

THE DARK SIDE OF DIGITAL ADVERTISING

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Abstract: This paper aims to identify the main tactics of deceptive digital advertising. Misleading digital advertising tricks or lures users to take actions or believe things that they did not intend to or benefit from. Digital advertising offers ample opportunities for both serving and abusing consumers. Advertisements that take advantage of consumers' cognitive biases, anxieties, vulnerabilities, or emotions may be controversial, deceptive, and exploitative. The use of big data for personalization and manipulation through targeted marketing is another instance of dark advertising. There is a vast array of unethical digital tactics, from stealth advertising and deceptive content to platforms and algorithms manipulation that subvert or impair the consumers' autonomy, decision or choice.

Keywords: digital advertising, dark patterns, deceptive tactics

1. Introduction

Advertising has been accused of being deceptive, manipulative or downright harmful from the outset. Deceptive advertising harms consumers and competition alike, by building false perceptions in consumers and eroding confidence in the marketplace. Advertisements that exploit consumers' anxieties, biases, cravings, insecurities, emotions, or weaknesses, are often deceptive and fraudulent. Advertising skepticism can be circumvented by various deceptive tactics.

Digital advertising retains previous criticism but engenders new reprovals, with new, elusive and automatic forms of online ads (Lindstrom, 2011: 6). Even if the consumers develop gradually mechanisms of coping with advertising persuasive appeals and tactics, there are different covert stratagems bypassing their vigilance or deflecting their resistance. In the digital realm mixes of news, entertainment and advertising are developed as never before.

Moreover, online advertising can produce some inadvertent distressing consequences. The main problem for advertisers, in the contemporary economy of attention, associated with an escalating media clutter, is that consumers evade, reject, or resist persuasive messages. Even if deceptive advertising is legally prohibited, marketers try to find new ways to bypass regulations and consumer resistance. Digital platforms offer vast opportunities for deceptive advertising.

2. Deceptive Tactics in Advertising

Advertising rhetoric is concerned with determining the most effective persuasion options available to marketers in every communication instance. From a rhetorical perspective, there are three main persuasive strategies (*ethos*, *logos*, and *pathos*) that can be used according to the rhetorical situation and the communication objectives.

Deceptive *ethos* enhances artificially and misleadingly the authority and credibility of the marketer, in terms of expertise, integrity or likability, or use one dimension honestly and the others dishonestly (Boush, Friestad & Wright, 2009: 25).

Deceptive *logos* distorts reasoning for profit through false or misleading claims, misleading inferences, fallacies, irrelevant information, insufficient information, excessive information, numeric misrepresentation, deceptive framing, and native advertising.

Deceptive *pathos* engineers desire and entices consumers by deceitful emotional appeals: emotional triggers, scare tactics, FOMO, bandwagon, priming, and "sludge": discouraging beneficial and encouraging detrimental behaviour for consumers (Thaler, 2018), altercating and identity tactics.

Usually the marketers use different combinations of the three strategies.

Stealth marketing (Boush, Friestad & Wright, 2009: 192) is a form of gray propaganda which obscures the source of promotional messages, using fake *ethos*.

Native advertising mimics organic, editorial content deceptively for the purpose of generating profit. The switching of *persona* from marketer to publisher increases significantly and deceitfully the credibility of the content. The marketers deliberately misrepresent the fact that they are biased and not neutral persuasive agents in the hope that the targets will trust them.

Some influence techniques structure the situation specifically to lead the target to take a desired action, such as landscaping (Pratkanis, 2007: 20). The main point is the deceptive contrivance of the rhetorical situation.

Control of the information flow consists in selective presentation of information that can distort decision-making of consumers. One major instance of this technique is the deceptive or ornamental disclosure of information, which omits risks and limitations of products (Boush, Friestad & Wright, 2009: 42). Consumers can also be distracted during a potentially damaging disclosure by different stimuli which inhibit the message processing. In addition, a damaging disclosure can be concealed within unrelated content.

False advertising can involve exaggeration but often comprises misrepresentation of products for profit. False advertising includes not only overtly inaccurate information, but also omission of relevant information, inducing false beliefs to consumers (Serota, 2019: 819).

Deceptive framing directs consumers to make decisions based on selected information, while dismissing or downplaying other relevant information products (Boush, Friestad & Wright, 2009: 63). The perspectives promoted in deceptive framings construct distorted representations of the brands for the consumers, depriving them of relevant details which would motivate different decisions.

3. Consumer Responses and Coping Mechanisms

The individuals process persuasive messages using System 1 thinking (automatic, peripheral route) or System 2 thinking (systematic, central route). The Elaboration Likelihood Model (ELM) proposes two paths of processing persuasive content. Usually the targets process the persuasive messages either on the central or on the peripheral route, depending on their involvement and cognitive capacity (Gass & Seiter, 2022: 44-45). On the central route, individuals process the message systematically, by methodically examining the quality of claims and proofs. On the peripheral route, targets

process the message automatically, by using various cues or heuristics. When individuals are motivated and capable to process a message systematically, they will engage on the central route of elaboration, whereas when they are apathetic and/or incapable to make cognitive effort they will engage on the peripheral route (Fennis & Stroebe, 2021: 196-197). The resistance to persuasion is more likely to be triggered via central processing (Sagarin & Wood, 2007: 325), but sometimes it can also be activated by peripheral cues.

Consumers are generally either sophisticated, cautious or naive (Boush, Friestad & Wright, 2009: 25). Also, some consumers deceive themselves, ignoring their biases or being unable to decode persuasive messages correctly, and thus become manipulated.

The consumers often develop implicit and intuitive persuasion knowledge during their repeated exposure to advertisements, learning to discern the persuasive tactics used by marketers and to develop cognitive and emotional coping responses to promotional messages (Boush, Friestad & Wright, 2009: 32). Consumer knowledge structures consist of three elements: agent knowledge; topic knowledge; and persuasion knowledge (Ham & Nelson, 2019: 126).

Agent knowledge includes the target beliefs about the attributes and intentions of the marketers, in terms of credibility (expertise, reliability, integrity, charisma, etc.). Advertisers' *persona* can usually be perceived as either persuader or helper (Kirmani & Campbell, 2009: 307).

Topic knowledge refers to the target views on the matter of the persuasive message: functional features of the product, the state of the marketplace, brand and company reputation, industry situation, etc.

Persuasion knowledge consists in the perception of the target individuals concerning the strategies and tactics employed by the marketers in the attempt to influence their beliefs, attitudes, and behaviors. The target individuals can engage in various resistance and coping tactics (Kirmani & Campbell, 2009: 307-308).

Resistance to persuasion takes three main forms: reactance (resistance to the influence attempt), skepticism (resistance to the proposal), and inertia (resistance to change) (Knowles & Riner, 2007: 85-89). Reactance focuses on the actions of the persuasive agent, and does not have a specific content. Skepticism is concerned with the persuasive content and activates careful evaluation and intensive scrutiny of the proposal. Inertia avoids the change advocated by the persuasive attempt, regardless the agent and the proposal. Each form of resistance can be addressed by various specific tactics.

When consumers are exposed to advertisements, they engage in reasoning about the motives of the marketers, trying to detect the tactics they employ and to assess the informational content (Kirmani & Campbell, 2009: 300). Consumers' perceptions can be acceptable, reasonable, or perceptive. Individuals have their own motives, goals and tactics within the persuasive communication experience, seeking to maximize their benefits and maintain control of the outcome of the interaction (Ham & Nelson, 2019: 127).

The deceptive form of native advertising consists in obscuring the agent identity, implying a different *persona* which can deceive the consumers. However, when targets are not able to perceive a persuasive attempt, either because they lack the cognitive capacity or they cannot identify an influence intention or tactic, there will be no activation of the persuasion knowledge. Moreover, the activation of the persuasion knowledge

does not always result in resistance to the influence attempt: whether the target perceives the agent's intention as aligned with his/her own goal or the persuasive tactic as pertinent, the response will usually be to consent it (Ham & Nelson, 2019: 131).

Deception protection refers to the consumers' abilities to detect, neutralize, and resist misleading advertising (Boush, Friestad & Wright, 2009: 52). Deception detection skills enable consumers to suspect disingenuous messages by noticing certain anomalies in advertisements. Deception neutralizing skills allow consumers to mitigate, diminish or interrupt deceiving operations. Finally, deception resistance involves, apart from detection and neutralizing skills, the ability to disregard, dismiss and denounce misguiding advertising.

Clandestine persuasive messages are deliberately designed to avoid activating the coping mechanisms. Moreover, individuals tend to make decisions using peripheral route (automatic thinking) and seldom via central route (systematic thinking). Marketers covertly nudge consumers to make biased decisions maintaining, at the same time, the impression of free choice.

Algorithms are designed to capture and retain users' attention for profit and thus they can be addictive and manipulative, by limiting the choices of consumers. They also collect unpaid massive amounts of data from mindless users for commercial purposes. Algorithm aversion effect indicates distrust of users regarding digital decision recommendation systems (Kim & Duhachek, 2023: 253).

4. Dark Patterns in Digital Advertising

The concept of dark patterns was created by Harry Brignull in 2010 and was further developed by researchers such as C.M. Gray and A. Mathur, among others.

Dark patterns refer to practices or deceptive designs using platforms or user interfaces to mislead consumers to act or believe against their will or best interests by impairing their decisional processes (Brignull, 2023). They take various forms intended to mislead, confuse or compel consumers to take actions they would not adopt freely by using false claims, manipulative emotional language, by exploiting users' cognitive and behavioral habits, by nagging, by information overload, etc. However, dark patterns differ in their effectiveness in influencing consumer choice.

Dark patterns mislead consumers by disguising advertisements, obstruct cancelling subscriptions or charges, obscure terms and unreasonable fees, and dupe consumers into sharing their data. Digital over-engagement refers to digital platforms' addiction or obsession (Scheinbaum, 2018: 5). Deceptive patterns are interfaces and user experiences that lead digital media users into making unintentional and potentially harmful choices, which are often geared towards the benefit of a marketer and the detriment of the user, in relation to the processing of their personal data. Deceptive patterns aim to hinder users' ability to make a conscious choice with respect to their personal data and ultimately remove users' control for the protection of their personal data.

Many dark patterns exploit the cognitive biases of users (Mathur et alii, 2019: 6). The most frequent cognitive biases are: anchoring effect (the predisposition to excessively rely on one initial information in future decisions); bandwagon effect (the tendency to consider something worthy only because many others seem to value it); default effect (the tendency to inertially persist in options presented by default); framing effect (the inclination to decide based on the manner in which the information is

presented); scarcity bias (the tendency to assign higher value to items that are rare); and sunk cost fallacy (the tendency to persist in decision which have involved investment of resources even if the realistic prognosis is poor).

The most employed and studied dark patterns included in advertising messages (Brignull, 2023; Mathur *et alii*, 2019) are: sneaking, false urgency, misdirection (confirmshaming, visual interference, trick wording, pressured selling), false social proof (false activity and false testimonial), false scarcity, obstruction and forced action.

Sneaking consists in withholding or delaying information relevant to the consumer's decision, especially regarding costs and it usually exploits anchoring effect, default effect and sunk cost fallacy in digital consumers.

False urgency imposes a fake quantitative or temporal limit to pressure consumers to take a purchasing decision quickly, exploiting the scarcity bias.

Misdirection uses emotional manipulation to misdirect consumers, pressing them to take certain decisions and to avoid others. It takes the following four forms.

Confirmshaming misdirects consumers using emotional language to steer decisions by inducing guilt, shame or discomfort, through framing effect.

Visual interference favors specific actions by visually obscuring relevant information or details and placing prominently certain options, through framing effect, anchoring effect or default effect.

Trick wording involves deliberate use of confusing or vague language to misguide or misdirect users to take actions they would otherwise not take, through anchoring effect, framing effect and default effect.

Pressured selling involves forcing consumers to finalize a purchase by employing deceptive stratagems such as pre-selecting more expensive products via anchoring effect and scarcity bias.

False social proof takes advantage of the bandwagon effect to determine consumers to follow others and make similar decisions. It takes the following two forms. False activity deceives consumers into believing that some items are very popular, in terms of purchases, views or visits, when they are not.

False testimonial involves fabricating fake reviews to artificially increase the desirability of products or services.

False scarcity involves fraudulent claiming that limited quantities of a product or service are available, activating the scarcity bias.

Obstruction involves the asymmetry of convenience for the consumers to join and quit through price comparison prevention or difficult cancellation.

Forced action consists in pushing consumers to take an action which they may not want to, such as revealing personal information or extraction of information about other users.

The above dark patterns are the most common, but there are many more. Some dark patterns affect consumers' behavior more than others. Also, combined dark patterns can have increased effectiveness by cumulative effect. Some digital techniques, such as nudging or growth hacking, are not inherently deceptive, but their use in practice often is. As dark patterns evolve, their detection becomes more effective, as well.

5. Conclusions

The ultimate objective of dark patterns is to increase profit for the advertisers, by employing an ever-expanding array of deceptive techniques. Some dark patterns are

detectable, whereas many others are not. The harms to consumers vary from reducing of personal autonomy to financial loss and privacy breaching to undermining the decision making processes and psychological distress. Dark patterns can also harm the marketplace, by distorting competition and by diminishing trust. The classification of dark patterns is constantly emerging, as new technologies and user interfaces are developed. All the deceptive tactics discussed here can be prevented or countered by a combination of regulation and education, communication campaigns and digital tools.

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