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**MARKETING ETHICS AND THE EVALUATION OF ETHICAL MARKETING
REGARDING ALCOHOL ADVERTISEMENTS IN TURKEY**

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Summary

W tym badaniu pragnę pokazać błędy oraz problemy, które występują w etycznych ramach marketingu. Reklama produktów w zglobalizowanym świecie jest bardzo ważnym elementem ich sprzedaży. Problem pojawia się, gdy temat dotyczy produktu uzależniającego, takiego jak tytoń i alkohol. W obszarze marketingu, reklama uzależniających produktów nie może być uznawana za etyczną. W wielu krajach takie reklamy zostały zabronione, ze względu na wpływ na dzieci oraz młodzież. W tej pracy staram się pokazać jak prawo reguluje kwestię reklam produktów uzależniających w kontekście wpływu na młodzież i dzieci w Turcji.

Turcja ma swoje własne przepisy w związku z reklamą wyrobów alkoholowych w telewizji i radio. Jednak w obecnie funkcjonujących mediach, w tym społecznościowych, problemem staje się ochrona młodzieży i dzieci ze względu na utrudnioną kontrolę tych mediów.

Key words

Etyka, marketing, etyka marketingowa, marketing etyczny, reklamy, produkty uzależniające, alkohol

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Tytuł

Etyka marketingowa i ocena marketingu etycznego w odniesieniu do reklam alkoholowych w Turcji

Summary

In this study, it aims that to be mentioned about the problems and mistakes in an ethical framework, especially in the marketing area. The most importantly, in the globalized world, making advertisements of products started to be must on the way of selling a product. However, the problem has occurred when the topic comes to an addictive product such as tobacco and alcohol. Marketing of an addictive product cannot consider as ethical in the marketing area. Additionally, it has been restricted under the laws in many countries because of effects youngs and children easily. In this study, the answer to the question of how extent the advertising of alcohol products is protected by the laws in terms of not affecting young people and children in Turkey has been tried to be found.

It has been founded that Turkey has its own regulations and laws while advertising an alcoholic beverage on TVs and radios. However, in the new media, known as social media area, it is hard to protect youngs and children because of control issues.

Key words

Ethics, marketing, marketing ethics, ethical marketing, advertisements, addictive products, alcohol

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INTRODUCTION

The globalization and the competitive environment, which has intensified, have deeply affected the working conditions and styles of the business world, and the social responsibility of the firms has been raised in the face of an unethical violation of the rights of other circles in the face of the unlimited interests' expectations of certain segments. In this environment, ethical issues in terms of business and marketing started to be discussed and questioned more frequently. The ethical aspect of the marketing activities of the businesses, which are reflected in the society and the consumers, as well as the areas with the fastest response by the consumers and the society, is also the main point in this review. Until recently, ethics in terms of marketing examined under the title of business ethics, the specific conditions of marketing, the complexity of the ethical problems posed by these conditions and its relationship with other business functions, made it necessary to examine under a separate heading.

The concept of marketing ethics is a fairly new concept in Turkey. Until a few years ago, ethical issues related to marketing have been examined under the title of Business Ethics, which is a new concept, and which has been emphasized in recent years. However, the unique conditions of marketing, the complexity of the ethical problems posed by these conditions, and the importance of both economic and social aspects have made it necessary to examine the ethics of marketing as a field in itself.

Secondly, the only ads that are subject to addictive substances in the world and in Turkey is alcohol. Advertising is a method that manufacturers use primarily to inform consumers about their products or services. Therefore, advertising; is a requirement for publicity and marketing. The necessity of advertising in the promotion and marketing of products brings some drawbacks when it comes to an addictive substance like alcohol. The effects of advertising on alcohol consumption of children and young people have been the subject of many researches. In this study, it is revealed that advertising is a factor that encourages children and young people to start to drink alcohol.

The study has been separated by three main chapter to make it more understandable the topic itself. In the first chapter, it will be given the definitions of 'Ethic' and the complex meaning of Ethic will be shown to make it easy to understand. The definition of 'Moral' will be come

afterwards in the same chapter because of the connected nature to both concepts. The ‘Theory of Ethic’ will be analysed in the same chapter by given the related approaches to the theory and it will be concluded by considering the implementation of ethic theories to the real world. In the second chapter, the concept of marketing ethics will be discussed. Ethical issues regarding to advertisements will be handled by given the examples from the ethical frame and the legal frame. In the third chapter, the advertisements ethics, policies regarding to advertisement of alcohol product in the world and in Turkey will be discussed. A case study from the research of advertising of alcoholic beverages according to the types of media.

The research problem of this study is the area of marketing ethics. Because of arising ethical violations in the business world. It is started to be easily find exaggerated advertisements which is not represent the real product. However, many companies started to care about customers by increasing interest to protection of customer’s rights and the society itself. On the other hand, some products such as tobacco and alcohol are addictive concept. Not only for this, their effects and damages to human’s body is a well-known fact in all over the world. The topic itself force societies and governments to protect people and most importantly to our children and youngsters from their damages. Considering these, in all around the world states started to protect people by making these addictive products’ advertisements advertise difficult.

In this study, the sentences ‘In the area of marketing ethic, the tool of advertisement is enough restricted by laws to protect young people and children in Turkey.’ tries to be enlighten by making reasearches.

In this study, a literature review search will be making for the concepts discussed and internet research for sample ads. Additionally, there will be shown a case study from the related topic. In the light of the scientific information obtained within the scope of this research, the selected sample ads which is alcohol related to the research subject will be examined. While conducting these investigations, the structural features, strategic and ethical evaluations of advertisements will be discussed.

CHAPTER 1

ETHICS

THE DEFINATION OF ETHIC

What is Ethic?

The ethics (ethics) is derived from the "ethos" that come from the Greek habit, tradition. The word "moral", which is moral for Turkish, also means "mores" in Latin.¹ Some authors use ethical and moral terms independently to bring about similarity in this sense. However, in this thesis this very term can be used in many different philosophies, accepting many philosophers. It is useful to clarify this distinction with definitions.

Morality considers arguments about what is good and right. Ethics is still more concerned with the reasoning of these arguments. Ethic is a research to understand structure of moral by asking 'what are the standards of moral phrases, what are the basic of behavior'². Additionally, the ethic is a moral philosophy. Moral philosophy studies that, information, rules and values about what is right and wrong, how to be good and bad, how to behave and how not to behave.³

"It is wrong to steal something that belongs to someone else." this is a most common moral rule may be acceptable almost in every culture. Ethic asks question of "Why is wrong to steal something." to prove the sentence is right. It tries to reach reasons to prove this moral rule's approval with its theories and proofs.

Good and bad, right and wrong and similar perspectives that are relative to this concept is varied because of culture, religion, experience and etc. Even these concepts not only changes from country to country, it changes from person to person that even people from the same country because of their life style, gender, age and characteristics. Ethic searches for a basic reality behind of what is good or bad and what is right or wrong.

¹ Pojman, L. P. (2001), *Ethics: Discovering Right and Wrong*, (4th ed., Belmont/Thomson Learning) p.2

² Hunt, S. D. and Vitell, S. J. (1986), "A General Theory of Marketing Ethics" a.a. Smith, J. A. (ed.) (1996), *Ethics in Marketing*, (New York: The McGraw-Hill Companies, Inc.) p.759

³ Raphael, D. D. (1994), *Moral Philosophy*, (2nd enlarged ed., Oxford: Oxford University Press) p.8

Ethics is defined as a study of the nature and foundations of morality, where morality means moral judgments, standards and rules of behavior⁴. Business ethics is the sum of codes of conduct and behavioral principles that are based on beliefs, which behavior is right, and which is wrong. Good work ethics can increase the business outcomes leading to the sustainable development of institutions⁵. The market is increasingly discriminated against and institutions that do not abide by ethical business practices and ethical principles of management are increasingly discriminated against.

What is not Ethic?

Singer emphasizes misunderstanding about what ethics is, he also pointed out the main points about what the ethics are not. According to Singer:

-It is a system that is successful in theory, but is not effective in practice. An ethical argument that is not good in practice will be theoretically inaccurate. An ethical argument have to be a guide practically.

-It is not a concept that only finds meaning in the religious perspective. There is no need to believe in any kind of religion in order to act ethically. Famous philosopher Immanuel Kant, known for his commitment to Christianity, has argued that ethical behavior should not be based on personal concerns and interests (fear of hell/ heaven). It should not be an ethical rule because of God's rewards and punishments, it should be indigenize to act on this direction is the right thing as itself.

-It is not relative or subjective. It will not be ethic if the moral rules are accepted in the accepted society and another society accepts the relativistic approach which argues that it cannot discuss the correctness or wrongness of these moral rules. If the torture of animals in a society is regarded as wrong and the other is regarded as right, then according to the relativistic approach, both behaviors will be accepted as true because they have meaning in their own society. In this case, any discussion about whether the behavior is correct or not will not make sense. However, as we have mentioned before, ethics tries to reach the right and wrong, which is the general validity.

⁴ Tsalikis, J., and D. Fritzsche (1989) Business ethics: A literature review with a focus on marketing ethics. *Journal of Business Ethics* 8 p.695

⁵ Weeks, W. A, Chonko, L. B and Tanner, J. F., (1996), "Ethics in Salesperson Decision Making: A Synthesis of Research Approaches and an Extension of the Scenario Method", *Journal of Personal Selling and Management*, Vol. 16 No. 1, Winter, p. 35-52

-Especially, sexuality is not a relevant group of prohibitions. Generally, the decisions concerned are honesty, thinking of others, common sense, etc. and the issue of ethics is not the sexuality itself, but the issues mentioned above.

It was mentioned above that the basic aim of the ethics was to determine the correct moral code. However, it will not be possible to make sense of this effort unless it is clear why moral codes are important and necessary.⁶

MORAL

As long as there are no valid reasons for being kind, generous, and honest, this character will not be the main basic of a moral rule. At the same time, as long as there are no valid reasons for restricting our freedom to do what we want, it will be lacking in a moral sense of restrictive rules.⁷ It is necessary to explain why we need to obey these rules of ethics as individuals, which limit the freedom of the individual, prevent him from acting in the direction of his own interests and even in some cases, cause the ethical rules that require him to sacrifice himself.

As Pojman mentioned it, since the rules of morality will not always take care of our personal interests, the idea that these rules are only deceptions that are intended to restrict our freedom is possible. If this is a deception, a rational person will be selfish, encouraging everyone to observe the rules of morals in order not to be harmed by the violations, but any moment he sees the opportunity will break the rules as his own interests require.⁸ Pojman has tried to explain, as a member of society, that we should not sacrifice some of our interests in the framework of moral rules, and that we should sacrifice by taking the game of The Prisoner's Dilemma.

According to the game of dilemma of Prisoner's; the secret police seized two spies of another country. If we call these spies X and Y; both X and Y know that if they adhere to their silence agreements, they will remain in custody for only four months or, if they admit that they are spies, they will be punished for six years. If one adheres to the agreement of the other, the co-operation with the police will be released and the other will be punished to nine years' imprisonment. The

⁶ Singer, P. (1993), *Practical Ethics*, (2nd ed., Cambridge: Cambridge University Press) p.59

⁷ Bond, E. J. (1996), *Ethics and Human Well-Being: An Introduction to Moral Philosophy*, (Oxford: Blackwell Publishers) p.107

⁸ Pojman, L. P. (2001), *Ethics: Discovering Right and Wrong*, (4th ed., Belmont/Thomson Learning) p.186

punishment has shown on the matrix in Table 1 that the punishment for imprisonment will be determined.

y \ x	Don't confess	Confess
Don't confess	4 months, 4 months	0,9 years
Confess	9 years, 0	6 years, 6 years

Figure1⁹

Given the alternatives that X will consider when making decisions and the results of these alternatives, If Y is silent, the best alternative for X is to confess (0, ie, free). If Y confesses, then the best alternative for X is to confess (9 years imprisonment and 6 years imprisonment). In this case, X must confess under all circumstances. If we consider that Y will do the same logical inference, both will confess and be punished by the sixth year, the worst second result for them. However, it is clear that both detainees will be punished with four months, the second best result after being released, if they will give up the best result for themselves and depend on their agreement at a common point. As Pojman (2001, 188) says it, "The game of arresting the prisoners'; morality is a price that every unit must pay in order to be able to maintain the minimum good we have in a civilized society. "¹⁰

As a result, in this case, our key word is 'civilized society'. Indeed, a society will not be civilized in which individuals act only in their own interests and do not respect each other's interests, rights and freedoms. Hobbes states that no law or moral code is applied, no justice or unjust concepts exist, no one trusts each other, no individual is expected to behave outside of his own interests is called as 'state of nature'. This is every man against every man. Under these conditions, it will not be possible to reach the knowledge, and thus technology, that humanity has achieved through

⁹ Source: Pojman, L. P. (2001), *Ethics: Discovering Right and Wrong*, (4th ed., Belmont/Thomson Learning) p.187

¹⁰ Pojman, L. P. (2001), *Ethics: Discovering Right and Wrong*, (4th ed., Belmont/Thomson Learning) p.188

solidarity and cooperation. Considering this scenario, as Hobbes argues that, 'human life will be dreary, poor, ugly, deprived of civilization and short.'¹¹

After considering the point that everyone takes care of their own interests, which is obviously not good for anyone. Moreover, the happiness of an individual in the real life is not completely independent of the happiness of others. Human as its nature mostly believes that the happiness of people who has value for his / her is a factor of its individual happiness.

CLASSIFICATION OF ETHIC

Ethic or moral philosophy divided into two categories as meta-ethics and substantive ethics.¹²

It does not include ethic theories, it includes theories about ethic. For this reason, it has been named as meta-ethic. This term refers to what we think about the ethics that we are not engaged with (not doing moral philosophy) but about what we see from the outside, what actually ethic is, what rules can be applied to ethics, how ethical rules can be true and false.¹³

In other words, meta ethic studies that what we actually do while we are giving ethical arguments or argues ethical theories. Independent ethics, however, actually work to determine what is good, bad, right, wrong, and what qualities are worthy or inferior to character. Independent ethic divided into two as theoretical ethics and applied/practical ethics. This classification, we have to consider that theoretical ethic is not a fake practice, it is a real practicing. Theoretical ethics study that the nature of good and evil, what makes a behavior true or false, what characteristics make a character worthless or valuable, and which all contribute to the best possible life.

Applied/practical ethics work on moral issues especially problems that are difficult to solve such as war, abortion, death penalty and moral issues that arise from social issues such as racism, gender discrimination, or in certain areas such as business, health system.¹⁴

However, before moving on to applied ethics, the general questions asked by the theoretical ethics need to be answered. Business and marketing ethics are a part of theoretical ethics. Additionally, it is about to apply ethical theories to business and marketing. For this reason, it is

¹¹Hodges, L. W. (2001), "Was Microsoft's Ad Unacceptably Deceptive in Cases and Commentaries", *Journal of Mass Media Ethics*, Vol. 16 No. 2&3 p.13

¹² Bond, E. J. (1996), *Ethics and Human Well Being: An Introduction to Moral Philosophy*, (Oxford: Blackwell Publishers) p.2

¹³ Singer, P. (1993), *Practical Ethics*, (2nd ed., Cambridge: Cambridge University Press) p.115

¹⁴ Bond, E. J. (1996), *Ethics and Human Well Being: An Introduction to Moral Philosophy*, (Oxford: Blackwell Publishers) p.2-3

necessary to analyze in detail the ethical theories applied to marketing before going to marketing, in other words, the theoretical ethics in detail.

THE THEORY OF ETHIC

The most obvious distinction about ethics theory is that it is possible to know what is morally right and wrong, and it arises in claims that are not possible. Both approaches accept the moral value appraisal as the starting point. In the moral value appraisal it is mentioned that moral statement is meaningless unless it is not possible to find the correctness of some moral statements.

The differences in ethical theories emerge after this point. The theoretical ethical approaches that say that moral right and wrong can be known, in other words, that morality is objective, work with the moral objectivity thesis. According to moral objectivity thesis, it is possible to find the correctness of some moral statements. Before moving on to theoretical ethical approaches, the relativistic approach will be dealt with from the ethical theories that argue on the work of these theories is meaningless and reject the moral objectivity thesis. Because theoretical ethical approaches must refute the claims of the relativistic approach before they begin their efforts to find the right and the wrong.¹⁵

ETHICAL RELATIVISM

According to the doctrine of ethical relativism, the ethical correctness and wrongness of behavior varies from society to society, and there is no universal unchanging moral code that connects all people at all times. Therefore, whether an individual should behave in a particular way or not should be judged on the basis of the moral rules of the community to which the individual belongs.

Ethical Relativism divided into two as distinctness and dependence:

i. Distinctness theory: Moral rules diverse what is right and wrong from society to society. Therefore, there is no universal moral rules applicable to all societies. In other words; there is not a single true morality, there are many different moral concepts, and the moral sense of any

¹⁵ Thomson, J. J. (1996), "Moral Objectivity" Harman, G. and Thomson, J. J. (ed.), *Moral Relativism and Moral Objectivity*, (Oxford: Blacwell Publishers) p.67

community is not more right or superior than that of the other. The difference in philosophy is called the "Cultural Relativity Approach".

ii. Dependence theory: All moral rules take their validity from cultural acceptance. Therefore, whether a behavior or practice is moral or not depends on the moral rules of the society in which it takes place and should be considered within the framework of these rules.

The strong point of the theory is to emphasize cultural diversity, and mentions that no culture is superior to another. The ethical relativism approach allows societies to accept different cultures as they are and to create and bring to the fore tolerance. Especially in the nineteenth century, efforts by the Christian missionaries to Westernize the tribes in Africa in order to correct morals and show the truth were strongly criticized by anthropologists. Many people oppose ethnocentrism, which is defined as 'attitude and behavior based on the belief in the supremacy of the nation or race for which the person is affiliated and the communities outside it.'¹⁶

However, even though the supporters of objective ethical theories accept that the cultural differences that is mentioned by relativity approach, they defend the existence of ethical rules, which are universal consent. According to this view, the differences are not primarily based on principles, but on beliefs and practice. For example, it can be said that the act of killing an innocent person is considered to be a common moral rule in every society. Even in the civilizations that regulate the sacrifices of innocents, this practice itself is not a rule that come from the fundamental principle that human life is worthless, but it is from beliefs. Indeed, according to the beliefs of the Aztecs that sacrifice human beings to the Sun God, sacrificing to God was the highest position a person could reach in life, and this group would form the highest class in life after death. Therefore, The Aztecs believed that the people they sacrificed were actually giving a present that they did not offer.

The concept that cultural differences do not arise from principle differences is not sufficient to refute the relativity approach. Even though the existence of an only universal consent moral is going to be sufficient enough to refute relativity approach, it may be the case this only rule may not be accepted by a small cultural group that we do not know. Objective theories require stronger

¹⁶ Pojman, L. P. (2001), *Ethics: Discovering Wrong and Right*, (4th ed., Belmont/Thomson Learning) p.26

evidence to refute the relativistic approach. However, the claim that the relativity approach can not be a guiding principle for humanity is extremely strong. Weaknesses of the theory are tried to be expressed below.

First of all, the theory of relativity does not give moral rules that point to the right behavior that will lead to humanity. According to this approach, a moral code which claims "sexual exploitation of children is inaccurate" is not superior or inferior than a moral code which claims the opposite of that in terms of moral ethics. Individuals must adopt the moral code of the community to which he belongs. However, in this case, if an individual living in a society that accepts sexual abuse and if this person opposes it, the only platform that he is going to judge, it is going to be the society which it lives. Therefore, person will be mentioned as he is wrong.¹⁷

In this case, the moral judgments of individuals are becoming insignificant, and the moral rules accepted by the majority are wrong, even if they are wrong. In this case, according to the theory of relativity, all the reformists are doing something wrong by raising the cultural and moral values that their society has.

In the theory of relativity, " Always do the done thing, whatever that may be, in the place you happen to be.' Or 'When in Rome, do as Romans do.' However, it is not possible to show a universal moral code as an extension of the argument of the relativity approach, which states that there are no universal rules.¹⁸ The same problem also arises in the rule that relativity theory should be tolerated. If the moral code of the society I live in does not need to be pleasing to others; not being tolerant of different cultures, will still be regarded as correct behavior according to the relative approach. Thus, there is no practical value in the claims of those who advocate this approach that we should be tolerated.

Pojman (2001: 33-34) mentioned that another problem related to relativity approaches arises in the definition of the community. In order for a behavior to be accepted correctly, it must be accepted within the community itself. However what is meant by the community? If we take the example we mentioned earlier; Let's consider a group of X nationals who see there is nothing inaccurate

¹⁷ Pojman, L. P. (2001), *Ethics: Discovering Wrong and Right*, (4th ed., Belmont/Thomson Learning) p.26-27

¹⁸ Bond, E. J. (1996), *Ethics and Human Well Being: An Introduction to Moral Philosophy*, (Oxford: Blackwell Publishers) p.25

about sexual abuse to children. Citizens of these countries, who forbid sexual abuse in their country of law, may come together and form a community. They may ask that such practices in their own societies are normal and that another community can not judge them, but that their societies and the values they possess are respected. In this case, the laws will not be binding. The relativity approach does not appear to be practicable in practice.¹⁹

It is useful to briefly mention the subjective relativism approach. It is another dimension of the relativity approach. This approach says that moral values do not just collect from the society, but also it changes from person to person and it does not accept the existence of valid common moral rules by people even if they are in the same society. According to this approach, each individual must behave towards himself in a moral way. This approach is unacceptable because it removes the meaning of ethics altogether and denies the fact that people need a common set of rules when living together.

THEORETICAL ETHICS APPROACHES

As it mentioned above in the theoretical ethical approaches that defend the moral objectivity thesis in the form of "it is possible to find the correctness of some moral arguments" they are generally divided into two groups according to whether or not they take into account the consequences when determining ethical truths and wrongs. In this part, the leading theories of result-based and non-result-based approaches will be studied in the literature.

Consequentialist approaches are based on ethical arguments about behaviors and its results from behaviors.

Result-based approaches are also called teleological approaches in the literature. The most known of these approaches are utilitarianism and egoism.

Non-consequentialist approaches argue that behavior is essentially true or false, and that no positive result can lead to false behavior. For example, it is wrong to lie and this rule must be respected under all circumstances without considering its results.

¹⁹ Pojman, L. P. (2001), *Ethics: Discovering Wrong and Right*, (4th ed., Belmont/Thomson Learning) p.33-34

Non-consequentialist approaches are also called deontological approaches in the literature. The most known of these approaches is Kantianism.

The utilitarianism approach is based on two basic principles; teleological approach and utility principle. According to the teleological approach; it is not the behavior itself, which leads to a right or a wrong, but it is the result of it. The correctness of a behaviour can be defined as correct in parallel of the beneficiary level of it.²⁰

It is possible to mention about two different approaches as act-utilitarianism and rule utilitarianism.

According to act-utilitarianism a behaviour is true if there is no any other alternate behaviour that reaches better results than this.

According to rule utilitarianism the correctness of a behavior has been fixed by measuring the effect on the earth.²¹

Pojman explains the difference between two approaches by mentioning on levels of rules. According to Pojman, the rules in rule-utilitarianism that are guiding behaviours have three levels. In the first level, there are fixed rules that are maximize the utility. For example, 'do not lie.', 'do not steal.' 'do not cause to die an innocent person.', 'do not treat.' Etc. Rules are fixed and it has to be follow these rules firstly and significantly. However, there are second level of rules to avoid any conflict if it is occurs. For instance, we are hiding someone is saying 'there is killer who wants to kill this person.' in our flat. Killer knocked the door and asking whether he/she is there. In this case, the fixed rules in the first level which are 'do not lie!' and 'do not cause to die an innocent person.' getting in conflict. In the second level of rules mentions that if there is a conflict between the rules, it needs to be chosen the one is more stronger. In the example, the rule that 'do not cause to die an innocent person.' is more stronger than the rule of 'do not lie.' In this case, the correct behaviour is going to be to lie. In the first level, there are rules that remind us act utilitarianism. If there is not any fixed rules, individual chooses the best alternate which gives more utility as it similar with act utilitarianism. The strongest point of the theory is that it gives you the principle

²⁰ Pojman, L. P. (2001), *Ethics: Discovering Wrong and Right*, (4th ed., Belmont/Thomson Learning) p.109

²¹ Brant, R. B. (1992), *Morality, Utilitarianism, and Rights* (Cambridge: Cambridge University Press) p.197

that can be useful in any situation which is ‘ Act as which behaviour gives you the maximum benefit’.²²

It has been some different points and perspectives for this theory. Critics of the theory that are saying the theory itself is unfair and ignore human rights (a homeless person as a guinea pig), supporters of the theory have said that if there is a possible problem on the theory, it can be overcome by adding some rules about human rights and justice to the bottom level of the theory. However, critics of pragmatist theory does not accept the theory itself, despite all the changes that have been made to strengthen their weaker side. According to these theorists, the result-based approach is fundamentally flawed. However, before proceeding to non-result-based approaches and the arguments of this approach, another result-based approach will be discussed, the ethical egoism approach.

THE APPROACH OF ETHICAL EGOISM

Ethical egoism considers the act and its results as it common in utility approach. The utility approach is more concentrated on behavior and universal happiness. On the other hand, the other one, only considers about individual happiness. For this reason, utility approach is named as universal teleological approach and the ethical egoism is named as individual teleological approach on the literature.

Individual ethical egoism and universal ethical egoism are considered as ethical theory: According to ethical egoism theory, everyone has to be looked after my own benefit. An action is true if it truly considers my own benefit. Based on universal ethical egoism, every action even if it gives damage to one another has to be considered as ethically true as long as it maximizes the individual happiness.²³

Hobbes is one of the supporters of this idea. Additionally, according to Pojman, the impulse of selfishness is predominant in the nature of human behavior. However, the long-term interests of individuals and their short-term interests may contradict each other. Therefore, the individual should avoid creating an environment that will prevent him from reaching his / her goals (such as corruption of social order etc.). Even more, individual can adopt the eachself to the theory of Golden Rule, ‘ do not do the thing that you do not want to make people to you.’ Therefore, the

²² Pojman, L. P. (2001), *Ethics: Discovering Wrong and Right*, (4th ed., Belmont/Thomson Learning) p.113

²³ Pojman, L. P. (2001), *Ethics: Discovering Wrong and Right*, (4th ed., Belmont/Thomson Learning) p.89

individual will promote to the validity of a rule to the people that will enable others to treat him/her well.²⁴

However, in general, this approach (ethic selfishness) has been reacted and not accepted. First of all, it does not seem possible for the selfish individual to create bonds of love with other individuals. For the realization of human relations such as close friendship and love, the individual has to value the other individuals as much as he does for himself. According to the ethical egoism approach, the only aim of the individual is to take care of their own interests. These interests are closely related to the happiness of the individual. In order to be happy, then the individual should only give up his own interests. The theory is thus self-defeating.

KANTIANISM

Immanuel Kant (1724-1804), one of the greatest philosophers of all times and the greatest thinker of the era of German enlightenment, gave the classical and final revision to the approach.

Result-based approach gives priority to happiness, Kant mentions that the importance of good intention. According to Kant, if a motivation is correct, it happens because of its motivation with good intention.

According to Kant, the only thing that is completely good, without any conditions, is good intentions. To understand what Kant would like to mention by saying good intention this needs to be cleared first, good will is a behaviour with the perception of a duty. Sincerity, loyalty, sympathy and these kind of concepts are praiseworthy. However, none of them provide a moral motivation for behaviour. A sense of duty can provide this alone. Therefore, Kantianism is also referred to in the literature as an ethic of duty.²⁵

Kant mentions that behaviours can be act as a duty by the imposing of categorical imperative. Kant divides imperative into two as categorical and hypothetical.

- Hypothetical imperative: If you want have A, you have to do B first!

Example: If you do not want to have any enemy, behave good to everyone!

- Categorical imperative: Do only B!

²⁴ Pojman, L. P. (2001), *Ethics: Discovering Wrong and Right*, (4th ed., Belmont/Thomson Learning) p.92

²⁵ Chrissides, G. D. and Kaler, J. H. (1993), *An Introduction To Business Ethics*, (London: Thomson Learning) p.97

Example: Behave good to everyone!

By the saying of Kant, everyone should behave well without to think its gains in the future.²⁶

Kant presented more than one formulation in order to reach the correct orders, and said that each formula is equal to one another and can be used interchangeably. However, it is concentrated on two formulations that are thought to complement each other.²⁷

- Always act according to the rule that you want to be accepted as a universal rule; and
- Accept human beings (oneself or others) as a result, not only as a tool, but it should be accepted as a result.²⁸

The first formulation of Kant is called universalizability test. This formulation allows us to look at our own rules in an unbiased and personalized manner and to test whether these rules are appropriate principles that everyone can be adopted. If we want everyone to behave in accordance with the rule, in other words, if we want the rule to become universal, these behaviors are morally correct.²⁹

Consider that we make a promise that we do not intend to make this promise. In this case, it can be said that we performed this behavior by thinking that ‘when I make a promise, I can decide whether to hold this promise now or later on.’ If we suppose that this rule has been universalized. This argument arises when an individual makes a promise, he or she can decide whether or not to hold this promise not on the time that it has been said but it can be decided after it said. However, if such a rule is accepted by all, the expectation that individuals pledged after promises will be eliminated. In an environment without this expectation, the meaning of promising will disappear and in practice will not mean anything. This rule cannot be universalized. So it is out of the question to give up without intention to remain committed.

²⁶ Raphael, D. D. (1994), *Moral Philosophy*, (2nd ed., Oxford: Oxford University Press) p.55

²⁷ Chrissides, G. D. and Kaler, J. H. (1993), *An Introduction To Business Ethics*, (London: Thomson Learning) p.97

²⁸ Baker, S. and Kant I. (1999), “The Entitlement Model: A Morally Bankrupt Baseline for Justification of Marketing Practices”, *Research in Marketing*, Vol. 15, p.88

²⁹ Pojman, L. P. (2001), *Ethics: Discovering Wrong and Right*, (4th ed., Belmont/Thomson Learning) p.143

The second formulation is based on the idea that respect to individuals and is called the principle of ends. Kant says that we must accept human beings as a result; He meant that we must act with the awareness that another person has purposes like us.³⁰ Accordingly, in addition to trying to achieve our own goals, we must also help others to achieve their goals, provide a positive environment in which others can implement their decisions, and respect others' preferences as we do to our own preferences. According to Kant, mankind is precious from creation and individuals cannot be sacrificed for the interests of the majority.³¹

When Kant's two formulations are used together, it will be possible to reach categorical imperative that will enable us to act morally right. This process is listed by Pojman as follows:

- Consider the rules that we based on when we are acting individually as universal
- Testing the universal rule if it is damage the value of mankind
- Testing if the rule can be universal
- Correct moral rules will be right for both testing

One of the strengths of kantism is that, in contrast to the results-based approaches, it provides a basis for us to achieve the moral rules that must be followed under all circumstances.³²

According to another example given frequently by critics of the theory; in a hypothetical situation that the recovery of nine out of ten depends on how we choose and kill one of them. If we refuse to kill, they will be killed by the force that made this offer. Ten people involved in the murder of us, one of us to choose one, at least nine of us begs to save our lives. According to Kantianism; considering the situation, we must refuse to kill one of them, even if the results mean that ten people lose their lives.

IMPLEMENTATION OF ETHIC THEORIES

It has been analyzed of ethical theories and how each theory leads people to distinguish between right and wrong are discussed. Each theory leads our attention to an important set of values (community welfare, respect for the individual, human rights, virtuous life, etc.) and in this sense contributes to ethical awareness, while no theory seems sufficient and convincing enough to be

³⁰ Chrissides, G. D. and Kaler, J. H. (1993), *An Introduction To Business Ethics*, (London: Thomson Learning) p.99

³¹ Raphael, D. D. (1994), *Moral Philosophy*, (2nd ed., Oxford: Oxford University Press) p.57

³² Pojman, L. P. (2001), *Ethics: Discovering Wrong and Right*, (4th ed., Belmont/Thomson Learning) p.149

applied alone. More importantly, the theories make different judgments about whether behavior is ethical in many critical situations.

For example, a medication company that would help 75% of its users, but would cause a 25% death due to its side effects, would have a false / unethical approach based on results-based approaches to offer this medicine on sale. According to result-based approaches; considering that the overall happiness of the 75% patient group, their families and the sales company is more than the total suffering of the deceased 25% patient group and their families, they will say that the happiness that will be obtained as a result of the medication is more than the pain, so the practice is ethical. However, Non-consequentialist approaches is says that considering the possibility of harm to some of the users of the drug will be judged that the application is not ethical.³³

According to another example; a food manufacturer label his product which includes the phrase 'non-fat' in the package to imply that the product is healthy, but does not mention the high sodium and saturated fat content which is harmful for health. This behaviour is ethical according to the result-based approach. On the other hand it is not ethical according to non-consequentialist approaches. According to the result-based approach, it can be said that despite the possibility of misleading the consumers, it is a positive practice for the health information to be included in the package and that it contributes to informing the consumers more, therefore the application is ethical. However, according to non-consequentialist approach, it is not ethical to use cholesterol-free phrase if it is likely to deceive consumers that the product is healthy.³⁴

In this case, the question of which theory or which rules and principles will be taken as a guide for ethical behavior arises. Based on this question, the writers of marketing science have tried to present some guidelines to guide marketing managers to make ethical decisions by combining certain theories. The aim of the authors in combining these theories is to cover the important values emphasized by each theory, but at the same time to overcome the weaknesses of the theories with the strengths of other theories. In such a case, it is not take into consideration of a single approach, it shold be considered all approaches.

³³ Schelemingch, B. (1998), *Marketing Ethics: An International Perspective*, (London: International Thomson Business Press) p.31

³⁴ Smith, N. C. and Quelch, J. A. (1996), "Ethics and the Marketing Manager" Smith, N. C. and Quelch(ed.), *Ethics in Marketing*, (New York: The McGraw-Hill Companies, Inc.) p.14-16

Chryssides and Kaler emphasized that when the answers try to find for moral problems, theories needs to be considered.

The purpose of serving the public should be balanced by the acceptance of the existence of rights and duties. The rights and duties can be carried out separately from each other, nor can they be carried out without taking into consideration the common well-being.³⁵

From this point on, Chryssides and Kaler explained how to use these approaches together to understand whether an action is ethical:

- *Concerning Common Prosperity:* The question of how action will affect common welfare should be asked. The degree of the benefit and harm to be provided by the action should be calculated. However, in making these calculations, the result-oriented perspective of the pragmatism approach should not be fully adopted, and it should not be ignored that some actions are good or bad for mankind regardless of the consequences. In other words, the general rules established over time should be adhered to in order to ensure and protect the welfare of humanity. These rules should not be left aside with the excuse that the situation is unusual. Because the general commitment to these rules is the most important contribution to the common prosperity. An exceptional case where we will not adhere to these rules requires very strong reasons.

When calculating the contribution of the behavior to the common welfare, it should be taken into consideration how the benefit or damage to be distributed among the parties should be taken into consideration and the question whether the results are fair to the parties should be asked. In addition, the resulting happiness and pain should not be consider equally. Reducing pain and avoiding harm should be prioritized for any benefit.

- *Related to the Tasks:* In order to test whether we behave in accordance with our sense of duty or our own interests, Kant's universalizability test provides an important guide. Where tasks overlap, it is possible to determine which task is more important by separating primary tasks and primary tasks by using Ross' theory of primary priority tasks.

³⁵ Chryssides, G. D. and Kaler, J. H. (1993), *An Introduction To Business Ethics*, (London: Thomson Learning) p.103

- *Rights-Related:* Using a test of respect for individuals, it is possible to determine which rights are in question in the current situation and which rights are violated as a result of the action. Freedom, justice, security, the right to live, etc. when rights are violated, human rights will be violated. However, when the rights of the parties conflict, the most fundamental rights should be given priority. Tasks and rights from a specific role (manager, manager, employee, employer, customer, etc.) should also be considered. In cases where these tasks conflict, the fundamental rights and priority tasks should be determined and decided, as if the manager is in conflict with the company's employees and against the shareholders.³⁶

Another approach for applying the leading theories of moral philosophy to marketing is presented by Cohen. Cohen mentions, which consists of three phases, is recommended for an ethical analysis of a marketing behavior:

Stage 1. Identify all parties to be affected as a result of the behavior of the company.

Stage 2. apply to the behavior you defined in the first stage.

Utilitarian Analysis

- 1) Determine the result of the behavior for each stage that is defined above.

It has to be given points to calculate the net effect of a behavior for a side. It has mark as '+' for every situation that affected positively, it has to mark as '-' for every negative situation. It should grade as small, medium and large mark of '+' and '-' to measure the happiness and sadness. It may be possible enlighten net effect of each side with these knowledge.

- 2) Show positive and negative affected sides in two columns under the heading '+' and '-'.
- 3) Determine whether the behavior results with the most happiness for the maximum number of individuals, considering how many people are they for each side.
- 4) Indicate whether the behavior is ethical according to the utilitarian principle; it means that a behaviour is ethical or not ethical.

Categorical Imperative Analysis

- 1) Define the core behavior as assessed in avoiding generalization, as in stage 1.

³⁶ Chrissides, G. D. and Kaler, J. H. (1993), *An Introduction To Business Ethics*, (London: Thomson Learning) p.103-106

- 2) Ask the question of ‘What happen if everyone behave like X behaviour explained in Stage 1?’. According to its answer, it is going to be possible to test its universalisability.
- 3) According to this test, it is possible to mention the behavior is ethical or not based on categorical imperative.

The theory of rights

- 1) Does the behaviour violate the rights of any of the sides? Identify the rights to the situation and explain how violations are violated. Rights and consumer rights can be taken into consideration here. If any of the rights are violated, behavior is not ethical.

According to the theory of rights, specify whether the behavior is ethical.

The Principle of Justice

- 1) Does this behaviour threats everyone fair enough?
- 2) If the behaviour is not threat everyone equally, it means that this behaviour is not ethical.
- 3) If everyone is treated equally; however, if this is done in violation of the rights of everyone, the principle of justice is violated.
- 4) If neither 1 nor 2 is not mentioned the principle is not violated.
- 5) According to principle of justice mention wheter a behaviour is ethical or not.

Stage 3. The Last Decision

- 1) Is there any conflict between 4 subjects?
- 2) If so, what principle is better to argue about whether the behavior is ethical or not? If the utilitarian principle concludes that the behavior is ethical, re-examine the negatively affected sides and the extent to which they are affected. Determine which situational factors make one principle more important than the other.
- 3) Take the last decision whether a behaviour is ethical and explain it reasons.³⁷

The above mentioned efforts related to the application of leading ethical theories to marketing, marketing activities; brought after the common welfare of the society about the fundamental rights

³⁷ Cohen, J. (2001), “Appreciating, Understanding and Applying Universal Moral Principles”, *Journal of Consumer Marketing*, Vol. 17 No. 7, p. 589-594

of individuals, the provision of justice and the ethical questioning of the enterprise within the framework of its responsibilities towards society.

In the next section; marketing ethics, in other words, the importance of ethical inquiry in marketing and marketing activities that cause ethical discussion will be explained with examples.



CHAPTER 2

ETHICS OF MARKETING

DESCRIPTION OF ETHICS OF MARKETING AND ITS IMPORTANCE

The subject of marketing ethics based on the analysis the implementation of marketing whether it is ethical or not. In an other word, it is based on the evaluation of this implementations are true or false.³⁸ The explanation of Smith, ethics of marketing considers how an ethical decision effects it in practice.³⁹ Additionally, marketing ethics making the role of a guide for marketing managers in the companies regarding to adopt correct behaviour.

Although ethical thought in marketing has been studied by philosophers since ancient times, it has been observed that interest in this issue has increased remarkably in recent years. Marketing ethics is no longer a matter of concern to philosophers, but it has become an exploration by marketing professionals. The leading reasons for the increasing importance of marketing ethics are globalization and the ruthless competitive environment. Whysall mentions, the first of the two most important factors causing the globalization of the industry, the need to obtain shares in domestic and foreign markets; the other factor, domestic markets to gain competitive advantage in the international arena to search for cheap product sources.⁴⁰ The increasingly competitive marketing environment causes non-ethical marketing behavior. However, thanks to the developments in communication technology, it has become easier to reach the information about the companies evaluating these gap for nonethical advantages and the applications of the enterprises have become more visible. Marketing ethics is an important issue of discussion today, the role of non-ethical marketing that triggers each other in the globalized world and the results of these are reaching a

³⁸ Dibb, S.; Simkin, L.; Pride, W. M. and Ferrel, O. C. (2001), *Marketing Concepts and Strategies*, (4th European ed., Boston: Houghton Mifflin) p.757

³⁹ Dibb, S.; Simkin, L.; Pride, W. M. and Ferrel, O. C. (1991), *Marketing Concepts and Strategies*, (1st ed., Boston: Houghton Mifflin) p.10

⁴⁰ Whysall, P. (2000), "Marketing Ethics: An Overview", *The Marketing Review*, Vol. 28:11, p.178

large number of people quickly through mass media.⁴¹ Nowadays, the consumer movement and the environmentalist lobby have become a strong force that is waiting to be alert to the movements that will harm the society⁴². It has been determined by the researches that consumers have increasingly stated that ethical evaluations play an important role in their purchasing behaviors.⁴³ It is observed that the managers who take the importance of public opinion on ethical behavior have started to use marketing ethics as a competitive tool. However, if the ethical theories discussed in the previous chapter are remembered, the behaviors realized with such an interest will be far from being ethical. Thus, while explaining why marketing ethics is important, directing individuals to focus on interests will be contrary to what is meant by the concept of marketing ethics.

Mahoney pointed out that the four main drivers played a role in the ethical behavior of companies. These; 'I. ethical sensitivity gets popular, ii. pressure of interest groups outside the company, iii. the argument that ethical practices will provide long-term profitability; and iv. Behaving ethically is truly the right.' are the ethical concepts. Although Mahoney stated that there could be more than one motivation at the same time, he stated that it is not possible to judge whether the ethical reasoning is ethical if it is included in these ethical concepts. In other words, if a business avoids giving misleading information about the product in its advertisements, as its integrity is a moral duty, its behavior will be ethical. However, if the basic motive that leads the business to behave in this way is not to be punished by the law, this behavior will not be morally correct.⁴⁴

In this case, the importance of marketing ethics should be explained with ethical reasoning. In the light of the ethical theories discussed in the first part of the study, why marketing ethics is important can be explained as follows.

i. Result-based Approach: Acknowledging of ethical behaviors in marketing will contribute to community welfare and serve to increase total happiness of the society. The existence of ethical values will benefit both the business and the society in which the entity operates. Unfortunately, results-based approaches are often preferred in order to make non-ethical behaviors clear in

⁴¹ Torlak, Ö. (2001), Marketing Ethics: The analysis of marketing decisions and customer behaviors on the framework of social responsibilities, (İstanbul: Beta Company) p.142

⁴² Brennan, M. (1991), "Is There More To Ethical Marketing Than Marketing Ethics?", *Marketing Magazin*, Vol. 2, p.8

⁴³ Cranne, A. and Schelegelmich B. (2001), "Unpacking the Ethical Product", *Journal of Business Ethics*, Vol. 30, p. 361

⁴⁴ Mahoney: Whysall, P. (2000), "Marketing Ethics: An Overview", *The Marketing Review*, Vol. 28 No. 11, p. 176

marketing. Those who support that trade and business profitability contribute to community welfare, and therefore any activity to ensure profit is acceptable, unfortunately ignored the social damage that these approaches would cause in the long run.

ii. Non-result based Approach: Marketing ethics is important because it is true that ethical concerns play a role in marketing decisions. When the universalisability test of Kant is applied; It is seen that an environment where ethical values such as truth, honesty and justice are ignored poses a danger to the assets of enterprises. Indeed, as Schlegelmilch states; The markets are built on trust between the firm and the consumer, and the impact on the firm of a shake is devastating. In addition, according to non-result-based approaches that express respect for the individual, the duty of enterprises is to behave ethically.⁴⁵

Social responsibility is the basis of today's business ethics approach. Social responsibility in marketing means that an institution must maximize its positive impact on society and minimize its negative impact.⁴⁶ Milton Friedman, who is Nobel awarded economist has published an article named as 'the social responsibility of an institution is increased their profitability.' He studied and improved the principles of 'profit maximization' and ⁴⁷'invisible hand' by the idea of Adam Smith which occurred in 1776.⁴⁸ In his article Friedman has undermined those who claim to have responsibilities to society, and argues that the sole social responsibility of the enterprise is to sustain and increase its profit in an open and competitive environment within the rules of the game.⁴⁹

However, it has been understood by the experiences that the free competition and the invisible hand are not well suited to real life. The full competitive environment cannot be achieved in practice; while decreasing the control power of the companies on the companies, the increase in the economic power of the enterprises brings the effects of the decisions on the society to serious dimensions.

⁴⁵ Schlegelmilch B. (1998), *Marketing Ethics: An International Perspective*, (London: International Thomson Business Press) p.19

⁴⁶ (Dibb et al (2001), *Marketing Concepts and Strategies*, (4th European ed., Boston: Houghton Mifflin) p.766

⁴⁷ (Solomon, R. C. (1993), "Business Ethics" Singer, P. (ed.), *A Companion To Ethics*, (Oxford: Blackwell Publishers) p.3

⁴⁸ Torlak, Ö. (2001), *Marketing Ethics: The analysis of marketing decisions and customer behaviors on the framework of social responsibilities*, (İstanbul: Beta Company) p.36

⁴⁹ Trevino and Nelson (1995), *Managing Business Ethics: Straight Talk About How to Do It Right*, (New York: John Wiley and Sons) p.29

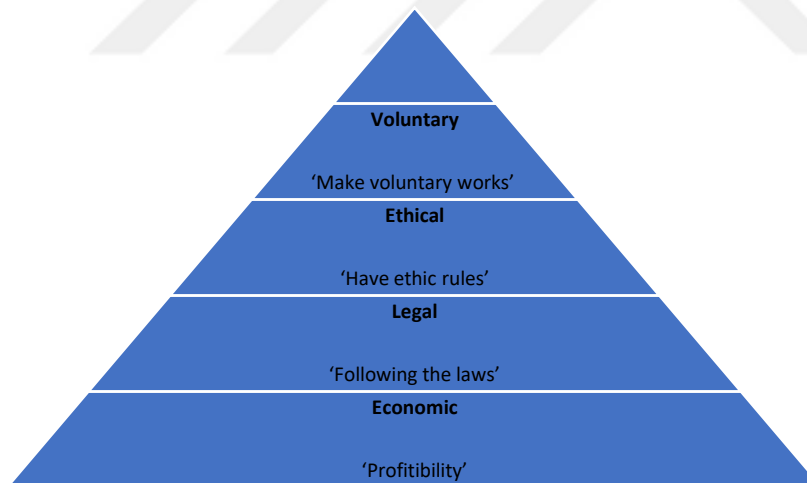
DeGeorge (Schlegelmilch, 1998: 19), who described Friedman's approach as the Myth of Amoral Business, think it collapsed because of these three reasons:

- i. The disclosure of the scandals and the reaction of the accompanying people,
- ii. Come to existence of popular groups such as environmentalist and supporters of consumers rights,
- iii. Sensitivity on this issue for businesses and growing ethical behaviours' codes on articles, newspapers and conferences.⁵⁰

DeGeorge emphasized that trust, righteousness, honesty and respect are key values for the business as well as for the enterprise and that the actions and values of the enterprise and society are inseparable parts.⁵¹

In this context, the Pyramid of the Company's Social Responsibility in Figure 1 refers to four different levels of responsibility that businesses must consider simultaneously.

Figure 1. The Pyramid of the Company's Social Responsibility



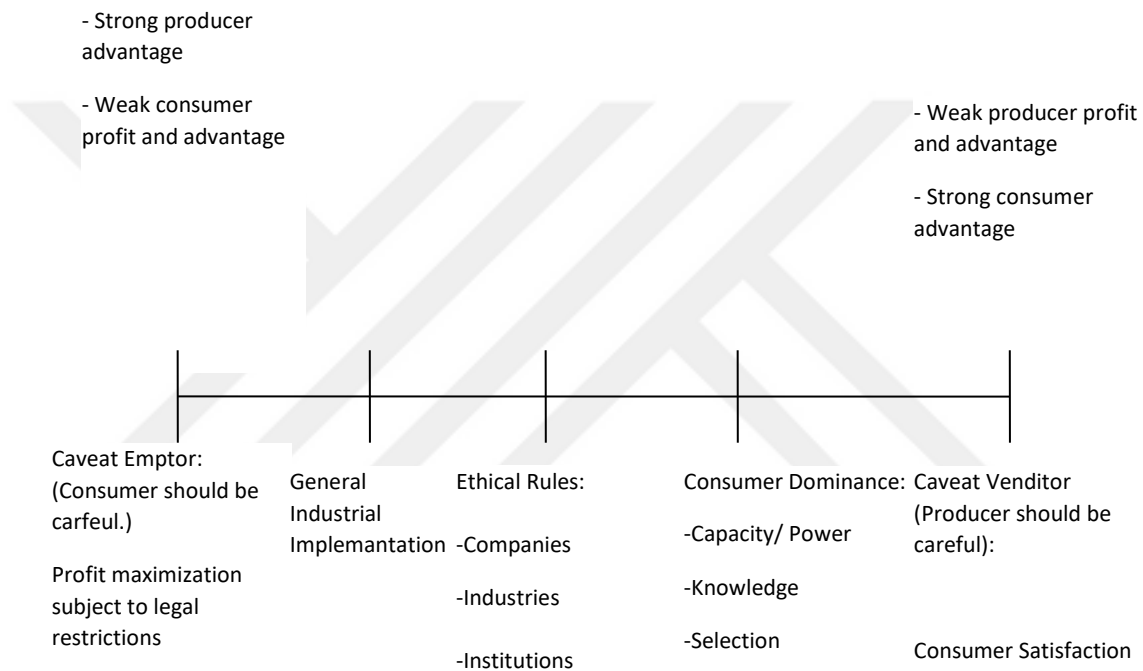
Source: Business Horizons July/August (1991)

⁵⁰ DeGeorge, R. T. (1990), *Business Ethics*, (3rd ed., New York, MacMillan Publishing) p.48

⁵¹ Smith, N. C. and Quelch, J. A. (1996), "Ethics and the Marketing Manager" Smith, N. C. and Quelch(ed.), *Ethics in Marketing*, (New York: The McGraw-Hill Companies, Inc.) p.5

While the first two responsibilities under the pyramid, economic and legal responsibilities have been known for a long time, the existence of ethical and voluntary responsibilities has been recently recognized by enterprises.⁵²

There are different opinions about the responsibilities of businesses towards consumers. The different positions on the ethics continuum shown in Figure 2 reflect these views and also provide information on changes in marketing ideology or business ideology over time.⁵³



Source: Smith, (1996)⁵⁴

⁵² Dibb, S.; Simkin, L.; Pride, W. M. and Ferrel, O. C. (2011), *Marketing Concepts and Strategies*, (1st ed., Boston: Houghton Mifflin) p.769

⁵³ Smith, N. C. and Quelch, J. A. (1996), "Ethics and the Marketing Manager" Smith, N. C. and Quelch(ed.), *Ethics in Marketing*, (New York: The McGraw-Hill, Inc.) p.23

⁵⁴ Smith, N. C. and Quelch, J. A. (1996), "Ethics and the Marketing Manager" Smith, N. C. and Quelch(ed.), *Ethics in Marketing*, (New York: The McGraw-Hill, Inc.) p.21

According to the caveat emptor, which is located at the far end of the above plane, the basis for evaluating marketing practice is profit maximization within the legal limits. An activity is considered to be ethical, as long as it is legal (and consequently profitable) for a business purpose.⁵⁵ According to this school, it is the consumer's responsibility to conduct market research and to choose the products that best respond to his needs before the purchase. However, this approach does not seem reasonable because of the complexity of both business and product information and the fact that not all market information is open to consumer access.

Expressing that freedom is based on knowledge, Velasquez has stated that it is not possible for the consumer to have all of the information the producer has, and therefore it is unprotected.⁵⁶ This vulnerability of the consumer; the producer, the consumer interests and ethical behavior is installed. This view defends the caveat venditor (the seller is careful) at the other end of the plane in Figure 2. According to this school, it is the vendor to be careful and the criteria to be used in evaluating marketing practices are customer satisfaction.⁵⁷

Today, in developed countries, the public demands that businesses adopt the caveat venditor school in their marketing ideologies. However, it is not possible to talk about such public pressure in less developed countries. In this context, considering the responsibilities brought by the power and power that enterprises have in their hands, it is much more important that these institutions have ethical sensitivity.

ETHICAL ISSUES IN MARKETING

An ethical issue; an identifiable problem, situation or opportunity that requires an individual or institution to choose between a variety of behaviors that are to be considered right or wrong, ethical or non-ethical. When an activity causes consumers to feel deceived or misled, there is an ethical issue related to marketing.⁵⁸

Ethical issues related to marketing will be taken from the relevant literature and media reports about non-ethical behaviors in marketing. This section is structured within the framework of the

⁵⁵ Smith, N. C. and Quelch, J. A. (1996), "Ethics and the Marketing Manager" Smith, N. C. and Quelch(ed.), *Ethics in Marketing*, (New York: The McGraw-Hill, Inc.) p.23

⁵⁶ Velasquez, M. G. (1992), *Business Ethics: Concepts and Cases*, (3rd ed., New Jersey: Prentice Hall) p.26-27

⁵⁷ Smith, N. C. and Quelch, J. A. (1996), "Ethics and the Marketing Manager" Smith, N. C. and Quelch(ed.), *Ethics in Marketing*, (New York: The McGraw-Hill, Inc.) p.25

⁵⁸ Dibb et al., (2001), *Marketing Concepts and Strategies*, (4th European ed., Boston: Houghton Mifflin) p.761

4P model (Product, Price, Distribution, and Promotion Efforts) of the marketing mix, which represents the four key decision areas of a marketing manager.

When certain ethical issues are defined in a way that is irrespective of the underlying causes, marketers and institutions must decide how to approach these issues.⁵⁹ The most remarkable ethical issues in marketing are examined in this section.

As another factor in the importance of marketing ethics, the impact of the studies that have been intensified in the last 20 years on the work ethics cannot be denied. Additionally, obviously increasing interest in business ethics, research on marketing ethics has also started. In particular, the unethical firm behavior of the media is often related to marketing activities, and marketing ethics has to be examined separately.

Ethical Issues About Product

The effectiveness of product policy decisions is critical to successful marketing management. The decision to sell which product or service affects all other elements of the marketing mix.

Ethical issues related to the product; there are many topics about product and ethical issues. Such as pricing of a product, distribution related ethical issues, package and design related issues, positioning of a product issues. However, it is going to be study more about advertisement related issues in this paper.

ADVERTISEMENTS

Advertising is the most visible among the marketing mix elements. In the literature, this feature of advertising is considered as an explanation of the intensity of the criticism directed at it.

It is possible to talk about the many benefits that advertising provides to the society economically, politically and culturally. Advertising makes consumers aware of new products and makes the society aware of the products and services. This provides consumers with the opportunity to make a comparison between products and help the healthy functioning of the economy. Advertisement; AIDS is a highly effective communication tool used to draw attention to social issues such as drug use, the importance of blood and organ donation, and to educate the public.

⁵⁹ (Dibb et al., (2001), *Marketing Concepts and Strategies*, (4th European ed., Boston: Houghton Mifflin) p.762

Unfortunately, advertising circles appear to ignore their responsibilities and resort to a number of methods that ignore the consumer benefit to convince the consumer. Advertisements are often blamed for being misleading and deceptive, persuading consumers to buy unnecessary goods, persuading cultural values by creating intense psychological methods to create demand for the product, and creating a materialistic society.

According to the results of a survey, 70% of consumers say that advertising is a useful source of information, and 70% of them stated that advertising in general should not be believed.⁶⁰ As stated by Brenkert, advertising circles should take responsibility for the benefits they provide to the society as well as their damages.⁶¹ Murphy stated that none of the advertisement areas such as advertisers, agencies and the media do not want to accept primary responsibility for raising ethical standards.⁶² Murphy explained the causes of this situation as goal-oriented and power-oriented. The aim-oriented reason is that each group has a different purpose in becoming a part of an advertising campaign. While trying to sell product or to create an image, the advertising agency aims to keep its customer and to show its creativity but the media tries to provide funds through advertising, to inform and entertain the audience. High ethical standards are not included in the main objectives for any of these groups. Another reason is power-oriented. In the advertising community, there is uncertainty about who has the power and the groups that put forward the balance of power-responsibility throw responsibility at each other.⁶³

When talking about ethical issues in advertising, as Drumwright stated, it is possible to talk about two different opinions, legal and ethical. The legal discourse adopted by lawyers and regulators focuses on what marketers can do, what they cannot do, in short, their rights, and more specifically, the accuracy of the statement, deception and fair competition. In the ethical discourse adopted by

⁶⁰ Ringold, D. J. (1998), "A Research on the Pontifical Council for Social Communications' Ethics in Advertising", *Journal of Public Policy and Marketing*, Vol. 17 No. 2, p.333

⁶¹ Brenkert, G. G. (1998), "Ethics in Advertising: The Good, the Bad, and the Church", *Journal of Public Policy and Marketing*, Vol. 17 No. 2, p.325

⁶² Murphy, P. E. (1998), "Ethics in Advertising: Review, Analysis and Suggestions", *Journal of Public Policy and Marketing*, Vol. 18 No. 2, p.318

⁶³ (Murphy, P. E. (1998), "Ethics in Advertising: Review, Analysis and Suggestions", *Journal of Public Policy and Marketing*, Vol. 18 No. 2, p.318

philosophers and ethicists, discussions focus on what is ethically correct, not on the rights of marketers, and discusses the negative effects of advertising on individuals and society.⁶⁴

Legal Frame

The issues addressed by the legal opinion generally focus on deceptive / misleading advertisements. Deceptive / misleading advertisements can be listed as follows:

- i. Not real and exaggerated claims about the product
- ii. The testimony of famous or expert persons from the public used in advertising does not reflect the true views and experiences of these people.
- iii. Use of product models that give better pictures instead of the actual image of the product in advertisements
- iv. Used in advertising; household cleaning supplies, shampoo, hair dye etc. demos where visual results of products are used visually, do not reflect the actual application
- vi. Trying to mislead the consumer by giving incomplete information about price, characteristics, sales conditions and similar conditions of the product

According to the results of the research conducted over the past 30 years, consumers think that advertising is far from being accurate, often deceptive, and that consumer intelligence is humiliating.⁶⁵

An example of deceptive advertisement is the advertisement of Microsoft made for its competitor Palm to advertise its computer in 2000.⁶⁶ With the slogan of ‘Is your Palm able to do this?’ “, Microsoft has created an image that its product is better than the Palm. However, the product features specified in the advertisement are not in the standard product, but only if the wireless communication capability is added by paying extra money. This information is included to fulfill the legal requirements, but the information is at the bottom of the printed advertisement, small

⁶⁴ Drumwright, M. E. (1996), “Ethical Issues in Advertising and Sales Promotion” N. C. Smith and J. A. Quelch (ed.), *Ethics in Marketing*, (New York: The McGraw-Hill, Inc.) p.609

⁶⁵ Coulter, R. A.; Zaltmann, G. and Coulter, K. S. (2001), “Interpreting Consumer Perceptions of Advertising: An Application of the Zaltman Metaphor Elicitation Technique”, *Journal of Advertising*, Vol. 32 No. 4, p.23

⁶⁶ Hodges, L. W. (2001), “Was Microsoft’s Ad Unacceptably Deceptive in Cases and Commentaries”, *Journal of Mass Media Ethics*, Vol. 16 Nr.3 p.234

enough to be read. The main irony is that wireless capability is standard in all Palm products. The application was not honest with consumers, was found to be illusory and therefore unethical by the authors because it made unrealistic comparison with the competitor product.⁶⁷

The supporters of misleading advertisement, it is accepted caveat emptor approach, it is mentioned that demand is determined by consumers in free competition and it is also determined by consumer to evaluate the products. According to this view, consumers know that the product-related advertisement is given by the producer and they do not believe the claims unconditionally. Consumers are responsible for conducting their own independent research before buying any product, not only by the manufacturer. However, it would not be possible to establish trust with the consumer in these circumstances, and therefore the transmission of any message through the advertisement would also lose its meaning. In addition, the educational status, age, experience, time constraints, etc. of the consumers who are constantly bombarded regarding different products. In view of their conditions, it is unrealistic to expect them to do the necessary research and to make the right choices without being affected by advertisements. As Hindman states; in a situation where advertisers provide false information to consumers and consumers consider this information as their initial start-up, consumers start with a step back misinterpretation and their decision-making ability is adversely affected.⁶⁸

One of the issues addressed by the legal opinion is advertisements for children. According to the legal opinion, such advertisements; children should not abuse, mental, moral or physical damage and images should not contain. The philosophers, however, find the legal opinions and regulations inadequate in this regard, and they argue that the existence of such advertisements is more ethical than how advertisements for children should be. This issue will be examined in more detail under the heading of ethical opinion.

The International Chambers of Commerce has determined the commercial code of ethics that all parties should comply with in 1987 under the name of 'Implementation of International

⁶⁷ Wakefield, R.I., Hindman A., Green K. T. (2001), "Commentary 1: Small Print May Satisfy Demands of Law, but Not of Ethics" in "Cases and Commentaries", *Journal of Mass Media Ethics*, Vol. 17 No. 3, p. 231-243

⁶⁸ Hindman E. B.(2001), "Commentary 2: Microsoft Acted Unethically" in "Cases and Commentaries", *Journal of Mass Media Ethics*, Vol. 15 Nr. 2, p. 233

Advertisement and its Principle'. In 1997, as revised version of accepted principles of implementation in Turkey can be seen below:

All advertisements must be legal, ethical, honest and accurate.

- Advertisements should be designed in such a way that they will not misuse consumer confidence or exploit their lack of experience and knowledge.
- Advertisements should not rely on fear, superstition, and should not rely on racial, religious and gender discrimination and should not support violence.
- Advertisements should not contain expressions or images that may mislead the consumer directly or indirectly by providing incomplete information, confusion, or exaggerated claims.
- Advertisements must not distort the results of research or citations from technical and scientific publications.
- In comparative ads, the comparison should not be misleading and the principles of honest competition should be followed. No competitor product, company, commercial activity should be humiliated or ridiculed in ads.
- Advertisements should not use the original corporate identity elements and advertisements of another company, company or organization to mislead the consumer.
- The witnesses used in the advertisements must be experienced or expert in the real and witnessed matters.
- Advertisements must not refer to anyone's private or social life without prior permission, nor to refer to that person.
- It should be clearly understood that an advertisement is "advertising", regardless of its format and media.
- Ads should not contain any visual presentation or description of any practices or circumstances that may pose a danger to human safety or health, unless safety rules are based on a training or social justification.

- Advertisements should not exploit the natural purity of children, and should not contain any statements or images that will cause mental, moral or physical harm to them.⁶⁹

Ethical Frame

The issues of advertising ethics in which the ethical view is addressed can be grouped under four main categories, as Treise states: i. Targeting strategies, ii. Message strategies, iii. Topics related to the product and iv. Extensive social issues.

Ethically, the most discussed practices are advertising strategies aimed at children, minorities, youth and disadvantaged.⁷⁰

Children are creating an important target market for marketers with their huge spending potential. For example, according to a study conducted in the United States, children under 12 years of age spent \$ 14 billion in 1995, spending \$ 67 billion in adolescent children, with a total impact of \$ 160 billion on parents' income from both groups.⁷¹

As a result of various studies that children are vulnerable, they are less insufficient than rational decision making adults, they do not realize the commercial purpose in advertising programs based on product promotion, they are more influenced by advertisements, they do not reach maturity to understand the value of time and money, and they have little ability to distinguish deceiving advertisements detected. For example, Mendelson et al. found that young children cannot distinguish between television programs and advertisements, and that advertisements are not designed to sell products.⁷²

The most prominent criticisms of children's advertisements are:

- i. Advertisements; encourages children to use products that are harmful to their health, such as food products containing high sugar or chemical additives,
- ii. Exaggerated claims in ads deceive children and cause disappointment;

⁶⁹ Reklam Özdenetim Kurulu, (2003)

⁷⁰ Treise D. (1994), "Ethics in Advertising: Ideological Correlates of Consumer Perceptions", *Journal of Advertising*, Vol. 22 No. 3, p.60

⁷¹ Austin M. J. and Reed, M. L. (1999), "Targeting Children Online: Internet Advertising Ethics Issues", *Journal of Consumer Marketing*, Vol. 15 No. 6, p.590

⁷² Nairn A. and Berthon L. (2003), "Creating the Customer: The Influence of Advertising on Consumer Market Segments- Evidence and Ethics", *Journal of Business Ethics*, Vol. 43, p.95

- iii. Advertising for children creates a conflict-based conflict between parents and children,
- iv. Children are unhappy when they cannot get the product to meet the expectations and demand created by advertising.⁷³

Given the child's persuasiveness and inability to choose products that would be useful for them and to meet their real needs, it can be concluded that any advertising for children is unethical. Additionally, it is unethical that trying to sell products for children by persuading themselves rather than their parents who can make more rational decisions and to trade on these weaknesses of children.

Restrictions have been imposed on advertising for children in countries where these views have been adopted. For example, in Greece, toy advertisements can only be broadcast after 22:00 in the evening.⁷⁴ In Sweden, television advertisements for children under 12 years of age have been completely banned.⁷⁵

Another targeting strategy, which has received much criticism, is advertisements targeting children, minorities, young people and disadvantaged people to increase the sale of products that are harmful to individual and community health, such as cigarettes and alcohol.

Jacobson and Mazur, in his book titled as 'Marketing Madness' show that cigarette and alcoholic beverages marketers are deliberately targeting children. Jacobson and Mazur's example of a cigarette manufacturer's strategic marketing plan is as follows:

'In the young minds and young smokers' brains perceive that consuming wine, beer etc. Are in the same category. It is a sign that becoming adult to use these. Also, it is in the same category the freedom of declare, the struggle to accept its own self. Smoking in the minds of young smokers consumers; wine, beer etc. are in the same category as the products and adults, the freedom to declare, the struggle to accept its own self.'⁷⁶

⁷³ Treise D. (1994), "Ethics in Advertising: Ideological Correlates of Consumer Perceptions", *Journal of Advertising*, Vol. 22 No. 3, p.108

⁷⁴ Schelemingch, B. (1998), *Marketing Ethics: An International Perspective*, (London: International Thomson Business Press) p.109

⁷⁵ Nairn A. and Berthon L. (2003), "Creating the Customer: The Influence of Advertising on Consumer Market Segments- Evidence and Ethics", *Journal of Business Ethics*, Vol. 43 p. 95

⁷⁶ Guftason, A. (2001), "Advertising's Impact on Morality in Society: Influencing Habits and Desires of Consumers", *Business and Society Review*, Vol. 106 No. 4, p.215

Then; initiatives to reach young, new smokers should be based on the following main parameters:

- Present smoking as a symbol of stepping into the adulthood,
- As a part of the category of banned products and activities that enjoy smoking,
- As far as it can (considering certain legal barriers), make smoking related with marijuana, wine, beer and sex,

It does not even talking about health or health-related issues.⁷⁷

Advertisers try to evoke sympathy with cigarettes and alcohol for youngsters or children is using cartoon characters, printing logo on toy products, using colorful and vital packaging designs, and applying with large inflatable balloons. DesRoches criticizes the cartoonist Joe Camel in his article Advertising Age, who used the advertising brand Camel in his publicity bulletin:

‘. ... I am in favor of promoting freedom of expression without regard to any conditions. But is it freedom of expression to draw children to smoking that can lead addiction to death, and to use line characters they trust? ... The cigarette causes the death of more than 420,000 Americans per year. This figure is greater than the total of deaths from suicide, AIDS, traffic accidents, alcohol and drug abuse.’⁷⁸

Advertisers also getting critiques for targeting the disadvantaged groups such as people who are living in suburbs and has low level educational background with messages encouraging them to use cigarettes and alcohol, and to buy lottery tickets. For example, according to the results of a study conducted in Detroit, it was found that 58% of the advertisement boards in low-income settlements of the region had alcohol and cigarettes, and this rate was only 34% in high-income settlements.⁷⁹

⁷⁷ Guftason, A. (2001), “Advertising’s Impact on Morality in Society: Influencing Habits and Desires of Consumers”, *Business and Society Review*, Vol. 106 No. 4, p.216

⁷⁸ DesRoches, G. (1994), “An Adman’s Struggle with Joe Camel and Free Speech”, *Advertising Age*, p. 23

⁷⁹ Treise D. (1994), “Ethics in Advertising: Ideological Correlates of Consumer Perceptions”, *Journal of Advertising*, Vol. 22 No. 3 p.60

Strategies of Messages of Advertisements

In advertisers, advertisements that cause negative emotions and create dissatisfaction or anger are called offensive advertisements.⁸⁰ Advertisements are inconvenient in relation to the subject matter (advertisements of women's goods, condoms, etc.) or message strategies they use.

The most criticized message strategies; the use of the theme of fear, the use of sex contact, the use of unconcerned humor.

Advertisers try to increase the anxiety in the audience with threatening advertising messages and thus attract more attention to the content of the product and the advertisement by influencing the opinion of the audience.⁸¹ In such advertisements, the negative consequences that may arise if the product is not purchased is emphasized.⁸² For example; "Concern of rejection by the opposite sex uses by the advertising of beauty products, mourning concern of family staying in a difficult position after death uses by insurance advertisements, worry concerns about the death and injuries that will arise during the use of poor quality products uses by car advertisements," concern about being ridiculed uses by acne creams mouth sprays are created by advertisements of slimming products and the sale of the claimed product is tried to increase.

Ads with fear themes have become very popular among advertisers. The main reason for it is determined that such advertisements are more impressive and catchier.⁸³ The theme of fear can also include AIDS, alcoholic driving, damages of smoking, environmental pollution and so on. it is also used to draw attention to social problems.

Critics, self-confidence, especially in insignificant subjects (skin wrinkles, etc.), where the careless and arbitrary use of fear theme causes irrelevant and excessive anxiety, the individual is

⁸⁰ Barnes, J. H. and Dotson, M. J. (1990), "An Explanatory Investigation into the Nature of Offensive Television Advertising", *Journal of Advertising*, Vol. 17 No. 3, p.62

⁸¹ Treise D. (1994), "Ethics in Advertising: Ideological Correlates of Consumer Perceptions", *Journal of Advertising*, Vol. 22 No. 3 p.60

⁸² Shimp, T. A. (1997), *Advertising, Promotion and Supplemental Aspects of Integrated Marketing Communications*, (4th ed., Orlando: Dryden) p.60

⁸³ LaTour et al. (1996), "Don't Be Afraid to Use Fear Appeals: An Experimental Study", *Journal of Advertising Research*, March/April, p.60

exposed to harmful and disturbing descriptions other than his / her consent; restlessness and anxiety.

The harmful effects of over-induced anxiety on psychology should be considered by advertisers.

For example, the message of advertising trying to create motivation in the desired direction should not cause psychological distress caused by excessive stress in the targeted individual.⁸⁴

According to the results of the research conducted by Treise, the opinions of consumers about whether an advertisement using fear theme is ethical or not depends on the motivation and purpose of advertisement. 75% of the 292 consumer group used in the study found the fear theme to be used for the sale of an acne cream, while 90% found it appropriate to use the public to warn people against drugs.

Another criticized message strategy is the use of sex theme in advertising messages. This kind of advertising used in the promotion of numerous product types only works with the sexual role of women, it reduces the woman to a single thing, a sexual object.⁸⁵ Especially for men, cars, motorcycles, beer products, such as the product has nothing to do with the product, although the product is used as a sex object to draw attention to the product is a very common application. The social implications of the stereotypes of women's stereotypes will be discussed in more detail under the title of ' Detailed Social Issues.'

Product Related Issues

It has long been debated whether cigarette and alcoholic beverage advertisements are ethical. In most countries, advertising of these products is prohibited through the media and advertising activities are carried out through advertising boards, promotions and sponsorships.

Cigarette and alcoholic beverages are legal products for sale. From this point on, cigarette and alcoholic beverages producers are defending their right to introduce their products to the market. Against the objections of the consumption of such harmful products through advertisements, the producers claim that advertisements are intended only for the current consumers of products and do not try to create new demands. However, this defense remains weak in view of past examples

⁸⁴ Henthorne et al . (1993), "Fear Appeals in Print Advertising: An Analysis of Arousal and Ad Response", *Journal of Advertising*, Vol. 22 No. 2, p.67

⁸⁵ Treise D. (1994), "Ethics in Advertising: Ideological Correlates of Consumer Perceptions", *Journal of Advertising*, Vol. 22 No. 3 p.59-65

of such advertisements and current practices. For example, cigarette marketers have adopted advertising strategies that encourage women to smoke in order to increase the number of female consumers who are quite few compared to men.⁸⁶ The most prominent of these is the advertisements of a Virginia Slims branded cigarette that links smoking to women's rights. It is noteworthy that a senior executive of Brown & Williamson, a cigarette company, speaks: 'There is no one to say this clearly but in marketing if you want to enlarge your market, it should be accepted to accept some rules and principles of it. In tobacco industry it has only two meanings; women and children.'⁸⁷

It is stated that cigarette smoking is a very serious threat to public health and therefore no use of a tool to increase the sales or market share of the company is ethically approved.⁸⁸

As for alcoholic beverages, developments in England in recent years can be given as examples. Light alcoholic beverages (fruit vodka varieties); using colorful, remarkable packaging, the product name has been criticized for giving the image of the energizing fruit (Example: Orange Shot), giving the message that the drink is entertaining and, by removing the fruit from the foreground in advertising, and accused of targeting the product itself and the children. Another subject that is controversial for making advertisements is the games of chance. Such advertisements are accused of having the dream of earning large amounts of money in a short time. The most intense participation in the games of chance is the lower income group, which is most in need of money. In terms of income, it is not ethical to encourage these people, who are already disadvantaged in society, to these games where the chances of winning are quite low by advertisements.

The drug advertisements appear as another ethical issue. While some of these advertisements can be found in visual and print media, in some cases they can only be made through promotions and posters due to legal restrictions.

In the UK, for example, non-prescription medicines can be advertised on television. Although it

⁸⁶ Guftason, A. (2001), "Advertising's Impact on Morality in Society: Influencing Habits and Desires of Consumers", *Business and Society Review*, Vol. 106 No. 4, p.216-217

⁸⁷ Guftason, A. (2001), "Advertising's Impact on Morality in Society: Influencing Habits and Desires of Consumers", *Business and Society Review*, Vol. 106 No. 4, p.216

⁸⁸ Rotfeld, H. J. (1996), "Tobacco Firms Are Efficient Marketers. Should They Be?", *Marketing News*, Vol. 30 No. 17, p.5

is tried to be regulated by regulating regulatory agencies, the advertising on the television is criticized for driving society to unnecessary or misuse.

A more common practice is advertising for doctors and pharmacists. Representatives of pharmaceutical companies make presentations to physicians and pharmacists about the product and promotional products are effectively used as advertising tools. However, advertising messages from medication manufacturers are effective in diagnosing and / or treating physicians, leading to serious ethical problems.

According to a study, it was found that a significant portion of the information provided by salespeople was conflicting with the current knowledge of physicians and doctors failed to identify these errors.⁸⁹ After a drug company launched a product that cured a certain disease, it was determined that the number of diagnoses reached a few times the rate of disease.⁹⁰

Not only do they give commission per prescription drug promotion to doctor's firms in Turkey are frequently observed practice illegal. This situation is against both professional ethics and business ethics. These practices, in which human health is ignored and only commercial interests are brought to the foreground, cannot be accepted ethically.

Detailed Social Issues

The criticism of advertising is mainly based on the strong influence of advertising on society and the individual. Advertising circles that do not accept criticism deny this power and therefore refuse to take responsibility for the possible impact of advertising.

Nairn and Berthorn, who emphasize the importance of advertising for society, argue that individuals in Western societies after the industrialization and urbanization become independent from the traditional sources of cultural influence and authority, such as family, religion and school, that society is seeking guidance, and that advertisers fill this gap.⁹¹ According to Sherry; Although advertising is the most effective in the main perspectives where people interpret the world, it is the least emphasizes.

⁸⁹ Ziegler et al., (1995), "The Accuracy of Drug Information from Pharmaceutical Sales Representatives", *Journal of the American Medical Association*, Vol. 273, April 26, p.1295

⁹⁰ Rotfeld, H. J. (2003), "Misplaced Marketing: "It Hurts. Fix It" The Patients' Lament and Unhealthy Medical Care Marketing", *Journal of Consumer Marketing*, Vol. 20 Nr. 1, p.8

⁹¹ Nairn A. and Berthorn L. (2003), "Creating the Customer: The Influence of Advertising on Consumer Market Segments- Evidence and Ethics", *Journal of Business Ethics*, Vol. 43, p.88

Primary social criticism directed at advertising is the creation of a materialist society. Advertising plays an encouraging role in the consumption of all aspects of our lives, and the more successful it is, the more successful it is.⁹²

The success of the various psychological methods used by advertisers to encourage the consumption of society has brought about changes in social values. Stuart Ewen pointed out that after the 1920s, advertisers began to focus on their social and psychological meaning, not only on the products themselves.⁹³

In this type of advertisement, which Waide calls associative advertising, the desired product but cannot be purchased correlated with values of friendship, acceptance, excitement, power, charm, appreciation, etc. which are desired by the consumer.⁹⁴ Advertising, populations, symbols and meanings are spreading into our worldview, creating a habit of associating various emotions, desires and desires with consumer products.⁹⁵ According to Waide, associative advertising is instilled in the society the ideology of greed, which suggests that you are what you own.⁹⁶ By time, consumers started to use products in their social relations while expressing themselves. In such a society where products determine identities, consumers buy a lifestyle and an image, not just the product itself.

Examples of the negative impact of advertising on society are the advertising policies of sports shoe companies that lead to excessive brand dependence.⁹⁷ It is criticized by saying the marketing of sports shoes, such as Nike and Reebok, as status symbols, particularly in terms of low income levels, has adversely affected the value judgments of young people in the suburbs. The most important evidence of this argument is the murder of two young men in the United States for Nike

⁹² Guftason, A. (2001), "Advertising's Impact on Morality in Society: Influencing Habits and Desires of Consumers", *Business and Society Review*, Vol. 106 No. 4, p.201

⁹³ Stuart Ewen, Drumwright, M. E. (1996), "Ethical Issues in Advertising and Sales Promotion" N. C. Smith and J. A. Quelch (ed.), *Ethics in Marketing*, (New York: The McGraw-Hill, Inc.), p.621

⁹⁴ Waide, Drumwright, M. E. (1996), "Ethical Issues in Advertising and Sales Promotion" N. C. Smith and J. A. Quelch (ed.), *Ethics in Marketing*, (New York: The McGraw-Hill, Inc.)p.621

⁹⁵ Guftason, A. (2001), "Advertising's Impact on Morality in Society: Influencing Habits and Desires of Consumers", *Business and Society Review*, Vol. 106 No. 4, p.207

⁹⁶ Waide, Drumwright, M. E. (1996), "Ethical Issues in Advertising and Sales Promotion" N. C. Smith and J. A. Quelch (ed.), *Ethics in Marketing*, (New York: The McGraw-Hill, Inc.)p.622

⁹⁷ Drumwright, M. E. (1996), "Ethical Issues in Advertising and Sales Promotion" N. C. Smith and J. A. Quelch (ed.), *Ethics in Marketing*, (New York: The McGraw-Hill, Inc.)p.623

sneakers in the 1980s.⁹⁸ Young people, who are not able to get monetary power, have resorted to violence to have it. In addition, advertisements are criticized with the fact that it encourages youngs who are not able to buy status symbols to become a drug dealer and trys to have money from illegal ways.⁹⁹

Coulter et al., according to the results of the research conducted to determine consumer perspectives on advertising; they are criticized for creating ideal, unrealistic individuals and lifestyle images and encouraging them to buy the products they claim will lead to achieving ideal images.¹⁰⁰ According to Berman, advertisements tell us what we should do to become a person what we desire.¹⁰¹ Gustafson emphasized that advertisements should not only be held responsible for showing us various goals, but also for what their goals are.¹⁰²

Another issue discussed is that some images and symbols used in advertisements cause negative stereotypes to emerge and settle.¹⁰³ Criticisms are directed to gender stereotypes, in particular, where male and female behaviors are characterized.

Several authors have examined the gender stereotypes in ads. is depicted as dependent, passive and secondary individuals. Advertisements fail to reflect the changing role of women in society, represent underprivileged women, define women as unrealistic and infertile, consisting solely of relationships with men or their families.¹⁰⁴

Gender stereotypes used in advertising for children have been particularly emphasized due to gender socialization and, consequently, the potential impact of children on perceptions of themselves and others.¹⁰⁵ Nairn and Berthon reported that the motivation of children is largely

⁹⁸ Guftason, A. (2001), "Advertising's Impact on Morality in Society: Influencing Habits and Desires of Consumers", *Business and Society Review*, Vol. 106 No. 4, p.219

⁹⁹ Drumwright, M. E. (1996), "Ethical Issues in Advertising and Sales Promotion" N. C. Smith and J. A. Quelch (ed.), *Ethics in Marketing*, (New York: The McGraw-Hill, Inc.)p.623

¹⁰⁰ Coulter, R. A.; Zaltmann, G. and Coulter, K. S. (2001), "Interpreting Consumer Perceptions of Advertising: An Application of the Zaltman Metaphor Elicitation Technique", *Journal of Advertising*, Vol. 32 No. 4, p.14

¹⁰¹ Berman, Nairn A. and Berthon L. (2003), "Creating the Customer: The Influence of Advertising on Consumer Market Segments- Evidence and Ethics", *Journal of Business Ethics*, Vol. 43, p.88

¹⁰² Guftason, A. (2001), "Advertising's Impact on Morality in Society: Influencing Habits and Desires of Consumers", *Business and Society Review*, Vol. 106 No. 4, p.202

¹⁰³ Drumwright, M. E. (1996), "Ethical Issues in Advertising and Sales Promotion" N. C. Smith and J. A. Quelch (ed.), *Ethics in Marketing*, (New York: The McGraw-Hill, Inc.)p.622

¹⁰⁴ (Maher and Childs, 2003: 71; Browne, 1998: 83; Treise et al., 1994: 61; Drumwright, 1996: 622)

¹⁰⁵ Browne, B. A. (1998), "Gender Stereotypes in Advertising on Children's Television in the 1990s: A Cross-National Analysis", *Journal of Advertising*, (27),(1), p.83

determined by the idols they choose. These idols are dependent on role models and advertising play an important role in defining these models.¹⁰⁶

Gender stereotypes for children have been examined by academicians for the past three decades. According to the results of these studies; although there have been very serious changes in gender roles in society over time, most of these changes were not reflected in television programs and advertisements. The advertisements of the products that addressed both sexes were examined and the distorted distribution of gender roles was observed in these advertisements. In such advertisements, girls are shy, have no claim to leadership, are less likely to take control and are less useful in their qualities; boys were found to be more aggressive and active in the dominant role.¹⁰⁷

As Zinkhan points out, gender stereotypes in children's advertising and advertisements should be one of the top priorities in future advertising ethics studies.¹⁰⁸ Television advertisements for children should not limit children to traditional gender roles, but should give them the opportunity to imagine a wide variety of roles in their lives.¹⁰⁹

In this chapter of the study, it has been tried to explain the implementation which occurs ethical discussions in marketing with some examples. In the next chapter, the study will be focus on the advertisement of alcoholic beverages in the world and especially in Turkey. Additionally, the regulations and restriction about to advertisement of alcohol will be discussed. Finally, an example from a study will be given.

¹⁰⁶ Nairn A. and Berthon L. (2003), "Creating the Customer: The Influence of Advertising on Consumer Market Segments- Evidence and Ethics", *Journal of Business Ethics*, Vol. 43, p.83

¹⁰⁷ Kolbe, R. H. and Muehldg, D. (1995), "Gender Roles and Children's Television Advertising", *Journal of Current Issues and Research in Marketing*, (17). (1), p.55-60

¹⁰⁸ Zinkhan, Maher, J. K. and CHILDS, N. M. (2003), "A Longitudinal Content Analysis of Gender Roles in Children's Television Advertisements: A 27 Year Review", *Journal of Current Issues and Research in Advertising*, (25). (1), p.72

¹⁰⁹ Smith, Maher, J. K. and CHILDS, N. M. (2003), "A Longitudinal Content Analysis of Gender Roles in Children's Television Advertisements: A 27 Year Review", *Journal of Current Issues and Research in Advertising*, (25). (1), p.73

CHAPTER 3

ADVERTISEMENTS ETHICS IN TURKEY SPECIALLY REGARDING ALCOHOL PRODUCTS

Advertisements of Alcohol

The necessity of advertising in the promotion and marketing of products brings some drawbacks when it comes to an addictive substance like alcohol. The effects of advertising on alcohol consumption of children and young people have been the subject of many researches. In these studies, it is revealed that advertising encourages children and adolescents to start drinking alcohol.

The development of children and young people who are vulnerable groups that need to be protected in a healthy environment free from such substances is of great importance and necessity as well as basic rights. Therefore, for these groups all over the world and in Turkey, the legal plane on alcohol advertising, some restrictions were introduced. Moreover, in many countries around the world, voluntary arrangements are made through self-regulation and joint supervision in the committees consisting of professional organizations and consumer representatives, which can be defined as non-state actors.

In Turkey, although implementation of control in terms of content, only the written press in the media field has released the advertisement of alcoholic beverages. In today's information society, the diversity of new communication environments; Considering the prevalence of the use by children and young people, it can be said that there are major obstacles to the achievement of the objectives of the content measures. As a matter of fact, in advertisements made through print media, the addresses of communication media such as social networks, blogs and websites are given to users and they are directed to a second channel which will be more effective in promotion.

The new strategies that alcoholic beverages producers have set against regulations in order to fulfill the requirements of advertising such as advertising and advertisement constitute a part of this study. In this context, it has been published, the content of alcoholic beverages advertised as a law regarding the Procedures and Principles regarding the Sale and Presentation of Tobacco

Products and Alcoholic Beverages in the Official newspaper between 8th of January and 27th of March 2011. Another issue discussed within the scope of the study is the arrangements that the non-state actors can voluntarily realize with the sense of social responsibility for the protection of children and young people.

The Risk of Alcohol Ads on Youth People and Children

Researchers suggest that there is a significant correlation between the alcohol consumption habits of children and adolescents and the way the alcohol brand recalls through advertisements. In this context, the literature review shows that alcoholic beverages advertising strengthens the perceptions that alcohol intake is a risk-free action, develops alcohol reception attitude and increases the possibility of uncontrolled drinking. Thus, three views are confirmed: the first is that advertisements, children and young people shape their perceptions of alcohol; the latter is directed at excessive and frequent consumption of alcohol, and finally, the ads make children and young people ready for consumption before they can legally buy drinks.¹¹⁰

In a study conducted on more than 3000 students in 7th and 8th grade, it was found that television, magazine advertisements and posters encouraged alcohol consumption in daily life, special places and days.¹¹¹ As a result, the message of alcohol ads, celebration and so on. as it leads to events, it also increases the consumption trend. Research shows that young people's evaluations of alcohol advertisements depend on their desire to mimic people and lifestyles.¹¹² Here, it can be said that the determining factor is that young people enter the world of adults. In advertising, the strategy that has been used is to focus on a lifestyle or subculture rather than a consumption. The aspect of alcohol ads, which differ from the advertisements of other consumer goods, is the promise of wealth, power, prestige and acceptance in society, depending on the people who drink alcohol and their lifestyles, rather than what they might actually get for the product offered to the consumer.¹¹³ According to Atkin et al., the characters in the advertisements are especially young-looking, have physical attractiveness, are rich, shows us a

¹¹⁰ Stacy, A., Zogg, J., Unger, J. & Dent, C. (2004). *Exposure to Televised Alcohol Ads and Subsequent Adolescent Alcohol Use*. Journal of Health Behaviour. 28 (5), p.502

¹¹¹ (Ellickson et al., 2005: 235-246)

¹¹² Austin, E. W. & Knaus, C. (2000). *Predicting the potential for risky behavior among those "too young" to drink as the result of appealing advertising*. The journal of Health Communication, p. 14-27

¹¹³ Wallack, L., Cassady, D. and Grube, J. W. (1990). *TV beer commercials and children: Exposure, attention, beliefs, and expectations about drinking as an adult*. Falls Church, Foundation for Traffic Safety, p.425-430

successful portrait; women or men are happy, adventurous, stylish and sophisticated lud.¹¹⁴ For this reason, the brand itself has positive connotations specific to life styles.

In research on beer advertisements, it was determined that children were more sensitive to beer than other alcoholic beverages advertisements because of the use of anime characters and animals.¹¹⁵ Children between 7-12 years were given a list of beer brands, logos and various product names and asked to match their brand and logos with the products. It is interesting to note that children aged 7-9 years are more knowledgeable about beer marks and logos than those aged 10-12.¹¹⁶

In another study on beer ads, the four main objectives of the advertisement, which can be summarized as the point of departure, to ensure the brand's recognition, to make the brand preferred and to create awareness, to purchase / use the product and, as a result, to create a commitment to the brand. In the research, it was determined that the producer who invested the most advertising in accordance with these targets was the most recognized and preferred, thus the brand with the highest consumer loyalty. It was found that the most effective factors for determining alcohol intake habits were the peer group, and the media ranked 2nd in the 7-12 grade group.¹¹⁷

In particular, the most important threat posed by alcoholic beverages on children is the determination of future consumption habits. Research conducted on alcohol consumption the fact that starting at an early age increases the risk of alcohol dependence. Before the age of 15 the risk of alcohol addiction is 4 times; Before the age of 21, habit winners are twice as much.¹¹⁸ In addition, 96% of the participants were also using drugs in surveys conducted with excessive alcohol consumption; A significant number of drug users have been found to use alcohol from addictive substances for the first time.¹¹⁹

The impact of alcohol advertising on children and adolescents also led to the introduction of advertising in policies aimed at prevention.

¹¹⁴ Atkin, C. K., Hockin, J. and Block, M. (1984). *Teenage drinking: Does advertising make a difference?* Journal of Communication, (34). (2), p.158

¹¹⁵ Grube, J. W. & Wallack, L. (1994). *Television beer advertising and drinking knowledge, beliefs, and intentions among school children.* Journal of Public Health, p.254-259

¹¹⁶ Austin, E. W. & Knaus, C. (2000). *Predicting the potential for risky behavior among those "too young" to drink as the result of appealing advertising.* Journal of Health Communication, p.21

¹¹⁷ (Gentile et al., 2001)

¹¹⁸ Grant, B.F. & Dawson, D.A. (1997). *Age of alcohol use and its association with DSM-IV alcohol abuse and dependence.* Journal of Substance Abuse, p.103-110

¹¹⁹ Martin, C. S., Arria, A. M., Mezzich, A. C. & Bukstein, O. G. (1992). *Patterns of polydrug use in adolescent alcohol abusers.* Journal of Drug and Alcohol Abuse, p. 510-521

Policies Regarding Alcohol consumption and Advertisements in the World and Turkey

It is known fact that the effects of excessive alcohol consumption cause social problems such as violence, family problems and inefficiency in addition to threatening public health. The emergence of such a wide range of issues has led to the development of policies in the world to protect society, especially children and youth, from harmful effects related to alcohol. In these policies, in general, raising awareness of the harms of alcohol, raising awareness as well as providing education; thus, it is aimed to delay the age of starting alcohol use, and to make early intervention and prevention efforts more efficient. In the policies developed for alcohol consumption, two points are underlined. The first is to share action plans on an international platform; The other one is to take into consideration that the drinking habits and alcoholic beverages are sociocultural phenomena. Also, in the document of addictive drugs and addiction struggle in national Policy, it says that supply and demand can not be considered separately; in this context, the importance of adopting a bi-directional and coordinated approach is emphasized. This view concludes that if advertising is considered to be a commercial activity aimed on both supply and demand creation, it is an issue to be considered within the scope of policies.¹²⁰

The impact of advertising on alcohol consumption was first included in the 1979 report of the World Health Organization Experts Committee. Governments limiting supply to reduce consumption; In order to reduce the demand, it has been suggested to take legal measures to give importance to education and it is emphasized that policies and regulations related to alcohol advertisements should be reviewed.

At the World Health Organization Ministerial Conference, which was held in 2001, the Youth and Alcohol Declaration, also known as the Stockholm Declaration, representatives of the European Region, reducing alcohol consumption, the frequency of risky drinking of children and young people, supporting young people in alcohol-related problems, they agreed on the achievement of ten common objectives, including the promotion of activities that could be alternative to alcohol. Alcohol promotions, free distributions, advertising, sponsorship etc. To reduce the pressure on young people to use alcohol through activities is one of these targets.¹²¹ In other words, the control of supply and demand has been the subject of the World Health Organization's policies for reducing the harmful effects of alcohol for about thirty years.

¹²⁰ Türkiye Uyuşturucu ve Uyuşturucu Bağımlılığı İzleme Merkezi [TUBİM], 2006

¹²¹ www.tapdk.gov.tr

It is understood from the second technical report of the World Health Organization Experts Committee, which was published in 2006, that expectations for achieving the ten objectives have not been realized to a great extent until 2006. According to the report, the international market brands across borders to exceed advertising, alcohol is one of the most important factors in the world to become a major problem. Also, in many countries, alcoholic beverages are among the most advertised products. It is also noteworthy that new media environments such as the Internet and social networks lead to more effective advertising among young people than traditional media.¹²²

The World Health Organization Global Strategy on Reducing the Harmful Effects of Alcohol (2010) on the marketing of alcohol includes the view that 'the impact of marketing on young people and adults must be reduced in order to protect against the harm of alcohol. In addition, in alcohol marketing, there are some more comprehensive strategies and campaigns every day; strategies in the field of marketing, sporting or cultural activities of alcohol brands, partnership agreements, electronic mail, text messages, podcasting, social media and so on. It is pointed out that it is presented effectively in environments. It is emphasized that the problem has been moved beyond the border by means of communication such as television broadcast, internet and satellite.¹²³

Based on these determinations, in addition to the role of advertising in determining supply and demand, it can be said that in the 2000s, new communication technologies are a problem that has been raised in policies in order to make the negative effects of alcohol advertisements more pronounced.

Considering the consumption of alcohol as an incentive and even pressure factor on alcohol consumption, it is also discussed in Europe which is the most abundant alcohol consumption. In the context of the European Charter on Alcohol, organized at the European Conference on Health, Society and Alcohol held in Paris on 12-14 December 1995, all minors and young adults are allowed to grow in an environment free of alcoholic beverages, as far as possible, from the negative effects of alcohol consumption and its damage has been mentioned in the context of ethical principles and objectives¹²⁴. In this respect, preventing the negative effects of

¹²²www.who.int/abuse/expert_committee_alcohol_trs944_french.pdf

¹²³ http://www.who.int/substance_abuse/activities/msbalcstrategyfr.pdf

¹²⁴ ec.europa.eu/health/alcohol/eurobar_meters/index_en.htm

advertisements has been considered as the right of children accepted considering the human rights. To apply strict control over direct and indirect advertising of alcoholic beverages similar to the restrictions and prohibitions in some countries and to prevent advertisements from targeting young people, such as in the case of alcohol and sports which held the topic in the same conference.¹²⁵

In Turkey, Addictive Drugs and Addiction Combating the National Policy and rising unemployment due to the economic crisis in the Strategy Paper, due to the problems and the decline in the family's life quality in the distribution of income in society, it is stated that increased tendency to use alcohol and cigarettes. In addition, recent research shows that the age of starting alcohol consumption is childhood. In the report, it is emphasized that those who are addicted to cigarette and alcohol form a more risky group in the transition to upper substances such as cannabis.¹²⁶

As a result, it is a requirement that policies developed to protect children and young people from the harm of addictive substances and eliminate the risky consumption habits should be supported by the state initiative. In constitution of article 58th states it shall take the necessary measures to protect young people from alcohol addiction, drugs, guilt, gambling and similar bad habits and ignorance. The necessity of state intervention does not lead to doubt. However, the voluntary arrangements made by non-state actors such as the sector and consumer representatives, with the awareness of social responsibility, will make the implementation more efficient.

Regulations Regarding Alcohol Advertisements in Turkey

According to Article 8 of the Broadcasting Principles of Radio and Television Law No. 6112 on Establishment and Publications of Radio and Television (RG 03/03/2011), publications may not encourage gambling with the use of addictive substances such as alcohol, tobacco products and drugs. In accordance with Article 11 regulating the commercial communication of certain products, the provision of no commercial communication for alcohol and tobacco products shall be permitted within the framework of this legal regulation, the advertising of alcohol and tobacco products on radio and television is completely prohibited.

¹²⁵ <http://www.tapdk.gov.tr>

¹²⁶ Türkiye İstatistik Kurumu [TÜİK], 2008

The Regulation on the Procedures and Principles for the Sale and Presentation of Tobacco Products and Alcoholic Beverages (R.G 07/01/2011), as well as advertising, sponsorship and promotion practices on media outside radio broadcasting. In the scope of the regulation, measures were taken to protect children and young people in the channels other than radios and televisions. In all media where advertising publication or demonstration is released, it is prohibited to choose young people and children and young people as a target audience, while at the same time prohibiting the use of such an image or given people in alcoholic drink advertisements. If the advertisement is made before the screening of the cinema films; be used only in films classified as (18+) the Ministry of Culture and Tourism.

Newsletters for newspapers, magazines, brochures, catalogs, advertisements and other printed media and electronic communication tools should not be included in the pages, supplements, programs, chapters and sports pages prepared for children and young people and in the first and last cover pages of these publications was introduced.

When the regulations are examined in terms of content, only the informative function of the advertisement is allowed; other than this function, it is seen that the methods used in the process of persuading it to purchase such as making lifestyles, entertainment or cultural sporting activities connotation are restricted. Thus, the content of the advertisement is prevented from being prepared by encouraging and encouraging the consumption of alcohol. Accordingly, it is expected that the content will be aimed at introducing the characteristics of the product, informing the consumer correctly, facilitating the selection of the brand without being abusive and encouraging. The right to show the alcohol degree of the drinks in a way that will not mislead the consumer; the quality of alcoholic beverages and the effect of alcohol in the direction of associating with the message is emphasized. In addition, content that does not have to be introduced as a basic requirement substance and which implies that it is an indispensable complement to the consumption of other foodstuffs should not be used.

Studies investigating the effects of alcoholic drink's ads on children and adolescents show that special days, special places, and advertisements that prepare a drink culture play an important role in determining the future consumption habits. In this context, it has been an important step for the elimination of harmful effects in the regulation of advertising space by emphasizing the individual or social special events that are related with alcoholic beverages as part of special events. The fact that alcoholic beverage advertisements are shown as a status symbol and that

there is a sign of adulthood is among the negative effects of advertising in the literature to encourage children and young people to consume alcohol. The relevant regulation also prevents these associations. In addition, the use of any person, character or group is prohibited for children and young people who may have a special success in any area, or who act for the benefit of children and young people who have gained the trust of the public, or because they make a name for the media.

In the regulation, alcoholic beverage advertisements will be considered as positive environments. all factors leading to alcohol, such as connotations and peer group, are discussed and limited in detail: the product is introduced together with activities that require significant ability, attention, or mental clarity; messages related to the use of alcoholic beverages in relation to the use of vehicles; content of alcoholic beverages having therapeutic properties; processing of alcoholic beverages; to include ads showing that there is a mental and social lack of consumption of alcoholic beverages; transferring a message that may adversely affect the release, drinking or drinking of alcohol; alcoholic beverages advertised as a weakness of not to drink.

The regulation also defines the language that should be used in advertising texts. The use of a correct, clear and comprehensible Turkish in alcoholic drink advertisements, the absence of slang words; it is obliged that the expressions or words which can have various meanings cannot be used with the deceptive meaning or meaning.

When the examples in the world are examined, besides the laws and regulations, alcoholic beverages producers, professional organizations, independent audit and supervision bodies are effective in organizing the advertising space. The audit methods for this system are self-control and mutual control.

Voluntary Regulations Regarding Ads in the World

In addition to legal requirements, self-regulation and mutual control are, in short, in the advertising field, regulating the sector on a voluntary basis. The main feature of the self-regulation system is the effective participation of market actors in organizing the field. The self-regulatory body may be responsible for the preparation of codes, at the same time, the rules set out in the statutory regulations and the application of penalties when necessary.¹²⁷

¹²⁷ Palzer C. (2003) Regulation in Europe: General conditions for the implementation of co-regulatory frameworks in Europe. IRIS Legal Observations of the European Audiovisual Observatory

Joint supervision is an upper term (terme generique) that covers both public level regulations and the self-regulation system. This system is considered to be the most ideal situation, including related groups such as consumers. In the joint audit, the assumption is made that the self-regulation system is implemented. In both systems, the ratio of the participation of private or public items may vary depending on the task installed in the voluntary control system. If, in the media, it is a task that must be fulfilled in the public sphere, such as the protection of children and young people, it is the public powers that will initially determine this objective. In this case, the preparation of the legal framework is the responsibility of the State.

It is inevitable for state authority to supervise voluntary activities when it comes to the protection of minorities and to intervene in disordered directions where necessary.¹²⁸ Joint control can be defined as the developed version of the self-regulation system, which is mainly used in Europe. In Turkey, as well as the laws that apply in the advertising field, voluntary arrangements with the participation of industry representatives, Advertising Self-Regulatory Organization (SRO) is carried out by. SRO assumes the role of observer in the implementation of ethical principles. In this context, the current system of ad space in Turkey, it is self-control. Although joint control has not yet been implemented in the advertising area, it was referred to in Article 22 of the Law No. 6112 on Broadcasting Services of Radio and Television together with the representative agency of the audience and was first introduced under the legislation.

Today, a significant proportion of European countries have self-regulation mechanisms. In some cases, as in the case of Finland, Sweden, self-regulation mechanisms may become dysfunctional, as the legal regulations are too rigid. When the examples in Europe, where joint control is applied, are examined, it is seen that voluntary regulations specific to alcoholic beverages in Denmark are carried out with the participation of various representatives from the sector. The Danish Brewers Association, the Danish Wine and Spirits Organization, Danish Chamber of Commerce, Danish Spirits Producers codes are monitored and applications are monitored through the Consumers Ombudsman, Danish Consumers Council. A similar approach is applied in Ireland. Members of the Alcohol Marketing Communications Monitoring Body (AMCMB), the Ministry of Health, the Irish Radio and Television Corporation, and the producers of alcoholic beverages and advertisers play an observer role in implementing the advertising codes. Central

¹²⁸ Degraeve, E., (2007) Better regulation "Regulation and self-regulation in European legislative policy

Copy Clearance Ireland Ltd is a supervisory agency. This band can be used in all channels if the band has been issued that the advertisement is broadcastable.¹²⁹

Although the Regulation on the Procedures and Principles for the Sale and Presentation of Tobacco Products and Alcoholic Beverages has been prepared in detail, the technological developments in the digital media and culture industries have led to the necessity to reconsider the paradigms that determine the legal framework. This change in the media due to technology has also required some new approaches to the implementation of the laws. The basis of this, for many years, the unilateral norms determined by the legislator, while unquestionably accepted, nowadays is a system that is increasingly questioned and criticized. The norms formed by the lack of opinion of experts and relevant actors are inadequate to produce solutions to increasingly complex problems.¹³⁰ Thus, the advertising sector in Turkey, as in Ireland and Denmark, for example, the creation of well-attended joint supervision mechanism; It will be an important initiative in terms of providing solutions to the problems experienced in the media environment. Only the legal regulations made in accordance with the laws and regulations may lose their effectiveness in new media.

An Example from a Research of Alcoholic Beverages Ads in Printed Media

In this example from the journal of Social Science the article named Regulations Regarding alcohol ads and its reflection to the media, the research has been made about alcoholic beverages ads on printed media. In this research content analysis method was used in the advertisement of alcoholic beverages. Content analysis is visible in the first view of the message of a communication tool. The objective of this course is to provide an objective and systematic review of its features. In this context implicit encodings within the transmitted message do not fall into the domain of content analysis.¹³¹ Another researcher will also achieve the same results, as it relies on the examination of visual and linguistic elements from an objective point of view. In the research, the analysis categories were determined as the type of alcoholic beverage, the inclusion of social responsibility message and directing to the new media environment.

Since the Regulation on the Procedures and Principles regarding the Sale and Presentation of Tobacco Products and Alcoholic Beverages has been published in the Official Gazette on

¹²⁹ http://ec.europa.eu/health/ph_determinants/life_style/alcohol/Forum/docs/regulation_en.pdf

¹³⁰ Cohen-Tanugi (1992), *The Law Without the State*, 3rd ed., Paris, p.150

¹³¹ (Geray, 2006: 148)

07.01.2011, the advertising of alcoholic beverages has been published only in the traditional media. The study was limited to Hurriyet newspaper, which is the most advertising newspaper, and Saturday and Sunday, which are the most advertised days. In this context, 37 advertisements in the 28th issue of Hürriyet were examined between the date 08.01.2011 and 27.03.2011.

The aim of the study is to determine the frequency of advertising of alcoholic beverages according to the types of media, to determine the orientation of the media from the newspaper to the new media and to determine the rate of inclusion of messages with the purpose of social responsibility. For this purpose, the following questions were sought:

- Which type of alcoholic beverages are included in the pressed media?
- Is there a message of social responsibility in advertising?
- Does the advertisement lead to new media outlets in print media?

Type	Frequency	Percentage
Raki	16	44
Vodka	6	16
Liqueur	3	8
Whisky	6	16
Wine	3	8
Beer	3	8
Total	37	100

Table.1 Diversification of Alcoholic Beverages of its types

The message of social responsibility	Frequency	Percentage
Yes	31	84
No	6	16
Total	37	100

Table.2 Social Responsibility Message

The inducement of new media in ads	Frequency	Percentage

Yes	11	30
No	26	70
Total	37	100

Table3. The inducement of newspaper ads to new media

TÜRKİYE’DE ALKOL REKLAMLARINA İLİŞKİN DÜZENLEMELERİN MEDYA ORTAMINDAKİ YANSIMALARI (reference ver Source YAP!)

Comments and Findings about The Example

When the frequency of alcoholic beverages advertisements were examined in print media, it was observed that they had raki advertisements at a rate of 44%. Considering that alcoholic beverages are classified as distilled and fermented according to their production methods, raki, vodka, whiskey and liqueur among the distilled beverages are fermented drinks with a total of 84% and wine is more than 16%. (Table 1).

In most of the advertisements in the print media, with a percentage of 84%, it is seen that social responsibility messages are included. Four different types of social responsibility messages were used in advertising: "Please consume with responsibility and pleasure", 'please consciously consume'. 'Please consume it consciously.' 'Drink it responsibly.' In the expression of "Please consume with responsibility and pleasure." the word responsibly is placed between the words consume with pleasure and "consume with pleasure" is the size is used one third of the characters. In the statement 'drink responsibly' , it is observed that the message of social responsibility is written on light background with light characters; The color of the characters used in the message 'Please consume with responsibility' is arranged to contrast with the floor. The phrase 'Please consciously consume' is written to attract the attention of the reader, as opposed to the "please drink it with responsibility message", in contrast to the light characters in a dark frame. It has been observed that social responsibility messages are mostly placed in the upper left / lower or right upper / lower corner of the ads, outside the areas they first scan in the eye detection process, at a point and size that will not easily attract the attention of the reader (Table 2).

It has been found that 30% of the newspaper ads are directed to different media in new media. New media environments used in advertisements are short films that can be viewed through code readers in social networks, websites and smartphones (Table 3).

As a conclusion, in general, the restrictions on alcohol advertising reduce competition and lead to an increase in prices as competition decreases. As a result, it is a factor that decreases the negative effects of alcohol consumption and the consumption rate of young people.¹³² The new regulations, which are prepared in line with this purpose, with the Regulation on the Procedures and Principles for the Sale and Presentation of Tobacco Products and Alcoholic Beverages, are quite comprehensive, but in practice, the expected results have not been reached. It is observed that the cases that are contrary to the regulation are frequently included in the advertisements. The restrictions imposed on the traditional media lead manufacturers to different mediums in which they can overcome these regulations. In advertisements in the print media, social networks and internet sites are redirected; Transferring images to mobile phones through code readers is provided. Thus, advertisements, which are prevented from targeting children and young people through legal arrangements, effectively reach the target audience in areas where these groups are widely used and are more difficult to control.

Considering the rapidly developing technology today, it is possible to talk about the possibility that every traditional media will be transformed into new media. In the past, it is possible to watch the TV programs that reach the masses in the houses alone, from computers and mobile phones today. The ability to monitor images transferred to smartphones with code readers placed in newspaper ads may doubt the extent to which advertising of alcoholic beverages on television will be beneficial in terms of protecting children and young people.

As a conclusion, the necessity of advertising in the promotion and marketing of products brings some drawbacks when it comes to an addictive substance like alcohol. The effects of advertising on alcohol consumption of children and young people have been the subject of many researches. In these studies, it is revealed that advertising is a factor that encourages children and young people to start to drink alcohol.

¹³² Tremblay, V. & J, Okuyama K. (2001). *Reklam Kısıtlamaları, Rekabet ve Alkol Tüketimi*. Contemporary Economic Policy, (19) (3), p. 313

CONCLUSION

Ethics tries to reach the basic truths about what is good or bad, what behavior is right or wrong, and thus to create the principles of correct behavior that will guide individuals and groups. This effort is important and meaningful as it will guide humanity and try to determine the moral rules necessary for humanity to rise and to live in solidarity in a civilized society.

So far, many ethical theories have been developed that try to determine the right moral rules, and each of these theories takes our attention; and contributed to ethical awareness by addressing to important values such as community welfare, respect for the individual, human rights and virtuous life. But no theory seems to be sufficient and convincing enough to guide humanity alone in all the problems it faces.

Marketing ethics; through the application of ethical theories to marketing decisions, it tries to guide marketing managers to consider the right behavior. With the question of which theory or which rules and principles will be taken as a guide to conduct ethical behavior in marketing activities, marketing professors and writers combining certain theories, covering the important values emphasized by each theory, but at the same time addressing the weaknesses of the theories with the strengths of other theories. They tried to make a guideline. These efforts have brought about ethical questions about whether marketing behavior affects the common welfare of the society, whether the fundamental rights of individuals are violated as a result of this behavior, whether behavior is just and whether the behavior ignores the responsibilities of the enterprise towards society.

The necessity of advertising in the promotion and marketing of products brings some drawbacks when it comes to an addictive substance like alcohol. The effects of advertising on alcohol consumption of children and young people have been the subject of many researches. In these studies, it is revealed that advertising is a factor that encourages children and young people to start to drink alcohol.

Although the regulation makes it clear that young people and young people cannot be the subject of advertising, dynamic, sporty people are used; content of alcoholic beverages is limited to informational functions, while advertisements include nightlife and entertainment. As a result, the goal cannot be reached.

The practices in the world, that only legal regulations are not enough; however, voluntary arrangements with the participation of non-State actors such as professional organizations, sector

and consumer representatives; The fact that approaching the subject with social responsibility awareness is an effective method for protecting children and young people from the harmful effects of alcohol. In this context, the implementation of the common control, which brings together the aims of the state, the responsibilities of those concerned, can play a key role in determining a perspective on the solution of the problem.

In Turkey, although implementation of control in terms of content, only the written press in the media field has released the advertisement of alcoholic beverages. It is possible to say that Turkey has their own restriction by laws regarding to advertise alcoholic bevarages based on to protect people especially youngs and children on TVs and Radios and which is supported to hypotesis. However, the restrictions imposed on the written media are not particularly enough when it comes to electronic communication tools. Alcoholic beverage producers are asked to enter their website at the entrance to the website, for example, only the date of birth is asked. It is clear that this audit is not sufficient and controllable. Therefore, the functionality of the arrangements to be brought into the new media environment is discussed.

In today's information society, the diversity of new communication environments; considering the prevalence of the use by children and young people, it can be said that there are major obstacles to the achievement of the objectives of the content measures. As a matter of fact, in advertisements made through print media, the addresses of communication media such as social networks, blogs and websites are given to users and they are directed to a second channel which will be more effective in promotion.

Therefore, in the new media and especially in the social media area, more protective rules are needed to prevent young and children from seeing the ads of addictive substances.

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