

The Impact of the Controls and Sharia Objectives of Money on the Ruling on Digital Currencies “Bitcoin and the Like” A Comparative Jurisprudential Study

Summary of the research:

This research examines all aspects related to the rulings on jizya, including its definition, history, legislation, the time of its establishment, wisdom, reasoning, amount, expenditures, exemptions, conditions for its imposition, rulings on its advance payment and delay, the categories of people from whom it is collected, the types of wealth subject to it, and the time of its collection.

The study concludes that many of these issues depend on the ijtiḥād (independent reasoning) of the imam. The differences among scholars on these matters fall under permissible scholarly disagreement, meaning that the imam has the authority to choose the most suitable opinion. Furthermore, the imam has the right to develop a new independent ijtiḥād apart from previous scholarly opinions if it serves a legitimate and intended public interest. The decision made by the imam in such cases is considered a binding legal ruling based on two principles:

The principle that the ruling of a judge .1 removes disputes (*Hukm al-Hakim Yarfa’ al-Khilaf*).

The evolving nature of social customs, .2 which have changed from the customs that originally shaped the legislation of jizya.

Final Conclusion:

All praise is due to Allah, the Lord of all worlds.