

REGULATING THE USE OF SHISHA IN MALAYSIA

By

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ABSTRACT

From the literature review as well as the background of this research paper, it is apparent that the question on the challenges in regulating the use of shisha in Malaysia can be effectively addressed by carefully examining the strength and the weaknesses of law in Malaysia regarding this matter. It needs to be done in order to identify the gaps that need to be filled in which there is no specific legislation to regulate the use of shisha in Malaysia.

Besides, there are a lot of other challenges that need to be faced by the Malaysian legislation in order to prosecute those smokers and retailers who misuse the use of shisha by selling it to underage kids and mixing shisha with illegal substances such as cannabis.

Hence, the challenges in regulating the use of shisha in Malaysia can be overcome if Malaysia enacted a new law to explicitly include the definition of shisha and matters regarding shisha smoking in the Malaysian legislation.

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CHAPTER 1: INTRODUCTION

1.0 Title

REGULATING THE USE OF SHISHA IN MALAYSIA

1.1 Introduction

Shisha is a flavoured water-pipe smoking device which is also known as hookah and nargile in certain countries. Shisha first became popular in India in a primitive form of a coconut shell in which this primitive form is one of the oldest and most popular traditions in Turkey. Shisha is smoked by both men and women¹ and is rapidly growing in popularity around the world. Many people prefer to smoke shisha compared to smoking cigarettes and cigars because as far as they are concerned, the effect of smoking shisha is less dangerous and hazardous compared to cigarettes because it is a flavoured water-pipe smoking device. Furthermore, they believe that shisha is smooth, flavourful and has a cool taste of smoke where the pipes will filter the flavoured smoke with cool water that will produce sweet puffs of smoke.²

The process of smoking shisha is a process in which a water-pipe device is used to smoke the flavoured tobacco. The tobacco used in smoking has been soaked in fruit shavings such as apples, grapes and strawberries thus making it a flavoured tobacco. A shisha generally consists of four components which is the base, pipe, bowl and a hose. In order to make shisha, the flavoured tobacco is placed in a bowl, which is at the top of the pipe structure.³ Then, it will be covered with aluminium foil and small charcoal pieces are placed on top of the foil. The foil is punctured using a pin to heat the tobacco and smooth, sweet-smelling vapour is filtered through the base containing water when it is smoked using the hose.⁴

In Malaysia, shisha came into practice in 2005. However, back in the early years, it was very difficult to find places that sell shisha. Usually, shisha was sold only at places such as bars, lounges and exclusive restaurants at expensive prices. However, nowadays, there are even shisha stalls that do so and more and more are popping up each day with price ranging

¹ <http://www.mrwaterpijp.be/english/history.html>. Retrieved on April 27, 2011

² <http://www.hookah-shisha.com/generic9.html>. Retrieved on April 27, 2011

³ WHO Report, Health Hazards of Smoking Shisha, 2006

⁴ Ibid