

The Characteristics of Abortion Liability by Doctor in Indonesia after Enactment of Health Law 2009

Sutarno

Lecturer, Faculty of Law, Hang Tuah University, Surabaya, Indonesia

Abstract

This study analyzed the characteristics of abortion liability by doctor after the promulgation of health law year 2009 in Indonesia. The result found that the pregnancies that are legal to be aborted are: that's dangers for the mother concerned (for life saving), womb that's the foetus is heavy handicap and the pregnancy because of rape (until 6 weeks of pregnancy), but for the doctor who performed abortion to help the mother who has failed in her family planning method or the idiot women who pregnant by unknown man and pregnancies because rape but more than 6 weeks of old must be held accountable for his action. The liability is including criminal liability, civil liability, administrative liability, professional discipline liability and ethical liability. For the criminal liability, can be use criminal code as a "ius generalis" or the article 194 of health law as a "ius specialis". This characteristics of abortion liability for the doctor will prohibit the doctor who help someone who need performing of abortion because of: failing of family planning method, idiot woman that pregnant by unknown man and pregnant woman because of rape more than 6 weeks. This reason is not for pregnancy that caused by promiscuity and immoral habits.

Keywords: *Abortion liability, doctor in Indonesia, Health Law of 2009.*

Introduction

Data from the World Health Organization in 2018, there are 21.6 million women worldwide undergoing illegal abortions every year. of these, 18.5 million of them occur in developing countries¹¹. In Southeast Asia, deaths caused by unsafe abortion account for 14-16% of all maternal deaths⁵. Indonesia which is around 2.3 million per year²¹, is sufficient to prove that abortion is not a problem that can be underestimated, because abortion is one of the causes of the high mortality rate for pregnant women in addition to other factors¹². Abortion that is fatal, especially if it is worst because of complications, which are caused by bleeding or infection. Maternal mortality due to illegal abortion contributed 5.6% of total maternal mortality cases². Don Marquest in Bonnie Steinbock says that abortion is considered immoral, because the fetus in womb is the same as a living human. However, there are some views that say that it is okay to have an abortion because the fetus is not yet considered a human¹⁸. Therefore, abortion that is illegal and not in accordance with medical method is still ongoing and remains a major problem that threatens women during their reproductive years. In addition, because abortion

is considered illegal and prohibited by religion, people hide the incidence of abortion and handle it with non-medical assistance/traditional healers, who use improper method. In Mexico, change that is occurring is the increased use of misoprostol as a method of abortion. Misoprostol was originally developed to prevent gastric ulcers but its off-label use as an abortifacient drug has become known worldwide as an effective way to end a pregnancy⁷. The other situation, where people can easily get drugs or herbs that are sold freely and promise to have an abortion, at affordable prices⁴. Conclusion of Latt et All study demonstrates that maternal mortality is lower when abortion laws are less restrictive⁹.

Many events in society need the attention, because health concerns affect all aspects of life and have a broad and complex scope¹⁷. Where does a mother who has failed in family planning program and become pregnant, have to complain? Actually, due to economic reasons, she was unable to increase the burden on the family with her pregnancy. Another problem that has been encountered, where a young woman with a retardation mental experiences rape and becomes pregnant without knowing who is the biologic husband⁸. They are

victims of a system, as v. Boven stated that victims are individuals who or have suffered loss, including physical or mental injury, emotional suffering, economic loss or actual deprivation of their basic rights, either by action or by negligence¹⁵. This tendency to have an abortion cannot be separated from the view of the nature of when the life of a human child begins. Abortion is a complex problem, covering religious, ethical, moral and scientific values, as well as specifically as a biological problem¹³. In a debate about termination of early pregnancy, there are words that are considered important, namely: life, potential life and alive⁶. From this each word, we can think, must we accept the liability when we do it.

Liability: Legal liability is a concept of legal responsibility. A person who is legally responsible for a certain act can be subject to a sanction in the case of his actions which are contrary/contrary to the law. Sanctions imposed for one's own actions that hold the person responsible. the subject of responsibility and the subject of legal obligation are the same. According to Titik Triwulan, accountability must have a basis, namely things that cause legal rights for someone to sue others, as well as things that give birth to other people's legal obligations to give their accountability¹⁹.

The basic principle of responsibility on the basis of mistakes means that a person must be responsible because he or she has done something wrong that harms others. Legal accountability is always required for all persons in a country of law for their actions, including a doctor who performs his actions, including abortion. Accountability here means that the doctor must be ready in case of a lawsuit against him, whether criminal, civil or administrative, beside from ethical and professional problems

Why should you be responsible if you don't harm other people and society can accept it? Maybe ethics is still argued and evidence base medicine is violated, including religion rejects or approves it. Considering the needs of the community, it is necessary to conduct separate sociological research. Not all religions refuse it, of course, by considering special circumstances. According to John J. Donohue III And Steven D. Levitt in their study, teenagers, unmarried women, and poor women are most likely to deem a pregnancy to be either mistimed or unwanted, and that a large proportion of these unintended pregnancies will be terminated through abortion³

Criminal Liability: In criminal liability, it must meet 3 (three) requirements: a. There must be criminal action, which is included in the legal delict formula; b. The act that can be sentenced should be contrary to the law, and c. There must be an offence from the perpetrator. It is obvious that a person can be held accountable if there are elements: an act that is against the law, able to be responsible, the existence of errors (schuld) in the form of intentional (dolus) or because of forgetfulness (culpa), as well as the absence of justification reason or excuse reason.

Accountability or known as the concept of "liability" in terms of legal philosophy, it is as stated by a great 20th-century philosopher, Roscoe Pound which stated that the accountability does not only concern the legal matter. However, there is also a problem of moral values or morality in the life of people¹. Criminal liability According to Roscoe Pond, is as an obligation to pay the retaliation that the perpetrator will receive from someone who is harmed. The responsibility is not only about the legal matter, but the problem of moral values or morality in a society. S.R. Sianturi says the criminal liability is intended to determine whether or not the person can be asked to take responsibility for his or her own actions.

Doctor's accountability to the Illegal Abortion, if analyzed by the accountability theory of Roscoe Pound is very relevant, because the doctor in taking the abortion action should be responsible to the person who is harmed in this case is the patient who is experiencing the act of abortion, which concerns moral, and morality in the community. In the Sianturi theory of abortion, the abortion itself is a criminal offence. The Doctor who does the abortion means committing a criminal offence. Abortion is a meaningful source of controversy, but some do not cause a killer stigma for the culprit. So, this abortion is a view of life that must be fought from human life¹⁰.

According to Sianturi, it's not everyone who performs actions belonging to the category of criminal acts is to be convicted. So, the Doctor who does the abortion clearly commit a criminal offence can be sentenced to or cannot be convicted. The doctor will be convicted if the criminal act of abortion is fulfilled by the criminal act, against the law and making offence. For doctors who have an abortion in pregnant women who are experiencing medical emergency and are aiming to save his life, there is no element against the law, so after the enactment of health law Year 2009, the doctor

cannot be punished because of his abortion performed. Likewise, in the act of abortion committed to pregnancy, where the fetus suffers from severe genetic defects that will not be able to live independently after birth, also in pregnancy due to rape cannot be sentenced because there is no element against the law.

The criminal threat in the health law of 2009 for abortion is contained in section 194, which states a criminal threat to those who perform abortion acts, that any person who intentionally commits an abortion does not conform to the provisions referred to in article 75 clause (2) will be sentenced to imprisonment of 10 years and the most fines of Rp. 1 billion, -(1 billion). So, the criminal liability of doctors who do abortion is not in accordance with the allowable in article 75 and 76 the health law will be threatened with article 194. This is if the judge uses *lexspecialist* that is this health law. A pregnant woman who will be aborted, is required to obtain her husband's approval (according to law number 36-year 2009 on health, section 76). Problems arise when the husband does not give consent in this situation! In the case of abortion in the criminal code, the criminal liability of the physician who did the abortion is in accordance with article 349, which will get the threat of a third more severe than the layman who did. In the case of abortion by everyone, it should also be remembered Article 299 of the criminal code. Although the intention will not disbelieve, but with the administration of the drug followed by the provision of hope for the occurrence of abortion, then if there is actually a miscarriage, this drug provider can be sentenced.

In Indonesia, criminal code is "*lexgeneralis*" and health law year 2009 is "*lex specialis*", so that the judge will certainly choose health Law year 2009 in accordance with the principle of "*lex specialis derogate Lexi generali*", but may be considered also the chapters in this *psnsl* code because it is more detailed. It was the authority of the judge to decide. Criminal liability for doctors who have abortions in women with the failure of the family planning program or in women with a mental retardation that is pregnant due to rape, the doctor has not been protected, so it is still considered illegal so that it can be ensnared with the criminal code or health law.

Legal enforcement of doctors who have illegal abortion can be performed in accordance with the criminal proceedings in general. First of all, will be conducted investigations by police, whether the event reported is correct. If this is true, then it can be upgraded

to an investigation and then prosecuting by prosecutors and subsequent proceedings in court. Once there is a decision of the judge, the judgment will be executed by the prosecutor.

Civil Liability: The Abortion performing generally is an action of agreement between 2 persons/parties, it is unlikely that the patient will sue because of the things done mutually beneficial. But if there are complications that harm the patient, certainly does not close the possibility of the patient or his family will sue the doctor. The legal relationship between a physician and a patient in performing the abortion may be an alliance born due to a treaty, but it is generally a treaty under the hands, either written or orally. The reason why it usually an under-hand agreement is: a. On illegal abortions are unlikely to carry out authentic agreements, b. Usually until abortion, many of these cases of abortion are considered disgraceful of the family.

Although this agreement is a treaty under the hands, if the patient is harmed, he or she can sue his doctor for compensation. This can happen to a legally occurring abortion. The agreement between the doctor and the patient on an illegal abortion is actually invalid, because according to article 1320 Civil Law, the agreement must be fulfilled 4 conditions, where the 4th condition is the agreed condition must be something "halal" (that does not break the law), when the abortion is illegal, so it is not lawful or violate existing laws and regulations. In the act of legal abortion, doctors are also allowed to be sued for tort, for example if complications resulting from unfulfilled implementation of the standards of service, professional standards and standards of operating procedures, as well as medical discipline and medical ethics. It is based on article 1339 Civil Code.

Under the provisions of article 1339 of the Civil Code, then all liabilities and prohibitions that constitute the compliance and customs in the medical world become part of the therapeutic agreement. Thus, if a civil dispute arises between a physician and a patient, that is, because the Doctor is deemed by the patient to have not carried out its obligations as determined by the unawareness and/or customs prevailing in the medical world, in the relationship of doctors with the patient, then the one that is referenced is customs prevailing in the medical world.

Civil litigation can originate from both the patient and the family. This lawsuit is threaded "*materiil*" and "*immateral*", it can be proposed if the patient

or his family feel harmed. In Materile claims, it can be estimated and calculated the number of claims in advance, albeit only in an outline. While a lawsuit that is Imateriil is usually very large in number, because it is often associated with things that are not very related directly with the abortion itself.

The civil liability for this abortion can be resolved both litigation and non-litigation. For settlement by way of litigation means completion by court. This can take a long time and require great expense. While non-litigation settlements can be mediation. Settlement of disputes with mediation can be done in court or out of court. According to Regulation of Supreme Court Number 1 of 2008 updated with Regulation of Supreme Court Number 1 of 2016, civil matters are expected to be resolved by means of ADR (alternative Dispute Resolution), especially mediation. By mediation the dispute resolution becomes cheaper and faster to complete, the outcome is expected to achieve a win-win solution. For a physician who commits the dispute resolution of the case with patients in a mediation, facilitated by a mediator, it is actually profitable in terms of problem resolution speed. But there are constraints, because the results of mediation that is considered strong is the deed of peace, whereas with the deed of peace from the court considered as a public domain, so it is open to the public. For a doctor who is experiencing this incident certainly does not want the problem spread widely known by the public, because it will harm his reputation as a doctor.

Administrative Liability: Doctors accountability in the field of administrative law, became clearer since the enactment of the Medical Practice Act of 2004. With the enactment of health law year 2009, there is relatively little change pertaining to the accountability of administration for doctors. Because it has been contained in the Medical Practice Act of year 2004. In conducting an abortion, a physician must fulfill administrative requirements such as the Letter of the Registracy Sign (STR) and the Practice Permit (SIP), in addition to the competency of performing abortion must be obtained from the training that has been followed in accordance with Regulation of Health Minister Number 3 of 2016 on the training and management of the abortion for indications of medical emergency and pregnancy due to rape. If any requirements are not met then the doctor will face a problem that leads to a violation of administration with the sanction of its practice licenses.

Even the threat of administrative action pursuant

to article 188 of this health legislation through the Minister to health workers (in this case still include the doctors) and health facilities. Article 188 paragraph (1) states the Minister may take administrative action on health workers and health care facilities in violation of the provisions as provided for in this law. Similarly, in verse (2) that reads that; The Minister may delegate the authority as referred to in paragraph (1) to a non-ministerial government institution, head of provincial service, or district/municipality whose principal duties and functions in the field of health.

In article 76c and d of Health law year 2009 mentions performing of abortion as mentioned in article 75 can only be done c. With the consent of the pregnant mother concerned; d. With the consent of the husband, except rape victims. In this case the consent in question is the presence of informed consent first before the action, either from the patient himself or the permission of the husband or his family.

In article 349 of the criminal code, in addition to the doctor can be sentenced to heavier than the general person if doing illegal abortion, can also be revoked practice permit. It is written as follows; If a doctor, midwife or physician assists in committing the crime in article 346, or doing or assisting, committing any of the crimes described in article 347 and 348 of the criminal code, then the criminality prescribed in those chapters can be augmented by a third and can be revoked the right to carry out its work in which the crime is committed.

We know that physician who performed illegal abortion, the responsibility should be in ethical and legal domain. Similarly, when the abortion is both legal and illegal not in accordance with the discipline of the knowledge, there can be consequences that will end with a complaint of the patient or his family to the MKDKI. The process at MKDKI itself can end with the complaint was rejected, the complaint is not acceptable or the pen received and the complaint that the process is terminated. If received and processed further, then the decision may be that the doctor is guilty or innocent¹⁹. Sanctions if the doctor is guilty, is a disciplinary sanction in the form of written warning, obligation to participate in training and revocation recommendation of STR and or SIP. There are two kinds of sanctions following education and training: formal re-education and non-formal re-education. Recommendations for revocation of STR or SIP can be temporary (at least 1 year), remain or forever, or there are also restrictions on certain medical care measures.

The parties that can be held accountable in the hospital are juridically in the group in: a. The Manajemen of the hospital represented by the head of the hospital/director/CEO; b. Doctors, dentists who work in hospitals; c. The nurses and other health workers and non-health personnel (administration, security, hygiene, etc.).

With the strong predicate as a public servant, the hospital should be prosecuted to be able to conduct services in the field of health with the best to the community. In addition to some hospital responsibilities as a medical service, the hospital is also legally responsible for all losses incurred by the negligence made by the medical personnel, other health workers, as well as the negligence made by any officer who is under the hospital¹⁴.

It also applies responsibility if there is an illegal abortion. A practising doctor in the hospital can be an employee or a guest physician. Some argue that the hospital as an institution that provides care and treatment services, is responsible for all the events that occur in it. On the basis of the Corporate Liability doctrine, hospitals are responsible for the overall quality control of the services to the patients they care about. The working relationship between doctors and hospitals needs to be redefined with the rules that the hospital has made in which doctors work, so that the purpose of hospital service is more quality and provides safe protection for patients.

Ethics and Professional Discipline: The ethical liability is severely perceived by the doctor, precisely by the formal ethical basis in this case through MKEK, the accountability of doctors who perform illegal abortion is very severe. But if it is thought deeperly, then the goal of doing ethical actions is for the benefit of being helped. Teleological ethics will certainly consider the correct purpose of the action. For abortion, these adherents could have thought of what it would be if people who wanted this abortion were not followed. But from the moral side, it must also be used to consider it. For doctors in violation of the ethics, implementing an illegal abortion, will be sanctioned by the Indonesian Honorary assembly of Medicine, pursuant to law number 29 of 2004 on medical Practice.

If we see a doctor's fault in general medical services to his patients (not only abortion), then in article 66 of Law No. 29 of 2004 stating that whoever knows or interests is disadvantaged for the doctor's actions in

conducting medical practice can complain in writing to the Chairman of MKDKI. The complaint does not waive any right of any person to report alleged criminal offence to the authorities and/or sue civil liability to the court. Thus, the Doctor who did the abortion and allegedly violated the rules, both authority, process, indication and the law will be faced with MKEK (subject of ethics), MKDKI (in terms of medical professional discipline) and to the police or court. It is very time consuming, energy, thought and cost. In MKDKI, the process will run as the rule base on Regulation of Medical Council Number 2 of 2011 on Procedures for Treating Bodies of Suspected Violation of Discipline by Doctors and Dentists.

Religion: Almost all religions and the flow generally defy abortion.

a. Islamic Views: According to Abdulrahman in Maryati mention, abortion that be done after blowing the spirit by Allah, which is after 4 (four) months of pregnancy is "haram" (forbidden), and all of the scholars of the Fiqh agree to this. But the view is different with the performing an abortion done before this event (blowing of the spirit by Allah), some scholars have allowed and others disagreed.

The fatwa of the Indonesian Ulema Council (MUI) said that it has issued a fatwa abortion exemption since the government removed the health Law in 2009. "So, it's not new anymore. We have issued a fatwa supporting abortion with the exception since the government still boil law and then the rule of government, "said deputy general chairman of the Ma'ruf Amin Center to CNN Indonesia, Monday, 17 November 2014, responded to the exit of PBNU decision on the exclusion of prohibition of abortion, while MUI allowed abortion.

Abortion against rape content can be done before the content reaches the age of 40 days. Fatwa MUI No. 4 year 2005 about abortion, explaining the action of abortion is allowed if pregnant women suffer from severe physical pain such as advanced stage cancer, tuberculosis with Caverna and other physical diseases that must be prescribed by the Doctor team. Then, in a situation where the pregnancy threatens the life of the mother. The Fatwa also describes a state that related to pregnancy that can allow abortion, namely the fetus that was detected is a genetic defect that if born later is difficult to heal.

- b. Christian Views:** From the Christian view, abortion is an unjustified act. In the Bible it says clearly, that God is not pleased with the murder as it does in the act of abortion. Human life has begun when conception occurs. If we do miscarriage consciously, it means that we are doing immoral and asocial deeds. We should not let the cessation of the lives of anyone.
- c. Catholic Views:** The Catholic Church ceases to condemn abortion, which is directly and well-planned to revoke the life of an unborn infant. The Catholic people believe that all life is holy. The church invites to respect human life from the beginning. Therefore, it can be said firmly, the church denies any abortion in any way and reason. Abortion is a deed against the law of God and nature. This action will lead to adverse consequences, especially to the fetus's mother and father, perhaps to abortion executants and the general public¹³.
- d. Hindu's Views:** Abortion in Theology Hinduism, belongs to the deed called Himsa Karma, which is one of the deeds of sin that is aligned with killing, hurting and torture. Killing in a deeper sense as "removing life", underlying the philosophy of the Atma or spirit that has been and attached to the baby, although still a blood clot that is not perfect like the human body.
- e. Buddhism Views:** The Buddha teaches a variety of teachings that can be entirely classified into three core teachings, namely: Sila, Samadhi and Panna. The essence of Sila is not committing wickedness and always doing good and virtue. The hallmark of Sila is Order and serenity. This states the inner state of living rules encompasses all good behaviors and traits including moral and ethics. Samadi is to purify the mind. The ultimate goal of the Buddhist teaching is to bring its implementation to liberation (Panna). In Buddhist views, abortion is an act of miscarriage or killing a living creature already in the womb of a woman. From a Buddhist standpoint, abortion can be tolerated to do when it carries a dangerous impact to the mother and not the other.

Thus the Doctor who will do an illegal abortion, will also be affected by the religion he has. adopted, and think according to his knowledge.

Conclusions

The high number of abortion cases in Indonesia proves that abortion is not a problem that can be

underestimated, because abortion is one of the causes of the high mortality rate for pregnant women in addition to other factors. Many of these abortions are carried out in secret, possibly carried out by incompetent people and in an unsafe way. This occurs because many pregnancies require abortion (according to the mother concerned), but are not covered by legal indications. In this case the doctor also cannot help her, and if he tries to help, he will have an illegal abortion.

The liability of illegal abortion done by the doctor in Indonesia are include criminal liability, civil liability and administrative liability. Besides that, professional discipline liability and ethical liability also must be borne to the doctor concerned. Criminal liability can be borne heavier to the doctor, midwives or medicine man compared to the common man, if criminal code is be used, but just the same if the health law that being used.

According to the health law of 2009, legal abortion is including performing abortion to save the life of woman concerned, to the womb of the woman that the foetus is severe handicap (and cannot life by self after being born) and pregnancy due to rape (not more than 6 weeks). But not for pregnancy due to the fail of family planning method and to the pregnancy of idiot woman that pregnant without knowing who is the biological husband.

These characteristics of abortion liability for the doctor will prohibit the doctor who help someone who need performing of abortion because of: failing of family planning method, mental retarded woman that pregnant by unknown man and pregnant woman because of rape more than 6 weeks. This reason not for pregnancy that caused by promiscuity and immoral habits.

Conflict of Interest: Nil

Source of Funding: Self

Ethical Clearance: Taken from Hang Tuah University, Surabaya, Indonesia

References

1. Atmasasmita, Romli. Introduction to The Philosophy of Law. Perbandingan Hukum Pidana. Bandung: Mandar Maju; 2020.
2. Averroes, Damang AK. Hukum Pidana, <https://www.negarahukum.com>, downloaded on 17th February; 2020.

3. Donohue, JJohn J III and Steven D. Levitt. The Impact of Legalized Abortion on Crime. *The Quarterly Journal of Economics*, Vol. Cxvi May, Issue 2: 414; 2001.
4. Ekotama, Pujiarto dan G Widiartana. *Aborsi Provocatus Bagi Korban Perkosaan Perspektif Viktimologi Kriminologi dan Hukum Pidana*. Yogyakarta: Universitas Atma Jaya; 2001.
5. *Aborsi di Indonesia*. Nomor 2, <https://www.gutmacher.org>. Downloaded on 20th May, at 20.00, Gutmacher Institute ;2020.
6. Herring, Jonathan. *Medical Law*. London: Routledge Taylor & Francis Goup;2019.
7. Juarez, Fatima, Akinrinola Bankole, Jose Luis Palma. Women's abortion seeking behavior under restrictive abortion laws in Mexico. *PLoS ONE* 14 (12): e0226522. Editor: Susan A. Bartels . <https://doi.org/10.1371/journal.Canada>: Queen's University at Kingston;2019.
8. Koesnadi. *Seksualitas dan Alat Kontrasepsi*. Surabaya: Usaha Nasional;1992.
9. Laa, Su Mon, Allison Milnerand Anne Kavanagh, Abortion laws reform may reduce maternal mortality: an ecological study in 162 countries. *BMC Women's Health* 19 (1);8,<https://doi.org/10.1186/s12905-018-0705-y>; 2019.
10. Pattinson, Shaun D. *Medical Law and Ethics*. Third Edition. London: Sweet and Maxwell;2001.
11. Quamila, Ajeng. *Hukum Aborsi di Indonesia dan Negara Asia*;2020.
12. Rajagukguk, Eman. *Teori Hukum*. Surabaya: Program Pasca Sarjana Universitas Surabaya, Magister Hukum-Magister Kenotariatan; 2004.
13. Rizkiyah, Nirna. *Aborsi*, <https://www.academia.edu>, downloaded 15th November; 2019.
14. Sutarno, Maryati. *Aborsi Boleh, Tapi ...*, Jakarta: PT. Valua Lidi Impressario; 2016.
15. Sutarno. Euthanasia Applicants as Victim of Laws in Indonesia, in *Victimology in A Nutshell Interdisciplinary Perspectives*. Editor: Elfina L. Sahetapy, dkk. Cetakan Pertama. Yogyakarta: Genta Publishing; 2019.
16. Sutarno H, Dewi S. Study on Victimology of Abortion on Pregnant Women Who Do Not Get the Husband's Approval. *Hang Tuah Law Journal*. Volume 3 Issue 2. 146-157; October 2019.
17. Sutarno. Legal Protection for Patients in Therapeutic Agreements, in *Systematic Review Pharmacy*, vol 10 (2): 292;2019.
18. Steinbock, Bonnie. *The Oxford Handbook of BIOETHICS*. United Kingdom: Oxford University Press: 395-396; 2013.
19. Triwulan, Titik dan Shinta Febrian. *Perlindungan Hukum Bagi Pasien*. Jakarta: Prestasi Pustaka;2020.
20. Winoto, Elfan, Legal Review of Medical Emergency that Happened after a Failed Abortion Attempt, *Hang Tuah Law Journal* Vol.4 No. 1. pp. 63-70;2020.
21. Widhani, Ika. 2,3 juta Kasus Aborsi per tahun 30 persen oleh Remaja, *Kompas*, edisi Senin, <https://regional.kompas.com>; 2009.
22. Act Number 36 of 2009 on Health
23. Act Number 29 of 2004 on Medical Practice
24. Act Number 39 of 1999 on Human Right
25. Fatwa Number 4 of 2005 of Indonesian Ulema Council on Fetal Abortion with a Genetic Disease
26. Regulation of Supreme Court Number 1 of 2016 on Court Mediation Procedures
27. Regulation of Medical Council Number 2 of 2011 on Procedures for Treating Bodies of Suspected Violation of Discipline by Doctors and Dentists.