



Resilience System National In The Perspective Of Utilitarianism

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ABSTRACT

The importance of optimal health services can be seen from the consideration and general explanation of Law No. 36 of 2009 on health, in the event of health problems, it will lead to a decrease productivity and if productivity falls, then National Development will be hampered, meaning here it can be concluded, that health must be a concern for all elements, because all elements have the same interests and goals that lead to a smooth National Development, so that welfare can be realized that can be achieved with productivity obtained by striving for health services in order to, The question that arises is whether the implementation of the National Health System as formulated in the legislation can bring as many benefits as possible people? .The principle of expediency is strongly influenced by the thought of utilitarianism, namely that the law was created to realize happiness for as many people as possible so that the benefits of the law can be felt by as many people as possible, in terms of harmonization of Law No. 36 of 2009 on health and all elements related to Law No. 36 in 2009 on health , the maximum benefit for all elements of society can be realized if social justice can be realized, thus: if the welfare gap can be reduced, then social justice can be realized; it can happen if there is maximum economic productivity, then every citizen can feel the benefits of management of production branches that are important and concern the lives of many people.

INTRODUCTION

Health has a big role in improving the degree of community life, then all countries including Indonesia strive to provide health services as well as possible, in order to achieve an optimal level of Public Health, and ultimately can be achieved a healthy state, because in a healthy body, there is also a healthy soul.

Health knows two kinds of division, namely Public Health and individual health, so that health

law distinguishes between Public Health Law and Individual Health Law (Medical Law). Public health law focuses more on arrangements related to public health that are macro-social legal relationships that apply between institutions or institutions with a certain population or community that is given based on the right to obtain the same health care. Individual health law is more about the regulation of health services that regulate the legal relationship between the sick and health resources, namely health facilities and Human Resources Health in

curative health efforts, promotive and rehabilitaitf, does not mean ignoring preventtive health efforts, but preventive health efforts are more the responsibility of the government CQ Ministry of Health.

Juridical definition of Health as mentioned in Article 1 Paragraph 1 of Law No. 36 of 2009 on health is a healthy state, both physically, mentally, spiritually, and socially that allows everyone to live socially and economically productive. Referring to the consideration of Law No. 36 of 2009 on health, the consideration letter (a) explicitly stated that health is a human right and is one element of welfare that must be realized in accordance with the ideals of the Indonesian nation as meant in Pancasila and the Constitution of the Republic of Indonesia year 1945.

The World Health Organization (WHO) in 1957, in line with Law No. 36 of 2009 on Health, provides an understanding of Health is as follows: physical, mental, spiritual, social state that is fully prosperous not only free from disease, disability and weakness. This concept of Health has not accommodated the dimensions of productivity and age groups, then in 1986 in the Ottawa Charter, it was stated that healthy is not the purpose of life, but a tool for productive living.

From the description above it can be understood, that basically health problems concern all aspects of life and encompass all the time of human life, both from the past, present and future, seen from the history of its development there has been a change in value orientation and thinking about solving health problems.

In line with the development of Science, Health Technology and socio-culture, the health development policy by the CQ government of the Ministry of Health in the field of Health, which was originally an effort to cure sufferers, is gradually developing towards the unity of health development efforts for the whole community, including inviting the participation of the private sector to organize health care providers, so that the nation's ultimate goal in the field of health, namely the holding of Health Development to achieve social welfare. The urgency of health development through health

services in economic growth is based on the principle, that everyone has the right to health insurance so that they can live in a decent and dignified way, so that they can lead a prosperous, fair and prosperous Indonesian society in accordance with the ideals of Indonesian Independence, as stated in the Preamble of the 1945 Constitution Paragraph IV.

The preamble of the 1945 Constitution Paragraph IV is further outlined in Article 34 paragraph (3) of the 1945 Constitution, which regulates that the state is responsible for the provision of health care facilities and good public service facilities, some of the elements contained in this article are the responsibility of the state, health services and decent facilities.

Mandate of the 1945 Constitution, that the state is responsible for health services, that in its operation the Government of the CQ Ministry of Health can involve private parties, the Government of the CQ Ministry of Health can empower private parties to participate but it still does not reduce the responsibility of the state; this is in line with Article 28h paragraph (1) of the 1945 Constitution that everyone has the right to live a prosperous life physically and mentally, reside and get a good and healthy living environment and are entitled to health services. Health Service is a standardized term for the implementation of individual health, in the sense that in the health service there are medical services and non-medical services, which become a unity in the implementation of individual health services.

"Health care is all efforts and activities to prevent and treat diseases, all efforts and activities to improve and restore health that are carried out on the basis of individual relationships between medical care experts and individuals in need."

Furthermore, according to Benjamin Lumenta, medical services are microsocial activities that apply between individuals , health services aim to meet the needs of individuals or communities to overcome, neutralize and normalize all problems or deviations to the state of Health. According to Wiku Adisasmita health service is any effort organized alone or together in an organization to improve

health, prevent and treat diseases and restore the health of individuals, groups or communities.

In terms of providing health services, they are divided into two groups, namely, Health recipients, namely health service recipients and Health Providers, namely health service providers. Furthermore, according to Fred Ameln, health services can be categorized in health law in a broad sense.

In the category of health recipients, the consideration of Law No. 36 of 2009 on health in Article 4 states that everyone has the right to health and the right to Health referred to in this article is the right to obtain health services and health care facilities in order to realize the highest degree of Health, which is further explained in Article 5 of Law No. 36 of 2009

The philosophy of Pancasila as a view of life (*weltaanschaung*) of the Indonesian nation and the Constitution of 1945 as the Basic Law of the Unitary State of the Republic of Indonesia, its articles are used as the legal basis for the formation of any legislation. In accordance with the Universal Declaration of Human Right that every human being has the right to live a healthy life, this is because health is the path to well-being. One of the goals of the independence of the Republic of Indonesia is to realize the general welfare, it can be understood that according to the understanding in Law No. 36 of 2009 on health, that one of the health goals is for people to achieve the highest level of health, so as to achieve productivity both social and economic.

Since 1982 the Indonesian nation has had a National Health System with the issuance of the decree of the Minister of health of the Republic of Indonesia No. 99a/Men.Kes./ SK/III / 1982 on the National Health System on March 2, 1982 and has been updated with the decree of the Minister of Health No. 131 / MenKes / SK / II / 2004 explained, that the National Health System is an order that gathers various efforts of the Indonesian nation in an integrated and mutual support, in order to ensure the highest degree of health as, as intended in the Preamble of the 1945 Constitution.

The purpose of realizing the highest degree of health, as stated in the decree of the Minister of

health of the Republic of Indonesia No. 131/MenKes/SK/II/2004 and Law No. 36 of 2009 on health, is to have the same goal that is to ensure the degree of health of all citizens, in order to achieve general welfare with the achievement of both social and economic productivity. In the description above, it is clear that there is a correlation between health, productivity and well-being. The purpose of the government is to realize the welfare of all the people of Indonesia as the ideals of independence of the Indonesian nation, welfare can be achieved with maximum productivity and maximum productivity can be achieved with the presence of optimal health. In the concept of utilitarianism, the most disadvantaged parties are put in priority who get the privilege of the implementation of a legal regulation.

METHOD

The methodology that the author uses is the normative legal methodology. Normative research or legal research literature is legal research using secondary data that is data obtained from library materials. In this normative legal research, the author collects data in the form of secondary data obtained from books, laws and other literature sources.

RESULTS AND DISCUSSION

A. Optimal Health Care

In accordance with the general explanation of Law No. 36 of 2009 on health, it is stated firmly that in accordance with the Preamble of the 1945 Constitution clearly stated the ideals of the Indonesian nation which is also the national goal of the Indonesian nation. That the national goal of the Indonesian nation is to protect the entire Indonesian nation and all Indonesian bloodshed, promote the general welfare, educate the nation's life and implement world order based on independence, eternal peace and social justice.

National goals as mentioned above are organized through sustainable development efforts as an effort to develop a comprehensive, targeted and integrated series that includes development in the field of Health. General explanation of Law No. 36 of 2009 on health paragraph 3 mentions:

"Health is a human right and one of the elements of welfare, which must be realized in accordance with the ideals of the Indonesian nation, as referred to in Pancasila and the Preamble of the Constitution of the Republic of Indonesia 1945."

In the perspective of legal history, as mentioned in the general explanation of Law No. 36 of 2009 on health paragraph 5 mentions:

"Efforts to improve the degree of health as high as possible at first only an effort to cure the disease that along with the development of the paradigm is gradually developing towards the integration of health efforts for the whole community by involving the community at large. The development as mentioned above is contained in the National Health System 1982, which is further mentioned in the outlines of the state Halauan (GBHN) in 1983 and the outlines of the state Halauan (GBHN) in 1988 as an order to implement Health Development."

Health development is an integrated part of the development of human resources in realizing a developed and independent nation as well as a prosperous birth and mind . One of the characteristics of developed countries is to have a high degree of Health, in this case the full human development should include physical, psychological aspects so that in this case according to Sujudi Health Development is aimed at realizing intelligent, healthy and productive humans.

In the Strategic Plan of the Ministry of Health in 2005-2010 mentioned, that health development in Indonesia that has been implemented on an ongoing basis has been quite successful in increasing the degree of Health in Indonesia, however, the degree of Health in Indonesia is still relatively low.

The urgency of health development in economic growth is based on the principle, that everyone is entitled to health insurance so that they can live in a decent and dignified way so that

they can lead a prosperous, fair and prosperous Indonesian society in accordance with the ideals of Indonesian independence as stated in the Preamble of the 1945 Constitution Paragraph IV. The purpose of Health Development is to increase awareness, willingness, and the ability to live a healthy life for everyone in order to realize the degree of optimal public health, the creation of conditions such as in can be characterized by a healthy lifestyle and the ability to reach decent health services.

Declaration of Human Rights 1948 Article 25 paragraph 1, states that everyone has the right to obtain a decent standard of living for the sake of Health and well-being and their families included in food, clothing, Board , health services and other social services, this is in line with the Government of the Republic of Indonesia which in 1960 has enacted the law on Health No. 9 of 1960 (which was later replaced by Law No. 23 of 1992, which was later updated with Law No. 36 of 2009), they claim that the people deserve the highest degree of Health. The right to the highest degree of Health is a human right, just as the right to preserve life refers to the government's efforts to protect all its people from health threats that cannot be dealt with individually, although this in no way diminishes the moral obligation of the individual concerned to maintain his or her own health.

The World Health Organization (WHO) in 2000 defined the Health System as all activities that have the main objective of improving, improving or treating health with the definition of all types of formal health services, professionals who are dedicated to treatment whether or not by prescription. As a comparison, Lassey defines the health care system, as a combination of medical institutions, human resources, financial mechanisms, information systems, organizational network mechanisms in an effort to support the provision of health care services for patients.

The National Health System is a challenge that reflects the efforts of the Indonesian nation to improve its ability to achieve optimal health degrees, as a manifestation of general welfare. In the explanation of Article 3 of Law No. 36 of 2009

on health. Health efforts as referred to above are influenced by socioeconomic factors, realizing how widespread it is, the government in organizing integrated and comprehensive health involves the private sector in order to achieve optimal health degrees.

This is in line with the health crisis triggered by the economic crisis, has made the underprivileged people increasingly suffer because of the difficulty of reaching health care facilities, people who are not able in difficult circumstances, in dire need of health care policies made by the government of the Ministry of Health CQ.

The National Health System is an order that reflects the efforts of the Indonesian nation to improve the ability to achieve the highest level of health as a manifestation of general welfare as intended in the preamble of the 1945 Constitution. Therefore, the basic thinking of the National Health System essentially determines the direction and purpose as well as the basic basis of health development as a comprehensive, integrated, and sustainable unity as part of national development. In the National Health System as stipulated in the decree of the Minister of health of the Republic of Indonesia No. 99a/Men.Kes./ SK / III / 1982 on the enactment of the National Health System stated that since the reign of the New Order of national stability has been quite steady thanks to the development of political life which is consequently run on the basis of Pancasila and the 1945 Constitution and the outline of the state as the elaboration of the 1945 Constitution.

Furthermore, the National Health System has been updated with the decree of the Minister of Health No. 131/MenKes/SK/II / 2004 as a replacement for the National Health System 1982, the National Health System in accordance with the decree of the Minister of Health No. 131/MenKes/SK/II / 2004 explained that the National Health System is an order that collects various efforts, as a manifestation of public welfare as intended in the Preamble of the 1945 Constitution. Described in the National Health System according to the decree of the Minister of

health of the Republic of Indonesia No. 131/MenKes/SK/II / 2004 is one way of fulfilling the rights of society by the state, but in the implementation of the health system is also influenced by other factors such as the state of the economy of a country . The scope of the National Health System is faced with several important elements , financing factors will be a very crucial factor in the National Health System.

According to Parsons, the economic subsystem plays a role in carrying out the function of adaptation in the form of the ability to master the means of facilities and facilities for the needs of the system, so in this case the position of the law is so important and must be able to control other subsystems , so that between sub-systems can run strategically because in this case each subsystem has a different logic, mechanism and purpose .

Differences in logic and mechanism cause a state prone to collisions between subsystems and must be controlled by law in the function of integration . In Steeman's view that what formally constitutes society is the general acceptance of normative rules of the game, it is this normative pattern that should be viewed as the most fundamental element of a system as an integrated structure.

Social welfare under the Constitution of 1945, has a very important and fundamental function. Welfare for all people is a mechanism and guarantor device for the realization of Social Justice. Social justice is intended to protect the rights of the people in the social, economic, political, and guaranteed and the creation of security, integrity so that the survival of the Indonesian nation is guaranteed.

Health Services aims to build a socially and economically productive society, although Law No. 36 of 2009 on health uses more humanitarian approaches as set forth in Paragraph 3 of the general explanation of Law No. 36 of 2009 on health.

The urgency of Health Services is very important because until now the participation in

Social Security programs is below 20% and it is still very low. On the other hand, the implementation of health insurance for all Indonesian people in real terms is mandated through Article 34 paragraph 2 of the 1945 Constitution, namely "the state develops a social security system for all people and empowers weak and incapable people". Furthermore, it is regulated in Article 20 of Law No. 36 of 2009 which states that the government is responsible for the implementation of public health insurance through the National social Security system for individual health efforts. The right to a healthy life is part of the universal human right specifically formulated in the universal Declaration of human rights contained in Article 25 which states that everyone has the right to live to a standard that is appropriate for their health and well-being and their families including the right to food, housing and health services.

In the paradigm of the international world which refers to Article 12 of the International Covenant on Economic, Social and Cultural Right mentions that everyone has the right to enjoy the highest St. To achieve the highest level of physical and mental health, it is necessary to reduce mortality, provide optimal care and health services and ensure that.

B. Basic development and Theory of expediency

Article 2 of the Declaration of Human Rights (1789) States : "The goal of any political alliance is the preservation of natural and non-transferable human rights. These rights are independence, property, security and resistance to violence. "

Article 1 of the convention of 1793 has shifted its pressure : "The goal of society is happiness with the government established to ensure human beings enjoy their rights that are experienced and can not be transferred".

The transition from the original text emphasizing natural rights to the grandeur of social happiness for the most part came from Bentham's influence. John Stuart Mill agreed with Bentham, that an action is wrong when it produces something that is the opposite of happiness. He agreed that

the standard of justice should be based on its usefulness. He argues, however, that the origin of the awareness of justice is not found in usefulness, but in two sentiments, namely the stimulus to self-preservation and the feeling of sympathy.

According to Mill Justice stems from the human instinct to resist and avenge the damage suffered, both by ourselves and by anyone who gets sympathy from us. The feeling of justice will rebel against corruption, suffering not only on the interests of the individual, but wider than that, down to others whom we equate with ourselves. The nature of justice thus encompasses all the essential moral requirements for the welfare of mankind.

The mind of positivism mainly develops in a state of stable society. But it is not easy to separate "IS " and " ought" in a turbulent society. It is interesting that Bentham and Austin did not present their positivistic thoughts in such a stable atmosphere. As mentioned before, Bentham was a staunch fighter for law reform, because he saw the chaos around him. To be able to reform, Bentham and Austin argue, there must first be a thorough clarity about the law as it really is. Bentham and Austin's positivism was based on his rejection of naturalism and their love of order and precision .

Expediency as the ultimate goal of justice was developed by Bentham and Mill. Mill realized that the power of the feeling everyone had about justice and felt disillusioned with injustice in Mill's utilitarianism perspective, evaluating whether justice was sui generis or part of expediency and inferring it as part of expediency was in line with David Hume's theory which considered the utilitarian basis to be the most valuable principle of Justice.

Mill found 6 general conditions generally agreed to be "unjust ": (1) separating man from the things upon which they have legal rights; (2) separating man from the things upon which they have moral rights; (3) man does not perceive what he deserves-good for the righteous, and bad for the wrongful; (4) disagreement of faith between people; (5) being half-hearted, for example showing support

only as a sweetening of the lips; (6) threatening or suppressing others who are not equal to him.

In addition, Mill states that the deepest feelings arise around a certain type of injustice, namely the domination of "various acts of aggression or the wrong application of power over others", and all acts of "wrongfully distancing something to which one is entitled". False distancing here includes also withholding kindness. Therefore, the general standard of justice as "good for good and evil for evil" is easily incorporated into this utilitarian perspective. And if everyone gets what he deserves, the concept of equal treatment becomes: "inevitably society must treat everyone with equal good for those who deserve equal good. The highest abstract standards of social justice and distributive justice". Strong feelings and generally accepted standards, then, can be explained from a utilitarian point of view.

However, this point of view of utilitarianism not only explains acceptable standards, but also serves to be the arbiter between them. Mill offers three examples of social conflicts in which disputable "Justice" requirements and generally accepted standards could not lay any claim. One of them is the question of: whether the calculation should be based on contribution or on an effort to demand "justice" will not solve this problem, as some consider justice to require an appreciation of the effort. Justice depends largely on expediency, for conflicts within the general rules of justice can only be resolved by reference to the principle of expediency. That's why Mill concluded:

"Justice is the name for certain classes of moral rules that highlight the essence of human well-being more closely than, and therefore more absolute obligations-any other guiding rule of life. Justice is also a conception in which we find one of its essences, -that of the right granted to an individual-, implying and testifying to more binding obligations."

Mill's approach to justice lies in his analysis of the common sense and moral sensibilities of his time. He started from the things that were considered unfair in his society, and he built a universal framework to analyze them. The focus lies on action, not the system or structure itself. Many examples are at the micro level, so there is no clear distinction between interpersonal injustice and wider social injustice. Mill understands justice when he is dealing with personal claims or rights, and seeks to base those claims with utilitarianism arguments.

Therefore for Mill there is no theory of justice that can be separated from the demands of expediency. Justice is the term given to rules that protect claims deemed essential to the welfare of society, claims to hold promises, to be treated equally and so on. Such claims are the point of mind for utilitarian calculations, so these calculations can be made if the "greatest good" demands them. In the same way, any conflict between the rules of justice that protect these claims is also the subject of utilitarian calculations, and can be controlled. Justice depends on the principle of benefit and does not contradict this principle.

The essential properties of justice in the utilitarian scheme read as follows: Justice recognizes the existence of individual rights supported by society. For Mill, to require the established rules become the good of society in order to ensure the fulfillment of certain strict obligations and in order to protect the rights of individuals. Justice can combine the concept of 'equal treatment' and the concept of 'abandonment'. But the most important thing is that justice is not *sui generis*, because he depends entirely on social 'expediency' as his foundation. Therefore, all the rules of justice, including equality can be subject to the demands of benefit: "every man believes that equality is the principle of justice, unless he thinks his methods require inequality". Anything that brings the greatest good to all can be called "just"

The principle of expediency originated from the theory of utilitarianism presented by Jeremy Bentham which in its substance the concept of the theory of utilitarianism is guided, that the law as the

order of living together should be directed to happiness and benefits for as many people as possible, so as to create maximum freedom from all individuals to achieve what is good for him.

The idea of this concept is derived from the idea of man that was originally expressed by David Hume, that all human actions are related to desire, even morals and laws are actually based on benefits, and they all boil down to benefits.

In the concept of utilitarianism which introduces the relationship of individual rights and also the needs of others so that in this case it allows the realization of happiness for many people, this concept emphasizes the point of tolerance:

"the point of tolerance is that when everyone takes care of himself, when everyone knows his rights and obligations as fellow individuals who need happiness and when everyone realizes that no individual wants to suffer, then the common interest will be assured, (which is nothing but the interest of individuals in society), will also be assured."

The root of this theory of utilitarianism is that the law must be able to support sufficient material livelihood in each individual, promote equality, maintain security and achieve property rights. The theory of utilitarianism has four guidelines: first, everyone has the right to live and act in accordance with the values necessary to survive, Second, everyone has the right to freely think and act in accordance with what he considers best to sustain life, Third, everyone has the right to work hard in accordance with the values of his own choice and enjoy the results, fourth, everyone has the right to live in accordance with his own interests to realize his expectations.

Bentham's theory was perfected by Mill, who perfected utilitarianism into law as the embodiment of the highest value of the tangible sense of justice, the individual's sense of justice makes him think of the interests of others, even put as the main one, because of this sense of justice people will regret his

actions that are not good to others, under, this suggests that Mill's theory links expediency with Justice shaped by law.

Furthermore, the theory of utilitarianism as the foundation of the principle of benefit is refined again by Rawls, according to Rawls the benefit in society according to Mill people will lose self-esteem, and after all, the service for the sake of common development will disappear. It is permissible for people to be asked to make sacrifices in the public interest, but it cannot be justified that such sacrifices are first requested from people who are less fortunate in society.

The basic makeup of society everywhere, says Rawls, has always been characterized by inequality. This situation needs fair handling. And justice lies not in the presence or absence of sympathy as Bentham thought, nor in maximizing the usefulness for as many people as Mill thought possible. On the contrary, justice lies precisely in the proportionate 'ownership' of those most disadvantaged. But that perception should not make others suffer, nor should the person concerned become a parasite.

Therefore, law as one of the elements of the basic structure of society, must regulate in such a way based on two principles. First, establish equal freedom for everyone to have access to wealth, power, dignity, rights, and freedom. Second, the principle of difference and the principle of fair equality of opportunity. Into the difference principle: social and economic differences must be organized in order to provide the greatest benefit to the most disadvantaged. While the principle of fair equality of opportunity designates equal opportunities for all people (including those most disadvantaged) to achieve prospects of well-being, income and authority.

According to Rawls, the first principle must apply first before the second principle. Likewise, the lexically equitable equality of opportunity must prevail before the principle of difference. Only after freedom is fully provided can we be free to direct our pursuit of the demands of the next principle, that is, equitable equality of opportunity and the principle of difference. With this kind of

management of Justice, joint development can continue without distortion, and the less fortunate will not lose self-esteem.

CONCLUSION

Health care is all efforts and activities to prevent and treat diseases, all efforts and activities to improve and restore health carried out on the basis of individual relationships between medical care experts and individuals in need. Health services as described above, is intended to realize the highest degree of Public Health with integrated health care efforts. Understanding of the National Health System (SKN) according to SKN in 2004, SKN is an order that gathers various efforts of the Indonesian nation in an integrated and mutually supportive manner in order to ensure the highest degree of health as a manifestation of general welfare as referred to in Paragraph IV of the opening of the 1945 Constitution. The purpose of health services as described in the law- Law No. 36 of 2009 on health, is to realize productive resources, with the achievement of productive resources, it will achieve productivity socially and economically so that social welfare is realized.

In principle, every citizen has the right to health, has the same rights in health access, obtain safe, quality and affordable health services and independently determine the necessary health services for himself, including obtaining information and an adequate environment for health. but the opposite. every citizen is also obliged to realize and maintain the highest degree of health including health efforts and respect the right to health for others.

The government is responsible for planning, organizing, organizing and fostering the realization of public health efforts including the availability of the environment, health facilities, health resources, access to information and education about health and community empowerment to achieve the highest level of Health. Understanding the participation of citizens in the field of health services as stipulated in Law No. 36 of 2009 on health and Public Health System (SKN) 2004, is an order that gathers various efforts of individuals, groups and

the general public in the field of Health in an integrated and mutually supportive manner in order to achieve the highest degree of Public Health. The understanding of Human Resources in the field of Health is an order that gathers various planning efforts, education and training and utilization of health workers in an integrated and mutually supportive manner, in order to ensure the achievement of the highest degree of Public Health.

Understanding health efforts is an order that gathers various activities that are carried out in an integrated and mutually supportive manner both prevention, treatment and health recovery by the government and or the community, in this case including public health efforts and individual health efforts to achieve the highest degree of Health. The purpose of realizing the highest degree of health as stated in the decree of the Minister of health of the Republic of Indonesia No. 131/MenKes/SK/II/2004 and Law No. 36 of 2009 on health, the objective correlation is to the general welfare with the achievement of productivity. The goal to be achieved by the thinking of utilitarianism which is behind the principle of expediency is that the law can benefit as many people as possible through a sense of justice that can be accepted by all parties so that the purpose of legal certainty can be achieved.

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