

The Blue Mudharabah Theory : Reconstructing Adaptive Sharia Contracts to Achieve Sustainable Maritime Economic Justice

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ABSTRACT

Conventional mudharabah contracts, built on a static profit-sharing scheme between the owner of the capital and the mudharib, have not been able to fully address the complexity of modern maritime economic risks, particularly climate uncertainty, marine resource exploitation, and the unequal distribution of income among small-scale fishermen. This conceptual article aims to develop a new grand theory, the Blue Mudharabah Contract Theory, as an adaptive Sharia contract paradigm for the maritime and fisheries sector. Through a conceptual research approach that synthesizes the literature on muamalah fiqh, the blue economy, sustainable finance, and the maqashid sharia, this article formulates a definition, five basic principles, five operational pillars, a conceptual model, and five theoretical propositions that can be tested in further empirical research. The principles of risk equity, marine sustainability, climate adaptation, economic collaboration, and the values of maqashid sharia are integrated into a single framework that places the economic resilience of fishermen as the ultimate goal. The contributions of this theory are theoretical, practical, and policy: expanding the scope of mudharabah theory to the realm of the sharia blue economy, becoming a reference for developing financing products for BMT, BPRS, and fishermen's cooperatives, and providing a conceptual basis for regulators in designing equitable and sustainable sharia financing policies in the maritime sector.

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1. INTRODUCTION

Indonesia is the world's largest archipelagic state, with a coastline exceeding 99,000 kilometers and a marine territory covering approximately 70 percent of its total national area, holding immense marine economic potential across capture fisheries, aquaculture, marine tourism, and other maritime services [1]. This potential aligns with the concept of the blue economy, defined as the sustainable use of ocean resources for economic growth, improved livelihoods, and job creation, while preserving the health of ocean ecosystems [2]. Nevertheless, the welfare of economic actors in this sector, particularly small-scale fishermen, remains far behind other economic sectors. Structural poverty among fishing communities stems from several interrelated factors: limited access to formal capital, an unequal bargaining position between fishermen and capital owners or middlemen, non-transparent profit-sharing systems, and the high business risk inherent to going to sea [1]. This problem is compounded by informal financing practices that potentially contain elements of *riba*, as found among traditional fishermen in several Indonesian coastal areas trapped in financing arrangements marked by unilateral pricing and a lack of transparency [3]. This condition confirms that the fishermen's problem lies not merely in the availability of capital, but also in the fairness of the financing contract structure they access. On the other hand, business risk in the fisheries sector is becoming increasingly complex as the frequency and intensity of climate anomalies rise. International research shows that fisheries-based food production systems must adapt to changing storm patterns and extreme weather to protect food security and livelihoods, which has led to the development of weather/climate index insurance instruments as an adaptation mechanism, although their application to small-scale fisheries still faces considerable technical and institutional challenges [4]. In the context of Islamic finance, the classical *mudharabah* contract essentially divides profit according to a pre-agreed ratio, while financial loss is borne by the capital owner as long as there is no negligence on the part of the business manager. This profit-and-loss sharing scheme is in principle grounded in fairness, but empirical studies show that its application in Indonesian Islamic banking is still overshadowed by moral hazard risk, information asymmetry, and limited monitoring capacity, which makes Islamic financial institutions reluctant to extend pure profit-sharing financing to high-risk sectors such as fisheries [5]. Discourse on the Islamic blue economy has begun to develop, for instance through the *fiqh bi'ah* approach, which links blue economy principles with Islamic environmental ethics and strengthened marine governance grounded in shariah values [8]-[9]. The World Bank has also promoted the integration of the blue economy approach into development financing operations as a strategic instrument for addressing coastal vulnerability [7]. Recent studies have demonstrated the growing convergence between Islamic economics, sustainable maritime development, and digital financial innovation. A systematic review highlights that the evolution of Islamic economic thought increasingly emphasizes incentive structures that encourage justice, risk-sharing, and sustainable value creation within Islamic finance [18]. Furthermore, the integration of blockchain technology with Blue Sukuk has been proposed as an innovative Islamic financing model capable of supporting a sustainable blue economy while advancing the objectives of *maqasid al-shariah* through transparent and accountable financial governance [19]. The importance of digital transformation is further reinforced by findings that Islamic digital finance, combined with renewable energy policy, can strengthen Indonesia's economic growth by promoting inclusive and sustainable financial ecosystems [20]. Similarly, the integration of blockchain and Green Sukuk has been shown to enhance coastal community empowerment through transparent

financing mechanisms that support environmental sustainability and the blue economy agenda [21]. Collectively, these studies indicate that although Islamic finance has increasingly incorporated sustainability and digital innovation, the existing literature has primarily focused on Islamic financial instruments and technological integration, while the reconstruction of an adaptive mudharabah contract specifically designed for the fisheries sector remains largely unexplored. Unfortunately, the integration of blue economy principles and Islamic financial instruments in the existing literature remains limited to partial case studies in specific regions, and has not yet been formulated as a general theoretical framework (grand theory) that unifies the dimensions of risk justice, environmental sustainability, climate adaptation, economic collaboration, digital governance, and maqashid shariah values within a single, coherent conceptual structure. Based on this gap, this paper aims to formulate a general theory, the Blue Mudharabah Contract Theory, which positions mudharabah not merely as a profit-sharing instrument, but as a paradigm for an adaptive shariah contract for a sustainable maritime economy. The novelty of this paper lies in the formulation of five foundational principles, five operational pillars, one conceptual model, one operational mechanism scheme, and five interrelated theoretical propositions, which may serve as a reference for further theory development as well as future empirical testing.

2. METHOD

This paper is developed through a conceptual research approach (conceptual paper), a method aimed at constructing or developing new theory through the synthesis, integration, and reorganization of existing concepts in the literature, without primary empirical data collection. The theory-building process follows a theoretical contribution framework that answers the questions of what (which constructs are relevant), how (how these constructs relate to one another), and why (why these relationships are theoretically logical), as proposed in the framework for theoretical contribution in social science [6]. The theory-building process was carried out in four stages: (1) identifying the conceptual gap in conventional mudharabah theory in addressing maritime economic challenges, as outlined in the Introduction and Theoretical Review sections; (2) synthesizing cross-disciplinary literature, namely Islamic commercial jurisprudence, the blue economy, sustainable finance, Islamic social finance, digital governance, and maqashid shariah; (3) formulating the constructs, definition, principles, and pillars of the new theory; and (4) developing the conceptual model, operational mechanism scheme, and theoretical propositions that can be tested in future empirical research.

3. RESULTS AND DISCUSSION

3.1 Definition of the Blue Mudharabah Contract

The Blue Mudharabah Contract is a shariah partnership contract between a capital owner and a business manager in the marine and fisheries sector, designed on the principles of risk justice, environmental sustainability, climate adaptation, economic collaboration, and maqashid shariah, in order to create sustainable maritime economic resilience. This definition affirms that Blue Mudharabah is not merely a technical modification of the profit-sharing scheme, but a new paradigm that positions the shariah contract as an instrument of risk governance and marine environmental governance simultaneously, grounded in risk-sharing theory [5], blue economy theory [2]-[7], and systemic maqashid theory [10] as described in the Theoretical Review section.

3.2 Five Foundational Principles

The Blue Mudharabah theory is built upon five complementary foundational principles, each grounded in a distinct theoretical basis. First, the risk justice principle, rooted in risk-sharing theory in Islamic finance [5], asserts that profit distribution must be proportional to the risk borne by each party, including climate risk that has thus far not been accommodated within static profit-ratio schemes. Second, the marine sustainability principle, derived from blue economy theory [2]-[8], requires that every financed business activity maintain the carrying capacity of the marine ecosystem. Third, the climate adaptation principle, drawing on studies of climate risk mitigation in the fisheries sector [4]-[14], requires that the contract structure be able to adjust to changing environmental conditions. Fourth, the collaborative marine economy principle emphasizes the collective sharing of benefits and responsibilities among Islamic financial institutions, fishermen, and other stakeholders. Fifth, the maqashid-based maritime finance principle, referring to the systemic maqashid approach [10]-[16], ensures that the entire contract mechanism is directed toward safeguarding religion, life, intellect, wealth, lineage, and social justice for fishing communities.

3.3 Five Operational Pillars

These five principles are translated into five operational pillars. The first pillar, risk sharing justice, operationalizes risk justice through a dynamic profit-ratio scheme that accounts for objective risk indicators, consistent with findings that managing profit-sharing financing risk requires a measurable equilibrium point [5]. The second pillar, marine sustainability, requires environmental eligibility criteria (environmental screening) as part of the contracting process, referring to the principle of sustainable blue economy [9]-[7]. The third pillar, climate adaptation, introduces contractual clauses that allow for the adjustment of obligations under verified extreme weather conditions, adopting the trigger-index logic used in weather-based insurance [4]. The fourth pillar, digital maritime governance, utilizes digital technology for real-time monitoring of weather and catch results to improve transparency and accountability, drawing on digital governance and supply chain traceability theory [13]-[14]. The fifth pillar, Islamic social finance integration, incorporates zakat, infaq, sadaqah, and productive waqf as an additional risk buffer for fishermen experiencing business failure due to circumstances beyond their control, drawing on Islamic social finance theory as a risk mitigation and poverty alleviation instrument [11]-[12].

3.4 Conceptual Model

The relationships among the constructs of the Blue Mudharabah theory are illustrated in the conceptual model below (Figure 1). This model shows that the blue economy and climate adaptation form the external context that shapes the need for the Blue Mudharabah contract. This contract is then operationalized through three main elements, namely risk justice, sustainability, and digital governance, which are further integrated within collaborative marine economic activity and guided by maqashid shariah values, ultimately culminating in fishermen's welfare and economic resilience.

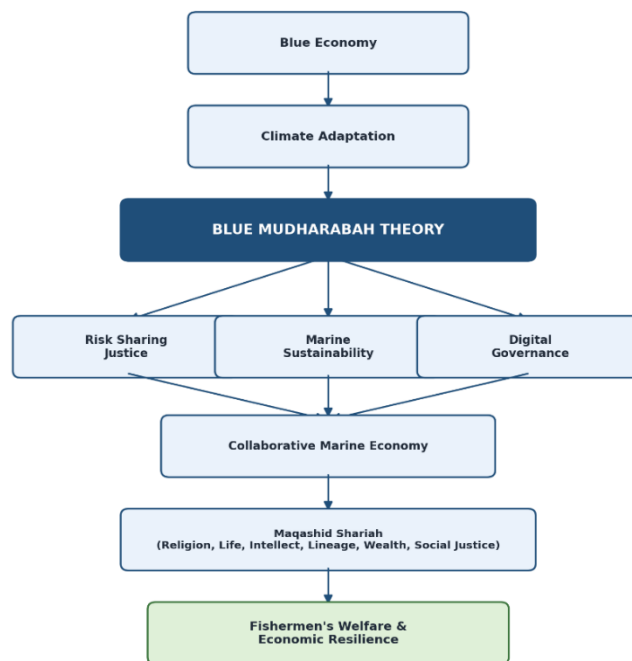


Figure 1. Conceptual Model of the Blue Mudharabah Contract Theory
Source: Processed by the authors, 2026

3.5 Operational Mechanism Scheme

To clarify how the five pillars operate in practice, Figure 2 presents the operational mechanism scheme of the Blue Mudharabah contract, from the pre-contract phase to profit distribution. This scheme illustrates the following flow: (1) the Islamic financial institution and the fisherman agree on an initial contract accompanied by an environmental eligibility screening process; (2) the fisherman carries out the fishing business, with activity monitored through a digital platform; (3) weather data and catch results are recorded and verified transparently; (4) at the climate adaptation decision point, the ratio remains unchanged under normal weather conditions, or is adjusted if extreme weather is verified through a specific trigger index; (5) if business results remain insufficient to meet the fisherman's basic needs, ZISWAF instruments are activated as a social risk buffer; and (6) final profit distribution is carried out based on a dynamic ratio and the principle of risk justice, all of which culminate in fishermen's welfare and marine ecosystem sustainability.

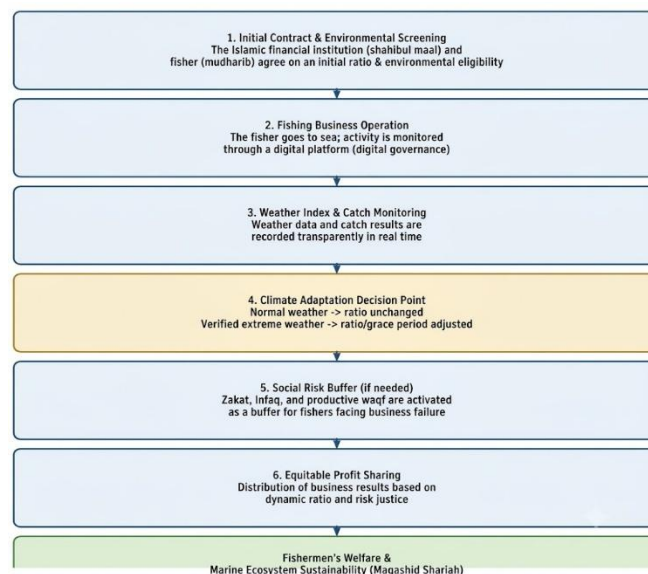


Figure 2. Operational Mechanism Scheme of the Blue Mudharabah Contract

3.6 Theoretical Propositions

- P1: The higher the application of the risk justice principle in the contract, the stronger the sustainability of Blue Mudharabah implementation, because fishermen are not burdened with fixed obligations when catch results decline due to external factors, consistent with the logic of risk-sharing in Islamic finance [5].
- P2: The greater the integration of blue economy principles into the financing scheme, the higher the environmental sustainability of the financed activities, because environmental eligibility becomes a financing requirement rather than an additional consideration [7].
- P3: The stronger the application of digital governance in contract monitoring, the higher the level of transparency and trust between the capital owner and the business manager, thereby reducing monitoring costs, consistent with findings on the role of digital technology in fisheries supply chain traceability [13].
- P4: The greater the integration of maqashid shariah values into the contract design, the stronger the distributive justice perceived by fishermen, because the contract is oriented not solely toward financial gain but toward shared *maslahah*, as emphasized in the systemic maqashid approach [10].
- P5: The more fully the five pillars of Blue Mudharabah are implemented simultaneously including the presence of a ZISWAF-based social risk buffer [11]-[12] the higher the fishermen's economic resilience to climate shocks and market fluctuations, compared to the application of a conventional mudharabah contract.

3.7 Theoretical Contribution

This paper's theoretical contribution lies in three areas. First, it develops a new theory in the study of maritime Islamic economics that addresses a gap in prior research, which has tended to be partial, whether focused solely on the philosophical dimension [8] or on financing risk management without an environmental dimension [5]. Second, it extends the scope of mudharabah theory from a mere financial profit-sharing instrument into a framework for environmental and climate risk governance. Third, it explicitly integrates maqashid shariah, Islamic social finance, and digital governance into the design of a sustainable maritime financing contract. Practically, the Blue Mudharabah theory can serve as a reference for Islamic microfinance institutions, such as Baitul Maal wat Tamwil (BMT), Sharia Rural Banks (BPRS), and fishermen's cooperatives, in designing financing products that are more adaptive to the risk characteristics of the fisheries sector, in line with efforts to strengthen the differentiation of national Islamic banking products [15]. From a policy standpoint, this theory can serve as a reference for regulators, such as the Financial Services Authority, in formulating affirmative policies for shariah financing in the maritime sector, including incentives for financial institutions that implement financing schemes based on sustainability and climate adaptation principles, in line with the national Islamic banking strengthening roadmap, which also promotes sustainable finance [17].

4. CONCLUSION

This paper formulates the Blue Mudharabah Contract Theory as a paradigm for an adaptive shariah contract for a sustainable maritime economy, built upon five foundational principles, five operational pillars, one conceptual model, one operational

mechanism scheme, and five theoretical propositions. Unlike previous approaches, which have tended to be partial, this theory offers a broader framework that simultaneously integrates shariah risk-sharing, the blue economy, sustainability, climate adaptation, digital governance, Islamic social finance, and maqashid shariah. This theory is expected to serve as a conceptual foundation for developing maritime Islamic financial products that are more equitable and resilient to climate shocks. This paper's limitation lies in its purely conceptual nature, meaning the proposed propositions have not been empirically tested. Future research is recommended to test these propositions through quantitative studies at Islamic financial institutions that have implemented fisheries financing schemes, as well as through in-depth qualitative studies within fishing communities to explore the acceptance of and challenges in implementing this theory in the field.

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Author Contributions Statement

First Author: conceptualization, theoretical framework development, initial draft writing. Second Author: literature review, concept validation. Third Author: editing and manuscript refinement. [Adjust according to each author's actual contribution].

Conflict of Interest Statement

The authors declare no financial or personal conflict of interest affecting this research.

Data Availability

Data availability is not applicable to this paper, as no new data were generated or analyzed in this conceptual study.

Declaration of Generative AI and AI-assisted Technologies

Generative AI tools were used solely to assist with initial drafting, literature searching, and language refinement; the substance of the concepts, theoretical arguments, and conclusions remains the full responsibility of the authors. [Adjust according to actual use].

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