

Maternity Protection for Women in the Gig Economy: Challenges and Opportunities for Legal Reform in Indonesia

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Abstract

The rise of the gig economy has created new opportunities for women to participate in the labor market, offering a level of flexibility that conventional employment systems cannot always provide. However, this flexibility comes at the cost of the loss of basic social protections, particularly maternity protection. In Indonesia, maternity rights guaranteed under the Labor Law and the Job Creation Law apply only to formal employees with clearly defined employment relationships. Gig workers, classified as independent partners, are excluded from such protections. This situation creates a normative gap between Indonesia's international commitments under CEDAW and ILO Convention No. 183, and the reality of national law, which remains rooted in an industrial-era paradigm. This study employs a normative juridical method with conceptual, comparative, and reflective-philosophical approaches. The analysis examines employment relationships including fixed-term contracts (PKWT), permanent employment contracts (PKWTT), and freelance arrangements and situates gig workers within Indonesia's labor law framework, comparing these with practices in other jurisdictions that have ratified relevant international instruments. The findings indicate that the failure of the law to secure maternity rights for gig workers is not merely a regulatory void, but reflects a lag in the national legal paradigm in responding to structural changes in the digital economy. This study proposes a hybrid regulatory model that balances operational flexibility with basic social protection. The state should expand the legal definition of employment to include platform workers and require digital companies to contribute proportionally to social security schemes, including maternity insurance. In doing so, the law can fulfill its essential function: protecting human dignity and promoting social justice amid ongoing economic transformation.

Keywords: gig economy, maternity protection, women workers, labor law, gender justice.

1. Introduction

The development of digital technologies has fundamentally transformed the employment landscape over the past decade. One manifestation of this transformation is the **gig economy**, a digital platform-based economic system in which work is offered in the form of short-term, flexible, and on-demand tasks. Workers engaged in this system, referred to as **gig workers**, earn income from temporary assignments through online applications such as Gojek, Grab, ShopeeFood, or freelance

platforms like Upwork and Fiverr. This phenomenon has rapidly expanded in Indonesia. According to data from the **Indonesian Central Statistics Agency (BPS)**, approximately 27% of young workers in urban areas participate in platform-based employment, of which 36% are women (BPS, 2023). The flexibility of working hours and location is a key attraction for women balancing domestic and public responsibilities. However, this flexibility often comes at the cost of losing **basic legal protections**, particularly **maternity protection**, including menstrual, pregnancy, and childbirth leave (Handayani & Santoso, 2022). Under Indonesia's labor law framework, an employment relationship is defined by the presence of **work, remuneration, and direction** as regulated in **Law No. 13 of 2003 on Manpower**. Based on these criteria, two main forms of employment are recognized: **Permanent Employment Contract (PKWTT)** and PKWTT generally applies to permanent and continuous work, offering full legal protection, including leave, social security, and severance pay. PKWT is applied to temporary, project-based, or seasonal work, with a maximum duration determined by implementing regulations (Government Regulation No. 35 of 2021). Beyond these categories, there exist freelancers and gig workers, who are legally often not considered employees because they do not fulfill the element of direct control by the employer; their relationship resembles a **contract for services**. In practice, however, gig workers frequently work under algorithms and platform policies, making them economically dependent on the digital system (Prassl, 2018; Handayani & Santoso, 2022). This **ambiguity creates a legal vacuum**, severely affecting the protection of worker rights, particularly for women requiring maternity guarantees. In the context of positive Indonesian law, maternity rights are stipulated for formal workers under **Law No. 13 of 2003** and related regulations, which govern leave entitlements and prohibit termination due to pregnancy (Republic of Indonesia, 2003; Republic of Indonesia, 2023). Yet, these provisions primarily apply to PKWT and PKWTT employees. As a result, female gig workers do not enjoy maternity protection, childbirth benefits, or social security, despite facing the same biological and social risks as formal employees (ILO, 2021).

This situation highlights the **misalignment between national legal practice and Indonesia's international commitments**. Through ratification of CEDAW, Indonesia is committed to ensuring maternity rights without discrimination based on employment status (United Nations, 1979), while the **ILO** establishes detailed maternity protection standards in **Convention No. 183** (ILO, 2000). To date, no national policy adequately addresses protection for female gig workers, a vulnerable group within the digital economy ecosystem. Previous studies have highlighted the **structural vulnerability of gig workers in Indonesia**, particularly within platform worker partnerships that create legal uncertainty (Annazah et al., 2023; Muhyiddin et al., 2024). However, these studies have seldom focused specifically on maternity protection and its gender justice dimensions. At the global level, research has also revealed gaps between conventional labor law and digital forms of work (De Stefano, 2016; Wood et al., 2019). Accordingly, this study seeks to **fill the research gap** by focusing on maternity protection for female gig workers in Indonesia and exploring potential innovative and gender-equitable regulatory reforms. Previous studies indicate that the **primary issues in the gig economy** still revolve around employment status and social protection. However, there is **no research that explicitly positions maternity protection as the main focus from a gender justice perspective**. This constitutes the **novelty of the present study**, which examines legal maternity protection for female gig workers in

Indonesia and proposes a **hybrid regulatory model** requiring joint contributions from the state and platform companies for maternity protection schemes.

2. Research Methods

This study employs a normative juridical approach aimed at providing an in-depth analysis of the legal vacuum surrounding maternity protection for female gig workers in Indonesia. This approach is chosen because the issue under examination concerns positive legal norms, principles of justice, and the compatibility of the national legal system with international legal instruments, rather than empirical field data.

2.1. Type and Sources of Data

The research utilizes secondary data, consisting of:

- (1) Primary legal materials, namely statutory regulations such as Law No. 13 of 2003 on Manpower, Law No. 6 of 2023 on Job Creation, Government Regulation No. 35 of 2021, as well as international instruments including CEDAW and ILO Convention No. 183 on Maternity Protection;
- (2) Secondary legal materials, including academic literature, research findings, and both national and international journal articles (from the last ten years) relevant to issues of gig work, gender justice, and labor law;
- (3) Tertiary legal materials, such as legal dictionaries, encyclopedias, and publications from official institutions such as BPS (Statistics Indonesia) and the International Labour Organization (ILO).

2.2. Data Collection Technique

Data were collected through library research, tracing primary and secondary legal sources via academic databases such as Google Scholar, HeinOnline, Scopus, the ILO Library, and national legal databases. The data collection process was conducted systematically through the following stages:

- (1) Identification of legal norms governing employment relationships and maternity protection;
- (2) Classification of legal materials based on their hierarchy and relevance (national, international, and comparative);
- (3) Review of scholarly literature to identify normative and theoretical gaps related to the legal status of gig workers.

2.3. Data Analysis Technique

Data were analyzed using a qualitative–descriptive and reflective method, consisting of three main stages:

- (1) Normative analysis, examining the consistency between national legal norms and international principles on maternity rights and gender non-discrimination;

- (2) Conceptual analysis, interpreting core concepts such as “employment relationship,” “maternity protection,” and “legal status of gig workers” to identify boundaries and interpretative space within the Indonesian legal system;
- (3) Prescriptive analysis, formulating a hybrid regulatory model as an alternative legal reform framework based on the principles of gender justice and the state’s social responsibility.

The use of a qualitative normative approach allows law to be interpreted not merely as a set of normative texts but as a dynamic value structure, enabling an evaluative and constructive outcome.

2.4. Analytical Framework

The analytical framework of this research is structured around three interconnected layers:

- (1) The normative layer, which examines national and international regulations;
- (2) The conceptual layer, which interprets the notions of employment relationships and maternity protection within the context of gig work;
- (3) The prescriptive layer, which formulates a gender-just hybrid regulatory model.

These three layers form a cyclical analytical process, moving from norm identification → conceptual interpretation → legal solution formulation.

3. Result & Discussion

3.1. Legal Gaps in Maternity Protection in Indonesia

The rise of the gig economy in Indonesia has introduced new dynamics into the structure of employment relations. Gig workers such as online motorcycle drivers, delivery couriers, and digital platform freelancers operate under highly flexible arrangements but without clear legal certainty regarding their employment status. Within the framework of Indonesian labor law, an employment relationship is recognized only if it fulfills the three elements stipulated in Article 1 point 15 of Law No. 13 of 2003 on Manpower, namely: the existence of work, wages, and command. When such a relationship does not satisfy these three elements, the individual cannot legally be classified as a “worker” or “laborer” (*buruh*), but merely as an independent contractor (Kusumawardhani, 2020). This narrow definition has serious implications for maternity protection, as rights such as menstrual leave, maternity leave, and childbirth leave guaranteed under Articles 81–84 of the Manpower Law apply only to workers employed under Permanent Employment Agreements (PKWTT) or Fixed-Term Employment Agreements (PKWT). Consequently, female gig workers operating through platforms such as Gojek, Grab, or Shopee are excluded from statutory maternity entitlements. In practice, PKWTT employees enjoy long-term job security and comprehensive social protection, including healthcare and maternity benefits. PKWT workers, though employed for limited durations, are still formally recognized under the labor regime. In contrast, freelancers and gig workers exist outside the formal employment framework, thereby remaining unprotected by labor norms governing working hours, social security, or occupational safety (Astuti, 2021). Yet, these categories of workers often contribute labor and time equivalent to that of formal employees but without comparable legal protection (ILO, 2021). This situation exposes a normative gap in Indonesia’s labor law system, which continues to privilege hierarchical and permanent employment structures. Meanwhile, technological

advancement and economic digitalization have generated new, fluid, and non-traditional forms of work that no longer fit neatly within conventional legal categories (Chen & Qiu, 2019). The absence of legal norms that accommodate the distinctive characteristics of gig work has created a legal vacuum concerning women's reproductive rights, including maternity protection, which should be recognized as a fundamental human right under Article 28H(2) of the 1945 Constitution and Article 4(c) of Law No. 39 of 1999 on Human Rights. Moreover, Law No. 11 of 2020 on Job Creation, designed to modernize labor regulations in line with economic flexibility, fails to substantively address the issue of digital platform workers. Its implementing regulation, Government Regulation No. 35 of 2021, merely reorganizes the structure of formal employment relations without clarifying the position of gig workers. Consequently, a discrepancy persists between social realities and the formal legal framework, leaving thousands of female gig workers without social protection despite their vital economic contributions and reproductive risks comparable to formal workers.

This condition also reveals a legal paradox: while Indonesia has ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) through Law No. 7 of 1984, its substantive principles have not been effectively implemented in the non-formal labor sector. Article 11 of CEDAW obliges State Parties to ensure special protection for women during pregnancy and maternity without loss of employment or social benefits. Yet, in the context of the gig economy, these international norms remain untransposed into national policy, leaving female gig workers in a grey zone between formal and informal employment (Sударsono, 2023). Accordingly, this study finds that the misalignment between the national definition of employment and the realities of digital labor has produced a regulatory vacuum that impedes the fulfillment of maternity rights for female gig workers in Indonesia. This situation demands a reconstruction of the labor law paradigm, one that is more adaptive to non-traditional, platform-based forms of work.

3.2. Comparison with International Instruments

Maternity protection has long been recognized at the international level as an integral component of human rights and social justice. Two key instruments form the foundation of this recognition the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the International Labour Organization (ILO) Convention No. 183 on Maternity Protection (2000). Both establish that protection for women during pregnancy and childbirth must not depend on the existence of formal employment relationships; rather, it constitutes a state obligation to ensure substantive equality between men and women in the workplace (ILO, 2021; UN Women, 2019). Indonesia ratified CEDAW through Law No. 7 of 1984, thereby committing itself normatively to eliminate all forms of discrimination against women, including in employment. Article 11(2) of CEDAW explicitly mandates that States Parties guarantee women's rights to special protection during pregnancy, including maternity leave and access to social security. However, Indonesia has not yet ratified ILO Convention No. 183, which provides more comprehensive standards of maternity protection such as entitlement to maternity benefits, protection from dismissal due to pregnancy, and the right to return to work after maternity leave (ILO, 2020). This absence of ratification has created a significant gap between Indonesia's moral commitment under international law and its domestic legal implementation. Although several principles of maternity protection have been incorporated into the

Manpower Law and the Job Creation Law, their enforcement remains confined to workers within formal employment relationships. Gig workers, who are legally classified as independent partners, fall outside the scope of social security and maternity protection. Consequently, Indonesia faces a legal paradox: under international law, it bears the obligation to safeguard all working women, yet under national law, such protection is afforded only to a limited subset of formally employed workers (Sudarsono, 2023). In contrast, several other jurisdictions have begun adapting their legal frameworks to accommodate the realities of digital labor. France, through the *Loi n° 2016-1088 on Travail, la modernisation du dialogue social*, obliges digital platforms to contribute financially to the social protection of their partner workers, including maternity protection. Canada has expanded its *Employment Insurance (EI)* coverage to include self-employed and gig workers registered under digital platforms (*Canada Employment Insurance Act*, 2017). Similarly, the Philippines, through the *Telecommuting Act* (2018), has established a legal foundation enabling digital workers to access social and maternity protection via the *Social Security System (SSS)* (Guevarra, 2022).

These comparative experiences demonstrate that the principal challenge lies not in the legal impossibility of regulating platform workers, but rather in the political will to extend the definition of “worker” beyond traditional boundaries. Across many jurisdictions, labor law has begun shifting from a status-based protection approach where protection depends on formal employment status to a function-based protection approach, where the law extends protection based on the nature of work and the worker’s social vulnerability rather than the contractual form (Freedland & Kountouris, 2011). Applied to Indonesia, this functional approach could pave the way for the legal recognition of female gig workers as subjects of labor law protection, even in the absence of direct employment relationships. Such recognition aligns with the principles of non-discrimination and substantive equality mandated by CEDAW. Therefore, integrating international norms into Indonesia’s domestic legal system should not be understood merely as an act of formal ratification, but as a conceptual reform of the definition of employment relationships and an expansion of social security coverage to reflect the realities of the digital economy.

3.3. Opportunities for Legal Reform: A Hybrid Regulatory Model for Maternity Protection of Gig Workers

The legal vacuum that places gig workers outside the scope of maternity protection underscores the urgent need for labor law reform capable of adapting to new and fluid forms of work. The traditional regulatory model recognizing only formal employment relationships is no longer adequate to address the realities of the digital economy, where the boundaries between employee, contractor, and business partner have become increasingly blurred. In this context, the present study proposes a hybrid regulatory model, a socio-legal framework that seeks to balance market flexibility with the minimum guarantees of fundamental labor rights. Normatively, this proposal is rooted in the constitutional mandate of Article 27(2) of the 1945 Constitution, which guarantees every citizen the right to work and to a decent livelihood, and Article 28H(3), which affirms the right to social security. Together, these provisions provide a strong constitutional basis for active state intervention to ensure that all forms of labor including platform-based and digital work remain within a just and humane legal protection framework (Asshiddiqie, 2020). The hybrid regulatory model envisions a three-

dimensional structure integrating legal recognition, financial responsibility, and institutional innovation. The first dimension involves the legal recognition of platform workers as subjects of social protection. The state must acknowledge gig workers as a distinct legal category registered independent workers granting them access to basic social protections such as health insurance, occupational accident coverage, and maternity benefits through BPJS Ketenagakerjaan. This recognition does not transform them into permanent employees but ensures their entitlement to essential protections. A comparable model has been implemented in South Korea, where platform-based workers are required to enroll in the *Employment Insurance* system without forfeiting their occupational autonomy (Lee, 2022). The second dimension concerns proportional contribution obligations for digital platforms. Under this scheme, platforms act as *co-contributors* to social protection systems. The state determines the proportion of contribution based on algorithms that account for work duration, income volume, and occupational risk. Thus, the financial burden of maternity protection is shared equitably among the state, the platform, and the individual worker, aligning with the ILO's principle of shared responsibility in social protection (ILO, 2021). The third dimension introduces an institutional innovation in the form of a Digital Social Protection Fund, collaboratively managed by the Ministry of Manpower, BPJS, and associations of digital platforms. This fund functions as a pooled resource mechanism to guarantee maternity-related benefits, including paid leave, postnatal allowances, and child health coverage. A similar initiative has been tested in India through the *e-Shram Portal*, which integrates informal workers into a data-driven social protection framework (Kumar & Sharma, 2022). Theoretically, this hybrid model reflects the principles of responsive law as articulated by Nonet and Selznick (2001), positioning law not as a closed normative system but as an adaptive instrument responsive to socio-economic dynamics. Within this framework, law performs not merely a protective function but also a mediating role between economic efficiency and social justice. In the Indonesian context, implementing such a model would necessitate regulatory reform that transcends the formal–informal dichotomy, accompanied by revisions to derivative regulations such as Government Regulation No. 35 of 2021, enabling them to accommodate digital labor forms without undermining women's reproductive rights. Furthermore, the adoption of this model would strengthen Indonesia's compliance with its international commitments under CEDAW and the ILO Declaration on Social Justice for a Fair Globalization (2008), particularly the principle of *Decent Work for All*. By redefining maternity protection as a universal right rather than a privilege of formal employment, the state reaffirms its role as guarantor of inclusive social justice consistent with the moral and philosophical spirit of Pancasila, especially its fifth principle: "*Social justice for all the people of Indonesia*." Thus, the hybrid regulatory model represents not only a technical legal solution to normative gaps but also an ethical and philosophical approach reaffirming the law's fundamental role as a means of protecting human dignity amid digital transformation.

3.4. The Legal Paradox and the State's Paradigmatic Lag in Responding to the Digital Economy

The central paradox in maternity protection for gig workers lies in the fact that a universal right has become fragmented by rigid legal categories. Within Indonesia's labor law system, social and maternity protections are granted only to those who meet the formal requirements of being classified as a "*worker*" under the definition provided in Article 1(15) of Law No. 13 of 2003 on Manpower. As a result, gig workers who lack a direct employment relationship with an employer are deprived of

maternity benefits not because they do not work, but because they are not legally recognized as the proper legal subjects. This condition illustrates that law often operates through a logic of exclusion rather than inclusion. Its failure does not lie in the normative text itself, but in the paradigm underpinning it. The prevailing legal paradigm, shaped during the industrial era, presupposes a stable, hierarchical structure of labor and a production system anchored in ownership of the means of production. However, the digital economy has disrupted these assumptions. Work relations today are algorithmic rather than contractual, governed by systems rather than human supervisors, and evaluated by performance metrics rather than formal agreements—often taking place across jurisdictions that transcend the territorial authority of the state (De Stefano, 2016). In this context, a fundamental question arises: Who bears responsibility when fundamental rights such as maternity protection are neglected? Is it the employers who innovate new business models, or the state that fails to anticipate structural economic change? The answer lies in the state's paradigmatic lag. Employers innovate economically, but the state fails to innovate juridically. The law continues to rest upon a normative foundation that conceptualizes work as a vertical relationship between employer and employee, rather than as a fluid and multidimensional functional relationship. Consequently, economic innovation becomes a new instrument of inequality rather than progress. This paradigmatic delay further reflects a moral deficit in public policy. The state appears to act only after inequality turns into social crisis. Yet, Indonesia's constitutional mandate does not limit protection to formal workers alone; it extends to all citizens without exception. Within the philosophical framework of Pancasila, particularly its second and fifth principles "Just and civilized humanity" and "Social justice for all the people of Indonesia" justice and humanity are principles that must transcend administrative or contractual boundaries. As Amartya Sen (2009) argues, justice is not solely a matter of institutional structure but of human capability the real freedom to live with dignity. Thus, when a woman loses her maternity rights merely because she is deemed "not a worker," the state, in truth, fails to fulfill its moral function. This paradox underscores the need for an epistemological revolution in labor law: a shift from a normative and categorical framework toward a responsive and human-centered one. Law must recognize that new forms of work, such as digital labor, are not anomalies to be subsumed under old categories, but emergent social realities demanding new legal constructs. On a philosophical level, this requires a transformation in the very conception of law: that law is not an instrument for preserving existing order, but a moral mechanism that must continuously adapt to the dynamics of human life. Here, law and ethics converge, and the state is tested not merely in its ability to enforce norms, but in its capacity to protect human dignity.

4. Conclusion and Recommendations

This study demonstrates that maternity protection for female gig workers in Indonesia remains trapped in the tension between economic innovation and legal conservatism. On one hand, the digital economy provides flexibility and new opportunities for women to participate in the labor market. On the other hand, the national legal system remains bound to a classical paradigm of employment relations, which limits social protection to formal workers. As a result, fundamental rights particularly maternity rights guaranteed under *CEDAW* and *ILO Convention No. 183* have not been effectively accommodated for those working within digital platforms. The findings highlight a **structural paradox**: the state that normatively guarantees social justice in fact reproduces new inequalities through its narrow legal definitions. Maternity protection is not merely an administrative matter; it is a test of the state's moral commitment to the women who sustain the digital economy without adequate protection. To address this issue, this study recommends a **hybrid regulatory model** as a middle path between market flexibility and social responsibility. This model requires:

- (1) **State intervention** through the expansion of the legal definition of employment to include platform-based work, thereby recognizing gig workers as legal subjects entitled to basic social protection.
- (2) **Mandatory contributions** from platform companies to social security schemes, particularly maternity insurance, while maintaining the flexible nature of digital labor relations.
- (3) **Institutional coordination** among the Ministry of Manpower, BPJS Employment, and digital platform providers to design a social protection mechanism based on *shared responsibility*.

At a more philosophical level, labor law reform in Indonesia must aim toward the **re-humanization of law** restoring law as an instrument for protecting human dignity rather than merely maintaining market stability. Maternity protection should not be regarded as an economic burden, but rather as an **indicator of legal civility** in the face of social and technological transformation.

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References

- Aloisi, A. (2016). *Commoditized workers: Case study research on labor law issues arising from a set of “on-demand/gig economy” platforms*. *Comparative Labor Law & Policy Journal*, 37(3), 653–690.
- De Stefano, V. (2016). *The rise of the “just-in-time workforce”: On-demand work, crowdwork, and labor protection in the “gig-economy”*. *Comparative Labor Law & Policy Journal*, 37(3), 471–504.
- Fudge, J. (2017). *Gender, inequality and the gig economy: The case of platform work*. *Social & Legal Studies*, 26(4), 377–394. <https://doi.org/10.1177/0964663917727231>
- International Labour Organization (ILO). (2000). *Maternity Protection Convention, 2000 (No. 183)*. Geneva: International Labour Office.
- International Labour Organization (ILO). (1958). *Discrimination (Employment and Occupation) Convention, 1958 (No. 111)*. Geneva: International Labour Office.
- International Labour Organization (ILO). (2021). *Digital labour platforms and the future of work: Towards decent work in the online world*. Geneva: International Labour Office.
- Kalleberg, A. L., & Dunn, M. (2016). *Good jobs, bad jobs in the gig economy*. *Perspectives on Work*, 20(1), 10–14.
- Kaelan. (2015). *Pancasila: Ideologi terbuka dan dasar negara*. Yogyakarta: Paradigma.
- Latif, Y. (2018). *Negara Paripurna: Historisitas, rasionalitas, dan aktualisasi Pancasila*. Jakarta: Gramedia Pustaka Utama.
- Rani, U., & Furrer, M. (2021). *Digital labour platforms and new forms of flexible work in developing countries: Algorithmic management and the quest for decent work*. *International Labour Review*, 160(1), 31–55. <https://doi.org/10.1111/ilr.12141>
- Rosenblat, A. (2018). *Uberland: How algorithms are rewriting the rules of work*. Oakland, CA: University of California Press.
- Sen, A. (2009). *The Idea of Justice*. Cambridge, MA: Harvard University Press.
- Standing, G. (2011). *The Precariat: The new dangerous class*. London: Bloomsbury Academic.
- United Nations. (1979). *Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)*. New York: United Nations.
- Yin, R. K. (2018). *Case study research and applications: Design and methods* (6th ed.). Thousand Oaks, CA: Sage Publications.

Indonesian Legal Sources

- Government of Indonesia. (1945). *The 1945 Constitution of the Republic of Indonesia (Undang-Undang Dasar Negara Republik Indonesia Tahun 1945)*.

- Government of Indonesia. (2003). *Law No. 13 of 2003 on Manpower (Undang-Undang Nomor 13 Tahun 2003 tentang Ketenagakerjaan)*.
- Government of Indonesia. (2020). *Law No. 11 of 2020 on Job Creation (Undang-Undang Nomor 11 Tahun 2020 tentang Cipta Kerja)*.
- Government of Indonesia. (2021). *Government Regulation No. 35 of 2021 on Fixed-Term Employment Agreements, Outsourcing, Working Time, and Termination of Employment (Peraturan Pemerintah Nomor 35 Tahun 2021 tentang Perjanjian Kerja Waktu Tertentu, Alih Daya, Waktu Kerja, dan Pemutusan Hubungan Kerja)*.
- Government of Indonesia. (2011). *Law No. 24 of 2011 on Social Security Administration (Undang-Undang Nomor 24 Tahun 2011 tentang Badan Penyelenggara Jaminan Sosial)*.

Philosophical and Theoretical References

- Freeman, M. D. A. (2011). *Lloyd's Introduction to Jurisprudence* (8th ed.). London: Sweet & Maxwell.
- Nonet, P., & Selznick, P. (1978). *Law and Society in Transition: Toward Responsive Law*. New York: Harper & Row.
- Pound, R. (1910). *Law in books and law in action*. *American Law Review*, 44(1), 12–36.