

DIGITAL DOWRY IN ISLAMIC MARRIAGE LAW: A STUDY ON THE LEGITIMACY OF CRYPTO ASSETS AS DOWRY

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Abstract:

The advancement of digital technology has led to transformations in various aspects of life, including the practice of dowry in Islamic marriage. One emerging phenomenon is the use of cryptocurrency, such as Bitcoin, as a form of dowry. This issue has sparked debates among scholars and academics regarding its validity, as crypto assets are highly volatile and lack physical form. This topic is crucial because it relates to the validity of marriage contracts, the principle of asset clarity, and the implementation of Islamic law in the digital era. This study aims to analyze the legitimacy of cryptocurrency as dowry within the framework of Islamic law and Indonesian positive law, as well as to highlight the urgency of legal regulation regarding this phenomenon. The research employs a qualitative method using a normative juridical approach through library research, examining primary sources such as the Qur'an, Hadith, the Compilation of Islamic Law (KHI), the Marriage Law, DSN-MUI Fatwa No. 144 of 2021, and BAPPEBTI regulations on crypto assets. The findings reveal that cryptocurrency can be considered a valid form of property (al-māl) to be used as dowry, provided that it has clear value, can be transferred, and is mutually agreed upon by both parties. The DSN-MUI fatwa permits crypto as a commodity or investment instrument but prohibits its use as currency. Therefore, using cryptocurrency as dowry is legally acceptable in both Islamic and national law, as long as it adheres to sharia principles, transparency, and lawful intentions.

Keywords: *Islamic Marriage Law, Dowry, Cryptocurrency*

Abstrak:

Perkembangan teknologi digital telah mendorong transformasi dalam berbagai aspek kehidupan, termasuk dalam praktik pemberian mahar dalam perkawinan Islam. Salah satu fenomena baru yang muncul adalah penggunaan aset kripto, seperti Bitcoin, sebagai bentuk mahar. Fenomena ini menimbulkan perdebatan di kalangan ulama dan akademisi mengenai keabsahannya, mengingat aset kripto memiliki karakteristik yang fluktuatif dan tidak berwujud secara fisik. Masalah ini penting dikaji karena berkaitan dengan keabsahan akad nikah, prinsip kejelasan harta, serta penerapan hukum Islam di era digital. Penelitian ini bertujuan untuk menganalisis keabsahan aset kripto sebagai mahar dalam perspektif hukum Islam dan hukum positif di Indonesia, serta menilai urgensi pengaturan hukum terkait fenomena tersebut. Penelitian ini menggunakan metode kualitatif dengan pendekatan yuridis-normatif melalui studi pustaka terhadap sumber primer seperti Al-Qur'an, hadis, Kompilasi Hukum Islam (KHI), Undang-Undang Perkawinan, Fatwa DSN-MUI No. 144 Tahun 2021, dan regulasi BAPPEBTI tentang aset kripto. Hasil penelitian menunjukkan bahwa aset kripto dapat dikategorikan sebagai harta (al-māl) yang sah dijadikan mahar selama memenuhi prinsip kejelasan nilai, dapat diserahterimakan, dan disepakati kedua belah pihak. Fatwa DSN-MUI memperbolehkan kripto sebagai komoditas

atau instrumen investasi, meskipun melarangnya sebagai alat tukar. Dengan demikian, penggunaan aset kripto sebagai mahar diperbolehkan secara hukum Islam dan hukum positif, selama tidak bertentangan dengan prinsip syariah dan dilakukan dengan niat yang sah serta transparansi nilai.

Kata Kunci: *Hukum Perkawinan Islam, Mahar, Aset Kripto*

INTRODUCTION

The compilation of Islamic law explains that marriage is a strong contract or mitsaqan ghalizhan to obey Allah's commands, and its implementation is an act of worship (Ichrom et al., 2024, p. 74). Islam stipulates that a marriage must fulfill the pillars and requirements to be valid, such as the consent of the prospective husband and wife, a guardian, two witnesses, and the ijab qabul (consent). Without these elements, the marriage contract is not recognized according to sharia. Therefore, a marriage is not valid if these requirements are not met.

The ijab qabul (consent) includes a dowry (mahr), referred to in the qabul. A dowry is an obligatory gift from the prospective husband to the prospective wife as a token of his sincerity, intended to foster a sense of love in the wife. It can also be a gift obligated by the prospective husband to his prospective wife, either in the form of goods or services (freeing, teaching, etc.) (Abd. Kohar, 2001). In this case, the contract is valid. Although according to the general consensus, a dowry (mahr) is not a pillar (rukun), if it is mentioned in the marriage contract, it becomes part of it (Handayani Mangunsong & Ananda Arfa, 2023, p. 76).

Currently, dowries are given to prospective wives in a variety of ways, considered unique and impressive (Ridwan, 2020, p. 44). A current phenomenon is the use of bitcoin as a dowry. For example, the bride and groom, Jordan Simanjuntak and Johana Dwi Utama, used cryptocurrency as their dowry. The dowry was 1.11 bitcoins, equivalent to Rp719 million (Indonesia, 2021). Thus, the use of bitcoin as a dowry reflects a shift in values and perspectives in modern society regarding the symbol of a dowry. While previously dowries were synonymous with gold, jewelry, or tangible possessions, digital assets are now emerging as a form of appreciation and commitment from a man to his partner. Cryptocurrency is better known as a digital currency that uses encryption techniques to regulate each new currency unit and verify every transfer of funds. This digital currency operates independently without government or central bank intervention. The existence of dowries in the form of cryptocurrency has drawn attention, sparking pros and cons from various parties due to its volatile value (volatile currency) compared to the rupiah or gold. Dowries in the form of cryptocurrency are permitted by BAPPEBTI, the regulatory body for futures asset commodities, as long as the bride is willing to accept it as a dowry. However, ownership of cryptocurrency as a dowry within the marital estate remains unclear, as is the transfer of rights to crypto assets, as the implementation of dowries is subject to the provisions of applicable laws and regulations (Miko, 2022, p. 127).

Several previous studies have discussed dowries in intangible forms, such as research by Hasan et al. In his writing, he stated that Islam explicitly permits non-material forms of dowry as long as they provide legitimate benefits agreed upon by both parties (Muhammad Hasan Nasution, Nawir Yuslem, 2025, p. 11). However, Yuni, in her writing, stated the opposite, stating that the Hanafi school of thought prohibits dowry in the form of services or benefits from reciting or teaching verses of the Quran because such dowry is not considered property for which wages may

be taken. Therefore, it is not valid as a dowry; however, a mitsil dowry must be paid from it (Yuni Nur Saidah, 2022, p. 127).

Both studies indicate a gap in opinion, requiring further study to discuss, resolve, and find alternative solutions to both research findings. This paper will discuss the marriage dowry in Islam, the validity of crypto as an object of property (dowry), and its implications for marriage law.

RESEARCH METHOD

This research is a qualitative study with a normative juridical approach. The focus of the study is library research, which examines literature, laws and regulations, and the views of Islamic scholars and fatwas regarding the validity of crypto assets as dowries under Islamic marriage law. The research data sources consist of the Quran, Hadith, the Compilation of Islamic Law (KHI), Law Number 1 of 1974 concerning Marriage and its amendments, the DSN-MUI Fatwa Number 144 of 2021 concerning Crypto Assets, and BAPPEBTI regulations regarding the recognition of crypto assets as commodities. Furthermore, this study utilizes secondary legal materials in the form of books, journals, scientific articles, and relevant previous research.

Data collection techniques were conducted through documentation studies, compiling literature related to dowries, marriage law, and crypto assets. The collected data was then analyzed using a descriptive-qualitative method, which systematically describes the data and then analyzes it based on the Islamic jurisprudence (fiqh) approach to transactions, legislation, and the Islamic jurisprudence principle of "innamā al-a'mālu bin-niyyāt." Through this method, the research is expected to provide a comprehensive understanding of the legitimacy of using crypto assets as dowry in Islamic marriage law, as well as its implications for marriage and divorce law.

FINDINGS AND DISCUSSION

Marriage Dowry in Islam

Lygian, "dowry" originates from Arabic. The term can be an abstract noun or masdar, namely "mahram," or a verb, namely the verb "mahara-yamaharu maharan." Later, this term was standardized into a singular noun, namely almahr, and is now better known as mahar or dowry. (Fitriyah, 2025, p. 38) The mahar is also considered a sign of a man's seriousness in marriage and a sign of love for a woman, or a symbol of his sincere treatment of her. (Merauke, 2025, p. 2)

The mahar is positioned as a wife's right that must be fulfilled by the husband, and is a requirement for a valid marriage according to the majority of scholars. The existence of the mahar is not merely symbolic, but reflects respect for women and the husband's commitment to building a household. Scholars agree that the best dowry is one that is not burdensome, as emphasized by the Prophet Muhammad (peace be upon him), who said, "The best dowry is the easiest" (Narrated by Abu Dawud). This demonstrates that simplicity in dowry is actually a contributing factor to the blessings of marriage. (Dalam, Yusuf, & Hidayati, 2025, p. 324)

Among the jurists, besides the word "dowry," other terms are also used, namely sadaqah, nihlah, and faridhah, which mean dowry. Based on this etymological understanding, the term dowry refers to a gift given by a groom to a bride, which is obligatory. However, its form, or size, is not specified in the Quran or

Hadith. (Ridwan, 2020, p. 45)

A dowry is a gift that a man must give to his future wife, and it is also a gift in the form of property that is the full right of a woman. The purpose of giving a dowry is to honor a woman's status and is an obligation that a man must provide to the woman he marries, as it is a consequence of the marriage contract and sexual intercourse.

As the primary source of legal basis, the Quran explicitly stipulates the requirement of a dowry during the marriage contract. This is clearly stated in Surah An-Nisa, verse 4, where Allah SWT states:

○ هَنِئُوا مَرْيَةً فَكُلُّهُ نَفْسًا مَنْهُ عِشْنَى عَنْ لَكُمْ طَبِّنَ فَإِنْ نَحْلَةً صَدَقْتُهُنَّ النِّسَاءَ وَأَتُوا

Meaning: Give the women (you marry) a dowry as a voluntary gift. Then, if they give you some of it willingly, accept it and enjoy it with pleasure.

This verse explains that the dowry is one of the clear and explicit civil rights held by women. Therefore, the dowry applied in Islamic teachings proves that women have a dignity and status that deserves attention from men. Even though in the era of zahiliyah, women were considered objects whose rights could be bought and sold. The meaning of this analogy is that the dowry, which should belong to the woman, is taken over by her guardian. In fact, the woman's guardian has the right to forcibly seize her. Therefore, the hadith, as the second source of law after the Quran, explicitly respects women through the dowry. (Khoir & Naufal, 2024, p. 15)

In Islamic teachings, marriage is not merely a personal relationship between a man and a woman, but a bond involving the rights and obligations of both parties. Marriage in Islam is a sacred and strictly regulated bond, where the dowry (mahr) is a mandatory gift from the prospective husband to the prospective wife as a form of respect and proof of his commitment to building a household. (Marpaung & Lubis, 2025, p. 291)

The dowry is obligatory for the prospective groom to the prospective bride as a respect for his wife's honor. This aligns with the Mabda Tasyri' (Islamic Principles) that women are not burdened with any responsibility for family support, unlike the husband, who is the head of the family. The dowry is an obligation that must be fulfilled in a marriage as a gift that can perpetuate love, binding and strengthening the relationship between husband and wife. The dowry paid during the marriage contract serves only as a means (wasilah), not as a goal (ghayayah). This differs from buying and selling, where money is a pillar. Therefore, Islam strongly recommends simplifying the dowry or bride price in marriage. (Nahdlatul et al., 2025, p. 60)

It is important to note that the dowry in Islam does not have a fixed nominal amount. Various hadiths and literature, as explained by Imam Nawawi in Al-Majmu', state that the dowry can be adjusted to suit each party's financial capabilities, but efforts should be made to ensure it is not burdensome. Even in a hadith narrated by Aisha (RA), the Prophet Muhammad (peace be upon him) said, "The best marriage is the one with the easiest dowry." This hadith emphasizes that Islam does not prioritize the nominal dowry, but rather the quality of the relationship built on simplicity and sincerity. (I, Asman, Siregar, Ghufron, & Rifa, 2025, pp. 242–243)

The Validity of Crypto as an Object of Wealth (Dowry) and Implications for Marriage Law

With the changing times, technological advances in society have led to

globalization, namely the emergence of unity between people without the limitations of space and time. This has led to changes in people's habits regarding storing their assets. According to data released by Bappeti in 2024, approximately 20.9 million people stored their assets in crypto assets. This new phenomenon, brought about by technological advances, has changed the way people store their wealth. Currently, people not only store their wealth in the form of gold or other tangible objects, but also store their wealth in the form of intangible objects through investing in shares, crypto assets and other digital assets (View of the VALIDITY OF CRYPTO ASSETS AS JOINT PROPERTY IN MARRIAGE, n.d., pp. 225–226).

So there are several marriages that use crypto as a dowry. A dowry is a gift made by the groom to the bride which is legally obligatory. Thus, the terms shadaqah, nihlah, and dowry are terms found in the Koran, but the term dowry is better known in society, especially in Indonesia. Giving a dowry to a woman is not as a price for the woman and not as a purchase for the woman from her parents. The dowry law is also one of the conditions that can justify the relationship between husband and wife, namely reciprocal interaction accompanied by a foundation of affection with the assignment of family leadership status to the husband in married life (Ridwan, 2020).

In fact, the dowry in marriage has also undergone a transformation from traditional to more modern, digital forms, one of which is Bitcoin, also known by the abbreviation BTC. BTC is a form of digital currency developed as a means of electronic transactions. Bitcoin falls into the category of cryptocurrency, a cryptography-based digital financial system that enables secure data transmission and asset exchange over a decentralized network. Unlike traditional financial assets that rely on specific authorities or institutions, crypto assets are independent, have no physical form, and their value depends on algorithmic security mechanisms and market supply and demand factors. The popularity of crypto assets continues to grow because the peer-to-peer (P2P) system they use can facilitate direct transactions between users without the intermediary of financial institutions or government intervention. Thus, crypto assets, particularly Bitcoin, can be understood as a form of digital wealth with economic value and increasingly recognized use in modern society (Febrianti Dyahsitasari & Muhammad Yassir, 2023, p. 223).

According to the National Sharia Council-Indonesian Ulema Council (DSN-MUI), Fatwa No. 144 of 2021, which discusses the legal use of cryptocurrency in Islamic economics. Crypto is still prohibited as a medium of exchange, but is acceptable as a commodity as long as it meets sharia principles. Therefore, the DSN-MUI fatwa still allows for cryptocurrency to be used as a commodity or investment asset, provided that the asset has a clear underlying asset and does not conflict with sharia principles. This means that cryptocurrency is not completely prohibited in Islam, but its use must be adjusted to the principles of sharia economics to avoid causing greater harm (Rizieq, 2025, p. 66). This relates to the view of muamalah fiqh, which defines crypto as a digital asset that, in its operational practice, is used in the field, namely as an asset traded electronically using blockchain technology as a transaction recording system. In buying and selling practices, crypto assets are viewed as goods or commodities with economic value, but differ from conventional money because they are not issued by state authorities and do not have a physical form (Rehan, 2025, p. 4).

The use of crypto as a wedding dowry is permissible and legal according to

Islamic law (Oktaberiana, 2024, p. 202). When analyzed using the Islamic law approach "innamā al-a'mālu bin-niyyāt" (indeed, deeds depend on intentions) (Vol, 2023, p. 57). A dowry is something (assets/properties) given by a prospective husband to his prospective wife with sincerity as a sign of honoring the woman herself (Rahman et al., 2019, p. 87). Islam itself does not determine the form of a dowry rigidly, but rather provides flexibility as long as it is valuable, clear, and can be transferred. The amount and form of the dowry should always be guided by the nature of simplicity and the teachings of ease recommended by Islam, so that the amount and form of the dowry do not burden the prospective groom (Ridwan, 2020). If crypto is used as a dowry, whether it is legal or not really depends on the couple's intentions and goals. If the husband gives crypto with the intention of fulfilling sharia obligations, sincerely, and accompanied by the willingness of both parties, then the gift falls into the category of charity. This is in accordance with the rule that every permissible practice, in this case the use of digital instruments such as crypto, can be worth worship if it is intended for a good purpose and in accordance with sharia.

The use of crypto assets as a dowry has several implications for marriage law. As long as the crypto asset has clear economic value and can be utilized, it qualifies as property (al-māl) that is legally used as a dowry under both Islamic law and positive law in Indonesia. Therefore, a marriage contract that uses crypto assets as a dowry remains valid and does not conflict with sharia provisions or state law. In the context of divorce, the crypto assets used as a dowry remain the full rights of the wife, so the husband cannot claim them back. However, if a dispute arises, the value of the crypto assets given as a dowry will be calculated based on the market value at the time of delivery, not at the time of divorce, to avoid unilateral losses due to fluctuations in crypto prices. Furthermore, crypto assets can also be categorized as joint property if acquired during the marriage, so their distribution is subject to joint property rules. Therefore, the use of crypto assets as dowry or marital property requires a new understanding in the practice of marriage and divorce law, in order to comply with the principles of justice and legal certainty.

Based on the MUI Fatwa and Islamic Jurisprudence (Fiqh) principles, the use of crypto assets as a dowry is generally acceptable as long as it complies with sharia principles. However, its use must be accompanied by caution, clarity of value, and mutual agreement between the parties to avoid future harm. Therefore, using crypto as a dowry is not only legally and religiously permissible but also reflects the flexibility of Islamic law in responding to changing times, as long as it adheres to the principles of justice, welfare, and legal certainty.

CONCLUSION

Marriage in Islam is a sacred and strong contract (mitsaqan ghalizhan) aimed at worshipping Allah SWT, and is part of the Sunnah of the Prophet Muhammad (peace be upon him), and building a household based on love, responsibility, and worship. To be valid, a marriage must fulfill the pillars and requirements established by Sharia, including the presence of the prospective husband and wife, a guardian, two witnesses, and the consent and acceptance of the marriage contract.

A dowry (mahr) is also required to be a valid condition for the marriage. Therefore, the dowry is an essential part of the marriage contract, although not included in the pillars, but it is still obligatory for the prospective husband to provide it to his prospective wife. Islam allows flexibility in the form of the dowry, whether

in the form of tangible objects or valuable benefits, as long as it meets the principles of clarity, benefit, and the consent of both parties.

In the legal context of marital property, the dowry is the full right of the wife. Marital property can also be regulated through an agreement if necessary to avoid disputes, but the main principle is that joint and personal property must be managed in accordance with Sharia and positive law.

The use of crypto assets as a dowry has emerged as a new phenomenon in the digital era. Crypto assets, such as Bitcoin, are a form of digital wealth that has economic value, albeit fluctuating. From an Islamic legal perspective, crypto is acceptable as a dowry as long as it has value, is clear, and can be transferred.

According to the DSN-MUI Fatwa, crypto is not permitted as a medium of exchange, but can be treated as a legitimate commodity or investment asset. As long as its use complies with Sharia principles, does not give rise to gharar (gharar), and is based on sincere intentions and agreement, crypto is legitimate as a dowry in marriage. Overall, using crypto assets as a dowry in marriage reflects the flexibility of Islamic law in responding to changing times. However, its application must remain cautious, paying attention to clarity of value and legal certainty to avoid future problems. Therefore, crypto as a dowry is acceptable as long as it meets Sharia requirements, the principles of justice, and the benefit of the husband and wife.

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