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Techno-Sharia in the Age of Intangible Assets: Digital Inheritance of Metaverse Property

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Abstract

The emergence of intangible digital assets within the Metaverse, notably Non-Fungible Tokens (NFTs) adhering to the ERC-721 and ERC-1155 standards, presents significant challenges to Islamic inheritance law (*farā'iq*), which has traditionally been predicated on tangible notions of property. Situated within the nascent discourse of Techno-Sharia, this study undertakes a reconstruction of the classical concept of *māl* (property) to ascertain the legal status and inheritability of such digital assets. Utilizing a qualitative, library-based methodology, the research employs a *taḥlīlī* (analytical) and *muqāran* (comparative) fiqh approach to deconstruct juristic criteria of *māl* and apply them to blockchain-based assets. The findings indicate that Metaverse assets satisfy the three fundamental conditions of *māl*: recognized market value (*al-taqawwum*), permissible utility (*al-manfa'ah*), and exclusive control through cryptographic ownership, which functions as a contemporary analogue to *al-ḥiyāzah* (possession). Accordingly, these assets qualify as part of the *tirkah* (inheritable estate). Nonetheless, their inclusion introduces considerable challenges for the implementation of *farā'iq*, including inaccessible wallets resulting from lost private keys (rendering assets *māl dā'i'i*), valuation volatility (*taqwīm*), indivisibility (*qismah*), and conflicts between immutable smart contracts and Sharia-based distribution principles. This study proposes the adoption of fractionalized NFTs (fNFTs) and the development of Sharia-compliant smart contracts to ensure accessibility, validity, and justice in digital inheritance practices.