

The Ethics of Tobacco Marketing

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“The cigarette is the only legally available product in the United States that when ‘used as directed’ will kill the user and injure others.”¹

Introduction

Wayne McLaren started smoking cigarettes in his early teens because “it seemed to be the thing to do, a rite of passage to adulthood.”² For Mr. McLaren, this rite of passage developed into a pack-and-a-half habit per day. A week before his 49th birthday, he went to a Newport Beach doctor for an examination. Eight months later he learned that he had developed advanced lung cancer. Upon learning his diagnosis, he handled the news like the prototypical cowboy that he was; he went to the parking lot and smoked a cigarette. Mr. McLaren spent the next two years undergoing chemotherapy, surgery to remove his left lung, and radiation therapy. Despite the removal of his lung, the cancer spread to his brain and Wayne McLaren died at age 51. He would be no different from the 339 smokers that die of lung cancer every day in the United States, if it were not for the role he played in promoting the products that took his life.³ Just before he died, Mr. McLaren revealed that he briefly worked as a cowboy model for Marlboro; he was a Marlboro Man.

The Marlboro Man has been called “the most powerful – and in some quarters, most hated – brand image of the century.”⁴ The image of a smoking cowboy was invented by ad agency Leo Burnett Worldwide in 1954. The goal was to give the Marlboro brand, which was primarily purchased by women, a broader, more masculine appeal. The original ad carried the slogan “delivers the goods on flavor” and sent sales through the roof.⁵ “By the time the Marlboro Man went national in 1955, sales were at \$5 billion, a 3,241% jump over 1954 and light years ahead of pre-cowboy sales, when the brand’s share stood at less than 1%.”⁶ In 1971 cigarette advertising was banned from television, but the image of cowboys smoking cigarettes retained its power and sales continued to grow for Marlboro. Just one year later, Marlboro became the number one tobacco brand in the world in large part due to the Marlboro Man.

Duty-Based Ethics

First developed by 18th century German philosopher Immanuel Kant, duty-based ethics are of a deontological framework, which states that, “fidelity to principle and duty are the most important.”⁷ Kant stressed that the consequences of one’s actions do not matter and that the *way* in which a person acts determines if the actions are ethical. Kant created the categorical imperative in his 1785 document, *Groundwork of the Metaphysic of Morals*, which serves as an axiom to duty-based ethicists. It reads, “Act only according to that maxim whereby you can at the same time will that it should become a universal law.” Essentially, all persons should at all times live their lives in such a way that would justifiably serve as an “ultimate commandment of reason.”⁸

Duties of Marketers

The effectiveness of the Marlboro Man advertising campaign demonstrates the power that marketers have in influencing consumers. Because of this power, it is necessary for marketers to maintain certain standards of conduct. The American Marketing Association (AMA) has enumerated three ethical norms for marketers that can be also be seen as representing their ethical duties:

1. Marketers must do no harm.
2. Marketers must foster trust in the marketing system.
3. Marketers must embrace, communicate and practice the fundamental ethical values that will improve consumer confidence in the integrity of the marketing exchange system.⁹

The AMA describes these norms as “established standards of conduct that are expected and maintained by society and/or professional organizations.”¹⁰ They can be considered ethical duties because they can be applied to Kant’s categorical imperative of acting “only according to that maxim whereby you can at the same time will that it should become a universal law.” In other words, one would not consider doing harm to others or acting dishonestly as worthy of a universal law. Tobacco marketers unfortunately fail to achieve the aforementioned standards on all accounts and can therefore be deemed unethical.

The tobacco companies’ failure to live up to the ethical norms is most notable in their duty to do no harm. Approximately one-third of the world’s adult population smokes cigarettes. Of this group of over a billion people, half will die prematurely as a result of smoking.¹¹ If tobacco marketing is effective, as research suggests it is, it is doing considerable harm by influencing consumers to adopt a deadly habit. Furthermore, targeting specific consumer groups, which is crucial to most marketing campaigns, places a burden on the members of these groups when the product being offered is dangerous. Because consumers are defenseless in controlling the barrage of messages they are faced with, and to some extent the effect that these messages have, this burden can be quite heavy. Tobacco marketers also do not seem to be fostering much trust in the marketing system, as allegations of deception still abound regarding their advertising.

Ethical Justification for the Marketing of Non- Tobacco Products

One central goal of a company’s marketing mix is to attain high levels of customer satisfaction. If satisfied, these customers are likely to become loyal and drive the firm’s profits. On the contrary, a firm unable to keep customers satisfied will in turn suffer the economic consequences. For example, attracting new customers costs significantly more than retaining existing customers. Therefore, a good marketing campaign may result in not only satisfied customers, but higher profits for the firm and shareholders as well. In this way marketing achieves a mutually beneficial relationship between a firm and its customers and fulfills its duty of doing no harm.

The marketing of tobacco products is different from other products for many reasons. One of the most important differences is the fact that dissatisfied customers of tobacco companies may not be able to stop buying the product due to the addictive nature of cigarettes. It is estimated that over 90% of attempts to quit smoking fail in the first year. If consumers are buying products that they do not want to, the goal of marketing is lost and the tobacco companies are profiting from the suffering of others.

Exposure to Marketing is Not a Choice

Regardless of their motives or desires, consumers are and will continue to be impacted by marketing. No choice exists, from the consumer's perspective, as to whether one is influenced by the continuous stream of advertisements, promotional messages and countless other forms of modern-day marketing. If only on a subconscious level, consumers are vaguely aware of the various brands and products that they are subjected to on daily basis. This product-awareness leads to consumer behavior, which is defined by Prentice Hall as "the process by which people determine whether, what, when, where, how, from whom, and how often to purchase goods and services"¹². Purchasing these goods is not purely a choice, but rather a direct reaction to the presence of marketing.

It is important to note the fact that not everyone who sees a tobacco advertisement will immediately rush to the store and purchase a pack of cigarettes. It is, however, the case that due to the mere existence of tobacco marketing, one is *more likely* to do so.

Tobacco Marketing Works

Every day in the United States, the tobacco industry spends almost \$42 million on advertisements and promotions, and between 2002 and 2003 the industry increased its spending by \$2.7 billion.¹³ Obviously, the industry is dedicating such astronomical amounts of money to marketing for a reason – its effectiveness. This is evidenced by the fact that 80,000 to 100,000 children start smoking each day¹⁴ and that 34% of those do so as a result of tobacco company promotional activities.¹⁵ Tobacco marketing has become such a business that in 1996, Philip Morris, the world's largest cigarette company, ranked ninth on the list of the world's largest advertisers, spending more than \$3 billion.¹⁶ A recent study conducted by the World Health Organization proved that the efforts of companies such as Philip Morris have not gone unsuccessful, as 15 billion cigarettes are sold each day.¹⁷ "A survey a few years ago found that nearly 80% of American advertising executives from top agencies believed cigarette advertising does make smoking more appealing or socially acceptable to children. Through advertising, tobacco firms try to link smoking with athletic prowess, sexual attractiveness, success, adult sophistication, adventure and self-fulfillment."¹⁸

One unique aspect of tobacco marketing is that once the initial sale is made (i.e.: a consumer experiments with smoking), there is little need to reach that same consumer again due to the highly addictive nature of tobacco products. The previous is evidenced by the fact that half the people who start smoking in adolescent years continue to do so for 15 to 20 years.¹⁹ The marketing of tobacco companies is largely responsible for such staggering statistics.

Dr. Lois Biener and Dr. Michael Siegel of the Center for Survey Research, University of Massachusetts and Boston University School of Public Health, respectively, conducted a compelling study concerning the impacts of tobacco marketing on adolescents. The study involved interviewing 529 adolescents in 1993 that, at the time, had smoked no more than one cigarette in their lives. A follow-up interview was then

conducted four years later to determine the impacts that owning a tobacco promotional item “at baseline” had on the youths. Results from the study indicated that “Adolescents who, at baseline, owned a tobacco promotional item and named a brand whose advertisements attracted their attention were more than twice as likely to become established smokers (odds ratio = 2.70) than adolescents who did neither.”²⁰ The following conclusion was then made by the doctors: “Participation in tobacco marketing often precedes, and is likely to facilitate, progression to established smoking. Hence, restrictions on tobacco marketing and promotion could reduce addiction to tobacco.”²¹

Marketing Aimed at Children

Despite the restrictions that are in place to limit Big Tobacco’s ability to lure children and teens, tobacco marketing still asserts a strong influence on these market groups. Whether tobacco companies are purposely targeting young smokers or are inadvertently asserting their influence, the fact remains that tobacco marketing is affecting the youth population.

Because of the health risks associated with smoking as well as the restrictions imposed by the government, tobacco companies primarily rely on creating a brand image to attract young consumers. On its Web site, tobacco giant R.J. Reynolds describes its Camel brand as:

An authentic original, Camel is a brand with a rich heritage and one that also keeps up with the times. Camel’s combination of a classic nature and contemporary flair reinforce the brand’s position as a flavorful cigarette with a rich heritage, a colorful personality and irreverent sense of humor.²²

This brand personality is consistent with a strategy of attracting youth to cigarettes by positioning them as an initiation into adulthood. Cigarette manufacturers have long been aware of the fact that the key to attracting youth is to show cigarettes as among the illicit pleasures of drinking alcohol, smoking marijuana and having sex. Coincidentally, these are the same traits that would best describe Joe Camel’s suave appearance. Further proof of Camel’s strategy of targeting teenagers has been documented in tobacco industry internal letters.

To Ensure Increased and Longer-term Growth for the Camel Filter, the Brand Must Increase Its Share Penetration Among the 14-24 Age Group Which Have a New Set of More Liberal Values and Which Represent Tomorrow’s Cigarette Business.²³

Aiming tobacco advertising at children places a burden on them because if they are influenced by the advertising, they will likely be drawn toward a highly addictive and deadly product.

The Lies

Big tobacco has increased its revenues and consumer-base through the use of highly deceptive and misleading marketing campaigns. While they have not outwardly lied in every instance, the industry has time and time again construed truths into self-fulfilling ends. In an attempt to gain a positive public image, “a tobacco company once gave \$125 thousand worth of food to a charity, according to an estimate by the Wall

Street Journal. Then, they spent well over \$21 million telling people about it.”²⁴ Additionally, “In 1997, a tobacco CEO said that if it was proven to his satisfaction that cigarettes cause cancer, he’d probably shut (the company) down immediately to get a better hold on things. Their Web site now admits that cigarettes cause cancer, but they’re still open for business.”²⁵ Acts such as these highlight the very prevalent actions by these companies to cloud consumers’ minds with deceitful information and then act in ways that satisfy only *their* bottom line.

In a seven-year racketeering lawsuit against the tobacco industry, which ended on August 17, 2006, U.S. District Judge Gladys Kessler imposed a requirement for tobacco companies to make corrective statements concerning their products. In accordance to her ruling, the defendants must discontinue the use of the terms, “low tar,” “light,” “ultra light,” “mild,” and “natural” in regards to any of their products in the absence of there being any significant health benefits associated with them.²⁶ Judge Kessler went on to say about tobacco companies that, “They distorted the truth about low tar and light cigarettes so as to discourage smokers from quitting....They suppressed research. They destroyed documents. They manipulated the use of nicotine so as to increase and perpetuate addiction.” While Kessler’s ruling is a step toward curbing tobacco marketing, it is almost fact that Big Tobacco will continue with its deceitful marketing tactics, its manipulation of truths, and its outward lies to the public.

Conclusion

W.D. Ross, a Scottish philosopher, amended Immanuel Kant’s works by formulating a list of duties in order of importance, which he believed necessary to live by. Ross believed that, in order to live within a duty-based means, people should:

1. Tell the truth.
2. Right the wrongs that one has done to others.
3. Act Justly
4. Help others in respect to virtue, intelligence, and happiness.
5. Improve oneself with respect to virtue and intelligence.
6. Give thanks.
7. Avoid injury to others.

Tobacco marketers clearly violate several of the aforementioned duties in addition to the ethical norms outlined by the AMA. Firstly is their failure to tell the complete truth to consumers in regards to their products. As discussed previously, these companies convey an extremely diluted version of the truth to the public with little regard to the ramifications such actions will result in. To stake the claim that tobacco marketers do not act justly would for all accounts and purposes be truthful, however, even Plato did not amply define justice in *The Republic*.²⁷ Surely the most obvious of Ross’ duties, which tobacco marketers fail in adhering to is avoiding injury to others; after all, every 6.5 seconds a human being dies from a tobacco-related disease.²⁸

Shortly before his death Wayne McLaren expressed his regret for his role in influencing young smokers as a Marlboro Man: “If I was responsible for making one person smoke, maybe I can be responsible for making two of them quit.”²⁹ Appearing in an anti-smoking television spot shortly before his death, Mr. McLaren’s image as a Marlboro-smoking cowboy was contrasted with that of him in his hospital bed. His

brother provided the voice over which shed light on the ‘independent lifestyle’ promoted by the tobacco companies. “Lying there with all those tubes in you, how independent can you really be?”³⁰

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