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The Impact of *Dharar* [Damage], Maslahat [Benefits] and Religiosity to Smoking Behaviour

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Abstract

There is still much debate about smoking behavior in Indonesia, some scholars declare it haram [forbidden] to smoke, but others state it is forbidden. There is still a lot of debate among Muslims regarding the maslahat [benefits] and dharar [damage] resulting from smoking. Researchers want to see the effect of maslahat, dharar [damage], and Religiosity on the smoking law. This study followed a cross-sectional design conducted by interviewing 518 Muslim youths taken using the snowball method and disseminating online questionnaires; data analysis uses SMART PLS with a CI of 95%. The results of this study showed an effect between maslahat [benefits] (p<0.001 and T=4.010), dhara (p=0.006 and T=2.744) to fatwa perspective [the view of a group of ulemas about a problem in perspective in Islamic law] and no significance between Religiosity (p=0.433 and T=0.785) to fatwa perspective. There is a significant influence between maslahat [benefits] (p<0.001 and T=4.605), dharar [damage] (p=0.0027 and T=2.218), and Religiosity (p=0.001 and T=2.596) on smoking law. The Indonesian government must be intense in socializing the maslahat [benefits] of smoking behavior and explaining that there is no benefit, so Muslim youths should consider smoking. This is by the rules of Ushul Fiqh, "the government policy is meant to maslahat [benefits] "through the fatwa on smoking haram [forbidden] for Muslims issued by the Indonesian Ulema Council (MUI) and Muhammadiyah [Muhammadiyah is one of the islamic organization].

Keywords: Dharar, Haram, Makruh, Maslahat, Smoking Law.

1. Introduction

The smoking frequency carried out by Muslims is still very high, and this is due to differences in the views of Islamic scholars regarding smoking law in Islam. Many Islamic scholars in Indonesia found that it is *haram* [forbidden] to smoke. However, some justify, specify between the three, and others remain silent [tawagguf] or do not decide on the law (Prasetiya, 2020). The differences in methods of determining the law used by experts and differences in interpreting the texts caused *fuqaha* [ulemas who understand fiqh] to have different views regarding the law of smoking (Satria, 2020;Yusuf 2020).

Since 2002, Saudi Arabia's health ministry has been working on strengthening tobacco control from the religious side. The cities of Mecca and Medina stipulate smoke-free but even stipulate tobacco-free (World Health Organization, 2007). The Malaysian State Fatwa Commission issued *a haram* [forbidden] fatwa against smoking behavior, but the fatwa policy was not enforced in many places, and many Muslims in Malaysia did not care about the fatwa issued (Fadhli, 2006). The Malaysian government has prevented smoking by

using a religious approach. Fatwas need to be done to limit the behavior of people in order to practice the teachings of Islam and make us better (Ridho, 2020).

Muslims in Malaysia who feel that smoking is not prohibited in Islam tend to smoke compared to Muslims who feel smoking is *haram* [forbidden] in religion (Fadhli, 2006). Religious education will reduce the risk of smoking behavior as a teenager. Cigarette danger messages with a religious approach can be used for cigarette control (Zulkifli, 2001).

In Indonesia, Islamic scholars have not found any evidence that forbids smoking, so they only carried out *ijtihad* [ijtihad is ulemas agreement]to solve this issue using various legal *istinbat* (Sabani, 2022). The debate began with the absence of textual provisions in the Quran or al-Hadith regarding the law of smoking in Islam. Thus, some opinions say that smoking is legally permissible. Some ulemas argue that smoking is *makruh* [reprehensible], and others say the law is *haram* [forbidden] (Auton, 2012).

Some ulemas gave *haram* [forbidden] fatwas to smoking because smoking would provide destruction to humanity. Smoking can plunge into perdition, that is, damage the entire body system (giving rise to cancer, respiratory diseases, heart disease, gastrointestinal diseases, adverse effects on the fetus, and damaging the reproductive system); for this reason, it is very clear that cigarettes are *haram* [forbidden]. "You cannot start giving *dharar* [damage] on others, nor should you retaliate against it." (HR. Ibn Majah no. 2340).

The third Ijtima of Islamic scholars' Fatwa Commission throughout Indonesia issued a fatwa that is "haram [forbidden]" and "makruh [reprehensible]" for smoking, especially when the smoking behavior is carried out in public places, and when pregnant women and children carry out the smoking behavior. The legal basis used by the Indonesian Ulema Council refers to the verses of the Qur'an and Hadith verses, which explain that everything causing harm should be abandoned (Prasetiya, 2020; Hidayat, 2015).

Ulemas agreed that everything that brings the dharar [damage] is *haram* [forbidden]. However, the problem is whether smoking brings *dharar* [damage] or *mashlahat* [benefits] and whether or not there are benefits. In this case, a different perception was triggered in researching and examining the substance of cigarettes from the aspect of benefit and omnipresence (Faisha, 2009). This difference in perception is a new chapter in the emergence of several opinions regarding the smoking law with various arguments.

Some Islamic scholars view smoking behavior as unlawful, but some others express a tendency towards *makruh* [reprehensible]. Islamic scholars in Indonesia have various views regarding the law of smoking. Islamic scholars of Nahdlatul Ulama [Nahdlatul Ulama is one

of the Islamic organizations] believe that smoking behavior is makruh, while Islamic scholars of Muhammadiyah[Muhammadiyah is one of the islamic organizations] mentioned that the fatwa of smoking is *haram* [forbidden] after studying *maslahat* [benefits] and *dharar* [damage] of smoking (Auton, 2012).

Fatwa *haram* [forbidden] smoking issued by Muhammadiyah will impact the psychological smokers who enter Muhammadiyah. A smoker will feel depressed and guilty when he learns that the behavior is carried out in the *haram* [forbidden] (Casmini, 2014). Fatwas against smoking issued by Muhammadiyah will make smokers feel limited to smoking and strive to reduce smoking.

Many people are unaware of *haram* [forbidden] fatwas for smoking behavior (Reimers., 1990). The existence of a fatwa should be very important and can affect a Muslim's behavior, including smoking (Ridho, 2020). Various messages that show that smoking is a sinful act *haram* [forbidden] turned out to impact smoking frequency and can be used as one of the tobacco control strategies (Halim, 2015).

Fatwas issued by the Indonesian Ulema Council, Muhammadiyah [Muhammadiyah is one of the Islamic organizations], and Nahdatul ulama [Nahdatul ulama is one of the Islamic organizations] for religiously observant Muslims have serious implications. Fatwas issued by scholars will concern sin and reward, but other impacts of the *haram* [forbidden] smoking fatwa are economic problems, unemployment, and health (Trigiyatno, 2011)

2. Methods

Study Design and Administration

The study used a cross-sectional design. This study was conducted from March to April 2022 in Medan, North Sumatra province.

Participants

The researchers conducted interviews with 518 Muslim youth in Medan City. Researchers conduct interviews with respondents and then use snowballing to get other respondents. Researchers conducted interviews using a structured questionnaire about the smoking law fatwa among Muslims, fatwa smoking from the Indonesian Ulema Council and ulemas, dharár (damage) smoking, maslahat (benefit) of smoking, and Religiosity. Researchers interviewed respondents from Muslim organizations, namely Nahdatul Ulama, Muhammadiyah, Salafi, and Al-wasliyah.

Measure

Variable independent is: *Dharar* (damage) of smoking will be measured by answering yes or no to the statement that cigarette smoke will cause disturbance of comfort or unrest, smoking will cause damage to reason, and smoking will damage children or adolescents as the successor of the nation. *Maslahat* (benefit) of smoking will be measured by answering yes or no to the statement that smoking provides comfort for smokers, smoking reduces stress, smoking provides concentration, smoking makes more slang, macho, and adulthood, smoking makes emotions stable, and smoking increases confidence. Religiosity. Three items were used to assess Religiosity, defined by this study as an individual's devotion and related religious behavior (Hall et al., 2008). Religiosity will be seen in Muslim participants conducting religious experiences over the past three weeks, participants' experience discussing Islamic topics for the past three weeks and participants' experiences in participating in religious studies directly or indirectly for the past three weeks.

Moderate variables are the perception of smoking laws according to Muslim participants from the fatwa aspect of the Indonesian Ulema Council and smoking laws from the view of ulemas with the choice of smoking the law is haram and smoking the law is makruh.

The dependent variable is the law of smoking. Smoking law will be done by providing questions about the views of Muslim participants regarding the law of a person's behavior to commit smoking behavior with the choice of smoking is haram and smoking is makruh.

Data Analysis

To test the validity, an assessment of the loading factor value ≥ 0.5 and the average variance inflation (AVE) ≥ 0.5 (Hamid, 2019). The reliability test was conducted by looking at composite reliability with a value of ≥ 0.7 to be declared reliable data (Hamid, 2019).

Using structural equation modeling (SEM), Partial Least Square (PLS) used SMART PLS. With several recommended goodness-of-fit measures (e.g., 2, CFI, NFI, and RMSEA), we assessed how well the hypothesized model fits the observed data. 2, which measures the magnitude of the difference between the fitted model and the sample, indicates a superior if it is not statistically significant. The CFI represents the distance between the hypothesized model and a baseline model that assumes no relationships between the variables. The following measures were used to evaluate the fit of the model: χ^2 divided by degrees of freedom (χ^2 /df), comparative fit index (CFI), Tucker-Lewis index (TLI), SRMR<0.1 root-mean-squared error of approximation (RMSEA). Cut-off scores for those indexes for

acceptable ft are $\chi 2$ /df ≤ 5 , NFI 0-1 CFI ≥ 0.95 , TLI ≥ 0.95 , RMSEA ≤ 0.06 to 0.08 (Hu, 1999; Schreiber, 2006).

3. Results

Researchers perform model analysis to determine a fit model for this research analysis.

Table 1: Results Validity and reliability tests

Variable	AVE	Composite reliability	Description
Maslahat (benefit)	0.546	0.877	Valid and reliable
Dharar	0.527	0.767	Valid and reliable
Religiosity	0.537	0.776	Valid and reliable
Fatwa Smoking	0.875	0.933	Valid and reliable

^{*} Source: primary research results data with CI 95%

The results of the validity and reliable test in this study showed that the validity test was carried out using average variance inflation (AVE) \geq 0.5, which means variable maslahat (benefit) (AVE = 0.546), Dharar (AVE = 0.527), Religiosity (AVE = 0.537), Smoking Fatwa (AVE = 0.875). Reliable test using composite reliability with a value of \geq 0.7 which means variable maslahat (benefit) (p = 0.877), Dharar (p = 0.767), Religiosity (p = 0.776), Fatwa Smoking (p = 0.933) Reliable

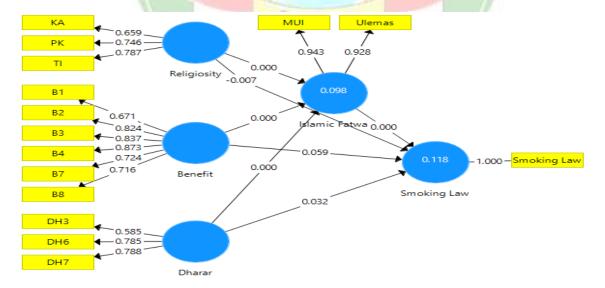


Figure 1: Structural equation modeling with SMART PLS

The results of this study showed that outer loading in this study has a value of p>0.5 which means variable *maslahat* (benefit), dharar, Religiosity, and smoking fatwas are suitable to be a model for measuring smoking law.

Table 1: Goodness of Fit Full Model Structural Modification Testing

The goodness of the fit index	Cut off Value	Value	Result
Chi-Square	≥0.05	775.213	Model Fit
NFI	0-1	0.644	Model Fit
SRMR	< 0.1	0.08	Model Fit

^{*}Source: primary research results in data

The results of this study showed that Chi-square values (value 775.213) exceeded the provisions of >0.05, SRMR values (value = 0.08) <0.1, and NFI values (value=0.644) following the specified cut-off value so that it can be said that the model is fit and suitable for use.

Table 2: Research Hypothesis Test Results

Hypotesis	T	P	Result
Maslahat ->Fatwa	4.010	< 0.001	Significant
Maslahat ->Smoking Law	4.605	< 0.001	Siginficant
Dharar>Fatwa	2.744	0.006	Significant
Dharar->Smoking Law	2.218	0.0027	Significant
Religiosity ->Fatwa	0.785	0.433	Not Significant
Religiosity ->Smoking Law	2.596	0.01	Significant

^{*}Source: primary research results in data with CI 95%

The results of this study showed an effect between *Maslahat* (benefit) (p<0.001 and T=4.010)), Dhara (p=0.006and T=2.744) to fatwa perspective and no significance between Religiosity (p=0.433 and T=0.785) to fatwa perspective. There is a significant influence between *Maslahat* (benefit) (p<0.001 and T=4.605)), Dhara (p=0.0027 and T=2.218), and Religiosity (p=0.001 and T=2.596) to smoking law.

4. Discussion

Cigarettes should be forbidden because of the *dharar* [damage] element within them (F. Nasution, 2022). Syehk Al-Bujairami (1995), in a book entitled "Hasyiyah," stated that "as for the cigarettes these days are called "natin", may Allah curse the person who made it for the first time, in fact, is a bad *bid'ah* (useless). Leaving the act of carrying "*mafsadát*" as *mafsadát of smoking* (damage or adverse consequences that befall a person). Allah SWT mentioned that "do not squander (your wealth) extravagantly" (Q.S. Al-Isra': 26).

Fatwas are religiously appropriate because fatwas are reviewed in several aspects, such as health, economy, and youth. Because the value of smoking youth outweighs the benefits, the Muhammadiyah Tarjih Assembly and the Indonesian Ulema Council issued a fatwa against smoking after a long process. The position of the fatwa is non-binding. He said that fatwas from the side of Islamic law are not binding, but morally, in institutions, fatwa violators will be ashamed (Ridho, 2020) (Siregar, 2020).

The results of this study show that *dharar* [damage] smoking behavior affects Islamic fatwa (p<0.006) and smoking law (p= 0.002). Smoking can cause *dharar* [damage] to smokers or people around smokers, such as cigarettes, which will cause health problems and increase the cost (expenditure) of purchasing cigarettes, especially for low-income family smokers.

On the contrary, smoking is detrimental to health. An active smoker has a risk of various health problems, such as respiratory issues and the risk of lung cancer (Islami, 2015; O'Keeffe, 2018; Rahal, 2017), a risk of periodontal disease and oral cancer (Zhang, 2019); Warnakulasuriya, 2005; Esfahrood, 2015) and various other cancer risks. Exposure to cigarette smoke causes health problems, such as causing low birth weight and premature birth in pregnant women (Trisnowati, 2016; Andriani, 2021 Jaddoe 2008; Nadhiroh, 2020), increasing the risk of developing asthma in children (Tanaka, 2017; Burke, 2012; Dekker, 2015), causing various periodontal diseases (Zhang, 2019; Tsz Kin Ng 2015).

Regarding *Hifz al-Mal* (Maintaining Property), 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 expenditure after basic food needs, education, and health investment (Sari, 2017). Many smokers have admitted that they do not find *maslahat* [benefits] of smoking at all. Smoking behavior should be forbidden, not in terms of its use, but it's 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 his family needs, which is more beneficial. Allah S.W.T mentions in the Qur'an: (2:195) And spends in the way of Allah and do not throw [yourselves] with your [own] hands into destruction [by refraining]. Moreover, do good; indeed, Allah loves the doers of good.

Cigarettes should be forbidden because of the *dharar* [damage] in smoking. Besides, smoking can cause another *dharar* [damage], namely *dharar 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 is a *khabaits* [bad behavior] and thus contrary to the Qur'an, *haram* [forbidden] smoking fatwa issued by Muhammadiyah and the Indonesian Ulema Council can also be categorized as an act of "*khabaits* [bad behaviour]" that is contrary to the spirit of the Qur'an because it can have a bad impact on millions of smoker communities and all people associated with cigarette-smoking such as people who inhale cigarette smoke.

The prohibition of smoking is *muwafaqah bil maqashid asy-syariah* [according to the objectives of Islamic law], namely maintaining the five cases 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 Qaradhawi (2001) mentioned strictly that smoking is *haram* [forbidden] on because cigarettes can cause various kinds of *dharar* [damage], both *dharar* [damage] that comes immediately or *dharar* [damage] that comes gradually and can also be a waste of wealth. Smoking is also often identified as harming a person's psychology and morals.

Besides, smoking can cause another *dharar* [damage], namely *dharar mali* (danger to Property) (Yunus, 2009). The tendency to consider the prohibition of smoking is the achievement of maqasid sharia, namely to maintain personal health (*hifz al nafs*) and Property (*hifz al mal*). Addiction and favor of smoking behavior make smokers who are members of Muhammadiyah want to stop smoking even though they have not been able to stop. The existence of *haram* [forbidden] fatwas related to smoking behavior makes Muslims more eager for information about the dangers of cigarettes and to consider quitting smoking (Casmini, 2014).

Maintaining health is an important part of realizing Islam. Maintaining the soul in Islam simultaneously demands the maintenance of the body, including health maintenance such as not smoking (Ridho, 2020). The existence of a fatwa should be very important and can affect a Muslim's behavior, including smoking (Ridho, 2020). One of the external behavioral controls obtained in this study is the existence of fatwas. The existence of fatwas can control a person's behavior related to his smoking behavior. Behavioral control is significantly related to the intention to follow the Indonesian Ulema Council fatwa by quitting smoking (Asraf, 2015). Smoking to various studies, states will have a bad impact on health, but behind

the hope, it turns out that smoking can arouse the spirit of thinking and morale than the law of smoking can be included in *mubah* [permitted] (Faisha, 2009).

5. Conclusion

Many Muslims still think smoking *maslahat* [benefits] them, ranging from maintaining the concentration of work and study, relieving stress, and even making them look cooler smoking. The discussion about *maslahat* [benefits] felt by Muslims when smoking has a great impact on the perception of Muslims about the law of smoking, so there are still many Muslims who consider smoking more towards the law of *makruh* [reprehensible] and even *mubah* [permitted].

Islam has regulated its adherence not to endanger the lives and health of other people, one of which is by preventing smoking behavior around other people. Smoking behavior will endanger the health of smokers, and cigarette smoke released by smokers will endanger others around smokers, so according to the study of fiqh *hifz al-nafs*, it is appropriate for smoking behaviour not to be done by Muslims.

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