

HTS-7975-R1 Worshippers Smoking in Mosques: Violation of Fatwas of Ulemas and Governor Regulation

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2 **MANUSCRIPT TO REVIEW**

3 **Worshippers Smoking in Mosques: Violation of Fatwas of Ulemas and Governor** 4 **Regulation**

5

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7

8 Ulemas have forbidden smoking in the mosque because it will endanger the health of other
9 worshippers and make worship uncomfortable, but the mosque is still one of the public
10 facilities where cigarette butts are often found, and even people smoke in the mosque. This
11 study aims to see smoking behaviour in mosques and violations of fatwas from ulama and
12 governor regulations. This study follows a cross-sectional design conducted by interviewing
13 530 Muslims who have prayed in the mosque for the last 14 days and observed the
14 compliance of the mosque in implementing a smoke-free policy in 315 mosques. Frequency
15 distribution and crosstabulation were carried out using JAPS 16 software using
16 crosstabulation. The results of this study indicate that the implementation of the smoke-free
17 policy for mosques in Medan has been violated many times (57.8%), especially the violation
18 regarding smoking in mosques (32.1%); cigarette butts were still found in the yard of the
19 mosque (44.1%). Violations of the policy of fatwa smoke free areas in public mosques (61%)
20 and muhammadiyah mosques (46.5%). Smoking behaviour in mosques was seen in the last
21 two weeks, namely smoking behaviour carried out by worshippers (57.6%), smoking
22 behaviour carried out by mosque administrators (39.2%), smoking behaviour carried out by
23 community leaders in mosques (19.4%), and smoking behaviour that ulemas carried out in
24 mosques (14.3%). Worshippers must comply with the rules against smoking in mosques
25 because it can endanger the health of other worshippers. Cigarette smoke in the mosque will
26 make other worshippers uncomfortable to worship so that it can damage the solemnity of the
27 congregation to worship in the mosque ".

28 Contribution: This study is expected to explain smoking behaviour in mosques, violations of
29 smoking behaviour in mosques that violate the ulama's fatwa regarding smoking behaviour in
30 mosques, and the governor's regulation on smoking behaviour in mosques.

31

32 **Keywords:** Fatwa; Mosque; Mosque Worshippers; Smoking; Ulemas.

33

34 **Introduction**

35

36 The European community introduced smoking behaviour to Muslims in 1000 Hijri (Sulaiman
37 2013). European cigarette companies have increased the number of cigarette advertisements
38 in various Muslim countries to introduce smoking behaviour to Muslims so that Muslims are
39 addicted to smoking. Several Muslim-majority countries, such as Saudi Arabia, have 57.5%
40 smokers in Guinea, Indonesia has 34% smokers, 30.5% smokers in Tunisia, 15.2% in
41 Pakistan, 13% in Saudi Arabia and Iran as many as 10.5% (Ghouri 2006).

42

43 The dangers of smoking do not reduce the number of smokers in Indonesia. This number
44 increased until 2018, and Indonesia was estimated to have 61.4 million smokers. Smoking
45 behaviour has been carried out by various age groups, namely children, adolescents, adults,
46 and the elderly. Men and women also carry out smoking behavior (Nurhayati 2022).

47

48 The smoking frequency carried out by Muslims is still very high due to differences in the
49 views of ulemas regarding the smoking law in Islam. Many ulemas in Indonesia found that
50 smoking is prohibited, but some justify, specify between the three, and others remain silent or
51 do not decide on the law (Prasetya 2020). The differences in methods of determining the law
52 used by experts and differences in interpreting the texts caused Fuqaha to have different views
53 regarding the law of smoking (Satria 2020). Ulemas have not found any evidence that forbids
54 smoking, so they only carried out clerical agreements to solve this issue using various methods
55 (Sabani 2022).

56

57 Prohibition of smoking in public facilities is one way to prevent people from becoming passive
58 smokers. The previous study has linked to decreased smoking rates in the U.S., reduced indoor
59 smoking in the U.K., lower secondhand smoke exposure in New Zealand, lower cardiac
60 mortality in Belgium, and improved indoor air quality in 15 North American and European
61 countries (Cox 2013;;Lazuras 2012). The efforts to control smoking behaviour and protect
62 non-smokers from cigarette smoke have led to a smoke-free policy (Kostygina 2014). Only 14
63 of the 30 surveyed Muslim nations (Mauritania, Turkey, Iran, Pakistan, Libya, United Arab
64 Emirates, Saudi Arabia, Egypt, Senegal, Jordan, Syria, Mali, Bangladesh, and Niger) have
65 ratified the pact, with two more (Oman and Azerbaijan) holding accession status (Ghouri
66 2006).

67 The implementation of smoking free policy in various provinces in Indonesia is still poorly
68 implemented. The facility compliance in implementing the smoke-free policy is still low, such
69 as 17% in Jayapura in 2018, 78% in Bogor in 2011, 38% in Bengkulu, and 30% in Medan in
70 2020 (Wahyuti 2019; Asyary 2018); Yunarman 2020; Nasution 2022).

71 The mosque is one of the public facilities expected to be free from cigarette smoke. The
72 mosque is expected to provide comfort and solemnity for worshipers in carrying out worship.
73 Smoking in mosques will make worshipers uncomfortable to worship in mosques; cigarette
74 smoke will cause smelly and not fresh air and even disturb health then; cigarette butts and
75 cigarette dust will interfere with the mosque's beauty.

76

77 Saudi Arabia prohibits its people from smoking in public facilities; smoking is considered to
78 pose a risk of disturbing health, making the air polluted with chemicals that interfere with
79 health, disturbing the comfort of others around smokers to increase the risk of fire (World
80 Health Organization 2007). The Mufti of Malaysia decided that smoking has a prohibition law
81 because smoking is very dangerous for smokers, and for other people around smokers,
82 smoking is prohibited in public facilities (Yusof 2020).

83

84 Religion has a key position in society, and religion may play an essential role in an integrated
85 set of tobacco control programs and policies. For instance, religious leaders and tobacco
86 control activists can collaborate to design programs that capitalize on religious festivals and
87 gatherings to educate the faithful about the dangers of smoking and urge smokers to stop (Yong
88 2009).

89

90 Ulemas in Indonesia have various views on smoking laws as Nahdatul Ulama (NU) has a fatwa
91 makruh (discouraged, not sinful, but God will bless those abstaining from it) about smoking
92 behaviour but if you smoke in public facilities (such as mosques, restaurants) make the law
93 prohibit. Other Islamic organizations, such as Muhammadiyah, issued a fatwa prohibiting
94 smoking wherever it is located, taking into account the dangers and benefits of smoking (Auton
95 2012). The third Ijtima of Islamic scholars' Fatwa Commission throughout Indonesia issued a
96 fatwa that "prohibited" and "discouraged" smoking, especially when the smoking behaviour is
97 carried out in public places (mosques, restaurants, parks etc.), and when the smoking behaviour
98 is carried out by pregnant women and children (Nasution 2022).

99 Indonesia seeks to improve air quality from cigarette smoke by implementing a smoke-free
100 policy in various provinces and districts/cities. The Indonesian government issued the
101 Regulation of the Minister of Health Number 70 of 2011 concerning Guidelines for the
102 Implementation of Non-Smoking Areas, followed by regional regulations in various provinces
103 and districts/cities regarding smoking-free areas.

104

105 Medan is a large city in North Sumatra province with a population of 15.6%. Medan has 1.6
106 million inhabitants, of which 65% of the population in Medan is Muslim. Medan currently has
107 the slogan "*Medan Berkah*" (Medan Blessing), hoping that Medan will become a multicultural,
108 competitive, humanist, prosperous, and religious city. One form of religiosity in Medan can be
109 seen in several houses of worship in Medan, namely 1110 mosques to support Muslim
110 worshippers.

111

112 Mayor Medan City has implemented a Smoke-free policy since 2013 through Regional
113 Regulation Number 3 of Medan regarding smoke-free Areas. The Smoke-Free Policy in
114 Medan covers banning selling, advertising, promoting, and smoking tobacco of tobacco
115 products in various facilities, including health facilities, educational facilities, offices and
116 places of worship.

117

118 The mosque is one of the facilities where the Smoke-Free Policy should be implemented, but
119 it is easy to find violations of the Smoke-Free Policy in the mosque. The violations of the
120 Smoke-Free Policy in mosques can still be seen in various provinces in Indonesia, such as
121 Bengkulu (66.6%) and Bogor (20%) (Yunarman 2020); (Handayani 2020). Numerous
122 obstacles and facilitators to providing a smoke-free home were found. These related to the
123 diversity of religious institutions in terms of the relative sizes of congregations and mosque
124 staff, location and infrastructure, the demographics and ethnic origin of congregants, the
125 background of imams and other ulemas, languages used, and the scope of activities held in the
126 mosque (King 2017).

127

128 **Fatwas of Ulemas and Governor on Smoking in Mosques**

129

130 According to the experts, smoking behaviour is an act of nature. Based on Quran Surah Al-
131 Baqarah verse 35, which reads "*and do not approach this tree,*" Quraish Shihab considers

132 tobacco use dangerous and has deemed it to be a prohibited tree. According to him, the theme
133 of the verses is how humans should avoid doing something bad since it would put them in
134 danger. Tobacco was listed on the list of prohibited trees that Adam's children and
135 grandchildren should avoid in this life since it is not only a personal concern but also a threat
136 to the health of their neighbours. As with Satan's trickery, smoking leads to detrimental conduct
137 by causing individuals to spend money unfairly so that they no longer put things in their proper
138 position (Anshar 2018).

139

140 A majority of participants who offered an opinion on the Islamic position of smoking stated
141 that it is *makruh* (discouraged), while a minority stated that it is *haram* (prohibited).
142 Participants described how the message they heard about smoking depended on the sort of
143 ulemas (Muslim cleric or educator)(Byron 2015). Religious leaders can explain to their
144 congregations that the MUI fatwa and local legislation do not prohibit smoking in all indoor
145 public areas, but do prohibit smoking in indoor public spaces. Ulemas should aggressively
146 enforce the smoke-free ban on mosque premises for religious and legal reasons, and doing so
147 might enhance their credibility when speaking about smoking.

148

149 Mosques are places of worship that are glorified by religion. Shari'a recommends that mosques
150 be mentioned as dhikr, shalawat, reciting the Qur'an, etc. However, religion also does not
151 prohibit activities inside mosques, such as sleeping inside mosques, as long as they do not
152 disturb people praying. In Indonesia, mosques function not only as places of worship but are
153 also used for various activities and events such as recitations, weddings, bahtsul masail, etc. It
154 is not uncommon to see some people smoking in the mosque during the event.

155

156 The Law, smoking in mosques is prohibited. According to him, smoking in the mosque is a
157 behaviour that insults the mosque even though Allah Almighty ordered to glorify the mosque
158 as a place of worship. Cigarette smoke will damage the mosque's honour as a place of worship
159 that is supposed to provide comfort for worshippers to carry out worship in the mosque.
160 Smoking behaviour in mosques will contaminate mosques. Cigarette butts and ash should be
161 placed in their proper place (e.g. cigarette ashtrays) so as not to soil the floor of the mosque,
162 thereby reducing the beauty of the mosque.

163

164 Fatwa is defined as ulemas decision against scenario or Muslim difficulties. Decision-making

165 by ulemas was based on his knowledge of Islam through citing the Al-Quran and Sunnah.
166 Usually, a decision making made by the fatwa committee. The committee sat together and
167 deliberated on the subject or views differences among Muslims and eventually arrived at Fatwa
168 utilising all Muslim people. Decision-making or Fatwa addressed the problem among people
169 for Muslim excellent condition or relationship. For example, Fatwa on smoking in Malaysia,
170 plenty of people or Muslim smoking. Smoking has harmful effects on the body. Thus, Fatwa
171 was made to prevent Muslim to have smoked. Discussion among competent Muslim and Mufti
172 committee named Syura Council. Numerous religious experts and organisations in Middle
173 Eastern and North African nations have lately proclaimed smoking to be prohibited by Islam
174 prohibited (Ghoury 2006).

175

176 It is the responsibility of religious leaders to transform the prevailing notion that smoking is a
177 sin among Muslims into the cessation of smoking among smokers. Publicly admired religious
178 leaders may accomplish better outcomes through small-group contacts than in big mosque
179 settings (Radwan 2003).

180

181 This is in line with the efforts of the World Health Organization (WHO) in increasing the
182 number of facilities that provide Non-Smoking Areas. It is supported by the Health Law No.36
183 / 2009 article 115 paragraph 2 which states that regional government is obliged to create
184 nonsmoking area without its territory (Indonesia, 2009). To increase the effectiveness of these
185 rules, local policies are set out in the Regional Regulations concerning the above (Nasution
186 2022).

187

188 The smoking behavior of worshipers in the mosque is a concern because this interferes with
189 the health of other worshipers who want to pray in the mosque. Cigarette smoke in the mosque
190 will make worshippers become secondhand and third-hand smokers. Public awareness about
191 the dangers of smoking is an important component of not smoking in the smoke free policy
192 (Veruswat 2020 ;Hidayat 2015).

193

194 **Dangers of Smoking Behavior in Mosques**

195

196 Cigarette chemicals, specifically tar and nicotine, will be converted into pollutants. The
197 residues (nicotine, nitric acid) are carcinogenic chemicals that can cause lung cancer and are

198 inhaled by the next passive smoker (Drehmer 2017). Smoking should be prohibited in public
199 facilities. Smoking restrictions prevent all families and children from exposure to secondhand
200 and thirdhand smoke. Medically vulnerable children must attend places free of all cigarette
201 smoke exposure. In general, the development of smoking-free areas seeks to minimize
202 morbidity and mortality rates, establishing a clean, healthy, safe, and comfortable atmosphere
203 capable of protecting the younger generation from abusing narcotics, psychotropics, and
204 addictive substances (Nampirah 2021).

205

206 Smoking is an activity carried out by many people in Indonesia. Even though smoking is
207 dangerous for health as it is triggering non-communicable diseases which cause an increase in
208 disability and death (WHO 2019; Nasution 2022).

209

210 Exposure to cigarette smoke causes health problems, such as causing low birth weight and
211 premature birth in pregnant women (Andriani 2021; Nadhiroh 2020), increasing the risk of
212 developing asthma in children (Tanaka 2017) causing various periodontal diseases (Tsz Kin
213 Ng 2015).

214

215 All ages are adversely affected by exposure to cigarette smoke. Many studies have
216 demonstrated a link between cigarette smoke exposure and lung cancer (Hori 2016; Shikata
217 2017). Secondhand smoke exposure (SHS) has various negative consequences on lung
218 function and growth, nutrition, and immunological function in children; it is becoming
219 recognized as an essential disease severity modulator for children with chronic disorders like
220 cystic fibrosis (CF) (Kopp 2016).

221

222 Messages promoting the dangers of smoking for health must be advocated and arranged with
223 communicative and effective language, considering marketing strategy, particularly
224 appropriate locations to install promotional media (Hidayah 2019; Nasution 2022).

225

226 **Methods**

227

228 **Study Design and Administration**

229

230 The study used a cross-sectional design to know about smoking behaviour in the mosque.

231 Researchers conducted mosque observations in 21 districts of Medan City. This study was
232 conducted from March to April 2022 in Medan, North Sumatra province.

233

234 **Participants**

235

236 Researchers made observations about the fatwa on the prohibition of smoking in mosques by
237 Islamic organizations and the smoke-free policy about smoking in the mosque. The
238 researchers observed the mosque as a facility included in the smoke-free policy using
239 observation sheets with a google form. The researchers observed 315 mosques in Medan,
240 including government institution mosques, mosques of Muhammadiyah organizations, and
241 public mosques. The researchers interviewed 531 mosque worshippers to see smoking
242 behaviour in mosques in the last two weeks.

243

244 **Measure and Data Analysis**

245

246 Observation of smoking behaviour in the mosque was carried out by observing mosques where
247 it was found that worshippers were smoking in mosques and mosques where there were
248 cigarette butts, there was cigarette smoke, and there were cigarette ashtrays in the mosque area.
249 The smoking behaviour of worshippers is carried out by conducting in-depth interviews with
250 mosque worshippers regarding the frequency of smoking and perceptions about smoking
251 behaviour in mosques.

252

253 The researchers analyzed the data using the JAPS version 19 to 315 mosques in Medan city
254 and 531 mosque worshippers. The analysis will use cross-tabulation of smoking behaviour in
255 Mosques.

256

257 **Results**

258

259 This study aims to see the implementation of a smoke free policy in mosques. The researchers
260 have carried out interviews with worshippers of the mosques in Medan about their views on
261 non-smoking areas in mosques (N=531). The researchers have also made observations in
262 mosques about the implementation of non-smoking areas (N = 315 mosques). The results of
263 this study can be seen in Table 1.

264 **TABLE1: The Perceptions of Worshipers about Fatwa smoking in Mosques**

The Perceptions of Worshipers about	Yes		No	
	n	%	n	%
Informed about the prohibition of smoking in mosques	439	82.7	92	17.3
There should be a rule regarding smoking ban in mosques	524	98.7	7	1.3
No smoking in the mosques	517	97.4	14	2.6
Worshipers smoking in the mosque must be reprimanded	495	93.2	36	6.8
Cigarette smoke endangers the health of worshipers in the mosque	523	98.5	8	1.5
It is prohibited to smoke in the mosque	347	65.3	184	34.7

265

266 The results of this study indicate that worshipers in the mosques are aware of the prohibition
267 of smoking in the mosques (82.7%), the perception of worshipers in the mosque towards fatwa
268 in mosques is still not good in that many worshipers in the mosque allow smoking in the
269 mosque (14%), do not dare to reprimand worshipers who smoke in the mosque (36%), even
270 the worshipers who consider smoking behavior in the mosque as permissible (34.7%).

271 **TABLE 2: Smoking Behavior in The Mosques according to Worshipers, Mosque**
 272 **Administrators and Ulemas**

The observation on smoking behavior in Mosque the last 2 weeks (N = 531)	Yes		No	
	n	%	n	%
The worshipers in the mosques	306	57.225	225	42.775
The mosque administrators smoking in the mosques	208	39.323	160	60.677
The community leaders or scholar smoking in the mosque	103	19.428	80	80.572
Ulemas smoking in the mosque	76	14.455	55	85.545

273

274 The results of this study indicate that smoking behavior in the mosque is common in the last
275 two weeks, namely smoking behavior carried out by the worshipers of the mosque (57.6%),
276 smoking behavior carried out by mosque administrators (39.2%), smoking behavior carried
277 out by the community leaders in the mosque (19.4%), and smoking behavior carried out by
278 ulemas in the mosque (14.3%).

279 **TABLE 3 The Implementation Fatwa Prohibited of Smoking in mosques**

Smoking in mosque (N = 315 mosques)	No smoki ng	No smo ke	No ashtra ys	No cigarett e butts	Tot al
(a)Overall	214	256	284	176	315
(b) Typology of the mosque					
Public Mosques	77	93	107	58	118
Jamik Mosques	137	163	177	118	197
(c) type mosques					
Community mosque	172	203	231	144	252
Nahdatul Ulama mosque	18	25	23	11	30
Muhammadiyah mosque	24	27	30	21	33

280

281 The results of this study indicate that there are still many mosques that do not comply with
282 the smoke free policy (57.8%). The most violation made was the absence of a non-smoking
283 sign in the mosque (34.2%), smoking in mosque (32.1%), cigarette butts were still found in
284 the yard of the mosque (44.1%). The less common violation regarding the implementation of
285 the smoke free policy in the mosque is cigarette advertisements which can be seen around the
286 mosque (5.7%) and astray in the mosque's yard (9.8%).

287 Violations of the smoke free policy occurred in mosques with typology of public mosques
288 (61%) and jamik mosques (55.8%). Violations of the policy of non-smoking areas occurred
289 in community mosques (58.3%), mosque organizations affiliated with nahdatul ulama
290 (66.7%) and Muhammadiyah mosques (46.5%).

291

292 **Discussion**

293

294 Every Muslim knows the mosque is their site of worship and honour to Allah S.W.T. The
295 mosque has become an important gathering place for Muslims to engage in activities such as
296 education and war planning. At the same time, the mosque is where Muslims learn about life
297 on earth and the hereafter (Yusof 2020).

298

299 Islamic organizations (MUI, NU, Muhammadiyah) have agreed to give prohibited fatwas to
300 smokers in mosques. The mosque is one of the holy places for Muslims that must be kept clean
301 and beautiful. Mosques are one of the locations prohibited from smoking; mosque worshippers
302 have the right to breathe air free of cigarette smoke. A more effective strategy, such as a smoke-
303 free policy, is needed to reduce cigarette smoke exposure (Hidayah 2019). Exposure to
304 cigarette smoke in public facilities will reduce the risk of passive smokers (Kostygina 2014).

305 Religious leader acts may play a significant role in the social and cultural denormalization of
306 smoking. Religious leaders who are smokers should set an example by quitting smoking in
307 order to provide credibility to their message. Additionally, they can assist in implementing a
308 smoke-free policy within their place of worship (Yong 2009).

309

310 It is anticipated that the socialization of smoke-free policy in the mosque will increase mosque
311 worshippers' level of understanding about prohibited smoking, resulting in a shift in behaviour
312 in smoke-free areas. According to studies from different mosques, mosque worshippers lacked
313 a proper understanding of smoke-free areas due to a lack of socialization on the subject.

314 Study Radwan (2003) show demonstrates the significance of religious leaders in altering the
315 community's knowledge since we discovered a correlation between higher exposure to
316 antismoking messages from religious leaders and a large rise in fatwa-related smoking
317 knowledge. This demonstrates the significance of religious leaders in the fight against the
318 tobacco pandemic. Religious leaders can influence the majority of the populace. The
319 consequence will likely be quite satisfying if they are motivated and organized to participate
320 in tobacco-control activities.

321

322 Ulema Said some of the smokers with whom we spoke said they attempt not to annoy others
323 with their smoke. Non-smokers and a few smokers described how they had scolded people for
324 smoking in air-conditioned settings or in the presence of youngsters or pregnant women. One
325 non-smoker described his reaction upon observing a smoker in the presence of others: "In my
326 view, this individual is dzalim [Islamic term meaning wicked since they intentionally harm
327 others]." Women and children are present, but they smoke as they like. That would be dzalim;
328 that is a serious sin." (Byron 2015)

329

330 The prohibition of smoking is *muwafaqah bil maqashid asy-syariah* (according to the
331 objectives of the Shari'a), namely maintaining the five cases as mentioned above. Allah SWT
332 says that "*the characteristics of believers are and those who keep the mandates (which they
333 carry) and their promises*" (Q.S. al-Mu'minun: 8).

334

335 An Islamic scholar named Qaradhawi (2008) mentioned strictly that smoking is prohibited
336 because cigarettes can cause various kinds of danger, both danger that comes immediately or
337 danger that comes gradually and can also be a waste of wealth. Smoking is also often identified
338 with behaviour that harms a person's psychology and morals.

339

340 Study Sucakli (2011) show religious officials were not smoking at home, although it was not
341 prohibited. Religious officials agree that people should not smoke in public. Smoking religious
342 officials respect the health of family members if they smoke in the public area. Study Radwan
343 (2003) show with increasing exposure to religious leaders' anti-smoking teachings, smoking-
344 related fatwa knowledge grew dramatically. The knowledge of the fatwa against smoking or
345 the notion that smoking is a sin does not influence attempts to quit.

346 The views of the Indonesian Ulema Council (MUI), Nahdlatul Ulama (NU), and
347 Muhammadiyah can be understood that the point of difference that arises among laws that
348 forbid or allow smoking behavior is from the perspective of the arguments used and the impact
349 of benefit and danger from smoking. The tendency to consider the prohibition of smoking is
350 the achievement of maqasid sharia, namely to maintain personal health (*hifz al nafs*) and also
351 to maintain property (*hifz al mal*).

352

353 Smokers who smoke in public places, including smoking-free areas, are considered damaging
354 to the objectives of maqashid sharia. The mosque is one of the places categorized as smoking-
355 free areas. In the perspective of Maqashid Sharia, the worshipers smoking in the mosque have
356 violated two pillars, and one of them is 1) *hifz al-din* (taking care of themselves. In the context
357 of health, it is agreed that there are no benefits to smoking. On the contrary, smoking is
358 detrimental to health. An active smoker is at risk of various health problems, such as
359 respiratory issues and lung cancer (O’Keeffe 2018;Rahal 2017), periodontal disease, oral
360 cancer (Zhang 2019), and other cancer risks. In addition, worshipers smoking in the mosque
361 danger themselves and other worshipers who can become secondhand and thirdhand smokers
362 from such action—inhaling cigarette smoke impacts future damage to the person concerned
363 maintain personal health (*hifz al nafs*).

364 Regarding maintaining property (*Hifz al Mal*), the head of a smoker family must share his
365 income to meet family needs by buying cigarettes (Oktaviasari 2012). The expenditure on the
366 purchase of cigarettes became the largest after basic food needs, education, and health
367 investment. Many smokers have admitted that they do not find the benefits of smoking at all.
368 Smoking behaviour should be prohibited, not in terms of its use, but because it is a waste
369 (Satria 2020).

370

371 The head of a family who is a smoker can maintain the property well if the money spent on
372 cigarettes is used to meet the nutrition needed by his family, and this is more beneficial. Allah
373 S.W.T mentions in the Qur’an: (2:195) *And spend in the way of Allah and do not throw*
374 *[yourselves] with your [own] hands into destruction [by refraining]. And do good; indeed,*
375 *Allah loves the doers of good.*

376

377 In principle, the worshipers smoking in the mosque have violated two things, namely 1)
378 violating the regional regulation issued by the Mayor of Medan in that it explains that smoking

379 is not allowed in the non-smoking area (including mosques) through regional regulation
380 number 3 of 2014 regarding the smoke free policy, which includes the places of worship, such
381 as mosques, prayer rooms, recitation places, and other similar places. According to Nakhae
382 (2009), the incidence of smoking was much lower among individuals who regularly
383 participated in religious activities, particularly those who prayed often.

384

385 The mayor of Medan has made rules on the prohibition of smoking in mosques to keep the air
386 healthy and free of cigarette chemicals. The smoke-free policy in the Regional Regulation
387 Number 4 in Medan is an effort made by the government in Medan to reduce the risk of
388 worshippers in the mosque being exposed to cigarettes. The results of this study indicate that of
389 305 mosques observed, many mosques still have violations related to the smoke-free policy;
390 smoking infractions are observed at mosques, such as cigarette ashtrays in the courtyard and
391 worshippers who smoke in the courtyard.

392

393 The results of this study indicate that there are still many community leaders who smoke in the
394 mosque, mosque administrators smoking in the mosque, and even ulemas smoking in the
395 mosques. This smoking behaviour occurs because the community leaders and the religious
396 teachers still smoke in the mosque.

397

398 Ulemas (religious teachers) and community leaders are role models for the community, so their
399 behaviour will impact the community's smoking behaviour in mosques. Many worshippers
400 smoke inside the mosque because they imitate the community leaders, and the Islamic teachers
401 also smoke in the mosque. Likely, the choice of smoking law in classical *fiqh*, which considers
402 smoking discouraged, is why worshippers in the mosque keep smoking and ignore the fatwa
403 issued by the Indonesian Ulema Council.

404

405 Cigarettes should be prohibited because of the danger in smoking. Besides, smoking can cause
406 another danger, namely *dharár mali* (danger to property) (Yunus 2009). The prohibition of
407 smoking is *muwafaqah bil maqashid ash-syariah* (according to the objectives of the sharia),
408 namely maintaining the five cases as mentioned above. Allah S.W.T mentioned in the Qur'an
409 that the characteristics of believers is "And they who are to their trusts and their promises
410 attentive" (Q.S: Al-Mukminun:8).

411 Smoking in the mosque can be understood as the decision made by the Indonesian Ulema
412 Council that prohibits the behaviour of smoking in public places, so the smoke-free policy is
413 carried out as a form of embodiment and implementation of the fatwa issued by the Indonesian
414 Ulema Council. Furthermore, the fatwa issued by the Indonesian Ulema Council related to
415 smoking applies to all leaders and administrators of the Indonesian Ulema Council as a
416 consequence of the fatwa. Therefore the behaviour of community leaders smoking in public
417 places, especially in mosques, is counterproductive to the fatwa issued by the Indonesian
418 Ulema Council. The smoke-free policy is an alternative solution to the legal dynamics of
419 smoking in public places.

420

421 Many mosques do not provide information about the prohibition of smoking in the mosque
422 area, even though cigarette ashtrays with cigarette butts can be seen behind the mosque walls.
423 When several religious studies were conducted in the mosque, it was not uncommon to find
424 people smoking in the mosque's yard. However, we did not find any warnings from other
425 worshippers or mosque administrators regarding the smoke behaviour carried out in the
426 mosque. The mosque administrators and worshippers mentioned that they did not know that
427 the mosque was one of the places included in the smoke-free policy.

428

429 **Conclusion**

430

431 Many mosques still have smoking behaviour even though all Islamic organizations in
432 Indonesia agreed to give an illegitimate fatwa to smoke in mosques because it is very
433 disturbing to other worshippers, both disturbing in terms of health and the comfort of
434 worshippers mosque.

435

436 Smoking behavior, carried out by worshipers in the mosque, mosque administrators, and
437 Islamic scholars, is contrary to the fatwa issued by the Indonesian Ulema Council and the fatwa
438 issued by the Muhammadiyah which prohibits Muslims from smoking around other people
439 because this can danger others. However, we can still find many Muslims who smoke even in
440 public places, including mosques.

441

442 Islam has regulated its adherence not to endanger the lives and health of other people, one of
443 which is by preventing the smoking behavior around other people. Therefore, the smoking

444 behavior carried out by worshipers, mosque administrators, and ulemas in the mosques have
445 violated the maintain personal health (*hifz al nafs*) since this behavior is carried out by
446 worshipers, mosque administrators, and ulemas in the mosques. The cigarette smoke can
447 danger the worshipers and can cause them to be secondhand and thirdhand smokers, which
448 will put them at risk for health problems. Mosque administrators should act decisively against
449 worshipers who smoke in mosques by warning the worshipers who smoke in the mosque so
450 that they are aware that smoking in the mosque violates the rules in the mosques.

451

452 The government of Medan through the Regional Regulation Number 3 of 2014 has regulated
453 a smoke free policy, including in mosques by hoping that the worshipers in the mosque will
454 not be exposed to cigarette smoke so that they can pray comfortably in the mosque. Muslims
455 should have an obligation to obey leaders (*ulil amri*) for the benefit of every Muslim, so they
456 should not violate the smoke free policy implemented by the government.

457

458 Compliance with government regulations is the obligation of every citizen in realizing
459 goodness and prosperity for the citizens; the government policy aims to benefit. It is important
460 to comply with the fatwa issued by the central the Indonesian Ulema Council which
461 emphasizes that smoking is not allowed in public places, in front of pregnant women and
462 children. In other words, the worshipers smoking in the mosque do not follow the fatwa
463 stipulated in 2009. On the other hand, the violation of smoking in the mosque was triggered
464 by the example given by the mosque administrators, community leaders, and the religious
465 teachers who also smoke in the mosque. Therefore, the reasons for the worshipers to smoke in
466 the mosque are getting stronger with the role models of the people who also smoke in the
467 mosque. It is very likely that the smoking law in classical fiqh which is considered smoking as
468 discouraged has become one of the reasons why the worshipers smoke and ignore the fatwa
469 issued by the central the Indonesian Ulema Council.

470 **Acknowledgments**

471 **Competing interests**

472 The authors declare that they have no financial or personal relationships that may have
473 inappropriately influenced them in writing this article.

474

475 **Authors' contributions**

476 [information redacted to maintain the integrity of the review process]

477

478 **Ethical considerations**

479 This article followed all ethical standards for research without direct contact with human or
480 animal subjects.

481

482 **Funding information**

483 No funding for this research

484

485 **Data availability**

486 Data sharing is not applicable to this article as no new data were created or analyzed in this
487 study.

488

489 **Disclaimer**

490 The views and opinions expressed in this article are those of the authors and do not
491 inevitably reflect the official policy or position of any affiliated agency of the authors.

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