



# HIT AND RUN: A Phenomenological Study of Manufacturer Experience in E-Commerce Transactions with the Pre-Order System from a *Fiqh Muamalah* Perspective

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## Abstract

This research examines clothing manufacturers located in Bandung and Bekasi and a distributor in Medan to analyze the impact of the "hit-and-run" phenomenon in e-commerce transactions using the Pre-Order (PO) system. In this model, buyers place orders for products but frequently fail to complete payments or disappear after the items have been produced. This issue leads to stock accumulation, disrupts financial flows, and results in significant economic losses for manufacturers. This study aims to analyze the impact of the "hit-and-run" phenomenon on clothing manufacturers and explore potential solutions to mitigate it. The research method used is a qualitative approach with a descriptive phenomenological type. The research findings show that the "hit-and-run" phenomenon negatively affects manufacturers, creating uncertainty in their business operations. The implications of this study highlight the importance of developing more cautious policies in accepting orders and implementing effective communication strategies to minimize the risk of losses. This research provides an in-depth understanding of the dynamics of e-commerce transactions with the PO system and valuable insights for manufacturers in managing risks and improving their business continuity in a competitive market.

## Kata Kunci:

*Pre-Order; Hit and Run; E-commerce; Fenomenologi; Perlindungan Pelaku Usaha*

## Abstrak

Penelitian ini mengkaji produsen pakaian yang berlokasi di Bandung dan Bekasi serta satu distributor di Medan untuk menganalisis dampak fenomena "*hit-and-run*" dalam transaksi e-commerce dengan sistem *Pre-Order* (PO). Dalam sistem ini, pembeli melakukan pemesanan produk terlebih dahulu, namun sering kali tidak menyelesaikan pembayaran atau menghilang setelah produk selesai diproduksi. Permasalahan tersebut menyebabkan penumpukan stok, mengganggu arus kas, dan menimbulkan kerugian ekonomi yang signifikan bagi produsen. Tujuan dari penelitian ini adalah untuk menganalisis dampak dari fenomena "*hit-and-run*" terhadap produsen pakaian serta menggali alternatif solusi guna meminimalkan risikonya. Metode penelitian yang digunakan adalah pendekatan kualitatif dengan jenis fenomenologis deskriptif. Hasil penelitian menunjukkan bahwa fenomena "*hit-and-run*" berdampak negatif terhadap keberlangsungan usaha produsen, karena menciptakan ketidakpastian dalam operasional bisnis. Implikasi dari studi ini menekankan pentingnya pengembangan kebijakan yang lebih berhati-hati dalam menerima pesanan serta penerapan strategi komunikasi yang efektif untuk meminimalkan potensi kerugian. Penelitian ini memberikan pemahaman yang mendalam mengenai dinamika transaksi e-commerce dengan sistem PO serta menawarkan wawasan berharga bagi produsen dalam mengelola risiko dan meningkatkan keberlanjutan bisnis di tengah persaingan pasar yang ketat.

## INTRODUCTION

Electronic Commerce (e-commerce) has significantly transformed the business landscape beyond traditional in-store transactions. Today, buyers can conveniently browse a wide range of products and make purchases with just a few clicks, while sellers can reach a broader and more diverse market without the constraints of managing a physical store.<sup>1</sup> The Pre-Order (PO) model is a relatively new form of collaboration in e-commerce. This model offers the potential to optimize inventory management for sellers while providing greater buyer flexibility.<sup>2</sup> In a PO system, buyers place orders for specific products with predetermined specifications, but payment is typically made later, usually upon delivery. This approach allows buyers to make informed purchasing decisions while enabling sellers to maintain efficient stock levels and minimize the risk of overstocking.<sup>3</sup>

In today's technology-driven and highly connected world, e-commerce has experienced rapid growth. It has become an essential pillar in commerce, providing convenience and comfort for buyers and sellers worldwide.<sup>4</sup> One of the increasingly popular transaction models in e-commerce is "Pre Order" or "PO". This model allows buyers to flexibly order goods based on their needs, while sellers fulfill these orders when the items become available. Ideally, Pre-Orders should foster a mutually beneficial relationship between buyers and sellers.<sup>5</sup> However, a concerning issue known as the "hit and run" phenomenon has emerged, particularly affecting online sellers who produce goods exclusively based on customer demand. This problem occurs when buyers fail to complete their payments or disappear after placing an order, leading to financial losses and operational disruptions for sellers.<sup>6</sup>

<sup>1</sup> Zahra Adinda Atyarisma and Lauditta Humaira, "Tinjuan Yuridis Terhadap Pembatalan Sepihak Oleh Pembeli Dalam Perjanjian Jual Beli Melalui Marketplace Dengan Sistem Pembayaran Cash On Delivery," *Lex Patrimonium* 2, no. 1 (2023), <https://scholarhub.ui.ac.id/lexpatri/vol2/iss1/3>.

<sup>2</sup> Lin Ma, Xue Yan, and Yunfu Huo, "Research on the Inventory of Online Merchants in the Pre-Sale Mode of Deposit" (ICIC International 学会, 2021), <https://doi.org/10.24507/ijicic.17.03.1075>; Lianxia Zhao, Hui Qiao, and Qi An, "Optimal Pre-Sale Policy for Deteriorating Items," *Numerical Algebra, Control & Optimization* 12, no. 1 (2022): 109, <https://doi.org/10.3934/naco.2021054>; Xiao Han et al., "The Online Seller's Strategy Based on Customer Time Preference Under Advance Selling Mode," in *LJSS 2023*, ed. Daqing Gong et al., Lecture Notes in Operations Research (Singapore: Springer Nature Singapore, 2024), 670–81, [https://doi.org/10.1007/978-981-97-4045-1\\_51](https://doi.org/10.1007/978-981-97-4045-1_51); Wen Zhang and Weizhe Yang, "Optimal Pre-Order Strategy with Delay in Payments," *Annals of Operations Research* 305, no. 1–2 (October 2021): 347–74, <https://doi.org/10.1007/s10479-021-04207-9>.

<sup>3</sup> Taher Ahmadi et al., "Optimal Control Policies for Assemble-to-Order Systems with Commitment Lead Time," *IJSE Transactions* 51, no. 12 (December 2, 2019): 1365–82, <https://doi.org/10.1080/24725854.2019.1589658>; Chenhang Zeng, "Advance Selling of New Products Considering Retailers' Learning," *International Journal of Economic Theory* 16, no. 3 (September 2020): 306–28, <https://doi.org/10.1111/ijet.12193>; Xiutian Shi, Ciwei Dong, and T.C.E. Cheng, "Does the Buy-Online-and-Pick-up-in-Store Strategy with Pre-Orders Benefit a Retailer with the Consideration of Returns?," *International Journal of Production Economics* 206 (December 2018): 134–45, <https://doi.org/10.1016/j.ijpe.2018.09.030>.

<sup>4</sup> Atyarisma and Humaira, "Tinjuan Yuridis Terhadap Pembatalan Sepihak Oleh Pembeli Dalam Perjanjian Jual Beli Melalui Marketplace Dengan Sistem Pembayaran Cash On Delivery."

<sup>5</sup> Zhichao Qian, Yiyang Chen, and Yang Xu, "Strategy Design of Fresh E-Commerce Pre-Warehouse Based on Mass Customization," *Computers & Industrial Engineering* 192 (June 2024): 110180, <https://doi.org/10.1016/j.cie.2024.110180>; Oksana Loginova, X. Henry Wang, and Chenhang Zeng, "Learning in Advance Selling with Heterogeneous Consumers," *Managerial and Decision Economics* 38, no. 6 (September 2017): 765–83, <https://doi.org/10.1002/mde.2815>.

<sup>6</sup> Chaoqun Yi et al., "Effects of Online-to-Offline Spillovers on Manufacturers' Online Sales Mode Selection," *Computers & Industrial Engineering* 197 (November 2024): 110584, <https://doi.org/10.1016/j.cie.2024.110584>; W. Xuhui and C. Xin, "Pre-sale pricing strategies based on the reputation of an e-commerce platform enterprise and herd effect," *Journal of Industrial Engineering and Engineering Management* 35, no. 1 (2021): 126–41, <https://doi.org/10.13587/j.cnki.jieem.2021.01.012>; Wen Zhang et al., "Optimal Advance Selling Strategy with Information Provision for Omni-Channel Retailers," *Annals of Operations Research* 329, no. 1–2 (October 2023): 573–602, <https://doi.org/10.1007/s10479-020-03896-y>.

The "hit and run" phenomenon in PO transactions has become a serious concern. In this context, "hit and run" refers to the actions of buyers who place orders through the PO system but, after receiving the products, refuse to make payments or evade their financial responsibilities for various reasons. This issue significantly impacts sellers, who are forced to absorb the losses from unpaid orders. Even more concerning is the behavior of some buyers who disappear after being notified that their orders have arrived, failing to respond to messages from store administrators or even blocking communication entirely. This creates substantial operational challenges for sellers who have invested time, resources, and effort in preparing and shipping the goods.

An interview with a children's clothing manufacturer from the Kakadede brand in Bandung revealed that "hit and run" cases are widespread in PO transactions, particularly in the children's clothing category. The manufacturer reported that even a single order cancellation can lead to significant losses, as a single catalog of goods could be worth millions of rupiah. Manufacturers operating under the PO system often use the *istisna'* contract to process orders. Buyers are already bound by a sales contract even without requiring a down payment (DP). Therefore, when buyers cancel their orders, they are considered to have an outstanding debt and are deemed to have committed an act of injustice. This underscores the critical connection between the PO system and clothing brands, emphasizing the urgent need for risk mitigation strategies to safeguard manufacturers from financial losses and ensure business sustainability.

An initial investigation with Kakadede, a children's clothing manufacturer in Bandung using the PO system, revealed that "hit and run" cases are particularly common in PO transactions, especially in the children's clothing sector. The Kakadede manufacturer explained that their business model is based on manufacturing products according to consumer requests. However, even a single order cancellation can result in significant financial losses, as a single product catalog can be worth millions of rupiah. Manufacturers using the PO system typically apply the *istisna'* contract for procurement. Under this arrangement, buyers are bound by a sales agreement even without a DP. Consequently, if buyers cancel their orders, they are considered to have an outstanding debt and are deemed to have committed an act of injustice.<sup>7</sup>

Handayani uses the term "hit and run" to describe a situation in which a buyer or customer has verified a good or service but ultimately fails to take the goods and does not pay as agreed. This means that the customer only "hits" the company with a request or order but then "runs" without fulfilling the obligation to pay or collect the goods. Handayani highlights the issue of unclear communication and the lack of confirmation from buyers at the agreed-upon time. The buyer's failure to provide clarity or confirmation results in financial losses for the company. Without prior notification or confirmation, companies lose raw materials and the time invested in production. This kind of "hit and run" action is considered detrimental to business actors, as they have to bear losses not only in financial

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<sup>7</sup> Sulistiana, Personal Interview: Manufacturer of Kakadede Brand, interview by Dessy Asnita, 2024.

terms (considering the wasted raw materials) but also in terms of time and effort invested in the production process.<sup>8</sup>

Lucky, a children's clothing manufacturer in Bekasi, takes proactive measures to prevent "hit and run" incidents by regularly interacting with buyers regarding their orders. He firmly reminds customers about the prerequisites of the transaction and emphasizes the importance of financial awareness and readiness before placing a PO. To further discourage cancellations, he has implemented a policy that blacklists any buyer who cancels an order, ensuring that customers remain responsible and committed when making a purchase.<sup>9</sup>

The development of information technology has brought significant changes to various aspects of life, including the trade sector. One of these changes is the increase of online buying and selling transactions, which offer convenience and flexibility for both consumers and sellers. However, alongside this convenience, various challenges arise regarding business ethics in e-commerce transactions. This study aims to explore and analyze the application of Islamic business ethics in online transactions and examine how these principles can help prevent fraud and unethical practices that frequently occur in the digital marketplace.

Previous research by Zulaikah<sup>10</sup> highlighted the importance of implementing Islamic business ethics in online buying and selling transactions. The study found numerous fraudulent practices committed by both sellers and buyers. Seller-related fraud includes sending goods that do not match the description, delivering defective products, or even failing to send goods after receiving payment. On the other hand, buyer fraud includes unilateral cancellations (*hit and run*) and avoiding payment in *cash on delivery (COD)* transactions. In line with these findings, Yulia<sup>11</sup> also examined the importance of Islamic business ethics in e-commerce transactions, specifically focusing on fraud committed by sellers. Kurniati found that sellers often send goods that do not match the orders, delay shipments, and engage in unethical communication with consumers. She emphasized that applying ethical business principles in e-commerce transactions is essential to preventing financial losses for both parties. Furthermore, Rahmadi<sup>12</sup> examined protection for business actors against unilateral cancellation by buyers in a pre-order system based on Islamic law. In this context, Rahmadi showed that unilateral cancellation by consumers can be detrimental to business actors, especially when the goods have been produced or ordered based on the number of orders. Islamic law, which upholds the principle of justice, requires protection for both parties in business transactions, including dispute resolution mechanisms through conciliation (*sulhu*) and arbitration (*tahkim*).

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<sup>8</sup> Mega Tut Wuri Handayani, "PERILAKU HIT AND RUN KONSUMEN DITINJAU DARI ETIKA BISNIS ISLAM (Studi Kasus Pada Toko Fotocopy Riski Print Di Desa Plosokandang Tulungagung)" (Undergraduate Thesis, Tulungagung, Universitas Islam Negeri Sayyid Ali Rahmatullah (UIN SATU) Tulungagung, 2021), <http://repo.uinsatu.ac.id/25492/>.

<sup>9</sup> Lucky Feminine, Personal Interview: Children's clothing manufacturer brand circle in - baby outfit- teen outfit - mom outfit - pimi daily -viral in, interview by Dessy Asnita, 2024.

<sup>10</sup> Sari purnama nova Zulaikah, "Urgensi Penerapan Etika Bisnis Islam Dalam Jual Beli Online," *Jurnal Cahaya Mandalika* 3, no. 2 (2023): 534–41, <https://doi.org/10.36312/jcm.v3i2.1647>.

<sup>11</sup> Yulia Kurniati, "The Urgency of Ethics in Islamic Business For The Onlineshop Seller in E-Commerce," *Justicia Islamica* 16, no. 2 (2019): 269–90, <https://doi.org/10.21154/justicia.v16i2.1710>.

<sup>12</sup> Rahmadi Indra Tektona, "Protection For Business Actors Due To Unilateral Cancellation From Consumers In The Pre-Order Method Of Buying And Selling Online ( A Study In Islamic Law)" 2, no. 2 (2023): 73–82.

The novelty of this research lies in its holistic approach, which not only examines the application of Islamic business ethics from the perspective of the seller or buyer but also explores practical solutions to combat fraud in online buying and selling transactions. By comprehensively integrating *Islamic business ethics* principles, this study aims to offer more effective strategies for ensuring ethical conduct in e-commerce. Thus, the research is expected to provide a more profound and applicable contribution to enhancing integrity and fairness in online buying and selling transactions.

This study focuses on manufacturers' challenges in e-commerce transactions using the Open PO system. In this context, the "hit-and-run" phenomenon refers to the behavior of buyers who place orders but do not complete the transaction or do not pay in full. This study aims to analyze the "hit-and-run" phenomenon in e-commerce transactions with the Pre-Order system experienced by manufacturers, particularly its impact on sales sustainability and business operations for manufacturers. Additionally, this study examines the perspective of *Islamic law* on this issue, specifically whether buyers who engage in "hit and run" violate the principles of *muamalah*, such as trustworthiness (*amanah*) and the fulfillment of obligations in commercial transactions.

## RESEARCH METHODS

The research method used in this study is a qualitative approach with a descriptive phenomenology design to explore the phenomenon of hit-and-run cases in e-commerce transactions involving the Open PO system at children's clothing manufacturers. It examines the impact of this issue on sales and business operations and the perspectives of *fiqh muamalah* regarding this practice.<sup>13</sup> Data collection was conducted through voice notes, WhatsApp chats, and Zoom meetings with eight children's clothing manufacturers with extensive experience in PO transactions. This approach was chosen to ensure flexibility and convenience for the informants in sharing their experiences and perspectives. Additionally, the interviews were complemented by consultations with representatives from the Indonesian Ulema Council (MUI) and prominent scholars to gain deeper insights. Documentation from *fiqh muamalah* literature was also utilized to collect theories related to *istisna'* contracts and scholars' views on similar phenomena.

The primary instrument in this study was a semi-structured interview guide designed to explore the experiences and challenges faced by manufacturers in handling *hit-and-run* cases, the impact on business operations, and their perspectives based on *fiqh muamalah*. Triangulation methods were applied to enhance the validity of the findings by comparing information from multiple data sources, including manufacturers, representatives from the Indonesian Ulema Council (MUI), scholars, and literature. Each source provided unique perspectives that complemented or confirmed one another. Additionally, methodological triangulation was conducted using various data collection methods, including voice notes, chats, Zoom meetings, and document analysis. Theoretical triangulation was also employed

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<sup>13</sup> DQLab.id, "Teknik Analisis Data Deskriptif Kualitatif Pada Fenomenologi" (DQLab.id (AI-Powered Learning), 2022).

by analyzing the data using diverse theories from *fiqh muamalah* and synthesizing scholars' views to understand the phenomenon comprehensively.

The collected data were analyzed using descriptive-analytical and content-analysis methods. The analysis process involved transcribing, coding, and categorizing data to identify key themes and emerging patterns, which were then interpreted within the framework of *fiqh muamalah* theories. The descriptive phenomenology design was chosen because it is well-suited for understanding real-life experiences and exploring their deeper meanings. Previous studies using this approach in the context of e-commerce and Islamic business ethics have demonstrated its effectiveness in capturing complex social phenomena, making it a valuable method for this research.

## RESULTS AND DISCUSSION

### Hit-and-Run Phenomenon

Generally, this term is used literally when someone is hit by a vehicle, and the driver flees to avoid taking responsibility.<sup>14</sup> However, in a business context, the meaning is slightly different. In this setting, *hit and run* refers to a customer placing an order, prompting the seller to reserve or prepare the item to ensure it is not sold to someone else. However, the customer disappears without completing the transaction, leaving the seller at a loss.<sup>15</sup>

Hit and run refers to the behavior of prospective consumers who place an order, receive detailed information about the price, and agree to a due date for payment and pickup but ultimately fail to complete the transaction. Even when the payment deadline passes, these customers provide no updates or responses.<sup>16</sup> Hit-and-run can also be interpreted as consumers who ask questions about goods or have ordered goods and promise to pay at a predetermined time. Still, when the due date arrives, they fail to pay and disappear without confirmation. Some even go as far as blocking the seller to avoid being contacted for payment collection. Hit-and-run behavior can lead to varying degrees of financial loss, depending on the type of business sector, the products or services offered, and the system used. Therefore, business actors must prepare tactics to overcome or prevent such customers. However, the underlying motives behind customers' hit-and-run actions remain challenging.<sup>17</sup>

The hit-and-run phenomenon in a business context refers to the behavior of customers who order goods or services with a promise to pay at a specific time but then do not fulfill their payment obligations and disappear without confirmation. This situation commonly occurs in cases where orders are placed without prepayment, cancellations are made

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<sup>14</sup> Grace Victoria Adelina Simanungkalit, "Perlindungan Hukum Terhadap Pelaku Usaha Akibat Terjadinya Hit And Run Yang Dilakukan Oleh Konsumen Dalam Sistem Pre – Order Jual Beli Perabotan Custom" (Universitas HKBP Nommensen, 2022), <https://repository.uhn.ac.id/handle/123456789/7695>.

<sup>15</sup> Dita Dwi Sukmawati, "Perlindungan Hukum Bagi Pelaku Usaha Dalam Praktek Hit and Run Pada Jasa Titip Perspektif Hukum Islam Dan Hukum Positif: Studi Kasus Pada Toko Online Akun Instagram @Barakallahstyle" (Undergraduate thesis, Kudus, IAIN Kudus, 2023), <https://repository.iainkudus.ac.id/11450/>.

<sup>16</sup> Sri Nurhayati, *Akuntansi Syariah Di Indonesia* (Jakarta: Salemba Empat, 2009).

<sup>17</sup> Examining the underlying exposures of hit-and-run and non-hit-and-run Crashes and Jiang XHan MGuo R, "Examining the Underlying Exposures of Hit-and-Run and Non-Hit-and-Run Crashes," *Journal of Transport and Health* 1, no. 20 (2021), <https://doi.org/10.1016/j.jth.2020.100995>.

unilaterally after the order has been processed, or payments remain incomplete. As a result, businesses experience financial losses, unsold stock, and a decline in reputation. For example, in an online business, customers order clothes and promise to pay when the goods arrive. Still, after the goods are delivered, they disappear and block communication with the seller.

Hit-and-run perpetrators violate business ethics and conflict with the Consumer Protection Act. As Wahyuni states, the unilateral cancellation of PO online sales in the context of hit-and-run violates business owners' rights.<sup>18</sup> This is addressed in Article 6, paragraphs 1 and 2 of Law Number 8 of 1999 concerning consumer protection. In addition, it can be realized that consumers have committed a breach of contract with the legal basis of Article 1243 of the Civil Code where a breach of contract arises from an agreement. This issue is further reinforced by Chapter V, Article 17, paragraph 2 of the Electronic Information and Technology Law, which governs online transactions. From an *Islamic law* perspective, *pre-order* transactions can fall under *salam* or *istisna'* sales contracts. A consumer canceling a pre-order may do so in *salam* transactions through *fasakh* (contract annulment). However, in *istisna'* transactions, unilateral cancellation by the consumer is not permissible through *fasakh*. Still, it must be done through *iqalah* (mutual agreement) since the goods have already been produced, making the contract binding and non-cancelable by the consumer alone.<sup>19</sup>

In e-commerce transactions, the 'hit-and-run' phenomenon is a significant concern for merchants. 'Hit-and-run' refers to the behavior of consumers who cancel orders or avoid payment after an order is opened, leaving the merchant with financial and operational losses. To better understand and address this issue, exploring relevant theories related to consumer behavior and fraud is essential. Two key theories in this context are the *Theory of Planned Behavior (TPB)* and the *Fraud Triangle Theory*. TPB explains that consumer behavior can be predicted based on intentions, attitudes, subjective norms, and perceived behavioral control. This study uses TPB to analyze the motives and behaviors of consumers who engage in 'hit-and-run'. On the other hand, the Fraud Triangle Theory states that fraud occurs due to pressure, opportunity, and rationalization. Merchants can develop more effective prevention strategies and improve their internal control systems by understanding how these factors contribute to hit-and-run behavior.<sup>20</sup>

The theory of Planned Behavior (TPB) predicts an individual's intention to perform a behavior at a certain time and place. This theory states that individual behavior is driven by behavioral intention, which is a function of three determinants: the individual's attitude toward the behavior, subjective norms, and perceived behavioral control.<sup>21</sup> This theory

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<sup>18</sup> Sri Wahyuni, "Perlindungan hukum bagi pelaku usaha akibat pembatalan sepihak oleh konsumen dalam sistem pre order (PO) jual beli online menurut hukum positif dan hukum Islam" (undergraduate, Malang, Universitas Islam Negeri Maulana Malik Ibrahim, 2019), <http://etheses.uin-malang.ac.id/14989/>.

<sup>19</sup> Wahyuni.

<sup>20</sup> Michael Bosnjak, Icek Ajzen, and Peter Schmidt, "The Theory of Planned Behavior: Selected Recent Advances and Applications," *Europe's Journal of Psychology* 16, no. 3 (2020): 352–56, <https://doi.org/10.5964/ejop.v16i3.3107>.

<sup>21</sup> Health Communication Capacity Collaborative (HC3), "What Is Theory of Planned Behavior? An HC3 Research Primer," 2021, [https://www.healthcommcapacity.org/wp-content/uploads/2014/03/theory\\_of\\_planned\\_behavior.pdf](https://www.healthcommcapacity.org/wp-content/uploads/2014/03/theory_of_planned_behavior.pdf); Icek Ajzen, "The

explains consumer behavior based on intentions, attitudes, subjective norms, and perceived behavioral control. The Theory of Planned Behavior (TPB) explains consumer behavior based on intentions, attitudes, subjective norms, and perceived behavioral control. TPB identifies factors influencing consumer decisions, including their behavior in e-commerce transactions. In this study, *TPB* is applied to analyze the motives and behaviors of consumers who engage in hit-and-run. This includes examining their intentions to complete transactions, attitudes toward payment, and perceived control over their actions. By understanding these factors, merchants can develop strategies to reduce the risk of fraud, increase consumer awareness, and encourage responsible purchasing behavior.<sup>22</sup>

The *Fraud Triangle Theory*, as described by the *Association of Certified Fraud Examiners*, defines fraud as a deceptive act involving various schemes designed to gain an unfair advantage over others through false representations. Fraud does not have a rigid definition, as it often involves unexpected, deceptive, and dishonest tactics. According to Albrecht, fraud is primarily rooted in human dishonesty.<sup>23</sup> The Fraud Triangle Theory states that fraud occurs because of pressure, opportunity, and rationalization. The Fraud Triangle Theory states that fraud occurs because of three main elements: pressure, opportunity, and rationalization. In e-commerce, pressure can stem from financial needs or impulsive drives; opportunity arises due to lack of effective supervision or control, and rationalization is self-justification for committing fraud. This study applies the *FTT to analyze the causes and dynamics of hit-and-run* behavior in *pre-order* transactions. By understanding how pressure, opportunity, and rationalization contribute to *hit-and-run* incidents, sellers can develop more effective prevention strategies and enhance their internal control systems to minimize risks.<sup>24</sup>

The Theory of Planned Behavior and the Fraud Triangle Theory provide valuable insights into the motives and behaviors of consumers who engage in hit-and-runs. This is relevant to understanding the factors that influence consumer decisions and how sellers can anticipate and reduce the risk of fraud.<sup>25</sup> This study aims to explore and apply these two theories in e-commerce transactions, particularly in understanding the *hit-and-run* phenomenon. The findings are expected to provide valuable insights for sellers, helping them reduce fraud risks, increase consumer awareness, and strengthen control mechanisms in online transactions.

### ***Fiqh Muamalah (Istisna' Contract) and Demand Management Theory***

*Fiqh muamalah* is a branch of Islamic law that governs economic and social relations between individuals.<sup>26</sup> In the context of this study, the relevant contract to the observed

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Theory of Planned Behavior: Frequently Asked Questions,” *Human Behavior and Emerging Technologies* 2, no. 4 (2020): 314–24, <https://doi.org/10.1002/hbe2.195>.

<sup>22</sup> Icek Ajzen, “The Theory of Planned Behaviour: Reactions and Reflections,” *Psychology & Health* 26, no. 9 (September 2011): 1113–27, <https://doi.org/10.1080/08870446.2011.613995>.

<sup>23</sup> Leardo Arles, “Faktor – Faktor Pendorong Terjadinya Fraud : Predator vs. Accidental Fraudster Diamond Theory Refleksi Teori Fraud Triangle (Klasik) Suatu Kajian Teoritis,” *Papper Ilmiah*, 2014, 1–15.

<sup>24</sup> Ajzen, “The Theory of Planned Behaviour.”

<sup>25</sup> Ajzen.

<sup>26</sup> Mardani, *Fiqh Ekonomi Syariah: Fiqh Muamalah* (Jakarta: Kencana, 2012).



phenomenon is the *istisna'* contract. The *istisna'* contract is a sale and purchase agreement in which goods are ordered in advance according to the desired specifications, and their manufacture is carried out after the contract is agreed upon.<sup>27</sup> The *istisna* contract was chosen for this study because its principles align with the dynamics of pre-order transactions, providing a framework for understanding the legal and ethical aspects of such agreements.

Demand Management Theory focuses on managing customer demand through strategies such as pre-orders to optimize inventory and production. In a business context, a pre-order strategy helps manufacturers gauge market demand before mass production. This allows sellers to reduce the risk of overstocking or understocking and manage resources efficiently. Applying the Demand Management Theory in this study helps understand how children's clothing manufacturers can use a pre-order system to manage demand and production better. This theory also provides a framework for evaluating the effectiveness of a pre-order strategy in dealing with operational and financial challenges caused by the hit-and-run phenomenon.<sup>28</sup>

The *istisna'* contract and demand management theory are closely related to managing demand and the production of goods based on customer orders. In an *istisna'* contract, manufacturers receive initial information regarding the quantity and specifications of goods ordered before starting production. This aligns with the *pre-order* strategy in the *Demand Management Theory*, where manufacturers assess market demand before mass production, ensuring that goods are produced following actual demand. In addition, both approaches help improve production efficiency. With an initial agreement on the quantity and specifications of goods, manufacturers can plan and manage resources more efficiently. The pre-order strategy also helps optimize stock and production, reduce waste, and improve operational efficiency. Both also provide solutions to overcome the risk of hit-and-run. In the *istisna'* contract, payment is often made in advance or part before production begins, assuring manufacturers that the order is valid and reducing the risk of cancellation. Similarly, by managing demand through pre-orders, manufacturers can reduce the financial and operational risks of the hit-and-run phenomenon.

Finally, both the *Istisna* contract and the Demand Management Theory help build trust and security in transactions. The *Istisna* contract emphasizes transparency, honesty, and fairness, which builds trust between manufacturers and consumers. Similarly, the Demand Management Theory's pre-order strategy provides clarity about orders, reduces uncertainty, and increases trust in business relationships.

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<sup>27</sup> Ridwan Nurdin, Irwansyah, and Khaironnisa, "Penyelesaian Wanprestasi Dalam Akad Istisnā' Pada Usaha Percetakan Di Kecamatan Syiah Kuala (Menurut Perspektif Ekonomi Islam)," *Al-Mudharabah: Jurnal Ekonomi Dan Keuangan Syariah* 3, no. 1 (2022): 41–51, <https://doi.org/10.22373/al-mudharabah.v4i1.2021>.

<sup>28</sup> D Stephenson, "Demand Management Theory," *Water S.A.* 25, no. 2 (1999): 115–22.

## Hit-and-Run Experience in E-Commerce Transactions with Open PO System Experienced by Manufacturers

E-commerce transactions have become integral to everyday life, with increasing numbers of consumers relying on online platforms for their purchases. In this context, the PO system has become one of the common strategies manufacturers use to manage production and meet market demand more efficiently. This study explores the experiences of manufacturers in conducting e-commerce transactions using the PO system. Through interviews with several manufacturers, we analyze the advantages and challenges associated with its implementation. In this study, PO refers to a system in which the item is not yet finished or sewn. Instead, manufacturers provide only samples and detailed descriptions, including material, size, price, and specifications. As explained by Rusli:

“As a manufacturer, we produce goods according to the number of orders received. Pre-order (PO) is a system where sellers marketing products that have not been produced or do not yet have a physical form to customers. The seller shows photos of the product, price, material, pre-order date, and the date the product will be received by the buyer. Interested consumers will place an order first, then the order will be produced. Payment is made at the end when the order has been produced. Pre-order opening is usually done within two weeks, three weeks, or a month. The product is then produced and shipped after completion and payment is made in full.”<sup>29</sup>

The PO system offers significant flexibility for manufacturers in managing production and meeting market demand. By producing goods according to the number of orders received, manufacturers can avoid the accumulation of unsold stock, thereby improving operational efficiency. The PO system also allows consumers to place orders in advance without waiting for the product to be physically available. This approach helps manufacturers plan production more effectively and manage cash flow more efficiently, ensuring a smoother business operation.

However, challenges such as uncertainty regarding consumer seriousness and sample costs also need to be considered. Interviews with several manufacturers revealed a variety of perspectives and experiences that are integral to this process.

One such perspective comes from Desi Afriwanti, a manufacturer of the *Me & You Kids* brand, who stated that:

"As a manufacturer with a PO system, there are many benefits to be gained, namely being able to minimize stock buildup because goods can be made according to the PO list that comes in. Manufacturer s can also set production schedules according to the number of POs that come in. Manufacturer s can also manage finances in more detail.”<sup>30</sup>

Using the PO system offers several advantages for manufacturers, particularly in minimizing stock buildup, as goods are produced based on incoming orders. This approach reduces the risk of losses from unsold inventory and enhances stock management efficiency.

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<sup>29</sup> Rusli Zanahar, Personal Interview: Manufacturer Brand Starmoon, Take off, Child Deer, OOTD, interview by Dessy Asnita, 2024.

<sup>30</sup> Desi Afriwanti, Personal Interview: Manufacturer of Me & You Kids Brand, interview by Dessy Asnita, 2024.

In addition, the PO system also allows manufacturers to set production schedules in more detail according to the number of orders received. This improves efficiency in the production process while minimizing unnecessary production costs. The financial management aspect is also an important consideration. With the PO system, manufacturers can more easily manage financial flows because payments are made after orders are produced. This allows manufacturers to allocate financial resources more effectively.

Although the PO system offers several advantages, manufacturers also face significant challenges. One of them is the uncertainty regarding the seriousness of consumers. Several respondents experienced cases where consumers disappeared after ordering or requesting a sample. This issue results in losses in terms of time and costs and poses a risk to the manufacturer's reputation, potentially affecting trust among future customers. As expressed by the manufacturer Adzki:

"My experience when implementing the pre-order system is quite varied. There are several cases where customers have been recorded but then disappear, this is normal. Sometimes there are those who ask for samples and then disappear. There are also those who have chatted for weeks, but eventually disappear. There was an experience where a customer asked for a free sample, and we made it, but in the end they didn't order. Therefore, we started implementing a paid system for samples. Initially, the sample fee was only IDR 150,000, now it is IDR 500,000. If the customer orders, the IDR 300,000 sample fee will be the DP. If not, the money is forfeited. This is to ensure the seriousness of the customer because the effort to make a sample is higher than mass production." Several hit-and-run cases occurred in football socks products, where buyers did not pay off their payments after the goods were ready, even for years."<sup>31</sup>

The Payyo Kids manufacturer shared a similar experience, encountering a hit-and-run case involving a distributor agent. This incident led to the central supplier canceling the order. Although it only involved one or two individuals, the cancellation still impacted the manufacturer's responsibility in fulfilling the order list to the center.

Below are the results of interviews with several manufacturers:

"There are several Resellers who have already ordered goods when we issue several catalogs for (PO), Because there is no DP system and our system is a trust system, then every PO list that comes in is summarized by the admin with the terms and conditions that have been set, but when the goods are ready and ready for distribution, there must be several Resellers who are difficult to contact when an invoice is sent to pay for their order, and there are also customers who respond but suddenly cancel the order for several reasons."<sup>32</sup>

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<sup>31</sup> Yuyu Yuhmiati, Personal Interview: Manufacturer Azkia Brand, interview by Dessy Asnita, 2024.

<sup>32</sup> Isma Lestari, Personal Interview: Brand manufacturers @dmoontkids\_, @alibrothersclothings. @kiyowo.official, @jolaandjoly, @heykiddosofficial, @neochic, Usagi, Baby Joe, @Ummi Ali, interview by Dessy Asnita, 2024.

"Customers cannot be contacted immediately after receiving the invoice, customers are contacted but he only read it (the message)."<sup>33</sup>

"In PO transactions, the biggest risk is if our partners cancel their order list, where the effect is very common. Stock buildup, stuck capital, turnover of goods or the latest catalog will also be affected."<sup>34</sup>

"The customer is not responsible, after the goods are ready, they disappear, when contacted there is no response. A civilized person would at least have a cancellation confirmation."<sup>35</sup>

From the hit-and-run case in children's clothing manufacturers, the hit-and-run phenomenon in Pre-Order transactions is a challenge often faced by manufacturers. Order cancellations, unresponsiveness, and unpaid transactions can lead to financial losses and unwanted stock buildup. To mitigate these risks and enhance business sustainability, manufacturers must adopt strategies to minimize the negative impact of hit-and-run cases in PO transactions. A DP is also an important consideration for manufacturers. Several respondents have started implementing DP as a strategy to ensure the seriousness of consumers before placing an order. However, determining the appropriate DP amount is crucial to balancing consumer affordability while securing the manufacturer's interests.

Overall, the PO system in e-commerce transactions offers advantages and challenges for manufacturers. Key benefits include more efficient stock management, structured production scheduling, and improved financial management. However, the primary difficulties remain regarding consumer commitment and the costs of providing samples. To address these challenges, manufacturers must implement appropriate DP policies and develop strategies that ensure consumer seriousness before placing an order.

### The Impact of Hit-and-Run on the Existence of Manufacturer Sales

In this study, several manufacturers were interviewed to explore the financial and operational impacts of the hit-and-run phenomenon in PO transactions on their sales existence and business operations. Table 1 is a summary of the key findings from the interviews with manufacturers:

**Table 1.** Impact of Hit-and-Run Cases on Financial and Operational Aspects of Children's Clothing Manufacturers

No	Respondents	Respondents' Answers	Financial Impact	Operational Impact
1	Aida Agustian: Manufacturer of Payyo, Janeeta,	It is not too risky and can be overcome because hit-and-run cases do not	Not significant ly	Not significantly disturbed <sup>36</sup>

<sup>33</sup> Azizah, Personal Interview: Manufacturer of Nizaru Project, Kanala, Styleme, Ptwebaby Brands, interview by Dessy Asnita, 2024.

<sup>34</sup> Afriwanti, Personal Interview: Manufacturer of Me & You Kids Brand.

<sup>35</sup> Mey Yuni Hartoyo, Personal Interview: Manufacturer of Moez, interview by Dessy Asnita, 2024.

	and Bonucci Clothing Brands. North Bogor	always occur; there are only 1 or 2 customers.	disturbed	
2	Lucky Feminine: Children's clothing manufacturer brand circle in - baby outfit- teen outfit - mom outfit - pimi daily -viral in. Bekasi, West Java	Impact on stock, especially if capital prices are high; becomes a responsibility to set up a resale strategy.	Become responsible for setting up a resale strategy.	Financial flow is blocked <sup>37</sup>
3	Desi Afriwanti: Manufacturer of ME & YOU KIDS Jakarta	Disrupted, especially in the financial flow, which is not rotating, so sometimes the capital has not been disbursed.	Financial flow is blocked	The resale process is stalled <sup>38</sup>
4	Mey Yuni Hartoyo: Manufacturer of Moez Jakarta	Suffering financial losses due to having to re-advertise for resale.	Financial loss	The resale process is stalled <sup>39</sup>
5	Azizah: Manufacturer of Nizaru Project, Kanala, Styleme, Ptwebaby Brands Bantul DIY	It is detrimental because it increases stock, and capital becomes stagnant.	Financial loss	The resale process is stalled <sup>40</sup>
6	Ira Rosella Rusyadi aka Ella: Manufacturer	Capital becomes stagnant, and profits are delayed because goods must be promoted again	Capital becomes stagnant	The resale process is stalled <sup>41</sup>

<sup>36</sup> Aida Agustian, Personal Interview: Manufacturer of Payyo, Janeeta and Bonucci Clothing Brands, interview by Dessy Asnita, 2024.

<sup>37</sup> Feminine, Personal Interview: Children's clothing manufacturer brand circle in - baby outfit- teen outfit - mom outfit - pimi daily -viral in.

<sup>38</sup> Afriwanti, Personal Interview: Manufacturer of Me & You Kids Brand.

<sup>39</sup> Hartoyo, Personal Interview: Manufacturer of Moez.

<sup>40</sup> Azizah, Personal Interview: Manufacturer of Nizaru Project, Kanala, Styleme, Ptwebaby Brands.

<sup>41</sup> Ira Rosella Rusyadi, Personal Interview: Manufacturer of Rala Collection, interview by Dessy Asnita, 2024.

	of Rala Collection Cipayung, East Jakarta	for sale.		
7	Dinnur Fithri Mayasari: Manufacturer of the MYS, Shaliha brands Karawang	It does not have much of an impact as the hit-and-run percentage is small; I am confident all items will be sold.	Not significantly disturbed	Not significantly disturbed <sup>42</sup>
8	Yayu Yuhmiati: Manufacturer of Adzkia. Cimahi. West Java	Disturbed because capital is stuck in the remaining goods that customers have not taken.	Financial flow is blocked	The resale process is stalled <sup>43</sup>
9	Isma Lestari: Brand manufacturers: @dmoontkids_, @alibrothersclothings. @kiyowo.official, @jolaandjoly, @heykiddosofficial, @neochic, Usagi, Baby Joe, @Ummi Ali Bandung - Ujung Berung	Financial and operational losses; must work hard to resell free stock items.	Financial loss	The resale process is stalled <sup>44</sup>

Source: Data Processed by the author, (2024).

Based on the interviews with several manufacturers as seen in Table 1, the financial and operational impacts of the hit-and-run phenomenon in PO transactions on sales sustainability and business operations vary. Some manufacturers reported minimal impact, as hit-and-run cases were infrequent, typically involving only one or two customers. However, for some other respondents, hit-and-run led to stock buildup and disrupted cash flow because capital was not circulating. Moreover, the resale process was hampered because goods had to be re-advertised or resold. Several respondents also felt financial

<sup>42</sup> Dinnur Fithri Mayasari, Personal Interview: Manufacturer of the MYS, Shaliha brands, interview by Dessy Asnita, 2024.

<sup>43</sup> Yuhmiati, Personal Interview: Manufacturer Azkia Brand.

<sup>44</sup> Lestari, Personal Interview: Brand manufacturers @dmoontkids\_, @alibrothersclothings. @kiyowo.official, @jolaandjoly, @heykiddosofficial, @neochic, Usagi, Baby Joe, @Ummi Ali.

losses because they had to wait longer to make a profit or had to spend additional costs for re-promotion. In contrast, some manufacturers considered the impact relatively minor; overall, *hit-and-run* poses challenges that must be addressed to ensure business continuity. Extra strategies and proactive measures are essential to mitigate these negative effects and keep operations running efficiently.

### **Resource Person's Understanding of the Hit-and-Run Phenomenon in E-Commerce Transactions: A Review from the Perspective of *Fiqh Muamalah***

The respondents considered the hit-and-run phenomenon in e-commerce transactions from the perspective of *fiqh muamalah*. According to Lucky, Islamic law emphasizes the importance of honoring agreements made with others, and transaction cancellations should not harm either party.<sup>45</sup> Desi expressed a similar opinion, stating that hit-and-runs are violations because they disregard the initial agreement between the parties.<sup>46</sup> Meanwhile, Mey admitted that she did not understand enough to provide assumptions from the perspective of *fiqh muamalah*.<sup>47</sup> Azizah emphasized that hit-and-run is a violation because everyone must be trustworthy when conducting transactions.<sup>48</sup> Ira also agreed that hit-and-run violates the principles of muamalah because there is already a clear agreement in the pre-order system. Although Dinnur does not understand *fiqh muamalah* in detail, he believes that hit-and-run is a violation because it is a betrayal of a promise.<sup>49</sup> Yuyu noted that unredeemed items tend to be more common in the male customer segment, highlighting differences in purchasing behavior between men and women.<sup>50</sup> Meanwhile, Isma emphasized that hit-and-run harms manufacturers and brand owners.<sup>51</sup>

Based on the answers from several respondents regarding their views on the hit-and-run phenomenon from the perspective of *fiqh muamalah*, there is an agreement that the hit-and-run action violates the principles of *muamalah*. According to them, in Islam, it is recommended to keep agreements made with others so that transaction cancellations should not harm either party. The hit-and-run phenomenon is considered a violation because it does not comply with the initial agreement that has been agreed upon. Several respondents also stated that the principle of trust is an obligation for every civilized individual. Therefore, violating an explicit agreement in the *PO* system is seen as a breach of ethical and legal responsibility. Although several respondents do not yet understand the *fiqh muamalah* perspective in detail, they still believe that the hit-and-run action is a violation because it harms the manufacturer and brand owner. From these findings, it can be concluded that the *hit-and-run* phenomenon in e-commerce transactions negatively impacts manufacturers' sales and violates *fiqh muamalah* principles. It undermines trust and fails to

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<sup>45</sup> Feminine, Personal Interview: Children's clothing manufacturer brand circle in - baby outfit- teen outfit - mom outfit - pimi daily -viral in.

<sup>46</sup> Afriwanti, Personal Interview: Manufacturer of Me & You Kids Brand.

<sup>47</sup> Hartoyo, Personal Interview: Manufacturer of Moez.

<sup>48</sup> Azizah, Personal Interview: Manufacturer of Nizaru Project, Kanala, Styleme, Ptwebaby Brands.

<sup>49</sup> Mayasari, Personal Interview: Manufacturer of the MYS, Shaliha brands.

<sup>50</sup> Yuhmiati, Personal Interview: Manufacturer Azkia Brand.

<sup>51</sup> Yuhmiati.

uphold contractual agreements, highlighting the need for more substantial consumer commitment in *PO* transactions.

### Analysis of the Hit-and-Run Phenomenon in E-Commerce Transactions: *Fiqh Muamalah* Perspective

The hit-and-run phenomenon in e-commerce transactions involving *istisna'* contracts can occur when buyers order goods with certain specifications. Still, after the goods are produced, the buyer does not make a payment or even disappears without providing any confirmation. *Istisna'* contracts are similar to pre-orders in e-commerce, where goods are produced according to order specifications, and payment is typically arranged in advance. However, the difference lies in the moral obligation of the manufacturer to deliver goods after the contract is agreed.<sup>52</sup>

The main legal implication of *istisna'* is determining the right of ownership over the ordered goods and the seller's right to receive payment for the agreed price. Then, the maker of the goods has the right of *khiyar* to cancel the contract before the goods are produced, but this right is lost after the goods are produced and shown to the orderer.<sup>53</sup> Similarly, the buyer can cancel the contract if an error or discrepancy with the agreement is identified before production starts. The hadith of the Messenger of Allah supports this principle:

عَنْ عَمْرِو بْنِ شُعَيْبٍ عَنْ أَبِيهِ عَنْ جَدِّهِ قَالَ: أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ: الْبَيْعَانِ بِالْخِيَارِ مَا لَمْ يَتَفَرَّقَا إِلَّا أَنْ تَكُونَ صَفْقَةً خِيَارٍ وَلَا يَجِلُّ لَهُ أَنْ يُفَارِقَ صَاحِبَهُ خَشْيَةً أَنْ يَسْتَقِيلَهُ – رواه الترميذي والنسائي

*“From Amr bin Shu'aib from his father from his grandfather, he said: The Messenger of Allah (peace be upon him) said: “The buyer and the seller have the option (khiyar) as long as they have not separated, except when the sale is a khiyar contract, in which case one of them should not leave the other out of fear of having the contract annulled.” (Reported by Tirmidhi and Nasai).*

This hadith explains that in a transaction, the buyer and the seller have the right to cancel the contract (*khiyar*) if they have not parted ways after the agreement. However, if the transaction includes a "*khiyar* contract"—an option allowing either party to annul the deal—then neither party should act dishonestly or withdraw out of fear that the contract will be canceled. In short, *khiyar* applies as long as both parties are still in the place of the agreement and have not separated.

Pillars and conditions of *istisna'* sale and purchase in e-Commerce: The pillars of *istisna'* include *ijab*, *qabul*, *ma'qud 'alaih*, and *shighat*, which confirm the agreement between the seller and the buyer. The conditions of *istisna'* include a clear explanation of the product ordered and goods that customers usually order, but they do not mention a specific

<sup>52</sup> Indrianti Putri Utami, “Praktik Jual Beli Pre Order Dengan Sistem Online: Practice of Pre-Order Buying and Selling with Online System,” *Al-Muamalat: Jurnal Ekonomi Syariah* 9, no. 1 (August 4, 2022): 20–28, <https://doi.org/10.15575/am.v9i1.14045>.

<sup>53</sup> Nada Zuhair Al-feel, “Manufacture Contract (Istisna'a), Concept, Importance & Risks,” *Humanities & Social Sciences Reviews* 7, no. 5 (November 3, 2019): 1039–52, <https://doi.org/10.18510/hssr.2019.75139>; Abd. Hafid et al., “The Application of Khiyar Principles to E-Commerce Transaction: The Islamic Economy Perspective,” *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 8, no. 1 (March 31, 2024): 403, <https://doi.org/10.22373/sjhk.v8i1.20890>.



time limit for the delivery of goods. In the context of e-commerce, unclear information about the product, such as specifications that do not match or differences in expectations, can lead to disputes and the potential for hit-and-run phenomena. Therefore, in e-commerce transactions using *istisna'* contracts, both buyers and sellers must fully understand their rights and obligations following Islamic law. By adhering to these principles, parties can prevent *hit-and-run* behavior and ensure that transactions are transparent, honest, and fair.<sup>54</sup>

In business ethics theory, the *istisna'* contract and the Demand Management Theory support the main principles that are the foundation of ethical business behavior. Principles such as transparency, honesty, fairness, and social responsibility are emphasized in the *istisna'* contract and the pre-order strategy. When manufacturers and consumers adhere to these values, they create a healthy and fair business environment and strengthen relationships between parties based on trust. By building trust through transparent and honest business practices and prioritizing fairness in every transaction, business actors effectively integrate the principles of business ethics into their operations, ultimately contributing to the development of sustainable and meaningful business relationships.

### **Solutions to Overcome or Prevent Hit-and-Run Cases**

In dealing with the hit-and-run phenomenon, sellers need to manage their business well to avoid losses that may arise from similar practices. However, using blacklists to expose consumers who engage in *hit and run*—especially on social media platforms like Instagram or WhatsApp—is not in line with *Islamic business ethics*. Disseminating photos and information about consumer errors is considered deviant behavior. It does not have noble morals according to Islamic teachings because Allah SWT and the Prophet Muhammad SAW do not permit it. As business owners, ethical conduct should be prioritized, following the teachings of the *Prophet Muhammad SAW*, which emphasize honesty, justice, and kindness in trade. Applying a blacklist not only reduces blessings in buying and selling but also contradict the core principles of *Islamic business ethics*. Instead, sellers should seek ethical and constructive solutions to handle transactional issues while maintaining professionalism and integrity.<sup>55</sup>

In Indonesia, some online seller communities, such as *Distributors throughout Indonesia*, have taken action against hit-and-run perpetrators by making their cases viral on social media platforms like Instagram. The primary goal of these efforts is to warn other sellers about consumers deemed untrustworthy. This is done by sharing information, including photos, biodata, conversation records, and unpaid bills, as a preventive measure to discourage unethical behavior and protect business owners. Although this action aims to increase transparency and inform consumers about untrustworthy behavior, this method can also raise controversy regarding ethics and privacy in handling untrustworthy behavior.

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<sup>54</sup> Zuhair Al-feel, "Manufacture Contract (Istisna'a), Concept, Importance & Risks."

<sup>55</sup> Nurul Annisa, "Blacklist (Daftar Hitam) Terhadap Konsumen Online Yang Melalaikan Pengambilan Pesanan (Hit And Run) (Analisis Etika Bisnis Islam)" (Article, Banjarmasin, Universitas Islam Kalimantan Muhammad Arsyad Al Banjari Banjarmasin, 2020), <https://eprints.uniska-bjm.ac.id/2233/>.

On the other hand, a more assertive approach is also evident, as demonstrated by the owner of Kakadede, who emphasizes the strictness of the rules in pre-orders, including the obligation to redeem the *istisna'* contract and the consequences if it is not fulfilled. This approach aims to provide consumers with a clear understanding of their obligations in online transactions and raise awareness of the risks associated with hit-and-run practices.<sup>56</sup>

However, this method also has the potential for controversy and can trigger debates about ethics and privacy in handling untrustworthy behavior. The owner of Kakadede chose a different way, and he preferred a firm way when Open PO in his group. He emphasized that the *istisna'* contract must be honored under any circumstances, adhering to a payment system where ready-made goods must be paid in full. Unlike other *PO* systems, he does not require a *down payment (DP)* for pre-ordered items. Additionally, he clarified that the estimated delivery time for goods could be adjusted—advanced or delayed—depending on production conditions. Therefore, he stressed that anyone participating in a *PO* must be physically and mentally prepared for possible changes in the timeline. He further emphasized that failing to fulfill the payment obligation is equivalent to having an outstanding debt.<sup>57</sup>

In addition to the above methods, manufacturers have taken steps to overcome or prevent hit-and-run cases in Pre-Order transactions, including implementing a more careful policy in accepting orders for goods by constantly checking customer service numbers to ensure their security. For new customers, request a down payment or DP as a transaction to prevent fraud or hit-and-run.<sup>58</sup> Set a DP of 30-50% per catalog for customers who want to participate in Pre-Order and check customer service data that has been blocked as a preventive measure.<sup>59</sup> Educate partners about the Pre-Order process and emphasize that there are no cancellations for any reason and no changes to the revised list of orders received.<sup>60</sup> Some manufacturers implement a DP system at the beginning to minimize the possibility of cancellation by partners. Implement a 50% deposit system as a preventive measure at the beginning/in advance.<sup>61</sup> For new customers, implement a DP system to secure transactions.<sup>62</sup> Strengthen actions by forming a Task Force team tasked with pursuing naughty customers and enforcing consequences for violations, such as reporting to the Task Force team and not accepting any more orders from the customer.<sup>63</sup> Emphasize that cancellations are not allowed during pre-order. Emphasize that the pre-order system must be run with integrity without cancellation, and the goods must be redeemed.<sup>64</sup> Reprimand personally at least 3 times if there is a delay in payment and make repeated phone calls until

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<sup>56</sup> Feminine, Personal Interview: Children's clothing manufacturer brand circle in - baby outfit- teen outfit - mom outfit - pimi daily -viral in.

<sup>57</sup> Sulistiana, Personal Interview: Manufacturer of Kakadede Brand.

<sup>58</sup> Agustian, Personal Interview: Manufacturer of Payyo, Janeeta and Bonucci Clothing Brands.

<sup>59</sup> Feminine, Personal Interview: Children's clothing manufacturer brand circle in - baby outfit- teen outfit - mom outfit - pimi daily -viral in.

<sup>60</sup> Afriwanti, Personal Interview: Manufacturer of Me & You Kids Brand.

<sup>61</sup> Rusyadi, Personal Interview: Manufacturer of Rala Collection.

<sup>62</sup> Mayasari, Personal Interview: Manufacturer of the MYS, Shaliha brands.

<sup>63</sup> Yuhmiati, Personal Interview: Manufacturer Azkia Brand.

<sup>64</sup> Lestari, Personal Interview: Brand manufacturers @dmoontkids\_, @alibrothersclothings. @kiyowo.official, @jolaandjoly, @heykiddosofficial, @neochic, Usagi, Baby Joe, @Ummi Ali.

there is clarity regarding payment for the goods.<sup>65</sup> Give an ultimatum that goods not paid for immediately will be resold.<sup>66</sup> Make a personal mark for customers who often cancel, with the consequence that if there are 1-2 cancellations, the customer will be blacklisted and will not be served for the next Pre-Order catalog.<sup>67</sup>

### **Analysis of the "Hit-and-Run" Phenomenon in E-commerce Transactions with Pre-orders**

"Hit-and-Run" phenomenon in e-commerce transactions with the PO system provides a comprehensive overview of manufacturers' challenges and opportunities. Based on the results of the interviews, the analysis identifies the following:

1. Advantages of implementing a PO system: Production flexibility, more efficient planning, Better financial management.
2. Disadvantages of implementing a PO system: Uncertainty regarding consumer seriousness, High sample costs, Potential for "hit-and-run" cases that lead to financial losses and unwanted stock buildup.
3. Challenges faced by manufacturers: Hit-and-run cases that disrupt financial and operational stability, Stockpiling and cash flow disruptions, Forced reselling of unsold items, often with additional costs for re-promotion.
4. Strategies implemented to mitigate challenges: Implementation of deposits (DP) to ensure consumer commitment, Development of effective communication strategies to confirm consumer seriousness before orders are placed.

Thus, this analysis provides an in-depth understanding of the dynamics of e-commerce transactions with the PO system and valuable insights for manufacturers to manage risks and improve their business sustainability in a competitive market.

This study highlights the impact of the hit-and-run phenomenon in PO transactions on manufacturers' sales and business operations. Based on interviews with several manufacturers, it is clear that the financial and operational impacts vary. Some manufacturers, such as Aida Agustian<sup>68</sup> and Dinnur Fithri Mayasari,<sup>69</sup> reported minimal impacts because hit-and-run cases rarely occur. However, other manufacturers, such as Lucky Feminine,<sup>70</sup> Desi Afriwanti,<sup>71</sup> and Mey Yuni Hartoyo,<sup>72</sup> faced significant challenges, including stockpiling and cash flow disruptions. These issues often forced them to resell unclaimed items, sometimes at an additional cost for re-promotion. Manufacturers such as Azizah<sup>73</sup> and Ira Rosella Rusyadi aka Ella<sup>74</sup> also experienced capital constraints and financial losses due to having to re-promote unsold items. Although some manufacturers were less

<sup>65</sup> Zannahar, Personal Interview: Manufacturer Brand Starmoon, Take off, Child Deer, OOTD.

<sup>66</sup> Feminine, Personal Interview: Children's clothing manufacturer brand circle in - baby outfit- teen outfit - mom outfit - pimi daily -viral in.

<sup>67</sup> Lestari, Personal Interview: Brand manufacturers @dmooontkids\_, @alibrothersclothings. @kiyowo.official, @jolaandjoly, @heykiddosofficial, @neochic, Usagi, Baby Joe, @Ummi Ali.

<sup>68</sup> Agustian, Personal Interview: Manufacturer of Payyo, Janeeta and Bonucci Clothing Brands.

<sup>69</sup> Mayasari, Personal Interview: Manufacturer of the MYS, Shaliha brands.

<sup>70</sup> Feminine, Personal Interview: Children's clothing manufacturer brand circle in - baby outfit- teen outfit - mom outfit - pimi daily -viral in.

<sup>71</sup> Afriwanti, Personal Interview: Manufacturer of Me & You Kids Brand.

<sup>72</sup> Hartoyo, Personal Interview: Manufacturer of Moez.

<sup>73</sup> Azizah, Personal Interview: Manufacturer of Nizaru Project, Kanala, Styleme, Ptwebaby Brands.

<sup>74</sup> Rusyadi, Personal Interview: Manufacturer of Rala Collection.

affected, hit-and-run still presents challenges that need to be overcome through the right strategies to maintain business continuity and ensure operational efficiency.

Based on the informants' perspectives, the hit-and-run phenomenon in e-commerce transactions from the standpoint of *fiqh muamalah* shows that this action violates the principles of *muamalah*, such as trust and fulfillment of agreements. Respondents agreed that honoring an agreed contract is obligatory in Islam, and unilaterally canceling a transaction without confirmation or payment is unjust and harmful to manufacturers. This hit-and-run phenomenon is not only a violation of the contract but also a betrayal of the promise given. Further analysis of the *istisna'* contract shows the importance of understanding the rights and obligations between sellers and buyers to prevent incidents like this. The hit-and-run phenomenon can be minimized by emphasizing transparency, honesty, and fairness, both from the manufacturer and consumer side, creating a fairer and more trustworthy business environment.

## CONCLUSION

The Pre-Order (PO) system in e-commerce provides several advantages, including reduced excess stock, increased production efficiency, and improved financial management for manufacturers. However, it also faces challenges such as consumer uncertainty and sample costs. The hit-and-run phenomenon, where consumers disappear after placing an order or requesting samples without purchasing, leads to financial losses and stock accumulation. Some manufacturers have addressed this issue by implementing down payments (DP) and converting sample costs into DP. Interview findings indicate that the hit-and-run phenomenon negatively impacts sales and business operations by disrupting cash flow and increasing promotional expenses. From the perspective of *fiqh muamalah*, the hit-and-run behavior violates fundamental principles, as agreements must be honored, and transactions should be conducted honestly and accountably. The *istisna'* contract, a concept in *fiqh muamalah* that shares similarities with pre-order transactions, establishes clear rights and obligations to prevent uncertainty and ensure fairness. Applying these principles is crucial to avoiding hit-and-run, ensuring transparency, honesty, and fairness, and fostering trust within the business environment.

This study makes a significant academic contribution to the existing knowledge in e-commerce, the purchase order system, and *fiqh muamalah*. Examining these elements' interconnectedness highlights the ethical challenges that arise in modern business transactions. From a managerial perspective, the findings offer practical strategies for manufacturers, such as implementing down payments and setting clear terms and conditions, to reduce potential risks and support long-term business sustainability.

In terms of policy, the government is encouraged to consider introducing regulations specifically addressing the "hit-and-run" phenomenon in e-commerce transactions. This can include enforcing transparency in all stages of the transaction process and strengthening consumer protection laws to ensure fairness and legal security for manufacturers.

Nonetheless, this research has several limitations. It focuses on a relatively small number of manufacturers and relies primarily on interview-based data collection, which may not fully capture the broader dynamics of the industry. Therefore, future studies should involve a larger and more diverse sample and explore other sectors within the e-commerce ecosystem to gain a more comprehensive and generalizable understanding.

#### **CONFLICT OF INTEREST**

The authors declare no conflict of interest.

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