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The Assembly of Muslim Jurists Of America

Recommendations of the 18<sup>th</sup> Annual Imams' Conference

Shareeah Rulings for Contemporary Issues Related to  
Technological Advancements

## Contemporary Technology Related to Acts of Worship

### Electronic /Digital Versions of the Quran (*Mushaf*)

- The electronic Quran (*mushaf*) is electronic signals produced via an electronic program. They are not apparent except when shown on the screen. Touching the screen is not considered the same as touching the electronic *mushaf*. Thus, there is no harm if the person who is in a state of impurity, sexual defilement, menstruation, or post-partum bleeding touches the screen of the apparatus except when it is operating or when Quranic verses appear on the Quran.
- It is preferred not to read from an electronic Quran or other copy in the prayers, especially during the obligatory prayers. However, if for the recitation there is a need for it, there is no harm in the Imam reading from a printed or electronic *mushaf*. The same is true for the one who is correcting the Imam among the followers. However, it is disliked in the absence of such a need.
- A non-Arab who cannot understand what is being recited may be in need of using a written translation of the Quran, as it will be his means to concentration and humility in the prayer. However, it must be done by simply looking and pondering over the writing, without pronouncing the translation.
- There is nothing wrong with entering the bathroom with a phone or computer that has an app containing the *mushaf*, as it is not a *mushaf*, either in an absolute sense or while the device is turned off. However, one is advised to turn off the device if it were on. Turning the device on and having the words of Allah appear would best be considered forbidden.

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### The Friday Prayer and Technological Advancements

- There is no harm in using a screen, monitor, or devices to instantaneously translate the *khutbah* for those who do not understand Arabic. This is not considered a form of meaningless activity that is prohibited, as it is done for need and not play.
- There is no harm in using earbuds to listen to the translation of the verses recited during the *Taraweeh* prayers or to listen to the Friday *khutbah* for those who do not understand Arabic.
- The deaf and hard of hearing are required to fulfill the actions that they are capable of fulfilling. The Friday Prayer is obligatory upon them as the legal cause for that is being sound of mind. Additionally, they fall within the generality of the evidence for the obligation of the Friday Prayer.
- Providing interpreters for the deaf and hard of hearing could reach the level of obligation if those in authority are able to provide that. However, the interpreters should be kept distant from the *khateeb* and worshippers, so that they may not be distracted by them.
- It is not valid to follow the congregational prayers or Friday prayers from a distance [such as via a broadcast].
- It is not permissible to perform the prayer behind a hologram of an Imam. Such can also not be used to give the Friday *khutbah*.
- There is no harm in using holograms to teach or for educational purposes, such as for listening to recitation or to *khutbahs* for the purpose of reflection or learning. In those cases, though, the person is not to follow along for the prayer or *khutbah*. Its ruling would then be the same as listening to a video recording of a Quran recital or a *khutbah*.

### The Call to Prayer by a Hologram that takes on the form and sound of a person

- The call to prayer given by a hologram that takes on the form and sound of a person does not suffice and does not fulfill the communal obligation on a people of giving the call to prayer. There is no harm in playing such a call after the communal obligation is actually performed by a caller to prayer from the community.

### Using the *Mihrabs* or Electronic Devices to Determine the Qiblah

- The scholars are agreed that it is permissible to use the *mihrabs* as the indicator of the direction of the *qiblah*, as that is well-established in the Muslim community. Similarly, one may find the direction via use of the sun, moon, and stars. Similar to that would be the use of contemporary electronic devices. Throughout history the jurists approved of what is known as “magnetic pointers.”

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- Phone apps and electronic devices that determine directions or that determine the direction of the *qiblah* have the same ruling as using a compass. An individual has fulfilled one's responsibility if he has done due diligence to use a trustworthy app and prays in the direction it indicates. Being slightly off in one's direction is overlooked.

### Using Meteorological Instruments in Affirming the Beginning or Ending of the Lunar Month

- It is permissible to use meteorological instruments, such as binoculars and telescopes, to see the new moon for Ramadhaan or other Muslims. The beginning of the month is affirmed by a trustworthy Muslim seeing the new moon via telescopes or other instruments.

### Filming or Photographing Oneself or Others While in Acts of Worship

- There are different scenarios of a person filming himself or others during an act of worship, such as the Eid Prayers, Hajj, Umrah, and so on:
  - If the person's intent is simply to be seen or for showing off, then it is forbidden.
  - If the person's intent is to teach, guide, or advise people, to let Muslims know about the state of their brethren in Muslim lands, to demonstrate the greatness of Islam and Muslims, to calm and bring joy their families or beloved ones while on a trip for Umrah or Hajj, or other actions that spring from a good intention, then it is permissible. However, we advise avoiding taking pictures or videos during the acts of worship unless there is a compelling, clear benefit in doing so.
- Conditions for the above permissibility are that one not invade other people's privacy, and that the pictures do not display any body parts that should be covered or that it is not permissible to look at.

### The Safer View is that one does not circumambulate the Kaabah nor make the *Sae* (Between Safa and Marwa) while riding a device unless there is an excuse to do so

- It is safest not to circumambulate the Kaabah or do the *Sae* while riding a device unless one has an excuse to do so. In this way one will avoid the difference of opinion on this issue and will follow the majority opinion.

### Performing the Marriage via Modern Means of Communication

- Marriage and separation of spouses can take place through the modern means of communication when the two parties are able to contact each other both visually and aurally.

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- Furthermore, a marriage contract done via telephone is a sound contract if the two parties had already known each other and the witnesses are able to hear their words. It would be preferred if it is performed via means in which all can connect both visually and aurally. If that is not possible, the absent party may assign someone to act as his or her proxy in their place.
- Marriage though cannot take place via email or a voice message, as the witnesses then cannot positively affirm the two parties. Assigning a proxy is a preferred step over resorting to these means.
- Registering a marriage is neither one of the essential components of the marriage contract nor one of the conditions for its soundness. However, it is very much needed to do so as it protects rights and it prevents one from escaping responsibilities in cases of disputes. Additionally, the governmental authorities can require it, in which case Muslims should adhere to the requirements of their local authorities in registering a marriage.

### Transporting a Deceased and what that Implies of Disposing of Internal Organs

- The default is to bury the deceased in the cemetery of the land in which he died or in a close-by cemetery that is reachable in a reasonable amount of time. Thus, the body is not to be transported to a distant land, even if the deceased left a will requesting that. The exception is if there is an overriding benefit that requires that. In such a case, an exemption is made with the conditions that the body is not mutilated, the internal organs and parts are removed for the purpose of transport, the expenses are borne by volunteering relatives or others, and the heirs do not object to the transporting of the body.

### The Ruling on Manufactured Meat

- The ruling for manufactured meat is the same as the ruling of its source meat. If it is coming from a permissible source, it is permissible. In addition, it must not be the case that the manufacturing process causes harm for the consumer. On this point, trustworthy medical sources will need to be relied on. However, the default ruling is that of permissibility.
- Manufactured meat is of two types:
  - That which is produced from animal stem cells in laboratories, to the point that they are edible. This is still in an experimental stage. It is still too early to give a final ruling concerning this. Before that, the source of the stem cells needs to be clarified, the nature of any additional materials added in the manufacturing

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needs to be known, and its health effects on humans needs to be determined. On a preliminary level, one may say the following: there is no harm in it if it is manufactured from an animal that is permissible to slaughter, while not using the blood or serum in the manufacturing process. It also needs to be noted that anything which is cut off from a live animal is considered carrion.

- What is produced from vegetable sources is permissible, as its sources are permissible. Similarly processed meats, such as reduced fat meats or those preserved in casings, such as luncheon meats, mortadella and so on, have the same rulings as their source meats from which it has been produced.

## Technological Developments Related to Dawah and Teaching

### Literary Property Rights

- Literary property rights are protected rights which are impermissible to violate. Nobody should distribute another's material against their wishes. However, it is permissible to distribute what is considered permissible by custom and law to distribute in accord with intellectual property concepts. Otherwise, one may not do so.

### Existence in Virtual Reality

- By wearing virtual reality goggles, one can see things, with a complete 360-degree angle and three-dimensional technology. In and of itself, it is a neutral technology. Its ruling will be determined by the purpose for which it is used and what it contains of benefit or harm.
- Conditions for its acceptability include: the legality of the content that is being seen, being safe of adverse health effects, and its usage does not lead to addiction, even when viewing permissible material.
- If the experience is free of those warnings, its default ruling is that of permissibility, although it is not prescribed to engage in it. Depending on the levels of those harms described above, the levels of its permissibility or impermissibility will vary.
- While engaged in a virtual reality, it is not allowed for a person to engage in otherwise forbidden acts, such as fornication or consuming alcohol, nor participate in idolatrous or heretical practices. These are forbidden as they may be a means to lead someone to do them in the real world.

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### Fatwaas that are Distributed on the Internet and to What Extent is one's Responsibility Fulfilled by Them

- The default is to turn to *mujtahideen* [scholars capable of juristic reasoning] to give *fatwaas*. If they are not available, one turns to the next best qualified people and so on. However, if it is known that someone is ignorant, an evildoer, or of an unknown quality, then one should not turn to such a person for a *fatwaa*. The one seeking a *fatwaa* should carefully choose whom he asks. He should take his case to someone who is trusted from among the religious and capable.
- Websites are considered "legal personalities." Hence the same types of principles apply to them as apply to natural personalities. Thus, if one becomes well-aware that a certain website is of good quality or if a person of knowledge has informed him of that, then there is no harm in relying on that website's *fatwaas*. Otherwise, one should not turn to it. In addition, the modern means of communication and media must not become a cause for there to be a disconnect in the direct relations between the people of knowledge and those who love them of the seekers of knowledge and the general public, as by mixing with them and guiding them one is able to achieve matters that cannot be achieved by being distant.
- There is no harm in learning the Quran or Islamic Sciences from artificial intelligence apps that have been approved by trustworthy scholars. However, it must be emphasized that direct learning from individuals is a better way to receive Islamic knowledge.
- Emphasizing what has already been stated by AMJA, the people seeking *fatwaas* should not become excessive in moving between one scholar and another, in order to avoid escaping responsibilities by following what is easiest and also in order to prevent the onset of obsessive-compulsive behavior that will cause him difficulties and make the worship of his Lord distasteful to him.

### The Attitude of the People of Knowledge towards "the Slips of Scholars"

- The "slips of the scholars" refers to the mistakes and errors that a scholar makes in his personal reasoning on individual cases while overall his methodology and creed is sound.
- The scholars agree that the slips of the scholars are not to be relied on. They are not taken into consideration when discussing differing opinions, as they are not the result of proper Shareeah reasoning. They have come about because evidence was hidden to a scholar or he did not come across it.
- One should not disgrace trustworthy people of knowledge due to slips they have made nor should one spread those mistakes about. Instead, one should refute the mistake

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while respecting the positions of those scholars without exaggeration or going to extremes.

### Watching Films that Portray Sacred Religious Figures

- The scholars are agreed that it is prohibited to portray or picture the angels, prophets, or the Mothers of the Believers. As for anyone else, that is a matter of *ijtihad* (juristic discussion).
- However, watching is a more flexible issue than portraying. Not everything that is prohibited to be portrayed or pictured is prohibited to be seen or watched. On this latter issue, the matter will be determined by weighing the benefits and harms.
- It is exempted to watch something of this nature if it is expected that it will be beneficial, as long as it is not anything that would encourage associating partners with Allah, extreme heresies, or open lewdness. A lesser harm will be overlooked if it is encased in something of greater benefit.

## Contemporary Social Issues Related to Technology and Modern Means of Communication

### Subscribing to Social Media that Contain Some Evil or Repugnant Aspects

- The default is to establish what is good in its overall sense, even if in the process there are some partial harms. In such a case, the responsible individual must be fearful and conscious of Allah regarding those harms to the best of his ability.
- The ruling concerning social media is determined by what is uploaded. If it is permissible and does not touch upon religion or morality, then it is permissible to subscribe to it; otherwise, not. The level of its prohibition will be determined by the level of its violating Islamic principles. If it is a mixture of benefit and harms, then what dominates will determine its final ruling.
- The default ruling is that one should stay away from subscribing to social media whose overall content is objectionable, as long as there is no overriding educational or dawah purposes to it. If there is such a purpose to it, one takes the benefits and one must be fearful and conscious of Allah regarding the harms to the best of his ability.

### Women and Contemporary Technology

#### A Women Befriending a Non-Related Man in the Virtual World

- The default concerning the relations between the sexes is that they are to be guarded and one must lower one's glances.
- Islam does not recognize any close relations between a man and woman outside of the relationship between the two spouses and close relatives.

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- There is nothing wrong with open, general, public communication between men and women of an educational or dawah purpose. There is also no harm in the two communicating in a manner that is proper, if there is some need to do so, they would be free of temptation or suspicion, and that the communication was not simply for talking and passing time.
- The parameter as to what is considered proper communication would be avoiding anything that one would be embarrassed about and what a person of decent behavior would not like others to know about. These would be considered repugnant and must be avoided.

### A Woman Uploading a Picture of Herself in Hijaab on Social Media in Order to be Known

- The Lawgiver has prohibited looks accompanied with desire. The sin, though, is only upon the one casting the look if the other party is adhering to Shareeah requirements. However, if the other party is not adhering to those requirements, the sin is on both parties.
- Due to its overall benefit, permission is given to a woman with her hijab to post her picture in social media but it must be while adhering to the Shareeah parameters of Hijaab, not wearing make-up, and while having a serious look in the picture.
- What is permitted due to need is restricted by what is actually needed. Therefore, the hijab wearing women should not post lots of her pictures on social media, as the goal is simply for her person to be known and not to display her beauty or increase her number of followers and likes.

### Women Participating in Recorded or Broadcasted Programs

- It is permissible for a woman who is qualified to give dawah outside of the lands of Islam to attend conferences of males together with females (to lecture in what she specializes in or to for her to be appointed to it). That must be done without the limits of the Shareeah parameters, such as not displaying oneself improperly, not being soft in speech, and with no prohibited mixing.
- It is permissible for a Muslim women, given the above parameters, to participate in a woman's television program that is viewed by both men and women. Similarly, she may participate in general televised dawah programs that she is featured in. However, it must be emphasized that she is not to display any type of adornment, which is something that occurs virtually always in such settings.

### Private Meeting (*al-khalwah*) and Social Media?

- The default concerning the prohibited private meeting between a man and a woman is when they are physically meeting. However, private speech is also prohibited when it

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can be a means to temptation and licentious acts. Exemptions are when there is freedom from temptation and there is a true need for such speech, which means that it must be limited to the extent that is needed only.

- If a room is open during the time of the lecture and fellow students are expected to appear, the matter is more flexible as that is not truly privacy. The encounter must be with due reverence and safeguarding and also observing proper virtue in the relations between the sexes.

### Pictures between Spouses due to Need

- An exemption is given for pictures between spouses due to need. However, they must be cautious about uncovering bodily parts in pictures they post to social media, as it is easy to hack into social media accounts, in addition to their not being any need for that.
- One needs to conceal their body parts from non-related individuals. There is no harm in a woman communicating with her male relatives without wearing hijab.

### Exchanging Praise and Likes for Scientific and Cultural Achievements

- Permission is granted for either men or women to exchange praises and likes for scientific and cultural achievements, as long as it is done in a customary manner, publicly and without doubt [about intent].
- It is also permitted to exchange emojis publicly as long as they are not flirtatious.

### Exchanging Expressions of Emotional Feelings between the Sexes before Marriage

- It is not permissible to exchange expressions of emotional feelings between the sexes before marriage as they are a means to temptation and often leads one to falling into illicit sexual acts, especially in this day and age where the religious consciousness is weak, manners are ruined, and noble ethics are lost. There is no harm in speaking with a non-related woman in a customary manner without being in private or of a suspect nature, if there is some necessity or need to do that, regardless if it be of a religious or worldly purpose.
- There is an exemption to use beneficial clips even if they contain some objectionable aspects, such as musical instruments and pictures of women not wearing *hijab*. The exemption is if overall they are beneficial and there is an apparent need for them. One should try to benefit from the stronger good they contain and avoid the lesser evil they contain. One should strive to make the harms as little as possible.

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### The Ruling of Playing Electronic /Video Games that Contain Some Objectionable Aspects

- Playing electronic games is from the permissible forms of entertainment as long as they do not lead one to do something forbidden or to leave something obligatory.
- One must distance oneself and avoid to the best of one's ability those electronic/video games that contain Shareeah-defined evils.
- Those Shareeah-defined evils are related to the trials of doubts, such as those containing emblems and signs of disbelief, or those related to the trials of desires, such as the presence of music or scantily clothed women—unless the person is able to remove or cover those aspects up.
- One should not go overboard in taking advantage of this exemption for playing these games, as, in general, they can keep people away from the remembrance of Allah and the prayer and are not consistent with the purpose for which humans were created—not to speak of what they would imply of forbidden extravagant spending.

### To What Extent are People Liable when they Use Computerized and Artificial Intelligence Devices

- Liability is the result of negligence or transgression. If an individual uses an artificial intelligence device, such as a robot or programmed machinery and he uses it properly according to its instructions and proper controls, and he is skilled in using it, then if its proper use results in any harm or loss, then the handler is neither sinful nor liable.

### Hacking into Email Accounts

- Seeking people's private affairs and violating people's privacy is from the forbidden evil deeds and a crime according to the law. This is true regardless of whether it be via hacking an email account or other means.
- The people of Islam and the people of covenants are the same in this regarded; one is protected by their faith and non-Muslims are protected by their pacts.
- The default ruling concerning hacking into websites and electronic pages is forbiddance and prohibition, as it is an assault on the rights of others.
- There is no harm in hacking into email accounts of those spreading evil throughout the land and of thieves, in order to cut off their evil and repel their harm. There is also no harm in getting covert information from one's enemy during times of war, as espionage is one of the greatest weapons for the success of an army. However, that is the job of governmental authorities and are not to be done by individuals and civilian institutions. It should be clear that even wartime spying and espionage does not mean that one is no

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longer under legal responsibilities, nor does it permit sinful acts, or leaving of obligations. There is no harming in taking advantage of the Shareeah exemptions according to their limitations and without being lackadaisical in doing so.

### Contemporary Issues of Financially-Related Technology

#### Borrowing on Interest for the Sake of Charity (*sadaqah*)

- It is not allowed to borrow on interest in order to give voluntary charity. If someone believes that they will not be able to pay their credit card bill during the grace period, it is not allowed for them to use their credit card in order to give charity.

#### Borrowing on Interest in Order to Pay the Obligatory Zakaat

- It is not allowed to borrow on interest in order to pay one's obligatory zakat. If one does not find the money to pay the zakat, it is permissible to delay it until he has the means to do so. There is no harm for the one who is receiving the zakat or the charitable organization which is collecting zakat to receive the funds via a credit card.

#### Designing Business Websites

- There is no harm in starting or designing business websites for the internet as long as in their inception they are free from Shareeah prohibitions, such as sites that sell merchandise, offer services, or activities that are forbidden as well as those sites that use forbidden means to sell otherwise permissible goods, services or activities. However, if they get involved in forbidden activities after the launch of the site, then that is the responsibility of the administrator or user.

#### Using Pictures of "Naked" Women in Order to Promote Products

- The default is that it is prohibited to use pictures of "naked" (uncovering part of their *aurah*) women in order to promote products. If one is forced to use such pictures, they should efface or blur out the portions of the *aurah* from the picture.
- There is a difference of opinion among the scholars over posting portions of the body, such as one hand by itself or the hair alone. The most apparent conclusion is it is exempted if there is a true need for it.

#### Shareeah Parameters for Sales via the Internet

- The basic fiqh and general ethical principles for handling sales over the internet are the following: the object of the sale must be permissible, there must be possession of the object of the contract according to the nature of the item, the parties to the e-contract must be verified by the means that are recognized by law in order to block any hacking,

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one must be careful about wasting wealth through fraud and deception on the internet, and there must not be overt fraud or extreme risk in the transaction.

- Executing the contract by verbal communication or verbal and visual communication between the two contracting parties over the internet takes on the same ruling as the two parties being present with one another.
- Auction sales via the internet, such as eBay, take on the same ruling as the two parties being present with one another.
- Performing a loan, guarantor, or agency contract via the internet takes on the same ruling as the two parties being present with one another.
- The above is conditioned upon the contract being completed in one session, except for bequests, wills, and agency. The offer and acceptance must follow one another. There must be no sign from either party that they are not accepting the agreement. The amount of time between offer and acceptance is according to customary standards.

### Buying and Selling over the Internet or Auction Sites

- In general, a condition for the soundness of a sale is the sold item must be property of the seller, except for exceptional cases, such as a forward sale (*al-salam*). This condition is true whether the sale is via the internet or otherwise.
- The difference between selling something that one does not possess and a forward sale is that in the former case one is selling a particular item that is not his property while in the latter case the one is responsible to provide an item by its description, and that item has to be an easily available or identifiable fungible, such as a specific weight or volume of specific types of seeds or number of new cars with specified details or new phones with specified specs.
- There is a difference of opinion in fiqh as to whether one must take legal possession of an item before reselling it. The strongest opinion is that it is obligatory, in general, to take such possession before reselling the item.
- Possession can actually be a physical possession, such as when one takes something by his hands, or by weight or volume for food, or by transporting or moving the item to one's protected area. However, possession can also be by consideration and ruling (*de jure*), or by giving up one's interest in something, even if there was no physical possession taking place.
- The nature of the possession therefore differs depending on the nature of the case. People differ in their customs concerning what constitutes possession. Thus, the possession required by the Law will be determined in its details by custom.
- The sound ways and means of buying merchandise via the internet are the following:

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- 1. The customary fashion: selling an item after owning it and being fully liable for it.
- 2. Forward sale (*al-salam*): A forward sale is where something is sold based on its detailed description with a future delivery and present payment. The way it would work here is the seller displaying on his website merchandise that he will be able to procure, with a detailed description of it, leaving no room for ignorance as to what the item is. Then the seller purchases the item, with immediate payment, for the one who ordered it, and procures it in any way that he wills.
- 3. Brokerage sale: The broker is the one who deals between the buyer and the seller by concluding the sale or guiding to the means for it, with a fee for his services. The earnings of a broker are permissible if it is known who is going to pay it and if it is free of deceit, deception, or lying.
- 4. Agent sale: This is where the seller is an agent for the seller in selling his merchandise on his behalf for whoever orders them. In return, he receives a stipulated payment.
- The most appropriate of those means is the forward sale if all of its conditions are met.

#### Dealing in Gold or Silver from a Distance

- It is a condition for dealing in gold or silver that there be an exchange of considerations in one meeting, either in reality or by what is ruled acceptable by law, and that the amounts are equal if the commodities are the same.
- What is acceptable as possession the law will take the place of actual possession if it is done in the manner that it is customarily done by traders in dealing with *ribaawi* items. [*Ribaawi* items are those identified in the hadith that must be exchanged hand-to-hand or, in other words, in a spot transaction.] In such a case, the possession would not be considered delayed or a type of debt.
- Forward and future sales are not allowed when trading in gold or silver as in such cases the Shareeah requirement of a spot transaction is not fulfilled.
- There is no harm in making a mutual promise to buy and sell gold and silver but only if the transaction and exchange take place in the future at the price of the items at the time of the execution of the contract.
- Regardless of the number of carats in the gold or its purity or quality, the above rulings remain the same.

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## The Assembly of Muslim Jurists Of America

### Purchasing Gold Bars and Bullion

- Real possession of gold bars is by either having possession of it itself or via an agent having a real possession of it.
- The law can accept as possession the attributing of ownership of specific gold bars and the buyer having the right to dispose of it or by attaining a certificate that represents specific bullion with its stamp or serial number or other means that will distinguish that gold bar from others. The certificate must be issued on the day the transaction is initiated and must be issued from the legally and customarily recognized bodies, meaning that the purchaser will actually be able to physically take possession of his gold bullion whenever he wills.
- There is no harm in buying or selling a portfolio of gold or silver as long as it is verified that an acceptable form of possession has taken place, as described above, its price is fully paid, and the buyer is able to dispose of it whenever he wills. There is no harm in keeping that with a bank and assigning them the task of selling it once its value rises.

### Purchasing Gold or Silver via Bank Cards

- It is permissible to purchase gold, silver, or cash by using a debit card.
- It is not permissible to purchase gold, silver, or cash by using a credit card with deferred payments, unless one is able to pay the issuing party for the expenses on the card without delay. It is not allowed with any deferred payments though.
- There is no harm in investing in an ATM machine if it does not accept credit cards—and that is possible. There is no harm then in putting it in the mosque as a rental or simply hosting it for convenience of those who attend the mosque. It should be on the periphery of the mosque away from the sanctuary for the prayer, in order to avoid doing any business in the mosque.
- However, if the ATM accepts credit cards, it is not permissible to invest in it because that would be a means of helping *riba* (interest-based) transactions.

### Dealing with Cryptocurrency

- Dealing with cryptocurrency is closer to being permissible than prohibited when the Shareeah parameters in dealing with it are met. These include:
  - 1. All of the following must be legal: the purpose of the issuing of the currency, the manner in which it is issued, the manner in which the initial investment is done, and the activities funded by the issuance.
  - 2. The coin offering is earnest, credible, and reliable.
  - 3. The coin offering is a real project and not simply a speculative proposal.

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- 4. These coins are currency, so when exchanging the same currency, the transaction must be a spot transaction and for an equivalent amount. When exchanging different currencies, it must simply be a spot transaction.
- To say that cryptocurrency is permissible does not imply in any way an encouragement to invest in these currencies. It also does not deny the risks involved in investing in cryptocurrencies due to what they are exposed to of speculation as well as government restrictions in some lands. In addition, one also must be aware of investing in cryptocurrency (tokens or utility tokens) that do not actually have real, viable projects behind them.
- The reasons that some scholars give for saying that cryptocurrencies are not allowed are not sufficient reasons to prohibit them because many of those arguments also apply to the money that is issued by central banks. Those objections include: cryptocurrencies are not issued from a central governmental authority; cryptocurrencies do not have intrinsic value; there is nothing material or governmental backing up cryptocurrencies; cryptocurrencies are not recognized as legal tender, which means that they do not have the authority to pay off legal considerations; the identity of those who deal in them are not known; and there is a lot of instability in the prices of cryptocurrencies. It is clear that many of these objections are to be taken into consideration in the light of the evolution of these currencies.
- When it comes to cryptocurrencies, taking possession occurs when the purchaser's name is added to the blockchain, as that is the only way to affirm possession and transfer ownership. If there is no authentication on blockchains, the currency has no reality to it then.
- AMJA calls for caution and complete awareness to the best of one's ability when dealing with cryptocurrencies, as there are scams and rapid changes in the field.

### Mining Cryptocurrency

- Mining is a process whose goal is to “mint” new cryptocurrency coins and to verify the authentication process on the blockchain and add it to the block.
- Currently there are two [main] ways of mining:
  - 1. Mining by Proof of Work (PoW), which is what is used by the Bitcoin blockchain.
  - 2. Mining by Proof of Stake (PoS), which is currently used in the Binance platform. In this form, must put forth some money to stake a claim, to show one's seriousness, and to get priority in mining.

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- In direct and solo mining, the reward that the miners receive is considered a permissible source of income. It can be considered on the same basis as the *juaalah* (“reward”) contract or wages as the miner is an independent party in the mining community.
- In indirect or pooled mining, the miners either rent devices or connect a personal computer with the mining software to a group of miners or through a mining platform. In the case of a mining platform, it is possible for individuals who have a surplus to invest that in mining by increasing their share via proxy with the platform. That is by offering money or shares. In such a case, he will then receive rewards according to the proportion of his shares when they are successful in finding the block. This would be considered a Shareeah-compliant form of profit sharing. However, if the agreement is that he will receive a fix return, then this is an unacceptable form of profit sharing that ends up in *riba*.
- It is not permissible to verify smart contracts that represent interest-based loans or any other type of forbidden transactions. However, this is the majority case with some platforms. Furthermore, recognizing the forbidden contracts from the others will not be apparent to the miner as it is not possible for him to distinguish, in that way, between the contracts that are meant to be verified. In this case, it is obligatory upon the miner to research the surrounding evidence in this case by looking at the projects that the platform being mined for are involved in. One should approach this matter with caution and follow what is indicated by the preponderance of the evidence.
- One must inspect the conditions of a contract from all angles to make sure that there are no conditions that contradict the demands of the contract.

### Non-Fungible Tokens (NFTs)

- The ruling concerning NFTs requires some detail: Some of them go back to the default ruling of permissibility if their usufruct is permissible. Others are prohibited if they do not contain any usufruct, as in that case they are simply devouring people’s wealth in vain. Some of them are also prohibited because of forbidden aspects related to them, such as pictures of private parts and women displaying their adornments, or aspects that are forbidden to portray or represent, such as Allah or the Prophets (peace and blessings of Allah upon all of them), and the like.