

Tell the Truth or Keep Silent: A Critical Study of Ethical Advertising Through Malaysian Advertising Self-Regulation System

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Abstract

Consumers are often subjected to various forms of non-ethical content, such as over-claiming, misleading facts and advertisers' misleading promises. When advertising contains offensive information, it may cause harm to the consumers relying upon it. Moral conflicts arise when advertisements lose their informative value and become merely propaganda for the profit of products and services. Advertisers easily produce advertisements displaying a culture that is not appropriate according to the morality principles of the nation. This paper discusses Malaysia's framework for self-regulation to control the safety of consumers and the obligation of professionals to help consumers from the perspectives of the truthfulness value of the advertising content and authenticity values of the advertisers. This study aims to examine how Malaysia's self-regulation system embraces the principles of truthfulness and authenticity in their messages. The data were obtained from five (5) Malaysian Advertisement Self-regulations (MASR) model through content analysis. The software NVivo 12 is used to conduct themes and sub-themes. The findings indicate an increasing prevalence on the values of truthfulness but do not stress the authenticity values when assessing the concepts that must be considered in the advertising field to reduce adverse commercial issues.

Keywords: *Self-Regulation; Advertising Ethics; Consumer Protection; Truthfulness; Authenticity.*

Introduction

Retrospectively, before modern digital technology and social media were established, the thoughts on individual goods could not be shared widely with other customers. As a result, the bought goods or services did not reveal any real disappointments. However, consumers today are in a different situation, consumers have an opportunity to transmit their assessments freely and openly via the Internet, regardless of whether the products or services are critical or acclaimed. Currently, there are opportunities for consumers and marketers to form a mutual partnership in which they can share experiences and express their feelings. This gives the business more insight and a chance to comprehend purchaser needs and disappointments. Furthermore, organizations may acquire information to enhance their product through early identification and correct intervention of unhappy consumers.

Research has shown that attention is the imperative manner in which companies are kept in contact with their current and prospective clients (Albakry & Daimin, 2014; Calvert, 2008; Jenkin, Madhvari, Signal & Bowers, 2014; Milakovic & Mihic, 2015). Consumers no longer play a

passive role concerning dominating media; they have become a part of it, establishing and propagating cultural values and shaping consumers' feelings, behaviors and patterns of behavior in the marketplace (Lee & Lau, 2018). Current advertisers are continually being challenged by new evolving technologies to try innovative and modern outlets to attract consumers. The rise in digital media, including mobile phones, films and video games, is also a leading factor. Nonetheless, conventional media outlets like print and TV remain as successful as they were in days past. Print ads have a prominent part in a company's marketing budget and are an essential element in any company's promotional mix.

Beltramini (2003) points out that when an advertisement breaks through the clutter of competing messages to build brands; its appearance is immediately dissected by everyone. Perhaps the very visibility of advertising in business today challenges practitioners to adhere to potentially even higher standards of ethical conduct than other business functions. Hence, the Malaysian Advertising Standard Authority (2008) confirmed that the government had revised the strict ethic codes of Malaysia's television and radio advertising in order to control unethical advertisements. Different committees within different ministries have established several guidelines aimed at preventing unethical ads being published. In any event, because the codes are only intended to be followed, there can be no exceptions for insufficient enforcement. (Abdullah Asuhaimi, Amani Pauzai, Lotpi Yusob & Asari, 2017). In order to manage the advertising activity, the current practice of advertisement management should be more disciplined. This is required to protect consumers' right to receive accurate information about the products and services offered by an advertising agency (Mohd, Bahardin, Alias, & Abdullah, 2019). Furthermore, this study addressed the urgent need to

understand how the current codes of ethics for the protection of consumers and practitioners have been developed to add truthfulness and authenticity. We ask to what extent advertising self-regulation covers both principles and whether advertising self-regulation differs substantially from one another based on principles.

Deception in Advertising

Advertising, as one of the definitions, is a "paid non-personal communication from an identified sponsor, using mass media to persuade or influence an audience" (Richards & Curran, 2002, pp. 64). As Klempler (2004) argued, the popular meaning of advertising is "the ability to entice audiences to confuse dreams with reality, to indulge audiences with reality".

The above sentiments suggested that most media use illusion and deception cynically to try to manipulate the audience (Klempler, 2004). The significance of an aesthetic and ethical structure in the advertisement regulations and in action are therefore of the utmost importance. Although self-regulation is compelling in advertisement management, the stakeholders need to work more closely together and enhance the process of self-regulation (Dickinson-Delaporte, Mortimer, Kiron, Waller & Kendrick, 2020). Each country has an Ethics Advertisement Code, so does Malaysia. There is need to cultivate more visual analysis skills to improve professional activity in a conscious manner provided with the right guide for it to work.

Many studies in various areas have been focused on deception, including the fields of economics (Gneezy, 2014), psychology (DePaulo et al., 2003; Ekman, 2001), marketing (Chaouachi & Rached, 2012) and more recently on Internet and on-line marketing (Grazioli & Jarvenpaa, 2003). The scientific search for behavioral signs

of deception has also been well established and vigorous in recent decades (DePaulo et al., 2003).

DePaulo et al. (2003) define deception or false advertising as an intentional attempt to mislead others. Deceptive advertising is commonly used by the marketing industry for the promotion of the product and is seen as one of the major ethical problems of advertisement (Drumwright & Murphy, 2004). In fact, communication is founded on a basic presumption of truthfulness (a 'truth bias') (Buller & Burgoon, 1996; Ho et al., 2015). Many norms are implicit in conveying messages. There have been few studies describing how people use discernibly different ways of lying when compared to truthful ones (Buller & Burgoon 1996; Ekman 2009; Zuckerman, Depaulo & Rosenthal 1981). Social psychological research, however, argues that deception is a necessary part of everyday life (DePaulo et al., 2003), as it has a significant role in managing and survival of mankind in society. Sometimes people say that their lies seem to be more sophisticated or noble than the qualities they justify. They lie in their defense against criticism, conflicts and emotions and sometimes against others (Chaouachi & Rached, 2012).

In her seminal study of misleading advertising, Liepinyte & Daugėlienė (2012) points out that advertising interpretation is a complex issue because everyone perceives information differently and information has never been totally objective. In certain scenarios, consumers should also be aware of their rights and what they need to do to protect themselves from advertising that was intended to manipulate.

How Advertising Practitioners View Ethics

Advertising practitioners are not just facing ethical issues, but also issues involving moral courage and moral myopia. Moral courage is where we express our ethical values and duties in ways that are obscure. Rather, moral myopia is the failure of advertisers to define an advertising issue as ethical or to convey the issue in a moral context (Drumwright & Murphy, 2004). A new research has shown that advertisement does not function on the company accounts perceived to be exploitative, and that good and ethical work is not the job of the agency (Schauster, 2015). Another significant finding is that the client-is-always-right syndrome does not mean the practitioners have the right to warn customers (Drumwright & Murphy 2004).

In conclusion, Drumwright et al. (2015) proposed for improvement in teaching and learning by focusing less on narrow business skills but more on subjects based on liberal learning, such as ethics, social responsibility and personal accountability to the future marketers and advertising professionals.

Theoretical Framework

In this study, the theoretical framework known as TARES (Baker and Martinson, 2001) was adopted in addressing the issue of *persuasive messages* in an advertisement. The TARES framework consists of five (5) interconnected parts: truthfulness of the message, authenticity of the persuader, respect for the persuadee, equity of the persuasive appeal, and social responsibility for the common good (Baker & Martinson, 2001). Figure 1 displays the five elements that contribute towards 'persuasive messages' in advertisements.

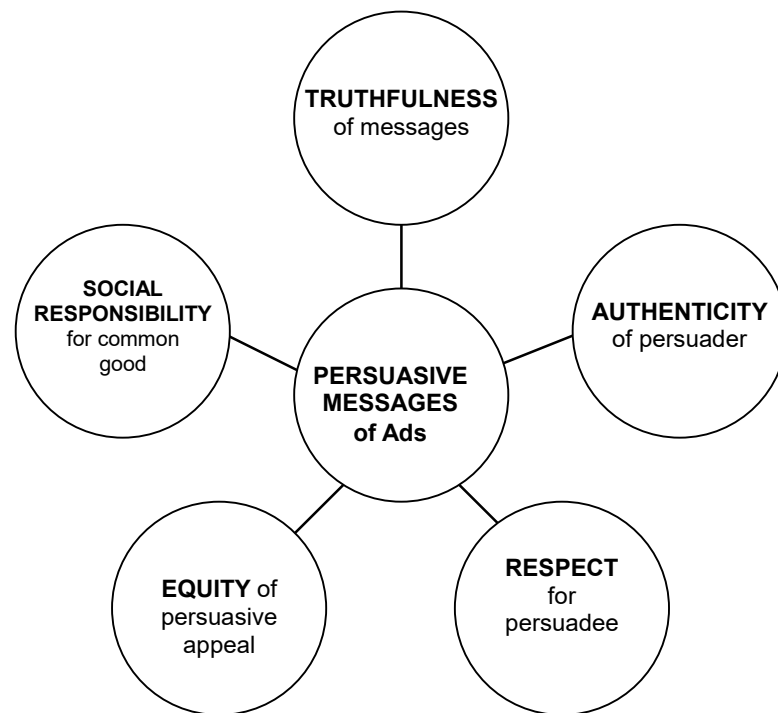


Figure 1: Elements of Persuasive Messages (Baker & Martinson, 2001)

In this paper, however, the focus is confined only to two elements, i.e., Truthfulness and Authenticity, respectively.

Methodology

To examine the roles of truthfulness and authenticity principles in advertising self-regulation system, the qualitative content analysis (QCA) was adopted. Using this qualitative approach, five (5) guidelines as prescribed by the Malaysia's for Advertising Self-regulation (MASR) were analyzed based on the TARES principles. The guidelines of MASR are as follows:

- (i) Malaysian Code of Advertising Practice by Advertising Standards Authority Malaysia (ASA);
- (ii) Content Code issued by the Communications and Multimedia Content Forum of Malaysia (CMCF) belongs to the Malaysian Communications

- (iii) Industry Guidelines for the Advertisements of Slimming Products and Services, that is also issued by the CMCF;
- (iv) Film Censorship Act 2002 issued by the Malaysian Commissioner of Law Revision; and,
- (v) Code of Ethics for Broadcasting issued by the Department of Broadcasting Malaysia of public broadcaster, Radio Television Malaysia (RTM).

Using the QCA, priori themes based on the literature review, self-analysis and the result of current research are noted and identified. In preparation for data analysis, all themes and sub-themes were coded using the software NVivo 12 that helps to derive the meaning behind each sentence and idea.

Results of Analysis

The following are the results of content analysis that focused on mapping the

TARES elements, i.e., Truthfulness and Authenticity respectively, against the guidelines of MASR.

Truthfulness of the Message

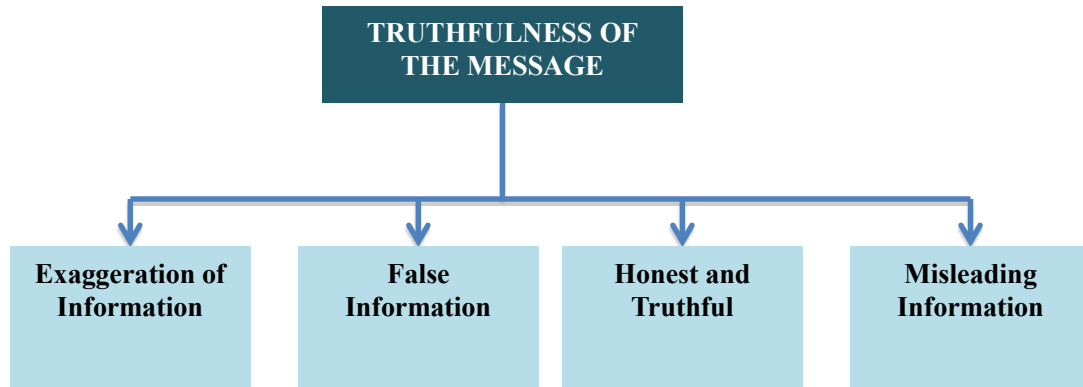


Figure 2: Sub-themes of Truthfulness of the Message

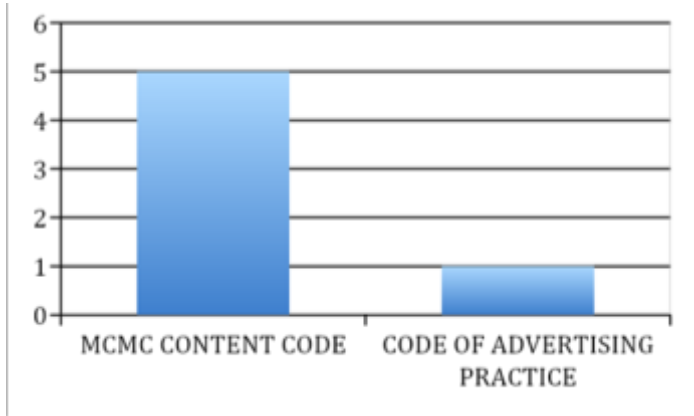
In Figure 2 above, the content analysis has revealed that four (4) sub-themes are associated with the Truthfulness principles. They are Exaggeration of Information, False Information, Honest and Truthful and Misleading Information. Truthfulness is one of the principles which need to be broader than literal truth. The truthfulness principle also demands the advertiser's

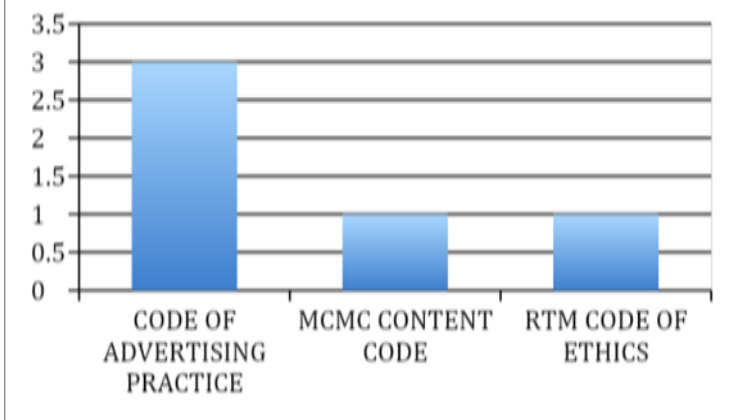
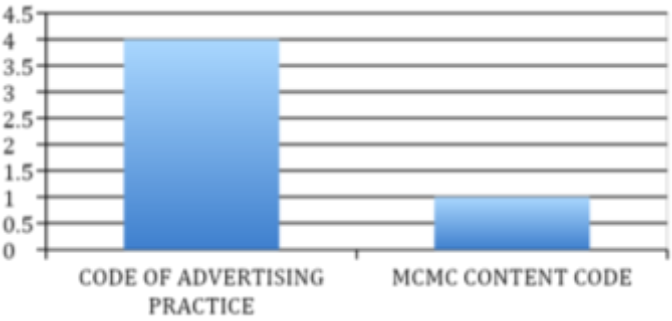
purpose of not deceiving, but rather of providing the target audiences with the accurate information they lawfully require to make purchase decisions.

Table 1 illustrates the mapping of the TARES element (i.e., Truthfulness) against the MASR Guidelines imposed by the respective agencies.

Table 1: The mapping of the TARES elements against the MASR Guidelines (Truthfulness of the message)

Sub-Themes	Results of the Mapping of TARES vs MASR
<p>Exaggeration of Information</p> <p>- Exaggeration of information whether it is text or visual described as being equipped for depicting a product in an alluring and extraordinary way to create a feeling of greatness to impress the target audiences. Figure 3(a) shows, the prohibition on exaggeration of information which has been highlighted in three of MASR. Clearly, advertising requires the right information without psychological manipulation</p>	<p>Figure 3(a)</p> <p>Notes: (a) Code of Advertising Practice - Advertisements should not contain any statements or</p>

<p>accompanying elements and alluring users. These guidelines are clearly defined in the Code of Advertising Practice for advertising ethics regulations.</p>	<p><i>visual presentation which directly or by implication, omission, ambiguity, or exaggerated claim, is likely to mislead the consumer about the product advertised.</i></p> <p>(b) Industry Guidelines for the Advertisements of Slimming Products 2015</p> <ul style="list-style-type: none"> - <i>There should be no suggestions that given methods “cannot fail, must work”. Because of the enormous variations between individuals in terms of weight, build and physical condition as well as in psychological preparedness, the most that can be claimed for any method is a high probability of success.</i> <p>(c) MCMC Content Code</p> <ul style="list-style-type: none"> - <i>No advertisement should mislead by inaccuracy, ambiguity, exaggeration, omission or otherwise.</i>
<p>False Information</p> <ul style="list-style-type: none"> - Messages can be a successful method in promoting the product when they are professionally delivered in advertising. They can provide useful information for consumers in order to make an intelligent buying decision. 	 <p>Figure 3(b)</p> <p>Notes:</p> <p>(a) MCMC Content Code –</p> <ul style="list-style-type: none"> - <i>The principle of ensuring that Content shall not be indecent, obscene, false, menacing or offensive shall be observed.</i> - <i>The Communications and Multimedia Act prohibits Content that is indecent, obscene, false, menacing or offensive in character with intent to annoy, abuse, threaten or harass any person.</i> - <i>Disseminating false information with regards to outbreak of racial disturbances in a specific part of the country;</i> - <i>Content, which contains false material and is likely to mislead, due amongst others to incomplete information is to be avoided.</i> - <i>False Content that is not truthful and likely to mislead is prohibited.</i> <p>(b) Code of Advertising Practice –</p> <ul style="list-style-type: none"> - <i>Such claims, however, are permissible under this Code, provided that their inclusion in an advertisement does not create a false impression concerning any quality possessed by the product which is capable of assessment in the light of</i>

	<p><i>generally accepted standards of judgment.</i></p>
<p><i>Honest and Truthful</i></p> <ul style="list-style-type: none"> - All ads should not abuse consumer trust, for instance advertising that contains a testimony should not attempt to misrepresent information in the testimony. Advertisers need to promote honest information when "before" or "after" claims are made and to avoid confusing data. - Further, the ethical offering of a brand can improve a reputation as an innovation based on customer perception. An ethical brand not only considers its customers and owners' economic responsibility but also social responsibility for stakeholders as a whole. 	<div style="text-align: center;">  </div> <p>Figure 3(c)</p> <p>Notes:</p> <p>(a) Code of Advertising Practice –</p> <ul style="list-style-type: none"> - <i>All advertisements should be legal, decent, honest, and truthful.</i> - <i>Advertisements should not be so framed as to abuse the trust of the consumer or exploit his lack of experience or knowledge.</i> - <i>Testimonials should not make any claim to efficacy which cannot justifiably be attributed to the use of the product and any specific or measurable results claimed should be fairly presented. Where ‘before’ and ‘after’ claims are made, they should be expressed and illustrated in such a way as to permit a fair comparison to be made.</i> <p>(b) MCMC Content Code & RTM Code of Ethics</p> <ul style="list-style-type: none"> - <i>Advertising must be transparent, honest, and true.</i> - <i>Advertisers are responsible in taking care the principle of honesty and make fair dealing in preventing consumer interest.</i>
<p><i>Misleading Information</i></p> <ul style="list-style-type: none"> - Advertising is a highly visible business activity and any lapse in ethical standards can often be risky for the company. Some of common examples of ethical issues in advertising are misleading information and deception. - The Code of Advertising Practice sets out clearly the guidelines and procedures for good practice and standards of misleading content disseminated to audiences by 	<div style="text-align: center;">  </div> <p>Figure 3(d)</p> <p>Notes:</p> <p>(a) Code of Advertising Practice –</p> <ul style="list-style-type: none"> - <i>Scientific, statistical or other research data quoted in</i>

<p>advertisers. Advertisement which contains misleading information is prohibited.</p>	<p><i>advertisements should be neither misleading nor irrelevant.</i></p> <ul style="list-style-type: none"> - <i>Advertisements should not contain any statements or visual presentation which directly or by implication, omission, ambiguity, or exaggerated claim, is likely to mislead the consumer about the product advertised, the advertiser, or about any other product or advertiser...</i> - <i>Advertisements should not contain any statement that either expressly or by implication disparages any professions, products, services or advertisers in an unfair or misleading way.</i> - <i>Claims in the form (you can lose up to X kilograms or Y centimeters, look X kilograms lighter) are unacceptable. The measurements and weights of individuals and their degrees of application vary too widely for such claims to be other than misleading when made in general terms.</i> <p>(b) MCMC Content Code –</p> <ul style="list-style-type: none"> - <i>Any content provided must not be misleading, likely to mislead or essentially out of date.</i>
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Authenticity of the Persuader

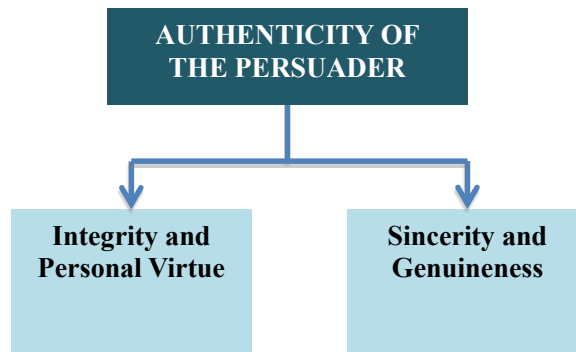


Figure 4: Sub-themes of Authenticity of the Persuader

As seen in Figure 4, there are two (2) sub-themes linked with the Authenticity principles. They are Integrity and Personal Virtue and Sincerity and Genuineness. Authenticity, as envisaged here, is about finding oneself, self-discovery, self-development, and "finding the design" of our own lives (Baker & Martinson, 2001). Authenticity means genuinely living and

being responsible for your action and promoting genuine concern for others (Golomb, 2012), and especially the honesty and moral character of advertisers.

Table 2 demonstrates the mapping of the TARES element (i.e., Authenticity) against the MASR Guidelines imposed by the respective agencies.

Table 2: The mapping of the TARES elements against the MASR Guidelines (Authenticity of the persuader)

Sub-Themes	Results of the Mapping of TARES vs MASR
<i>Integrity and Personal Virtue</i>	

<ul style="list-style-type: none"> - The principle of integrity and personal virtue in TARES Test relates to virtue ethics where the principles require the persuaders or advertisers to not only do the right thing, but also to have the requisite dispositions and motivations in doing good (Baker & Martinson, 2001). - Marketers and advertisers should emphasize the ethics of virtue, as well as of emotions and moral behaviour. 	<p>Notes: Code of Advertising Practice & MCMC Content Code</p> <ul style="list-style-type: none"> - <i>There is no influence by advertisers, or the perception of such influence, on the reporting of news or public affairs, which must be accurate, balanced and objective, with fairness and integrity being the paramount considerations governing such content.</i>
<p><i>Sincerity and Genuineness</i></p> <ul style="list-style-type: none"> - The authenticity theory also allows marketers to carefully evaluate their personal trust in the product, service or purpose. Do I trust this product, company, service, event and idea personally? Can I fully and personally support and advocate it, even for those I know and love? Advertisers should truly believe that products benefit consumers and the campaign of persuasion is truthful, receptive and fair. 	<p>Notes:</p> <ul style="list-style-type: none"> - Nevertheless, this principle is not stated in any MASR. A text search by using NVivo 12 software has found only the prohibition on testimonial advertisements that contain false information and promises. - The principles of sincerity and genuineness set forth in the MASR do not touch on the role of advertisers in shaping honesty in their profession and in themselves. This principle is seen as crucial in shaping personal virtue ethics among advertisers.

Conclusions and Recommendation

From the analyses, the five MASR guidelines differed significantly. Some have precise instructions on misleading and exaggeration of information, fairness, integrity and sincerity, while others give only general instructions on how advertising management works. Only four out of five MASR guidelines discussed truthfulness and authenticity. However, there were no considerations by the Film Censorship Act 2002 guidelines concerning the two principles. In view of the authenticity of only one MASR, practitioners were encouraged to consider

ethical issues in their creative implementation. By using ethical guidelines, social understanding, and creating more responsible agencies, citizens and governments will be facilitated. Code of ethics is a practical guideline in advertising management that needs to be included to assist the advertising industry in developing and relying on good principles and guidance in practice.

Malaysian policymakers are compelled to improve advertising regulations, enforce public policies, reinforce self-regulation among advertisers, raise awareness about

national identity and culture, and revamp the supervisory mechanism associated with immoral publicity. A change would enable better publicity guidelines to be adopted by improving the decision-making process. However, the interaction between different stakeholders in the formulation and implementation of advertising codes of ethics that is taken into consideration is significant in determining the moral value of a specifically advertised product.

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