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## **Paylater from an Islamic Perspective: Analysis of Fiqh and Consumer Behavior**

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### **A B S T R A C T**

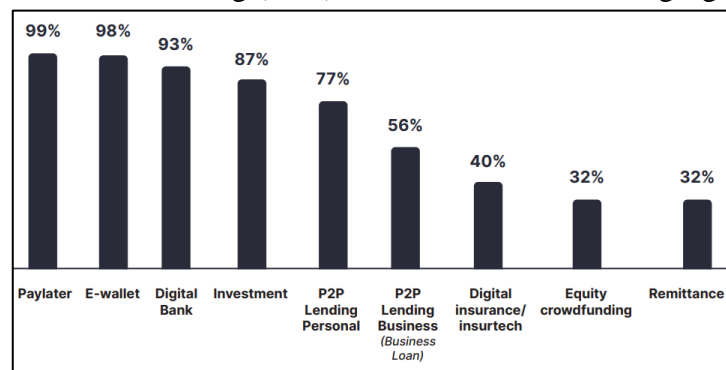
*The aims of this study is to explains the Islamic economic view of paylater, how Muslim consumers should behave in using paylater and explains alternative solutions to sharia paylater. This research is a literature study. The data collection technique is carried out by the documentation method. The study suggests that in the view of the Islam, paylater contains elements of usury and gharar. Muslim consumers in carrying out consumption activities must know the limits of the Shari'a such as the principles of consumption in Islam, such as principles of tauhid, the principles of science, the principles of simplicity as well as social and environmental principles. It is better to avoid using paylater because in paylater services there are still things that are forbidden by the Shari'a such as usury and gharar. However, if you are pressed for money and can only use a paylater, use a sharia paylater, including Ammana and Kresya. This research is limited to discuss paylater system in gojek and shopee application only which are the two most popular and widely used by users in Indonesia. While other researches are limited to the discussion about consumer behavior, this study also provide information the alternative solutions for Sharia paylater.*

***Keywords: paylater; fiqh; consumer behavior***

## INTRODUCTION

The development of the times has made technological advances in various fields, one of which is in the financial sector, which is better known as *financial technology* or *fintech*. Various financial transactions can be done only by using a mobile phone. According to AppsFlyer's State of Finance App Marketing, Indonesia is the third largest market among 15 countries with the most installed financial apps. The most downloaded financial applications in Indonesia come from the categories of mobile payments, credit cards and loans. The SEA e-Conomy report predicts that by 2025 Indonesia is expected to record a Gross Merchandise Value (GMV) of \$146 billion contributed by digital economic sectors such as e-commerce, food transportation and delivery, online travel, and online media. (Fintech Report 2021).

In Indonesia, survey results related to public *awareness* of fintech services show that the top three digital financial services that respondents know about are Paylater (99%), e-wallets (98%), and digital banks (93%). Meanwhile, the least known digital financial services are remittances (32%) and crowdfunding (32%) as shown in the following figure:



**Figure 1.** Awareness of the Indonesian Society towards Fintech  
Source: Open Finance Report 2022

Research conducted by Elpa Julita (2022) concerning the effect of using the shopee paylater on the consumptive behavior of Muslim students suggests that the use of ShopeePayLater has a positive effect on student consumptive behavior. Consumptive behavior occurs because of purchases without consideration, the convenience and benefits they feel so that paylaters are increasingly used and trigger the emergence of extravagant attitudes.

Research conducted by Revan and Anam (2021) regarding the experience of student paylater users in Surabaya shows that the motives of students in Surabaya to use paylater consist of urgency or pressure, utilizing the profitable paylater feature and fast and easy payment solutions, feeling helped when there are financial problems, but feel worried about becoming a consumptive person, having dependents, being a burden, and getting unpleasant treatment from collectors. Research conducted by Fadhillah Irwani (2022) concerning the effect of paylaters among adolescents in North Sumatra shows that the use of the paylater payment system has a significant effect on the consumptive behavior of adolescents in North Sumatra.

Lifestyle has a significant effect on the consumptive behavior of paylater users with a positive relationship.

Then research conducted by Fajrussalam (2022) regarding public perception of paylater in online shopping gave the result that 48.5% stated that respondents thought the law of using Pay Later in Islam was *mubah*, 18.5% stated that the law was unlawful, 18% said they did not know, 3 % stated that they did not know, 6% stated that it could be said to be *haram* and *halal*, 3% stated that they were doubtful, and 3% stated that they did not understand. Nearly half of the respondents in the study stated that the law on the use of paylater is *mubah* (permissible) .

Paylater does provide many conveniences to its users. The easy way to activate it (only using KTP and online authorization by the user) and its practical use make paylater services much in demand. This certainly has an impact and changes in the behavior of the community as service users or consumers of paylater services. As a Muslim, of course, you should know the limitations in praying, including using digital services such as paylater

Based on the explanation above, because of the various conveniences that exist, many paylater users behave consumptive or hedonic, so that the behavior of Muslim consumers in using paylater becomes even more interesting to study. It is important to know how Sharia economics actually views paylaters, the extent to which Islamic values reflect the behavior of a Muslim as a consumer/paylater user. Further research needs to be done on how Muslim consumers/users should behave in using paylaters.

The purpose of this study is to explain the Islamic economic view of paylater, explain how Muslim consumers should behave in using paylater and explain alternative solutions to sharia paylater. Previous research only suggested consumer behavior, in this study it was complemented by an alternative to Islamic *fintech* paylaters. This research is limited to discussing paylater on the shopee and gopay applications, which are the two applications most widely used by the public.

## **RESEARCH METHODS**

This type of research is a literature study (*library research*) by seeking references and data from various literature related to paylater. The research method used is a qualitative descriptive method to determine the use of paylater in terms of jurisprudence and consumer behavior from an Islamic perspective . Data collection techniques were carried out using the documentation method or collecting references from various sources such as fintech statistical data, paylater statistics, MUI fatwas and previous research journals on paylater.

## **RESULT & DISCUSSION**

### **Paylaters in Indonesia**

In language, paylater consists of 2 words that come from *ba*, namely "pay" and "later". Pay = pay and later = later. Paylater is a financial facility or feature in an application that allows payment methods with the concept of "buy now, pay later". There are also those who say this

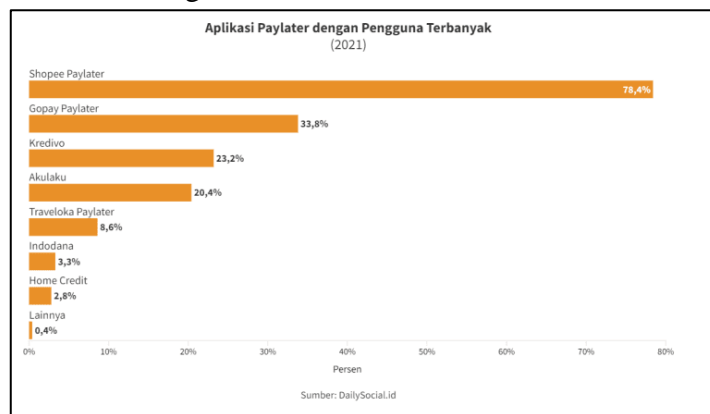
paylater is installments without a credit card. The way the paylater feature works is that the provider provides bailout funds to be used by the user in the application used, then at a specified time the user must pay the debt (can be at the end of the month or with a several-month installment system according to the policy of the application).

The two main factors that make paylater services increasingly in demand are, first, the very easy requirements to get a limit on funds from paylater, secondly, the growth trend of Indonesian e-commerce consumers from year to year. According to a McKinsey report, the e-commerce industry in Indonesia is projected to be worth \$40 billion by 2022. A survey from the Research Institute of Socio-Economic Development (RISED) shows an increase in the use of Paylater services before and during the pandemic. The growth was 22.52% for users who were classified as very frequent and 7.2% for users who were classified as frequently using Paylater services. The following are paylater providers in Indonesia:

| Penyedia Paylater   | Pembentukan | Badan hukum                      |
|---|-------------|----------------------------------|
|  akulaku     | 2014        | PT Akulalu Silverrr Indonesia    |
|  atome       | 2019        | PT Mega Shopintar Indonesia      |
|  gopaylater  | 2018        | PT Mapan Global Reksa            |
|  HOME CREDIT | 2013        | PT Home Credit Indonesia         |
|  indodana    | 2020        | PT Artha Dana Teknologi          |
|  JULO        | 2014        | PT Julo Teknologi Finansial      |
|  kreditmu   | 1994        | PT KB Finansia Multi Finance     |
|  Kredivo   | 2016        | PT FinAccel Finance Indonesia    |
|  SPayLater | 2018        | PT Commerce Finance              |
|  PayLater  | 2018        | PT Caturmusa Sejahtera Finance   |
|  VOSPAY    | 2017        | PT Vostropay Paramarta Nusantara |

**Figure 2.** Paylater Providers in Indonesia  
Source: Indonesia Paylater Ecosystem Report 2021

Then the most paylater users are in the shopee (shopeepaylater) and gopay (gopay paylater) applications, as shown in the image below:



**Figure 3.** The Paylater Application with the Most Users  
Source: Dailysocial.id, 2021

## Overview of Paylater on the Gojek and Shopee Applications

Paylater on Gojek provides a "buy now, pay later" fund service where users can use the paylater balance to buy goods or services in the Gojek application. Paylater on gojek offers funds up to a limit of hundreds of thousands of rupiah. The limit for each user varies from 100,000, 200,000 to 800,000 as shown in the image below:



**Figure 4.** GoPaylater Limit  
Source: Gojek App, 2022

| LIMIT      | BIAYA     |
|------------|-----------|
| Rp 100.000 | Rp 7.500  |
| Rp 200.000 | Rp 7.500  |
| Rp 250.000 | Rp 7.500  |
| Rp 300.000 | Rp 10.000 |
| Rp 400.000 | Rp 12.500 |
| Rp 500.000 | Rp 15.000 |
| Rp 600.000 | Rp 17.500 |
| Rp 700.000 | Rp 20.000 |
| Rp 800.000 | Rp 22.500 |

**Figure 5.** Limit and Late Fee  
Expense of GoPylater  
Source: Gojek App, 2022

Each limit has a different fee, the bigger the limit, the bigger the fee. On the Gojek Indonesia FAQ page, there are fees and repayment provisions in which the loan recipient will be charged a service fee, installment amount, installment fee along with loan interest or late fees. Then some of the fees charged to users when using paylater are as follows:

- Service fees are fees charged to loan recipients for using Gopaylater services
- Installment fees are loan interest for the use of gopaylater installments as stated in the loan agreement for each transaction.
- Loan interest means the interest charged to the recipient of the loan by the lender(s) for using the gopaylater installment service. (Gojek Indonesia FAQ, 2022)

Meanwhile in the shopee application, the Shopee paylater service applies interest at a rate of 1 - 2.95% for the paylater used and when the user is late paying the bill, the user will be subject to a fine of 5%.



**Figure 6.** Spaylater Limit  
Source: Gojek App, 2022

Shopee paylater can be used to buy products at all stores on the marketplace marketplace. Then to pay debts to shopee, you can pay in installments starting from a period of 1, 3, 6 to 12 months. In addition to being subject to a 5% fine, if the installments are paid late, there will be restrictions on the use of Shopee Vouchers and access to functions in the Shopee application. In addition, late payments can affect the credit rating at SLIK OJK (Financial Services Authority Financial Information Service System) and field billing will be carried out (Shopee Assistance Center, 2020).

### **Paylater in Islamic view is categorized as Qardh Contract**

Based on the explanation put forward about the gopay and shopeepaylater service systems above, it can be observed that the paylater service is a lending and borrowing practice where application users borrow funds provided by the application, with these funds the user can use a certain amount of money to make purchases or in-app payments. , resulting in debt from application users to paylater fund providers. It's just that what distinguishes it from ordinary lending and borrowing practices is that the paylater of the money borrowed is electronic money and the lending and borrowing contract is carried out in an online *financial technology* system. In the DSN MUI Fatwa No. 116/DSN-MUI/IX/2017 concerning Sharia Electronic Money stated that the contract between the issuer and the holder of electronic money is a wadi'ah contract or a qardh contract.

### **Fiqh Qardh**

According to Maulamin (2022) qardh loans are borrowing and borrowing funds without compensation with the obligation of the borrower to return the loan principal at once or in installments within a certain period of time. Shari'a provisions regarding qardh loan transactions are contained in the Al-Quran and hadith, including a fragment of Al-Baqarah verse 282 which means:

*“ O you who believe! If you pay debts for a specified time, you should write it down. And let a writer among you write correctly ...”* (Al-Baqarah: 282)

Then in the hadith, the Prophet SAW said *"No Muslim lends a loan to a Muslim twice, then it is as if he has given alms once."* (HR. Ibnu Majah). Then in another hadith: *"Whoever owes a debt to someone while he intends to repay it, surely Allah will help to repay it. And whoever owes a debt with the intention of destroying it, God will surely destroy him ."* (HR Bukhari). The Prophet SAW reminded his people how important it is to repay debts. *"Whoever owes a debt and intends not to repay it, then he will meet Allah (on the Day of Judgment) in the status of a thief."* (HR. Ibnu Majah).

The practice of lending and borrowing or debt and receivables is permissible or mubah, but it is emphasized on the borrower that he must try to pay off his debt because if the matter of debt and credit is not completed in this world, it must be completed in the hereafter. There are 3 pillars of Qardh transactions, namely the transactor (the party giving the loan and the party

lending), the qardh object and the consent qabul. (Maulamin 2022).

### **Things that are prohibited in Paylater**

Based on the explanation about gopay paylater and shopee paylater, it can be explained that things that are not in accordance with Islamic law or economics are:

1. Interest on loan funds (usury)

Gojek paylater and shopeepaylater require interest on loans to their users as described in the description above, where the rules regarding the interest rates they set are stated in the terms and conditions in writing. The law of interest drawn on a loan or debt is usury. Because every addition or benefit drawn on debt is usury. Allah says:

“... even though Allah has justified buying and selling and forbidding usury...” (Al-Baqarah: 275). Then in the DSN MUI Fatwa No. 116/DSN-MUI/IX/2017 concerning Sharia Electronic Money stated that electronic money operators must avoid:

- a. Transactions that are ribawi, gharar, maysir, tadtis, risywah, and israf
- b. Transactions on objects that are unlawful or immoral

The type of usury on the paylater is usury qardh, namely usury on accounts payable or additional loans.

2. Fines for late payment of debt repayments.

When paylater users have used paylater funds, users are required to pay debts to the application in question at once or in installments within a certain period of time. If a user is late or does not make a payment by the due date, he will be fined. In the Sharia economy, fines like this are categorized as riba jahiliyah.

3. Fees - additional fees on loans

In the gopay paylater there is a fee called by gojek which is a service fee in the form of a fee charged to the recipient of the loan. There are differing opinions regarding the law of service fees in paylater. Researchers who allow it have the reason that the service fee is considered an ijarah contract or rental fee for the application, but there are researchers who forbid it because it still contains elements of gharar or unclear regarding the designation of the service fee itself.

In the DSN MUI Fatwa No. 116/DSN-MUI/IX/2017 stated that issuers may charge holders of electronic money facility service fees under the following conditions:

- a. Facility service fees must be in the form of real costs to support the smooth process of administering electronic money.
- b. The imposition of facility service fees must be properly conveyed to users in accordance with sharia and applicable laws and regulations.

Based on the explanation of the DSN MUI fatwa, it can be seen how the permissible service fees are charged to paylater users and if it is observed that paylaters on gojek and shopee do not fulfill the conditions required by the DSN MUI fatwa because the service fees set by gojek and shopee are not clearly specified and not conveyed clearly to users or included in written provisions, so that the service fees charged by gojek

paylaters and shopee paylaters are not in accordance with the Shari'a because they contain elements of gharar.

### **Theory of Consumer Behavior in the Digital Transaction Era**

Consumer behavior is an activity that involves the process of obtaining, using, and assessing whether a product has benefits according to needs and desires. (Nainggolan, et al, 2020). In general, consumer categories are divided into 3, namely:

1. *Impulsive buyers*, namely consumers who buy products quickly
2. *Patient buyers* are consumers who buy products after making various comparisons
3. *Analytical buyers* are consumers who first conduct analytical research before deciding to buy. (Febriani and Dewi, 2019).

Several factors that affect consumers in the digital era include:

1. Price, consumers tend to look for information about prices and compare prices in one place with another.
2. Advertising, attractive promotions can help consumers to understand the product
3. Lifestyle, people's lifestyles are influenced by various things such as family, education, work and the environment around consumers. (Febriani and Dewi, 2019).

The use of paylater from the consumer side is influenced by several factors, namely an easy registration process, integrated into existing applications on mobile phones, faster approval and more choices for short-term and long-term loans. (Indonesia Paylater Ecosystem Report, 2021).

### **The principle of consumption in Islam**

As explained in the background, several previous studies have shown that people's behavior in using paylaters tends to be more consumptive than when there were no paylaters. In Islam, consumption activities, both the use of goods and services, aim to achieve *maslahah*, to meet both physical and spiritual needs.

Unlike conventional economics, where the goal is utility, it creates wasteful or hedonic traits as long as self-satisfaction is fulfilled and ignores social balance or harmony. According to conventional principles, consumption activities have no limits, as long as their income is sufficient, they can carry out consumption activities as much as they like. In Islam it is taught that needs are different from wants. Needs are objective in nature, guided by rationality so that they are limited and measurable in quantity and quality. A Muslim who engages in consumption activities in order to meet his needs will benefit. Meanwhile, desires are subjective and if you are unable to control desires, bad traits will arise, such as wasteful, greedy or greedy.

Rasulullah SAW once said: *"If a human being had as much wealth as two valleys, surely he would seek a third valley and the human mouth would not be full except with land (death) and Allah will forgive those who repent."* (Narrated by Bukhari and Muslim)

The principles of consumption in Islam include:



1. The principle of monotheism, namely the essence of consumption is as a means to carry out orders or worship Allah. By fulfilling the necessities of life properly, a Muslim will be able to carry out his obligations to Allah SWT.
2. The principle of knowledge, that is, a person knows the halal-haram goods or services to be consumed, both in terms of form, processing and how to get them. Goods and services consumed are halal and thoyyib.
3. The principle of simplicity, not being israf or excessive, not tabzir (wasted), adjusting between income and expenses, meaning that consumption must be adjusted according to ability, not forced to buy something that is not important and beyond one's means. Allah said in QS. Al A'raf: 31 which means:  
*" O son of Adam, wear your beautiful clothes in every (entering) the mosque. Eat and drink, and do not be extravagant. Verily, Allah does not like those who are extravagant ."* (QS. al-A'raf: 31)  
God also forbids squandering wealth extravagantly because extravagant people are brothers of the devil, as in his words QS Al-Isra: 26-27 which means: *"... and do not squander (your wealth) extravagantly. Verily the spendthrifts are the brothers of the devil and the devil is very disobedient to his Lord "*. (QS Al-Isra: 26-27)  
Then in another verse:  
*" And those who when they spend (property), they are not excessive, and are not (nor) miserly, and (that spending) is in the middle of such "* (QS Al Furqan: 67)
4. Social and environmental principles, namely paying attention to the surrounding social environment so as to create harmony in life in society, including the interests of the people, do not carry out activities that endanger other people or cause harm, for example, such as smoking. Then the environmental rules, namely in consumption activities should not damage the environment. (Ida Martinelli (2019)

### **Attitude in using Paylater**

There are a number of reasons why Indonesian consumers choose to use paylaters for e-commerce transactions, including buying urgent needs, shopping in short-term installments, getting various attractive promos, limiting monthly expenses, buying goods other than monthly needs, and some are just dabble. (Databox, 2022)

It is better to avoid using paylater because in paylater services there are still things that are forbidden by the Shari'a such as usury and gharar, apart from that the habit of being in debt is not a good habit. As a Muslim who already knows how to paylater in the view of Islamic law, there are several preventive measures to avoid the habit of being in debt/using paylater, including the following:

1. Lower lifestyle

As the saying goes, enough money will be used to meet the necessities of life, but will never be enough to fulfill a lifestyle. What's more, fulfilling a lifestyle with money owed, for example through a paylater.

## 2. Save money and determine priorities in buying needs

By being frugal and setting priorities, financial conditions can be controlled so that you can avoid borrowing or being in debt, especially in paylater services.

Imam Al Ghazali classifies needs into three levels, which are commonly referred to as individual and social utility hierarchies/consumption priorities. The three levels of needs referred to are (1) emergency needs, (2) pleasure or comfort/hajiyat and (3) luxury and beauty (tahsiniyyat).

It is enough for humans to fulfill their emergency needs or basic/primary needs such as clothing, food, shelter. The rest is for the needs of hajiyat, let alone tahsiniyat, if someone has not been able to fulfill it, then don't force yourself, especially just because you are driven by lust or jealousy towards other people, because actually the needs for hajiyat and tahsiniyat are different from one person to another.

## 3. Manage finances

Allah gave instructions in the Al-Quran and the Sunnah of the Prophet to carry out life, one of which is in carrying out financial planning. According to Arsyianti and Beik (2020) there are 4 sharia financial plans that are commonly called CDIC, namely:

1. *Charity*, namely fulfilling or spending some of what we have to fulfill obligations to God, fellow human beings, and the universe
2. *Debt*, fulfilling obligations to others when owed so that it is repaid, so as not to fall into the usury trap.
3. *Investment*, fulfilling the rights of others, especially for future generations by investing in sharia-compliant financial instruments so as not to get caught up in gharar and maysir deceit, including in investment to create jobs.
4. *Consumption*, fulfilling one's rights so that the necessities of life are fulfilled and being able to fulfill obligations as a human being in accordance with sharia corridors by not consuming things that are forbidden.

However, if forced to use a paylater due to very urgent conditions, the alternative is to use a paylater whose services are in accordance with the Shari'a, the two platforms providing Sharia paylater services that the author found are Ammana.id and Kresya - Indonesian Sharia Credit.

### **Sharia Paylater Alternative**

#### 1. Ammana

Ammana PayLater Syariah is an alternative postpaid or *post-paid payment method* for selected customers that can be used to make selected transactions at outlets that have

collaborated with Ammana. The repayment process is 30 days after the transaction is successful. The difference between payLater on applications other than Ammana and Ammana paylater is, in PayLater Ammana there is no interest except for the use of services in the application in the form of Ijarah. In accordance with ISO: 270001 regarding information system security, Ammana partners with Lenders or other third parties in terms of providing Ammana PayLater Syariah financing. (Ammana, 2020).

## 2. Kresya

The next application that provides Sharia paylater services is Kresya – Indonesian Sharia Credit. The difference is that Kresya uses a murabahah contract because the goods or products purchased on the Kresya application are owned by Kresya, not owned by a third party, so it is similar to purchasing goods on credit from a manufacturer or seller of goods. On its website, Kresya offers the tagline “Buy Now, Pay Later, get all the items you need right now, without having to pay in full. Kresya helps you buy goods by paying on credit without having to have a credit card, with a sharia-compliant system and contract you don't have to worry about the impact of Riba. Kresya's commitment to its users is:

- a. Easy installments every month
- b. Transactions are transparent and free from usury.
- c. Flexible, users can choose the down payment and payment term
- d. Installments according to financial capabilities.
- e. No credit card (Kresya, 2017).

## CONCLUSIONS & SUGGESTIONS

In the view of the Sharia economy, paylater contains elements of usury and gharar. On shopee paylater (Spaylater) and gopay paylater, both of them have loan interest which is usury qardh, there are late payment penalties which are usury jahiliyah and there is an element of gharar/obscure in service fees charged to consumers or users. Muslim consumers in carrying out consumption activities must know the limitations of the Shari'a such as the principles of consumption in Islam, namely the principles of monotheism, the principles of science, the principles of simplicity as well as social and environmental principles. The behavior of Muslim consumers in using paylaters must also look at these principles. It is better to avoid using paylater because in paylater services there are still things that are forbidden by the Shari'a such as usury and gharar. Some preventive measures that can be taken to avoid using paylaters and avoiding consumptive attitudes include reducing lifestyles, saving money and determining priorities in buying necessities and managing finances according to sharia . However, if you are pressed for money and can only use a paylater, use a sharia paylater, including Ammana and Kresya. It is hoped that this research can increase literacy, especially Muslims in using paylater. Suggestions and recommendations for future researchers include conducting a more in-depth

survey into the field regarding the behavior of Muslim consumers in using paylaters and exploring information about sharia paylaters.

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