

# CASING PERSUASIVE COMMUNICATION



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ISBN 978-1-4652-1753-0

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Printed in the United States of America

10 9 8 7 6 5 4 3 2 1



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# Using Inoculation Theory in Public Relations Messages: Preparing the Audience for Arguments to be Made Later

MAUREEN TAYLOR, MICHAEL L. KENT, and ADAM J. SAFFER

In the complex world of the 21<sup>st</sup> century, organizations have an imperative to communicate with an assortment of publics using multiple communication platforms (Taylor & Kent, 2010). An organization's public is as likely to be half way across the world as it is to be down the block. Time, space, and location matter less in our highly networked world. Yet, time, space, and location also create challenges for organizations as they seek to influence their environments and achieve objectives. Public relations or strategic communication helps organizations work toward their objectives (Botan, 1997).

This chapter examines public relations through the theory of inoculation. Inoculation theory is a message-oriented theory that assumes that messages have effects. Public relations professionals work to build relationships with publics and influence those publics. The first part of this chapter explores public relations as a persuasive communication function. The second part of the chapter provides a summary of inoculation theory showing how it is used in a variety of persuasive contexts. The third section of the chapter provides a case study of how inoculation is used by a large consumer products company in its communication with publics. The final section provides conclusions and implications of using inoculation theory in public relations.



## Public Relations as a Persuasive and Ethical Communication Function

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Public relations is the use of communication to negotiate relationships among groups (Botan, 1992). All types of organizations use public relations: businesses, non-profit organizations, government, activists, and individuals. Public relations professionals help clients and organizations to understand stakeholders and publics and help individuals and publics to better understand organizations (Botan, 1992).

Public relations has generally been viewed as a persuasive communication activity (Heath, 1997). Public relations professionals work to influence the beliefs and behaviors of others through information and persuasive messages. In the early years of public relations research, some scholars argued that persuasion was inherently unethical and that public relations professionals should only focus on informing stakeholders and publics (Grunig, 1992). The “persuasion is bad” view was critiqued as naïve and unreflective of reality since humans are inherently persuasive beings.

This chapter accepts that persuasion is a natural part of the human experience. Humans seek to persuade others and it starts at a very early age. As children we will often play one parent off the other, telling our mother “Dad said it was okay to stay overnight at Lars’ house” while telling our father that “Mom said I could go if you agreed.” As we get older we become more sophisticated, learning to make subtle language choices to improve the reception of our messages, and to direct the attention of listeners to particular points through organizational strategies, pacing, and repetition.

Humans are open to being persuaded. Persuasion, according to many philosophers, including Burke (1969) and Johnstone (1971), is a central feature of being human. Johnstone (1971) viewed the ability to persuade, and in turn to be persuaded, as that which makes us human. Humans, unlike other creatures, have the capacity for persuasion. Thus, communicative messages or actions that seek to persuade, and individuals and publics who are open to listening to persuasive messages from others, personify ethical communication.

Many people mistakenly assume that information is neutral and free of persuasive intent (Kent, 2011, p. 225). Clearly that is a fallacy. Just think for a moment about the intensely partisan “information” that is provided by the pro-life/anti choice movement, which often includes graphic images of aborted fetuses. Or the imagery and messages used by People for the Ethical Treatment of Animals (PETA) or those sad advertisements by the American Humane Society to raise awareness and money to improve the lives of animals. Arguments take many forms, and persuasive communication is both informative and persuasive, drawing upon logical arguments, emotional language and imagery to achieve persuasive goals (Kent, pp. 140 ff.).



Another feature of effective persuasion is the use of quantitative evidence. Factual information in the form of numbers, statistics, historic facts, and dramatic analogies provide one level of information in a public relations message (Kent, p. 225). When we learn about past events, actions and decisions, economic and legal constraints, and statistical correlations, we are being exposed to facts. Yet, for many people facts are unpersuasive, which is why public relations professionals include multiple techniques, including the use of emotional words and anecdotes, compelling images, credible spokespeople, and other strategies designed to persuade people to change their beliefs, values, and attitudes, or in some way alter their mindset about an organization, its products or its management (Heath, 2000). Thus, the best persuasion is multilayered, drawing upon multiple forms of support, and informed by an understanding of human nature and communication theory.

Modern persuasion has also become something of a two-way street. Social media have provided access to vast amounts of information to everyday citizens; information that was once only available to elites and powerful organizations. If we extend Johnstone's (1971) thesis, the best organizations and most skilled communicators are as open to being persuaded by stakeholders and publics, as they are to persuading others, and communicating organizational needs and interests. For instance, today, many citizens want the organizations that they do business with to be more environmentally conscientious, transparent, and worker friendly, engaging in what's called corporate social responsibility (CSR) (Taylor, 2013). Organizations need to listen to the public's demands, or risk being left behind in favor of a competitor that does listen. And organizations that are behaving ethically want to share that information with stakeholders and publics. Public relations research shows that organizations that listen to publics and then adapt to the needs of their publics are more effective and successful, while organizations that ignore their publics are often punished in the court of public opinion or in the marketplace (Taylor & Grasso, 2000).

That being said, there are no absolutes when it comes to communication or persuasion. Not every organization can be classified as either good or bad. Every organization has its own unique image and occupies a different location in the social landscape of trust and credibility. Thus, as this book should show you, different rhetorical situations call for different approaches and different theories of persuasion. In some cases, such as politics and controversial issues, ideological persuasion is appropriate (cf., McGee, 1980). Ideological persuasion involves drawing upon socially and politically charged language to influence an audience. As Kent (2011) explains:

Ideology refers to the body of doctrine, myth, values, and beliefs that guide individuals, groups, institutions, and social classes. On the most basic level, the Democrat and Republican political views are ideologies. However, ideology



includes more than mere political parties. Ideology also includes religion, and beliefs about social conventions and relationships (gender, marriage, family).  
pp. 157–158

In other cases, narrative theories that are used to construct shared visions of the world are necessary. Narrative theory goes back to the work of Fisher (1978, 1984, 1985) and assumes that people make sense of the world through narratives or stories. When advertisers use stories in their commercials (for example the famous “I’m a Mac.” and “I’m a PC” advertisement), or politicians tell stories about specific people who overcame adversity, they are using a narrative approach. The next section of the chapter considers inoculation theory. In some ways, inoculation theory is a form of pre-persuasion, laying the groundwork for pro and con arguments that are expected to emerge in the future. The idea of inoculating *potential* audience members, however, was a new twist on the theory and is discussed below in our case study.

## Inoculation Theory: Then and Now

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Simply put: to inoculate is to prepare. Inoculation first emerged as a medical term. To inoculate someone meant for a medical professional to take a small part of a virus or bacteria, introduce it into the body of a healthy person, and allow the body to fight the virus. The body built up antibodies and the next time the body was exposed to the disease, it had some resistance. That resistance against future infections strengthened the immune system and allowed a person to be healthy during the next outbreak. The first inoculation vaccine was in 1796 for smallpox. Other inoculations followed with some of the most famous vaccines addressing rabies, tetanus, typhoid, polio, scarlet fever, flu/influenza and pneumonia. Inoculation as a concept in persuasion emerged in the 1960s as scholars studied psychological approaches to persuasion (McGuire, 1964).

Inoculation originated from persuasion research that explored the effects of one-sided and two-sided messages on audiences (Pfau, 1997). This research found that when individuals were given two-sides of an argument, they were able to discount future counterarguments (Compton & Pfau, 2005). The idea of preparing audiences to argue both sides of an issue goes back to the ancient Greek sophist Protagoras of Abdera (c. 450 BCE), and has been a staple of formal argumentation for centuries. However, no one had ever considered the technique as a prophylactic technique before. McGuire (1964) built from this research to consider the possibility that audiences could be given inoculation messages to prevent them from altering their beliefs or attitudes much like patients are inoculated from viruses altering their health. While avoiding exposure to a virus is



actually the best defense against infection, in a connected world where communication messages permeate every part of our lives, “defense by avoidance, although highly effective for belief maintenance, has the disadvantage of leaving the individual poorly prepared to resist counterarguments should he be involuntarily exposed to them” (Szybillo & Heslin, 1973, p. 396). In other words, if someone is not inoculated, he or she will be vulnerable to persuasive messages.

As a persuasion theory, communication theorists recognize two core components to inoculation—threat and refutational preemption. Inoculation in persuasion means forewarning someone of a possible argument that challenges their current belief (threat) and offering a weak counterargument to this threat in order to build up a defense against such a threat or even stronger ones that may occur in the future (preemptive refutation) (Pfau, 1992, p. 29). The first component (threat) in persuasion is any kind of message that challenges or motivates a target to protect his or her attitudes or beliefs (Pfau, 1997). For instance, many people hold certain beliefs (Americans are hard-working, honest people who support human rights) and when there is a message that challenges those beliefs such as one that says that Americans are lazy, Americans are dishonest, or that Americans abuse the rights of others, then people are forced to deal with this dissonant message. For those who hear this message, some people will be able to ignore the message, others may argue against it, and some may be provoked to consider the statement.

When threatening messages are received, the second component of inoculation (refutational preemption) occurs. Refutational preemption is the cognitive part of the inoculation process and occurs when people come up with their own response or counterargument to a challenging or troubling statement. Pfau (1997) noted that a person’s counterargument is the defense and this defense strengthens existing attitudes on the topic. For instance, a person challenged by the statement that Americans are dishonest might think about all of the ways that honesty is ensured by laws, regulations, religious values or cultural narratives. Individuals can also be provided with counterarguments to refute threatening statements (Compton & Pfau, 2005). Using the same example, a political leader anticipating the speech of his/her opponent, might forewarn the public about the argument that some Americans are lazy, and provide the audience with counterarguments (preemptive refutation) that Americans are hard working and just want a job. Thus, when listeners hear the negative messages of the other party about lazy Americans, they have been primed to respond to the claims with their own counter arguments or refutational preemption.

Like most persuasive theories, the message recipient is the crucial part of the persuasion formula. The fundamental assumption of inoculation theory states that people self persuade against arguments that challenge preexisting attitudes, beliefs, or opinions



(Pfau, 1997). The amount of cognitive processing devoted to considering an inoculation message also plays a role in the overall success/failure of the persuasion. The receiver needs to devote adequate attention to creating the counterargument (Pfau, 1992). The more cognitive processing dedicated to thinking about the counterargument, the more likely the receiver is prepared for future messages. In other words, if someone gives a message a lot of thought and refutes it, then they will be much more able to withstand future messages making the same claims.

The timing of the inoculation message and the message processing are important. (Banas & Rains, 2010; Compton & Pfau, 2005). The message receiver must be warned that an attack on their beliefs or attitudes is imminent. The forewarning, or inoculation message, triggers a defense against a future attack. The person has then become inoculated. Much like a medical inoculation, communication researchers believe that inoculation requires some delay between receiving an inoculation message and being threatened (Banas & Rains, 2010; Compton & Pfau, 2005). A person's defenses—their counterarguments—must be built up in order to withstand the “virus,” or the impending argument made by a speaker or writer. In persuasion, this allows the person to be better prepared to counter a message. The second aspect of time associated with inoculation stipulates just how long individuals are inoculated against a message threat. The exact timespan of inoculation is unclear (Banas & Rains, 2010). Pfau et al. (2006) found individuals may remain inoculated months after “treatment” and that individuals can receive “booster messages” to help sustain their inoculation. For persuaders, it is a good idea to occasionally restate an inoculation message.

Research has also revealed that the medium matters in inoculation. Pfau, Holbert, Zubric, Pasha, and Lin (2000) found that the medium (or communication channel used) affects inoculation messages. Their research suggests when inoculated through print, individuals focus more on the content of the message and require a delay before being able to counter argue a threat. When an inoculation message is received through video, individuals rely on characteristics of the source to accept the message but do not require a delay unlike receiving the message through print. Compton and Pfau (2009) asserted—based on their extensive program of inoculation research—that “inoculation messages coming from those in one's social network are more influential than from a more sterile source, such as mass media” (p. 19). Ivanov et al. (2012) found that when individuals talk about an inoculation message they become even more resistant to a counter argument. The mere act of talking about it and presenting your position to others is persuasive. For instance, if you tell someone about an inoculation message that you heard (People are saying that Americans are lazy, but the President said that they are jealous of our success) then you are even more persuaded. The research to date has yet to study the influences of



inoculation messages in the context of social media. Can people be inoculated through social media? Is a YouTube video enough to prepare a person for counterarguments? Is a message from someone in your social network enough to inoculate you? Theoretically, the answer is yes. However, inoculation research via social media has not been conducted yet.

Inoculation theory has been studied and applied to advertising, marketing, public relations, political communication, and health communication (Parker, Ivanov, & Compton, 2012). In the context of advertising, Pfau (1992) found that when consumers are highly involved with a product they can be inoculated to resist competitors' products. If your favorite soft drink or toothpaste provides inoculation messages that compare their product to others, consumers may become even more loyal to the brand. Inoculation is also applicable in political communication. Research in political communication has revealed that when inoculated, voters are more resistant to attacks from an opposing candidate's party (An & Pfau, 2004). For instance, many candidates say, "My opponent will tell you that he is the only one who can clean up Washington. He has been there for 19 years. What has he been doing?" In health communication, researchers have found that young adults can also be inoculated to protect themselves against pressures to engage in risky health behaviors such as unprotected sex or binge drinking. (Parker et al., 2012)

Inoculation theory is also useful to public relations practitioners. Wan and Pfau's (2004) findings suggest that inoculation messages can help maintain an organization's positive image after a crisis. Inoculation research instructs public relations practitioners that to keep people believing in something, we need to provide a bit of the attack (the vaccine), thus providing a weak argument that can be easily refuted. The weak attack message, usually sent as a rhetorical message such as, "people who hate America may say that Americans are dishonest" can be refuted with a prepared counterargument such as, "Americans are honest because we value morals in business and in government." This prepares the message recipient for stronger, more persuasive attack messages later.

As the above overview of the literature demonstrates, inoculation is a powerful theory available to public relations practitioners. The following case study of Johnson & Johnson's Responsible Dosing Campaign explores further how inoculation is used in public relations.

## Johnson & Johnson and the Responsible Dosing Campaign: A Case Study of Inoculation in Public Relations

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Organizations incorporate inoculation messages into their public relations materials for a variety of reasons (Veil & Kent, 2008). Inoculation incorporates specific messages into advertisements, speeches, and printed content to help prepare consumers, stakeholders, and publics for



competitive claims made by other products (“Our competitors say they have the best burgers, but you can decide after trying ours...”). Inoculation has also been used to help consumers combat peer pressure from their friends and colleagues by providing “talking points.” In the late ’80s, for example, cigarette maker Phillip Morris (now Altria), printed messages inside their cartons of cigarettes that were designed to help smokers combat the anti smoking arguments being made by health officials, lawmakers, and in the media (O’Connor, 2006). A more modern form of inoculation messages includes attempts to make everyday citizens, who might be selected to serve on juries for lawsuits against product manufacturers, more aware of specific organizational claims of good corporate behavior and socially responsible activities.

O’Connor (2006) studied values advocacy messages (messages where organization talks about their good deeds) to see how they impacted regular people. O’Connor used a focus group methodology, and studied potential target audience members to see if a company’s values advocacy campaign would reduce the amount of money that a company would be forced to pay by the jury in a wrongful death lawsuit. O’Connor’s subject of interest was tobacco jury deliberations and whether values advocacy messages would save the industry money in lawsuits.

O’Connor found that the people who were told that companies like Kraft foods (owned by Philip Morris) were working to combat hunger, help the homeless, and improve inner cities were more likely to reduce the punitive damage awarded to victims. In other words, the advocacy messages provided a “halo effect” inoculating the companies against past misdeeds because of their current good practices. The people who received the inoculation messages were likely to reduce punitive damages to victims.

Veil and Kent (2008) studied a case of issues management and inoculation. Issues management “emerged in the past century when executives of large corporations turned strategically to government to seek favorable public policy to define, defend, and champion their monopolistic practices” (Heath, 1997, p. 1). The traditional practice of issues management focused on communication by corporations that sought to influence both the public and the government in order to direct how an issue would evolve. Crable and Vibbert (1985) wrote that issues are “created when one or more human agents attaches significance to a situation or perceived problem” (p. 5). Veil and Kent studied Johnson & Johnson’s Tylenol responsible dosing advertising. This case study extends Veil and Kent’s work to focus on the public relations messages of the Responsible Dosing campaign.

Among communication scholars, Johnson & Johnson has been something of a legend since their 1982 crisis management of the Tylenol tampering incident where seven people were killed after ingesting Extra-Strength Tylenol capsules laced with potassium cyanide. Within a week of the incident, Johnson & Johnson halted advertising and production, recalled millions of bottles of the product, and offered to exchange capsules (a time-released



form of their product no longer sold) for solid tablets. Since then, Johnson & Johnson has epitomized the ethical company. However, what most people are unaware of is that all painkillers involve some risk and Johnson & Johnson's products can help or harm users.

## Pain Relief: Risks and Benefits

Pain relief is one of the most important medical breakthroughs in the late 1800s and 1900s. Anyone who has ever had a debilitating headache, backache, or painful injury knows the benefit of modern day pain relievers. The formulation of Bayer Aspirin in 1897 and the development of the over-the-counter drug of acetaminophen in 1953 have provided much needed pain relief for people all across the world.

Yet, all drugs come with risk. Aspirin can affect the lining of the stomach and exacerbate ulcers. Acetaminophen can affect kidney functions. Many manufacturers also produce products that contain Tylenol, such as cough medicine, thereby increasing the dose that some people take. The Tylenol brand has been the leading brand in acetaminophen essentially for decades, making its products with acetaminophen more trusted than other products using the same ingredients.

Although Johnson & Johnson gained national and international respect for its handling of the 1982 Tylenol poisoning crisis, as early as 1977 the U.S. Food and Drug Administration (FDA) concluded that an overdose of acetaminophen “may result in severe liver damage and a warning regarding this effect is obligatory” (Gilbertson, 2002, slide 4). Veil and Kent (p. 400) noted that acetaminophen, even if taken at the recommended levels is the leading cause of death in poison-control cases and the chief cause of acute liver failure (Alonso-Zaldivar, 2006). Over-the-counter acetaminophen has been linked to more than 56,000 emergency room visits and has resulted in about 100 deaths each year according to FDA estimates. (Neergaard, 2005)

One of the first stories about Johnson & Johnson's Tylenol product safety appeared in *Forbes Magazine* in 1998. Writer Thomas Easton told the stories of different people who had taken Tylenol and had adverse health effects ranging from liver failure to death. Easton (1998) noted that

In 1986 J&J polled several hundred people, including doctors, on their reaction to a hypothetical alcohol warning. Some 70% of the respondents said they wouldn't recommend use of the product for drinkers. In short, an alcohol warning might have threatened J&J's market share.

In response to studies tying liver damage to the use of acetaminophen and alcohol, Johnson & Johnson drafted damage-control memos that also came out in court. One told



the company's sales representatives: "Do not initiate discussions with your physicians on this issue" (§ 16–17).

In response to bad publicity such as Easton's article, decades of pressure from the FDA to change the labeling, and concerns over lawsuits associated with infant deaths caused when infants were given too much acetaminophen, Johnson & Johnson began exploring ways to protect themselves. The answer was the responsible dosing campaign.

## The Responsible Dosing Campaign

In 2004 and 2006, Johnson & Johnson was successfully sued in court for wrongful death of people who took the recommended dosage of the Tylenol. Veil and Kent (2008) concluded that Johnson & Johnson's research showed that consumers regularly took higher than the recommended dosages of over-the-counter medications and mothers often dispensed too high a dosage to their children (Sampey, 2005). Johnson & Johnson created an advertising campaign telling customers to "read the labels on over-the-counter drugs." This advertising campaign was called "Stop. Think. Tylenol" and featured the CEO, Bill McComb. Johnson & Johnson used the campaign to expose consumers and potential jurors to messages about "how to be safe" (responsible dosing). Johnson & Johnson advertisements sought to inoculate potential jurors and consumers against imminent lawsuits and create the appearance of a solution ("we care so we are telling you to be careful") before the issue became front page news. The message was clear: "you should be responsible when taking this drug. If you have issues, then it is your fault. We warned you."

Given the abundant persuasion research that exists on identification (making people feel connected to a persuader) (Burke, 1969), symbolic representation (making people think that you care about them by talking about what they want to talk about) (Kent, Harrison, & Taylor, 2006), and of course inoculation, the message strategy by Tylenol made sense.

## The Inoculation Messages Today

Over the last several years, Johnson & Johnson has attempted to provide more useful, comprehensible information to its consumers. In 2010, at the urging of the FDA, Johnson & Johnson included clear messages in its product information, warning of "Liver Damage," and "severe liver damage" if an adult takes more than 4,000 mg in 24 hours, which is the maximum daily amount, a child takes more than 5 doses in 24 hours, multiple drugs containing acetaminophen are taken at the same time, or an adult has 3 or more alcoholic drinks a day while using the product ([www.tylenolprofessional.com/assets/TYL\\_PPI.pdf](http://www.tylenolprofessional.com/assets/TYL_PPI.pdf)).



In 2011 and 2012, Tylenol dosing issues continued to emerge. In fall 2011, Johnson & Johnson reported that it would reduce the maximum recommended dose of Tylenol in order to reduce overdoses and liver damage. Johnson & Johnson also lowered the top daily dosage of Extra Strength Tylenol by 25 percent. The daily dosage had been eight pills a day, or 4,000 milligrams. The dosage was reduced to six pills a day, or 3,000 milligrams.

Not surprisingly, throughout the 2000s, leading up to the decision to produce the inoculation messages, McNeil Pharmaceuticals, owned by Johnson & Johnson, experimented on drinkers (chronic and occasional) using maximum daily doses of the drug (4,000 mg.). Although the studies were conducted anonymously, a U.S. government site now reports that several of the studies were funded by McNeil ([www.clinicaltrials.gov/ct2/results?term=acetaminophen+alcohol&Search=Search](http://www.clinicaltrials.gov/ct2/results?term=acetaminophen+alcohol&Search=Search)). Clearly, Johnson & Johnson was well informed when they began their inoculation campaign.

## Implications for Persuasive Communication

Persuasion is neither good nor bad—it is the intent behind a message strategy that makes it ethical or unethical. Part of the social contract in a civil society is a belief that we can trust the messages of our political leaders and business and corporate spokespeople. Indeed, public relations exists in a world where ethical behavior and telling the truth are part of the job. However, public relations professionals also function in a world where threats (or attacks on the organization or stakeholder beliefs) are common. Part of our job as professional communicators is acting as organizational counselors and preparing members of our organization to respond to the arguments and attacks of others. Thus, providing preemptive refutations are actually somewhat common. Anyone who has ever seen a list of talking points, or listened to a presidential debate, has probably been exposed to a number of preemptive refutations.

Tylenol's use of inoculation may have violated that social contract, as the persuasion technique seems to have been used to protect the company's bottom line, rather than its customers. One has to be suspicious of a company that for decades was heralded as the epitome of a modern ethical corporation, whose credo "challenges us to put the needs and well-being of the people we serve first" ([www.jnj.com/connect/about-jnj/jnj-credo](http://www.jnj.com/connect/about-jnj/jnj-credo)), and yet has worked so hard to obscure the harms associated with one of its best-selling products.

There are two components of inoculation: a threat and a refutational preemption (Pfau, 1997). The threat part contains any kind of message that challenges or motivates a target to protect his or her attitudes or beliefs. The refutational preemption occurs when people create their own response or counterargument to the threat. A person's



counterargument is the defense and the act of creating the defense actually strengthens their existing attitudes on the topic.

In inoculation theory, people steel themselves against arguments that challenge their preexisting attitudes, beliefs, or opinions. In other words they persuade themselves and this is the strongest form of persuasion (Black, 1965). Both the timing of messages and message processing are important to persuasion. The message recipients must be warned that an attack on their beliefs or attitudes is imminent. The forewarning or inoculation message triggers a defense against a future attack.

The Johnson & Johnson example provides a good case study of inoculation. Johnson & Johnson's response to the 1982 tampering incident has been viewed as a corporate responsibility and crisis management case study in ethics and good business. The outcomes included a tamper-proof container and a widespread belief that certain consumer products needed more effective packaging. Johnson & Johnson emerged as a trusted brand and has held a dominant share of the pain reliever market for over 35 years.

Its responsible dosing campaign shows us how inoculation messages help to prepare consumers for future arguments. Over the last 10 years, Johnson & Johnson has been the target of more than 100 lawsuits brought by consumers who have used the product responsibly, yet have sustained kidney damage. Such results fly in the face of Johnson & Johnson's image as an ethical company. Most of the lawsuits are settled out of court and the plaintiffs are forced to sign a non-disclosure agreement. The evidence is not made public and Johnson & Johnson does not have to disclose the claims or the amount paid in damages. The outcome of this type of negotiations mean that consumers are not fully informed about the health risks of taking Tylenol.

In January 2013, a group of plaintiffs filed a motion to centralize federal Tylenol litigation as part of a class action lawsuit or multidistrict litigation (MDL), which would transfer cases pending in U.S. District Courts to one judge for coordinated handling during pretrial proceedings. If the cases were consolidated in an MDL, the litigation would be handled in a manner similar to how a class action lawsuit would be managed. However, in its response, Johnson & Johnson argued that the formation of a Tylenol MDL is not warranted or justified, claiming that Tylenol's warning label since at least 2005 has provided consumers adequate information about the potential risk of liver damage caused by acetaminophen overdose.

Instead of taking steps to "get its house in order" and take responsibility for the thousands of deaths its product has caused, Johnson & Johnson maintains that it has provided adequate warnings for years about the potential risk of liver damage associated with acetaminophen, and that any product liability claims pending against Johnson & Johnson will depend largely on the evidence provided in individual cases. Johnson & Johnson



currently faces at least 33 lawsuits filed in federal courts throughout the United States, on behalf of individuals who claim that the acetaminophen ingredient in Tylenol caused them to suffer severe liver failure or liver damage. Johnson & Johnson has challenged the MDL consolidation of the “Tylenol lawsuits on the basis that the outcome of the cases will depend on the individual facts of each case, such as how much Tylenol plaintiffs took and whether they had any other health problems that could have caused liver failure” (Atkins & Markoff, 2013, ¶ 2).

In the near future, juries made up of citizens across the United States will hear individual cases against Johnson & Johnson’s signature product. The people serving on the juries will have been exposed to inoculation messages, starting almost a decade ago in 2004. By 2014, this means 10 years of exposure to messages.

Remember that inoculation requires certain things from the persuader (Johnson & Johnson) and the message recipients (the potential jurists). Inoculation messages need balance. The attack message needs to be strong enough to trigger the receiver’s refutation processing (Tylenol can be dangerous if not taken properly). Yet, the message must be weak enough so as not to cause the audience to seriously question the recipient’s actions or shake a person’s trust in the product. Too strong of an attack may prompt unintended message processing, fear, and unintended self-persuasion such as a decision to never use the product again. Alternatively, too weak of an attack may not adequately prepare the message recipient(s) for future persuasive messages. The amount of cognitive processing devoted to considering an inoculation message such as the Responsible Dosing Campaign influences the overall success/failure of the persuasive message. The more cognitive processing dedicated to thinking about the counterargument, the more likely the receiver is to be prepared for the future messages.

Many of the citizens who will sit on the future juries across America will have no doubt heard about the Responsible Dosing Campaign. They may have changed their Tylenol consumption patterns because of the campaign. Those messages may have also inoculated them against the arguments by the victims. The Johnson & Johnson messages clearly identified the threat due to taking larger than recommended doses of Tylenol. The jurists have had time to think about the claims and they have had time to prepare their own “refutational preemption.” Jurists will know that Johnson & Johnson created a campaign to help consumers better understand the risks involved in taking the medicine (one key public relations message said, “Because we would rather see you not use Tylenol, than take too much”). For some jurists, they will believe that Johnson & Johnson has done its job in educating the public about the benefits and risks of taking Tylenol. They are prepared mentally to refute the plaintiffs’ claims that they did not have enough information to make better decisions. For those jurists, they will probably critically question



the claims in the cases on their own, without the aid of a large scale MDL—which is what Johnson & Johnson wants. Some jurists may have a difficult time being persuaded that Johnson & Johnson actually did something wrong.

Yet, the inoculation messages may not have persuaded other jurists and instead they may believe that Johnson & Johnson, once a leader in corporate social responsibility, is now covering up a dangerous product. Easton (1998) asked readers to “contrast this forthrightness [from 1984] with Johnson & Johnson’s inch-by-inch concessions on label warnings about liver damage. The cyanide killed seven people. The American Association of Poison Control Centers counts about 100 deaths a year from acetaminophen alone or in combination, and this figure understates the total, since hospitals are not required to report cases” (p. 3). With thousands dead or injured since the ’70s, Johnson & Johnson is in for a battle.

## Questions for Reflection

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1. Define inoculation theory.
2. Explain the two parts of an inoculation message.
3. According to this chapter, what makes an inoculation message effective?
4. Are inoculation messages always effective? Why or why not? Give an example from your own life where inoculation messages persuaded you.
5. Explain how Johnson & Johnson used inoculation messages in the Responsible Dosing Campaign.
6. Why is persuasion ethical? When is it unethical?
7. If you were a jury member, what kinds of arguments would persuade you that Johnson & Johnson behaved ethically?

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