

Advertising Practices and Promotion in the Islamic World Under The Shariah Observation: A Case Study on Bank Islam in Malaysia

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INTRODUCTION

Function of Islamic banking needs more refinement and preciseness for offering greater *ummatic* interest. The ongoing efforts can be successful, when all branches of economic activities particularly; banking products and advertisements correspond together in a more technical and balanced way. Before Launching any Islamic banking product or services, generally two aspects need to be considered: *firstly* how to promote the product following the ethical yardstick under the Quran, Sunnah, Ijma and Qias and *secondly*, keeping pace with Shariah, the incentive of the products for attracting the customer needs to be more focused and innovative as compared to other conventional systems. The study indicates previous assessments which reveal some themes regarding the success and failure of the Islamic banks in different countries with view of marketing strategy. The whole system becomes sound and healthy if acute assessment is done of these previous advertising incidents.

Over the past 20 years, the use of marketing strategy by the banks and financial institutions has been reviewed by mixed consents, specifically, financial services are often considered to be "second rate" by customers (Johnston, 1997, Miller and Straughan, 2000). Therefore, the advertisement of banking products is needed to offer more incentives besides the quality of service, which includes reliability, tangibles, responsiveness and empathy (Carman, 1990; Gronroos, 1984; Lewis, 1993; Bitran and Lojo, 1993; McDougall and Levesque, 1994; Parasuraman et al., 1988). The marketer has also considered the factors that include restrictions on the type of media used, the ability to promote certain products, advertising images, social groups and government's restrictions (Waller et al., 2000). Simultaneously, the influence of religious beliefs on individual and social behavior is inevitable (Hirschman, 1983; Luqmani et al., 1989; Michell and Al-Mossawi, 1995; Waller and Fam, 2000; Waller et al., 2004). Elements of advertising message might be wrongly perceived by people (as something which is against their religious beliefs). Advertisement perceived as contentious will not be effective in capturing the attention of people or changing their attitude towards the advertising products (Michell and Al-Mossawi, 1995).

Significant growth of Muslim consumers with purchasing power has been observed in the recent years all over the world such as, Egypt, Iran, India, Malaysia, Morocco, Saudi Arabia and South Africa. Among the ten biggest emerging markets targeted by US, two are Muslim nations (Turkey, Indonesia) and two substantial Muslim minorities (India and South Africa). Muslim consumers are increasing in other developed countries (Rice and Al-Mossawi, 2002). United States is the place where Islam is the fastest growing religion and estimate of the Muslim population ranges from six to eight million (Rahman and Tug, 1998). As a result, different businesses and organizations like Mr. Wimpy, Burger King, McDonald's, Hardee's and Dairy Queen are trying to build image of 'halal product'¹ through advertising and legal activities.

Survey report of International Association of Advertisers includes growing religious extremism as a factor that has to be catered to while producing advertisements. Therefore, with respect to message development, marketers or the advertisement producers in the Muslim world would be wise to gain an understanding of Muslim Values (Rice and Al-Mossawi, 2002). In such a context, the most potential and contemporary issue of Islamic Banking products should be to introduce, develop and offer services through appropriate advertising which meets the commitment of ethics and Shariah appropriately.

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¹Muslims are forbidden from consuming the meat, which has not been slaughtered in the permissible as well as alcohol for addiction or amusement purpose.

LITERATURE REVIEW

For recent practices of advertising in the Islamic banking, all the available research and literature have been reviewed and assessed under three broad categories a) Ethical and Islamic Marketing b) Existing Advertising and effective Marketing in the Muslim world, and c) Corrective advancement with the evaluation of advertisement. Completing all steps, the research in the shape of Islamic Advertisement is expected to be figured out to facilitate further accuracy to establish Shariah.

ETHICAL AND ISLAMIC MARKETING

Islamic financial systems are still struggling against the two polarizations the conventional and the modern. The research and working on this practice of advertising in the perspective of Muslim world is not yet significant with the comprehensiveness. Simultaneously, its control under Shariah is varying from country to country by the law and agenda of economic policy regarding Foreign Investment facilitation.

According to Waller et al., (1993) the Islamic Financial System is seen as a 'financing business system' of its own, with a foundation based on religion, having its own rules governed by Islamic laws. At the heart of Islamic Marketing is the principle of value maximization based on equity and justice (constituting just dealing and fair play) for the wider welfare of the society. Selected key international marketing issues are examined from an Islamic perspective and if adhered to, can help to create a value loaded global ethical marketing framework for implementing in general, and establish harmony and meaningful cooperation between international marketers and Muslim Target markets in particular (Saeed and Mukhtar, 2001). In such comparison, few people make the concept of ethical marketing and Islamic marketing concept on the same scale.

To identify the ethics in advertising, marketing and business, advertising must be within an area, which does not cross the social and ethical border. Steinberg and Bandler (2004) reviewed several magazines and eventually found the fact that many of them were placing their advertiser's as paid media, and when they were approached, they said "its just a coincidence, not a part of a deal". When the media treats the advertiser as a donor of his product, the issue regarding ethical advertisement becomes a supporting component. In such a situation, the censor board should approve only those advertisement stories and coverage that are just not business oriented, but also follow social commitment. Over the centuries, as state and church separated, particularly in the western societies, religion became a private affair. The "value-free society" developed and economists focused exclusively on the mechanics of economics. Postmodern thinkers have advocated changes over the past few decades and there has been a reintroduction of a moral dimension in the business (Rice, 1999).

On the contrary, in the Islamic ethical system, the conception is different from the source of moral guideline. Muslims derive their ethical system from the teaching of the Qur'an and sunnah. The goals of sunnah are not primarily materialist. They are based on Islamic concept of human well-being and good life, which stress brotherhood/sisterhood and socio-economic justice and both the material and spiritual needs of all humans should be balanced (Chapra, 1992, Rice, 1999).

Islam is not a religion of ascetic; it is like a full practical deed for the life on the earth. Islam allows people to satisfy all their needs by the proper treatment which reveals the conception of ethical marketing hundreds of years ago (Rice, 1999). The basis of Islamic advertising via Marketing rests on the particular pillar of moral distinction, i.e. Unity (tawhid), Justice (adalah), Trusteeship (Khilafah), Balance. Any business that follows these three tenets is bound to be successful.

It is often hard to place ethics before self-interest, even though Islamic establishments are attempting to promote values /actions that are not just based only on faith, but also on rational ground (Rosly and Bakar, 2003). The concept of reducing gap between the vertical level of the organization and well-distribution of the wealth regarding all the people, according to their performance is obligatory to keep the organizational environment balanced. This issue has already been raised and solved by the Quran by the verse, "God loves not the arrogant, the vainglorious (nor) those who are niggardly, enjoin niggardliness on the others" (Qur'an 4:36-7).

This reveals as to why Islam prohibits hoarding and encourages spending money, investment in business enterprise and circulation of wealth. Similarly, *trusteeship* reminds us about how to be true to our responsibilities not only within the organization but also in all affairs of our personal life. When all the people will be meticulous about their responsibilities, then the business organization will get rid of majority of its problems. Muhammad (1982) advised Muslims to be moderate in all the affairs; he described Islam as the "middle way". A balance in human endeavor is necessary to ensure social well-being and continued development of human potential (Chapra, 1992). The emergence of balance in all affairs will ensure and justify all the activities of the organization to attain its goals, efficiently and effectively.

EXISTING ADVERTISING AND EFFECTIVE MARKETING PRACTICES IN THE MUSLIM WORLD

There is a significant control of a marketer for establishing a marketing mix; he must carry out an acute observation of a particular country's cultural environment, norms, beliefs and values of particular area to make it precise by ethical view. The marketer should focus on his target market and advertisements should be woven around the target audience. For example in West Malaysia, different ethnic groups (Malay, Chinese and Indian) exist together. According to Hirschman (1983), the religious affiliations of Catholics, Protestants and Jews significantly shaped their attitudes towards dancing, magazines, restaurants and political ideas. There also exist strong relationship between religious persons and greater concern for moral standards (Wiebe and Fleck, 1980), being conservative (Barton and Vaughnan, 1976), and possessing more traditional attitudes (Wilkes *et al.*, 1986). Of late, the virus which is affecting and influencing the society through fraudulent exposure is called "surrealism in advertising". From prior research, we found that surreal ads are likely to be processed more extensively than non-surreal ads (Mostofa, 2005). Advertisement production becomes an issue of objection when any product and its promotion tries to create extra value and hype which does not exist in reality and the customer is duped. Such a promotion is unethical. In Islamic system, moderations in living are encouraged, while prodigality and waste are denounced. Costly promotional efforts and massive commercial advertisement by businesses are considered to be unnecessary. The processes of production, distribution, and pricing are influenced by market, mechanism and government regulation. Monopoly, price fixing, hoarding, fraud, and deception in business are categorized as illegal practices. Islam imposes some restriction on the consumer's choice of goods and services. It also prohibits production and consumption of certain items (Mohammad, 1982).

The producer of advertisements must be sure that advertising does not overstep social and legal norms. In Malaysia, Unilever's ad for Pond's skin lightening moisturizer showed a Malay college student using the product for a fairer complexion to get a boy's attention. The ad was deemed offensive to the dark complexioned ethnic group. At the same time, such advertisements send out wrong messages to the youth and can influence them in a negative way.

The Qur'an does not prohibit advertising and indeed, advertising is used to promote the Islamic faith (Al-Makaty *et al.* 1996). Advertising should not be an exaggeration, which is regarded as a form of lying, whether exaggeration is by metaphor or by embellishing a description. Kavoossi and Frank (1990), in a study of advertising in the Persian Gulf States, observed the lack of hyperbole or exaggeration compared to that in American advertising, rather, they noted, the emphasis was on long lastingness, tradition, quality, and the overall integrity of the goods and the seller. For example, an agency for computer services claimed "our purpose is quality computer service and not profit." Deceptive advertising should be avoided. The saying of Prophet Muhammad, "he who cheats is not one of us" (Keller 1994), was made in the context of sales incident in the marketplace. The lesson from this event was that a seller who knows a defect in something being sold is obliged to disclose it before. Religious terminology may be used in advertisements to reassure consumers of the Islamic integrity of products and services. For example, in a television advertisement, a Saudi Investment bank in Egypt used religious terms to show that it did no deal in any Islamically unlawful financial products. The use of selected Qur'anic Injunctions and words can enhance the mood of the advertising communication to make it more appealing to Muslim consumers. Examples are the words "*Bismillah*" or "*Allahu akbar*". Luqmani *et al.*, (1989) provides an example of a manufacturer of water pumps that uses a verse from the Qur'an in advertising: A Spring 200 advertising campaign targeted at the Gulf market for the Ford excursion sports utility vehicles uses the words "*Ma'ashallah*". These words are commonly used by the Muslims when they see something beautiful such as a small child, someone's achievement such as obtaining a degree or a new job, or someone's acquisition of new goods or property (Rice, and Al-Mossawi, 2002). In case of business and marketing, it is obviously welcome to keep in mind about the Islamic regulation but appropriate implementation with precise knowledge is a prerequisite. Keenan and Shoreh (2000) found primarily negative coverage of advertising in general and several criticisms of the inappropriate use of verses from the Qur'an.

CORRECTIVE ADVANCEMENT WITH THE EVALUATION OF ADVERTISEMENT

Most of the advertisements of the world business, which are exchanged and spread the culture from one country to another country are the creation and injected through the Multi National Companies. The decision of marketing and sales, from the MNC's² Headquarter, influence significantly the societal value of the east -particularly Muslim world. Presently, it is the matter of hope that the western world would also think about ethical marketing, Public

²Multi National Companies, most of these companies' central activities are being conducted from western countries.

policy makers have developed a substantial body of laws and regulations to govern advertising. For example, ads using the words “most”, “best” and “number one” are not allowed in China. However, such regulation varies by location. In Chengdu, ads cannot say “the most beautiful housing development” or “best value.” However, in Shanghai, Beijing and Guangzhou, these words are usually allowed. The Chinese government also has regulations regarding the design, image, taste, and possibly psychological impact of the foreign ads on viewer of varying age groups (Kotler, 2007). All the activities of Muslim world regarding the advertising and other core of conduct of business are running under the Shariah observation. To make barrier and control the foreign culture in early 1970s, the Ministry of Information has imposed Made-in-Malaysia (MIM) rule, which requires all advertisements to be produced locally. Even the talent, creative team and the production staff must also be Malaysian. Foreign sense and technologies are subject to prior permission (Waller and Fam, 2000).

The Government of Saudi Arabia promulgated the new legislation through royal decrees. In this country, the king is “all in all” who is treated as the protector of laws. The commitment of the Government to some extent related with the advertising includes consumer, producer, market demand and trade balance protection inside the domestic economy. The Saudi legal system is unique in the sense that it identifies law with the personal command of the one and only God, the almighty. Gulf Media International W.L.L. (Bahrain) is the name who is now remarkable for their Code of acceptance for the advertisement for all sorts of commodities including the controversial products. In the Global survey on advertising among 22 countries, the larger number of consumers found anti-advertising (Rice and Al-Mossawi, 2002). Such a way the enhancement of Shariah knowledge under each departmental expertise would help us to conduct our all the activities in more accurate way under light of Islam. These efforts will benefit not only the Muslims but also the other parts of the world.

A PRACTICAL EXPERIMENT ON THE ISLAMIC BANKS IN MALAYSIA

Advertising is nothing but a way of communication from the producer/marketer to the consumer, to spread the message about the product or facilities they produce for the mutual benefit. As an effective communication strategy, it will exert a positive impact on a construct called “qualitative channel outcomes,” which includes coordination, satisfaction and commitment (Vermillion et al, 2002). The way the corporate office will formulate the communication, the branch office also needed to be similar with co-ordination, satisfaction, and commitment towards the customer positioning.

To become successful in the business, it is must to focus on the customer satisfaction, they need the understanding of the relationship between customer satisfaction judgments and service quality perceptions remain a problematic issue (Taylor and Baker, 1994). Some reported determinants of customer satisfaction include service quality, expectations, disconfirmation, performance, desires, effect and equity (Churchill and Suprenant, 1982; Levesque and McDougall, 1996; Oliver, 1993; Patterson et al., 1993; Spreng et al., 1996; Szymanski and Henard, 2001).

In the 21st century, with the increasing demand of Islamic banking, the curiosity about the functional activities of Islamic banks became an issue to the public irrespective of the geographical or religious background. Advertising is an important component to create an image of Islamic banking and product about the performance of Islamic banks as well. Therefore, the shape of this must be different and logically strong in relation to the conventional advertising style. To assess the recent practice, the following assessment has been done on Bank Islam. Some of their recent advertisements have examined and observed based on Qur'an and sunnah.

At present, consumer expertise is increasing due to easy access to information. Research in consumer behavior, however, established that customers' expertise facilitates their learning of new and more complex type of information (Alba and Hutchinson, 1987; Cowly, 1994; Mishra et al., 1993). In addition, expert customers are likely to have developed skills in distinguishing between important and unimportant information, as well as between relevant information (Alba and Hutchinson, 1987). Moreover, people should be more specifically clarified about the products and the conveying message through the advertisement; particularly from the Islamic Banks.

CONCLUSION

Advertising is not new in the service sector and adequate knowledge about which form of advertising appeals to people would be reflected in its success. Practices of advertising need to be upgraded upto the revolutionary ethical standard to an extent that follows the guidelines and proper format of Shariah law. As an ethical action, it can be said in the manner it generates *manfaat* to human beings. The extent remains ambiguous when Muslims tend to avoid Shariah where the value of human activities is defined by almighty Allah. All the affairs of life and career in these eternal functions have clear and obvious sources of guidelines, which can be easily established with honest implementation of human sense.

Table 1: Bank Islam's Overall Advertising Practices and Assessment Comments Under Shariah Observation

Name of the products	Incentives	Shariah Specification with Interpretation	Comment under Assessment
1. MUDARABAH Savings Account-i.	Benefit-attractive and competitive profit sharing ratio, monthly interim profit directly credited into your account, Free Savings Passbook, Bankcard facilities, Salary crediting & sweeping facilities, Standing instruction facility, Zakat (tithes) on the savings paid by the bank. Facility - ATM, e-Debit, MEPS Cash.	"Do not mix the truth with falsehood and conceal the truth while you know (it)" (Quran: 2:42).	These facilities are mixed with the actual differentiation facility of the product with the other product and bank as well.
2. Tunai Kasih -I	Monthly cash contribution to your loved ones wherever they may be/are. One Account, Many Recipients Cash Direct to your loved one's Account. No Maximum limit and protection of Takaful.	"you seek (marriage) them with your property(gift)". "law full relation ship between male and female demand compensation (mahar) and allowance" (Qur'an: 4:24-25).	Relationship with "loved ones" should be stated with clear view and preciseness in advertisement.
3. IJRAASAVINGS ACCOUNT	Open to youth of 13 -18 years, it is designed to help them participate in the working of Islamic Banking, minimum deposit RM 1, a/c holder is automatically entitled to be a member of this banker's club which offers many benefits. FREE gifts and discounts of up to 40% on Kelab Ijaraa merchandise, Participative program to get the youth learn about the principle of Islamic Banking.	"say 'O my lord! Increase me in knowledge.'" (Qur'an 20:114) "The acquisition of knowledge is a duty incumbent on every Muslim, male and female" (Sallam and Hanafy, 1988).	Encourage students to save for the future higher education, guaranteed facility, research on Islamic banking, training etc appreciated in Islam.
4. VEHICLE Financing - I	Selling price-known and easy to plan for future. Opportunity to get return of about 25% per year on motor Takaful. No other extra charge, Fast approval.	"And those who are to their trusts and promises attentive", "And those who are in their testimonies upright". (Qur'an:70:32-33)	Clear dealing with price transaction establishes strong bonds in business.
5. Your Deposits Are Now Insured And It's Automatic - (Pidm)	Empower to acquire assets from member institutions, protect depositors, eligible deposit accounts are automatically insured at no charge, PIDM insures RM 60,000 limit includes both principal amounts of a deposit and the interest/ return.	"And their taking of usury while they had been forbidden from it, and their consuming of the people's wealth unjustly. And we have prepared for the disbelievers among them a painful punishment." (Qur'an: 4:161)	Shariah bank's transaction should be interest free, even the use of this word shouldn't be approved for advertising.
6. Wahdah Debt Consolidation Plan - i	Relieve from monthly financial commitments, low financing cost, extra value of current fixed asset, Competitive profit rate, document cost will be financed, financing margin up to 100%(terms & condition), No security deposit and processing fee.	"If someone is in hardship, then postponement until (a time of) ease. But if you give (from your right as) charity, then". Every soul will be compensated for what is earned, and they will not be wronged" (Qur'an : 2:280-281).	Islam always advises to be flexible and enduring with the clients to facilitate and benefited all ummah to ensure distributive justice.
7. Real Reward Program/Pewani Savings Account-I	Specially designed for women, Combination of two unique products that gives multiple rewarding experience. Exemption of withholding tax to those who are eligible higher profit ration, (60:40 = Depositor: Bank) if the monthly average balance is RM 5000 or more, (50:500 = Depositor: Bank) if monthly average balance less than RM 5000.	"And that there is not for man except that for which strives" (Qur'an:53:39). "No Arab has superiority over any Non-Arab and no non-arab has superiority over an Arab; the criterion of honor in the sight of God is righteousness and honest living." Saying of Muhammad (Sallam and Hanafy, 1988) Indeed Allah loves those who act justly." (Qur'an:60:8).	Reward should be received only after expending effort. Income redistribution should be ensured. Only high income people will be entertained but less income holder's continuous deprivation not acceptable in Islam.
8. Tunai DIDIK- i	<ul style="list-style-type: none"> Assurance of children's future Convenience to transfer from the account of client to his/her child's account, Affordable Takaful contribution which reduce the savings target, 	"Wealth and children are adornment of the worldly life" (Qur'an:18:46) "But if they have child, for you is one fourth" (Qur'an:4:12).	Islam is also very much conscious about the children and their claim on the wealth.
9. Make Prudent Financial Management a way of life	Counseling and advice on financial management (except those cases which is referred to the court), Debt management program, Financial education, Free of charge services.	"who spend their wealth in the way of Allah is like a seed which grows seven spikes is a hundred grain" (Qur'an:2:261)	The wealth management under shariah observation has been assured by the success in Qur'an. So ,the responsibility of Islamic Banks is also well defined by the Shariah but rules need to practiced precisely.

*A Hadith book; which has been recorded based on Prophet Muhammad saying and from his lifestyle

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