



The Problematics of Welfare State Practices and the Construction of Justice in the Operationalization of BPJS Health

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ABSTRACT

This article aims to explain the phenomena that occur when providing unfair services in the field of BPJS Health services; and understand the concept of a welfare state and social justice in providing BPJS Health services. The welfare state is still a crucial issue for every country. Public welfare is still questioned by the public regarding state administration. Thus, the issue of welfare and justice in the implementation of BPJS health with assistance from key informant for the meaning of justice and prosperity. The article uses the theory of Jeremy Bentham which examines concepts welfare state with a focus on welfare and happiness from the government. Using qualitative research methods with a phenomenological approach from Cresswell which focuses on the meaning of justice and welfare based on experiences key informant BPJS users. The results of this research are BPJS has entered the concept welfare state but the facts on the ground speak differently, people are still competing to achieve prosperity and happiness in Indonesia. The facts answer that: First, there is still discrimination in people's access to health. Second, the lack of equality in obtaining the right to health. Third, the community does not have the right to health. Fourth Many people get happiness through nepotism.

INTRODUCTION

Welfare is still a crucial issue for every country (Bonnet et al., 2020). The welfare state does not only cover how to organize welfare or social services. The welfare state emphasizes that everyone receives social services as their right. In addition, the state has an obligation to provide welfare to the community, provide services, and provide facilities and infrastructure to meet the needs of the community. The relationship between community needs such as health services and education is the responsibility of the state, with the president as a representative of the government (Porter, 2020; Reece et al., 2022).

The welfare state is a form of improvement from a passive and conservative state (Aravacik, 2019). Welfare is a security to protect weak communities such as the disabled, the poor, and the unemployed. The welfare state during World War II (1945-1950), became an invention and work of multiparty democracy or the policy of political parties that controlled the government to form healthy citizens and reduce social inequality. In the 18th century, the welfare state interpreted the government as having a responsibility to ensure happiness. The state has two concepts, namely economic development and social welfare; economic development is related to economic development and growth, capital accumulation, and economic profit (Brown & Long, 2018).

There was a breakthrough in the Medicare and Medicaid health programs (public sector) in 1965 with the belief that health services are a right and not a privilege (Magarinos et al., 2022). The program launched was Obamacare as a health insurance program. Meanwhile, the Norwegian health insurance system is designed on the principle of the people, for the people, and by the people. So that health care is provided for all citizens regardless of their social status, the Norwegian health insurance system does not burden people with health services; payments are taken from taxes. Compared to Norway and America, Indonesia has health services, and patients who seek treatment will pay the

health service provider personally based on the services received. In Indonesia, in getting services, not a few people experience low levels of concern from health workers towards patients; officers are less responsible regarding services, and officers only seek material without caring about patient safety. So, this phenomenon is a difference between the services that occur in America and Norway and services in Indonesia. (Devoli et al., 2018; Stevens, 2019).

The Social Security Administering Agency (BPJS) is a legal entity responsible to the president for organizing social security for all Indonesian people. BPJS Health has the benefit of being responsible for providing health protection for the community BPJS participants consist of all people who have registered with BPJS, both those who work formally or informally and participants who are paid by the government (Sistiaperdani et al., 2020). The phenomenon that occurs in BPJS service recipients has been widely complained about regarding poor services. People who use BPJS services often get different services from general users when getting health services. At that time, BPJS users went to the clinic because of wounds that did not heal, such as symptoms of wet sugar. However, when they came to the clinic, they were just ignored, in contrast to general users who received friendly and gentle service (Ramadhani et al., 2021).

The community was mistreated by health workers at the Lambunu Community Health Center in Central Sulawesi. Unfriendly and seemed indifferent. People often use state bureaucrats to get services from hospitals. Discrimination against BPJS users occurs in almost all health facilities, from community health centers to hospitals. BPJS users have to wait a long time for tonsil surgery. The need for surgery should have been done quickly because the tonsil disease is getting bigger.

METHODE

This study uses a qualitative method with a phenomenological approach. Phenomenological studies "Describe the common meaning for several individuals of their lived experiences of a concept or a phenomenon (Creswell, 2014). Thus, we can understand that the phenomenological approach emphasizes the description of shared experiences, data collection techniques, interviews, observations, documentation, and literature studies. Furthermore, the analysis technique uses epoche, community experience through BPJS, significant statements, justice and welfare, meaning units, equal, sufficient, textural description of the meaning of experience, structural description, and reconstruction. Researchers collected data by going directly to the field, namely the BPJS user community, BPJS, hospitals, clinics, health centers, and the House of Representatives Commission IX. We can also ask general questions to see the views of injustice on BPJS users.

RESULT AND DISCUSSION

Welfare State Discourse

The beginning of the emergence of the concept of a welfare state (welfare state) began in 1748-1832 by Bentham, who stated, "The greatest happiness (welfare) of the greatest number of its citizens. This means that the concept of happiness and welfare comes from the government. Mr. R. Kranenburg, namely, the state, must be active in prioritizing welfare, acting reasonably and evenly, not only prospering some groups but all the people. Mr. R. Kranenburg explains the concept of a state that prioritizes the people, not groups. Then Otto Von Bismarck put forward the welfare state as the state's role must be active up to the economy.

Utilitarianism, according to Bentham, can make happiness more can be said to be something good for each individual with different measures according to doctrine; conversely, something that makes sick is terrible. The welfare of the country becomes the allowance and religion of each. In the international world, indicators refer to income, level of education achieved, and length of life. The welfare state theory is often interpreted differently by each individual or country. However, this theory contains four meanings: First, well-being is a condition the state can meet regarding non-material and material needs. A state of well-being is achieved if humans are happy and safe because the needs for health, nutrition, shelter, education, and income are met, and humans can get protection from threats to their lives (Knies, 2018).

Second, social services include five forms: social security education, health services, housing, education, and personal social services. Third, social welfare is given to people experiencing poverty as a social benefit. The majority of welfare recipients are poor, disabled, and unemployed, which then has a negative connotation on the term welfare, such as laziness, dependency, poverty, and so on. Fourth, it is a process carried out by individuals, social institutions, and government agencies to improve the quality of life by providing social services and social benefits.

The Meaning of Justice for BPJS Users

Justice is considered the most important thing in a prosperous life. To achieve justice in a country by providing the rights that should be without looking at the background of BPJS participants. The meaning of justice is conceptualized and translated to give birth to thoughts, understanding, and feelings

by BPJS participants using the card to obtain rights as citizens and used as objects in this study. Justice itself has many meanings, according to BPJS users, such as:

No	Key Informant	Significant Statement	Meaning Unit	Keywords
1	Fitri	Want to be equal, get treatment using BPJS as easy as getting treatment using public. Fast access and better service. Friendlier also for health services, nurses and all sorts.	Treatment using BPJS can be equated with general users, access is fast, and equal. According to the price paid, the facilities obtained are equivalent	1. Equal 2. Fast 3. Friendly
2	Muti	According to the price paid, because if using BPJS has a different price than others. So for the price paid and the facilities obtained are equivalent.	According to the price paid, the facilities obtained are equivalent	1. Equal 2. Appropriate
3	Ibrahim	According to the portion, equally, mutual cooperation and mutual assistance, do not show difference.	Do not show differences in obtaining service rights, it must be equal and mutually cooperative	1. Appropriate 2. Equal
4	Salim	Justice, in my	Treated	1. Equal

		opinion, is where everyone is treated equally and equally without looking at their social status, ethnicity, class, race, and religion.	the same without view status social, ethnic, class, race and religion	2. Witho ut 3. lookin g No distinc tion
5	Jaenal	Equal treatment to obtain health regardless of background, economy, religion.	Treated equally regardless of background	1. The treatment that sama

First, justice has the meaning of equality. Six of the BPJS participants interpret justice as a human right to get the same right to health. BPJS participants expect justice without looking at the background of the community to get the right to health and life. The meaning of justice as equality can be seen in Fitri's statement that:

"The hope is that I should be equal, so getting treatment with BPJS is as easy as getting treatment with the general public; the access is fast, and the service is also better, so to speak. Health services, nurses, and all sorts of things are also friendlier".

If we look at the meaning of justice, Fitri's hope is to be served quickly and be treated the same as general users. Fitri experienced using BPJS to get health, getting treatment using BPJS health at a hospital, and having difficulty in getting health rights. Fitri's experience as a BPJS user is feeling the difficulty when using BPJS when her child and husband were treated and experienced bad things such as not being served and waiting a long time. Of course, there are differences between the general public and the general public. Four of the BPJS participants have the meaning that justice is a right and obligation in life. Another meaning of justice as equality can be seen in Mutia's statement:

Actually, for treatment and others, because I use the one in group 3. It is the same as the price paid. If, for example, there is no BPJS, the price that must be paid is more expensive. So, the price paid and the facilities obtained are equivalent, but they are not in all places. For example, my grandfather had to be seen from his outfit before he could get equal access".

Mutia's interpretation of the justice of BPJS users can be concluded that justice can be seen from the outfit to get access to health from the use of BPJS outfits when a younger sibling or

mother Mutia was rejected by the hospital and in contrast to her mother's younger sibling who was neatly dressed. So that informant users who are willing to be interviewed get a place to be given services.

Second, justice is interpreted as appropriate and equal. Justice in the use of BPJS is expected to have what is expected by users equally without looking at BPJS users and the public. This form of appropriateness is the same hope when wanting to get the right to health services. In the meaning of appropriate and equal, this can be seen from Ibrahim's meaning:

"Justice, yes, ... if, for example, justice is requested, actually the improvement of services, please to the relevant government or stakeholders, to be able to respond, but because with a healthy society, the country will also be healthy. When, in the end, there are some news stories far away, and there are those who have worse experiences than me, it is quite concerning. This is indeed a system created by the government, but education must also be provided to the implementers of the service so that they understand this is not a difference but still a similarity, and both want to help each other".

Ibrahim's interpretation of justice is that to obtain justice, one must be able to understand the similarities and differences regarding the understanding of justice. If we look at the key informant, he has interpreted the meaning of justice as appropriate and equal to obtain the rights of BPJS users in accessing health. The meaning of this informant stems from an experience gained by Ibrahim when using a BPJS card for treatment or to obtain health services so that he can be operated on by health workers. Third, BPJS users have a meaning regarding justice as a hope to obtain equality in obtaining state health rights. Therefore, justice in a country is given as a community right regardless of background and is treated equally regardless of social status. Salim's response regarding the meaning of justice as his right. "Justice, in my opinion, is where everyone is treated equally and equally regardless of social status, ethnicity, class, race, and religion." The keywords that author concluded from the key informant regarding the concept of justice with the hope that the average answer to the keywords is equal and equal in interpreting justice in the implementation of BPJS.

Prinsip Welfare State BPJS Kesehatan

Esping-Andersen (2019), argues that the welfare state refers to the active role of government in managing and organizing the economy, which includes the state's responsibility for the provision of welfare services. The state can be categorized as a welfare state with four components, namely: 1. Social citizenship, 2. Full democracy, 3. Modern industrial relations system, and 4. Right to education and the expansion of the modern mass education system. There are four components in a welfare state because the state makes policies as a form of social rights for citizens. These social rights are guaranteed, such as proper property rights, cannot be violated, and are given based on citizenship (citizenship), not on the basis of class or performance. The state is a form of organization that can legally enforce power on all elements of power to achieve common life goals. The state can guide and integrate the social activities of citizens towards common goals. The state has the following tasks: First, to regulate and control all forms of conflicting power symptoms (asocial).

Second, to organize and integrate all forms of human and group activities towards achieving common goals.

Marshall identified three types of citizen rights in the welfare state. The state is responsible for the rights of its citizens. First, civil rights: every citizen has the right to live according to their wishes, freedom of religion and opinion, own wealth, and have equal rights before the law. Second, political rights are a form of political rights; every citizen has the right to be elected or elected and has the right to become a civil servant. Third, social rights for every citizen to enjoy welfare such as education, employment, social protection, and health (Rees, 2016).

Social security as a constitutional form for citizens is indicated in the 1945 State Law Article 28H, which states that everyone has the right to social security. BPJS social services is a form of social services formed based on Article 7 of Law No. 24 of 2011 concerning BPJS, which functions as the organizer of the social security progra. Social services are the embodiment of solutions presented to deal with social problems. Social services are a form of helping individuals or groups who have obstacles in meeting their life needs. The welfare state has a role in that it moves actively to provide social services for its citizens. The welfare state has four principles, namely: first, the principle of social rights in a democratic country. Second, the principle of welfare rights. Third, the principle of equal opportunity for every citizen. Fourth, the principle of balance between public and economic authority and efficiency (Kolberg & Esping-Andersen, 2019).

The four principles of the welfare state are related to the principle of objectives of the principles of Law Number 11 of 2011, which are stated in several articles: The principle of the welfare state is included in article 2, which states that BPJS is formed and organized on the principles of humanity, benefits, and social justice for all of Indonesia. Then, in article 3, BPJS aims to realize the provision of guarantees to meet the basic needs of a decent life for BPJS members and family members. Article 4 explains that BPJS organizes a social security scheme at the national level, which is organized by the government based on the principles of mutual cooperation, openness, prudence, portability, accountability, trust funds, mandatory participation, and management of social security funds are all used for the development of programs and the interests of participants. BPJS is in accordance with the principles of the welfare state and has been implemented in writing close to the idea of the welfare state; however, in the implementation in the field, BPJS shows a lot of discrimination and rejection of obtaining health rights for BPJS users. BPJS users try hard to get their rights by means of nepotism towards BPJS organizers to get happiness in fulfilling health rights.

CONCLUSION

The results of the research conducted by the researcher in completing the thesis have many perspectives or opinions regarding BPJS. First, there is still discrimination in society in obtaining health. Second, there is no equality in obtaining health rights. Third, the community does not have the right to health. Fourth, many people are happy by force. The construction of justice and welfare experienced by key informants in the meaning of phenomenology. Further research explores BPJS health without class.

The limitations of the study are the design or methodology used in the form of a phenomenology approach, which only

presents the objectivity of the experiences and meanings of key informants about justice in BPJS services. Thus, the interpretation of the meaning of this justice is partial from the perspective of the recipient of BPJS Health services.

REFERENCE

- Aravacik, Dundar, E. (2019). *Social Policy and the Welfare State. Public Economics and Finance*. <https://doi.org/10.5772/intechopen.82372>
- Bonnet, C., Bouamra-Mechemache, Z., Réquillart, V., & Treich, N. (2020). Viewpoint: Regulating meat consumption to improve health, the environment and animal welfare. *Food Policy*, 97, 101847. <https://doi.org/10.1016/j.foodpol.2020.101847>
- Brown, U., & Long, G. (2018). (2018). *Poverty and welfare. In Social welfare*. Routledge.
- Creswell, J. W. (2014). *A concise introduction to mixed methods research*. SAGE publications.
- Devoli, G., Tiranti, D., Cremonini, R., Sund, M., & Boje, S. (2018). Comparison of landslide forecasting services in Piedmont (Italy) and Norway, illustrated by events in late spring 2013. *Natural Hazards and Earth System Sciences*, 18(5), 1351-1372. <https://doi.org/10.5194/nhess-18-1351-2018>
- Esping-Andersen, G. (2019). (2019). *The three political economies of the welfare state. In The study of welfare state regimes (pp. 92-123)*. Routledge.
- Kniess, J. (2018). *British Journal for the History of Philosophy Bentham on animal welfare*. <https://www.tandfonline.com/action/journalInformation?journalCode=rbjh20>
- Kolberg, J. E., & Esping-Andersen, G. (2019). (2019). *Welfare states and employment regimes. In The study of welfare state regimes (pp. 3-36)*. Routledge.
- Magarinos, J., Patel, T., Strunk, J., Naunheim, K., & Erkmen, C. P. (2022). A History of Health Policy and Health Disparity. *Thoracic Surgery Clinics*, 32(1), 1-11. <https://doi.org/10.1016/j.thorsurg.2021.09.013>
- Porter, M. (2020). "The Competitive Advantage of the Inner City." In *The City Reader*. <https://doi.org/10.4324/9780429261732-38>
- Ramadhani, A. N. A., Aspan, Z., & Hasrul, M. (26933). Legal Protection for unregistered citizen at Healthcare and Social Security Agency (BPJS). *Jurnal Hukum Volkgeist*, 6(1), 69-78. <https://doi.org/10.35326/volkgeist.v6i1.1548>
- Reece, S., Sheldon, T. A., Dickerson, J., & Pickett, K. E. (2022). A review of the effectiveness and experiences of welfare advice services co-located in health settings: A critical narrative systematic review. *Social Science and Medicine*, 296. <https://doi.org/10.1016/j.socscimed.2022.114746>
- Rees, A. M. (2016). (2016). *TH Marshall and the progress of citizenship. In Citizenship Today (pp. 1-24)*. Routledge.
- Sistiaperdani, R., Zubaedah, C., Wardani, R., Hayati, A. T., & Carolina, D. N. (2020). The relationship between Social Security Administrator (BPJS) regulations and the value of benefits obtained by Social Security Administrator for Employment (BPJS Ketenagakerjaan) participants. *Padjadjaran Journal of*

Dentistry, 32(2).

<https://doi.org/10.24198/pjd.vol32no2.24045>

Stevens, R., & Stevens, R. (2019). Anatomy of a Dilemma: Creating and Implementing Medicaid, 1965-1970. *The Public-Private Health Care State*, 117-156. <https://doi.org/10.4324/9781315134369-7>

