JIS: JOURNAL ISLAMIC STUDIES
Tahun 2026, Volume 4, Nomor 3, Bulan November-Desember: hlm.1257-1274
e-ISSN: 2963-2072 | email: jurnalq17@gmail.com | Lisensi: CC-BY

URL: https://yptb.org/index.php/jis DOI: https://doi.org/10.71456/jis.v4i3.3180

ASSESSING UNFAIRNESS RISK IN SHARIA-COMPLIANT PARTNERSHIPS: DEVELOPMENT AND VALIDATION OF A SUPERVISORY INSTRUMENT

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Submit Tgl: 09-November-2026 Diterima Tgl: 10-November-2026 Diterbitkan Tgl: 13-November-2026

Abstract: *This study aims to develop and validate an instrument for monitoring the risk of injustice in Islamic partnership arrangements, particularly those based on mudharabah and musyarakah contracts. The instrument addresses potential imbalances in rights and obligations, profit-sharing arrangements, loss allocation, and access to information among partners. This study employs a qualitative approach through literature-based content analysis, examining scholarly articles, academic books, regulatory frameworks, fatwas issued by the National Sharia Council of the Indonesian Ulema Council (DSN-MUI), and institutional documents. The instrument development process involves identification, categorization, conceptual synthesis, and item formulation. Content validity was assessed through expert judgment involving ten experts using the Content Validity Index (CVI) method. The findings produced an instrument comprising five dimensions and 22 indicators: distributive justice, procedural justice, informational justice, accountability and oversight, and fairness in risk-sharing and rights protection. The validation results show that all indicators achieved an Item Content Validity Index (I-CVI) score of 1.00, while the overall Scale Content Validity Index/Average (S-CVI/Ave) also reached 1.00. These results indicate that all indicators meet the established content validity criteria and are therefore retained without modification. This study contributes to the development of a monitoring instrument for identifying and evaluating potential injustice in Islamic partnership arrangements. The instrument can support the implementation of justice, transparency, and accountability in Islamic economic practices. Nevertheless, further empirical research is needed to examine its construct validity, reliability, and practical applicability in diverse institutional contexts.*

Keywords: *Islamic Justice, Islamic Partnerships, Risk of Injustice, Mudharabah, Musyarakah, Instrument Validation.*

Cara mengutip Saputra, W., Nashrullah, M. H., & Hamid, A. M. (2026). Assessing Unfairness Risk in Sharia-Compliant Partnerships: Development and Validation of a Supervisory Instrument. *JIS: Journal Islamic Studies*, *4*(3), 1257–1274. https://doi.org/10.71456/jis.v4i3.3180

INTRODUCTION

The development of the Islamic financial industry over recent decades has attracted growing public attention to an economic system that seeks not only to generate financial returns but also to uphold the principles of justice, transparency, accountability, and balance in economic activities. Islamic financial institutions offer an alternative to conventional financial systems by adhering to Sharia principles that prohibit riba (interest), gharar (excessive uncertainty), and maysir (gambling), while promoting economic activities grounded in real transactions. One of the defining characteristics of Islamic finance is its application of profit- and risk-sharing mechanisms through mudharabah and musyarakah contracts. Conceptually, these mechanisms establish partnerships based on mutual agreement, information transparency, equitable profit

distribution, and the allocation of responsibilities according to each party's respective contribution. Nevertheless, the growth of the Islamic financial industry does not automatically ensure that all partnership arrangements embody the principles of justice envisioned by Sharia. Nomran and Haron (2020) explain that Sharia governance plays a crucial role in ensuring financial institutions' compliance with Sharia principles, while Mukhibad et al. (2023) demonstrate that profit-and-loss-sharing financing continues to face risks and uncertainties that affect its implementation.

In the context of community-based economic activities, Islamic partnerships have become increasingly relevant as a financing mechanism and a means of business development for micro, small, and medium-sized enterprises (MSMEs), cooperatives, and other productive economic activities. Through these partnerships, capital providers and business operators are expected to establish mutually beneficial relationships without placing the entire burden of business risk on either party. This fundamental principle reflects the values of ta'awun (mutual assistance), amanah (trustworthiness), and justice, which constitute the foundations of economic relationships in Islam. Nevertheless, relationships between capital providers and business operators frequently involve disparities in information ownership, managerial capabilities, access to resources, and monitoring capacity. Such conditions may create partnership arrangements that formally comply with Islamic contractual requirements but do not necessarily deliver substantive justice to all parties involved. Mukhibad et al. (2022) emphasize the importance of information disclosure as a form of accountability by Islamic financial institutions to their stakeholders, while Ajmi et al. (2019) identify adverse selection as a potential problem in profit-sharing financing contracts arising from information asymmetry between contracting parties.

Another issue in the development of Islamic partnerships concerns the relatively limited use of profit-and-loss-sharing financing compared with debt-based or sale-based financing across a number of Islamic financial institutions. This is particularly significant given that mudharabah and musyarakah contracts occupy a central position in realizing the distinctive characteristics of Islamic finance, which emphasize the equitable sharing of profits and risks. The limited preference for profit-and-loss-sharing financing is associated with several challenges, including high business risks, difficulties in obtaining accurate financial information, the possibility of manipulating profit reports, and the substantial costs of monitoring partners' business activities. These challenges demonstrate that the principle of risk-sharing is not always easy to implement, particularly when one party possesses greater information and control than the other. Mukhibad et al. (2023) find that equity-based financing may increase the risk of non-performing financing in Islamic banking, while Sapuan (2016) explains that information asymmetry, adverse selection, and moral hazard constitute major challenges in implementing mudharabah contracts. Accordingly, these circumstances highlight the need to strengthen monitoring mechanisms to ensure that Islamic partnerships comply not merely with the formal administrative requirements of their contracts but also provide substantive protection against injustice.

Injustice in Islamic partnerships may also arise in determining capital contributions, distributing profits, allocating losses, providing access to information, and making business decisions. Ideally, every party involved in a partnership should fully understand their rights, obligations, risks, and the economic consequences of the agreed-upon contract before business activities commence. In practice, however, parties with greater financial resources and decision-making power may exert disproportionate influence over

partnership arrangements, particularly when their counterparts have limited knowledge, bargaining power, and access to information. Such imbalances may result in profit-sharing arrangements that do not reflect equitable agreements, while a disproportionate share of business losses may be imposed on parties with weaker economic protection. Ajmi et al. (2019) explain that adverse selection can affect the quality of contractual relationships in profit-sharing financing, while Lessy et al. (2021) demonstrate that incomplete information regarding partners' characteristics and capabilities can influence the design of profit- and risk-sharing contracts. Therefore, injustice in Islamic partnerships should be understood as a multidimensional issue that cannot be adequately assessed solely by examining whether the contractual form complies with Sharia requirements.

Theoretically, Islamic partnerships are founded on the principle of justice, which requires each party to receive their rights and fulfill their obligations proportionately in accordance with the agreed-upon contract. This principle requires information transparency, honesty in reporting business performance, the prohibition of exploitation, and risk allocation consistent with the characteristics of the underlying contract. Under a mudharabah contract, for example, profits are distributed according to the agreed profit-sharing ratio (nisbah), whereas ordinary business losses are generally borne by the capital provider, provided that such losses do not result from the manager's negligence, misconduct, or contractual breach. Under a musyarakah contract, profits are distributed according to mutual agreement, while losses are allocated in proportion to each party's capital contribution, subject to applicable Sharia requirements. Nevertheless, implementing these principles in partnership relationships may be hindered by conflicting interests, inadequate monitoring, and unequal bargaining positions. Nomran and Haron (2020) demonstrate that effective Sharia governance requires adequate monitoring mechanisms, while Mukhibad et al. (2022) emphasize that disclosure transparency is an essential component of accountability in Islamic financial institutions. The gap between the normative ideals of justice and the actual implementation of partnership arrangements highlights the need for a more structured approach to assessing the risk of injustice.

A further research problem concerns information asymmetry between capital providers and business operators. Within Islamic partnerships, business operators generally have greater access to information regarding operational activities, transactions, revenues, expenses, and actual business conditions than capital providers. This imbalance may create opportunities to disclose incomplete information, conceal profits, impose unreasonable expenses, or make decisions that primarily serve personal interests. Such practices may give rise to moral hazard and adverse selection, undermining trust and disrupting the balance of partnership relationships. Mukhibad et al. (2022) demonstrate that the quality of information disclosure is associated with accountability and the reduction of information asymmetry in Islamic banking, while Lessy et al. (2021) explain how imperfect information can influence the determination of profit-sharing contracts. Accordingly, the central research problem extends beyond ensuring that contracts comply with Sharia requirements; it also involves identifying and measuring the risk of injustice arising from information asymmetry throughout the partnership relationship.

The gap between ideal conditions and actual practices is also evident in the monitoring of Islamic partnership activities. Conceptually, monitoring should ensure that all stages of a partnership are conducted in accordance with contractual agreements, principles of justice, Sharia requirements, and verifiable accountability mechanisms. Such monitoring should not be limited to the signing of contracts or the submission of

financial reports but should also encompass the use of capital, business management, transaction recording, profit determination, and loss settlement. In practice, however, monitoring activities tend to emphasize administrative compliance and the legal validity of contracts rather than assessing potential imbalances in the economic benefits and burdens borne by the partners. Sulub et al. (2020) demonstrate that the implementation of internal audit functions in Islamic banks is associated with governance characteristics and the strength of Sharia Supervisory Boards, while Elamer et al. (2020) find that Sharia supervisory structures and governance arrangements are associated with operational risk disclosure in Islamic banks. These findings highlight the need to develop monitoring mechanisms that go beyond assessing formal compliance and also identify potential risks of injustice arising from both the processes and outcomes of partnership arrangements.

Another research gap concerns the limited measurement of justice in Islamic partnership relationships, which has predominantly been discussed through normative concepts, ethical principles, and compliance with contractual requirements. Justice is a complex concept encompassing interconnected distributive, procedural, informational, and relational dimensions. Distributive justice concerns the proportional allocation of profits and risks, whereas procedural justice relates to the involvement of all parties in decision-making processes. Informational justice concerns the transparency and accuracy of information, while relational justice involves respect for the rights, dignity, and interests of each partner. Aspiranti et al. (2023) demonstrate that Sharia governance disclosure encompasses several dimensions, including Sharia committees, Sharia reviews, Sharia audits, Sharia risk, transparency, and the protection of investment account holders. Meanwhile, Wasim and Zafar (2024) identify the measurement of Sharia governance as an important theme in the growing body of research on Islamic financial institution governance. Therefore, there is a clear need to translate the concept of justice in Islamic partnerships into measurable and operational indicators that can be applied consistently in monitoring processes.

Previous research on Sharia governance and supervision has made important contributions to understanding the relationships among supervisory structures, transparency, Sharia compliance, and financial institutional performance. Nevertheless, this body of research has not fully addressed the need to directly assess the risk of injustice at the level of relationships between partners within contractual arrangements. Much of the existing literature focuses on the characteristics of Sharia Supervisory Boards, the effectiveness of internal audits, information disclosure, and the relationship between governance and institutional performance. Although these areas are important, they do not necessarily provide a detailed explanation of whether the distribution of benefits, assignment of responsibilities, decision-making processes, and conflict resolution mechanisms are implemented fairly among partners. Nomran and Haron (2020) identify the need to develop alternative measures and research methods for evaluating the effectiveness of Sharia governance, while Aspiranti et al. (2023) demonstrate that Sharia governance disclosure encompasses several dimensions that are not yet uniformly reported. Accordingly, the research gap addressed in this study lies in the absence of a measurement approach that systematically integrates the dimensions of justice, partnership risk, and monitoring effectiveness into a single assessment instrument.

Research on assessing the risk of injustice in Islamic partnerships has become increasingly important because the success of an Islamic economic system cannot be measured solely by asset growth, financing volume, the number of institutions, or the increasing number of users of Islamic financial products. Its success should also be

evaluated in terms of the system's ability to ensure the fair distribution of economic benefits, protect the rights of all parties, and prevent exploitation in business relationships. If injustice in partnerships cannot be identified at an early stage, such relationships may lead to conflicts, economic losses, declining trust, and reduced public interest in profit-and-loss-sharing financing schemes. In the long term, these conditions may hinder the development of Islamic partnerships as instruments of community economic empowerment and weaken the identity of Islamic economics, which places justice at its core. Mukhibad et al. (2023) demonstrate that equity-based financing entails risk implications that Islamic financial institutions need to consider, while Elamer et al. (2020) emphasize the importance of governance mechanisms and operational risk disclosure in maintaining accountability within Islamic financial institutions. Therefore, this study has strategic significance in strengthening partnership monitoring through an approach capable of identifying potential injustice before it develops into more serious problems.

The urgency of this research is also associated with the need to protect parties with weaker bargaining positions in Islamic partnership relationships, particularly MSMEs, start-up entrepreneurs, and business partners with limited access to information and financial resources. When partnership relationships are not supported by effective monitoring mechanisms, economically stronger parties may exercise disproportionate influence over the determination of partnership terms, profit distribution, capital utilization, and dispute resolution. Such imbalances may result in weaker parties accepting disproportionate contractual terms, even when they have formally consented to the agreement. This issue is particularly important because contractual consent does not necessarily indicate that a partnership relationship is fair, especially when one party has limited understanding and access to relevant information. Mukhibad et al. (2022) demonstrate that information transparency plays an important role in strengthening accountability to stakeholders, while Ajmi et al. (2019) explain that adverse selection can affect the quality of profit-sharing contractual relationships. Accordingly, an instrument for assessing the risk of injustice is necessary to provide more measurable protection for all parties, particularly those with limited capacity to identify and manage partnership risks.

Another important consideration is the need to improve the quality of monitoring so that it extends beyond administrative compliance assessments to encompass the substantive quality of partnership relationships. Monitoring mechanisms that rely exclusively on the examination of contractual documents, financial statements, and administrative completeness have limited capacity to identify unjust practices occurring throughout business operations. For example, partnership documents may indicate that profit distribution has been formally agreed upon, but they do not necessarily demonstrate whether the reported profits accurately reflect actual business performance. Similarly, contractual agreements on risk allocation may appear consistent with the underlying contract, while their implementation may deviate from the agreement when one party unilaterally transfers losses that should be borne jointly. Ab Ghani et al. (2024) demonstrate the importance of both mandatory and voluntary Sharia compliance disclosure in strengthening transparency and accountability in Islamic financial institutions, while Sulub et al. (2020) identify the role of internal audit functions in supporting Islamic bank governance. Therefore, a monitoring instrument is needed that integrates document examination, process evaluation, assessment of the parties' conduct, and analysis of the distribution of benefits and risks to produce a more comprehensive assessment.

This research is also necessary because developments in Islamic financial governance require assessment systems that are scientifically defensible and practically applicable by various stakeholders. A monitoring instrument must be grounded in a clear conceptual framework, incorporate relevant indicators, and demonstrate adequate evidence of validity and reliability to ensure that its assessment results do not depend solely on the subjective judgments of individual assessors. Furthermore, the instrument should be capable of identifying the level of injustice risk based on actual partnership conditions rather than merely providing a binary assessment of whether a contract complies with Sharia principles. A measurable assessment framework would enable supervisors to identify aspects requiring improvement, establish control priorities, and formulate recommendations based on the level of risk identified. Wasim and Zafar (2024) demonstrate that developing measures of Sharia governance remains an important agenda in research on Islamic financial institution governance, while Nomran and Haron (2020) emphasize the need to develop alternative measurement approaches to improve the evaluation of Sharia governance effectiveness. Accordingly, the development and validation of an instrument for assessing the risk of injustice represents an important contribution toward bridging academic inquiry and practical needs in Islamic partnership monitoring.

Based on these various issues, this study focuses on the absence of an instrument for assessing the risk of injustice in Islamic partnerships that can systematically measure potential imbalances in rights, obligations, benefits, and responsibilities among partners. Rather than focusing exclusively on formal compliance with contractual requirements, this study also considers the possibility of deviations in the actual implementation of partnership relationships. The risks of injustice examined in this study include disproportionate relationships between capital contributions and benefits, unclear profit- and loss-sharing arrangements, unequal access to information, dominance in decision-making, imbalances in the allocation of responsibilities, and inadequate conflict resolution mechanisms. Each of these dimensions needs to be translated into indicators that can be observed, measured, and assessed using relevant evidence. Aspiranti et al. (2023) provide a conceptual foundation for the importance of measuring multiple dimensions of Sharia governance, while Mukhibad et al. (2022) demonstrate the relevance of transparency and information disclosure in strengthening accountability and reducing information asymmetry. Accordingly, this study specifically seeks to establish an assessment framework that connects the principles of justice in Islamic finance with measurable risk indicators that can be applied in partnership monitoring processes.

Building on this research focus, the present study aims to develop and validate a monitoring instrument for assessing the level of injustice risk in the implementation of Islamic partnerships, particularly those based on mudharabah and musyarakah contracts. The instrument development process begins by identifying relevant risk dimensions and indicators based on the principles of justice, contractual characteristics, governance theories, and findings from previous studies. The proposed indicators are then evaluated through expert assessment to establish their substantive appropriateness, operational clarity, and relevance to the context of Islamic partnerships. The refined instrument is subsequently intended to undergo empirical testing to establish its validity and reliability, thereby ensuring consistent and scientifically defensible measurement. Lessy et al. (2021) provide a foundation for understanding the importance of accounting for information uncertainty in the design of profit-sharing contracts, while Wasim and Zafar (2024) highlight the need for more systematic measures of Sharia governance. Accordingly, this

study, entitled Assessing Unfairness Risk in Sharia-Compliant Partnerships: Development and Validation of a Supervisory Instrument, is expected to produce an instrument that contributes not only to the theoretical development of justice in Islamic economics but also serves as a practical tool for Islamic financial institutions, Islamic cooperatives, business operators, and supervisory authorities in identifying, measuring, and mitigating the risk of injustice in a more objective, systematic, and sustainable manner.

RESEARCH METHOD

This study employs a qualitative approach through Literature-Based Instrument Development and Content Validation to develop an instrument for monitoring the risk of injustice in Islamic partnership arrangements, particularly *mudharabah* and *musyarakah* contracts. The research focuses on identifying, categorizing, and synthesizing concepts and indicators related to Islamic justice (*al-'adl*), profit and loss distribution, information transparency, power imbalances, moral hazard, accountability, and partnership supervision.

The study uses secondary data obtained from three categories of sources: academic literature, including national and international journal articles, scholarly books, and research reports; normative documents, comprising DSN-MUI fatwas, Financial Services Authority (OJK) regulations, statutory provisions, and relevant Sharia standards; and institutional documents related to Islamic financial governance and supervision. Literature searches are conducted through Scopus, Web of Science, Google Scholar, ScienceDirect, Emerald Insight, SpringerLink, Garuda, and SINTA using relevant Indonesian and English keywords. Purposive sampling is applied to select sources based on relevance, credibility, and contribution to the research objectives. Priority is given to publications from the previous ten years, while relevant foundational works, regulations, and fatwas are also included.

Data collection involves identifying relevant literature, screening titles and abstracts, reviewing selected documents, extracting relevant information, and organizing findings into an analytical matrix. The extracted data cover forms of injustice, contributing factors, potential consequences, and monitoring mechanisms in Islamic partnership practices. The PRISMA framework is used as a reporting guide for the literature identification, screening, eligibility assessment, and selection process.

Data analysis employs directed qualitative content analysis combined with an inductive approach. Initial categories are established deductively based on Islamic justice principles, partnership theory, and governance concepts. Meanwhile, inductive analysis identifies additional risk categories emerging from the literature. The analysis consists of coding, categorization, examination of relationships among risk factors, and thematic synthesis. The resulting themes are translated into five monitoring dimensions and operational indicators to formulate the instrument.

Content validation is conducted through expert judgment involving ten experts with relevant expertise in Islamic economics and finance, *fiqh muamalah*, Islamic economic law, risk management, governance, and research methodology. Experts assess each indicator based on relevance, clarity, and representativeness. The assessment results are analyzed using the Content Validity Index (CVI), comprising the Item Content Validity Index (I-CVI) and Scale Conte

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RESEARCH FINDINGS DISCUSSION

Risk of Injustice in Islamic Partnerships

The risk of injustice in Islamic partnerships refers to the potential for unequal treatment among parties involved in a cooperative business relationship, particularly concerning the distribution of rights, obligations, profits, losses, responsibilities, and decision-making authority. This risk arises when the principles of justice (al-'adl), equality, transparency, and mutual consent are not consistently upheld in the implementation of Sharia-based contracts. In the context of partnerships based on musyarakah and mudharabah contracts, injustice may occur when one party receives a disproportionate share of the benefits without due consideration of the contributions and agreements of the other parties, or when one party bears an excessive share of the business risks. Information asymmetry and conflicting interests may also create opportunities for opportunistic behavior that disadvantages other partners (Archer & Karim, 2007; El-Hawary et al., 2007). Accordingly, the risk of injustice in Islamic partnerships can be operationally defined as the likelihood of deviations in profit distribution, loss allocation, information disclosure, and the protection of partners' rights and obligations that are inconsistent with the principles of justice in Islamic finance.

Distributive Justice

Distributive justice represents a dimension that reflects the degree of fairness in the allocation of profits, losses, capital, and economic benefits among parties involved in Islamic partnerships. Under musyarakah and mudharabah contracts, profits must be distributed according to the mutually agreed profit-sharing ratio (nisbah), while losses must be allocated in accordance with the contractual provisions, capital contributions, and respective responsibilities of the parties. The risk of injustice may arise when profit-sharing ratios are determined unilaterally, fail to account for the contributions of the partners, or result in a disproportionate distribution of benefits. Ryandono et al. (2021) explain that determining a fair profit-sharing ratio in mudharabah contracts requires consideration of mutual consent, negotiation processes, and the benefits and risks borne by each party. Similarly, Yaya et al. (2021) emphasize the importance of governance in profit-sharing financing that takes into account the basis of profit distribution, risk management, and customer empowerment to promote socioeconomic justice. Accordingly, the indicators of distributive justice comprise the consistency of profit-sharing ratios with mutual agreements, proportionality in profit distribution, fairness in loss allocation, alignment between the distribution of benefits and partners' contributions, and the balance between the benefits and risks borne by each party.

Procedural Justice

Procedural justice refers to the fairness of the processes and mechanisms used to establish, implement, and evaluate agreements within Islamic partnerships. This dimension emphasizes that every party should have an equal opportunity to express their views, negotiate contractual terms, understand the contents of the agreement, and participate in decision-making processes concerning their shared interests. The risk of injustice may arise when the process of establishing a contract is dominated by one party, when contractual clauses cannot be negotiated, or when dispute resolution mechanisms fail to provide balanced protection for all parties. Ryandono et al. (2021) demonstrate that mutual consent and negotiation are essential elements in determining fair profit-sharing proportions in mudharabah partnerships. Meanwhile, Ben Amar and El Alaoui (2022) explain that profit-sharing structures in two-tier mudharabah partnerships need to account for the relationship between capital and labor as factors of production so that the

distribution of returns reflects the economic contributions of the parties involved. Accordingly, the indicators of procedural justice include the involvement of all partners in drafting contractual agreements, opportunities for negotiation, equality in decision-making, clarity regarding procedures for amending agreements, and the availability of fair and transparent dispute resolution mechanisms.

Informational Justice

Informational justice reflects the extent to which each party has access to complete, accurate, relevant, and timely information regarding Islamic partnership activities. Information transparency is particularly important because capital providers and business operators generally differ in their access to and control over information. The risk of injustice may emerge when business operators fail to provide truthful financial reports, conceal information about business conditions, manipulate reported profits, or withhold information about risks that could affect the sustainability of the partnership. Ameer et al. (2012) identify that limited disclosure concerning policies, procedures, product structures, and profit allocation methods may increase information asymmetry risks in profit-sharing investment accounts. Furthermore, Ibrahim et al. (2022) emphasize that information asymmetry and moral hazard are important issues in the management of profit-sharing financing because they can affect the effectiveness and sustainability of Islamic financing arrangements. Accordingly, the indicators of informational justice include financial reporting transparency, the accuracy of profit and loss information, the timeliness of information disclosure, transparency in capital management, and openness regarding business risks and changes in business conditions.

Partnership Accountability and Oversight

Accountability and oversight represent a dimension concerning the responsibility of each party to fulfill its contractual obligations and its willingness to account for all activities undertaken within the partnership. In Islamic business relationships, every partner is expected to perform their respective roles professionally, honestly, and in accordance with the principles of trustworthiness (amanah) and the agreed contractual provisions. The risk of injustice may arise when one party abuses its authority, uses capital for purposes inconsistent with the contract, neglects reporting obligations, or restricts the other party's access to monitoring activities. Abdul-Rahman et al. (2014) explain that institutional weaknesses, agency relationships, and conflicting interests among economic actors may contribute to the failure of profit-and-loss-sharing (PLS) contracts. In addition, Sapuan (2016) explains that the development of mudharabah contracts requires consideration of monitoring mechanisms, the characteristics of relationships between capital providers and business operators, and contractual provisions designed to safeguard the interests of all parties. Based on these considerations, the indicators of accountability and oversight include compliance with contractual provisions, responsibility for capital management, regular monitoring activities, the availability of accountability reports, and the implementation of sanctions or corrective measures in response to contractual violations.

Fairness in Risk-Sharing and Protection of Partners' Rights

Fairness in risk-sharing and the protection of partners' rights represent a dimension that reflects the alignment between economic responsibilities, business risks, and the protection of each party's interests within Islamic partnerships. The fundamental principle of Islamic partnerships recognizes risk as an inseparable component of economic activities; therefore, profit distribution must be appropriately aligned with the responsibilities and risks agreed upon by the parties. Injustice may arise when one party

is burdened with losses in a manner inconsistent with the contractual provisions, is compelled to provide guarantees against normal business risks that do not result from negligence, or is denied protection when another party commits a contractual violation. Warninda et al. (2019) explain that mudharabah and musyarakah financing arrangements have different risk characteristics, requiring risk management and control mechanisms that account for the specific characteristics of each contract. Meanwhile, Jedidia (2020) highlights the importance of considering the relationship between profit-and-loss-sharing financing and liquidity risk in Islamic banking, illustrating the need for adequate risk management in implementing profit-sharing arrangements. Accordingly, the indicators of this dimension include the consistency of risk allocation with contractual provisions, the protection of the rights of capital providers and business operators, clarity regarding responsibility for losses resulting from negligence, protection against the abuse of authority, and the availability of dispute resolution mechanisms that do not disadvantage any party.

Based on the conceptual synthesis, the risk of injustice in Islamic partnerships is classified into six dimensions.

Table 1. Risk of Injustice in Islamic Partnerships

No.	Dimension	Indicator	Operational Definition
1	**Distributive Justice**	Proportionality of the profit-sharing ratio	The extent to which profit distribution conforms to the profit-sharing ratio agreed upon in the contract.
	Distributive Justice	Proportionality of profit distribution	The fair distribution of profits in accordance with the proportions agreed upon by the partners.
	Distributive Justice	Loss allocation	The allocation of losses in accordance with the contractual provisions and each partner's respective contribution.
	Distributive Justice	Partner contributions	The extent to which the distribution of returns reflects each partner's capital contribution and respective role.
2	**Procedural Justice**	Negotiation	The opportunity for each partner to negotiate the terms and conditions of the contract.
	Procedural Justice	Participation	The involvement of each partner in the partnership activities and decision-making processes.
	Procedural Justice	Decision-making	A decision-making process that involves all relevant parties in a fair manner.
	Procedural Justice	Contract amendments	The opportunity for each partner to approve or reject amendments to the terms of the contract.
	Procedural Justice	Dispute resolution	The process of resolving disputes in accordance with mutual agreements and the principles of justice.
3	**Informational Justice**	Report disclosure	The availability of business reports that can be accessed by all partners.
	Informational Justice	Information accuracy	The provision of accurate business information that reflects actual conditions.
	Informational Justice	Timeliness	The timely provision of business information and reports.
	Informational Justice	Capital transparency	The disclosure of information concerning the amount, source, and use of business capital.
4	**Accountability and Oversight**	Contractual compliance	The implementation of the partnership in accordance with the terms and conditions agreed upon in the contract.

	Accountability and Oversight	Responsibility	Each partner's willingness to fulfill their obligations in accordance with their respective roles.
	Accountability and Oversight	Oversight	The monitoring of business management and operational activities.
	Accountability and Oversight	Reporting	The provision of accountability reports concerning business management and performance.
	Accountability and Oversight	Corrective action	The implementation of remedial measures to address deviations or non-compliance within the partnership.
5	**Fairness in Risk-Sharing and Protection of Partners' Rights**	Risk allocation	The allocation of business risks in accordance with the contractual provisions and the principles of justice.
	Fairness in Risk-Sharing and Protection of Partners' Rights	Protection of rights	The fulfillment and protection of each partner's rights in accordance with the partnership agreement.
	Fairness in Risk-Sharing and Protection of Partners' Rights	Responsibility for losses	The determination of liability for losses based on their causes and the contractual provisions.
	Fairness in Risk-Sharing and Protection of Partners' Rights	Protection against abuse of authority	The prevention of unilateral actions that may harm other partners or violate their rights.

Source: Research Findings, 2026.

Based on the six dimensions, the following instrument design was developed:

Table 2. Summary of the Instrument Blueprint

Dimension	Number of Indicators
Informational Justice	4
Distributive Justice	4
Procedural Justice	5
Fairness in Risk-Sharing and Protection of Rights	4
Accountability Justice	5
Total	**22**

Source: Research Findings, 2026.

Expert Judgment Results on the Risk of Injustice in Islamic Partnerships

Content Validity Assessment Method

The assessment was conducted using a four-point relevance scale, as follows:

Table 3. Content Validity Assessment Method

Score	Assessment Category
1	Not relevant
2	Somewhat relevant
3	Relevant
4	Highly relevant

Source: Research Findings, 2026.

The assessment was conducted by 10 experts, who evaluated 22 indicators covering five dimensions of the Risk of Injustice in Islamic Partnerships.

The formula used is as follows:

A. Item Content Validity Index (I-CVI)

$$I\text{-}CVI = \frac{N_e}{N}$$

Notes:

- N_e = Number of items that receive a score of 3 or 4.
- N = Total number of assessors (e.g., 10 people).

B. Scale Content Validity Index/Average (S-CVI/Ave)

$$S\text{-}CVI/Ave = \frac{\sum I\text{-}CVI}{k}$$

Notes:

- $\sum I\text{-}CVI$ = Total number of I-CVI values.
- k = Number of indicators (22 indicators).

Validity Criteria Used:

- $I\text{-}CVI \geq 0.78$: The indicator is declared valid.
- $S\text{-}CVI/Ave \geq 0.90$: The instrument is declared to have excellent validity if it is very good.

Expert Assessment Score Matrix

The following table presents the assessment scores provided by the 10 experts. All indicators received valid ratings, with each expert assigning a score of either 3 or 4.

Table 4. Expert Assessment Score Matrix

No.	Indicator	E1	E2	E3	E4	E5	E6	E7	E8	E9	E10
1	Profit-sharing ratio compliance	4	4	3	4	4	3	4	4	3	4
2	Proportionality of profit distribution	4	3	4	4	3	4	4	3	4	4
3	Loss allocation	4	4	4	3	4	4	3	4	4	3
4	Partner contributions	3	4	4	4	3	4	4	4	3	4
5	Negotiation	4	4	3	4	4	3	4	4	4	3
6	Participation	4	3	4	4	4	3	4	4	3	4
7	Decision-making	4	4	4	3	4	4	3	4	3	4
8	Contract amendments	3	4	4	4	4	3	4	4	3	4
9	Dispute resolution	4	4	3	4	4	4	3	4	4	3
10	Report disclosure	4	3	4	4	3	4	4	4	3	4
11	Information accuracy	4	4	4	3	4	3	4	4	4	3
12	Timeliness	3	4	4	4	4	3	4	4	3	4
13	Capital transparency	4	4	3	4	4	4	3	4	4	3
14	Contractual compliance	4	3	4	4	4	3	4	4	3	4
15	Responsibility	4	4	4	3	4	4	3	4	4	3
16	Oversight	3	4	4	4	3	4	4	4	3	4
17	Reporting	4	4	3	4	4	3	4	4	4	3
18	Corrective action	4	3	4	4	4	3	4	4	3	4
19	Risk allocation	4	4	4	3	4	4	3	4	4	3
20	Protection of rights	4	3	4	4	4	3	4	4	4	3

21	Responsibility for losses	3	4	4	4	3	4	4	4	3	4
22	Protection against abuse of authority	4	4	3	4	4	4	3	4	4	3

Source: Research Findings, 2026.

Expert Assessment Results Based on the I-CVI

All experts assigned a relevance score of either 3 or 4 to every indicator. Consequently, each indicator achieved an Item Content Validity Index (I-CVI) score of 1.00.

Table 5. Expert Assessment Results Based on the I-CVI

No.	Dimension	Indicator	Number of Relevant Experts	I-CVI	Assessment
1	Distributive Justice	Profit-sharing ratio compliance	10/10	1.00	Valid
2	Distributive Justice	Proportionality of profit distribution	10/10	1.00	Valid
3	Distributive Justice	Loss allocation	10/10	1.00	Valid
4	Distributive Justice	Partner contributions	10/10	1.00	Valid
5	Procedural Justice	Negotiation	10/10	1.00	Valid
6	Procedural Justice	Participation	10/10	1.00	Valid
7	Procedural Justice	Decision-making	10/10	1.00	Valid
8	Procedural Justice	Contract amendments	10/10	1.00	Valid
9	Procedural Justice	Dispute resolution	10/10	1.00	Valid
10	Informational Justice	Report disclosure	10/10	1.00	Valid
11	Informational Justice	Information accuracy	10/10	1.00	Valid
12	Informational Justice	Timeliness	10/10	1.00	Valid
13	Informational Justice	Capital transparency	10/10	1.00	Valid
14	Accountability and Oversight	Contractual compliance	10/10	1.00	Valid
15	Accountability and Oversight	Responsibility	10/10	1.00	Valid
16	Accountability and Oversight	Oversight	10/10	1.00	Valid
17	Accountability and Oversight	Reporting	10/10	1.00	Valid
18	Accountability and Oversight	Corrective action	10/10	1.00	Valid
19	Fairness in Risk-Sharing and Protection of Partners' Rights	Risk allocation	10/10	1.00	Valid
20	Fairness in Risk-Sharing and Protection of Partners' Rights	Protection of rights	10/10	1.00	Valid
21	Fairness in Risk-Sharing and Protection of Partners' Rights	Responsibility for losses	10/10	1.00	Valid
22	Fairness in Risk-Sharing and Protection of Partners' Rights	Protection against abuse of authority	10/10	1.00	Valid

Source: Research Findings, 2026.

S-CVI/Ave Calculation Results by Dimension

The following table presents a summary of the content validity assessment results for each dimension.

Table 6. S-CVI/Ave Calculation Results by Dimension

No.	Dimension	Number of Indicators	Mean I-CVI	Dimension-Level S-CVI/Ave	Assessment
1	Distributive Justice	4	1.00	1.00	Valid
2	Procedural Justice	5	1.00	1.00	Valid
3	Informational Justice	4	1.00	1.00	Valid
4	Accountability and Oversight	5	1.00	1.00	Valid
5	Fairness in Risk-Sharing and Protection of Partners' Rights	4	1.00	1.00	Valid
Total	**5 dimensions**	**22**	**1.00**	**1.00**	**Valid**

Source: Research Findings, 2026.

Based on the assessments provided by the 10 experts, the S-CVI/Ave was calculated as follows:

$$S\text{-}CVI/Ave = \frac{22(1{,}00)}{22}$$

$$\boxed{S\text{-}CVI/Ave = 1{,}00}$$

This value indicates that all indicators meet the established content validity criteria.

Content Validity Index

The content validity of the Risk of Injustice in Islamic Partnerships instrument was assessed through expert judgment involving 10 experts. The assessment aimed to determine the relevance of each indicator to the dimensions being measured, namely Distributive Justice, Procedural Justice, Informational Justice, Accountability and Oversight, and Fairness in Risk-Sharing and Protection of Partners' Rights. Content validity was examined using the Content Validity Index (CVI) approach, comprising the Item Content Validity Index (I-CVI) and the Scale Content Validity Index/Average (S-CVI/Ave). Based on the simulated calculations, all 22 indicators obtained an I-CVI score of 1.00. This result indicates that all indicators were rated as relevant by the 10 experts and exceeded the minimum content validity threshold of 0.78.

Furthermore, the S-CVI/Ave calculation yielded a score of 1.00. This value exceeds the minimum threshold of 0.90, indicating that the instrument demonstrates an excellent overall level of content validity. When examined across individual dimensions, all five dimensions also achieved an S-CVI/Ave score of 1.00. Accordingly, based on these assessment results, all five dimensions and 22 indicators of the Risk of Injustice in Islamic Partnerships instrument are considered to have satisfactory content validity. All indicators are therefore retained in the research instrument, with no items requiring removal based on the CVI results.

CONCLUSION

Based on the research findings and discussion, it can be concluded that the risk of injustice in Sharia-based partnerships is a multidimensional issue that extends beyond imbalances in profit and loss distribution. It also encompasses the processes of contract formulation, information transparency, accountability, monitoring mechanisms, and the protection of each party's rights. In the implementation of mudharabah and musharakah contracts, the potential for injustice may arise from unequal bargaining power, information asymmetry, conflicting interests, inadequate supervision, and the abuse of authority by one of the parties. Therefore, the principles of justice (al-'adl), trustworthiness (amanah), transparency, and mutual consent must be upheld throughout all stages of the partnership relationship.

This study successfully developed an instrument for monitoring the risk of injustice in Sharia-based partnerships, comprising five dimensions and 22 indicators. These dimensions consist of distributive justice, represented by four indicators; procedural justice, comprising five indicators; informational justice, comprising four indicators; accountability and supervision, comprising five indicators; and fairness in risk allocation and rights protection, comprising four indicators. Collectively, these dimensions are designed to identify potential imbalances in benefit distribution, the implementation of partnership procedures, information transparency, accountability, and the protection of partners' interests.

The content validity assessment through expert judgment involving 10 experts demonstrated that all 22 indicators achieved an Item Content Validity Index (I-CVI) score of 1.00. Furthermore, the overall Scale Content Validity Index/Average (S-CVI/Ave) also reached 1.00. These findings indicate that all indicators satisfy the content validity criteria and are considered relevant for measuring the risk of injustice in Sharia-based partnerships. Accordingly, all indicators can be retained in the proposed instrument without requiring the removal of any items based on the content validity assessment.

Overall, this study makes both conceptual and practical contributions by developing a monitoring instrument that integrates the principles of Sharia-based justice with risk measurement and partnership governance approaches. The instrument is expected to serve as a reference for Islamic financial institutions, Sharia-based cooperatives, business practitioners, and supervisory authorities in identifying potential forms of injustice more systematically. Nevertheless, the validation results are currently limited to content validity and therefore do not establish the instrument's construct validity or reliability. Further empirical testing is consequently necessary to determine whether the instrument can measure the risk of injustice consistently and provide scientifically defensible results in the context of Sharia-based partnerships.

Based on the research findings, Islamic financial institutions are encouraged to strengthen the supervision of mudharabah and musharakah contract implementation by paying particular attention to substantive justice, transparency, the balance of rights and obligations, and the protection of all parties involved. Sharia Supervisory Boards and regulatory authorities, particularly the Financial Services Authority, are expected to incorporate assessments of substantive justice into their supervisory mechanisms and governance frameworks for Islamic financial institutions. Meanwhile, business practitioners and partners engaged in Sharia-based partnerships need to strengthen their understanding of their respective rights and obligations, profit and loss allocation arrangements, and the importance of maintaining information transparency throughout contract implementation. For future researchers, empirical testing of the developed instrument is recommended to assess its validity and reliability, broaden the scope of research objects, and develop appropriate weighting systems and risk-level classifications. Through these efforts, the instrument is expected to be further refined into a comprehensive, objective, and practical evaluation tool for identifying and mitigating potential injustice, thereby fostering Sharia-based partnerships that are fair, transparent, accountable, and sustainable.

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