



Protection of Life and Property (Hifzh an-Nafs dan al-Mal) in the Digital Era: Challenges of Islamic Economics to the Rise of Illegal Online Loans

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Abstract

The rapid development of digital technology has transformed various aspects of human life, including financial services. One of the most significant phenomena in the digital era is the emergence of online lending platforms that offer fast and easy access to credit. However, alongside the growth of legal financial technology services, illegal online lending practices have become increasingly widespread, causing serious social, economic and psychological problems. This study aims to analyze the phenomenon of illegal online lending from the perspective of Islamic economics, particularly through the maqāsid al-sharīah principles of hifzh an-nafs (protection of life) and hifzh al-māl (protection of wealth). This research employs a qualitative approach using a library research method by examining relevant literature, academic journals, regulations, and Islamic legal sources. The findings reveal that illegal online lending practices pose significant threats to both individual well-being and financial security through excessive interest rates, abusive debt collection methods, misuse of personal data, and economic exploitation. These practices contradict the objectives of Islamic law, which seek to preserve human dignity, protect wealth, and ensure social justice. From the perspective of Islamic economics, efforts to address illegal online lending require stronger regulatory frameworks, public financial literacy, ethical digital financial services, and the development of Sharia-compliant financing alternatives. Therefore, the implementation of hifzh an-nafs and hifzh al-māl in the digital economy is essential for creating a fair, secure, and sustainable financial system that aligns with Islamic values and promotes societal welfare.

Keywords: Islamic Economics, Maqasid Shariah, Hifzh an-Nafs, Hifzh al-Mal, Illegal Online Lending.

INTRODUCTION

The development of digital technology has brought significant changes to various aspects of human life, including the economic and financial sectors. Digital transformation allows people to access a variety of financial services quickly, easily, and conveniently through internet-connected electronic devices. This convenience has led to the emergence of various technology-based financial innovations, or fintech, offering a wide range of services, from digital payments and investments to online loans. The advent of financial technology essentially aims to increase financial inclusion and expand public access to previously inaccessible financial services.

In Indonesia, the development of online lending services has become one of the most prominent phenomena in the fintech ecosystem. The presence of online loans offers a fast financing alternative for people in need of emergency funds or business capital. The easy application process, simple requirements, and relatively fast disbursement of funds have made this service increasingly popular among various segments of society. However, behind this convenience, various issues have emerged that threaten economic security and public welfare, particularly the rise of illegal online lending practices operating without adequate permits and oversight.

The phenomenon of illegal online lending is a serious challenge to the development of Indonesia's digital economy.

Various reports indicate that illegal online lending practices not only cause financial losses but also impact the social, economic, and psychological aspects of society. High interest rates, non-transparent additional fees, and intimidating collection methods are common characteristics of illegal online lending practices. This situation demonstrates that technological developments, which should provide benefits, can instead become a means of economic exploitation if not balanced with adequate oversight and sound financial literacy (Putri & Hidayat, 2023).

The problem of illegal online loans is becoming increasingly complex due to the public's low level of digital financial literacy. Many users are lured by the ease of disbursement of funds without considering the long-term consequences of their loan agreements. As a result, many people are trapped in a cycle of prolonged debt due to ever-increasing interest rates and inhumane collection systems. Furthermore, loan apps' access to users' personal data is often misused, leading to various forms of privacy violations that harm the public (Rahman & Sari, 2024).

From an Islamic economic perspective, all economic activity must be oriented toward human welfare and free from elements that could cause harm, injustice, or exploitation. Sharia principles emphasize that economic activity should not only aim to obtain material profit but also to safeguard human dignity. Therefore, illegal online lending practices that involve coercion, ambiguity, and harm to one party

contradict the fundamental values of Islamic economics, which emphasize justice (al-'adl), welfare (maslahah), and balance (tawazun).

One of the important concepts in Islamic economics that is relevant to studying the phenomenon of illegal online lending is *maqāṣid al-syarī'ah*. This concept explains that Islamic law aims to realize human benefit through the protection of various fundamental aspects of life. The scholars explain that the objectives of the Shari'a include the protection of religion (*hifzh ad-din*), soul (*hifzh an-nafs*), reason (*hifzh al-'aql*), descendants (*hifzh an-nasl*), and property (*hifzh al-mal*). In the context of the modern digital economy, two very relevant aspects are the protection of life and the protection of property because both of them are often the main objects threatened due to illegal online lending practices.

The concept of *hifzh an-nafs* emphasizes the importance of maintaining human safety, dignity, and peace. In illegal online lending practices, many victims experience psychological distress due to intimidation, threats, verbal abuse, and the dissemination of personal data to family and colleagues. These impacts not only cause fear and prolonged stress but can also harm victims' mental health. Therefore, such practices contradict the objectives of sharia, which requires the protection of human life and dignity. Various studies show that the social impact of illegal online lending has become a humanitarian issue that requires serious attention from various parties (Fauzi &

Kurniawan, 2023).

In addition to protecting lives, the concept of *hifzh al-mal* holds a crucial position in Islamic economics. Wealth is viewed as a trust that must be acquired, managed, and utilized properly in accordance with sharia. Therefore, any form of economic practice that results in unjust loss of wealth, exploitation, fraud, or excessive profiteering is prohibited in Islam. Illegal online lending practices that charge high interest rates, hidden fees, and disproportionate fines can result in significant economic losses for society and contradict the principle of wealth protection in the *maqāṣid al-syarī'ah* (the principles of sharia).

The development of the digital economy also presents new challenges for the implementation of Sharia principles. On the one hand, technology can increase the efficiency and accessibility of financial services. However, on the other hand, technology can be used as an instrument for unethical economic practices if not balanced with adequate regulation and oversight. Therefore, Islamic economics is required to provide a normative framework and practical solutions to address the various challenges facing the ever-evolving digital economy.

Previous studies have primarily discussed illegal online lending from the perspective of positive law, consumer protection, and digital financial regulations. Studies specifically linking the phenomenon of illegal online lending to the concepts of *hifzh an-nafs* and *hifzh al-mal* within the *maqāṣid al-syarī'ah*

framework are still relatively limited. However, the maqāsid approach can provide a more comprehensive perspective because it highlights not only legal aspects but also the social, psychological, moral, and economic impacts of the practice (Nugraha & Yusuf, 2024).

This gap in research highlights the need for research that integrates Islamic economic concepts with the realities of the contemporary digital economy. Maqāsid al-Shari'ah-based analysis allows for a more in-depth assessment of the extent to which illegal online lending practices contradict the objectives of sharia and how Islamic values can be used as a foundation for building a fairer and more sustainable digital financial system.

This research is relevant because the rise in illegal online lending cases demonstrates that protecting people's lives and property still faces various challenges in the digital era. Increasingly sophisticated technology needs to be balanced with increased financial literacy, strengthened regulations, and the development of Islamic financial services that can provide alternatives for the public. Thus, the principles of hifzh an-nafs and hifzh al-mal should not only be understood as normative concepts but also be implemented in modern digital economic policies and practices.

Based on this description, this study aims to analyze the challenges of Islamic economics to the rise of illegal online lending

through the perspective of life protection (hifzh an-nafs) and property protection (hifzh al-mal). This study is expected to provide theoretical contributions to the development of contemporary Islamic economics and serve as a consideration for the government, Islamic financial institutions, and the public in realizing a digital financial ecosystem that is safe, fair, and in accordance with Sharia values.

METHOD

This study uses a qualitative approach with library research. Library research is a research method conducted by collecting, reviewing, and analyzing various literature sources relevant to the research topic. This approach was chosen because the research focuses on a conceptual analysis of life protection (hifzh an-nafs) and property protection (hifzh al-mal) from an Islamic economic perspective, in response to the rise of illegal online lending in the digital era.

The data sources in this study consist of primary and secondary data. Primary data were obtained from literature discussing the concept of maqāsid al-syarī'ah, particularly regarding hifzh an-nafs and hifzh al-mal, both from the Qur'an, hadith, and the works of Islamic scholars and academics. Meanwhile, secondary data were obtained from books, scientific journal articles, previous research results, laws and regulations, financial institution reports, and various documents related to illegal online lending practices and the development of the digital economy.

Data collection techniques were conducted through documentation studies. Researchers identified, collected, read, and classified various literature sources related to the research theme. The collected data was then selected based on relevance, credibility, and recency of the sources to support comprehensive analysis.

The data analysis technique used content analysis. The analysis was conducted by examining the contents of various literature to identify concepts, ideas, and arguments related to the protection of life and property in Islamic economics. Next, the data was analyzed descriptively and analytically by connecting the concept of *maqāṣid al-syarī'ah* with the reality of illegal online lending practices that are prevalent in society. Through this process, researchers identified the forms of threats to life and property posed by illegal online lending and examined their compliance with Islamic economic principles.

To ensure data validity, this study employed source triangulation techniques by comparing information obtained from various references, including books, scientific journals, and relevant official documents. The analysis results were then presented systematically to provide a deeper understanding of the challenges of Islamic economics in addressing the rise of illegal online lending in the digital era, as well as efforts to protect life and property from the perspective of the *maqāṣid al-syarī'ah* (obligatory principles of sharia).

RESULTS AND DISCUSSION

The Phenomenon of the Rise of Illegal Online Loans in the Digital Era, Reviewed from an Islamic Economic Perspective

The development of information and communication technology has given rise to various innovations in the financial sector, known as financial technology (fintech). The presence of fintech makes it easier for people to access financial services quickly, practically, and efficiently. One rapidly growing service is online lending, which allows people to obtain funds without having to go through complicated banking procedures. On the one hand, this development provides a solution for people in need of access to financing. However, on the other hand, technological advances are also being exploited by certain parties to carry out illegal online lending practices that are detrimental to the public.

Illegal online lending is a lending service that operates without permission from the relevant authorities and does not comply with applicable legal requirements. Unlike legal online lending providers supervised by the government, illegal online lending tends to operate without transparency, consumer protection, and clear oversight mechanisms. As a result, people who use these services are vulnerable to various forms of loss, both financial and non-financial. This phenomenon is becoming an increasingly worrying issue in the development of Indonesia's digital economy.

The rise of illegal online loans is inextricably linked to the public's high demand for fast access to

financing. Some people face limited access to formal financial institutions due to administrative issues, income, or credit history. This situation drives them to seek more accessible financing alternatives. Illegal online loans exploit this situation by offering a simple application process, fast disbursement, and relatively easy requirements. According to Pratama and Yuliani (2022), the ease of access offered by online lending services is a key factor driving the increased use of these services among the public.

Besides economic needs, low levels of digital financial literacy are also contributing to the growth of illegal online lending. Many people lack the ability to differentiate between legal and illegal lending platforms. They tend to focus solely on the ease of obtaining funds without understanding the potential risks. This lack of understanding of the rights and obligations of digital financial consumers makes it easy for people to fall into harmful practices (Suryani & Fitriani, 2023).

The phenomenon of illegal online lending is growing, fueled by the use of digital technology, which allows perpetrators to operate widely and quickly. Through apps and social media, illegal online lenders can reach people from various regions without having a physical office. Digital technology makes it easier for perpetrators to disseminate promotions and attract potential users. However, this convenience also complicates oversight, as the identities of providers are often unclear.

From an Islamic economic perspective, the phenomenon of illegal online lending

demonstrates a deviation from the fundamental principles of muamalah (transactional transactions). Islam teaches that all economic activity must be based on the principles of justice, honesty, openness, and mutual benefit between transacting parties. Illegal online lending practices often involve elements of uncertainty (gharar), exploitation, and excessive profit-making that can harm one party. This contradicts Islamic economic values, which prioritize the welfare and balance in economic transactions (Karim, 2021).

Illegal online lending practices often impose exorbitant interest rates and various additional fees that are not transparently disclosed to users. From an Islamic economic perspective, this practice bears similarities to usury, which is prohibited due to its inherent injustice and potential oppression of the economically disadvantaged. Islam emphasizes that financial transactions must be conducted fairly and must not provide excessive benefits to one party at the expense of the other (Ismail, 2022).

Beyond the economic aspect, the social impact of illegal online loans is also a significant concern in Islamic economics. Many victims experience psychological stress due to intimidating debt collection methods, threats of personal data disclosure, and harassment via digital media. These impacts are felt not only by borrowers but also by their family members and social circle. In Islam, economic activity should support the creation of peace and social welfare, not cause unrest and suffering for the community (Nasution & Harahap, 2024).

The phenomenon of illegal online loans also demonstrates that technological development has

not been fully balanced by the development of digital ethics and moral awareness in economic activities. Technology is essentially a neutral tool, but its use can have both positive and negative impacts depending on its underlying goals and values. Therefore, Islamic economics emphasizes the importance of integrating technological advancements with moral values to ensure that digital economic development remains within the framework of sharia and the welfare of the community (Fadli & Lubis, 2023).

Based on this description, it is clear that the rise of illegal online loans in the digital era is a phenomenon influenced by various factors, such as people's economic needs, low digital financial literacy, easy access to technology, and weak awareness of the risks of digital financial transactions. From an Islamic economic perspective, this phenomenon reflects economic practices that contradict the principles of justice, transparency, and welfare. Therefore, more comprehensive efforts are needed through strengthening Islamic financial literacy, increasing oversight of digital financial services, and developing alternative financing options that align with Islamic economic principles to provide the public with better protection in digital economic activities.

Threats of Illegal Online Lending Practices on Life Protection (Hifzh an-Nafs) and Property Protection (Hifzh al-Mal) within the Maqāṣid al-Syarī'ah Framework

The concept of maqāṣid al-syarī'ah is an important foundation in Islam which aims to

create benefits and prevent harm to humans. Within the maqāṣid framework, there are five main elements that must be maintained, namely religion (hifzh ad-din), soul (hifzh an-nafs), reason (hifzh al-'aql), lineage (hifzh an-nasl), and property (hifzh al-mal). Among these five elements, life protection and property protection are the most relevant aspects in studying the phenomenon of illegal online lending because this practice often has a direct impact on people's psychological and economic conditions.

Hifzh an-nafs Protection of life is an objective of Islamic law, emphasizing the importance of safeguarding human safety, honor, health, and well-being. Islam believes that every individual has the right to live in safety, free from threats, pressure, and actions that could harm them physically or mentally. Therefore, any activity that has the potential to cause suffering and disruption to human life contradicts the primary objective of Islamic law.

In illegal online lending practices, threats to the integrity of the soul often arise through inhumane debt collection methods. Many illegal online lenders intimidate, threaten, insult, and psychologically pressure borrowers who experience late payments. They often contact the victim's family, friends, and even coworkers with the aim of humiliating the borrower into paying off their debt. These actions cause fear, anxiety, and severe mental stress for the victim (Siregar & Daulay, 2023).

The psychological impact of illegal online lending practices can develop into serious mental health problems. Victims often experience prolonged stress, anxiety disorders, loss of self-

confidence, and even depression due to the constant pressure. In some cases, this pressure even impacts victims' social relationships and family life. This situation demonstrates that illegal online lending practices are not only an economic problem but also a threat to the protection of life, which is upheld in Islamic teachings.

Besides threatening lives, illegal online lending practices also violate the principle of *hifzh al-mal*, or protection of wealth. In Islam, wealth is a trust from Allah SWT that must be safeguarded, utilized properly, and protected from all forms of robbery or misuse. Therefore, every economic transaction must be conducted fairly, transparently, and provide benefits to all parties involved. This principle aims to create economic balance and prevent exploitation of society.

The threat to *hifzh al-mal* (good governance) in illegal online loans is evident in the high interest rates, fines, and additional fees charged to borrowers. In many cases, the amount owed far exceeds the loan amount. This situation causes borrowers to experience increasingly severe financial difficulties and often become trapped in a prolonged cycle of debt. Such practices contradict the principle of economic justice, a core value of the Islamic economic system (Hidayat & Anwar, 2022).

Beyond direct financial losses, misuse of personal data also poses a serious threat to asset protection. Many illegal online lending applications request access to various user data, such as phone contacts, photos, personal

documents, and other information. This data is then used as a means of pressure or even disseminated without the owner's permission. From an Islamic perspective, such actions constitute a violation of individual rights, as they exploit something that does not belong to them without proper consent (Fauzan & Ramadhani, 2024).

Within the framework of the *maqāsid al-syar'ah* (Islamic principles), illegal online lending practices also contain elements of *gharar* (uncertainty) and *zulm* (injustice). *Gharar* is evident in the lack of transparency regarding fees, interest, and payment mechanisms required by borrowers. Meanwhile, *zulm* is evident in actions that harm and oppress borrowers through various forms of economic exploitation. Both elements are prohibited in Islam because they contradict the objectives of *sharia*, which require justice and the welfare of all parties involved in the transaction (Maulana, 2021).

Furthermore, the impact of illegal online loans is not only felt by individual borrowers but can also impact social stability. When individuals experience severe economic and psychological stress, their family relationships, work productivity, and social interactions are disrupted. Consequently, the resulting harm spreads and impacts the surrounding environment. From an Islamic perspective, this situation demonstrates that illegal online lending practices are inconsistent with the goals of *sharia*, which seek to create social welfare and peaceful coexistence.

Based on this description, it can be concluded that illegal online lending practices pose a real threat to the protection of life (*hifzh an-nafs*) and

property (hifzh al-mal) within the framework of the maqāsid al-syarī'ah. This threat is evident through psychological pressure, intimidation, misuse of personal data, economic exploitation, and financial losses experienced by the community. Therefore, efforts to prevent and address illegal online lending are crucial in realizing the goals of Islamic law, namely maintaining the welfare, justice, and well-being of the community in the digital era.

Islamic Economic Solutions and Strategies in Realizing Life Protection (Hifzh an-Nafs) and Property Protection (Hifzh al-Mal) against the Impact of Illegal Online Loans in the Digital Era

The rise of illegal online loans in the digital era demands a comprehensive solution to protect society from the various negative impacts they cause. From an Islamic economic perspective, protecting life (hifzh an-nafs) and property (hifzh al-mal) is the primary goal that must be realized in every economic activity. Therefore, various preventive and mitigation efforts need to be implemented in an integrated manner, involving the government, financial institutions, educational institutions, religious leaders, and the community to create a safe and equitable digital economic system.

One of the most important strategies is improving public financial and digital literacy. Many victims of illegal online loans come from groups who don't understand the difference between legal and illegal financial services. Through ongoing education, the public can be

equipped with the skills to recognize the characteristics of illegal online loans, understand the risks of digital transactions, and understand their rights and obligations as consumers of financial services. Good literacy will help the public make wiser financial decisions and avoid various forms of digital fraud (Harahap & Lubis, 2023).

In addition to improving literacy, strengthening the ethical values of Islamic economics is also necessary. Islam teaches the principles of honesty, openness, responsibility, and justice in every economic transaction. These values can serve as a moral foundation for people utilizing digital financial services. By understanding that every economic activity must generate benefits and prevent harm, people will be more selective in choosing financial services and will not be easily tempted by loan offers promising instant convenience.

The next strategy is to strengthen oversight and law enforcement against illegal online lenders. Strict regulations are essential to limit the scope of perpetrators who engage in unauthorized financial practices and harm the public. Consistent enforcement not only deters perpetrators but also increases public trust in the legal and secure digital financial system. In this context, synergy between the government, financial services authorities, law enforcement officials, and digital service providers is crucial.

Islamic economics also offers solutions through the development of technology-based Islamic financial institutions, or sharia fintech. The presence of sharia fintech can provide a safer, more transparent, and sharia-compliant financing

alternative. Unlike illegal online loans, which often impose burdensome interest rates and fees, sharia fintech uses clear contracts and prioritizes the principles of fairness and partnership. Thus, the public can still access financing without being trapped in practices that conflict with Islamic values (Ningsih & Setiawan, 2024).

Strengthening the role of Islamic financial institutions is also crucial in supporting the protection of public assets. Islamic banks, Islamic cooperatives, Baitul Maal wat Tamwil (BMT), and various other Islamic financial institutions can provide more accessible financing services to low-income communities and micro-entrepreneurs. The broader the public's access to Islamic financing, the less dependent they will be on high-risk, illegal online lending services.

Furthermore, religious education plays a strategic role in fostering public awareness of the importance of safeguarding life and property in accordance with Islamic teachings. Through formal and informal education, as well as religious outreach, the public can understand that any form of transaction containing elements of oppression, exploitation, and injustice must be avoided. A strong religious awareness will encourage people to be more cautious in conducting economic activities in the digital space.

The application of maqāṣid al-syarī'ah principles in digital economic policy is also a step that needs to be developed. Every policy related to digital financial services should not only consider aspects of economic benefits, but also pay attention to the protection of people's rights,

security and welfare. This approach is in line with the objectives of the Shari'a which prioritizes the public benefit and prevents all forms of damage that could harm individuals and society at large (Aziz, 2022).

Based on this description, it can be understood that Islamic economic solutions and strategies to address the impact of illegal online loans include improving financial and digital literacy, strengthening Islamic economic ethics, firm law enforcement, developing Islamic fintech, expanding access to Islamic financial institutions, strengthening religious education, and implementing the principles of maqāṣid al-syarī'ah in digital economic policies. Through these various efforts, protection of life (hifzh an-nafs) and protection of property (hifzh al-mal) can be more optimally realized, thus creating a digital economic system that is safe, just, and in accordance with Islamic values.

CONCLUSION

The development of digital technology has facilitated easier access to financial services, including online lending. However, this progress has also been accompanied by the rise of illegal online lending practices, which have given rise to various economic, social, and psychological problems for the community. From an Islamic economic perspective, the phenomenon of illegal online lending demonstrates a deviation from the principles of muamalah (transactional transactions), which emphasize justice, transparency, public welfare, and the protection of

human rights. Low digital financial literacy, high economic needs, and easy access to technology are factors driving the growth of illegal online lending practices in the digital era.

Illegal online lending practices have been proven to threaten the protection of life (*hifzh an-nafs*) and protection of property (*hifzh al-mal*) as part of the main goal of *maqāṣid al-syarī'ah*. Threats to life can be seen from various forms of intimidation, psychological pressure, harassment and misuse of personal data which can disrupt people's peaceful lives. Meanwhile, threats to property appear through high interest rates, unreasonable fines, hidden fees, and various forms of economic exploitation that cause financial losses for victims. This practice contains elements of tyranny (*zulm*), ambiguity (*gharar*), and exploitation which is contrary to Islamic economic values.

To realize the protection of life and property in the digital era, Islamic economics offers various solutions and strategies which include increasing people's financial and digital literacy, strengthening the ethical values of Islamic economics, enforcing the law against perpetrators of illegal online loans, developing sharia fintech services, expanding access to financing through sharia financial institutions, as well as implementing the principles of *maqāṣid al-syarī'ah* in digital economic policy. Through these efforts, it is hoped that a digital financial system will be created that is safer, fairer and benefit-oriented so that it can protect society from various negative impacts of illegal online loans and realize prosperity in

accordance with the objectives of Islamic law.

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