
DIGITAL CURRENCY (CRYPTOCURRENCY) ACCORDING TO ISLAMIC PERSPECTIVE

* Dr Hifsa Munawar

** Asma Tariq

ABSTRACT

This study aims to determine the role of Digital Currency according to Islam. According to the legal instructions of Islam, digital currency lacks properties like that of a physical or financial asset such as Gold or Local Currency backed up by a country's government. Now that the world is progressing towards digitalization, Governments and International businesses have started to experience and work with Digital Currencies, which needs an Islamic perspective as physical currency has started to transform into Digital Currency. Centralized form of currency like banks are old compared to Decentralized currency and trade which is new and has its own pros and cons. Currency in historical background of Islam has always been a physical medium of exchange having a source of value. Similarly, Mal is something that can be stored for the time of necessity or utilized for humanity, Mal in the form of a metal has transformed into Cash backed up by precious metals considered as assets in this modern age which is according to the teachings of Quran and Islamic law. Digital Currency in the History of Islam is new and does not meet the requirements of "currency" in Islam due to which Scholars has declared it Haram according to the rules of Shariah. Digital Currency being Haram is still up for debate as some Scholars have declared it Halal in some cases with strict conditions in light of Islamic Laws. Digital Currency in Islam remains an issue of debate.

Keywords: Cryptocurrency, digitalization, digital currency, official currency, Islamic view

Since everything in today's era is evolving from manual to digital, one of the most important elements of survival (money) is also taking a turn into this evolution by changing its form to digital. Though paper money is still the most common and used form of money, it is losing its value because of hustle free procedures of cash flow and reduced payment processing costs by use of digital currencies. Since Islam has given proper and detailed instructions about legal economic and financial systems, it is important for muslim countries to

* P.HD. Islamic studies, department of Arabic and Islamic studies, the University of Faisalabad.

** M.Phil. Islamic studies, department of Arabic and Islamic studies, the University of Faisalabad.



understand the Islamic perspective of digital currency before enacting this on national level and before officially giving such currencies a green flag.

Money in Islamic perspective, involves specific characteristics including stability and is based on assets. Digital currency on the other hand, may not be able to fulfill these requirements because these currencies are not stable enough and can be fluctuate anytime based on speculations. When we talk about speculations, we should know that Islam has clearly prohibited them. Different Islamic financiers, jurists and economists have argued about types and forms of digital currencies which can be lawfully used according to Islam under specific circumstances and conditions. All these discussions, debates, and solutions to use such currencies are talked about in the following research in light of Islamic perspective.

Every country runs on some kind of financial assets and stock exchange systems that are supposed to be the backbone of country's economy and stability. Some people confuse digital currency with financial asset but in reality, digital currency has not yet declared as a financial currency because it is not backed by assets. It can be considered only as intangible assets of any individual or a country.

Now that the world is progressing and is turning very speedily into a digital form, people that are involved in international businesses (tech, finance etc.) specially and people having individual advanced entrepreneurship in common get to hear and experience a lot about the word crypto, block chain, NFT, bitcoin etc. These things have been thrown around for quite a bit of time. Even some of the people working with such currencies involved know little to nothing about these things. We as Muslims are supposed to have an Islamic perspective of something that involves the direct decrees of Holy Quran (the concept of Halal and Haram). But having an Islamic perspective of something would first demand that we understand what the thing itself it.

Before going deeper into the details of Islamic perspective, let's have a bird's eye view of the subject matter.

Digital Currency

When we think about currency, first thing that comes to a person's mind is physical exchange of cash between people, or the credit cards or debit cards that can be used in place of physical money (even in credit and debit cards, physical money is involved at the backend). In general, currency is a system that is backed up by a country's government. Since technology has grown vastly and in a sophisticated manner in the past few decades and financial transaction have gone online, physical currency has also been transferring into digital one as it is more feasible and hustle free.

Digital currency is simply a payment method that does not exist outside of its electronic form.¹

DIGITAL CURRENCY (CRYPTOCURRENCY) ACCORDING TO ISLAMIC PERSPECTIVE

Digital money is not backed up by any physical assets. These types of currencies are not associated with any country's government and generally do not involve coins, notes, bills and other ongoing forms of currencies.

Expanding the definition of Digital Currency

Within the past few decades, digital currency has evolved into so many different kinds, each one of them with their own kinds of pros and cons having no involvement of physical money as a common factor. Cryptocurrency, bitcoin, Nfts, stable coins and central bank digital currencies CBDC all fall under the umbrella term of digital currency.

Other than the above mentioned broad categories of digital currency, there are two major classifications of any digital currency which are centralized and decentralized currencies.

Unified trades are worked by one focal power that deals with an organization of exchanges. The organization in control is liable for holding a record, executing exchanges, getting client information, and different obligations that accompany dealing with a monetary framework. Genuine models are conventional banks that a great many people utilize day to day. Have a charge card in your wallet? The responsible bank is the concentrated power. Then again, Decentralized trades are the creatures of the block chain and were first utilized with Bitcoin. They depend on no bank, organization, or other unified power, yet rather utilize a joined arrangement of clients and their gadgets. By generally appropriating the organization, it gives every client an equivalent offer in possession and dispenses with reliance on any outsider.²

Centralized and decentralized both categories come with different pros and cons. Centralized form of currency is not new and has been going around the world for a long time around in the form of monetized banks and state institutions. But decentralized form of currency and trade was very new in the last decade and it came with so many complications leading ways towards long debates between Islamic scholars, jurists and economists.

When financial systems transform into decentralized systems, they exhibit the involvement of a state institute and the management of finances went into the hands of individuals. Now it's human instinct that they look forward to their own benefits over what's right and wrong. Same is the case with decentralized form of digital currency where there is always a suspicion of illegal ways due to noninvolvement of state institutions.

Historical background of money in Islam

Money has always been a physical medium of exchange for goods and is also considered a source of value in the history of humankind as well as the advent of Islam.

The money related structures in outdated time were metal coins, particularly gold and silver. The dinar (gold) was the cash unit in the Byzantine space and the dirham (silver) in the Persian domain before Islam. A long time after the triumph of these spaces, the Islamic state began to mint the Islamic dinar and dirham. Surveying their indistinguishable worth in present situations is fundamental for the examination of the monetary history of Muslims and the money related course of action of Islam.³

An incredibly extensive variety of things has been utilized as cash in various social orders, at various times previously. In any case, these methods for trade of things had a few normal qualities on which the standards of monetary establishments of countries was fixed.

Definition of (Mal) according to Hanafi Scholars

Ibn Nujaim (1997) is of the view that mal is something which is attractive and can be put away for the period of scarcity. Anything can be perceived as mal, when all or gathering acknowledge and go about as though something is mal. A similar meaning of mal is given by another extraordinary law specialist: Ibn Abidin al-Shami (2009). He further statements another legal adviser that mal is some different option from people, which is made to assist people and can be put away and utilized at the period of scarcity. As per this definition, there are two credits to consider something as mal: ⁴

- It would be desirable for human being.
- It would be capable to be stored for the time of necessity.

Among the necessary qualities of what may be used as a money are:

- That it is acceptable for everyone.
- That it can be stored and carried easily.
- That it does not wear out easily.

Thus, the utilization of valuable metals like gold and silver became far and wide. These metals were utilized for quite a while before the coming of paper cash. To decide the action and worth of these metals, the state (sovereign) needed to seal an amount of them as coin, which could be utilized by individuals in their trades. Cash, as it is known today, first showed up as coins made of gold, silver and different metals or composites. The worth of this not set in stone by the worth of the metal substance so it was acknowledged openly.

During the pre-Islamic time two burdens, dinar and dirham, were used to measure gold and silver. These names were moreover used for gold and silver coins. Arabia used both dinar, the Byzantine cash, and the dirham, the Persian money. Exactly when Islam came, the Prophet didn't change the heaps that were current in Makkah. He upheld the use of dirham and dinar as money. Both are referred to in the Qur'an.

Allah Almighty says in Holy Quran:

”وَمِنْ أَهْلِ الْكِتَابِ مَنْ إِنْ تَأْمَنَهُ بِقِنطَارٍ يُؤَدُّ إِلَيْكَ وَمِنْهُمْ مَنْ إِنْ تَأْمَنَهُ
بِدِينَارٍ لَّا يُؤَدُّ إِلَيْكَ إِلَّا مَا دُمْتَ عَلَيْهِ قَائِمًا“⁵

“There are some among the People of the Book who, if entrusted with a stack of gold, will readily return it. Yet there are others who, if entrusted with a one coin, will not repay it unless you constantly demand it”.

In another verse, Allah Almighty says,

”وَشَرَوْهُ بِثَمَنٍ بَخْسٍ دَرَاهِمَ مَعْدُودَةٍ وَكَانُوا فِيهِ مِنَ الزَّاهِدِينَ“⁶

“They ‘later’ sold him for a cheap price, just a few silver coins—only wanting to get rid of him.”

In the above-mentioned verses, both silver and gold coins are discussed in Holy Quran. These precious metals are also considered the assets that back physical paper money in today’s era.

During the early Islamic period, the Byzantine dinar, that weighed one mithqal (a unit of weight, equivalent to around five grams) was the cash utilized by individuals in their trades. Nonetheless, however it was the authority money of that time, the state had zero power over its utilization by individuals in their trades. This present circumstance went on until the time of 74 (AH) when Abd al-Malik ibn Marwan started the printing of new coins under the direction of Muhammad ibn Ali (the fifth Shi’ite Imam) and the Islamic dirham started to be utilized rather than the old dinar. The worth and the heaviness of the Islamic dinar was equivalent to that of the dinar. In this way, the worth and weight of the dinar was not changed. In this way, the dinar can be considered as an essential proportion of financial worth, and different qualities can be estimated against it. Archeologists have uncovered coins of the Islamic period, of which obviously the heaviness of the dinar, instituted at the hour of Abd al-Malik ibn Marwan, was around 4.25 grams.⁷

Both dirham and dinar were not managed and constrained by the state establishments in early Islamic period which brought about financial as well as monetary issues. There was no consistency and developing untruthfulness, in the combination, the substance and weight of coins. To take care of this issue, the Islamic government tried to lay out control of and work on the financial framework. From there on, the public authority laid out legitimate Islamic dirham, and consistently removed the old coins available for use an out of its area, and the new cash supplanted them. After the foundation of the mint houses, individuals paid a charge to have their gold transformed into coins. Along these lines, the public authority figured out how to assume command over the measure of the coins and put forth a valiant effort to raise their quality and consistency.

Historical Background of Cryptocurrency

Crypto is a form of decentralized currency and its history goes back to the last decade of 20th century, to be precise in 1989. Back then, crypto coins didn't get any special recognition but in the last of 1st decade of 21st century, these coins started to get the attention of everybody including people from business prospectus as well as general public. These coins were named bitcoins. They were digital and so were created as a computer based program by a group of specialized programmers. Since then, popularity of cryptocurrency has only grown and people have been investing a lot into this.

In mid 2010, bitcoin was the main digital money on the lookout. In those days, its cost was only a couple of pennies. Throughout the following quite a long while, new digital forms of money entered the market, and their costs rose and fell alongside Bitcoin's. Obviously, many individuals lost confidence in digital forms of money as a speculation vehicle. In any case, starting in late 2017, cryptographic forms of money started to see unmatched development. Subsequently, the complete market cap for all digital currencies came to \$820 billion in January 2018 preceding crashing sometime thereafter. Disregarding this accident, the crypto market has seen consistent development all through. Beyond a shadow of a doubt, 2017 was brimming with invigorating occasions. As the worth of Bitcoin and other digital currencies soar, so did the quantity of plans as well as tricks focusing on crypto financial backers.⁸

Purpose of this currency was to establish a peer-to-peer connection without having a state institute involved in order to make international payments and transactions easy but as the time passed and crypto started evolving, it became a source of money making a well. Investors started buying bitcoins and other kind of digital currencies, kept them as a stock. When the market prices rise, they sell those coins with a profitable margin. In this way, cryptocurrency evolved into a source of money making from a money transferring mean through the passage of time.

History of cryptocurrency very well explains that this currency is not based on physical assets and since it is not backed up by any state institution, it does not match with the definition of "Currency" according to Islam which has basic characteristics of being physical in nature, having complete control over the physical nature of money and everyone should have access to the money. But cryptocurrency does not fulfil any of the above mentioned 3 qualities of money according to Islam.

Characteristics of Cryptocurrency which are Non Shariah Compliant

Islamic scholars have distinguished certain characteristics of cryptocurrency that make it non-compliant with Shariah. Some scholars consider crypto haram as a whole but some have defined characteristics that make crypto fall into the category of illegal in Islam and without those specific characteristics, there is a fine possibility of cryptocurrency as a halal currency

DIGITAL CURRENCY (CRYPTOCURRENCY) ACCORDING TO ISLAMIC PERSPECTIVE

Following are some of the factors of cryptocurrency that are not Shariah compliant and are debated between Islamic economists and jurists about their status as legal or illegal.

- This is not physical currency.
- It has no intrinsic value.
- It involves the chances of speculation.
- It involves higher chances of involvement of the illegal activities.
- It is not controlled by a legitimate authority (state institution).

It is true that value of money according to Islam is based on the assets that back up money at the backend. Since cryptocurrency is not backed up by any precious metal, jurists state that they do not fall into the criteria of legal currencies according to Islam. Furthermore, there are very high chances of speculation in cryptocurrency and speculations are illegal according to Islamic point of view. This is another big reason to debate about the legal status of cryptocurrency.

Involvement of Illegal activities and no involvement of legitimate authority

It's human instinct that it requires regular check and balance in order to be fulfilled the criteria of justice and law. Crypto let this check and balance go off the hook by working as a decentralized currency. No involvement of state institution can lead to illegal activities. This was the initial analysis of Islamic scholars which is now proved by bitcoin users themselves that bitcoin is specially being used for illegal transactions of black money and for the sake of money laundering. It is very convenient to use cryptocurrency for such purposes as you can transfer as much money as you want without being held accountable and answerable for it.

Mufti Taqi Usmani, a previous appointed authority of the high court of Pakistan, is illustrative of this side of the discussion. That's what he says:

"Money related guidelines are at first an instrument of exchange, and making them a tradable product for benefit obtaining is against the perspective of Islamic monetary issues," Mufti Usmani said. "In Shariah, there is certainly not an extraordinary clarification to recognize bitcoin or other cryptographic types of cash as a money. It is just a whimsical number, which is created through a complex mathematical cycle. It is purchased for wagering or theories, and used in unlawful or unlawful exchanges."⁹

Despite the fact that numerous nations are trying to control the utilization of cryptographic forms of money, they stay, by their actual nature, decentralized. Because of the decentralization and obscurity of digital currencies, a few troublemakers have to be sure utilized them to work with unlawful exchanges.

One more report about criminal operations in of digital currency expresses that: "The unlawful utilization of digital currencies is overwhelmingly connected with illegal tax avoidance purposes, the (on the web) exchange of illegal labor and products, and

misrepresentation, as indicated by Europol, the EU's organization for policing. A scholarly review distributed by Oxford Scholastic in 2019 likewise viewed that as 25% of bitcoin clients are engaged with criminal operations, esteemed at \$76 billion yearly, comprising around 46% of all bitcoin exchanges".¹⁰

This report proves what Islamic scholars and jurists have been trying to put on plate since the very beginning.

Speculations in Cryptocurrency

The speculative idea of cryptographic forms of money is notable. It makes betting extremely simple and normal among investors. This should be visible in their high unpredictability, with costs that are known to move essentially vertically or descending.

As indicated by an article on Gemini,

"soaring pinnacles and burdensome box happen at a faster and more outrageous speed in crypto costs contrasted with costs of resources in standard business sectors."¹¹

This drastic and dramatic increase in the stock prices of bitcoin and other currencies of crypto is because of abnormal blend of speculations between stock holders. Furthermore, when there is no check and balance, these speculations ultimately lead to the extreme prices of digital assets.

Whether or not digital forms of money are genuine monetary standards generally focus on their agreeableness as vehicles of trade. Numerous nations, including China, have prohibited digital forms of money by and large, while the UK and the US are forcing or arranging different guidelines. Today, however the reception of digital currencies is rising, many actually use them as an elective venture resource instead of an elective mode of trade. What's more, to this end many are concerned whether cryptos have any inborn worth, or whether the worth gets just from interest and supply elements among financial backers/examiners.

Possibility of Cryptos being Halal Currencies

Some scholars have suggested certain possibilities by which crypto can be used as a halal mean of transaction.

The Islamic Monetary Discussion, a WhatsApp-based gathering of Islamic financial experts and legal scholars, contends that "a digital money is reasonable the length of it doesn't penetrate Islamic restrictions on premium, legally binding vulnerability, and betting," says Dr. Humayon Dar, the Chief General of the Cambridge Establishment of Islamic Money and an Islamic money item improvement trained professional. Dr. Humayon likewise concurs, despite the fact that he accepts that the vagueness and vulnerability around digital forms of money ought to prompt mindfulness in appointing them any "halal" tag. ns as well as income.¹²

DIGITAL CURRENCY (CRYPTOCURRENCY) ACCORDING TO ISLAMIC PERSPECTIVE

In light of above mentioned argument, jurists who claim that cryptocurrency is halal give following main reasons for that:

Contractual uncertainty

As indicated by Sharia regulation, an agreement is substantial in the event that there is a thought, alluded to as Mal. That is, there should be a trade of something genuine that can be claimed, moved by, and exchanged. Since cryptos are genuinely advanced resources that can be claimed, moved by, put away on wallets and exchanged on trades, a few Islamic researchers think of them as halal.

Interest

The shortfall of interest (riba) is a center guideline of Islamic money. Since cryptographic forms of money don't charge revenue, a few Islamic researchers think of them as halal.

Gambling and illegal activity

While digital forms of money are theoretical, a few specialists and researchers of Islamic Statute, have contended that all monetary resources are speculative. Indeed, even stocks, which are broadly considered as being "halal", can have critical unpredictability.

Abdulkader Hallak, an abundance counselor at Sarwa, likewise accepts that instability isn't a sufficient motivation to consider cryptographic money as haram. What makes a difference is the thought process of the financial backer. "In the event that you're not utilizing any influence or CFDs, and you're not betting and facing extreme challenge - then, at that point, this takes a stand," he said. "What is your objective behind putting resources into crypto? Is it to collect your abundance? Is it safe to say that you are utilizing crypto as a store of significant worth? Then that is not a problem."¹³

Scholars have argued on the fact that if something that is Halal but is being used for Haram purposes, it does not necessarily make the original mean Haram. As it stands today according to a fraction of jurists, as long as a Muslim is using a cryptocurrency like bitcoin for the purpose of investing and not for gambling purposes, no ethical codes are being broken.

Counter Argument and majority analysis

Cryptocurrency exists in an ill defined situation today, which is the reason there is a particularly impressive continuous discussion. Having introduced the instances of the different sides to the "is cryptocurrency halal" question, it's worth focusing on that

specific issues continue that can intensely impact the eventual fate of cryptographic forms of money.

The most common element of understanding between the two groups of jurists is the high fraction of uncertainty which is mentioned in Holy Quran and the sayings of Holy Prophet (PBUH).

Allah Almighty says in Holy Quran:

”هُوَ الَّذِي أَنْزَلَ عَلَيْكَ الْكِتَابَ مِنْهُ آيَاتٌ مُحْكَمَاتٌ هُنَّ أُمُّ الْكِتَابِ وَأُخَرُ مُتَشَابِهَاتٌ فَأَمَّا الَّذِينَ فِي قُلُوبِهِمْ زَيْغٌ فَيَتَّبِعُونَ مَا تَشَابَهَ مِنْهُ ابْتِغَاءَ الْفِتْنَةِ وَابْتِغَاءَ تَأْوِيلَةٍ وَمَا يَعْلَمُ تَأْوِيلَهُ إِلَّا اللَّهُ وَالرُّسُخُونَ فِي الْعِلْمِ يَقُولُونَ آمَنَّا بِهِ كُلٌّ مِنْ عِنْدِ رَبِّنَا وَمَا يَذَّكَّرُ إِلَّا أُولُو الْأَلْبَابِ“^{١٤}

“ He it is Who hath revealed unto thee (Muhammad) the Scripture wherein are clear revelations - they are the substance of the Book - and others (which are) allegorical. But those in whose hearts is doubt pursue, forsooth, that which is allegorical seeking (to cause) dissension by seeking to explain it. None knoweth its explanation save Allah. And those who are of sound instruction say: We believe therein; the whole is from our Lord; but only men of understanding really heed.”

In this verse, Allah Almighty has stated that true muslim is one who does not fall for and chooses uncertain paths and stays on what Allah has clearly stated in Holy Quran. Majority of Islamic scholars and jurists take this verse as a reference to avoid uncertainties of Cryptocurrency.

A saying of Holy Prophet (PBUH) is also backed up by this above mentioned verse of Holy Quran. It is Narrated that:

”الْحَلَالُ بَيْنَ وَالْحَرَامِ بَيْنَ، وَبَيْنَهُمَا مَشَبِهَاتٌ لَا يَعْلَمُهَا كَثِيرٌ مِنَ النَّاسِ، فَمَنْ اتَّقَى الْمَشَبِهَاتِ اسْتَبْرَأَ لِدِينِهِ وَعَرْضِهِ، وَمَنْ وَقَعَ فِي الشَّبَهَاتِ كَرَّاعٍ يَرَعَى حَوْلَ الْحِمَى يُوشِكُ أَنْ يُوَاقِعَهُ، أَلَا وَإِنَّ لِكُلِّ مَلِكٍ حِمًى، أَلَا إِنَّ حِمَى اللَّهِ فِي أَرْضِهِ مَحَارِمُهُ، أَلَا وَإِنَّ فِي الْجَسَدِ مُضْغَةً إِذَا صَلَحَتْ صَلَحَ الْجَسَدُ كُلُّهُ وَإِذَا فَسَدَتْ فَسَدَ الْجَسَدُ كُلُّهُ، أَلَا وَهِيَ الْقَلْبُ“^{١٥}

“The halal is open and the haram is also open, and between these two there are certain things of doubt which many people do not know (whether they are halal or haram).

Whoever saved himself from these doubtful things save his Eman and whoever falls in to these doubtful things, he is like a shepherd who grazes his animals around the pasture. He is about to step into that pasture. Listen, every king has a pasture. The pastures of Allah are forbidden things on His land. So beware of them and Listen, there is piece of flesh in body, when it is correct, the whole body will be correct where it is corrupted, the whole body will be corrupted. Listen, that piece is a man's heart”.

Islamic specialists really vary on whether digital money is halal. For individuals who don't consider it as halal, its usage for criminal tasks, the deficit of central power, its speculative nature, and nonattendance of wide affirmation as a vehicle of exchange are critical components. Individuals who see crypto as halal acknowledge there is Mal in crypto trades, no interest (riba), and that its usage by some for criminal tasks doesn't make it naturally haram.

The subject of rules, wide affirmation of cryptos as method of exchange, and the augmentation or reduction in their flightiness remain issues of stress to everyone.

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