

Advertising to Children in Nigeria: Improving the status Quo for Enhanced Ethical Marketing Practices

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This paper examines the ethical issues in advertising to children in Nigeria. It reiterates the complexity of the nature of the relevance of advertising to the life of children both as a beneficial tool which informs, educates, and offers social benefits; and the other side which revolves around the major criticism directed at it as being unethical largely as a result of the irregularities in the way some marketers adopt it. While it is shown that Nigeria like most other countries of the world also have regulations in place on advertising to children, some examples in the industry indicates that some advertisers/marketers are not living up to these expectations, hence the recommendation for improving the status quo in the affected areas. This will ensure a society which enjoys an ethically acceptable advertising with respect to children and their upbringing and safety, and will consequently be beneficial to all the stakeholders including the international community.

INTRODUCTION

Advertising is one of the major promotion tools that are commonly used by marketers to communicate with their various target audiences. It is so commonly used that some use the term interchangeably with marketing (Solomon *et al.*, 2009). Although this standpoint is erroneous, it is a pointer to the popularity of advertising from societal point of view. With reference to a body of literature (Boddewyn, 1992; Agrawal, 1995), it has been shown that societal members are bombarded by several millions of different advertisements every year (Harker, 1998). In fact, it is stated that the average consumer is exposed to about 3000 commercial messages in a day (Sheth *et al.*, 1999). While such messages could be targeted at a variety of audience depending on the marketing objectives of the advertisers, one area of concern of using this tool which has generated significant attention in recent times is when children are the focus of attention. This has prompted authors in various countries across the world to explore the contextual factors/issues associated with advertising to children in those countries. Many examples of these publications abound. Advertising to children in the US (Koester, 2002), in the UK (Dresden and Barnard, 2003); in France (Béjot and Doittau, 2004), in Australia (Guay, 2003); in Germany (Schotthöfer, 2002), in India (Vadehra, 2004); in Malaysia (Mirandah, 2005); in Mexico (Arochi, *et al.*, 2005), in the Netherland (Hop, 2005); in South Africa (Cassim, 2005); in Spain (Volz, *et al.*, 2005); in Sweden (Plogell and Sundström, 2004), in Italy (Cassandro and Hofer, 2004) and in Switzerland (Hofer and Bieri, 2005) to mention but few are examples of publications with respect to these various countries. However, a recent review of the relevant literature indicates that this issue is yet to be explored in the context of the Nigerian marketing environment, which is a pointer to the need to contribute to the extant literature in the relevant academic domain.

In view of the above, this paper has been structured in the following ways to be able to achieve this stated objective. The review of existing literature about children and marketing activities follows this introduction section while the discussion of advertising in relation to children comes immediately after it. The eclectic review of the broad regulatory activities of advertising practices in respect of children from some notable countries, the regulation of advertising in Nigeria, and the summary and conclusion are discussed in respective order before the recommendation for further studies which ends the paper.

CHILDREN AND MARKETING ACTIVITIES

All over the world, attention is now being drawn to children as constituting a group that has an impact in marketing-related issues both at the family level and even in the society at large. The reasons for this are not far fetched. The extant literatures consistently emphasize three reasons which point to the significance of children in family purchases. These are - they constitute a primary market for goods and services

spending their own money to fulfill their needs and wants; they influence the family decision making; and they are a future market for all goods and services that if cultivated now will provide steady stream for new customer when they reach adulthood when the particular goods and services are relevant (Berey and Polay, 1968; McNeal, 1999). This last reason is further supported by the view of Béjot and Doittau (2004) who affirm that children's brand preference often remains unchanged throughout life. Therefore, children constitute a key target market for advertisers. Furthermore and with specific reference to the scope of this paper, it has been shown that Nigerian children influence their family purchases through the use of four major tactics which are direct request, emotional tactic, persuasion, and reference to others (Gbadamosi, 2007). Hence, this implies that children cannot be regarded as being totally naïve to marketing as a whole (Hill and Tilley, 2002) and should be given proper consideration in the formulation of strategies and policies associated with marketing of goods and services especially for those relevant to them. Furthermore, it is claimed that children as customers or potential customers are being influenced by parents, peers, and mass media in their consumption of goods and services (Ward, 1974; Wimalasiri, 2004; Marquis, 2004; Chan, 2006). Given that mass media constitute a major tool in advertising and exert great influence on children's consumption behaviour, exploring the issue of advertising ethics in relation to them becomes very significant and deserves proper attention by the relevant stakeholders.

ADVERTISING AND CHILDREN

As a key background to the discussion of the issue of advertising to children in Nigeria, it appears logical to explore the link between advertising and children. As reported by Volz *et al.* (2005), during the middle ages, children were not accorded the desired value even in Europe, but nowadays the level of protection of children is now considered an indicator of maturity in civilized societies. This attention being diverted to children's protection and care also pervades marketing activities, which include advertising. In general advertising plays multiple roles both to the sponsor and the target audience. To the sponsor, it is very common to associate advertising with creating awareness of a new product or brand, informing customers of the features and benefits of the product or brand, creating desired perceptions of the product or brand, creating preference for the product or brand, and persuading customers to purchase the product or brand (Bendixen, 1993). To the target audience, advertising provides information about the product, its use, and sometimes reassures them of the efficacy of their choices among the available alternatives.

Specifically, advertising plays many positive roles in the lives of children such as in their socialization process. This is emphasized by Preston (2005: p61) who states that 'advertising is part of the socialization process, as it educates children as to the meaning associated with consumption'. The seminal works of Piaget (1966), McNeal and Yeh (1993), and John (1999) on children's developmental stages add to the fascination inherent in how children make sense of marketing activities such as advertising messages. Preston (2005: p62) states further that 'children use [advertising] to find out what brands means (and sometimes, when an explanation is necessary, what they do, or what they are for).' In corroboration of the foregoing, Goldstein (1999: p113) adds that 'advertising offers youth entertainment, diversion, a way to manage their mood states, and information on how to satisfy personal needs. Its first-class graphics, music, and humour give advertising the potential to teach children language, cognitive, social, and artistic skills. What children like most about advertising is its use of humour'. In Nigeria for instance, it is very common to see children, especially in urban centers where advertising media are widely available such as Lagos, Ibadan, Port Harcourt, and Kano playing in groups and singing advertising slogans and sharing the humors that accompany many of these messages. This thus indicates the sociological benefits associated with the use of advertising.

Nonetheless, the question of ethics often wades into the discussion of advertising to children as there is a key argument that marketers are only interested in the economic motives for sponsoring the advertising messages. Hence they often lead the vulnerable children to mount undue pressure on their parents regarding the purchase of the associated products or services. Even the use of children in such advertising messages provokes another dimension of criticism from various commentators. In summary and from a

broader perspective, it is usually argued that advertising messages are sometimes offensive, false, misleading, unfair, or socially irresponsible (Harker, 1998).

Considering the issue from both sides of the argument, one could imagine its inherent complexity as both perspectives offer robust arguments associated with advertising to children. However, the relevant questions that underlie this paper are: what are the existing regulatory frameworks in place to ensure ethical advertising practices in Nigeria? and to what extent do these regulatory efforts assist in ensuring that advertising is conducted in an ethical way?

REGULATION OF ADVERTISING TO CHILDREN

As obvious from the foregoing, regulation of advertising practices is undeniably an issue of international concern. Indeed, there are many regulations that guide the use of advertising across different countries, but countries differ in the extent to which they regulate advertising practices (Kotler et al., 2008). While there are detailed guidelines and regulations for most of these countries, only some of these are examined in this segment as examples in order to be able to put this study in the right perspective.

With regards to advertising to children in Australia, Guay (2003: p64) reports that ‘the various industry-specific codes of practice and guideline relevant to advertising to children usually form part of a broader industry-specific code of practice or guidelines, and generally are not legally binding. They are however, an integral part of the advertising self-regulation system in Australia, and advertisers and marketers in Australia are expected to adhere to and comply with them’. An example of guidelines within this framework as highlighted by Guay (2003) is that licensed radio broadcaster must not broadcast a feature programme which involves an explicit sexual scene theme outside the hours of 9:30pm and 5am, and without an appropriate warning prior to the commencement of the programme, and at hourly intervals during the broadcast of the programme. Reporting on the same issue of advertising to children, but in French context, Béjot and Doittau (2004) state that French advertising regulations are relatively relaxed compared to other European countries but with an efficient self-regulatory system which ensures high standards children’s advertisements in place. Nevertheless, in addition to this existing efficient self-regulatory system, some areas of advertising to children are subjected to specific regulations in the country. These include pornography, tobacco and cigarettes, and alcohol with specific regulations that center on how ethical practices will be maintained in relation to children. Similarly, it is reported that while Germany has no single law that deals with advertising to children, the EU Television Directive on the issue is implemented strictly in the country (Schotthöfer, 2002). As indicated by Schotthöfer (2002), in Germany, TV broadcasts and commercials must not impair the physical, mental, or moral development of minors, except where it is ensured that minors will not normally hear or see such broadcasts (Schotthöfer, 2002). So far, a pattern of agreement which emerge among these viewpoints is that children are given due consideration on how advertisers would ensure they practice their businesses in an ethical manner in these countries.

In an article titled advertising to children in India, Vadehra (2004) stresses that although there are specific rules and legislations about advertising and children, children in India appear to be vulnerable to the infringement of these existing regulations. Also, it has been noted that advertisers have more freedom in advertising to children in South Africa than they do in developed countries (Cassim, 2005). This view is somewhat similar to that of Hofer and Bieri (2005) who state that advertising to children in Switzerland has not been a topic of much interest to politicians and the industry, which indicates that advertising to children in Switzerland is very liberal compared to some other countries. However, the author also indicates that some patchy legislations do exist in the country with one example of them being that alcohol and tobacco advertising are prohibited in books and magazines for the young.

According to Mirandah (2005), advertisements in Malaysia are self-regulated by the Malaysian Code of Advertising Practices. As in most other countries, one of the major objectives of this code centers on

protecting children from unethical marketing practices. As reported in a publication titled *Advertising to Children in Malaysia*, Mirandah (2005: p74) refers to the code as stipulating that ‘advertisements to children shall not contain anything, whether an illustration or otherwise, that would result in harm to them of a physical, mental or moral nature or that would exploit their credulity, lack of experience or natural sense of loyalty’. This strong belief in the protection of children from unethical advertising practices is also reiterated in places like Mexico, the Netherlands, Spain, Italy, and the US to mention but few. As stated by Arochi et al (2005: p82), ‘The Federal Constitution of Mexico (Constitución Política) states that children are entitled to the satisfaction of their needs for food, health, education and recreation in a manner that guarantees their overall development’. Accordingly, as stated by the authors, the underage consumers are subject to special protection in Mexican law. For example, it is stated that advertisers must pay special attention to the selection of materials intended for children in order to avoid taking advantage of their credulity or lack of experience (Arochi et al., 2005). A somewhat similar regulatory stance is reported in the case of Spain. It is stated that advertising directed to children in Spain must always be careful not to exploit their naivety, immaturity, and natural credibility (Volz, et al., 2005). Apart from these general rules, the authors also note that the country has specific regulations relating to tobacco, alcohol, and toys among others. For example, it is stated that ‘selling tobacco to young people under 16 is prohibited, ... advertising of alcoholic drinks on TV cannot be directed at minors..., and commercial messages of any information relating to toys cannot contain inaccurate information relating to the characteristics or safety of the product nor any misunderstanding regarding its safe use by the child’ (p73-74).

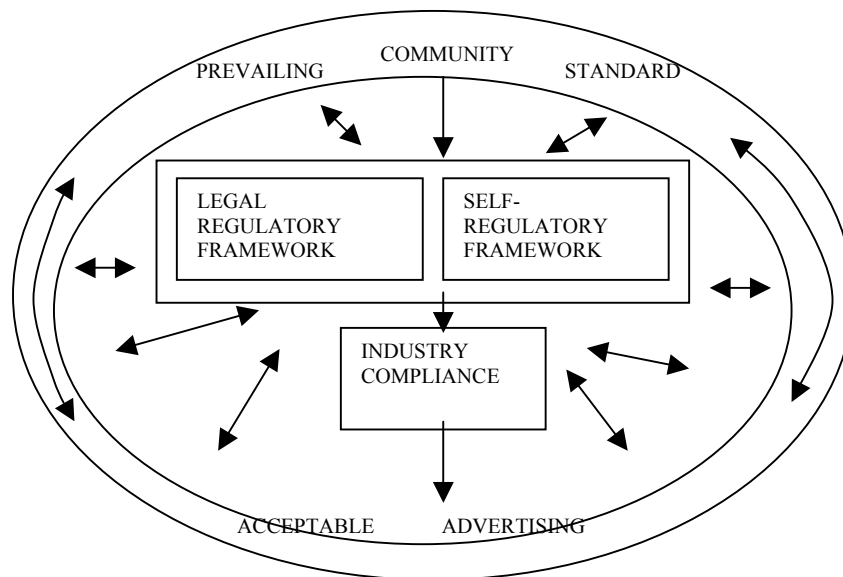
One of the extreme stances about advertising to children is that reported in respect of the Netherlands. It is reported that a total ban of advertising to children is proposed in 2005 (Hop, 2005). Obviously, the intention of such proposal is to provide adequate protection for the children, but pro-advertiser commentators would probably see such step as denying children the benefits associated with advertising. As similarly shown for most other countries, Cassandro and Hofer (2004) show that there are well-established restrictions and limitations concerning advertising targeted at minors in Italy. They state further that any advertising messages potentially able to reach children and adolescents in the country would be regarded as misleading if it could result in a threat to the safety of the minor, take advantage of children lack of experience, and abuse the natural feeling of adults towards adolescents and children. For instance the sale of tobacco products to children aged under 14 are forbidden, and the violation of the regulation is a criminal offence in the country (Cassandro and Hofer, 2004). In the US, the Children’s Advertising Review Unit (CARU), a division of the Better Business Bureau is the body that primarily acts as a review unit for advertising to children below the age of 12 (Koester, 2002). There are well-established self-regulatory principles and guidelines on advertising to children in the US. These are implemented by CARU in such a way that they guide advertisers on how to engage in their marketing communications without misleading or misinforming the children in respect of the marketing offerings. Apart from the broad guidelines on advertising to children, specific self-regulations for specific media and products are also in place. An example is highlighted by Koester (2002: p68-69) as ‘all advertising directed towards children be clearly separated from programmes materials and not over-glamorise or exaggerate the product or its benefits’.

Although as accentuated earlier and as shown in the review of these countries above, some variations exist in respect of various guidelines and regulatory frameworks in existence towards regulating advertising practices across the world especially in relation to children. Nevertheless, one common theme and an area of agreement among these publications is that advertisers need to be aware of the ethical implications of their activities and take serious steps towards adhering to the programmes in place. This is meant to ensure that they embrace socially responsible advertising especially with regards to children.

From the convergence of views above on the need for marketers to have certain guidelines, it also becomes clear that advertising practices could be regulated in two broad forms which are the institutional

legal frameworks and the self-regulation approaches which are often introduced by the industry concerned. In relation to this schema, there is a suggestion of a conceptual framework of acceptable advertising, which can be applied to analyze the regulation of advertising in similarly developed countries. According to Harker (1998), this framework consists of four independent variables which affect the acceptable advertising as the dependent variables. This is shown in Figure 1 below. As obvious from the framework, Harker (1998) shows that in developed countries, acceptable advertising is a function of the existing legal regulatory framework, the self-regulatory framework, the industry compliance, and the prevailing community standard. They work interactively to give what could be regarded as an acceptable advertising.

Figure 1: Acceptable Advertising: a framework for analysis



Source Harker (1998: p103)

The all-encompassing approach of this framework suggests it is a valuable tool which also engenders the adequate protection of children if the tenets are adhered to. With reference to the scope of this paper, it is important to know the extent to which advertising in Nigeria are regulated and how this link excites societal values especially on ethics regarding children.

Advertising to Children in Nigeria: Regulations, guidelines, and practice

Like in most countries of the world, advertising activities are regulated in Nigeria. The main regulatory body charged with this role is the Advertising Practitioner's Council of Nigeria (APCON). The APCON was established by Decree (now act) No.55 of 1988 (cap 7, Laws of Nigeria, 1990) as emended by Decree (now act) No.92 of 1993 (www.apcon.gov.ng). It is charged with the following responsibilities:

- a) Determining who are advertising practitioners
- b) Determining what standards of knowledge and skill are to be attained by persons seeking to become registered members of the advertising profession and reviewing those standards from time to time
- c) Securing the establishments and maintenance of a register of persons entitled to practice advertising and the publication, from time to time, of lists of those persons;

- d) Conducting examinations in the profession and awarding certificates and diplomas to successful candidates as and when appropriate and for such purpose, the Council shall prescribe fees to be paid in respect thereof
- e) Performing other function conferred on the Council by the Act.

As widely available on the council's webpage (www.apcon.gov.ng), APCON is a Federal government agency that is responsible for the regulation and control of advertising. Major part of its roles are regulation of advertising to ensure that only substantiated claims are used in ads, stopping ads that are misleading, and stopping claims that are spurious, and carrying out verification exercises on sales promotions.

For the purpose of regulation of advertising practices, advertisements are categorized into those meant for controlled products and those for general goods and services. Those categorized as advertising for controlled products are mandatory for pre-exposure vetting usually conducted by Advertising Standard Panel (ASP), which is a statutory standing committee of APCON. The other category is not mandatory for vetting, but still needs to conform to the code of advertising practice. Advertising directed at children falls under the former category (www.apcon.gov.ng). Nonetheless, a decision to ensure that all adverts are subjected to pre-exposure vetting has been made (Mordi, 2007). Obviously, there are regulatory efforts in place towards ensuring ethical practice by advertisers on advertising to children in Nigeria.

Specifically, in relation to advertising to children in Nigeria, Advertising Practitioner's Council of Nigeria (APCON) shows that:

Section 4.11 of the revised Nigeria Code of Advertising Practice, 3rd Edition, January 1, 2005, provides for the protection of children. Advertisements, which tend to induce children to unduly pressurize their parents, guardians, etc to purchase advertised products, are barred. Further, advertisement depicting street scenes or inducing children to copy such behaviour shall not be used to exploit the innocence of such young ones. Further, if young models are to be used in any advertisement, the consent of their parents or guardian should first be sought and obtained before using such minors (www.apcon.gov.ng).

Moreover, in respect of advertising to children in Nigeria, APCON states further that concerned parents could register their complaint by calling, writing, or sending electronic mails in respect of material in question (www.apcon.gov.ng). Apparently, this also gives parents the opportunity to contribute towards ensuring an ethical advertising practice. This is also supported in an article on advertising to Children in South Africa in which it is argued that it is undeniable that having a proper complaint handling system in place contributes to achieving an acceptable advertising (Cassim, 2005). This could closely be categorised under what Harker (1998) describes as prevailing community standard.

By and large, this shows that a considerable level of regulation is available to marketers operating in Nigeria marketing environment on how to practice a socially responsible marketing in respect of advertising to children in Nigeria. This said, but the important questions that deserve a deeper scrutiny are to what extent is this adhered to? and what is the level attained in terms of self-regulation of advertising programmes to children? Recent happenings in the country still suggest the need for improvements on adherence to these stated guidelines by the industry. For example, there is a report of the British American Tobacco (BAT) circumventing advertising restrictions and violating international marketing standard in Nigeria by subtly targeting children for sale of cigarettes (BBC, 2008 cited in www.prwatch.org/node/7501). Furthermore, from a different perspective, there have been reported cases of sales of contaminated products that are meant for children in the country. In fact, according to Frenkiel (2005) 'a survey conducted with the World Health Organisation (WHO) found that more than half the drugs on sale in Nigeria were fake or sub-standard'. As a result of this, it could be implied that there are

discrepancies in the marketing communications associated with these products and what is actually provided for the target market including these young consumers. Of course, the widely lauded commitment of the management of National Agency for Food Drugs Administration and Control (NAFDAC) contributed significantly to the considerable success recorded so far in combating such practices. But it appears these irregularities have not gone away completely. These are reflections of the levity with which some marketers take the issue of ethics as they relate to children and marketing activities. One can see why the chairman of APCON states that contrary to the widely held principle of marketing, customers are not king in Nigeria (Agabi, 2008). This viewpoint is in tandem with a previously stated view (Gbadamosi, 2004), which notes and pinpoints some shortcoming in the practice of marketing orientations in Nigeria and as a result suggests improvements in that direction. Apparently, the affected marketers/advertisers need to be more responsible on ethical issues associated with marketing to children.

From a different perspective, advertising practitioners Council of Nigeria (APCON) is also faced with several obstacles in its bid to regulate and control advertising practices (Mordi, 2007). The major challenges of the regulatory body are poor funding, invasion of the advertising industry by quacks who practice without registering with council, and unnecessary government interference in the running of APCON (Mordi, 2007). Logically, these problems are likely to inhibit the extent to which this body can perform in its efforts to regulate advertising business in Nigeria and attain the global standard as in the case in developed countries. These also have the tendency to have a multiplier effect on how well ethical standard on advertising to children are maintained.

SUMMARY AND CONCLUSION

Countries around the world take various steps towards ensuring a socially responsible advertising targeted at children. With respect to this, Nigeria is not an exception, as there are directions instituted that are meant to guide advertisers in their practices in relations to protection of children in the country. Nonetheless, due to reported cases of irregularities among some marketers in the country, there is a need for improvement on the status quo with respect to marketing and its related activities especially with respect to embracing ethical practices to attain a global standard on advertising to children. Unequivocally, this recommendation will be beneficial in many ramifications as developed countries with proven systems also are not complacent but aim at improving their existing systems towards achieving a better state of affairs on the issue. This is consistent with the claim that, an establishment of a sound, committed, and supportive self-regulatory framework enhances the legal environment (Harker, 1998). Although various associations related to advertising industry such as Association of Advertising Agency of Nigeria (AAAN) are already in place in Nigeria, the relationships between these bodies need be made more harmonious towards a common purpose of achieving a socially desirable advertising industry. This appears consistent with the suggestion of West and Paliwoda (1996) that improving the advertising process in developing economies requires that advertisers and agencies need to form associations to work together effectively. It is also in tune with the viewpoint of Harker (1998) who suggests that ‘the country which achieves an appropriate mix of legal and self-regulation...will provide its society with more acceptable advertising’. Hence, with this article, it is recommended that all the stakeholders in Nigerian advertising system (regulatory agencies, the industry, and the community) see their roles as complementary and ensure that ethics in advertising to children in Nigeria are espoused and maintained. By doing this, children who are by nature the leaders of tomorrow will be well protected and groomed under a highly moral and ethical environment, and this will also ultimately reflect in the development of the country to the advantage of all the stakeholders and the international community.

Recommendations for further studies

While this article is enlightening and appears to have provoked a discourse of the subject, it is also recommended that future studies on the topic should consider an empirical methodological stance, which could further deepen understanding in this area. This could take the form of obtaining data from children,

advertising agencies, and other key stakeholders in Nigeria as this would probably bring new issues on advertising to children in Nigeria to the fore.

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