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Problematics of Prisoners' Health Services on Health Rights (Study at Class II B Correctional Institution Sintang)

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Abstract: Hazardous and Toxic Material Waste/ (Hazardous and Toxic Materials) is the residue of a business and/or activity that contains hazardous and toxic materials (B3). One of the B3 wastes is medical waste, which is infectious waste produced from activities in healthcare facilities, both in the form of solid and liquid waste. This medical waste is generated from activities such as hospitals, health centers, independent practice places, clinics, etc. facilities. Medical waste is an infectious object or item that must be managed properly, starting from the time of collection, and transportation, to the destruction process. Therefore, there needs to be legally binding regulations related to waste and its management. This research is descriptive and will produce an overview of B3 waste management regulations, especially medical waste with the protection of environmental health rights. The research approach used is a normative legal approach. The data collected is in the form of secondary data, while the analysis method used is qualitative. The results of the study show that the more human activities increase, the more waste is produced. Medical waste is one of the B3 wastes. Medical waste is waste that is directly generated from the diagnosis and treatment of patients in healthcare facilities, such as polyclinics, nursing, surgery, obstetrics, autopsies, and laboratory rooms. To avoid environmental risks, medical waste management must be done properly. Various laws and regulations for B3 waste management have been established, including Government Regulation Number 19 of 1994 (PP 19/1994) concerning Waste Management of Hazardous and Toxic Materials up to PP 101/2014. The provisions regarding B3 waste management are based on Law Number 32 of 2009 concerning Environmental Protection and Management (UUPLH). However, medical waste still needs to be synchronized with the provisions in Law Number 36 of 2009 concerning Health. Efforts to protect environmental health are carried out through the regulation and management of medical waste in healthcare facilities. Through the regulation and management of medical waste, it can prevent environmental pollution prevent the transmission of diseases (infections), and avoid the misuse of waste, so that it can maintain environmental health.

Keywords: Medical Waste, Regulation and Management of Medical Waste, Healthcare Facilities, Environmental Health.

INTRODUCTION

The health of prisoners is the responsibility of the Ministry of Law and Human Rights, through the Directorate General of Corrections. They are responsible for ensuring that prisoners have access to adequate health services that comply with applicable standards. The right to health for every citizen includes the right to health for prisoners who are serving correctional services in correctional institutions (Lapas). (Government of Indonesia, 2022). Like other prisoners, prisoners have the same rights to worship according to their religion and beliefs, get health care, visit, and eat good food. (Prihananti, 2022). Therefore, prisoners are also still considered as citizens who are entitled to health insurance, Correctional Institutions (Lapas) become institutions or facilities that are given the authority to carry out the function of Development of prisoners. In Articles 7 and 9 of Law Number 22 of 2022 concerning Corrections (Corrections Law), it is stipulated that health services are services that must be provided to prisoners in correctional facilities. (Government of Indonesia, 2022). Life in prison is the result of punishment for unlawful behavior that prisoners have committed. Life in prison involves many problems, including a changed life, loss of freedom and increasingly limited rights. (Mujahidah, 2019).

Some previous research also examines health including research conducted by Zebua, in his research emphasizing human resources in health services, lack of human resources, especially the shortage of medical personnel, is a major obstacle in ensuring reliable and quality health services. Future research could further explore the impact of human resource shortages on the quality of health services in Gunungsitoli Correctional Facility and find solutions to overcome this problem. (Zebua et al., 2024). The next research was conducted by Ridwan. This research focuses on the fulfillment of the rights of prisoners and children in prisons during the Covid-19 pandemic. This research gap is about the impact of the pandemic on the fulfillment of these rights, as well as innovative solutions to overcome the obstacles that arise due to the pandemic situation. This research mentions the constraints of weak coordination between agencies in the fulfillment of prisoners' rights. (Ridwan, 2022). The last research was conducted by nelwis where nelwis examined the lack of health facilities and infrastructure at Class II A Padang Correctional Facility, which may hinder the provision of comprehensive health services to elderly prisoners. This research disputes highlights the importance of improving physical infrastructure within institutions, corrections agencies to ensure effective healthcare provision for elderly prisoners. This research shows the lack of budget for health services for detainees, leading to limitations in the provision of medical care (Nelwitis et al., 2023). Future research could focus on further evaluating the extent to which health services in prisons are responsive to the needs and expectations of prisoners in prison.

Health services include health promotion, prevention, treatment and rehabilitation efforts in the health sector, in this case no less important is the role of the hospital where the referral hospital is also responsible for providing health services to prisoners in need, health workers are at the forefront of providing guidance and ensuring that the rights of prisoners can be fulfilled based on the correctional system. (Ferinkie, 2020). The fulfillment of health rights for prisoners in correctional institutions should be carried out in accordance with the standards set out in the legislation. In the implementation of the basic rights of prisoners, the right to health services often cannot be executed optimally and in accordance with the service standards stipulated in the laws and regulations. Prison officers have a very important role. Some steps that can be taken to ensure the fulfillment of these health rights include:

1. Ensure access to adequate health services for all prisoners.
2. Facilitate regular and comprehensive health checks.
3. Provide necessary medicines and medical treatment according to individual needs.
4. Coordinate with medical and related parties for the handling of more serious or urgent health cases.

5. Providing health education to prisoners so that they can take care of their own health.

It is important to involve relevant parties, such as medical officers, security staff, and the management of prisons, in efforts to fulfill the health rights of prisoners. In addition, it is also important to regularly monitor and evaluate the effectiveness of the health programs that have been implemented to ensure that the health rights of prisoners are properly fulfilled. In Indonesia, the rights of prisoners (inmates/patients of mental hospitals) are regulated by several regulations, among others:

1. Law Number 12 of 1995 concerning Corrections.
2. Government Regulation No. 99/2012 on the Management of Legal Aid for Suspects and/or Defendants and Prisoners and/or Children through Legal Aid Institutions.
3. Decree of the Minister of Law and Human Rights Number 20 of 2013 concerning Correctional Service Standards.
4. Regulation of the Minister of Law and Human Rights Number 14 of 2016 concerning the Development Program for Prisoners and Children in Correctional Institutions.

The number of rules that have been determined by the government is actually expected to maintain the conduciveness of the existence of prisoners who are in correctional institutions, especially correctional institutions class II B Sintang, therefore it is important in this paper to discuss matters related to the Problems of health services in Class II B Sintang Correctional Institution.

METHOD

This research is a study that combines library research with field research where the research method is descriptive qualitative. The qualitative approach method analyzes the results of research by collecting descriptive data, namely data expressed in writing or orally, as well as real behavior that is studied and studied as a whole. (Mukti Fajar & Achmad, 2015).

This method is used to answer research questions with a focus on deep understanding of social context, culture, and individual subjectivity. Qualitative research is conducted by collecting data obtained through observation, interviews, document analysis, and field notes. Furthermore, the data is used as material for analysis which is analyzed inductively, understanding from the data obtained. The results of this analysis are then used to compile findings, understand the context, and explain the events observed.

The data used in this research is primary data, which is data obtained directly from sources through interviews. This research also uses data obtained directly from research subjects, which in this context are prison officers and residents as well as individuals who have relevant information about the problematics of health services in Class II B Sintang Correctional Facility. Meanwhile, secondary data in the study were obtained from documents, records, reports, and observation results related to the research conducted. The research location, the author chose at Class II B Sintang Correctional Facility, which is under the Regional Office of the Ministry of Law and Human Rights of West Kalimantan.

RESULTS AND DISCUSSION

Fulfillment of the health rights of prisoners in the Class II B Sintang Correctional Institution

Decree of the Minister of Law and Human Rights Number 20 of 2013 concerning Correctional Service Standards regulates the standards that must be met in the implementation of correctional services in Indonesia. Some of the things regulated in the decree relating to the rights of prisoners include:

1. Standards of health services that must be provided to prisoners, including medical services, mental health, and other aspects of health.

2. Standards of education services that must be provided to prisoners, including formal and non-formal education programs.
3. Service standards for rehabilitation and development programs for prisoners so that they can return to society better after serving their sentence.

With the Decree of the Minister of Law and Human Rights Number 20 of 2013 concerning Correctional Service Standards, it is hoped that the implementation of correctional services in Indonesia can meet the established standards, including in terms of fulfilling the rights of prisoners to gain access to health services, education, rehabilitation, and proper guidance. (Government of Indonesia, 2013). In addition, there is Government Regulation No. 99/2012 on the Management of Legal Aid relating to the rights of prisoners related to access to legal aid. Several things are regulated in the regulation relating to the rights of prisoners, among others:

1. Implementation of legal aid for prisoners and/or mental hospital patients who are economically disadvantaged.
2. The mechanism for providing legal aid at various stages, from the level of investigation to the execution of the crime.
3. Appointment of legal counsel for prisoners and/or mental hospital patients who are unable to afford it and fulfillment of their rights during the legal process.

This regulation aims to ensure that prisoners who are economically disadvantaged still have access to proper legal protection while in the criminal justice process. With this regulation, it is expected that the rights of prisoners to receive proper legal protection can be fulfilled properly. Law No. 12/1995 on Corrections is a law that regulates the implementation of correctional services in Indonesia. Some of the rights of prisoners guaranteed in the Act include:

1. The right to humane and civilized treatment.
2. The right to equal treatment in prison without discrimination.
3. The right to proper health care and treatment.
4. Right to legal aid.
5. The right to religion and to practice one's religion.
6. The right to education and training to support self-development and improvement.
7. The right to communicate with family or loved ones.
8. The right to security and protection from violence or discrimination.

Law Number 12 Year 1995 also regulates dispute resolution mechanisms, supervision of correctional implementation, and various other provisions aimed at protecting the rights of prisoners in the correctional system in Indonesia. (Government of Indonesia, 1995). Some of the human rights of prisoners guaranteed in the regulation include the right to humane treatment, the right to health, education, as well as procedural rights such as the right to obtain legal aid and the right to apply for judicial review of criminal decisions. In addition, the government also conducts various rehabilitation and coaching programs so that prisoners can return to society better after serving a period of punishment or treatment. Regulation of the Minister of Law and Human Rights Number 14 of 2016 concerning Development Program for Prisoners and Children in Correctional Institutions is a regulation that regulates the development program for prisoners and children in correctional institutions. (Maharani & Butar, 2022). Several things are regulated in this regulation relating to the rights of prisoners, among others:

1. Implementation of coaching programs that cover aspects of education, training, rehabilitation, recreation, and religion.
2. Regulations on the order and discipline of prisoners and juveniles, including sanctions that can be given in cases of violation.

With the Minister of Law and Human Rights Regulation No. 14/2016, it is expected that the development program for prisoners and children in correctional institutions can be

implemented effectively and in accordance with established standards. This aims to provide opportunities for prisoners and children to receive guidance that can help them in the process of recovery and reintegration into society after their sentence is completed. (Government of Indonesia, 2016). The standard of health services that must be provided to prisoners, including medical services, mental health, and other aspects of health, is very important in maintaining their welfare and health rights. Some of the things that can be included in the standard of health services for prisoners include:

1. Periodic medical check-ups and prompt treatment of health problems faced by prisoners.
2. Provision of medical services that include inpatient, outpatient, and emergency services.
3. A mental health facility that includes counseling, therapy, and intervention for prisoners who need it.
4. Health coaching and counseling on healthy lifestyles to prisoners.

With clear and fulfilled health service standards, it is expected that the health conditions of prisoners can be well maintained during their detention or sentence. This is also important in supporting the process of rehabilitation and reintegration of prisoners into society after their release. Good health service standards are also part of human rights that must be respected and protected for all individuals, including prisoners. The standard of education services that must be provided to prisoners, including formal and non-formal education programs, is an important part of their development and rehabilitation efforts during their sentence. Some things that need to be fulfilled in the standard of education services for prisoners include:

1. Access to formal education such as primary, secondary or vocational schools according to the needs and abilities of the prisoners.
2. Non-formal education programs such as skills, job training, or other learning that can help improve the skills and knowledge of prisoners.
3. Adequate educational facilities such as classrooms, libraries, learning support devices, and qualified educators.

With clear and fulfilled education service standards, it is hoped that prisoners can access education that is appropriate to their needs. Education plays an important role in helping prisoners improve their knowledge, skills and understanding, thus preparing them to return to society better prepared after their sentence is completed. Good implementation of education service standards will also help increase the chances of prisoners to get a job and a better life after release. Service standards for rehabilitation and development programs for prisoners are an important part of preparing them to return to society better after serving their sentence. Some of the things that need to be met in the service standards of rehabilitation and development programs for prisoners include:

1. A holistic rehabilitation program, covering the physical, mental, emotional and social aspects of the prisoners.
2. Individualized and sustainable coaching that is tailored to the needs and conditions of each prisoner.
3. Provision of skills training, education and personality development services to help prisoners prepare for their return to society.
4. Psychological support, counseling, and social support to help prisoners overcome emotional and mental problems they may face.
5. A structured and measurable reintegration plan to facilitate the process of returning prisoners to society after release.

With clear and fulfilled service standards for rehabilitation and coaching programs, it is expected that prisoners can receive effective and sustainable coaching that will assist them in the process of reintegrating into society after release. This can also reduce the risk of returning to criminal activities and provide an opportunity for them to start a new, more positive and productive life after their sentence is completed. A good standard of service for

rehabilitation and development programs is also an effort to support the human rights of prisoners to have the opportunity to improve themselves and return to being contributing members of society. Health services for prisoners are usually provided in health units within correctional institutions or prisons. These health units are responsible for providing both preventive and curative health services to prisoners in need. Some of the roles of health services for prisoners in the health unit include:

1. Routine medical check-ups and treatments to maintain the health of the inmates.
2. Handling cases of illness and injury that require medical treatment.
3. Mental health and psychological support services.
4. Health checks and provision of medicines as needed.
5. Prevention and health education programs to increase awareness of the importance of maintaining good health.

With good health services in the health unit, it is hoped that the health and welfare of prisoners can be well maintained while they are serving their sentences. This health service also has an important role in supporting the rehabilitation and development efforts of prisoners so that they can return to society with optimal health conditions after release. In the implementation of the basic rights of prisoners, especially the right to health services, often cannot be executed optimally and in accordance with the service standards stipulated in the legislation, correctional institutions are responsible for providing guidance and protection to convicts. (Mirnawati, 2019). Prison officers have a very important role, they are at the forefront of providing guidance and ensuring that the rights of prisoners can be fulfilled by being guided by the correctional system. (Ferinkie, 2020).

Problematics of health services at the Class II B Sintang Correctional Institution

Corrections is a system created to help people who break the law improve themselves and be accepted back into society. If more people stay in correctional institutions, this can lead to overcrowding problems (Saputra et al., 2021). The correctional system implies that although prisoners in prisons are serving criminal sanctions for their actions, prisoners and prisoners should not lose their rights. Because the law protects the rights of every prisoner. The law emphasizes the responsibility of the government and correctional institutions to provide health facilities and services. In the correctional system, human rights must be protected during punishment because they lose the freedom or liberty they had before entering the prison. (Hardiansyah & Subroto, 2022).. The rights possessed by prisoners while they are serving their sentence in prison are regulated in the Corrections Law. In Article 9 there are 12 such basic rights that prisoners get while in prison, in Article 10 there are 7 conditional rights intended for those who meet certain requirements. The basic rights mentioned in Article 9 of the Corrections Law include the right to worship according to the religion and beliefs of each prisoner, the right to receive physical and spiritual care during the criminal period in prison, the right to obtain opportunities to develop their potential (education, teaching, and including recreational activities), the right to obtain health services and nutritious food, the right to obtain legal assistance, the right to submit complaints and grievances, the right to obtain reading materials, the right to obtain information services, the right to follow media developments, the right to receive humane treatment and protection from various actions that have the potential to threaten physical and mental health, the right to obtain social services, and the right to receive (including refusing) visits from anyone, whether family, legal counsel, or the general public. (Pintabar et al., 2024). Based on an interview with the Head of the Class II B Sintang Correctional Facility, the various rights of prisoners above that are problematic at this time are the most vulnerable to occur in class II B Sintang prison regarding the right to health services, this occurs due to the impact of overcapacity that occurs in class II B Sintang prison where class II B Sintang prison is a prison whose prisoners come from Sintang Regency itself and neighboring districts such as

Melawi, Sanggau, Sekadau, and transfers from Pontianak. This is also what causes the increase in the number of correctional prisoners resulting in overcapacity for class II B Sintang prison itself is actually included in the prison that is experiencing overcapacity, namely with a standard that should contain 100 to 200 prisoners / prisoners, While for class II B Sintang prison currently has 533 prisoners with the availability of health services 1 doctor and 1 nurse where this is certainly a problem for the clinic located in class II B Sintang prison where to fulfill the health service rights of prisoners they actually need at least 1 nurse, pharmacist and laboratory staff, while for the needs of drugs are currently still fulfilled for class II B Sintang prison. Assurance of the completeness of medical equipment and drugs is carried out by checking and planning drug needs. (Rafianti, 2021) and health equipment to support health services carried out in prisons. The availability of medicines at the Sintang Correctional Facility Clinic is one of the keys to the success of health services to prisoners in Class IIB Sintang Correctional Facility, and of course the medicines available must be according to standards and the preparations can be guaranteed to be safe and halal in accordance with the mandate of Law Number 33 of 2014 concerning Halal Product Jaminan, namely every food product, medicine, and cosmetics must be halal certified. (Rafianti, 2021). Health funding is a crucial component of health resources in the infrastructure of health services in prison. So far, health funding in Class II B Sintang Correctional Institution is sourced from the Government (Pintabar et al., 2021). (Pintabar et al., 2024)..

However, in addition to the above, the impact of overcapacity in terms of health is more about infectious diseases such as skin diseases and respiratory diseases. Because of the excess capacity, the transmission of diseases will be faster to each other, for the highest level of disease suffered at this time is skin diseases such as Scabies, Pyoderma, Dermatitis and Tinea (Fungus). In addition, there are also diseases of the upper respiratory tract. Therefore, the prison routinely invites WBP (prisoners in prison) to at least 3x (three times) a week exercise and aggressively conduct counseling related to infectious diseases. In addition, they also strive to always pay attention to the quality of bathing water and the place / bathtub to keep it clean. Based on the results of interviews with the Head of Correctional Facilities and Dr. Septian, the doctor in charge of the Sintang Class II B Correctional Facility clinic, other things that also cause transmission are the lack of adequate prison / detention facilities in West Kalimantan (several districts such as Melawi and Sekadau do not have prisons / detention centers) and the high crime rate in 2 (two) districts namely Melawi and Sintang, where the highest prisoners in the prison come from drug cases this is also because Sintang does not have a drug rehab center, so drug users cannot be rehabbed, and are detained in prisons.

CONCLUSION

1. With the Decree of the Minister of Law and Human Rights Number 20 of 2013 concerning Correctional Service Standards, it is expected that the implementation of correctional services in Indonesia can meet the standards set, including in terms of fulfilling the rights of prisoners to gain access to health services, education, rehabilitation, and proper guidance, with good health services in the health unit, it is hoped that the health and welfare of prisoners can be maintained properly while they are serving their sentences. This health service also has an important role in supporting rehabilitation efforts and coaching of prisoners so that they can return to society with optimal health conditions after release. In the implementation of the basic rights of prisoners, especially the right to health services, often cannot be executed optimally and in accordance with the service standards stipulated in the legislation, in this case correctional institutions are responsible for providing guidance and protection to convicts.
2. The Corrections Act regulates the rights of prisoners, including the right to worship, physical and spiritual care, education, health services, legal aid, complaints, reading, information, physical and mental protection, social services, and visits. Overcapacity in

prisons can lead to various problems, including health problems, prisoners should not lose their rights because the law protects the rights of prisoners. Overcapacity that occurs in Class IIB Sintang prison raises health service problems, class II B Sintang prison requires an increase in health services, because the number of prisoners is increasing. Corrections is a system to help prisoners who violate the law to improve themselves and return to society properly, for class II B Sintang prison itself is actually included in the prison that is experiencing overcapacity, namely with a standard that should contain 100 to 200 prisoners / prisoners, while for class II B Sintang prison currently has 533 prisoners.

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