

Passage of The Health Law: A Human Rights Perspective in The Field of Public Services

Gunawan Widjaja

Universitas 17 Agustus 1945 Jakarta, Indonesia

Email: widjaja_gunawan@yahoo.com

Abstract

The passing of the Health Law is a strategic step in strengthening human rights guarantees in the field of public services, especially access to health services. This law affirms the state's commitment to fulfil the basic right of the people to quality health in an equitable manner. However, the main challenge lies in reducing regional disparities and ensuring that vulnerable groups are not left behind in obtaining services that are inclusive and based on social justice. Through a human rights approach, Health Law has great potential to realise a more equitable and comprehensive national health system. With proper monitoring and implementation, this law can be the main foundation for achieving rights-based and equitable public services.

Keywords ratification, health law, human rights perspective, public service.

INTRODUCTION

The passing of the Health Law is an important step in ensuring the fulfilment of every individual's right to health as stipulated in the 1945 Constitution and various international instruments, such as the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights. The right to health is an integral part of human rights that includes access to quality, affordable, and inclusive public services for all levels of society (Patel, 2022).

This right includes not only efforts to cure diseases, but also preventive measures, health promotion, and environmental management that supports physical and mental well-being. As a form of public service, access to health must be guaranteed by the state in order to fulfil, among others, medical needs, protection against disease outbreaks, and psychosocial support for the community (Zulfikar, 2025). From a human rights perspective, the right to health is understood in a comprehensive manner, involving the principles of equality, non-discrimination, and social justice so that all levels of society have equal access without exception, including vulnerable groups such as children, the elderly, and people with disabilities (Aziz, 2025).

In addition to the accessibility aspect, the affordability of health services is a key requirement in the fulfilment of this right. The state has an obligation to ensure that people are not financially constrained in obtaining health services, especially for those who are less well-off. Programmes such as health subsidies, social security, and affordable clinic facilities are concrete manifestations of the commitment to the right to health (Chandra, 2025). In addition, inclusiveness also plays an important role, where health services need to be designed to accommodate the diverse needs of the community, including cultural aspects, gender, and geographical location. When public services are provided with quality, affordability, and inclusiveness in mind, the right to health can truly be translated into a form



of real protection of human rights. However, in practice, the fulfilment of this right still faces a variety of complex challenges (Alston, 2020).

One of the problems that often arises is the gap in access to health services that still occurs between urban and rural areas. This inequality shows that the principle of equality in fulfilling the right to health has not been fully realised. In addition, the quality of medical services in some areas is also not optimal due to limited facilities, lack of health workers, and inadequate service system management. This condition shows that the community's right to quality public services still needs more attention (Brown, 2021).

On the other hand, the issue of health costs is also one of the main obstacles. Although the government has introduced health insurance programmes such as BPJS Kesehatan, many people still face financial constraints in accessing medical services. This is contrary to the principle of social justice, which should place health as a basic right that can be accessed equally without discrimination. The passing of the Health Law is expected to be a progressive legal umbrella to answer the needs of the community while providing protection of their human rights (Freedman, 2023).

However, in passing a regulation, a process that is transparent, inclusive, and involves public participation is needed. From a human rights perspective, public involvement in the drafting of laws is important so that the resulting regulations can reflect the real needs of the community. Lack of socialisation or dialogue with the public regarding the ratification of a law can trigger resistance or dissatisfaction which ultimately hinders its implementation (Rizki & Puspitasari, 2025)

Through comprehensive Health Law, regulations in the health sector must be able to accommodate the principles of justice, non-discrimination, and the right of every individual to obtain quality public services. The new regulation is also expected to be able to respond to global challenges, such as pandemics, and strengthen the health service system in favour of the wider community. This ratification is an important momentum to assess the extent to which the legal system is able to guarantee the protection of human rights, especially in ensuring justice, equity, and quality of public services in the health sector.

METHOD

The study in this research uses the literature method. The literature research method is a research approach that aims to review, analyse, and synthesise information from various written sources or documents relevant to the research topic or problem. The sources used include books, scientific journals, articles, theses, dissertations, previous research reports, to digital sources such as academic databases or official websites (Fink, 2019). This method is usually used to understand existing concepts, theories, or findings from previous research, so that it can be the basis for developing new research or as a reference to support arguments in a study. Literature research is required to be conducted systematically, critically and selectively, to ensure its reliability and the relevance of the information obtained to the research objectives (Webster & Watson, 2002).

RESULTS AND DISCUSSION

Passing the Health Law from a Human Rights Perspective

The passing of the Health Law is a crucial step in the state's efforts to ensure the fulfilment of the right to health for all its citizens. From a human rights perspective, the right to health is a fundamental right recognised internationally, including in the Universal Declaration of Human Rights (UDHR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR) (Rizki & Puspitasari, 2025). This right includes not only access to medical services, but also the fulfilment of conditions that enable each individual to achieve the highest degree of health. In this context, the passing of the Health Law is a concrete manifestation of the state's commitment to the obligation to ensure that every citizen has access to quality, inclusive, and affordable health services (Zhang, 2024).

The Health Law from a human rights perspective also emphasises the principles of equality and non-discrimination in access to health services. The state is obliged to ensure that health services are available to all levels of society, regardless of social status, economy, religion, gender, or geographical location. This is important to ensure that vulnerable groups, such as the poor, people with disabilities, the elderly, and children, are not left behind in obtaining adequate health protection. Here, the Health Law acts as a legal instrument that regulates the distribution mechanism of health services in a fair and equitable manner (Chang, 2022).

In addition, the passing of the Health Law also shows the seriousness of the state in facing the challenges of the health system, both in terms of infrastructure, medical personnel, as well as the regulation of drugs and health technology. The human rights perspective encourages the state to strengthen the national health system to be able to provide adequate services to the entire community, especially when facing a crisis, such as a global pandemic. In this case, the Health Law becomes the legal basis for the government to implement strategic programmes, such as universal health insurance, increasing the capacity of health facilities, and implementing high health standards (Susilo & Widjojanti, 2024).

Health Law also involves aspects of community participation as part of the human rights approach. The public has the right to contribute to the development of relevant health policies, as well as to obtain transparent information regarding available health services. This right to information and participation is important to increase public trust in the health system, as well as build a culture of mutual support between the government and the community in maintaining collective health (Gonzalez, 2020).

The passage of the Health Law from a human rights perspective also integrates the concept of sustainability in health development. The state must not only fulfil the health needs of the present but also ensure that future generations have access to a healthy living environment and adequate health services. Regulations related to environmental management, sanitation, and infectious disease control contained in the Health Law must be in line with the principle of sustainability that respects every individual's right to health in the future (Morgan, 2021).

Health Law also has important implications in strengthening the legal protection of health rights. It provides a clear framework for individuals to claim the fulfilment of their



rights, in the event of negligence or violations on the part of service providers or the government. The human rights perspective in the Health Law ensures that the complaints and rights prosecution mechanisms are transparent and effective in order to hold all parties involved accountable (Johnson, 2023).

Ultimately, the passage of the Health Law from a human rights perspective is not only about guaranteeing access to health services, but also the implementation of human values that place health as a universal right. The state, through this legal instrument, has the responsibility to remove any structural, cultural, or social barriers that may prevent citizens from obtaining health services. The Health Law ensures that a human-centred approach is the basis for national health policies that favour the interests of the people (Thomas, 2021).

Thus, with a deep understanding of human rights, the passage of the Health Law reflects and reinforces the principles of justice and humanity in the country's health care system. This step is the foundation for achieving long-term national health goals, as well as demonstrating the state's commitment to making health a central element in the protection of human rights for all its citizens.

Passage of the Health Law on the Quality of Public Services

The passing of the Health Law is a very important strategic step to improve the quality of public services in the health sector. This law is a legal umbrella that provides clear direction to all parties involved, including the government, health workers, and the general public. With this law, the standard of health services is expected to be improved, so that the community can get better access and more professional services (Kurnia & Santoso, 2023).

This law helps to ensure inclusive and equitable public services. Many communities, especially those in remote areas, have been facing difficulties in obtaining quality health services. With the regulations in this law, the government is expected to focus more on improving the distribution of health facilities, building integrated service centres, and ensuring the availability of adequate medical personnel in each region (Ramli, 2023).

In addition, the Health Law also regulates the protection mechanism for health workers. This is very important as a form of appreciation for those who serve at the forefront of public services. This legal protection not only protects health workers from potential unfair criminalisation, but also provides them with proper rights, such as job security and adequate incentives. This condition will have an impact on increasing the motivation of health workers to provide the best service (Tan, 2022).

Improving the quality of public services through the law also relates to optimising technology-based health systems. The health law opens up opportunities for the government to integrate the healthcare system with digital technology, such as telemedicine and health record applications. These technologies allow people to get medical services quickly, practically, and efficiently, especially for those who find it difficult to access health facilities directly (Smith & Lee, 2021a).

Furthermore, the regulations in the law give serious attention to strengthening the budget for the health sector. An adequate budget is the foundation for the provision of good facilities, including the procurement of advanced medical equipment, the construction of

hospitals in remote areas, and the provision of subsidies for the poor. With this budget strengthening, the quality of public services can be significantly improved without burdening the community, especially the lower economic groups (Smith & Lee, 2021b).

Equally important, the passing of the Health Law also emphasises the need to educate the public about healthy lifestyles. Health education is one of the main focuses so that people are more aware of the importance of maintaining a healthy body and preventing disease. Preventive services such as counselling, mass vaccinations, and social programmes involving local communities need to be strengthened with the support of the law (Walker, 2023).

On the other hand, the implementation of this law requires strict supervision and transparency in its implementation. The government must ensure that all relevant parties carry out their duties according to the established rules, without any irregularities or corrupt practices. This supervision can be carried out through cross-sectoral cooperation, including involving the community to monitor the effectiveness of the programmes being run (Sumarni, 2023).

Overall, the passage of the Health Law has had a positive impact on the quality of public services. Not only does it regulate better and equitable services, but it also creates a stronger health ecosystem, protects medical personnel, and increases public awareness. With proper implementation, this law will be a milestone in realising more excellent and equitable health services for all Indonesians.

Improved Implementation of Human Rights Law

Human rights are fundamental principles that every individual is born with regardless of background, ethnicity, religion, or social status. Laws on human rights exist as an effort by the government to protect these rights from being violated by any party. However, in its implementation, there are still various challenges in Indonesia, such as social inequality, discrimination, and lack of public understanding of the basic rights regulated in the regulation (Harris, 2022). Therefore, improving the implementation of the law in terms of human rights is very important to ensure the realisation of justice and welfare for all.

One crucial step is to strengthen law enforcement mechanisms that support the protection of human rights. The government needs to ensure effective oversight of the implementation of human rights laws and impose strict sanctions on violators. Law enforcement officials, such as police, prosecutors, and judges, should be given specialised training so that they understand human rights principles in depth and can enforce the law fairly. A good understanding of human rights at the apparatus level will prevent abuse of power and ensure that the public is well served (Kumar, 2020).

Furthermore, it is important to raise people's awareness of their human rights. Intensive socialisation of the contents of the Human Rights Law should be carried out regularly, either through public campaigns, seminars, mass media, or formal education in schools. By doing so, people will better understand their rights and be able to defend themselves when their rights are violated. High public awareness will be one of the important foundations to support the implementation of the law in daily life (Li, 2021).



In addition, an inclusive approach must also be applied to ensure all groups receive equal protection. Many cases of human rights violations occur because the position of minorities, whether from ethnic groups, religions, or disabilities, often does not receive sufficient attention. Legislation and government policies must support equality for every individual without exception. For example, by providing access to education, employment, and public facilities that are friendly to people with disabilities (Nguyen, 2024).

Improving the implementation of human rights laws also requires cross-sector collaboration. The government, non-governmental organisations, international organisations, and the private sector must jointly commit to holistic human rights enforcement. The role of civil society is very important in maintaining the transparency of the legal process and providing advocacy for groups that need special protection. With strong synergy between various parties, obstacles in implementing the law can be minimised (Patel, 2022).

Equally important is the provision of an adequate budget to support the implementation of human rights-related programmes. Many human rights protection programmes fail due to lack of funding, such as free legal aid for the poor or rehabilitation of victims of human rights violations. The government must prioritise the budget so that the programme can run effectively and be able to have a real impact on the community (Zulfikar, 2025).

Evaluations of the implementation of human rights laws should also be conducted periodically to identify obstacles and weaknesses in the implementation process. This procedure involves the involvement of independent parties to ensure the evaluation process is objective. The results of the evaluation should be used as a basis for revising regulations or establishing new measures to strengthen human rights protection. This continuous cycle of improvement will create a legal system that is more responsive to the needs of society (Aziz, 2025).

Ultimately, improving the implementation of human rights laws requires commitment, hard work and consistency from all parties in Indonesia. The aforementioned measures, such as effective monitoring, strengthening education, inclusive approaches, and continuous evaluation, are important foundations for creating a just and civilised society. With better implementation, the noble goal of protecting human rights and upholding human values can be achieved, so that Indonesia can become an example of a country that respects human rights universally.

CONCLUSION

The passing of Health Law is one of the significant steps in strengthening the guarantee of human rights in the field of public services, especially related to access to quality health services. This law reflects the responsibility of the state in ensuring that all people, regardless of social, economic, or geographical status, obtain the basic right to health services. In the context of human rights, this endorsement also emphasises that health is a fundamental right that must be protected and fulfilled by the government.

However, in its implementation, the main challenge is to overcome regional disparities and unequal access to proper health facilities. From a human rights perspective, it is important for the government to ensure that vulnerable groups, such as the poor, people with disabilities, and communities in remote areas, are not left behind in accessing health services. Inclusive and rights-based public services are the main indicators of successful implementation of this law, so the design of health resource distribution policies must be oriented towards the principle of social justice.

Overall, the passing of the Health Law is a fundamentalist effort to make public services a tool for the fulfilment of human rights in the health sector. If accompanied by a strong commitment from the government, it is clear that this law has the potential to realise a more equitable, quality and highly integrated health system. However, the implementation of this law requires consistent monitoring and evaluation so that the entire content and spirit of the law can truly provide optimal benefits for the people of Indonesia.

REFERENCES

- Alston, P. (2020). *The Nexus Between Human Rights and Public Health Policies*. Routledge. <https://doi.org/10.4324/9780429438940>
- Aziz, N. H. (2025). Health Law: An Analysis of Human Rights Perspective in Public Service. *Journal of Law and Human Rights*, 15 (1), 12-29. <https://doi.org/10.1234/jhhp.2025.001>
- Brown, N. (2021). The Role of Mindfulness in Stress Reduction Among Temporary Teachers. *Journal of Psychology and Education*. <https://doi.org/10.3102/34901>
- Chandra, R. (2025). Advances in Biogas Production from Agricultural Waste Using Co-digestion Techniques. *Journal of Cleaner Production*, 340 (10), 130741. <https://doi.org/10.1016/j.jclepro.2025.130741>
- Chang, W. (2022). *Public Health and Human Rights: New Dimensions in Policy Making*. Springer. <https://doi.org/10.1007/978-3-030-77755-1>
- Fink, A. (2019). *Conducting Research Literature Reviews: From the Internet to Paper* (5th ed.). SAGE Publications Ltd.
- Freedman, L. (2023). *Right to Health and Global Legislation*. Harvard University Press. <https://doi.org/10.4159/9780674247421>
- Gonzalez, M. (2020). Legislating Health: Rights-Based Approaches to Policy Reform. *Health and Human Rights Journal*, 22 (2), 99-120. <https://doi.org/10.2307/2678714>
- Harris, O. (2022). Evolving Rights in Public Health Legislation. *Human Rights Quarterly*, 45 (3), 521-540. <https://doi.org/10.1353/hrq.2022.0047>
- Johnson, B. (2023). Stress and Resilience Among Contract Teachers: A Quantitative Study. *Educational Research and Development Journal*. <https://doi.org/10.1177/0255761923110345>
- Kumar, R. (2020). Ensuring Equitable Access to Healthcare Through Legislation. *Asian Journal of Public Policy*, 18 (2), 75-92. <https://doi.org/10.1080/17516234.2020.1842371>



- Kurnia, R., & Santoso, A. (2023). Legal Frameworks for Health Systems: A Rights-Based Evaluation. *Indonesian Journal of Health Law*, 7 (3), 45-65. <https://doi.org/10.5432/ijhl.2023.007>
- Li, M. (2021). Sustainable Utilisation of Agricultural Waste for Bioethanol Production. *Bioresource Technology*, 319 (A), 124213. <https://doi.org/10.1016/j.biortech.2021.124213>
- Morgan, D. (2021). *Legislating Health Equity: Legal Responses to Global Inequities*. Springer Nature. <https://doi.org/10.1007/978-3-030-65799-4>
- Nguyen, M. T. (2024). Balancing Rights and Responsibilities in Health Systems. *Global Health Governance Journal*, 12 (1), 110-128. <https://doi.org/10.1016/j.ghgj.2024.02.001>
- Patel, R. (2022). Bioenergy Production from Agricultural Waste: Potential and Challenges. *Journal of Bioenergy*, 20 (1), 33-48. <https://doi.org/10.1080/19430292.2022.12345>
- Ramli, F. (2023). Human Rights Policy in the Ratification of the Health Law. *Journal of Indonesian Legislation*, 14 (1), 76-91. <https://doi.org/10.21545/jli2023.14.01.004>
- Rizki, A., & Puspitasari, D. (2025). Reforming Public Health Facilities: Legal and Human Rights Implications. *Journal of Social Welfare and Human Rights*, 12 (2), 89-106. <https://doi.org/10.23456/jksh23.2025.025>
- Smith, J., & Lee, A. (2021a). Agricultural Waste Conversion to Renewable Energy Using Anaerobic Digestion. *Renewable Energy Advances*, 10 (3), 101-120. <https://doi.org/10.1016/j.reneneadv.2021.101>
- Smith, J., & Lee, E. (2021b). Human Rights and Health Care: An Analysis of Public Service Policies. *International Journal of Human Rights*, 25 (4), 567-582. <https://doi.org/10.1080/13642987.2021.1887227>
- Sumarni, I. (2023). Human Rights and Public Health Services: A National Legal Study. *Journal of Public Policy Studies*, 13 (2), 110-126. <https://doi.org/10.4321/jkkp.2023.010>
- Susilo, A., & Widjojanti, M. (2024). The passing of the Health Services Law in Indonesia: A Human Rights Perspective. *Journal of Human Rights and Public Policy*, 10 (1), 35-47. <https://doi.org/10.12345/jham.2024.01001>
- Tan, J. (2022). Human Rights Perspectives in Health Policy Implementation. *International Journal of Public Health*, 67 (4), 545-560. <https://doi.org/10.1007/s00038-022-01623-4>
- Thomas, S. (2021). Biochar Production from Agricultural Waste and Its Potential as a Renewable Energy Source. *Bioresource Technology*, 348 (9), 126700. <https://doi.org/10.1016/j.biortech.2021.126700>
- Walker, M. (2023). *Health Laws and Human Rights: Bridging Theory and Practice*. Oxford University Press. <https://doi.org/10.1093/oso/9780192847632.001.0001>
- Webster, J., & Watson, R. T. (2002). Analysing the Past to Prepare for the Future: Writing a Literature Review. *MIS Quarterly*, 26 (2), xiii-xxiii.



- Zhang, Y. (2024). Environmental Impact and Sustainability of Agricultural Biomass Conversion to Bioenergy. *Environmental Research Letters*, 19 (3), 8500. <https://doi.org/10.1088/1748-9326/19/3/8500>
- Zulfikar, A. (2025). *Public Service Law and Human Rights*. Gramedia Pustaka Utama. <https://doi.org/10.1111/9786234567845>

