
ANALYSIS OF THE APPLICATION OF EXPENSE FINES TOWARDS DELINQUENCY IN FINANCING OF QARDH AGREEMENTS ON MEMBERS AT KSPPS BMT AL HIKMAH SEMESTA, KALIAMAN BRANCH

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ABSTRACT

The Sharia Savings and Loans Cooperative (KSPPS) BMT Al Hikmah Semesta plays an important role in providing financial access to communities that have not been reached by formal financial institutions. The main challenge that threatens the stability of the cooperative is late payment of financing. To overcome this problem, KSPPS uses a kifarat fine as a sharia-based method to encourage members to pay off their debts. The purpose of this study was to evaluate how effective the implementation of kifarat fines in qard agreements is and the impact on the financial behavior of members of the agreement. The results of the study, collected through in-depth interviews, indicate that kifarat fines can increase members' financial awareness and responsibility and encourage timely payments. However, some members oppose this policy, especially those who are facing financial difficulties. the implementation of kifarat fines must be in accordance with sharia principles by considering fairness, transparency, and the economic conditions of members. Financial education and a periodic evaluation system will support this policy. kifarat fines should be used not only as punishment, but also as a tool to teach and improve how to manage sharia microfinance.

A. INTRODUCTION

KSPPS BMT Al Hikmah Semesta is a sharia microfinance institution that is very committed to helping people who do not have access to conventional financial services. KSPPS offers alternative solutions for individuals and community groups who need funds for business or consumption, but do not have access to the formal banking system. In addition to providing financial services, KSPPS strives to educate its members to apply Islamic economic values in their daily lives through sharia-based contract mechanisms, such as *ijarah*, *qard*, and *murabahah* (Antonio, 2018). Through fair, transparent, and responsible financing, this institution strengthens the community's economy in addition to functioning as a financial instrument. The existence of KSPPS BMT Al Hikmah Semesta is very important in rural communities because it is able to meet the community's funding needs while maintaining sharia values. The development of this institution's capacity is also in line with government programs in empowering community-based microeconomics and local wisdom. This makes KSPPS not only a financial institution but also a social change organization that has a major impact on the welfare of its members (Syukurii, 2018).

With the principle of mutual assistance, the *qard* contract is one of the important products of the sharia financing structure used by KSPPS to meet the short-term funding needs of members. Virtuous loans, also known as *qard* contracts, are provided with the aim of easing the financial burden of members Djunaeni & Yusuf (2017). The management of the *Qard* contract is highly dependent on the level of member compliance in paying the loan on time because it does not generate financial benefits. Unfortunately, in the field, *qard* contracts often experience significant delays in repayment. This can be caused by many things, such as members' ignorance of finances, unstable income, and lack of clear sanctions. To overcome the level of delinquency in the *Qard* contract, a preventive and corrective approach is needed that is consistent with sharia values Sudanto (2023).

One tactic used is the use of *kifarat* fines—fines imposed on members who do not pay their debts on time. This grudge is intended to encourage members to be more disciplined. However, so that *kifarat* fines do not become an unproductive burden, the principles of justice and the financial situation of each member must be taken into account. To avoid violating the *qard* principle, which should mitigate and help, not burden, fine policies must be adjusted proportionally. Therefore, to implement *kifarat* fines in *qard* contract financing, there needs to be a balance between the principles of firmness and empathy. This is done so as not to cause resistance among members and maintain the integrity of sharia principles (Aziz 2018).

The implementation of the *kifarat* fine, which is an important tool in the sharia-based financial discipline enforcement system, is one way to overcome the problem of late payment of financing. The *kifarat* fine is a form of financial punishment imposed on members who do not fulfill their payment obligations on time as a preventive and corrective effort to reduce the level of delinquency in the *qard* agreement. The main function of this fine is to provide moral pressure that can encourage members to be more disciplined in managing their financial obligations. In sharia law, the *kifarat* fine is also a spiritual reminder and principle of responsibility that violation of the contract is a violation of religious values and social beliefs. This policy should not be applied too strictly or burdensomely because it can conflict with the main purpose of the *Qard* contract, which is to provide assistance without expecting anything in return. Therefore, the policy must be adjusted to implement it by considering the economic conditions of

each member. provide additional deadlines to educate members who are truly unable rather than immediately imposing fines. This is very important to maintain the principle of justice and member trust in the institution. Conversely, to maintain equality and the continuity of the institution's operations, strict fines must be applied to members who are negligent or intentionally delay payments. Thus, the kifarat fine must combine two important things: firmness as a way to enforce the rules and empathy as a way to carry out social justice. The kifarat fine will not only serve as a strong legal tool, but will also serve as a way to educate people and teach them to build healthy finances (Aziz 2018).

In the context of sharia financing structure, qard contract is one of the important products used by KSPPS to meet the short-term funding needs of members with the principle of mutual assistance. Qard contract, also known as a benevolent loan, is given with the aim of easing the financial burden of members, especially in emergency situations Djunaeni & Yusuf (2017). It is given without a profit margin. The management of Qard contracts is highly dependent on the level of member compliance in paying loans on time because it does not generate financial benefits. Unfortunately, in the field, qard contracts often experience significant delays in repayment. This can be caused by many things, such as members' ignorance of finances, unstable income, and lack of clear sanctions. To overcome the level of delinquency in qard contracts, a preventive and corrective approach is needed that remains in line with sharia values. proportionally. Therefore, (Ibrahim and Rahmati 2017) in the implementation of kifarat fines for financing qard contracts, there needs to be a balance between the principles of firmness and empathy. This is done so as not to cause resistance among members and to maintain the integrity of sharia principles. In its implementation, KSPPS faces significant problems, namely high levels of delay or deficit. This condition can threaten the stability of the organization's operations and the sustainability of its social functions. Therefore, an effective risk control approach must be implemented. One strategy used is to implement a kifarat fine, which is a fine imposed on members who do not pay on time with the aim of encouraging them to be more disciplined. However, the implementation of the kifarat fine must consider the fairness and economic conditions of each member so that it does not become an unproductive burden (Aziz 2018).

B. METHOD

To understand the implementation of kifarat fines in qard contracts at KSPPS BMT Al Hikmah Semesta, Kaliaman Branch, this study uses a descriptive qualitative method. Descriptive qualitative research is considered the most relevant method to explore the subjective perceptions and experiences of informants who are directly involved in the fine policy. This method allows researchers to analyze not only the phenomena that occur, but also the meaning and social implications of the implementation of the fine policy in the context of Islamic financial institutions.

Data were collected through comprehensive interviews with managers and Ao KSPPS BMT Al Hikmah Semesta Branch Kaliaman, and 480 members who were subject to kifarat fines. Considering various economic backgrounds and the length of time the loan was late, informants were selectively selected based on their direct involvement in implementing the kifarat fine policy. The kifarat fine applied by KSPPS is 1% of the outstanding loan amount each month in a technical context. The researcher noted that the fine does not change according to the amount or duration of the delay. Additional data came from the institution's internal documentation regarding the fine policy and the

track record of late payments by members over the past three years. Non-participant observation was also conducted to improve understanding of the process of socialization and collection of fines by field officers.

C. RESULTS AND DISCUSSION

Masykar (2021) The kifarat fine is a type of sanction that has educational and moral value in addition to functioning as a punishment. This concept is in line with the principle of al-mas'uliyah (responsibility) in Islam, which emphasizes the importance of fulfilling contracts as a form of faith and social integrity. The kifarat fine is used at KSPPS BMT Al Hikmah Semesta as part of an effort to improve financial discipline, especially in terms of financing qard contracts. The results of interviews with management and members showed that most members realized that the fine served as a reminder and encouragement to fulfill payment promises. They acknowledged that the kifarat fine was not just a punishment; it increased the sense of responsibility to manage personal financial obligations.

Management acknowledged this issue and emphasized that the kifarat fine was intended to teach and improve rather than force. Financial sanctions must have an element of coaching and must not be burdensome. Therefore, KSPPS offers the opportunity to talk and negotiate before the fine is imposed, especially for members who can show strong reasons for their absence. In addition, the organization uses a personal approach through the Account Officer (AO) to learn the background of the delay and make a fairer decision. proven to be more effective in increasing long-term trust and building positive relationships between the organization and members is run as an instrument to enforce financial discipline for members who do not fulfill their obligations to pay on time in the qard contract. Based on the results of the interview, most members realized that the fine serves as a warning to be more obedient to the agreed financial commitments. They consider the fine as a form of responsibility for the contract, not merely a punishment. However, there are also some members who feel that this fine increases the economic burden, especially for those who are experiencing income difficulties due to unstable economic conditions (implemented as an instrument to enforce financial discipline for members who do not fulfill their obligation to pay on time in the qard contract. Most members realize that the fine serves as a warning to be more obedient to the agreed financial commitments. They consider the fine as a form of responsibility towards the contract, not merely a punishment. However, there are also some members who feel that this fine increases the economic burden, especially for those who are experiencing income difficulties due to unstable economic conditions (implemented as an instrument to enforce financial discipline for members who do not fulfill their obligation to pay on time in the qard contract. (Isma and Alif 2022)

Thus, the model for managing the kifarat fine in KSPPS can be used as a best practice in developing responsible, fair, and sustainable Islamic microfinance. This is important because Islamic financial institutions not only act as economic institutions, but also as agents of social change in society. In practice, the success of policies such as the kifarat fine depends not only on the clarity of internal regulations, but also on institutional commitment and member participation. A study by Sudanto (2023). shows that value-based financing management and collective participation can increase

institutional efficiency and strengthen member loyalty. Therefore, the success of implementing the kifarat fine will be more optimal if supported by an adaptive and data-based policy evaluation system. This step also encourages the institutional transformation of KSPPS from merely a provider of funds to a strategic partner in the overall development of the community's economy.

The table below includes the amount of fines imposed based on the length of the delay and the total loan:

Year	Number of Members Subject to Fines	Number of Fine Bills for members who have not paid their loans	Amount of fines imposed
2021	132	4.956.000	1%
2022	120	7.272.000	1%
2023	84	9.576.000	1%
2024	144	6.096.000	1%

Data source Interview with the Manager of KSPPS BMT Al Hikmah Semesta, Kaliaman Branch

Field results show that the number of members subject to kifarat fines varies from year to year. Data collected from interviews with BMT KSPPS Managers dropped again to 84, but fines increased significantly to IDR9,576,000. The number of members increased again to 144 in 2024, with a total bill of IDR6,096,000. Fines are set monthly at 1% of unpaid loans. These data show that there is a changing trend, influenced by changes in member behavior, the level of effectiveness of policy socialization, and economic conditions. Member payment behavior is very dynamic, as shown by these data. The decreasing number of people subject to fines indicates that the kifarat fine policy is highly dependent on various factors; these include the level of effective socialization, macroeconomic conditions, and the ability of individuals to manage their own finances. For example, an increase in fines in 2023 but a decrease in the number of violators may indicate that individuals who commit serious violations face significant payment problems. Conversely, in 2024, the number of violators increased but the fines were smaller, indicating that the violations that occurred were minor and could be resolved quickly.

To comply with ethical values and accountability in Islamic finance, the proceeds of the kifarat fine are managed in a structured and transparent manner. The KSPPS BMT Al Hikmah Semesta policy stipulates that the fine funds will be used for two main purposes: social programs and risk reserves. Social funds are used to help other members who are experiencing financial difficulties, such as needs. One of the indicators of social finance that can increase member loyalty is effective management of fine funds. Members' trust in the institution increases when they see the real impact of the fine funds on the lives of their communities. In the long term, this will increase the resilience of the institution in terms of member participation and operational stability. As a result, the kifarat fine improves the social and spiritual relationship between members and the institution in addition to having a financial impact. The kifarat fine fund can be a means of social transformation that supports the development of the people's economy in an inclusive and sustainable manner if implemented wisely and transparently.

Members of KSPPS BMT Al Hikmah Semesta Branch of Kaliaman who have arrears will be subject to a 1% kifarat fine with systematic and structured steps. If there are no empty months and payments are often late, a fine will be imposed every month. First, the BMT monitors the payment schedule for unfulfilled obligations. The purpose of this step, according to (fadly, 2018), is to give members the opportunity to pay their arrears before the fine is applied. If members do not pay after a certain period of time, a kifarat fine will be imposed in accordance with the provisions that have been set. This process is not only used for disciplinary enforcement, but also reflects the BMT's efforts to help members about the importance of fulfilling their financial obligations, which is expected to encourage better payment behavior in the future (Cahyono, 2022).

The criteria for determining the amount of the 1% kifarat fine at KSPPS BMT Al Hikmah Semesta, Kaliaman Branch include several important factors, including the amount of arrears, the length of the delay and the type of loan taken by the member. The fine imposed is generally determined as a percentage of the total loan that has not been paid off, thus providing clarity and transparency in the collection process. In addition, KSPPS BMT Al Hikmah Semesta, Kaliaman Branch also considers the economic conditions of the members and the reasons for the late payment. This approach aims to ensure that the fine imposed is fair and proportional, so as not to burden members who are facing financial difficulties. Therefore, the kifarat fine policy at KSPPS BMT Al Hikmah, Kaliaman Branch not only acts as a punishment, but also helps members overcome their financial problems and create a more inclusive and sustainable loan management system (T Rizal Nurdin KM, 2021).

giving an impact with a 1% kifarat fine will be advice for members who experience late payments (Zaenal Anwari, 2019). After this fine policy, many members are more disciplined in fulfilling their payment obligations. This is shown by their attention to the payment schedule and efforts to prevent delays. On the other hand, there are members who feel burdened by the fines imposed; this can cause dissatisfaction among BMT members. This shows that although fines can make people more obedient, their effects on some members must be considered. Therefore, it is important for BMTs to continue to inform people about the importance of timely payments and provide a clear explanation of the kifarat fine mechanism. The right approach is expected to improve the relationship between BMT and its members and increase members' awareness of financial responsibility.

In microfinance institutions such as Baitul Maal Tamwil, the kifarat fine faces many challenges, especially due to the weakening economy. This fine still applies if there are members who are late in paying their monthly payments and if there are members who consider the fine to be unfair or burdensome. In addition, members may have difficulty paying if the economy is unstable. can burden members with more difficult payments. To address this problem, BMTs must create a comprehensive plan, such as educating people about the purpose and benefits of the kifarat fine and providing them with flexible payment options, such as installments or deferrals. In addition, BMTs can build financial support programs for members who are experiencing difficulties and improve communication to listen to member complaints and input. By using a more humanistic and solution-oriented approach, BMTs can help members fulfill their kifarat fine obligations without adding stress, while maintaining member trust and involvement in their programs (Yani Safitri Yulia, 2018).

The responses of BMT Al Hikmah Semesta Kaliaman Branch members to the kifarat fine policy showed significant differences, indicating different perspectives on how the policy was implemented. Since this policy is a BMT rule, members must comply with it because if they do not, the loan will not be disbursed. as a positive way to discipline oneself that can help people become more obedient and responsible when transacting. However, some members consider the kifarat fine as an additional burden, especially in an unstable economic situation. Therefore, it is important for BMT to actively listen to members' opinions and responses in assessing the impact of the policy. Adjusting policies that respond to members' needs and concerns can help create a friendlier environment and make members happier. as well as improve BMT relationships. In this way, BMT can ensure that the policies implemented are not only effective, but also fair and sustainable.

The types of fines applied at KSPPS BMT Al Hikmah Semesta Branch Kaliaman show a different approach to managing member risk and responsibility. Productive loans in this policy are subject to lower fines than consumptive loans. (Agustina Detya, 2023) said This difference lies in the main purpose of each type of loan: productive loans are intended to support activities that can improve economic health, while consumptive loans are usually used for daily needs that do not directly generate value. KSPPS BMT Al Hikmah Semesta Branch Kaliaman tries to encourage members to use loan funds by applying lighter fines than productive loans. This fine policy is one of the financial management strategies that focuses on social benefits because it not only encourages members to use loans wisely, but also encourages local economic growth through increased productivity and termination of member businesses.

At KSPPS BMT Al Hikmah Semesta, Kaliaman Branch, the proceeds from the kifarat fines are distributed to Baitul Maal and put into risk reserves with the principle of high transparency and accountability. The institution earns income from these fines. In addition, the funds are given to social programs to improve the health of members. The funds allocated cover various programs, including entrepreneurship training aimed at improving members' ability to manage their own businesses and providing assistance to members experiencing financial problems. With this method, KSPPS BMT Al Hikmah Semesta, Kaliaman Branch, strives to ensure that the proceeds from the fines can have a positive impact on the community and encourage members to be more responsible in managing loans. Through transparent and accountable management, KSPPS BMT Al Hikmah Semesta, Kaliaman Branch, strengthens the trust of its members and helps economic growth and the quality of life of the community (Agustina Detya, 2023).

KSPPS BMT Al Hikmah Semesta Branch Kaliaman Imposed Additional sanctions for those who experience difficulties in late payments can help with several things that are intended to improve performance and overcome operational difficulties. First of all, participants who are often absent can be identified based on their educational background, which allows them to recognize the need for discipline in fulfilling financial obligations. In addition, BMT can implement a gradual warning system, where participants will receive notifications and guidance to improve their financial management. Third, if there are persistent problems with access to the facilities or services in question, it can be reflected as a consequence. These steps not only serve as sanctions, but also serve as a means to encourage participants to be more assertive in handling money, which is said to help them face future challenges. In sharia financing, kifarat fines are used as a way to punish debtors who violate the rules, especially if they

fail to pay. These fines must be made in a fair and non-exploitative manner. It is better if kifarat fines are used for social purposes, such as supporting charitable activities or helping people in need, because it will have a positive impact on society. In addition, in order to comply with sharia principles that emphasize justice and balance, fines must be proportional and not burdensome to the debtor. In order to remain in line with sharia principles that emphasize justice and balance. Thus, the application of kifarat fines not only functions as a sanction, but also as a means to increase awareness and responsibility in transactions and strengthen ethical values in sharia financing (Afifah Rahmatul, 2021) Kaliaman Branch which is a sharia financial institution (Sutyono, 2019) This fine is applied as a mechanism to encourage discipline in loan payments by members, as well as to protect financial health institutions.

D. CONCLUSION

The kifarat fine in the qard contract of KSPPS BMT Al Hikmah Semesta has proven to be useful in improving the financial discipline of members. The fine has been able to encourage members to fulfill their financial obligations more responsibly because it functions as a moral reminder and spiritual reminder. To avoid additional unproductive burdens, the implementation of this policy must consider the principles of justice, proportionality, and sensitivity to the socio-economic conditions of members. The kifarat fine in the qard contract of KSPPS BMT Al Hikmah Semesta has proven to improve the financial discipline and responsibility of members and increase the stability of the organization. To avoid unproductive burdens, the implementation of this policy must prioritize justice and consider the socio-economic conditions of members.

The success of the kifarat fine policy depends not only on how the law is made but also on how it is implemented. KPPS must improve this policy by improving more comprehensive standard operating procedures (SOPs), improving human resource capabilities, and improving members' financial knowledge. In addition, transparency and distribution of fine funds for the common good will increase member trust and encourage program sustainability. In microfinance practices, kifarat fines must be positioned as educational and corrective tools that support members' economic empowerment and maintain sharia values.

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