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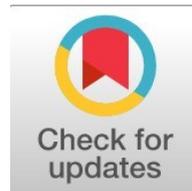
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Business Transportation Policy in Indonesia within the Framework of Social Justice in the Digital Era

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Abstract

General Background: The rapid expansion of online transportation in Indonesia has transformed the transportation business landscape in the digital era, creating regulatory coexistence between conventional and application-based services. **Specific Background:** Despite the issuance of Ministerial Regulations governing non-route passenger transport and special rental transport, disparities persist between conventional transportation and online transportation regarding licensing, vehicle standardization, company status, and driver employment relationships. **Knowledge Gap:** Previous legal studies have discussed consumer protection, driver responsibility, and policy dynamics, yet none have examined Indonesian transportation business policy comprehensively through the framework of John Rawls' theory of justice, particularly concerning distributive justice and legal equality between online and conventional sectors. **Aims:** This study analyzes Indonesian transportation policy within a justice-based framework by comparing regulatory structures for conventional and online transport and evaluating them using Rawls' principles of justice as fairness. **Results:** The findings reveal structural legal inequality, including differences in driving licence requirements, unequal regulatory burdens, and the classification of application companies as technology firms rather than transportation companies, resulting in limited legal protection for online drivers. Comparative analysis with Singapore and Malaysia demonstrates more balanced regulatory models. **Novelty:** This research offers a normative juridical evaluation of transportation regulation grounded explicitly in Rawlsian justice theory, linking licensing disparity and company status to principles of equal basic liberties and the difference principle. **Implications:** Policy reconstruction through the forthcoming Online Transportation Bill is necessary to harmonize licensing, clarify corporate legal status, and secure equitable legal protection for drivers within Indonesia's rule of law framework.

Highlights:

- ♦ Regulatory asymmetry exists between conventional operators and application-based services in licensing and operational standards.
- ♦ Technology-company classification limits corporate obligations toward drivers within the gig-based partnership model.
- ♦ Comparative ASEAN frameworks demonstrate more balanced governance structures for point-

to-point transport services.

Keywords: Justice as Fairness, Online Transportation, Legal Equality.

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Introduction

Online transportation services are a new mode of transport in Indonesia that operate through smartphone-based applications. [1] At the time Law No. 22 of 2009 concerning Road Traffic and Transportation (UU LLAJ) was enacted, the model of transportation that combined technology with passenger transport services (online transportation) did not yet exist in Indonesia. Consequently, a legal vacuum emerged when online transportation services began operating in the country. The absence of specific provisions in the UU LLAJ regarding online transportation has posed a challenge for the government to develop regulations that ensure justice in Indonesia's transportation sector, particularly in providing fairness to all stakeholders, online and conventional drivers, transport companies, and other interested parties. [2]

Online transportation first appeared in Indonesia in 2010, initiated by Go-Jek, which introduced a motorcycle-based transport service operating through a call centre that connected passengers with drivers. In 2015, Go-Jek launched a smartphone application that allowed passengers to book rides directly via their phones, with drivers automatically dispatched to the passenger's location. The application also automatically calculated fares, removing the need for price negotiations as typically occurred in conventional transport.[3] On 19 April 2016, Go-Jek officially updated its application by introducing the Go-Car feature. [4] Before Go-Car's emergence, UBER had already entered Indonesia in 2014 with its UBER Taxi service, . [5] followed later by GRAB with GRAB Car. [6]

The rapid advancement of technology has accelerated the development of online transportation in society. Service providers such as Go-Jek, UBER, and GRAB (with UBER now acquired by GRAB), among others, have created new employment opportunities through a partnership system. Under this system, Go-Jek and GRAB act as technology start-ups providing digital platforms that connect drivers (partners) with passengers. In other words, Go-Jek and GRAB are classified as technology companies, not transportation companies. Online transportation has been viewed as a solution for the Indonesian government to address the rising unemployment rate, although it has also, to some extent, displaced workers from the conventional transport sector. According to data from the Faculty of Economics and Business, University of Indonesia, online transportation has contributed to reducing the unemployment rate in Indonesia.[7] According to the statement made by the Head of Statistics Indonesia (BPS), Amalia Adininggar Widyasanti, as of February 2025, there were 86.56 million people working in the informal sector in Indonesia. This informal sector includes, among others, online drivers, who represent a significant portion of the country's informal workforce. [8]

Given its significant role in alleviating unemployment and contributing to the national economy, clear regulation of online transportation within Indonesia's positive legal framework is essential to ensure its legal legitimacy. Moreover, online transportation has become an integral part of society in this digital era. Therefore, instead of prohibiting its existence, the government should provide a legal umbrella that both legitimises and harmonises the relationship between online and conventional transportation, preventing conflicts between the two.

Such regulation must prioritise the principle of justice, ensuring that both online and conventional transportation operators enjoy equal rights and obligations.

To provide a legal framework for this new mode of transport, the Indonesian Ministry of Transportation has issued several regulations, including Ministerial Regulation No. 23 of 2018 concerning Licensing Services for Online Transportation. Other relevant regulations include Ministerial Regulation No. 32 of 2016 [9], No. 26 of 2017 [10], and No. 108 of 2017 [11]. Specifically, online transportation is governed under Ministerial Regulation No. 118 concerning Special Rental Transport [12], later amended by Ministerial Regulation No. 17 of 2019 [13]. However, as of now, there is still no specific law (Act) that regulates online transportation comprehensively. The proposed Online Transportation Bill (RUU Transportasi Online) is only scheduled to be included in the 2026 National Legislation Programme (Prolegnas).[14]

Despite the issuance of these regulations, problems persist. The existing ministerial regulations mainly acknowledge the state's recognition of online transportation but fail to comprehensively regulate the legal status and licensing of start-up companies such as Go-Jek and GRAB, which are technology-based service providers rather than transportation companies. Online and conventional transportation providers are subject to legal disparities as a result of this regulatory gap.[3] This condition gives rise to legal injustice between online transportation actors and conventional transportation actors, as the licensing procedures for conventional transportation are considered to be more stringent than those imposed on start-up companies. Additionally, as a nation that has ratified the International Labour Organization's (ILO) agreements, Indonesia is obligated to respect fundamental labor rights and offer equal legal protection to all of its inhabitants who work. Since this position is incompatible with ILO principles, the existence of online motorcycle taxi drivers whose status is that of partners rather than employees presents a unique challenge for the State.

Based on the author's explanation above, the author sought to identify previous studies relevant to this research, Focused research on Indonesian business transportation policy within the framework of social justice in the digital age, using the journal search engine Lens.org. The author found 4,056 (four thousand and fifty six) items by searching for "online transportation." 3,460 articles were found after a filter was applied for publications within the last five years. The number was then lowered to 954 articles by filtering publications published in Indonesian journals. A second filter that only looked at legal journals produced 28 items. No publications addressing the topic of justice in connection to online transportation policy were discovered when the author typed the keyword. This shows that there hasn't been any research done on the subject this study looks into. Based on the above search results, of the 28 articles identified, previous studies related to online transportation conducted by tejomurti [10], Wicaksono [11], Setiawan [12], Putri [13] only discuss legal protection for users of online transportation in general, without comparing it to the protection afforded to users of conventional

transportation. Subsequent studies by Fillaili [14], Limbong [15] focus solely on the responsibility of application based service providers towards their partners or online drivers. Finally, studies conducted by Widiatmoko [16], Nainggolan [17] examine only the dynamics of online transportation policy. None of these previous studies address the issue raised by the author, namely Business Transportation Policy in Indonesia within the Framework of Social Justice in the Digital Era [18], which focuses on substantive and distributive justice in regulating both online and conventional non route transportation services, as well as the legal position of online drivers from the perspective of John Rawls [19], [20].

As explained in the preceding paragraphs, this study specifically focuses on the regulation of policy governing four-wheeled passenger transportation services, comparing conventional transportation with online transportation services such as Go-Car and Grab-Car (special transportation) operating outside fixed routes, as reviewed through the concept of justice according to John Rawls [21]. This research offers novelty by proposing a normative analysis of transportation policy through the framework of justice as fairness, not only to identify regulatory disparities but also to evaluate the extent to which such policies fulfil the principles of equal basic liberties and the difference principle within the Indonesian rule of law system [22].

The objective of this study is to examine government transportation policies within a justice based framework concerning both online and conventional transportation businesses from the perspective of John Rawls' theory of justice. By analysing online and conventional transportation policies through the lens of social justice as articulated by John Rawls, this study is expected to contribute to the development of fairer policy regulations for affected stakeholders, particularly by offering solutions to issues related to disparities in licensing policies and the legal uncertainty surrounding the status of online drivers in the digital era. The benefits of this research include enriching academic discourse and providing reference material for policymakers in formulating legal regulations, particularly in relation to transportation policies that are fair to all parties.

Method

The method employed in this study is the normative juridical method, using a statute approach, conceptual approach, and comparative approach. [23] There are multiple phases to the research process. First, the author compiles pertinent laws and rules that govern both conventional and online transportation in Indonesia, such as Law No. 22 of 2009, Minister of Transportation Regulation No. 117 of 2018, and Minister of Transportation Regulation No. 118 of 2018, along with any updates that have been made since then. The author then collects information about internet and conventional transportation from national news sources and legal scholars' perspectives on justice principles. In order to investigate the legal policies developed by the government regarding online and conventional transportation in Indonesia, the author uses the statute approach to perform a deductive analysis of the current legal laws in relation to the concerns highlighted. The author then uses the conceptual method to link the current policies to factual realities and normatively relate them to the concept of justice based on John Rawls' theory of justice [24]. Lastly, the author compares Indonesia's internet transportation laws with those of other nations. It is anticipated that this study will generate findings and conclusions about the topics being discussed by critically analyzing statutory regulations, especially those governing both online and conventional transportation, using legal scholars' theories of justice and connecting them to the facts as they stand.

Results and Discussion

A. Result

Referring to the fifth principle of Pancasila, namely "*social justice for all the people of Indonesia*," as stated in the Preamble to the 1945 Constitution of the Republic of Indonesia (UUD 1945), [18] justice essentially represents the nation's inner sense of fairness its *volksgeist* which serves as the source of law. [25] A legal system that draws from the spirit of the nation will bring benefits to the nation itself, including in the regulation of transportation in Indonesia. Therefore, the formulation of laws must be grounded in a sense of justice and the common interests of all parties, ensuring that the resulting policies embody fairness for the Indonesian people. As stated in Minister of Transportation Regulation (Permenhub) No. 117 about passenger transport and particularly in Permenhub No. 118 concerning special rental (online) transport, this principle should also serve as the foundation for the regulation of passenger transport.

Articles 5 through 11 of Permenhub No. 117 of 2018 concerning the Organization of Non-Route Passenger Transport, as revised by Permenhub No. 16 of 2019 concerning the Organization of Non-Route Passenger Transport, [26] govern licensing for conventional transport, encompassing standardization, licensing procedures, and the submission of taxi service regulations. Furthermore, the rule offers comprehensive provisions about services, standards, licensing procedures, and operational permit requirements for general rental transport with designated destinations. On the other hand, Permenhub No. 118 of 2018 (modified by Permenhub No. 16 of 2019), which governs internet transportation, lacks specific regulation in these sectors.

For instance, special rental transportation (online transportation) is exempt from the requirement to display vehicle equipment standards such identification labels. Additionally, internet and conventional transport drivers have different requirements for their driving licenses (SIM). Online transport drivers simply need to have an ordinary Class A licence (SIM A), whereas conventional drivers (taxi or public minibus drivers) need to have a commercial Class A licence (SIM A Umum) in order to operate public vehicles. The official Go-Jek and GRAB websites, which claim that its driver partners (Go-Car and GrabCar) simply require a normal SIM A, support this distinction.

Another significant issue concerns the legal status of start-up companies, which are classified as technology firms rather than transportation companies. As a result, they are not subject to transportation laws and regulations because their role is limited to providing digital platforms that connect drivers and passengers. This situation creates legal inequality and unfair competition for conventional transport companies, since, in practice, these start-ups function as intermediaries facilitating the same transportation service. Therefore, regulations on online transportation should also impose similar obligations on start-up companies as those required of conventional transport operators.

A comparison of the regulatory frameworks for online and conventional transportation is presented in the following table:

Table 1. Comparative Regulation between Online and Conventional Transportation (Non-Route Transport)

No.	Policy Aspect	Conventional Transportation	Online Transportation
1.	Legal Basis	Regulated under Minister of Transportation Regulation (Permenhub) No. 117 of 2018 on the Operation of Non-Route Passenger Transportation (as amended by Permenhub No. 16 of 2019).	Regulated under Minister of Transportation Regulation (Permenhub) No. 118 of 2018 on the Operation of Special Rental Transportation (as amended by Permenhub No. 16 of 2019).
2.	Scope of Regulation	Regulates comprehensively service standards, standardisation, licensing procedures, and operational requirements.	Regulations are less detailed, particularly in technical and operational aspects.
3.	Operational Licensing	Clearly regulated from Articles 5–11, covering standardisation, licensing procedures, and proposals for fleet requirement plans, with licensing issued to transportation companies.	Not regulated in detail; licensing is generally managed by application companies (start-ups) as service providers.
4.	Vehicle Standardisation	Vehicles must comply with technical requirements and equipment standards, including identity markers (such as stickers, taxi meters, etc.).	There is no obligation to equip vehicles with specific identity markers such as stickers or special signs.
5.	Type of Driving Licence	Drivers are required to hold a Commercial Class A Driving Licence (SIM A Umum) as authorisation to operate public transport vehicles.	Drivers are only required to hold an ordinary Class A Driving Licence (SIM A), as permitted by the application company.
6.	Company Status	Recognised as transportation companies subject to all transportation regulations.	Categorised as technology companies (start-ups) providing application-based services, rather than transportation companies.
7.	Employment Status	Drivers are employees, either on fixed-term or permanent contracts, bound by fixed-term or indefinite employment agreements.	Drivers are classified as partners (independent contractors) with no formal employment relationship with the application company.
8.	Rights and Obligations	Companies are bound by the Manpower Law regarding the rights and obligations of both the company and the drivers.	The rights and obligations of the company and drivers (partners) are limited to those stipulated in standard-form agreements drafted by the application company.

Based on Table 1 above, it can be seen that the regulation of online transportation policies is simpler and less detailed compared to conventional transportation, thereby creating regulatory inequality. The lack of equality in the level of regulatory detail generates a sense of regulatory injustice among conventional transport operators. Furthermore, the imbalance in the licensing mechanisms creates the potential for unfair business competition. In addition, it also leads to asymmetry in supervision and accountability between online and conventional transport operators.

B. Discussion

1. Business Transportation Policy within the Framework of a Law-Based State

The provision of transportation facilities is essentially a form of transport service, whether for goods or passengers. Thus, transportation services are part of business activities, as business refers to activities carried out between individuals through the creation of goods or services to meet needs and obtain profits through transactions. [27] Based on this definition, transportation activities which provide transport services clearly fall within the category of business activities.

In the current digital era, business activities in the transportation sector are divided into two categories: online transportation businesses and offline or conventional transportation businesses. As previously explained, there are several policy differences between these two types of transport businesses, in which online transportation enjoys more flexibility and leniency than conventional transportation.

As a state based on law (as stipulated in Article 1 Paragraph 3 of the 1945 Constitution), equality before the law is a right of every citizen. This means that conventional drivers should receive the same treatment as online drivers. According to A.V. Dicey's theory of the rule of law, a law-based state must fulfil the following principles [28]:

- a. Equality before the law, meaning that every individual has equal legal standing and treatment before the law. There should be no distinction based on position, wealth, or social status; all are equal before the law.
- b. Supremacy of law, meaning that law holds the highest authority or supremacy in the state.
- c. Respect for human rights (fundamental rights).

These three elements constitute the essential criteria of a law-based state. If any of these are absent, the state cannot be

categorised as a law-based state. As a nation that declares itself a *state based on law*, Indonesia carries logical consequences namely, the implementation of a democratic government, the realisation of people's sovereignty, and the upholding of human rights. Therefore, all powers and actions of state apparatuses must be grounded in law.

Referring to Minister of Transportation Regulation (Permenhub) No. 117 concerning non-route passenger transportation, and Permenhub No. 118 concerning special rental transport and its amendments, the author argues that these regulations do not fully align with the fundamental principles of law. The principles of legal certainty, order, and legal protection which should be based on truth and justice to achieve societal order, justice, and legal certainty are not adequately realised.

To achieve these goals, the role of the state as a law based entity is crucial, particularly as a lawmaker with the purpose of ensuring recognition, guarantees, protection, and fair legal certainty as well as equal treatment before the law.

When observing the status of online and conventional drivers, a clear disparity emerges. Conventional drivers are formally bound to transportation companies, which means that the rights and obligations of both parties are governed by labour law provisions and the International Labour Organization (ILO) conventions, which Indonesia has ratified. On the other hand, online drivers are classified as application providers' partners. Since a partnership agreement formed their connection, it is only governed by civil law. As a result, online drivers are unable to demand from the application businesses the workers' rights outlined in labor laws. Online drivers are at risk due to this unfair contractual arrangement, especially when it comes to problems like unilateral termination or the absence of social and work guarantees. The power disparity between application providers and drivers, as well as the lack of sufficient legislative protections for gig economy workers, are two major legal and social issues with Indonesia's implementation of online transportation systems.

When we examine the policy arrangements between online and conventional transportation, it becomes evident that the state has not been fully present in ensuring distributive justice for both groups. Consequently, the fundamental objectives of law cannot be achieved. This imbalance has manifested in various conflicts reported across television, print, and online media between online and conventional drivers. One such example is the clash between online and conventional transport drivers at Batam Centre Port. [29]

2. Online Transportation Policy within the Framework of Social Justice in the Digital Era

Justice cannot be generalised as a concept that holds a uniform meaning for everyone. Many philosophers have different schools of thought, leading to diverse interpretations of what justice entails. In the context of social justice in the digital era, the author concurs with the theory of justice proposed by one of the most prominent philosophers, John Rawls. Through his seminal work, *A Theory of Justice*, Rawls re-examines the fundamental questions of political philosophy by seeking to reconcile the principles of liberty and equality. This approach aligns with the tradition of the social contract theory advanced by thinkers such as John Locke, Jean-Jacques Rousseau, and Immanuel Kant, yet Rawls revitalises and refines their perspectives.[30]

While his predecessors perceived justice as a condition in which society equally enjoys benefits and fairness, Rawls offers a more nuanced interpretation. For him, achieving the good for all should not come at the expense of justice for each individual. Rawls formulates his concept of justice through his renowned ideas of the original position and the veil of ignorance. He places every individual in an equal initial position, where no one holds superiority in terms of social status, intelligence, or capability. Within this setting, individuals engage in a fair social contract where they can negotiate on an equal footing this, for Rawls, constitutes the original position. [30]

Accompanying this concept are three defining features: rationality, freedom, and equality. The veil of ignorance, on the other hand, represents a state in which individuals are stripped of knowledge about their own social conditions, status, or doctrines, and thus cannot shape principles of justice based on personal advantage. From these two premises, Rawls develops his theory of justice as fairness.

When social justice is discussed within the framework of online transportation policy, Rawls's emphasis on fairness becomes highly relevant. His theory focuses on the fair distribution of rights and obligations within society, ensuring that every member has an equal opportunity to obtain tangible benefits while bearing proportional responsibilities. To guarantee this equilibrium, Rawls underscores the importance of a fair agreement among all members of society. Only a fair agreement can foster genuine social cooperation. Therefore, fair procedures are indispensable.

Rawls believes that rational individuals would prefer principles of justice as fairness to the utilitarian principle of maximising overall happiness. According to him, all social values liberty, opportunity, income, wealth, and the basis of self-respect should be distributed equally among individuals. However, inequalities in the distribution of these values are justifiable only if they benefit those who are least advantaged. From these foundations, Rawls articulates two principles of justice [30]:

- a. Every person is to have an equal right to the most extensive basic liberties compatible with a similar system of liberty for all.
- b. Social and economic inequalities are to be arranged so that:
 - 1) they are to the greatest benefit of the least advantaged members of society; and
 - 2) they are attached to offices and positions open to all under conditions of fair equality of opportunity.

Applying Rawls's principles to transportation business policies both conventional and online as regulated in Minister of

Transportation Regulation No. 117 and No. 118, it becomes evident that the burdens imposed are not equal, thus indicating an element of injustice. As shown in Table 1, there are clear discrepancies between the regulatory frameworks of online and conventional transportation. Regulations for conventional transport are more detailed and comprehensive, whereas those for online transport remain relatively simple.

Referring to Rawls's first principle, such unequal treatment in regulatory substance where online transport enjoys simpler requirements while conventional transport faces stricter obligations contravenes the principle of equal basic liberties, as every individual should enjoy equal rights and obligations within the social order. For instance, the licensing requirements differ: online transport drivers only require a regular Class A driving licence (SIM A), while conventional drivers must obtain a commercial licence (SIM A Umum). From Rawls's perspective, this legal disparity violates the concept of fairness embedded in a just legal system.

The disparities in driving rules and license requirements between online and conventional modes of transportation suggest unequal legal treatment when considered in light of John Rawls' first principle of justice, which is the notion of equal basic liberties. The principle of fundamental equality before the law is not upheld when the state places more stringent regulations on conventional transportation providers while providing regulatory leniency to internet transportation services. Such unfair treatment cannot be justified in a state that upholds the rule of law since it is not founded on proportionate concerns of protecting the public interest.

Moreover, the differing legal statuses between transport companies and application based start up companies represent a breach of the difference principle. Application companies gain substantial economic benefits, while bearing minimal social responsibility towards their drivers, whom they classify merely as partners. Under the doctrine of *justice as fairness*, such socio-economic disparities can only be justified if they ultimately benefit the least advantaged in this case, the drivers. In contrast, conventional transport companies directly employ their drivers, ensuring legal and social protections consistent with employment rights. In other words, the partnership relationship between online transportation companies and online drivers creates a situation of injustice, as drivers occupy a weaker bargaining position. The application providers hold the authority to unilaterally terminate the partnership at any time, leaving drivers vulnerable.

When viewed through the lens of John Rawls's theory of justice, the law should inherently side with the weaker party, ensuring fairness within social and economic structures. This implies that the state must provide legal protection to online drivers so that their relationship with online transportation companies becomes balanced and equitable, in line with the principles of justice as fairness.

Furthermore, the disparity in the legal standing of application based businesses and the employment relationships of drivers does not show alignment with the interests of those who are least advantaged when examined in light of Rawls' second principle of justice, specifically the difference principle. There is insufficient legal protection for online transportation drivers, who are financially insecure and have weak negotiating positions. Since drivers are a vulnerable group and the economic benefits obtained by application firms are not accompanied by comparable advances in welfare and legal protection, such an imbalance cannot be justified under the concept of justice as fairness.

3. Comparative Analysis of Online Transportation Policy in Indonesia, Malaysia, and Singapore

Compared with other ASEAN countries, Indonesia lags behind in the regulation of e-hailing services. In Singapore, the Land Transport Authority (LTA) mandates that all online transportation providers, such as Grab, must hold a public transport licence and comply with the same safety standards as conventional operators. [31] [32] In Malaysia, the Land Public Transport Act 2017 requires online transport companies to obtain a commercial operating licence, and mandates that drivers undergo safety training and possess a Public Service Vehicle (PSV) licence. [33]

These measures create regulatory balance between online and conventional transport sectors, reflecting the principle of distributive justice. In contrast, Indonesia's Ministerial Regulations No. 117/2018 (on non-route conventional transport) and No. 118/2018 (on special-hire transport) have yet to impose equivalent obligations on application-based companies, thereby perpetuating legal disparities. Furthermore, enforcing uniform requirements such as requiring online drivers to hold a commercial Class A licence (SIM A Umum) would enhance consumer protection and professional accountability.

From a normative standpoint, Singapore's and Malaysia's internet transportation regulation frameworks align with social justice and the rule of law since they prioritize legal protection and equality of obligations. These ideals align with both Article 1 paragraph (3) of the 1945 Constitution, which affirms Indonesia as a state governed by the rule of law, and Pancasila values, especially the principle of social justice for all Indonesians. The necessity of public licensing and the acknowledgment of the legal obligation of application-based businesses are practical components that can be included into Indonesian law, even though not all of these models can be immediately implemented.

Thus, there is a pressing need for policy reconstruction in Indonesia's transportation sector, grounded in principles of social justice and legal equality. The government should strengthen the regulatory framework in the forthcoming Online Transportation Bill (RUU Transportasi Online), which is planned as a 2026 National Legislative Programme (Prolegnas) priority. This bill should explicitly define the legal status of online application companies and their social obligations towards drivers. The enactment of the Draft Bill on Online Transportation into the Online Transportation Law is expected to provide a new legal framework for both application-based transportation companies and online drivers, ensuring alignment with ILO conventions that guarantee the rights and protection of online drivers.

Conclusion

According to Pancasila and John Rawls' theory of justice, which emphasizes the significance of distributive justice through legal protection that ensures equality for all parties, particularly those in vulnerable or disadvantaged positions, Indonesia's current transportation policy has not yet fully reflected the principles of social justice. As demonstrated by disparities in licensing arrangements, legal obligations, and institutional position between online and traditional transportation, these principles have not been fully realized in Indonesia's transportation legislation, leading to structural inequality. Indonesia still has to improve its internet transportation regulations in comparison to other ASEAN nations in order to guarantee compliance with the values of justice, such as equality before the law and fairness. Therefore, it is essential to reform transportation policy in order to create a just legal system that can adapt to digital advancements and offer equitable advantages to all parties involved, including consumers. From a theoretical standpoint, this study shows that the requirement for a distributive justice strategy in the creation of transportation law is shown by the inadequacy of online transportation policies to satisfy Rawlsian principles of justice. Practically speaking, this study suggests that the proposed Online Transportation Bill reestablish policy by enhancing the legal standing of application-based businesses, harmonizing licensing requirements, and giving online transportation drivers greater legal protection.

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