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MANUSCRIPT TO REVIEW

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

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

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

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

Keywords: Fatwa; Mosque; Mosque Worshippers; Smoking; Ulemas.
Introduction

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

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

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

Prohibition of smoking in public facilities is one way to prevent people from becoming passive smokers. The previous study has linked to decreased smoking rates in the U.S., reduced indoor smoking in the U.K., lower secondhand smoke exposure in New Zealand, lower cardiac mortality in Belgium, and improved indoor air quality in 15 North American and European countries (Cox 2013; Lazuras 2012). The efforts to control smoking behaviour and protect non-smokers from cigarette smoke have led to a smoke-free policy (Kostygina 2014). Only 14 of the 30 surveyed Muslim nations (Mauritania, Turkey, Iran, Pakistan, Libya, United Arab Emirates, Saudi Arabia, Egypt, Senegal, Jordan, Syria, Mali, Bangladesh, and Niger) have ratified the pact, with two more (Oman and Azerbaijan) holding accession status (Ghouri 2006).
The implementation of smoking free policy in various provinces in Indonesia is still poorly implemented. The facility compliance in implementing the smoke-free policy is still low, such as 17% in Jayapura in 2018, 78% in Bogor in 2011, 38% in Bengkulu, and 30% in Medan in 2020 (Wahyuti 2019; Asyary 2018; Yunarman 2020; Nasution 2022). The mosque is one of the public facilities expected to be free from cigarette smoke. The mosque is expected to provide comfort and solemnity for worshipers in carrying out worship. Smoking in mosques will make worshipers uncomfortable to worship in mosques; cigarette smoke will cause smelly and not fresh air and even disturb health then; cigarette butts and cigarette dust will interfere with the mosque's beauty.

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

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

Ulemas in Indonesia have various views on smoking laws as Nahdatul Ulama (NU) has a fatwa makruh (discouraged, not sinful, but God will bless those abstaining from it) about smoking behaviour but if you smoke in public facilities (such as mosques, restaurants) make the law prohibit. Other Islamic organizations, such as Muhammadiyah, issued a fatwa prohibiting smoking wherever it is located, taking into account the dangers and benefits of smoking (Auton 2012). The third Ijtima of Islamic scholars' Fatwa Commission throughout Indonesia issued a fatwa that "prohibited" and "discouraged" smoking, especially when the smoking behaviour is carried out in public places (mosques, restaurants, parks etc.), and when the smoking behaviour is carried out by pregnant women and children (Nasution 2022).
Indonesia seeks to improve air quality from cigarette smoke by implementing a smoke-free policy in various provinces and districts/cities. The Indonesian government issued the Regulation of the Minister of Health Number 70 of 2011 concerning Guidelines for the Implementation of Non-Smoking Areas, followed by regional regulations in various provinces and districts/cities regarding smoking-free areas.

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

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

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

Fatwas of Ulemas and Governor on Smoking in Mosques

According to the experts, smoking behaviour is an act of nature. Based on Quran Surah Al-Baqarah verse 35, which reads "and do not approach this tree," Quraish Shihab considers
tobacco use dangerous and has deemed it to be a prohibited tree. According to him, the theme of the verses is how humans should avoid doing something bad since it would put them in danger. Tobacco was listed on the list of prohibited trees that Adam's children and grandchildren should avoid in this life since it is not only a personal concern but also a threat to the health of their neighbours. As with Satan's trickery, smoking leads to detrimental conduct by causing individuals to spend money unfairly so that they no longer put things in their proper position (Anshar 2018).

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

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

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

Fatwa is defined as ulamas decision against scenario or Muslim difficulties. Decision-making
by ulamas was based on his knowledge of Islam through citing the Al-Quran and Sunnah. Usually, a decision making made by the fatwa committee. The committee sat together and deliberated on the subject or views differences among Muslims and eventually arrived at Fatwa utilising all Muslim people. Decision-making or Fatwa addressed the problem among people for Muslim excellent condition or relationship. For example, Fatwa on smoking in Malaysia, plenty of people or Muslim smoking. Smoking has harmful effects on the body. Thus, Fatwa was made to prevent Muslim to have smoked. Discussion among competent Muslim and Multi committee named Syura Council. Numerous religious experts and organisations in Middle Eastern and North African nations have lately proclaimed smoking to be prohibited by Islam prohibited (Ghouri 2006).

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

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

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

**Dangers of Smoking Behavior in Mosques**

Cigarette chemicals, specifically tar and nicotine, will be converted into pollutants. The residues (nicotine, nitric acid) are carcinogenic chemicals that can cause lung cancer and are
inhaled by the next passive smoker (Drehmer 2017). Smoking should be prohibited in public facilities. Smoking restrictions prevent all families and children from exposure to secondhand and thirdhand smoke. Medically vulnerable children must attend places free of all cigarette smoke exposure. In general, the development of smoking-free areas seeks to minimize morbidity and mortality rates, establishing a clean, healthy, safe, and comfortable atmosphere capable of protecting the younger generation from abusing narcotics, psychotropics, and addictive substances (Napirah 2021).

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

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

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

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

Methods

Study Design and Administration

The study used a cross-sectional design to know about smoking behaviour in the mosque.
Researchers conducted mosque observations in 21 districts of Medan City. This study was conducted from March to April 2022 in Medan, North Sumatra province.

Participants

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

Measure and Data Analysis

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

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

Results

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

<table>
<thead>
<tr>
<th>Smoking in Mosques (N=531)</th>
<th>n</th>
<th>%</th>
<th>n</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Informed about the prohibition of smoking in mosques</td>
<td>439</td>
<td>82.92</td>
<td>17</td>
<td>3.23</td>
</tr>
<tr>
<td>There should be a rule regarding smoking ban in mosques</td>
<td>524</td>
<td>98.17</td>
<td>7</td>
<td>1.3</td>
</tr>
<tr>
<td>No smoking in the mosques</td>
<td>517</td>
<td>97.14</td>
<td>14</td>
<td>2.6</td>
</tr>
<tr>
<td>Worshippers smoking in the mosque must be reprimanded</td>
<td>495</td>
<td>93.68</td>
<td>6.8</td>
<td>1.5</td>
</tr>
<tr>
<td>Cigarette smoke endangers the health of worshippers in the mosque</td>
<td>523</td>
<td>98.8</td>
<td>8</td>
<td>1.2</td>
</tr>
<tr>
<td>It is prohibited to smoke in the mosque</td>
<td>347</td>
<td>65.18</td>
<td>18</td>
<td>3.41</td>
</tr>
</tbody>
</table>


The results of this study indicate that worshipers in the mosques are aware of the prohibition of smoking in the mosques (82.7%), the perception of worshipers in the mosque towards fatwa in mosques is still not good in that many worshipers in the mosque allow smoking in the mosque (14%), do not dare to reprimand worshipers who smoke in the mosque (36%), even the worshipers who consider smoking behavior in the mosque as permissible (34.7%).
TABLE 2: Smoking Behavior in The Mosques according to Worshipers, Mosque Administrators and Ulemas

<table>
<thead>
<tr>
<th>The observation on smoking</th>
<th>Yes</th>
<th>%</th>
<th>No</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mosque the last 2 weeks (N=531)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>The worshipers Smoking in the mosques</td>
<td>306</td>
<td>57.22</td>
<td>225</td>
<td>42.78</td>
</tr>
<tr>
<td>The mosque administrators</td>
<td>208</td>
<td>39.60</td>
<td>323</td>
<td>60.40</td>
</tr>
<tr>
<td>smoking in the mosques</td>
<td>2</td>
<td>8</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>The community leaders or scholar smoking in the mosque</td>
<td>103</td>
<td>19.80</td>
<td>428</td>
<td>80.20</td>
</tr>
<tr>
<td>Ulemas smoking in the mosque</td>
<td>76</td>
<td>14.55</td>
<td>455</td>
<td>85.45</td>
</tr>
<tr>
<td></td>
<td>3</td>
<td>7</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
The results of this study indicate that smoking behavior in the mosque is common in the last two weeks, namely smoking behavior carried out by the worshipers of the mosque (57.6%), smoking behavior carried out by mosque administrators (39.2%), smoking behavior carried out by the community leaders in the mosque (19.4%), and smoking behavior carried out by ulamas in the mosque (14.3%).
### TABLE 3 The Implementation Fatwa Prohibited of Smoking in mosques

<table>
<thead>
<tr>
<th>Smoking in mosque (N = 315 mosques)</th>
<th>No</th>
<th>No</th>
<th>No</th>
<th>No</th>
<th>Tot</th>
</tr>
</thead>
<tbody>
<tr>
<td>smoking</td>
<td>ng</td>
<td>ke</td>
<td>ys</td>
<td>e butts</td>
<td></td>
</tr>
<tr>
<td>(a) Overall</td>
<td>214</td>
<td>256</td>
<td>284</td>
<td>176</td>
<td>315</td>
</tr>
<tr>
<td>(b) Typology of the mosque</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Public</td>
<td>77</td>
<td>93</td>
<td>107</td>
<td>58</td>
<td>118</td>
</tr>
<tr>
<td>Mosques</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jamik Mosques</td>
<td>137</td>
<td>163</td>
<td>177</td>
<td>118</td>
<td>197</td>
</tr>
<tr>
<td>(c) type mosques</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Community mosque</td>
<td>172</td>
<td>203</td>
<td>231</td>
<td>144</td>
<td>252</td>
</tr>
<tr>
<td>Nahdatul Ulama mosque</td>
<td>18</td>
<td>25</td>
<td>23</td>
<td>11</td>
<td>30</td>
</tr>
<tr>
<td>Muhammadia mosque</td>
<td>24</td>
<td>27</td>
<td>30</td>
<td>21</td>
<td>33</td>
</tr>
</tbody>
</table>
The results of this study indicate that there are still many mosques that do not comply with the smoke free policy (57.8%). The most violation made was the absence of a non-smoking sign in the mosque (34.2%), smoking in mosque (32.1%), cigarette buts were still found in the yard of the mosque (44.1%). The less common violation regarding the implementation of the smoke free policy in the mosque is cigarette advertisements which can be seen around the mosque (5.7%) and astray in the mosque’s yard (9.8%).

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

**Discussion**

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

Islamic organizations (MUI, NU, Muhammadiyah) have agreed to give prohibited fatwas to smokers in mosques. The mosque is one of the holy places for Muslims that must be kept clean and beautiful. Mosques are one of the locations prohibited from smoking; mosque worshippers have the right to breathe air free of cigarette smoke. A more effective strategy, such as a smoke-free policy, is needed to reduce cigarette smoke exposure (Hidayah 2019). Exposure to cigarette smoke in public facilities will reduce the risk of passive smokers (Kostygina 2014). Religious leader acts may play a significant role in the social and cultural denormalization of smoking. Religious leaders who are smokers should set an example by quitting smoking in order to provide credibility to their message. Additionally, they can assist in implementing a smoke-free policy within their place of worship (Yong 2009).

It is anticipated that the socialization of smoke-free policy in the mosque will increase mosque worshippers' level of understanding about prohibited smoking, resulting in a shift in behaviour in smoke-free areas. According to studies from different mosques, mosque worshippers lacked a proper understanding of smoke-free areas due to a lack of socialization on the subject.
Study Radwan (2003) shows that the significance of religious leaders in altering the community's knowledge since we discovered a correlation between higher exposure to antismoking messages from religious leaders and a large rise in fatwa-related smoking knowledge. This demonstrates the significance of religious leaders in the fight against the tobacco pandemic. Religious leaders can influence the majority of the populace. The consequence will likely be quite satisfying if they are motivated and organized to participate in tobacco-control activities.

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

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

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

Study Sucakli (2011) showed religious officials were not smoking at home, although it was not prohibited. Religious officials agree that people should not smoke in public. Smoking religious officials respect the health of family members if they smoke in the public area. Study Radwan (2003) show with increasing exposure to religious leaders' anti-smoking teachings, smoking-related fatwa knowledge grew dramatically. The knowledge of the fatwa against smoking or the notion that smoking is a sin does not influence attempts to quit.
The views of the Indonesian Ulema Council (MUI), Nahdlatul Ulama (NU), and Muhammadiyah can be understood that the point of difference that arises among laws that forbid or allow smoking behavior is from the perspective of the arguments used and the impact of benefit and danger from smoking. The tendency to consider the prohibition of smoking is the achievement of maqasid sharia, namely to maintain personal health (hifz al nafs) and also to maintain property (hifz al mal).

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

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

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

In principle, the worshipers smoking in the mosque have violated two things, namely 1) violating the regional regulation issued by the Mayor of Medan in that it explains that smoking
is not allowed in the non-smoking area (including mosques) through regional regulation number 3 of 2014 regarding the smoke free policy, which includes the places of worship, such as mosques, prayer rooms, recitation places, and other similar places. According to Nakhaee (2009), the incidence of smoking was much lower among individuals who regularly participated in religious activities, particularly those who prayed often.

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

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

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

Cigarettes should be prohibited because of the danger in smoking. Besides, smoking can cause another danger, namely dharur mali (danger to property) (Yunus 2009). The prohibition of smoking is muwafaqah bil maqashid ash-syariah (according to the objectives of the sharia), namely maintaining the five cases as mentioned above. Allah S.W.T mentioned in the Qur’an that the characteristics of believers is “And they who are to their trusts and their promises attentive” (Q.S: Al-Mukminun:8).
Smoking in the mosque can be understood as the decision made by the Indonesian Ulema Council that prohibits the behaviour of smoking in public places, so the smoke-free policy is carried out as a form of embodiment and implementation of the fatwa issued by the Indonesian Ulema Council. Furthermore, the fatwa issued by the Indonesian Ulema Council related to smoking applies to all leaders and administrators of the Indonesian Ulema Council as a consequence of the fatwa. Therefore the behaviour of community leaders smoking in public places, especially in mosques, is counterproductive to the fatwa issued by the Indonesian Ulema Council. The smoke-free policy is an alternative solution to the legal dynamics of smoking in public places.

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

Conclusion

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

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

Islam has regulated its adherence not to endanger the lives and health of other people, one of which is by preventing the smoking behavior around other people. Therefore, the smoking
behavior carried out by worshipers, mosque administrators, and ulamas in the mosques have
violated the maintain personal health (hifz al nafs) since this behavior is carried out by
worshipers, mosque administrators, and ulamas in the mosques. The cigarette smoke can
danger the worshipers and can cause them to be secondhand and thirdhand smokers, which
will put them at risk for health problems. Mosque administrators should act decisively against
worshipers who smoke in mosques by warning the worshipers who smoke in the mosque so
that they are aware that smoking in the mosque violates the rules in the mosques.

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

Compliance with government regulations is the obligation of every citizen in realizing
goodness and prosperity for the citizens; the government policy aims to benefit. It is important
to comply with the fatwa issued by the central the Indonesian Ulema Council which
emphasizes that smoking is not allowed in public places, in front of pregnant women and
children. In other words, the worshipers smoking in the mosque do not follow the fatwa
stipulated in 2009. On the other hand, the violation of smoking in the mosque was triggered
by the example given by the mosque administrators, community leaders, and the religious
teachers who also smoke in the mosque. Therefore, the reasons for the worshipers to smoke in
the mosque are getting stronger with the role models of the people who also smoke in the
mosque. It is very likely that the smoking law in classical fiqh which is considered smoking as
discouraged has become one of the reasons why the worshipers smoke and ignore the fatwa
issued by the central the Indonesian Ulema Council.
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The authors declare that they have no financial or personal relationships that may have inappropriately influenced them in writing this article.

Authors' contributions

[Information redacted to maintain the integrity of the review process]

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