

Cryptocurrency Investment as a Marriage Dowry: An Analysis of Contemporary Islamic Family Law

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ABSTRACT

Purpose - This study aims to examine the validity of using cryptocurrency as dowry in marriage based on contemporary Islamic law and positive law in Indonesia. The phenomenon of giving dowry in the form of digital assets such as Bitcoin, Ethereum, and USDT has sparked debate in contemporary Islamic family law.

Methods - The research method used is the normative legal method with a conceptual approach. Data sources were obtained from legislation, religious fatwas, *fiqh* books, and scientific journals. Analysis was conducted using thematic and content analysis.

Findings - The findings of this study indicate that cryptocurrency can be used as dowry in marriage, provided that there are clear underlying assets, such as Bitcoin, Ethereum, and USDT, which have economically measurable value. These assets can be accepted as dowry as long as both parties agree and they can be legally transferred. Conversely, if a type of cryptocurrency does not have a clear underlying asset, it is prohibited to use it as dowry in marriage. This demonstrates the adaptation and flexibility of Islamic family law to contemporary phenomena while remaining grounded in Islamic law.

Research limitations - Limitations of the study in terms of empirical data. However, this study provides a conceptual contribution to the development of Islamic family law that is responsive to technological dynamics.

Originality - This study makes a valuable contribution to the contemporary Islamic legal discourse in formulating legal guidelines regarding the use of digital assets.

Keywords: *Cryptocurrency, Dowry, Contemporary Islamic Family Law, Digital Assets.*

Introduction

Technological developments have brought about major changes in various aspects of human life, one of which is in the field of economics and transactions. Cryptocurrency is a form of technological innovation in the form of digital currency that is decentralized and differs from official currencies issued by financial authorities such as central banks. In general, cryptocurrency is used as an official transaction tool, as is the case in several countries such as the United States and the European Union. Official regulations also

regulate the legality of cryptocurrency and have accommodated the use of digital assets in various economic activities, including payments and blockchain-based digital contracts.¹ Meanwhile, in Indonesia, cryptocurrency is only recognized as an investment asset and not a legal means of payment.²

As it evolves, cryptocurrency is no longer limited to economic transactions. In the field of marriage, contemporary dynamics show that cryptocurrency has begun to be used as a dowry. In practice, some individuals have used cryptocurrency as a dowry in their weddings, such as Radja Muhammad Hasbi, who proposed to Andi Bau Tenri Abeng with a dowry of two Bitcoin coins worth approximately Rp1.7 billion, accompanied by precious metals and prayer accessories.³ In 2017, Fajar Widi also used one Bitcoin as a dowry to marry his fiancée, despite their families' lack of understanding of the technology.⁴ Cupi Cupita, an Indonesian dangdut singer, became one of the public figures who used cryptocurrency as part of her dowry in her marriage to Bintang Hari Bagus in 2021. During the wedding ceremony, Bintang Bagus presented a dowry consisting of 19 grams of precious metal gold and DisCas cryptocurrency worth approximately Rp199 million.⁵

The use of cryptocurrency as a dowry also raises fundamental questions regarding its validity and compliance with Sharia principles. Under Islamic law, a dowry must meet several criteria, including being of clear value, agreed upon by both parties, and having tangible benefits. Therefore, one of the main issues that needs to be examined is whether cryptocurrency, with its volatile nature and often lack of physical form, can be considered to meet these criteria. The sharp fluctuations in the value of cryptocurrency also raise concerns about uncertainty that could harm one party in the marriage. For example, the highly volatile

¹ Joseph Galasso, "The Crypto Revolution: A Comparative Analysis of Crypto Regulation in the United States and the European Union," *Touro Law Review* 39, no. 4 (2024): 1393, <https://digitalcommons.tourolaw.edu/lawreview/vol39/iss4/12>.

² This is in accordance with the provisions of Law No. 7 of 2011 on Currency, which states that the only legal tender in Indonesia is the Rupiah. Bank Indonesia explicitly prohibits the use of cryptocurrency as a means of payment (Law No. 7/2011 Article 1 paragraph 2). Recent regulations such as OJK Regulation No. 27 of 2024 and Government Regulation No. 28 of 2025 regulate the trading of cryptocurrency as Digital Financial Assets (DFA) that must obtain a license from the OJK, reaffirming its status as a strictly regulated investment instrument, not a daily transaction tool. See Dasih Irma dkk., "The Future of Cryptocurrency Legality in Indonesia," *Journal of Economics and Business Letters* 1, no. 1 (2021): 20, <https://doi.org/10.55942/jebi.v1i1.87>.

³ Ikhwan Hastanto, "Pria Riau Bayar Panai pakai Bitcoin, Mata Uang Kripto Makin Lumrah jadi Mahar," *Vice*, 2021, <https://www.vice.com/id/article/lelaki-riau-bayar-mahar-panai-pernikahan-pakai-bitcoin-senilai-rp17-miliar>.

⁴ Aulia Aminda Dhianti, "Anti-Mainstream, Pasangan Ini Menikah Dengan Mahar Bitcoin," *Kumparan*, 2017, <https://kumparan.com/aulia-aminda-dhianti1510048024397>.

⁵ Astrid Prihatini, "Uang Kripto Jadi Mahar Pernikahan Cupi Cupita dan Bintang Bagus," *Espos.id*, 2021, <https://entertainment.espos.id/uang-kripto-jadi-mahar-pernikahan-cupi-cupita-dan-bintang-bagus-1199566>.

value of Bitcoin could cause the value of the dowry to change significantly in a short period, thereby creating potential conflicts in the future.⁶

Another issue that needs to be considered is the legality of cryptocurrency in Indonesian positive law, which could affect its value as a dowry. Although cryptocurrency is recognized as a legal commodity for trade, its status as a means of payment has not been officially recognized. This could be an obstacle for people who want to use cryptocurrency as a dowry, as its legality is still in question. In this context, further research is needed to explore the possibility of regulations that can accommodate the use of cryptocurrency as dowry without violating existing laws.⁷

The use of cryptocurrency as dowry is a very interesting phenomenon in contemporary Islamic family law. Although many studies discuss crypto in the context of Islamic law and positive law, there is still a significant gap in the literature that specifically examines in detail or classifies which forms of coins contain *dharar*. Many studies focus on cryptocurrency law in general, but lack a detailed examination of each specific cryptocurrency. Some studies that have been conducted include Bria,⁸ Sari,⁹ Farhan,¹⁰ Kirana,¹¹ Hasibuan,¹² and Mohammadi.¹³ Existing research tends to be fragmented in general, and there is no specific classification of the types of cryptocurrencies that can and cannot be used as dowries. Therefore, this study will provide a new contribution in the form of a detailed sharia classification and criteria for various types of cryptocurrencies, such as dowry, thereby clarifying the legal and practical aspects of contemporary Islamic marriage.

⁶ Lia Novita Sari dkk., “Legality of Use of Cryptocurrency as a Marriage Dowry in Indonesia Perspective Compilation of Islamic Law and the Indonesian Ulama Council,” *Jurnal Syntax Admiration* 4, no. 11 (2023): 2325, <https://doi.org/10.46799/jsa.v4i11.779>.

⁷ Yusna Zaidah Dkk., “Bitcoin As A Wedding Dowry: A Case Of Marriage With A Dowry Whose Currency Is Not Clear,” *Al-Hurrayah: Jurnal Hukum Islam* 8, No. 2 (2023): 83–92.

⁸ Marianus M. S. Bria dkk., “Towards Safer and Efficient Dowry Transactions: A Blockchain-Based Approach,” conference paper presented pada World Conference on Information Systems and Technologies 202, Cham, *Good Practices and New Perspectives in Information Systems and Technologies*, Springer, 2024, https://doi.org/10.1007/978-3-031-60221-4_30.

⁹ Sari dkk., “Legality of Use of Cryptocurrency as a Marriage Dowry in Indonesia Perspective Compilation of Islamic Law and the Indonesian Ulama Council.”

¹⁰ Muhammad Faiz Farhan dan Kasuwi Saiban, “Validity of Cryptocurrency as Dowry in Marriage in Indonesia Perspective of Islamic Law,” *Hukum Islam* 24, no. 2 (2024), <http://dx.doi.org/10.24014/hi.v24i2.23527>.

¹¹ Anggun Kirana dkk., “Crypto Assets as Dowry in Marriage According to Islamic Law in Indonesia,” *Journal of Transcendental Law* 5, no. 1 (2023), <https://doi.org/10.23917/jtl.v5i1.2713>.

¹² Ahmad Zakaria Hasibuan dan Zainal Arifin Purba, “Cryptocurrency Analysis Used as Marriage Dowry Based on the Views of Ulama in Asahan Regency,” *al-Afskar, Journal For Islamic Studies* 8, no. 3 (2025), <https://doi.org/10.31943/afkarjournal.v8i3.2327>.

¹³ Neda Mohammadi dkk., “Marriage in the Metaverse: Redefining Traditional Concepts in the Digital Age,” *Legal Studies in Digital Age* 3, no. 3 (2024), <https://doi.org/10.61838/kman.lsda.3.3.7>.

This study aims to analyze the use of cryptocurrency as dowry from the perspective of contemporary Islamic family law analysis. The objectives of this study include analyzing the classification of cryptocurrency that is valid as dowry in fiqh and its value in the context of transaction law in Indonesia. This research contributes to the body of knowledge in contemporary Islamic family law, particularly in the context of using cryptocurrency as dowry. Additionally, this study offers practical guidelines for couples and religious institutions in addressing this issue, taking into account legal validity and legal certainty.

Method

The type of research used is normative juridical, because the main focus of this study is to examine and analyze legal norms related to the use of cryptocurrency as dowry from the perspective of Islamic law and positive law in Indonesia. The normative legal approach enables researchers to examine written legal rules, such as laws, fatwas, jurisprudence, and classical and contemporary fiqh books, to obtain normative foundations that can be used to answer legal issues arising from new social phenomena, namely the giving of dowry in the form of digital assets. The approach used in this study is conceptual, as this research not only requires the identification of existing legal rules but also necessitates the construction of more flexible and adaptive legal concepts to accommodate technological advancements and contemporary social practices.

The data sources in this study consist of two types, namely primary and secondary data. Primary data consists of classical fiqh books on marriage, including *Kitab Fath al-Qarib* and *Kitab Al-Fiqh Al-Manhaji*. Meanwhile, secondary data in this study consists of scientific references, including books, journal articles, proceedings, theses, dissertations, and dissertations on dowry in Islamic marriage. Data collection used the document study method and was analyzed using content analysis techniques. This analysis involves three stages, including: 1) tracing the concept of dowry in classical fiqh; 2) describing the characteristics and legality of cryptocurrency as a digital asset; 3) analyzing the classification of cryptocurrency as a valid dowry in fiqh; 4) analyzing the value of cryptocurrency dowry in the context of transaction law in Indonesia.

Results and Discussion

Concept and Criteria of Dowry in Islamic Law

The word “*mahar*” comes from Arabic, which is an abstract noun or *maṣdar*, namely “*mabrn*” or a verb. Thus, dowry is an abstract object that is in accordance with the request of the prospective spouse or mutual agreement. Dowry is a mandatory gift given by the groom

to the bride. In fiqh literature, dowry has another term, namely *şadaq*, which etymologically means something very hard. Meanwhile, according to terminology, *şadaq* is property given by a man because of marriage.¹⁴ This explanation refers to the explanation of Sheikh Ibn Qosim when interpreting shadaq in his book *Fath al-Qarib* as follows:¹⁵

في أحكام الصداق. وهو بفتح الصاد أفعص من كسرها، مشتق من الصدق بفتح الصاد، وهو اسم لشديد الصلب؛
وشرعنا اسم مال واجب على الرجل بنكاح أو وطء شبهة أو موت.

Meaning: “The laws of shadaq. Shadaq with a fathah is more eloquent than with a kasrah. It is taken from the word shodaq, which is the name for something very hard. According to Sharia, it is the name for property that is obligatory for a man because of marriage or wati’ syubhat or death.”

The law of giving dowry is obligatory. This legal ruling is taken from the Quranic verse in Surat An-Nisa, verse 4, which explicitly commands men to give a dowry to the woman they marry with full consent. Furthermore, according to the book *Al-Fiqh Al-Manhaji*, the dowry remains obligatory even if both parties agree not to give it. The explanation is as follows:¹⁶

الصدق واجب على الزوج بمجرد تمام عقد الزواج، سواء سمى في العقد بمقدار معين من المال: كألف ليرة سورية مثلاً،
أو لم يسمّ، حتى لو اتفق على نفيه، أو عدم تسميته، فالاتفاق باطل، والمهر لازم

Meaning: “The dowry is obligatory for the husband because of the completion of the marriage contract, with a predetermined amount, such as 1000 Syrian lira, or unspecified, even if both parties agree to waive it or not mention it, then the agreement is void, and the dowry remains obligatory.”

In giving the dowry from the groom to the bride in the form of property or benefits due to the marriage bond, the form and type of dowry are not fixed in Islamic marriage law;

¹⁴ Mokhammad Samson Fajar dan Abdul Qodir Zaelani, “Transformation of Dowry from Traditional Practices to Maqashid Sharia: A Causal Analysis of Women’s Dignity and Family Harmony,” *Ulul Albab: Jurnal Studi dan Penelitian Hukum Islam* 8, no. 2 (2025): 205, <https://doi.org/10.30659/jua.v8i2.41634>.

¹⁵ Syekh Ibnu Qasim Al-Ghazi, *Fath Al-Qarib* (Kairo, Al-Maṭba‘ah Al-Kastalīyah: 1864), 124

¹⁶ Mustafa Al-Khin, Mustafa Al-Bugha, Ali Asy-Syibaji, *Al-Fiqh Al-Manhaji 'Ala Madzhab Al-Imam As-Syaf'i*, (Damaskus, Dar El-Qolam: 1979), 75

however, the couple is encouraged to consult and agree on the dowry to be given.¹⁷ Islam loves people who do not exceed limits in giving dowries and do not go to extremes.¹⁸ Because Islam does not encourage excessive dowry, dowry is permissible (*mubah*) if both parties have reached an agreement on this matter. Still, if one of the two objects to it or even cancels the marriage, it is *makrūh* (disliked).¹⁹

In giving dowry, the prospective spouse from the male side must also pay attention to the conditions for giving dowry. The requirements for dowry are:

- 1) The property or item must be valuable; a worthless dowry is not valid, even if there is no stipulation regarding the amount of the dowry. However, if the dowry is small but valuable, it is still valid.
- 2) The item must be pure and useful. A dowry consisting of alcohol, pork, or blood is not valid because these things are haram and worthless.
- 3) The item must not be stolen property, meaning taking someone else's property without permission, but not intending to keep it, as the intention is to return it later. Giving a dowry with stolen property is invalid, but the marriage contract remains valid.
- 4) The item is not unclear. A dowry given in the form of an item of unclear nature or whose type is not specified is invalid. Therefore, the dowry given must be an item of value, pure, not stolen, and not of an unclear nature. This is because the dowry is one of the measures of a man's seriousness toward the woman he intends to marry.²⁰

The dowry is something that must be given even if its form and value are not specified at the time of the contract.²¹ In terms of whether or not the dowry is specified at the time of the contract, the dowry is divided into two types.

¹⁷ Sukron Ma'mun dan Ibnu Akbar Maliki, "A Socio-Historical Study of Women's Rights Advocacy in Islamic Legal Construction," *Journal of Southeast Asian Human Rights* 7, no. 1 (2023): 6, <https://doi.org/10.19184/jseahr.v7i1.39156>.

¹⁸ Shivi Mala Ghummiah dkk., "Agensi Perempuan dalam Khitbah: Historisitas, Filosofi Maslahah, dan Dekonstruksi Gender dalam Tradisi Ganjur di Lamongan," *Prosiding Hukum Keluarga Islam* (Jember), Sekolah Tinggi Dirasat Islamiyah Imam Syafii, 2025, 275, <https://prosiding.stdiis.ac.id/index.php/hki/article/view/95>.

¹⁹ Shah Raziq Khalid, "Dower (Mahr) in Islam: A Critical Analysis," dalam *Islam and Society*, ed. oleh Mujibul Hasan Siddiqui (Concept Publishing Company, 2020), 120.

²⁰ Mohd Winario dan Ahmad Roffi Harahap, "Dowry in Imam Malik's Fiqh: Implications and Relevance in the Context of Contemporary Society," *Journal of Legal Sustainability* 1, no. 1 (2024): 8, <https://doi.org/10.69693/jols.v1i1.16>.

²¹ Amrina Rosyada dkk., "Gender Justice in Husband and Wife Relations According to Shaykh Nawawi Al-Bantani: A Study of the Kitab Syarah 'Uqūd al-Lujain," *Qanun: Jurnal Hukum Keluarga Islam* 2, no. 2 (2024): 143, <https://dx.doi.org/10.62870/qanun.v2i2.27087>.

- 1) *Mahr musamma* is a dowry agreed upon by the groom and bride and mentioned in the marriage contract. Scholars agree that there is no maximum amount for this dowry. The intention is to divorce a wife who is not loved and marry a new wife. Even if he divorces his old wife, it is not for the purpose of marrying, but it is not permissible to ask for the gifts back.
- 2) *Mahr mithli* is a dowry whose amount is determined according to the amount usually received by the bride's family, because at the time of the marriage contract, the form of the dowry has not been determined. According to Sayyid Sabiq, *mahr mithli* is measured based on the dowry of other women who are similar to her in terms of age, beauty, wealth, intelligence, religion, virginity, widowhood, and country at the time of the marriage contract, as well as all other differences regarding the right to dowry. If there are differences, then the dowry will also differ, such as a widow with children, a widow without children, and a virgin, then the dowry will also differ.²²

In today's marriages, various forms of social phenomena make digital assets a form of dowry, such as digital gold, stocks, forex currencies, and cryptocurrencies. Still, with the stipulation that they meet the above conditions and there are no elements of *gharar* in the.²³ The type, form, and value used as dowry are in accordance with the agreement of the bride and groom, such as digital assets in the form of shares that will be used as dowry for marriage must meet several requirements, including choosing sharia-compliant shares, which are securities traded on the Sharia Stock Exchange in the form of capital participation, a form of investment in an entity (business entity) by depositing a certain amount of funds with the aim of controlling part of the ownership of a particular company.²⁴ Imam Nawawi, in the book *Raudhatut Tholibin*, said, "There is no measure of dowry, but everything that can be used to buy or is worth buying can be used as wages, everything can be used as dowry. Therefore, in this case, shares can be used as dowry in marriage because they meet the elements of sale and purchase and can be used by the wife".²⁵ From the above explanation,

²² Mohammad Walid Ishaq Zai dan Sayed Ajmal Sadat, "Identification of Dowry (Mahr) in Islam," *Spring Journal of Arabic-English Studies* 2, no. 2 (2023): 40, <https://doi.org/10.55559/sjaes.v2i02.41>.

²³ Abdi Wijaya Dan Riskah, "An Evaluation Of Marriage Dowry Using Digital Money From The Perspective Of The Four Madhhabs," *Parewa Saraq: Journal Of Islamic Law And Fatwa Review* 1, No. 1 (2022): 1, <https://doi.org/10.64016/Parewasaraq.V1i1.5>.

²⁴ Rico Nur Ilham dkk., "Risk And Return Model of Digital Cryptocurrency Asset Investment In Indonesia," *Al Qalam: Jurnal Ilmiah Keagamaan dan Kemasyarakatan* 16, no. 1 (2022): 340, <http://dx.doi.org/10.35931/aq.v16i1.854>.

²⁵ Arshi Showkat, "The Principle and Practice of Mahr in Muslim Marriages," *Feminist Theology* 31, no. 2 (2022): 199, <https://doi.org/10.1177/09667350221134992>.

it can be concluded that whatever dowry a man gives to his prospective wife must have a value that is beneficial to his prospective wife.

Characteristics and Legality of Cryptocurrency as a Digital Asset

The term cryptocurrency or crypto money is now familiar to many people, especially among investors and businesspeople. It is important to note that cryptocurrency refers to digital currency that can store value on a blockchain network. The blockchain network here refers to a distributed ledger that records all transactions made by cryptocurrency users. This ledger is distributed and open, meaning a single entity does not own it, but it is accessible to all cryptocurrency users.²⁶

Cryptocurrency uses cryptography as its security system. Cryptography is a method used to protect information and communication channels through the use of specific codes.²⁷ In the process, cryptography converts data into a specific format or code that is quite complex, which serves to protect and maintain the security of this digital currency, making it very difficult to manipulate.²⁸ Cryptocurrency has several characteristics, including:

1) Privately issued

Unlike conventional currencies, which are issued by authorized institutions such as banks, cryptocurrencies are issued privately without any connection to any financial institution.

2) Decentralized transactions.

Every transaction made using cryptocurrency will use a peer-to-peer network system. This peer-to-peer network system is a computer network where every computer connected to the network is both a client and a server, which means that this network is formed without centralized control from a server. So, every computer has the same position. This network system has been used by cryptocurrencies and is called Blockchain networks.

3) Requires several technical service providers to exchange cryptocurrencies with other currencies, and vice versa.

²⁶ Mohammad Hashemi Joo dkk., "Cryptocurrency, a Successful Application of Blockchain Technology," *Managerial Finance* 46, no. 6 (2020): 715, <https://doi.org/10.1108/MF-09-2018-0451>.

²⁷ Sanjaikanth E Vadakkethil Somanathan Pillai dan Kiran Polimetla, "Analyzing the Impact of Quantum Cryptography on Network Security," *Institute of Electrical and Electronics Engineers* (Raichur), 2024, 5, <https://doi.org/10.1109/ICICACS60521.2024.10498417>.

²⁸ Jawaher Alshehri dan Almaha Alhamed, "A Review Paper for the Role of Cryptography in Network Security," *Institute of Electrical and Electronics Engineers* (Kuala Lumpur), 2022, 4, <https://doi.org/10.1109/ICECIE55199.2022.10000338>.

The emergence of cryptocurrency began in early 1983, when a cryptographer named David Chaum from the United States used cryptographic digital money called “e-cash.” Twelve years later, in 1995, David began implementing it through “Digicash,” which was an early form of digital payment using cryptography.²⁹ With its significant development, in 1998, other cryptographers also created cryptographic digital money, such as Wei Dai, a cryptographer from China who began publishing b-money, and Nick Szabo, who published bit gold.³⁰

Ten years later, in 2008, Satoshi Nakamoto, a cryptographer from Japan, also developed cryptocurrency. The cryptographic digital currency he introduced was named Bitcoin, and the following year, Bitcoin began operating in the community. After Bitcoin was launched in 2009, around 1,500 other cryptocurrencies were also introduced to the public. Around 600 of these are actively traded on the market, and around 2.9 to 5.8 million private and institutional users are actively exchanging tokens and running various transaction networks.³¹

In mid-2017, specifically in May, the market capitalization of active cryptocurrencies surpassed \$91 billion. The Financial Stability Board, an international body monitoring the global financial system, stated that on January 8, 2018, the combined market capitalization of cryptocurrency assets rose to \$830 billion, with Bitcoin being the largest contributor to this figure, as approximately 35% of the total came from Bitcoin. Then, on October 4, 2018, it dropped to around \$210 billion. To date, Bitcoin continues to dominate the market, but it faces technical problems and the advancement of other cryptocurrencies.³²

The emergence of cryptocurrency has certainly attracted attention in the financial world. The existence of cryptocurrency is also inseparable from the desire to be able to transact easily and quickly, especially in online transactions.³³ Sometimes people want to transact online easily and quickly without having to involve third parties, such as financial

²⁹ Alshehri dan Alhamed, “A Review Paper for the Role of Cryptography in Network Security,” 4.

³⁰ Ashish Tripathi dan Arjun Choudhary, “Crypto Bank: Cryptocurrency Wallet Based on Blockchain,” *Communications in Computer and Information Science* (Cham), Springer, 2024, 225, https://doi.org/10.1007/978-3-031-53085-2_19.

³¹ Faizah Alsulami dan Ali Raza, “Financial Markets Effect on Cryptocurrency Volatility: Pre- and Post-Future Exchanges Collapse Period in USA and Japan,” *International Journal of Financial Studies* 13, no. 1 (2025): 24, <https://doi.org/10.3390/ijfs13010024>.

³² Giancarlo Giudici dkk., “Cryptocurrencies: Market Analysis and Perspectives,” *Journal of Industrial and Business Economics* 47 (2020): 11, <https://doi.org/10.1007/s40812-019-00138-6>.

³³ Xiao Fan Liu dkk., “Knowledge Discovery in Cryptocurrency Transactions: A Survey,” *IEEE Access* 9 (2021), <https://doi.org/10.1109/ACCESS.2021.3062652>.

institutions/government, so that issues arising from the involvement of third parties can be eliminated, such as transfer fees between financial institutions. The role of financial institutions in a transaction is essentially a system of trust between two parties who agree to conduct a sale and purchase transaction. Based on this, a digital payment system based on cryptography is needed to enable two parties who wish to conduct a transaction to do so directly without going through a third party.³⁴

Unlike conventional currencies such as the US dollar, the Euro, or even the Rupiah, digital currencies are not controlled by a central authority in terms of their value. Therefore, the task of controlling and managing these currencies is entirely in the hands of cryptocurrency users via the internet. Cryptocurrency assets are used as an electronic payment system based on cryptographic evidence, not just trust. This cryptographic proof exists in the form of verified transactions recorded in a network called a blockchain.³⁵

Conceptually, blockchain technology is similar to the technology used in distributed databases. In a distributed database, recorded information is stored and shared with every member of the network. This technology also eliminates the need for third parties in cryptocurrencies. In addition, blockchain technology can prevent double transactions. The most important thing in the transaction process carried out in the world of cryptocurrency is transaction confirmation. Every time a transaction is initiated, the information will be received by the entire network. Once the transaction is made and the confirmation is received, the confirmation cannot be falsified.³⁶

This will become part of the transaction history record that cannot be altered from the blockchain. In the world of cryptocurrency, the entity responsible for confirming transactions is the miner, making miners a vital aspect. In the process, transactions are received by miners, who then verify the legitimacy of the transaction and broadcast it across the network. From this transaction confirmation, specific codes are generated for each transaction, and each code must be added to the database. The database referred to here is

³⁴ Haichuan Zhao, "Information Quality Or Entities' Interactivity? Understanding The Determinants Of Social Network-Based Brand Community Participation," *Future Internet* 11, No. 4 (2019): 4, <https://doi.org/10.3390/Fi11040087>.

³⁵ Karmila Sari Sukarno dan Pujiyono, "The Use of Cryptocurrency as a Payment Instrument," *Proceedings of the 3rd International Conference on Law and Governance (ICLAVE 2019)* (Jakarta), Atlantis Press, 2020, 366, <https://doi.org/10.2991/aebmr.k.200321.048>.

³⁶ Marcella Atzori, "Blockchain Technology And Decentralized Governance: Is The State Still Necessary?," *Journal Of Governance And Regulation* 6, No. 1 (2017): 45–62, https://doi.org/10.22495/Jgr_V6_I1_P5.

the blockchain, which functions as a ledger that records every transaction that takes place.³⁷ From this process, miners also receive rewards in the form of the cryptocurrency they are handling. For example, if a miner handles Bitcoin transactions, they will also receive rewards in the form of Bitcoin.³⁸

The working mechanism of cryptocurrency can be summarized in the following table:

Table 1: How Cryptocurrency Transactions Work

| Process Steps | Main Activities | Brief Explanation | Notes |
|-------------------------------|---|---|--|
| 1 Transaction Creation | Users create transactions in their digital wallets | Users enter the recipient's wallet address, the amount of crypto assets, and sign the transaction with their private key. | Sending 0.1 BTC to a friend's Bitcoin address, the transaction is digitally signed. |
| 2 Transaction Distribution | Transactions are sent to the blockchain network | Transactions enter the mempool, a collection of transactions waiting to be validated by nodes on the blockchain network. | Transactions wait to be verified by miners or validators. |
| 3 Transaction Validation | Nodes verify transactions | Consensus mechanisms such as Proof of Work (PoW) or Proof of Stake (PoS) are used to ensure validity. | PoW: Miners solve complex mathematical puzzles (Bitcoin). PoS: Validators are selected based on their stake. |
| 4 Recording on the Blockchain | Transactions are recorded in new blocks | Blocks containing valid transactions are permanently and transparently added to the blockchain. | Blockchain is like an unalterable digital ledger. |
| 5 Transaction Settlement | Cryptocurrency assets are transferred to the recipient's wallet | Once a block is recorded, asset ownership is transferred without intermediaries, and balances are updated across the network. | Transactions are completed without the need for banks or financial institutions. |

Source: Indodax Academy

³⁷ Benediktus Rolando, "The Impact Of Cryptocurrency On The Traditional Banking System In Indonesia: A Threat Or Complement," *Jurnal Akuntansi Dan Bisnis* 5, No. 1 (2025): 15–28, <https://doi.org/10.51903/Jiab.V5i1.861>.

³⁸ Nirupama Devi Bhaskar dkk., "Bitcoin Mining Technology," *Bitcoin, Innovation, Financial Instruments, and Big Data* 3 (2024): 45, <https://doi.org/10.1016/B978-0-323-98973-2.00002-2>.

It is also important to note that there are many types of cryptocurrencies. By 2025, there were 17,660 types of coins listed on the market cap. However, not all of these coins have clear underlying assets. An underlying asset is the basic asset that serves as the source of value or price of a financial instrument, including in the world of cryptocurrency. In the context of investment, underlying assets serve as a reference or basis for determining the value of an instrument. For example, in derivative contracts such as options or futures, the value of the contract depends on the price of the underlying asset. Underlying assets can be physical assets such as gold, currency, stocks, or even digital assets such as cryptocurrencies and NFTs (Non-Fungible Tokens).³⁹

In the realm of cryptocurrency, underlying assets are divided into two main groups, namely cryptocurrencies with clear underlying assets and those with unclear underlying assets. Cryptocurrencies with clear underlying assets are usually backed by real assets or mechanisms that can be measured and verified. Examples are stablecoins whose value is pegged to real assets such as the US dollar (e.g., USDT) or gold (e.g., LSILVER).⁴⁰ Stablecoins offer value stability because they are backed by assets whose existence and value can be verified in the real market. In addition, Bitcoin is also considered to have an underlying asset in the form of electricity production costs and complex mining processes, which form the basis of its economic value because it requires real resources for its creation.⁴¹ The following are types of cryptocurrency assets that have clear underlying assets according to several sources:

Table 2: Types of Cryptocurrency Assets with Clear Underlying Assets

| Crypto Currency | Underlying Reason | Initial Asset Value at Launch | Current Asset Value (July 2025) |
|-----------------|--|---------------------------------|---------------------------------|
| Bitcoin (BTC) | High electricity costs for mining and the first decentralized blockchain support Bitcoin | Nearly zero (priceless) in 2009 | Rp. 1.944.804.000 per coin |

³⁹ Lennart Ante, “The Non-Fungible Token (NFT) Market and Its Relationship with Bitcoin and Ethereum,” *FinTech* 1, no. 3 (2022): 220, <https://doi.org/10.3390/fintech1030017>.

⁴⁰ Mu’adil Faizin, “Analysis On Underlying Cryptocurrency Assets As Investment Instruments (A Case Study Of Bitcoin, Ethereum, Tether And Usdc),” *Al-Huquq: Journal Of Indonesian Islamic Economic Law* 5, No. 2 (2023): 118–29, <https://doi.org/10.19105/Alhuquq.V5i2.8588>.

⁴¹ Qingsong Ruan dkk., “Effect of Introducing Bitcoin Futures on the Underlying Bitcoin Market Efficiency: A Multifractal Analysis,” *Chaos, Solitons & Fractals* 153, no. 1 (2021), <https://doi.org/10.1016/j.chaos.2021.111576>.

| | | | |
|--------------------|--|---|---|
| Ethereum (ETH) | Ethereum is a blockchain platform that supports DeFi, NFTs, and decentralized applications. | Approximately \$0,31 (ICO 2014) | Approximately Rp. 48.711.000 per coin |
| Binance Coin (BNB) | BNB is used as a utility token in the Binance ecosystem for trading fee discounts | Approximately \$0.10 (initial estimate in 2017) | Approximately Rp. 11,127,807 million per coin |
| Ripple (XRP) | XRP serves as a fast international transaction tool with support from major financial institutions | Nearly zero (early 2011) | Approximately Rp. 47,500 per coin |
| USDT | Stablecoin is backed 1:1 by USD and supported by dollar reserves and equivalent assets. | Approximately \$1 (pegged 1:1 to USD) in 2014 | Approximately Rp. 16,230 per coin |

Source: Latest prices based on the Indodax platform in July 2025

Measurable and accountable assets or mechanisms, such as innovative blockchain technology, energy production costs, or real asset reserves usually back cryptocurrencies with clear underlying assets. Examples include Bitcoin, which has high energy costs for its mining process as its underlying asset, Ethereum, which is supported by its ability to run smart contracts and decentralized applications, and stablecoins like USDT, which is pegged one-to-one with the US dollar and backed by fiat reserves. The presence of a clear underlying asset provides a stronger and more transparent value foundation, enabling investors to assess the risks and potential of the cryptocurrency more effectively.⁴²

Conversely, there are also types of cryptocurrencies that do not have a clear or tangible underlying asset. These cryptocurrencies are often not backed by real assets, specific underlying technology, or verifiable value reserves. They tend to rely on intangible factors such as popularity, user community, or market hype.⁴³ The most common examples are meme coins like Dogecoin and Shiba Inu, whose value and existence are heavily influenced

⁴² Chrisna Satya Wardhana, "Eksplorasi Fundamental Cryptocurrency Dalam Volatilitas Harga," *Jurnal Syntax Admiration* 5, No. 4 (2024): 1040–53, <Https://Doi.Org/10.46799/Jsa.V5i4.1094>.

⁴³ Jinan Liu dan Apostolos Serletis, "Volatility in the Cryptocurrency Market," *Open Econ Rev* 30 (2019): 780, <Https://doi.org/10.1007/s11079-019-09547-5>.

by market sentiment and community, rather than concrete underlying assets or technology. This makes these types of cryptocurrencies highly volatile and more speculative than those with clear underlying assets. Given these fundamental differences, investors need to be more cautious and understand the underlying characteristics before deciding to invest in various types of cryptocurrencies.⁴⁴ The following are types of cryptocurrency assets that do not have clear underlying assets according to several sources:

Table 3: Types of Cryptocurrency Assets with No Underlying Assets⁴⁵

| Crypto Currency | Underlying Reason | Initial Asset Value at Launch | Current Asset Value (July 2025) |
|------------------------------|--|--------------------------------|--|
| Dogecoin (DOGE) | A memecoin born from a meme, with no fundamental assets or value claims | Nearly zero (unvalued) in 2013 | Rp. 3.109 per coin |
| Shiba Inu (SHIB) | Meme token with no real underlying asset, only market and community | Nearly zero in 2020 | Approximately Rp. 20 per coin |
| TerraUSD (UST) (now defunct) | An algorithmic stablecoin not backed by real assets, only token rebalancing | Priced at 1:1 with USD in 2020 | Collapsed in 2022 with a final price of 0.26 USD |
| SafeMoon | A DeFi token with reward and penalty mechanisms, without real underlying assets | Nearly zero (early 2011) | Approximately 0.00001092 dollars per coin |
| Bitconnect (BCC) | A lending platform that turned out to be a Ponzi scheme in the form of a crypto lending platform that eventually collapsed and left investors with huge losses | Approximately \$0.1 in 2016 | Almost zero after closing in 2018 |

⁴⁴ Faizin, "Analysis On Underlying Cryptocurrency Assets As Investment Instruments (A Case Study Of Bitcoin, Ethereum, Tether And Usdc)."

⁴⁵ Daniele Bianchi, "Cryptocurrencies As an Asset Class? An Empirical Assessment," *The Journal of Alternative Investments* 23, no. 2 (2020), <https://doi.org/10.3905/jai.2020.1.105>.

The various explanations above have led to a number of issues arising from the existence of virtual currencies, ranging from their legality to statements that bitcoin itself is not legal tender in Indonesia. This is because there are opinions stating that Bitcoin itself differs from the concept of money as explained in the Law on Finance or the payment instruments currently in effect in Indonesia.⁴⁶ However, some argue that it is permissible, as long as it does not cause harm and does not replace or substitute the value or currency that should be used. Bitcoin may be used as a payment instrument or a substitute currency for the rupiah due to the advancement of technology.⁴⁷

The Use of Cryptocurrency Legality as a Marriage Dowry in Islamic Law and Positive Law in Indonesia

The issue of the legality of using cryptocurrency as a dowry in marriage according to Islamic law is a complex subject of study in contemporary Islamic family law discourse. This issue arises because cryptocurrency differs from conventional currencies or physical assets that are commonly used as dowries. Fundamentally, Islamic law requires dowry to be property (*ma'l*) that has economic value, is clearly defined in quantity (*ma'lum*), and is legally owned. The uncertainty (*gharar*) of cryptocurrency's highly fluctuating value poses a major challenge in meeting these criteria, leading to intense debates among Islamic jurists.⁴⁸

The following table compares dowry in classical *fiqh* with cryptocurrency as dowry, based on several key aspects.

Table 4: Comparison of the concept of dowry in classical *fiqh* and cryptocurrency

| Aspect | Classical <i>Fiqh</i> Dowry ⁴⁹ | Cryptocurrency ⁵⁰ |
|------------------|---|------------------------------|
| Form of property | Gold, money, services, etc. | Bitcoin, Ethereum, etc. |

⁴⁶ Irfun Walid Sahamad Dkk., “Aspek Hukum Terhadap Investasi Kripto Di Indonesia,” *Jurnal Cabaya Mandalika ISSN 2721-4796 (Online)* 4, No. 3 (2023): 1740–47, [Https://Doi.Org/10.36312/Jcm.V4i3.2464](https://doi.org/10.36312/jcm.v4i3.2464).

⁴⁷ Simona-Vasilica Oprea dkk., “Is Bitcoin Ready to be a Widespread Payment Method? Using Price Volatility and Setting Strategies for Merchants,” *Electronic Commerce Research* 24 (2024): 1270, <https://doi.org/10.1007/s10660-024-09812-x>.

⁴⁸ Binti Nur’Alimah, “Mahar Cryptocurrency (Uang Digital) dalam Perspektif Maqāṣid Sharī’ah Wahbah az-Zuhaili” (Skripsi, Universitas Islam Negeri Maulana Malik Ibrahim, 2024), 56, <http://etheses.uin-malang.ac.id/64561/>.

⁴⁹ Asrori dkk., “Giving a Marriage Dowry in Juridical, Sociological, and Philosophical Perspectives,” *Ijtima’iyah: Jurnal Pengembangan Masyarakat Islam* 17, no. 1 (2024), <https://doi.org/10.24042/ijpmi.v17i1.19988>.

⁵⁰ Zlatko Bezhovski dkk., “Current Adoption State of Cryptocurrencies as An Electronic Payment Method,” *Management Research and Practice* 1 (2021).

| | | |
|---|---|---|
| Concept | Property (<i>māl</i>) that has real value, physical form, and is generally accepted as a medium of exchange or valuable item. It can be in the form of movable or immovable property, or benefits (services). | Decentralized digital assets that have no physical form, whose value derives from consensus and blockchain technology. Functions as an investment commodity, not an official currency. |
| Characteristics | Stable (relatively stable or predictable value), has physical form, is easy to measure and verify, and is legally and socially recognized as property. | Volatile (highly fluctuating value), no physical form, value depends on market dynamics and technology, and legality as a medium of exchange is still debated. |
| Beneficial value | Clear and tangible. It can be used as a medium of exchange, stored, or utilized directly according to its function (e.g., jewelry, houses, or educational services). | It is an investment asset with the potential for long-term profits. However, its benefits are limited to the digital realm and trading on the crypto asset market. |
| Compliance with Principles & Requirements | Meets the requirements for dowry in Islam: property (<i>māl</i>) that is useful, has a clear value (<i>ma'lum</i>), and is legally owned. There are no significant elements of uncertainty (<i>gharar</i>). | Not fully compliant. Meets the requirement as property (<i>māl</i>) because it has value. However, it contains a high degree of uncertainty (<i>gharar</i>) due to the volatility of its value. This could lead to losses and disputes in the future, thereby casting doubt on its compliance with the principles of Sharia transactions. |

Seeing these fundamental differences, the discourse on the use of cryptocurrency as dowry has given rise to two main views among contemporary scholars. The first view, which tends to allow it, categorizes cryptocurrency as a digital asset that has value, making it valid as a dowry. They argue that as long as both parties, namely the prospective husband and wife, have an understanding and agreement on the value of the dowry, then the marriage contract is valid. The underlying rationale is that a dowry does not necessarily have to be in the form of currency, but can be anything of value agreed upon by both parties, such as gold, silver, or even services, thereby analogizing cryptocurrency with other non-cash forms of dowry.⁵¹

On the other hand, the second view is more cautious and tends to prohibit or question its legality. This view is based on concerns about the element of *gharar* inherent in

⁵¹ Ghifari Hirza dkk., "Mata Uang Kripto Sebagai Mahar Perkawinan Perspektif Maqāṣid Al-Syārī Ah Jasser Auda," *Maqasid Jurnal Studi Hukum Islam* 14, no. 1 (2025): 103, <https://doi.org/10.30651/mqs.v14i1.26167>.

cryptocurrency. Extreme fluctuations in value can be detrimental to the wife, especially if the value of the dowry decreases significantly after the marriage contract. Additionally, some scholars highlight the lack of physical form and its status as an unrecognized official currency by many countries, including Indonesia. This view adheres to the principle of caution in Islamic transactions to avoid speculation (*maysir*) and uncertainty that could lead to disputes in the future.⁵²

Although there is no single fatwa that absolutely prohibits it, the validity of cryptocurrency as a dowry is still an issue that requires caution. Juridically, if cryptocurrency is considered a commodity or digital asset, its use can be analogized to the granting of assets. However, to maintain legal certainty and avoid gharar, the couple intending to marry should first determine the value of the dowry in a stable currency as a reference, with cryptocurrency serving only as the payment instrument. Thus, the dowry meets the requirement of *ma'lum* and avoids the uncertainty of value that could be detrimental.

Meanwhile, Article 1(d) of the Compilation of Islamic Law (KHI) states that the dowry is a gift from the prospective groom to the prospective bride, whether in the form of goods, money, or services that do not contradict Islamic law.⁵³ From the provisions of Article 1(d) of the KHI regarding the dowry, there are at least three criteria that are emphasized, namely goods, money, and services. The phrase “in the form” of goods, money, or services in this article is optional and alternative, meaning that the form of the dowry can be goods, money, or services. It does not have to be all three; only one is sufficient, which is what the author refers to as an alternative.⁵⁴

Based on the provisions of the above article, it is understood that the goods referred to are any objects that are the subject of property rights. Simply put, the term “goods” in the provision refers to tangible objects. From a legal classification perspective, property law encompasses tangible property (e.g., money and vehicles), immovable property such as land, rice fields, or buildings, consumer goods such as clothing or household appliances, intellectual property such as copyrights and trademarks, and investment property such as

⁵² Asy'ari Siroj, “Cryptocurrency (Mata Uang Digital) Sebagai Mahar Pernikahan Menurut Komisi Fatwa MUIP” (Skripsi, Universitas Islam Negeri Syarif Hidayatullah, 2024), 76.

⁵³ Agus Setiawan dan Ibnu Akbar Maliki, “The Development of Family Law Materials in Bahtsul Masail Nadhlatul Ulama,” *Jurnal Mahkamah: Kajian Ilmu Hukum dan Hukum Islam* 5, no. 2 (2020), <https://doi.org/10.25217/jm.v5i2.1162>.

⁵⁴ Nur Mohamad Kasim, “The Implementation of Modest and Simple Principle to Mahr as a Contribution to the Indonesian Marriage Law,” *Jurnal Hukum & Pembangunan* 50, no. 2 (2023): 545.

stocks and bonds.⁵⁵ From this description, in the author's opinion, crypto can be categorized as goods (as mentioned in the KHI), in this context, as property or investment goods. These investment goods are certainly not tangible, but the absence of a tangible form does not mean that they are not recognized. Therefore, crypto can be categorized as intangible objects because crypto is a form of stock whose nominal value is not volatile or fixed.

Additionally, crypto assets have economic value and can be traded. Furthermore, the owners of crypto assets will have proof of ownership over the crypto assets issued by the crypto asset storage provider in the form of a document known as a crypto asset storage certificate. Article 32 of the Compilation of Islamic Law also explains that the dowry is given directly to the bride-to-be and becomes her property from that moment onward. However, in the case of a crypto dowry, it is merely a figure or symbol of the dowry. The bride-to-be cannot hold the crypto dowry in her hands and cannot own it directly.⁵⁶

The bride can only receive the token containing the cryptocurrency coins and cannot receive cash in rupiah or any other form of money at the time of the ijab qabul. Therefore, the bride cannot use the dowry like other dowries that are easy to use and easy to trade. There is an agreement between the groom and the bride regarding the amount and type of cryptocurrency to be given as a dowry. The bride and groom must have a cryptocurrency wallet to store and send digital currency. For the bride to receive the cryptocurrency dowry from the groom, the bride must have a cryptocurrency wallet.⁵⁷

Contemporary Islamic Legal Analysis of the Use of Cryptocurrency as Dowry

The use of cryptocurrency as dowry in marriage, despite its potential for widespread adoption, presents significant challenges that require a reconstruction of the Islamic legal paradigm. This approach is no longer centered solely on the formal legality of an object, but rather on the deeper essence and purpose of the law. Therefore, a shift is needed from the classical fiqh paradigm, which focuses on the physical form of property, to a more adaptive paradigm that accommodates technological developments. This new paradigm must be able to explore how digital assets such as cryptocurrency can fulfill the substance of dowry as a form of respect and commitment without violating Sharia principles.

⁵⁵ Ria Agustina dkk., "The Development and Challenges of Civil Law in Indonesia," *Law Science and Field* 14, no. 2 (2025): 430, <https://doi.org/10.35335/legal.v14i2.1327>.

⁵⁶ Kirana dkk., "Crypto Assets as Dowry in Marriage According to Islamic Law in Indonesia," 2023.

⁵⁷ Boby Juliansjah Megah Miko, "Konsepsi Hukum Mahar Cryptocurrency Dalam Perkawinan," *Jurnal Ilmiah Universitas Batanghari Jambi* 22, No. 1 (2022): 126–31.

This paradigm shift requires a substantial approach, not merely formalities. Instead of debating whether cryptocurrency has a physical form, legal analysis should examine whether it has economic value that is exchangeable and agreed upon by both parties.⁵⁸ In this case, cryptocurrency can be seen as legitimate property (*māl*), just like other non-physical assets recognized in modern transactions.⁵⁹ This transition opens up space for collective *ijtihad* (*ijtihad jamā‘i*) to formulate comprehensive guidelines, integrating fiqh understanding with technological and economic knowledge.

Maqāṣid al-shari‘ah (the objectives of Islamic law) is a legal paradigm framework that is relevant in viewing this phenomenon holistically,⁶⁰ especially in the context of preserving wealth (*hifz al-māl*) and preserving the family (*hifz al-nasl*).⁶¹ Cryptocurrency dowries have the potential to threaten *hifz al-māl* due to their high volatility⁶², which can cause financial losses for the wife. To address this risk, *maqāṣid al-shari‘ah* emphasizes the importance of risk mitigation through clear contractual mechanisms. For example, the value of the dowry should be set in a stable currency at the time of the contract, and cryptocurrency should only be used as a medium for the transfer of assets.

Considerations of *maqāṣid al-shari‘ah* also extend to *hifz al-nasl*. Marriage is the foundation of society, and dowries that cause disputes due to uncertainty of value can erode household harmony.⁶³ Therefore, Islamic law mandates that dowries should be a source of blessing, not conflict.⁶⁴ This underscores the need for couples to have in-depth education

⁵⁸ Hafsa Fida dan Hashmat, “Right to Dower of Women; The Islamic Perspective and Interpretation,” *Indus Journal of Law & Social Science* 3, no. 2 (2024): 9, <https://doi.org/10.70540/>.

⁵⁹ Iin Indriani Mokodompis dkk., “Integrating Islamic Law and Modern Regulation: Cryptocurrency as a Sharia-Compliant Digital Asset in Indonesia,” *Antmind Review: Journal of Sharia and Legal Ethics* 1, no. 2 (2024): 85, <https://doi.org/10.63077/r27rd104>.

⁶⁰ Ibnu Akbar Maliki dkk., “A Gender-Based Maqashid Sharia Study of Penghulu in Indonesia (A Study of Jasser Auda’s Views),” *Nurani: Jurnal Kajian Syari’ah Dan Masyarakat* 23, no. 1 (2023): 52, <https://doi.org/10.19109/nurani.v23i1.16447>.

⁶¹ Mujaddid Abdullah, “Maqasid Sharia and Social Development: an Inquiry into Jamaluddin Athiyah’s Renewal Paradigm,” *UMRAN - Journal of Islamic and Civilizational Studies* 12, no. 2 (2025): 70, <https://doi.org/10.11113/umran2025.12n2.757>.

⁶² Yi Fang dkk., “Geopolitical Risk and Cryptocurrency Market Volatility,” *Emerging Markets Finance and Trade* 60, no. 14 (2024): 3254, <https://doi.org/10.1080/1540496X.2024.2343948>.

⁶³ Saidatul Chumayro dkk., “Resiliensi Keluarga Sakinah Dalam Pasangan Long Distance Marriage di Kalangan Buruh Bangunan,” *El-Izdiwaj: Indonesian Journal of Civil and Islamic Family Law* 5, no. 1 (2024): 35, <https://dx.doi.org/10.24042/el-izdiwaj.v5i1.21745>.

⁶⁴ Mohammad Bachrul Falah dkk., “Muhammadiyah and Urban Muslim Gender Equality Issues: Neo-Traditionalism in The Decision of the Majelis Tarjih and Tajdid Muhammadiyah on Husband and Wife Relationship,” *Akademika: Jurnal Pemikiran Islam* 29, no. 2 (2024): 240, <https://doi.org/10.32332/akademika.v29i2.9201>.

regarding the risks of digital assets, ensuring their decisions are based on rational considerations rather than speculation.⁶⁵

Furthermore, the use of dowry in contemporary Islamic legal analysis also needs to consider the legal consequences⁶⁶, especially from the aspect of the existence of cryptocurrency itself. When linked to the concept of ownership in fiqh, cryptocurrency is classified as *mal fi dhimmah*, which means assets under obligation; thus, the legal consequences are also different. This is because cryptocurrency does not have a physical form, which allows for situations or conditions that can change it or make it *talaf* (damaged), and this gives rise to its legal consequences.

To make it easier to understand, there is an analogy: if a man proposes to a woman and uses cryptocurrency as the dowry, and suddenly, after the marriage contract is signed, the internet goes down worldwide and cannot be accessed.⁶⁷ Then the dowry given becomes invalid, meaning that the cryptocurrency given becomes invalid. From this situation, the legal consequence is, when viewed from the perspective of *Minhajut Thalibin* Imam Nawawi, that it is obligatory to pay the dowry immediately (*fa-in talafa sawajaba mabr al-mithli*). So, the man is obliged to pay the dowry.⁶⁸

If a cryptocurrency is backed by real assets such as gold, property, or fiat currency, and an official regulator supervises its value and circulation, it is considered a stablecoin. The elements of uncertainty (*gharar*) and gambling (*qimār*) can be eliminated. A suitable example is a stablecoin backed by US dollar reserves or precious metals. As long as the underlying asset is transparent and verifiable, the cryptocurrency can be treated as a sharia-compliant commodity.⁶⁹ Examples include Bitcoin (BTC), Ethereum (ETH), or Tether (USDT) as dowry. In this case, the permissibility of using these coins as dowry depends on two main conditions: a clear value (*ma'lūmah al-qadr*) and valid ownership (*al-milk al-tam*).

⁶⁵ Hamiyuddin dan Suhri Hanafi, "Mahar Essence Sharia Maqashid's as A Perspective," *Proceeding (Justice and Equality in Islamic Family Law)* (Palu), Universitas Islam Negeri Datokrama, 2023, 130.

⁶⁶ Farida Ulvi Na'imah dkk., "The Level of Mahr in Marriage: A Comparative Analysis of the Perspectives of the Shafi'i Madhhab and the Hanafi Madhhab," *Vrisprak: International Journal of Law* 7, no. 2 (2023): 94.

⁶⁷ Anggun Kirana dkk., "Crypto Assets as Dowry in Marriage According to Islamic Law in Indonesia," *Journal of Transcendental Law* 5, no. 1 (2023): 1, <https://doi.org/10.23917/jtl.v5i1.2713>.

⁶⁸ Ahmad bin Muhammad bin 'Ali bin Hajar al-Haitami, *Tuhfah al-Muhtaj ila Syarh al-Minhaj*, juz I (Beirut: Dar al-Kutub al-'Ilmiyyah, 1997), 45.

⁶⁹ Achmad Napis Qurtubi dkk., "Legality of Bitcoin in the Perspective of Fiqh Muamalah," *West Science Islamic Studies* 2, no. 03 (2024): 172–80, <https://doi.org/10.58812/wsiss.v2i03.1133>.

Bitcoin and Ethereum, although not physical, have been recognized as digital assets in Indonesia (through BAPPEBTI) and have real value in the global market. Meanwhile, USDT even has an underlying asset in the form of the US dollar, making it more stable and equivalent to conventional forms of dowry. Therefore, the use of cryptocurrencies such as BTC, ETH, and USDT can be permitted as dowry, provided that their value is clear, does not harm any party, and is transferred in real terms during a valid marriage contract.⁷⁰ Conversely, if a cryptocurrency lacks a clear underlying asset, such as DogeCoin, Shiba, and other meme coins, its use as dowry is prohibited and invalid under Islamic law.

Based on the above discussion, it can be emphasized that the use of cryptocurrency as a dowry is permissible under Islamic law if it meets certain conditions, such as clarity of value (*ma'lumah al-qadr*), valid ownership (*al-milk al-tam*), and freedom from elements of gharar, qimār, and harmful speculation. This result is consistent with the initial hypothesis that certain digital assets can be categorized as *māl* (property) and are eligible to be used as dowry if they meet strict Sharia criteria. This finding also reinforces the opinion of some contemporary scholars who permit the use of cryptocurrency as an investment tool, provided it has a clear and accountable underlying asset.

Finally, the author emphasizes the importance of harmonizing Sharia law, scholars' fatwas, and state regulations to prevent the public from engaging in illegal or legally risky practices. The implications of this study open up further discussion on the urgency of issuing fatwas or more specific regulations regarding the use of cryptocurrency in marriage. Future research could focus on empirical studies of the practice of using crypto dowries in society, cross-country comparisons of the legal recognition of digital dowries, and the development of a legal framework capable of anticipating the development of Sharia-based financial technology.

Conclusion

This study concludes that the use of cryptocurrencies such as Bitcoin, Ethereum, and USDT can be categorized. This study confirms that not all types of cryptocurrencies meet these criteria, so it is important to conduct a strict classification based on the underlying asset and the stability of its value. Coins like BTC, ETH, and USDT are considered eligible and can be used as dowry. In contrast, speculative coins like Dogecoin and Shiba Inu are deemed

⁷⁰ Zaidah, Yusna, Syahrin Ramadhan, Dan Anwar Hafidzi. "Bitcoin As A Wedding Dowry: A Case Of Marriage With A Dowry Whose Currency Is Not Clear." *Al Hurriyah: Jurnal Hukum Islam* 8, No. 2 (2023): 83–92.

ineligible as dowries because they lack a clear underlying value. From a legal standpoint, although cryptocurrency is not recognized as a legal tender in Indonesia, it is legally traded as an investment asset under Bappebti regulations. This creates a legal loophole in the context of symbolic gifts like dowries, although there are no explicit regulations specifically governing such practices within the realm of marriage. Therefore, this study recommends the need for harmonization between Sharia law and national law to address the dynamics of the digital economy, as well as the importance of fatwas and guidelines from religious institutions to provide legal certainty for those who wish to use digital assets as marriage dowries. This study also opens opportunities for further empirical research on the practice of cryptocurrency dowry among Indonesian Muslims.

Declaration

Author's contribution statement

The author is fully responsible for the entire research process, from problem formulation, data collection and analysis, manuscript writing, to article finalization. Y.R.S. comprehensively conceptualized and wrote the ideas, S. contributed to the conceptualization and reviewed the ideas, M.A.H. corrected and provided input on the concepts and ideas, and M.N.L. completed the concepts and ideas and edited and improved the language.

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The data and legal materials used in this article are sourced from publicly available literature, including regulations, official fatwas, scientific journals, and theses accessible through higher education institution repositories.

Declaration of interests

The author declares that there are no financial interests or personal relationships that could influence the scientific work in this article.

Additional information

This article is part of a contemporary Islamic legal study aimed at contributing to the development of Islamic family law discourse in response to the phenomenon of economic digitalization, particularly in the practice of cryptocurrency-based dowries.

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