

THE ETHICS OF ADVERTISING IN ISLAMIC ECONOMICS

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Abstrak

Advertising is the huge weapon of manufacturers located in frontier to campaign their product. Capitalist has been—for a very long time—spending a great amount of money in advertising. They believe that advertising can not be separated from their economic activities. Capitalists, therefore, use all means to make attractive advertisement. They raced to produce a unique and interested advertisement. Soon, advertising has lost its real function to give information of product to consumer. Further, there are so many advertising activities which break the norms. They show part of body that should not be visible. Some other use rude words and jokes. Others are provocation to use dangerous items. Frequently, some advertising insult other product, or other race. Those are all harmful for people, especially for Muslim.

Keywords: *Ethics, Advertising, Islamic Economics*

Introduction

Today, advertising is blurring between the real and unreal. People start to live in life of illusion generated by ‘a-masterpiece-advertising’. Celebrities are paid to say something about certain product, even they don’t believe to be so.¹ Basically they know that one of the functions of

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1 Monle Lee & Carla Johnson, *Prinsip-Prinsip Pokok Periklanan dalam Perspektif Global*, Translated by Haris Munandar & Dudy Priatna, (Jakarta: Prenada Media, 2004). p. 280.

advertising is to give more information about a product.² But, some advertiser purposely tell lie just to get the sympathy of their consumer, and to raise their selling.³

Unceasing advertising and campaign has manipulated human brain to consume more and more, till they believe that their desires is unlimited. Nowadays, people consume goods not because of it's benefit, but more because of lifestyle, for the sake of image⁴ which formed and directed by advertising. Advertising gives symbol of fantasy and luxury which, in fact, is just a gate to consumerism.⁵

These all problems can't be tolerated by Islam, because Islamic economics has ethics which guided it. Islamic economics is an economic based on divinity. This system is guided by Allah's rule, and purposes to obey His order, and use all means which do not break syariah way.⁶

“And those, who, when, they spend, are neither extravagant nor niggardly, but hold a medium (way) between those (extremes).”

Generally speaking, the Islamic economics may be viewed as fragments of ethical, political, commercial, and philosophical thought that preceded the development of systematic economics. Islamic scholar demonstrated that there were comprehensive rules on various economic subject concerning the market mechanism, division of labor, taxation, the role of government, labor, and money & exchange.⁷

It means, Islamic Economics also rules the ethics of advertising. Thus, the writer thinks that the observation toward the ethics of advertising in Islamic economics can not wait any longer to be revealed.

2 Suyanto M.. *Aplikasi Desain Grafis untuk Periklanan*, First Edition, (Yogyakarta: Andi Offset, 2004). p. 5

3 *Op.cit.*, p. 24.

4 Image here means a general impression that a person, an organization, a product, etc gives to the public; a reputation.

5 Jean P. Baudrillard. *Masyarakat Konsumsi (trans.)*, Translated by Wahyunto. First Edition, (Yogyakarta: Kreasi Wacana Yogyakarta, 2004). p.188

6 Dr. Yusuf Qardhawi,, *Norma dan Etika Ekonomi Islam (trans.)*, translated by Zainal Arifin Lc. & Dra. Dahlia Husin. Fourth Edition, (Jakarta: Gema Insani Press. 2001). p. 31

7 Zohreh Ahghari, *The Origin and Evolution of Islamic Economic Thought*, Dissertation published by University Microfilms International, (Florida: The Florida State University, 1991).

Muslims have to have strong laws which can rules media and advertiser in producing their advertising. Otherwise, Muslims will always be victim of the globalization and capitalism.

Among one of the ethics of advertising is to be honest trader. Rasulullah said:

المسلم أخو المسلم . ولا يجل لمسلم باع من أخيه يباع فيه عيب إلا بينه له⁸

“A Muslim is brother for the other muslim. If he trades with his brother, and he find stain on his goods, he has to explain it.”

Based on those thought, the writer will expose and the Islamic norms and ethics in advertising. This study has some purposes based on the problems limitation. The writer will focus his study to know the principles of the ethics of advertising in Islamic economics.

A Brief about Advertising, Ethics, and Islamic Economics

Advertising, derives from *advertise* which means to describe a product or self publicity in order to persuade people to buy or use. To make something generally or publicly known, that is by placing a notice in newspaper.⁹ The producers—which hope the rise of selling will be the rise of income—will use advertising to convince the costumer that their goods are all what they need. They describe the superiority of their product, and what make their product has better quality than others.

Thus, advertising means the activity of advertising or the industry that produce advertisements to be shown on television, printed in magazines, etc.¹⁰ The advertisement produced can be shown in innumerable ways; TV commerce, radio commerce, newspaper advertorial space, outdoor banner, printed materials (such as flag, balloon, t-shirt etc.).

8 Sunan Ibnu Majah vol.2 p.755 no. 2246

9 A S Hornby, *Oxford Advanced Learner's Dictionary*, (Oxford: Oxford University Press, 1995). p. 18.

10 *Ibid.*

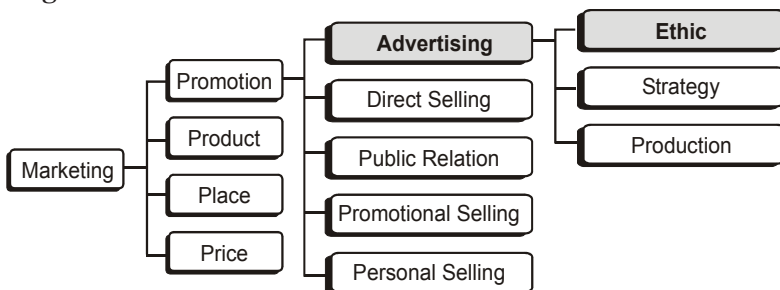
In terminology, May Lwin & Jim Aitchison describe advertising as quoted below:

Advertising is part of Promotional Mix, which contains of direct selling, public relation, promotional selling, and personal selling. Promotional Mix is a part of 4P elements of marketing. The other elements are Product, Pricing, and Place. Scholar said that advertising is main part of promotional management which pay to use space of media to convey message, meanwhile some client and advertiser consider it as a mean to communicate to consumer.¹¹

The writer then concludes advertising as essential part of promotion, which directed to build a communication between the producer and the consumer. The producers will use advertising to inform their goods, and to rise their selling. At the other hand, the consumer will use advertising to help them choosing the goods they need.

Advertising has elements build it. Researches speaking about advertising, mostly speak on two major elements: strategy of advertising and its production. Yet, the writer still finds a small amount of books talk about the ethic of advertising as the element of advertising. For this reason, the writer considers ethics as one element of advertising. It means, the value of an advertising—as means of selling and informing product—will be judged not only by the binary question “true or false”, but also completed by an “ethical or non-ethical” value.

As conclusion of it, the following chart will simplify our view about advertising.¹²



11 May Lwin & Jim Aitchison, *Clueless in Advertising*, Translated by Paul A. Rajoe, First Edition, (Jakarta: Bhuana Ilmu Populer, 2005), p.5

12 *Ibid.*

This reality guides us to the next question; what is ethics? Ethics, in etymology and terminology, are explained by in following words:

Ethics originates from Greece: “ethikos”, which means using, character, habit, custom, conduct, act of tend. Analysis of concepts such must, have to, ought to, duty, moral rules, right, wrong, obligation, responsibility. Searching toward morality. Searching for life in better morality. Thus, moral faculty theory in ethics means theory explains that one can distinguishes between right or wrong.¹³

In Islamic viewpoint, ethics is known as *akhlaq*, and it is applicable to all activity of life. The following prophetic tradition shows how Islam emphasizes on the importance of ethics.

إنما بعثت لأتمم صالح الأخلاق¹⁴

Verily, I'm delegated to complete a noble character.

Maududi described *akhlaq* as “comprehensive moral guidance ensuring progress to the highest pinnacle of human life and activity; basic moral norms and values to guide and control the entire gamut of man’s life.”¹⁵ Ethics, then, shows the path to the highest possible moral excellence and safe human life from the disorder and anarchy that have occurred today. So, ethic here is moral and value.

Reading those explanations, the writer concludes ethics as the moral rules which steer human being to carry out a good manner and a noble morality, and to lead him to a better way of life.

In Islam, ethic give guidance to all aspect of man’s life. In all steps of their activities, Islam comes with a well-proved ethics which will raise man’s conduct and degree. Under the shade of those ethics, man do their business. As advertising has become unseparated part of business, Islam also has a normative regulation on it.

13 Tim Penulis Rosda, *Kamus Filsafat*, first edition, (Bandung: Rosdakarya, 1995). p. 100.

14 Musnad Ahmad bin Hambali vol.2 p.381 no.8939

15 Abul A'la Maududi, *Ethical Viewpoint of Islam (trans.)*, translated by Khurshid Ahmad, Third Edition, (Lahore: Islamic Publications LTD, 1967). p. 24.

Islamic economics is a totally-guided-economic, which never separate ethic from all gamut of its activities. This system is based on Allah's rule, and purposes to obey His order, and use all means which do not break syariah way.¹⁶ And advertising as one activity in Islamic economics also need that ethic.

The most important points in the ethics of advertising is telling the truth about the product. It means, Islamic economics constructs a better and healthier communication. The trader and producer will be more honest to their consumer which will lead to the increase of consumer's trust to product and to manufacturer. Once consumer give their trust to a product, they will need no other persuasive advertisement to buy product, which means trustworthy will cause to the efficiency of advertisement cost and lead to the cheaper product.

The greater trust will lead to increase of the loyal customer. The advertisement produced will also be saver to be watched by all people from religions, races, and ages. Which means the target of advertising—and of course the target of marketing—will be widely enlarged. The company then, can earn more profit to improve their goods and to give better service to their consumer.

In this research, the writer will try to reveal the principles ethics of advertising in Islamic economics. As we know, nowadays, there are many advertisings which break the norms. Some use tricks in their advertising, some campaign for forbidden items (like tobacco, beer, etc), some campaign consumerism, meanwhile the others exploits the celebrities to be their model and show the glowing side of the product without giving chance to the consumer to think neutrally about the quality of that product.

Meanwhile Islam has warned all human being to always obey His rule in all aspects. Rasulullah has told that all trader must be honest to his consumer.

¹⁶ Dr. Yusuf Qardhawi,, *Norma dan Etika Ekonomi Islam (trans.)*, translated by Zainal Arifin Lc. & Dra. Dahlia Husin. Fourth Edition, (Jakarta: Gema Insani Press. 2001).

التاجر الصدوق الأمين مع النبيين والصديقين والشهداء¹⁷

“An honest trader and trustworthy will stay with prophets, shiddiqin (the man who always tell the truth), and syuhada (they who days in sabilillah).

أربعة يبغضهم الله عز وجل البياع الحلاف والفقير المختال والشيخ الزاني والإمام الجائر¹⁸

“Four kind of human being are hated by Allah: The trader used to take an oath, an arrogant poor man, an old who do zina, and a tyrannical leader.”¹⁹

That prophetic tradition proved that Islam has ruled the ethics of advertising in Islamic economics. An ethic which will lead to a complete guide of advertising, which contains all norm such: to always tell the truth, to not show a forbidden part of body, to not campaign forbidden items, and not to campaign consumerism.

The ethics of advertising in Islamic economics will be elaborated from its principle and application. The principles of the ethics of advertising in Islamic economics consist of its significance, sources, and characteristic. And the research on application of Islamic economic ethics in activities will be expanded on its phases, method, attraction, and form.

The Principles of The Ethics of Advertising In Islamic Economics

The moral crisis in advertising persists. The advertising has become the weapon of capitalist to exploit the consumer in unfair way. Younger generation is seduced by life style which shepherd them to the consumerism. Advertising has failed to create loyalty for products.

17 Sunan Ar-Tirmidzi vol.3 p.155 no. 1209

18 Sunan Tirmidzi vol. 5 p. 86 no. 2576

19 Prophetic tradition told by Nasa`i and Ibn Hibban

Respect for the fair advertising is at its lowest ebb.

We are, today, witnessing the sorry spectacle of great advertising vices which break the conscience of humanity. Not to mention the other medium of advertising, our TV commercial has provided us these daily meals; injustice and ruthlessness, cruelty and brutality, falsehood and fraud, treachery and hypocrisy, breach of trust, and exploitation of consumer.

The high-speed development of information technology also comes with new problem. Mediums of advertising grow everyday and make it hardly possible to bind a total rules on advertising. Could this hi-technology brings people to a better advertising? all information—the good and the evil one—can be obtained in an easy, and cheap method. What can shelter human being from those massive attack of information. The development of ethics could be the answer.

1. *Significance of the Ethics of Advertising in Islamic Economics*

“All is relative”, as explicated by Michael Fackerell, is a credo of postmodern generation in the West.²⁰ This credo then directed to be “There exists no Absolute Truth.” Truth, morality, value and other norms are purely relative.²¹ This credo can’t be true for no development of morality can be reached if all morality is relative.²² Unfortunately, this credo has been so popular that many people believe it, and say this phrase in their conversation. Only some people realize that this phrase is an absurd self-contradictory, because when we say “There exists no Absolute Truth”, this claim it self is not absolute.²³ That is why, we have to push away this credo and concentrate to learn more about ethics, a major topic which lead to discussion to conscience, freedom, responsibility, value, norm, right, and obligation.

In Islamic viewpoint, ethics known well as *akhlaq*, which can be

20 Hamid Fahmi Zarkasyi, M.A., M.Phil. “Kebenaran”, *Islamia*, Volume III, No 1, 2006, p. 118.

21 *Ibid*, p. 119.

22 Bertens, K. *Etika*, eighth edition, (Jakarta: Gramedia Pustaka Utama, 2004), p.155.

23 *Loc. cit.* Zarkasyi, Hamid Fahmi, M.A., M.Phil, 2006, p.119.

described as comprehensive moral guidance ensuring progress to the highest pinnacle of human life and activity; basic moral norms and values to guide and control the entire gamut of man's life.²⁴ Ethics, then, shows the path to the highest possible moral excellence and safe human life from the disorder and anarchy that have occurred today. The following prophetic tradition shows how Islam emphasizes on the importance of ethics.

إنما بعثت لأتمم صالح الأخلاق²⁵

Verily, I'm delegated to complete a noble character.

Moral sense is inborn in man and through the ages it has served as the common man's standard of moral behavior, approving certain qualities and disapproving others.²⁶ The ethics education can sprout up inner moral and create a social control towards human attitude. Ethics will protect human civilization from its ruins, and swift it to a better level.

2. Sources of the Ethics of Advertising in Islamic Economics

The Islamic rules on economic is divided to two major parts: the Fixed law or 'Muhkam', and flexible law or the temporary law.²⁷ The Fixed law are all regulation written in Al-Quran and Sunnah. Meanwhile, the flexible law is Ijtihad.

a. Al Quran

The Quran, The word of God, is a fundamental and irrefutable authority for Muslims. Although not a treatise in political economics, the Quran might be considered the first Islamic work on economic ethics. Within its passages one can find evaluations of economic institutions and the foundation of socioeconomic relations. For Muslims, the Quran is also the fundamental, conceptual reference for any thought about a

24 Abul A'la Maududi. *op.cit.*, p. 24.

25 Musnad Ahmad bin Hambali vol.2 p.381 no.8939.

26 Maududi. *op.cit.*, p. 41.

27 Qardhawi. *op.cit.*, p. 24.

communal way of life, both culturally and socially.²⁸

b. Sunnah

Muhammad emphasized a just and natural solution to the socioeconomic problems has faced. Members of the community can benefit from mental gifts and natural resources and continue to have access to land resources and the necessities of life as long as they are not violating the rights of others.²⁹

c. Ijtihadi Sources

They are complementary sources which are not used but if al-Quran and Sunnah has explained the problem³⁰ This source can be in form of *Ijma'* and *Qiyas*.

3. *Characteristic of Ethical Advertising in Islamic Economics*

a. Truthful and Fair Advertising

To be honest in advertising can be said as the most important part of the advertising ethics. Allah grants they who always tell the truth in advertising their products.

التاجر الصدوق الأمين مع النبيين والصديقين والشهداء³¹

“An honest trader and trustworthy will stay with prophets, shiddiqin (the man who always tell the truth), and syuhada (they who days in sabilillah).

A great reward promised in verse above indicates that to be honest in advertising is not an easy task. The degree of an honest trader considered to be as high as *syuhada* who are killed in the war. *Syuhada* has to fight the enemy and sacrifice his soul, meanwhile the trader has to fight a great thrust of his desire to obtain revenue by illegal way.

In following sections, we will discuss concept of unfairness and its practices in advertising in Islamic economics.

28 Aghari. *op.cit.*, p. 51.

29 *Ibid*, p. 54.

30 Al-Khotib. *op.cit.*, p. 14.

31 Sunan Ar-Tirmidzi vol.3 p.155 no. 1209

1) Concept of Unfairness

Trustworthy become essential part of advertising ethics in Islamic economic. It's found that many trader use innumerable tricks to get more profit from their products. In following verse, Allah distinctly prohibit the illegal trade:

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَأْكُلُوا أَمْوَالَكُمْ بَيْنَكُمْ بِالْبَاطِلِ إِلَّا أَنْ تَكُونَ
تِجَارَةً عَنْ تَرَاضٍ مِّنْكُمْ وَلَا تَقْتُلُوا أَنْفُسَكُمْ إِنَّ اللَّهَ كَانَ بِكُمْ رَحِيمًا

O You who believe! eat not up Your property among yourselves unjustly except it be a trade amongst you, by mutual consent. and do not kill yourselves (nor kill one another). surely, Allâh is Most Merciful to you.

Based on that verse, generally speaking, unfair advertising is those which drive consumer to misleading about the products and cause him to lose his acquiesce on transaction. Advertising, its representation, mission or practice must not be likely to mislead the consumer. Some advertisements shows a better product in their advertisements, but sell a smaller, or worst product. Islamic ethic, since the early days of Islam, has warned this as unfair advertisement, because it lead to unfair trade. Allah said:

وَأَوْفُوا الْكَيْلَ إِذَا كَلْتُمْ وَزِنُوا بِالْقِسْطَاسِ الْمُسْتَقِيمِ ذَلِكَ خَيْرٌ وَأَحْسَنُ تَأْوِيلًا³²

And give full measure when You measure, and weigh with a balance that is Straight. that is good (advantageous) and better In the end.

Unfair advertisements also include misleading claims to advertisements that, even though true, leave some consumers with a false or misleading impression. Rasullullah said:

المسلم أخو المسلم ولا يجل لمسلم باع من أخيه بيعا فيه عيب إلا بينه له³³

“A Muslim is brother for the other muslim. If he trades with his brother, and he find stain on his goods, he has to explain it”.

32 Al-Israa: 35

33 Sunan Ibnu Majah vol.2 p.755 no. 2246

2) Unfair and Deceptive Practices in Advertising

Common practice in advertising is *False promises*. The advertiser gives promise that cannot be proved, such as “give more energy” or “stop headache.” Advertisers sometime do *bait-and-switch offers*. Following verse shows that this practice is illegal.

وَلَا تَقْرَبُوا مَالَ الْيَتِيمِ إِلَّا بِالَّتِي هِيَ أَحْسَنُ حَتَّىٰ يَبْلُغَ أَشُدَّهُ وَأَوْفُوا بِالْعَهْدِ
إِنَّ الْعَهْدَ كَانَ مَسْئُولًا

And fulfil (every) Covenant. Verily! the covenant, will be questioned about. (Al-Israa: 34)

In some other case, the advertiser give *incomplete description*. Stating some, but not all, of the contents of a product. Other similar practices are what so called as *Partial disclosures*, *Small-print qualifications*. This practice is clearly a deceptive practice. The consumer will soon realize that he become the victim of advertising. The consumer will no longer agree with the transaction. Islam forbid this practice, as explained in verse below;

البيعان بالخيار ما لم يتفرقا أو قال حتى يتفرقا فإن صدقا وبينا بورك لهما
في بيعهما وإن كتما وكذبا محقت بركة بيعهما³⁴

The trader and the buyer have right to choose, till they apart. If they become honest and tell the disgrace to the buyer, Allah will bless their transaction. But if he hide (the disgrace) and tell lie, Allah will not bless their transaction.

Advertisers sometime produce a *misleading comparison* and *False comparisons*. They demonstrate a product as a superior by their own subjective view, without giving any fact. In other case, advertiser show *false testimonials*. They give endorsement of a celebrity or an authority who is not a bona fide user of the product. On the other case, to make a point more dramatic, the advertisers usually make

34 Shahih Al-Bukhari vol.2 p.733 no. 1976

exaggerated statement. The point can be exaggerated through the use of an unexpected graphic that plays off an understated headline, or some other unusual and attention-getting staging of the premise.

These forms of advertising is not allowed in Islam, as Allah said;

أربعة يبغضهم الله عز وجل البياع الحلاف والفقير المختال والشيخ الزاني
والإمام الجائر³⁵

“Four kind of human being are hated by Allah: The trader used to take an oath, an arrogant poor man, an old who do zina, and a tyrannical leader.”

Other advertisings trap the consumer by presenting a big size product by *visual distortion*, which convince the consumer that they will get a big product with a low price. But, in fact, consumer only gets the smaller product then what he expects. Implicitly, following verse contain a prohibition to this practice.

وَيْلٌ لِّلْمُطَفِّفِينَ ، الَّذِينَ إِذَا اكْتَالُوا عَلَى النَّاسِ يَسْتَوْفُونَ . وَإِذَا كَالُوهُمْ أَوْ
وَزَنُوهُمْ يُخْسِرُونَ³⁶

1. woe to Al-Mutaffifin [those who give less In measure and weight (decrease the rights of others)], 2. those Who, when they have to receive by measure from men, demand full measure, 3. and when they have to give by measure or weight to men, give less than due.

All other practices not mentioned here, which are substantially do the deceptive advertising, are prohibited by Islam, as they cause unfair trade and causes substantial physical or economic injury to the consumers.

35 Sunan Tirmidzi vol. 5 p. 86 no. 2576

36 Al-Muthaffifin: 1-3

b. Legal Products Advertising

1) Prohibition of Alcoholic Beverage Advertising

Islam strictly forbid alcoholic beverage. Some people said that alcoholic has advantage for humankind, this verse will erase the doubt on the prohibition of alcoholic beverage;

فَإِنْ زَلَلْتُمْ مِّنْ بَعْدِ مَا جَاءَتْكُمْ الْبَيِّنَاتُ فَأَعْلَمُوا أَنَّ اللَّهَ عَزِيزٌ حَكِيمٌ³⁷

They ask You (O Muhammad) concerning alcoholic drink and gambling. say: "In them is a great sin, and (some) benefit for men, but the sin of them is greater than their benefit." and they ask You what they ought to spend. say: "That which is beyond Your needs." Thus Allâh makes clear to You his laws In order that You may give thought."

For some decade, the brewer has developed new variant of beer. Low-alcohol beers-known in some forms as near beer and often, recently, as nonalcoholic beer had been introduced commercially in Europe and North America at various times since as early as the 1890's.

To offer this as well as other perceived low-alcohol advantages, the beers so designated in various world markets were almost always under 1 percent alcohol, compared to the 4 percent of most regular lagers. Many low-alcohol beers were under .5 percent alcohol, the legal limit in several countries, for beverages to be described as nonalcoholic. But in Islamic law, there is no different between low-alcohol beer and the hi-alcohol beer. Both are prohibited in Islam. Allah said;

إِنَّمَا حَرَّمَ عَلَيْكُمُ الْمَيْتَةَ وَالدَّمَ وَلَحْمَ الْخِنْزِيرِ وَمَا أُهْلَ بِهِ لِغَيْرِ اللَّهِ فَمَنْ اضْطُرَّ غَيْرَ بَاغٍ وَلَا عَادٍ فَلَا إِثْمَ عَلَيْهِ إِنَّ اللَّهَ غَفُورٌ رَّحِيمٌ³⁸

He has forbidden You Only the Maytatah (dead animals), and blood, and the flesh of swine, and that which is slaughtered as a sacrifice for others than Allâh (or has been slaughtered for idols, etc., on which

37 Al-Baqarah: 219

38 Al-Baqarah: 173

Allâh's Name has not been mentioned while slaughtering). but if one is forced by necessity without wilful disobedience nor transgressing due limits, Then there is no sin on Him. Truly, Allâh is Oft-Forgiving, Most Merciful.

أيها الناس إنه نزل تحريم الخمر وهي من خمسة من العنب والتمر والعسل
والحنطة والشعير والخمر ما خامر العقل³⁹

O mankind! The prohibition of khamr has been descended. Khamr which is made from five substance; grape, date, honey, hinthoh, and wheat. Khamr is that what make you lose your conscience.

Since consuming alcoholic is prohibited, the production is absolutely outlawed. Then, all activities related-include advertising it-are also illegal. Rasullullah Saw. said;

قاتل الله اليهود إن الله عز وجل لما حرم عليهم شحومها أجملوه ثم باعوه
فأكلوا ثمنه⁴⁰

Allah will destroy the Jews, for Allah has forbid them to distillate khamr, but they do it, and sell it, and take the profit from it.

2) Prohibition of Cigarette Advertising

Impressive evidence has been compiled to show that cigarette smoking plays a major part in the development of many diseases, the most important of which are heart disease, lung cancer, chronic bronchitis, and emphysema. Apart from the diseases, which are major causes of death, cigarette smoking causes widespread and distressing disability from chest and heart diseases and increases the mortality and disability from several other conditions.

As the response of the worry toward the cigarette effect to body, many cigarette manufacturers develop new 'light' cigarette. They claim

³⁹ Shahih Bukhari. Vol 4 p.1688 no. 4343

⁴⁰ Shahih Muslim vol. 3 p.1207 no.1581

their new products to have lower percentage of tar and nicotine. Even tough, this is not the solution in which by years, nicotine will pile up in one's lung and cause cancer and other diseases.

وَلَا تُلْقُوا بِأَيْدِيكُمْ إِلَى التَّهْلُكَةِ وَأَحْسِنُوا إِنَّ اللَّهَ يُحِبُّ الْمُحْسِنِينَ

And do not throw yourselves into destruction (by not spending Your wealth In the Cause of Allâh), and do good. Truly, Allâh loves Al-Muhsinûn (the good-doers).

وَلَا تَقْتُلُوا أَنْفُسَكُمْ إِنَّ اللَّهَ كَانَ بِكُمْ رَحِيمًا⁴¹

And do not kill yourselves (nor kill one another). surely, Allâh is Most Merciful to you.

c. Ethical Presentation

The advertiser must prudently determine the way they present and convey the message. A good message, in some case, could be controversial because of a bad-taste-presentation. The greatest critics are addressed to nudity and stereotyping in advertising presentation. And those are what we going to discuss in this section.

1. Prohibition of Nudity in Advertising

Much to the chagrin of the women's movement, female models are still used in advertising to underlying (or more blatant) sexual themes. The highly controversial "Fly Me" campaign for National Airlines posed that headline above various attractive stewardesses; many viewed it as a sexual euphemism. However, the advertising agency that created the campaign remained adamant, insisting that it conveyed a friendly invitation to fly a personalized airline and nothing more.

Nudity has become fairly commonplace in cosmetic and fashion advertising; a more recent development is the use of male models as "sex objects" in some advertising directed at women. But, in spite of the popularity of sex appeals in advertisements, little consumer research

41 An-Nisaa: 29

has been advanced to measure their effectiveness in persuasion.

M. Wayne Alexander and Ben Judd, Jr. concluded not only that nude photographs do not enhance brand awareness, but that photographs of forests and mountains were actually more effective.

An ethical advertising should not use nudity as their appeal. Islam prohibit any form of nudity. It's distinctly explained in verse below.

قُلْ لِلْمُؤْمِنِينَ يَغُضُّوا مِنْ أَبْصَارِهِمْ وَيَحْفَظُوا فُرُوجَهُمْ ذَلِكَ أَزْكَى لَهُمْ إِنَّ
اللَّهَ خَبِيرٌ بِمَا يَصْنَعُونَ. وَقُلْ لِلْمُؤْمِنَاتِ يَغْضُضْنَ مِنْ أَبْصَارِهِنَّ وَيَحْفَظْنَ
فُرُوجَهُنَّ وَلَا يُبْدِينَ زِينَتَهُنَّ إِلَّا مَا ظَهَرَ مِنْهَا وَلْيَضْرِبْنَ بِخُمُرِهِنَّ عَلَى
جُيُوبِهِنَّ⁴²

Tell the believing men to lower their gaze (from looking at forbidden things), and protect their private parts (from illegal sexual acts, etc.) that is purer for them. Verily, Allâh is All-Aware of what they do. And tell the believing women to lower their gaze (from looking at forbidden things), and protect their private parts (from illegal sexual acts, etc.) and not to show off their adornment except Only that which is apparent (like palms of hands or one eye or both eyes for necessity to see the way, or outer dress like veil, gloves, head-cover, apron, etc.), and to draw their veils All over Juyubihinna (i.e. their bodies, faces, necks and bosoms, etc.)

2. Prohibition of Stereotyping in Advertising

Many advertising insult other races just to make a light joke. They think their humorous advertisement will easily invite consumers attention. Is it a must to insult certain races to make a joke? Don't we realize that, day by day, the more advertisement using joke on certain races will provoke stereotyping on that races. Allah has explained that the different of races should be considered as advantage, and not to hate each other.

يَا أَيُّهَا النَّاسُ إِنَّا خَلَقْنَاكُمْ مِنْ ذَكَرٍ وَأُنْثَىٰ وَجَعَلْنَاكُمْ شُعُوبًا وَقَبَائِلَ

42 An Nuur 30-31

لِتَعَارَفُوا إِنَّ أَكْرَمَكُمْ عِنْدَ اللَّهِ أَتْقَاكُمْ إِنَّ اللَّهَ عَلِيمٌ خَبِيرٌ⁴³

O mankind! we have created You from a male and a female, and made You into nations and tribes, that You may know one another. Verily, the Most honourable of You with Allâh is that (believer) who has At-Taqwa [i.e. one of the Muttaqûn (pious - see V.2:2). Verily, Allâh is All-Knowing, All-Aware.

Explicitly, Allah sharply warn people to neither insult other races, nor other groups because humankind has no right to determine who is the best beside Him. Allah said;

أَيُّهَا الَّذِينَ آمَنُوا لَا يَسْخَرْ قَوْمٌ مِّنْ قَوْمٍ عَسَىٰ أَن يَكُونُوا خَيْرًا مِّنْهُمْ وَلَا نِسَاءٌ مِّنْ نِّسَاءٍ عَسَىٰ أَن يَكُنَّ خَيْرًا مِّنْهُنَّ وَلَا تَلْمِزُوا أَنفُسَكُمْ وَلَا تَنَابَزُوا بِالْأَلْقَابِ بِئْسَ الْأِسْمُ الْفُسُوقُ بَعْدَ الْإِيمَانِ وَمَن لَّمْ يَتُبْ فَأُولَٰئِكَ هُمُ الظَّالِمُونَ⁴⁴

O You who believe! let not a group scoff at another group, it may be that the latter are better than the former; nor let (some) women scoff at other women, it may be that the latter are better than the former, nor defame one another, nor insult one another by nicknames.

d. Responsible Advertising

The advertisers their agencies cannot run off from the responsibility of the effect of their advertising. Any message, any text, any visual performance, and any sound presented in their advertisement could shape the consumers mind.

إِنَّ السَّمْعَ وَالْبَصَرَ وَالْفُؤَادَ كُلُّ أُولَٰئِكَ كَانَ عَنْهُ مَسْئُولًا⁴⁵

Verily! the hearing, and the sight, and the heart, of each of those You will be questioned (by Allâh).

43 Al-Hujurat: 13

44 Al-Hujurat: 11

45 Al-Israa: 36

Since the advertiser encourage people to buy and buy, the advertising create what so called as 'consumer society' in which people, includes the children, put consumption as the goal of their life. Advertisers have to realize this and start to rebuild their advertising strategy. And now, will advertisers keep campaigning consumerism-even to the children?

1) Advertising and Consumerism

Many critics claim advertising has an adverse effect on consumer values by encouraging materialism, a preoccupation with material things rather than intellectual or spiritual concerns. Nixon admitted that United States is undoubtedly the most materialistic society in the world. Which many critics attribute to advertising that; seeks to create needs rather than merely showing how a product or service fulfills them; surrounds the consumers with the images of the good life and suggests the acquisition of material possessions leads to contentment and happiness and adds to the joy of living; suggests material possessions are symbols of status, success, and accomplishment and/or will lead to greater social acceptance, popularity, sex appeal, and so on.

In conformity with the appeal of al Quran and the Guidance of Sunnah, the primary task in Islamic development policy is to transform the members of Islamic society to observe the code of Islamic behaviour. This involves shaping the correct attitudes and aspirations for consumption behaviour.⁴⁶ Allah said:

الْمَالُ وَالْبَنُونَ زِينَةُ الْحَيَاةِ الدُّنْيَا وَالْبَاقِيَاتُ الصَّالِحَاتُ خَيْرٌ عِنْدَ رَبِّكَ ثَوَابًا
وَحَيْرٌ أَمَلًا

Wealth and Children are the adornment of the life of This world. but the good righteous deeds (five compulsory prayers, deeds of Allâh's obedience, good and nice talk, remembrance of Allâh with glorification, praises and thanks, etc.), that last, are better with Your Lord for rewards and better In respect of hope.

46 Ibid

Concerning consumption behaviour, a muslim consumer is entitled to two types of spending: spending for the requirements of his own needs (family support), and generous spending to meet the needs of other when he contributes at least the prescribed amount of Zakat.⁴⁷

Besides that, the consumption basket of a Muslim consumer is likely to be smaller than that of the “conventional consumer”, since he is restricted to the purchase only if permissible goods and excludes the prohibited ones. This consumption basket mainly includes the necessities and comforts of life without excessive consumption. Allah said:

وَأْتِ ذَا الْقُرْبَىٰ حَقَّهُ وَالْمِسْكِينَ وَابْنَ السَّبِيلِ وَلَا تَبْذُرْ تَبْذِيرًا. إِنَّ الْمُبْذِرِينَ
كَانُوا إِخْوَانَ الشَّيَاطِينِ وَكَانَ الشَّيْطَانُ لِرَبِّهِ كَفُورًا⁴⁸

And give to the kindred his due and to the Miskîn (poor) and to the wayfarer. but spend not wastefully (your wealth) In the manner of a spendthrift. Verily, spendthrifts are brothers of the Shayatîn (devils), and the Shaitân (Devil Satan) is ever ungrateful to his Lord

If these behavioral attitudes in consumption-investment decisions are incorporated, we believe that Islamic collective consumption level will be lower than if the Muslims were consuming under un-Islamic premises.⁴⁹

2) Advertising and Children protection

Critics argue that children, particularly young ones, are especially vulnerable to advertising because they lack the experience and knowledge to understand and evaluate critically the purpose of persuasive advertising appeals. Research has shown that preschool children cannot differentiate between commercials and programs, do not perceive the selling intent of commercials, and cannot distinguish between reality and fantasy.

⁴⁷ *Ibid*

⁴⁸ Al-Israa: 26-27

⁴⁹ *Ibid*

Islam also protects the right of the children. Following verse, implicitly, shows that children have no strength and power of their own property. Thus, mistreatment of their property is regarded as contravention. Allay says

وَلَا تَقْرَبُوا مَالَ الْيَتِيمِ إِلَّا بِالَّتِي هِيَ أَحْسَنُ حَتَّىٰ يَبْلُغَ أَشُدَّهُ

And come not near to the orphan's property, except to improve it, until He (or she) attains the age of full strength

Conclusion

Islam, as a comprehensive religion, has the rules of every side of human life, including advertising. Islam has the principal ethics of advertising, those are:

1. Truthful and Fair Advertising; To be honest in advertising can be said as the most important part of the advertising ethics. The degree of an honest trader considered being as high as *syuhada* who are killed in the war. *Syuhada* has to fight the enemy and sacrifice his soul, meanwhile the trader has to fight a great thrust of his desire to obtain revenue by illegal way.
2. Legal Products Advertising; The products advertised in the advertisements should be a legal product and not a *haram* product, such as alcoholic beverages, pork etc. besides, the prohibition also addressed to the materials that could bring the human being into the ruin condition, such as cigarettes.
3. Ethical Presentation; The advertiser must prudently determine the way they present and convey the message. A good message, in some case, could be controversial because of a bad-taste-presentation. The greatest critics are addressed to nudity and stereotyping in advertising presentation.
4. Responsible Advertising; The advertisers their agencies cannot run off from the responsibility of the effect of their advertising. Any message, any text, any visual performance, and any sound presented in their advertisement could shape the consumers mind.

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