

ETHICS OF PUBLIC ADVERTISING: THE EFFECTIVENESS OF AMAR MA'RUF NAHI MUNKAR (ISLAMIC LEGAL PERSPECTIVE)



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Abstract

The use of advertising has become a necessary and effective tool for entrepreneurs to promote their business products. The widespread use of technology and social media has also become an important tool to reach a wider audience. However, instead of becoming a superpower tool in terms of promotion, advertising has its own rules, including the need to be accompanied by knowledge and ethics that are in accordance with Sharia to ensure that consumer trust in the producer is good, as well as the relationship between humans and God. This research uses a descriptive qualitative method, which is a data collection technique in the form of analysis and conclusion. The data collection techniques used is document study, which involves tracing data from necessary documents, and observation study, which involves observation of the object being studied. The results of this research show that al – Buyu', particularly in advertising, should prioritize ethics such as honesty, decency, etc. Advertising that is accompanied by ethics can build consumer trust in the company, and advertising that is accompanied by the principle of amar ma'ruf nahi munkar is important in ensuring that al – buyu' is conducted correctly and does not harm anyone.

Penggunaan iklan saat ini menjadi alat yang sangat dibutuhkan dan juga efektif bagi para wirausaha untuk mempromosikan barang dari bisnis mereka. Meluasnya penggunaan teknologi dan media sosial juga menjadi alat penting untuk menjangkau masyarakat yang lebih luas. Namun, alih-alih menjadi alat superpower dalam hal promosi, beriklan itu memiliki tatacara, diantaranya harus dibarengi dengan ilmu dan etika yang sesuai dengan syariat agar kepercayaan konsumen terhadap produsen dipandang baik, begitu pula hubungan manusia dengan tuhan. Penelitian ini menggunakan metode kualitatif deskriptif, yaitu Teknik pengumpulan data dalam bentuk analisis dan kesimpulan. Teknik pengumpulan data yang digunakan yaitu studi dokumen, dengan cara penelusuran data dari dokumen-dokumen yang diperlukan dan juga studi observasi, yaitu pengamatan terhadap objek yang akan diteliti. Hasil penelitian pada artikel ini bahwa dalam al-buyu' khususnya periklanan sudah seharusnya mengedepankan etika seperti kejujuran, kesopanan, dan lain-lain. Iklan yang dibarengi dengan etika dapat membantu kepercayaan konsumen terhadap perusahaan dan iklan yang dibarengi dengan prinsip amar ma'ruf nahi munkar memiliki peran yang penting dalam memastikan pelaksanaan al-buyu' dalam muamalah dilakukan secara benar dan tidak menyebabkan kerugian bagi siapapun.

INTRDUCTION

Science and technology will continue to develop rapidly over time, both in the context of urban and rural communities.¹ The more advanced science will result in advanced technological developments as well. It cannot be avoided by humans because, over time,

¹ Amin Akbar dan Nia Noviani, *Tantangan Dan Solusi Dalam Perkembangan Teknologi Pendidikan Di Indonesia*, "Prosiding Seminar Nasional Pendidikan Program Pascasarjana Universitas Pgrri Palembang 2, no. 1 (2019): 18 – 25.



the world will become more advanced and modern. And in fact, this development will facilitate and improve human capabilities in various fields.

Society, as users of technology, must also be wise and responsible in its use. Because with the use of smart and responsible technology, it can help society maximizes the benefits or positive effects compared to the negative effects. One form of positive effect today is felt by entrepreneurs. With the development of technology, entrepreneurs can easily improve business efficiency with applications, can expand market reach without having to build a store, and can also increase creativity, innovation, and promotion, one of which is by placing advertisements on various flat forms, both online and offline.

Advertising in buying and selling is an important aspect because it is one of the ways sellers introducing their products in the market². Advertising messages are addressed to audiences to influence and invite people to try and eventually buy the products offered. However, it is important to note that, in addition to these aspects, there are other things to note, especially for Muslims. In the context of advertising, there are rules that must be followed, some of which are Islamic law. Muslim society has the desire to be a good person so that, in the next stage, it can make them intelligent and moral Muslims. Because the essence of religion is morality. Thus, morality should have been implemented into everyday life. Advertising, which is an important part of entrepreneurship, must also be accompanied by morality itself.

Amar ma'ruf Nahi munkar has an important role in Islam as the guardian and protector of Islamic law, allowing the teachings of Islam to be applied by every Muslim in all aspects of his life³. *Amar ma'ruf* means messages of moderation, kindness, positivism, and especially religion must be conveyed so that people who do not know can become aware and so that people who do not understand can become understanding. *Nahi munkar* means that, as religious people, of course, they can sort and choose which is good and which is bad. Social analysis in this article maps the potential of religion, whose purpose is to regulate the pattern of human life in *al-buyu'*, or the world of buying and selling, especially in terms of advertising ethics.

The method used by the author in this article is descriptive – qualitative, which uses an inductive thinking approach, which is a way of thinking from specific to general. Qualitative research itself aims to understand a context by describing in detail the situation that occurs in the field. In this study, the author uses data collection techniques in the form of document studies, by searching and analyzing data from relevant documents, as well as observational studies, namely making direct observations of objects that are the focus of research. Qualitative research itself aims to understand a context by describing in detail the situation that occurs in the field. In this study, the author uses data collection techniques in the form of document studies, by searching and analyzing data from relevant documents, as well as observational studies, namely making direct observations of objects that are the focus of research.⁴

² Erwan Effendy et al., "Fungsi Periklanan Sebagai Alat Pengembangan Dakwah Pada Media Sosial," *IJurnal Ilmiah Wahana Pendidikan* 9, no. 4 (2023): 405 – 12.

³ Abdul Karim Syeikh, "Rekonstruksi Makna Dan Metode Penerapan Amar Ma ' Ruf Nahi Munkar," *Al Idarah* 2, no. 2 (2018): 1 – 22.

⁴ Muhammad Rijal Fadli, "Memahami Desain Metode Penelitian Kualitatif," *Humanika* 21, no. 1 (2021): 33 – 54, <https://doi.org/10.21831/hum.v21i1.38075>.

DISCUSSION

Ethical Errors of Advertising According to Islamic Law

Ethics is a science that studies the concepts of good and bad as well as moral rights and obligations (morals). Moral refers to the teaching regarding the judgment of attitudes and actions taken by man, both good and bad.⁵

Ethics is an individual's internal evaluation of an object.⁶

Explained in the book Al – Mawardi: وقال الأحنف بن قيس ألا أخبركم بأدوأ الداء؟ قالوا:

بلى قال الخلق الديني واللسان البذي⁷

Ahnaf bin Qais said that a person with despicable morals is likened to having or being exposed to the most dangerous disease. Here are some reprehensible moral and ethical errors in advertising according to Islamic law:

1. Visual Ethics



Figure 1. Marketplace

The example above is one of the marketplace ads. The discrepancy in advertising ethics that occurs is for advertising stars or endorsers to wear clothes that show auras. In the Islamic view, all limbs except the hands and face are members of the female aurat, and from the navel to the knees, they are members of the male aurat. And in principle, the aurat should not be shown, because showing the aurat will have a bad effect on him as well as on others.⁸

Explained in HR. Abu Dawud:

أن أسماء بنت أبي بكر – رضي الله عنهما – دخلت على رسول الله – صلى الله عليه وسلم –

وعليها ثياب رقاق ، فأعرض عنها ، وقال : " يا أسماء ! إن المرأة إذا بلغت المحيض لن يصلح أن يرى منها

إلا هذا وهذا ، وأشار إلى وجهه وكفيه⁹

The above hadith is narrated by Imam Abu Dawud and is about a woman named Asma. He met the Holy Prophet wearing only thin clothes. Then the Prophet averted his gaze and said that a woman who has entered puberty should not show herself or bow herself except for her face and palms. Apart from that, it includes *aurat*.

⁵ "KBBI Daring," 2016.

⁶ Methaq Ahmed Sallam and Fahad Ali Algammash, "An Investigation of Corporate Image Effect on WOM: The Role of Customer Satisfaction and Trust," *International Journal of Economics, Commerce and Management* IV, no. 2 (2016).

⁷ Al – Mawardi, *Adabud Duniya Wad Din* (Beirut, Darul Fikr, 1992).

⁸ Alfadl Habibie, "Pengenalan Aurat Bagi Anak Usia Dini Dalam Pandangan Islam," *Early Childhood : Jurnal Pendidikan* 1, no. 2 (2017): 76 – 85, <https://doi.org/10.35568/earlychildhood.v1i2.115>.

⁹ Imam Abu Dawud, *Sunan Abu Dawud*, Juz 4, h. 62.



Figure 2. Cigarette

The picture above is one of the cigarette advertisements. Ethical discrepancies that occur are inappropriate, vulgar, or offensive language and images displayed in public spaces. This harms the moral and ethical values of Islam because Islam strictly forbids people who are not muhrim to do things related to shahwat. The martyr turns from truth to immorality, which eventually leads to wickedness and incarceration.¹⁰

As explained in the hadith narrated by Imam al-Thabrani and Ar-Ruyani in the book Al-Mujamul Kabir and Musnad:

لأن يطعن في رأس أحدكم بمخيط من حديد خير له من أن يمس امرأة لا تحل له¹¹

The hadith explains and also confirms that it is haram for a man to touch a woman who is not his *mahram*, and vice versa. In Islamic teachings, something that already has a legal basis must be obeyed.

2. Slogan Ethics



Figure 3. Pentol

The example above is a food advertisement, namely pentol. The discrepancy in advertising ethics that occurs is due to using brand names and slogans that are not good. Something that contains supernatural elements should not be used as a food brand name, because the use of the word is considered inappropriate and like playing with the unseen. The names of food products that contain the names of monks, such as devil noodles, es pocong, *kuntilanak* chicken, and others, cannot be certified halal by the Indonesian Ulama Council (MUI)¹².

The use of bad product names and slogans is forbidden by Islam. As in the following hadith quote:

¹⁰ Joko Susanto, *Etika Komunikasi Islami*, WARAQAT: Jurnal Ilmu-Ilmu Keislaman 1, no. 1 (2020): 24, <https://doi.org/10.51590/waraqat.v1i1.28>.

¹¹ Imam Ath-Thabrani, *Al-Mujamul Kabir* 486-487.

¹² Pebriansyah Ariefana, *MUI: Haram Kasih Nama Produk Neraka, Setan Dan Iblis*, 2019, <https://www.suara.com/news/2019/09/29/132102/mui-haram-kasih-nama-produk-neraka-setan-dan-iblis>.

عن أبي هريرة رضي الله عنه: أن رسول الله صلى الله عليه وسلم قال: من كان يؤمن بالله واليوم الآخر، فليقل خيراً أو ليصمت¹³ ..

The hadith explains that a person is called a believer in Allah (SWT) on the last day when he speaks good words or is silent. Similarly, it happens to speech or word selection in a brand or slogan that should use good words.



Figure 4. Slogan

The example above is an advertisement for the sale of food, namely pork, in a non – Muslim culinary party place in Medan. The ethical discrepancy in the advertisement is the slogan "smart people eat pork; want to be smart to eat pork." It contains elements of exploitation of certain groups, namely groups that do not eat pork, with the assumption that those who do not eat pork are fools, and this can offend certain groups.

Please also note that pork may be eaten by non – Muslims. However, for Muslims, the Qur'an forbids eating pork.

Surah Al – Maidah verse 3 explains.

حرمت عليكم الميتة والدم ولحم الخنزير وما أهل لغير الله¹⁴ ..

In the verse, it is explained that in Islam, something like blood, carrion, and not forgetting "الخنزير" or pork is forbidden.

3. Ethics of Conformity of Facts

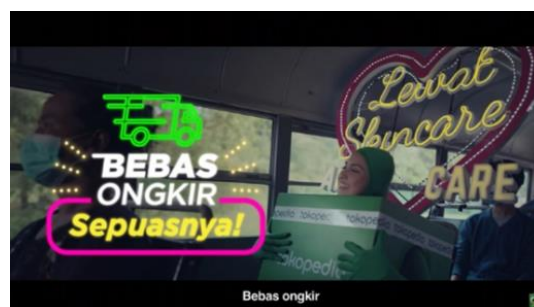


Figure 5. Marketplace ads

The example above is a marketplace ad. The ethical discrepancy in the ad is ambiguous or confusing, and the slogan "free unlimited shipping" is uncertain. Free denotes being free of commitments, demands, feelings of anxiety, and so on. Shipping stands for postage. Free shipping should have the meaning of waiving or waiving obligations related to shipping costs so that consumers or buyers do not bear the cost of shipping costs, aka free. But often mistakes occur, such as free shipping but half price,

¹³ Al – Bukhari, *Shahih*, no. 6018.

¹⁴ "Qs. Al – Maidah: 3.

free shipping but only a reduction in what percentage, and others to which the producer does not attach the information.

Broadly speaking, not clearly attaching these provisions then it has explained that one of the parties has not fulfilled the conditions for buying and selling, namely honesty.¹⁵ Honesty in buying and selling is actually very broad, as well as not cheating, not hiding damaged goods, ensuring the scales are right, and so on.

HR. Ibn Hibban also explained that whoever behaves with treason and deceit, and then he is not of his class.¹⁶

4. Etiquette of Modesty



Figure 6. Snack ads

The example above is an advertisement for games, streaming, chatting applications, and others. The 30-second ad tells the states of learning in class, where two people are late for class with unfair punishment. One person is in law, and the other is not punished; the child is respected because the teacher and child often play games together. This was opposed by many, as the advertisement was considered discriminatory and harassing to a teacher. So in advertising ethics, one must also be smart in choosing ideas so that there is no misunderstanding and it does not harm any party.



Figure 7. Prepaid Card

The ad above is a prepaid card advertisement where the red billboard attacks the blue billboard by installing the weakness of the blue prepaid card. Product promotion by comparing and satirizing other products should no longer be used because Islam teaches Muslims to stay away from insulting, ridiculing, and other things that can offend others. The promotion that should be used is healthy, meaning that producers make the goods as well as possible and let consumers judge for themselves.

Qur'an Surah Al – Baqarah verse 148:

¹⁵ Syaifullah MS, *Etika Jual Beli Dalam Islam*, HUNafa: Jurnal Studia Islamika 11, no. 2 (2014): 371–87, <http://www.jurnalhunafa.org/index.php/hunafa/article/view/361/347>.

¹⁶ Rahma and Harbani, *Dasar Hukum Jual Beli Dalam Islam, Bagaimana Aturannya?*, DetikNews, 2021, <https://news.detik.com/berita/d-5614666/dasar-hukum-jual-beli-dalam-islam-bagaimana-aturannya>.

ولكلّ وجهة هو موليّها فاستبقوا الخيرتّ اين ما تكونوا يأت بكم الله جميعا انّ الله على كلّ شيء
قدير¹⁷

The importance of competing in kindness means a reference to the spirit of competition in doing every action, such as worship, spreading kindness, and helping others, as well as in *muamalah* competition in commerce or business.

The message is that everyone is facing their struggles, so trying is an effective way. After that, return it to Allah Almighty as the one who manages sustenance.

5. Invitation Advertising Ethics



Figure 8. Free invitation

The above advertisements violate advertising ethics according to Islamic law. The ad is a special invitation advertisement for adult women to binge drink. There can be no promotion for a crime.

Dijelaskan dalam HR Bukhari, no. 7257.

لا طاعة في معصية الله إنما الطاعة في المعروف¹⁸

The hadith explains that there is no obedience in obedience. There must be no invitation to disobedience. That is, in a religious context, obedience only occurs when a person follows good commands or instructions and conforms to the norms of kindness.

Factors in the Occurrence of Advertising Ethics Errors

1. Internal Factors

Internal factors, or inside factors, refer to factors related to individuals within the organization or company itself. Internal factors occur, such as lack of knowledge of a religious nature so that it cannot be applied to advertising, lack of communication between members so that ethical errors escape supervision, have become habits, and there is no correction or improvement so that mistakes that have occurred will be repeated in the future. This internal factor can be corrected and controlled by always sharing, deliberating, and receiving criticism, which can later be an improvement so that the ethical errors of advertising this internal factor do not recur.

2. External Factors

External factors usually occur due to competition with other organizations or companies, resulting in a sense of mutual desire to defeat each other. Competition in the business world is a situation where finding customers and obtaining greater profits are the main targets. To win the competition, companies need to develop effective strategies. Therefore, ideas came such as improving quality and service, innovation, discounts,

¹⁷ Qs. Al-Baqarah: 148.

¹⁸ Al – Bukhari, *Shahih*. no 7257

weekend prices, and others. However, when it fails to compete with other companies, there may be unfair competition that is not under Islamic law, such as the use of more vulgar advertisements that can attract the attention of consumers, fraud, and others.

CONCLUSION

This study discusses the error of advertising ethics according to the views of Islamic law and the factors contributing to advertising ethics errors. Islamic law serves as a governing rule in life, including al-buyu', especially advertising rules. All things that follow these rules and regulations are a form of interpretation of amar ma'ruf nahi munkar, which means to command well and prevent evil. And what is not under Islamic law is the opposite.

There are five ethical errors in advertisements that the author revealed, including: 1. Visual ethics, namely visualization in an advertisement, must not display aurat. The woman's aurat should be covered except for her hands and face, and the male aurat from navel to knee. 2. Slogan ethics that is, using good grammar and not overlooking others. 3. Ethics of conformity of facts, that is, it must not be ambiguous in conveying messages, and there is no element of fraud. 4. Etiquette of politeness, that is, not to ridicule, satirize, and satirize the other party. 5. Ethics of invitation advertising: that is, there should be no invitation in terms of obedience.

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Qs. Al-Baqarah: 148, n.d.

"Qs. Al – Maidah: 3," n.d.

Rahma, and Harbani. "Dasar Hukum Jual Beli Dalam Islam, Bagaimana Aturannya?" DetikNews, 2021. <https://news.detik.com/berita/d-5614666/dasar-hukum-jual-beli-dalam-islam-bagaimana-aturannya>.

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