



# Smokers' Behavior Following the Fatwa of the Indonesian Ulama Council

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## Abstract

The Indonesian *Ulama* Council, as the highest authority issuing fatwas on Islamic law in Indonesia, has issued several fatwas concerning health and social behavior. One significant fatwa prohibits smoking in public places, reflecting concerns over its health impacts on both smokers and those exposed to passive smoking. This study aims to examine changes in smoking behavior following the issuance of the Indonesian *Ulama* Council fatwa, which prohibits smoking for pregnant women, children, and in public places. Employing a qualitative method with a case study approach, the research involves in-depth interviews and observations with six informants familiar with and affected by this phenomenon. All data are analyzed thematically using the Miles & Huberman interactive analysis model. The analysis reveals three categories of smokers post-fatwa: i) those who quit due to heightened awareness of smoking's dangers; ii) those who continue due to lack of awareness about the ban; and iii) those who persist due to perceived personal benefits from smoking, understanding the ban applies only to specific groups. This study underscores the need for enhanced education and socialization efforts regarding the fatwa and smoking cessation to promote broader compliance.

## Article Information:

Received October 15, 2024

Revised November 28, 2024

Accepted December 19, 2024

**Keywords:** *Smoking behavior, Indonesian Ulama Council, public health, Islamic law*

## INTRODUCTION

Islam is a comprehensive belief system that regulates human life through principles that aim to protect and maintain five fundamental aspects: religion, soul, reason, property, and honor (Dedi, 2016; Solikhun, 2021). These principles are realized through the establishment of laws that distinguish between permissible and prohibited actions, to direct individuals to behavior that supports spiritual and material well-being (Nasution, 2023). Through this division of law, Islamic Sharia functions as a guide to establishing a stable and beneficial social order, both in this world and in the afterlife (Debbi, 2018).

The smoking habit has become a global phenomenon that is recognized as having a serious impact on human health, productivity, and welfare (Arifuddin et al., 2023). Cigarettes, which contain nicotine and other dangerous substances, have a detrimental effect on health, both for active and passive smokers (Miglio et al., 2021). Even though the cigarette industry provides economic benefits, its health impacts are

### How to cite:

Sobri, S., Alfajri, A., Mustafa, N. N. B., Az-zahra, D. W., Intan, N. (2024). Smokers' Behavior Following the Fatwa of the Indonesian Ulama Council. *Nida Al-Qur'an: Jurnal Pengkajian Islam*, 5(2), 44-50.

### E-ISSN:

3032-7423

### Published by:

The Institute for Research and Community Service

significantly more detrimental, both in terms of healthcare costs and the reduction of people's quality of life (Firmansyah, 2019; Shabah et al., 2023).

In the context of Islamic law, cigarette consumption causes controversy. Scholars differ in their opinions about the law, ranging from haram to permissible, depending on the health and economic impacts caused (Sefiloğlu, 2022). Shaykh al-Ghazi ash-Shafi'i and other contemporary scholars have debated the legal status of smoking in fiqh, with some of them classifying it as an act of *israf*, namely prohibited waste (Amrin & Amirullah, 2022). This indicates that the discourse surrounding cigarette legislation remains a subject of ongoing debate among ulama to this day (Chabiba & Sa'diyah, 2021).

The 2009 fatwa of the Indonesian Ulama Council clarified the legal stance towards smoking by stating that smoking in public places, by children and pregnant women is haram (Umardani et al., 2019). However, this fatwa also triggered various reactions from society, ranging from support to rejection, which revealed a gap in the understanding and implementation of this fatwa among society (Iswahyudi, 2020). The novelty of this research lies in an in-depth analysis of the impact of the fatwa on the smoking behavior of Indonesian society, especially in public spaces, and how society responds to the regulations that emerged from the fatwa.

This research aims to fill the gap in the literature discussing post-Indonesian Ulama Council fatwa smoking behavior, especially in the social and Islamic legal context. Thus, it is hoped that this research can provide new contributions to the study of contemporary jurisprudence and public health policies related to smoking in Indonesia.

## METHODS

This research employs a qualitative method with a case study approach (Asrida et al., 2023; Waldi et al., 2018; Zahrawani et al., 2021). This approach enables researchers to gain an in-depth and contextual understanding of social phenomena and human behavior through data collection and analysis, including interviews, observations, and text analysis (Maputra et al., 2020; Muswara & Zalnur, 2019). In-depth interviews were conducted with six informants selected based on their understanding of the issues being studied, as well as their availability and ability to provide factual information (Rusandi & Rusli, 2021). The data collected was analyzed thematically using the Milles & Huberman interactive analysis model. This model facilitates dynamic and iterative analysis, helping researchers identify relevant patterns and themes from the interview data (Naeem et al., 2023; Peticca-Harris et al., 2016).

## RESULT AND DISCUSSION

Tobacco that has been chopped and dried is usually wrapped in paper cylinders of varying sizes, known as cigarettes. One end of the cigarette is burned, while the other end is used to inhale the smoke produced from the burning (Deng et al., 2022; Syukaisih et al., 2022). The main ingredients in cigarettes, such as nicotine, have been proven to negatively impact health, not only for active smokers but also for those around them who are exposed to smoke. Cigarette packaging often includes warnings about health risks, including lung cancer, heart disease, mouth and throat cancer, and potential fetal problems in pregnant women (Pepper et al., 2020).

Although smoking is not a direct cause of death, this activity can trigger potentially fatal diseases (Banks et al., 2019; Carter et al., 2015; Ferizal, 2016). From a religious perspective, actions that harm the body are categorized as sins, so smoking can be considered something that must be avoided because it can damage the body's organs. Therefore, at its annual session, the Indonesian Ulama Council issued a fatwa prohibiting smoking in public places, as well as for children and pregnant women (Byron et al., 2015; Marpaung et al., 2022).

The prevalence of smoking continues to increase from year to year. In everyday life, smoking activities can be found in various places, such as offices, workplaces, and even in public areas including schools. Even though the dangers of smoking have been widely publicized in various media, such as magazines, and newspapers, and stated on the cigarette packaging itself, this behavior is still widespread (Liu et al., 2017). Cigarettes are known to trigger serious diseases such as lung cancer and impotence, as well as disrupt other people's activities, especially in public places (Meikawati & Prajayanti, 2020; Umardani et al., 2019; Yulianti et al., 2023).

This research aims to understand how the public responds to the fatwa of the Indonesian Ulama Council regarding the prohibition of smoking in public places. From the interviews conducted, respondents were divided into three large groups who had different views on the fatwa. The first group is respondents who stopped smoking after realizing the dangers of smoking both for themselves and others around them. The second group is those who continue to smoke because they feel they do not receive enough information regarding the Indonesian Ulama Council fatwa. The third group is those who feel smoking is beneficial for daily life and are not bound by the fatwa.

The first group consists of individuals who agree with the Indonesian Ulama Council fatwa and make efforts to comply with it. They argue that smoking in public places can disturb others and negatively impact health, particularly in environments such as schools (Hernandez et al., 2019; Kelly et al., 2018; Rozema et al., 2018). As one informant noted:

*...Smoking can indeed disturb the people around us, especially if it occurs in public spaces such as school areas, where it becomes highly disruptive. So it is only natural that the Indonesian Ulama Council issues a fatwa regarding the prohibition of smoking in public places (I-1).*

This view shows awareness of public health and the importance of implementing the Indonesian Ulama Council fatwa as an effort to protect the people around them.

The second consisted of respondents who continued to smoke because they felt they did not receive sufficient information regarding the Indonesian Ulama Council fatwa. They admitted that they had never heard of any outreach from the government or related institutions regarding the prohibition of smoking in public places (King et al., 2017). One student stated:

*...Smoking is something that is usually done, although it is detrimental for people who feel disadvantaged, but it is very beneficial for people who feel the benefits. Smoking can be done anywhere, but let's look again at the conditions around us, such as smoking in the campus area will certainly be detrimental to students who don't smoke because they will feel disturbed by the cigarette smoke (I-2).*

In addition, several informants emphasized that lack of socialization was the main factor that made them continue to smoke. Another informant added:

*...I have never heard of the Indonesian Ulama Council fatwa prohibiting smoking in public places, so I feel there is no problem if I continue smoking (I-3).*

Lack of information and minimal education regarding the impact of smoking makes this group feel that there is no strong reason to stop smoking.

Third are respondents who feel that smoking has certain benefits for daily life, especially in terms of productivity and relaxation. They were not too influenced by the Indonesian Ulama Council fatwa because they felt that the fatwa was not aimed at them directly (King et al., 2017). One informant stated:

*...Smoking can make us more relaxed to think. The legal problem with smoking is, that even though the Indonesian Ulama Council forbids it, there are still clerics who allow it. If the problem of disease is caused by smoking, we can overcome it by drinking more water every day (I-4).*

For this group, the benefits of smoking are felt more in everyday life, especially in the context of work and interacting with other people. Some informants thought

that smoking was very helpful in dealing with cold weather or stressful situations. An informant added:

...*Smoking is very beneficial for daily activities, especially at work. If smoking can cause a disease, then we can see that smoking kills, not smoking kills, so it's the same (I-5).*

These opinions reveal that even though the Indonesian Ulama Council fatwa has been issued, not all people view it as a binding regulation. This group feels that as long as smoking provides benefits to them, the ban can be ignored. One informant even emphasized that:

...*Smoking can help you be active in carrying out your work, especially when you are in a cold place. Having a warning on the cigarette pack will not stop you from smoking because the impact is not too dangerous, even though there is an Indonesian Ulama Council fatwa that forbids it (I-6).*

From the interviews that have been conducted, it is clear that public perceptions of the Indonesian Ulama Council fatwa regarding the smoking ban vary greatly. For some people, especially those who feel that smoking brings benefits in daily life, this fatwa is not fully accepted and applied. This shows that the implementation of fatwas in society still faces big challenges, especially related to socialization and enforcement of rules.

## CONCLUSION

The fatwa of the Indonesian Ulama Council regarding the prohibition of smoking for certain groups and in public places has given rise to various responses among the public. Some individuals choose to stop smoking after understanding its negative impacts, while others continue to smoke due to a lack of access to information regarding the fatwa. Apart from that, some still smoke in the belief that this action provides personal benefits or that the prohibition only applies to pregnant women, children, and in public places. These findings indicate the need for a more effective strategy in socializing the Indonesian Ulama Council fatwa and educating the public about the health impacts and ethical implications of smoking so that the fatwa can be implemented more optimally at various levels of society.

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