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Arguing For the Ethics of an Ad: An Application of Multi-Modal Argumentation Theory

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ABSTRACT: In addition to functions traditionally ascribed to the socio-linguistic practice of arguing for a thesis, we can add: determining whether an advertisement is ethical. Ads regularly use fallacy and exaggeration, but when an ad uses argumentation that is based in unfair, damaging, dangerous fallacy, we may question its ethics. This paper uses Gilbert's model of Multi-Modal Argumentation to decide whether the arguments underlying an advertisement make it an ethical one.

KEY WORDS: advertising, argumentation, emotion, ethics, Gilbert, kisceral, logic, multi-modal, visceral

INTRODUCTION

Scholars of Consumer Behaviour estimate that we are exposed to more than 1500 advertisements (ads) in a day (Armstrong, Kotler, and Cunningham, 2004, p. 222). A major problem facing advertisers is determining whether an ad can be considered ethical. Ethics is a relativist issue: what may seem appropriate to the standards of conduct and judgment of one group may offend another, but given the huge presence of advertising in our every day lives, given the post-Enron concern with more ethical performance in business, and given the argument that advertising not only reflects what is prevalent but has a defining influence on what prevails in our society (Holbrook, 1987; Pollay, 1986), the ethics of the way in which advertising of products is done must be considered.

Morris Engel (2000) points out that if we are to succeed in analyzing the bombardment by the Mass Media of appeals to purchase particular products, we must know something about logic in order to better judge those appeals. We will examine specific ads first in the logical mode of argumentation, considering structures of formal logic, the issue of false premises, and some fallacies from the study of informal logic. We then will use Gilbert's (1994) model of Multi-Modal Argumentation to consider emotional, physical, or intuitive arguments made by the same ad which may cause it to be unethical even though it may meet the stringent requirements of logical argumentation. This paper argues for the existence and importance of emotional, physical, and intuitive arguments as well as logical ones, but I make the assumption, with Carozza (2002) as support, that an argument or component of an argument may be visual as well as verbal. The ads referred to are all reproduced in miniature in the Appendix.

Traditionally in Western society, we tend to think of the term *argument* as synonymous with *logic*. We hear this expressed in a variety of ways:

'I'm not going to argue with you if you can't be logical'.
 'We can't have this argument if you're going to get emotional on me'.
 "'What you feel' is not a good argument; give me a good reason why I should do it".
 'If all you can say is that you've got a hunch, there's no point in arguing'.

Logic, however, is not the only form of argument, nor is it the only basis on which to examine the ethics of an ad. Michael Gilbert (1994) maintains that while argumentation traditionally is associated with logic and reasoning (Balthorp, 1979; O'Keefe 1982; Willard, 1983 and 1989; Van Emmeren and Grootendorst, 1989), we also must consider three other modes of argumentation:

Emotional 'is related to the realm of feelings'.
 Visceral 'stems from the area of the physical'.
 Kisceral 'covers the intuitive and non-sensory arenas'. (Gilbert, 1994, p. 159)

It is important to note that Gilbert uses the term *logical* 'to indicate not merely a respect for orderliness of presentation, but also a subscription to a certain set of beliefs about evidence and sources of information' (Gilbert, 1994, p. 159).

One of the problems addressed by Gilbert's model of Multi-Modal Argumentation is the too-frequent perception that *logical* means *right* and *emotional* means *wrong*. Any of the four modes of argumentation may be *right* for any particular use. What may be *wrong* is the use of any of the four modes of argumentation to unfairly or improperly make a covert argument for the purchase of a product. Thus an ad may meet all the requirements for a valid logical argument but still be questionable or even unethical when we examine its emotional, physical, or intuitive argument in addition to its logical one. When an ad does this, we may label it *fallacious*.

A non-fallacious argument in this context is one which makes valid use of the chosen mode of argumentation, which makes no blatantly false claims, and which argues mainly from specific attributes of the product rather than from insinuated extraneous effects to be obtained by purchasing it. It is fairly easy to establish what makes a non-fallacious ad in the logical mode: the logic would be presented in way that is proper according to the standards of formal logic; the presentation would be orderly and correctly use available evidence. The more difficult task is to define what *valid* means in the case of an emotional, physical, or intuitive mode of argumentation. For the purpose of this paper, and recognizing that years of research may be needed to establish finally, if at all, the correct answer, I state that a valid, or non-fallacious emotional ad would target feelings appropriate to the product advertised; a valid visceral ad would emphasize physical reactions that the purchaser might genuinely be expected to experience with the ad or the product, and a valid ad in kisceral mode would require intuitive connections that are not outrageous leaps of faith to make the link between benefits implied by the ad and those actually attainable with the product.

This paper examines a series of print ads which use these four modes of argumentation in non-fallacious and then in fallacious ways, and finally in ways that the author believes make the ad unethical. The ads we will examine could each be placed in more than one of the four categories, and in truth, most ads contain all four components to at least some degree. The point of this paper is not to prove categorically that one ad belongs in one mode of evaluation, but rather to utilize Gilbert's theory of Multi-Modal Argumentation to illustrate ways in which an advertiser or agency might decide whether most consumers viewing the ad will deem it ethical, other than through analysis only of the logical argument made by the ad.

NON-FALLACIOUS ADS

Logical Non-Fallacious Ad: Duo-Pro Pipes

A business-to-business ad for Duo-Pro containment piping shows white pipe-fittings against a blue background in the top third of the ad, with small bulleted paragraphs of print filling the lower two thirds of the page. Although the main thrust of the ad is logical, it also contains an appeal in each of the other modes of argumentation. The first paragraph, which claims that the piping is made for people ‘who care enough about quality, safety and reliability to invest in the industry’s premium...piping system’, evokes a hint of the greeting card company slogan and may summon some emotional feeling in the reader for the care with which this product was manufactured. The ad also contains a physical element, as will any ad that contains any kind of visual element. We see the actual pipes; we may consider how they might feel in our hand, sensing the smoothness of the joints and the density of the material, and thus experience a physical argument for their quality. The blue background reminds us intuitively of water, and thus makes a kisceral argument for the importance of the pipes that carry it. The major mode of argumentation in the Duo-Pro ad, however, is logical, appealing to our reasoning processes. Following classic syllogism structure, the argument is:

All M are P.

All S are M.

Therefore All S are P.

All pipes that meet safety standards (M) are things that are worth buying (P).

All Duo-Pro pipes (S) are pipes that meet (and exceed) safety standards (M).

Therefore, all Duo-Pro pipes (S) are things that are worth buying (P).

The syllogism is First Figure, AAA Mood. I try always to find a syllogism in this form to represent the argument of the ad in order to give the greatest benefit of doubt to the advertiser.

The ad is non-fallacious in a number of ways. The industry and company standards referred to are documented and may be checked by a potential buyer. The logic is clearly presented in an orderly fashion, and it is sound and speaks directly to the attributes of the product. We can accept both premises of the syllogism, and by the laws of logic, we therefore must accept the conclusion that Duo-Pro pipes are worth buying.

Emotional Non-Fallacious Ad: Mount Sinai Medical Centre

Emotion is a staple in good advertising, partly because an appeal to our emotion will often break down or override logical counter-arguments we might make. Almost all ads will contain at least some emotional appeal, but the ad for the Mount Sinai Medical Centre in New York City has emotion as its primary argument. The ad shows a black-and-white photograph of an ordinary woman holding a copy of the *New York Times* as she smiles out at us; the subtitle says, ‘Yesterday She Was Blind’. The copy goes on to tell us that, using laser surgery, the doctors at Mount Sinai Medical Centre were able to restore her sight.

The ad contains some appeal to logic; almost every ad will in some manner. The copy tells the woman’s story and links the recovery of her sight directly to the medical centre’s 135 years of experience. The picture of her holding the newspaper makes a physical argument as we

see what she can now see, and we find the intuitive mode of argumentation in the leap from the headline that if she was blind yesterday, she can see today. Again we see all four modes of argumentation, but the major mode here is the non-fallacious use of emotion. There are no 'laws' of emotional, physical, or intuitive argumentation as there are for logic, but the emotion appealed to in this ad is appropriate to the story, and the ad does not distort facts to increase emotion.

Visceral Non-Fallacious Ad: Birds Eye Frozen Vegetables

Any ad that contains a picture will contain a visceral or physical argument; even an ad that contains only print may make a visual and therefore visceral argument in its choice of font, colour, and size of print. In the ad for Birds Eye International Recipes Bavarian Style, the picture is the major argument. We experience a visceral reaction to an image of fresh crisp moist green beans and the almost luminous yellow 'intriguing little German-style noodles'. The ad uses some logical reasoning in its suggestion that, 'We could have just given you the tenderest, tastiest, greenest green beans and stopped there....Instead we added spaetzle...' The ad also uses emotion in describing this food as 'the most unforgettable serving of beans that ever sat on the side of your plate', but the main mode of argumentation is physical. The ad is largely non-fallacious. There is puffery in the 'unforgettable serving of beans' but the ad stresses actual attributes of the product, and the physical picture represents well what you would expect to find in the package. Purchasing the product provides proof that the picture fairly represents the finished product.

Kisceral Non-Fallacious Ad: Westvaco Packaging

Ads that focus on a kisceral mode of argumentation ask us to make a leap of faith and connection. In a dramatic business-to-business ad, Westvaco argues to convince its packaging customers that it is the right partner to present their client's food to the end user. The small amount of copy below the ad makes the argument that Westvaco 'people work hand in hand with yours throughout the development cycle'.

The ad makes logical arguments, with a bit of emotion in the concept of someone working with you hand in hand or the revisiting of childhood circuses, but the link between the partnership of the trapeze artists and the partnership offered by Westvaco makes the ad work. In the ad, two male trapeze artists, dressed alike in leopard skin tights and white boots perform against the black ceiling of a circus tent, one catching the other by the wrists as he falls into space. But we experience more here than just the physical tension of the picture; we make that intuitive leap from the partnership integral to this life-or-death circus act to the partnership with a packaging company that will ensure success of a food product. The ad is non-fallacious because not only is the picture directly connected to the concept of partnership, but in the survival of a product in today's competitive markets, packaging can indeed be a life-or-death decision.

FALLACIOUS ADS

Logical Fallacious Ad: Chrysler LeBaron Convertible

A 1987 ad for the US\$17,000 Chrysler LeBaron convertible compares it to the US\$106,000 Mercedes 500SL as if the only difference between them were the US\$89,000 in price. The main mode of argumentation is logical:

All things that are otherwise identical to a higher-priced item are a better buy.
Chrysler is identical to the higher priced Mercedes.
 Therefore Chrysler is the better buy.

The ad consists almost entirely of written copy with only a small colour picture of the two cars side by side at the top of the page, where indeed they look extremely similar. The headline reads, 'Think of it as a Mercedes with a [US]\$89,000 rebate', and the copy only mentions one other difference: 'a five [instead of three] pointed star'.

The argument, however, is fallacious. While most people would probably accept the first premise, the second premise is patently false and the conclusion therefore is not validly derived from the premises. It is probably not unethical because we expect and accept a certain amount of puffery in ads and few people would be fooled into believing that a Chrysler is identical to a Mercedes.

Emotional Fallacious Ad: Pepsi

Pepsi provides an example of an ad constructed of pure emotion, with hardly a word on the page. We see four little Asian girls in school uniforms sitting on the ground in what looks like it might be Thailand, a few schoolbooks, four bottles of Pepsi, and in the background across a muddy street, a Pepsi stand in front of some shops. The only English words in the ad are 'Every Body Need (sic) a Friend', printed on a tote sack that bears a picture of a white Anglo-looking boy.

This ad's emotional jerk on our heartstrings makes a connection between schoolgirl friendships, youth, exotic locales, and the sugared cola that competes with Coke for the world's largest distribution system. The ad makes no reference to any actual attributes of the drink – quality, taste, freshness, purity – only to its apparent ability to help one make friends. It may not be unethical, but it is certainly fallacious given its reliance solely on the suggestion of promised benefits unrelated to product attributes. Nothing is presented to argue that drinking Pepsi will make you friends.

Visceral Fallacious Ad: Tabu

An ad for Tabu perfume presents a full-page colour picture of a female artist clad in soft linens, paint brush still in her hand as she is embraced by the handsome long-haired male model she is in the act of recreating on her canvas. The only words on the page are, 'Blame it on Tabu'. The visceral sexual image promises that if a woman wears this fragrance, she too can be seduced.

The ad is fallacious mainly because it relies for effect not upon actual qualities of the product but upon the physical reaction of lust and longing created by the picture. The ad commits the fallacy of False Cause, suggesting that because this one woman wearing Tabu entranced a handsome man, any woman wearing Tabu will be able to do the same.

Kisceral Fallacious Ad: French Wine

An ad for French wines consists of a full-page picture of a man and woman dressed in disheveled evening clothes kissing in the kitchen, a partially consumed bottle of red wine beside them. The

copy, 'Wild things happen in the *oui* hours...Say yes to wines from France', makes the leap of intuition that drinking alcoholic beverages will lead to the answer 'yes' when the kissing starts.

We may find nothing wrong with a couple's sharing a glass of wine and then spending romantic time together, but what makes the appeal fallacious is again the ad's failure to deal with actual product attributes and its effort to sell the product on the basis of suggestion of possible effects, committing possibly the fallacy of False Cause.

UNETHICAL ADS

The preceding four ads were labelled fallacious because each was based on a fallacy, an untrue premise, benefits promised that are not directly related to product attributes, or an unfair use of logical, emotional, physical, or intuitive appeal. The use of fallacy or a questionable appeal in ads is not automatically unethical, and indeed the charm of many ads lies in their exaggeration or twisting of the truth. Some ads, however, push this too far. At some point we decide whether an ad is truly unfair, damaging, or dangerous, and we consider labeling it *unethical*. In the standards of conduct and moral system of the writer, these four preceding ads did not cross the line from fallacious to unethical, but not everyone agrees with this classification. In presentations in workshops and classrooms, the following comments have been heard:

Chrysler: 'Advertising of any automobile that pollutes our environment is unethical'.

Pepsi: 'The proliferation of American products in the developing world is unethical'.

Tabu: 'Using images of sexual domination of women to sell products is unethical'.

French Wine: 'Stereotyping of the French as overly interested in sex is unethical'.

One cannot disregard these statements, nor can one pretend to make final and absolute decisions on the ethics of any ad. Ethics does not test, sample, or evaluate *per se* (Hegel, 1977, p. 279); it accepts or rejects as a relativist proposition. What I propose here is a method for determining an ad's ethical acceptability to those who may be exposed to it, through examining modes of argumentation and the tendency to deceive, but the final decision will depend on who is making the judgment, for the benefit of which viewers, and under what circumstances. In the following section, I have applied a judgment of *unethical* to four ads.

Logical Unethically Fallacious Ad: Ryka Running Shoes

An ad for Ryka running shoes shows a woman with a tear running down her face. The copy reads, 'Sometimes the only way to work it out, is to work it out'. We also see two pictures of running shoes, one of a woman exercising, and in the centre, a pink rose. The copy continues, 'When you buy a pair, Ryka will commit seven percent of its profits to the Ryka ROSE Foundation (Regaining One's Self-Esteem) to fund community-action programmes to end violence against women'. The surface-level syllogism is:

All firms that donate to a worthy cause are firms that deserve your business.

Ryka is a firm that donates to a worthy cause.

Therefore Ryka is a firm that deserves your business.

This argument is First Figure, AAA Mood, with premises that most people could accept, so the syllogism is valid, but the argument is still fallacious because the benefits touted have little to do with the attributes of the product itself, a running shoe. This alone does not make the ad unethical; there is, however, a more subtle and dangerous covert syllogism:

All cases of pain in the world can be solved by buying a product.

Violence against women is a case of pain.

Therefore violence against women can be solved by buying a product (preferably ours).

More and more advertisers are employing this covert argument in their ads in our increasingly consumption-based society, and to use the purchase of consumer goods to compensate for evils experienced in the world is a questionable practice. It is admirable that Ryka donates a percentage of its profits to a good cause, and it is laudable to support the struggle to end violence against women, but the fact that this firm uses an important social issue to create an ad that preys upon women's worries about violence for the purpose of selling a consumer good in my mind makes it an unethical ad.

Emotional Unethically Fallacious Ad: Jordache Clothing

In an ad for Jordache clothing at the May company, we see only a full-page black-and-white picture of a man shaking his finger in a scolding manner at a woman who is grasping his coat, thrusting her body toward him. Her long hair flows down her back, her eyes are cast down, and her mouth gapes in what could not possibly be labelled a smile. The stance of the chastising male is unmistakably threatening, the evoked emotion is frightening, and it is being used to sell women's clothing. Giving the advertiser the benefit of a great deal of doubt, one might construct the following First Figure, AAA Mood syllogism for a logical argument in this ad:

All dresses that are pretty are good for attracting men.

Jordache dresses are pretty.

Therefore Jordache dresses are good for attracting men.

Examining the ad's argument in the logical mode, we see that we can accept the premises as true, making the syllogism valid, which, if we were to examine only the logical mode of argument, would force us to say that the ad is non-fallacious. Considering the argument in the emotional mode, however, we find emotions appealed to and expressed which will be offensive to anyone concerned about relations between men and women. I therefore label this ad not only fallacious, but unethical.

Visceral Unethically Fallacious Ad: Capri Cigarettes

Cigarette ads are perhaps the best example of the misuse of the physical argument with ethically questionable fallacious methods. In an ad for Capri cigarettes, we see an elegant blonde-haired woman sitting at a sunny table, a light shawl draped around her shoulders, the gorgeous blue of the sea extending beyond her balcony, flowers blooming on the ledge, a picture of beauty. She is smoking a cigarette and the copy reads, 'She's gone to Capri and she's not coming back'. The

other half (not shown) of this two-page ad extends the view of the sea and the patio and includes the United States Surgeon General's warning about the health hazards of smoking. Trying to find a valid syllogism in First Figure, AAA Mode, we can construct this one:

All things associated with Capri are things that will make you beautiful.

Capri cigarettes are things that are associated with Capri.

Therefore Capri cigarettes are things that will make you beautiful.

Taking each premise separately, we can judge that they are both true, if we ignore the amphiboly and take 'Capri' with a separate meaning in each sentence. In the first premise, Capri refers to the beautiful isle of Capri in the Mediterranean Sea, and anyone can probably imagine that a visit there would indeed make one beautiful. 'Capri' in the second premise refers to Capri cigarettes, and we must accept the truth of that almost tautological statement. If we accept each premise as true and recognize the syllogism as First Figure, Mood AAA, we would have to say that the argument is non-fallacious.

Even ignoring the amphiboly, however, we must examine the visceral or physical argument made by this ad. There is nothing in the use of the cigarette product itself that brings fresh sea air or beauty to the user, and thus the ad promotes benefits that not only are unrelated to the product, but are actually anathema to its use. Instead of showing cigarette smoke which would cloud the view of fresh sea air, and a wrinkled face and stained teeth on the smoker, the physical arguments presented in the ad are of the beauty of the sea and the beauty of the smoker. I therefore label this ad unethically fallacious for its attempt to sell an addictive drug with physical images of the very things it will destroy. This tendency to use images of physical beauty appears often in cigarette ads, from the rugged Marlboro cowboy to the spring green scenes of Kool.

Visceral Unethically Fallacious Ad: The National Rifle Association

The wedding ring and smiling face of balding bespectacled uniformed Police Sergeant Richard Beckman in a picture that covers more than half the page of this ad for the National Rifle Association suggests to the viewer a family man, a pillar of his community. In the copy at the bottom of the page, he invites us to make the intuitive leap from police weapons training to the private ownership of guns as endorsed by the NRA. The story tells how Officer Beckman managed, through his NRA training, to save the lives of his partner and a seventeen-year-old boy who was tending the store when an armed ex-con took him hostage. The last paragraph of the officer's statement concludes, 'I also believe in the National Rifle Association because I believe every law-abiding American citizen has a right to own a firearm. Armed citizens deter crime'. Trying to fit a First Figure, AAA Mood syllogism, we can suggest:

All things that produce well-trained police officers are things that are worthwhile.

The National Rifle Association is a thing that produces well-trained police officers.

Therefore the National Rifle Association is a worthwhile thing.

The first premise can generally be labelled true. To give the benefit of doubt to the advertiser, the second premise also might be taken as true: if the NRA provides additional expertise in crime-fighting activities, it is perhaps a worthwhile thing for police officers. Even if we were to accept

the syllogism as valid in examining the ad in the logical mode, however, the overall effect of the ad is to bamboozle the reader with intuitive leaps of faith and connection that simply are not justified. The intuitive overall effect of this ad is to argue that if the Police think it is a good thing, the NRA must be a good thing. Even if we believe Officer Beckman's unlikely contention that he learned to shoot with the National Rifle Association rather than in his police training, here he is promoting not the training of police officers but the ownership of guns by private citizens.

The ultimate decision about the ethics of this ad does not depend upon which side of the firearms issue one supports, and this is one of the advantages of the Gilbert model – it enables ethical decision-making in areas which otherwise tend to be black-and-white issues with many people. The intuitive argument of the ad does not hold up under examination, and I therefore label this an unethical ad.

CONCLUSION

To a large extent, what makes an ad ethical depends on how it presents its argument. Advertisers may use logical, emotional, physical, or intuitive reasoning, and most ads employ a combination of all of these modes. We accept that ads will use some fallacy in making their argument; we expect some exaggeration; we laugh warmly when it is done openly and in fun. But when an ad uses argumentation that is based in unfair, damaging, dangerous fallacy, we may question the ethics of that ad. Gilbert's model of Multi-Modal Argumentation provides a method for examining more than just the formal logic involved in the argument presented by an ad, and thereby provides a better chance of identifying unethical elements in an ad. Future research should examine how we determine the validity of an emotional, physical, or intuitive argument.

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APPENDIX: THE ADS

