UNIVERSITI TEKNOLOGI MARA

EXPLORING THE GUIDELINES OF ZAKAT ON CRYPTOCURRENCY

MOHAMMAD HIDIR BIN BAHARUDIN

Thesis submitted in fulfillment of the requirement for the degree of Master in Contemporary Islamic Studies

Academy of Contemporary Islamic Studies (ACIS)

June 2023

ABSTRACT

Zakat is one of the five pillars of Islam and has played an important role in the Muslim community. Nowadays, due to the emergence of technology, a type of money of called cryptocurrency is introduced. Unlike traditional currencies, which are issued and regulated by central banks worldwide, cryptocurrency is created using protocols devised by its creators. However, the Islamic law (Shariah) perspective regarding zakat on cryptocurrency seems to be unclear due to the ambiguous understanding and interpretation of the features as well as characteristics of cryptocurrency by Muslim jurists. In pursuant thereto, this research analyses the features and characteristics of zakat from Islamic law, features of cryptocurrency, and the legality, as well as the potential of zakat on cryptocurrency, based on the qualitative and descriptive crosssectional analysis through the verses in the holy Qur'an, the Prophetic traditions, views of classical and contemporary Muslim jurists, the semi-conducted interviews and data obtained from reliable sources. The research found that cryptocurrency is legal in the Islamic law of jurisprudence (al-figh), whether it is a currency or an asset. The permissible in Islamic law of jurisprudence is consistent with the *al-istishdb* principle and is closest to the Shariah objectives. Additionally, zakat on cryptocurrency is complemented with the framework of zakatable items such as oil palms, rubber crops, cocoa, salary, and horse based on the principle of analogical reasoning (al-qiyas). The viewpoint that opposes cryptocurrency would be on the Shariah-oriented policy (al-Siydsah al-Shariah) and the extrinsic arguments concerning cryptocurrency rather than the Islamic law of jurisprudence and the intrinsic issue. As a result, it is legal whether cryptocurrency is classified as a currency or an asset. With the increasingly widespread transactions that are used cryptocurrency as a medium of transactions by people, the issues of zakat on the cryptocurrency from an Islamic perspective should be resolved. It is hoped that the proposed guidelines for zakat on cryptocurrency can assist Malaysia's zakat administrators in the implementation of zakat on cryptocurrency in the states in Malaysia.

Keywords: Zakat, Cryptocurrency, Islamic Law, Shariah,

ACKNOWLEDGEMENT

Glory and gratitude be to Allah Almighty Who has ordained law and guidance, may the peace and blessings of Allah Almighty be upon the Prophet Muhammad (PBUH), members of his household, his companions, and the rest of the believers till the day of judgement.

My profound appreciation goes to my supervisor, Assoc. Prof. Ahmad Nawawi bin Yaakob and co-supervisor, Dr Mohd Ali bin Mohd Don, respectively for their guidance and support throughout this research. May Allah Almighty continue to bless their family and increase their knowledge and wisdom for the service of Islam, Ummah, and humanity in general.

My appreciation also goes to all lecturers in Universiti Teknologi Mara for their great contribution to the success of my studies. I remain indebted to all of them. May Allah Almighty reward them abundantly.

I also tender my unreserved gratitude to my beloved wife, and my children,

for love and patience.

and

Above all the aforementioned, I devote all the grace to almighty Allah for the uncountable blessings I have obtained. Alhamdulillah.

TABLE OF CONTENTS

							Page
CONFIRMATION BY PANEL EXAMINER						ii	
AUTHOR'S DECLARATION							iii
ABSTRACT							iv
ACKNOWLEDGEMENT							v
TABLE OF CONTENTS							vi
LIST OF TABLES							ix
LIST OF FIGURES							X
CHA	PTER ONE: INTE	RODUCTIO	ON TO R	ESEARCH			1
1.1	Introduction						1
1.2	Research Backgro	Background					1
1.3	Statement	Of	Res	search	Problem		5
1.4	Research Question	18					7
1.5	Obj ecti	ve	Of	The	Rese	earch	8
1.6	Significant Of The Research						8
1.7	Scope Of The Research						8
1.8	Structure Of The	Thesis					9
CHA	PTER TWO: AN	OVERVIE	W OF ZA	KAT AND C	RYPTO	CURRENC	CYIO
2.1	Introduction						10
2.2	Zakat In Islamic I	Law					10
	2.2.1 Definition		Of		Zakat		11
	2.2.2 Rule		Of	Z	akat		12
	2.2.3 Wisdom		Of		Zakat		14
	2.2.4 Conditions		Of		Zakat		16
	2.2.5 Recipients		Of		Zakat		22
	2.2.6 Relevant Is	sues On Za	kat				26
2.3	Review Of	Works	Of	Literature	On	Zakat	38
2.4	Cryptocurrency						59
	2.4.1 Definition Of Cryptocurrency						59

	2.4.2 Historical Perspective On Money	61				
	2.4.3 Key Terms On Cryptocurrency	64				
	2.4.4 Monetary Role Of Cryptocurrency					
	2.4.5 Asset Class Of Cryptocurrency					
	2.4.6 Advantages And Disadvantages	73				
2.5	Summary	77				
СНА	PTER THREE: RESEARCH METHODOLOGY	78				
3.1	Introduction	78				
3.2	Research Questions					
3.3	Aim And Objectives					
3.4	Research Methodology	80				
	3.4.1 Types Of Research	81				
	3.4.2 Rationale For Qualitative Research Approach In This Study	82				
3.5	Research Design	83				
3.6	Data Collection	85				
	3.6.1 S emi - Structured Intervi ews	85				
3.7	Data Analysis	88				
	3.7.1 Content Analysis	89				
3.8	Research Ethics	89				
3.9	Summary	91				
СНА	PTER FOUR: LEGALITY OF CRYPTOCURRENCY FROM AN					
ISLA	MIC PERSPECTIVE	94				
4.1	Introduction	94				
4.2	Classical Muslim Jurists' Opinions	94				
	4.2.1 Currency In Islam	95				
	4.2.2 Property In Islam	102				
4.3	Contemporary Muslim Jurists' Opinions And Literary Works On					
	Cryptocurrency	107				
4.4	The Appraisal And Selection Of Opinion	117				
4.5	Summary	125				