



THE NATURE OF BITCOIN AND THE PROVISION OF IT IN TERMS OF ISLAMIC LAW

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Article history:	Abstract:
<p>Received: 7th December 2021 Accepted: 6th January 2022 Published: 13th February 2022</p>	<p>One of the financial phenomena in the current years is the emergence of virtual currencies (also called digital currencies), this phenomenon has invaded websites and occupied amateurs and specialists alike, and its circulation has become common - to some extent - and it has its followers, and it has a private electronic exchange, and one of its most important characteristics is that there is no country or A central bank is responsible for issuing them, but they occupied the world, and there are several types of these currencies, the oldest and most important of which is the " Bitcoin". The main objective of the study is to clarify the legitimate position on virtual (electronic) currencies in general, and Bitcoin in particular.</p> <p>The researchers followed the inductive-analytical approach in presenting and discussing the theoretical aspect of these currencies, after which the concept of currency was discussed from the legal point of view, according to the dealing in currencies (coins and notes), and then the jurisprudential opinions related to digital currencies in particular were reviewed, and the researchers noted the semi-conflicting positions in the theory The jurist for it, so we divided the jurists between supporters and opponents, {who opposed dealing with it more than those who supported}. Each group has its own argument for that, so the supporters rely on the fact that the principle of dealing is (permissibility), and those who oppose it rely on the fact that it contains a great unknown that may reach the point of harming those dealing with it. The researchers concluded that it is necessary to conduct joint financial jurisprudence studies, in which those with religious experience participate with those with economic and financial expertise, in order to decide on a unified opinion in their direction. Until that happens, countries must stabilize their position on digital currencies in accordance with their economic and financial interests, and as approved by their parliaments.</p>

Keywords: Bitcoin, Cryptocurrency, Islamic economy.

1.INTRODUCTION

The technological development that we live in in our present time plays an important role in our daily life, and its effects extend to all aspects of economic, legal, social and cultural life and even legitimacy. Among the data of modern technology is the emergence of digital currencies, which are known as fake and untouchable currencies such as the dollar and the euro. To buy in the digital world and do not need any intermediary between the buyer and the seller, as it is available all over the world, and one of the most prominent, famous and most traded currency "Bitcoin" is the subject of our research.

The topic will be presented in three main sections, the first topic (definition, characteristics, specifications) of the bitcoin currency. As for the second topic, it will discuss the concept of money - in general - and the legal rulings related to it. The third topic will discuss the jurisprudential opinions related to the bitcoin currency, leading to conclusions and recommendations.

2. MATERIALS AND METHODS

In this research, I relied on the inductive approach by tracking the websites that identified Bitcoin, and showed its descriptions and characteristics, either through a specialized study, or quoting from specialized foreign websites. Legitimate position on Bitcoin.

Previous studies

1. The study of Munir Maher Ahmed, 2018: (Shari'a guidance for dealing with virtual currencies: Bitcoin as a model). The study aimed to know the legal ruling for dealing with the currency of Bitcoin. The researcher used the inductive method and reviewed most of the opinions issued by the Islamic jurisprudential councils and bodies. The researcher concluded that it is forbidden to deal with Bitcoin. (Ahmed,2018)
2. The study of Adnan Al-Jali and Ahmed Sarhili, 2019: (Bitcoin: What it is, its jurisprudential adaptation, and the ruling on dealing with it according to Sharia). Bitcoin is an encrypted electronic digital currency, which is traded online only, without a physical presence, the aim of the research is to know the legitimate position on it. The researcher used the inductive-analytical method, which is very close to the previous research. He reviewed the jurisprudential opinions, and concluded that dealing with Bitcoin is inviolable.(Sarhili, 2019)
3. The study of Asim Ahmed Attia, 2010: (Provisions of electronic exchange in Islamic jurisprudence) The researcher dealt with the reality of exchange And electronic exchange, then he touched on the images of direct electronic exchange and the legal position on it, and the researcher concluded that it is permissible to deal with electronic exchange, but he did not address Bitcoin because it is not present on the date of writing the study.(Attia, 2010)
4. The study of Abbas Ahmed Al-Baz, 1999: (Provisions of money and currency exchange in Islamic jurisprudence and its contemporary applications). The researcher discussed the exchange contract in Islamic jurisprudence and its legality, and also discussed the agency, transfer and the legal position on selling and buying paper currency, the change in the exchange rate and its impact on contracts, as well as the legal position on the exchange process at the forward rate. While this study is far from the subject of Bitcoin, we have benefited from it in examining the legal rulings related to money.(Al-Baz, 1999)
5. The study of Bashir Muhammad 2009: (Electronic trading of currencies, its international methods and legal rulings). The researcher discussed the electronic trading of some electronic products (that were recent at the date of writing the study), such as margin selling and selling (Forex), and concluded that there are legal problems in these sales, because they contain great anonymity, and the potential for harm to buyers.(Muhammad, 2009)

3 DEFINING THE NATURE OF THE "BITCOIN" CURRENCY, ITS CHARACTERISTICS AND CHARACTERISTICS

3.1 Bitcoin definition

Bitcoin: Its origin in the English language "Bitcoin" and symbolized by it, "BTC" is an electronic digital currency that is traded online only, founded by an unknown person under the pseudonym "Satoshi Nakamoto" in 2007, and he began dealing with this currency for the first time in 2009 and the founder of this currency kept The currency was in his pseudonym t until May 2, 2016, when Australian businessman "Craig Stephen Wright" announced that he was the same as Satoshi Nakamoto (Bitcoin, 2021)

Bitcoin: A completely electronic digital currency that is traded online only, without a physical existence, and it is a cryptocurrency and a global payment system used in commercial transactions on the Internet.

Bitcoin is also the first decentralized digital currency, as it is a system that operates without a single warehouse or manager, that is, it differs from traditional currencies by the absence of a central regulatory body behind it, and transactions are carried out in a peer-to-peer network between users directly without an intermediary through the use of encryption.

3.2. Bitcoin properties

The electronic currency (Bitcoin) has characteristics that differ from traditional currencies, which contributed to its rapid spread and the gradual increase in the number of its users around the world. It has been embodied in eight characteristics, namely:(Bitcoin, 2021)

- Decentralization: Bitcoin is a non-monetized digital currency, that is, it is not controlled by a single centralized body, it does not have numbers, it is sequential. Every device that mines Bitcoins and processes transactions, forms part of the network, and the devices work together. The institution of manipulating the network, and taking the currencies of others, and in this capacity Bitcoin differs from traditional currencies, which are characterized by the presence of a central regulatory body behind it.
- Ease of payment: Bitcoin allows its users to control their money completely freely, so they can send and receive money without any restrictions, so Bitcoin has become an easy way to shop in many electronic stores that accept electronic payment.

- **Speed and low fees:** in traditional cash, there is a need for an intermediary to transfer funds, and this intermediary takes a percentage of the money for the transfer fee, and it takes some time for the money to reach the other party, but in Bitcoin the transfer process takes place without an intermediary and directly, but it does not Transfers can be cancelled, so when Bitcoin is sent, it cannot be retrieved.

Cryptocurrency: that is, it is an encrypted currency, and the information available on the network does not show any information about account holders.

Secrecy: Bitcoin is also described as a secret currency and can never be traced. Therefore, the Bitcoin currency has been approved in stores that sell prohibited products.

Block chain technology: Bitcoin uses the "block chain" technology, which is a distinct accounting ledger that is dealt with quickly and easily and is shared by many, and it can also be added to it, but it cannot be modified, that is, previous transactions cannot be changed in it, according to information experts. This feature is safe and cannot be hacked or experimented with.

Public: Bitcoin is not linked to a geographic location, and it can be considered a local currency for all countries.

Limitations: Bitcoin is a very limited currency, as the number of Bitcoin circulating around the world cannot exceed 21 million.

3.3. The most prominent digital currencies traded in the world other than Bitcoin

Many digital currencies appeared after Bitcoin, numbering nearly 60, and they are mostly currencies based on the principle of Bitcoin itself. By virtue of the fact that Bitcoin is open source, it is possible for whoever wants to clone the currency, make some modifications to it, and then launch a new currency, except that The most famous of them are:(Al Jazeera, 2021)

- **Litecoin:** It is a digital currency similar to Bitcoin. It appeared in 2011 by the former engineer of the electronic search engine Google, "Charles Lee", known as the silver currency, and it is classified as the fastest in its transactions compared to Bitcoin.
- **Bercoin:** a digital currency that appeared in 2012 and is considered more environmentally sustainable compared to other digital currencies, and is the third largest cryptocurrency that can be mined after Bitcoin and Litecoin.
- **Quark:** It is a digital currency that appeared in 2013 and is the most encrypted currency because it uses nine rounds of encryption to ensure security and anonymity, but despite that, one quark is worth only \$0.05.
- **Master Coin:** appeared in 2013 due to the emergence of some security problems and instability in the price of Bitcoin.
- **Ripple:** This currency appeared in 2013 and managed to attract the attention of investors. It is a currency that cannot be exchanged unlike other currencies, as it is used as a payment network and an automated system for currency trading.
- **Urwar Coin:** Developed by an Icelandic businessman in 2014, he came up with the idea of distributing the cryptocurrency to every person in his country, the price of each coin being \$22.3.

3.4. How to get bitcoin

The process of obtaining bitcoins is in one of two ways: either by purchasing or mining.

- **the purchase:**

This method is based on buying bitcoins from brokers or sites that own bitcoins, so that you pay the price of bitcoins that you want to obtain in any currency such as dollars, for example, and through a payment method that is agreed upon with the other party.

We also saw that this method does not generate new bitcoins, but rather transfers the ownership of existing currencies from one person to another, unlike the following method.

- **Mining, prospecting or generation**

Bitcoin mining means: its extraction and mining, and to simplify the concept, the process is similar to extracting gold, gold to extract it from the ground requires specific equipment dedicated for that purpose and a great deal of effort.

This method is based on the purchase of a device for obstetrics, which is a device that has superior specifications in terms of strength, speed and performance, and the device performs something similar to solving equations or

algebras, and generates Bitcoin over time, and the person's overall task is limited to buying and operating the device only, and this device is considered somewhat expensive And it consumes a large amount of electrical energy.

It is also possible for a person to mine for bitcoins using a normal computer, where programs are downloaded from the net to mine for bitcoins, but this consumes the life of the computer and takes longer to generate bitcoins. Because it will not be as efficient as the device designated for exploration, and mining in this way is called "cloud mining".(cryptocurrency, 2021)

The mining method generates or creates new bitcoins, that is, the bitcoins that we obtain through mining, did not exist, previously and are added to the total bitcoins in the world, in other words, generating bitcoins through mining increases the number of bitcoins existing in the world, which cannot exceed 21 million, as mentioned previously.

Whatever way the bitcoins are obtained, a person must have an electronic bank account wallet" such as an electronic bank, "blockchain" in order to transfer bitcoins to it, just like having a normal bank account to which money is transferred.

3.5. Spreading and trading

Bitcoin is the most famous digital currency, which is designed to solve the problems and difficulties of transferring money from one place to another, getting rid of routine, and delays in transferring in many banks and countries, and this factor had a great impact on its spread.

The circulation of this currency began in 2009, but it disappeared in 2010 to return again to the great spread, until it entered the Arab world three years ago and began to deal with it significantly, and its support by many technology companies such as "Yahoo" and "Google" contributed to its spread. In 2014, they added a new feature to their financial services, which is to allow users to see the value of Bitcoin against the rest of the world's currencies. "Bitcoin" compared to about 50 global currencies, or inquiring about the value of those currencies compared to Bitcoin.

The price of one bitcoin reached twenty thousand dollars at the end of 2017, before returning to falling to thirteen thousand dollars in the beginning of 2018.(Araby, 2021)

Therefore, the "Bitcoin" currency is still a subject of controversy and confusion in dealing with it by countries, and the view of this currency varies between allowing dealing with it, banning, or warning against its use, without preventing it or considering it illegal.

3.5.1. Countries that allowed trading

Germany is the first country to allow bitcoin trading, as the German government has considered that it can tax profits made by companies that deal in "Bitcoin" while individual financial transactions remain tax-exempt.

This currency is also legally dealt with in a large number of countries, most notably Canada, the United Kingdom, Sweden, Austria and Switzerland. Even a federal judge in the United States, recently ruled that Bitcoin is a currency and a type of currency, and it can be subject to government regulation, but the United States The currency has not yet been officially recognized(Araby, 2021).

3.5.2. Countries that have banned trading

In September 2017, China announced the closure and ban of Bitcoin trading exchanges, as China accounts for about 23% of global trading, and after China initiated a trade ban on the virtual currency, the Bitcoin trading price decreased by 10%.

Bitcoin trading has been banned in Iceland on the grounds that it is incompatible with foreign exchange law, and Vietnam has also declared that dealing in this currency is illegal in financial institutions and among citizens.

The State Bank of Bangladesh has also criminalized bitcoin users, saying that dealing with bitcoin and other digital currencies can lead to a prison sentence of up to 12 years..

As for Bolivia and Kyrgyzstan, the Central Bank of Bolivia has banned the use of Bitcoin and other virtual currencies, as has Kyrgyzstan, which considers the use of Bitcoin as an illegal form of payment.

As for Ecuador and Russia, Bitcoin and other virtual currencies have been banned in Russia and Ecuador.

3.5.3 The position of the Arab countries

The Saudi Monetary Agency prevented banks of all kinds from buying electronic bitcoin, and the Central Bank of Lebanon warned in a circular addressed to banks, financial institutions, exchange, financial intermediation and the public in 2014 against buying, possessing or using electronic money, and the authorities in Morocco decided against trading this currency and similar ones. The Moroccan Exchange Office issued a statement in which it considered that dealing with this virtual money constitutes a violation of the laws in force, and exposes its perpetrators to penalties and fines.

3.6. Bitcoin Risks

Based on the foregoing information about the nature of Bitcoin, its characteristics and its spread, several risks appear to us in dealing with this digital currency, we try to summarize them as follows:(Forex , 2021)

3.6.1. Ignorance: With this ease with which Bitcoin is distinguished by creating accounts on its official website, but at the same time it gives the customer the freedom to choose the name when creating the account, and without linking it to a number, identity or any private information known to it, and more than one can be created. From an account by one person.

Also, all transfers that take place in Bitcoin are anonymous, so no accounts or mobile history are saved with any known party, and all transactions are recorded, but anonymously, in the Bitcoin network.

3.6.2. The absence of a guarantor: Bitcoin is different from other currencies and means of electronic payment "such as PayPal and others" by the absence of an intermediary guarantor that regulates exchange operations, and is not linked to any local currency. Description Bitcoin differs from contemporary credit money issued by governments.

3.6.3. Extreme price volatility: Bitcoin is witnessing extreme price volatility, especially at the beginning of the year 2007, as the price of Bitcoin was about a thousand dollars at the beginning of the year, then it started to rise until it reached nearly twenty thousand dollars in December of the same year, then returned By falling in early 2018 to reach eight thousand dollars, this continuous rise of the currency makes trading it without study very dangerous and may cause huge losses.

3.6.4. Hacking: Despite the difficulty of penetration, according to what the specialists have reported, in the event of a breach of the "financial wallet" of Bitcoin, the hacker is able to transfer the person's Bitcoin to his wallet immediately.

3.6.5. Loss of reliability: Despite its great spread, it is noted that many traders, businessmen and economists have warned of it, one of them the CEO of "JPMorgan" Bank, the largest bank in the United States, where he described the "Bitcoin" currency as a hoax, considering that it is something that is not real and will end, soon as American billionaire "Warren Buffett" criticized electronic currencies, saying: Stay away from Bitcoin, it's a mirage(New Arab, 2021)

4. MONEY - IN GENERAL -

4.1. A historical perspective

A person cannot meet his living needs on his own, so he must seek help from others, and in order to achieve this need, there has appeared among people since ancient times what is known as barter, i.e. the exchange of a commodity for a commodity. The barter system prevailed for a time, until difficulties encountered:

The difficulty of goods retaining their value to be a storehouse of wealth and a power to buy.

The difficulty of double compatibility between the two.

Difficulty balancing commodity values and maintaining exchange ratios between them.

These difficulties led to the replacement of the barter system with the money system, and coins appeared, so people started using copper and bronze, then moved to using gold and silver, and because of the high value of gold and silver, people used what is known as money, meaning metal money other than gold and silver, and people got acquainted with it and made it A price for a few goods and services. Difficulty segmenting goods(Bin Suleiman, 1984)

Therefore, money went through multiple stages, sometimes it was a commodity, sometimes it was non-precious metals such as copper and others, and sometimes it was a precious metal, gold and silver, and then it came to paper, banking and electronic money.

4.2. money concept

Criticism in language has several meanings, including:

1) Distinguishing the dirhams and removing the counterfeit from them, Ibn Faris said: Cash is the origin of evidence for highlighting something and its prominence in the field of criticizing the dirhams, which is distinguishing them and revealing their condition in terms of their quality, their falsity, or other things (Bin Faris & others , 1979) .

2) Contrary to cash: the price is cashed by giving it in cash in advance (Bin Makram, 1414 Ah).

3) Currency of gold, silver and other things that he deals with (Mustafa & others, 2018).

As for money - as a term - we can discuss it through the following definition:

4.2.1. Definition of Economists: Economists did not agree on a unified definition of money, and they varied. Their definitions include:

- That money: is everything generally accepted in payment for goods, or in discharging business obligations.
- Others defined it as money: Anything that is commonly used and accepted as a medium of exchange or evaluation tool in general.

Others said it is: Anything that is usually widely used as a means of payment and is generally accepted for debt debt (Adam , 1985).

It appears that the economists' definitions of money took into account its functions and characteristics in that it is a medium of exchange and a measure of value, and that it has general acceptance.

4.2.2 Definition of money according to the jurists

The jurists did not mention in their books a definition of criticism in a special place .(14)However, they were divided into two parts, in reality:

The first doctrine: He went on to say that money is a name for the metals gold and silver, and hence the words of the earlier jurists, "al-Naqadan" – in dual – referring to the two metals abound (Adam , 1985). They did not say the value of the money, which is the money minted without gold and silver.

It was stated in Manah Al-Jaleel that cash is gold or silver (Al-Jaleel, Others,1989).

Shams al-Din Mummad bin Hamzah Shihab al-Din al-Ramli al-Shafi'i said, in Nihayat al-Muhtaaaj, that the condition of the ore in which the fifth is to be in cash, and the cash is gold and silver, even if they are not multiplied(Al-Abbas, Others, 1984).

It was also stated in Mughni al-Muhtaaaj that cash is minted and other than gold and silver (Al-Din,1994).

Mansour Al-Bahouti Al-Hanbali pointed out in "Kashshaf Al-Qinaa" that the cash is made of silver and gold, and the money is like trade offers (Al-Ilmiyya, 2018).

The second doctrine: He called money for gold and silver and for anything that people agreed on for its price and that takes its place in people's transactions and exchanges.

Al-Nawawi Al-Shafi'i said in this regard: "If he sells for dirhams or dinars, he stipulates knowledge of its type, and if there is only one cash in the country, or money is predominantly dealt with one of them, the contract goes to the usual, even if it is money" (al-Talibin, 1991).

This opinion is what has been used in this era, and it is the most correct, and God knows best, because there is no evidence in the Qur'an or the Sunnah to limit money to gold and silver.

Al-Jassas al-Hanafi said: The fact that gold and silver are prices is not one of the reasons for the interests, because their being prices were only according to the people's terminology for them "(Al-Osoul, 1994).

Ibn Taymiyyah said: "As for the dirham and the dinars, there is no known natural or legal limit for it. Rather, it refers to custom and convention, and that is because in principle it is not related to what is meant by it. Rather, the purpose is to be a standard for what they deal with. For this reason, they were prices, unlike other funds, the purpose of which is to benefit from them themselves "(Al-Abbas, 1995).

4.3. money functions

We should mention the functions of money accurately, because it is the criterion for considering cash in the bitcoin currency, and it is noted that scientists defined money based on its functions.

Sheikh Abdullah Al-Manea says: "Economists believe that money has three characteristics, when it is found realized in a subjective material. This substance is considered as cash, and these characteristics are to be a mediator of public exchange, a general measure of values and a repository of wealth, so it is not correct to consider what was a mediator of private exchange "(Al-Zuhaili,2002).

The following is a description of the functions of money:

Money is a measure of the values of goods and services in exchange, and it is a tool by which the values of various things can be expressed (Al-Zuhaili,2002).

Money is a medium of exchange, that is, it is a means by which individuals trade goods and services, and it gives its holder a wide scope for choice and enables him to buy what he wants (Al-Zuhaili,2002).

Money is a tool for retaining values, in the sense that it is a storehouse of commodity values (Al-Zuhaili,2002).

Money is a base for deferred payments and the settlement of debts and obligations. The origin of money is to be a measure of present values and deferred payments, but the change in its value by rise or fall made it not valid in calculating the value of deferred payments, and this led after the First World War that many countries and individuals refused to consider it a measure In deferred payments, use gold, silver, or other units of fixed value (Al-Zuhaili,2002).

4.4. Doctrinal adaptation of paper money

The research on the jurisprudential adaptation of paper money is not our purpose of the research, but I mention it here very briefly to complete the picture on the issue of money, and I mention the saying that the majority of contemporary jurists have settled on, and the Islamic Fiqh Academy in Jeddah took it, which is that banknotes are cash in and of themselves that are in progress. It is what happens with gold and silver, and each type of it is considered a genus, independent of multiple races, with multiple issuers, because the banknotes perform the functions of the gold and silver coins in that they are the prices of things idiomatically.

It came in the Islamic Fiqh Council in Makkah Al-Mukarramah, about paper currency: "Based on the fact that the origin in cash is gold and silver, and based on the fact that the reason for the flow of interest in them is the absolute price in the most correct sayings among the scholars of Sharia, and since the price is not limited to gold and silver among the scholars. And if their metal is the original, and since paper currency has become a price and took the place of gold and silver in dealing with it, and with it things are established in this era.

For all of this, the Council of the Islamic Fiqh Academy decides that paper currency is cash in its own right, which has the same ruling as the two currencies of gold and silver, so zakat is obligatory on it, and interest is applied on it in both types. Banknotes are of different types, with many issuers in different countries "(Fiqh Academy , 2009).

5. THE LEGAL POSITION OF THE BITCOIN CURRENCY

5.1. Doctrinal adaptation of "Bitcoin"

Based on what we mentioned that cash requires that cash be a measure of the values of goods and services in exchange, that it be a medium of exchange, and a tool for preserving values, we see that Bitcoin is a fact in which these characteristics are available. On the values of different things, he also became a mediator of exchange, as evidenced by the recognition of some companies and countries.

We also note that Bitcoin can be a storehouse of wealth, as many rich people around the world have become valued in this currency.

Sheikh Abdullah Al-Manea says: "Economists believe that cash has three characteristics, when it is found realized in a subjective material "(Al-Zuhaili,2002).

5.2. The sayings of jurists in the rule of Bitcoin.

Several official fatwas were issued by some Islamic fatwa houses, which prohibited dealing with the electronic currency "Bitcoin" and justified this by several reasons that we will mention, later as some scholars, such as a member of the Council of Senior Scholars and advisor in the Saudi Royal Court, Sheikh Dr. Abdullah bin Muhammad al-Mutlaq, but I I didn't arrive (Al-Khafif, 2008) - According to what I have seen _ to any official body that ruled the legality of dealing with Bitcoin, but the Islamic Economic Forum mentioned two sayings about Bitcoin (M.A.K. , 2020) One of them says that it is permissible to deal with it, and he mentioned evidence for that, which we will mention in its place.

Accordingly, we can say that scholars have two opinions regarding the ruling on Bitcoin, one saying that it is forbidden and one saying that it is permissible.

5.2.1. Fatwa of the Egyptian Dar Al Ifta

The Egyptian Dar Al-Iftaa issued a fatwa in which it forbade dealing with the currency "Bitcoin" and explained that it contains risks, deception and ignorance. Considering it as an acceptable intermediary for exchange from the competent authorities, because of the harm it includes resulting from fraud, ignorance and fraud in its bank, standard and value, in addition to the high risks that its practice leads to individuals and countries"(Al-Ilmiyya, 2018).

Also, the "Bitcoin" currency did not meet the conditions and controls necessary for considering the currency and its circulation, even if it was intended for profit or use and trading in some cases, but it is unknown, invisible or known, with the meanings of blind fraud and ignorance in its standard and bank, which leads to The occurrence of deception and deception in its reality among the dealers, so it was likened to that of fraudulent money, and other issues that the jurists decided the prohibition of issuing, circulating, preserving and hoarding them, due to the lack of common knowledge about them in terms of value, standard and banking, and because of the ignorance and fraud that they include.

Economists and money experts have agreed that this currency and its contracts contained the largest amount of fraud in modern currencies and financial contracts at all, although the prevalence of such type of currencies and the practices resulting from them disturb the traditional work system that relies on multimedia in transferring and dealing in money, such as banks At the same time, it does not create a disciplined and stable alternative currency or other system, and narrows job opportunities.

As for the inclusion of this currency and the practices resulting from it to harm, it is represented in the ignorance of the notables and identities of those dealing with it, and the customer's submission by his full responsibility for the consequences of this highly risky transaction with the ignorance of most customers who use this currency for the professional rules that must be followed to reduce the possibilities of losses, in addition to transgressing the impact of dealing with it. Economically, it has the potential to affect the savings of individuals dealing in this currency to the economies of countries.

"Counting and issuing currency is a pure right of the ruler or whoever takes his place from among the monetary institutions, rather it is one of the most special functions of the state so that the bank and the standard are known, and then people are assured of their validity and safety from forgery, manipulation and forgery, whether by their weights or by their standards."

5.2.2. Fatwa of the Palestinian Dar Al Ifta

And in the text of the Palestinian fatwa, the Supreme Fatwa Council forbids dealing in the virtual currency "Bitcoin" because it contains great fraud, and includes the meaning of gambling, and it is not permissible to sell or buy it, because it is still a currency of unknown source, and there is no guarantor of it, and because it is highly volatile and risky, and is affected by robbery on its keys, and because it allows a great deal of scope for fraud and deception "(cryptocurrency, 2021).

The fatwa summarized the risks of Bitcoin by several things, including:

- **Anonymity:** The main goal of the invention of Bitcoin is that central banks or other bodies do not interfere in its regulation and supervision, so it is popular with traffickers of contraband, drugs, weapons and human organs.
- **Fraud and Risk:** Because its price is subject to great fluctuation and volatility for programmatic reasons, it often leads to large losses.
- **Its limitations:** the production of Bitcoin is very difficult, because the organizing algorithms for it are built in a way that makes its production through computers increasingly difficult with the passage of days, by increasing the complexity of the encryption that the manufacturer must succeed in solving, and the total amount that can be produced is limited to 21 million Bitcoin, and depends production afterwards.
- **Gambling:** The Bitcoin factory competes with all participants by solving algorithms, and the quantity produced will be the share of the first successful in solving it, and the efforts of others go to waste, with their loss of electricity costs and so on.
- **It is based on the principle of distrust:** the principle of trust is the basis for the popularity of coins or banknotes, and that confidence derives from the value of the currency in itself, such as gold and silver, or from its reliance on the economies of the countries that issue it and support its value. It issues and guarantees it, and it does not have a supervisory umbrella, nor does it have a physical presence
- **Bitcoin does not meet the conditions of Sharia criticism:** there are big differences between it and the well-known and Shariah-accepted prices, including:

1- Shari'a cash is required to be a standard for goods and services in general, that is, to have the "price bug" in the currency. As for bitcoin, it is just a tool of exchange for specific goods and services, and it is not a measure of goods and services on its launch, but most institutions do not recognize bitcoin as a currency.

2- Shari'a cash is required to be issued by a known authority, not an unknown one. The reality of currencies is that they are issued by the state, while Bitcoin is not issued by a known authority, but rather it can be produced from unknown persons.

3- Sharia cash is required to be common among people, but Bitcoin is a fake electronic currency that is not popular among people, and it is specific to those who trade it and acknowledge its value. Rather, it has been banned in many countries, and the Palestinian Monetary Authority has also warned against it due to the danger of dealing with it on the state's economy. Because of the displacement of national capital, and replacing it with that currency whose value can drop to zero or rise to astronomical limits.

It appears from the above that Bitcoin is not a price, as it violates the principles of price, and at the same time, it cannot be a commodity, because Bitcoin does not satisfy any consumer desire in humans, so it is adapted as: an electronic program used as a tool that takes the role of currency sometimes in some places and some countries "(Al-Ilmiyya, 2018).

5.2.3. Fatwa of the General Authority of Islamic Affairs and Endowments in Dubai

And the summary of the fatwa of the General Authority of Islamic Affairs and Endowments in Dubai, in 2018, stated that Bitcoin is a digital currency that does not meet the legal and legal criteria that make it a currency that is subject to the rule of dealing in internationally recognized official legal currencies and that it does not meet the legal controls that make it a viable commodity. For this reason: it is not permissible to deal in Bitcoin or other electronic currencies that do not meet the criteria considered legally and legally, because dealing with it leads to unsound consequences, whether on the dealers, or on the financial markets and society as a whole, and whether we consider it cash or commodity, so the ruling includes it in both cases "(Al-Ilmiyya, 2018).

5.2.4. The Fatwa of the Turkish Dar Al Iftaa

The Supreme Council of the Directorate of Religious Affairs issued a fatwa in which it is forbidden to deal with virtual currencies, in response to a question about the ruling on dealing in Bitcoin (Al-Khafif, 2008).

5.3. Evidence for those who said that Bitcoin is prohibited

The previous fatwas mentioned a lot of evidence for the prohibition of dealing in bitcoin, but most of them are either weak or contradictory and do not affect the cash of bitcoin, and the researchers believe that the strongest evidence that influenced me affected the legal ruling of bitcoin and made dealing with it forbidden are:

1. Ignorance: It is represented in the ignorance of the issuer of Bitcoin and the ignorance of the guarantor and control of it, and this matter requires gross deception and great ignorance.
2. Dealing with bitcoin without the permission of the state, the guardian (the guardian) or the competent authority that it represents at the present time (the Central Bank), which carries out the tasks of monetary policy in the contemporary state, is considered an attack on the functions of the state, as the function of the central bank is the function of issuance. Cash in accordance with the laws and regulations issued by the legislative apparatus of the state, in accordance with the general policy of the state, and thus the bank sets a plan for the issuance and volume of circulating cash, all with the aim of controlling the volume of monetary mass circulating in the state, as well as maintaining a balance between the volume of money in circulation on the one hand, and goods and services on the other hand, so that there is no inflation or deflation.

Dealing with Bitcoin (whether by exchanging or mining) will affect the circulation and control the supply of credit money, which hinders the work of the Central Bank and causes it to turmoil.

5.4. A tool who said it is permissible to deal in Bitcoin

The proponents of this statement cited three evidences, namely:

- 1) The basic principle is that things are permissible.

It is refuted on this evidence that this is true in the event that there is no legal prohibition. As for fraud and ignorance, as we mentioned previously, this makes dealing with them forbidden.

- 2) Bitcoin is a money that is legally correct by the amount of what it has actually achieved, that other currencies, goods and services own it.

He responds to this evidence that if we accept its apparent value, we cannot accept that in reality, because the people who dealt with Bitcoin are deceived, and they did not realize the danger of ignorance of the source and the possibility of controlling the production of this currency.

Also, al-Mutaqawam money, as Sheikh Ali al-Khafeef says: "It is what has a value that requires the inclusion of what was destroyed when he was attacked (Al-Khafif, 2008) However, this is not available in the Bitcoin currency, as there is no guarantor in the event of the loss of the currency, due to the ignorance of the source.

- 3) Bitcoin performs the functions of money or currencies in general, although it is not issued by a government agency, and there is no economic or legal limit for money that prevents it.

It can be responded to this evidence, that Bitcoin performs the functions of money or currencies, but the ignorance of the source and its infringement on the functions of the central bank in the country, makes dealing with Bitcoin forbidden.

6. FINDINGS AND RECOMMENDATIONS

From the foregoing, the researchers believe that each group has its own evidence, and every evidence can be discussed and answered. In other words, (anonymity, major fraud, assault on the tasks of the central bank) and these are the strongest reasons mentioned by those who forbid dealing in bitcoin, we say: these specifications may be available in some financial transactions (whole or part), yet no one forbids them, Such as trading currencies outside the bank, for example.

At the same time, those who say that it is permissible to deal with Bitcoin because it is a normal thing, this opinion is wrong, because the phenomenon of Bitcoin is not a normal phenomenon.

Therefore, researchers did not prove the inviolability or inviolability of dealing with Bitcoin. Therefore, we consider this research preliminary, and the researchers recommend the need for more in-depth research, and it may be more mature than this, because it will take into account the developments that will occur in the world of digital currencies, as it is constantly evolving.

The researchers recommend that the Islamic jurisprudence academies and the official fatwa role in the Arab and Islamic world form specialized committees, including economists and financial experts, neutral, legal and legal specialists in contemporary financial transactions, and study digital currencies in general, and Bitcoin in particular, and issue a legal ruling between controlling the characteristics of these Currencies and their limits.

The researchers also recommend that governments prevent (or not prevent) dealing with Bitcoin in accordance with their economic interests and what serves the country's financial policy, regardless of (halal and haram) because it is not conclusive until today's date - from the researchers' point of view -.

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