

Understanding Political Advertising

by

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Today, more than ever, political parties and politicians rely on three key elements of elections and governing the people. They are:

1. Ignorance of the people
2. Repetition of so-called facts
3. Ignoring the law

Ignorance of the people

Most Americans today have way too many things going on in their lives. Consequently most of them do not both with learning the facts in any election campaign or even the facts related to governing the people. We often take for granted that whatever is said or written in newspapers, television, and the Internet (social media and email) as gospel and rarely bother to check it out. Case in point – the Russian Collusion investigation of President Trump. Prior to the actual facts coming out, after the 2020 election, Democrats developed, implemented, and perpetrated the hoax in order to discredit Trump. Many American believed the hoax because it came from “reliable sources.”

The problem was that among the reliable sources was the FBI. What most of us do not remember or know, is that any law enforcement agency is permitted to use lies, deceit and diversion in their investigations. Hoover did this extremely well while head of the FBI. Comey attempted to do likewise but got caught along with other FBI agents.

Repetition of so-called facts

This element works extremely well. Repetition is key in all advertising campaigns. When an organization decides to run ads, they generally test several different one in different regions of the US. The results are studied and the one with the best results is selected and repeat over and over in print and electronic media. In political campaigns, the “facts” announced in video ads are often distorted and jam packed with a lot of innuendos. The key in these ads is to establish “doubt” in the voter’s mind. When spaced out over time, these doubts often become an apparent “truth” in viewer minds.

Ignoring the law

In 1803, the “truth in advertising” movement began. The first civil case based on “false or fraudulent statements...damages might be recovered” was in 1911. It wasn’t until 1938 that the Wheeler-Lea Act (first major amendment to the 1916 Federal Trade

Commission Act) allowed the FTC to restrict unfair and deceptive advertising. Since then many other acts have been enacted to protect consumers.

It should be noted that long after the Internet became popular , the FTC addressed “influencer marketing” in 2016 and 2017 (<https://truthinadvertising.org/articles/timeline/>). The key take away from all of the amendments and consumer protection acts is that “federal law says that ad must be truthful, not misleading. . .” (<https://www.ftc.gov/news-events/topics/truth-advertising>).

So, with all these regulations and laws in place, why can political parties, political action groups, politicians, etc. lie in their advertising?

The first thing we have to realize is that these ads do not relate to any product. Consequently the FTC is not involved. On the other hand, since the ads are in print, television and on the Internet, the Federal Communications Commission (FCC) is involved. **U.S. Code: Title 47, Sec. 315** addresses candidates for public office.

According to the FCC, political campaigns (and politicians) are exempt from the FTC and FCC advertising requirements on the grounds of free speech. While there has been little action at the federal level to curb false information or disinformation in political ads, some states have attempted to regulate false statement in state-level elections.

Given that political advertising and discourse falls under the First Amendment – Free Speech, and the lack of regulations and law, and the lack of personal and social integrity, politicians, et. al. have taken advantage of lying, misrepresenting, and misleading the American public. Combine this abuse of the “Freedom of Speech” clause in the First Amendment, along with the censorship and disinformation practices of social media platforms and other media outlets, at the very least such practices

- compromise our elections
- hurts the American public
- denigrates our democratic principles
- installs false leadership in our government

We must target false information in political ads and speech. FTC and FCC “Truth in Advertising” standards must be applied to election campaigns, political parties, PACs, and politicians. Until these standards are applied, it is essential that everyone:

Ferret out the truth by questioning statements and asking lots of questions. This is your duty as an American.