

Carolyn Yoos

Dr. Garton-Gundling

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### **Advertisements of Alcoholic Beverages Should Be Banned in the US**

In the United States, a reported 16.6 million individuals over the age of 18 admit to suffering from an alcohol use disorder. This group represents an astounding 7 percent of the population in question. More alarmingly, alcohol-related deaths account for the lives of over 80,000 US residents each year, making it the third leading cause of preventable death. (National Institute on Alcohol Abuse and Alcoholism, 2014) These concerning statistics portray a disturbing trend in the United States that requires a response. In today's day and age, media, in all its varying forms, dramatically influences the lifestyle and decisions of those exposed. This reality means that careful consideration must support any images or messages presented on such a large, public scale. This especially applies to alcohol and advertisements promoting alcohol in particular. Therefore, in order to lower the rate of alcoholism in the United States as well as decrease the negative side effects associated with alcohol, advertisements promoting alcoholic beverages should be banned. This intended course of action is based on the proven negative effects of alcoholic advertisements, economic concerns associated with the alcohol industry, and the success of banning smoking advertisements.

In order to decide whether or not banning advertisements of alcoholic beverages is in fact the right method for combating alcoholism, advertisements must first be evaluated for how they affect consumers. In general, advertisements of alcoholic beverages increase the sales of products that contribute to alcoholism and the negative effects associated with alcohol consumption. However, advertisements also have a significant impact on the behavior of viewers. In most cases this influence is present in subtle, unintended ways. Nevertheless, these non-deliberate attitudes and expectations negatively dictate the subconscious behavior of viewers. In the case of alcohol, viewers exposed to advertisements promoting alcoholic beverages were more likely to participate in reckless behavior, like drunk driving, than those who were not (Burke, 2010 pp.621). Therefore, banning alcohol advertisements would not only decrease sales but also change the attitudes associated with alcohol for the better. Another study shows that advertisements of alcohol are especially harmful to adolescents, encouraging consumption without warning against the negative outcomes associated with alcohol (Dubihlela, 2011 pp. 209). This is especially concerning considering the fact that young viewers possess a shallow and uneducated view on the topic. Their easily impressionable minds make it easier for companies to mold their behaviors for the benefit of the company. Companies promoting alcoholic beverages take advantage of viewers' and consumers' subconscious minds, influencing thoughts and ideas without the viewer even knowing. This corrupted method of pushing products is not only unfair, but also damaging to the consumer's ability to freely pursue individual wants and needs. The Public Library of Science further supports the negative effects of alcohol advertisements, reporting that substantially limiting the promotion of alcohol is

effective in reducing alcohol-related harm (McCambridge, 2014 pp. 2). Advertisements, by definition, are intended to promote products. Therefore, it makes sense that advertisements of alcoholic beverages increase amounts of alcohol bought and ultimately consumed. It's only logical that banning alcohol advertisements would cause a decrease in alcohol intake and alcoholism.

In order to take the necessary steps toward the banning of advertisements of alcoholic beverages, it is also important to consider what has prevented a ban from already being put in place. One major apprehension against the banning of alcohol advertisements is the negative impact of such a ban on the United States economy. This poses a valid concern seeing as the alcohol industry accounts for an extremely profitable market in the US. Consideration of the economy should be taken very seriously. This consideration is why it is important to understand the economic toll of alcoholism as well. Alcoholism poses a large economic burden on the United States and requires some sort of response. The Public Health Report of Thomas Burke indicates that "the economic effects of alcohol abuse are as damaging to the nation as the health effects, affecting the family, the community, and persons of all ages" (1988, pp.564). This is an important realization to make, seeing as the economic burden of alcoholism is most often overlooked. Data from the Center for Disease Control supports this idea reporting that excessive drinking costs the United States approximately \$246 billion per year (2014). The economic detriment of alcohol to not only individual families, but also the United States as a whole proves

it is in the best interest of all Americans to show concern. While it is true that advertisement companies focused on promoting alcoholic beverages provide many jobs, alcoholism also prevents many people from working to the best of their ability. A longitudinal study on this topic found that higher quantities of alcohol consumption significantly increased the probability of unemployment and served as a barrier for those already employed from working efficiently full time (Booth, 2002 pp. 163). This plainly shows that alcoholic advertisements only truly benefit the profit of large, corporate, alcohol companies. Jobs resulting from advertisements don't compare to the jobs and work ethic tainted by excessive drinking. As previously established in this paper, advertisements do in fact contribute to alcoholism. Therefore, although advertisements promoting alcohol are viewed as assets to the economy, in reality the ads only further contribute to drinking problems. The United States suffers from the resulting cases of alcoholism and binge drinking and their toll on the economy.

While it is obvious to see the economic benefits of banning alcoholic advertisements, the precise social effects of such a ban can be quite unclear. From a historical standpoint, it is easy to understand a hesitation about proceeding with strict bans on alcohol knowing how poorly received and unsuccessful prohibition was in early 20<sup>th</sup> century, United States. However, with this significantly less radical limitation, there is an important advantage in understanding how such a ban would be accepted as well as the resulting behavior to expect. The proposed ban of alcohol advertisements shares many similarities with the ban of tobacco commercials in the United States. Alcohol and tobacco currently represent the sole federally-legal drugs in the

United States. The alcohol and tobacco companies already take full advantages of these similarities, combining industrial resources as a way to control and influence the legal policies on the substances (Jiang, 2013 pp. 856). Based on these striking similarities and connections between the two drugs, it would only be fitting that both substances be treated equally in terms of federal restrictions. In the past, US government officials have successfully banned advertisements promoting tobacco companies. Since banning these ads, the smoking industry has changed dramatically. Longitudinal data shows the effectiveness of these marketing bans in bringing about a favorable change in smoking behavior. Smokers report significant reductions in their awareness of tobacco marketing immediately following the enactment of marketing regulations (Kasza, 2011 pp. 337). The fact that smokers have recognized a lack of advertisements means that smokers have a noticeable drop in outside reinforcement to their habit. Smoking rates have also decreased. According to the Center for Disease Control, in 1970, when television and radio ads for tobacco were first banned, the smoking rate for adults was 37.4 percent. In 2011, this rate took a dramatic drop to only 19 percent. (CDC, 2014)

While other factors may also contribute to this respectable decline, the advertisement ban must be recognized for its influence and contribution to the industry. Through an in depth analysis of tobacco advertisements and their eventual ban, *The Journal of Law, Medicine & Ethics* found that limiting the commercial portrayal of smoking behaviors on broadcast media benefits the fight against smoking by advancing the public's health, being politically popular, and affirming cultural and social norms (Hodge, 2013, pp. 372). The ban of smoking advertisements set the

tone of opposition and lack of support from the federal government and society as a whole to the previously encouraged unhealthy behavior. Change in the behavioral expectations from influential members of society is the first and most necessary step to more drastic and permanent change, proven by the success of the ban of smoking advertisements. The success of banning tobacco advertisements and the correlating decrease in the negative effects of smoking indicates banning alcohol advertisements could produce a similar result and should therefore be pursued too.

While a great deal of evidence and data support the ban of alcohol advertisements, one of the most serious objections to the ban is how it relates to the basic freedom of speech protected by the US Constitution. The First Amendment protects US citizens' freedoms of speech and press, encompassing the topic of advertising. Many object the proposed ban of alcoholic advertisements believing it directly violates the First Amendment. However, actually evaluating the Constitution and its intended purpose helps clarify why such a belief is in fact misguided. The US Constitution was created on the premises of freedom, equality, and protection of the wellbeing of all citizens. Although the First Amendment was also created with these ideas in mind, in some cases deviating from this rule will better satisfy the needs of the nation. A common example used to help depict this idea is the fact that you cannot yell out "Fire!" in a crowded public place if there is not actually a fire. Yelling such a thing would cause unwarranted distress and is therefore not protected by the First Amendment. Although US citizens have the freedom to express most ideas and speak freely, causing unnecessary panic,

chaos and fear among innocent individuals is not protected by this freedom. Specifically to the situation of alcoholic advertisements, the negative effects of alcohol and alcoholism override the constitutional freedom of speech. Based on this, the United States federal government should use their power to ban certain advertisements, in this case alcohol. The Constitution does allow for content-based restrictions on commercial advertisements, but these restrictions are enacted only if used “to promote a compelling interest, in the least restrictive means to further the articulated interest” (Cohen, 2012 pp.5). The health and wellbeing of Americans qualify as a compelling interest and banning commercials is not too excessive of a precaution. However, the Supreme Court must approach the issue conservatively, scrutinizing every aspect of such strong political action. In order to determine what subjects fall under these qualifications, the Supreme Court uses the *Central Hudson* test. This four-part test asks “(1) whether the commercial speech at issue is protected by the First Amendment (that is, whether it concerns a lawful activity and is not misleading) and (2) whether the asserted governmental interest in restricting it is substantial. If both inquiries yield positive answers, then to be constitutional the restriction must (3) directly advance the governmental interest asserted, and (4) be not more extensive than is necessary to serve that interest” (Cohen, 2012 pp. 15). However, even a test as rigorous as the *Central Hudson* test would ultimately favor the ban of alcoholic advertisements. Overall, the US Constitution and subsequent amendments serve as a framework to protect the freedoms and of all US citizens. However, in some cases the Constitution is interpreted in ways where it serves as more of a hindrance than a help to the wellbeing of the very citizens it was created to protect.

Using the test described above as a guide, alcoholic advertisements can qualify as one of these exceptions to the First Amendment. In these circumstances, it is important to remember the ultimate goal of the government is to protect the people and to take action accordingly. In this specific case, restricting advertisements of alcoholic advertisements is the best course of action.

All in all, various data supports the idea that in order to lower the rate of alcoholism in the United States as well as decrease the negative side effects associated with alcohol, advertisements promoting alcoholic beverages should be banned. The proven negative effects of alcoholic advertisements, economic concerns associated with the alcohol industry, and the success of banning smoking advertisements in the past, all offer the necessary support to prove that banning alcoholic advertisements is the most logical solution in battle against alcoholism. Nevertheless, this important subject must not be taken lightly, as there are some valid areas of doubt on the desired method of change. However, further research and analysis proves that these points of conflict are easily overcome after proper evaluation. Overall, in order to see a change in the trends and culture of the United States, a society that supports and even encourages behavior that leads to alcoholism and other drinking problems, drastic measures must be taken. Limits on advertisements of alcoholic beverages, based on the information provided, qualify as the first, most efficient step toward an improvement.

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