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## The Use Of Kretek Herbs For Cigarette Addicts In View Of Islamic Law

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**Abstract :** 'There are differences of opinion among the ulama regarding smoking which led to the emergence of two groups in it, namely those who do not forbid it (allow smoking) and those who firmly say that smoking is haram. However, the phenomenon in the field shows that even though the prohibition of smoking has been loudly voiced, the smoking rate in Indonesia, in particular, is increasing. Therefore, herbal cigarettes are a solution for heavy smokers. Herbal cigarettes are a cylinder of paper measuring approximately 70 to 120 mm long containing tobacco ingredients and several active ingredients which are said to have beneficial pharmacological substances and effects for the body. Although in fact heavy smokers find it difficult to switch from previous cigarettes to herbal cigarettes, herbal cigarettes themselves can be said to be a solution so that smokers switch to cigarettes with lower toxic levels. Herbal cigarettes are a solution to efforts to make heavy smokers reduce their cigarette addiction or even hopefully quit eventually'.

**Keywords:** Herbal Kretek, Cigarette Addict, Islamic Law.

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### INTRODUCTION

Cigarettes are a controversial phenomenon among fiqh ulamas. Most of them forbid smoking, but some said it was makruh, even halal. However, there are also people in the community who understand that smoking is mandatory, on the grounds that they cannot work without smoking. Muhammad bin Ibrahim said that smoking is haram because of the poison in its womb. The Koran states, "It is permissible for them what is good, and against them what is bad (filth)." (Surah al-A'raf: 157). Rasulullah also forbade anything intoxicating and debilitating, as narrated by Imam Ahmad and Abu Dawud of Umm Salamah ra. Smoking in this case also includes doing useless waste. Furthermore, cigarettes and smokers' bad breath can even interfere with the comfort of other people, including prayer congregations.

Muhammad bin Abdul Wahhab mentioned the same thing, namely that smoking is haram given its debilitating and intoxicating nature. The text's argument about intoxicating objects is quite clear, it's just that the explanation of drunkenness still needs adjustment. Egyptian, Syrian and Saudi ulamas state that smoking is haram or forbidden because it is dangerous. Among those who support this proposition are Ahmad as-Sunhaway al-Bahuty al-Anjalaby and Al-Malakiyah Ibrahim al-Qaani from Egypt, An-Najm al-Gazy al-Amiry as-Shafi'i from Syria, and a ulama of Mecca, Abdul Malik al-Ashami.

Syekh Yusuf Qardhawi also stated the same statement, that smoking is haram because it is dangerous. This is mentioned in his book entitled *Halam & Haram in Islam*. According to him, it is not permissible for someone to cause harm and retaliate against the danger, as the Prophet's words narrated by Ahmad and Ibn Majah. Qardhawi added, apart from being dangerous, cigarettes also invite the audience to waste time and possessions. In fact, assets would be better if they were used for something more useful, or invested, if their family did not need them (M. Ali Hasan, 2000).

Slightly different and not to the point of mentioning it to the level of haram, NU ulamas have always thought that smoking is makruh. This is as expressed by the Chairman of the Nahdlatul Ulama (PBNU) Executive Board, Hasyim Muzadi. In the PBNU view, the makruh provisions for smoking are because the level of danger that arises is relative and insignificant. "Some are heavy smokers and some are not. There is someone who thinks smoking will make him better at work But, if smoking makes smoker sick with tuberculosis, he could die," he said. One of the major ulamas who stated that smoking is not haram is KH. Idris Marzuki. He is one of the caretakers of the Lirboyo Islamic Boarding School, Kota Kediri, or known as Mbah Idris. Cigarettes are not haram, because I also smoke myself, and there is no effect whatsoever. In essence, cigarettes in Islamic

law are not haram, as long as they are not harmful to the user, "said Mbah Idris. According to Mbah Idris, several ulamas in Indonesia also have a similar guideline on cigarette law, namely the Book of Irsyadul Ihsan written by Syech Ihsan bin Syech. Muhammad Dahlan, a continuation of the Jampes Islamic Boarding School in Desa Putih, Gampengrejo District, Kediri Regency.

Mbah Idris' disagreement with MUI's plan to issue a fatwa on haram for cigarettes was also based on moral considerations, namely that there would be a large number of unemployed. In this case, if the fatwa is forbidden, many cigarette factories will close their businesses. The late Syeh Ihsan, Jampes, Kediri, explained the problem of differences in the opinions of the ulamas by collecting contemporary literature (yellow books) in the 53-page book of Irsyadul Ihwan. Sheikh Ihsan in the second chapter explains in detail the ulamas who forbid smoking. Among these ulamas are the ulama al-Qulyubi in the book *Syarah al-Jalal al-Mahalli* and Ibrahim Al-Luqoni al-Maliki in the book *Syarah al-Minhaj* and al-Kifayah, Sheikh al-Tharabisi and al-Bijairami in the book *Al-Iqna*, as well as Imam Al-Bajuri and Sheikh Torabisy.

Disagreements between fiqh ulamas regarding the prohibition and halalness of cigarettes, make some people then look for solutions to cigarette users who are addicted to smoking or those who are just starting out in smoking by creating a new product, namely Herbal Kretek. These cigarettes are said to have substances that are not toxic or can be used as a solution for cigarette addicts to reduce or in their efforts to quit smoking. However, this solution raises a new problem, which is related to how the law of the herbal kretek is. This is the background for the writing of this article which aims to describe and see the side or facts of the herbal kretek.

## RESEARCH METHODS

Research method is a method used in a study to achieve research objectives. A research method or often called a research methodology is a research design. This design contains a formulation of the object or subject to be studied, data collection techniques, data collection and analysis procedures with regard to a particular problem focus. Research methods are "the methods used by researchers in designing, implementing, processing data, and drawing conclusions with respect to certain research problems" (N. S. Sukmadinata, 2008). Descriptive research is a research method aimed at describing existing phenomena, which are taking place at present or in the past. According to Furchan, descriptive research has the following characteristics: First, descriptive research tends to describe a phenomenon as it is by examining it regularly, prioritizing objectivity, and being carried out carefully. Second, the absence of treatment that is given or controlled, and the absence of the *t* test. (A Furchan, 2004). Meanwhile, Ronny Kountur, descriptive research has the following characteristics: First, it is related to the current situation. Second, it only describes one variable or several variables and are described one by one. Third, the variables studied are not manipulated or there is no treatment (Ronny Kountur, 2003).

The research method taken for this article was descriptive with a qualitative approach. A qualitative approach is a type of research in which the findings are not obtained through statistical procedures or other forms of calculation. Saifuddin Azwar stated that the qualitative approach is an approach whose analysis emphasizes the deductive and inductive inference processes, in which the process is also analyzed regarding the dynamics of the relationship between observed phenomena using scientific logic (Saifuddin Azwar, 2005). Qualitative research is research on natural settings or in the context of an entity. This is done since natural ontology requires the existence of facts as a whole which cannot be understood without context (Yvonna S. Lincoln and Egon G. Guba, 1985).

The focus of this kind of approach is on reasoning based on social reality objectively through the phenomenological paradigm. Furthermore, this indicates that this method is used based on three considerations: *The first* is to facilitate understanding of various realities. *The second* is to present the researcher and reality intrinsically; *Third*, this method is more sensitive so that it can adjust to the form of the value used (Lexy J. Moeloeng, 2000). A qualitative approach is used based on the consideration if there are several realities that make it easier for researchers to carry out their studies. In this approach, the sharpening influence and value patterns are more sensitive to adjustment.

## RESULTS AND DISCUSSION

### 1. Cigarette Facts

Humans in the world who first smoked came from the Indians in America. It was intended for ritual purposes such as worshiping gods or spirits. When Europeans in the 16th century discovered the American continent, some of the European explorers also tried to smoke cigarettes. They then brought tobacco to Europe. The smoking habit began to emerge among European aristocrats thereafter. However, this is different from the Indians who smoke for ritual purposes, where smoking in Europe is just for fun. In the 17th century, Spanish traders began to enter Turkey and make smoking a habit to enter Islamic countries (<http://id.wikipedia.org/>).

The word tobacco in Indonesian is a loanword from the Spanish "tabaco". This is considered to be the origin of the word in the Arawakan language, in particular, in the Taino language of the Caribbean. This is said to refer to the scrolls of leaves in plants (according to Bartolome de Las Casas, 1552). Tobacco is also known to be derived from the word "tabago" which is a type of Y-shaped pipe used to inhale tobacco smoke (according to Oviedo, tobacco leaves are referred to as Cohiba, but Sp. Tabaco (also It. Tobacco) is commonly used to define

medicinal plants. since 1410. In Arabic, tobacco is called "tabbaq" and reportedly began to appear since the 9th century, as the name of various types of plants. The word tobacco (English) may have originated in Europe, and was eventually applied to similar plants which originating from America. (<http://id.wikipedia.org>).

Meanwhile, cigarettes are the product of packaged tobacco processing, including cigars or other forms produced from the plants *Nicotiana glauca*, *Nicotiana glauca*, *Nicotiana glauca*, and other species or their synthesis containing nicotine and tar, with or without additives (PP No. 81, 1999) (Umi Istiqomah, 2003). Cigarettes are cylinders of paper measuring 70 mm to 120 mm long (varies by country) with a diameter of about 10 mm containing chopped tobacco leaves. Cigarettes are burned at one end and allowed to burn so that the smoke can be inhaled through the mouth at the other end. Cigarettes are divided into two types, namely filtered and unfiltered cigarettes. The filter on cigarettes is made of synthetic fibrous foam which functions to filter nicotine. Cigarettes are usually sold in boxes or paper packages that can be easily put into a bag (Diponegoro Medical Journal, 2010). Cigarettes are cylinders that contain substances harmful to the body. Although in the short term smoking will not have any effect, if consumed in the long term, cigarettes can cause nerve damage and trigger cancer (Journal of Medicine, Diponegoro, 2010).

It is described in the Diponegoro Medical Journal that there are many harmful substances contained in cigarettes, depending on the cigarette brand that is smoked. One of these dangerous substances is like Perytama or Nicotine. Nicotine causes smokers to relax. This is what makes many people smoke for reasons to relieve stress due to various problems. In addition, cigarettes also contain Tar. This is the most dangerous material in which it contains 4000 chemicals and 60 of them are carcinogenic. This substance causes a person to get cancer, heart attacks and other diseases. The third substance is cyanide, which is a chemical compound that contains cyano. The fourth is Benzene or benzene which is colorless and flammable. The fifth is Cadmium which is a very poisonous and radioactive metal. The sixth substance is methanol or a wood alcohol which is the simplest. The seventh is acetylene which is an alkynous hydrocarbon compound (unsaturated compound). The eighth is Ammonia, which is a poisonous substance in certain elements. The ninth is Formaldehyde or a very poisonous liquid commonly used for preserving corpses. The tenth is Hydrogen Cyanide, which is a poisonous substance commonly used to eradicate ants and to manufacture plastics and pesticides. The eleventh hazardous substance is Arsenic, which is an ingredient commonly used as a rat poison mixture. Furthermore, the twelfth substance is Carbon Monoxide (Co), which is a material that is harmful to inhalation when inhaled, which is commonly found in car and motorcycle exhaust fumes (Diponegoro Medical Journal, 2010).

The main ingredient of cigarettes is tobacco. We need to know that tobacco is the leading cause of preventable death in the world. Tobacco causes one in 10 adult deaths worldwide and resulted in 5.4 million deaths in 2006. In other words, there is one death in every 6.5 seconds. Deaths in 2020 will be close to twice the current number of deaths if current cigarette consumption habits continue. (<http://national.kompas.com>). It is estimated that there are around 900 million or 84 percent of smokers in the world living in developing countries or countries with transitional economies, including in Indonesia. The Tobacco Atlas notes there are more than 10 million cigarettes smoked every minute of every day worldwide by one billion men and 250 million women. As much as 50 percent of the world's total cigarette consumption is owned by China, the United States, Russia, Japan and Indonesia. If this condition continues, the total number of cigarettes smoked each year will be 9,000 trillion cigarettes by 2025. (Error! Hyperlink reference not valid).

## 1. Herbal Cigarettes

Herbal cigarettes are cylinders made of paper with a length of between 70 and 120 mm which contain tobacco ingredients and several active ingredients that have substances and pharmacological effects that are beneficial to the body ([igarherbal.com](http://igarherbal.com)). In non-herbal cigarettes it is found that the chemicals contained in cigarette smoke store more than 4000 chemical compound elements, most of which are substances that are harmful to health, especially Tar and Nicotine. In Herbal Cigarettes, there are ingredients that are processed into a mixture of selected tobacco. This mixture is able to neutralize the Tar and Nicotine content. This herb is also useful for improving blood circulation, cleaning toxins in the body, especially in the respiratory tract, throat and lungs. ([www.ahmadzain.com](http://www.ahmadzain.com));

This mixture consists of natural ingredients and does not cause addictive effects as is often found in other cigarette products. Herbal cigarettes have a very distinctive and original taste. This flavor is produced from the blending of several herbal ingredients mixed with selected tobacco ingredients. The blending produces distinctive and unique character and taste of cigarettes course have been adapted to market tastes ([www.ahmadzain.com](http://www.ahmadzain.com)). Likewise, the Nicotine content in Herbal Cigarettes is very low. Official laboratory test results show the fact that the percentage of nicotine content in herbal cigarette products is very low, even almost reaching 0%. Meanwhile, for Tar on herbal cigarettes, laboratory test results show a high number. The high Tar number in this Herbal Cigarette product is not measured based on the weight of cigarette smoke material and the toxic content contained in Herbal Cigarettes like international measurement standards, but is measured from the herbal content which is the raw composition of the Herbal Cigarettes themselves ([www.ahmadzain.com](http://www.ahmadzain.com)).

Referring to international standards, it is stated that if the Tar value shows a high number, this will cause the effect of heavy breathing, tightness and pain in the chest. On the other hand, the high number of Tar in Herbal Cigarettes actually has a therapeutic effect on health by helping to reduce the toxins in the lungs. The toxins are released in the form of mucus so that they can make the breath lighter.

Herbal Cigarette Mixture consists of ingredients that contain acids and alkalis, so as to produce ash which also contains useful ingredients. Uniquely, if you feel it, the ash of the Herbal Cigarettes will taste delicious because of the crystallization process of the salt content that forms it. This ash can be used as an external medicine that helps relieve or heal minor wounds or complaints. This is done by sprinkling the ashes of these Herbal Cigarettes on minor wounds, thrush, heartburn, skin itching such as eczema. In addition, the ash from herbal cigarettes can also be used to help heal wounds caused by diabetes. This is a very extraordinary breakthrough in our cigarette industry considering that this will provide a better and much healthier option in the dilemma of Indonesian people's lifestyle related to the habit of smoking that has been going on so far.

## 2. Herbal Cigarette Law

Before determining the law for consuming herbal cigarettes, it will be first describes the following explanations (www.ahmadzain.com):

First: Herbal cigarettes, which some people claim to have no negative effects at all, are not all true. This is based on scientific evidence that herbal cigarettes still have several things that can interfere with health. Laboratory analysis test results still assume that the existence of herbal cigarettes is not good for the body. Moreover, the quality control of tar and nicotine levels is not clear for each cigarette production. Even though it consists of various herbal ingredients that are beneficial to the body, the presence of free radicals from cigarettes is still there. This is clearly dangerous considering that free radicals can cause metabolic failure in the body. The latest technology has found a way to eliminate free radicals from cigarettes. One of them is what has been developed in Japan, namely by using sacrule or charcoal which is burned and placed near the filter on the cigarette. However, this technology is not used in herbal cigarettes, so that in addition to its benefits, herbal cigarettes still have negative impacts such as non-herbal cigarettes (anneahira.com). If the negative effects of herbal cigarettes are still found on the health of the body in herbal cigarettes, this must be avoided. In the law of fiqhiyah it is stated: "There is no danger and does not create danger."

Islam teaches with regard to minimizing badness. Among the principal religions that must be known by Muslims, namely that this religion was sent down by Allâh SWT to realize and increase benefit (goodness) and to eliminate it or minimize badness. For this reason, Islam commands and even obliges Muslims to perform various good deeds, such as praying, fasting, zakat, maintaining friendship and so on. Islam also prohibits and even forbids all evil. It is an obligation for Muslims to obey the syari'at of Allâh Azza wa Jalla by doing all the good that is ordered and staying away from all the evil that is prohibited. However, under certain conditions, sometimes a person cannot do all the good he knows and cannot avoid all the bad things that are prohibited by the syari'at (<https://almanhaj.or.id>).

Second: The danger of smoking actually is not only related to the material content in it, but also regarding lifestyle. It is possible for a material production or its contents to be halal, but it becomes haram or makruh due to other factors. Like idols, maybe the material is halal since it is made of clean stone, but it becomes haram because it is made an offering other than Allah. Clothing for women which is made of clean and halal cloth will be haram if worn by men. The clothes which become a special uniform for disbelievers or their characteristic feature may be made of halal material, but they become haram if worn by believers because of the prohibition on imitating unbelievers. Herbal cigarettes are the same. If it is proven that these cigarettes do not have negative effects on the health of the body, even if they are said to be beneficial, then it is still to be makruh or haram, because it will change a person's lifestyle and have a bad effect on the smoker, especially if the general public does not know about these types of herbal cigarettes.

If a senior ustadz who has been known for being pious, zuhud, and dignified suddenly smokes herbal cigarettes in public, how will the responses of science prosecutors, santri and members of the majlis taklim.

Third: Cigarette manufacturers have made huge advertisements at such high cost, all just to introduce to the public that smoking is a sign of courage, courage, and masculinity. This makes it seem as if the strong and brave people are just the people who smoke, while the people who don't smoke are sissy, cowardly and weak. The short point is that smoking can make a person proud, arrogant and arrogant and feel the strongest and most powerful. These advertisements to some extent affect the way people think about smoking.

Based on the explanation above, the haram of cigarettes is divided into two types, namely haram *lidzatihi* (Haram because of the substance) and haram *Lihukmihi* (Haram because of the law). Haram because of substances is such as pigs, dogs, khamar, blood (with the exception of the blood of the Prophet), while haram because the law means that when people drink water, the water is lawful, but if the water is taken because of stealing, then it becomes haram. Drink that water is haram even though the substance is lawful. Cigarettes can also be halal or haram because of the time, place and circumstances. For example, the first is related to time. When someone smokes while reciting the maulid, the Qur'an, Dzikir, then smoking is haram. Second, related to

circumstances, for example when smoking beside mothers who are carrying children or are breastfeeding, in that situation, smoking becomes haram because it endangers the mother and children. Third, it is related to place. Smoking in a mosque, then the law is haram, because a mosque is a place of prayer or a place of worship. There is not a single book that allows smoking in the mosque.

### CONCLUSION

It is not fully convinced that herbal cigarettes are free from negative effects that can affect health. Some circles still doubt this. Therefore, it is advisable not to rush in consuming or trying it. Everyone should be wise about the use of these herbal cigarettes. If the efficacy of this herbal cigarette has been proven and is indeed free from negative effects that are harmful to the body, then it should also be avoided the lifestyle that is often practiced by smokers, such as arrogant. Smoke in public is suggested to be avoided since it will bring slander to smokers themselves and the Muslims. However, especially for heavy smokers, if they want to switch from non-herbal to herbal cigarettes, this is a way or a better solution can be taken. In the end, smokers are still expected to quit smoking completely.

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