Early Publicity in India: Trademark, Branding and Advertisement

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Ye Angrez ka kampani, sab dakte hai [These English companies are all dacoits], remarked Kanishk Bherulal Choradia, a grain merchant in Niphad, Nashik district, to a sales representative from a consumer goods manufacturer. As late as the 1990s, the merchant did not distinguish between the company whose salesman he was addressing, which was in fact Indian, and foreign firms. To him their behaviour was the same. "Everybody understands that you are trying to make fools of them," he told the salesman. "You give us a fancy package at double the price. But there is a hawa [wind, fashion trend] and I am also going along with it."  

In Choradia’s view, the “package” was only a phase, an interruption in an economy driven by the sale of commodities. Wrapping goods in paper or cloth or even plastic was hardly new, but the ornamental character of packaging, together with proprietary branding, advertising campaigns and higher prices, displaced the consumer’s attention from the product, to the company’s temporary benefit. Choradia’s own willingness to stock packaged goods was an experiment; to take the trend too seriously would be a mistake, he implied.  

The salesman relied on the goodwill of big merchants like Choradia, who had the resources to qualify as a stockist for large companies, and whose stores commanded a loyal customer base. Such loyalty arose in large part because of flexible credit. Credit for buyers with low and unpredictable incomes. The “Angrez kampanis” insisted on advance cash payments but credit was essential for much of the bazaar clientele in places like Niphad. Not only credit, but other kinds of accommodation were at work too. Tradesmen broke up or sliced branded products such as toilet and laundry soaps for those unable to afford the whole item. Thus even packaged commodities became bulk goods in down-market areas. In short, although market visionaries understood the universe as composed of competing brands (whether at present or in the imminent future was not always specified), a view from the hinterland revealed that branded goods were a prestigious outlier, at best. 

Publicists overlay a product’s use value with claims enhancing its desirability. We tend to assume that exhortations to consumption occur in a context where exchange has become routine in assessing competing brands. If for example Lifebuoy soap is said to promote health, and Lux beauty, prospective buyers can exchange one preference for another, at a price. However there are those who are unable to afford either, for whom the choice may be between an unbranded or locally branded soap lacking much advertising support, or other less expensive means of hygiene, or to make no purchase at all, a result of what a 1936 report referred to as “the incredible

poorness, from the European point of view, of the Indian consumer.” Choradia’s remark suggests that though incomes have risen steeply since then, advertised goods are still only one option rather than the norm. This observation indicates that the spread of branded commodity aesthetics requires prospective consumers to engage with the signage and desire the product. This affective labour not only has a precarious status, it also has indigenous competition: small-town and rural traders or hensis are ambivalent about packaged goods because the margins tend to be a fraction of what they derive from selling other commodities. Policy-makers and publicists both tend to assume that “packages” are more colourful and attractive, while being more modern and even more transparent, since relevant information is supposed to be provided in the packaging. However the Choradias of the world are sceptical.  

This essay considers the early history of consumer product publicity and advertising via the emergent phenomenon of branding, which occurs at the nexus of culture, the
The significance of the early Indian publicity material analysed here can be understood by drawing the parallel with early cinema, i.e. before film industry conventions came to be defined with the medium itself. When the medium of cinema was still relatively new, there was less concern to streamlining its constituent parts or to define its target audience, and a greater likelihood of disclosing the heterogeneous character of the cinematic field. The audience's experience of cinema was the attraction, and the industry had yet to attempt to rationalize and redefine that experience itself.

As with cinema, the study of advertisements suffered from the dominance of the industry's own accounts about itself. As a result, a lengthy and complex historical process in which importers, manufacturers, traders and wholesale agents, publicists, marketers and retailers participated to promote the sale of goods, became an ascending stairway in which modern advertisements appeared as the highest step in refining the market's address to the consumer. Early consumer publicity shows evidence of a market where many voices can be heard and signs of different kinds of agents are seen. The early advertisement was a playing field in which the consumer brand did not as yet exist as an independent entity; it was a prop or a surrogate for a variety of market actors acknowledging each other as well as the end consumer. Most sales were still clinched by the retailer's word-of-mouth at the point of purchase, rather than by the vast and impersonal machinery of publicity. Publicity had as yet a very long way to go to reach its current stage of creative mystification.

The Idea of a Brand

If the brand is taken for granted today as an elementary form of publicity, its emergence was neither spontaneous nor inevitable, and it remains a partial presence in much of the world. The brand represents the identity of the consumer product, or the business, that a given publicity event advertises. It is the repository of the goodwill that a manufacturer may accrue, and its value is estimated as "brand equity". Yet there is no jurisprudence regarding the property form of the brand.

There is, however, regulation on the mark indicating the source of goods, namely the trademark. During the 19th century, courts tried to ensure that the information in trademarks was true and that fraud was checked. Over time, the law identified a product as uniquely originating from its maker or vendor. Thus the mark turned into a form of property in itself, something whose imitation was theft, aside from the question of whether any fraud had occurred. But the trademark also continued to be a device for communication, and the idea of the brand arose in this context.

The brand symbolized the communicational aspects of a commodity that could not be codified and regulated as property to the extent that speech was free. As the trademark became more rigidly defined in law and turned from communication into property, the scope of the published advertisement grew to become the means of defining the brand (together with product design and packaging, which also advertised the product). Thus the rights accruing from brand ownership had necessarily to be somewhat informal, pertaining as much to shared cultural factors as to private economic rights.

The evolution of the trademark as property, and the parallel growth of a fictive personality for the commodity, namely the brand, accompanied capitalist markets' growth in the West. Where market growth was more limited and uneven, as for instance in India, trademark regulation itself was slow to evolve, and advertising too had a relatively minor role to play, and was not necessarily, or not only, a communication between the purveyor of the commodity and the consumer. And the brand had yet to be conceptualized; it was virtually nonexistent.

The brand did not become a freestanding entity that commanded its own public in the West until after 1897, when consumer marketing intensified and expanded. In India, the legal protection offered by the trademark—to vouchsafe a commodity's origin, and to guarantee its quality—remained far longer to be fully established. Here, the development of a market in consumer goods occurred in a grey zone between the licit and the illicit, the branded and the unbranded.

To this day, branded goods are but the tip of the iceberg in India as in most of the non-Western world. While the story of the relationship between law and economy, and between trademark and market transactions, might be little known, some of the effects can be discerned through what remains in the archive of early publicity and the history of the trademark. What may seem to a Western viewer as the sheer visual excess of Indian advertisements, can be read to indicate the specific ways in which colonial (consumer) markets functioned both as cultural entities and as economic actors.

Though early advertisements featured trademarked goods, trademarks could not be registered in India until the first Trademark Regulation Act was passed in 1940, many decades after most other British colonies obtained theirs. Imitations abounded in the wake of any successful product, but in most cases there was little doubt as to which was the product and which was the imitation. Competitors claimed likeness in quality rather than identity with the commodity being imitated, as courts sometimes found. Moreover since most consumer goods were imported in the colonial period, importers could also use the manufacturer's trademark. Disputes over imitations could be settled in favour of the importer's privilege rather than the manufacturer's, on the basis of prior local use. In the absence of an Indian trademark registry, to say nothing of the limited size of the consumer market, a number of similarly branded goods...
brand did not necessarily exist. In another case, that of Gossages Empress Pale Soap, acquired by Lever Brothers in 1923, advertisements urged consumers to "Always ask for Gossages Soaps" without mention of the actual trademark name, Empress Pale. Meanwhile those who purchased the soap, most of whom could not read the advertisement, asked for "Phool Chaap" or "Flower Brand" which was something else again: neither the trademark nor the name featured in the ad, but the image of a flower on the packaging.10

Thus we can see that, before the commodity was subjected to professional treatment by marketers and advertisers who imbued it with an aura and standardized it via the brand, the market was an entity that not only produced profit but also generated knowledge and bore witness to processes that courts themselves factored in as evidence. Once trademark protection set in and acquired the force of law, such knowledge was no longer relevant as evidence, even as market ideology gained in ascendency.

Advertising before the Agency

Although the publicity attending consumer goods has reached stupendous levels today, it tends to be treated, especially by professional publicists, as if it were on a continuum with the cries of street vendors and fairground barbers selling their wares. The implication is of a practice that has a timeless quality, and whose elaboration via markets and technology is secondary to its fundamentally human nature. Thus one chronicler of the advertising industry, Subrata Bannerjee, writes without explanation: "[W]e must...accept the contention that advertising is as old as human civilisation." The author does not indicate what kinds of activity are included in his (unstated) definition of advertising.11

The advertisement has in fact been an undefined category, whether due to the industry's successful mystification of its activity, or because of the long-standing conflation of advertising with free speech. In fact most advertising is commissioned for commercial purposes rather than designed as political opinion. But the equation of advertising with free speech occurred at an earlier time in history, when monopolistic absolutism still prevailed, and before the demands of private property had eclipsed those of free competition.

For instance, during the campaign to abolish the Stamp Act in England in the 19th century, tradesmen denounced the tax on advertisements as a tax on knowledge and a means of censoring the press. The Stamp Act was withdrawn in England in 1855, and since that time, expenditure on print advertisements has been exempt from taxes in India as well. Nearly one hundred years later, in a successful protest against a proposal by the government to tax expenditure on advertising, the marketing expert S.L. Rao wrote: "The Rules do not define what is meant by advertising expenditure. Does it include only expenditure on press and cinema advertising? Or does it also include advertising through posters, and in shops?"12 Rao's statement conflates the work of the advertising agency with the unorganized and informal array of activities to which the term "advertisement" can refer, which would not merit taxation, including storefront artefacts such as calendars and posters. 'Taxing advertisements, Rao warns, could lower consumption and reduce economic growth as well as undermine support for the newspaper industry. The political and economic impact of the advertising industry is thus far out of proportion to its miniscule size, he suggests.
Despite the fact that in India today, branded goods still constitute a minority presence vis-à-vis imitations and unbranded commodities, the growth of media has led to an increase in brand visibility and it is the brand that modern advertisements treat as, implicitly, the legitimate space of consumption. The advertising agency's view of the history of advertising focuses on its own products, namely the advertisements for branded products that circulate in the media; this view is widely held and has influenced scholarly understanding.\(^3\)

If we follow Subrata Banerjee and S.L. Rao, however, the location and boundaries of the advertising text are uncertain. Moreover, the kind of advertising used in shops would include calendar art, typically signalling the pre-history of advertising, produced before the advertising agency came into being. There is however no clean break between the ambiguous rationality of bazaar trade and the putative transparency of economic transactions in the modern market. Instead we need to understand these activities as lying on a continuum. Seeing what makes early publicity distinct also sheds light on what came after it, namely advertising produced by the agency, the historical character of which is only beginning to be understood.

The Colonial Market

In a consumer economy in which most goods were imported, a range of intermediaries such as managing agents, import-export firms, wholesalers, distributors and department stores commissioned the publicity. Advertisements signalled the identity of one or more agencies, for example, the foreign source of the product and the local importer, while identifying stores where the product might be available. Thus most of the images used in such publicity might have had little to do with the product. Instead, their primary aim was to draw notice to the intermediaries sponsoring the publicity. The focus on the commodity itself could often appear incidental.

Merchants would purchase consignments of products at port and circulate them through urban markets and up-country bazaars, and the margins allowed to the trade at each link of the chain drove sales. Shopkeepers advised customers on what products to buy, spurred by margins that depended on how much they sold, and at what rate. Publicity organized by manufacturers was a complement to this process, though this was slow in overtaking traditional means such as word-of-mouth. Distributors, wholesale merchants and shopkeepers, and not consumers, were the main targets of manufacturers’ publicity. This continued to be the case for Indian manufacturers as well.

In a 1946 calendar for Thakur Savadekar & Co, bidi manufacturers from Poona, the main image in the calendar is of a devotional cast, the advertised product notwithstanding. Smoking was hardly an auspicious act, but the image of the deity rendered the text's promotion of bidis subsidiary, or even irrelevant. Besides the name of the manufacturer, the calendar carries the slogan of a Bombay calendar company, and the name of Mahesh Trading Company, Jodhpur, that sells “every kind of bidi and cigarette”, is inserted within the frame of the image itself (figure 2). Captioned Shri Krishna Arpan, i.e. dedicated to Lord Krishna, the picture is in Ravi Varma’s style, the lord standing on a kind of dias surrounded by his gopis. While the classic frontal presentation would seek to absorb the viewer within the deity’s gaze, as befits the relationship between lord and worshipper,\(^4\) the partial sideways view here allows the observer a sense of both the image and of the act of observing it. Only below the image

are we told to “Smoke Always Anchor Bidis”; another line at the side pronounces them “Sweet and Tasty”. The calendar would have been gifted by the manufacturer to their clients, but the prominent inclusion of the name of Mahesh Trading Company, though in a smaller typeface, suggests a second-order gift of the calendar to the latter’s clients as well.

For a long time, then, messages aimed towards the act of consumption were a partial presence. Such messages appeared in publications that had a restricted circulation among the middle and upper classes who comprised but a small fraction of the population. The market was very far from reflecting society as a whole, and instead reflected the hierarchies that structured a racial, colonial order. Thus in the few images of society glimpsed in advertisements, British figures are dominant, while Indians usually appear as servants and subalterns (figure 3). It might be said that in colonial India, the idea of a society that brought together all Indians was an aspiration rather than an actuality.

The challenge of selling in colonial India involved, first of all, the recognition that apart from the insignia of empire itself, there were relatively few cross-cultural channels of communication. The copious presence of what Kajri Jain has called “gods in the bazaar” represented demographic and symbolic opportunism and provided representational bridges in publicity across caste, language and regional differences. While the expansion of capitalist markets is typically understood as secularizing in impact if not as destructive of existing traditions, market growth in India was accompanied by the mushrooming visibility of Hindu gods and goddesses, implying continuity with the past while in fact portending radical change.\(^5\)
Objections of blasphemy or sacrilege were occasionally raised to the use of Hindu deities in commerce, but when authorities considered the issue, the ruling was always the same: trade would suffer if businesses stopped using such images. The objection arguably arose from a Semitic conception of religion, in which the figure of god is central and never represented. In Hinduism, by contrast, gods are epiphenomenal and dharma is central.

In conclusion, we consider here three types of early advertising images that illustrate the relationship between the image, its message of consumption, and its social context. They not only indicate that the early colonial phase of advertising was distinct, but offer ways of deconstructive reading that lead to questions about power, conflict and the social production of the commodity image.

More Gods in the Bazaar
The tinplate advertisement for Special Sher Bidi has corner holes where screws fastened it to a wall, suggesting an image suitable for display (figure 4). Here a more conventional image of Radha and Krishna is juxtaposed with an open pack of biddis nearly as large as Radha. An ornamental frame surrounds the god picture; around the packet are encircled stars, to suggest the product too is special. There is no sense of reverence or sacrilege in the sequence. The picture would have been mounted for its religious significance, and the tobacco product would have received distracted attention at best. Devanagari script is used for the tinplate text, since the advertisement is aimed at distributors and shopkeepers. The words on the pack itself are in Roman. But English-language-speaking smokers almost certainly would have chosen cigarettes; biddis would have been infra dig. Sher was the name, and the lion was the image by which the product was likely to be known.

For whom is the Roman script then being used? The choice of script may indicate that manufacturers positioned even the lowly bidi as a status-aware object. The care taken in composition may indicate the involvement of professional publicists, although there is no indication of it in the text. Small oval photographs of the manufacturers, Mohandas and Hargovindas, "Bidiwale" of Jabalpur, M.P., adorn the bottom of the picture frame; the tinplate hence must have been made post 1936, when the state of Madhya Pradesh was formed.

A 1935 calendar promoting Sunlight Soap features an image by Ravi Varma of a seated Lord Vishnu with his consorts, borne by the cosmic serpent Shesha over the ocean (figure 5). This is one of numerous advertisements for multinational companies that prominently feature Hindu deities. Here the god picture is not bordered; the space occupied by the deity is continuous with the name of the product. The serpent is a manifestation of Vishnu and in its coiling and uncoiling, creation itself can move between existence and nothingness. The image is depicted in heraldic fashion alongside more prosaically real packs of Sunlight Soap, which are opened to show the protruding bars. Here the deity's miraculous presence legitimizes the soap's portrayal, and thus inverts the Cartesian order of evidence which begins with sensory data immediately available to the observer.

The Materiality of Labour
In some advertisements and product labels, we have the materiality of labour interject the aesthetics of the image (figures 7 and 8). If Ramparsad Mahadeo and Co.

of Calcutta presents a "Safe" Dye with a visual pun, John Orr Ewing & Co. of Glasgow offers the "Warranted Best Turkey Red" dyed cloth, in an image that simply shows workers moving bales of cloth labelled "J.O.E." between warehouse and bullock-cart, perhaps loading the latter. The quality of the printing in the posters is presumably meant to advertise the superior dye each company is offering.

In the Safe Dye ad, image and word play off each other. But the three labourers who are required to move the red safe (implying that the dye is so strong, or heavy, that its colour cannot "run") are symbolic figures. Their status is conveyed by their dress and their actions; the face of the one worker we can see is hard to distinguish and the others' faces are obscured. While the red safe is meant to convey an idea about the product—the dye—the workers could be read as abstractions and do not require to be shown in any more detail than is needed to convey the message.

Compare this with the image for Ewing & Co. where the product is itself carried by workers. Here the men are relatively well defined in figure and countenance. They are better dressed than the workers in the Safe Dye image, and appear to be communicating with each other. Significantly, the workers' turbans are dyed red, and their shirts too have red borders (matching the colour of the bands around the packages of dye and the red frame of the ad), as if indicating their use of the product. In having a pair of proletarians model its product, this ad stands in interesting contrast to the previous image, where the workers are relatively mute and their depiction provides little material for interpretation.

The Safe Dye image is in realist mode, but the rendition of labour suggests that the interest in the workers is functional; as such it can be said to represent a carry-over of class and (upper)-caste attitudes. The Ewing & Co. image with its uncharacteristic attention to the physiognomy of labour might have been designed to score points against native prejudice, by more realistically portraying Indian workers as individuals and consumers themselves.

The Sociality of Exchange
Scenes of social exchange presented a problem in early Indian advertising, until with a deft move, inequality was culturalized, as for example with the motto "We are like
this only." This innovation only arose in the 1990s, when a counter-cultural sensibility imported from the West was flipped and became a badge of elite identity. In early advertising, we may see family settings where inequality is naturalized. Street scenes are only infrequently encountered, perhaps because they presented the problem of how to represent poverty. Figure 6 is a calendar image that depicts a bazaar scene, but the actual act of exchange is not depicted, nor are we certain if those who are conducting the transaction can be identified.

Freudenberg, Boehringer & Co. were agents for Mercedes Benz, Carl Zeiss, Bosch and other advanced technological goods, but they were also exporters of a variety of Indian agricultural products such as tea, rubber and desiccated coconut. Their calendar, with its day-and-date sheets removed, presents an oriental bazaar scene for their clients, with beasts of burden helping to navigate the hinterland with their cargo.

The figures are indeterminate and mostly fungible, except for one person at the stall on the right whose back is turned to the observer, and who wears a hat rather than a turban, and carries a case with a strap across his back, perhaps containing binoculars or a camera. We can read into the scene any ideas we may have of the bazaar—we see a mahout leading an elephant, a man carrying a load on his head, a bullock-cart laden with goods, a bare-chested labourer who has probably been helping to load the goods, and groups of people standing about and talking. The sense of a different, non-European, economic zone is conveyed, one where market transactions are saturated by sociality rather than the anonymity of exchange.

Just as in cinema studies, scholars agree that interest in early cinematic forms and techniques must go beyond their development into the more advanced conditions of the present, and consider their disclosure of roads not taken and the distinct set of problematics they present, the same is true of the study of early advertising.

Early consumer publicity too presents a distinct set of problematics, before advertising agencies came to define this genre of publicity in their own terms. India presents a fruitful site for inquiry because, to this day, advertising as understood by the agencies represents only a small share of consumer publicity.

FIGURE ACKNOWLEDGEMENTS
All images barring figure 3 are from the Priya Paul collection, a joint digital initiative with Tasveer Ghar, hosted at the Heidelberg Research Architecture, Heidelberg University.

NOTES
1 Field notes, Nashik district, Maharashtra, November 26–28, 1996.


3 Chloradia’s remark is not simply wisdom from the hinterland. It also echoes a longstanding debate on foreign direct investment (FDI) in retail, which has recently been approved by the Indian government without debate in Parliament, after years of hesitation and amidst continued opposition. The unorganized retail sector has been a haven of self-employed and low-wage workers. Only in agriculture are more people employed. Large-scale unemployment of the already poor will follow, critics have argued. Certainly independent retail would be threatened. (See, e.g., http://www.communispartispan.in/2016/06/profit-against-fdi.html (view=magazine).) On the other hand, business leaders have argued that FDI in retail will increase supply chain efficiencies, multiply revenues as well as improve employment conditions, at least for those who are employed.


5 It is revealing that even in the most influential critical literature on advertisements, such as Judith Williamson’s Decoding Advertisements (London: Boyars, 1978), the historical development of advertising could be boiled down to a question of theoretical form, without provoking debate.

6 For this important argument, see Lionel Bently, “From Communication to Thing: Historical Aspects of the Conceptualisation of Trademarks as Property”, in Graeme B. Dinwoodie and Mark D. Jamin, eds., Trademark Law and Theory: A Handbook of Contemporary Research (Cheltenham, UK and Northampton, MA, USA: Edward Elgar, 2008), pp. 3–22.


9 The Cawnpore Woollen Mills Company, established in 1786 by Sir Alexander MacRobert, manufactured the popular Lal Imla and Bhartawal brand shawls. See Marion Miller, Cawnpore to Cumber: The MacRoberts of Downend (ce: Librario, 2014).


13 Here it is the English-language work of agencies that is best known, and multinational agencies are the best known. Indian-language advertisements are of course accessible in newspapers and periodicals, but less is known as yet about who produced them and under what conditions. Embedded in the way advertising developed in India was a distinction between copywriters and visualisers. The former were usually college-educated and spoke English, while the latter were more comfortable in Indian languages, and if they had college degrees were from technical institutes and art schools, which emphasized more narrow and specialized curricula. At least until recently, it was verbal copy that dominated in national advertising campaigns, however, with the initial copy conceived in English and then translated into Indian languages by lowly paid translators. Ads conceived for regional markets could, by contrast, be conceived and circulated in regional languages. See, e.g., the essays by Douglas Haynes and by Abigail McGowan in Douglas Haynes, Abigail McGowan, Tirzah M. Roy and Haruka Yanagiwara, eds., Towards a History of Consumption in South Asia (New Delhi: Oxford University Press, 2010). The best account of contemporary Indian advertising is by William Mazzarella, Shoveling Smoke: Advertising and Globalization in Contemporary India (Durham, NC: Duke University Press, 2003). The most recent history is from a senior figure in the industry, Ambi Parameswaran, Noodles, Noodles and Noodles: India Through 50 Years of Advertising (New Delhi: Macmillan, 2016).


18 See, e.g., works by Thomas Elsaesser, Tom Gunning, Miriam Hansen and Charles Musser.
EDITORIAL NOTE

"In the cities in which we live, all of us see hundreds of publicity images every day of our lives. In no other form of society in history there has been such a concentration of images, such a density of visual messages. One may remember or forget these messages but briefly one takes them in, and for a moment they stimulate the imagination by way of either memory or expectation. Publicity images belong to the moment in the sense that they must be continually renewed and made up-to-date. Yet they never speak of the present. Often they refer to the past and always they speak of the future."

So wrote John Berger in 1972 in his iconic book *Ways of Seeing*. With his death in January this year, the world of cultural studies lost one of its most original voices. Encouraging us to examine images, in their myriad forms and modes of circulation, beyond just their surface appearances, Berger also turned his attention to publicity, which he said was "about social relations, not objects."

In this issue of *Marg*, guest-edited by Jyotindra Jain, we look at the world of pre-1947 advertising in India from the earliest block-printed ads appearing in almanacs in 19th-century Calcutta, labels on products such as matchboxes and trade goods, to publicity material made specifically for the nascent Bombay film industry. The images are "read" along with copy text where it is available and reveal not just the history of printing technology and the development of printing presses, but also the shifting sociological conditions and relationships within which the craftsman/artist, manufacturer and consumer functioned.

Post-independence advertising has been largely left out of the ambit of this volume as there is a distinct shift after the 1940s, with the sharp professionalization of the advertising industry and the emergence of dedicated firms, art directors and copywriters. Additionally, the ads, while in some cases reflecting the political trends of the time, mostly represent the object or service for sale itself. In this issue, we look at an older world where, despite being embedded in a growing market economy, ads represent a particular intersection of the past and the future, whilst also reflecting clearly the aspirations and prejudices of a soon to emerge modern nation-state.