

# **What Does it Really Mean to be Partisan? An Analysis of Government Advertising in Ontario.**

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## Introduction

In recent years, the pervasive use of government advertising has become a contentious topic of debate in the Ontario provincial political arena. Questions surrounding the partisan political nature of government ads and the appropriate use public funds to pursue the legitimate goal of informing citizens about government policies and programs, have dominated debates in both legislative and civic spheres.

Between 1995 and 2003, the former Progressive Conservative government of Ontario spent approximately 44 million dollars a year on partisan government advertising, much of which featured images and statements of Premiers Mike Harris and Ernie Eves.<sup>1</sup> The Liberals, under Dalton McGuinty, heavily criticized the advertisements, vowing to eradicate partisan advertising if elected in 2003. Once in power, the Liberals passed the *Government Advertising Act, 2004*; an Act that prohibits partisan government advertising and gives the Auditor General the authority to approve ads before they are shown to the public. Despite the enactment of this legislation, media and opposition attacks have continued to condemn the Liberal government for employing the same use of partisan advertising they had previously criticized during the Conservative tenure.

Historically, irregardless of the party in power there has existed a very real problem for governments when it comes to advertising: that is, the difficulty of how public information might be distinguished from party propaganda.<sup>2</sup> Scholarly analyses of government advertising as a means of communication are only beginning to emerge in a field that has long been dominated by the examination of partisan political advertising during election campaigns.

Jonathan Rose, in his book *Making Pictures in Our Heads: Government Advertising in Canada*, argues that traditional discussions about government advertising in the mass media and among legislators have focused on the inappropriate use of taxpayers' money for what critics see as partisan propaganda. For Rose, these traditional concerns ignore the important realization that all government advertising is a form of propaganda. He states: "these traditional concerns about whether government is engaged in propaganda or providing information do not take us very far in understanding how government's persuade or how and when they ought to use advertising as a vehicle of persuasion."<sup>3</sup> The Ontario government's movement towards the statutory regulation of government advertising is the first of its kind in North America. This innovative piece of legislation presents a unique opportunity to examine the process through which the Ontario government uses advertising for the dissemination of information and ultimately, as tool of persuasion.

If the debate about government advertising is constantly framed around the appropriate use of public funds for the furtherance of partisan messaging, and this piece of legislation has effectively removed partisanship from government ads, then the

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<sup>1</sup> April Lindgren, "Premier defends government ads as non-partisan: 'I am very confident in the system we have in place' *National Post*, October 11, 2006, A13.

<sup>2</sup> Bob Franklin, *Packaging Politics: Political Communications in Britain's Media Democracy* (London, New York: Oxford University Press, 2004), 83.

<sup>3</sup> Jonathan Rose, *Making Pictures in Our Heads: Government Advertising in Canada* (London: Praeger, 2000), 12.

question remains: why has this good piece of legislation failed to stifle the debate about partisan government advertising in Ontario? Building on Roses' basic premise, this paper argues that although the *Government Advertising Act, 2004* removes partisanship from government ads, it is unable to remove the elements of persuasion, such as symbol and rhetoric. Conflating partisanship with persuasion, opposition critics have succeeded in gaining momentum during contentious ad campaigns by re-framing the debate around partisanship. While recognizing that the opposition plays an important and necessary role in holding the government accountable in the legislature, it raises important questions about the relationship between partisanship, persuasion and neutral information giving. Is it possible or necessary for governments to create undeniably neutral informational ads? What types of persuasion are seen as acceptable by the media and opposition parties? Once these types of questions have been adequately answered, appropriate criteria can be further developed in Ontario, and applied to the evaluation of government advertising in a meaningful, satisfactory way.

### Government Communication: How and why Governments Advertise

Communication between citizens and government is an important aspect of any democracy. In today's global world, the free flowing nature of news and ideas has brought strategic communication to the forefront of governments priorities. According to Stanley Kelley, the goal of all political communication should be to create an 'informed electorate'.<sup>4</sup> This stems from the traditional liberal democratic principle put forth by scholars such as John Dewey, that citizens' access to information is "the means to enlightenment and rational political action" and that "only with an informed citizenry will the public be able to effectively participate in public affairs."<sup>5</sup> For Dewey, the problem of the public was not their ability to deliberate and reflect on issues, it was their lack of information to maintain a public conversation. For O.J. Firestone, this principle is actualized when communication articulated by government is understood by the public in a way that increases their range of choice.<sup>6</sup>

Media scholars, such as Walter Lippmann, understand the extent to which advertising and mass communications work to construct our immediate realities. For Lippmann, the world outside is made up of 'pictures in our heads'. Because this world is "too big, too complex and too fleeting for direct acquaintance",<sup>7</sup> the public must rely on external sources, such as governments and political elites, to help make sense of things. According to Jonathan Rose, the "pictures created by government advertising make up the face that government wishes to present to the public, and in some respects, the face

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<sup>4</sup> Stanley Kelley, *Political Campaigning: Problems in Creating an Informed Electorate* (Washington: Brookings Institution, 1960).

<sup>5</sup> Rose, *Making Pictures in Our Heads*, 47. See also John Dewey, *The Public and its Problems* (London: Allen, 1927).

<sup>6</sup> O.J. Firestone, *The Public Persuader* (Toronto: Methuen Publications, 1970), 9.

<sup>7</sup> Walter Lippman, *Public Opinion* (Mineola, New York: Dover Publications Inc., 2004), 8. Originally published New York: Harcourt, Brace and Company, 1922.

that the public understands as government.”<sup>8</sup> For many authors, the quality and nature of government communication says something about the moral fiber of our democracy. As James Carey puts it, “what we mean by democracy depends on the forms of communication by which we conduct politics.”<sup>9</sup> These considerations have ingrained themselves in modern discourse, resulting in the widely accepted view that the use of public funds for advertising that promotes the partisan interest of the governing party is undemocratic and should be avoided.

According to Jonathan Rose, early studies of government advertising are limited in their analysis as they approach the subject as a problem of public administration, not from an interest in communications or the “democratic implications of government propaganda.”<sup>10</sup> For Rose, early writings on the subject are troubling as they imply that information can be communicated free of its context and that there is a clear, distinguishable boundary between ‘information’ and ‘politics’. In reality, the distinction is not binary, leaving citizens and scholars to ask questions about the type of information or persuasion we expect to receive from government. As Rose puts it, “the simple assertion that governments ought to provide only *information* is clearly misguided. There is no value-free information. All information is *interested* (or partisan) in some way.”<sup>11</sup>

There are many reasons why governments advertise. According to Jim Bradley, Government House Leader and MPP for St. Catherines, governments may choose to advertise because they believe they are doing great things for the people, but they do not think their message will be fairly disseminated by the media. Similarly, governments’ may choose to advertise about policies and programs in response to media and opposition attacks, with the understanding that people have a right to know the facts.<sup>12</sup> With advertising, governments have a guaranteed reach. They know who they are reaching based on previous research, and the frequency of exposure to an ad campaign based on a certain amount of time. With other media techniques such as public relations, governments’ must rely on media to think the issue is newsworthy, and it is likely media will only report on it once, giving the issue or program little sustained exposure.<sup>13</sup>

Some may view the increasing use of advertising to communicate directly with citizens as an attempt at satisfying demands for more direct democracy. For Rose, depicting public policy in the rhetoric and language of advertising actually diminishes our public conversation and corrupts the legislative process. Deliberation about government policies bypasses parliament, leaving citizens yearning for the actual substance of informed debate.<sup>14</sup>

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<sup>8</sup> Rose, *Making Pictures in Our Heads*, 20.

<sup>9</sup> James Carey, “The Press, Public Opinion and the Public Discourse,” in Theodore Glasser and Charles Salmon (eds.), *Public Opinion and the Communication of Consent* (London: Guildford Press, 1995), 379.

<sup>10</sup> Rose, *Making Pictures in Our Heads*, 47-48.

<sup>11</sup> *Ibid.*, 40.

<sup>12</sup> Honourable Jim Bradley, MPP St. Catherines, Interview by Author, Toronto, Ontario, May 14, 2007.

<sup>13</sup> Michelle Garrett, Manager, Public Education Branch, Ministry of Education, Interview by Author, Toronto, Ontario, May 15, 2007.

<sup>14</sup> Rose, *Making Pictures in Our Heads*, 2.

## Partisanship, Persuasion and Information

The creation of the *Government Advertising Act, 2004* is based on the existence of a clear and recognizable distinction between partisan and informational advertising. It relies on the premise that the former is desirable, the latter undesirable, and that the use of taxpayers' money to promote the governing party is inherently undemocratic. The Act defines an item as partisan if, "in the opinion of the Auditor General, a primary objective of the item is to promote the partisan political interests of the governing party."<sup>15</sup> Generally, the term 'partisan' can be defined as someone or something devoted to, or biased in support of a party, group or cause.<sup>16</sup> In contrast, informational content in advertising can be defined as "the knowledge that the message conveys from sender to receiver about the product or service."<sup>17</sup> Not surprisingly, the two are not mutually exclusive and ads can be both partisan and contain valuable informational content. If it is generally understood that it is undesirable and undemocratic for a governing party to employ the use of government advertising for partisan purposes, then to remove partisanship from such advertising should result in informational advertising acceptable to the media and opposition parties.

This had not been the case in Ontario, because analyses of the subtle properties of persuasion in government advertising are usually left out of discussions by those in media and legislative circles. Instead, critics in Ontario use the term propaganda when discussing the use of partisan messaging in government advertising materials. Common to all definitions of propaganda is the understanding that its function is to alter ones' existing perception of the world. Since all "government advertising is persuasive and directed at changing behaviour or attitudes...we are in one sense, speaking necessarily of propaganda."<sup>18</sup> Therefore, use of the term here does not further our understanding of the persuasive nature of government advertising. Use of the term propaganda can be problematic, as it is difficult to define and is affixed with different negative and pejorative connotations.<sup>19</sup>

Persuasion can be defined as "the manipulation of symbols by one party in an attempt to induce certain changes in another party."<sup>20</sup> By nature all advertising is necessarily persuasive.<sup>21</sup> For example, commercial advertising attempts to persuade consumers. Political party advertising attempts to persuade voters to vote for a specific candidate or party, and government advertising hopes to change the public's general behaviour by persuading them to protect themselves against West Nile Virus or get tested for Hepatitis C.

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<sup>15</sup> Section 6(3), *Government Advertising Act, 2004*.

<sup>16</sup> partisanship. *The American Heritage® Dictionary of the English Language, Fourth Edition*. Houghton Mifflin Company, 2004.

<sup>17</sup> Shelby D. Hunt, "Informational vs. Persuasive Advertising: An Appraisal" *Journal of Advertising* (Summer, 1976) : 6.

<sup>18</sup> Rose, *Making Pictures in Our Heads*, 62.

<sup>19</sup> For an overview of the literature on the term 'propaganda' see: Jonathan Rose, *Making Pictures in Our Heads*, 61-64.

<sup>20</sup> *Ibid.* 6.

<sup>21</sup> *Ibid.* 6.

In his work on government advertising in Canada, Jonathan Rose examines persuasion in government advertising through the lens of semiotics and rhetoric. Originally developed by the Swiss linguist, Ferdinand De Saussure (1966), semiotics is defined as the study of signs. Each *sign* is composed of a *signifier*, a meaningful form, and the *signified*, which relates to the concept evoked.<sup>22</sup> It is especially suited to the study of advertising because of its desire to deconstruct language and meaning through symbols. Roland Barthes, one of the first to apply semiotics to the study of advertising, built on this analysis to develop the idea that there exists a ‘first order’ and ‘second order’ (mythic) signification present in every communication.<sup>23</sup> For example, he analyzes the cover of a magazine with a young black soldier in French uniform, saluting with a flag flying high in the background. For Barthes, a ‘second order’ reading of this photo illustrates that the real meaning of such a combination of signs and represents the mythology of imperialist France.<sup>24</sup> Thus, semiotics seeks to construct meaning in messages through the analysis and interpretation of verbal and nonverbal signs.

Semiotic analysis is focused on deriving meaning from the receiver of the message; whereas, rhetoric is more concerned with the “modes of persuasion by the sender.”<sup>25</sup> Rose draws on Aristotle’s understanding of rhetoric; defined as, “the power of observing the means of persuasion on almost any subject presented to us.”<sup>26</sup> Aristotle believed that rhetoric could be used for good or for evil. It was a neutral tool of persuasion to be used in a variety of cases, based on the probability that the argument is plausible to the audience. For Aristotle, rhetoric contains carefully crafted arguments that can be made explicitly or implicitly. One type of explicit argument comes in the form of syllogism, where the major and minor premise are stated. For example, all humans are mortal; I am human; therefore, I am mortal. In contrast, implicit arguments can take the form of enthymemes, whereby the audience must provide one of the premises. As Rose mentions, Aristotle refers to the rhetorical technique of enthymeme as “the most effective of all forms of persuasion.”<sup>27</sup> Another common form of rhetoric is the manipulation of symbols and language. Persuasion is dependent on the way in which words, symbols, music and image are used to create an argument and its use is central to the creation of any successful advertising campaign.

### Development and Implementation of the *Government Advertising Act, 2004*

Federal and provincial governments’ have long used advertising as a central part of their communications strategies. The federal government, whom has long been the number one advertiser in Canada, has featured many different large-scale advertising campaigns for such things as immigration, the Goods and Service Tax (GST), and the

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<sup>22</sup> Leiss, William, Stephen Kline and Sut Jhally, *Social communication in Advertising: Persons, Products & Images of Well-Being* (2<sup>nd</sup> Ed.) (New York: Routledge, 1997), 200.

<sup>23</sup> Roland Barthes, *Mythologies* (London: Paladin, 1989).

<sup>24</sup> *Ibid.*, 125. See also: Jonathan Rose, *Making Pictures in Our Heads*, 11.

<sup>25</sup> Jonathan Rose, *Making Pictures in Our Heads*, 5.

<sup>26</sup> Aristotle, *The Rhetoric and the New Poetics* (New York: Modern Library, 1954), Book 1, Chapter 2.

<sup>27</sup> *Ibid.*, Book 2, Chapter 21. See also Jonathan Rose, *Making Pictures in Our Head*, 8.

patriation of the Constitution. As articulated by Jonathon Rose, media and scholarly interest in government advertising has been relatively nonexistent between elections. It is only during controversial advertising campaigns that citizens begin to understand the scope of government advertising as a form of political communication.<sup>28</sup>

In Ontario, government advertising has long been used a subtle attempt at partisan political persuasion. In 1981, the Progressive Conservative government of Bill Davis ran an advertisement with the slogan “Life is good Ontario. Preserve it. Conserve it.” Opponents at the time, and scholars since, have used this ad as an example of subtle self-marketing through the use of rhetoric and symbol. As Jonathan Rose writes: “the signifiers ‘Preserve it. Conserve it’ are so iconic that they appear to be a malaprop for the sign ‘Progressive Conservative’.”<sup>29</sup>

Between 1996 and 2003, the Progressive Conservative government under Premier Mike Harris made significant use of government advertising to build support for his government’s “Common Sense Revolution”. The Harris government spent millions on glossy brochures and television ad campaigns that extolled the virtues of Conservative achievements. One of these ads showing a fuse box with sparks flying and wires askew, features Premier Harris speaking over daunting music, equating the safety hazards of a badly wired fuse box with the current administrative state of the Ontario government. Harris goes on to say that his government will work to disentangle the mess and make the work of government more efficient.<sup>30</sup>

One of the most controversial advertising campaigns during this period was the government’s campaign on educational reform. In response to criticisms of Bill 160, the government used advertising to frame the debate around “asking teachers to spend a little more time with their students.” The slogan of this campaign, “Lets put our children first” allowed the government to make the issue about the interest of our children versus the interests of teachers.<sup>31</sup> One ad features a simple head and shoulder shot of Premier Harris telling Ontarians that the recent teachers strike as a result of Bill 160 is illegal, and that ‘asking teachers to spend a little more time with their students’ is not unreasonable.

The use of advertising by the Harris government attracted enormous criticism by both legislators and citizens. Hostility surrounding the ad campaign on educational reform forced the teachers unions to produce their own advertisements in response. Hundreds of petitions were signed and presented in the legislation in opposition to the PC government’s advertising strategy. One example of the petitions reads as follows:

*"Whereas the people of Ontario are being subjected to the most drastic reductions in services in the history of the province; and*

*"Whereas the Premier has required that the people of the province pay higher user fees and property taxes; and*

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<sup>28</sup> Jonathan Rose, *Making Pictures in Our Heads*, 5.

<sup>29</sup> Ibid., 12.

<sup>30</sup> Accessed on March 25, 2007 <[www.politicalads.ca](http://www.politicalads.ca)> See also: Jonathan Rose, *Making Pictures in Our Heads*, 4 and Nesbitt-Larking, Paul. (2001) *Politics, Society, and the Media: Canadian Perspective*. Toronto: Broadview Press, Ltd., p.

<sup>31</sup> Accessed on March 30, 2007 <[www.politicalads.ca](http://www.politicalads.ca)>

*"Whereas the Premier and his ministers have preached restraint to all who have requested funding from the provincial government;*

*"We, the undersigned, request that the government of Ontario not embark upon an advertising campaign using taxpayers' dollars and designed to sell the Ontario budget to the people of the province." <sup>32</sup>*

Much of the debate focused on the amount of money being spent on advertising, compared to the cuts in spending taking place in most areas of government. The controversy surrounding the use of taxpayers' money for such blatantly partisan advertising resulted in the introduction of four private members' bills on the subject:

- Bill 17, *Taxpayer Protection Act (Government Advertising Standards)*, 1999;
- Bill 107, *Preventing Partisan Advertising Act*, 2001;
- Bill 115, *Propaganda Accountability Act*, 2001;
- Bill 91, *Preventing Partisan Advertising Act*, 2003.

Bill 91 and 107 were introduced by Jim Bradley, MPP for St. Catherines; Bill 17 was introduced by Dalton McGuinty, Leader of the Official Opposition and MPP for Ottawa South; and Bill 115 was introduced by Peter Kormos, MPP for Niagara Centre. All four bills called on the Auditor General to regulate the use of partisanship in government ads. As with most private members' bills, none were passed and only two advanced as far as second reading. Thus, the development of the *Government Advertising Act, 2004*, was a direct result of the contentious use of government advertising by the previous Conservative government.

### Role of the Auditor General of Ontario

The Auditor General is one of five independent officers of the Legislative Assembly of Ontario, whose work is governed by the *Auditor General Act*. The mandate of the Office is to "provide objective information and advice to the Legislative Assembly of Ontario on the results of independent value-for-money and financial audits and reviews."<sup>33</sup> Work done by the Office of the Auditor General seeks to assist the Legislature in its role of holding the government accountable for its use of public funds and for the achievement of value for money in its delivery of services to the public.<sup>34</sup>

Throughout recent years, the Office of the Auditor General has undergone two significant expansions in its mandate, resulting in an increased workload for the Auditor General and his staff. Firstly, Bill 18, the *Audit Statue Law Amendment Act*, which received Royal Assent on November 30, 2004, made a significant amendment to the *Audit Act* that expanded the Office's ability to perform value-for-money audits on organizations that receive government grants in the broader public sector.<sup>35</sup> Secondly, the

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<sup>32</sup> Petition presented to Ontario Legislature by Mr. Jim Bradley, MPP for St. Catherines, May 7 1996.

<sup>33</sup> 2006 Annual Report, Office of the Auditor General, p. 366.

<sup>34</sup> *Ibid.*, 366.

<sup>35</sup> *Ibid.*, 366.



passage of the *Government Advertising Act, 2004* increased the Auditor's mandate to include the review of specific types of government advertising that must be approved as non-partisan before it is released to the public.

The *Government Advertising Act* applies to all government offices including ministries, Cabinet Office and the Office of the Premier. Under the Act, only certain types of advertising must be reviewed by the Auditor. These include ads where a government office proposes to pay for it to be published in a newspaper or magazine, displayed on a billboard, broadcast on radio or television or for a printed ad to be delivered by bulk mail to households in Ontario.<sup>36</sup>

Excluded from review are advertisements that are required by law, those reflecting an urgent matter affecting public health or safety and ads about the provision of goods or services to a government office.<sup>37</sup> Although not explicitly mentioned in the Act, government websites are understood to be excluded from review, except when a URL is used in an ad that is subject to review by the Auditor. Agreement was reached between the Office of the Auditor General and the Deputy Minister of Government Services that when a URL is used in a reviewable ad, the 'first click' or first page reached, must be non-partisan and subject to the standards in the Act.<sup>38</sup> According to Andréa Vanasse, Manager, Corporate Communications and Government Advertising Review in the Office of the Auditor General, this stems from the understanding that the website should be a direct extension of the advertisement to maintain the primary objective of providing information to the public.<sup>39</sup>

Once a Ministry or government office submits an advertisement for review, the Office of the Auditor General has seven working days in which to review and approve or disapprove the item. According to the Auditor General's 2006 Annual Report, which was the first annual report that included the activity and results of the advertising review function, all ads submitted for review were approved or sent back for revision within the seven day time period.<sup>40</sup>

The Act outlines very specific requirements that each advertisement must meet in order to be approved by the Auditor for general distribution. Most relevant to the purpose of this paper, is the requirement that an advertisement not be 'partisan'. The act defines as item as partisan if, "in the opinion of the Auditor General, a primary objective of the item is to promote the partisan political interests of the governing party."<sup>41</sup> The Act gives the Auditor General the power to establish concrete guidelines considering whatever factors he considers appropriate, in considering the partisan nature of a particular item.<sup>42</sup> Some of the most relevant aspects of the additional guidelines created by the Office of the Auditor General include the suggestion that ads "present messages objectively, both in tone and content; emphasize facts and explanations; and outline factual information clearly and accurately."<sup>43</sup>

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<sup>36</sup> Section 2(1) & 3(1), *Government Advertising Act, 2004*.

<sup>37</sup> Section 2(5), 3(5), *Government Advertising Act, 2004*.

<sup>38</sup> Annual Report, Office of the Auditor General, p. 357.

<sup>39</sup> Andréa Vanasse, Interview by Author, Toronto, Ontario, 8 May 2007.

<sup>40</sup> *Ibid.*, 359.

<sup>41</sup> Section 6(3), *Government Advertising Act, 2004*.

<sup>42</sup> Section 6(4), *Government Advertising Act, 2004*.

<sup>43</sup> Guideline on the Review of Government Advertising, Office of the Auditor General of Ontario, p. 8.

Mr. Jim McCarter, Auditor General of Ontario, stated that roughly 75 per cent of the ads his office has reviewed would be considered relatively straight forward informational ads; 10 to 15 per cent of the ads require minimal input from the panel of experts that have been hired on contract basis to assist the Auditor's Office in their advertising review function; and 10 per cent require substantial time and input from experts about the acceptability of the advertisement.<sup>44</sup>

If Mr. McCarter and his staff find the ad to be too 'partisan' for their liking, they send the ad back to the Ministry for changes. According to Mr. McCarter, the Ministries almost always agree to make the suggested change. In the first year of advertising review, the Auditor did not report when Ministries chose to withdraw ads instead of make the necessary changes to make them non-partisan. Starting this year, if a Ministry withdraws an ad it will be mentioned in the Auditor General's Annual Report.<sup>45</sup>

Overall, the *Government Advertising Act, 2004* is a well drafted, thoughtful piece of legislation. It represents a real desire on the part of the McGuinty government to control the use of partisan messaging that has long been under the purview of political parties. Delegating authority to an independent Officer of the Assembly allows for the construction of a very strong, poignant rebuttal when criticized by the media or opposition parties. Finally, the Act allows for transparency and accountability in the advertising process, and represents positive step forward towards a shared understanding of the role advertising should play in government communication.

### Government Advertising under the Act

Although the statutory regulation of government advertising in Ontario has allowed for increased accountability and transparency in the advertising process, it has not been widely accepted by media and opposition parties as an adequate tool for the elimination of partisanship in government advertising. In the fall of 2007, the Liberal government released a series of ads informing the public about the progress Ontario has made in the areas of education, health care and industrial innovation. These ads launched the subject of government advertising back into public discourse. This time, in comparison with the debate in the late '90s, the *Government Advertising Act, 2004* provides a new procedural framework within which this discussion can take place.

One of these ads developed by the Ministry of Education depicts adults on a school bus who are acting like children. A voiceover describes the Ontario governments' addition of six ways in which students will be able to reach their potential and accumulate credits to graduate high school. The ad ends with these adults morphing back into students as they exit the bus, with the tag line "It is our plan to reach every student". This ad was criticized for extolling the virtues of the current government's plan for education in a manner that did not provide enough information. When asked if it is acceptable to create a 30 second ad that contains 29 seconds of posturing and 2 seconds of 'information' in the form of a website, the Auditor General replied, "I don't know."<sup>46</sup>

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<sup>44</sup> Jim McCarter, Auditor General of Ontario, Interview by Author, Toronto, Ontario, May 3 2007.

<sup>45</sup> Mr. Jim McCarter, Auditor General of Ontario, Interview by Author, May 3 2007.

<sup>46</sup> Murray Campbell, "When 'grabby' messages add Grit" *Globe and Mail*, October 12, 2006, A12.

In an interview with Michelle Garrett, Manager of Public Education at the Ministry of Education, she described the process of how the Ministry conceptualizes and develops an advertising campaign. Cabinet needs to approve key messages in the creative design plan before it ever becomes a finished product. She states, the question is “how to tell messaging in a way that is meaningful so that they have the information you want them to take away.” This illustrates the argument that successful advertising is necessarily persuasive. It also illustrates the use of one widely accepted principle of advertising; that is, the need to grab and retain people’s attention. In a world of constant movement and the bombardment of images, the very act of providing information to citizens requires governments to present their message in a way that makes people stop and listen. For Michelle Garrett, “If you want to inform people about what is going on, you need to do it in an engaging way. You cannot take all the creativity out of it, just because it is a government ad.”<sup>47</sup> The use of adults as students and the layers of meaning that implies make the argument that with this new initiative, every student in Ontario will have the opportunity to reach their full adult potential. For the Ministry, this ad was an acceptable way to persuade the public into taking away their intended meaning.

One of the more contentious ad campaigns recently undertaken by the McGuinty government was the creation of a series of wait-times ads, providing a toll free hotline for people to call in to learn about how to reduce their wait times for major surgeries. One such ad, depicted people gradually disappearing from one hospital wait room, attempting to persuade the viewer through non-verbal and implied messaging, that this was happening in Ontario. Premier Dalton McGuinty defended the ads arguing that “they are a legitimate way to steer citizens to a government website where they can look up hospital wait times for themselves.”<sup>48</sup> Debate surrounding these ads reinforces the point that the elements of persuasion are often left out of popular discourse. These ads illustrate the difficulty of so-called informational advertising to simply inform. The traditional information-persuasion dichotomy is lost on the viewer if they are successfully persuaded to seek information about wait times from this toll free number.

The Ministry of Health came out with a series of public health ads that illustrate more obvious examples of the use of persuasion through symbol and image. One ad features naked babies with a voice over informing Ontarians of three new available vaccines for children. Despite being an informational ad approved by the Auditor General, the visual representation of vulnerable babies in need of protection cannot help but evoke an emotional response in the viewer. For Paul Messaris, “by drawing on their intuitive understanding of the relationship between vision and emotion, advertisers are able to elicit strong, sometimes primal reactions...that might not be as easily acceptable through other non-pictorial means.”<sup>49</sup> This ad draws upon a parent’s primal reaction to protect their children, making it about more than simply information, as it persuades the viewer through the use of non-verbal image to seek out this new government service. As a result of their persuasive nature, these ads are likely effective in influencing the behaviour of parents with regards to their children’s vaccinations. However, this has not

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<sup>47</sup> Michelle Garrett, Manager, Public Education Branch, Ministry of Education, Interview by Author, Toronto, Ontario, May 14 2007.

<sup>48</sup> Rob Ferguson, “Opposition denounces government advertising,” October 11, 2006, A16.

<sup>49</sup> Paul Messaris, *Visual Persuasion: The Role of Images in Advertising* (London: Sage Publications, 1997) p. xiv.

done away with claims of partisanship by media and opposition critics. One journalist suggested that the ads were self-serving and unnecessary, as parents cannot enroll their children in public school unless they get their routine vaccines.

One of the main criticisms made by media and opposition parties is that although these ads might not technically contravene the standards outlined in the Act, they are simply feel-good pre election primers, designed to promote the governing party in the lead-up to the October 10<sup>th</sup> provincial election.<sup>50</sup> According to the Leader of the Official Opposition, John Tory, “these are partisan ads. These are part of the McGuinty three-cheers-for-me campaign as he tours around the province congratulating himself.”<sup>51</sup> Leader of the Third Party, Howard Hampton, was quoted in a newspaper article stating that just because there are no pictures of Dalton McGuinty or any Cabinet Ministers in the ads it only makes them “a little more subtle” than the Conservative ones that prompted the Liberal ban on partisan ads.<sup>52</sup>

One Globe and Mail columnist argued, “The ads....may not emulate the Conservative messages, but they certainly put the best spin on things. Everybody is smiling, everybody is happy. Wait times are down but there is no mention of emergency-room closures. Students stay in school but there is no talk of school boards that can’t balance their budgets. Innovation is rampant but no mention is made of Ontario’s reliance on smelly old coal power plants. Is that partisanship? You judge.” While recognizing that it is a legitimate function of the media and opposition to monitor the government’s actions, they have continued to mistake the persuasive elements necessarily present in effective government advertising, with partisan messaging.

## Conclusion

Despite the statutory ban on the use of partisan advertising by the Ontario government, debate has continued over what constitutes a legitimate form of communication between government and citizens. As the above analysis suggests, the relationships between partisanship, persuasion and seemingly neutral information are complex and do not lend themselves to neat boundaries or clear dichotomies. The enactment of the *Government Advertising Act, 2004* represents a clear will on behalf of the current government to reduce the use of partisanship in government advertising, while balancing the important need to inform the public. By delegating authority to an independent Officer of the Assembly, the advertising review function is legitimated and has increased transparency and accountability in the advertising process.

By drawing on the theory of semiotics and rhetoric, this paper has sought to reinforce the well established view among scholars that all advertisements are necessarily persuasive; however, a comprehensive and detailed analysis of the semiotic and rhetorical elements present in Ontario government advertising is still needed. Such an analysis

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<sup>50</sup> “Premier Questioned about TV ad Campaign” *Timmins Daily Press*, October 11, 2006, A5.

<sup>51</sup> “Premier Questioned about TV ad Campaign” *Timmins Daily Press*, October 11, 2006, A5.

<sup>52</sup> Rob Ferguson, “Opposition denounces government advertising” *The Toronto Star*, October 11, 2006, A16

could serve to further our understanding of the persuasive nature of government ad campaigns, especially in the context of statutory regulation.

Although the *Government Advertising Act, 2004* may be successful in eliminating partisanship from government ads, it is unable to remove the elements of persuasion, such as symbol and rhetoric; elements that are essential to any successful advertising campaign. The persuasive elements of recent ad campaigns by the Ontario government have been framed by opposition and media critics in the language of partisanship. As Jonathan Rose states, “despite government’s claims to the contrary, all advertising is designed to sway public opinion. That alone does not make it improper practice.”<sup>53</sup> Continued efforts to conflate partisanship with persuasion may serve to undermine discourse among citizens and about how and when it is legitimate for governments to persuade. Thus, we must continue the discussion about the appropriate forms of government communication by including the elements of persuasion in any further analysis of government advertising. Opposition critics may wish to expose the debate to more a comprehensive definition of legitimate and illegitimate persuasion on behalf of governments, which may assist in future evaluation of government advertising as this innovative piece of legislation evolves.

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<sup>53</sup> Jonathan Rose, *Making Pictures in Our Heads*, 209.

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#### Interviews:

- Professor Jonathan Rose, Interview by Author, Kingston, Ontario, April 2007.
- Mr. Jim McCarter, Auditor General of Ontario, Interview by Author, May 3 2007.
- Mr. John Sciarra, Director of Operations, Office of the Auditor General of Ontario, Interview by Author, Toronto, Ontario, 8 May 2007.
- Ms. Andréa Vanasse, Manager, Corporate Communications and Government Advertising Review, Interview by Author, Toronto, Ontario, 8 May 2007.
- Honourable Jim Bradley, Government House Leader, Minister of Tourism and Minister Responsible for Seniors, Toronto, Ontario, 14 May 2007.