

# State Responsibility And Justice In Fulfillment Of National Health Insurance In Indonesia

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**Abstract**—National health insurance is one of the human rights essences that is abstracted from health rights, the need for national health insurance will affect individual life, group even a state. The protection of national health insurance is given by the state as a form of protection from rights. National Health Insurance is state duty, such as Indonesia from independence age has applied health insurance for the society. This regulation is conducted as well as possible as responsibility and protection of society rights. The implementation of national health insurance aims to give law certainty, in the implementation agency/officials of government must obey applicable law for the society welfare. This study will discuss state responsibility in fulfillment of society's health rights, society justice, right of requiring social insurance with government principle of cooperation, and duty in implementation of social insurance as an implementer of government administration in Indonesia. In broad outline, Indonesia has obligation to the society from the instruction of the 1945 Constitution Article 28 H and 34 Paragraph (3), as state responsibility in fulfillment of society's health right so that society can develop and be productive. The conception of state responsibility in fulfillment of the right for health is the right of positive law. Health is a fundamental right of people because every individual, family, and society is entitled to acquire the protection of their health. Health care for society may not give space or opportunity that causes discrimination therefore it is not only available instruction and legal but also justice in implementation become the main milestone in the implementation of the law.

**Keywords:** Justice; Health Right; Social Insurance; Indonesia

## I. INTRODUCTION

There are some philosophical and sociological considerations, based on the politic 1945 Constitution of The Republic of Indonesia about the health that needs to be understood together, development of the health field shown to improve awareness, wish, and skill of healthy life for people to realize to create optimum health degree as one of the elements of welfare as being mandated by the preamble of 1945 Constitution of The Republic of Indonesia, health is as a human right must be created in the form of providing health effort to all societies through the

implementation of qualified and affordable health development by society, and society health is a development pillar of a state. Health is one of the human basic needs.

Therefore, every activity and effort to improve society health degree as high as possible is conducted based on indiscriminative principle, participation, protection, and important progress for the formation of Indonesian human resources, improvement of state resilience and competitiveness, and national development. 1945 Constitution of The Republic of Indonesia, Article 28 H Paragraph (1) "Each person has a right to a life of well-being in body and mind, to a place to dwell, to enjoy a good and healthy environment, and to receive medical care". Paragraph (2) "Each person has the right to facilities and special treatment to get the same opportunities and advantages in order to reach equality and justice". Paragraph (3) "Each person is entitled to social security enabling him to develop his entire self-unimpaired as a dignified human being". Article 34 Paragraph (2) 1945 Constitution "The state develops a social security system for everybody and empowers the weak and underprivileged in society in accordance with their dignity as human beings". Paragraph (3) "The state has the responsibility to provide proper medical and public care facilities". Paragraph (4) "Further provisions regarding the implementation of this article are to be regulated by law"

The law No. 36 of 2009 about Health, beckons the following things: every individual, family, and society are entitled to acquire protection for their health, and the state is responsible to manage so met health life right for the society including for poor and unable society, in efforts of creating the right, the government must implement prevalent, fair, and affordable health care for all societies, for that government needs to conducted efforts to ensure prevalent access for all societies in requiring health care.

As law terminology, healthcare can also be found in Law No. 40 of 2004 about National Social Insurance. In Article 22 Paragraph (1) confirmed: "*Health program benefit is of individual care nature in form of health care including promotional, preventive, curative, and rehabilitative cares including drugs and disposable medical substance*". Law No. 40 of 2004 is the implementation of Article 28 H and Article 34 1945 Constitution of The Republic of Indonesia so that health care that is intended in the law, based on the purpose that is intended in the 1945 Constitution of The Republic of Indonesia. This means that health care that is intended in the 1945 Constitution of The Republic of Indonesia is not narrow that imagined in the practice, but covers promotional, preventive, curative, and rehabilitative care. The wide of benefit that is borne in this article the next day shows the problem in the funding of society health.

National health insurance has limitations namely just protecting the members, and the members are people that have paid dues. Therefore, for justice, then people are poor and unable to pay dues, then their dues must be paid by the government so that they can be members. Because without dues no access and access no right to health. This is where the role of the state as giving responsibility and ensuring that responsibility is based on justice.

## I. PROBLEM

Based on the background above the problem of this study as follows. First, How is the scope of state responsibility to the fulfillment of the right for health? And, second How is society justice in the fulfillment of national health insurance?

## II. RESEARCH METHOD

This study is a form of a conceptual idea that is conducted with data collection by using secondary data conducted by collecting normative law materials with investigation, collection, and document studied both conventionally and using information technology (internet). The next, the law material processed with the step structuring, describing, systematizing the law materials.

Processing and analyzing data use the qualitative method with conceptualization,

categorization, and relation. Data or raw materials that are systematized then interpreted by using interpretation aims (purposive interpretation) namely law interpretation conceptually, in the process of the interpretation considers important factors of law contexts. So that the last purpose of this study is to see whether the state has given health insurance right based on the law in Indonesia righteously.

## III. DISCUSSION

### The Scope Of State Responsibility To The Fulfillment Of Right For Health

The paradigm shift in the concept of human rights has changed. Currently, the term human rights are individual, public interest, right to decent living, health, education, and others where the state's participation plays an active role. The provisions regarding human rights in CHAPTER XA contain ten articles and 26 paragraphs, namely Article 28A, Article 28B, Article 28C, Article 28D, Article 28E, Article 28F, Article 28G, Article 28H, Article 28I, and Article 28J. Subjects that act as holders of obligations given by the state are with regard to the obligation to take legislative, administrative, judicial, and practical actions to ensure that rights are implemented as much as possible [1]. The number of human rights protections given to "every person" (either citizen or foreigner) who is still alive, the Indonesian nation guarantees the existence and sustainability of his or her human rights. In line with this, the right to health and social security is mandated in Article 28H and its implementation in the Law on the National Social Security System.

Based on the 1945 Constitution of The Republic of Indonesia human right has been regulated in the 1945 Constitution of The Republic of Indonesia. With the entrance of health right in the constitution, then the right for health as a right that is protected by the government and government must fulfill health rights for the society through real efforts. Health right has a wider scope, not only about individuals but also consists of factors that give a contribution to the health self both individuals or society that will affect the environment, nutrition, housing, social-economic, and others. Agreement in the constitution that the right for health is a

fundamental right for humans because of philosophy from human prestige.

Existence of provision about social welfare in the 1945 Constitution of The Republic of Indonesia, it is a concept of state welfare where the state is required to create welfare and social justice for all of the societies. With being regulated The Law No. 40 of 2004 about the National Social Insurance System becomes strong proof that the government and related officials have a big commitment to create social welfare for all of the societies.

Law No. 11 of 2009 about Social Welfare. Article 4 confirms that: "*State is responsible for the implementation of social welfare*". The certainty of Article 9 Paragraph (1) Letter a state that: Social insurance is intended to: "*ensure the poor, neglected orphans, neglected elderly people, physically disabled, mentally disabled, physically and mentally disabled, former chronic disease sufferers, who experience socio-economic inability problems so that their basic needs are met*". Article 10 Paragraph (1) states: "*Social welfare insurance is organized to protect citizens who are unable to pay premiums so that they are able to maintain and maintain their level of social welfare*". In line with the explanation above, everything is based on legal principles including the principle of administering the public interest. Based on this principle the government is required to take a role that leads to the administration of the public interest and can provide legal protection for the society [2]. Eventually, society's life is interfered with by the state.

The Law of National Social Insurance System Article 19 confirms that "*Health insurance is held to ensure that participants receive health care benefits and protection in meeting basic health needs*". The fundamental need for health is the need for health care that enables sick people can recover again so that they can function normally based on their age. In the implementation of health insurance needs to be noticed three important elements namely:

1. How the fund is collected;
2. How risk is borne together; and
3. How the collected fund is used as efficiently and effectively as possible.

Program of National Social Health Insurance is shown to give the benefit of health care that is comprehensive enough, from preventive care

such as immunization and family planning until catastrophic care such as heart disease and kidney failure. Both state health care institutions or private can give care to the program for they sign a work contract with the organizer institution.

The purpose of national health insurance is to provide financial resources to the health system so that individuals get access to health services, quality, and allocative efficiency equity. First, access to health services helps increase the utilization of health services which in turn can contribute to better health services. Second, the quality of service is expected to have customer satisfaction; and third is equity in financing. This will answer who will pay and get the benefits [3].

Nowadays how the form of State Responsibility in Fulfilment of Right for Health based on the 1945 Constitution of The Republic of Indonesia, based on the Universal Declaration of Human Right by the United Nations in 1948 and 1945 Constitution of The Republic of Indonesia Article 28 H, decides that health is a fundamental right of every individual and all of the societies. Therefore, in the fulfillment perspective of society's fundamental right for health, the government is responsible to ensure satisfying access for every society for proper and optimum health care. As an effort to respect, protect, and fulfill. Health and human rights are complementary approaches to define and promote public welfare [4].

Form of state responsibility in fulfillment of right for health based on the 1945 Constitution of The Republic of Indonesia. Health is a fundamental right, in fulfillment perspective of society's fundamental right for health, the government has the responsibility to ensure proper and optimum access for every society for proper and optimum health care. State obligation to implement norms of human right to health right, must fulfill minimal principles of health care availability; accessibility; acceptance; and quality. Meanwhile, a form of state obligation to ensure the right for health internalized in form of state regulation with principles; to respect right for health; to protect right for health, and to fulfill right for health.

International covenant about economic, social, and culture right about (ECOSOC) United Nations Right, then for the achievement of high health standard, mention that access insurance for satisfied health care such as financial accessibility,

namely health care must be affordable for all of the state societies. It must be interpreted that government has the responsibility to ensure the availability of financial resources for the implementation of satisfied and affordable health care for all societies. The Law No. 40 of 2004 about System of National Social Insurance, explains that state responsibility in fulfillment of society access to health is to release regulation or program of fair health insurance and can be achieved by all of the state societies. Government principle has duties to formulate and implement regulation of fair insurance system for societies, including health insurance for state societies. This state principle must behold. Government duty is just in regulation accumulation about making suffice of dues and supervision payment. Later, synchronization and harmonization will be the last form of System of National Health Insurance that implemented in The Law of BPJS.

Government duty in the implementation of national health insurance is a continuous activity, the comprehension not only makes regulation, supervision, and evaluation so can be conducted well. Implementation of government duty must be based on legitimate authority, with rule of law especially with The Law, so that it does not cause law effect, as a consequence not only to society but also to government official/apparatus itself. Existence of a corridor/restriction so government acts based on rule of law (not doing arbitrary or government action is not based on legitimate authority). It is different from misappropriation of authority where misappropriation of authority has rule but also the authority is abused.

Based on The Law of Government Administration Article 7 Paragraph (2) government obligation obeys good governance general principles and is based on the certainty of The Law. Government implementation conducts The Law, making a rule, applying the rule, and leveraging to give and support society welfare. Implementation of government administration must be based on the legality principle, protection principle to human rights, and government good general principle<sup>[5]</sup>. Government organ has a very strategic law position in order to conduct state purpose such as has been regulated in the constitution. The government's fundamental duties are to ensure people or society safety, manage effective structure for the public

sector, private sector, and society sector, and improve economic and social targets.

The use of government power is the concept of public law, then the use of government power must be based on law and democracy state, law state is another meaning of government in action must be based on legality principle, while democracy must have supervision. The government in implementing the duty must be based on a certain purpose not originally acts if it happens it can be fatal. The need for government collaboration and synergetic to solve the problem.

According to Mariam (1980) in functions from the government are besides having the authority to manage, care for, cultivate, protect general importance, and society. While the government duties are external security, internal order, justice, general welfare, and freedom. While according to Logeman government function has authority, service, care, cultivate, protect general importance and society through rule construction and enforcement.

Government implementation is not only based on accountability but also on skill in conducting government, accountability principle has the concept no one of government implementation can not be accountable. Therefore, the government said to be capable of implementing the government can apply good governance. In conducting government must be accurate and careful because it will not cause the law effect to the government action and deed. Therefore, in order not to enter a violation of law then the government must implement good governance norms and principles.

The validity of government action becomes a criterion of whether the action is based on certainty or break the law or not. Implementing government is not only based on good governance principles but also based on the validity of government action and deed. The validity of government deed must be understood so government deed or action can not be ignored so that bring illegal law effect, that causes to the state and society harm. In general, the administration of national health insurance is in principle the responsibility of the administering government for one country because social security is a system to bind the establishment of a country<sup>[6]</sup>.

#### Society Justice Through Social Insurance

Justice has become the main topic in history and discussion in a social and political institution. If we talk about the philosophy of justice many philosophers state their opinion and become a basic idea for the scientist in the world. We will disgorge the attention of this topic to society in acquiring justice through health social insurance. Talking a justice, a relative condition because a "justice" can be seen from different "side", namely position, time, and who gives and receives. The time when all of the justice received obtained, who gives and receives justice. Obligation gives justice this time is given by the state (Indonesia) in fulfillment of health social insurance and who receives namely society.

State obligation in fulfillment of constitutional right gives protection through regulation but regulation must be implemented through state liveliness in real forms. Existence of situation that not every people has the same opportunity to enjoy the constitutional right, then here, efforts to create justice demand to eliminate injustice. People are treated based on their rights, justice idea is principles of justice for society basic structure that becomes the purpose of the agreement. While the main subject of justice is society basic structure, or more exactly how main social organizations distribute social right and fundamental obligation<sup>[7]</sup>. Fundamental right and obligation that has been regulated in constitution and law.

John Rawls explained that the program of justice enforcement that has democracy dimension must notice two principles of justice, namely: *First*, giving the same right and opportunity for the widest basic freedom for people. *Second*, be able to manage the social-economic gap that happens so that it can give reciprocal benefits for people, both they are from a lucky group or unlucky. Thus, the difference principle demand to regulate society basic structure so that prospect of gap gets welfare, income, authority especially for lucky people that are the unluckiest.

It means social justice must be fought for two things, 1). Conducting correction and improvement to the imbalance experienced by weak society by presenting empowered social, economic, and political institutions. 2). Every rule must position itself<sup>[8]</sup>. Indonesia presence solves a social-economic imbalance by applying Pancasila that ensures social welfare for all of the societies and

applied in constitution Article 34 Paragraph 2 1945 Constitution "The state develops a social security system for everybody and empowers the weak and underprivileged in society in accordance with their dignity as human beings".

Indonesia is a law state, every decision and/or action of government administration must be based on society sovereignty that is a reflection of Pancasila as the state ideology. Thus, not based on the power that is inherent to the position of government implementation. State and society obligation obey the law that is formed and conducted as well as possible.

In welfare namely improvement of social-economic, every people are entitled to social insurance to fulfill the basic need of proper life and improving their prestige to create Indonesia prosperous, fair, and wealthy society then being formed The Law No. 24 of 2004 about National Social Insurance System that has the purpose to give certainty of protection and social welfare for all of Indonesia societies. Instruction of the constitution is existing in order for every society hoped to be able to fulfill the basic need of proper life and get justice. John Stuart Mill provides his opinion about the definition of justice. Justice is a certain moral rule that focused on human welfare. Meanwhile, that becomes one of the essences, namely right that is given to individuals to conduct<sup>[9]</sup>. The implementation of justice has form in a pattern called distributive justice, legal justice, and communicative justice<sup>[10]</sup>.

Justice in general meaning is justice which applies to all people, does not differentiate between one person and another (justice for all)<sup>[11]</sup>. Justice in a special meaning is justice that applies only to certain people (specifically). The process of organizing social health insurance is not limited to legality, but the implementation and evaluation of the statutory system must be carried out in accordance with the needs of the community, both in terms of quality, distribution of participants, benefits, human resources, and infrastructure. Eventually, justice will be obtained properly.

The essence of justice is: "A quality that is possible, but not necessary, of a social order that guides the creation of a reciprocal relationship among human beings. Then it becomes a form of human kindness because indeed humans are just if their behavior is in accordance with the norms of the

fair social order. The point of just social order is that the rules guide human behavior in creating satisfied conditions for all human beings in other words so that everyone can feel happy under these regulations”<sup>[11]</sup>. The debate about justice in social security lies in the benefits of services that are very relative to each individual/group, while the right to health services is a right that is understood as a fundamental right, therefore it needs to be protected through the law to get justice<sup>[12]</sup>.

Government activities are related to the duty to respect, protect, and fulfill human rights, such as economic, social, and cultural rights to provide the necessary conditions for prosperity and welfare. The government is responsible and must ensure that these activities can be done well. Realizing human rights requires good governance and good governance requires human rights<sup>[13]</sup>. The freedom of every person is limited by the human rights of others, meaning that every human right contains an obligation to respect other human rights, so that in rights there are basic obligations<sup>[14]</sup>.

Limits of government power and guarantees of people's political rights are balanced with the power of parliament and legal institutions. The concept of a material law state is born as a reaction to the idea of formal law, a material legal state, the state is required to actively develop all efforts to make the people prosperous through the regulation of social and economic life<sup>[15]</sup>. The implementation of the human rights instrument often uses the right for health, this instrument that defines health as an individual right and in a congressional manner that the state has responsibility for health, which can be provided through health social insurance.

Overall, security means all things where individuals get freedom, peace, get the protection of basic rights, get the necessities of a good life. There is a change from state-centrism to human security which is currently more evident in the form of problems of everyday life such as health, housing, employment, public security, and human rights. Human security includes the protection of individuals from risks to security, honor, health, both physically and psychologically. Connecting public safety free from fear, so that society needs can be fulfilled as a manifestation of human development, and from this situation, it is clear that

there is a link between personal security and human rights.

“Human rights and fundamental freedoms are rights of all human beings which are acquired from birth, cannot be revoked and guaranteed by law. The protection and promotion of these rights is the first responsibility of the Government. Respect for this right is an essential guarantee in the face of a country that is too strong”<sup>[15]</sup>.

The definition of welfare is based on four concepts<sup>[16]</sup>, first: As a condition of well-being. This definition usually refers to the term social welfare as a condition for the fulfillment of material and non-material needs. Midgley, et al (2000: xi) defines social welfare as "... *a condition or state of human well-being.*" Prosperous conditions occur when human life is safe and happy because the basic needs for nutrition, health, education, shelter, and income can be met; and when humans get protection from the main risks that threaten their life. Second; social services, third; as support for the poor, fourth; as a planned process or effort carried out by individuals, government social agencies are formed to improve the quality of life through the provision of social services and social benefits.

Law No. 39 of 2009 about health, ensures the rights of every individual in the health field which is manifested in the statement of Article 4 “*Everyone has the right to health*” so that individuals are ensured equal access to proper and affordable services in the health field. Furthermore, each individual has ensured a healthy environment in order to achieve an optimal health degree.

The 1945 Constitution is basically the source of Indonesian national law, in the field of Social Insurance, affirming that social insurance is a "right" (right), not a "special right". Health must be an important consideration in any development policy. One implementation form is the government's obligation to provide an adequate budget for health development that involves the wider society.

The right to health has economic, social, and cultural aspects. Meanwhile, the core content of the right to health includes not only elements related to the right to health care services but also the right to a number of basic prerequisites for health, such as health social security, clean drinking water, adequate sanitation, health environment, health at

work, family planning, and the right not to get psychological pressure from the environment.

Thus, social security is a human "right" to receive protection from "social risk" (social risk), as stated in the ILO Convention No.120. This is the basis that "the fulfillment of social insurance is the responsibility of the state", so that social insurance is included in the state service (public services), namely the obligation to protect the rights of society and their jobs and livelihoods. International convention of economic, social, and cultural rights of 16 December 1966 Article 9 stipulates that "States parties to this convention recognize the right of everyone to social security, including social insurance".

Indonesia constitution does not remain silent to participate in developing social insurance, it is contained in Article 28 H paragraph (3) that each person is entitled to social security enabling him to develop his entire self-unimpaired as a dignified human being, "which is mandated by Law No. 39 of 1999 on Rights. Human Rights Article 41 paragraph (1) "every citizen has the right to social security needed for a decent life and his full personal development" and Law No. 36 of 1999.

The fulfillment of the constitutional mandate in providing social insurance through the Law of National Social Insurance System which is put forward on January 1, 2014, stipulates the National Health Insurance implemented by BPJS Health as stated in Article 5 of Law No. 40 of 2004 about the National Social Insurance System (SJSN). Whereas health insurance is the right of all Indonesian people, the National Health Insurance program aims to provide easy access to health services for all of the Indonesian societies. But in its implementation, whether all societies are less able to get these services, there are possibilities for the less fortunate people not to get health social security services due to various factors, therefore through the development plan it is hoped that all people can be covered by social security. The Law of National Social Insurance System formulates a health insurance program based on its basic principles.

The nine principles in health insurance include the principle of mutual cooperation, the principle of non-profit, the principle of openness, prudence, accountability, efficiency and effectiveness, the principle of portability, the principle of compulsory membership, and the

principle of trust funds. The principle of mutual cooperation is close to the rights of the community. First; the principle of mutual cooperation gives the meaning of mutual help, togetherness to achieve goals or a social perspective to uphold the group. The implementation of the meaning of mutual cooperation in the national health insurance (JKN), is from participants who are able to less fortunate participants, who are at low risk of helping those at high risk, and those who are healthy help those who are sick.

Mutual cooperation management that cannot be broken down based on funding sources or based on other facts in the community. This management must be total without discriminating sources of costs, especially if it ends in differentiation or service. This would violate the articles in two laws that require the principle of mutual cooperation which is the breath of national health insurance-based health services. According to Roberia <sup>[17]</sup>, the principle of mutual cooperation in national health insurance derives from Pancasila. The principle of mutual cooperation has a very deep meaning, namely to achieve justice and prosperity. According to Rawls in Theo Hujibers <sup>[18]</sup> justice is a balance of personal interests and common interests, interests that are realized as justice, justice has a value that is not negotiable because justice is an insurance for the stability of human life.

The virtue of justice is the basic structure of society, according to Rawls to formulate and provide reasons for the provisions that must be met by a just basic structure of society. The basic provisions must give rise to the prospect of obtaining basic goods, these basic needs are realized with basic rights, freedom, authority, opportunity, income, and welfare <sup>[19]</sup>.

The growing state development does not mean that the state completes its role to play an active role, on the contrary, an active role must be carried out in accordance with existing realizations or needs, in certain cases, the state requires cooperation with society, this collaboration can be expressed through mutual cooperation in JKN, as stated contained in Article 41 of Law No. 30 of 1999 and what is meant by "entitled to social insurance", "that every society has social insurance based on state provisions of law and the ability".

The state ability is still a priority for the poor and neglected children, the state pays the

national health insurance contributions mostly to poor people and for citizens who can afford it, paying contributions through a percentage of the salary between workers and employers or independently. This is where the cooperation between citizens and the state to apply the principle of mutual cooperation as the achievement of mutual welfare and justice, which in this situation does not have to be the full responsibility of the state but can be carried out mutually together with the citizens of the community. Running a national social security system using the principle of mutual cooperation as stated in the SJSN Law and the BPJS Law, this situation is a clear legal order, namely a legal order that must be carried out by agencies, government officials, and/or community members. As stated in the international covenant on Ecosob<sup>[19]</sup> individuals have various obligations towards other individuals and towards society, because they are part of themselves, taking responsibility to do their best to improve social, economic, and cultural rights.

As stated earlier, government agencies/officials have the obligation to implement the applicable laws, when making decisions/actions by government agencies or officials they do not take arbitrary actions, in implementing government functions based on law provision, maintaining government accountability, in order to provide legal protection of law to the society and provide the best possible service to the society<sup>[20]</sup>.

#### IV. CONCLUSION

1. The conception of the state responsibility in fulfillment of the right for health is a positive legal right, therefore the government is obliged as the personification of the state to fulfill the society's health rights. Neglecting the right for society's health in the form of denial of the protection and provision of proper public health care is a systematic violation of the constitution.
2. Health care for society must not provide a gap or opportunity for discrimination in health care. One of the justices obtained by society is the fulfillment of the right for health for society.

#### REFERENCES

- [1] Isra S. "Peran Mahkamah Konstitusi dalam Penguatan Hak Asasi Manusia di Indonesia". *Jurnal Konstitusi*, Volume 11, Sep., pp. 409–427, 2014.
- [2] Corporate D A N. "Responsibility S. Hak Atas Kesehatan Dalam Program Jaminan Kesehatan Nasional Dan Corporate Social Responsibility (CSR) Endang Wahyati Yustina" 2014.
- [3] Y. Liu. "Reforming China's urban health insurance system". *Health Policy*, Vol. 60., pp. 133–150, 2002.
- [4] Baldwin S B, Eisenman D P, Sayles J N. François-Xavier Bagnoud "Center for Health and Human Rights President and Fellows of Harvard College identification of human trafficking victims in health care settings" Harvard School of Public Health, 2015.
- [5] UU No 30 Tahun 2014 Tentang Administrasi Pemerintahan Pasal 5.
- [6] Pelaksanaan D Social, Tanggung jawab negara dalam pelaksanaan jaminan sosial. No. 1., pp. 163-174, 2012.
- [7] Rawls J. A Theory of Justice Teori Keadilan Dasar-Dasar Filsafat Politik Untuk Menuju Kesejahteraan Sosial Dalam Negara, 2011.
- [8] J. Greenberg and R.L. Cohen. *The Justice Concept in Social Psychology, Equity, and Justice in Social Behaviour*, 1982.
- [9] K. Lebacqz. *Six Theories of Justice (Teori-teori Keadilan)*, 2011.
- [10] Notonegoro. *Pancasila Secara Ilmiah Popule*, 2011.
- [11] H. Kelsen. *Dasar-dasar Hukum Normatif*, 1971.
- [12] Cummiskey D. Health Care Justice : The Social Insurance., pp. 157–158, 2008.
- [13] Office A E A C. Hak Azazi Manusia & Kepemerintahan Yang Baik, 2010.

- [14] Moh. Mahfud. MD, *Politik Hukum di Indonesia*, Jakarta: LP3ES 1998.
- [15] S. Marzuki. *Politik Hukum Hak Asasi Manusia*, Jakarta: Erlangga, 2014.
- [16] E. Suharto. *Peta dan Dinamika Welfare State Dibeberapa Negara: pelajaran yang dapat dipetik untuk membangun Indonesia*. makalah disampaikan pada Seminar Mengkaji Ulang Relevansi Welfare State dan Edi Suharto/WelfareStateDepbos, 2006.
- [17] Roberia. Ringkasan Disertasi “Paradigma Jaminan Kesehatan Nasional”.
- [18] T. Huibers. *Filsafat Hukum dalam Lintasan Sejarah*, Yogyakarta: Kanisius. 2014.
- [19] A.B. Nasution and A.P.M. Zen, *Instrument Internasional Pokok Hak-Hak Asasi Manusia*. Yayasan Obor Indonesia & Lembaga Bantuan Hukum Indonesia, 2006.
- [20] Undang-Undang No 30 of 2014 about Administrasi Pemerintahan