The Ideological Aspect of BPJS Law: An Analysis of Value, Preference and Interest of Legislative Members Period 2009-2014 in the Process of Drafting Legislation

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Abstract: Background: According to the Law No. 40 Year 2004 on UU SJSN (Undang-Undang Sistem Jaminan Sosial Nasional—National Social Security System), the convention of BPJS (Badan Penyelenggara Jaminan Sosial—the Social Security Providers) is necessary to ensure the implementation of social security program. The meandering negotiation in the making of BPJS Bill expounds the intricate process ensnaring elites' behavior in determining actions regarding the Bill decision-making influenced by the self-embedded ideological aspects of value, preference, and interest. Aims: This research aimed to analyze the ideological aspect of the legislative members (value, preference and interests) under the tenured administration of 2009-2014 who were engaged in the process of BPJS Bill creation. Furthermore, this study was intended to draw the line between the three ideological aspects and elites' behaviors performed in the decision-making process of BPJS Bill. Methodology: This research utilized qualitative design using explanatory-descriptive approach. Data was gathered through indepth interview to analyze the value, preference, and interest of the tenured legislative member of 2009-2014 and to examine the impact of the three indicators mentioned toward the creation of BPJS Bill. Results: This research indicated that the distinct ideological aspect (value, preference, and interest) had influence on the decision-making process of BPJS Bill. Conclusion: Both personal and collective ideological aspects affect the interaction and behavior of elites involved in the making of BPJS Bill.

Key words: BPJS, ideological aspect, elite.

1. Introduction

Indonesian Constitution of 1945 insures the access to health service for the poor [1]. The implementation of Health Care Assurance for the Poor went into force in 2005 of which according to the SK No. 1241/Menkes/SK/XI/2004 the Department of Health bestows PT. Askes Indonesia (Persero) to set up a thorough social security system to all classes of society (Ministry of Health of the Republic of Indonesia).

The need of a thorough social security system is linked to the analytical depiction of the poor implemented health care system [2]. Indonesia ranked 108 on the World Human Development Index 2010, moving upward three points from the previous year,

but was still below Malaysia on 57th respectively. The mortality number of maternal in Indonesia is still relatively high standing at 228 mortalities per 100,000 nativities in 2007 (BPS, SKDI 2009).

Health budget went up 5% in 2011 while it was supposed to cover 5% of national budget as mandated by the Law of Health No. 36 Year 2009 [3]. The document of National Strategic Planning of 2010-2014 published on the official website of the Ministry of Health reveals a fact that in 2011 health budget allocation stood at Rp26.11 trillion (\$2.64 million) of Rp120 trillion (\$12 million) national budget. It is forecasted that by the end of current administration in 2014 the number will reach Rp34.699 trillion (\$3.5 million) with estimated national budget of Rp150 trillion (\$15 million).

The decision-making process in the realm of health

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resembles that of politics. The system is notoriously complicated overarching series of components, processes, resources allocation, various involved actors and power. Bargaining and cost-benefit weighing characterize the intricate process with multifarious actors play certain roles vested by their own interests. Such policy-making process is known as the “Black Box of Policy Making”. A policy is a product of series of interactions involving both bargaining and cost-benefit weighing processes performed by key actors in every step of the policy-making [4].

Interaction among key actors is shaped by the ideology “vested” in each of them. Ideology defines the political behavior of individual comprising interlinked yet overlapped values, interests and preferences. The combination of each indicator constructs the ideology in which they come in either congruity or incoherence. Option is reversible to interest and interest to value. On the other hand, option is upgradable to value status to pursue interest [5].

An actor bestowed with power in the hierarchy system of the policy-making has access to utilize its power to influence the policy itself. In this case, personality is influential in partial or overall process of policy-making and, eventually, the product. Motive is an aspect of personality related to goal and aptitude in tune with the set goal. Motives energize direct and select behavior. Traits refer to personal characteristic in the stable state in the long period and under distinct circumstances. The best example of how traits ingrained in decision-makers personality can influence the process of policy formulation is exemplified by Allport. He distinguishes the cardinal and secondary traits. The former refers to a character of prominence and dominance within individual’s life. The latter is a less important character frequently affecting one’s demeanor. The relationship between policy-making and actor’s behavior toward it draws the line for behavioralism approach used to analyze the whole process. Behavioralism sees politics exactly as it is attempting to elucidate why certain political

phenomenon occurs in a different way to that of others and, to some extent, to portend what might happen in the future.

Brazil poses a good example for Indonesia. Brazil was an authoritarian country striving to move toward democracy. This revolution left the national economy in an unfavorable position. In the period of 1994 to 2002, President Fernanco Henrique Cardoso succeeded in restoring the plummeted economy by opening up access to industry and trade. His successor, President Lula da Silva, follows the track and steers Brazilian economy to further integration through the fomenting of an impressive policy of national prosperity scheme that reaches the poor. Some of the steps taken by President Lula are as follow [6]:

(1) Zero Hunger Policy (Fome Zero) refers to a policy to disseminate subsidy of three-times-food for the poor. The aim is to fabricate an effective capability of the poor to support their current life and achieve better life.

(2) Family Fund (Bolsa Familia) or is a special aid given to Brazilian families as much as 95% for school disbursement and medical check-up.

(3) Universal Healthy System (Sistema Unico de Saude) enacted in 1988 with total budget shared between the central or federal and municipal governments bearing 70% and 11% of GDP respectively. The fund is allocated by the Brazilian social security insurance and taxes. Banking transaction known as CPMF (Contribuicao Provisoria Sobre Movimentacao Financeira—Provisional Contribution on Financial Activities) provides additional fund underpinning the very program. The health system consumes a quite high amount of fund exacerbated by the fact that Brazil still is a developing country equipped with fairly limited financial capability.

(4) The “Pay as You Go” abbreviated as PAYG is the pension system developed primarily for formal and urban societies with a still-in-developing coverage of rural societies.

This sequence of policies proves to be effective cutting down poverty from 27% in 2002 to 23% in 2005. The GDP grows up to 4.7% in 2007 and 4.3% in 2008.

Comparing Indonesia and the U.S. merits also attention. President Barack Obama rescinded his visit to Indonesia in 2009 due to the voting process in the Congress and Senate regarding the controversial Health Reform Bill. The Bill was succeeded with an exception highlighting the abortion arrangement which was suspended until Obama issued an executive order. The essence of this health reform is of congruence to the concept previously introduced by Hillary Clinton when she was the First Lady in 1993: to provide health insurance to all American people. Standing in a different position to the former proposal, Obama's plan would not decrease the incomes of the doctors and was designed to reduce the deficit as much as USD 132 billion per year in the next ten consecutive years. As the start-up implementation of this reform would consume USD 871 billion acquired from the increased insurance tax for premium insurance (above USD 8,500 per person per year) [7].

Of the two aforementioned conditions, we could discern how ideological aspect withheld by elites either value, interest or preference will eventually influence the policy-making process. Indonesia has not yet owned a social security scheme devoted to all Indonesian. The central government in Jakarta has not yet succeeded in doing its pivotal job as the main actor innate with such constitutional mandate.

The role of a country to improve the survivability of the people is big. Such responsibility impinges on the need to fulfill the constitutional mandate written in the Preamble of Constitution 1945 to advance the public welfare. The road to establishment of an ultimate public welfare in Indonesia gains its momentum with the ratification of UU SJSN. The Law endorses the creation of BPJS or the Social Security Providers to take effect in 2014. In order for this "body" to be created, it demands a constitutional base namely laws.

The intended "body" will be equipped with an array of social security covering health care insurance, employment accident insurance, old-age insurance and pension, and death insurance. The formulation of the public welfare act begun in 2009 scheduled for ratification by December 2010. The plan had been hovering for almost one year before it was back in action in November 2011. It invokes a question of the government genuineness to provide social security to the people. In spite of its ratification, the author is interested to examine how the political process, constellation and elites' interactions involved in the discussion of BPJS Bill and how the ideological aspect (value, preference and interest) influences the formulation and policy-making processes of the Bill.

2. Materials and Methods

This research used qualitative design with descriptive explanatory approach. Relevant data was gathered through in-depth interviews conducted to analyze value, preference, and interest of legislative members of the current administration (2009-2014) fused within Pansus (Panitia Khusus) or Special Committee, and to account for the three indicators impact on the formulation of the BPJS Bill. Self assessment questionnaire was employed to confirm the analysis of value, preference, and interest of the Pansus members. Data triangulation was exerted using "statement analysis" of informants published in mass media, meeting record analysis, and direct observation of the related courts for three times.

3. Results and Discussion

3.1 Ideological Aspects (Value, Preference and Interest) in the Making of BPJS Bill

The Law No. 40 Year 2004 on the Law on National Social Security article 5 regulates the creation of BPJS to which the government is instructed to work with legislative members coalesced in the Pansus BPJS Bill to finish up the Bill before it will be converted into a body and applied to local level government using

regional regulation rooted in the Law.

BPJS Bill is something special to some reasons. First, the President issued the Presidential Instruction No. 1 Year 2010 ordered the discussion of the Bill to be concluded by December 2010. Second, the President called eight ministries to guard and supervise the discussion.

The making of BPJS is a complex system highly attached to influential factors spanning from social and politics to economic and history. Furthermore, component, process, resource allocation, actor and power all stand in an equal footing to influence the policy-making in a tightly intertwined system. Thus, the product of such system cannot be disentangled from series of process such as the pull-and-draw over diverge interest mechanism, power interaction, resource allocation and bargaining position among involved actors [8].

The political process engaged is ideological-driven performed by each elite. Some are firm in coping with the Bill making process while some find difficulties in detaching themselves from the community's or party's ideology. Such partition results in an even wider scope of political interactions involving individuals and communities: person-to-person, person-to-community and community-to-community type of interactions.

Renowned Indonesian scholar, Miriam Budiarjo, said that political ideology is a set of values or norms, beliefs or creeds, a *Weltanschauung* instilled in a person or a group of people on which they base their behaviors toward particular event and political problem they face and toward those that shape their political attitude. Ideology differs from philosophy whose basis is contemplation. Otherwise, it holds concrete goals to pilot actions and activities [9].

Behavioralism approach constitutes a close link among value, personality, behavior and policy-making process. French philosopher, De Tracy, a proponent of behavioralism, in 1796 defined ideology as knowledge, specialized in human mind, able to pave the right way to the future [10].

Martin Seliger in his book *Ideology and Politics* unravels an approach set as a premise over two distinct conceptions of ideology. On one hand, there is a "limited conception" erecting borders surrounding the term "ideology" applied to certain political belief system. On the other hand, there is "inclusive conception" that puts into practice the term "ideology" applicable to all political beliefs while at the same time it is irrespective to one particular belief directing toward endeavor of preserving, desolating and reconstructing social order.

Ideology, according to Seliger, is action-oriented filled with organized beliefs in a coherent system. The system itself is made of several elements distinguishable (Fig. 1).

The picture sets forth a clear scheme of all ideologies mixed up between factual description and structural analysis furnished with moral prescription of what is right and wrong as well as technical consideration about prudence and efficiency. This is a quaint mixture containing fact and moral commitment for ideology to have appealing character and to be able to escort political action. The role of action-guide of ideology is further showcased by an element named "implement" by Seliger, referring to as regulations that confer ways

Fig. 1 Ideology as belief system (reprinted with permission from ref. 11 by C.F.M. Seliger).

and means to implement the commitment and to adjust to the necessities.

The last element is pictured as rejections of which ideology is characterized on its opposition toward the others, thus merging evasion with rejections toward certain principle and belief. The disjunction of power from constitutional democracy, for instance, becomes the basis for rejection toward sacred privilege endowed by kings [11].

Behavioralism approach constitutes a close link among value, personality, behavior and policy-making process. French philosopher, De Tracy, a proponent of behavioralism, in 1796 defined ideology as knowledge, specialized in human mind, able to pave the right way to the future [10]. Apter, as opposed to De Tracy, defines ideology as political behavior consisting of interwoven values, interests and preferences that might in some ways overlap. Ideology is a combination of these attributes that sometimes go in a coherent way and in a conflicting way at other times. Options can be altered to become interest and interest to value or options can be upgraded to value status to pursue interests.

3.1.1 Value Aspect on Elites Involved at the Discussion of BPJS Bill

The in-depth interview unveils that political decision taken by the government's factions is influenced by the values to which the party submits along with the inherent values within each elites.

"... It is far too small in scope to be said as a mere PDI-P or Partai Demokrasi Indonesia Perjuangan (the Indonesian Democratic Party of Struggle, opposition to the tenured administration) own interest. Parliamentary does not have member card (Kartu Tanda Anggota (KTA) or member ID-card) of PDI-P. The actual problem is not about PDI-P but state's responsibility trickled down to the people. And the fear over foreign third parties infiltration, show us where foreigners are able to interfere." (Informant 1, PDIP).

The SJSN Law conferring the enactment of BPJS Bill was the fruit of the former Megawati

administration who was also PDI-P cadre. The elites from PDI-P, illustriously known as Partai Wong Cilik or "the party of the poor" definitely bore responsibility to get through the Bill. In contrast to PDI-P elites, those representing other parties contrary to the former did not have such in line value, as shown in the interview below:

"... The government deems no point in the SJSN Law, the disadvantages outweigh the advantages. Addressing inquiries to the minister, getting "no point" answer. Question to those in the higher position of why you did not do this? They said no one did the job. It implies that even the government admits there is no point in this case. After Pansus was formed, we, especially those coming from Democratic Party, are essentially clueless. But we feel that this health issue is of importance. The public health insurance inhibits very good functions, getting me incessantly motivated." (Informant 2, Democratic Party).

Meanwhile, some elites blatantly uttered the influence of party in the decision-making process. Notwithstanding, among those elites some attempted to convince the interviewer that the attitude employed was personally made as the representative of the people.

"... Even though there is an inclination to follow instructions emanated from the party, Special Committee or Pansus for BPJS members are more able to bring their own voice impartial from what is instructed by the party because we feel that this public health insurance is worthy of fight." (Informant 3, Pansus Member).

The information affirms the close connection between motivation and propulsion derives from inherent values instilled in elites and the value withheld by the party concerning the discussion of the BPJS Bill. This is reminiscent of the vital role of value in shaping the breaking-through policy coined by Brazilian President Lula da Silva, sensitivity is highly appreciated [6].

In the author's opinion, every elite involved in the

discussion and legalization of BPJS legislation is fully aware of choosing the priority based on their own values, which in turn influences their objectives, preference and strategies. With a rational mind they think and choose the best alternative, which could maximize their objectives and interests, as some experts said about it. One of them is Elster (1987) who said that “the essence of rational choice explanation embodies a conception on how preference, beliefs, resources and actions stand in relation to one another”, as well as Kenneth Arrow said in “Social Choice and Individual Values (1951)”. The similar opinion is stated by William H Riker in “Political Science and Rational Choice (1990)”.

Different values for deciding priorities and ranks in objectives and strategies have led to a very long delay in finalizing the BPJS legislation. These values include the “clash” of ideologies in reaching the middle ground between liberalism and social democracy. How the government plays a role in providing healthcare—which reflects ideological values—has become a very long debate in the parliament before reaching a conclusion of how important the government role is in realizing the health insurance system. This in turn motivates the emergence of common interest to speed up the legalization of the BPJS legislation plans.

The values that each individual holds play a role in the forging of the BPJS laws in Indonesia. It has also elicited civil societal powers such as health professionals, workers and NGOs. Together, they perform “collective actions” and function as an extra parliamentary body because they hold a common interest, which is that there would be national social insurance in the healthcare field and that there would be an immediate legalization of the UU BPJS. On that basis of common interest, the above groups have become non-representative government [11], and work as pressure groups as Manchur Olson, 1971, said in his “Logic of Collective Action” in that “Groups of individuals with common interest are expected to act

on behalf of their personal interest”. Non-parliamentary powers—that have often been referred to as the “street” parliaments, work on the basis of their values and interests and function as catalizer and mediators in building common interest between the varying political powers. Lobbying the decision makers so that they will accommodate their interests and actively furthering their aspirations so that they may become common interest through various processes of dialogue and building opinions using many forms of discussion and by hearing differing opinions and by demonstrating are ways of doing this. The strategies of various non-parliamentary powers, in the opinion of the author, have succeeded in positioning themselves as political groups that have power over regulatory agencies and legislative bodies.

3.1.2 Preference Aspect on Elites Involved at the Discussion of BPJS Bill

The research conducted unfurls the fact that policy makers are prone to promptly complete the Bill.

“... This is not a matter of ability or inability but of political will. It is not charity policy but constitution-based policy.” (Informant 1, PDIP).

According to the informant, this very policy is of clear path and supported by people regardless their social classes. The issue aroused is related to relatively low response from the government when it comes to political will rendering this Bill to be left untouched for relatively long time. Another informant reiterated:

“... Actually, amid the discussion of the Bill, Pansus members come to a unanimously conclusion that (the Bill) is worth fighting for. None explicitly states any contradiction to the Bill. Frankly, it is quite obvious we are split into pros and cons groups and those in between.” (Informant 3, Pansus Member).

“... And there are anxieties yet to be answered. The more examination being done, the clearer it becomes that there is a future for the Bill. Take fiscal calculation for example. It poses no hurdle whatsoever. It is feasible. The prevailing issue is our willingness.” (Informant 3, Pansus Member).

Bretherton and Ponton's theory alludes to the way elites strive for social welfare through BPJS scheme is in correlation with their views on shared responsibility as people's representatives [12]. The silver lining caught from the interviews involving several legislative members is that in majority they perceive people's welfare as government's responsibility invoking the exigency for the Bill to be ratified immediately. Some quotations underpinning such statement are as follow:

"... This is not a matter of ability or inability but of political will. It is not charity policy but constitution-based policy." (Informant 1, PDIP).

"... Actually, amid the discussion of the Bill, Pansus members come to a unanimously conclusion that [the Bill] is worth fighting for. It is part of consciousness and common agreement, eventually." (Informant 3, Pansus Member).

It is undeniable that the hand of community plays significant role in determining the political attitudes of the elites, albeit none of the correspondents professes the existence of such linkage. They averred of being independent from community's or party's interest.

"... Thank God we are no longer attached to the parties once we are part of Pansus. We take the party's and faction's clothes off. We are thankful to the Joint Secretariat or Setgab. Friends from other factions are being suppressed by their leaders. They are ready for replacement time ." (Informant 3, Pansus Member).

"... It is far too small in scope to be said as a mere PDI-P own interest. The actual problem is not about PDI-P but state's responsibility." (Informant 1, PDIP).

The statements mentioned above display the groupings molded within Pansus with regard to partiality. Some argued the reason they were supportive of and vying for the Bill ratification was an indigenous to the achievement of a thorough social welfare as an effort of universal coverage. Some admitted that their partiality was tight-knit to that of the party. The political communication indispensably set the rule for legislative members' partiality toward the

Bill ratification. In other words, the partiality evinced by legislative members was an understanding shaped by a combination of personal thought, political interaction within party, and interaction among factions within Pansus.

The ideological aspect pursued by these elites is inseparable to the perspective of economic interest. The aim of gaining economic benefits has become an influencing factor in determining the elites' preference and interests during the forming and legalizing stages of the BPJS legislation, either in the name of individuals or political parties. It becomes obvious that every legislative member would opt for a policy that could maximize his/her profits and gather support for him/her and his/her political parties [13]. Owing to the fact that all legislative members are voted for a mere five year parliamentary period most of their priority is given to a policy that, in a short term would signify their chances to be re-elected, not to a policy that would benefit most in a long term. Politics is seen as a device to further realize personal interests through giving votes in the election including lobbies that could influence those in power so that their policy would benefit all parties involved in the interest/pressure groups [14]. To put it simple, every legislative member would always give preference to a policy that could maximize his/her chances to be re-elected, i.e. "Vote-getting Maximizer". All political fractions in the parliament would strive for gathering a political support that could guarantee their places in winning the 2014 National Election. Their preference and opt to represent pressure groups within their own constituencies has become a source of debate because of conflicting interests from between various constituencies.

3.1.3 Interest Aspect on Elites Involved at the Discussion of BPJS Bill

Skcopol talks about state in an ideal form. In reality a policy is the fruit of conflicting values, interests and preferences, not to mention the BPJS Bill.

"... One minister once said that the concept ceded by

the House of Representative was no different to “slaughtering” the ministers. The state-owned corporations hoard huge amount of money. The ministry is in dire need of fund to help the small corporation thriving. There is definitely an interest. At the same time ... there are labors who do not want BPJS.” (Informant 2, Democratic Party).

The Bill glue many actors: ministries and state-owned corporations (Asuransi Kesehatan or Health Care Insurance, Tabungan Pensiunan or Pension Savings, Asuransi Angkatan Bersenjata Republik Indonesia or Armed Force of the Republic of Indonesia Insurance, and Jaminan Sosial Tenaga Kerja or Employment Social Security). Each actor might be outfitted by vested interests causing a shift of orientation. The myriad interests contesting toward each other are discoverable within the state-owned corporations. The ratification of the Bill brings opportunity for the four bodies to unite. A published article on a journal points out interviews with directors of the four key state-owned corporations cited on the Bill. Of the four key actors, PT Askes Indonesia (Persero) is the only one to agree on the idea to merge all the social insurances under the scheme of BPJS. Asabri or the insurance board for Indonesian Armed Forced member and Jamsostek or the insurance board for labor contend that such merger would change the social security and disturb the existing stability. The dynamic blending state-owned corporations’ varying interests with ceaseless interactions and communications among them affects their stands on BPJS. The tug-of-war among the key actors contributes toward a protracted discussion of the Bill.

“... Bureaucracy needs to be reformed. The pull-and-draw pattern over contending interests renders the process interminable. There exists different point of views between the government and the House of Representative. There are concerns shared by the state-owned corporations responsible for taking care of health care insurance, pension savings, etc.” (Informant 3, Pansus Member).

The rollercoaster process manifests also the argumentations pitting the government against the House of Representative based on each perceived values, interests and preferences.

“... There are two groups, those associated with the House of Representative and those from the government. The former has been noticing if this is about ideology then it poses no hindrances. Two sides fight against each other. The adhesive power used to be money but in this case there is no money at all.” (Informant 2, Democratic Party).

The political constellation unfolds the Pandora box of the government in which it is divided into two groups.

“... The government side splits in two. The first is designated by the minister of finance to handle fiscal-related issues. The minister of state-owned corporations leads the second group overwhelmed with the object to be regulated. The two ministers will never arrive at one same point. The second group says that the Department of Health shows interests to manage the social health care assurance. The Police state they are also capable of handling BPJS.” (Informant 2, Democratic Party).

Of all the interviews conducted with several legislative members, it can be concluded that the elites are aware of the still minimum role of the government to ensure the social security of the people. Political constellation driven by vested interests, values and preferences complicates the issue. Interestingly enough, almost all the respondents said that their attitude and decision taken in the ratification of the Bill represented their own belief in the vital role of BPJS.

The exercised triangulation, extracting different data, exhibits that the answers and views given by all respondents during the interview do not necessarily conform to the actual values or proclivities. For example, the responses from an informant touching personal and party value are as follow:

“... Thank God we are no longer attached to the parties once we are part of the Pansus. We take the

party's and faction's clothes off. We are thankful to the Joint Secretariat (Setgab). Friends from other factions are being suppressed by their leaders. They are ready for replacement time." (Informant 3, Pansus Member).

"... It is far too small in scope to be said as a mere PDI-P own interest. The actual problem is not about PDI-P but state's responsibility." (Informant 1, PDIP).

Both answers manifests self-value each informants has to guide their decision to support or refuse the Bill. Self-assessment strengthens such answer when they are confronted with these statements:

(1) I have a clear value and belief on which my life goal is based so that I am determined to strive for it;

(2) The existence of human being is decided by his/her power;

(2) Power is a mandate bearing responsibility.

Respondents, in majority, agreed on the statement by choosing agree and disagree. When the negative statements were given, the informants disagreed, such as these statements:

(1) Position and title never come effortlessly but have to be pursued and fought for earnestly;

(2) Position and title are power need to be defended and strengthened by all means.

When assessing organization or party value, inconsistency was found among several informants. Their preferences or options were different or incoherent to the behavior and value exhibited in the previous self-assessment, for instance:

(1) Party values and policies always guide including in the context of BPJS Bill;

(2) Approval or rejection toward BPJS Bill is grounded upon the consideration over the increasing number of voters for the next election.

Agreement on the above statement depicts the infiltration of party values and interests to personal preference, value or interest. When the statement on the organizational value was sharpened on options of supporting or refusing BPJS, none of the informants made a confession in reference to approval or rejection toward party's policy.

"I am supporting or refusing BPJS Law even though it is not in line with my party's policy." (Informant 1, PDIP).

This study elucidates the close-knit relationship between organizational values and personal preference in which despite personal values withheld by each informants, they are still directed by their respective parties in making decision. The same scenario is captured in the painstakingly long process of negotiation to formulate and ratify BPJS Law.

That there are interests of the elite have been reiterated by Laswell, in his *Politics: Who Gets What, When and How*. Laswell defined the elites, in historical sociological terms, as "they who achieve the maximum from what they wish to achieve", and three of the most valuable things they achieve are respect, income and security. Interaction and bargaining between the elites that have values, preference and personal interests to influence the process of policy making known as the Black Box of Policy Making normally happen; everything is done to maintain the status of the elites [15]. Anthony Downs in an *Economic Theory of Democracy* (1985) assumed that elites are those individuals, who regardless of their various political roles are motivated by their self-interest and ready to make some political bargain and exchanges to pursue their own interest. In the author's opinion, in the case of process making of BPJS legislation elites unavoidably pursue their own interest and benefit, either for their personal or political party gains. If gaining a short-term benefit mostly dominates their agenda, for example for winning the general election, then it would be the healthcare system that suffers in the end since most of its policies can only be felt and work effectively in a long term period.

4. Conclusions

The discussion to formulate and ratify the BPJS Law animates a complex web of ideological aspects covering values, interests and preferences brought by the elites involved. Personal values of the elites to some

degree overlap with that of the parties whether to support or reject the Bill. The long and circuitous negotiation furnished by the tug-of-war in which elites and/or parties are against each other in order to further their own interests had caused the ratification failed to be completed on time. The process needs not to take such a long time if every one of the elites is able and willing to set out a priority alluding people's aspiration and interest on top of personal, group or party preference.

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