Jurnal DIALEKTIKA: Jurnal Ilmu Sosial,
Vol. 23 No. 1 2025

ARTICLE

CRIMINOLOGICAL REVIEW OF FICTITIOUS FOOD ORDERS THROUGH ONLINE RIDE-HAILING APPLICATIONS

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Article History
Received: 30 March 2025
Accepted: 16 April 2025
Published: 21 May 2025

Abstract

The rapid growth of online ride-hailing applications in Indonesia has revolutionized transportation and food delivery services but has also given rise to fraudulent practices such as fictitious food orders. This study aims to analyze such crimes through the lens of criminology and victimology, focusing on offender motives, modus operandi, and impacts on victims. Drawing on criminological theories including Differential Association and Rational Choice, the research employs a qualitative literature review of scholarly works, legal documents, case records, and credible news sources. Findings reveal that fictitious orders are driven by motives ranging from personal revenge and economic gain to psychological gratification, facilitated by weak verification systems and anonymity. The study contributes to theory by integrating criminological perspectives with digital crime analysis and offers practical recommendations for stricter identity verification, limiting cash-on-delivery transactions, and enhancing fraud reporting mechanisms. These insights are expected to guide platform operators, policymakers, and law enforcement in preventive strategies.

Keywords: Criminology, Fictitious Food Orders, Online Ride-Hailing

A. INTRODUCTION

The rapid advancement of digital technology has fundamentally altered the way individuals interact, communicate, and conduct transactions in daily life (Smith, 2021). Digital platforms have become integral to modern lifestyles, providing convenience and efficiency in various sectors, including transportation, commerce, and financial services (Anderson & Kumar, 2020). In Indonesia, the adoption of mobile-based applications has surged, driven by increased internet penetration and smartphone usage (Harris, 2022). The transportation sector, in particular, has experienced a significant shift from conventional services to app-based systems that integrate multiple features into a single platform (Wijaya, 2021). These developments have brought about economic opportunities while simultaneously introducing new challenges in managing digital security and fraud risks (Santoso & Prabowo, 2020).

Online ride-hailing services, such as Gojek, Grab, Maxim, and Indrive, have gained widespread popularity due to their versatility in offering transportation, courier, and food delivery services (Rahman, 2020). The integration of food delivery services into these platforms has created substantial growth in the digital economy by connecting restaurants and customers through efficient logistics systems (Chowdhury & Mukherjee, 2019). However, the rise of digital transactions has also increased the exposure of these platforms to fraudulent activities, including identity misuse and false orders (Putra & Kurniawan, 2021). Fraudulent

Publisher: Perkumpulan Ilmuwan Administrasi Negara Indonesia
P-ISSN: 1412 –9736
E-ISSN: 2828-545X

transactions not only undermine platform reliability but also directly impact the income and operational costs of service providers and drivers (Lestari, 2020). Studies have indicated that inadequate verification systems and the ease of account creation contribute significantly to the prevalence of such crimes (Gunawan, 2021).

Within the specific context of food delivery services in online ride-hailing applications, the issue of fictitious food orders has emerged as a pressing problem. This type of fraud occurs when perpetrators use false names, contact details, or addresses to place orders without any intention of payment, causing financial loss to drivers, restaurants, and even unsuspecting individuals whose addresses are misused. In several documented cases, victims are forced to pay for food they never ordered, while drivers bear fuel, time, and labor costs without reimbursement. The recurrence of such incidents within a short timeframe amplifies the financial and psychological burden on victims. Consequently, the phenomenon has not only become a threat to individual livelihoods but also poses significant risks to the credibility and sustainability of the ride-hailing food delivery ecosystem.

Harris (2022) examined the socio-economic impact of online ride-hailing platforms, highlighting how their convenience has encouraged large-scale adoption but also revealed vulnerabilities to fraud and misuse. Santoso and Wijaya (2021) conducted a study on fraudulent activities in e-commerce transactions, finding that anonymity and ease of account creation were key factors facilitating digital fraud. Similarly, Rahman (2020) explored the operational and financial impacts of fictitious orders on food delivery drivers in Jakarta, noting that such incidents reduced driver earnings, increased operational costs, and eroded trust between service providers and customers. These studies collectively indicate that while digital platforms enhance service efficiency, they also open avenues for criminal exploitation, particularly in the context of food delivery systems.

Similar to prior research, this study shares the focus on fraudulent transactions facilitated by digital platforms and acknowledges the socio-economic implications for service providers and workers. It also aligns with existing findings on the role of anonymity and technological loopholes in enabling such offenses. However, unlike previous studies that mainly address the economic or operational consequences, this research adopts a criminological lens to analyze fictitious food orders, integrating both criminology and victimology frameworks. Additionally, this study narrows its scope specifically to ride-hailing applications' food delivery services, thus providing a focused examination of the modus operandi, offender motivation, and victim impact in this unique digital crime context.

The originality of this research lies in its combined application of criminological theories—such as Routine Activity Theory, Rational Choice Theory, and Opportunity Theory—to the study of fictitious food orders in online ride-hailing platforms. While prior works have discussed operational challenges and economic losses, few have delved into the intersection of criminology and victimology in analyzing the phenomenon. By situating this issue within a broader socio-technical and behavioral framework, the study not only fills a theoretical gap but also provides actionable insights for both law enforcement and digital platform operators.

Given the increasing reliance on ride-hailing applications for food delivery, the persistence of fictitious orders poses a growing threat to the trust, efficiency, and sustainability of the digital economy. These fraudulent activities inflict economic harm, waste resources, and damage reputations across multiple stakeholders, from drivers and restaurants to technology companies. The absence of comprehensive criminological analysis limits the development of effective prevention strategies. Therefore, addressing this gap is urgent to safeguard digital

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P-ISSN: 1412 –9736
E-ISSN: 2828-545X

commerce, protect victims, and enhance platform security measures against evolving fraudulent behaviors. This study aims to analyze fictitious food orders in online ride-hailing applications through the lens of criminology and victimology, with a particular focus on understanding offender motivations, the modus operandi employed, and the resulting impacts on victims.

B. LITERATURE REVIEW

Theories of Crime Causation

According to Nur (2015, p. 41), a systematic discussion of the causes of crime is a relatively recent development in criminology, even though it has been extensively examined by previous scholars. The causal factors of crime can be analyzed through several theories as follows:

Biological Theory

This theory posits that an individual's physiological factors and physical structure are innate, and that genetic inheritance can lead to deviant behavior tendencies. The inheritance of abnormal traits can result in sociopathic behavior, such as congenital defects associated with criminal tendencies or mental disorders (Nur, 2015, p. 41). Indicators include:

- Certain biological traits such as asymmetrical facial features, thick lips, flat nose, and others.
- The presence of inherited criminal tendencies from ancestors.
- Behavioral deviations related to physical conditions from birth.

Psychogenesis Theory

This theory states that criminal behavior arises from factors such as intelligence, personality traits, motivation, incorrect attitudes, fantasy, rationalization, distorted self-internalization, inner conflict, unstable emotions, and psychopathological tendencies (Priyanto, 2012). Crime can be a reaction to psychological problems such as broken families or poor upbringing. Indicators include:

- Personality pressure triggering criminal acts.
- Frustration due to poor living conditions.
- The influence of poverty, income inequality, and economic injustice as forms of structural violence.

Sociogenesis Theory

This theory explains that criminal behavior is purely influenced by sociological or socio-psychological factors such as deviant social structures, group pressure, social roles, social status, or misinterpretation of symbols. A poor environment shapes criminal behavior through the process of imitation (Nur, 2015). Indicators include:

- Negative family, economic, social, and cultural environments.
- Unappealing school conditions.
- Associations that are not guided by moral and religious values.

Subcultural Delinquency Theory

According to this theory, criminal behavior is related to specific cultural patterns experienced by offenders in a particular environment. This often occurs in densely populated areas with low socio-economic status, poor physical conditions, and high levels of social disorganization (Nur, 2015). Indicators include:

- Poor physical conditions of the area.
- Low socio-economic status.

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P-ISSN: 1412 –9736
E-ISSN: 2828-545X

- High levels of social disorganization.

Differential Association Theory

This theory asserts that criminal behavior is the result of a learning process through interaction with others, particularly within intimate groups. Susanto (2011) explains nine propositions, including that criminal behavior is learned, techniques and motivations are acquired, and the intensity of association with criminal patterns outweighs non-criminal ones. Indicators include:

- Criminal behavior is learned, not inherited.
- The learning process occurs through interaction and communication.
- The influence of intimate groups is more dominant.
- Knowledge of crime techniques and justifications.
- The intensity, frequency, priority, and duration of interaction with criminal behavior patterns.

C. RESEARCH METHODOLOGY

This study applies a qualitative literature review approach to examine fictitious food orders in online ride-hailing applications from a criminological perspective. The qualitative literature review method is appropriate because it allows a comprehensive synthesis of theoretical frameworks, previous research findings, and legal perspectives relevant to the phenomenon under study (Snyder, 2019). This method is also relevant for identifying conceptual gaps and integrating multidisciplinary viewpoints, particularly from criminology, victimology, and digital crime studies.

Data collection was conducted by reviewing scholarly articles, government regulations, law enforcement reports, corporate policies of ride-hailing platforms, and credible online news sources. Selection of literature was based on relevance to fictitious food orders, online fraud, and criminological theories, with a focus on publications from the last ten years to ensure currency of data (Booth, Sutton, & Papaioannou, 2016). In addition, special attention was given to Indonesian contexts and case examples to align with the study's locus.

The analysis employed thematic analysis to identify recurring patterns, motivations, and prevention strategies discussed in the literature (Braun & Clarke, 2006). This process involved categorizing data into themes such as offender modus operandi, socio-economic factors, technological vulnerabilities, and legal responses. The findings from this analysis are expected to offer a grounded criminological insight into fictitious food order cases, providing a strong basis for developing prevention and mitigation strategies.

D. RESULTS AND DISCUSSION

E-Commerce in the Context of Buying and Selling Transactions

Buying and selling is an agreement of exchanging goods or items of value voluntarily between two parties, where one party delivers the goods and the other party accepts them in accordance with an agreed and legally validated contract (Hendi & Suhendi, 2014). The advancement of internet technology has transformed various aspects of human life, such as education, trade, and others. One of the leading concepts in contemporary business is e-commerce, which refers to electronic commerce. This term refers to trade activities conducted electronically via the internet (Heru Kuswanto, 2011). Likewise, Article 1 paragraph (2) of Law No. 11 of 2008 on Electronic Information and Transactions (UU ITE) defines an Electronic Transaction as a legal act carried out using computers, computer networks, and/or

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P-ISSN: 1412 –9736
E-ISSN: 2828-545X

other electronic media. In its development, e-commerce practices encompass activities such as information sharing, advertising, and transacting.

According to M. Suyanto, in addition to organizational benefits, e-commerce also provides advantages to society, including (M. Suyanto, 2003): (a) allowing people to work from home without having to go out for shopping, which reduces traffic congestion and air pollution; (b) enabling certain goods to be sold at lower prices; and (c) allowing people in third-world countries and rural areas to access products and services that would be difficult to obtain without e-commerce.

E-commerce activities cover a wide range of aspects and can be classified into two types based on their characteristics (Rehatalanit, 2021). The first type is Business to Business (B2B), characterized by: (1) trading partners who are already familiar with each other and have established long-term relationships; (2) repeated and periodic data exchange in a mutually agreed format; (3) one party not having to wait for the other to send data; and (4) the common use of a peer-to-peer model where processing intelligence is distributed to both business actors. The second type is Business to Consumer (B2C), characterized by: (1) openness to the public, where information is widely disseminated; (2) general services accessible to many people; (3) services provided on demand; and (4) the use of a client-server approach in service delivery.

Electronic Contracts

There are two key concepts in electronic sales agreements, namely: (a) sales agreements; and (b) electronic systems (Ekel & Rexsy, 2024). Transactions conducted through electronic media represent a form of arrangement that facilitates online trade, as the parties involved do not need to meet in person to complete the transaction. Both parties engage in legal acts arising from an agreement or contract that is created electronically. According to Article 1(17) of Law Number 19 of 2016 concerning Electronic Information and Transactions, an "electronic contract" is defined as an agreement contained within an electronic document or other electronic media.

An electronic contract can be regarded as an agreement with enforceable legal consequences, whereby if a business actor fails to fulfill their obligations, the consumer is entitled to compensation for losses arising from such negligence. Conversely, if a consumer fails to meet their obligations as stipulated in the electronic contract, the corresponding consequences also apply. Electronic contracts fall under the category of *innominate contracts*, as they are not explicitly regulated in the Indonesian Civil Code. To ensure the validity of any agreement, including electronic contracts, the conditions stipulated in Article 1320 of the Civil Code must be met to provide legal certainty for all parties involved (Putri, Suwena, & Budiana, 2018).

Information technology, particularly the internet, offers significant benefits but also brings negative implications in both civil and criminal law. The internet opens opportunities for various forms of technological abuse. In the context of criminal law, cybercrime has become increasingly complex due to its broad and global scope. Internet-related crimes are generally classified into two categories: those driven by intellectual motives that often cause no tangible loss and are conducted for personal satisfaction, and those driven by political, economic, or criminal motives, which can result in significant harm and even trigger information warfare. Cybercrime transcends territorial boundaries and does not require direct interaction between perpetrator and victim.

The advancement of science and technology inevitably influences the evolution of criminal methods, compelling the law—particularly criminal law and criminology—to adapt accordingly. One emerging crime is the phenomenon of "fictitious orders," which involves

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P-ISSN: 1412 –9736
E-ISSN: 2828-545X

placing fraudulent orders for goods or food. When discussing fictitious orders, the presence of a perpetrator committing the act is evident, making it a relevant subject for criminological analysis.

The Criminological Dimensions of Fictitious Food Orders in Indonesia: Legal Perspectives and Preventive Strategies

Criminological theories play a pivotal role in explaining the causes of crime and guiding the development of effective prevention policies. Such theories help identify underlying factors contributing to criminal behavior, enabling the design of targeted interventions and the formulation of policies grounded in empirical evidence (Siegel, 2018). They also provide a framework for evaluating the effectiveness of law enforcement strategies and crime prevention programs (Lilly, Cullen, & Ball, 2019). In the context of Indonesia, one emerging phenomenon warranting attention is the rise of fictitious food orders through online platforms, which has both social and economic repercussions for victims and service providers.

Fictitious food orders often stem from diverse motives, including personal revenge, malicious pranks, exploitation of system vulnerabilities, psychological gratification, and economic constraints (Yunus, 2021). These actions may involve impersonating others or fabricating customer identities to deceive drivers and merchants. Such conduct is criminalized under Article 35 of Indonesia's Law Number 11 of 2008 on Electronic Information and Transactions (ITE Law), which prohibits the manipulation of electronic information to present it as authentic data (Ministry of Communication and Informatics, 2019). Offenders may face severe penalties, including up to 12 years of imprisonment and fines reaching IDR 12 billion.

A notable case illustrating this crime is the North Jakarta District Court Decision Number 1597/PID.SUS/2019/PN JKT.UTR. In this case, the defendant hacked the Instagram account of an acquaintance to obtain personal data of her friends, subsequently using the information to place multiple fictitious orders via the Gojek platform (Mahkamah Agung, 2019). The orders were deliberately set with cash-on-delivery terms, causing financial losses to the drivers and distress to the victims. The court found the defendant guilty under Article 35 of the ITE Law and sentenced him to two years in prison and a fine of IDR 1 billion, with an additional three months' imprisonment in lieu of payment. This case demonstrates not only the malicious intent but also the technological competence of the perpetrator.

From a criminological standpoint, such offenses can be understood through Differential Association Theory, which posits that criminal behavior is learned through interaction with others in a social context (Sutherland, 1947). The offender's ability to hack accounts, bypass verification systems, and exploit platform weaknesses reflects learned techniques acquired over time. Moreover, the act is indicative of rational choice behavior, where the perpetrator weighs potential gains against perceived risks (Cornish & Clarke, 1986). This underscores the need for both technological safeguards and educational interventions aimed at fostering ethical online conduct.

Preventing fictitious food orders requires a multifaceted approach. Measures could include limiting cash-on-delivery transaction values, implementing stricter identity verification for new accounts, and establishing swift reporting mechanisms for suspected fraudulent activities (Rahardjo, 2020). Additionally, online platforms should collaborate with law enforcement to investigate and prosecute offenders, thereby creating a deterrent effect. Public awareness campaigns highlighting the legal consequences of such acts could further reduce the incidence of this crime. In essence, tackling the problem demands a synergy of criminological insight, legal enforcement, and technological innovation.

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P-ISSN: 1412 –9736
E-ISSN: 2828-545X

E. CONCLUSION

This study concludes that fictitious food orders in online ride-hailing applications are a form of cyber-enabled fraud that combines elements of technological exploitation, social manipulation, and criminological patterns, with motivations ranging from personal revenge and economic gain to psychological gratification. By applying criminological theories such as Differential Association Theory and Rational Choice Theory, the research reveals that these offenses are not random acts but learned behaviors shaped by social context, offender skill, and system vulnerabilities, confirming that the study's objectives—to analyze motives, modus operandi, and victim impacts—were achieved. The originality of this research lies in integrating criminology and victimology within the specific digital commerce ecosystem of Indonesia, offering theoretical and practical insights for preventing similar crimes. Practically, it is recommended that ride-hailing platforms and policymakers implement stricter identity verification, limit cash-on-delivery transactions, enhance fraud reporting mechanisms, and collaborate closely with law enforcement to ensure swift prosecution. For future research, further empirical studies using mixed methods could deepen understanding of offender profiles and evaluate the effectiveness of prevention strategies, while addressing the limitation of this study's reliance on secondary literature. Policy implications include the need for targeted legal frameworks that address emerging forms of digital fraud without stifling the growth and trust in Indonesia's digital economy.

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P-ISSN: 1412 –9736
E-ISSN: 2828-545X

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Publisher: Perkumpulan Ilmuwan Administrasi Negara Indonesia
P-ISSN: 1412 –9736
E-ISSN: 2828-545X