

Conversational Implicatures: Advertisement & Legalese

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In a discussion of what kind of benefit an advertisement might offer to a consumer, Jim Aitchison (1999) provides the following quote from Gary Goldsmith of Lowe & Partners, New York. It sums up perfectly what it is that one should look for in an advertisement. The question posed is "Is advertising more powerful if it offers a rational benefit?"

Here is Goldsmith's answer:
"I don't think you need to offer a rational benefit. I think you need to offer a benefit that a rational person can understand." (p.49)
Aitchison, Jim (1999). *Cutting Edge Advertising*. Prentice Hall, Singapore

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Advertising

- The approach to advertising we will pursue is that it is an instance of **rational communication**, even if not all aspects of it seem rational. Our emphasis will not be so much "Does this advertisement make sense?", but "If you are presented with this advertisement, what sense of it do you make?". – hence, Gricean maxims.

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The Art of Advertising

- Advertisers are in the business of manufacturing statements that make:
 - the most implicatures.
 - the fewest entailments.
- The goal is to sound like you are claiming a lot, while actually committing to rather little.

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Language in Advertising

- The "claim" is the verbal or print part of an ad that makes some claim of superiority for the product being advertised.

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Parity Products

- Many products are "parity products", in which all or most of the brands available are nearly identical.
 - Gasoline, soaps, pain relievers
- Advertisers want to "suggest" that one brand is superior to another, but cannot legally claim it.

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The Unfinished Claim

- The ad claims the product is better, or has more of something, but does not finish the comparison.
- "More people sleep on Sealy Posturpedic."
 - Than on concrete garage floors?
 - More than on competing products is an implicature, not an entailment.

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Unfinished Claims

- "It has 30% more cleaning power."
 - 30% more than what? Raw spit?
- "Magnavox gives you more."
 - More what?
- "Ford LTD – 700% quieter."
 - When pressed by the FTC (Federal Trade Commission), Ford clarified that the inside was 700% quieter than the outside.

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"better" vs "best"

- "best" means "equal to the others".
- "better" means "superior to the others".
- "better" is a stronger claim than "best".

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Generalized Comparisons

- “Our water is 30% wetter than others.”
 - Problematic; you’d have to quantify “wetter”.
 - This is analogous to a “better” claim.
- “Our water is the wettest around.”
 - Much safer.
 - Analogous to a “best” claim.

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Weasel Words

- “helps”
- “like” (used in a comparative sense)
- “virtually”
- “can be”
- “up to”; “as much as”
- “the feel of”; “the look of”; “looks like”

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Uniqueness Claims

- Claim: there is nothing else quite like the product being advertised.
- Assumes: uniqueness implies superiority.
- Relevance Maxim: if they are telling us about uniqueness, it must be relevant to the value of the product. Otherwise, the claim would be “uncooperative.”

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Uniqueness - Examples

- “Cougar is like nobody else’s car.”
- “Either way, liquid or spray, there’s nothing else like it.”
- “If it doesn’t say Goodyear, it can’t be polyglas.”
(“Polyglas” is a trade name copyrighted by Goodyear. An identical but competing product couldn’t be called “polyglas”.)

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The “So What” Claim

- “Our mineral water is 100% fat free.”
 - True, but not an advantage, nor a surprise.
- Relevance Maxim: if they make the claim, it must be informative. Otherwise would be “uncooperative”.

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True, But Relevant?

- “Geritol has more than twice the iron of ordinary supplements.”
 - Is twice as much beneficial to the body?
- “Campbell’s gives you tasty pieces of chicken and not one but two chicken stocks.”
 - Do two stocks improve the taste?

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The Rhetorical Question

- The syntactic form of questions, but the pragmatic function of assertions.
 - Legally, they are not claims.
- “Plymouth - isn’t that the kind of car America wants?”
- “Shouldn’t your family be drinking Hawaiian Punch?”

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Legal Language

- From a “Living Will” (one sentence):
“I authorize my Health Care Representative to direct that all life-sustaining treatment be withheld or withdrawn if I have a serious irreversible illness or condition and in my Health Care Representative’s opinion the likely risks and burdens associated with the medical intervention to be withheld or withdrawn may reasonably be judged to outweigh the likely benefits to me from such intervention.”

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Make It Explicit!

- Lawyers have a responsibility to turn implicatures into entailments.
- This removes ambiguity of interpretation.
- But it results in long-winded, awkward sounding prose.

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Summary

- People intentionally flout maxims for effect in ordinary conversation.
- Advertising language is designed to maximize implicature while minimizing entailment.
- Legal language is awkward because it must make explicit much of what ordinary language leaves implicit.

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Some of the sources for the slides

- The Language of Advertising Claims, Jeffrey Schrank,
<http://sunset.backbone.olemiss.edu/~egjbp/comp/ad-claims.html>
- The Language of Advertising, Peter Sells & Sierra Gonzalez,
<http://www.stanford.edu/class/linguist34/index.htm>

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