

# Consumers' Empowerment for a New Marketing Paradigm

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*The marketing practices of the companies show that not all of them are observing ethical and moral standards and they manipulate the consumers. This paper has as main goal to examine the most usual unethical techniques, the present status of consumers' power and how more power could work for a new marketing paradigm. There are many unethical marketing techniques which could be found in deceptive product recipes, packaging, promotion, prices and in other areas. Most consumers have no appropriate powers and tools to counteract the manipulation techniques and feel they have fewer rights than the marketers. The current state of empowerment of the consumer show that the European consumers are not in the best position in the market as the Consumer Empowerment Index proves. This matter of facts emphasizes a strong need for a better empowerment of the consumers. The consumer which has more power and wisely use it could improve the balance of power in the market. But the consumers should have a proactive buying behavior in order to get such results. These revolutionary consumers attack the structural roots of the social, economic and political problems which produces a new market ideology as a part of the new tier of transnational institutional ideology. This consumer behavior may have a strong influence toward a new marketing paradigm.*

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### **1. Introduction : From ethic marketing to manipulation**

The marketing is the entire development of the business seen from the consumer's point of view, as a wide interpretation allows. In other words, the company has to permanently meet the customers' needs and desires. In order to achieve this essential goal, it uses various methods and techniques in the areas of product, price, communication and distribution. All marketing techniques have to be used in good faith, with respect of the principles, standards and values proposed by the marketing ethic. The marketing ethics has in view the behavior, the decisions and the actions of the marketers from a moral standpoint. The companies must use particular principles if they want to remain in the boundaries of the marketing ethic (*Danciu, Grigorescu, 2000, p. 342; Corrigan et al., 2005*). The first principle says that the market and the legal system are competent to judge marketing ethic. In this case, the companies and their managers have no obligation to make moral judgments. The second principle asserts that the moral responsibility is the task of every business and marketing managers. If so, the companies should have a social conscience which imposes them to observe high ethical and moral standards no matter the system allows. The practices in the field testify that the companies have various interpretations of these requirements. Many firms comply with the principles of a good marketing. The new consumer plays a role in this marketing behavior. This consumer is more demanding, exigent and discriminating, less loyal and more disposed to be dissatisfied and to complain. The new consumer is aware of communication media, he uses internet, workout the problems by mobile phone and often has a public relation strategy and the capacity to disturb the companies (*Danciu, 2009, p.45*). Most consumers have

no such performances and, therefore, they have asymmetric relations with the marketers meaning that the companies have more power. The sellers have more rights than the buyers (*Kotler et al, 1999, p. 79*). The sellers have the right to launch any product which is provided to be harmless for the safety or health of the people, the right to spend as much as they like to promote the product, the right to use any promotional message which don't mislead, the right to use any stimulus to increase the buying if they are not deceiving and impartial. The buyer has the traditional right not to buy a product, to claim that a product has to be safe, that the product is according to the affirmations about it (*Danciu, Grigorescu, 2000, p. 339*). That explains maybe why not all the companies have a good marketing behavior. Some marketers are liars, some salesmen are deceivers and some persuasive techniques are manipulative. The intent will often determine a marketer's choice of marketing techniques. Those with ethical intent are more likely to choose ethical techniques. But there are marketers who believe that they know what is good for their prospects better than the prospects do. In fact, it is a marketer's job to know who needs his product and why better than his prospects. The problem is some marketers feel they should make decisions for their prospects that they should manipulate people for their own good. Good intent becomes their justification for manipulation. Sometimes marketers who know that their product is bad for people use non-manipulative techniques to sell it. A question appears to be answered at: if the intent is not the difference, what is then? As *Antone Rounde (2011, p.1)* claims, the difference is in the marketing light. If the offer is exactly what the potential consumers needs, all the marketers have to do is help them see that as clearly as possible. That is helping

consumers recognize how the marketing mix delivers the benefits they desire, show them the benefits they didn't even realize were related to the marketer's category of products etc. If the marketer is shining the blue light on his own product or mix and the red product of the competitor to make it black, if the firm is projecting an image on the marketer's product where there is none by means of false income claims, fake testimonials, describing the life-style the firm gained by methods unrelated to the product, people can say the marketer is turning the light to hide the truth and that is manipulation. From an international perspective, the actual philosophies about the role and the place the marketing has show that it is seen more as a tool for money making by fooling people than one of obtaining benefits for both consumer and marketer. A short analysis is performed in this key by *S. Sengupta in The Indian Express (June, 20, 2011)* by regions of the world. In Europe, the marketing is generally believed to be pure manipulation that sells a product by fooling people. Sometimes it is even perceived as a vulgar weapon to bulldoze and overdose the mass with. Business driven Americans are attuned to marketing. The US context of marketing means to be clever and intelligent enough to make money. Making money is crucial and not negotiable and having money translates to being on top of everything. When manufacturing of Western branded products is outsourced to emerging economies some American and European consumers doubt the quality of the product.

The free trade and commerce are pushing emerging economy countries to follow the Western marketing model by default. The English language has done the unsurpassed marketing coup by becoming the globally recognized business language across the world.

Western business practices have influenced emerging economies without taking into account the social aspects of their billions as ill luck would have it.

## **2. Marketing techniques for manipulating the consumer**

The asymmetry of information assumes that the marketers know more about the product or service than buyers and sometimes have more information about consumer behavior than the consumer himself. This assessment may argue that marketers have the upper edge on consumers and it could be validated through most usual marketing techniques used for the manipulation of the buyers.

There are many deceiving marketing techniques which are used by the marketers in order to manipulate the consumers. Such practices could be found in deceptive product recipes, packaging, promotion, price and other techniques which are used to mislead or deceive the consumer (*Sengupta, 2010; Pilgrim, 2012; many hawking 14; [www.wikipedia.org](http://www.wikipedia.org)*).

### ***Pricing – based methods could lie in:***

- Unfair contract terms notably with respect to consumer compensation;
- Applying unfair fees, charges and penalties on transactions;
- Placing artificial restrictions on the time period during which the customers can submit claims;
- Using consumer data for purposes other than they were obtained for.

One most common situation of taking on the fees or surcharges that are not disclosed to the customer in the advertised price is for activation of services such as mobile phones, air travels or telephony.

***Fillers and oversized packaging.*** The fillers are different substances which increase the legal weight of the product with something that costs the producer very little compared to what consumer things he is buying. For example, the meat is injected with water, broth or brine. The nozzle soaps are a case of over – sized packaging. Most people don't care how much soap is being released in soap nozzles so they might not notice how much soap they are consuming. An experiment was conducted in the United States by selling large size soap nozzles in some regions and standard size soap nozzles in other regions. As a result, most soap manufacturers sell large size nozzles to impulse more consumption on people. They didn't promote them as large size nozzles, instead they label as “*easy to use nozzles*”.

***Bundle offers.*** The printer companies that sell printers in a very low price attached with it in a locked in subscription on ink refills. Even they loose profit in selling the printers in cheap price, they will definitely recover their profit on overpriced ink refills. The companies will also set an electronic expiration date on cartridge that will make unusual after a couple of months even it still has good inks inside.

***Misuse of the word “free”.*** The usual meaning of “*free*” is devoid of cost or obligation”. However, retailers often use the word for something which is merely included in the overall price. One common example is a “*buy one, get one free*” sale. The second item is not “free” under the normal definition since to obtain it the buyer is obliged to pay the full price of the first item.

***Manipulation of measurement unit or standards.*** Sellers may manipulate standards to mean something different than their widely understood meaning. One example is with personal computer hard

drivers. While a mega – byte has always meant  $2^{20}$  (1.048.576) bytes in computer science, disk manufacturers began using the metric system prefix meaning  $10^8$  (1.000.000) bytes. In this way, they overstate the capacity by nearly 5% with gigabytes, the error increases to over 7% (1.073.741.824) and nearly 10% for the terabyte. Seagate Technology and Western Digital, two companies originated from the United States, were sued in a class action suit for this. Both companies agreed to settle the suit and reimburse customers in kind, yet they still continue to advertise in this way. In an example of standard manipulation, US car rental agencies routinely refer to cars as one class larger than they are as defined by the United States Environmental Protection Agency (EPA) standards. For example, they would refer to a car as “*full-sized*” while the EPA would call the same car as “*mid-sized*”. ([www.wikipedia.org](http://www.wikipedia.org)).

**Undefined terms.** The term of “*organic food*” is a frequent example. Light food also is an even more common manipulation. The term has been used to mean low in calories, sugars, carbon-hydrates, salt, viscosity or even light in color.

**Incomplete comparison.** In the case of the term “*better*”, marketers frequently fail to indicate to what they are comparing, to a competitor’s product, an earlier version of their own product or nothing else at all. So, without defining how they are using the term “*better*”, it becomes meaningless.

**Inconsistent comparison.** In an inconsistent comparison, an item is compared with many others, but only referring to the attributes where it wins, leaving the false impression that it is the best product in all ways.

***Misleading illustrations.*** Food coloring can be a form of deception when used to make people think food is riper, fresher or otherwise healthier than it really is. When combined with added sugar or corn syrup, bright color gives the subconscious the impression of healthy, ripe, and full of antioxidants and phyto chemicals.

There are much more and various techniques of manipulation, building up a complex context. It leads inevitably to the necessity of an increased role of the customer in his relationships with the marketers.

### **3. The empowerment of the consumer – a support for his better positioning in the market**

#### **3.1. The concept of consumer's empowerment**

All manipulative practices and the firm belief of the marketing promoters that the marketing supports getting market power is a significant source of money and a vehicle for achieving business objectives of the company are strong arguments for a reevaluation of the consumer's position in the market relationships. In this turn, the asymmetric balance of power between marketer and consumer in the market is altering the negotiation power and the alternatives the consumer has. In consideration of all these arguments it is very clear that a new course of facts is needed in order to make up a dynamic balance between the marketer and the consumer. If the consumers could play their part in building a better fair and clean world of affairs this dynamic balance could be empowered against manipulative marketing practices (*Shaw et al., 2006*).

But what does the empowerment of the consumer assumes? In a research performed by the European Commission there are some



considerations about the definition of the consumer empowerment. The consumer empowerment is ... *“the consumer’s ability to ignore, resist and adapt even the sleekest and the most costly multi-media assault, invoking such sentiments as “customers are too smart to be fooled”, “consumers see through bad marketing”, “the customer is king” or “the customer is always right” (Denegri et al, 2006, p. 950).* Another perspective on consumer power criticizes the marketing practices and says that consumers are helpless against the seductive power of the want-makers (Denegri et al, 2006, p. 950).

The European Commission supports the need of the empowerment of the consumer and suggests some significant elements related to it. The EU Consumer, Policy Strategy 2007-2013, “Empowerment consumers, enhancing their welfare, effectively protecting them” (COM, 2007), indicates that *“empowered consumers need real choice, accurate information, market transparency and confidence that comes from effective protection and solid rights”*. Moreover, it is recognized as a major objective that of ensuring *“the effective application of the rules notably through enforcement cooperation, information, education and readiness” (Nardo et al, 2011, p. 6)*. Three significant elements seem to be important for a solid definition of the empowerment says Nardo et al (2011, p. 18). The consumer should be aware of their decision when buying (e.g. terms and conditions, comparing prices, label of the product) in the first place. Also, the consumers should be able to get information on their rights. Finally, the consumers should have access to advocacy and redress mechanisms.

### 3.2. Models of empowerment of the consumer

There is a great deal of conceptualization of the consumer's power which has multiple orientations. This theoretical situation requires a research which could provide a historicized and contextualized understanding of the constituent elements of the consumer's power and potential applications. Such a study has been performed by a group of researchers which includes *Denegri – Knott J., Zwick D. and Schroeder E. (2006, pp. 250 – 971)*. The result can be found in three models of the consumer power: *the consumer sovereignty model, the cultural power model and the discursive power model*.

*The consumer sovereignty model.* According to this model, the self-determined and dispassionate market choices of sovereign consumers are instrumental in directing the market so-called invisible hand, which results in more efficient production, better and cheaper products, social progress and increased general welfare. Consumer sovereignty advocates assume that the aggregate sums of well informed, autonomous consumer agents possess greater power than individual producers. This notion of power as distributed among all relevant players in a particular field corresponds to a zero sum. Put differently the power is a divisible entity that is possessed by one agent in the detriment of another. The power is measured in quantifiable behavioral outcomes, determining whether consumers or marketers and producers are empowered is a function of assessing who influences whom more. The collective consumer action would constitute an instance of increased consumer empowerment based on the premise that there is an aggregate sum of skills and talents.

*The cultural power model.* Some critics see the market as a politically oppressive and culturally authoritative force that threatens

to turn active citizens into passive consumers. Other consumer researchers and sociologists of consumption reject the cultural authority model by illustrating ways in which the consumers resist the disciplining power of the market. The consumers are described as creative and playful agents devising ruses and inventing tactics that counteract the strategic maneuvers of powerful corporate marketers. From the perspective of the cultural power model, the consumer power resides less in the ability of consumers to reject the products of the market but rather *“in the art of using those imposed”*. In other words, the consumer empowerment is manifested in the creative adaptations and manipulations of the marketer-intended meanings and uses of products and advertising.

Those who are interested in exploring and using the consumer empowerment from cultural perspective could examine the ways in which marketers establish cultural order through the production of commercial messages and design public spaces such as malls and other themed consumption environments to coerce consumers into specific consumption activities as well as consumers’ tactics to adapt and resist the logic of the marketer -designed space and practices.

The cultural perspective is interested in exploring the everyday tactics of consumers in marketing, subverting, manipulating and utilizing increasingly corporate-controlled and structures spaces.

*The discursive power model.* This model tries to illustrate how the exchanges and interactions between consumers and marketers co-create and reproduce the market. This perspective rejects the notion of the sovereign consumer and discards the opposition between powerful marketers and resisting consumers posited by cultural model.

Instead, the discursive model takes power to be a creative force that structures the possible field of interaction and exchange of free agents.

The discursive model of power is concerned with the linguistic strategies that produce truth claims and constitute culturally significant categories of knowledge. The discursive model suggests that the behavior is not moderated by internal standards but by an internalization of an external discourse of normalcy and conduct. The internationalization of norms and codes of conduct take place via an interactive and co-evolving process of “*objectification*” where truth is established to effect normalizing behavior and “*subjectivism*” where appropriate practices of the self results in the constitution of a consumer as a known, free empowered agent. Hence, individuals are simultaneously objectified by institutional discourses of the marketers and media etc and disciplinary power and subjectified by the practices of the self. Therefore, a consumer is never just a passive, docile automaton subject and discursively totalized by the practices of disciplinary, institutional market power.

### **3.3. The current state of the consumer’s empowerment in the European Union countries**

In order to establish the place and role of the European consumers, a question about their present empowerment arise, no matter the theoretical approach. The European Commission permanently pays attention to the issue of the consumer empowerment following the objectives of the EU Consumer Policy, Strategy 2007 – 2013 “Empowering the consumers, enhancing their welfare, effectively protecting them (COM/2007)”. A study on this

issue performed by the Joint Research Centre, Institute of the Protection and Security of Citizen has as objective to calculate the Consumer Empowerment Index (ICE) in an attempt to establish where the consumers of the 27 EU member countries are. The presentation of ICE methodology and results was made by a group of researchers (*Nardo, Loi, Manca, Rosati, 2011*). The ICE is a composite measure construct from a set of 56470 individual data which were gathered by help of a questionnaire which contains about 70 questions on consumer from EU member countries, plus Norway and Iceland. The ICE has three main pillars or dimensions (partial indexes) of the empowerment: consumer skills, awareness of legislation on consumer rights and consumer engagement. The weight of each of the three partial indexes is based on experts elicitation (0 = minimum; 100 = maximum). The median of the answers of the participants at the Consumer Expert Group has a minimum weight ranged between 15 and 20 and the maximum between 50 and 60 from 100 points. The synthesis of the results of ICE obtained for each country is presented in Table 1.

**Table 1. Consumer Empowerment Index, EU 27+2 Countries**

	Consumer skills		Awareness of consumer legislation		Consumer engagement		ICE	
	Score	Rank	Score	Rank	Score	Rank	Score	Rank
EU 27 average	18.27	-	13.25	-	13.45	-	14.97	-
Austria	20.18	9	13.18	17	15.06	2	16.16	8
Belgium	20.23	8	13.52	14	12.16	27	15.25	15
Bulgaria	15.03	26	8.64	28	13.59	15	12.52	27
Czech	18.08	17	16.08	4	15.52	1	16,87	7

Republic								
Cyprus	19.74	10	12.91	20	14.94	3	15.89	10
Denmark	22.26	3	15.22	5	13.74	13	17.01	5
Estonia	17.01	21	13.67	11	13.81	11	14.82	18
Finland	21.43	5	16.40	3	14.82	4	17.50	2
France	19.59	12	13.55	13	13.10	17	15.83	14
Germany	20.59	7	17.12	2	14.37	8	17.28	4
Greece	19.35	13	10.56	27	13.78	12	14.60	20
Hungary	16.29	22	11.15	26	13.69	14	13.75	22
Italy	15.94	23	12.05	24	12.40	24	13.46	25
Ireland	19.62	11	12.05	25	12.43	23	14.68	19
Latvia	17.03	20	13.31	15	12.69	20	14.32	21
Lithuania	15.36	24	13.10	18	10.79	29	13.02	26
Luxemburg	18.82	18	12.44	23	13.36	16	14.88	17
Malta	18.36	19	15.08	6	12.92	18	15.39	13
Netherlands	22.68	2	14.85	7	14.51	7	17.31	3
Poland	13.95	28	12.51	22	11.04	28	12.46	28
Portugal	14.13	27	12.93	19	13.98	9	13.70	23
Romania	12.16	29	8.39	29	12.34	25	11.05	29
Spain	15.12	25	13.61	12	12.27	26	13.63	24
Slovakia	19.14	16	14.55	9	13.98	10	15.86	11
Slovenia	19.17	15	12.85	21	14.62	5	15.57	12
Sweden	21.70	4	14.74	8	14.53	6	16.96	6
United Kingdom	19.22	14	13.21	16	12.60	21	14.98	11
Iceland	21.40	6	13.90	10	12.75	19	15.96	9
Norway	22.78	1	18.78	1	12.60	22	17.89	1

Source: Nardo, Loi, Manca, Rosati, 2011

As the scores and ranks from Table 1 show, Norway (a non EU country) leads the group of the countries, followed by Finland and Netherlands, Germany and Denmark. At the opposite end are Romania, Poland and Bulgaria with a score 31% lower than the average. For all these countries, the scores of the “*Consumer skill*” are

higher than the scores of the remaining two dimensions. Among the countries that joined EU in 2004, the best ranks are the ones of Czech Republic (7), Cyprus (10) and Slovakia (11). Poland is the last one from EU 27.

The results of the study show that most European consumers are not very well informed have not the best skills and are not very well engaged in the market relationships. Therefore, they don't seem to be sovereign and having a little power by comparing it with those of the marketers. In many EU countries, the consumers are not very well informed about the consumer legislation as the numbers of Table 1 show. Consequently, many consumers cannot internalize the norms and codes and because of that they are not very proactive as the discursive power model suggests and don't resist very well the logic of marketers as the cultural power model proposes.

#### **4. Conclusions: The consumer's empowerment is working for a new marketing paradigm**

Everybody agrees that the marketing practices should be ethic. Unfortunately many marketers try to manipulate the consumers. In order to do that they use a wide range of techniques for all constituent parts of the marketing mix. As a result, asymmetric relationships are established between the marketers and consumers, having the consumer as the weaker part. This situation of the market gives the marketers serious advantages like market power, money, increased negotiation power and is altering the alternatives the consumer has. In consideration of all these arguments, a strong necessity for a new course of action appears to be very clear. The main objective of this new tackle is mapping up a dynamic balance between the marketer

and the consumer. This dynamic balance could be obtained if the consumers are empowered against the marketing manipulation practices and the relationship with the marketer as a whole.

The empowerment of the consumer means the consumer is able to ignore, resist and adapt even the sleekest and most costly multimedia assault. The main issue of the effective empowerment of the consumer could be found in fair theoretical solutions and in the appropriate behavior and tools for using the power. A solid theoretical solution of the consumer's empowerment seems to be models such as the consumer sovereignty model, the cultural power model and the discursive power model.

The European Commission has calculated a Consumer Empowerment Index (ICE). The results that are included in Table 1 show a great heterogeneity of consumer empowerment in 29 European countries. There are recent EU member countries where customers are more engaged (Czech Republic, rank 1; Cyprus, rank 3; Slovakia, rank 10) and more aware of consumer legislation (Czech Republic, Slovakia). The consumer skills are very low in countries like Romania (rank 29), Poland (rank 28) and Bulgaria (rank 26). All these findings show a strong necessity of the consumer empowerment in areas such as a better awareness of consumer legislation and better skills in the buying and consumption process. The consumers must be well informed, must have a better experience and must have more alternatives. Moreover, in order to fulfill their responsibility in building a fairer and cleaner world of affairs and to get a dynamic equilibrium in the market, the consumers could develop a reformist and/or a revolutionary behavior through buying and consumption habits. This



movement of the consumer behavior is named ethical consumerism, consumer activism or political consumerism (*Ballesteros, 2007, p.3*). Political consumers want a reform, political non-consumers seek a revolution.

*The reformists* seek changes within the markets without contesting the current paradigm. They chose the best performers in the market and punish the worst one. The reformists boycott unethical brands and reinforce the best – in - class manufacturers and marketers. Their targets are specific examples of the best: fair trade, organic food, best - in – class performers and worst ways of production and marketing (e.g. unethical companies). On the other hand, *the revolutionary consumers* think first about their needs, assess whether they are preemptory or not then decide whether they can satisfy them without engaging in an economic transaction. They believe that many purchasing decisions are not individual's purchasing decision and are heavily influenced by “contextual social forces” as corporate messages and “structural forces” that make necessary to increase or maintain consumption levels (*Bellesteros, 2007, p.4*). They attack the structural roots of the social, economic and political problems as the protection of the interests of capital and expansion of the process of capital accumulation on world's scale, the homogenization on state policies and forms via the new market ideology, the new tier of transnational institutional authority.

Such consumption behavior gives the consumer a better position in his relationship with the marketers. No matter if the consumer behavior is reformist or revolutionary it strongly works for a

new marketing paradigm based on a better balance of power between consumer and marketer.

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