

Fighting Sexism in Advertisements - The Case of Germany

**Presentation held during the workshop «Creative
Advertisement without Sexism»,
Luzk, Cafe «Einstein», March 12th, 2010**

Legal situation

Only a few rules on *how* advertisement should be done (protection of minors, consumer protection)
→ legislation only as a frame

State regulation ↔ restriction of civil rights



State can't regulate all spheres of life and it even shouldn't

→ Responsibility of the *civic society*

Few legal acts concerning manner of advertisement → self-regulation of the German advertisement industry

- Both sides, consumers and industry, benefit from self-regulation
- Self-regulation and legislation complement each other; advantage of self-regulatory codes: more flexible

Organ of self-regulation: Deutscher Werberat = German Advertising Standards Council

Tasks:

- Provides a mechanism for conflict settlement between the public and commercial advertisers
- Draws up voluntary codes of conduct for advertising
- Monitors compliance with the codes of conduct

Codes of conduct:

«Above all, representations and claims must be avoided if they:

- Discriminate any person by virtue of their gender, descent, race, language, place of origin, creed, political opinions, age or appearance.
- Include or condone violence.
- Give the impression that any person is available for sale.

- Conflict with prevailing general basic convictions (for example with excessive nudity).
- Reduce any person to their purely sexual function and/or suggest their continuous sexual availability.
- Are pornographic in nature.»

Sanctions in case of non-compliance:

- No monetary sanctions, but public shaming.

Procedure:

1. Consumers can submit complaints about advertisements to the Council.
2. If the Council finds non-compliances with the codes of conduct, it asks the advertising company to stop the campaign or to change the campaign according to the codes of conduct.

3. If the company doesn't react, the Council publicly criticises the company and informs the media, which will report on it
= Public shaming, which is very effective. Most companies react immediately, because they want to avoid public shaming.

Most complaints submitted to the Council concern pornographic advertisements.

Advertisements promoting gender-based stereotypes aren't dealt with.

Criticism of the Council:

- Condemns only extremely sexist or pornographic advertisements.
- Doesn't fight gender-based stereotypes.
- Advertisements promote a certain female ideal of beauty → girls / young women with eating disorders.
- Majority of its members are men.

Reactions of women's organizations

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Juliane Schulte

National Council of German Women's Organizations (Deutscher Frauenrat): Dialogue with the advertising industry

- Cooperation with the German Advertising Standards Council
- First step: symposium on the subject of sexism in advertisement together with the German Advertising Standards Council in October 2009
- Next step: Development of concrete measures

Deutsche Medienfrauen (Organization promoting women's interests in public broadcasting):

Award for contributions in the public broadcasting, which are discriminating against women.

Watchgroup against sexist advertisement:

- Monitors advertising posters in the city of Graz
- Austrian organization, but Austrian situation is similar to the German situation
- Citizens can notify the organization of sexist posters

Summary:

- Do we want the state to regulate all spheres of life?
- Alternative option: civic engagement; self-regulation
- German example: existing mechanisms of self-regulation sometimes aren't sufficient

→ **2 possibilities:**

- Tighten the codes of conduct; problem: advertising industry isn't very fond of it
- Civic protest against sexist advertisements, information campaigns

Links:

European self-regulation organizations:

<http://www.easa-alliance.org/Home/page.aspx/81>

Deutscher Werberat:

<http://www.werberat.de/>

Deutscher Frauenrat:

<http://www.frauenrat.de/>