

**PERCEPTIONS OF FAIRNESS: A COMPARATIVE  
CRITIQUE OF THE USE OF LIFESTYLE ADVERTISING IN  
THE PROMOTION OF SKIN LIGHTENING PRODUCTS**

MATHURA SANTHIRASEGARAM

A THESIS SUBMITTED TO THE FACULTY OF GRADUATE  
STUDIES IN PARTIAL FULFILLMENT OF THE REQUIREMENTS  
FOR THE DEGREE OF MASTER OF ARTS.

GRADUATE PROGRAM IN INTERDISCIPLINARY STUDIES  
YORK UNIVERSITY,  
TORONTO, ONTARIO

SEPTEMBER 2013

© MATHURA SANTHIRASEGARAM 2013

## ABSTRACT

The popularity and prevalence of the practice of skin lightening in South Asian communities is widespread and the ideas behind the practice are deep-rooted. Skin lightening products are promoted using lifestyle advertising and this technique attracts and makes the product more relatable to its target audience. The trend to use skin lightening products and the advertisements promoting them have branched out into Canada as well, however, few consumers realize the harm that is brought on by purchasing and using the skin lightening products that are available in today's market. The framework surrounding the regulation of skin lightening products in Canada is inadequate and there are several gaps that need to be filled in order to better protect consumers. Like skin lightening products, tobacco products were also widely promoted using lifestyle advertising. In addition, the consumption and use of tobacco products also presents significant risks to consumers. Yet, tobacco regulation in Canada has undergone a major overhaul to address some of the same types of gaps that were initially found during its inception. Therefore, given the similarities in the methods of promotion coupled with the potential harm caused to consumers, this paper makes a case for similar frameworks to be put in place to regulate both types of products.

## DEDICATION

This work is dedicated to my parents,  
without whom nothing would seem possible.

## ACKNOWLEDGEMENTS

Throughout my life I have always had a great support system around me. This has never been truer than through the process of writing this thesis. First and foremost, I would like to thank my supervisors who have always been ready to answer any question or tackle any problem... thank you Alberto, Sharada, and Andil, I could not have asked for better mentors. In addition, many thanks to Jamie Scott and Fiona Fernandes who have worked tirelessly to ensure that the Interdisciplinary Program at York University is recognized as the true gem that it is. And last but never least, my sincerest thanks to someone who devoted his time and energy to making sure I shined as brightly as possible.

Thank you from the bottom of my heart Professor David Rennie, you will forever be missed.

## TABLE OF CONTENTS

Abstract.....	ii
Dedication.....	iii
Acknowledgements.....	iv
List of Transcripts.....	vi
Introduction.....	1
1. Origins of Skin Lightening: The Desire for Fair Skin.....	9
Roots in Hinduism.....	9
The Effects of British Colonization.....	11
The Connection to Advertisements Promoting Skin Lightening Products.....	18
2. Current Regulation of Skin Lightening Products in Canada & The Case Against Consumer Harm.....	28
The View on Skin Lightening Products in Canada.....	28
Beauty Ideals and the Beauty Industry.....	32
The Notion of Consumer Harm.....	36
Analyzing Skin Lightening Advertisements – Meanings and Messages.....	41
Over-Arching Themes and Messages – Skin Lightening.....	69
Analyzing Tobacco Advertisements – Meaning and Messages.....	70
Over-Arching Themes and Messages – Tobacco.....	82
Connections Between Advertisements.....	82

3. Learning Lessons From Tobacco Regulation in Canada.....	84
The History of Tobacco Regulation in Canada.....	84
The Effects and Pitfalls of Lifestyle Advertising.....	92
Lifestyle Advertising and Consumers.....	94
Conclusion.....	102
Future Considerations.....	104
List of References.....	105

## LIST OF TRANSCRIPTS

Transcript 1: Skin Lightening Advertisement #1 – Fair & Lovely 4-Step Action Fairness Cream.....	40
Transcript 2: Skin Lightening Advertisement #2 – Fair & Lovely Fairness Cream.....	49
Transcript 3: Skin Lightening Advertisement #3 – Pond’s White Beauty GenWhite.....	56
Transcript 4: Skin Lightening Advertisement #4 – L’Oreal Paris Pearl Perfect Day Cream.....	61
Transcript 5: Cigarette Advertisement #1 – Kool Cigarettes.....	69
Transcript 6: Cigarette Advertisement #2 – Oasis Cigarettes.....	75

## **INTRODUCTION**

The aim of my study is to analyze skin lightening advertisements and highlight the harm that is caused by the ideas promoted through the promotion of these products. I will compare these claims and the techniques used with those found in tobacco advertising. My analysis will provide evidence of the similarities between the two types of advertising as well as the similarities with respect to consumer harm, and put forth the claim that there are grounds to explore a proposal for legal intervention based on these commonalities. More specifically, there is a basis to adapt the framework currently in place to regulate tobacco products and apply it to skin lightening products as well. The need for change in the regulation of skin lightening products will be made evident through a number of significant gaps, gaps which have already been addressed and rectified in the regulation of tobacco products through years of amendments.

The debate over skin colour is one that has been waged for centuries in South Asian countries such as India. Throughout history, India has repeatedly been invaded. These invaders, such as the Persians and the British, have tended to have lighter skin than Indians so a lighter skin complexion has become associated with power. The beauty industry in India has used this connection between fairness and power to promote



their products. More specifically, advertisers sell women the notion that they are in control of their lives; the advertisements show women that by liberating themselves from their skin colour, they can open the path to endless opportunities. Commercials and advertisements for skin lightening products often suggest that the lighter the skin, the more likely the chances of meeting an ideal mate or landing a dream job. The fairness beauty ideal is not the only beauty ideal found in South Asian communities, however, it is hegemonic throughout. This embedded desire for fair skin plays out in the form of a colour bias, which prizes fairer skin over darker skin. In addition to physical health implications, the desire for “whiteness” has major psychological repercussions including lower levels of self-confidence as well as perceptions of inferiority among darker skinned Indian women.

Being a darker skinned South Asian woman myself, I have experienced first hand how the idea of light over dark plays out in South Asian culture. There have been many instances where I have attended a wedding only to have an aunt point out that the bride is “so fair and beautiful” or that she has “nice features despite being dark”. In the first case, the bride’s fair skin colour is seen as being synonymous with beauty while, in the second, the bride’s darker skin colour is seen as a hindrance and something that takes away from her physical beauty. It was situations like these that sparked my

interest in the role that skin colour has played and continues to play in the lives of South Asian women.

With practices such as skin lightening becoming the norm, it brings up concerns about whether these practices are safe and whether the benefits they claim to have are actually achievable. In one case in the United States, a woman who had been using skin lightening products twice a day for a month reported that while her skin had become fairer, it had also become so thin that a simple touch would bruise her face. Her capillaries were noticeably visible and she developed stubborn acne (Saint Louis, 2010). A doctor told her that all three were side effects of prescription-strength steroids that were found in some of the products, which she purchased over the counter from beauty supply stores. There has been medical evidence that has indicated that the prolonged use of a whitening cream with topical steroids can lead to hypertension and elevated blood sugar, while some side effects, like stretch marks, may be permanent (Saint Louis, 2010). Hence, the promotion of these such products can clearly lead to potential consumer harm.

The Minister of Justice Canada defines promotion as “a representation about a product or service by any means, whether directly or indirectly, including any communication of information about a product or service and

its price and distribution, that is likely to influence and shape attitudes, beliefs and behaviours about the product or service” (1997). The promotion of the idea that lighter skin reflects a higher status of power is oppressive in nature as it can be attributed to an inferiority complex with the targeted women. The suggestion that those with darker complexions are less privileged and, therefore, less desirable is one that can be found throughout these types of advertisements. The advertisements exploit the psychological role that they play in the development of the self-image of these women. They convince women that, unless they accept the views that are promoted, they will not be successful in any area of their lives. This, in turn, can lead to disastrous consequences by encouraging the women targeted by the advertisements to take drastic action in the form of procedures such as skin lightening.

The form of lifestyle advertising that is used to promote skin lightening was also widely in use to promote tobacco products. However, in 2003, the *Tobacco Act* was put into place. The *Tobacco Act* stipulated that tobacco advertising must meet certain conditions with respect to both venue and content in order to be considered legal. There are restrictions with respect to allowable content. Advertisers must not mislead or deceive by creating “an erroneous impression about the characteristics, health effects or health hazards of the tobacco product or its emissions” (Thompson, 2003). In

addition, advertisers must ensure that they do not use lifestyle advertising. Lifestyle advertising is defined as advertising that “associates a product with, or evokes positive or negative emotion about or image of, a way of life such as one that includes glamour, recreation, vitality, risk or daring” (Thompson, 2003). The lifestyle advertising that is used to promote skin lightening products is directly harmful to consumer welfare because it convinces young South Asian women to use the advertised product for superficial reasons and the results can have lasting negative health implications, as outlined previously.

In the past, like advertisements promoting skin lightening products, tobacco products were promoted as something that enhanced one’s level of acceptability. However, this has been put to an end as stated by the *Tobacco Act*. I will explore the links that exist between the advertising of tobacco products and skin lightening products as both utilize lifestyle advertising to promote their products. The focus will be in the realm of the consumer harm that is caused by lifestyle advertising. I will analyze the way skin lightening products exploit the insecurities that are associated with darker skin tones in young South Asian women by using lifestyle advertising, arguing that this practice is harmful to consumer welfare. I will be borrowing from the framework that is utilized to regulate the use of lifestyle advertising in the tobacco industry and put forth a proposal for

legal intervention in the regulation of the promotion of skin lightening products.

Despite the risks that are associated with skin lightening products, they are still widely marketed in Canada via specialty channels that target the South Asian community, and more specifically young South Asian women. There is much that has been done to regulate the promotion of tobacco products, which was widely used to attract young consumers. In relation to skin lightening products, they are promoted using the same form of lifestyle advertising that is explicitly banned in tobacco advertising and this is the area that I am interested in for my research purposes.

I will use an interdisciplinary approach by analyzing the beauty ideals that are projected on to young South Asian women and exploring the serious health implications that skin lightening products have on them as avenues for discussing the inappropriate use of lifestyle advertising. I will be approaching the topic from a legal and social point of view in order to demonstrate the consumer harm that is caused as a result of the practice of skin lightening as well as how this practice is perpetuated through advertising.

In the first chapter, I will explore the roots of the practice of skin lightening and will be looking at how history has shaped the views that are presently held in the debate regarding the desire for fair skin. In the second chapter, I will be evaluating the current regulation surrounding skin lightening products in Canada and will be addressing the major gaps that need to be filled. In this chapter I also conduct an analysis on four advertisements promoting various skin lightening products as well as two advertisements promoting tobacco products. The aims of this analysis are to group similarities (in terms of themes and messages) between the advertisements and get a better understanding of the efficacy of the notions and ideas portrayed and encouraged within the commercials. In the third chapter, I explore the regulation surrounding tobacco products and tobacco advertising. This chapter will bring in to focus the gaps that I believe have been overlooked in the case of skin lightening products and the promotion of them, and will showcase how these gaps can be overcome as evidenced in the case of tobacco regulation.

As stated previously, the goal of my research is to demonstrate that the similarities between the use of lifestyle advertising in the promotion of skin lightening products and tobacco products, coupled with the similarities in the consumer harm caused by both types of products, allows for a case to be made for a proposal for legal intervention. It is my hope, that through

this project, I can help bring to light the harmful and irresponsible nature of skin lightening advertising as well as help add to the discussion towards a resolution.

## **CHAPTER 1 – ORIGINS OF SKIN LIGHTENING: THE DESIRE FOR FAIR SKIN**

This chapter will explore how the practice of skin lightening emerged within South Asian communities. This chapter is crucial in understanding how the practice evolved and became so popular. This chapter will, not only examine how skin lightening originated, but will also examine how and why these historic roots contributed to the practice becoming commonplace in South Asian communities today.

### **Roots in Hinduism**

Skin lightening dates back centuries; it has roots in Hinduism's complex social hierarchy, commonly referred to as the caste system. Part of the caste system can be attributed to a verse from the Rig Veda, an ancient Hindu scripture, which depicts how the human race was created from the primal man, *Purusha*. The scripture describes how the Brahmins, the priest castes who are considered the highest on the social totem pole, were created from his head. The Kshatriyas, the warrior castes, appeared from his arms. The Vaishyas, merchant castes, came from his thighs. And finally, the Shudras, the servant or labourer castes, manifested from his feet. The colour associated with each caste in the caste system graduated down; the Brahmins were symbolized by whiteness and purity, the



Kshatriyas were linked to the colour red due their fierceness and strength on the battlefield, the Vaishyas were represented by the colour yellow, and the Shudras comprised mainly of darker skinned menial labourers who were seen as being linked to blackness and dirt (Ramnath, 2004). Beyond these castes was another caste known as the Untouchables. The people of this caste were perceived as being too impure to even be included in the traditional caste system (Shevde, 2008). These complexion-based splits were reinforced through Hindu mythology, which depicts heroic tales of fair-skinned compassionate Gods, such as Ram and Shiva, taking on darker-skinned devils and demons (Shevde, 2008).

For years the Shudras and the Untouchables were restricted to working in what were considered the lowest and most unworthy occupations in Indian society. Many worked as household servants, while other were confined to graveyards and public latrines (Ramnath, 2004). As a consequence of centuries of hard physical labour coupled with the blazing Indian sun, many Shudras and Untouchables have very dark skin, and are immediately identified as belonging to the lower caste with all of the negative stigmas that come associated with this. In this way, caste and colour have become linked.

While many Indians claim that the caste no longer takes precedence in India, the remnants of the caste system can still be seen everywhere. Occupations in South India specifically remain stratified by caste (Ramnath, 2004). So, given both the historical context as well as the modern practices of South Asian countries, the notion that dark skin is unattractive seems to come directly from the caste system; darker skin is associated with lower castes, people who lack the education and opportunity to work indoors (Ramnath, 2004). Building on the roots of the fair skin beauty ideal, the popularity and practice of skin lightening became pronounced with British colonization.

### **The Effects of British Colonization**

Indian culture has a diverse past, which includes Alexander the Great's Greek roots to the Mughal empire and Aryan conquerors. Parts of India were also colonized by the Portuguese, Dutch, French and Danish, but one of the most pronounced is British colonization (Malik, 2007). In 1901, an all Indian Census using caste as a primary category was commissioned. This census was used by the British to promote the importance of caste, which became a method of classification. The principle of the Indian caste system was seen as being sought in the antagonism of the lower race, the dark skinned or black Dravidian, by the higher race, the fair skinned Aryan (Malik, 2007). Fair skin colour and race

became the basis for caste and religious differences and were seen as supportive of the entire system. The census was utilized to determine where caste groups mobilized, to support the use of segregated land and quotas, to control electoral representation, appointments to government jobs as well as entry to educational institutions (Malik, 2007). This introduced the notion of “whiteness” as superior to “darkness”, something that is still prevalent in today’s society.

The legacy of colonialism perpetuated a national identity of subordinate Indians (Chakravarty, 1989). It also directly shaped the way Indian women see themselves in the global economy. Women were oppressed under British rule in several ways (Liddle and Joshi, 1985). The most substantial was the restriction to their rights and freedoms in the marital home. The influence of the British put the power and control over women in the hands of their husbands, perpetuating patriarchal structures. Institutions of colonization rely on access to resources, mobilization, political power and subjugation of indigenous women, all of which are historically male-dominated structures (Liddle and Joshi, 1985). As a result, Indian women experienced a higher degree of oppression through British rule than their male counterparts and still continue to deal with the long-term implications of their objectification.

Within South Asian communities, women have commonly been seen as commodities that are traded by men. Based on this, it is often the case that a fair skinned woman is more likely to attract more power or wealth in a man. The notion that fair skin is linked to class and privilege is common. Historically, those with fair skin, namely the British upper class, were not exposed to the hot Indian sun and this related back to the use of the caste system in India, where those with whiter skin tended to be perceived as being higher up on the social scale because the rich and educated could afford to stay indoors, while conversely the poor and uneducated were forced to work outdoors.

The redevelopment of class barriers by the British essentialized social privilege, access to and exclusion from resources and opportunities that gave those with fairer complexions more power (Malik, 2007). The link between class and skin tone plays a vital role in the organization of economic, political and social power in India. This skin colour bias affects women more than it does men, especially in terms of what is seen as the acceptable form of beauty. The model for female beauty is often centered on a “white woman” model (Malik, 2007). Waves of lighter skinned conquerors have reset the standard for attractiveness so that the fair skinned woman is thought to be more beautiful than the dark skinned woman. This demonstrates how racism has become a part of the Indian

psyche. The reality is that an overwhelmingly brown nation looks down on those that are considered dark skinned. Internalized racism within Indian society clearly illustrates a colour complex. The colour complex is a combination of class, colonialism and a Hollywood culture that exports a white skinned, blond haired ideal (Kanhua, 2004).

The depth of the influence colour has in South Asian society is particularly evident in matrimonial advertisements. In one online newspaper, titled "India Abroad" targeting Indians living abroad, five matrimonial advertisements on the front page have skin colour designations ranging from "wheatish" to "very fair" (Malik, 2007). These advertisements reflect a preference for light coloured skin with one advertisement looking for a girl "who is not only fair by face but also by thoughts". This particular advertisement equates fair with pure and promotes the sort of connotations that perpetuate the idea of fair skin being more desirable than dark skin, this will be discussed in detail later on. Such advertisements depict women as objects and their skin tone is the first feature they are judged upon. There is a notion that in order to be marriage material, you must be fair skinned, so being "fair" precedes the qualifications and education of a woman.

The levels of internalized racism filter down into the language as well. The Hindi term for the British invaders is “gora” which literally translates to “white”, but within India, the word “gora” is honoured and is expressed through song and film as interchangeable with the word for beauty (Malik, 2007). Many turn to whiteness theory to explain this. Central to whiteness theory is the notion that racial categories exist and shape the lives of people differently within existing inequalities of power and wealth (Giroux, 1997). Theorists argue that whiteness is not biological but instead a social construction, which provides both material and symbolic privilege to whites and those who pass as white (Thompson, 2001). Whiteness in this context functions as a marker of power and privilege and dictates the realities of how people of colour experience race.

In a recent study on how Indian Americans negotiate their ethnicity in the United States conducted by Bandana Purkaystha, several participants mentioned that they spent a considerable amount of time trying to “clean their faces” to become a lighter shade (2005). The study also indicated that these women felt racially discriminated against and felt like an outsider, not fitting into existing racial categories and felt racially marginalized as a result (Purkaystha, 2005). These women feel that in order to be included and deemed worthwhile, they must whiten themselves. This study illustrates the feelings of inferiority and shame that darker skinned South

Asian women can feel as a result of the colour of their skin. For women specifically, the desire to be “white” flows into their relationships with other people of colour as well as the white majority (Malik, 2007).

“Whiteness” can be seen as a commodity, something to be bought and sold. George Lipsitz coined the phrase “possessive investment in ‘whiteness’” to describe how European Americans have used whiteness to create and secure economic advantages, and is not simply a matter of black and white but instead applies to all racialized minority groups to a certain degree (Lipsitz, 1995). Lipsitz' phrase develops a metaphor in which “whiteness” is used like currency and forces competition for white approval on racialized groups. The sale and purchase of skin lightening products is the perfect example of the cost or expense that is described. Lipsitz asserts that the possessive investment in whiteness directly affects the chances and opportunities for both individuals as well as groups of minorities (Lipsitz, 1995). Skin lightening products reaffirm the dichotomy and the hierarchy between white and non-white, and white and coloured. The promotion of skin lightening products is strategic, localized and generalized to embrace the desires of South Asian women and men. Many of the advertisements explicitly use the desire for male approval and endorse fair skin as something that is essential to feminine beauty. The

advertising is based on the binaries of both patriarchal as well as colonial hierarchies (Goon and Craven, 2003).

Another theory that some have put forth to explain the trend of light skin being favoured over dark skin is “colourism” (Malik, 2007). Colourism describes the idea that people are treated according to their skin tone and was largely imposed on people of colour by white colonists, but has become internalized within communities as well. Within South Asian communities, the major female actors in Bollywood are not, for the most part, representative of the average South Asian woman. Some of the biggest names in the industry, like Aishwariya Rai and Preity Zinta, have extremely fair skin and naturally blue-green eyes. The implication is that fair skin and light eyes are the norm, when the majority of the South Asian population does not share these characteristics (Malik, 2007). Not only is this image portrayed as the norm, but it has also become the standard for beauty so, in order to fit in and be accepted, one must adhere to these standards.



## **The Connection to Advertisements Promoting Skin Lightening Products**

One of the most popular skin lightening creams is Fair and Lovely. It is advertised on TV and targets dark skinned women. One of the most notable depicts a dark skinned woman and her father. The father complains to his wife that he wishes he had a son. The daughter overhears this, uses the skin lightening cream and in the final scenes she lands a good paying job as an airhostess and treats her, now, proud parents to a cup of coffee. The woman in the advertisement reduces her self-worth to the colour of her skin and believes that it is the cause of all of her problems. The audience is led to believe that the absence of her father's love and her unemployment are both connected to the woman's skin colour. This is made more evident when both problems are solved as soon as the woman uses a skin lightening cream that gives her a lighter complexion. This advertisement helps to further perpetuate both a sexist and colorist view of the way women should be.

In a short documentary entitled "Shadeism" (2010), a young Sri Lankan woman by the name of Nayani Thiyagarajah explores how South Asian and Caribbean communities both spread and fight against the notion of light skin being more beautiful than dark skin. While I wasn't able to get a clear definition for the term "shadeism", I was able to get a better

understanding of how the problem plays out and how it is still relevant. In the documentary, the women discuss how old ideas determine what was and still is considered beautiful. They also discuss how the colour of their skin has and continues to affect how they view themselves. Many of the women feel that they have been isolated or made fun of because of their darker skin. One of the women talks in great length about how she is literally considered the “black sheep” in her family. She also talks about how both of her sisters are fairer than she is and how her parents constantly remind her of this. Thiyagarajah, herself, speaks about her little cousin who is already aware of the colour bias and views herself as too dark to be considered beautiful. The little girl is seen hiding from the sun and looking through magazines pining to be “light”. She already has such concrete notions of what is beautiful and already exemplifies a desire to emulate the model that has been put before her. From this it is clear that the colour bias takes effect at a young age and is passed down from generation to generation.

One of the common themes that came up repeatedly in the film is the fact that these women have seen the problem intensify as they get older or, in other words, as they get closer and closer to getting married. When I watched this documentary I was reminded of my aunts and their hesitant approval of brides with darker skin as well as the matrimonial ads that

illustrated the desire for “fair” brides. It has become commonplace for the South Asian community to place skin colour on a pedestal when the topic of marriage comes up. This led me to question why this is the case. I believe that part of the problem lies in the way we describe skin colour as either “fair” or “dark”. Moreover, there are certain connotations that are made when the words “fair” or “dark” are used. We have grown up associating “dark” with terms such as evil and sinister, while “fair” is associated with pure and holy. In “Playing in the Dark: Whiteness and the Literary Imagination”, Toni Morrison discusses an autobiography she read by Marie Cardinal entitled “The Words Say It”. In Cardinal’s narrative, black or coloured people and symbolic figurations of blackness are markers for the benevolent and the wicked (Morrison, 1992). Even in fairy tales, we often see the fair maiden get tricked by the dark witch, only to be rescued by a handsome prince. The skin lightening advertisements that we see utilize a slightly different and yet, somewhat similar formula to sell their products; we often see a woman transform her appearance by lightening her skin just in time to catch the eye of a good looking man. The idea is to get young women to buy into to the notion that there are clear differences between “fair” and “dark”, and not just physical differences but characteristic differences as well.

Something else that is inherent with skin lightening products is the way fairness is quantified. With most skin lightening products, consumers will find a colour scale. An example of this scale may contain numbers ranging from 1 to 10, with 1 being a pale white and 10 being a chocolate brown. In the documentary "Shadeism", Thiyagarajah also speaks with a Professor of Caribbean Studies at Ryerson University, Professor Camille Hernandez Ramdwar. Professor Ramdwar discusses pigmentocracy to explain the origins of shadeism. Pigmentocracy was a social structure where the lighter your skin was, or the closer you were to being "white", the higher up you were on the social ladder. From the top, it graduated down by shadeism. By this definition, shadeism appears to be the discrimination of people according to the shade of their skin; the lighter you were, the more privilege you were afforded. This form of social structure has a lot in common with the caste system that is utilized within South Asian communities. Both systems place whites and those who pass as white at the top of their social scale. Both structures evolved out of white domination and colour suppression. These structures are also reflected in the use of colour scales with skin lightening products, where the ideal colour is closer to 1.

In order to explain this, one can turn to racial formation as described by Omi and Winant. Racial formation is "a process of historically situated

projects in which human bodies and social structures are represented and organized.” (Omi and Winant, 1994, p. 55-56). A racial project is defined as an interpretation, representation, or explanation of racial dynamics as well as an attempt to reorganize and redistribute resources along certain racial lines. Racial projects are concretely framed, that is to say, the social structures that they uphold or attack, and the representations of race that they express, do not suddenly appear, instead they exist in a specific historical context, having emerged from previous conflicts (Omi and Winant, 1994). In relation to the practice of skin lightening, the social structure that is promoted materialized out of the hierarchy that was put in place centuries ago and was exploited through colonialism. At present, the social structure in India places a preference on those with lighter skin and encourages those who are seen as being lower on the “totem pole” to climb up by lightening their skin. However, this is nothing new. The same can be said of pigmentocracy, which was used in Caribbean societies as described by Professor Ramdwar. Professor Ramdwar also discusses how in those days since there was no access to skin lightening products, the only way to move up the social ladder was to have a light skinned child. This was, in effect, the way to “lighten” oneself. This process involves the perpetuation of the same notions that are still evident today.

Omi and Winant also explore how racial formation is an everyday experience. They discuss how differences in skin colour “continue to rationalize distinct treatment of racially identified individuals and groups.” (Omi and Winant, 1994, p. 60). In this way, race becomes “common sense”. Race has become normalized and is something that is inherent and, in many cases, defines how we approach or react to a given situation. In terms of skin lightening products and the desire for “whiteness”, race is seen as something to be scrubbed away. Skin lightening is seen as an acceptable method to use in order to blend into a larger society and race becomes what stands in the way of achieving one’s dreams and succeeding in attaining the heart’s deepest desires. Marriage, career, family and, ultimately, happiness all become hinged on the colour of a person’s skin, more specifically the colour of a woman’s skin.

In the matrimonial advertisements that were discussed earlier on, it appears that the number one concern for men is beauty and fairness. It could be the case that the men who post these advertisements believe that these attributes override any indication of educational or professional achievements, while others believe that physical beauty can make up for whatever their partner may lack in the educational or professional department and, therefore, it is most important that they are physically attractive. In many instances, physical beauty is seen as a sign of virtue in

women. Even within families it can often be the case that the women are not expected to have very many ambitions outside of creating and raising a family. For these reasons, there are clear differences in the requirements of the men and women who peruse these types of advertisements. While the women are often looking for qualities that go beyond the surface, the men are content with a pretty package. In this sense, women are not recognized for their non-physical attributes, instead physical appearance is praised over everything else and this is why women, specifically, are targeted in the skin lightening advertisements. South Asian women are often reduced to their physical beauty and, in South Asian communities, a pretty package entails having fair skin. Those who lack this desired feature may find it difficult to find a partner and get married, which can lead to unhappiness and feelings of failure. It is evident that the marriage market has a substantial effect on the self esteems of young South Asian women, but it is also important to note the role that the media plays in shaping their self esteems as well.

The promotion of skin lightening products is widespread. Skin lightening advertisements take the stereotypes and labels that manifest in South Asian societies and exploit them to sell an image. Advertisers use the negative messages and insinuations that are associated with darker skin in order to sell their products. Very often, a woman with dark skin is portrayed

failing at something like landing a job or a mate. Once again, we see how personality and educational background come second for women, if they are given any recognition at all.

Ironically, most of these ads claim to empower women by giving them greater confidence in both their beauty as well as in their abilities.

Advertisers assert that by showing South Asian women a way of life they are giving them the means to achieve their dreams. However, suggestions of any potential disappointment in life being entirely due to one's skin colour are offensive. Similarly, the implication that lightening one's skin colour can drastically change a given lifestyle is demeaning as it places a great deal of importance on a woman's physical beauty when determining her level of happiness. Therefore, it can be said that skin lightening ads, in fact, act to disempower women by reducing their self-worth to their physical appearance, more specifically their skin colour, and by diminishing other areas of their lives related to achieving success.

The rush to embrace whiteness in South Asian societies has clear ties to colonialism. The caste system that was exploited by the British continues to influence the way in which those in South Asian communities not only view themselves but also the way they treat others, particularly those with darker skin colours. In general, matrimonial advertisements suggest that



fair skin is prized in South Asian communities. There are certain values and characteristics that are associated with those with fair skin and all of these values symbolize the good. On the other hand, those with dark skin are connected to values and characteristics that symbolize the bad. The notion that dark skin is something that requires fixing makes women with darker skin colours feel inferior and shameful. South Asian women face pressures from their families, prospective suitors as well as the media. Advertisements that promote skin lightening creams utilize the negative connotations associated with dark skin and fairy tale scenarios to promote their products. Unfortunately, as long as young South Asian women continue to buy into these products and the messages that they send, the notion that “whiter is better” will remain being passed down from generation to generation.

The skin lightening industry is worth billions and the appeal has crossed over into North American markets as well. Skin lightening products are readily available in Canada due to popular demand by the large South Asian diaspora. Advertisements for the products can be viewed in Canada on specialty South Asian channels such as STAR Vijay and Sun TV, which are popular in South Asian households and are only a few examples of the channels available. The products themselves are available for purchase in South Asian grocery stores as well as other South Asian specialty stores.

The problem that arises is the accessibility of these harmful products across Canada as well as the promulgation of the widely believed notion that, in order to be seen as beautiful, one must have fair skin. Given the potential harm caused by these products, the popularity of the products, and the wide availability of them, it is crucial that we understand and assess how these products are regulated to better ensure that consumers are protected.

## **CHAPTER 2 – CURRENT REGULATION OF SKIN LIGHTENING PRODUCTS IN CANADA & THE CASE AGAINST CONSUMER HARM**

This chapter will focus on the framework surrounding the regulation of skin lightening products in Canada and will help shed light on the serious downfalls that exist in this regulatory framework as it exists today. This chapter will also include an analysis of four skin lightening advertisements as well as two tobacco advertisements in order to explore the similarities that exist between the two types of advertising. In addition, this analysis will help illustrate a proposal for legal intervention and will set the groundwork for the following chapter focused on the regulatory framework in place in Canada to control tobacco products and the promotion of them.

### **The View on Skin Lightening Products in Canada**

Skin lightening products are seen as cosmetics, and as such as are regulated under the *Food and Drugs Act*, they are also subject to the provisions of the *Consumer Packaging and Labelling Act*. For the purposes of regulation, a cosmetic is defined as “any substance or mixture of substances manufactured, sold or represented for use in cleaning, improving or altering the complexion, skin, hair or teeth, including deodorants and perfumes” (Health Canada, 2005, p. 2). Based on these definitions, the distinction between drugs and cosmetics is based on

representations made about the product and its composition. The three most significant features of the Canadian cosmetic regulatory system are mandatory notification of all cosmetic products, safety of ingredients and products, and product labelling. My purpose in analyzing the regulatory system is to understand and explore the harm that is caused to consumers through the advertising of skin lightening products. As such, I will be focusing on the safety of ingredients and products as it relates to cosmetic products, and more specifically, skin lightening products.

To assist companies in ensuring the safety of cosmetic products, Health Canada publishes the *Cosmetic Ingredient Hotlist*, which is an official list of prohibited and restricted cosmetic ingredients. The *Hotlist* is based off of the following sections of *Legislation*:

- **section 2 of the *Food and Drugs Act*** (definitions of cosmetic vs. drug),
- **section 16 of the *Food and Drugs Act*** (safety), and
- **section 24 of the *Cosmetic Regulations*** (cosmetics presenting an 'avoidable hazard' must carry a warning on the label).

Additionally, section 16 of the *Food and Drugs Act* states that no person shall sell a cosmetic product that has in it any substance that may injure

the health of the user when the cosmetic is used according to its customary method (Health Canada, 2005).

In Canada, a company may not sell a product unless it meets section 16 of the *Food and Drugs Act* or the *Cosmetic Regulations*. Specific criteria to meet this *Legislation* are outlined in the *Hotlist*, with respect to prohibited ingredients, concentration restrictions, labelling and packaging.

With regards to skin lightening products marketed by popular brands known worldwide, such as Fair and Lovely, there are concerns regarding specific ingredients:

- **Tocopheryl Acetatethe** is used for its skin-conditioning and antioxidant properties. The Cosmetic Ingredient Review (which was established in 1976 by the industry trade association with the support of the U.S. Food and Drug Administration and the Consumer Federation of America) found strong evidence showing it to be a human skin toxicant, and in vitro tests on mammalian cells demonstrated positive mutation results, linking it to cancer (Truth In Aging, 2013). It has also been determined that Tocopheryl Acetatethe is a skin sensitizer that can prompt immune system responses such as itching, burning, scaling, hives, and blistering of skin (Truth In Aging, 2013).

- **Pyridoxine Hydrochloride** is used as a skin-conditioning agent due to its properties as a balancing agent of sodium and potassium as well as its ability to promote the production of red blood cells (Truth in Aging, 2013). Despite its attributes, there have been several concerns regarding cancer, developmental and reproductive toxicity as well as more minor concerns regarding endocrine disruption, neurotoxicity, and organ system toxicity. Studies showed reproductive effects when Pyridoxine Hydrochloride was administered at very low doses, and brain and nervous system effects at low to moderate doses. Studies also found cell mutation was caused in vitro tests on mammalian cells (Truth In Aging, 2013).
- **Phenoxyethanol** functions as a disinfectant, antiseptic or antibiotic that is used primarily as a preservative in order to extend shelf life. Phenoxyethanol is seen as a moderate hazard with studies linking it to cancer in addition to allergic reactions, skin, eye and lung irritation, organ and neurotoxicity (Truth in Aging, 2013). In 2008, the FDA issued a warning stating that Phenoxyethanol can reduce the functioning of the central nervous system and may cause vomiting and diarrhea (Truth In Aging, 2013).
- **Methyl Paraben & Propyl Paraben** are used for their anti-fungal and anti-microbial properties, they are used as preservatives to prolong shelf life. Methyl Paraben and Propyl Paraben are known to

mimic the function of estrogen in the body and affect the growth of breast tissue (Truth In Aging, 2013).

None of these ingredients are found on the Hotlist despite the risks that they present. So the question arises – how can we regulate the promotion of skin lightening products to consumers if these products are deemed to be harmful? Further, what can be done to ensure that consumers are better protected?

### **Beauty Ideals and the Beauty Industry**

Women in today's society often go to drastic measures in order to achieve what they view as the ideal form of beauty. According to social comparison theory, humans are driven to evaluate their attitudes, opinions, and abilities by comparing themselves to others. There are three separate drives that each determine the effectiveness of the comparison; self-evaluation, self-enhancement, and self-improvement (Goodman, Morris & Sutherland, 2008). Self-evaluation is an accurate measure of one's abilities, value, or worth and is based on the direction of the comparisons. For most women, comparisons with a model's physical appearance produces an upward comparison, that is a comparison with someone with a higher attribute, and therefore creates a negative effect. Self-enhancement involves comparing oneself to someone who will either protect, maintain, or enhance self-

perception, while self-improvement involves learning how to better oneself or finding inspiration in others to improve a certain aspect about oneself (Goodman, Morris & Sutherland, 2008). Based on this, it is likely that women will be more likely to pay more attention to models who increase their self-enhancement and inspire self-improvement as opposed to those who more closely resemble how they view themselves.

Within a given society, researchers have found that there is a tendency to favour individuals who are considered “more beautiful”. With reference to South Asian societies, specifically, the conception of ideal beauty includes fair skin. In this society, beautiful people (i.e. those with fair skin) receive more positive responses; they are seen more positively upon initial introduction, have greater social influence, are better liked, and are attributed with more positive characteristics (i.e. kindness, strength, friendliness, and independence). There are also plenty of indications that beautiful people are more persuasive and effective communicators. People are more willing to accept persuasive messages from beautiful individuals; a model’s beauty increases consumers’ positive attitudes toward a product and the actual purchase of that good (Goodman, Morris & Sutherland, 2008). For example, one study exposed women to thin, average-sized, and no-model ads; the results showed that the models’ perceived attractiveness positively impacted the ads’ effectiveness. It has



also been found that a celebrity's attractiveness positively changed attitudes toward the product and buying intention (Goodman, Morris & Sutherland, 2008).

It is evident that in a society that is obsessed with beauty, HAMs (highly attractive models) are seen as more credible and produce stronger positive reactions to ads, models, and products when the product relates to attractiveness. A study found that exposure to a HAM produced more positive attitudes toward the ad, when the HAM was associated with a product that was related to attractiveness. The study also found that consumers saw HAMs as having greater expertise for beauty-enhancing products than non-attractive models and, therefore, gave the product better evaluations (Goodman, Morris & Sutherland, 2008).

Simon Patten described this process as the switch from the age of scarcity to the age of abundance. He was an advocate of mind cure, which was a religious movement that believed in "salvation in this life", and as he saw it, much of this salvation was to come in the form of material goods (Schor, 1998). In accordance with this view, advertisers began to create a new type of consumer. Charles Kettering of General Motors invented the idea of the perpetually "dissatisfied" consumer, who would always have a desire for the newest model of automobiles (Schor, 1998). Advertisers soon

began to tie personal identity to their products and this resulted in a mass consumption society, in which individuals are always on a quest for the newest products and the newest identities in order to keep ahead of the crowd (Schor, 1998). In terms of the beauty industry, women have a natural tendency to compare their beauty to models in ads and these comparisons can exert a certain amount of influence over their self-perceptions of beauty and body image. For example, survey data of one focus group showed that women compare themselves to models in clothing, cosmetics, and personal care ads; used models to judge their own physical flaws; envied the models' beauty; and wanted to look like the models in personal care and cosmetics ads (Goodman, Morris & Sutherland, 2008). This illustrates the view that women in contemporary society reinforce the notion of beauty that is reflected in modern advertising and force the ideal upon themselves.

One of the most accepted definitions of beauty in South Asian society is about being two shades lighter; fairness is associated with high status, success and ultimate beauty, while having a darker complexion implies inferiority in many respects. Skin tone is an issue across much of the world, but in South Asian society, it has become an obsession. Skin-lightening products are by far the most popular product in India's fast-growing skin care market. The \$318 million market for skin care grew by

nearly 43% between 2001 and 2007 alone (Timmons, 2007). This market has expanded into North America too and the notion of fairness has become heavily embedded in the cultural identity that many from the diaspora connect with. In Bollywood, which is a major source of entertainment for the South Asian community, nearly all of the top actresses have quite pale skin (ex/ Aishwarya Rai, Preity Zinta, Priyanka Chopra), with scripts often following a strict skin-to-character correlation, where light-skinned actresses are given the major roles and dark-skinned actresses are reduced to supporting characters (Sullivan, 2003). This tendency to use lighter skinned actresses more often than darker skinned actresses exhibits the inclination of the South Asian public to respond more favourably to and idealize actresses with lighter skin tones as opposed to those with darker skin tones; this trend conforms to the ideals of beauty promoted by the makers of skin lightening products. Further, many women have grown up believing that the promotion of paler skin is not discriminatory or patronizing, and instead believe that possessing fairer skin gives them a significant advantage over their darker counterparts.

### **The Notion of Consumer Harm**

Users of skin lightening products often feel alienated by their cultural communities. In the South Asian community specifically, this alienation can manifest itself into self-hatred. Self-hatred can lead to self-destruction in a

variety of different forms; addiction, suicide, mental illness, crime, depression, eating disorders, etc. There are two parts to the formation of self-hate; the first is blame and the second is shame (Pattison, 2000). With respect to blame, the judgments that we encounter on a daily basis can create the belief that there is something either within us or about us that we need to change. Therefore, we are in a sense either placing blame on others or on ourselves for what we believe we need to “correct” about ourselves. When looking at skin lightening products and the advertisements that promote them, the blame is placed on the individuals themselves; their skin is the reason they are unsuccessful in securing a job or finding an adequate suitor, their skin is the reason they generally fail at acquiring the basic requirements of what is considered the perfect life. The second part of self-hate is shame. Shame doesn’t necessarily originate from judgments, but instead can also manifest itself out of regret; an example of this might be losing something valuable or missing out on a rare opportunity. Skin lightening advertisements shame their target audience by showing them all of the things they are missing in life by not having fair skin.

In addition to the components that make up self-hate, there is also an element of rage that exists. Rage can be converted into self-hate. Feelings of hurt, fear, or emptiness, can translate into feeling as though we have

been mistreated or abused. These feelings coupled with self-doubt can produce a sense of unfairness that translates into self-hate due to either the begrudging acceptance of this treatment or the inability to transform in order to receive more preferential treatment. Skin lightening products incite feelings of rage through the formula that is used to sell these products. The products are marketed as easily accessible, easy to apply, and quick to deliver noticeable results. The promises and claims made motivate young women (the target audience) to buy into the notion that their lives can be enhanced through the use of these products. The young women being targeted either feel chained by their situations, unable to break out of the monotony that they feel in their lives, or else feel the need to “liberate” themselves by using the product and lightening their skin, thereby opening doors that would have otherwise remained closed. Given the relative ease associated with the products, it calls into question why one would be reluctant to use them in order to create a “better life” if given the opportunity.

Self Hate Syndrome is a psychological disorder where an individual, simply put, hates himself or herself (Castle & Phillips, 2002). It can consist of hating the way your voice sounds, hating the way you walk or dance, or hating the way you look, and ultimately, seeing yourself as though you were looking through someone else’s eyes. Self Hate Syndrome can

appear due to a number of reasons, including bullying. Body Image Disorder is a form of Self Hate Syndrome and is a psychological disorder where an individual can have an irrationally negative view of the way they see themselves in the mirror (Castle & Phillips, 2002). In a minor case, he or she may see a small scar as massive and, in an extreme case, he or she may see it as completely disfiguring. Skin lightening products, and the media as a whole, have been known to profit off of feelings of insecurity and body dysmorphia. By making women feel inadequate, these entities create a market for the products and images that they sell. The end result is a mass market filled with women who feel under-appreciated, undervalued, and are unfulfilled by the lives they lead. There was a famous case in India of a man who was sentenced to two years in jail for motivating his wife to commit suicide by calling her "black". The wife considered being called dark "worse than torture" and was so distraught that she poured kerosene over her head and set herself on fire (Mahapatra, 2008). This case clearly illustrates the depths to which the fascination with having a fairer complexion goes within South Asian communities. The woman described in the example was clearly driven to tremendous lengths when she faced, what she considered, personal attacks by her husband.

In addition to the psychological effects brought on by the use of skin lightening products, there have been numerous cases of women being

rushed to emergency rooms with conditions ranging from severe rashes to hypertension and high blood pressure. In addition to the physical harm that can be caused to consumer through the advertising of skin lightening products as well as by the use of these products, there is a greater harm of psychological damage. There have been several cases of women facing high levels of depression due to feelings of inferiority, and in certain cases abandonment by spouses or partners. The topical steroids that are found in some skin lightening creams can also cause the suppression of the body's natural steroids, testosterone and progesterone. The chemical composition of these two hormones in the human body normally affects the mood, physique, and sexual activeness of an individual. Progesterone has a soothing effect on the nervous system so a lack of it can lead to anxiety and restlessness, which can lead to a sleep deprivation. Sleep deprivation has its own risks including fatigue, muscles aches, increased blood pressure, headaches, increased risk of diabetes, and weight loss or gain. Low levels of testosterone are accompanied by inhibited libido, drive, and motivation, which may result in a greater likelihood of depression.

The fact that many women resort to such procedures despite the numerous consequences highlights a potential hazard that the advertising of these types of products leads to. It raises the question of whether the advertising of such creams can be considered justified on the basis that it

is up to the consumer to ensure that they do not misuse the product.

Furthermore, under the guidelines for claims that can be made in cosmetic advertising and labelling in Canada, the only caveat when it comes to skin lightening is that if it is listed as a moisturizer, it cannot claim to lighten or whiten one's skin tone (Health Canada & ASC, 2006). That being said, these are guidelines and not absolute restrictions. The guidelines also do nothing to address the psychological side effects associated with the promotion and use of skin lightening products.

The advertisements promoting skin lightening products use and exploit the fear that darker skinned South Asian women have of being ostracized by their communities because of the colour of their skin. Skin lightening advertisements create and intensify feelings of unattractiveness and undesirability, which can have lasting negative effects and can lead to disastrous results.

### **Analyzing Skin Lightening Advertisements – Meanings and Messages**

In order to fully understand the harm that is created and can be caused to consumers through the use of skin lightening products, it is important to first examine the advertisements that promote these products. As a result, I have chosen to study four commercials targeted at South Asian women, promoting various brands of skin lightening products. Each of the



commercials was viewed using a specific method. First, I viewed the commercial as a whole without taking notes. I did this in order to get the full experience of watching the commercial as a regular consumer would. Next, I watched the commercial again, this time without sound, which allowed me to focus on the images being presented. I made notes on the imagery being used. Next, I listened to the commercial without actually watching it, again I made notes on what I heard and the language that was being used. Finally, I watched the commercial again, as a whole, this time making notes on the themes and sub-themes that were being conveyed. I used this method as it allowed me to develop a more complete picture of the advertisement as well as the meanings and messages that were being sold.

### **Skin Lightening Advertisement #1 – Fair & Lovely 4-Step Action**

**Fairness Cream (<http://www.youtube.com/watch?v=e4OudWoqgRo>)**

#### *Transcript 1*

<b>Line</b>	<b>On-Screen Description (Visual)</b>	<b>Voice-Over and Speaking Lines (Audio)</b>
1	Man reading a newspaper.	“Can I have some tea?” [father to mother]
2	His wife in the kitchen in the background.	“There’s no milk! Trying to run the household with one pension... pssht!” [mother’s response]

3	A young woman on the bus, sweating and is visibly tired.	"If only we had a son..." [father to mother]
4	Woman from the bus appears in the doorway with tears in her eyes. Father looks up and sees her. Mother approaches her.	"Tea?" [mother to daughter]
5	Young woman walks away, visibly upset	"Give it to him!" [daughter motioning to father]
6	Young woman in her room going through the classified section of the newspaper.	"I'll be the son!... Air hostess?" [daughter to her reflection in the mirror]
7	Young woman is standing in front of the mirror, posing. She turns to the TV to watch a commercial for Fair & Lovely.	New Fair & Lovely's 4-step action will show you! [voiceover from TV commercial]
8	Images of a woman walking through a hallway and close ups of a model illustrating the effects of Fair & Lovely.	1 <sup>st</sup> , it will protect you from the sun. 2 <sup>nd</sup> , it will reduce stickiness. 3 <sup>rd</sup> , it will remove all blemishes. 4 <sup>th</sup> , it will give you a fairness and glow from within. [voiceover continued]
9	The young woman emerges with lighter skin, she is at the interviews for the airhostess job.	
10	The people interviewing look up as she walks in. A young pilot glances at her.	
11	The young woman smiles and interacts with the interviewers.	

12	The young woman races up to her father, who is sitting in the kitchen.	
13	The young woman and her parents visit fancy looking restaurant. They smile and laugh with one another.	“Daughter, will we at least get a cup of tea here?”[father to daughter]
14	A close up of 2 versions of the Fair & Lovely cream.	New luck all because of your new face! Fair & Lovely with a new 4-step action component. [voiceover]

This advertisement is infamous in India and is commonly referred to as the “Air Hostess Ad” and was widely seen as demeaning to women due to its objectification of them. There are several general themes presented in this advertisement. The first is the notion women with dark skin are ashamed of their appearances. Throughout the commercial, the young woman (when she still has a darker skin colour) is shown as shy, timid, and unhappy. In addition, she is often shown in the shadows to emphasize the colour of her skin and her feelings of shame.



**Figure 1 - The young woman is shown in the shadows, visibly upset.**



**Figure 2 - The young woman is unhappy with her "dark" appearance.**

Whereas once she uses the skin lightening product to lighten her skin, she is shown as being confident and happy, with light emanating from her and around her.



**Figure 3 - The young woman emerges with fairer skin and a new found confidence.**

This transition demonstrates the young woman's transformation from someone who was introverted and withdrawn, unable to stand up to her father and his criticisms, into someone who is self-assured and poised. She becomes someone her parents are proud of and are no longer dissatisfied with. The connections made between the colour of the young woman's skin colour and given personality traits leads to the conclusion that using a skin lightening product, allowed the young woman to flourish and excel, and the only thing holding her back was the colour of her skin.

The second major theme has to do with success and happiness being equated with fairness, which is obtained after using the product being advertised. The young woman is only able to achieve success after she uses the fairness cream and lightens the colour of her skin. This is reinforced through the language used to sell the product as well, “new luck all because of your new face”. The message that is promoted is that fairness is essential in order to be successful, which is required in order to be happy.

The achievement of success also goes hand in hand with her parents’ disappointment in her, as they are only fulfilled once she gets her new job, again crediting the use of the fairness cream. In this instance, the parents’ happiness is linked to the daughter’s success, which is common in South Asian culture. In most South Asian families, mine included, a parent’s ultimate dream is to see their children succeed in life (i.e. get a well-paying job, get married, have children of their own, etc.). Growing up, my parents made it clear to me that my ability to succeed in life reflected on their successes as parents. This form of familial success is seen as highly honorable in South Asian society. With regards to skin lightening products, fairness is associated with beauty, beauty is associated with success, and success is associated with a parent’s pride. Therefore, as a result, fairness becomes associated with a parent’s pride. The notion that is promoted is

one of fair skin being a necessary tool to acquire success and, ultimately, achieve familial happiness.

Within these larger themes, there are several sub-themes. When the father states “if only we had a son”, the young daughter is perceived in a negative light and almost seen as useless despite the scene showing her coming home, visibly exhausted. Being a woman is a hindrance, something that takes a certain amount of effort to overcome. In this young woman’s case, not only is she a woman, she is also a woman with dark skin. In South Asian cultures boys are often revered, while girls are seen as more of a burden. Amartya Sen pointed out two major inequalities that lead to this view. The first is educational inequality and the second is health inequality. These are the indicators of a woman’s status of welfare. In India, irrespective of the caste, creed, religion, or social status, the overall status of a woman is lower than her male counterpart and, therefore, a male child is preferred over a female child (Sen, 1992). Modernity has not undermined the preference for males either, instead it has raised the costs associated with having a daughter and reinforced the preference; from greater requirements for education to the same set of demands when she is ready to get married (Kuruville, 2011). These patriarchal ideologies act to further marginalize women.

Furthermore, sons tend to enjoy a certain amount of social prestige over their female counterparts as the family name is traditionally passed down through the male lineage (Kuruvilla, 2011). Additionally, in the Hindu religion, there is the notion that a sonless father cannot receive salvation since male children are the only ones that can perform a significant Hindu funeral rite for their fathers (Kuruvilla, 2011). The idea that is perpetuated then, is one of a more detailed hierarchy; a hierarchy where males are preferred over women and light skinned women are preferred over dark skinned women.



**Figure 4 - The use of a colour spectrum, which quantifies fairness.**



In addition the use of words such “protect”, “reduce” and “remove” with respect to what the product does, present the idea that dark skin is something that needs to be protected against, reduced and removed (i.e. undesirable). Fairness, on the other hand, is seen as a quality that results in a glow from within, something that is both attractive and enviable.



**Figure 5 - The young woman has a glow reminiscent of sunshine.**

This perpetuates the view that fairness is something that comes from within and is not simply a surface judgment – fairness has certain qualities that transcend what you see on the surface and typical beauty. This reminded me of conversations that I have overheard between my mother and my aunts concerning certain attributes and perceptions of beauty. When they see a “beautiful” fair skinned girl they consider her attractive all-

around, whereas when they see a “beautiful” dark skinned girl they see her as having pretty features despite the colour of her skin. In this respect, skin colour becomes associated with beauty, or a lack thereof, in the same way that having an unsightly scar would.

Overall, the imagery and the language used in this commercial utilize certain negative connotations with dark skin, while associating positive characteristics with fair skin. These value judgments act to convince young South Asian women that the colour of their skin is the only barrier to success, familial happiness and, ultimately, their own happiness.

### **Skin Lightening Advertisement #2 – Fair & Lovely Fairness Cream**

([http://www.youtube.com/watch?v=L0\\_h31E9t30](http://www.youtube.com/watch?v=L0_h31E9t30))

#### *Transcript 2*

<b>Line</b>	<b>On-Screen Description (Visual)</b>	<b>Voice-Over and Speaking Lines (Audio)</b>
1	Young woman walking onto a cricket pitch.	[song plays in the background]
2	Flashbacks of the young woman pretending to be a cricket announcer.	[indistinct – young woman announcing a cricket game]
3	The young woman is sitting on her couch “announcing” a game on TV, her mother comes in and replaces the TV remote in her	[indistinct – young woman announcing a cricket game]

	and with a bottle of Fair & Lovely Fairness Cream.	
4	Colour spectrum showing the effects of the product.	[song plays in the background]
5	The young woman sends in an audition tape. Two men watch the tape animatedly.	[song plays in the background]
6	The young woman announces a real cricket game.	It's a beautiful afternoon... In comes... Hello Krish. [to male co-announcer]  [song plays in the background]
7	A pink cloth-like fabric is pulled back to reveal a close up of Fair & Lovely Fairness Cream.	[song plays in the background]  [indistinct – young woman announcing a cricket game]
8	The young woman is on TV, being watched by people through a store window.	[song plays in the background]
9	The young woman's mother watches her daughter on TV with tears of joy.	[song plays in the background]
10	The young woman is hounded by male paparazzi and by fans for autographs.	[song plays in the background]
11	The young woman smiles and walks on to the cricket pitch.	[song plays in the background]
12	A pink cloth-like fabric blows in to reveal a close up of Fair & Lovely Fairness	Fair & Lovely. [voiceover]

This advertisement uses the popularity of cricket in South Asian communities to appeal to its target audience. There are several general themes presented in this advertisement. The first is the use of the male gaze to objectify the young woman; from the moment the young woman sends in her audition tape to the moment she announces an official cricket game and becomes famous, she is seen as an object of desire. This is clearly demonstrated through the images of the young woman being hounded relentlessly by male paparazzi and fans.



**Figure 6 - Male fans watch the young woman on a TV in a store window.**



**Figure 7 - The young woman signs an autograph for a fan, while being photographed.**

In addition, the young woman's male co-workers do not acknowledge her for her knowledge of the game of cricket, and instead admire her for her beauty. This is reinforced when the young woman's mother hands her a tube of Fair & Lovely, implying that this is the only way for the young woman to get noticed. The mother is proud of her daughter's goals and ambitions, but does not acknowledge her daughter's knowledge regarding the game of cricket, and instead, believes that she will not be able to achieve her dreams unless she looks the part ("fair and lovely").



**Figure 8 - The young woman's mother hands her a bottle of Fair & Lovely.**

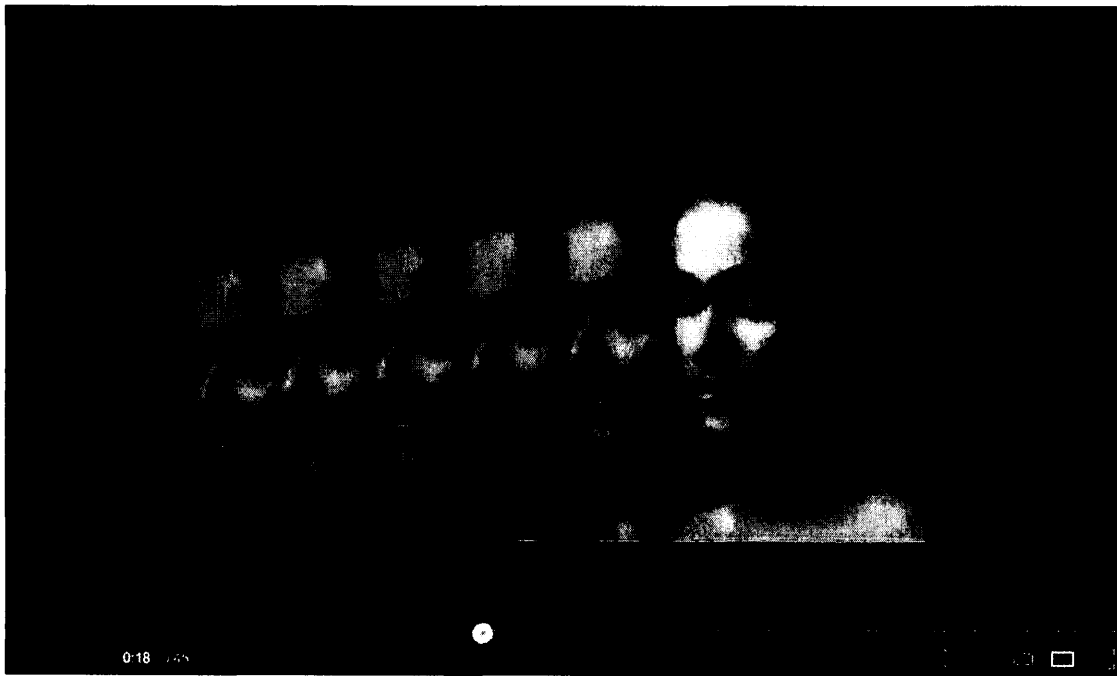
This implication promotes the notion that beauty surpasses all other things as the key to achieving success.

We also see the theme of familial happiness emerge again. The mother's happiness is based on the success that her daughter is able to achieve as a beautiful cricket announcer.



**Figure 9 - The young woman's mother watches her on TV with tears of joy.**

With regards to the images used in the commercial, we again see the use of a colour spectrum to demonstrate the quantifiable differences in skin colour. The spectrum shows darker skin tones as dull, while lighter skin tones are brighter and more radiant. Again, we can see here how visual imagery is used to sell the product reflecting associations with light skin versus dark skin; dark skin is shown in the shadows while light skin is shown as glowing.



**Figure 10 - A colour spectrum, which demonstrates the differences in skin tone and colour.**

Furthermore, we see again how dark skin is associated with a more homely image, while light skin is seen as more alluring and vivacious. Prior to using the Fair & Lovely product, the young woman was portrayed as a tomboy, a girl who didn't get noticed by the boys playing on the pitch. Whereas after using the skin lightening cream, the young woman is seen solely for her beauty and charm. These types of associations are also common and are often reflected in Bollywood films, where lighter skin actresses are hired as the female leads and darker skinned actresses are hired to play the less glamorous parts. This plays into the belief that those with lighter skin are invariably more attractive and lead more fascinating lives than their darker skinned counterparts.



**Skin Lightening Advertisement #3 – Pond’s White Beauty GenWhite**

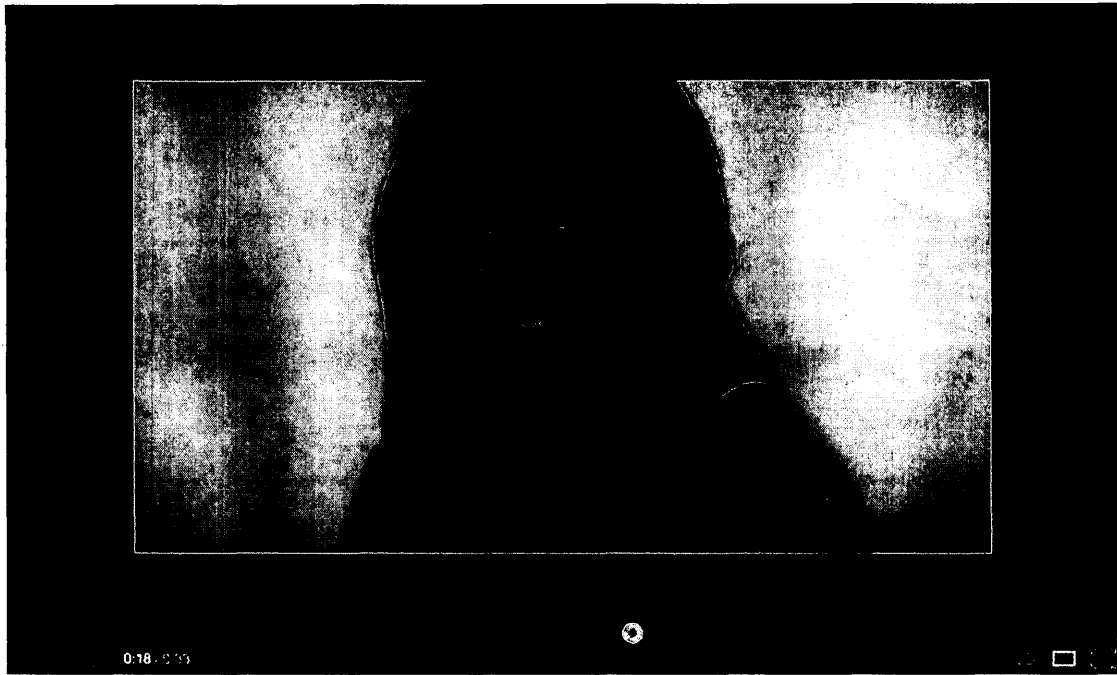
(<http://www.youtube.com/watch?v=xuGGfTRllsE>)

*Transcript 3*

<b>Line</b>	<b>On-Screen Description (Visual)</b>	<b>Voice-Over and Speaking Lines (Audio)</b>
1	A young man reading a book on one platform and a young woman reading a book on another platform of a train station.	[music plays in background]
2	The young man and young woman both check their watches and look up to see each other and smile.	[music plays in background]
3	A train arrives, blocking their view of each other.	[music plays in background]
4	Close up of GenWhite from Pond’s White Beauty, with a DNA structure emerging from it.	New GenWhite from Pond’s White Beauty. [voiceover]
5	Close up of a young woman’s face, demonstrating the clearing effects of the product. DNA structure appears on the young woman’s face as her skin clears up.	Our first cream that adapts to your skin for spotless radiance. [voiceover]
6	The young woman smiles as her face brightens.	[music plays in background]
7	Two trains riding side by side.	[music plays in background]

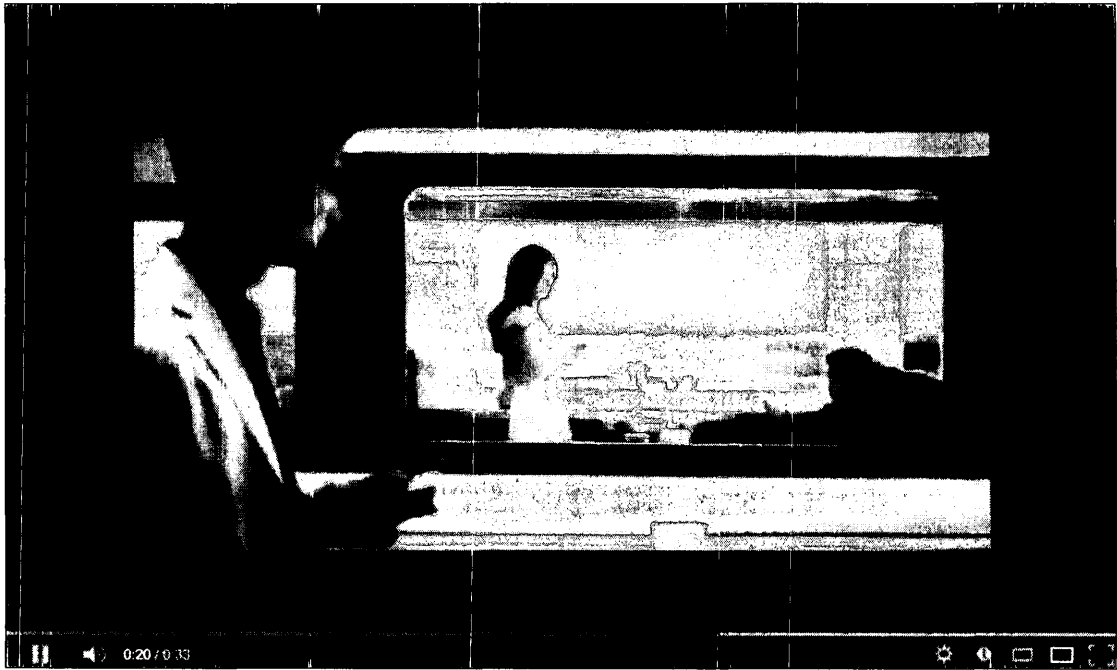
8	The young man is in one train and the young woman is in the other. They turn to look at each other and smile playfully.	It matches you perfectly, so you find the perfect match. [voiceover]
9	The young man and young woman get off their trains at the same station and walk up to each other on the platform, smiling.	New GenWhite from Pond's White Beauty... [voiceover]
10	Close up of GenWhite from Pond's White Beauty, with a DNA structure emerging from it.	... for spotless radiance. [voiceover]

This advertisement uses scientific representations to suggest that the product can lighten and brighten skin colour. There are several major themes that are presented in this commercial, the first being the use of sunlight and shade to portray light skin versus dark skin; this is something that we have also seen in the advertisements analyzed earlier. There are connections made between darker skin and the properties associated with seeing someone in the shade (dull, timid, shy, reserved, sad, etc.) as well as connections made between lighter skin and the properties associated with seeing someone in the sunlight (bright, confident, happy, self-assured, outgoing, etc.). Associations, such as these, only act to further the imaginary divide that exists between those with fairer skin and those with darker skin.



**Figure 11 - The young woman's face gets progressively brighter as it gets lighter.**

This commercial also utilizes the popular notion that fairness is the key to beauty, and beauty is the key to achieving one's dreams (in this case as evidenced by the young woman finding her "perfect match").



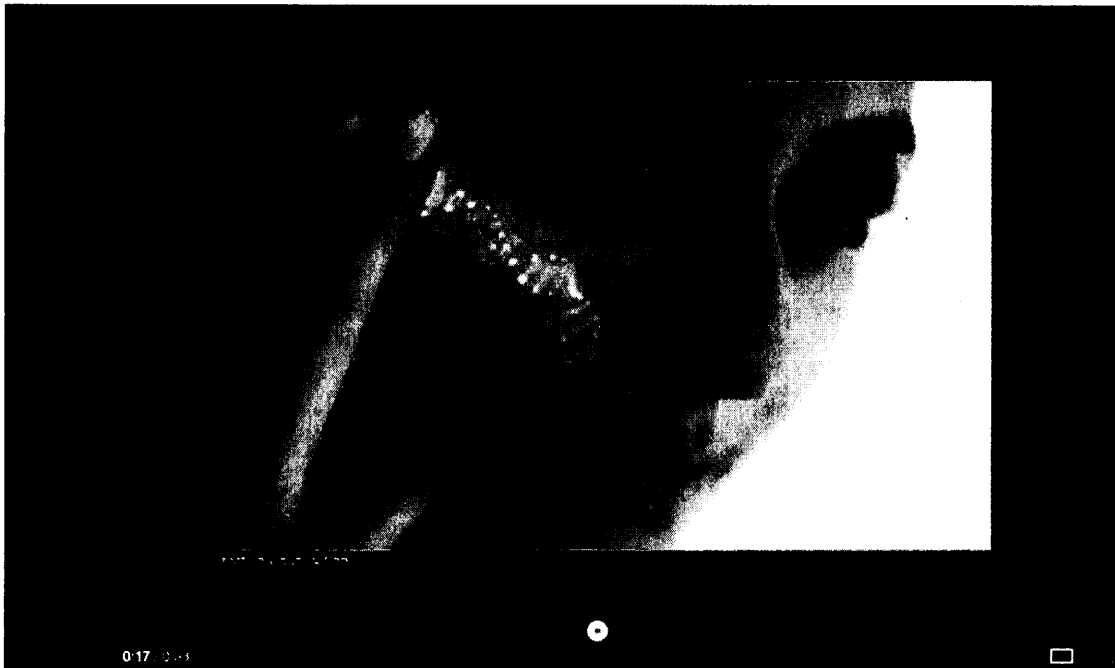
**Figure 12 - The young woman sees a young man in another train.**



**Figure 13 - The young woman and her romantic interest meet up on the platform of a train station.**

The message derived from this advertisement is that in order to find the “perfect match”, you must also be “perfect” (i.e. have fair skin and fit the beauty ideal). This advertisement exploits the idea of attractiveness that is associated with fairness in the marriage market to sell the product and encourage a prejudiced view of beauty.

Beyond the themes relating to beauty and success, this commercial also utilizes science to sell the product. By using a DNA structure to promote the product, there is a perpetuated notion that individuals with dark skin have inherently “bad” genetics, which can only be corrected through the use of the skin lightening cream.



**Figure 14 - A DNA structure appears on the young woman's face as the colour of her skin gets lighter and brighter.**

The DNA represents how the cream works below the surface to alter the individual's genetics, resulting in lighter, brighter, whiter skin. Here we see a value judgment that the genetics that produce darker skin are bad while the genetics that produce lighter skin are good. This is also supported by the name of the product, "GenWhite from Pond's White Beauty"; the insinuation that is made is that white is superior because it is more beautiful and, therefore, more desirable.

**Skin Lightening Advertisement #4 – L'Oreal Paris Pearl Perfect Day Cream (<http://www.youtube.com/watch?v=MmB-TXpmCqc>)**

*Transcript 4*

<b>Line</b>	<b>On-Screen Description (Visual)</b>	<b>Voice-Over and Speaking Lines (Audio)</b>
1	A young woman holding up a necklace with a pearl pendant on it.	What could be more precious than a pearl? [young woman to camera]
2	Young woman walks towards camera.	A skin care cream that gives you a flawless complexion like one. [young woman to camera]
3	Close up of Pearl Perfect Day Cream sitting on a table with pearls beside it.	New Pearl Perfect Day Cream from L'Oreal Paris. [young woman voiceover continued]
4	Close up of the young woman.	Like a pearl, it's one of a kind. [young woman to camera]
5	The young woman applies the cream to	Its light-reflecting micro-pearls instantly

	her face. The spot where she applies the cream instantly brightens. The text “skin looks visibly fairer 88%” appears.	brighten the skin. [male voiceover]
6	The camera zooms into the young woman’s skin and dark spots are erased beneath the surface. The text “dark spots visibly reduced 79%” appears.	The melanin block reduces dark spots... [male voiceover continued]
7	The young woman walks to an open entrance way leading outside.	... and UV filters protect from further darkening. [male voiceover continued]
8	The young woman comes out of the shade and into the sunlight	My skin looks radiant, perfect. [young woman to camera]
9	The young woman is wearing a pearl necklace.	
10	The young woman walks by a pool in a long white dress.	Go get that perfect skin. [young woman to camera]
11	Close up of the young woman.	After all you’re one in a million. [young woman to camera]
12	The entire line of Pearl Perfect products.	New Pearl Perfect from L’Oreal Paris. [male voiceover]
13	Close up of the young woman.	Because you’re worth it. [young woman to camera]

The lighting used in this advertisement places an emphasis on white as being linked to good. The interplay between light and good reminded me of

the utilization of light versus dark and its associations to good versus bad in Hindu mythology.

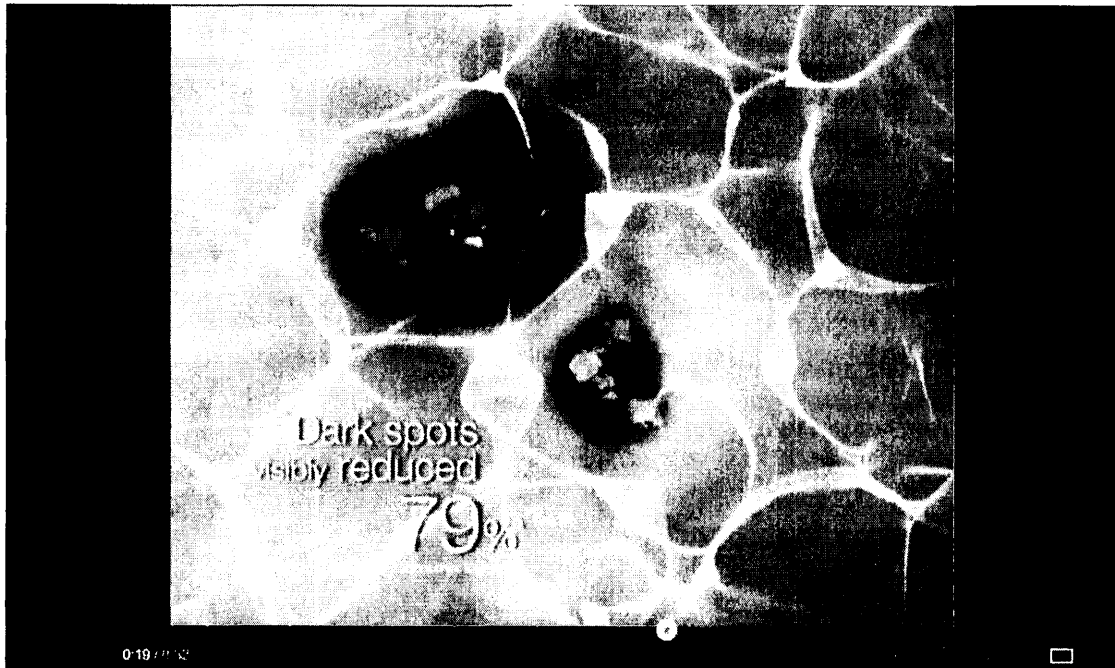


Figure 15 - The "banishment" of dark spots by the skin lightening cream is reminiscent of the battle between heroes and villains.

"Light-reflecting" and "brighten" are used to describe the effects of the cream, both of which are seen as desirable (i.e. good), while "dark" and "darkening" are seen as features that need to be reduced and protected against (i.e. bad). Historically, villains have been portrayed as, not only dark in demeanor, but also dark in appearance. This also emphasizes a correlation between appearance and demeanor. As such, someone who is dark in appearance is construed to be dark in demeanor as well.

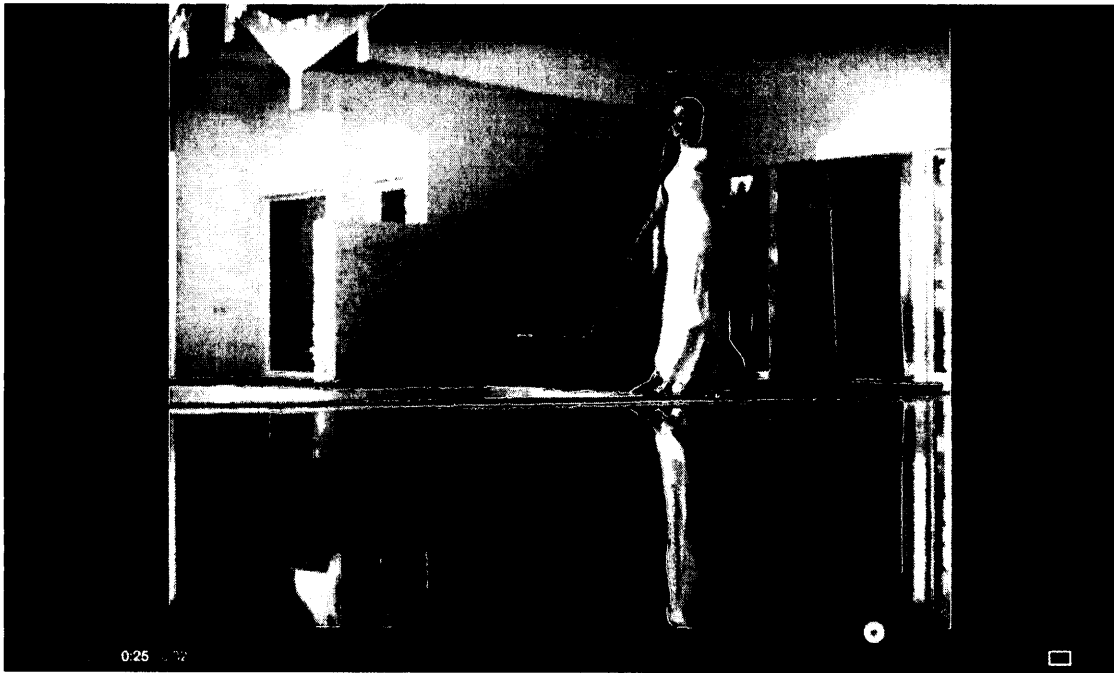
Alternatively, as we see in this commercial, an individual who is light in complexion will appear to have a demeanor that is radiant and warm.





**Figure 16 - The young woman emerges into the light, representing the defeat over darkness.**

The implication that is made in the commercial, therefore, is that the young woman appears to have “light” qualities because she exudes light.



**Figure 17 - The young woman oozes self-confidence with her flawless complexion.**

Another major aspect of this advertisement is the comparison made between skin complexion and the properties of a pearl; pearls are described as having flawless and shiny exteriors and these qualities are attributed to individuals with fair skin as well. So the message that is broadcast is that, in order to be perceived as beautiful, one must emulate the properties of a pearl. Further, as the commercial dictates, women should present themselves as flawless, without any remnants of darkness. Again, placing a high degree of value on a woman's appearance over all other aspects of her being.



**Figure 18 – The properties of a pearl are compared to the characteristics associated with a woman's complexion.**

This notion is also supported by the dialogue in the advertisement (“What could be more precious than a pearl? A skin care cream that gives you a flawless complexion like one.”).

This advertisement also promotes a luxurious way of living as the young woman is seen in a spacious house with a scenic view and the comforts of a pool. In today's society big, picturesque homes are a symbol of status, and are seen as indicators of success. There is an undercurrent that suggests that to for an individual to be able to live in a home with the same amenities that the young woman enjoys, they should strive to perfect their

appearance. This message is reinforced by the dialogue used (“Go get that perfect skin!”); the colour of your skin prescribes the way you are seen in society, and therefore, is the ultimate factor in deciding an individual’s status.

### **Over-Arching Themes and Messages – Skin Lightening**

After analyzing the skin lightening advertisements as a whole, I noticed that there were several themes that were found commonly throughout the group. Many of the themes had to do with varying methods of attaining happiness, whether it was by landing a dream job or by finding the perfect partner. In addition, the advertisements related happiness back to beauty by making the latter the key to achieving the former. Branching off along the same vein, a young woman’s happiness was seen as being connected to the happiness of her family, thereby, equating her to a possession or asset (or liability as the case may be). The advertisements claimed to be giving South Asian women empowerment by allowing them to take control of their own destinies, but in reality the advertisements simply afford women the ability to attain the means necessary to do what it expected of them.

The group of skin lightening advertisements that I studied show young South Asian women a small window into the lives that could have, the lives

they would have if their skin colour was a few shades lighter. By presenting these women with “a way to move up”, these commercials make achieving success seem like something that requires as little work as applying a face cream daily. The women portrayed in the advertisements are not appreciated or acknowledged for their intellectual capabilities, and instead are seen as objects that are to be strictly admired for their physical beauty. There is no mention made of the inner qualities required for getting a job or finding a soulmate, instead it all comes down to appearance. The young women in these advertisements are convinced that they must mask their true selves. They all strive for fairer skin because they see this as the epitome of beauty and, therefore, the way for them to climb up in life.

### **Analyzing Tobacco Advertisements – Meanings and Messages**

In addition to the skin lightening commercials, I also analyzed two cigarette commercials tailored to attract women. I used the same process to examine these advertisements as I did to examine the collection of skin lightening advertisements.

**Cigarette Advertisement #1 – Kool Cigarettes**

([http://www.youtube.com/watch?v=fC\\_9rq1Whlk](http://www.youtube.com/watch?v=fC_9rq1Whlk))

*Transcript 5*

<b>Line</b>	<b>On-Screen Description (Visual)</b>	<b>Voice-Over and Speaking Lines (Audio)</b>
1	A young woman sailing on a catamaran.	Lady be Kool. [singers]
2	A young woman sailing on a catamaran.	Everything about her is stylishly long, tastefully cool. [male voiceover]
3	The young woman comes to the shore.	Lady be Kool. Lady be Kool. [singers]
4	The young pulls a cigarette out of a Kool Cigarettes box, lights it, and smokes.	And her cigarette is a stylishly long and tastefully cool as she is. Kool Filter Longs. [male voiceover]
5	The young woman offers a cigarette to a young man.	Lady be Kool. [singers]
6	The pair sits back and relaxes. They smile at each other.	Styled to be extra long with a taste to be extra cool. [male voiceover]
7	The young man looks at the woman and she looks back at him with a smile. He looks at her again and she brushes her hair out of her face. He looks at her one more time and she tosses her hair with a smile.	Kool Filter Longs. The cigarette that puts it altogether. Come all the way up to Kool Filter Longs. [male voiceover]
8	The pair get up and walk towards the water.	Lady be Kool. [singers]  Stylishly long. [male voiceover]

		Lady be Kool. [singers]  Tastefully cool. [male voiceover]
9	A close up of the box of Kool Cigarettes lying next to the young woman's handbag.	Lady be Kool. [singers]

This advertisement targets women with the promise of luxury. The visual elements of the commercial suggest opulence with the catamaran and secluded beach.



Figure 19 - The young woman sails on a catamaran.

Having the ability to afford such indulgences is limited to those with wealth and status, and by extension, the implication is that smoking is another indulgence that can only be afforded by those who have been successful in attaining both. Since the act of smoking is associated with elegance, women who smoke are, thereby, associated with an elegant lifestyle.

There is a suggestion here that smoking Kool cigarettes is the gateway to leading a luxurious lifestyle. This is supported by the dialogue used in the advertisement, "Come all the way up to Kool Filter Longs". The use of the terminology "all the way up" implies that smoking Kool cigarettes is considered linked with higher social status.

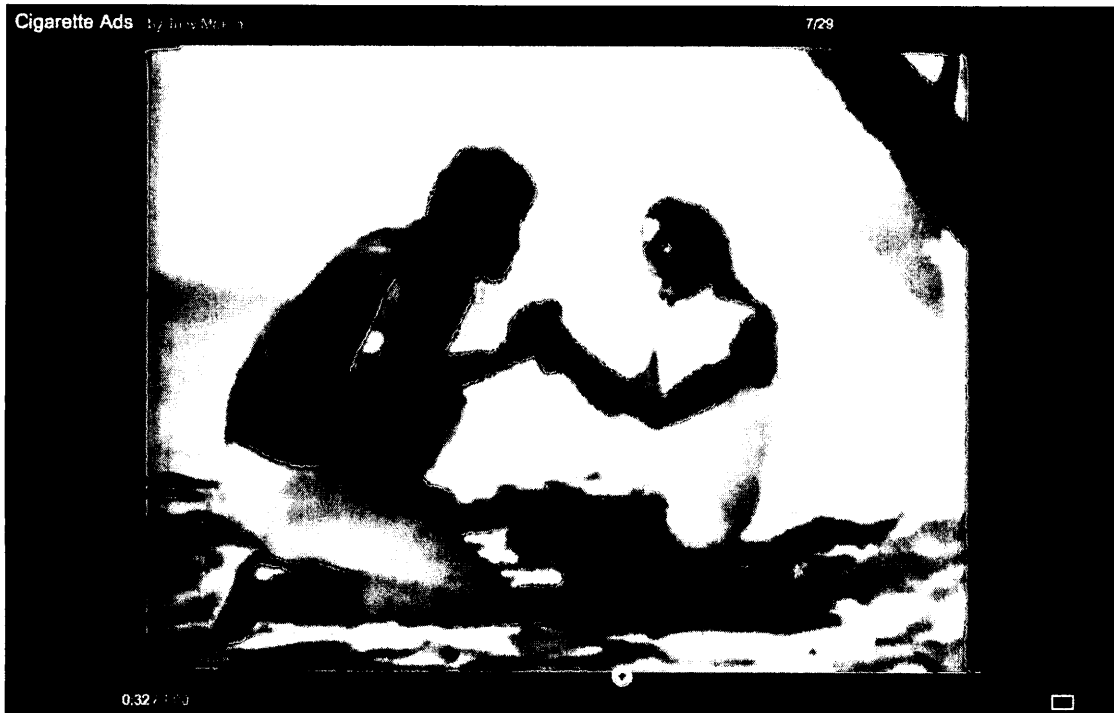
In addition, the dialogue also states that Kool cigarettes are as "stylishly long" as the women who smoke them, insinuating that women who smoke Kool cigarettes are worthy of admiration. This inference utilizes the male gaze and portrays women who are long and slim as the epitome of beauty. Women are seen as objects of desire and are compared to inanimate objects (cigarettes). There is no acknowledgement of traits that are not physical (i.e. intelligence, sense of humour, integrity, etc.), and instead, women are reduced to being appreciated for their appearance.





**Figure 20 - The young woman is portrayed as “stylish” and “cool” like her cigarette.**

There is also an element of romance within the advertisement with the introduction of the young man. The young woman is alluring and this appeals the young man. The encounter begins with the cigarettes and there is an instant connection.



**Figure 21 - The young woman offers the young man a Kool Cigarette.**

The interplay between the pair continues, they steal coy glances at one another with the cigarette used as a euphemism. This series of exchanges plays into the idea of romance and the lust associated with it. At the end of the commercial, the pair walks off together and there is an allusion to something more intimate.



**Figure 22 - There is the underlying appeal of sex.**

The roles that are played by the young woman and the young man are stereotypical. The young woman is playful, while the young man is more assertive. These roles are typical and play into the desires of most young people; being alone on a secluded beach with an attractive stranger. The commercial makes it seem as though individuals who smoke Kool cigarettes find themselves in these types of situations quite often. This is appealing to a young target market and, more specifically, women, many of whom fantasize about this very scenario with their own Prince Charming.

**Cigarette Advertisement #2 – Oasis Cigarettes**

(<http://www.youtube.com/watch?v=uCRakl0dbK0>)

*Transcript 6*

<b>Line</b>	<b>On-Screen Description (Visual)</b>	<b>Voice-Over and Speaking Lines (Audio)</b>
1	A young man water skis through a giant "O".	Smoke the big O. Oasis. [male voiceover]
2	A close up of a box of Oasis Cigarettes. The text "Refreshing Menthol Mist..." appears.	New Oasis filter cigarettes with refreshing menthol mist. [male voiceover]
3	A young woman and a young man smoke cigarettes while holding onto their water skis.	Light an Oasis and you'll say... [female singer]
4	The pair are water skiing, while continuing to smoke.	... It's the freshest taste in smoking today! [female singer continued]  Smoking to know, now smoke the big O. Smoking to know, now smoke the big O. [background singers]
5	A close up of the pair water skiing. The text "Best filter on any menthol cigarette" appears.	The Oasis filter is the best you can get on any menthol cigarette.
6	Far away shot of the pair water skiing.	Smoking to know, now smoking big O. Smoking to know, now smoke the big O. [background singers]
7	A close up of the young woman smoking while	Menthol mist, so mild so light. [background

	water skiing. The text "Menthol Mist" appears, along with a picture of a box of Oasis cigarettes.	singers]
8	A close up of the young man smoking while water skiing. The text "Mild and Light" appears, along with a picture of a box of Oasis Cigarettes.	Makes every puff a smooth delight. [background singers]
9	The camera zooms into the picture of the box of cigarettes.	
10	Far away shot of the pair is water skiing.	Smoking to know, now smoking big O. [background singers]
11	A Close up of the young man smoking while water skiing.	Smoking to know... [background singers]
12	A close up of the young woman smoking while water skiing.	... Now smoke the big O. [background singers continued]
13	Far away shot of the pair water skiing. A giant "O" appears in the middle of the screen.	The Oasis filter is the best you can get on any menthol cigarette. [male voiceover]
14	The "O" moves on to a box of cigarettes. The text "The freshest taste in smoking" appears.	Light an Oasis and you'll say... [male voiceover]
15	The top of the cigarette closes to reveal "Oasis".	... Here's the freshest taste in smoking today! Oasis! [male voiceover continued]

This advertisement uses excitement and adventure to sell the product. By using the product in conjunction with a exhilarating activity such as water

skiing, the advertisement purports that smoking Oasis cigarettes is just as exhilarating.



**Figure 23 - The young couple enjoys water skiing while smoking.**

In addition, the couple in the advertisement is young also and this puts forth the notion that smoking is something that “cool” and “hip”. The association of smoking with youth also suggests that smoking is an activity that keeps you young and fun. This is further supported by the dialogue used in the advertisement, “Smoking to know, now smoking big O”. This dialogue implies that if you want to enjoy life as much as the young couple does, that you should smoke Oasis cigarettes.

Furthermore, the couple that is shown in the commercial is also attractive; the young man is buff and handsome, while the young woman is petite and pretty.



**Figure 24 - The young couple fit stereotypical forms of what is considered beautiful in society.**

These are physical traits that are often associated with beauty ideals. As a result, smoking is seen as something beautiful people enjoy.



**Figure 25 - The young woman is attractive and exudes happiness.**

The main message of this advertisement is that you should enjoy life as much as possible, do things that you never would have dreamed you could do, one of those things being smoking an Oasis cigarette. The allure of the commercial is that it makes smoking seem exciting and adventurous.

However, smoking is also an activity that is reserved for individuals who are young and beautiful, individuals who understand that life is about enjoyment and indulgence. This is a select group that the viewer is enticed to join.



## **Over-Arching Themes and Messages - Tobacco**

The major theme that is common in both of the cigarette advertisements is that of indulgence and excitement. Both advertisements utilize young attractive couples to claim that smoking is something that is synonymous with luxury. The act of smoking is seen as the gateway to fitting in with the rich and fabulous, to be able to enjoy the type of lifestyle that they enjoy.

## **Connections Between Advertisements**

Both types of commercials (skin lightening and tobacco) promote a lifestyle, one that can easily be accessed by using the product being advertised. The lifestyle that is sold is highly desirable and is tailored to suit each of the target markets. The common denominator in both markets is women and, as such, there is a common element of romance in both groups of advertisements. Women dream of finding their perfect match and this is evident throughout the commercials that were analyzed. By appealing to this greater aspiration, both types of commercials are able to connect to their target groups.

While the products that are being advertised are vastly different, both products cause harm to consumers (physical and psychological). The truth is that both types of advertisements use youth and beauty to sell a product that in fact acts to diminish both.

The similarities between the two types of advertising coupled with the associated risks allow for a case to be made for similar types of regulation. In order to fully explore this idea, it is crucial to understand how tobacco regulation underwent an overhaul to fill the same gaps that are currently found in the regulation of skin lightening products in Canada.

## **CHAPTER 3 – LEARNING LESSONS FROM TOBACCO REGULATION IN CANADA**

This chapter will explore the evolution of tobacco regulation in Canada and will highlight the significant changes that were made to fill substantial gaps.

This chapter will also look at the practice of lifestyle advertising and its potential negative effects on consumers, constituting a need for protection.

### **The History of Tobacco Regulation in Canada**

Tobacco regulation in Canada has a long-standing history; the first traces of it go back to the enactment of the *Tobacco Products Control Act (TPCA)* in 1989. The purpose of the Act was to:

- protect the health of Canadians in light of evidence that tobacco use could contribute to a number of diseases.
- protect young persons in particular against the draw to use tobacco products and the consequent dependence on them.
- protect the health of these young persons by restricting access to tobacco products.
- enhance public awareness of the health hazards of using tobacco products.

(Tiedemann & Wall, 2009)

Immediately, Canada's major tobacco companies challenged the constitutionality of the *TPCA*. In *RJR –MacDonald Inc. v. Canada* [1995], the tobacco companies argued that the *TPCA* exceeded the federal government's legislative authority and violated the constitutional protection of freedom of expression. In order to evaluate the claim made by the tobacco companies, the court had to consult two separate lines of precedent, section 2(b) and section 1 of the *Canadian Charter of Rights and Freedoms* (*RJR-MacDonald*, 1995).

Section 2(b) of the *Charter* outlined the constitutional guarantee of freedom of expression, which included freedom of the press and other media of communication. The court had to determine whether the Act did in fact infringe upon the tobacco companies' freedom of expression (*RJR-MacDonald*, 1995). The court defined the purpose of this guarantee broadly to include the general search for truth, political participation, and self-fulfillment. As a result, the court determined that the term "expression" was an umbrella term that could be used to describe and attempt to convey meaning, including one of a commercial nature (Manfredi, 2002).

Additionally, under section 1 of the *Charter*, which specifies that rights and freedoms are subject to "reasonable limitations", the court looked at whether or not this infringement was justified (*RJR-MacDonald*, 1995). The

court defined limits as reasonable if they were proportionately related to a pressing and substantial goal in society (RJR-MacDonald, 1995). In order to ascertain this, the court performed a minimal impairment test analysis, which took into consideration whether or not the legislature looked at other less intrusive means to promote its legislative goal. The court also looked at whether the benefits outweigh the costs of the resulting impairment (RJR-MacDonald, 1995).

The case to support the constitutionality of the *TPCA* was supported by two provincial governments and, in addition, five non-governmental organizations intervened in the case in support of the constitutionality of the *TPCA*, conversely not a single group intervened in behalf of the position held by the tobacco industry (Manfredi, 2002). Given the importance of the public health concerns highlighted in the *Legislation* coupled with the alignment of governmental support in favour of the *Legislation* and the lack of support for the tobacco companies, there was little evidence for a decision to be made against the *TCPA*'s restrictions (Manfredi, 2002). However, despite the fact that the court upheld *TPCA* as a legitimate implementation of federal legislative power and accepted the public health objectives underlying the statute as both "pressing and substantial", it ended up agreeing with the challenge raised by the tobacco industry with respect to freedom of expression (Manfredi, 2002).

The court unanimously held that the *TPCA* did in fact limit freedom, as set out by the broad definition given to “freedom of expression” in previous cases, contrary to the constitutional guarantees of the *Charter*.

Additionally, a five to four majority of the court found that the limit was not reasonable or demonstrably justified under section 1 of the *Charter* (*RJR-MacDonald*, 1995). The majority itself was divided over the exact reasons for coming to such a conclusion. Two of the justices maintained that, despite the existence of a rational connection between all three categories of regulation (advertising, promotion, and labelling) and the statute’s objectives, the regulations still failed the all-important minimal-impairment test. Three other justices issued an even harsher judgment as they felt that there was no rational connection to be found between the promotional restrictions and tobacco consumption (*RJR-MacDonald*, 1995).

By contrast, the four dissenting justices readily accepted the *Legislation* as a reasonable limit on “expression of freedom” as it relates to an activity that they felt was not meant to be associated with the core values of freedom of expression (*RJR-MacDonald*, 1995). This minority argued that the negative health effects of tobacco, coupled with the sole purpose of tobacco advertising being that of promoting a product with such adverse

negative effects, should allow for a socio-economic analysis of tobacco products (RJR-MacDonald, 1995). The dissenting judges observed that the complete ban on advertising only came after two decades of experimenting with less intrusive measures, and that the requirement of the unattributed health warning presented a relatively small burden to the expressive freedom of the tobacco companies (RJR-MacDonald, 1995). The majority rejected this view, arguing that there are limits to the court's compliance with the legislature. Further, they maintained that this view would weaken the role of the courts in the constitutional process (RJR-MacDonald, 1995).

Given the obvious public health hazards posed by tobacco use, the high value that is placed on expressive freedom in liberal democracies is often forgotten. As can be evidenced from the Canadian approach to issues such as advertising to children, hate propaganda, and pornography demonstrates, the value derived from expressive freedom is neither absolute nor infinite. The key, however, is to use careful reasoning and evidence to justify limiting this value (Manfredi, 2002). One lesson that can be taken from this case is that liberalism implies inherent limits on the policy instruments that can be utilized by governments in order to control tobacco. The second lesson that can be derived from this case is that governments do not have to let courts have the final say (Manfredi, 2002).

In 1997, the Canadian government replaced the TPCA with the Tobacco Act. The Tobacco Act and the regulations associated with it impose general restrictions on manufacturers; restrictions on promotion, packaging, and products; and impose point-of-sale restrictions (Manfredi, 2002). Despite replicating the basic regulatory framework put in place by the TPCA, the Tobacco Act contains elements of the framework that have been reconstructed by the government in order to address the constitutional deficiencies that were previously challenged (Manfredi, 2002). As a result, the Tobacco Act explicitly prohibits:

- All forms of promotion that are defined as a representation about a product or service, including any communication of information about a product or service and its price and distribution, that is likely to influence and shape attitudes, beliefs and behaviours about the product or service (s.18)
- False advertising (s. 20)
- Testimonials in favour of tobacco (s. 21)
- Brand stretching through products or services associated with young people, or with lifestyles (s. 27 & 28)
- Imported advertising where the publication or broadcast is under the control of a person in Canada (s. 31)

... All of which "are associated with young persons or could be construed on reasonable grounds to be appealing to young persons; or is associated



with a way of life such as one that includes glamour, recreation, excitement, vitality, risk or daring.” (Minister of Justice, 1997, p. 11).

In particular, unlike its predecessor (the *TPCA*), the *Tobacco Act* makes a distinction between “brand preference” and “lifestyle” advertising; it imposes an absolute ban on the latter while simply regulating the former. In addition, the *Tobacco Act* permits tobacco companies to attribute the mandated health warnings to Health Canada. In these respects, the court’s constitutional point is conceded to create slight advantages for the tobacco industry (Manfredi, 2002). In order to compensate for what can be seen as the “loosening up” of regulatory standards, the labelling requirements mandating graphic tobacco labels that were added to the *Tobacco Act* in June 2000 surpass those that existed under the *TPCA*.

As expected, less than two weeks after these regulations came into effect, Canada largest tobacco company (Imperial Tobacco Ltd.) initiated proceedings to have the revised labelling and reporting requirements reversed by citing unconstitutional violations of freedom of expression. The company also asked the Quebec Superior Court to stay the implementation of the regulations until the constitutional challenge could be heard, however, on September 20, 2000, the court rejected the stay application and maintained that tobacco companies must comply with the

regulations until the constitutional validity of their claim could be reviewed and determined. On January 1, 2001, the new labels began to appear on cigarette packages much to the dismay of the tobacco industry (Manfredi, 2002).

Since then, there have been several additions made to increase the awareness of both the health hazards as well as health effects associated with the use of tobacco. There have been various efforts made to inform consumers about the risks associated with smoking that have led to groundbreaking changes in package labelling, including pictorial warnings covering half of the surface area of cigarette packages (Beyer & Brigden, 2003). Canada has also forced tobacco companies to disclose the toxins and additives that can be found in tobacco smoke. Furthermore, additions, which came into effect in September 2011, helped to further strengthen the labelling requirements for cigarettes. The amendments require:

- Graphic health warnings that cover 75% of the front and back of packages as well as a Canada-wide hotline number and website that can be accessed to facilitate and assist those who wish to quit smoking;
- Information about the health aspects of smoking must be enhanced with colour. These messages focus primarily on the benefits of quitting and provide tips aimed at helping people quit.

In some cases, the health information messages also provide detailed explanations of the hazards associated with tobacco use; and

- Toxic emissions statements that are easily understandable.

(Minister of Justice, 2011)

The major gap that has been addressed by the improved tobacco regulation deals with lifestyle advertising, and this brings about the question as to what exactly lifestyle advertising is.

### **The Effects and Pitfalls of Lifestyle Advertising**

Lifestyle advertising can be defined as the promotion of a product by associating it with a given way of life or by creating an ideal that appeals to the target audience. Objects, images, suggestive or persuasive slogans and even sounds or colours may convey a certain "lifestyle" that relates to the appeal, desires or interests of an identifiable social group. Alternatively, they can affect how individuals might feel, be perceived or wish to present themselves in everyday life by using the advertised product. These elements are associated with a product in order to position that product in a way that is expected to promote its sale to consumers in the targeted market. Skin lightening advertisements, like cigarette advertisements, show consumers a certain lifestyle and imply that this lifestyle is not only

possible, but becomes more attainable with the use of the product being promoted. The key to the technique used in these advertisements is that in order to obtain the image being sold, one must purchase the product being advertised.

In many South Asian communities, women have historically been seen as dependent and reliant on their male counterparts, and are often bound by the patriarchal structures in which they live and are a part of. This sentiment is one that is long standing and is reflected in the marriage market and, in particular, the exchange of dowry. Dowry refers to the money or possessions that a woman brings into a marriage, and is paid by the woman's family to the man's family. Today, the dowry system, though banned, has evolved into a means of compensation to the groom's family. The message being derived from this practice is that women are seen as the property of their husbands, something to be bought and sold. This notion dates back to the period of British colonization, when women were seen belonging to their husbands and were controlled by them.

Skin lightening advertisements claim to free women from these burdens, by giving them the power to break through the daily oppression that they face and take charge of their lives. These advertisements aim to show women that they are not bound by the patriarchal structures that can be

found all around them and that they can do anything that their male counterparts can do, while looking better doing it. While the image being sold is one of self-determination and independence, there is a deeper, darker message being promoted as well. Though women are no longer bound by a society driven solely by men, they are bound by their own appearances, more specifically the colour of their skin. By these new standards, the barrier that they face to achieving their dreams is no longer their female anatomy, but is the shade of their skin. So while asserting that these products help young women get over potential hurdles in order to achieve happiness and success, the truth is that these products in fact create and act to further reinforce other hurdles. As a result, young women in South Asian communities now have to think about proving their worth in the face of the doubts they face over being women as well as the prejudices they face because of the colour of their skin.

### **Lifestyle Advertising and Consumers**

Many people believe that there is a lack of information, which affects consumer-buying patterns. They believe that consumers would spend and buy less if they were given full access to all of the information that is available to them (Trebilcock, Hadfield & Howse, 1998). Lifestyle advertising omits information in favour of selling an image. By limiting information regarding toxic ingredients, potential side effects, and other

such warnings, the producers of skin lightening products, which utilize lifestyle advertising, fail to fully equip consumers with all of the facets needed for them to make completely informed decisions. As a result, consumers buy into the representation that they are sold without understanding or realizing the consequences of their decision.

Despite the red flag uncovered regarding the lack of information, there was also early recognition that information problems in consumer markets were multiplied by the ability of consumers to process and make use of information. These problems are often seen as ones of education or sophistication or class (Trebilcock, Hadfield & Howse, 1998). There is evidence that consumers tend to rely on heuristics and other devices to govern their interpretations of the various types of information they come into contact with daily. There is also evidence that these devices can systematically lead to bad choices (Trebilcock, Hadfield & Howse, 1998). Information is costly and, as such, consumers normally make choices between being better informed and settling for less informed (Trebilcock, Hadfield & Howse, 1998). This demonstrates that consumers play as big of a role in the lack of information problem as advertisers do.

Canadian policy on tobacco regulation has centered on access to tobacco, however, the objectives have been broader and are concerned with the

overall reduction of smoking (Studlar, 1999). Tobacco is seen as a social hazard with public concerns over the medical and social effects of tobacco use. Therefore, tobacco control can be seen as a mix of economic and social regulatory policy due to the tangible material benefits that are at stake as well as the collective public health benefits and concerns over morality (Studlar, 2002). The formula for success in the case of Canadian tobacco regulation is

a combination of the commitment made by a number of players; municipal, provincial, territorial, and federal levels of government, politicians and civil servants, research and leadership from Non-Governmental Organizations, and the addition of specialized political and economic research to already existing medical and public health research to target public policy and create media advocacy campaigns.

Beyer & Brigden, 2003, p. 95

Social activism was a key element in affecting regulatory change and accomplishing social goals in the case of tobacco regulation and there needs to be a way to change the attitudes regarding skin lightening similar to that used to influence views on smoking and tobacco.

The information paradigm underlines transparency as the main method used for consumer protection. Globally, large companies remain economically powerful and use their vast resources to build political influence, which creates a strong barrier to control policies. As a result,

transparency and public debate on any proposed *Legislation* is crucial (Beyer & Brigden, 2003). However, there are several problems that are associated with such transparency (Wilhelmsson, 1997). The first problem that arises is that the information may not reach consumers. They may have difficulties in understanding and utilizing the information that is provided. In the case of the advertising of skin lightening products, the main target audience is young woman, many of whom may still be in their teens and early twenties. At this age, most individuals often make decisions based on desires and wants of the moment. As such, these young women may feel that the adverse effects that can be caused as a result of using the advertised product are worth it or simply the price to be paid in order to be deemed "beautiful". The second problem that occurs has to do with the fact that some consumers may not even find it worthwhile to make use of the given information because of the relatively small advantages that it may produce (Wilhelmsson, 1997). The users of skin lightening products may view the risks as being minute and may perceive their potential reward as outweighing these risks. With this mindset, many of the young women being targeted may believe that the use of a toxic ingredient is something that is needed in order to create the benefits that they are hoping to gain (i.e. fairer skin). Therefore, the issue that arises is two-fold. First, the inability of the consumer to disseminate what is useful and what is not and, second, to fully commit to gathering



relevant information. In terms of beauty, women often do not spend the adequate amount of time and resources educating themselves on the costs and risks of beauty procedures, and instead view them as a “quick fix”.

While all consumers need protection, it is often those who are in a privileged position that receive this protection over those who are in a disadvantaged position (Wilhelmsson, 1997). There are two aspects of consumer law in particular that contribute to this view. The first is the emphasis on consumer information, while the second is the fact that consumers usually have to pursue their individual claims themselves in order to receive what they deserve (Wilhelmsson, 1997). This causes an asymmetry in the availability of information and often results in few alternatives for the less affluent and leads to an unjust distribution of benefits. This, then, contributes to the promotion of the widely accepted beauty ideal since many affluent women do not feel the need to discourage those who are less fortunate from pursuing the “perfect appearance”, and often chase the same notion of flawlessness.

Beauty standards have become progressively harder to achieve with time. Many women simultaneously strive to meet beauty standards and wish for them to disappear because they view beauty guidelines as both influential

and an interference (Millard, 2009). In 2004, a campaign started by Dove entitled "Real Beauty", aimed to make the various shapes and sizes that women come in acceptable and attractive. The key of the campaign was to rebrand and redefine beauty standards while also attempting to rebuild the self-esteem of women. Despite the aspirations of the campaign, many of the participants still felt the pressures to fit the ideal standard of beauty. One participant admitted that she could not help but look to advertisements for guidance, even though she felt guilty for doing so. There are two procedures that play an important role in this process. The first is the fact that the participant reads the advertisement in a negotiated way, the second is that she also acts on it by styling herself to meet expectations, and is most likely happy with the result (Millard, 2009). Consumers regularly create meanings that suit their own purposes, and this is largely dependent on using advertisements that are in practice and of personal relevance in terms of the content (Millard, 2009). Creating an appearance involves both mechanics and energy in order to produce the desired result and this process is deliberate, not accidental (Millard, 2009).

Preferences are encouraged by any particular social structure, they have no automatic relation to the preferences that a person chooses to develop. As a result, the capacity to make choices about one's preferences requires opportunities to make choices about the social processes or structures that

will influence those preferences (Baker, 2002). These choices can be either individual or collective. Individually, a person can choose whether to participate in a specific social process, in this instance the process of beauty or the process of skin lightening. Collectively, people can choose legal arrangements either for structuring these social processes or for supporting particular processes financially (Baker, 2002). Despite the popular saying that some people are born beautiful or that some forms of beauty are universal, it is a common consensus within a culture and society that determines which features are defined as beautiful and which are not. Therefore, in order to make beauty happen, both effort and manipulation of semiotic resources, such as hair or skin, are required to achieve the desired result.

A woman's choice of semiotic resources depends on what kind of beauty she wishes to perform (e.g. natural, glamorous, sexy) and on what potential those semiotic resources have to offer in terms of rewards or benefits. Social norms also exert a certain amount of influence over the looks women choose for various social situations. Choice is obviously structured, while skills, financial resources, physical attributes, and many other components limit one's performance of beauty, however beauty is still not something that one has, but rather something that one does (Millard, 2009). Therefore, the target markets for skin lightening products

make a decision to use the products based on their needs and wants. The issue becomes whether or not the advertisements promoting these products can and should be regulated in order to reduce the need and diminish the want as in the case of tobacco regulation.

## CONCLUSION

Through this paper, it has been my aim to show evidence of the potential harm that is caused to consumers as a result of the promotion of skin lightening products. Currently, the regulation of skin lightening products in Canada is inadequate and there are several gaps that need to be filled. The first gap that requires addressing has to do with knowledge. As it stands, there is little knowledge regarding the harm that can be caused through the use of skin lightening products. There is little reason to believe that the users of skin lightening products are fully aware of the risks that exist with the use of the products. There is also little evidence that these users fully understand the risks associated with some of the ingredients used in the products. In order to better educate consumers, there is another gap that must be addressed.

The second gap that needs to be filled to create a better regulatory framework for skin lightening products in Canada is that of awareness and advocacy. In more recent memory, a L'Oreal advertisement using Beyoncé Knowles was lauded for portraying Beyoncé with a visibly lighter skin colour. The company maintained that there was no Photoshop involved and there were no alterations done. However, the controversy surrounding the advertisement remained, with certain advocacy groups criticizing the

advertisement for promoting colour biases. This clearly demonstrates that there is at least minimal awareness of the issues associated with skin lightening, even if it is not directly rooted in the South Asian community. However, the criticism does not go far enough. Instead of focusing on the issues with the practice as a whole, the criticism focused on one advertisement and the issue of whether Beyoncé bleaches her skin. The discussion surrounding this particular advertisement had the potential to bring to light the harms and risks associated with the practice of skin lightening, but instead fell short.

In order for awareness to be made universal, there has to be more done with respect to advocacy. As in the case of tobacco regulation, social activism can play a key role in influencing consumer attitudes regarding the practice of skin lightening and skin lightening products. Tobacco regulation in Canada underwent a major overhaul after it was deemed to be unfit with regards to preventing consumer harm, with a push from social interest groups. Given the evidence presented, there is cause to believe that the same can be done for the regulation of skin lightening products as well.

## **Future Considerations**

Given the prevalence of the notion that fair skin is beautiful and, therefore, desirable, there is mounting evidence to suggest that the availability of skin lightening creams will only increase in the future. It is clear that there is a case to be made for protecting consumers from the effects of skin lightening products and to sway from the attraction that is created through the advertising of these products. However, further research needs to be done into the in-depth effects of these products and cases of physical and psychological consequences need to be well documented. The idea that fair skin is the epitome of beauty is one that has been around for centuries, and one that will remain if more is not done to counter the view.

## REFERENCES:

- Baker, E.C. (2002). Market-Guided Preferences. *Media, Markets, and Democracy*, 24-31.
- Baynes, L.M. (1997). If It's Not Just Black and White Anymore, Why Does Darkness Cast a Longer Discriminatory Shadow Than Lightness? An Investigation and Analysis of the Color Hierarchy. *Denver University Law Review*, 75(1).
- Beyer, J. & Brigden, L.W. (2003). Tobacco Control Policy: Strategies, Successes and Setbacks. Ottawa, ON/Washington, DC: The International Bank for Reconstruction and Development/The World Bank.
- Castle, D.J. & Phillips, K.A. (2002). *Disorders of Body Image*. London: Wrightson Biomedical Publishing Ltd.
- Chakravarty, S (1989). *The Raj Syndrome: A Study of Imperial Perceptions*. London: South Asia Books.
- Giroux, H.A. (1997). *Racial Politics and the Pedagogy of Whiteness*. In M.Hill (Ed.) *Whiteness. A Critical Reader*. New York: University Press.
- Goodman, R.J, Morris, J.D. & Sutherland, J.C. (2008). Is Beauty a Joy Forever? Young Women's Emotional Responses to Varying Types of Beautiful Advertising Models. *Journalism and Mass Communication Quarterly* 85, 147-168.
- Goon, P. & Craven, A. (2003). Whose Debt? Globalisation and Whitefacing in Asia. *Intersections: Gender, History and Culture in the Asian Context*, 9.
- Health Canada. (2011). Cosmetic Ingredient Hotlist – March 2011. *Consumer Product Safety*. Retrieved from <http://www.hc-sc.gc.ca/cps-spc/cosmet-person/indust/hot-list-critique/hotlist-liste-eng.php>



- Health Canada. (2005). Guidelines for Cosmetics Manufacturers, Importers and Distributors. *Consumer Product Safety*. Retrieved from [http://www.hc-sc.gc.ca/cps-spc/pubs/indust/cosmet\\_guide/index-eng.php](http://www.hc-sc.gc.ca/cps-spc/pubs/indust/cosmet_guide/index-eng.php)
- Health Canada & Advertising Standards Canada. (2006). Guidelines for Cosmetic Advertising and Labelling Claims. *Consumer Product Safety*. Retrieved from <http://www.hc-sc.gc.ca/cps-spc/cosmet-person/index-eng.php>
- Johnson, F.L. (2008). *Imaging in Advertising: Verbal and Visual Codes of Commerce*. New York/London: Routledge.
- Kanuha, V. (2004). *Colonization and Violence Against Women*. Retrieved from <http://www.apiahf.org/apidvinstitute/CriticalIssues/kanuha.html>.
- Kuruvilla, M. (2011). *Discrimination Against Girl Child: The Trajectory of Missing Girls*. New Delhi: Gyan Publishing House.
- Liddle, J. & Joshi, R.(1985). Gender and Imperialism in British India. *South Asia Research*, 5, 147-164.
- Lipsitz, G. (1995). The Possessive Investment in Whiteness: Racialized Social Democracy and the "White" Problem in American Studies. *American Quarterly*, 47(3), 369-387.
- Mahapatra, D. (2008, April 6). Man Gets 2-year Jail for Calling Wife 'black'. *The Times of India*. Retrieved from [http://timesofindia.indiatimes.com/Man\\_gets\\_2-year\\_jail\\_for\\_calling\\_wife\\_black/rssarticleshow/2929487.cms](http://timesofindia.indiatimes.com/Man_gets_2-year_jail_for_calling_wife_black/rssarticleshow/2929487.cms)
- Malik, S. (2007). *The Domination of Fair Skin: Skin Whitening, Indian Women and Public Health*. San Francisco State University Department of Health Education.
- Manfredi, C.P. (2002). Expressive Freedom and Tobacco Advertising: A Canadian Perspective. *American Journal of Public Health*, 92(3).
- Millard, J. (2009). Performing Beauty: Dove's 'Real Beauty' Campaign. *Symbolic Interaction* 32, 146-168.

- Minister of Justice Canada (1997). Tobacco Act (S.C. 1997, c. 13). Ottawa, ON: Government of Canada.
- Minister of Justice Canada (2011). Tobacco Products Labelling Regulations – Cigarettes and Little Cigars (SOR/2011-177). Ottawa, ON: Government of Canada.
- Morrison, T. (1992). *Playing in the Dark: Whiteness and the Literary Imagination*. New York: Vintage Books.
- Omi, M. & Winant, H. (1994). *Racial Formation in the United States*. New York/London: Routledge.
- Pattison, S. (2000). *Shame: Theory, Therapy, Theology*. Cambridge/New York: Cambridge University Press.
- Purkaystha, B. (2005). *Negotiating Ethnicity: Second-Generation South Asian Americans Traverse a Transnational World*. London: Rutgers University Press.
- Ramnath, N. (2004). Are Hindu Attitudes Towards Race Skin-Deep? *Beliefnet*. Retrieved from <http://www.beliefnet.com/Faiths/Hinduism/2004/05/Are-Hindu-Attitudes-Towards-Race-Skin-Deep.aspx>
- RJR-MacDonald v. Canada, 3 SCR 199. (1995). Retrieved from LexisNexis Quicklaw.
- Russell, K., Wilson, M., & Hall, R. (1992). *The Color Complex: The Politics of Skin Color Among African Americans*. New York: First Anchor Books.
- Saint Louis, C. (2010, January 15). Creams Offering Lighter Skin May Bring Risks. *The New York Times*. Retrieved from <http://www.nytimes.com/2010/01/16/health/16skin.html>
- Schor, J.B. (1998). A New Economic Critique of Consumer Society. *Ethics of Consumption: The Good Life, Justice, and Global Stewardship*, 131-138.
- Sen, A. (1992). *Inequality Reexamined*. Cambridge: Harvard University Press.

- Sen, A. (2005). *The Argumentative Indian: Writings on Indian History, Culture and Identity*. London: Penguin Books Ltd.
- Shevde, N. (2008). All's Fair in Love and Cream: A Cultural Case Study of Fair & Lovely in India. *Advertising & Society Review*, 9(2).
- Studlar, D.T. (1999). *The Mouse That Roared? Lesson Drawing on Tobacco Regulation Across the Canada-United States Border*. Orono: Canadian-American Center University of Maine.
- Studlar, D.T. (2002). *Tobacco Control: Comparative Politics in the United States and Canada*. Peterborough: Broadview Press Ltd.
- Sullivan, T. (2003, August 3). India Wrestles With Its Bias for Fair Skin. *Los Angeles Times*. Retrieved from <http://articles.latimes.com/2003/aug/03/news/adfg-skin3>
- Thiyagarajah, N. (Director) (2010). *Shadeism*. Short Documentary retrieved from <http://www.shadeism.com/>
- Thompson, F. (2003). The Changing Face of Tobacco Marketing in Canada: New Federal Rules, New Industry Tactics. *Non-Smokers' Rights Association*. Retrieved from [http://www.nsra-adnf.ca/cms/index.cfm?group\\_id=1337](http://www.nsra-adnf.ca/cms/index.cfm?group_id=1337)
- Thompson, A. (2001). *Summary of Whiteness Theory*. Retrieved from <http://www.pauahtun.org/Whiteness-Summary-1.html>
- Tiedemann, M. & Wall, T. (2009). Bill C-32: An Act to Amend the Tobacco Act (Legislative Summary LS-648E). Ottawa, ON: Library of Parliament – Parliamentary Information and Research Services.
- Timmons, H. (2007, May 30). Telling India's Modern Women They Have Power, Even Over Their Skin Tone. *The New York Times*. Retrieved from [http://www.nytimes.com/2007/05/30/business/media/30adco.html?\\_r=0](http://www.nytimes.com/2007/05/30/business/media/30adco.html?_r=0)
- Tungate, M. (2011). *How Marketing Changed the Way We Look*. London/Philadelphia: Kogan Page Limited.

Trebilcock, M.J., Hadfield, G.K. & Howse, R. (1998). Information-Based Principles for Rethinking Consumer Protection Policy. *Journal of Consumer Policy*, 21, 131-169.

Truth in Aging (2013). Ingredients. *Truth in Aging*. Retrieved from <http://www.truthinaging.com/ingredients.html>

Wilhelmsson, T. (1997). Consumer Law and Social Justice. *Consumer Law in the Global Economy: National and International Dimensions*, 217-232.

Wolf, N. (2002). *The Beauty Myth*. New York: HarperCollins Publishers.