

Health and Justice: The Influence of Rawls' Theory on Health Law and Policy

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Abstract

This research will discuss the principle of equal freedom and the principle of difference in the health context. The principle of equal freedom will emphasize the importance of universal access to health services as a basic right of every individual, while the principle of difference will discuss the need for policies that better support vulnerable groups to reduce inequality in the health sector. By applying Rawls's theory to the legal system and health policy, it is hoped that social justice can be improved for the entire community in the field of health services. Also, health systems can be designed to minimize inequities and ensure that health resources are distributed ethically and fairly.

Keywords: Health, Justice, Rawls' Theory, Distributive

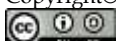
Abstrak

Penelitian ini akan membahas prinsip kebebasan yang sama dan prinsip perbedaan dalam konteks kesehatan. Prinsip kebebasan yang sama akan menekankan pentingnya akses universal terhadap layanan kesehatan sebagai hak dasar setiap individu, sedangkan prinsip perbedaan akan membahas perlunya kebijakan yang lebih mendukung kelompok rentan untuk mengurangi ketidaksetaraan di sektor kesehatan. Dengan menerapkan teori Rawls pada sistem hukum dan kebijakan kesehatan, diharapkan keadilan sosial dapat ditingkatkan untuk seluruh masyarakat di bidang layanan kesehatan. Selain itu, sistem kesehatan dapat dirancang untuk meminimalkan ketidaksetaraan dan memastikan bahwa sumber daya kesehatan didistribusikan secara etis dan adil.

Kata kunci: Distributif, Kesehatan, Keadilan, Teori Rawls

Introduction

Public health is widely considered to be the main foundation for sustainable national and state development. Health is a basic need that is essential for the lives of individuals, families, and communities, which can be achieved through various efforts and in the context of Human Rights (HAM), (Disantara et al., 2024) the commitment of the Indonesian Government to the global community can be seen as part of an effort to fulfill the obligation to realize the right to health. (Sugyati et al., 2017) A healthy society will have a stronger physical and mental capacity to work more optimally. Which, with good health conditions, the community will be able to be more productive, so that it can increase economic growth in Indonesia. Good health will have a direct influence on physical and intellectual development in people's lives, healthy children or students will tend to have better academic performance, so that they can become the nation's next generation who are competent and innovative.

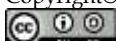


Sustainable health prevention and promotion will help improve the larger health population, so that the cost or budget of the state to help solve health problems can be allocated to other gross developments, such as for education and infrastructure. The provision of equitable and quality health services for all Indonesian people can reduce social and economic disparities. With better and organized health services, people can live longer with maintained health conditions, extend the productive life of the community and increase or strengthen the community's contribution to nation building. Health services are a crucial component in the implementation of health efforts, where equal access in the use of health services is also one of the main goals of the JKN (National Health Guarantee) program.(Stiyawan & Ainy, 2023) A healthy society will be better able to face social, economic, developmental, and other challenges. Health is a strategic investment for national and state development. A country with a healthy majority will be better prepared to compete globally or in the international arena, create innovation, and maintain the economic and social independence of the community.

Therefore, improving services for access to health is an important part of the national development plan in Indonesia. Services for access to health are not only a necessity, but also an investment towards a better future for a country. With equal access to quality health, the community will not only be healthier as individuals, but will also form a stronger social and economic population. Health services are one of the types of services most needed by the community, especially services provided in hospitals, hospitals are generally health service facilities that can be operated by the government or the private sector.(Anathasia & Mulyanti, 2023) Access to good health services is an important pillar in realizing welfare for the community, because a healthy community shows equal welfare. Health is one of the basic rights that must be guaranteed by the state, as regulated in Article 28H Paragraph (1) of the 1945 Constitution of the Republic of Indonesia. This article states that everyone has the right to a prosperous life physically and mentally, including the right to health. Without adequate access to health, human rights in the health sector cannot be fulfilled.(Bima, 2019) Access to good health services will allow the community to get immunizations, education about healthy lifestyles, and routine health checks that are beneficial for the community.

This is expected to prevent the transmission or spread of various diseases and reduce the burden of medical costs in the future. Equal health services will help reduce the inequality or gap between the rich and poor groups of society, so that it can create social justice for the entire community in the health sector. Quality health services have a very important role in improving the health and welfare of society as a whole, this achievement can be done through collaboration between the government, health institutions, medical personnel, and the community in building an effective, efficient, and responsive health system to the needs of the community.(Ananda et al., 2023) Good access to health services can extend life expectancy in the community, this is supported by reducing mortality rates in mothers, infants, and the community in general, because a healthy person will tend to be stronger in warding off various diseases that can attack at any time. Good and quality health is the foundation for sustainable development goals (SDGs), especially in terms of reducing poverty, creating a more inclusive society, and improving education. Because health is the main key for someone to carry out various activities, including working, studying, pursuing education, and so on.

The government and various stakeholders or policies in the health sector need to continue to make efforts to improve the health service system so that it can provide benefits evenly and maximally for all people.(Hodge et al., 2019) Health is one part of human rights and an indicator of social welfare in Indonesia, in practice we often still face injustice in the



distribution of health service resources. The gap in access between rich and poor groups in society, differences in the quality of health services between regions, and limited protection for vulnerable groups in society, such as children, the elderly, and people with disabilities, all of which are quite big challenges in the health service system in Indonesia. In this context, it can be linked to John Rawls' theory of justice which offers a relevant perspective in analyzing and formulating better and fairer health policies. The principle of equal freedom from John Rawls' theory emphasizes the importance of universal health services as an effort to fulfill basic rights for every individual.(Rawls, 2005) While the principle of difference from John Rawls' theory will emphasize the need for special protection for vulnerable groups or the most disadvantaged groups, the approach with John Rawls' theory will be in line with the need to improve inequality or disparities in the health system in Indonesia.

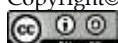
John Rawls' theory of justice will provide a relevant framework to address or provide solutions to the challenges of health resource distribution in Indonesia. John Rawls argues that justice in social institutions is the main virtue and the most fundamental principle in a system of thought, the statement emphasizes the importance of clear and simple rules, so if a rule or institution is contrary to justice, then it needs to be changed or rejected, because the law or institution should aim to realize justice.(Rawls, 1999) Laws that deviate from justice will potentially cause arbitrariness and structured oppression, Rawls views justice as non-negotiable or bargainable, because justice is absolute and irreplaceable.(Yuanita, 2022) In the field of health law and policy, the application of Rawls' theory can be seen or assessed through efforts to create and form an inclusive,(O'Kelley, 1981) equitable, and more just health system. This principle emphasizes that every individual has the same right to access basic health services as part of fulfilling human rights, this is emphasized by Law Number 17 of 2023 concerning Health and Article 28H of the 1945 Constitution (UUD 1945) which emphasizes that every citizen has the right to decent health services.

John Rawls' theory emphasizes that inequality or gaps can only be accepted or permitted if they provide greater benefits to the most disadvantaged groups or parties,(Rawls, 2005) the application of this principle in the health sector can be seen in health service subsidies for the poor, priorities for the smallest areas, and the development of health programs that focus on vulnerable groups. Although the application of John Rawls' theory in health policy in Indonesia can show quite good progress, there are still several challenges that must be continuously improved, such as long-term financing issues that can hinder universal access to health services, regional health access disparities, and disparities in the quality of health services. John Rawls' theory provides a basis for building a better and fairer health law and policy system in Indonesia. The principle of equal freedom and the principle of difference in John Rawls' theory are the basis for forming policies that better ensure universal access to health, protect vulnerable or disadvantaged groups, and reduce disparities.

For realize all of this, a strong commitment is needed from the government as policy makers, improving health system governance, and increasing active participation from the community. Therefore, this study will discuss Rawls' principles in the distribution of health services and Rawls' theory in health law policy in Indonesia.

Methods Research

Researchers will conduct analysis and understand the legal provisions and policies governing health services. This research employs a doctrinal legal methodology, commonly referred to as the normative juridical technique, in conjunction with John Rawls' theoretical framework. The objective is to assess the legislative framework supporting Indonesia's



healthcare system via the perspective of justice as fairness. Primary sources comprise the 1945 Constitution of the Republic of Indonesia, Law No. 17 of 2023 on Health, Government Regulation No. 28 of 2024 on the Implementation Regulation of Law No. 17 of 2023 on Health, Government Regulation No. 86 of 2019 on Food Security, Quality, and Nutrition, Presidential Instruction No. 6 of 2020 on the Enhancement of Discipline and Enforcement of Health Protocols, Minister of Health Regulation No. 6 of 2024 on Technical Standards to Meet Minimum Health Service Standards, and Minister of Health Regulation No. 19 of 2024 on the Implementation of Community Health Centers. Secondary sources encompass scholarly literature, policy evaluations, and theoretical investigations that analyze Rawls's theory of justice and its implementation in health policy.

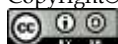
Results and Discussion

The Health Aspect: Rawls' Principles in the Distribution of Health Services in Indonesia

Health has a very important role for a country, because it will have a real impact on various aspects of life, such as society, social stability, productivity, and so on. A healthy population will have high productivity, because they can do their jobs optimally, so they also contribute to the country's economy, and reduce costs due to decreased productivity due to illness. A good health system can prevent several diseases, this will reduce a country's expenditure on treating a disease or epidemic. A healthy society can enjoy or live its life better, have a longer life expectancy, and avoid physical and mental burdens, so that it can show that the welfare of the community is quite good. A country that gives its own priority to health services shows progress in human development and improves the country's reputation in the international arena. By providing good service and attention to the health sector, the country not only builds a strong and productive society, but also ensures long-term stability and growth. One of the hopes of patients when visiting health services is to get satisfaction with the services they receive, patient satisfaction is an important measure in assessing the quality of health services, where patient satisfaction standards in the health sector are set nationally by the Ministry of Health.

Based on the Regulation of the Ministry of Health of the Republic of Indonesia concerning Minimum Service Standards, the desired patient satisfaction level is more than 95%. (Meisyaroh et al., 2023) Health services in Indonesia are one of the important pillars in efforts to improve public welfare. As a large country with a very large population, Indonesia faces several challenges in terms of the distribution of equitable and quality health services for all its people. The Indonesian government has taken significant steps by issuing the National Health Insurance (JKN) program through the Social Security Administering Agency (BPJS) Health, the program is very important to encourage the expansion of access to health services for all Indonesian people, especially for people with lower middleclass economies. JKN allows people to get health services at a more affordable cost, this is also supported by government efforts in building several health facilities, such as hospitals, health centers, and clinics in various regions of Indonesia. However, Indonesia still faces several challenges in the health sector, especially regarding inequality in access to health.

Complete health facilities and medical personnel are mostly concentrated in large cities in Indonesia, so that people in rural areas or remote areas often have difficulty getting adequate health services. In rural areas, health facilities are often limited, health centers that should be at the forefront of primary health services often lack adequate facilities and

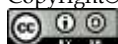


infrastructure. In addition, the lack of trained medical personnel is a major problem, in some cases, rural communities have to travel long distances to get medical care, which can worsen their health conditions. This shows that geographic access plays an important role in determining the level of public health. This shows that the lack of medical personnel, lack of medical equipment, and limited infrastructure are often the main obstacles in the distribution of equitable health services for all Indonesian people. Health facilities that collaborate with BPJS are places that provide services for BPJS participants, including health centers, doctor's practices, clinics, hospitals, pharmacies, and optics, the government and BPJS participants hope that health facilities can provide adequate services and have good financial performance, so that the operation of these facilities continues to run smoothly. (Arismen et al., n.d.)

Nevertheless, the Indonesian government continues to strive for various ways to improve health services for its people. Immunization programs, health campaigns, improving nutrition, and efforts to reduce stunting rates have had a positive impact on the Indonesian people. Technological advances have also helped improve health services for the entire community, which have opened up opportunities for people in various regions to consult with doctors online, health services in Indonesia are a reflection of the struggle to build a healthier and more prosperous society, although the distribution of health services in Indonesia faces various challenges, with a strong commitment from the government, support from the community, and technological innovation will provide hope for a much better future for health in Indonesia. The Rawls principle introduced by philosopher John Rawls in his book entitled *A Theory of Justice* in 1971 is a political and social ethical framework that aims to create justice in people's lives. (Rawls, 2005) The principle focuses on how the resources and basic rights of every human being are distributed fairly and equitably, which principle prioritizes the welfare of the most disadvantaged people. (Das, 2021)

So that the principle is quite relevant to be applied in terms of equal distribution of health services for all Indonesian people, because health is a basic right owned by every human being. Rawls' principle emphasizes that social and economic inequality can only be accepted if the inequality provides the greatest benefit to the most disadvantaged groups in society, where the inequality is regulated to ensure that everyone has a fair opportunity or fair equality of opportunity. The ideal society according to Rawls is a society that minimizes structural injustice and upholds the equality of rights and welfare of each individual. Rawls' principle of justice can be an important foundation for modern justice theory. According to Rawls, justice is determined behind the veil of ignorance, which is a principle that requires members of society not to have special knowledge that can influence the bargaining process unfairly. (Begum, 2019) The veil of ignorance functions to ensure that no party is harmed or benefited from the start in choosing the principle of equality. The initial position used is a fair status quo, so that the basic agreement is reached in a fair manner. (Harefa, 2020)

John Rawls' theory of justice emphasizes two main principles, namely the principle of equal freedom and the principle of difference, both of which can be implemented in the distribution of health services in Indonesia. The principle of equal freedom emphasizes that every individual has equal rights to basic freedoms or human rights, including the right to health. That everyone should have equal access to basic health services without discrimination based on social, economic, or regional or geographical status, however, the principle of freedom is limited by collective needs. For example, in the case of a pandemic, where there are certain restrictions on health services (such as mandatory vaccination) the aim is to protect the general human right to life. The theory of justice as fairness is a framework in society that prioritizes freedom and equality, where rights and obligations must be fulfilled in a fair



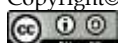
manner, where justice will be achieved if every individual is guaranteed the same freedom or equal freedom without any economic and social inequality that should have been regulated, so that it can provide mutual benefits for disadvantaged communities. (Triyudiana & Neneng, 2024)

Rawls' first principle states that everyone should have an equal right to basic freedoms, which in the case of health, means that everyone has the right to receive the same health services, without discrimination based on social, economic or other status. (Imtihani & Nasser, 2024) The difference principle in Rawls' theory states that inequality or disparities are only acceptable if they provide the greatest or most benefits to disadvantaged or vulnerable groups in society. The difference principle according to Rawls is rooted in the concept of justifiable inequality, as long as the inequality is managed carefully and provides benefits to weaker groups in society. (Saleem, 2021) Thus, inequality of opportunity arising from differences in quality, ability, willingness, and needs can be considered fair, based on Rawls' view. (Mastuti & Syarwi, 2023) In terms of health service distribution, health resources such as medical personnel, facilities, and medicines must be allocated more to groups that need them most, such as the poor, the elderly, the disabled, and people living in remote areas. Distribution of medicines in remote areas often faces many challenges, such as remote geographical locations, limited infrastructure, and difficult access to transportation, which can lead to injustice. In the context of John Rawls' theory of justice, this is related to the discussion of the fair distribution of social goods, including health.

Although Rawls does not discuss the right to health directly, he talks about primary goods, namely basic human needs, which include rights, freedom, expression, and health, which are important for every individual to live a decent life (Maaruf & Prasetyo, 2024) In the context of health, Rawls' principles can be applied to ensure access to fair health services without discrimination, Rawls creates a health care system that not only provides basic freedoms such as the right to a healthy life, but also ensures that inequalities or disparities in health are only acceptable if they benefit the most vulnerable groups in society. That both of Rawls' principles support a health system that is not only fair, but also sustainable. Which with the principle of freedom ensures that every individual gets basic health services without discrimination, and the principle of difference ensures that the allocation of health resources must be more profitable or provide more benefits to vulnerable groups in society, so as to create a balance between the freedom of each individual and social justice.

Rawls' Theory Perspective in Health Law Policy in Indonesia

Policy has a very important role for a country, because policy will be the main guide in management and decision making to achieve the national goals of a country, including Indonesia. Policy will provide rules and guidelines that regulate various aspects of people's lives in Indonesia, such as economy, health, education, politics, and so on, so that it can create order and social stability nationally. (Goldstein & Suder, 2020) Through policies made by the authorities, the country can determine how natural, human, and financial resources are managed efficiently and effectively for the development and welfare of all Indonesian people. Policies are designed to reduce social disparities, distribute wealth or resources fairly, and provide equal access for all Indonesian citizens, for example through policies that regulate health insurance. Policy will be a strategic tool to realize the vision and mission of the Indonesian state, such as better economic growth, improved quality of life, and a good image on the international stage. (Roy, 2021) Good policies will help the Indonesian state maintain a

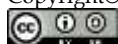


balance or equality between economic growth, environmental preservation, and social welfare to maintain the sustainability of future generations in Indonesia.

In addition, policies can provide a clear legal basis for all state apparatus, so that the public has confidence in acting in accordance with applicable regulations or policies. With the right policies, the state can create a conducive environment to support justice, growth, and the welfare of its entire community. (Pieraccini & Novitz, 2020) Therefore, the policies that have been made must be strengthened by transparent, accountable implementation and active participation from all Indonesian people. John Rawls' theory of justice with the concept of justice as fairness provides an important foundation for evaluating health law policies in Indonesia. The theory of justice as fairness proposed by John Rawls focuses more on the theory of social contracts, in which the principles of justice are formed through agreements on the basic structure of society, in the concept of justice as fairness there are principles of agreement and justice that establish rights and obligations, and make the distribution of social benefits a fundamental position. (Fauzan & Prasetyo, 2019) Health law policies in Indonesia are designed to protect the health rights of all people, regulate the provision of health services, and improve the quality of life of its people. Some of the existing health law policies are Law Number 17 of 2023 concerning Health, this law is the main basis for the provision of health services in Indonesia, including the rights of the community to health services, the government's obligations in providing health services, and the regulation of good health facilities. (Disantara et al., 2022)

Law Number 40 of 2004 concerning the National Social Security System (UU SJSN) which regulates the social security system that covers all Indonesian people with a national health insurance scheme. Law Number 17 of 2023 concerning Hospitals which regulates the organization of hospitals, patient rights, and good health service standards. Government Regulation Number 28 of 2024 concerning the Implementation Regulations of Law Number 17 of 2023 concerning Health which regulates the technical services and management of hospitals, Government Regulation Number 86 of 2019 concerning Food Safety, Quality, and Nutrition to ensure food safety in protecting and maintaining public health. In addition, the Indonesian government has also provided several national programs such as the National Health Insurance Program (JKN) which is managed by *BPJS Kesehatan* with the aim of providing universal health protection for all Indonesian people, the Healthy Indonesia Program (PIS) which focuses on improving health through primary services, health promotion, and regulation of health centers, as well as Beneficiary Contribution Assistance (PBI) as a form of financing for BPJS Kesehatan premiums for the poor which is funded by the government.

Several specific policies have also been made by the Indonesian government to improve health services, such as the Minister of Health Regulation (Permenkes) Number 6 of 2024 concerning Technical Standards for Meeting Minimum Health Service Standards, which regulates basic health services in the regions. Permenkes Number 19 of 2024 concerning the Implementation of Community Health Centers which regulates primary health service standards. Also, there is Presidential Instruction Number 6 of 2020 concerning Improving Discipline and Law Enforcement of Health Protocols, this policy was specifically made for the prevention and control of the COVID-19 pandemic. Regarding COVID-19, (Disantara, 2020) the facts show that the government is slow in providing protection guarantees to the public and disseminating information related to cases that have caused many victims, due to the presence of this very dangerous virus, so that the health services provided by medical personnel are almost inadequate, because the number of patients confirmed positive for



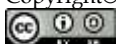
COVID-19 is very large.(Nursofwa et al., 2020) More specifically, health law policies have been strengthened by various Regional Regulations (Perda) to support the improvement of public health in each region.

All of these policies reflect that the government has made efforts to fulfill the health rights of all its people, as well as to face challenges such as uneven distribution of health services, financing, and assessing the quality of health services.(Gostin & Meier, 2019) Law Number 23 of 2014 concerning Regional Government states that one of the six concurrent affairs that must be implemented and related to basic services is health affairs. Because the capacity of Regional Government resources throughout Indonesia varies in carrying out these six affairs, their implementation is regulated by Minimum Service Standards (SPM) to ensure the availability of these services for all its people. The implementation of Minimum Service Standards (SPM) in the health sector cannot be separated from the National Health Insurance (JKN) program, because both have complementary and synergistic roles, SPM in the health sector focuses more on promotive and preventive services, while JKN focuses on curative and rehabilitative services.(Aprilla, 2020) The distribution of health services in Indonesia still faces several quite complex challenges, although various policies in force have regulated the principles of justice and equality in accordance with Law Number 17 of 2023 concerning Health and with the JKN program. One of the challenges of health law policy in Indonesia is reproductive health.

Until now, Indonesia still faces various problems related to population and health. Several indicators, such as the Maternal Mortality Rate (MMR), early marriage, and Total Fertility Rate (TFR) show how important the role of reproductive health policies is. Regional disparities are still a challenge in the distribution of health services, where health services are more concentrated or focused in big cities with more sophisticated and complete hospitals, doctors, medical personnel, and medical facilities, while in rural areas or remote areas only basic health services are available, the number of doctors or medical personnel is lacking, and with inadequate facilities. Most specialist doctors are also concentrated in developed or urban areas.

The number of health centers and hospitals in certain areas is also still very limited, because health development in 3T areas (Underdeveloped, Frontier, Outermost) is often constrained by transportation access and budget costs. Development of the health sector in underdeveloped areas is one of the main focuses in the Indonesian government's national development program.(Irmawati et al., 2023) The social security program in the form of BPJS Kesehatan has had its own influence in increasing public access to health services, but its implementation still faces challenges, such as the difficulty of using health services in areas with limited health facilities, so that access is still needed to reach more advanced areas in the field of health services. One of the health policies implemented by the government is the National Health Insurance, the purpose of which is so that all people can access equitable and fair health services, with a premium system similar to health insurance in general. BPJS Kesehatan, as the implementing agency, is a public legal entity established to manage the health insurance program for all Indonesian people. This policy is an effort by the government to fulfill the rights of every individual to social security,(Davis, 2016) provide certainty of protection, and improve social welfare as a whole in order to achieve Universal Health Coverage (UHC).(Malik, 2019)

Several things that make the distribution of health services still not optimal, some of which are the geographical disparity between the center and remote areas, limited budget for the development of health facilities, inadequate transportation and communication

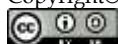


infrastructure, and lack of incentives for medical personnel to work or devote themselves in the 3T area. Budget planning is very important so that spending does not exceed existing needs, clear strategies and policies are needed in health financing, both for the short and long term, so that it can improve the quality of health services provided by medical personnel in order to achieve Universal Health Coverage (UHC). (Ningsi et al., 2020) In every service, effective communication is needed to build good relationships and ensure perfect understanding. In the context of the world of health, communication plays a major role for health workers to convey messages, information, and influence public attitudes regarding health in an appropriate and clear manner. Therefore, good health infrastructure arrangements are needed, the use of technology to improve access to health services in remote areas, ensuring that more health funds are allocated for equal distribution of health services, and providing better benefits for medical personnel in remote areas.

Health policies based on John Rawls' theory will prioritize equal access to health throughout Indonesia, such as the development of health facilities in remote areas through the strategic program initiated by the Ministry of Health of the Republic of Indonesia which aims to reduce the gap or inequality between central and remote areas. John Rawls emphasized the importance of redistributing resources to achieve shared justice, so that a larger health budget allocation is needed for disadvantaged areas. John Rawls' theory has paid special attention to the most vulnerable groups in society, so that the health law policies made must provide protection for weak or vulnerable people to be able to get good health services. Rawls' theory of justice provides a relevant normative framework for creating a fair health law policy for all people in Indonesia, so that more inclusive and effective health policy reforms are still needed so that all Indonesian people get justice for the health services available in Indonesia. In the field of health law, John Rawls' theory can be a foundation or basis for creating fair policies. Rawls' principle of distributive justice requires the law to provide special or deeper protection for vulnerable groups in society, such as people with disabilities, the elderly, and the poor. (White, 2021) The goal is so that they can still get equal health services. An example of its implementation is the creation of regulations regarding a national health insurance program that covers all people without discrimination, including those who are truly unable to pay the health insurance program premium. In addition, in terms of allocating limited health resources, such as organ donations or scarce drugs, John Rawls' principle emphasizes the importance of a transparent and unbiased decision-making system, so as to avoid injustice. Thus, John Rawls' theory can provide a stronger ethical framework for directing inclusive health law policies, fair to all levels of society, and efficient.

Conclusion

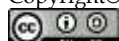
John Rawls' theory of justice has two main principles, namely the principle of equal freedom and the principle of difference, both of which can be implemented in the distribution of health services in Indonesia. The principle of equal freedom emphasizes that every individual has equal rights to basic freedoms or human rights, including the right to health. In terms of the distribution of health services, health resources such as medical personnel, facilities, and medicines must be allocated more to groups that need them most, such as the poor, the elderly, people with disabilities, and people living in remote areas. In the context of health, Rawls' principles can be applied to ensure access to fair health services without discrimination, Rawls created a health care system that not only provides basic freedoms such as the right to a healthy life, but also ensures that inequality or disparities in health are only acceptable if they benefit the most vulnerable groups in society. That both of Rawls' principles



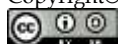
support a health system that is not only fair, but also sustainable. Which with the principle of freedom ensures that every individual receives basic health services without discrimination, and the principle of difference ensures that the allocation of health resources must be more profitable or provide more benefits to vulnerable groups in society, so as to create a balance between the freedom of each individual and social justice. In the field of health law, John Rawls' theory can be the basis or basis for creating fair policies. Rawls' principle of distributive justice requires the law to provide special or deeper protection for vulnerable groups in society, such as people with disabilities, the elderly, and the poor. The goal is so that they can still get equal health services. In addition, in the case of allocating limited health resources, such as organ donation or scarce drugs, John Rawls's principle emphasizes the importance of a transparent and unbiased decision-making system, so as to avoid injustice. Thus, John Rawls's theory can provide a stronger ethical framework for guiding health law policies that are inclusive, fair to all levels of society, and efficient.

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