Considering Health Criminal Law: The Intersection Between Medical Ethics and Social Morality

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Article Info
Received: 02-10-2024
Revised: 29-11-2024
Accepted: 02-12-2024

Keywords:
Health Criminal Law, Medical Ethics, Social Morality

Abstract

Hukum pidana kesehatan di Indonesia merupakan bagiandar sistem hukum yang bertujuan untuk melindungi masyaraka dari praktik-praktik medis yang melanggar hukum atau membahayakankesehatan, sertasebagaiupayauntukmenjaga profesionalitas dalam kesehatan. Beberapa contoh kasus yang melanggarhukum pidanakesehatan di Indonesiasudah sering terjadi, seperti malpraktik medis, aborsi ilegal, serta perdagangan organ dan obat ilegal. Oleh karena itu, tenaga medisdiharapkanbertindaksesuaidenganstandaretikaprofes dan menghormati hak pasien, serta bertanggung jawab atas pengambilan keputusan medis. Secara keseluruhan, hukum pidana kesehatan di Indonesia memiliki peran penting dalam memastikan perlindungan bagi pasien dan menjaga standar profesionalitas tenaga medis. Namun, tantangan regulasi dan persimpanganantaraetikamedisdenganmoralitassosialsering kali menjadi hambatan dalam penerapannya, sehingga memerlukan kebijakan yang lebih responif dan seimbang terhadapkebutuhanmasyarakatdantenagamedis.

Abstract

Healthcriminallaw in Indonesia is part of thelegalsystemwhich aims to protect the publicfrommedicalpracticesthat violate the law or endanger health, as well as an effort to maintain professionalism in health. Several examples of cases that violate health criminal law in Indonesia often occur, such as medica malpractice, illegal abortion, and illegal organ and drug trafficking. Therefore, medical personnel are expected to act in accordance with professional ethical standards and respect patient rights, as well as be responsible for medical decision making. Overall, health criminal law in Indonesia has an importantroleinensuringprotectionforpatientsandmaintaining professionalstandardsformedicalpersonnel.However,regulatory challengesandtheintersection betweenmedical ethicsandsocia morality often become obstacles to its implementation, requiring policies that are more responsive and balanced to the needs of societyandmedicalpersonnel.

I. Introduction

Almost everyone in Indonesia has experienced illness, whether it is a mild illness or a serious illness, which requires them to contact medical personnel to cure their illness. However, there have been many complaints from patients and/or their families because the doctor's actions resulted in further harm or suffering to the patient, the therapeutic transaction relationship between the doctor and the patient gave rise to the possibility of criminal acts, criminal liability and criminal sanctions, conflict between the patient and the doctor or the patient with Hospitalization occurs when there is a gap between the patient's expectations and the reality he obtains regarding medical efforts. (Afzal 2018) Health criminal law is a part of criminal law that is closely related to regulations and sanctions for violations in the health sector. Health criminal law aims to protect patient rights and ensure safe medical practice standards and comply with medical ethics. In Indonesia, health criminal law includes various statutory regulations that regulate what actions can be subject to criminal sanctions if they are proven to be detrimental to the health of patients or the community at large.

Legal protection for patients is one of the legal efforts to protect patients' rights in obtaining or using health services that are safe, high quality and in accordance with national medical standards. Patients have rights that must be fulfilled in obtaining good and correct information, the right to privacy, and guaranteeing safety when undergoing medical treatment. Based on the Health Law Number 36 of 2009 and the Medical Practice Law Number 29 of 2004, it is stated that patients have the right to receive appropriate and quality health services in accordance with professional standards and medical procedures. The doctor's authority in health services is to interview patients, examine the patient's physical and mental health, determine supporting examinations, carry out diagnoses, determine patient treatment, write prescriptions and medical devices, mix and deliver medicines to patients which must be based on moral principles, namely respecting human dignity, acting good, not doing anything that harms patients and justice.(Rembet 2020) If a patient does not receive services that meet standards, the patient has the right to file a complaint or legal action against the medical personnel or health institution that has harmed him. Patients can file criminal charges or civil lawsuits to ask for compensation for losses suffered due to irresponsible medical procedures .

The intersection between medical ethics and social morality is a very complex matter in health law in Indonesia, where professional principles in the medical field are confronted with social values and norms that develop in people's lives. This often creates ethical dilemmas faced by medical personnel in providing

health services, especially when medical personnel have to consider social expectations that may conflict with their professional ethical principles. Social morality refers to norms and values that are considered as guidelines in determining what is right and what is wrong. These social values can vary greatly between cultures, religions, or social backgrounds, often giving rise to several differences in the assessment of medical procedures. For example, perhaps in some cultures, practices such as abortion are considered a moral violation in society, while societies in other cultures may accept such practices under certain circumstances.

Dilemmas will arise when social moral values conflict with ethical principles in the medical field. For example, in the case of abortion, a doctor may consider a dilemma between the patient's desire to undergo the procedure and the social moral pressures against it. In such cases, doctors are faced with the decision to fulfill the request of a patient who wants to end his suffering, but this may conflict with religious or social norms that prohibit this action. In general, in society, abortion is considered a sensitive issue that creates moral debate. On the one hand, medical ethics respects the patient's right to make personal decisions about himself, but social morality in society generally considers abortion an unacceptable act. In Indonesia, the issue of abortion is often considered controversial, the existing criminal law and health law generally prohibit the practice, but there are still special provisions that provide little loopholes or flexibility in cases of pregnancy as a result of rape. The increasing number of out-of-wedlock pregnancies and the widespread culture of prostitution and promiscuity have led to an increase in the practice of abortion in Indonesia, where many women have abortions as a way to overcome their shame.(Ikra, Sunariyo, and Elviandri 2024) Apart from abortion cases which often create dilemmas for medical personnel, euthanasia or assistance in ending a patient's life and organ transplantation at the patient's personal request also become very serious dilemmas for medical personnel. Even though ethically a doctor wants to respect the rights of patients who suffer from their illness, moral values or norms in society may prohibit this practice. All of this is a big challenge faced by medical personnel because it concerns how they can carry out their duties with consideration of two sides, both their professionalism as medical personnel and the social values that exist in people's lives.

Medical services in Indonesia are faced with the challenge of adapting medical practices to the values of society, which often has different standards of morality. Policies in the health sector can play an important role in harmonizing medical ethics with social morality, because in general laws or government regulations often take a middle path between medical professional standards and the values or morality that develop in society. Criminal law in Indonesia is developing along with increasing public awareness of health rights and justice in

medical services, because health criminal law is related to regulations that regulate criminal aspects in health service practices, including medical actions that violate ethical codes, laws, or cause harm to patients. In Indonesia, the concept of restorative justice has begun to be applied in several health criminal law cases. This principle prioritizes restoring patient rights and improving relationships between medical personnel and patients, rather than emphasizing punishment. With a restorative justice approach, health criminal cases can be resolved through mediation or out-of-court settlement, which aims to create an agreement between the two parties and more effective recovery for the victim. However, for large health criminal cases resulting from arbitrariness by medical personnel in providing health services, it is better to resolve them in court as a deterrent effect for medical personnel in general.

The development of health criminal law in Indonesia reflects efforts to protect patient rights, uphold standards of professionalism for medical personnel, and prevent harmful practices in health services. With the existence of special regulations, the application of health criminal law in Indonesia will be more structured, provide strict sanctions for health violations, and open up space for solutions that focus on restoring victims' rights as medical patients. However, implementing health regulations in Indonesia is faced with challenges in the form of intersections between medical ethics and social morality that develop in society. Therefore, this research will discuss the intersection between medical ethics and social morality in enforcing health criminal law in Indonesia, and the role of criminal law in protecting the rights of patients and medical personnel amidst the influence of social values.

2. Research Method

This research is generally legal research, namely research that uses normative legal research methods, which understand and analyze legal rules relating to health and social morality that develop in society. The approach method used in this research is normative juridical, namely research that focuses on examining the application of rules or norms in normative law.(Ibrahim 2008) Normative legal research is research that analyzes the reciprocal relationship between legal facts and social facts, where law is seen as an independent variable and social facts are seen as dependent variables.(Kurniawan and Lulo 2023) The technical analysis of legal materials in normative legal research is descriptive-analysis with techniques: evaluative, interpretative, systematic, constructive, argumentative.(Ariawan 2019) Therefore, this research will provide an analysis related to regulations governing health criminal law in Indonesia, medical ethics, and various social moralities in creating an orderly and equitable national health environment for all Indonesian people.

3. Results and Discussion

The Intersection between Medical Ethics and Social Morality in the Enforcement of Health Crime Laws in Indonesia

Health is one of the human rights or basic rights that all humans have. Therefore, the right to health services is something that every Indonesian citizen must have, so that there are no people who cannot receive treatment.(Utami and Alawiya 2018) Protection of health practices in Indonesia is a shared responsibility between the government, medical personnel, health institutions and society at large. All of this aims to create a healthier, safer and more equitable environment and health system for all Indonesian people. The intersection between ethical and moral codes is a relevant topic in various medical and legal fields. Both morals and codes of ethics aim to guide individuals in making decisions that are considered correct, both of which are important values in society. Morals are known as procedures, habits/culture and customs regarding the teachings of morality, this behavior is based on concepts or rules of behavior that have become habits for members of an existing culture.(Syukri et al. 2024) Ethics are rules that function to control and teach someone how to behave, ethics play a role in guiding people to behave politely and appropriately towards everyone.(Jermias and Rahman 2023) Codes of ethics are often influenced by social moral values, and codes of ethics drawn up by an organization or profession tend to reflect the values that develop in society (Kurniawan 2022). Sometimes, codes of ethics can conflict with social morality, for example practices that are considered ethical in a medical profession to maintain patient confidentiality, may be considered unethical by society at large when it comes to larger issues such as public safety (Dewi et al. 2022). The intersection between medical ethics and social morality in criminal law enforcement in Indonesia shows that there are challenges faced by medical personnel and the legal or regulatory system that applies in Indonesia.

A balance between medical ethics and morality in society is very important to ensure protection for patients, justice in health services, and respect for social values that exist in society. The medical ethical code in criminal law in Indonesia has an important relationship in ensuring that medical practice is carried out ethically and in accordance with applicable legal norms. In carrying out their obligations as medical personnel, they must comply with the established code of ethics or ethics. This is done so that medical personnel always prioritize patient safety and do not casually carry out medical procedures that do not comply with standards.(Mudayana 2015) The medical code of ethics is a set of principles and guidelines that regulate the professional behavior of medical personnel, including doctors and other health personnel. In Indonesia, this code of ethics is regulated by the Indonesian Doctors Association (IDI) and is binding on all its members. Included in the medical code of ethics are respecting patient dignity,

the obligation to maintain patient confidentiality, and carrying out medical practices in accordance with established standards. Health criminal law in Indonesia includes various regulations governing criminal acts related to medical practice. In Indonesia there are several relevant laws, including Law Number 36 of 2009 concerning Health, Law Number 29 of 2004 concerning Medical Practice, and the Criminal Code (KUHP) which regulates criminal acts related to malpractice. or negligence in medical practice. If malpractice occurs, the doctor who treats the patient must be responsible for this action.(Simbolon 2015)

Violations of the medical code of ethics can result in legal sanctions, for example if a doctor carries out medical procedures that violate ethics and cause harm to the patient, then he or she can be subject to criminal charges such as malpractice and/or negligence committed by the doctor or medical personnel. The decline in public trust in doctors and dentists, the increasing number of lawsuits filed by the public nowadays is often identified with the failure of healing efforts carried out by doctors and dentists, on the other hand, if the medical procedures carried out are successful, it is considered excessive, even though doctors and dentists have scientific equipment. the knowledge and technology they possess only seeks to cure, and failure in the application of medical and dental science is not always synonymous with failure in action.(Darwaman, Sidi, and Saragih 2023) The medical code of ethics sets the expected standards of practice for medical personnel. If a doctor does not meet these standards, he or she can be subject to administrative sanctions or legal sanctions, depending on the consequences. The problem of malpractice in health services has recently begun to be widely discussed by the public in various groups, this is indicated by the large number of complaints about malpractice cases filed by the public against the medical profession which has been deemed detrimental to patients in providing treatment.(Budi Handoyo SH 2020) The increasing number of complaints shows that the health environment in Indonesia is still not very strong. In fact, the increasing number of complaints proves that people are aware of their rights in an effort to protect themselves from other actions that harm them.(Heryanto 2010) Actions considered crimes in medical practice may be subject to criminal sanctions, such as fines or imprisonment. Examples include administering illegal drugs, practicing medicine without a license, or causing the death of a patient due to one's own negligence.

The medical code of ethics is designed to protect patient rights and ensure that patients receive safe and quality medical services, as well as to protect medical personnel from unfounded accusations or unfair prosecution, as long as medical personnel have acted in accordance with the code of ethics. applicable. Thus, the medical code of ethics and health criminal law complement each other in maintaining the integrity of medical practice in Indonesia. Both function to protect patients and medical personnel, as well as ensure that medical practice is

carried out ethically and in accordance with applicable regulations. It is important for medical personnel to understand and comply with the code of ethics and health criminal law to prevent violations that could result in legal sanctions or disciplinary sanctions in the profession. Social morality in the context of health criminal law in Indonesia shows the values and norms adhered to by society which relate to health practices in Indonesia and the laws that apply in Indonesia. Social morality is a set of values and norms that are considered good and correct by society, and is a reference relating to how individuals and groups interact with each other, including in matters of health and medical practice. Social morality functions as a basis for establishing ethical norms and standards in health practice, for example norms about patients having the right to receive safe and quality medical care are part of social morality that influences policy and legal regulations.

Medical actions that violate morality, such as malpractice, can result in social sanctions, such as bad stigma from society or even loss of trust from society. The Right to Receive Safe Health Service Standards: Consumers in Indonesia have the right to receive safe and quality health service standards from hospitals. This includes the right to receive adequate and safe medical care, as well as the right to receive clear and complete information about the medical procedure to be performed.(Prayuti et al. 2024) Social morality emphasizes the importance of respecting the rights of patients as creatures of God who have human rights, this is also included in the health criminal law in Indonesia. The level of public awareness of their rights and obligations in the health context can influence the enforcement of health criminal law in Indonesia. Violations of morality can also occur if there is a gap in access to quality health services, because health matters are a sensitive matter for patients, so patients often assume that medical personnel must provide the same service to all their patients, even though they have different economic backgrounds. -different. Values in society not only influence how laws are made, but also how laws are applied and interpreted in a medical or health context. By understanding and respecting social morality, health criminal law enforcement can be more effective in protecting patient rights and maintaining the integrity of medical personnel practices in Indonesia. Something can be said to be effective if it is in accordance with what is desired (Disantara et al. 2024).

This means that the achievement of the thing in question is the achievement of the goal of carrying out actions to achieve that thing, effectiveness can be interpreted as a process of achieving a goal that has been previously determined, an effort or activity can be said to be effective if the business or activity has achieved its goal, if the goal What is meant is the goal of an agency, then the process of achieving that goal is success in implementing programs or activities according to the authority, duties and functions of the agency.(Ridha 2017) The relationship between the medical code of ethics and social morality in health

criminal law in Indonesia is very close and influences each other. These two aspects function to maintain standards of behavior in the health sector and protect patient rights and safety. Violations of the medical code of ethics can result in sanctions from professional organizations, such as revocation of practice permits and criminal sanctions. Meanwhile, violations of social morality can reduce the trust of society at large and create a bad stigma in society regarding health institutions or medical personnel who have committed violations. Awareness of ethical codes and social morality is very important for medical personnel, education related to ethics and morality can help medical personnel to understand their responsibilities and how to behave ethically in health practices. The relationship between medical ethical codes, social morality, and health criminal law is very important in maintaining medical integrity and protecting patient rights.

Codes of ethics provide clear guidelines for medical personnel, while social morality will create a broader context for understanding and applying the law. Both have equally important contributions to creating a safe, quality and ethical healthcare environment. So even though there is an intersection between medical ethical codes and social morality, medical personnel must be able to find the best solution for both, and prioritize patient safety.

The Role of Health Criminal Law in Protecting the Rights of Patients and Medical Personnel amidst the Influence of Social Values

Health criminal law has an important role in protecting the rights of patients and medical personnel amidst the influence of diverse social values in society. Health criminal law contains rules that regulate sanctions for actions that threaten the safety and/or basic rights of patients and medical personnel. Health criminal law provides protection to patients from malpractice, negligence, and from acts that threaten the right to adequate health care or services. Malpractice is an act that is contrary to ethics, discipline and law, not implementing standards and guidelines set by professional organizations and the government, carried out intentionally or unintentionally or due to negligence.(Lubis, Tambunan, and Panjaitan 2024) When there is a case of negligence or violations committed by medical personnel, health criminal law provides a way for patients to demand justice and ensure that health services are carried out with care and according to standards. The health criminal law also protects medical personnel from violence or external pressure, including lawsuits that are not based on justifiable reasons. The law provides protection for medical personnel who have worked according to professional standards so that they are not criminalized without reason, so the existence of regulations regarding medical personnel is very important to maintain the integrity of the medical profession.

Doctors and nurses are the holders of authority in the medical profession, so doctors and nurses must have good cooperation in providing health services for

patients. Doctors and nurses are two professions that complement each other, so nurses cannot work without collaborating with doctors. If the collaborative relationship between doctors and nurses is carried out according to professional standards, it will be well established, but this collaborative relationship does not rule out the possibility that problems will occur that could be detrimental. on the part of doctors, nurses and patients, one of the problems that may occur in collaborative relationships between doctors and nurses is that nurses often only carry out doctor's orders without paying attention to clear authority, namely the extent to which nurses are allowed to carry out actions ordered by doctors.(Mahaputri, Budiartha, and Dewi 2019) In carrying out their profession, nurses must not act outside the provisions mandated in articles 29 and 32 of Law Number 38 of 2014 concerning the delegation of authority for medical procedures that can be carried out by nurses, if these are violated, there is a possibility of causing harm to the patient. Diverse social values in society can influence the application of health criminal law in Indonesia, because there are different public perceptions of health (Disantara 2020). Health criminal law acts as a limitation, balancing the rights and obligations between patients and medical personnel, and adapting to prevailing social values without compromising medical professionalism and ethics. So the health criminal law has the function of upholding the basic rights of patients and medical personnel, maintaining medical ethical standards, and balancing the influence of social values in medical practice.

Health criminal law is a branch of law that regulates sanctions for violations in the health sector. Health criminal law aims to protect the public from actions that could endanger health, whether due to negligence, unprofessionalism in services, or intentional actions. Medical personnel, including doctors, nurses and other medical personnel have legal responsibility for the medical procedures they carry out. If an error or malpractice or negligence occurs that causes injury or even death to the patient, medical personnel can be criminally prosecuted. Health criminal law in Indonesia has been contained in various regulations, some of which are the Criminal Code (KUHP) which includes criminal provisions that can be applied in health cases, such as criminal acts of abuse, negligence causing death, and medical fraud. Article 359 of the Criminal Code states that "Whoever through his fault (negligence) causes another person to die, is threatened with imprisonment for a maximum of 5 years or imprisonment for a maximum of 1 year" and Article 360 of the Criminal Code "Whoever through his fault causes someone serious injury, is sentenced to imprisonment a maximum of five years or imprisonment for a maximum of one year" and Article 346 of the Criminal Code which states "A woman who deliberately aborts or terminates her pregnancy and orders another person to abort or terminate her pregnancy, is threatened with imprisonment for a maximum of four years." Law Number 29 of 2004 concerning Medical Practice (Medical Law) which has established

standards for safe and professional medical practice, as well as regulating practice permits for doctors, Article 79 of the Medical Law explains about doctors or medical personnel who practice without a permit or violate standards profession can be subject to criminal penalties, including imprisonment and fines. Law Number 36 of 2009 concerning Health (Health Law) regulates patients' rights to health services that are safe, high quality and meet standards. The Health Law also protects medical personnel by providing clear limits regarding medical actions that can be carried out, specifically in Article 190 of the Health Law it regulates criminal penalties for business actors or managers of health facilities who intentionally or through negligence do not provide health services that meet standards and cause the patient is injured or even dies. Law Number 44 of 2009 concerning Hospitals which regulates the obligations of hospitals in providing health services in accordance with standards, Article 46 states that hospitals are legally responsible for all losses experienced by patients due to the hospital's negligence in providing health services.

Law Number 36 of 2014 concerning Health Workers which emphasizes the rights and obligations of medical personnel, including the right to obtain legal protection and safety in carrying out their duties as medical personnel, and Article 84 regulates criminal sanctions for medical personnel who commit violations in health services. Government regulations and ministerial regulations that strengthen all of the above laws are also a form of health criminal law. Even though the code of ethics does not include criminal law directly, violations of the medical code of ethics can result in quite heavy administrative sanctions, and if it contains criminal elements then further action can be taken in accordance with the applicable criminal law. The formation of legislation on health which regulates the rights and obligations of all parties in health development efforts, whether patients, doctors, or health service facilities or hospitals, is a form of legal protection in the health sector which is influenced by the most dominant factor, namely to provide certainty. law in the health sector in addition to providing health services to the community.(Halim, Chandra, and Mau 2023)

Criminal law and social morality have an interrelated relationship (Kurniawan, Lulo, and Disantara 2023), especially because both have a role in maintaining medical ethical standards and security services in health services. Social morality is in the form of values and norms that society believes in, and this can influence how health criminal laws are implemented. In society with certain moral values, the health criminal law can be stricter or more lenient in its enforcement, depending on how society views the issue. For example, society often emphasizes protecting patients' rights, allowing violations committed by medical personnel to be processed more seriously. On the other hand, people who tend to respect medical personnel will probably better understand situations when medical personnel carry out high-risk actions, so that whatever

bad things might happen, they will not completely blame the medical personnel.

Social values that continue to develop also influence changes in health criminal law, for example on the issue of abortion, in societies that hold certain religious values, this will make it possible for health criminal law to criminalize abortion outside of medical emergencies. The implementation of illegal acts of abortion in Indonesia which are carried out without permission, such as aborting/terminating the pregnancy on purpose or with the assistance of another person, will be subject to strict sanctions and prohibit the act of abortion or the practice of abortion, and for legal acts of provocation/legal artificial abortion, namely artificial abortion. which is in accordance with the provisions as stipulated in the Health Law can be carried out but meets the applicable provisions and only for medical reasons and rape victims.(Maridjan 2019) The relationship between health criminal law and social morality aims to create a fair legal system, protect the rights of patients and medical personnel, and provide health services that comply with moral standards respected by society. Health criminal law will continue to develop to balance changes in social values, while upholding justice and security in health services. Health care patients have the right to security and safety during the treatment period "agroti salus lex suprema" or patient safety is the highest law.(Hutomo and Suhartana 2020)

In the health sector, regulations governing health and social morality are interrelated and influence each other, and both are equally important. Regulations regarding health criminal law usually take priority when they relate to safety standards, service quality, and legal protection for both consumers and medical personnel. Regulations ensure that there are clear boundaries in carrying out the medical profession to avoid malpractice or injustice in health services. On the other hand, social morality is important in shaping health service ethics, especially in sensitive issues such as reproductive rights, euthanasia and organ donation, in this context social morality can be prioritized to respect the values believed in by society. Ideally, regulations regarding health criminal law are made by taking into account the values of social morality so that they can be more easily accepted and more effectively implemented. Regulations regarding health criminal law that are not in harmony with social morality will have the potential to give rise to rejection or resistance from the community, such as regulations that are considered to conflict with religious values or local customs. Overall, regulations regarding health criminal law often take precedence in order to maintain patient safety and health service standards, but health criminal law must still be made in harmony with social morality so that it is effective and acceptable to the wider community. A wise balance is needed between the application of health regulations and social morality to creating medical services and environments that comply with applicable standards. Enforcement of criminal law for perpetrators of crimes/criminal acts in the

health sector such as doctors and other medical personnel can be carried out by applying the articles concerning acts committed intentionally and negligently or negligently regulated in the Criminal Code and Law no. 29 of 2004 concerning Medical Practice and Law no. 36 of 2009 concerning Health, the articles in the Criminal Code are: Article 267, 294 paragraph (2), Article 304, Article 531, Article 322, Article 299, Article 346 – Article 349, Article 344 and Article 345 concerning 'intentional ' and Article 359, Article 360 and Article 361 concerning 'negligence or negligence'; while the articles in Law no. 29 of 2004 are: Article 79 letter 'c' which refers to Article 51 which contains the obligations that must be carried out by a doctor and Articles 192 to Article 199 of Law no. 36 of 2009.(Kawenas 2019)

4. Conclusion

Health criminal law in Indonesia seeks to provide boundaries that protect patients and medical personnel and create a healthier and more orderly national health environment. Social morality has a strong influence in the application of health criminal law, especially on sensitive issues such as abortion which is a big topic in society. The social morality that exists in Indonesian society, which tends to be religious and conservative, often directs regulations to prohibit certain actions, even though medically ethically these actions can be justified under certain conditions. This shows that social morality greatly influences the limits of health criminal law in Indonesia. To create a more conducive health environment, harmonization or harmony between health criminal law, medical ethics and social morality is needed. This harmonization can be achieved with an inclusive and dynamic regulatory approach that takes into account the development of medical ethical values and changes in morality in society.

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