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## ETHICAL ANALYSIS OF THE CHRISTMAS ANNOUNCEMENTS OF LOTTERIES AND STATE BETS

### ANÁLISIS DEONTOLÓGICO DE LOS ANUNCIOS DE NAVIDAD DE LOTERÍAS Y APUESTAS DEL ESTADO

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#### ABSTRACT

Advertising is under constant change to adapt to the public's tastes and necessities. In the last few years, there is a certain trend toward the use of emotions and ethical questioning as advertising tools. This is called emotional marketing. Today's consumer seeks to feel identified to be connected to the brands. It's the case of the Christmas announcements of Loterías y Apuestas del Estado, and therefore, the chosen organization as a case study for this final project. The Christmas Lottery has become a media and social phenomenon. Mostly since the end of the '90s, with the appearance of the famous "Calvo de la Navidad". In addition, after the effects of the 2014's campaign, there is a sustainable change in the physiological axis of the ads. This project will cover an analysis of the adverts from SE REPITE 2014-2019 Christmas announcements of lotteries and state bets, compared to the Advertising Ethical Code made by AUTOCONTROL. The objective will be to contrast recent years' performances with the most updated Ethical Code. The analysis will reflect whether the ads default on ethical principles. And will study the social inclusion of the Christmas spots. Leading to a conclusion, such as the default on some ethical principles through the misuse of five articles from the Ethical Code and the lack of social inclusion within the communicative arguments.

**Keywords:** ethics, advertising, Corporate Social Responsibility, Loterías y Apuestas del Estado, communication, Autocontrol, spot, Christmas, emotional marketing.

#### RESUMEN

La publicidad se reinventa de manera constante para adaptarse a los gustos y necesidades de los diferentes públicos receptores. En los últimos años, existe una tendencia al uso de las emociones y al trato de cuestiones éticas como herramienta publicitaria, es decir, marketing emocional. El consumidor de ahora busca sentirse

identificado de algún modo para poder conectar con el anunciante. Es lo que sucede con el caso de los anuncios de Navidad de Loterías y Apuestas del Estado y, por lo tanto, empresa escogida como caso de estudio para este trabajo. La lotería de Navidad se ha convertido en un fenómeno mediático y social, sobre todo desde finales de los años 90, con la aparición del conocido "Calvo de la Navidad". Además, tras la repercusión del spot de 2014, existe un cambio en su eje psicológico y de la apuesta publicitaria. En este proyecto se ha realizado un análisis de los anuncios de Loterías y Apuestas del Estado, desde 2014 hasta 2019, con respecto al código ético publicitario de AUTOCONTROL. Para llevar a cabo, de este modo, un estudio enfocado a contrastar las prácticas de los últimos años desde la perspectiva del código ético más actualizado. Se analizarán los principios deontológicos más incumplidos por Loterías y Apuestas del Estado y la inclusividad social reflejada en los anuncios de Lotería de Navidad. Llegando a conclusiones como el incumplimiento por parte de la entidad de algunos de los artículos recogidos en el código deontológico y la falta de inclusión social en el argumento comunicativo.

**Palabras clave:** ética, publicidad, Responsabilidad Social Corporativa, Loterías y Apuestas del Estado, comunicación, Autocontrol, spot, Navidad, marketing emocional.

## **ANÁLISE DEONTOLOGICO DOS ANÚNCIOS DE NATAL DAS LOTERIAS E APOSTAS DO ESTADO**

### **RESUMO**

A publicidade reinventa-se constantemente para se adaptar aos gostos e necessidades dos diferentes públicos receptores. Nos últimos anos, há uma tendência de usar as emoções e lidar com questões éticas como ferramenta publicitária, ou seja, o marketing emocional. O consumidor de hoje procura se sentir identificado de alguma forma para se conectar com o anunciante. É o que acontece com o caso das Loterias Estaduais e Apostas de Natal e, portanto, a empresa escolhida como estudo de caso para este trabalho. A loteria de Natal tornou-se um fenômeno midiático e social, principalmente a partir do final da década de 1990, com o surgimento do conhecido "careca do Natal". Além disso, após a repercussão da publicidade de 2014, há uma mudança no seu eixo psicológico e no compromisso publicitário. Neste projeto, foi realizada uma análise dos anúncios de Loterias Estaduais e Jogos de Azar, de 2014 a 2019, no que diz respeito ao código de ética publicitária do AUTO-CONTROLE. Fazer, dessa forma, um estudo focado em contrastar as práticas dos últimos anos na perspectiva do código de ética mais atualizado. Serão analisados os princípios éticos mais violados pelas Loterias e Jogos Estaduais e a inclusão social refletida nos anúncios da Loteria de Natal. Chegando a conclusões como o descumprimento por parte da entidade de alguns dos artigos incluídos no código de ética e a falta de inclusão social no argumento comunicativo.

**Palavras chave:** ética, publicidade, Responsabilidade Social Empresarial, Loterias e

Jogos do Estado, comunicação, Autocontrole, spot, Natal, marketing emocional.

Translation by **Paula González** (Universidad Católica Andrés Bello, Venezuela)

## 1. INTRODUCTION

Christmas is one of the most anticipated times of the year. For most of the population, Christmas is related to terms such as family, reunions, happiness, and the memory of all the good things that have happened in the last twelve months. Directly linked to Christmas is, at least in Spain, the drawing of the Gordo de la Navidad, by one of the largest public companies in the country: Loterías y Apuestas del Estado. The draw takes place on December 22nd, although before the event, there is what can be considered a cultural tradition, the famous Christmas lottery spot. In 1998, with the birth of the famous "Calvo de la Navidad", the consumer demand for Christmas lottery advertising began to be perceived.

Besides this demand, there is a certain interest in protecting in some way the information that is transmitted to the public. Hellín and Pérez (2007) deal with the profile of the advertising consumer in line with the current situation in their work "*El contexto de consumo en la publicidad audiovisual*", from which the following lines have been extracted:

The addressees of audiovisual advertising are consumers who live in contact with the social contexts where they relate and develop, are attentive to the evolution of lifestyles and social and cultural changes, as well as concerned about achieving their personal well-being. (...) In the case of advertising, the narrative construction is based on the attempt to associate certain contents to a product, (...) because society does not invent values, but selects and reproduces the existing ones (...) the consumer public is not an undifferentiated passive mass. (Hellín and Pérez, 2007, pp. 2-3).

As the authors point out, the receiver of the advertising message is demanding. In the case of the Christmas lottery, it could be said that the consumer is curious to know what the advertiser's bet will be each year. The reception of the ad usually gives rise to a lot of talk throughout the Christmas season and is also a recurring topic of conversation at this important time of the year. The Spanish public is increasingly demanding and companies struggle to win the hearts of viewers.

Normally, it is expected that the Christmas spot is accompanied by a lot of emotion and nostalgia, touching what is known as the "sensitive fiber" of the recipient; to the point of forgetting, in a way, that what is being seen is advertising, besides inciting to play a lottery bet. Here enters the role of advertising ethics or lack thereof. "Advertising ethics is based on conveying a truthful message about a product or service. The principle of advertising ethics does not admit cheating the receiver, nor does it tolerate manipulation of the public to create new false needs. The content must be truthful, verifiable, honest, and respectful" (ABC, 2005).

Ethics is a discipline to be taken into account in all areas of life. The correlation between the use of ethics in personal life and business can be applied to the field of advertising.

Persuasive communication is shaped by certain values and norms that make up the moral components of advertising. It combines the economic zeal of the advertising company, whose goal will always be profit, and the interests of the public: to receive lawful, truthful, and respectful information.

To deal with the type of conflict described above, there are deontological codes of conduct created by self-disciplinary bodies. Therefore, to continue, an analysis will be made of the new Code of Advertising Conduct of the Association for the Self-Regulation of Commercial Communication (AUTOCONTROL). It governs the basis of the ads to be broadcasted in Spain and will be the one we will use in the analysis of the selected ads.

In this paper, we will focus on moral rules, which are those formulated by the different advertising self-regulation mechanisms. These norms are created to focus on good advertising practices.

Loterías y Apuestas del Estado is an entity backed by more than two centuries of activity. The company is consolidated as the most powerful gaming operator at present and the one with the greatest future projection in Spain.

## **2. OBJECTIVES**

Primary objective: To analyze the Christmas advertisements of Loterías y Apuestas del Estado between 2009 and 2021, from the perspective of the latest AUTOCONTROL code of ethics.

Secondary objectives: To study the deontological principles most frequently breached by Loterías y Apuestas del Estado (LAE, hereinafter).

To analyze inclusivity in LAE spots.

## **3. METHODOLOGY**

The methodology of this research is qualitative. First of all, a theoretical and bibliographical review of Christmas Lottery advertisements will be carried out and those that, to date, are considered appropriate will be chosen, taking into account the objectives of the project. The bibliographic review will be deductive since it will start from a starting point with the Christmas spots and will be analyzed from the perspective of the Code of Ethics of Advertising Conduct, which affects all advertising displayed in Spanish territory.

The main purpose of the methodological implementation is to study advertising practices from the perspective of the latest update of the Code of Ethics and, for this purpose, an analysis sheet of our own elaboration will be used, which specifies the guidelines of analysis for each advertisement, with the analyst's own interpretation. The information processing technique uses the same analysis chart with each spot (the sample of this work), reflecting the answers. With the questions and answers to this form, results and conclusions will be obtained that will quantify the ethics in the advertising of the Christmas spots of Loterías y Apuestas del Estado.

The advertiser Loterías y Apuestas del Estado does not adhere to the Code of Conduct on Commercial Communications of Gambling Activities. Consequently, this paper will focus on the Code of Advertising Conduct. The Code was adopted in 1996 but was last updated on June 4<sup>th</sup>, 2019.

The reference code used for the analysis is the Code of Advertising Conduct.

#### **4. RESULTS**

In this section, the analysis will be considered from a more ethical point of view. The reflections obtained in the analysis have been formulated based on the sample chosen for the work. That is, the 2014 spot is the starting point and, therefore, the initial reference.

In 2015, two details are repeated analogously to the previous 2014 spot. The protagonist is again a hardworking and lonely man. Somehow, "unlucky" protagonists are chosen. However, Justino (protagonist of the 2015 spot) seems to love his job, although he does reflect his desire to belong to the company with closeness, despite not sharing a shift with his colleagues. This profile is adopted for the protagonists, which will be seen if it evolves.

In 2016, the first female protagonist appears, an old woman who, due to an oversight, is treated as insane (by the whole town). It is questionable the ethics in the approach of this spot.

In 2017 we have two protagonists, a boy and a girl. This time, the girl is not a demented old woman, but a young girl who neither knows how to speak, nor understands the language, nor knows how to communicate. Another ad that can be considered sexist, taking into account that we are evaluating four years of ads that are among the most relevant and viewed in the country. They should be exemplary and, under no circumstances, discriminatory.

In 2018, the protagonist is a man, also middle class, hardworking, and not very happy. The trend of 2014 and 2015 returns. Does the figure of the woman appear? That's right, a waitress who sells the tickets to Juan and another girl to whom, finally, Juan plays the role of "knight-errant" and rescues by sharing his ticket (as if with the prize money, her father's illness would lose importance).

In 2019 a change is perceived. For the first time, "Juega con Responsabilidad" (Play Responsibly) appears on the screen, as an identifier that what is being advertised is a game of chance and betting. It is, at the same time, the first spot in which the protagonists do not win the jackpot. There is something similar to other years: there are two women protagonists in two of the stories told (four in total). Of the two women protagonists, one is ill. The woman who inherits her father's company is the first non-victimized female character.

In 2020 they make a very wise bet, ethically speaking, taking into account the sensitivity of the moment, after the situation experienced with the pandemic. Well-chosen messages of encouragement and self-improvement.

In 2021, the protagonists win the jackpot again. Although the message varies, in a certain way. The characters are not pleased to receive the prize, but it is enough for them to share it either. Now, the joy is in receiving a lottery ticket as a gift. The advertiser encourages the public to buy a lottery ticket for someone in solidarity. However, we will have to wait for the 2022 spot to see if this trend continues.

After conducting an individual analysis of the spots, certain alarms are raised regarding their inclusiveness. The profile of the protagonists will be taken into account to examine it in the different campaigns.

Both the Antonio's Bar and Justino's spots have an analogous protagonist profile. Spaniard man over 40 years old, with the same purchasing power, middle class. However, there is a noticeable evolution over the years.

The target audience for Christmas Lottery ads has changed since the use of emotional marketing. Eva Pavo, one of the organization's Marketing and Communication directors in 2016, stated that the advertising twist they adopted by choosing Leo Burnett as their agency, made sales grow (almost 5% in both years) and allowed the expansion of the client portfolio, covering a younger audience. On the bet in 2015 for the use of animation, the director states that "with Justino, we have managed to reach a much younger audience, for whom animation is a communication code in which they are natives".

With these statements, we can expect a certain breadth in the range of possibilities when it comes to choosing each year the "protagonist of Christmas".

In 2016, the first female protagonist appears, although ironically she plays an old woman, who is treated as if she has dementia.

In the 2017 bet, one of the protagonists is a Spaniard man between 25-30 years old, Daniel, and the other protagonist is a young alien girl, Danielle. She cannot communicate and practically lets herself be guided by the boy when she meets him. This ad has a very sexist tone towards the figure of Danielle, who does not even use her own name. This spot makes us reflect on whether perhaps the introduction of the female character is forced, from an approach that is still aimed at the same audience of many years ago. Men, over 40 years old, with average purchasing power, who might find attractive the figure of a blonde, very pretty, quiet, and obedient girl. Or whether, on the contrary, the ethics of the advertising agency should be questioned.

In 2018, the entity bets on the agency Contrapunto BBDO, aware of needing to renew itself. The choice of Juan as the protagonist seems a safe bet, very similar to Manuel in "Antonio's Bar". A man with a similar profile to the previously mentioned. The values that Juan represents at the beginning of the spot show selfishness, lack of empathy, and a lot of loneliness. These change when Juan decides to share his ticket. A very accurate message, given the dates, but does the good justify the means? In other words, we must analyze the argument why Juan is inclined to share his ticket with the girl, whose father is ill and has no money. It may seem that she is emotionally blackmailing Juan, as he is moved by the sad story of the girl's father. Once again, a female character who is not given any strength of her own.

Likewise, there is a clear link between the Christmas Lottery and the hotel and catering industry. Almost all the ads include some kind of situation in the hotel and catering trade. It could be ethically questionable, depending on the prism from which it is observed. As the approach is always very familiar and respectful, it cannot be said that it incites alcohol consumption, or anything like that, although there is a certain relationship between alcohol consumption and gambling and betting.

In 2019 the agency Contrapunto BBDO repeats, surprising everyone with the change of format of the Christmas campaign. Four stories, of different kinds, culminating equally, with hugs between the protagonists and the claim, *Lotería de Navidad. El sorteo que nos une* (Christmas Lottery. The lottery that unites us).

The Play Responsibly label appears on the screen, "better late than never". Moreover, in this campaign, the protagonists do not win. It is a much more realistic approach than in previous ads. They go for two male and two female protagonists. The first non-victimized female character appears although a hopeless girl appears again, who is "rescued" by a man (her nurse) who shares his ticket. We remember here Juan helping the girl in the bar or Daniel helping the alien.

2020 arrives full of strength, once again by the hand of Contrapunto BBDO. Once again, the characters do not win. Realistic bet, although the value of sharing the ticket appears in 2018 with the arrival of the agency and not since the beginning of the Lottery, as shown in the spot. The profile of a middle/upper-aged Spaniard protagonist is maintained, but the two women chosen are not victimized; on the contrary, they can be said to be empowered.

In 2021, also with Contrapunto BBDO, the protagonists win the prize again. You can feel how the negative attitude towards the pandemic begins to fade and, with it, the declining spirits of the characters in the ad. Likewise, the economic situation is reflected in an upward trend. The sharing of the tickets is no longer encouraged. Now it is suggested that we give them away; moreover, anonymously. This approach can ethically question the criteria by which neighbors start to give away tickets. It is a fun spot, although taking into account the scope, certain values that seem to have been forgotten this last year, such as empathy, closeness, and the warmth of sharing the ticket and prizes with loved ones, should be taken care of... Since the objective is not lucrative.

## **5. CONCLUSIONS AND DISCUSSION**

The Christmas ads of Loterías y Apuestas del Estado do not comply with some of the thirty-two articles of AUTOCONTROL's code of ethics. Specifically, articles 4, 5, 13, 14, and 26. The principles of good faith (art. 4), exploitation of fear (art. 5), the principle that communications shall be identifiable (art. 13), misleading advertising (art. 14), and common characteristics (art. 26) are not complied with.

The inclusivity of the spots has also been analyzed, taking the 2014 ad as a starting point and based on the profile of the protagonist. This leads to the conclusion that there is a pattern when it comes to Loterías y Apuestas del Estado's Christmas Lottery ads.

As a general rule, the protagonist(s) are unlucky people.

The most abundant protagonist profile meets the following characteristics: male, Spaniard, over 40 years old, with average purchasing power, unlucky, and not very happy.

However, it should be added that the figure of the protagonist evolves in certain aspects; taking into account that, after making use of emotional marketing, the organization expands its client portfolio and covers a more diverse and abundant public. The following are some aspects that vary over the years:

- The figure of the woman appears, albeit in an ethically questionable way. An elderly woman treated as insane (2016), a girl who cannot communicate (2017), a sick woman (2019), and another non-victimized female character (2019).
- Not a single character of color appears.
- No characters with disabilities participate. The old woman in 2016 is treated as demented by mistake.
- All the characters are Spaniards, although consumers are not exclusively Spaniards.

In conclusion, there is still a long way to go to consider Christmas Lottery ads as inclusive. The Spanish population is much more diverse than the spots show.

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