

Between Informality and Digital Platforms: The Position and Legal Protection of Online Motorcycle Taxi Drivers in Indonesia's Urban Economy

Muhammad Azkia Pasya¹, Abdul Mujib², Isna³, Bakri Agus Wijaya,⁴ Salahuddin Asy-Syahid⁵

^{1,2,3,4} Universitas Islam Negeri (UIN) Sunan Kalijaga Yogyakarta, Indonesia

⁵ Al Azhar University, Cairo, Egypt

E-mail: azkiapasya43@gmail.com

Abstract

The development of the digital economy in Indonesia has given rise to new forms of informal employment, one of which is online motorcycle taxi (*ojol*) drivers who operate through digital platforms. Although they play an important role in supporting urban mobility and economic activity, the existing legal structure does not adequately protect these workers. This study aims to analyze the legal position of *ojol* drivers in the urban economic structure and examine how regulations and public discourse affect their legal protections. This study uses a qualitative approach with content analysis methods on legal documents, online media reports, and interviews with members of the online motorcycle taxi (*ojol*) driver community in Indonesia. The results show that the partnership scheme implemented by platform companies places drivers in a legally vulnerable position because they are not recognized as workers and lose access to basic labor rights. This ambiguity in legal status is exacerbated by the absence of responsive regulations at the national and regional levels. Under these conditions, the law tends to function as an instrument for legitimizing the dominance of platform corporations rather than as a means of protection and social justice. This research contributes to strengthening the socio-legal perspective in the study of digital economy law by viewing the law as an arena of power relations and providing an argumentative basis for the formulation of progressive and inclusive regulations to ensure the recognition and protection of the basic rights of online motorcycle taxi (*ojol*) drivers as part of the modern employment structure.

Keywords: *Digital Platforms, Platform Economy, Legal Protection, Online Motorcycle Taxi Drivers, Urban Economy*

Abstrak

Perkembangan ekonomi digital di Indonesia telah melahirkan bentuk-bentuk pekerjaan informal baru, salah satunya adalah pengemudi ojek online (*ojol*) yang beroperasi melalui platform digital. Meskipun mereka memainkan peran penting dalam mendukung mobilitas perkotaan dan aktivitas ekonomi, struktur hukum yang ada tidak cukup melindungi pekerja ini. Studi ini

bertujuan untuk menganalisis posisi hukum pengemudi ojol dalam struktur ekonomi perkotaan dan meneliti bagaimana regulasi dan diskursus publik memengaruhi perlindungan hukum mereka. Studi ini menggunakan pendekatan kualitatif dengan metode analisis konten pada dokumen hukum, laporan media online, dan wawancara dengan anggota komunitas pengemudi ojek online (ojol) di Indonesia. Hasil penelitian menunjukkan bahwa skema kemitraan yang diterapkan oleh perusahaan platform menempatkan pengemudi dalam posisi hukum yang rentan karena mereka tidak diakui sebagai pekerja dan kehilangan akses terhadap hak-hak kerja dasar. Ketidakjelasan status hukum ini diperparah oleh ketidakhadiran regulasi yang responsif di tingkat nasional dan regional. Dalam kondisi ini, hukum cenderung berfungsi sebagai alat untuk melegitimasi dominasi perusahaan platform daripada sebagai sarana perlindungan dan keadilan sosial. Penelitian ini berkontribusi dalam memperkuat perspektif sosiologis-hukum dalam studi hukum ekonomi digital dengan memandang hukum sebagai arena hubungan kekuasaan dan memberikan landasan argumen untuk formulasi regulasi progresif dan inklusif guna memastikan pengakuan dan perlindungan hak-hak dasar pengemudi ojek online (ojol) sebagai bagian dari struktur ketenagakerjaan modern.

Kata kunci: *Platform Digital, Ekonomi Platform, Perlindungan Hukum, Pengemudi Ojek Online, Ekonomi Urban*

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Introduction

The transformation of the global economy over the past two decades has demonstrated a significant shift from conventional employment systems to a digital platform-based economy. Across various countries, the emergence of the gig economy has given rise to new forms of flexible work that are characterized by a high degree of uncertainty, particularly for workers who are not bound by formal employment relationships.¹ International studies indicate that platform workers often occupy vulnerable positions owing to the absence of adequate legal protection, ambiguity of

¹ Shalsabilla Shafira, Ritha F. Dalimunthe, and R. Hamdani Harahap, "Digital Transformation and Working Conditions: A Case Study of Ride-Hailing Drivers in The Gig Economy," *International Conference of Business and Social Sciences*, November 22, 2024, 731, <https://doi.org/10.24034/icobuss.v4i1.557>.

employment status, and dominance of digital companies in determining work conditions and operational mechanisms.²

These global conditions resonate in Indonesia through the rapid expansion of online transportation services such as app-based motorcycle taxis. In major cities such as Yogyakarta, ride-hailing drivers have become an integral part of the urban economic ecosystem. However, this rapid growth has not been accompanied by adequate preparedness of national or local legal frameworks to respond to the evolving nature of employment relations. The imbalance between the economic contributions of ride-hailing drivers and the legal protection they receive renders this issue crucial for in-depth examination, particularly within the framework of law as an instrument of social justice.³

In mid-2025, online motorcycle taxi (*ojol*) drivers staged a massive demonstration in the Malioboro area. The action was carried out by approximately 1,000 drivers from various online transportation applications such as Shopee Food, Grab, Gojek, and Maxim. They demanded an increase in tariffs, a decrease in commissions, and legal protection for *the ojol* drivers. This action also included a 24-hour app blackout in major cities. These events are not just about economic demands but also reflect legal issues and structural inequalities in the relationship between the state, digital platforms, and informal sector workers.⁴ This phenomenon shows that the law is often left behind in responding to the transformation of the digital economy. Despite the development of platforms as dominant economic actors, *ojol* drivers are still positioned as partners without clear legal protection.⁵ Their ambiguous legal status as neither permanent workers nor purely independent business actors leaves them in a socially and economically vulnerable position in the labor market. When the state does not provide fair regulations, the law

² Sundaru Guntur Wibowo and Fredy Susanto, "Legal Protection for Gig Workers in the Digital Economy: A Critical Review of Labor Relations in Indonesia," *The Easta Journal Law and Human Rights* 3, no. 03 (June 2025): 234–35, <https://doi.org/10.58812/eslhr.v3i03.705>.

³ Uci Ningsih, Alpendi Alpendi, and Ambar Sari Dewi, "Kesenjangan Sosial Ekonomi di Indonesia: Penyebab, Dampak, dan Solusi Kebijakan," *Jurnal Sosiologi Agama Indonesia (JSAl)* 5, no. 3 (November 2024): 431, <https://doi.org/10.22373/jsai.v5i3.6037>.

⁴ Haris Firdaus, "Demo Serentak Ojol di Yogyakarta Tuntut Kenaikan Tarif hingga UU Transportasi Online," *Kompas.id*, May 20, 2025, <https://www.kompas.id/artikel/demo-ojol-di-yogyakarta-tuntut-kenaikan-tarif-hingga-uu-transportasi-online>.

⁵ Endro Satoto and Sulhan Sulhan, "Legal Certainty of Online Motorcycle Taxis as Public Transportation in Indonesia," *Rechtsnormen: Journal of Law* 2, no. 4 (December 2024): 385, <https://doi.org/10.70177/rjl.v2i4.1693>.

functions more as a spectator than a protector and indirectly reinforces the unequal working relations between digital apps and driver-partners.⁶

The position of law within this relational framework cannot be separated from the dynamics of power that shape the formulation and implementation of public policy.⁷ From the perspective of critical legal studies, law is never entirely neutral; rather, it is constituted within a field of tension between state authority, economic interests and societal resistance.⁸ When urban policies prioritize a sanitized image of tourism free from disorder, the law functions primarily as an instrument of control rather than accommodation. Within this logic, even digital informal workers, although they constitute a vital part of urban infrastructure, are treated as residual entities to be regulated rather than as legitimate development actors to be included.⁹ The issuance of the Minister of Transportation Circular Letter Number UM.3012/1/21/PBH/2015, which rejects the classification of online motorcycles as road transportation by defining them as private vehicles used to transport people and/or goods for compensation, is contrary to Law No. 22 of 2009 and Government Regulation No. 74 of 2014, cannot be understood solely as a technical issue regarding tariffs and operational systems, but rather as a structural phenomenon reflecting the transformation of labor relations in the digital economy, where ride hailing drivers occupy a gray area between workers and independent contractors without social security or legal protection,¹⁰ thus placing the law at a critical juncture: whether it will side with protecting vulnerable groups or instead reinforce the dominance of digital corporations in the urban economy.¹¹

The development of online motorcycle taxi services in Indonesia has exposed regulatory ambiguities within formal legal instruments, such as Minister of

⁶ Sandi Pradeka Rachmat et al., “Transformasi Hukum Sebagai Pondasi Ekonomi Digital Serta Inovasi Dalam Analisis Regulasi dan Tantangan Implementasi,” *KELOLA: Jurnal Ilmu Sosial* 8, no. 1 (February 2025): 6.

⁷ Amalinda Savirani et al., *Pengantar Kajian Kekuasaan* (UGM PRESS, 2025), 51.

⁸ Jennifer L. Tucker and Manisha Anantharaman, “Informal Work and Sustainable Cities: From Formalization to Reparation,” *One Earth (Cambridge, Mass.)* 3, no. 3 (September 2020): 292, <https://doi.org/10.1016/j.oneear.2020.08.012>.

⁹ Farah Diba Almayanda Alauddin et al., “The Influence of Digital Platforms on Gig Workers: A Systematic Literature Review,” *Heliyon* 11, no. 1 (January 2025): 9–10, <https://doi.org/10.1016/j.heliyon.2024.e41491>.

¹⁰ Satoto and Sulhan, “Legal Certainty of Online Motorcycle Taxis as Public Transportation in Indonesia,” 385.

¹¹ Lokot Muda Harahap et al., “Perkembangan Ekonomi Digital dan Dampaknya Terhadap Ketenagakerjaan di Indonesia,” *EKOMAN: Jurnal Ekonomi, Bisnis dan Manajemen* 3, no. 1 (March 2025): 65.

Transportation Regulation No. 12/2019, and the unclear partnership status between drivers and digital platforms. Previous studies, as examined in the normative legal analyses of Agustine¹² and Zuama¹³, have primarily emphasized transportation policy implications rather than the underlying social dynamics of platform-based labor. Meanwhile, existing socio-legal perspectives remain limited to analyses of disguised employment relationships and reactive forms of advocacy through social media, as discussed in the works of Dewi¹⁴ and Klara¹⁵, without sufficiently exploring how law reproduces structural inequalities affecting marginal urban communities that depend on the digital informal sector. This study addresses this gap through a socio-legal approach that integrates content analysis of legal documents, media discourse, and community communications among ride-hailing drivers in Yogyakarta, revealing the role of law as an instrument that legitimizes corporate dominance over vulnerable groups within the urban economic landscape.

This demonstrates that law, rather than functioning as a transcendent entity, operates within concrete social structures, wherein the dominant narratives of urban order and modernity are sustained through the elimination of elements deemed incompatible.¹⁶ The decision to restrict online motorcycle taxi drivers' access to the Malioboro area, for instance, does not emerge from an ideological vacuum; rather, it is rooted in a value construction that marginalizes small-scale economic actors in favor of tourism interests, investors, and the aesthetics of public space. The researcher argues that it is essential not only to examine legal norms textually but also to scrutinize how law operates as a

¹² Sharleen Agustine, "Analisis Kekosongan Hukum Terhadap Transportasi Berbasis Aplikasi: Studi Kasus Ojek Online," *Media Hukum Indonesia (MHI)* 3, no. 3 (July 2025), <https://doi.org/10.5281/zenodo.16537555>.

¹³ Ayuta Puspa Citra Zuama, Cut Mutia Dinda, and Djalul Pamungkas, "Telaah Regulasi Ojek Online Di Indonesia Dalam Perspektif Filsafat Fenomenologi Hukum: Review of Online Ojek Regulation in Indonesia from the Perspective of Phenomenological Philosophy of Law," *Reformasi Hukum* 25, no. 1 (May 2021): 21–40, <https://doi.org/10.46257/jrh.v25i1.182>.

¹⁴ Ni Kadek Vira Indrani Dewi and Ida Bagus Yoga Raditya, "Identifikasi Hubungan Kerja Terselubung Driver Ojek Online Dengan Perusahaan Aplikasi Penyedia Layanan," *Kertha Semaya : Jurnal Ilmu Hukum* 13, no. 2 (February 2025): 263–72, <https://doi.org/10.24843/KS.2025.v13.i02.p19>.

¹⁵ Klara Larina, Kartika, and Fitriana Selvia, "Advokasi Digital Pekerja Ojol: Peran Media Sosial Dan Respon Hukum," *Al-Zayn : Jurnal Ilmu Sosial & Hukum* 3, no. 5 (November 2025): 7799–806, <https://doi.org/10.61104/alz.v3i5.2435>.

¹⁶ Anton Cahyono, Indra Fredika Kusuma, and Hendro Haryo Kusumo, "Hubungan Hukum Kemitraan antara Driver Online dengan Penyedia Layanan," *Perspektif Hukum*, December 2, 2024, 318–19, <https://doi.org/10.30649/ph.v24i2.311>.

symbolic apparatus that determines who is permitted to inhabit urban spaces and who is excluded from them.¹⁷

Building on this context, this article aims to analyze how the law, in the form of regulation and public discourse, positions online motorcycle taxi (*ojek online*) drivers within the urban socioeconomic structure. This study focuses on the legal representation of the digital informal sector and examines how the position of *ojol* drivers is framed in policy narratives, media discourse, and local regulations. The central question addressed is the extent to which the law provides space for justice and protection for actors in the digital informal economy, as well as how these discourses reflect power relations among the state, platform companies, and working communities. To achieve these objectives, this study employs a socio-legal theoretical framework that conceptualizes law as a social practice embedded in economic, political, and power relations, enabling a critical reading of law not merely as a body of written norms but as a mechanism that both shapes and is shaped by social dynamics within urban economic development.¹⁸

Method

This study employs a qualitative research method with a content analysis approach, enabling a systematic examination of legal documents, online news coverage, press releases, and social media content produced by online motorcycle taxi (*ojol*) driver communities, without direct participant observation. The analysis focuses on the construction of legal and policy discourses and how these narratives shape and influence the social and economic positioning of *ojol* drivers within the urban economic structure. Accordingly, content analysis was used as an analytical lens to uncover the dynamics of power embedded in the relationship between the law, urban development, and the digital economy.

The study is further strengthened by the empirical data derived from in-depth interviews with three online motorcycle taxi drivers affiliated with the Shopee Food platform. The interviews were conducted in the vicinity of Malioboro Street, Yogyakarta, a symbolic and strategic urban space where digital economic activities, urban governance

¹⁷ Muhammed Ali KT and R. Chitra Sivasubramanian Sivasubramanian, “Cogs in the Code: Applying Labor Process Theory in Algorithmic Management of Platform-Mediated Gig Work,” *Multidisciplinary Reviews* 7, no. 10 (June 2024): 2, <https://doi.org/10.31893/multirev.2024225>.

¹⁸ Alfin Dwi Novemyanto and Rismawati Nur, “Rekognisi Status dan Perlindungan Hukum Pekerja GigEconomy: Tinjauan Tuntutan Kolektif Pengemudi Ojek Online di Indonesia,” *JURNAL HUKUM PELITA* 6, no. 1 (May 2025): 220, <https://doi.org/10.37366/jhp.v6i1.5789>.

and informal labor practices intersect. Informants were purposively selected based on their active engagement as drivers, sustained interaction with algorithm-based work systems, and exposure to urban regulatory practices. The interviews explored the drivers' lived experiences regarding partnership status, platform-mediated work arrangements, power relations with platform companies, and their perceptions of the availability and effectiveness of legal protection.

All data were analyzed using a socio-legal approach grounded in the Law and Society perspective, which conceptualizes law not merely as a body of formal rules but as a social practice embedded within structures of power. Data analysis was conducted through thematic coding and critical interpretation of dominant patterns in legal texts, media narratives, and drivers' experiential accounts. This approach allows the study to illuminate how the law operates in practice, either reinforcing or contesting structural inequalities, while underscoring the necessity of developing a legal framework that is responsive to socioeconomic transformations and capable of ensuring equitable protection for informal digital workers.

Results and Discussion

The Structural Vulnerability of Online Motorcycle Taxi Drivers in the Digital Urban Economy

The development of the digital economy in major cities has given rise to a new group of workers who are no longer bound by conventional labor structures in the real economy. One of the most tangible representations of this phenomenon is the online motorcycle taxi (*ojol*) drivers, who are spread across nearly all urban areas in Indonesia, including Yogyakarta, Indonesia. With an application-based work system, *ojol* drivers fall into the category of digital informal sector workers who engage in flexible, demand-driven labor but lack clear legal protections or social security from either the state or the companies with which they are partnered. This position places them in precarious working conditions, although they make a significant contribution to urban mobility and the daily consumption patterns of city residents.¹⁹

¹⁹ Henriko Tobing, "The Gig Economy Dilemma: Exploring Alternatives to Create Decent Work for Online Motorcycle Taxi Drivers in Indonesia," *Jurnal Ketenagakerjaan* 19, no. 2 (August 2024): 171, <https://doi.org/10.47198/jnaker.v19i2.340>.

The working characteristics of online motorcycle taxi drivers are largely shaped by digital platforms that regulate their work rhythms. Irregular working hours, fluctuating incentive schemes, and dependence on application algorithms place them in uncertain conditions.²⁰ Although designated as 'partners,' drivers have no control over service pricing, work regulations, or dispute resolution mechanisms. Their legal status remains ambiguous; they are neither permanent employees protected under labor law nor entirely independent as microentrepreneurs. This ambiguity reinforces their vulnerability to digital exploitation and income insecurity.²¹

“Online transportation platform companies have violated the 2022 Minister of Transportation Decree by imposing commission deductions exceeding the maximum threshold of 20%, while drivers’ aspirations have been disregarded through programs such as “*Hemat*” and “*Prioritas*,” which erode net earnings amid rising operational costs, thereby triggering demonstrations demanding lower commission rates and the abolition of harmful platform policies.”²²

The contribution of online motorcycle taxi drivers to the urban economy cannot be ignored. They play a crucial role in providing transportation services, food delivery, and remote services that sustain the daily economic activities of urban society. Even in times of crisis, such as during the pandemic, the *ojol* sector proved to be the backbone of daily logistics and the domestic digital economy. In Yogyakarta, their role has become increasingly strategic in supporting tourism, facilitating tourist mobility, and sustaining small and medium enterprises (*UMKM*). However, ironically, such contributions are not accompanied by commensurate legal protections. The state has been slow to respond to these shifts in economic structures and has yet to produce regulations that are fair and accommodating for digital informal workers.²³

As a result of their weak legal standing, many online motorcycle taxi drivers are entirely dependent on the systems determined by the platform companies. The absence of minimum income guarantees, work insurance, or advocacy avenues places drivers under

²⁰ Maudy Stevania and Siti Hajati Hoesin, “Analisis Kepastian Hukum Jaminan Sosial Ketenagakerjaan Bagi Gig Worker Pada Era Gig Economy Di Indonesia,” *Jurnal Ilmiah Penegakan Hukum* 11, no. 2 (December 2024): 270–71, <https://doi.org/10.31289/jiph.v11i2.11968>.

²¹ Williams Oey, “Misklasifikasi Hubungan Kerja Pengemudi Ojek Online (Platform Worker) di Indonesia,” *Veritas et Justitia* 10, no. 1 (June 2024): 154–55, <https://doi.org/10.25123/vej.v10i1.7722>.

²² Interview with an online driver who is also a student at Yogyakarta University, November 23, 2025.

²³ Oey, “Misklasifikasi Hubungan Kerja Pengemudi Ojek Online (Platform Worker) di Indonesia,” 175.

intense economic and social pressure.²⁴ When local or national regulations fail to recognize them as part of the formal economic structure, they face significant barriers in accessing public policies, including incentives and assistance programs. This dependence on technology without adequate legal protection generates a form of hidden labor exploitation while simultaneously widening social inequalities within urban communities.²⁵

“At that time, we carried out a mass strike because the platform companies severely disadvantaged us. The commission cuts had become excessive, reaching 20–30 %, even though the maximum limit is supposed to be 20 %. This was compounded by so-called economy promotions and double or even triple order schemes, which increased the number of incoming orders but left us with almost no net income after fuel and motorcycle maintenance costs were deducted. We protested in front of Malioboro, demanding that the commission be reduced to 10 % and that policies harmful to drivers be abolished. However, the government has remained silent and failed to firmly enforce these regulations. In fact, we are the backbone of urban transportation, supporting the daily economy of the city’s residents. That is why hundreds of drivers went on strike together, demanding justice so that we can once again achieve a decent standard of living.”²⁶

Thus, online motorcycle taxi drivers not only represent the emergence of a new working class within the digital economy but also reflect the legal dilemmas in responding to rapid socioeconomic transformations. As part of the digital informal sector, their position demands serious attention in the formulation of legal policies that are inclusive, adaptive, and oriented toward social justice for all. Without adequate legal recognition and protection, the digital informal sector, such as *ojol*, will continue to operate under the shadow of uncertainty, even as it significantly sustains the wheels of the urban economy.²⁷

The regulatory framework for online motorcycle taxi drivers should move toward the formal recognition of their position within the structure of modern employment. Regulation cannot remain confined to the technical aspects of traffic management; it must also guarantee fundamental rights, such as income security, social protection, and access

²⁴ “Taming the Algorithm: The Platform Realism of GrabBike Delivery Workers,” *New Media & Society*, SAGE Publications, July 26, 2024, 2, <https://doi.org/10.1177/14614448241262417>.

²⁵ Yulia Catur Lestari, Rihantoro Bayuaji, and Wawan Setiabudi, “Perlindungan Hukum Driver Ojek Online Terhadap Mitra Kerja Transportasi Online,” *Jurnal Ilmu Hukum Wijaya Putra* 1, no. 2 (August 2023): 253–54, <https://doi.org/10.38156/jihwp.v1i2.148>.

²⁶ Interview with an online driver who is also a student at Yogyakarta University, interview, November 23, 2025.

²⁷ Oey, “Misklasifikasi Hubungan Kerja Pengemudi Ojek Online (Platform Worker) di Indonesia,” 172–73.

to public assistance programs. Equally important, the policymaking process should create substantive space for drivers' participation as primary actors, ensuring that the resulting regulations reflect not only the interests of the state and platforms but also the lived experiences of digital workers.²⁸ Simultaneously, a more just and balanced public narrative must be continuously promoted by academics, the media, and civil society so that drivers' voices are no longer marginalized. Through these measures, the law can function not merely as an instrument of order but as a medium of social justice that is adaptive to the dynamics of the digital economy.²⁹

Legal Representation and Policies for Online Drivers (*Ojol*)

The legal status of online motorcycle taxi drivers (*ojol*) remains ambiguous. The partnership system used by transportation app companies has eliminated the guarantees that formal workers typically receive, ranging from protection against termination of employment to basic social security benefits.³⁰ They work regularly, are bound by the app system, and are subject to an opaque rating scheme, but do not receive the same legal treatment as workers. When employment relationships are disguised as partnership agreements, the law loses its foundation for protection and contributes to the perpetuation of structural inequality.³¹

Regional regulations have not provided much guidance on protection. In Yogyakarta, there are no local policies that specifically recognize *ojol* drivers as part of the city's economic ecosystem that needs to be actively involved in the policy-making process.³² They are more often mentioned in regulations as parties who need to be regulated to maintain traffic flow or preserve the image of tourist areas such as Malioboro.

²⁸ Heshan Sameera Kankanam Pathiranage, "Precarious Employment in the Gig Economy: Understanding the Roles of Employed Poor," *Open Journal of Business and Management* 12, no. 4 (July 2024): 2299, <https://doi.org/10.4236/ojbm.2024.124117>.

²⁹ Thomas Carlo Christiyono, Mohamad Tohari, and Wieke Dewi Suryandari, "Reorientation of Regulation to Accommodate the Status of Online Driver Workers," *Indonesian Journal of Multidisciplinary Science* 4, no. 2 (November 2024): 90, <https://doi.org/10.55324/ijoms.v4i2.1030>.

³⁰ Indra and Sefti Afi Nawangsari, "Legal Protection for Gig Economy Workers from the Perspective of Labor Law in Indonesia," *Hakim: Jurnal Ilmu Hukum dan Sosial* 3, no. 1 (February 2025): 939, <https://doi.org/10.51903/hakim.v3i1.2289>.

³¹ Celine Catleya Cheysa, "Analisis Perlindungan Hukum Bagi Pengemudi Ojek Online Pasca Berlakunya Undang-Undang Cipta Kerja," *Proceedings Series on Social Sciences & Humanities* 17 (July 2024): 182–83, <https://doi.org/10.30595/pssh.v17i.1120>.

³² Budi Santoso, Ratih Dheviana Puru Hitaningtyas, and Sugeng Santoso Pudyo Nugroho, "Karakteristik Hubungan Hukum Antara Pengemudi Ojek Online dan Perusahaan Aplikasi," *Masalah-Masalah Hukum* 52, no. 2 (July 2023): 179, <https://doi.org/10.14710/mmh.52.2.2023.174-186>.

This emphasis on order has resulted in a lack of efforts to strengthen the bargaining position of drivers vis-à-vis platform power and the state.³³

The narratives that appear in the public sphere reinforce this tendency. Mainstream media, including online news outlets, tend to feature the perspectives of the government or authorities when discussing *OJOL* issues. Terms such as “traffic congestion,” “narrowing of tourist spaces,” and “visitor unrest” dominate the discourse, while drivers' voices regarding inadequate fares, commission cuts, and digital workloads are barely heard.³⁴ In such a situation, the law is not merely about texts or rules but also about how it is discussed, articulated, and used as a tool to frame specific social interests.³⁵

The lack of representation has triggered various forms of resistance, such as mass demonstrations staged by thousands of drivers in mid-2025. Their demands were not limited to economic issues but also sought to open space for a more just and equitable legal interpretation of the law.³⁶ These actions reflect a collective aspiration to be recognized not merely as application users but as legal subjects with legitimate interests worthy of protection. When written laws fail to provide such recognition, collective action becomes an alternative pathway to fill the void of legal protection.³⁷

The regulatory framework governing online motorcycle taxi services in Indonesia remains fragmented and predominantly focuses on the technical aspects of transportation rather than labor protection. Minister of Transportation Regulation No. 12 of 2019 on the Safety Protection of Motorcycle Users for Public Purposes, for instance, primarily regulates issues of safety, fares, and partnership arrangements, without explicitly

³³ Elfrida Ratnawati, “Perlindungan Hukum Terhadap Pengemudi Ojek On Line Akibat Kecelakaan Dalam Mengoperasikan Kendaraannya,” *Hukum Pidana dan Pembangunan Hukum* 2, no. 1 (October 2019): 85, <https://doi.org/10.25105/hpph.v2i1.8533>.

³⁴ Ahmad Agung Febrianto, Habib Muhsin Syafingi, and Suharso Suharso, “Efektivitas Peraturan Menteri Perhubungan Nomor 12 Tahun 2019 tentang Keselamatan Pengguna Sepeda Motor yang Digunakan untuk Kepentingan Masyarakat dalam Mewujudkan Keselamatan dan Keamanan di Magelang,” *Borobudur Law and Society Journal* 2, no. 1 (January 2023): 7–8, <https://doi.org/10.31603/9940>.

³⁵ Eman Sulaiman, “Hukum Dan Kepentingan Masyarakat,” Articles, *DIKTUM: Jurnal Syariah Dan Hukum* 11, no. 1 (January 2013): 101, <https://doi.org/10.35905/diktum.v11i1.98>.

³⁶ Olivia Rianjani, “Ribuan Ojol Demo Nasional Tuntut Kenaikan Tarif dan Regulasi Jelas,” *kabarnusa.com*, May 20, 2025, <https://kabarnusa.com/ribuan-ojol-demo-nasional-tuntut-kenaikan-tarif-dan-regulasi-jelas/>.

³⁷ Eman Sulaiman, “Hukum Dan Kepentingan Masyarakat,” 107.

recognizing ride-hailing drivers as subjects of labor laws.³⁸ Similarly, various Minister of Transportation decrees that set fare ceilings for online transportation services are oriented toward market stability and consumer interests rather than safeguarding drivers' social and economic rights. Meanwhile, Law No. 11 of 2020 on Job Creation and its implementing regulations do not specifically address platform-based digital workers, leaving ride-hailing drivers in an ambiguous employment relationship. This regulatory fragmentation indicates that while the state is normatively present, it has not yet established a comprehensive legal framework capable of integrating ride-hailing drivers into an equitable system of legal protection.³⁹

This demonstrates that online motorcycle taxi drivers have long been an integral part of the urban socioeconomic system, yet their presence has not been accompanied by adequate legal support. When the law functions merely as a technical instrument for regulating traffic or public order, it loses its fundamental role as a guarantor of social justice.⁴⁰ If the state aspires to build policies that are not only functional but also ethical, *ojol* drivers and other digital informal groups must be recognized as part of a living and justice-oriented legal discourse.⁴¹

The researcher observes the need to reformulate the regulatory framework for online motorcycle taxi drivers in a more progressive direction, one that does not merely emphasize the orderliness of public spaces but also guarantees their fundamental rights as part of the modern labor structure. The policymaking process in digital transportation should provide substantive opportunities for driver participation to ensure that the resulting regulations are neither one-sided nor unrepresentative. Simultaneously, academics, media, and civil society play a crucial role in shifting the public narrative away from negative stigmatization toward highlighting substantive issues such as fare rates, commission deductions, digital workloads, and the need for social security. Equally important, the law must be positioned not only as a technical tool for traffic management

³⁸ Sachril Akbar, Elok Hikmawati, and Nurhayani Nurhayani, "Status Hubungan Hukum Ojek Daring Dengan Perusahaan Jasa Transportasi Di Era Gig Economy Ditinjau Dari Permenhub Nomor 12 Tahun 2019," *Lex Jurnalica* 22, no. 2 (August 2025): 133–34, <https://doi.org/10.47007/lj.v22i2.9500>.

³⁹ Ratna Indayatun, "Legal Protection of Online-Based Transportation Workers in the Era of Digitalization," *Journal of Law, Politic and Humanities* 5, no. 4 (April 2025): 2959, <https://doi.org/10.38035/jlph.v5i4.1664>.

⁴⁰ Umar Sholahudin, *Hukum dan Keadilan Masyarakat (Analisis Sosiologi Hukum terhadap Kasus Hukum Masyarakat Miskin "Asyani" di Kabupaten Situbondo)*, 9, no. 1 (2016): 42.

⁴¹ Indra and Nawangsari, "Legal Protection for Gig Economy Workers from the Perspective of Labor Law in Indonesia," 939.

but also as an instrument to address structural inequality in line with the constitutional principle of social justice. Through such measures, the legal representation of online drivers can be steered toward a framework that is fairer, more participatory, and capable of strengthening the social legitimacy of the law.⁴²

Power Imbalances and Legal Awareness in the Digital Economy

The relationship between online motorcycle taxi drivers and platform companies is far from being equal. Although they are formally labeled as 'partners,' drivers have little say over fares, reasonable working hours, or commission cuts that are often imposed unilaterally.⁴³ These platforms dictate the pace of work through opaque algorithms and shifting incentive systems. Under such conditions, the power dynamic is not only unbalanced but is almost entirely one-sided. Platform companies operate as *de facto* employers without carrying the formal legal obligations of an employer. This imbalance is further reinforced by the lack of meaningful interventions by the state.⁴⁴

The state formally appears as a regulator, but its presence often takes a highly formalistic form. Rather than protecting drivers as digital informal workers, most policies function primarily as traffic management measures or tools to maintain spatial order.⁴⁵ No labor regulation explicitly addresses their needs, much less guarantees the basic rights that should be inherent to them. When the state prioritizes the comfort of tourist areas over creating fair legal certainty, online motorcycle taxi drivers are pushed even further from legal protection. At this stage, the law no longer operates as a counterbalance to power but instead becomes an instrument that consolidates corporate dominance over workers.⁴⁶

Power asymmetries in legal awareness among ride-hailing drivers are crucial in shaping their bargaining position within the digital economy. A growing body of research

⁴² Alwan Setiawan, "Reforming Gig Economy in Indonesia: A Sustainable Model to Support 8% Economic Growth," *SMEs and Sustainability Journal* 1, no. 1 (n.d.): 3–4.

⁴³ Hanifah Sartika Putri and Amalia Diamantina, "Perlindungan Hukum Terhadap Keselamatan dan Keamanan Pengemudi Ojek Online Untuk Kepentingan Masyarakat," *Jurnal Pembangunan Hukum Indonesia* 1, no. 3 (September 2019): 396–97, <https://doi.org/10.14710/jphi.v1i3.392-403>.

⁴⁴ Encik Lukmanul Hakim, "The Urgency of Wage Regulation for Gig Economy Workers in Indonesia," *Rechtenstudent* 6, no. 1 (June 2025): 4, <https://doi.org/10.35719/rch.v6i1.284>.

⁴⁵ Treviliana Eka Putri, Paska Darmawan, and Richard Heeks, "What Is Fair? The Experience of Indonesian Gig Workers," *Digital Geography and Society* 5 (December 2023): 3, <https://doi.org/10.1016/j.diggeo.2023.100072>.

⁴⁶ Abdullah Abdullah, "Reformasi Hukum dalam Cengkeraman Oligarki: Menelusuri Kesenjangan Legitimasi Konstitusional dan Kepentingan Elite," *JURNAL PENELITIAN SERAMBI HUKUM* 18, no. 01 (July 2025): 86, <https://doi.org/10.59582/sh.v18i01.1353>.

indicates that digital platform workers tend to have limited legal awareness, particularly regarding employment status, normative rights, and available mechanisms of legal protection.⁴⁷ International studies on gig workers emphasize that platform dominance operates not only in economic and technological terms but also symbolically through partnership narratives that frame workers as independent entrepreneurs, thereby normalizing the absence of labor protection.⁴⁸ Similar findings have emerged in national studies, which reveal that online motorcycle taxi drivers generally understand the law primarily as the operational rules of applications and internal corporate policies, rather than as an instrument for the protection of rights. This reinforces power imbalances, as low levels of legal awareness constrain drivers' ability to articulate experienced injustices in the language of law and public policy. Accordingly, legal awareness should not be understood merely as normative knowledge but as an integral component of power relations that shape compliance, acceptance, and survival strategies among ride-hailing drivers within the urban digital economic structure.⁴⁹

However, this absence of protection does not lead to resignation. Ojol drivers have formed strong communities in many cities, including Yogyakarta. They connect through digital groups, discussion forums, and alliances across different platforms. When mass demonstrations were held in mid-2025, their demands extended beyond fare and commission cuts to include calls for fairer legal recognition of their role as urban economic actors. This movement reflects the rise of grassroots legal consciousness, which does not take the form of formal lawsuits but instead emerges through collective action and the articulation of shared interests.⁵⁰

The 24-hour shutdown of applications across several cities represents a form of resistance that is unique to the digital era. It is not merely a work strike but rather a

⁴⁷ Kamila Fakhriyah Aris, Mahendra Wardhana, and Ibtisam Mumtaz Khairunnisa, "Legal Awareness of Online Motorcycle Taxi Drivers 'Gojek' Related to Their Participation in the Workplace Accident Insurance and Death Insurance Program in Surabaya City," *NOVUM: JURNAL HUKUM* 11, no. 03 (September 2024): 409, <https://doi.org/10.2674/novum.v0i0.63209>.

⁴⁸ Alfin Dwi Novemyanto and Rismawati Nur, "Rekognisi Status dan Perlindungan Hukum Pekerja GigEconomy: Tinjauan Tuntutan Kolektif Pengemudi Ojek Online di Indonesia," 214.

⁴⁹ Gemilang Adi Perdana and Agus Satory, "Analisis Yuridis Kedudukan Pengemudi Ojek Dan Kurir Online: Antara Mitra Atau Pekerja Harian Lepas," *Jurnal Pendidikan Indonesia* 6, no. 5 (June 2025): 2672–73, <https://doi.org/10.59141/japendi.v6i5.7843>.

⁵⁰ Kompas Cyber Media, "Tuntutan Ojol Jogja 20 Mei 2025, Salah Satunya Tarif Tak Naik 3 Tahun," *KOMPAS.com*, May 19, 2025, <https://yogyakarta.kompas.com/read/2025/05/20/062212578/tuntutan-ojol-jogja-20-mei-2025-salah-satunya-tarif-tak-naik-3-tahun>.

negotiation of power within the logic of the platform economy. When the law fails to provide space, the *ojol* communities create their own mechanisms. They build solidarity, set boundaries of resistance, and force their presence into policy arenas that were previously inaccessible. This legal consciousness, born out of conditions of marginalization, does not depend on formal legal literacy but grows from lived experiences of pressure and invisible exploitation in daily work.⁵¹

The legal awareness of ride-hailing drivers does not develop in a vacuum but is shaped by their everyday experiences of interacting with platform systems and the substantive absence of the state.⁵² In practice, the law is more often perceived as a source of risk, such as inspections, enforcement actions, or administrative sanctions, rather than as a means of protecting rights. This situation fosters a pragmatic and defensive form of legal consciousness, in which compliance with application rules and internal corporate policies is prioritized over understanding workers' legal rights. Consistent with socio-legal findings, this condition indicates that low levels of legal awareness are not merely the result of limited information but rather the product of a legal structure that fails to provide digital informal workers with meaningful access to law as an instrument of justice.⁵³ Accordingly, the legal awareness of ride-hailing drivers reflects asymmetrical power relations in which the law is symbolically present but substantively absent as a protective mechanism, thereby reinforcing the normalization of uncertainty and vulnerability within the urban digital economy.

What takes place on city streets is not merely a protest but a declaration that digital economic relations can no longer be justified solely in the name of efficiency and flexibility. When inequality is left unaddressed by law, the law itself loses its function as a guardian of justice. The collective movement of *ojol* drivers repositions them from being objects of regulation to subjects of legal struggles. Amid systemic deadlock, they demonstrate that law does not belong only to those who draft the rules but also to those

⁵¹ Ningsih, "Aksi Serentak Ojol Hari Ini, 500 Ribu Pengemudi Matikan Aplikasi," *ekonomi*, accessed June 10, 2025, <https://www.cnnindonesia.com/ekonomi/20250520085848-92-1230980/aksi-serentak-ojol-hari-ini-500-ribu-pengemudi-matikan-aplikasi>.

⁵² Priska Evelyn, Hesti Armiwulan, and Utiyafina Mardhati Hazhin, "Kedudukan Ojek Online Dalam Perspektif Hukum Pengangkutan Di Indonesia," *Sapientia et Virtus* 10, no. 1 (March 2025): 531, <https://doi.org/10.37477/sev.v8i1>.

⁵³ Aris Suliyono, *Perlindungan Hukum Terhadap Tenaga Kerja Informal Di Era Digital: Perspektif Hukum Ketenagakerjaan Dan Hukum Administrasi Negara*, 14, no. 1 (October 2025): 12.

who choose to challenge it through solidarity, awareness, and the courage to demand equal space.

Conclusion

This study concludes that, in the context of Indonesia's digital platform economy, the law has not yet functioned as an effective instrument of social justice for online motorcycle taxi drivers. Instead of providing legal certainty and protection, existing regulations and public policies tend to position *ojol* drivers within an ambiguous legal status that reinforces their vulnerability in the urban socioeconomic structure. The findings demonstrate that regulatory frameworks are fragmented, sectoral, and predominantly oriented toward technical governance and spatial order while neglecting the substantive realities of platform-based labor. Consequently, the law operates more as a mechanism that accommodates the interests of platform corporations and urban order than as a safeguard for marginalized digital informal workers.

Furthermore, the study reveals that these structural legal limitations are closely intertwined with unequal power relations and low legal awareness among *ojol* drivers. Drivers' legal consciousness is shaped not by access to rights-based legal protection but by everyday experiences of algorithmic control, unilateral platform policies, and the limited presence of the state as a protector. In this context, legal awareness emerges in pragmatic and defensive forms, oriented toward compliance and survival rather than the assertion of rights. However, the research also finds that collective actions, such as mass demonstrations and coordinated application shutdowns, reflect the development of a grassroots legal consciousness that challenges the symbolic dominance of law and reclaims space for drivers as legal subjects within the digital economy.

Based on these findings, this study suggests a fundamental reorientation of legal and policy approaches to platform-based work in Indonesia. Future regulatory frameworks should move beyond technical transport governance and explicitly recognize online motorcycle taxi drivers as integral actors within the contemporary labor structure, entitled to social protection, fair income standards, and participatory policymaking processes. In addition, efforts to strengthen legal awareness must be accompanied by structural legal reforms that allow workers to experience the law as an accessible and protective institution. Further research is encouraged to expand empirical engagement

with platform workers in different urban contexts and explore comparative regulatory models that integrate social justice principles into the governance of the digital economy.

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