

# **HEALTH WARNING IN THE CIGARETTE ADVERTISEMENT**

**(On Perspective of Symbolic Interaction Theory)**



## **THESIS**

**This Final Project is Submitted to the Ushuluddin and Humanity Faculty in  
Partial Fulfillment of the Requirements for the Degree of Islamic Theology and  
Philosophy**

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SEMARANG**

**2016**



## DECLARATION

I declare that this thesis is definitely my own work. I am completely responsible for content of this thesis. Other writer's opinions or findings included in the thesis are quoted or cited in accordance with ethical standards.

Semarang, 02 Juni 2016

The Writer,

A green and yellow Indonesian Revenue Stamp (Meterai Tempel) with a handwritten signature over it. The stamp features the Garuda Pancasila emblem, the text "METERAI TEMPEL", the serial number "7ACAAAEF031872788", and the value "6000 ENAM RIBURUPIAH".

ina Ihdayani Oktavia

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## ADVISOR APPROVAL

Dear Sir,

**Dean The Faculty of Ushuluddin and Humanity  
State of Islamic University (UIN)  
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*Assalamu'alaikum Wr. Wb.*

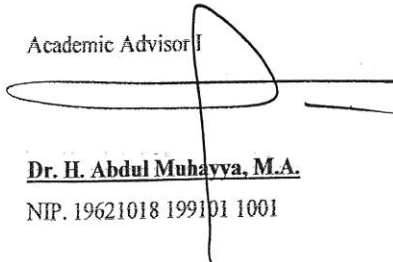
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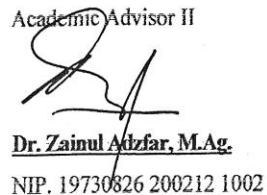
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## MOTTO

يَأْتِيهَا الَّذِينَ ءَامَنُوا لَا تَأْكُلُوا أَمْوَالَكُمْ بَيْنَكُمْ بِالْبَطْلِ إِلَّا أَنْ  
تَكُونَ تِجَارَةً عَنْ تَرَاضٍ مِّنْكُمْ وَلَا تَقْتُلُوا أَنْفُسَكُمْ إِنَّ اللَّهَ كَانَ بِكُمْ

رَحِيمًا

O ye who believe! Eat not up your property among yourselves in vanities:  
But let there be amongst you Traffic and trade by mutual good-will: Nor kill  
[or destroy] yourselves: for verily Allah hath been to you Most Merciful!

(An-Nisa': 9)





## DEDICATION

This thesis is dedicated to :

My dear parents;

Sahli and Suryati

Love and respect are always for you, thanks for the valuable efforts and contributions in making my education success.

❦

My beloved family : Ahmad Khoiri, Hanik Widiyati, Ali Rosyid

Thanks for your love and spirit for me.

❦

My Lecturers and also My Teachers.

❦

For everyone who help and give me big motivation.

❦

My classmates, FUPK 7, love you all, thanks for lovely friendship.

❦

Big family of FUPK, it is an honor to be part of you.

❦

Special thanks to Mb Faiq, Nikme, Kak Emy, Laila, Naela, yulinar, Mb Daris, Mb Dewi, Family of TPQ al-Salam, and Family of KKN Posko 25 Kemligi.



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بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

All Glory is to Almighty Allah, Who bestowed His blessing upon us and enabled myself to accomplish this thesis entitled **HEALTH WARNING IN THE CIGARETTE ADVERTISEMENT (On Perspective of Symbolic Interaction Theory)**. Peace and salutation are always offered for the Prophet Muhammad, the most beloved Prophet of Allah, his relatives and companions.

In preparing this thesis the author gets many help guidance and suggestions from various parties so that the preparation of this thesis is resolved. So that, I would like to express very deepest gratitude to Prof. Dr. H. Muhibbin, M.Ag. as rector of State of Islamic University (UIN) Walisongo Semarang. Second, my sincere thanks go to Dr. H. Mukhsin Jamil, M.Ag., Dean The Faculty of Ushuluddin and Humanity for providing academicals facilities which supported the researcher in completion of this thesis.

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guidance, and advices during the years of my study. My special thanks also go to Dr. Abdul Muhayya who is father, inspiration and motivator during study in The Faculty of Ushuluddin and Humanity.

Certainly, I also would like to express my special gratitude to my parents, Sahli and Suryati, also my brother and sister, who continuously encourage and motivate me through their *du'ā* and advices. My extended family who used to support my academic ambitions. This simple expression really cannot describe the depth of my feeling.

For Faiq, Nikme, Emy, Daris, thanks for everything, do not be tired to teach me. For family of TPQ al-Salam, family of Posko 25 Kemiligi, thanks for your support and *du'ā*. Family of FUPK 6, 7, 8, 9, thanks for togetherness, for loving, for laughing, for crying, it make my life colored. I will miss you all. Never say die to keep learning, to make your dreams come true.

I extend my deep to everyone who helped, inspired, and encouraged me to conduct my research. Special thankful is for everyone who always asked my thesis like shooting gun to me; actually it gave me stimulus to accomplish it.

Finally, the researcher expects that this thesis may be helpful for all. Amin.

Semarang,02 Juni 2016

The Writer,

Lina Ihdayani Oktavia

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# TRANSLITERATION

INTERNATIONAL JOURNAL of MIDDLE EAST STUDIES (IJMES)  
TRANSLITERATION SYSTEM FOR ARABIC <sup>1</sup>

ع	'	ز	Z	ق	q
ب	b	س	s	ك	k
ت	t	ش	sh	ل	l
ث	th	ص	ṣ	م	m
ج	j	ط	ṭ	ن	n
ح	ḥ	ظ	ẓ	ه	h
خ	kh	ع	‘	و	w
د	d	غ	gh	ي	y
ذ	dh			ة	a <sup>2</sup>
ر	r		f	ال	a <sup>3</sup>

<sup>2</sup> in cinstuct state.

<sup>3</sup> for the article al- and -l-.

Long	ا	or	ى	ا̄
			و	ū
			ي	ī
Doubled	ي		ي	iȳ (final form ī)
			و	uw̄ (final form ū)
Diphthongs			او	au or aw
			اي	ai or ay
Short			ا	a
			و	u
			ي	i

<sup>1</sup> Taken from

[http://ijmes.chass.ncsu.edu/IJMES Translation and Transliteration Guide.html](http://ijmes.chass.ncsu.edu/IJMES_Translation_and_Transliteration_Guide.html) at  
14.06 27 March 2015



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## ABSTRACT

The focus of this thesis is to explain about health warning in cigarette advertisement through the perspective of symbolic interaction theory. This thesis research examined in micro, The Important ethical principles in advertisement could not be lying, among others.

Human autonomy must be respected. In the last article, we look at the following four factors that must be considered in applying these principles, if we want to establish a balanced assessment of the advertisement ethic. In this case, the intents advertisers are on advertising content, the state of public fixed and habited in the field of advertising. Seeing the function of advertising itself is seen as an attempt advertising communication; advertising is described as the communication between the manufacturer and the market, seller and potential buyer in the advertising communication process to convey a message. Thus the advertising gets the impression that the advertising includes in providing information, and the most important thing is to introduce a product or service. So researchers are convinced by this approach, and then two cases of exploitation of this will be answered. (1) How is the analysis of health warning in cigarettes advertising perspective of Symbolic Interaction, (2) How is the impact of cigarette ads against the social life of the community.

This research was conducted with qualitative approach which viewed systemically with problems described in the descriptive. In addition to the observation of a few ads on television, in the pack of smoking, billboard. This data will be analyzed through two stages: (1) data collection (2) focus and deepen analysis.

The conclusion in this thesis are: (1) One of the pioneer of the symbolic interaction theory, explained that human interaction, mind, self process come from society and social act. **Mind**, On the cigarette and Health Warning Label (HWL) case, smoker find mind through their interaction with social environment. For them living in the environment or community that many of them are smoker, it is possible if the mind which is created by that interaction process is that cigarette is one of the symbol of friendship, masculine, moreover include in social adhesive in order to the feeling of the their unity on their community. **Self**, I as the smoker individual may because of me in him or herself who sees that the other smoker is cool

person in his or her social structure. The symbol of settle, and moreover often if smoking is close to the thinker, same as coffee and book. In islamic boarding house world, the discussion there is seldom existed without smoke. With smoking, discussion will become enjoy and friendly. Me in a person adopt the interpretations from the result of social environment research fulfilled by the smoker, than the new smoker will exist. I smoker is the reflection from social environment or social community. **Society**, That society will tend to see HWL only as a formal setting. To support their opinion, some reason will be made, for instance, the warning is not proven, some smokers are still healthy even though they are already old, and several writers who smoke said that HWL is a conspiracy from medical institution to stop the using of tobacco as cigarette. (2) Beside the effect of quantitative data from Health Warning Label (HWL) toward decreasing amount of smoker as the writer mentioning above, and also many social impacts appear. Under ethics studies, it is usually distinguished between descriptive ethics and normative ethics. Descriptive ethics give a description of moral sense symptom, from the norm and ethical concepts. While normative ethics is not talking again about symptoms, but about what should human do? A label warning in cigarettes is part of normative ethics that reflects concern for the importance of public health.

Keyword : cigarette , advertising, ethic, symbolic interaction

# CHAPTER I

## INTRODUCTION

### A. BACKGROUND

A person living in modern era certainly is no stranger to the advertisement in both electronic and print media. Advertisement is very influential on society as a publication or broadcast advertisement in the form of billboards, reports, statements, or write to rent a room with a view to introduce or tell something through the press. It is recognized that advertisement or billboards are part and parcel of modern business; the fact is closely related to how modern industries manufacture and produce products in large quantities, so it must seek a buyer.<sup>1</sup>

Large category of television advertising is based on the nature of this medium, where television advertising is built on the power of visualization objects and force audio. Symbol visualization is more prominent when it is compared with verbal symbols. Television advertisings generally use short stories resembled with the works of short films. And because of that short time, it looks like television advertisement strives to leave a deep impression to viewers within a few seconds.<sup>2</sup>

Advertisement is a type of marketing communication that refers to all forms of communication using marketer techniques to reach consumers and to deliver the message. Advertisement is about creating and sending

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<sup>1</sup> K. Bertens *Pengantar Etika Bisnis*, (Yogyakarta: Kanisius, 2000), p.263

<sup>2</sup> M. Burhan Bungin, S. Sos., M.Si. *Kontruksi Sosial Media Massa*. Jakarta kencana prenada group 2011 p.111

messages to people in the hope of they will act in a certain way, by means of a message sent by the media.<sup>3</sup>

There are so many things in the advertising world that have to be met and followed in order to create the profit from two directions, i.e from the of the manufacturer direction who can convey the intent of products to be conveyed to the consumer, from the consumers get real-truth information about the product being advertised. And one of the things that are important in the world of advertising is advertising ethics.

At the first glance, the two terms of ethic and advertisement appear to be much different and is not related each other. But in fact, both of them have a close connection, that the ad is part of marketing or in general is part of economics. Economics as the study of human needs lead to a welfare state. In the context of the relevance between ethic and advertising is located on the same object, namely humans. Ethic talks about behavior, while advertisement discusses how to influence human behavior and convince themselves. It means that the advertisement as an instrument in the marketing promotion strategy in order to be able to influence the market (consumers) target control by giving customer satisfaction with the produced products.<sup>4</sup>

Important ethical principles in advertisement could not be lying, among others. Human autonomy must be respected. In the last article, we look at the following four factors that must be considered in applying these principles, if we want to establish a balanced assessment of the advertisement ethic. In this case, the intents advertisers are on advertising content, the state of public fixed and habited in the field of advertising. Seeing the function of advertising itself is seen as an attempt advertising

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<sup>3</sup> Sandra Moriarty, Nancy Mitchell, dan William Wells, *Advertising*, Prenada media Group( Jakarta: 2011), p.06

<sup>4</sup> Muhammad Djakfar, *Etika Bisnis menangkap spirit ajaran langit dan pesan moral ajaran bumi* (Jakarta: Plus + 2012), p. 164-165

communication; advertising is described as the communication between the manufacturer and the market, seller and potential buyer in the advertising communication process to convey a message.<sup>5</sup> Thus the advertising gets the impression that the advertising includes in providing information, and the most important thing is to introduce a product or service.

One product consumed by Indonesian society is cigarettes, success cigarette sales are certainly not out of the number of ads in circulation. Although it is known that smoking is not a healthy product and good to consume, but the sales of tobacco products are still high demanded in Indonesia, so that the cigarette is known as one of the products that provide the greatest tax to the state. Advertising is an important part of a event series to promote products emphasizing elements of the image. Thus the object of advertising is not only appeared in the face intact, but also through the imaging process. The image of a product is more dominant than the product itself. But here, it has to be emphasized that the image constructed or suggested by an advertisement must represent the content of the product in order to consumers can receive the information truthfully.

In the advertisement world of generally, there are two often related ethical issues, which concerning the truth of an advertisement. Telling the truth is one of the important ethical obligations and must be done, but it apparently less ignored. Manipulating public according to many observers has repeatedly done through advertising workers.<sup>6</sup>

In cigarette ads aired in the electronic and print media could see that ad cigarettes are persuasive and give many impressions and messages inviting consumers to follow the trend, lifestyle and obsession as if the cigarette is a top solution product style of life and culture that must be

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<sup>5</sup> K. Bertens *pengantar Etika Bisnis*, (Yogyakarta: kanisius, 2000), p.277

<sup>6</sup> Muhammad Djakfar, *Etika Bisnis menangkap spirit ajaran langit dan pesan moral ajaran bumi* (Jakarta: Plus + 2012) p. 165

purchased, or a model of views with the promise that good is come to terms with the further chaos circumstances. It is inversely proportional to the effects of cigarette use itself. From any aspect of cigarette, it is not a good product for consume and will give a very bad impact on the users. So it causes the ambiguity. On one side of the cigarette is a product that is not good in consumption, but on the other hand showing to the cigarette, smoking ads give a positive impact to the users.<sup>7</sup>

Danger linkages of smoking for the health of our bodies exist in relation to many substances contained in cigarettes. There are 4000 chemical components found in cigarettes and 250 of them are harmful to human health according to the Centers for Disease Control and US prevention, the dangers of smoking to health increasing the risk of blood cancer and lymph cancer, because it contains high levels of 1,3-Butadine, namely chemicals which used to produce the rubber, then the next danger cigarette inhibit DNA repair and can damage the lining of the lungs because it contains the Karolin, Formaldehyde and Chromium VI (used to make metal alloys, paints and dyes) and eventually can cause lung cancer.<sup>8</sup>

Social learning theory can be used to assess the role of cigarette advertising on television in influencing the viewer's perception of the cigarettes and the impact of the cigarette. Cigarette advertising elevating the positive things, such as compactness with friends, suggesting that the picture creates the message that cigarette can produce positive norms. Thus, the actual smoking is harmful to health, even done by a lot of people with a variety of positive reasons appeared in cigarette advertisements. Consumers should be more critical in defining the advertisements. The television station has also not been tempted to fund the promotion of advertisers, but also must demonstrate social responsibility in delivering ad

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<sup>7</sup> *Ibid* h. 166

<sup>8</sup> Taken from <http://grosiramazonplus.com/bahaya-merokok-bagi-kesehatan-tubuh/> at 26-07-2015

impressions healthy for society. Government as regulator in cooperation with Advertising Agency has to also expressly provide warning even sanctions for violations that are occurred in the world of advertising.<sup>9</sup>

Ads created by exaggerating the actual reality of a particular product with the intention of being deceitful, and persuade consumers that they are interested in buying these products is considered as unethical ad because consumers are entitled to know the truth of a product. Even the ad has a means to control the market amid fiercer competition; nevertheless the business is still expected to honor the ethical values applying.<sup>10</sup>

Tobacco smoking is the raw material known by Muslims at the end of the 10<sup>th</sup> century H, brought by merchants Spain since that Muslims began to recognize some people, argues that cigarette smoking is permissible. The verse says that God created on this earth for human is *halal*, including tobacco used for cigarette ingredients. Some people argue that smoking is permissible, They argues that everything is permissible unless there is original law forbidding proposition, based on the word of God:

هُوَ الَّذِي خَلَقَ لَكُمْ مَا فِي الْأَرْضِ جَمِيعًا<sup>11</sup>

It is He who hath created for you all things that are on earth<sup>12</sup>

The above verse explains that God created everything on earth including the human kosher for tobacco used for cigarette raw materials.<sup>13</sup>

However, although it is known that smoking is not a good product for health, but it is not directly proportional to the cigarette consumption

<sup>9</sup> Taken from <http://jurnal.kominfo.go.id/index.php/jskm/article/view/122> at 28-07-2015

<sup>10</sup> Muhammad Djakfar, *Etika Bisnis menangkap spirit ajaran langit dan pesan moral ajaran bumi* (Jakarta: Plus + 2012) p.172

<sup>11</sup> Qur'an in Word, Qs. Al-Baqarah 2:29

<sup>12</sup> Abdullah Yusuf Ali, *The Holy Quran*, 1987, p.2

<sup>13</sup> Taken from <http://www.konsultasisyariah.com/hukum-rokok-dalam-islam/> at 11-09-



itself. A teenager smoking is no longer a rare sight around us. Based on the data from the Health Research (Riskesmas) in 2013, around 18.3 percent of teenagers (15-19 years old) become active smokers, and around 1.4 percent of children (10-14 years old) are too. According to the results of basic medical research in 2013 active smokers 10 years old and over amounted to 58,750,592 people.<sup>14</sup> Increasing the number of child smokers 10-14 years old group as the position of the most substantial and significant.

High rates of cigarette consumption could be due to a lack of public awareness to the importance of health. In this case, they smoke not because of advertisement. However unwittingly, cigarette advertisement has the intensity of broadcast frequently and often displays with very interesting concept, such as A Mild, which often feature the advertisement in the form of parody and criticism.<sup>15</sup> That is why the notion that cigarette advertisement circulated during this time is improper with advertisement ethics has come. Although on aired cigarette packages and advertisement have already written the warning about the dangers of tobacco use, but it is considered insufficient and does not become the main focus on cigarette advertisement. So is that true if cigarette advertisement does not fulfill the ethics of advertisement?

To answer the questions above, the author uses the theory of symbolic interaction to analyze the ethics of advertisement on cigarette advertisement, human make decisions and act base on their subjective understanding against situations when they find themselves and the human

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<sup>14</sup> Taken from

<http://health.kompas.com/read/2015/06/03/110000223/Jumlah.Perokok.Indonesia.10.Kali.Lipat.Penduduk.Singapura> at 11-09-2015

<sup>15</sup> Taken from [http://www.ridwanhidayat.com/2009/12/tertarik-meneliti-iklan-rokok\\_24.html](http://www.ridwanhidayat.com/2009/12/tertarik-meneliti-iklan-rokok_24.html) at 08-10-2015

action is based on their own interpretation.<sup>16</sup> In which the objects and actions dealing in considered and interpreted situations. In the view of symbolic interaction, social meaning of an object as well as an attitude and action plan is not isolated thing from each other. The whole interaction symbolic idea understanding states that the meaning arises through interaction.<sup>17</sup>

This symbolic interaction a natural relationship occurring between humans in their society and society with individual. It occurs among individuals and develops through symbols which are created by themselves. The social reality is a series of events that occurred among some individuals in the community, individual interaction occurred consciously, associated with gestures, vocal, voice, and body expression which have the purpose and called symbols.

Symbolic interaction theory emphasizes the relationship between symbols and interactions, as well as the core of this approach is the view of the individual. Many experts behind this perspective said that the individual is the most important thing in the concept of sociology. They say that the individual is an object that can be directly studied and analyzed through interaction with other individuals. According to Ralph Larrossa and Donald C. Reitzes (1993) in symbolic interaction describes a frame of reference to understand how humans, along with others, creating a symbolic world and how the world shape human behavior.<sup>18</sup>

Advertising is a good example of the complexity of moral thought, ethical principles are important but their availability were not enough for judging the morality of advertisement. Practically, many other things come

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<sup>16</sup> Stephen W. Littejohn, Karen A. Foss, *Theories of Human Communication, 9<sup>th</sup> ed* translated into Indonesia language by Mohammad Yusuf Hamdan, *Teori Komunikasi edisi 9*(Jakarta: Salemba Humanika 2014), p.231

<sup>17</sup> Morissan. *Teori Komunikasi Individu Hingga Massa* (Jakarta: Kencana 2013) p.112

<sup>18</sup> Taken from <http://kusmawatiheny.blogspot.co.id/2013/03/teori-interaksi-simbolik-sospen.html> at 04-09-2015

to play. The ethic reflected in advertising reminds us that moral reason is always to be nuanced to listen and assess the concrete situation.<sup>19</sup>

The community also must participate for overseeing the ethics of advertising; generally, it has a greater potential to cause social jealousy in the community by showing the attitude of consumerism and hedonism of a small elite. This is an important ethical aspect, especially in a society marked a great social inequalities.

From the above description it can be seen that the rate of tobacco use is very high no exception in children. This will certainly be a separate concern to public health. The high cigarette consumption cannot be separated from the promotion done through advertising media, and advertising of cigarettes in circulation during this does not reflect the contents of tobacco products as a whole, so there is ambiguity in the community. That is why the study of ethics cigarette advertising is important to do so that people can receive information about the goods consumed and transparent especially about smoking.

## **B. Research Questions**

From the above background, the author of pursuing basic problems to achieve the solution to some questions research, i.e.:

1. How is the analysis of health warning in cigarettes advertising perspective of Symbolic Interaction?
2. How is the impact of cigarette advertisement related in the ethic of the life community?

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<sup>19</sup>Stephen W. Littlejohn, Karen A. Foss, *Theories of Human Communication, 9<sup>th</sup> ed* translated into Indonesia language by Mohammad Yusuf Hamdan, *Teori Komunikasi edisi 9*(Jakarta: Salemba Humanika 2014) , p.227

### C. Aim of Research

The Aims of Writing this Thesis are:

1. To know analysis of analysis of health warning in cigarettes advertising perspective of symbolic interaction theory
2. To know how advertising the impacts of advertisement cigarette in social life of the community.

### D. Significant of Research

1. Theoretically, to add to the property Department of literature theology and philosophy Department Of Islamic Theology. In addition this paper is expected to be one of the comparative study for other writers.
2. Practically, can be applied in public life, by receiving information on ads served and consumed in both transparent and especially regarding smoking.

### E. Prior Research

1. Mahmudin's Thesis "*Presepsi Perokok aktif dalam Menanggapi Label Bahaya Peringatan Merokok*" (Studi deskriptif kualitatif pada masyarakat kampong Suryoputran, kelurahan, Panembar, kecamatan Kraton, kota Yogyakarta). This thesis was written by studens of Faculty of social sciences and Humanities in University of Sunan Kalijaga Yogyakarta 2014. This thesis described the research aimed to understand about smokers arrange active in the preception of dangers of smoking warning labels on cigarette packs. So in this thesis the author only provide information to the reader whether the smoking hazard warning label affective for lowering the intensity for active smokers.
2. A journal by Lilik Hamidah dan Chalimatus Sa'diyah "*ANALISIS SIMBOL IKLAN ROKOK DJI SAM SOE GOLDEDISI HALUS DAN MANTAP*" (*Kajian Analisis Semiotik Pendekatan Roland Barthes*). This paper described the analysis of the grammar in the Dji Sam Soe

and semiotic analysis using the research of meaning on the language itself. Pronunciation of the dialect of Hokkien, in Fujian province, China, having the meaning of 234 when combined into number 9. Liem Seeng Tee, believes that myth of number 9 brings luckiness and perfection. Consequently in all aspects of cigarette products are like 9 figures, ubiquitous Dji Sam Soe, Sampoerna, the number of stars in the corners as well logo of 234 amounted to 9.

3. Umami Kalsum's "Kritik Sosial (Dalam Iklan *Sampoerna a Mild*)" written thesis students Faculty communication and broadcasting Islamic religion state University Sunan Kalijaga Yogyakarta. This thesis described about social criticism against advertisement and social critique understood as a form of communication expressed both in writing or oral, with regard to Interpersonal issues, as well as the aim of operations control of the social system. In this the author indicates that the advertisement conveys A Mild criticism to dare to criticize a variety of problems and phenomena of social faced by the nation.
4. Ulfah Nur Fadhilah's "Pengaruh label peringatan kesehatan pada kemasan rokok terhadap keputusan pembelian (studi kasus pada konsumen Alfamart di desa tampingan kecamatan Boja Kabupaten Kendal)". This thesis was written by students of the Faculty of Economics and business. State Islamic University Walisongo. The author argued about the facts about the influence of health warnings on packets of smoking label to consumer purchase, and the results of calculations performed by the author of the influential health warning labels indicate in partial against purchasing decisions.

By looking at a variety of materials related to the media earlier, the author's thesis with the title "Warning Health in The Cigarette Advertising (In Perspective Symbolic Interaction)" is different from the previous researchs because in this study the author

more focus to how analysis warning health in cigarette applying for Symbolic Interaction Theory.

## F. Theoretical Framework

This research uses symbolic interaction discovered by Herbet Blummer Mead as the framework theory. There are three main points in understanding this theory: the first is the important of meaning for Human behavior. People have mind as the source of meaning in supporting them to act. The meaning is related to psychological and sociological factor. The second is the importance of the self concept. In this case, self is considered as the ability of people to identify the self from the others. The third is the relationship between the individual and society: the important of social interaction created by people and impact on mind and self.<sup>20</sup>

Symbolic interaction has some process called self-identification, acting unit is self, the self act related to the situation and the act is constructed by interpretation of the act. The interpretation consists of three steps: the first is acting self must identify the work of the act such the role, opportunity, obstacle, distraction and resource. The second is acting self must determine these things by certain way and the third is acting self must take the decision based on the determination.<sup>21</sup>

Manfornd Khun consider the role of self as the center of social life, self feeling as the main point of communication. Self is very important thing in interaction. An object could be identified as the individual of reality including of thing, quality, moment, situation, or

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<sup>20</sup> .Abdul Muhaya ,“Spiritual Bangunan (*Studi Tentang Makna Spiritusl Arsitektur Pondok Pesabtren Salafiyah Bahru Bihari ‘Asali Fadhaailir Rahmah*)”, Lembaga Penelitian dan Pengabdian Masyarakat, (September 2013), p. 10-11

<sup>21</sup> Stephen W. LITTLEJOHN, Karen A. FOSS, *Theories of Human Communication, 9<sup>th</sup> ed* translated into Indonesia language by Mohammad Yusuf Hamdan, *Teori Komunikasi edisi 9* (Jakarta:Salemba Humanika 2014) , p. 339

condition. The only requirement of the thing becoming an object is by giving the name of the thing and appointing the symbol of the thing, so that an object has social value and it becomes social object.<sup>22</sup>

The new implementation of symbolic interaction, although Mead firstly explained his idea in 1930, has been concerned seriously by the figure in 1970 to 1980. Because Mead concerns to symbolic interaction and he ignores to media, the figure of media theory had not concern on Mead's idea. Michael Solomon (1983), a researcher concerning about consumer, summarizes Mead's research which has relation to media.

1. Cultural symbolic learned through interaction and then bridging interactions.
2. The meaning of mutual overlap by people within a culture indicates that individuals who study the culture should be able to predict the behavior of others in the culture.
3. The self-definition is the natural social act, self is mainly defined through the action in the environment.
4. Limitation for someone to commit on social identity will determine the identity to influence the self action

Mead develops symbolic interaction by taking an idea from pragmatism as philosophical theory which emphasizes on practical function of the knowledge as the way to adapt and control the reality. Pragmatism is developed in America as the reaction against the popular idea in European and United State of Amerika.

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<sup>22</sup> Morissan. *Teori Komunikasi Individu Hingga Massa* (Jakarta: Kencana 2013), p.111

## G. Research Method

### 1. Types of Research

This form of literary thesis writing, then the method used is the type of field Research methods, with a system of collecting data from various advertisement data documentation related to the theme of this thesis. Then, those processed into a new thought framework.

### 2. The Method of Data Collection

In this method the author uses primary data and secondary data as follows:

#### a. Primary Data

Primary data is the data subject in writing of this thesis which became a television advertisement in Indonesia. There are several primary source used as : The advertising about Cigarette in television and Media Massa and pack, *Iklan rokok A Mild, Sampoerna and Djarum Super*, and other cigarette ads

#### b. Secondary Data

Secondary data is data that is used by the author as a supporter of the primary data. Secondary data is the works relating to the ethics of the theory of symbolic interaction and advertising, like, theories of communication, ethics and philosophy of communication, theories of individual communications to the masses, social media construction.

#### c. The Method of Data Analysis

As for the approach to be used in the analysis of this research is qualitative, stressing analysis on the process of inductive conclusions as well as on the analysis of the dynamics of the relationship between the observed phenomena, using the logic of science. These studies emphasize research descriptive analysis. This research was conducted only for description and describe a situation or event. Analyzing and presenting systematically so that it is easily understood and interpreted.



## **H. The Order of Writing**

The author will arrange this thesis with compiling from data and materials in based on the order, thus becoming a systematic arrangement of the thesis. The writing of this thesis is entirety into five parts, as follows:

CHAPTER I: This chapter is an introduction it is introduction, consisting of the background of the problem, research problem, aim and significance research, prior research, research method, and the systematic writing.

CHAPTER II: in the second chapter contained about advertising smoking. Beginning with an explanation of the meaning of symbolic interaction, then analyze characteristics of advertising cigarettes. As a result, this explanation will lead to an understanding of the ethics of communication further advertising can be customized with advertising models that become the primary data in this study.

CHAPTER III: in this chapter, entirely in the form of research data will show the ads that serve as the study researchers and history of tobacco. The data will be parsed one by one on the pattern and the concept of the creation of the ad shows the actual meaning they want to show the ads.

CHAPTER VI: In this chapter contained analysis. Formulation of the problem, as we include in point B (in chapter i-introduction) will be answered in this chapter. In this discussion, the writer will analyze the main problems as the author mentioned above in chapter III. Ethics communication advertising advertising cigarettes. Where in this discussion will be retrieved hypotheses about the research the author did.

CHAPTER V: in this chapter is closing. This writing is put in fifth chapter. On the closing section to list the conclusions of previous chapters and the expected suggestions useful for further research.

## CHAPTER II

### ADVERTISING AND ETHICS

#### A. ADVERTISING

##### 1. Definition of Advertising

Advertising is everywhere. As it becomes more ubiquitous, we tend to ignore it. But as we tend to ignore it, advertisers find new ways to make it more ubiquitous. As a result, and as with television, no one is neutral about advertising. We love it or we hate it. Many of us do both, after studying this chapter you should.<sup>1</sup>

Advertisement is commercial and non-personal communication that sell a persuasive messages from the brief sponsor to influence the buyers who buy the product by paying with a sum of cost for media.<sup>2</sup>

Based on KBBI which is published by Balai Pustaka in 2000, advertisement is a communication message from the producer/the service giver to the consumer applicant in media which its application was done based on the payment. While, advertising is a making process and conveying message which is paid and conveyed through mass media facilities that is aimed to persuade the consumer of buying activity/changing their behaviour.

American Marketing Association mentioned that “Advertising is any paid form of non personal presentation and promotion of ideas, goods or services by an identified sponsor”.

Some of the experts interpret an advertisement in some explanations. Some of them describe it in communication view, natural advertising and marketing. While, the others describe it in psychology prespective. All of the definitions above bring a consequences in different

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<sup>1</sup> Stanley J. Baran, *Mass Communication Media Literacy and Culture sixth edition* (New York: Higher Education, 2010) , p.323

<sup>2</sup> Muhammad Jaiz, *Dasar-dasar periklanan*, Ruko Jambusari (Yogyakarta : GRAHA ILMU 2014), p. 3

purpose. When communication perspective tend to emphasize as a conveying process from the communicator to the communicant, the advertisement perspective tend to emphasize on the aspect of creative and persuasive conveying message which is conveyed through particularly mass media. Marketing perspective is more tend the advertisement meaning as a marketing tool such a selling the product. While, psychology perspective is more tend on aspect of message persuasive.<sup>3</sup>

Advertising is the kind of marketing communication, a general term that refers to all of the kind of communication technique which is used by the marketers to get their consumers and convey their message.

Although advertising is described as a complex thing, in other side, we can also say that advertising is simple. Advertising is about producing of message and conveying it to the people, and hope that people will react with a certain way. In some explanations of advertising, there are some factors, such as:

1. Usually, it is paid by the advertiser, although some kind of advertisement such as the announcement of public service is paid by the contribution from the donator or it is free.
2. The message is paid and the sponsor is identified.
3. Generally, it reaches a large audience such as potential consumer. Either from the general area or the target of certain group.
4. Most of advertising gives information to the consumer and announce them about the product or the company. In many cases, advertising is also aimed to persuade or influence the consumer in order to do something; the persuasion may use an emotional message and information.
5. The messages are conveyed through several of mass media, which is usually in non-personal creature. In other words, advertising is not showed to the specific person, although this characteristic is

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<sup>3</sup> Muhammad Jaiz, *Dasar-dasar periklanan*, p. 02

changed after the internet is appearance and the type of media is more interactive.<sup>4</sup>

## 2. Advertising and Audience

Advertising also has a social role. Beside it gives information about the new product, advertising also reflects the trend fashion and design, and enriches the insight of our ethics. Advertising also has an educational role, for; it teaches us about the new product and its usage. Advertisement helps us to create ourselves image through our identification toward an advertisement model. Advertisement gives us the way to express our personality and also express through the clothes and the tools what we use. Advertisement also shows a various place of our habitation. There are positive and negative aspects in social role.<sup>5</sup>

The typical individual living in the united states will spend more than one year of his or her life just watching television commercials. It is a rare moment when we are not in the audience of some ad or commercial. This is one of the many reasons advertisers have begun to place their messages in many venues beyond the traditional commercial media, as we saw earlier, hoping to draw our attention. We confront so many ads every day that we overlook them, and they become aware of advertising only when it somehow offends them.

The positive activism of society can control the marketing activities which are exploitative, misleading, and also empowering consumers, for especially a poor consumers. So that, it can encourage market mechanism towards the accomplishment of society welfare. The society activism is materialized through consumers' moving, charitable

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<sup>4</sup> Sandra Moriarty, Nancy Mitchell, dan Wiliam Wells, *Advertising* translated into Indonesia language by Triwibowo B.S *Advertising* (Jakarta : Kencana Prenada Media Group 2011), p.6-7

<sup>5</sup> *Ibid* , p.14

foundation, the traditional function of government is affirmed by the society activism.<sup>6</sup>

### **Criticism and defenses of advertising**

Advertising does sometimes offend, and it is often the focus of criticism. But industry defenders argue the following :

- Advertising supports our economic system without it new products could not be introduced and developed in others could not be announced. Competitive advertising of new products and businesses powers the engine of our economy, fostering economic growth and creating jobs in many industries. People use advertising to gather information before making buying decisions.<sup>7</sup>
- Ad revenues make possible the “free” mass media we use not only for entertainment but for the maintenance of our democracy. By showing us the bounty of our capitalistic, free enterprise society, advertising increases national productivity (as people work harder to acquire more of these products) and improves the standard of living (as people actually acquire more of these products).

The first defense is a given. Ours is a capitalistic society whose economy depends on the exchange of goods and services. Complaints, then have less to do with the existence of advertising than with its conduct and content, and they are not new. In 1941 founding meeting of the advertising council, J. Walter Thompson executive James Webb Young argued that such a public service commitment would go far toward improving the public’s attitude toward improving the public’s attitude toward his industry, one “rooted very deep”. It is a sort of repugnance for the manifestations of advertising or its banality, its bad taste, its moronic

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<sup>6</sup> Hani Handoko, Nurul Indarti, Rangga Almahendra, *Manajemen dalam berbagai Perspektif*, Penerbit Erlangga (Jakarta 13740) , p. 55

<sup>7</sup> Stanley J. Baran, *Mass Communication Media Literacy and Culture sixth edition* ( New York : Higher Education 2010) , p.332

appeals, and its clamor”. The second defenses assumes that advertising provides information. But much critics would say most advertising is void of useful information about the product. Grant Leach, managing director of the ad agency the Revo Group, declares, “Consumers no longer buy products but rather life styles and stories, experiences, and emotions products convey”. The third defense assumes that the only way media can exist is through commercial support, but many nations around the world have built fine media systems without heavy advertiser support.<sup>8</sup>

To critics of advertising, the fourth defense that people work hard only to acquire more things and that our standard of living is measured by what material things we have draws an unflattering picture of human nature.

## **B. The Ethics of Advertising**

### **1. Definition of Ethics**

In daily life often found use word of ethics, moral, and akhlaq. These terms are often claimed same meaning, so sometimes used as overlapping and ambiguos. It is very possible because basically these terms are equally these related to human actions and assesment of these actions, i.e good or bad. But actually these terms have a different point of view in kook at the human action. In KBBI ethicss means science of the principles of *akhlaq* (moral).<sup>9</sup> Ethics, in Sidi Gazalba perspective is theory that talk about what it should be. Most ethics talk about moral issues philosophically, here in after referred to as moral philosophy.<sup>10</sup>

In etymology, ethics is derived from word *ethos* in Yunani. In singular, “ethos” means an ordinary living place, meadow, cage, habit, customary, attitude, feeling, and thinking. In plural, *ta etha* means the habit custom. In term of philosophy, ethics means the knowledge about action and

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<sup>8</sup> *Ibid.*, p.333

<sup>9</sup> W.J.S Poerwadarminta, Kamus Umum Bahasa Indonesia, Balai Pustaka (Jakarta , 1991), p. 278

<sup>10</sup> Abd. Haris , *Etika Hamka Konstruksi Etik Berbasis Rasional Religius* (Yogyakarta: LKIS 2010). p.34

knowledge about habit custom. In KBBI, ethics is the knowledge about the principle of attitude.<sup>11</sup>

Ethics can be described as a set of moral principle which distinguishes the good from the bad. Ethics is a normative knowledge, for; it has a role to determine what the people must to do and mustn't to do. In Islam, the nearest term that has a relation with the term ethics in al-Qur'an is *Khuluq* qur'an.

وَإِنَّكَ لَعَلَىٰ خُلُقٍ عَظِيمٍ ﴿١٢﴾

And thou (standest) on an exalted standard of character.<sup>13</sup>

Al-Qur'an also used some of other terms to describe a concept about good thing such as *khayr* (kindness), *birr* (truth), *qist* (similarity), '*adl* (kesetaraan dan keadilan), *haqq* (right and kindness), *ma'ruf* (knowing and approving), and *taqwa* (faith). The commendable action is known as *salihat* and the ignoble action is known as *sayyi'at*.<sup>14</sup>

Ethics is also distinguished in three main definitions such as the knowledge about the good thing and moral obligation, the group of principle and value which is related with attitude and the value about the right and wrong thing which is followed by the community or society. Ethics is described as a values or a norms which is be a grip of a person or a group in managing their behavior, and the basic character of ethics is a critical character, for; ethics is appointed to dispute on a norm which is assumed still applied, it is investigated what is a basic of norm and is that basic of norm confirms an obedience which is demanded by its norm toward a norm which can applied. Ethics proposes the questions about its legitimation, means a norm which can't defend themselves from the critical question, it

<sup>11</sup> Muhammad Mufis, *Etika dan Filsafat Komunikasi Edisi Pertama* (Jakarta : Kencana Prenada Media Group, 2009) , p. 173

<sup>12</sup> Qur'an in Word, (Qs. Al- Qalm, 68:4).

<sup>13</sup> Abdullah Yusuf Ali, *The Holy Quran*, 1987, p. 292

<sup>14</sup> Rafik Issa Beekum , *Islamic Business Athics* translated into Indonesia language by Muhammad, M.Ag , *Etika Bisnis Islam* ( Yogyakarta: Pustaka Pelajar, 2004). p 03

will lost their right automatically, ethics gives a provisions for human to take a rational character toward all of the norm, ethics is a tool for rational thinking and it will be responsible for an expert and the people who don't want be a confuses people because of an existing norm.

Ethics is often known as a moral philosophy. Ethics is a kind of philosophy which is told on human action in its relation with the purpose of their main life. Ethics talks about the good and bad or the truth and good behavior and human action, it also beams the obligations of people. Ethics issues on how should the people do or act.

While the meaning of moral is a term which is used to determine the limits of the character, temperament, wish, opinion or act that can be said as a right, wrong, good or bad thing adequately. In The Advanced Learner's Dictionary of Current English, moral means by the principles which has a relation with a right and wrong thing, good and bad, and the ability to understand the differences between the right and wrong teaching or describing of good behavior.<sup>15</sup>

The actual character of moral is called by morality. Morality is the heart attitude which is revealed in the facial action (remembering that action is totally an utterance from the heart). Morality is found when the people take a good character because he aware on the obligation and their responsibility, it is not because they look for the benefits. Morality is a good character and action which is really no profit in it.<sup>16</sup>

If the definition of ethics and moral is related each other, we can say that between ethics and moral has the same object, both of them discuss on the human changing which is continued by its position, whether in good side or bad side.

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<sup>15</sup> Abuddin Nata, *Akhlak Tasawuf dan Karakter Mulia edisi revisi* (Jakarta: RajaGrafindo Persada, 2014), p. 78

<sup>16</sup> Franz Magnis-suseno, *Etika Dasar Masalah-Masalah Pokok Filsafat Moral*, (Yogyakarta: Kanisius, 1987), p.58



In many cases, ethics and moral has differences. First, in ethics, it use mind and ratio to determine a value of good and bad human action, while in moral, it use a benchmark that usually used by the growth and development norms and it also ongoing in society. Ethics is characterized more in philosophy and it is in concept area, while moral is in reality area and it exist on the behavior that is developed in society.<sup>17</sup>

Talking about the moral weight (good or bad) people themselves and not about the moral weight by one of his actions. Two moral approaches which are already found in daily life are in the tradition of moral philosophy thoughts appear as a two different types of ethical theory : the obligations and ethics of virtue.

Moral discipline is about whom act he is be the responsible. The principle of Islamic attitude is who act in a good thing, even if it is so little good thing he will enjoy the results, otherwise the slightest crimes committed, it is he who is be a responsible on his act.<sup>18</sup>

فَمَنْ يَعْمَلْ مِثْقَالَ ذَرَّةٍ خَيْرًا يَرَهُ ﴿٧٧﴾ وَمَنْ يَعْمَلْ مِثْقَالَ ذَرَّةٍ شَرًّا يَرَهُ ﴿٧٨﴾<sup>19</sup>

Then shall anyone who has done an atom's weight of good, see it!, And anyone who has done an atom's weight of evil, shall see it.<sup>20</sup>

The ethics in the term is the terms which have been suggested by experts with different expressions according to his point of view. For the example, Ahmad Amin defines ethics is the science that explains the meaning of good and bad, to explain what is supposed to be done by

<sup>17</sup> *Ibid*, 78

<sup>18</sup> Zahruddin AR, Hasanuddin Sinaga, *Pengantar Studi Akhlak* (Jakarta : RajaGrafindo, 2004), p. 71

<sup>19</sup> Qur'an in Word, (Qs. Al-Zalzalah 7-8 )

<sup>20</sup> Abdullah Yusuf Ali, *The Holy Quran*, 1987, p.321

humans, stating the goals that must be intended by human in his actions and shows the path of their deeds to do what they should be.<sup>21</sup>

### **The principle element of ethic**

Discourse ethics involves behavioral and ethical value system that belongs to any individual or collective community. Therefore, the discourse of ethics has constituent elements such as liberty, responsibility, conscience, and basic moral principles.

Freedom is an essential and major element in ethics discourse. Ethics becomes rational because it always presupposes freedom. It can be said that freedom is an essential element of ethics. Existential freedom is the human ability to define himself. This freedom is positive, it means freedom in the daily life practice has variety of the style, they are, physical-spiritual freedom, social freedom, psychological freedom and moral freedom.

Responsibility is the ability of individuals to answer any questions that may arise from actions; responsibility means that people should not be evasive, when they asked to explain their actions. Responsibility presupposes a causes.

The conscience is the appreciation of the good or bad value in its relationship with a concrete situation. Conscience is who ordered or prohibit an action according to the situation, time, and certain conditions. Thus, conscience associated with awareness. Awareness is the ability of man to know himself and therefore reflecting on himself.

The principle of moral consciousness is some sense that you need to know in resigning individual actions within the framework of certain moral values. Ethics has always made an essential element for the entire program

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<sup>21</sup> Prof.Dr.H Abuddin Nata, M. A, *Akhlaq Tasawuf dan Karakter Mulia edisi revisi*, p. 75-76

of moral action. The principle of moral action presupposes a thorough understanding of all individuals for acts committed as a human.<sup>22</sup>

On the relationship between ethics and morality that has been discussed above. Principally, the relationship between them is on the spectrum less or more or less. The things that cannot be found in ethic is a peculiarity of morality, and the things which is not exist in morality is precisely the ethical distinctiveness. Ethics is more than morality because ethics thrusting deeper and more basic understanding on the question about why must we live according to certain moral norms? Instead, ethics is also less than the morality because it is not ethical, but morality determines what we should do and what we must do.<sup>23</sup>

## 2. Ethics as a Distinguishing of Good and Bad

Good and bad are two terms that are widely used to determine an action committed by someone, the difference between ethics and morals and decency which the character is located on the source used as a benchmark to determine the good and bad. If the assessment of both bad ethics based on the opinions of reasoning, and moral and ethics based on customs generally accepted in the society, then the size of the character used to specify both the bad and good is in the Quran and al-Hadith.<sup>24</sup>

Ethics (*Akhlak*) has a close relation to the good deeds and bad deeds. No human actions are good and some are bad, there is right and there is wrong. An assessment of an act, whether he is right or wrong, good or bad can be relative. This is because of differences in measurement used to carry out such assessments. The difference this benchmark motivated by religious differences (trust / faith), ideology, way of thinking, the environment, and so forth.

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<sup>22</sup> Muhammad Mufid, *Etika dan Filsafat Komunikasi Edisi Pertama*, p. 181-182

<sup>23</sup> L. Sinuor Yosephus, *Etika Bisnis : pendekatan Filsafat Moral terhadap perilaku pebisnis* (Jakarta: , Pustaka Obor, 2010) p.35-36

<sup>24</sup> *Ibid* p. 81

The definition of “right” according to the ethics (attitude sciences) is things that are in accordance with the regulations. In contrast, the “wrong” are things that are not in accordance with regulations. These criteria are used, we may get a variety of “right” in this world, it can even be contradictory. “True” for a certain group, it musn’t “true” for another group, because of the different regulations that become the bench mark.

Some of good and bad is also in relative subjective. Good for a person or a group is musn’t good for another person or group, for; each person or group has a different purpose. However, objectively, the goal of everyone is same, tht they want good or want to be happy, and that's called “the highest good”.<sup>25</sup>

The purpose of each thing, although it is different, everything will be geared to one goal that called good, all of people expect to reach good and happy, this same goal is called “the highest good” in the ethics science, which in another term called by *Summum Bonum* or Al-Khair al-Kully in Arabic language. The highest good can also be called universal happiness.

Crime on the individual is actually a crime toward the principle of universal humanity (universal humanism). Therefore, the personal crime is actually a crime to the principle of universal humanity.<sup>26</sup>

The coherent, balance, and realistic views about human nature and their social role, which is typical of Islam, can be summarized by the four ethical axiomsappropriately such as *Tauhid*, balance, free will, and responsibility.

In Islamic morals, rather as a means (a temporary destination) must in one line as the goal well, means that they should be the norm. To achieve a good purpose should be to the good and true. Therefore, Islam is already outlined clearly in his teachings, what can be done and what should not be, what is halal and what is haram. Everything must be followed by humans and should not be violated.

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<sup>25</sup> *Pengantar Studi Islam* (Jakarta: Rajagrafindo Persada, 2012), p. 223

<sup>26</sup> Ali Masyur Musa, *Membumikan Islam Nusantara, Respon Islam terhadap Isu-isu Aktual* (Jakarta:Serambi Ilmu Semesta, 2014) , p. 19

Thus, the moral sources of Islam are the Qur'an and al-Sunnah. So, everything is rated good or bad, commendable or reprehensible, right or wrong, based on an assessment of the Qur'an and al-Sunnah. Forgiveness, gratitude, generous, honest, and diligent are considered good for, both sources (Al-Qur'an and al-Sunnah) declared all these things as good behavior. In contrast, if both of sources declared as bad behavior, such as the revenge, cheating, and lazy, then those behaviors are bad behavior.

According to al-Mawdudi and al-Ghazali, in addition to Al-Quran and al-Sunnah as the principal source of attitude, also known as an additional source of (complementary), those are sense, experience, and intuition, requirely, the additional source products (complementary) was not contrary to the source principal.<sup>27</sup>

The characteristic of naturalism is that statements about liability or goodness, so an assessment, translated into a statement of a fact, a reality. Translating the normative nature of naturalism. Into the nature of descriptive, which requires into which explains.<sup>28</sup>

Thus, according to Islamic morals, the other good deeds must also be true, the true should be good. For, in Ethics, the true mustn't be good and good mustn't be true. As informed or advised is true, but if informed or advised by ridicule or insult is not good.<sup>29</sup>

According to Rachmat Djatnika in his book Islamic ethics system explained that the goodness lying on two things:

First is a wish, will, *iradah* or intentions. And the second is practical, action or *amaliah*. A will is the main capital for a certain character. Someone who knows the good, knowing how good is an honest, fair, and generous, but he does not want to do anything to be honest, fair, generous, then he would not be a good person. Likewise a charity, practice, even though a person has a will but does not practice what he wants also no good.

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<sup>27</sup> Franz Magis-suseno, *12 Tokoh Etika Abad-20* (Yogyakarta, Kanisius, 2000) p. 15

<sup>28</sup> *Pengantar Studi Islam* (Jakarta: PT. Rajagrafindo Persada, 2012) p. 223

<sup>29</sup> Rachmat djatnika, *Sistem Etika Islam*, Pustaka Panjimas, Jakarta, 1996.p. 38

### 3. Ethic and Advertising

No doubt anymore, that business competition is increasingly toward a various types and models of advertising which are sometimes far from the values of business ethics and morality as well as a truth messages. When it is seen through the law aspects, it is not only a violation of business ethics actually, but it is a business crime. In the world of advertising. generally there are two ethical issues that are often related, they are :

- a. Regarding to the truth of an advertisement. Telling the truth is one of the important ethical obligations and should be do, but this obligation is ignored apparently.
- b. Public Manipulation (audience), which according to many observers have done repeatedly through advertising efforts.<sup>30</sup>

Some of the ethical problems which posed by advertising, particularly ads that are manipulative and persuasive non-rational adversely impact many society, particularly consumers. Manipulative ads are ads that affect a person in such a way so that people will be tempted to have the advertised product, while the non-rational persuasive advertising is advertising that affects or take advantage of the psychological aspects of human beings to make consumers interested and motivated to have the product. Persuasive power does not lay in the content of the arguments that are rational, but on the way appearance, which often do not correspond at all with the product was being advertised.

#### **The Ethics of Advertising in Islam**

In Islamic view, although each individuals and groups are given the freedom to get the maximum profit, but they are also bounded by faith and ethics so that they can not invest their capital in the (business) or spend their wealth freely.

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<sup>30</sup> Prof. Dr. H . Muhammad Djakfar, S.H., M.Ag. *Etika Bisnis Menangkap spirit ajaran Langit dan Pesan Moral Ajaran Bumi* (Jakarta: Penerba Plus + 2012). p.165

Islamic ethical system is different with secular ethics system, as well as it is different with the moral code that is taught by other religions. Secular Models looked a moral code as a temporal and vague thing, because it is formed based on the perceived value of humanity philosopher. For example epicuarisme or "happiness" is more oriented to the happiness finding. The secular models of humanistic ethics usually are irrespected from the religion generally. At the same time, moral code which is adopted and taught by other religions often emphasizes on the values that ignore human existence in this world.

A basic parameter of Islamic ethic system can be explained and described as below :

- A decision act that is valued ethically, is depended on individual intention. God is omniscient with the human intention perfectly.
- A good intention which is followed by a good act assumed as a whorship (submission).

The purpose of Ethics, does not mean the good or bad aspects of a person directly. Ethics reflects only those things then hand a better understanding of critical and fundamental to help people life well. So everyone does need immoral whenever and wherever he is. But for those things, he does not need to be ethicalist first. Being a good person for always decide moral considerations before acting is a necessity for everyone, without exception.

In Consumers protection, are often described the ways in which companies advertise the goods to be traded on lately which are not comparable with what has been advertised. Advertsing or reclame is an integral part of modern business. This fact is closely related to modern industrial production methods to produce products in large quantities, so it had to find a buyer, and there is the relation also with economy system of

markets where competition and rivalry is an essential element, advertisement is a powerful way to stand out in the competition.<sup>31</sup>

Ad Content manners :

1. Copyright: the using of material that is not your own, there must be a written permission from the owner or the responsible of legitimate brand.
2. Languages: (a) Ads must be served in language that can be understood by the target audience, and do not use coding (encryption) that can caused interpretation other than that intended by the designer of the advertising message. (b) May not use the superlative words such as "the most", "number one", "top" or words beginning with most. (c) The use of the word in one hundred percent, "pure", "original" to express a content should be proved with written statement from the relevant authority or authentic source. (d) The using of word halal in the ad can only be done by the products that have gotten official certificate from MUI or authorities official.<sup>32</sup>
3. The Arteris mark (\*): (a) Arteris mark should not be used to conceal, mislead, confuse, or deceive the audiences about the quality, ussage, or the real price from the advertised product, or about the unavailability of a product, (b) Arteris mark can only be used to give a brief explanation or it is as source of a marked statement.
4. Violence: the ad must not show the violence act that stimulate or give the impression of confirming the occurrence of violence act directly or indirectly.
5. Hyperbolizes: it is permissible as well as it means to take an interest or humors that are not excessive enough and reasonable, so it doesn't make any perception from the target audiences.
6. Food Appearance : Ads may not show the neglect, waste, or other inappropriate treatment to the food or beverage .

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<sup>31</sup> K.Betens, *Pengantar Etika* p.263

<sup>32</sup> Rachmat Djatnika, *Sistem Etika Islam*,( Jakarta: Pustaka Panjimas, 1996) .p. 38



7. Consumer testimony (testimony): (a) giving testimony can only be done individually; it is not a representing of some institution, group, community, or society. (b) Consumers' testimony should be an event that is actually happened, without intent to exaggeration. (c) Consumers' testimony must be evidenced by a written statement signed by the consumer. (d) If it is asked by the ethics enforcement agencies, the identity and address of who give a testimonial should be given completely. And they must be able to be contacted on the day and regular office hours.
8. Imitation: (a) Ads should not imitate a competitor's product advertisement deliberately, so that caused competitor's product get lower, also the ads should not mislead or confuse the audience. The imitations include a basic idea, concept or outline, setting, composition, music and execution. In terms of execution, including models, packaging, shape brand, logo, title or subtitle, slogans, letters and image composition, musical composition such as melody and lyrics, icons or other distinctive attributes, and properties. (b) Ads cannot imitate the icon or the typical attributes that have been used by some competitor's product advertising and still used until the last two years.
9. Scientific and Statistical meaning: advertising must not use scientific and statistics meanings to mislead the public, or to create the impression excessively.
10. Lack of product: Ads may only published in media if it has any certainty about the availability of the advertised product.
11. Children Audiences: (a) Ads that aimed at children audiences may not display a things that can interfere or impair their physical and spiritual. Ads also should not take a chance on easy believing of children, inunderstanding, or their innocence. (b) Advertisement Film that purposed on or showed on children time and it shows a violence act,

sexual act, inappropriate language, or difficult dialogue must state the word "Parental Advisory" or symbols (BO) that mean the same.<sup>33</sup>

### C. Advertising in The Communication Theory

Advertising is a vital and effective means of communication in marketing context. In addition to have a very important function in building development, advertising has many necessities for industrial consumers especially, trade and the economy consumers generally.

Each advertisement must be true, honest, and courteous. Each ad must respect and uphold the values, way of life, lifestyle and also the rules which is followed and prevailed in society. The success of an ad depends on the society's trust, because every ad must be aimed to make the society more believe in that ad.

Now it is increasingly crucial for a company to have effective advertising message. The purpose of an advertising campaign is to bring partners, purchasers, users and new customers to the company. It is easy, particularly in the not now where people tend to be more careful with what they buy.<sup>34</sup>

As for the fundamental of the communication process is the concept of sense (meaning). The marketers trying to show the meaning of their brand, while consumers gain the same sense or perhaps different to what is meant by marketing communicators.

The communication process is initiated when a communication resource to determine what information should be communicated and updating the encoding of the message in the form of symbols are most appropriate (words, images, actions). The message is then transmitted to a receiver through

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<sup>33</sup> Muhammad Jaiz, *Dasar-dasar periklanan*, Ruko Jambusari (Yogyakarta: GRAHA ILMU 2014), p 140-143

<sup>34</sup> Agus Hermawan, *Komunikasi Pemasaran* (Jakarta: Penerbit Erlangga, 2012), p.74

a variety of media. Recipients or consumers, if exposed into a promotion, must download the decoding or interpreting its meaning.<sup>35</sup>

Observation ads in various concepts or theories of mass communication, we can find a variety of justification, how an advertisement into a message or power that struck the minds of the audiences. These theories await we place a community conditions with theory characteristics certain where the theory can be represented.

This is done because the understanding that different societies condition, also distinguish the concepts of theoretical approaches in a process of communication or engagement of audiences in the communication activities, to which the audience serves as the communication, or objects, silent waiting for stimulants, injections or enlightenment of Communicator or a specific channel.

Suppose we review ads with Theory approach step (The way of communication theory), well that's the theory of communication one step (One Way Communication theory), where this theory explains that media messages influence takes place quickly, directly. Simply put, the Media resulted in the change of the thought or the thought patterns of the audience according to what "injected" media to us. The theory of two steps (Two Ways Communication theory), a theory of media influence saw less impact on condition the mindset of audiences. According to Paul Lazarfeld, Bernard Barelton, and Helen Gaudet in his book, *The people's Choice* (1944), people are more influenced by others than by mass media (especially radio and newspaper).

Promotional communication instead of aimlessly, mentioned the goal of communication promotions reviewed from the standpoint of marketing managers, namely:

1. The consumer must have a need which was realized (recognized need) will be a product category or product.
2. Consumers should be aware will brand.

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<sup>35</sup> Taken from <http://tulisanterkini.com/artikel/artikel-ilmiah/9342-periklanan-dari-perspektif-komunikasi.html> at 2016-05-24 16:29:58

3. Consumers should have an attitude of positive brand (favorable brand attitude).
4. Consumers should have the desire to buy brands (intention to purchase).
5. The consumer must perform a wide variety of behaviors (perform various behaviors) to buy certain brands.

## CHAPTER III

### A BRIEF HISTORY OF CIGARETTE ADVERTISEMENT

#### A. The History of Cigarette

Tobacco has a long history in the Americas. The Mayan Indians of Mexico carved in stone showing tobacco use. These drawings date back to somewhere between 600 to 900 A.D. Tobacco was grown by American Indians before the Europeans, England, Spain, France, and Italy, came to North America. Native Americans smoked tobacco through a pipe for certain religious ritual and medical purposes. They did not smoke every day.

Tabacco was the first crop grown for money in North America. In 1612, the settlers of the first American colony in Jamestown, Virginia grew tobacco as a cash crop. It was their main source of economical income. Other crops were corn, cotton, wheat, sugar, and soya beans. Tobacco helped in paying for the American Revolution against England. Because of this important purpose, it is also happened that the first President of U.S. grew tobacco.<sup>1</sup>

In this period, tobacco had not been the part of industry. It had not been produced and sold among mass yet. Tobacco is not consumed for fulfilling the self need in the same condition today, but it is used for certain purposes such as on certain religious ritual or on medical purposes. The American consumes tobacco for decreasing cold temperature around 60 minus. In addition, the American also consume tobacco together as symbolic of ritual in certain ceremony that aim to make unity among the clan.<sup>2</sup> After industrial era which tobacco had been known and produced among mass,

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<sup>1</sup>Taken From *THE FIRST TO THE LAST ASH: The History, Economics & Hazards of Tobacco*, (Cambridge Department of Human Service Programs. 1995) p. 8

<sup>2</sup>Thomas Sunaryo, *Kretek Pusaka Nusantara*, Serikat Kerakyatan Indonesia and Center For Law and Order Studies, 2013 p. 33

tobacco had not been the part of ritual case and healthy aim but it aim to fulfill the self need.

By the 1800's, many people had begun using small amounts of tobacco. Some chewed it and another smoked it occasionally in a pipe, or they hand-rolled cigarette or cigar. In the average, people smoked about 40 cigarettes a year. The first commercial cigarettes were made in 1865 by Washington Duke on his 300- acre farm in Raleigh, North Carolina. His hand-rolled cigarettes were sold to soldiers at the end of the Civil War.

In 1881, It was James Bonsack who invented the cigarette-making machine that cigarette smoking finally became widespread among the mass. Bonsack's cigarette machine could make 120,000 cigarettes a day. He join business with Washington Duke's son, James "Buck" Duke. They built a factory and made about 10 million cigarettes in their first year and about one billion cigarettes five years later. The first brand of cigarettes packaged in a box with baseball cards was called "Duke of Durham". Buck Duke and his father started the first tobacco company in the U.S. They named it the American Tobacco Company.<sup>3</sup>

Whereas in Indonesia on *Babad Ing Sangkala*, it was told that tobacco had civilized since Islamic empire of *Mataram*. Actually, the American and the European imitate the native American on tobacco ingredient but the Indonesian innovated to make mixture between sauce and clove in tobacco ingredient. In addition, some class of the Indonesian such polestar and *priyayi* also make the habitual in consuming tobacco. They usually mix between tobacco and local taste and aroma such as *klembak* and *menyan*. In this period, tobacco had not been produced yet.

The history of commercial cigarette in Indonesia comes from a man named Haji Djamhari from Kudus, a small distric of Central Java. In 1880, he was suffered from asthmatic for long time and tried to get some herbal to heal his disease. He tried to rub the clove oil around his chest and shoulder, and he

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<sup>3</sup>*THE FIRST TO THE LAST ASH: The History, Economics & Hazards of Tobacco*, op.cit. p.8

surprised to know that his body felt better than before. Then he tried to chew the clove leaves and he feel more better. Finally he decided to use spices for medical purpose. He mixed both of minced clove and tobacco and covered it with *klobot* (the corn bark) then bundled it with yarn. After inhaling this concoction of atasma, he felt no sick at all.

This medical way widely spread among his region. Many people order the cigarette produced by Haji Djamhari. Because the order of this product increase time by time, Haji Djamhari tried to produce it in a small scale. Every ten cigarettes bundled by yarn without packing and branding. This kind of cigarette well known as “medical cigarette” considering the ingredients. But until now, it best known as”rokok kretek”. It because of the cigartte sounds “kretek-kretek-kretek” when inhaled and chewed.<sup>4</sup>

Another legendary name in the history of industrial cigarette in Indonesia is Nitisemito which born, grew and developed his cigarette industry in Kudus in the early 1880. At that year, Nitisemito tried to develop his cigarette company namely “*Kodok mangan ula*” (frog eats snake). Because this merk is so strange, Nitisemito changed this merk into symbol of three circle. This logo finally get well respond among smokers. They usually called Nitisemito’s cigarette as “*tiga lingkaran*”, “*tiga bal*” and “*bal tiga*”. Through this merk, Nitisemitoget license from Dutch at that time.<sup>5</sup>

## **B. CIGARETTE ADVERTISEMENT**

### **1. History of Cigarette Advertisement**

Cigarettes are the most heavily advertised product in the U.S. The tobacco companies spend 4 billion dollars a year or 11 million dollars a day to persuade people to buy cigarettes. Every day the tobacco industry fights against the growing number of reports about the health dangers of smoking. Smoking is not popular or acceptable as it once was. Many people are quiteto

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<sup>4</sup>Taken from Documentation of Musium Kretek in Kudus, 10-04-2016

<sup>5</sup>Dr. Thomas Sunaryo M.Si. *Kretek pusaka nusantara*,Serikat Kerakyatan Indonesia and Center For Law and Order Studies , 2013 p 39

smoking. Others are never starting to smoke. Through tobacco advertisements in magazines and newspapers, on billboards, and through promotions, the cigarette industries are trying hard to sell their products.<sup>6</sup>

Through their advertisements in magazines and newspaper, on billboards, and through promotions, the cigarette companies are trying hard to sell their products.

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### Numbers of Tobacco Ads in Magazines

Magazine	Cigarette Ads In A Single Issue	Magazine	Cigarette Ads In A Single Issue
Penthouse	20(3)*	Vogue	4
Playboy	14(3)	Newsweek	4
Cosmopolitan	12(4)	Sports Illustrated	4
Rolling Stone	11(3) 4	Wheel Off-Road	4
Glamour	8	Ebony	3
Road and Track	8	Time	3
Life	7	Inside Sports	3
Sport	7(1)	U.S. News & World	
TV Guide	6	Report	1
Working Woman	6	New Republic	0
People	6	Business Week	0
US	5	Forbes	0
Motor Cyclist	5	Fortune	0

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<sup>6</sup>Taken From *THE FIRST TO THE LAST ASH: The History, Economics & Hazards of Tobacco*, (Cambridge Department of Human Service Programs. 1995), p. 33



\* Numbers in parentheses indicate how many free packs of cigarettes could obtain from coupons in that issue.<sup>7</sup>

In addition, they spend millions of dollars a year sponsoring on sport, art, and music events. Virginia Slims sponsors the Virginia Slims Tennis Tournament each year, and Marlboro provides the money for country music concerts. They promote it as “Marlboro Music.” Tobacco companies also contribute on scholarship programs, such as the United Negro College Fund. They give donations to many organizations, such as the NAACP (National Association for the Advancement of Colored People), the National Urban League, Goodwill Industries, the National Puerto Rican Forum, the Boy Scouts, the Girl Scouts, the United Way, and the Y.M.C.A.<sup>8</sup>

## 2. Regulation of Cigarette Advertisement in Indonesia

The regulation of cigarette advertisement in Indonesia has been on fluctuation. It was related to the authority at that time. At least, since new era (*orde baru*), the policy on cigarette had been written on UU Number 23 in 1992 about the healthy. Cigarette, categorized as addictive substance, lead in order not to endanger of individual, social and environmental health. The production, distribution, and consumption of this addictive substance must agree with standardization and requirement. This policy actually has not included of cigarette advertisement. Moreover, this policy also does not mention explicitly.

In 1997, it appeared new policy about cigarette advertisement. This policy is written on UU Number 24 in 1997 about broadcast. This regulation explicitly mention about cigarette especially about the prohibition of commercial broadcast to show cigarette using in the advertisement. In this year, cigarette advertisement does not show the model on cigarette using.

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<sup>7</sup>*Ibid.* p. 33

<sup>8</sup>. *THE FIRST TO THE LAST ASH: The History, Economics & Hazards of Tobacco*, *ibid*  
p. 34

Before this regulation, the visualization of the model on cigarette using had been trend in cigarette advertisement.

In the year 1998-1999 it was very popular with his brief on cigarette and tobacco industrial policy. At least, there are three regulations relating to cigarette and tobacco product. First is *UU No. 8 Tahun 1999* that concerns about consumerism. One of the points is that consumers have the right to claim *class action* toward their disadvantages. This point actually has been used by LSM or another society who concern about the negative impact of cigarette and tobacco in order to claim against cigarette and tobacco industry.

The second is UU Number 40 in 1999 that concerns about press. Press companies are not allowed to show cigarette using and display. This point is a disappointment for advertisement industry especially cigarette advertisement. This industry must be creative in wrapping cigarette using and display in order to do not appear in advertisement. Since this regulation, some people argue that the cigarette advertisement become rich and creative.

The third is PP Number 81 in 1999 that concerns about cigarette security toward the health. This regulation is very controversial, most of people rejected this regulation especially cigarette producer, tobacco farmer, and media. The controversial point of this regulation is that cigarette advertisement is allowed only on paper media. This means that television and radio would lose cigarette advertisement as the most expensive advertisement.

And in the year 1999-2001, it was PP Number 28 in 2000 as the replacement of PP Number 81 in 1999 that concerns about the cigarette security toward the health. This regulation is also as the respond of PP Number 81 in 1999. The points of this regulation are 1) cigarette advertisement on electronic media is only shown at 21.30 to 05.00 (*rule of 17 part 2*) and 2) regulation on tar and nicotine substance. Seven year is for cigarette which is produced by machine and ten year is for cigarette which is

produced by hand production. This regulation is also supported with department of cigarette experiment/ *Lembaga Pengkajian Rokok* (LPR).

Then in year 2001-2004, the revision of UU Number 24 in 1997 about broadcast was conducted. In addition, it was also PP Number 19 in 2003 about cigarette security toward the health containing about 1) cigarette must be checked tar and nicotine substance by licensed department and the result must be informed on cigarette pack, 2) the cigarette advertisement must show the healthy warning such *smoke caused cancer, heart attack, impotence and e disturbance pregnancy*, 3) the cigarette advertisement must be shown at 21.30 to 05.00 and 4) free cigarette area including of public sphere, healthy place, academic and work instance, child arena, religion place, and public vehicle.<sup>9</sup>

Whereas the broadcast regulation in 2002 is the general regulation that should be explained by some other regulations. The other regulation would have main role in order to make detail regulation about broadcast that includes of cigarette advertisement broadcast.

Advertisement is one of important and effective communication in distribution area. Advertisement not only contributes on national building but also it has advantages for industrial, trade, economical consumer.

Every part of advertisement must content true, honest, and well information. It also must agree with moral value, social worldview, life roles among the society. The success of advertisement is based on social trust. So that the advertisement must aim to build social trust.<sup>10</sup>

### **C. The Ambiguity and Dengerous of Warning Cigarette**

Cigarette product, as posted on cigarette package, gives indication on dangerous warning caused by consuming cigarette or inhaling its smoke. The dangerous of cigarette consuming or smoke inhaling includes of healthy problems. The simple indication caused by cigarette consuming

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<sup>9</sup>Taken from *Peraturan Peraturan Pemerintah*, pdf 19-04-2016

<sup>10</sup>*Etika Bisnis dan Kodeetik Periklanan*

or smoke inhaling are a cough, asthma, stale breath, and teeth problems. Actually, there are 13 chronic diseases caused by cigarette such cancer which includes of mouth, red lane, esophagus, lungs, and liver, uterus problem, digestive problem, kidney problem, and heart problem. For men, he potentially has impotent problem whereas for women, he potentially has breast cancer and cervix cancer. In addition, for pregnant women, the dangerous will be more higher because it relates to the fetus.



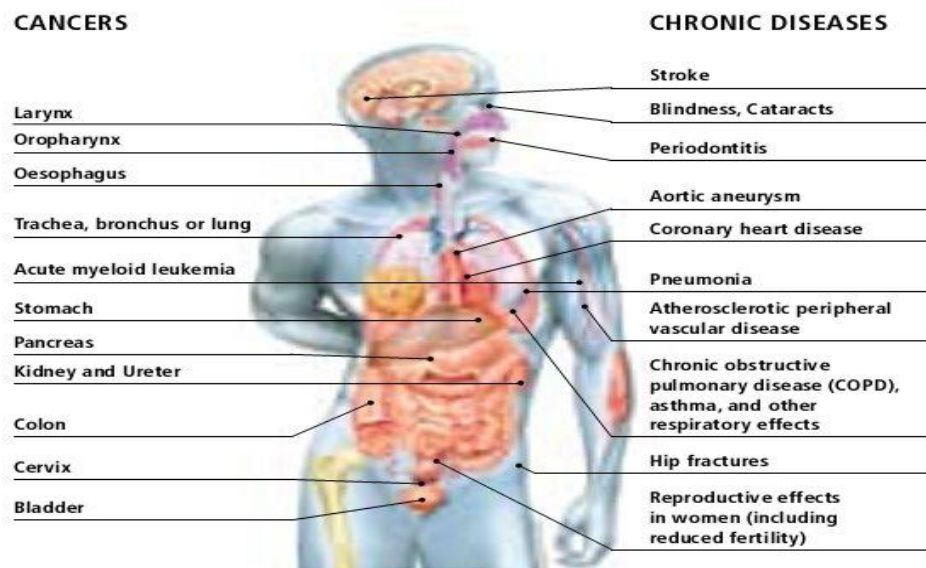
Picture 1. Disease caused by Smoking

Analysis of the picture in ahead of packing from cigarette “Sampoerna” be found write “U BOLD“ it means about smoker have to bold and challenge in live.

From the picture backside of packing be found write “*Merokok Sebabkan Kanker Mulut*” this caption very ambiguous because between warning of picture and symbol of advertising bigger then symbol of advertising.

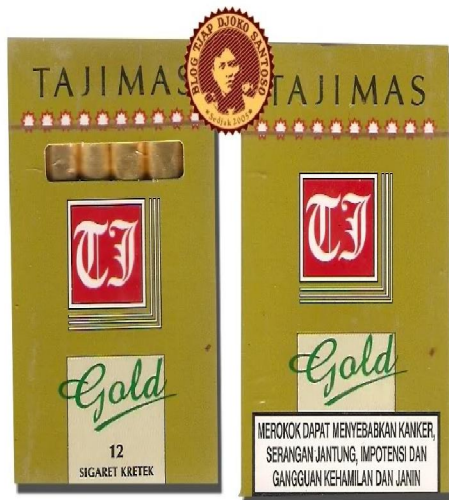
From these diseases, cigarette causes disease risk attacking human main organ from up to under as could be seen follow.

## DISEASES CAUSED BY SMOKING



Picuture 2. Human vital organ attack couosed by smoking

Basically, cigarette dangerous warning has been recomended by explanation some diseases caused by smoking. The statement explanation mention that “*merokok dapat menyebabkan kanker, serangan jantung, impotensi dan gangguan kehamilan dan janin*”. This statement could be found on back-under side of the cigarette package. In 2014, the regulation of cigarette dangerous warning is not only through the statement but also through the picture.



Picture 3. Label Health Warning



Picture 4. Label Health Warning

Cigarette dangerous warning late day goes to seriousness. This could be seen on some additional statements such “*rokok dapat membunuhmu*” and some symbols such cranium symbol. Cigarette dangerous warning also concerns on children safety from cigarette dangerous. It could be seen by the symbol of “+18”. This symbol try to minimalize cigarette selling or buying toward the children.

“*rokok dapat membunuhmu*” dan gambar redaksi “+18”





Picture 5. Picture Redaction “*Rokok dapat Membunuhmu*” and picture redaction “18+”

In opposite, it could be seen an contradictive phenomena on cigarette advertising in media such television, billboard, and another social media. Cigarette advertising, in all media, show the scenario and the picture which leads the audience to interested toward cigarette consuming. The diction or some jargon used by cigarette advertising provokes and challenges the audience to consume cigarette such the statement of “*ambil keputusan, tentukan jalan*”, “*perlu lebih dari petualangan untuk jadi seorang pria*”, “*pria punya selera*”, it could be seen as follow:



Picture 6. Billboard



Picture 7. Billboard



Picture 8. Billboard

The appearance of gentle and cool men, beautiful and pretty women or both of them also implies that cigarette is suitable to be consumed.



In cigarette product, cigarette industry also promotes cigarette product through cigarette aroma (Malboro chocolate, Malboro menthol), cigarette content and price (from the cheapest price such Apache, gudang garam, Djaya to luxurious price such Djarum, Class Mild, LA).

#### D. The Behavior of Smoker

Most people start smoking when they are in their teens and are addicted by the time they reach adulthood. Some have tried to quit but have returned to cigarettes because smoking is such a strong addiction. It is a habit that is very difficult to break. There are many different reasons why people smoke. Three of the main reasons that young people smoke are to look mature, to be like their friends, and to experiment. Since teens see older people all around them smoking, especially their parents and relatives, they smoke to act older.

If their friends or peers smoke, they may feel pressured into doing the same to be accepted. The last reason is the excitement of experimenting with something that is forbidden. In Massachusetts it is against the law for anyone under 18 years old to smoke. Usually parents do not allow their under age teens to smoke. Therefore, smoking becomes very attractive. It is exciting to



get cigarettes and sneak away to smoke without being caught. Adults smoke for other reasons.

They may have a lot of stress and pressures because of economic and personal problems. They may be unemployed or working but not making enough money to take care of themselves and their families. They may be homeless, or they may be dealing with alcohol or cocaine/heroin addictions. Some may be in bad marriages or relationships in which there is physical and/or verbal abuse. All these people may smoke to feel relaxed or to give them energy while going through a hard time. Whether young or old, some people smoke to control their weight. Smokers, on the average, weigh seven pounds less than non-smokers. Smoking reduces a person's appetite. It lessens his/her sense of taste and smell. This could be why a smoker gains weight after quitting cigarettes. Food tastes and smells so much better.<sup>11</sup>

Finally, there are people who say they love to smoke. Smoking gives them pleasure. Behavior smoking and decision making someone to smoke influenced by various factors. Of a variety of factors, there are three factors that make a difference of smoking, namely Affected from family environment or play no part advertising, can also from friends.

#### 1. The Aspect of Psychology

Smoking is a human behavior that is commonly found in various parts of the world, at least the smoking behavior can be seen in a wide variety of background that influences the psychological elements that both smokers and health. Psychologically smokers have a background or urgent situation. the fluctuating nature of human personality has brought down on stimulants were present in the minds of prospective smokers, such as print, television and the environment which will then affect the personality will search and try to find the tranquility surrounding the stimulation of the soul.

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<sup>11</sup>THE FIRST TO THE LAST ASH: The History, Economics & Hazards of Tobacco.p.49

The social psychology of health behavior. The study of health behavior and illness behavior encompasses how people perceive, define, and act toward symptoms, how they utilize medical care, how they act to promote health and produce risks, and how they adhere to medical regimens. Interest in health behavior and illness behavior grew out of a set of practical problems in medicine and public health concerning the fact that many people delay seeking medical attention. Even in the face of serious and life threatening symptoms, while others seek medical help for complaints with no discernable organic base. Furthermore many patients refuse to do what is in their seemingly rational self-interest, continuing to smoke, overeat and drink, despite the warnings of physicians and health educators. Finally, large numbers of patients, perhaps.<sup>12</sup>

## 2. The Aspect of Social

The sociological basis of attraction man against smoking is because the relationships or interactions between each other. Because this is an inevitability as social beings. Attraction to someone against smoking can also be started from here i.e. relationships and environments that are created so that the Dynamics that went on to form patterns or principles of mankind. However, actual human beings have a choice that relies against the personality of the human being as an integral part of the essential toward interactions between fellow.

## 3. The Aspect of Health

Regardless of the interests of the industrialism appears. Smoking in health science are indeed harmful to health, as we see on every packet of cigarettes definitely attach the words "Smoking can cause cancer and disorders of pregnancy and fetal." It is expected the smokers would feel bad then stop.

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<sup>12</sup>Karen S. Cook, Gary Alan Fine, James S. House, *Sociological Perspectives on Social Psychology*, (America:1995)p. 557

in his research Dr. Thomas stated that most smokers have never experienced health problems due to smoking, or know yourself there are people around him who are experiencing health problems due to smoking (56.67% 43%). the appeal if we mengkatagorikan the consumer on the basis of gender, it appears that more women who feel never experience disease caused smoke.<sup>13</sup>

## E. Health Warning

### History of WHO FCTC process

The idea of an international instrument for tobacco was initiated from the adoption of Resolution WHA 48.11 in May 1995. It was the General Director who report to the Fortyninth Session of the World Health Assembly on the feasibility of developing an international instrument such as guidelines, a declaration, or an international convention on tobacco control.<sup>14</sup>

As a result of Resolution WHA48.11, WHO was requested to draft a feasibility study which was presented by the General Director to the Ninety-seventh Session of the WHO Executive Board ("The Feasibility of an International Instrument for Tobacco Control"). During that same session, the Executive Board adopted Resolution, "International framework convention for tobacco control."

Later that year, the Forty-ninth Session of the WHA adopted Resolution WHA49.17, "International framework convention for tobacco control", requesting the General Director to initiate the development of a Framework Convention on Tobacco Control. As a result of this resolution, WHO's first treaty-making enterprise was formally launched.

In 1998 newly elected WHO Director General, Dr Gro Harlem Brundtland made global tobacco control a priority through the establishment

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<sup>13</sup>Thomas Sunaryo M.Si. *Kretek Pusaka Nusantara*, Serikat Kerakyatan Indonesia and Center For Law and Order Studies , 2013 p. 76

<sup>14</sup> Taken from World Health Organization WHO Framework Convention on tobacco control, 2004,2005 p. 33-35

of a Cabinet Project, the Tobacco Free Initiative, to focus international attention, resources and action upon the global tobacco epidemic. New multisectoral partnerships reflecting the nature of the action were developed. More importantly, Dr. Brundtland worked with Member States to secure a negotiating mandate for the Framework Convention on Tobacco Control and set about the task of mobilizing public and political opinion in favour of global rules for tobacco control.

In May 1999 the Fifty second World Health Assembly paved the way for multilateral negotiations on the WHO Framework Convention on Tobacco Control and possible related protocols. Resolution WHA52.18 established two bodies to draft the framework convention, to complete negotiations and to submit the final text for consideration by the Fifty-sixth World Health Assembly. These two bodies included a technical working group to prepare the proposed draft elements of the Framework Convention; and an intergovernmental negotiating body to draft and negotiate the proposed Framework Convention and possible related protocols. Both bodies were open to all Member States and regional economic integration organizations to which their Member States had transferred competence over matters related to tobacco control.<sup>15</sup>

The working group held two sessions in Geneva (25-29 October 1999 and 27-29 March 2000). Its output was a document with provisional texts of proposed draft elements for the Framework Convention, submitted to the Fifty-third World Health Assembly with the comments of the working group. In Resolution WHA53.16, the Health Assembly called upon the Intergovernmental Negotiating Body to commence negotiations with an initial focus WHO Framework Convention on Tobacco Control 34 on the draft Framework Convention without prejudice to future discussions on possible protocols, to report progress to the Fifty-fourth World Health Assembly, and to examine the question of extended participation by nongovernmental organizations as observers.

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<sup>15</sup> *Ibid* p.33-35

The first session of the Intergovernmental Negotiating Body (Geneva, 16-21 October 2000) was preceded by a public hearing on issues surrounding the Framework Convention. The Director-General convened this hearing in order to provide a forum for the public health community, the tobacco industry and farmers groups to submit their case records of the proceedings were made available to the Negotiating Body and, through the WHO web site, to the public. At the first session, Ambassador Celso Amorim of Brazil was elected as Chair, and a bureau was established with Vice-Chairs from Australia, India, Islamic Republic of Iran, South Africa, Turkey and the United States of America. The provisional texts of the proposed draft elements for a WHO Framework Convention on Tobacco Control, which had been prepared by the working group, were accepted as a sound basis for initiating negotiations. Subsequently, Ambassador Amorim prepared a Chair's text of the Framework Convention on Tobacco Control, this first draft was released in January 2001 as a basis for further negotiations at the second session.<sup>16</sup>

A report on participation of nongovernmental organizations in the work of the Negotiating Body was presented to the Executive Board at its 107th session in January 2001. In accordance with the provisions of decision EB107(2) of the Executive Board, the Chairman of the Board acting jointly with the Chairman of the Standing Committee on Non-Governmental Organizations admitted two nongovernmental organizations, the International Nongovernmental Coalition Against Tobacco and Infact, into official relations with WHO as of 26 April 2001. In further preparation for the second session of the Negotiating Body, regional intersessional consultations were convened in most regions and subregions. Additional regional and subregional intersessional consultations took place in preparation for each of the subsequent sessions of the Negotiating Body.

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<sup>16</sup> Taken from World Health Organization WHO Framework Convention on tobacco control, 2004,2005 p. 33-35

At the second session of the Negotiating Body (Geneva, 30 April – 5 May 2001), responsibility for consideration of the proposed draft elements was divided between three working groups. The principal output was the set of three Co-Chairs' working papers, an inventory of textual proposals made at the session merged with the Chair's original text. These working papers became the rolling draft text of the Framework Convention. At the third session (Geneva, 22-28 November 2001), two working groups issued revised texts and Working Group One later drafted a text.

These documents were used to further negotiations during the fourth session. Having taken over as Permanent Representative of Brazil in Geneva in replacement of Ambassador Amorim, Ambassador Seixas Corrêa was elected as Chair of the WHO Framework Convention on Tobacco Control<sup>35</sup> Intergovernmental Negotiating Body on the WHO Framework Convention on Tobacco Control during its fourth session (Geneva, 18-23 March 2002). It was agreed that Ambassador Seixas Corrêa should prepare a new Chair's text, which would form the basis of negotiations during the fifth session of the Negotiating Body (14-25 October 2002).<sup>17</sup>

The text was released in July 2002. An international technical conference on illicit trade in tobacco products was hosted by the United States of America at the United Nations Headquarters in New York (30 July – 1 August 2002). The first four sessions of the Negotiating Body had considered numerous textual alternatives. Concerted deliberations at the fifth session narrowed the options, resulting in more focused negotiations. After a first reading, in plenary, of the new Chair's text, six issues were identified and discussed in open-ended informal meetings: advertising, promotion and sponsorship, financial resources, illicit trade in tobacco products, liability and compensation, packaging and labelling, and trade and health. Informal groups also held discussions on legal, institutional and procedural issues and use of terms. Substantial advances in the negotiations were made and consensus was reached in several areas. On the basis of the

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<sup>17</sup> *Ibid* p. 33-35

outputs of the informal sessions and the intersessional consultations with various delegations and groups of delegations, Ambassador Seixas Corrêa issued a revised Chair's text of a Framework Convention on Tobacco Control on 15 January 2003.

The sixth and final session of the Negotiating Body ran from 17 February to 1 March 2003. The negotiations were intense and broad ranging. Two important issues, advertising, promotion and sponsorship and financial resources, were discussed in two informal groups. At the final plenary meeting, the Negotiating Body agreed to transmit the text to the Fifty-sixth World Health Assembly for consideration for adoption in accordance with Article 19 of the Constitution.

It also agreed that the discussion of protocols should be postponed until that Health Assembly, at which there would be time for consideration of the matter. At its final plenary meeting, the Negotiating Body agreed that the Chair of the Negotiating Body should draft a resolution recommending adoption of the WHO Framework Convention on Tobacco Control by the Health Assembly. The final draft of the WHO Framework Convention on Tobacco Control was thus submitted to the Health Assembly for consideration for adoption, pursuant to Resolution WHA52.18.

On 21 May 2003, the 56<sup>th</sup> World Health Assembly, unanimously adopted the WHO Framework Convention on Tobacco Control. The Convention was opened for signature, for a period of one year, from 16 June 2003 to 22 June 2003 at WHO headquarters in Geneva and thereafter at United Nations Headquarters in New York, from 30 June 2003 to 29 June 2004.<sup>18</sup>

The WHO Framework Convention on Tobacco Control is a landmark for the future of global public health and has major implications for WHO's health goals. The conclusion of the negotiating process and the unanimous adoption of the WHO Framework Convention on Tobacco

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<sup>18</sup> Taken from World Health Organization WHO Framework Convention on tobacco control, 2004, 2005 p. 33-35

Control, in full accordance with Health Assembly resolutions, represents a milestone WHO Framework Convention on Tobacco Control 136 for the promotion of public health and provides new legal dimensions for international healthcooperation.<sup>19</sup>

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<sup>19</sup>*Ibid* p.35



**CHAPTER IV**

**HEALTH WARNING LABELS IN THE CIGARETTE**

**ADVERTISEMENT**

**A. Warning Labels in Ethical Perspective**

History of warning labels in the United States began in 1938 when the United States congress passed a law mandating that food products have a list of ingredients on the label. In 1966 the federal government mandated that cigarette packs have a warning on them from the surgeon general.<sup>1</sup> This is the first legal law of warning labels of general food product and cigarette in the world as far as researcher found from some sources.

Health warning labels, especially in cigarette, has built controversy. There are ambiguities and self interest on the label warning. One question become the basic of this question is “ how can this health warning label should be there on the pack and cigarette advertisement, even the cigarette is always produced? It can be answered by communication ethic analysis.

Under ethics studies, it is usually distinguished between descriptive ethics and normative ethics. Descriptive ethics give a description of moral sense symptom, from the norm and ethical concepts. While normative ethics is not talking again about symptoms, but about what should human do? A label warning in cigarettes is part of normative ethics that reflects concern for the importance of public health.

World health organization (WHO) on the preamble, the result of Framework Convention on Tobacco Control (FCTC) explained that for the

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<sup>1</sup>[http://en.m.wikipedia.org/wiki/history\\_of\\_warning\\_labels\\_in\\_the\\_US](http://en.m.wikipedia.org/wiki/history_of_warning_labels_in_the_US) taken at

society health, we must do controlling of the tobacco and cigarette spreading. One of the controlling efforts of cigarette or tobacco consumption is with the obligation of health warning labels on every pack and advertisement.<sup>2</sup>

In this case, WHO as the highest authority on international world health, has social responsibility to protect society health in this world. Then, the agents of cigarette industry also have same thing to do to put the health warning labels on the pack of the cigarette and the advertisement.

For WHO, the effort of this controlling looks fair because WHO do not have other business except the health responsibility. But it is different from the agent of industry and the government. The health warning label seems like have ambiguity if it is seen from the agents of cigarette industry side. They enclose the health warning label, but cigarette is always produced for the economic pressure and interest. It is also happened for the government who has authority to been cigarette industry, they can only reign Health Warning Label (HWL) enclosing without the clear prohibition. In this part, the economic interest of the country is come from cigarette tax and the cigarette labor's future bears down the consideration of the bad effect of cigarette for health.

Apart from the ambiguity from Health Warning Label (HWL) enclosing on the cigarette pack and advertisement, one of the research of the International Tobacco Control reported about several evidences the affectivity of Health Warning Label (HWL) enclosing. In the research involved more than 100 researcher of Tobacco controlling field. ITC said that Health Warning Label (HWL) is the effective way to teach the smoker or non-smoker about the danger of cigarette. On the other hand, Health Waning Label (HWL) also motivated the subject to stop their smoking activity and the important

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<sup>2</sup>WHO Framework Convention on Tobacco Control, geneva switzerland, 2003. p 9

thing is Health Warning Label (HWL) give the expectations to passive smoker to not start to smoke. By Health Warning Label (HWL), the lose messages and descriptions will be neutralized.<sup>3</sup>

Observing from the communication ethics, label of the health warning on the cigarette can be seen from human attitude perspective.<sup>4</sup> According to this perspective, the basic human attitude is thinking ability and their capability to use symbol. It means that the humane human attitude is come from the aware rationality of free action to choose between what they will act and what they will ignore.

Generally, the rule of the obligation to enclose Health Warning Label (HWL) on cigarette advertisement and pack has filled ethic standard, that is invite the human to thing rationally and determine the attitude. From the message threatening of the danger of cigarette and the sufferer disease picture caused by the cigarette, the smoker and no smoker awareness has been touched. Ethic has function to attract human to be able to difference between bad and good, whereas the important thing from communication is delivering the message. On the writer perspective, Health Warning Label (HWL) has fulfilled the standardization in ethic and communication.

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<sup>3</sup>*Health Warning on Tobacco Packages*, ITC Cross Country Comparison Report by The International Tobacco Control Policy Evaluation Project, (University of Waterloo, March 2012) P 4

<sup>4</sup> At least, there are seven perspectives in theory of communication :

*First* Politics Perspective, in this perspective scientific habits to develop ethics in practice communication, *Second* Human Perspective The most fundamental of these is the ability of thinking and the ability to use symbols., *Third* Perspective Dialogite communication is a two-way process of dialoged transactions,*Fourth* Perspective Situational is relevance for any moral judgment., *Five* Religious Perspective Scripture or religious habits can be used as a standard to evaluate the ethics of communication , *Sixth* Utilitarian Perspective, utilitarian standard is to evaluate how communication goals and can be seen from the presence of usability, pleasure, and joy, *Seventh* Legal Perspective communication behavior is legal, highly customizable with the regulations in force and is considered ethical behavior.

## **B. Cigarette Warning Labels in Symbolic Interaction Analysis**

Essentially, human is the creature that always have interact one each other. Interaction is not only acted by human with social environment but also with microcosmic. In every interaction, certain medium is really important to symbol medium. Symbolization finally guides the human to catch the meaning from something. The human ability to understand the meaning from the symbol makes them called as *Animal Symbolicum* (the symbolic creature). *Animal Symbolicum* is also the consequences of human as *Animal Sociocus* (social creature).

Human act something base on the exits meaning of that thing for them. That meaning appears from social interaction between people with the other person that finally it has been completed by interpretation process when the interaction happened. So that, in the symbolic interaction, “something” does not have intrinsic meaning because that meaning is product from symbolic interaction.

According to Blumer, one of the pioneers of symbolic interaction theory, “something” that can be called as social reality, can be appeared as natural phenomena, artificial, what human do, even verbal or non-verbal, and everything that proper to be meant. Blumar said that as the social reality, before giving the meaning of something, actor has to do the continuity process of mentality, such as; choosing, observing, collecting, comparing, predicting, and transforming a meaning in correlation with situation, position, and the purpose of the act.<sup>5</sup>

The most principal thing from human interaction with symbol is the human always use their rationality and awareness to establish what the

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<sup>5</sup> Muhammad Mufid, *Etika dan filsafat komunikasi*, p.149

meaning of “something” for them. The process of using logic and awareness of the action is the true colors of human. Moreover in Qur’an, God stressed that the using of the rationality is called as “*afalaa ta’qiluun*” and awareness is called as “*afalaa tafakkaruun*”. *Ta’aqul* and *tafakur* process are what make differences between human and the other creation on the interaction and communication process.

By involving rationality and awareness on interaction with “something”, human will be able to determine the meaning of “something” for them. His process can we mention as *self indication*. *Self indication* is communication process on the individual started for acting base on that meaning. So that, this *self indication* process is happened on the social context where individual anticipate some others actions and adapt the action same as how person interpret that steps<sup>6</sup>

Interactions symbolic theory assumes that human was born without self concept. Self concept of every individual is formed and developed through social communication and social interaction. Interaction process with social environment, reaction, and perception of what happened inside makes individual self conception and on the long term, it will become the basic motive of that individual behavior.

Every human symbolic interaction with cigarette is different base on the occurred social interaction and communication. At the past, cigarette consumed not only for self needed as what happened today, but also to several valuable purposes like in the ritual and also to the health. The native from America consumed cigarette to avoid the coldness that usually fall until 60

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<sup>6</sup> *Ibid* p.149

degree Celsius. In another hand, they also smoked the cigarette together as the symbolic ritual in the ceremonial to collect the unity between clan.<sup>7</sup>

In the symbolic interaction process, meaning is the agreement among the social environment as the result of interaction. On this phase, the appearance of smoking activity in America looked like the symbol of unity and ritual. The meaning gotten from that activity was sucking the cigarette made purities, mystic, and the closeness between clan. The result of several interpretations will difference in every different social interaction.

The ancient Javanese society that closes with mysticism is also often to use cigarette in the ritual. Even several societies in central java and east java are still use cigarette in their ritual for praying to the ancestor soul's calmness.<sup>8</sup> In the Javanese family tradition, cigarette is also become the glorious symbol for the guests. In this case, usually family will provide ashtray<sup>9</sup> in the guest table as the admiration, tolerance, compromise, and for keeping the home cleanness

In the era of industrialism, the meaning of the symbol produced by the process of social interaction of the smokers on the Health Warning Label (HWL) interpretation is also difference. In this case, the social environment effect where smoker or non-smoker exist, is determined the symbolization and the interpretation of the cigarette and Health Warning Label (HWL) that exists in the advertisement and the pack.

George Herbert Mead, one of the pioneer of the symbolic interaction theory, explained that human interaction, mind, self process come from society and social act. No thought lost freely from social situation. Thinking

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<sup>7</sup> Kretek, Pusaka Nusantara, p 33

<sup>8</sup> Kretek, Pusaka Nusantara, p 32

<sup>9</sup>Asbac is The place for throwing cigarette dust

comes from internalization of interaction process among human. This interaction has correlation with human interaction with cigarette and Health Warning Label (HWL). The writer will research about it with using the conception of *mind, self and society* in the theory of symbolic interaction:

**a. Mind**

Mead explain mind as social phenomena grown and developed in social process as the result of interaction. Mind in this discussion looks like symbol which is as the interaction result. But then mind is made after *self conversation* existed which makes the awareness. Mind is the process so it may be able to be changed.

On the cigarette and Health Warning Label (HWL) case, smoker find mind through their interaction with social environment. For them living in the environment or community that many of them are smoker, it is possible if the mind which is created by that interaction process is that cigarette is one of the symbol of friendship, masculine, moreover include in social adhesive in order to the feeling of the their unity on their community.

In this social group, the smoker has understanding that smoking is the need, especially when they gather in their community. Thin consideration will become the winner from their awareness and their interpretation of Health Warning Label (HWL). The awareness has only on the level of thought and has not until the action yet. Because *mind*, is a process, so this awareness is always can be changed.

This awareness can be changed because of some factors, such as marriage, family, economic need, disease, and the other. For example, for the individual who has smoked before getting married, it possible if they will find their new awareness after married. It will create new symbolization of the cigarette that it sounds like delete the

useful of money, danger for the children and family health, and the other. It can make the smoker apply this awareness on the action to decrease the intensity or stop permanently.

**b. Self**

Self is process grown in the social daily that shapes self identity. The essence of self is *reflexivity*, it is how someone introspect their relation with the other, than to appear the value adoption and adopt the others value. There are to self who have the important function in human life that is I and me. I is unique, impulsive, spontaniety, unorganized, without purpose, and unpredictable part. Whereas me is *generalized others*, which become the function of the guidance and escort or project. Me is the acceptable and adaptable behavior socially.

Both of I and me are usable for making social partnership. I include in subjective side about their self when they face the other person. Me is the absorption from the other person through internalization process than adopt for create the next I, and the other person. So, in every interaction, I and me will always change dynamically.

I in the case of cigarette is good individual even I is the smoker or non-smoker, every I has different reason and motivation why he or she smokes or not, it become the result of the process of me in adopting whatever has been seen by I from his or her social environment. I as the smoker individual may because of me in him or herself who sees that the other smoker is cool person in his or her social structure. The symbol of settle, and moreover often if smoking is close to the thinker, same as coffee and book. In Islamic Boarding House world, the discussion there is seldom existed without smoke. With smoking, discussion will become enjoy and friendly. Me in a person adopt the



interpretations from the result of social environment research fulfilled by the smoker, than the new smoker will exist. I smoker is the reflection from social environment or social community.

To see Health Warning Label (HWL), “I” will also valid base on what is adopted by me from social environment. For example for “I” who bear her or himself how one of the individual in the social environment get the health problem because of smoking like what has been informed by Health Warning Label (HWL). So “Me” will produce the new understanding that what Health Warning Label (HWL) shares is the serious problem which can happen while they always smoke. “I” will reflect hr or himself with the individual who get the danger disease since smoking and the new action from “I” to the cigarette will appear, with decrease the intensity or stop smoking permanently.

While non-smoking person may get bad social experience because of “me” in his own self when he interacts with other smokers, for example, smelling the smoker bad breath, or even seeing other people get critical suffering because of cigarette, that will reflect their selves becoming uninteresting object which has been seen before. Therefore, one of his self will automatically take action to deny and avoid it.

From the experienced got by “me” inside non-smoking person. He also will make symbolization from Health Warning Label (HWL) as a serious warning. The dangerous of health borne by smoker in Health Warning Label (HWL) meant to be dreadful. So that, one of things inside a non-smoking person will avoid it after self reflectivity process by graphic picture and warning in Health Warning Label (HWL).

**c. Society**

According to Mead, society is group of self interacting in a wide scope like personal, intimate group, and community. Furthermore,

social institution has same respond. The society is maintained by individual ability to take and generalize other.<sup>10</sup>

Society has critical role in forming self conception of individual. In this social process, the acceptable one is not “you become whatever you tell yourself you are” but you become whatever those around you tell you, you are”. How the conception of environment or social community in something will determine how we see that thing.

When a non-smoking person comes to a forum containing a group of smoker, he will be considered as strange because of not smoking. They are often considered as “not man”, coward, not cool, and others. In this case, there are two possibilities appearing; first, non-smoking person will be influenced that conception and he will smoke because he does not want to be isolated from fellowship. He will also agree that smoking is one of the symbol of maleness, cool, macho, and others which supporting him to proud of it.

That society will tend to see Health Warning Label (HWL) only as a formal setting. To support their opinion, some reason will be made, for instance, the warning is not proven, some smokers are still healthy even though they are already old, and several writers who smoke said that Health Warning Label (HWL) is a conspiracy from medical institution to stop the using of tobacco as cigarette.

Even though society has big impact to the concept of self individual, but the individual ability to take and generalize other determining their identity. It means that individual can choose whether he decide to smoke or not. The decision taken by individual will determine the society who protects him.

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<sup>10</sup> Muhammad Mufid, *Etika dan Filsafat Komunikasi* (Jakarta: Kencana Prenada Media Group,2012) p.165

### **C. Social Impact of Cigarette Ads**

The news, warning in the cigarette cover, the perspective of many doctors and societies say that smoke can put human health in danger. But factually, many people keep smoking. The question is do they not care about health problem to they do not trust with the warning told before.

Under ethics studies, it is usually distinguished between descriptive ethics and normative ethics. Descriptive ethics give a description of moral sense symptom, from the norm and ethical concepts. While normative ethics is not talking again about symptoms, but about what should human do, A label warning in cigarettes is part of normative ethics that reflects concern for the importance of public health.

According to survey conducted by Dr.Thomas Sunaryo M.Si, the campaign of health and no smoking conducted massively can influence the human perspective about the dangerous of smoking although it does not mean that they stop smoking. From 170 male respondents, 53 53% agree with a statement that smoking can dangerous health, 35,88% disagree, and 10,5% not knowing or not answering.<sup>11</sup>

More specific, the International Tobacco Control in setting evaluation project “health warning on tobacco packages” mention that HWL, particularly with graphic picture, give significant impact to decrease amount of smokers in several countries like Australia, Thailand, Malaysia, China, Brazil and others. In fact in Australia, since HWL’s picture setting in 2006 until the last survey in 2010, the

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<sup>11</sup> *Keretek Pusaka Nusantara*, p74

decreasing of smokers is up to 70% while in the beginning it is only 30% when HWL only uses text.<sup>12</sup>

Beside the effect of quantitative data from HWL toward decreasing amount of smoker as the writer mentioning above, and also many social impacts appear. The writer categorize it as social impact because this impact felt by all of social society, smoker or not. This impact is shown in practicing free non-smoking area, campaign non-smoker running massively and others.

Practicing free smoking area in every environment like city, office, building, school, and other public space based on awareness of dangerous cigarette. By practicing free smoking area, smokers are educated to respect the healthy right had by others and also educate to be discipline and obey the rule. Here, HWL has important rule, remaining them that their activity can be dangerous for environment. Furthermore, they must obey it but always in the rule free smoking area.

Beside, that campaign is more massive like demonstration, seminar, and information, also sticking poster “the disease because of cigarette in general intention. The community of 9 cm in UGM, they descend once in a month, in the street to say Indonesia is free of smoking. Those activities are conducted by changing the cigarette with measuring tension and fruit.<sup>13</sup>

The HWL’s obligation in cigarette cover, even it looks ambiguous because cigarette is still produced, it factually cannot be regarded as small. Although its impact is not really significantly shown, but HWL though many reset step by step Nationally or internationally proven, effective to help to decrease amount of smokers.

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<sup>12</sup>*Health Warning on Tobacco Packages*, ITC Cross Country Comparison Report by The International Tobacco Control Policy Evaluation Project, (University of Waterloo, March 2012) P 6

<sup>13</sup>[www.Indonesiabebasrokok.org](http://www.Indonesiabebasrokok.org)

## CHAPTER V

### EPILOGUE

#### A. Conclusion

In this chapter the researcher gives a conclusion as cornerstones of discussion has been done from beginning to end. Some of the points awarded are:

##### 1. Cigarette Warning symbolic Interaction Analysis

One of the pioneer of the symbolic interaction theory, explained that human interaction, mind, self process come from society and social act. No thought lost freely from social situation. Thinking come from internalization of interaction process among human. This interaction has correlation with human interaction with cigarette and HWL. The writer will research about it with using the conception of *mind, self and society* in the theory of symbolic interaction:

##### a. Mind

On the cigarette and HWL case, smoker find mind through their interaction with social environment. For them living in the environment or community that many of them are smoker, it is possible if the mind which is created by that interaction process is that cigarette is one of the symbol of friendship, masculine, moreover include in social adhesive in order to the feeling of the their unity on their community.

##### b. Self

To see HWL, "I" will also valid base on what is adopted by me from social environment. For example for "I" who bear her or himself how one of the individual in the social environment get the health

problem because of smoking like what has been informed by HWL. So me will produce the new understanding that what HWL shares is the serious problem which can happen while they always smoke. “I” will reflect hr or himself with the individual who get the danger disease since smoking and the new action from “I” to the cigarette will appear, with decrease the intensity or stop smoking permanently.

While non-smoking person may get bad social experience because of “me” in his own self when he interacts with other smokers, for example, smelling the smoker bad breath, or even seeing other people get critical suffering because of cigarette, that will reflect their selves becoming uninteresting object which has been seen before. Therefore, one of his self will automatically take action to deny and avoid it.

From the experienced got by “me” inside non-smoking person. He also will make symbolization from HWL as a serious warning. The dangerous of health borne by smoker in HWL meant to be dreadful. So that, one of things inside a non-smoking person will avoid it after self reflectivity process by graphic picture and warning in HWL.

c. Society

That society will tend to see HWL only as a formal setting. To support their opinion, some reason will be made, for instance, the warning is not proven, some smokers are still healthy even though they are already old, and several writers who smoke said that HWL is a conspiracy from medical institution to stop the using of tobacco as cigarette.

Even though society has big impact to the concept of self individual, but the individual ability to take and generalize other determining their identity. It means that individual can choose whether

he decide to smoke or not. The decision taken by individual will determine the society who protects him.

## 2. Social Impact of Cigarette Ads

Beside the effect of quantitative data from HWL toward decreasing amount of smoker as the writer mentioning above, and also many social impacts appear. The writer categorize it as social impact because this impact felt by all of social society, smoker or not. This impact is shown in practicing free non-smoking area, campaign non-smoker running massively and others.

### **B. Suggestion**

The writer suggest to people order to more focus on dangerous warning simbols than focus in interest symbols or jargon.

For the next researcher the writer suggested order to carry on this research in other theory analyze, like Semantic, Hermeneutik, and Semiotic and other.

### **C. Closing**

All of praise and gratitude to Allah Almighty who has give His mercy and guidance, so the author can finish this thesis. The author aware, this thesis is still far from perfection. Therefore, the author expect the criticism and the construtive suggestions from dear reader. Hopefully this simple research can provide benefits, especially for the author, and for the readers in general.

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**PERATURAN PEMERINTAH REPUBLIK INDONESIA NOMOR 19 TAHUN  
2003 TENTANG PENGAMANAN ROKOK BAGI KESEHATAN**

Menimbang :

- a. Bahwa rokok merupakan salah satu zat adiktif yang bila digunakan mengakibatkan bahaya bagi kesehatan individu dan masyarakat, oleh karena itu perlu dilakukan berbagai upaya pengamanan
- b. Bahwa sebagai pelaksanaan ketentuan Pasal 44 Undang-Undang Nomor 23 Tahun 1999 tentang Kesehatan telah ditetapkan peraturan Pemerintah Nomor 81 Tahun 1999 tentang pengamanan rokok bagi kesehatan sebagaimana telah diubah dengan peraturan pemerintah Nomor 38 Tahun 2000
- c. Bahwa untuk lebih mengefektifkan pelaksanaan pengamanan rokok bagio kesehatan dipandang perlu menyempurnakan pengaturan mengenai pengamanan rokok bagi kesehatan dengan peraturan pemerintah

Mengingat :

1. Pasal 5 ayat (2) Undang Undang Dasar 1945 sebagaimana telah diubah denganPerubahan Keempat Undang-Undang Dasar 1945
2. Undang-undang Nomor 23 Tahun 1992 tentang Kesehatan (Lembaran NegaraRepublik Indonesia Tahun 1992 Nomor 100, Tambahan Lembaran Negara Nomor3495)
3. Undang-undang Nomor 8 Tahun 1999 tentang Perlindungan Konsumen (LembaranNegara Republik Indonesia Tahun 1999 Nomor 42, Tambahan Lembaran NegaraNomor 3821)
4. Undang-undang Nomor 32 Tahun 2002 tentang Penyiaran (Lembaran NegaraRepublik Indonesia Tahun 2002 Nomor 139, Tambahan Lembaran Negara Nomor4252)

MEMUTUSKAN :

Menetapkan :

PERATURAN PEMERINTAH TENTANG PENGAMANAN ROKOK  
BAGI KESEHATAN

BAB I

1. Rokok adalah hasil olahan tembakau terbungkus termasuk cerutu atau bentuk lainnya yang dihasilkan dari tanaman *Nicotiana Tabacum*, *Nicotiana Rustica* dan spesies lainnya atau sintetisnya yang mengandung nikotin dan tar dengan atau tanpa bahan tambahan.
2. Nikotin adalah zat, atau bahan senyawa pirrolididin yang terdapat dalam *Nicotiana tabacum*, *Nicotiana Rustica* dan spesies lainnya atau sintetisnya yang bersifat adiktif dapat mengakibatkan ketergantungan.
3. Tar adalah senyawa polinuklir hidrokarbon aromatika yang bersifat karsinogenik.
4. Pengamanan rokok adalah setiap kegiatan atau serangkaian kegiatan dalam rangka mencegah dan/atau menangani dampak penggunaan rokok baik langsung maupun tidak langsung terhadap kesehatan.
5. Produksi adalah kegiatan atau proses menyiapkan, mengolah, membuat, menghasilkan, mengemas, kembali dan/atau mengubah bentuk bahan baku menjadi rokok.
6. Iklan rokok, selanjutnya disebut Iklan, adalah kegiatan untuk memperkenalkan, memasyarakatkan dan/atau mempromosikan roko dengan atau tanpa imbalan kepada masyarakat dengan tujuan mempengaruhi konsumen agar menggunakan rokok yang ditawarkan.

7. Label rokok, selanjutnya disebut Label, adalah setiap keterangan mengenai rokok yang berbentuk gambar, tulisan, kombinasi keduanya, atau bentuk lain yang disertakan pada rokok, dimasukkan ke dalam, ditempatkan pada, atau merupakan bagian kemasan rokok.
8. Tempat umum adalah sarana yang diselenggarakan oleh Pemerintah, swasta atau perorangan yang digunakan untuk kegiatan bagi masyarakat.
9. Tempat kerja adalah tiap ruangan atau lapangan, tertutup atau terbuka, bergerak atau tetap dimana tenaga kerja, atau yang sering dimasuki tenaga kerja untuk keperluan suatu usaha dan dimana terdapat sumber atau sumber-sumber bahaya.
10. Angkutan umum adalah alat angkutan bagi masyarakat yang dapat berupa kendaraan darat, air dan udara.
11. Kawasan tanpa rokok adalah ruangan atau area yang dinyatakan dilarang untuk kegiatan produksi, penjualan, iklan, promosi dan/atau penggunaan rokok.
12. Setiap orang adalah orang perseorangan atau badan usaha, baik yang berbentuk badan hukum maupun tidak.
13. Menteri adalah Menteri yang bertanggung jawab di bidang kesehatan.

BAB II  
PENYELENGGARAAN PENGAMANAN ROKOK

**Bagian Pertama**

Umum

Pasal 2

Penyelenggaraan penmgamanan rokok bagi kesehatan bertujuan untruk mencegah penyakit akibat penggunaan ropkok bagi individu dan masyarakat dengan :

- a. Melindungi kesehatan masyarakat terhadap insidensi penyakit yang fatal dan penyakit yang dapat menurunkan kualitas hidup akibat penggunaan rokok.
- b. Melindungi penduduk usia produktif dan remaja dari dorongan lingkungan dan pengaruh iklan untuk inisiasi penggunaan dan ketergantungan terhadap rokok.
- c. Meningkatkan kesadaran, kewaspadaan, kemampuan dan kegiatan masyarakat terhadap bahaya keswehatan terhadap penggunaan rokok

Pasal 3

Penyelenggaraan pengamanan rokok bagi kesehatan dilaksanakan dengan pengaturan :

- a. Kandungan kadar nikotin dan tar
- b. Persyaratan produksi dan penjualan rokok
- c. Persyaratan iklan dan promosi rokok
- d. Penetapan kawasan tanpa rokok.

**Bagian Kedua**

Kandungan Kadar dan Nikotin dan Tar

Pasal 4

- (1) Setiap orang yang memproduksi rokok wajib melakukan pemeriksaan kandungan kadar nikotin dan tar pada setiap hasil produksinya .

- (2) Pemeriksaan kandungan kadar nikotin dan tar sebagaimana dimaksud dalam ayat (1) dilakukan di laboratorium yang sudah terakreditasi sesuai dengan ketentuan peraturan perundang-undangan yang berlaku.

#### Pasal 5

Setiap orang yang memproduksi rokok wajib memberikan informasi kandungan kadar nikotin dan tar setiap batang rokok yang diproduksinya.

### **Bagian Ketiga**

#### Keterangan pada Label

#### Pasal 6

- (1) Setiap orang yang memproduksi rokok wajib mencantumkan informasi tentang kandungan kadar nikotin dan tar setiap batang rokok, pada label dengan penempatan yang jelas dan mudah dibaca.
- (2) Pencantuman informasi tentang kandungan kadar nikotin dan tar sebagaimana dimaksud dalam ayat (1) ditempatkan pada salah satu sisi kecil setiap kemasan rokok dibuat kotak dengan garis pinggir 1 (satu) mm, warna kontras antara warna dasar dan tulisan, ukuran tulisan sekurang-kurangnya 3 (tiga) mm, sehingga dapat jelas dibaca .

#### Pasal 7

Selain pencantuman kandungan kadar nikotin dan tar sebagaimana dimaksud dalam Pasal 6, pada kemasan harus dicantumkan pula :

- a. Kode produksi pada setiap kemasan rokok
- b. Tulisan peringatan kesehatan pada label di bagian kemasan yang mudah dilihat dan dibaca.

#### Pasal 8

- (1) Peringatan kesehatan pada setiap label harus berbentuk tulisan.
- (2) Tulisan sebagaimana dimaksud dalam ayat (1) berupa “merokok dapat menyebabkankanker, serangan jantung, impotensi dan gangguan kehamilan dan janin”.

#### Pasal 9

- (1) Tulisan peringatan kesehatan sebagaimana dimaksud dalam Pasal 8 ayat (2) dicantumkan dengan jelas label dibagian kemasan yang mudah dilihat dan dibaca.
- (2) Tulisan peringatan kesehatan dicantumkan pada salah satu sisi lebar setiap kemasan rokok, dibuat kotak dengan garis pinggir 1 (satu ) mm warna kontras antara warna dasar dan tulisan, ukuran tulisan sekurang-kurangnya 3 (tiga) mm, sehingga dapat jelas dibaca.

### **Bagian Keempat**

#### Produksi dan Penjualan Rokok

#### Pasal 10

Setiap orang yang memproduksi rokok wajib memiliki izin di bidang perindustrian.

#### Pasal 11

- (1) Setiap orang yang memproduksi rokok dilarang menggunakan bahan tambahdalam proses produksi yang tidak memenuhi persyaratan kesehatan.
- (2) Ketentuan lebih lanjut tentang bahan tambahan sebagaimana maksud dalam ayat (1) ditetapkan dengan Keputusan Menteri



#### Pasal 12

Menteri yang bertanggung jawab di bidang pertanian berkewajiban menggerakkan, mendorong dan menggunakan ilmu pengetahuan dan teknologi untuk menghasilkan produk tanaman tembakau dengan resiko kesehatan seminimal mungkin.

#### Pasal 13

Menteri yang bertanggung jawab di bidang perindustrian berkewajiban menggerakkan, mendorong dan menggunakan ilmu pengetahuan dan teknologi dalam proses produksi rokok untuk menghasilkan produk rokok dengan resiko kesehatan seminimal mungkin.

#### Pasal 14

Produk rokok yang dimasukkan ke dalam wilayah Indonesia harus memenuhi ketentuan sebagaimana dimaksud dalam Pasal 4, Pasal 5, Pasal 6, Pasal 8, Pasal 9, dan Pasal 11 .

#### Pasal 15

- (1) Penjualan rokok dengan menggunakan mesin layan diri hanya dapat dilakukan di tempat-tempat tertentu.
- (2) Ketentuan lebih lanjut tentang tempat-tempat tertentu sebagaimana dimaksud dalam ayat (1) ditetapkan oleh Pemerintah Daerah.

### **Bagian Kelima**

#### Iklan dan Promosi

#### Pasal 16

- (1) Iklan dan promosi hanya dapat dilakukan oleh setiap orang yang memproduksi rokok dan /atau yang memasukkan rokok ke dalam wilayah Indonesia.
- (2) Iklan sebagaimana dimaksud dalam ayat (1) dapat dilakukan di media elektrik, media cetak atau media ruang.
- (3) Iklan pada media elektrik sebagaimana dimaksud dalam ayat (2) hanya dapat dilakukan pada pukul 21.30 sampai 05.00 waktu setempat.

#### Pasal 17

Materi iklan sebagaimana dimaksud dalam pasal 16 ayat (2) dilarang :

- a. Merangsang atau menyarankan orang untuk merokok
- b. Menggambarkan atau menyarankan bahwa rokok memberikan manfaat bagi kesehatan
- c. Memperagakan atau menggambarkan dalam bentuk gambar, tulisan atau gabungan keduanya, bungkus rokok, rokok atau orang sedang merokok atau mengarah pada orang yang sedang merokok
- d. Ditujukan terhadap atau menampilkan dalam bentuk gambar atau tulisan atau gabungan keduanya, anak remaja, atau wanita hamil
- e. Mencantumkan nama produk yang bersangkutan adalah rokok
- f. Bertentangan dengan norma yang berlaku dalam masyarakat.

#### Pasal 18

- (1) Setiap iklan pada media elektrik, media cetak dan media luar ruang harus mencantumkan peringatan bahaya merokok bagi kesehatan.
- (2) Pecantuman peringatan sebagaimana dimaksud dalam ayat (1) harus ditulis dengan huruf yang jelas sehingga mudah dibaca, dan dalam ukuran yang proporsional disesuaikan dengan ukuran iklan tersebut.

#### Pasal 19

Setiap orang yang memproduksi rokok dan /atau memasukkan rokok kedalam wilayah Indonesia dilarang melakukan promosi dengan memberikan sevara Cuma-Cuma atau hadiah berupa rokok atau produk lainnya dimana dicantumkan bahwa merek dagang tersebut merupakan rokok.

#### Pasal 20

Kegiatan sponsor dalam rangka iklan dan promosi yang dilakukan oleh setiap orang yang memproduksi rokok dan/atau yang memasukkan rokok ke dalam wilayah Indonesia, hanya dapat dilakukan dengan tetap mengikuti ketentuan periklanan dan promosi sebagaimana diatur dalam Peraturan Pemerintah ini.

#### Pasal 21

- (1) Setiap orang yang memproduksi rokok dan/atau memasukkan rokok ke wilayah Indonesia dalam melakukan iklan dan promosi rokok pada suatu kegiatan harus memenuhi persyaratan sebagaimana dimaksud dalam Pasal 16 , Pasal 17, Pasal 18,Pasal 19 dan Pasal 20.
- (2) Pimpinan atau penanggung jawab suatu kegiatan berkewajiban menolak bentukpromosi rokok yang tidak memenuhi Pasal 16, Pasal 17, Pasal 18, Pasal 19 dan Pasal20.

### **Bagian Keenam**

#### Kawasan Tanpa Rokok

#### Pasal 22

Tempat umum, sarana kesehatan, tempat kerja dan tempat yang secara spesifik sebagai tempat proses belajar mengajar, arena kegiatan anak, tempat ibadah dan angkutan umum dinyatakan sebagai kawasan tanpa rokok.

#### Pasal 23

Pimpinan atau penanggungjawab tempat umum dan tempat kerja yang menyediakan tempat khusus untuk merokok harus menyediakan alat penghisap udara sehingga tidak mengganggu kesehatan bagi yang tidak merokok.

#### Pasal 24

Dalam angkutan umum dapat disediakan tempat khusus untuk merokok dengan

ketentuan:

- a. Lokasi tempat khusus untuk merokok terpisah secara fisik/tidak bercampur dengan kawasan tanpa rokok pada angkutan umum yang sama
- b. Dalam tempat khusus untuk merokok harus dilengkapi alat penghisap udara atau memiliki sistem sirkulasi udara yang memenuhi persyaratan yang ditetapkan oleh Menteri yang bertanggung jawab di bidang perhubungan.

#### Pasal 25

Pemerintah Daerah wajib mewujudkan kawasan tanpa rokok sebagaimana dimaksud dalam Pasal 22, di wilayahnya.

### BAB III

#### PERAN MASYARAKAT

##### Pasal 26

Masyarakat termasuk setiap orang yang memproduksi rokok dan/atau yang memasukkan rokok ke dalam wilayah Indonesia, memiliki kesempatan untuk berperan seluas-luasnya dalam rangka mewujudkan derajat kesehatan yang optimal melalui terbentuknya kawasan tanpa rokok.

##### Pasal 27

Peran masyarakat diarahkan untuk meningkatkan dan mendayagunakan kemampuan yang ada pada masyarakat dalam rangka penyelenggaraan pengamanan rokok bagi kesehatan.

##### Pasal 28

Peran masyarakat dapat dilakukan oleh perorangan, kelompok, badan hukum atau badan usaha, dan lembaga atau organisasi yang diselenggarakan oleh masyarakat.

##### Pasal 29

Peran masyarakat dilaksanakan melalui :

- a. pemikiran dan pertimbangan berkenaan dengan penentuan kebijaksanaan dan/atau pelaksanaan program pengamanan rokok bagi kesehatan;
- b. penyelenggaraan, pemberian bantuan dan/atau kerjasama dalam kegiatan penelitian dan pengembangan penanggulangan bahaya merokok terhadap kesehatan;
- c. pengadaan dan pemberian bantuan sarana dan prasarana bagi penyelenggara pengamanan rokok bagi kesehatan;

- d. keikutsertaan dalam pemberian bimbingan dan penyuluhan serta penyebarluasan informasi kepada masyarakat berkenaan dengan penyelenggaraan pengamanan rokok bagi kesehatan;
- e. kegiatan pengawasan dalam rangka penyelenggaraan pengamanan rokok bagi kesehatan.

#### Pasal 30

Peran masyarakat dalam rangka penyelenggaraan upaya pengamanan rokok bagi kesehatan dilaksanakan berpedoman kepada kebijaksanaan pemerintah dan/atau ketentuan peraturan perundang-undangan yang berlaku.

#### Pasal 31

Dalam rangka meningkatkan peran masyarakat, Menteri bekerja sama dengan instansi terkait lainnya menyebarluaskan informasi dan pengertian penyelenggaraan pengamanan rokok bagi kesehatan.

### BAB IV

#### PEMBINAAN DAN PENGAWASAN

##### **Bagian Pertama**

#### Pembinaan

#### Pasal 32

Menteri, Menteri terkait dan Pemerintah Daerah melakukan pembinaan atas pelaksanaan pengamanan rokok bagi kesehatan dengan mendorong dan menggerakkan :

- a. Rokok yang memiliki risiko kesehatan seminimal mungkin;
- b. Terwujudnya kawasan tanpa rokok;

- c. Berbagai kegiatan untuk menurunkan jumlah perokok.

#### Pasal 33

Pembinaan atas penyelenggaraan pengamanan rokok bagi kesehatan dilaksanakan melalui pemberian informasi dan penyuluhan, dan pengembangan kemampuan masyarakat untuk berperilaku hidup sehat.

#### Pasal 34

- (1) Menteri dan Menteri terkait dalam melakukan pembinaan penyelenggaraan upaya pengamanan rokok bagi kesehatan dapat :
  - a. Secara sendiri atau bekerja sama menyelenggarakan berbagai kegiatan untuk pembinaan dalam penyelenggaraan upaya pengamanan rokok bagi kesehatan;
  - b. Bekerja sama dengan badan atau lembaga internasional atau organisasi kemasyarakatan untuk menyelenggarakan pengamanan rokok bagi kesehatan;
  - c. Memberikan penghargaan kepada orang atau badan yang telah berjasa dalam membantu pelaksanaan pengamanan rokok bagi kesehatan.
- (2) Menteri yang bertanggung jawab di bidang pertanian, mendorong dilaksanakandiversifikasi tanaman tembakau ke jenis tanaman lain.
- (3) Menteri yang bertanggung jawab di bidang perindustrian mendorong dilaksanakandiversifikasi usaha industri rokok ke industri lain.

## **Bagian Kedua**

### **Pengawasan**

#### **Pasal 35**

- (1) Menteri dan Menteri terkait melakukan pengawasan atas pelaksanaan upayapengamanan rokok bagi kesehatan.
- (2) Dalam rangka pengawasan sebagaimana dimaksud dalam ayat (1) Menteri danMenteri terkait dapat mengambil tindakan administratif terhadap pelanggaranketentuan dalam Peraturan Pemerintah ini sesuai dengan tugas pokok dan fungsimasing-masing.
- (3) Tindakan administratif sebagaimana dimaksud dalam ayat (2) dapat berupa:
  - a. Teguranlisan;
  - b. Tegurantertulis;
  - c. Penghentiansementara kegiatan;
  - d. Pencabutanizin industri.

#### **Pasal 36**

- (1) Pengawasan terhadap produk rokok yang beredar dan iklan dilaksanakan olehKepalaBadan Pengawas Obat dan Makanan.
- (2) Dalam rangka pengawasan produk rokok yang beredar dan iklan sebagaimanadimaksud dalam ayat (1), Kepala Badan Pengawas Obat dan Makanan dapatmemberikan teguran lisan, teguran tertulis dan/atau membuat rekomendasi untukmelakukan penghentian sementara kegiatan ataupencabutan izin industri kepadainstansi terkait.



BAB V  
KETENTUAN PIDANA

Pasal 37

Pelanggaran terhadap ketentuan sebagaimana dimaksud dalam Pasal 4 ayat (1), Pasal 5, Pasal 6, Pasal 8, Pasal 9, Pasal 14, Pasal 15 ayat (1), Pasal 16, Pasal 17, Pasal 18, Pasal 19, Pasal 20 dan Pasal 21 ayat (2) dipidana dengan pidana sesuai dengan ketentuan peraturan perundang-undangan yang berlaku.

BAB VI  
KETENTUAN LAIN-LAIN

Pasal 38

- (1) Produk lain yang mengandung *Nicotiana Tabacum*, *Nicotiana Rustica* dan spesies lainnya dan/atau hasil olahannya termasuk pembuatan sintetis yang jenis dan sifatnya sama atau serupa dengan yang dihasilkan oleh *Nicotiana* spesiesnya termasuk dalam ketentuan Peraturan Pemerintah ini.
- (2) Produk lain sebagaimana dimaksud dalam ayat (1) ditetapkan dengan Keputusan Menteri.

BAB VII  
KETENTUAN PERALIHAN

Pasal 39

Setiap orang yang memproduksi rokok dan/atau memasukkan rokok ke dalam wilayah Indonesia harus menyesuaikan dengan ketentuan dalam Peraturan Pemerintah ini paling lambat dalam waktu 1 (satu) tahun sejak Peraturan Pemerintah ini ditetapkan.

#### Pasal 40

Dengan berlakunya Peraturan Pemerintah ini, semua peraturan pelaksanaan dari Peraturan Pemerintah Nomor 81 Tahun 1999 tentang Pengamanan Rokok Bagi Kesehatan sebagaimana telah diubah dengan Peraturan Pemerintah Nomor 38 Tahun 2000 dinyatakan tetap berlaku sepanjang tidak bertentangan dan/atau belum diganti dengan peraturan yang baru berdasarkan Peraturan Pemerintah ini.

### BAB VIII

#### KETENTUAN PENUTUP

#### Pasal 41

Dengan berlakunya Peraturan Pemerintah ini, Peraturan Pemerintah Nomor 81 Tahun 1999 tentang Pengamanan Rokok Bagi Kesehatan sebagaimana telah diubah dengan Peraturan Pemerintah Nomor 38 Tahun 2000, dinyatakan tidak berlaku.

#### Pasal 42

Peraturan Pemerintah ini mulai berlaku pada tanggal diundangkan. Agar setiap orang mengetahuinya memerintahkan pengundangan Peraturan Pemerintah ini dengan penempatannya dalam Lembaran Negara Republik Indonesia.

Ditetapkan di Jakarta

Pada tanggal 10 Maret 2003

## CURRICULUM VITAE



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- State Islamic University Walisongo
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- MTS Al-Falah Margoyoso Kalinyamatan Jepara (2008)
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### Non Formal Education

- Boarding School of Al-Haromain Rajekwesi Mayong Jepara (2011)
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### Organization

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- Vice Secretary of NAFILAH (Nadli Walisongo fil Lughatil 'Arabiyah) (2012)
- Vice Chief of JHQ (2012)
- Vice Chief of Ma'had Ulil Albab (2012)
- Language Division of Boarding School (2013)
- Security Division of Boarding School (2010)
- Secretary of OSIS (2009)