tool today, exposing the public to thousands of messages each day, which are sometimes more than questionable (Beltramini, 2003).

Television advertising was found to be related to materialistic requests and children who watched television were found to be more materialistic (Bujizen and Valkenburg, 2003). Several studies have also obtained a relationship between self reported exposure to advertising and the endorsement of materialism which affects consumer values (Paek and Pan, 2004).

The issue of children's television advertising as an ethical morass for business and government. Ethical concerns arise when children are perceived as targets
of easy prey to the marketing jargons of businesses. Advertising to children via varied media like television, print, or internet raises special concerns for parents and society, as children lack analytical/judgment abilities have only rare experience of life and are thus, vulnerable to stray influences (Preston, 2004). Madhusudhan. N. Pandya (2005) has concluded in his study on “Advertising” that ethical advertising is mostly influenced by values, opinions and judgments. Thus, the review on these past studies has revealed the importance of ethical codes of conduct in advertising which dictates the success of any advertisement. Hence, the present study focuses on the level of ethics followed and presents an extensive comparison of print and electronic media.

Immersive advertising is many a time deceptive as it misleads consumers into thinking that advertising material presented to them as content is indeed information, because the characteristics it displays correspond with what a reasonable person expects from content, but not necessarily from advertising (Spence and Heekeren, 2005).

In addition, advertising often gives idealized images of people, which leads to uncertainty in the eyes of the viewer as well as negative health effects (e.g. bulimia or anorexia) whenever such artificial images set up implausible standards of living beyond reach of regular population (Elliott and Elliott, 2005).

It has been seen that advertising industry has been facing many debates at obesity and excessive consumerism towards children. Gray says self regulation is the best way for advertisers to demonstrate their responsibility. Industry can themselves sign a code of advertising practice and then create a self regulated organization to oblige the related industries in adopting crucial measures to practice their conduct and self regulation (Gray, 2005).

The unnatural styles of flawlessness depicted in models with impossible youth and perfection accomplished with professional makeup, hair, and photo retouches tend to project women in a very different light. Treating women as
things instead of autonomous, rational beings runs contrary to the spirit and intentions which ground our laws on gender equality. Such advertising appeals tend to erode women's self-esteem. Promotion for controversial products like cigarettes, alcohol or contraceptives have potential to generate negative responses (Waller, 2005).

They found that younger consumers have more positive beliefs and attitudes toward advertising and those with higher levels of education tend to have more positive attitudes and beliefs. Initiative Media and BBC World (2002) conducted a study on consumers’ attitudes towards advertising in India and its relevance to media. They found that positive attitude towards advertising is more prevalent amongst women, middle and lower social class (Waller, 2005).

For these reasons, Moral issues in marketing are important, given the fact that marketing is expected to identify, predict and satisfy customer requirements profitably (Carrigan, 2005).

John Gabriel (2006) in his research “The impact of Television Advertisement on youth” said that in today’s marketing concept the focus is on the consumers, his needs and requirements, rather than on the product. Naturally all media of advertisements begin with customer and end with the consumer. In order to sell a product persuasive and pervasive communication is essential. Basically through television advertisements there is promotion of information which influences people. It was clearly found that television advertisements create a very strong impression on the youth.

Indian advertising industry has been evolving at a rapid pace over the past few years due to the proliferation of means of communication and the emergence of new distribution channels. Indian advertising industry is being reshaped by regulatory and technological changes spanning various media platforms- radio, TV, Internet, print and outdoor. (Rocsearch, 2006).

People accordingly connect with such messages and tend to be drawn towards material possessions beyond their range of need and affordability, thereby
straining their expendable budgets. Such ads result in infusing hedonic culture among individuals and escalated purchases beyond consumers’ means. The persuasive appeals bypass rational thinking, as viewers succumb to the appetites generated by glossy ad messages which foster strayed philosophies to mislead the viewers. Playful, fictional and pictorial communication in an ad can be equally deceptive, especially through use of its images and pictorial metaphors more than its language.

Such captive ads with deceptive imagery and pictorial metaphors can project misleading meanings which could penetrate viewers’ psyche and stray uncultivated minds (Jeurissen and Veen, 2006). There are no benchmarks for ethical practices as yet, forcing advertisers to adapt more traditional notions of what constitutes appropriate conduct as long as no legal issues are tampered with as those would stand to be prosecuted by regulatory institutions like the Federal Trade Commission (FTC), the Federal Communications Commission (FCC), or the Food and Drug Administration (FDA) (Belch and Belch, 2007).

However, advertisers often cut corners in their conduct, when trying to reach out to their targeted audiences (Polonsky and Hyman, 2007). Nevertheless, there are companies that neglect their ethical responsibility by continually producing and airing unethical advertisements (Polonsky and Hyman, 2007).

Due to the difficult equation between both ends of the marketer’s responsibility, some actions (like certain Ads), have led to the creation of new laws and regulations regarding the world of advertising. (Clow & Baack, 2007).

However, nowadays, two main appeals are being used extensively sometimes combined with others, but most of the time they are strong enough to be used solely. These are; sex appeal, which is the use of sexual content in advertisements and emotional appeal; which is the process of trying to affect the
viewer’s feelings with the Ad presented, in an attempt to link the positive feelings generated to the product advertised. (Clow&Baack,2007).

Use of kids constitute a very important and potent target group for marketers, as they have a strong effect on families” consumption habits (Belch and Belch, 2007). Statistics show that kids watch about 25,600 commercials each year (Desrochers and Holt, 2007).

Consumption of tobacco and alcohol has percolated down to the youth. Media has played a leading role in encouraging the use of these products through portrayal in congenial social settings, association of the product use with glamour and celebrity status and by using direct and indirect advertising (Das Panchali, 2007).

Millennial, who were born between roughly 1980 and 1994, have grown up with more choices and more selectivity in the products and services they use, which is why they do not have, for example, a generational music? They are impatient and goal oriented, learns by doing, and are used to instant feedback. They think it’s cool to be smart and have friends from different ethnic backgrounds. They want flexibility in the classroom and in their lives (Sweeney RT, 2007).

Regulatory measures for promotion of alcohol should be formulated on same lines as tobacco control. This will require initiating efforts for alcohol control at national, regional and international levels (Das Panchali,2007). “Sex Sells”, is a very well known term in the advertising world, but now it is a much less powerful technique than before, due to the ethical dilemma surrounding it. Sex appeal is one of the most controversial advertising approaches found, that is although popular, faces a lot of criticism. Specially, the fact that many advertisers believe that consumers around the world have similar needs and desires and global marketing is becoming more homogenous (Chan, 2007).
Another technique resorted to by marketers in this context is the use of puffery in the form of injecting 15 superlatives like “biggest” or “best”. Untruthful and deceptive claims made in ads concerning products and services lead to violations of the veracity of the ad, and viewers feel misled by the incorrect or insufficient information. Advertising is also alleged to misrepresent reality, by pushing its own values, artificial or false as they may be, as to what is good for consumers (Belch and Belch, 2007).

Researchers have tried to find ways to make such ethical programs more effective. Moreover, the American Advertising Federation has continually put this issue on their agenda (Snyder, 2008).

Advertising is the medium that conveys an organization’s communications about its offerings to the market available for sale, and hence, it possesses the innate ability to influence the consumer. In all fairness, advertising tries to create a positive attitude towards the brand, the respective offering, and the organization. It carries the message of the product, service and image characteristics of the company to the consumer. Collectively, advertisers should adhere to a code of moral and professional ethics when executing their functions (Coyne and Traflet, 2008).

Nevertheless, products like undergarments for women as well as for men still fall in this category. Some foreign cultures in their respective marketplace may feel offended by ads for controversial products (Beard, 2008).

O Barr (2008) points out that after liberalization of Indian economy in 1991, consumerism raised after multinational corporations (MNCs) entered in the social cultural fabric of India. Rising consumerism in India in many great aspects of economical, social, moral as well as personal usefulness emerged, and this point the country needs to review advertising strategy.

The youth segment has an influence on consumer spending far in excess of its numerical strength. The youth have always been a prime target for marketers. More so in India now, as two-thirds of the population is below 35 years of age.
The youth are “trysumers” (consumers who are willing to try new products) of the Indian market—a group that can play a pivotal role in any marketing campaign (Priyanka Mehra, 2009).

The excessive exposure to sexual content has lead young people as well as many adults to treat it as something ordinary, youth now look up to the models or spokespeople in Ads as idols, they try to imitate them in their looks, outfit selection and style.

A study conducted by the Centre on Alcohol Marketing and Youth in 2001, surveying youth exposure to alcohol advertisements, revealed shocking evidence that about a fourth of television alcohol advertising, comprising of about 51,084 ads, was delivered more effectively to youth than to adults, reaching 89 percent of the youth audience. Other research conducted in 2001 reflected that alcohol industry spent “$1.8 million and placed 3,262 ads on programs where the underage audience was more than 50% (Srivastava & Kochar, 2010).

Advertising is the life blood of all business organization, without which the products or services cannot flow to the distributors or sellers, and on to the consumers or users. There have been increasing efforts to protect the public interest by regulating the content and the reach of advertising (Devi, Kanchana and Sebastina, 2010).

Unethical advertising promotes harmful products, targets inappropriate audiences, makes tall claims attempts to alter lifestyles, and derides competition. Unethical issues in advertisement include providing misleading information, using ambiguous terms, and defaulting promised rewards. Hence, the study has been focused to explore the perception of consumers regarding ethical aspects of advertising and to study the role of government in controlling the unethical advertisements. The findings of the above study state that ethics should be followed in advertisements, use of sex and sentiments in ads to be avoided. Majority of the respondents do not know the existence of ASCI. Hence
more awareness is to be created and the board has to function effectively and ban advertisements which do not follow the ethics. (Devi, Kanchana and Sebastina, 2010)

The youth market is viewed as a difficult group to connect with and sell to, based on the fragmented media landscape and young people’s keen ability to identify and reject marketing messages that lack credibility. Successful brands marketing to youth have a foundation in or association with key interests and drivers among youth: music, sports, fashion, video gaming and technology, among others (Soney Mathews, 2010).

Stereotyping is also being promoted in the society by showing females need fair complexion in advertisements to be confident, while men are shown to be dominant and powerful and in commanding positions also needs a check (Shah & D Souza, 2010).

Advertisement of coco cola showing symbols in ten implant sexual images or symbols which are not noticed easily in general (Shah & D Souza, 2010).

The Population Council (2010) states, “There are 315 million young people aged 10–24 years in India, representing 30 percent of the country’s population. This cohort is healthier, more urbanized, and better educated than earlier generations.” The Indian demographic landscape has witnessed enormous changes in the past few decades. The increase in income levels, priority given toward education, and rapid industrialization coupled with liberalization policies pursued relentlessly by the Indian government has transformed the Indian economy. Indian values and national culture have not been spared from the attack from Western values (Dwivedi, 2010).

Research suggests that recent years have seen a change in consumption preferences of Indian consumers that consequently may affect their values. Consumer Protection Act implemented in India in the year 1986 has regulations which are disciplinary in nature whereas any person entrepreneur who deceives or causes damage through unfair practices of advertising is penalized but such
penalty is meagre and minimal as peanuts for big corporate firms, where as in delayed justice system consumer couldn’t get compensation within time. (CAI, 2010)

3.3 Literature Review – 2011 onwards (Present Scenario)

The direction in which TVCs are moving today, has generated enormous social tension to which we have not been able to find appropriate solutions. The situation as on date is that via these commercials, power has been transferred to business houses that have consistently ignored the social implications of their actions. (Singh & Sandhu, 2011).

The problem is fundamental, as on the basis of the review of literature, it has been established that the content of TVCs is damaging for not only society, but morality too. Complaints and concerns about TVCs have been extensive since their advent. Although some substantial research has been done on the negative consequences of TVCs across the world, the behavioral consequences and distortion of values caused by exposure to them is yet an unexplored area. The researchers have not come across much research on this issue in India. This study is, therefore, timely as the society needs to be made aware of the influence of TVCs on the social and moral turnout of the viewers. Via this study, an attempt has been made to evaluate the social implications of inappropriate commercials being aired on television in the light of the moral outrage caused by these recent unethical trends (Singh & Sandhu, 2011).

An unprecedented number of legal issues are facing the ad business today. It's not just about court cases, laws and regulations -- these are bigger, weightier legal issues, the kind that will represent real forks in the road and critical decision points for advertising executives. The advertising industry and the agency business is not simply being buffeted by change, they are change agents. Today, the importance of advertising to the economy, society and the
introduction of new technology has never been more critical (Ron Urbach, 2011).

Have you seen the advertisement of a semi clad actress advertising a mango drink “Aam Sutra”. It does not take much time to relate it to “Kama Sutra”. Of course, the advertisers want you to relate to it so that your levels of testosterone go up and you somehow become crazy for the mango drink. What is the relation between ‘playing safe’ in context of a couple and the mineral water? There are enough examples of this kind which prove that the corporate houses have not been sensitive enough to observe the highest level of ethics while making profits (Shah & D Souza, 2010).

Advertising is a multi crore industry in India and is poised to grow at close to 9% during 2011. What we need along this growth is a regulatory body that sees that the information conveyed through the advertisement actually speaks about the product or service to an extent of 90%. The National Commission for Women is also pressing the Government of India to bring advertisements and such media practices under the ambit of a law by proposing amendments to the Prohibition of Indecent Representation of Women and Children Act 1956. But the all powerful corporate houses use their lobbying techniques to dilute such amendments to the extent possible. Let us hope that good sense prevails over these corporate houses because a stronger economy cannot be built without strong ethics in business (Gupta Sudhir, 2011).

For health professionals in India, advertising has traditionally been seen as a controversial issue, and the notion of using advertising to promote a professional practice is relatively new. However, advertising by health care professionals in India has increased dramatically during the past decade, and this trend seems likely to continue, despite a government ban and even though many professionals find themselves ill equipped to handle the dynamics of this new and changing environment, especially without some form of marketing plan (Dable & Prasanth, 2011).
Media ethics remained a concern for the better part of 2011 with a number of challenges manifesting themselves. TheHoot.org has put together a documentation on some major issues which emerged in a special report on ethics in the Indian media (The hoot,2011).

An essay in Muse magazine confronts head on the issues with sexism in advertising: There are serious social impacts from this kind of advertising back on society—unrealistic expectations of women’s bodies and resulting body image problems, sexual and domestic violence, and sexism being reinforced as an acceptable form of behavior. We are being subconsciously enticed to buy products by companies who believe that it is okay to use women’s bodies in a sexual way to make their brand cool, hip and sexy. According to (Kaustav Sen Gupta,2011) youth in India form a major chunk and are using all types of media to access information about latest gadgets, gizmos, fashion trends, education, lifestyle etc. Internet and television rule this sector and they access information to the maximum. (Kaustav Sen Gupta, 2011).

In a study by (Sujata and Bhawna, 2012) it was seen that television commercials alone are playing a very crucial role in influencing the buyers specially who are teenagers and young. Such commercials influence the purchase decision of these immature minds to such an extent that they stick to brands shown in commercials with the belief that it would provide same prestige, satisfaction and joy.

Surrogate Advertising helps the companies in dodging the Government and the law. A different picture altogether runs backstage where the companies may not pose to be rule breakers but cleverly wind the laws to their convenience. The inherent drawback of the application of legal system, bureaucracy, greasing of palms, is overcome and enable the companies to achieve their objectives thereby bypassing the legal machineries. The liquor industry is the main player in this game. Few surrogate advertisements are - Bagpiper Club Soda and
Cassettes and CDs, imperial Blue Cassettes and CDs, Hayward’s Soda, Royal Challenge Golf Accessories and Mineral Water, Kingfisher Mineral Water, White Mischief Holidays, Smirnoff Cassettes and CDs, etc. The speciality of these products is that they have the same brand name and logo which the audiences see in liquor advertisements. The companies ingeniously flash these commercials and promote their liquor products. Cigarettes, Paan Masala and Gutkha making companies are also the part of the same bandwagon. Though a ban has been imposed on advertisements endorsing tobacco products, this industry had resorted to surrogate advertising a few years ago only. Some examples in this category are Manikchand Awards, Red and White Bravery Awards, Wills lifestyle, Four Square White Water Rafting, etc. (Gupta Ruchi, 2011)

In a study it was seen that alcohol manufacturers continue to allure youth and a rise in number is seen in the consumption among youth. The voluntary shift to 30 percent resulted in a substantially lower number of alcohol ads in magazines, according to the center. Meanwhile, the number of alcohol commercials increased, especially on cable channels. More than half of commercials watched by youth featured one of 12 brands: Miller Lite, Coors Light, Captain Morgan Rums, Samuel Adams Boston Lager, Miller Genuine Draft Light Beer, Crown Royal Whiskey, Corona Extra Beer, Disaronno Originale Amaretto, Smirnoff Vodkas, Miller Chill and Labatt Blue Light Beer (Jenna Johnson, 2013).

Indian ‘young consumers’ spending pattern, attitudes and lifestyles have put a great impact on marketers. These young people populate the markets of the future, while having a tremendous amount of discretionary spending power today. Youth are occupying pivotal positions in the marketing sector duly compensated by higher style of living. The lifestyles and attitudes have brought about a distinct transformation in the entertainment needs when compared to those of yester times. Youths in India are already having an enormous impact on
the economy, on companies and on culture. Youths are 'the consumer of today, the growth engine of tomorrow.' This generational shift in attitudes is all the more important because this growth is growing so rapidly. By 2015, Indians under 20 will make up 55 percent of the population and yield proportionately higher spending power (Selvakumar and Vikraman, 2012).

Table No. 3.3.1 Advertising Issues About the Message
Source: paper on ethical violations in advertising - nature, consequences & perspective by Byramjee Framarz D., Klein, Batra

<table>
<thead>
<tr>
<th>Ethical Violation</th>
<th>Selected Literature</th>
<th>Nature and Consequences</th>
<th>Present Action</th>
</tr>
</thead>
</table>
- Resulting messages are likely to inspire negative emotions. | - Legal and/or regulatory policies try to limit such exposures for social good (e.g. by FTC or FDA).  
- Policy makers impose censorship criteria and initiate prohibitions.  
- Consumer protectionists and other stakeholders advocate restrictions or bans (e.g. by suing violators).  
- Market's (society's) reactions and criticisms cause such ads to be modified or withdrawn (e.g. by product boycotts).  
- Self-regulation mechanisms come into action (e.g. by NARC).  
- Firms initiate awareness and become reluctant to offend the market. |
- Vulgar use of sexual appeal in ads can wrongfully influence uncultivated impressionable minds.  
- Societal good is debilitated by offensive images and distasteful exposures. | |
- Clichés negatively affect attitudes towards certain groups of people.  
- Some annoying commercials may be rebuked as environmental clutter. | |
| Deceptive claims | Carson et al. 1985 Stern 1992 Nebenzah/Jaffe 1998 Miller/Weckert 2000 Kimmel 2001 Stead/Gibert 2001 Charters 2002 | - Viewers' belief misled by the unclear material and disguised sponsor of the ad or the incorrect or insufficient information been given.  
- Unwary consumers naively absorb and believe underlying meanings of ad.  
- Consumers unknowingly attend to ads' salient stimuli at subconscious level.  
- Consumers feel manipulated and exploited, begin doubting ads' claims, suspect ad agencies' truefulness, and feel discontented, as their right to know/judge the communication is violated by the information asymmetries.  
- Consumers feel threatened by intrusiveness and privacy violation of spam advertising.  
- Collecting of sensitive information and user profiles stimulates consumers' fear of identity theft and misuse. | |
| Stereotyping | Peterson 1987 Green 1993 Taylor/Leo 1994 Mayne 2000 Elliott/Elliott 2005 | - Believers of such messages are wrongly influenced, which might lead to disrespect for inflicted groups.  
- Targeted consumers offended by negative communication reflecting sexist and racist typicalities. | |
The above figure shows that studies on advertising issues related to message have been done since 1950’s. The figure shows that issues related to message which were considered pertinent, are appeal, fear appeal, sex appeal, humour appeal, deceptive claims and stereotyping. All studies focus on the present action, which suggests action by regulatory bodies and self regulation. As far as regulatory mechanism which exists in India has not been found so effective and self regulation principles are no more effective in the fierce competitive environment.

### Table No.3.3.2 Advertising Issues About Children, Women, Elderly & Controversial Products

*Source: paper on ethical violations in advertising -nature, consequences & perspective by Byramjee Framarz D., Klein, Batra*

<table>
<thead>
<tr>
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<th>Selected Literature</th>
<th>Nature and Consequences</th>
<th>Present Action</th>
</tr>
</thead>
</table>
- Children are endangered when exposed to any inappropriate content, language, speech, terminology or indecency in ads  
- Potential negative impact of ads on susceptible minds of the kids  
- Kids falsely pursue to make purchases | - Responsive actions of regulatory nature by governmental organizations (e.g. FTC, FCC, FDA) to protect children’s welfare  
- Self-regulation mechanisms come into action to set up codes of conduct (e.g. AAAA, AAF, NARC)  
- Parents, educators, consumer advocates, and general public engage into the process (e.g. Mothers against drunk Driving or Parents Television Council) |
| Elderly                    | Bailey 1987, LaGrange/Ferraro 1987, Benet et al. 1993 | - Overt fear-inducing ads can cause tension, anxiety, and traumatic effect for the elderly who are more susceptible to such strong stimuli |                                                                                                                                                                                                             |
| Unmentionables             | Wilson/West 1981             | - Products or services that tend to elicit reactions of distaste, disgust, offense, or even outrage | - Regulatory bodies and medical associations intervene to curtail or ban such promotion activities  
- Alcohol beverage marketers have self-imposed guidelines to assure that their messages are only contained in programs directed to adults (e.g. miscellaneous Trade Associations like the Distilled Spirits Council of the United States)  
- The media set up associations to monitor what is shown on television and aired on the radio (NAB)  
- Parents form groups like e.g. Mothers Against Drunk Driving |
- Youth and society in general encouraged to adopt harmful habits like smoking or drinking  
- Groups and cultures in their respective marketplace feel that their values are disregarded and take offence |                                                                                                                                                                                                             |
| Harmful products           | Schuster/Powell 1987, Martin Jr. 1994, Shao/Hill 1994a, Shao/Hill 1994b, Hacker 1998, Chandra/Holt 1999 | - Especially cigarettes, alcohol and new pharmaceuticals are products not only controversial, but also causing serious harm to individuals and society at large |                                                                                                                                                                                                             |
The above figure shows that advertising issues related to children, elderly, women and products of controversial nature have always been an area of concern. Since the above studies have been done on global level and the remedies suggested are also different but action on same line has been adopted in India also. The table shows that unethical issues in advertising have always been in the eyes of the researchers and academicians. Today the reach and frequency of advertising has made it an issue of serious concern.
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