

Should Penalty Be Imposed On Unethical Advertising

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Advertising, Consumer Influence, and the Problem of Unethical Practice

Advertising plays a major role in modern society. It is used by companies, brands, institutions, and service providers to introduce products, attract customers, and influence public opinion. In its simplest and most ethical form, advertising is meant to provide useful information about a product or service, such as its purpose, benefits, price, quality, and usefulness in daily life. However, advertising has changed significantly over time. Today, advertisements are not only informative but also highly persuasive, emotional, and sometimes manipulative. Many companies use celebrities, influencers, attractive visuals, exaggerated claims, emotional appeals, and unrealistic promises to convince people to buy their products. This has created serious concerns about whether penalties should be imposed on unethical advertising. (Federal Trade Commission, n.d.)

Unethical advertising refers to any form of promotion that misleads, deceives, offends, manipulates, or harms the audience. It may include false claims, hidden conditions, exaggerated results, offensive stereotypes, unrealistic beauty standards, fear-based marketing, and advertisements that target vulnerable groups unfairly. For example, some beauty product advertisements show celebrities or models with perfect skin and suggest that the product is responsible for their appearance. In reality, the image may be heavily edited, professionally lit, or completely unrelated to the actual effect of the product. Such advertising can create false expectations among consumers and make them believe that they will achieve the same results by using the product. When the product fails to deliver the promised outcome, the advertisement becomes misleading and unethical.

One of the strongest reasons for imposing penalties on unethical advertising is consumer protection. Consumers have the right to receive truthful and accurate information before making purchasing decisions. If an advertisement falsely claims that a product can cure a disease, remove all skin problems, guarantee weight loss, or improve social status, it can mislead people into spending money on something that does not work as promised. In some cases, misleading advertising can also create health, financial, and emotional harm. For instance, advertisements for unsafe supplements, fake medical treatments, or unrealistic financial schemes can put people at serious risk. Therefore, penalties are necessary to discourage companies from making false claims only to increase sales.

Social Values, Vulnerable Audiences, and the Harms of Misleading Promotion

Another important reason is that unethical advertising can damage social values. Advertisements are seen by people of different ages, genders, cultures, religions, and backgrounds. When an advertisement promotes stereotypes, objectifies women, mocks a particular race or religion, or uses offensive humor, it can hurt the dignity of certain groups. Such advertisements may normalize discrimination and make harmful ideas appear acceptable. For example, an advertisement that presents women only as objects of beauty or men only as dominant figures may reinforce gender stereotypes. Similarly, advertisements that make jokes about body size, skin color, disability, or cultural identity can be deeply offensive. In these cases, penalties can help remind advertisers that creativity should not come at the cost of respect and social responsibility.

Unethical advertising also creates unfair competition in the market. Honest businesses that advertise their products truthfully may lose customers to companies that use exaggerated or false claims. If one company falsely advertises its product as “the best,” “guaranteed,” or “scientifically proven” without evidence, it may gain an unfair advantage over competitors. This creates an unhealthy business environment where success depends not on product quality but on manipulation. Penalties can help create a fair market by ensuring that all businesses follow similar ethical standards.

However, it is also important to understand that not every controversial advertisement deserves punishment. Some advertisements use humor, exaggeration, or creativity to attract attention. Humor is a common advertising technique because it makes advertisements memorable and enjoyable. A humorous advertisement may not always be intended to offend anyone. Sometimes, people interpret advertisements differently depending on their personal values, cultural background, or social views. If penalties are imposed too strictly, advertisers may become afraid to use creativity, satire, or bold ideas. This could limit freedom of expression in advertising.

Regulation, Proportional Penalties, and the Boundary Between Humour and Harm

Therefore, the issue is not whether all questionable advertisements should be punished, but where the line should be drawn. A clear difference must be made between harmless humor and harmful advertising. If an advertisement uses humor without misleading consumers, attacking a group, or promoting harmful behavior, then a penalty may not be necessary. However, if an advertisement spreads false information, exploits insecurities, promotes discrimination, targets children unfairly, or causes social harm, then penalties become justified. The purpose of penalties should not be to silence creativity but to prevent deception, exploitation, and social damage.

The type of penalty should also depend on the seriousness of the violation. Minor ethical mistakes may be handled through warnings, public corrections, or removal of the advertisement. More serious cases, such as false medical claims or repeated misleading campaigns, may require fines, legal action, or restrictions on future advertising. Companies should also be required to publish corrections when their advertisements mislead the public. This would help restore consumer trust and discourage future violations.

In addition to penalties, advertisers should be encouraged to follow ethical guidelines. Companies should verify their claims before publishing advertisements. They should avoid stereotypes, respect cultural and social diversity, and provide clear information about product limitations. Advertising agencies should also review campaigns carefully before release. Schools, media organizations, and consumer protection bodies can play an important role in educating people about misleading advertising so that consumers can recognize unethical marketing techniques. (Kotler & Armstrong, 2018)

In conclusion, penalties should be imposed on unethical advertising when it misleads consumers, harms social groups, promotes discrimination, or creates unfair competition. Advertising is a powerful tool, and with that power comes responsibility. While creativity and humor should be allowed, they should not be used as excuses for deception or offense. A balanced approach is necessary: harmless creativity should be protected, but harmful and misleading advertising should face penalties. In this way, advertising can remain both effective and ethical while protecting consumers and society from manipulation.

References

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