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The Urgency of Strengthening the Legal Foundation of the Free Nutritious Meal Program: Legal Certainty and Governance Perspectives

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Abstrak

Program Makan Bergizi Gratis (MBG) merupakan kebijakan strategis pemerintah untuk meningkatkan kualitas gizi masyarakat, khususnya anak-anak dan kelompok rentan, serta memperkuat ketahanan keluarga. Namun, pelaksanaannya memerlukan landasan hukum yang kuat untuk menjamin kepastian hukum, efektivitas tata kelola, dan keberlanjutan program. Penelitian ini bertujuan menganalisis urgensi dasar hukum dalam pelaksanaan Program MBG. Penelitian menggunakan metode hukum normatif dengan pendekatan perundang-undangan (statute approach) dan pendekatan konseptual (conceptual approach). Bahan hukum dikumpulkan melalui studi kepustakaan, meliputi peraturan perundang-undangan dan literatur ilmiah yang relevan, kemudian dianalisis secara kualitatif deskriptif. Hasil penelitian menunjukkan bahwa dasar hukum berperan penting dalam memberikan legitimasi kebijakan, menjamin kepastian hukum, memperjelas pembagian kewenangan antarlembaga, serta memperkuat transparansi dan akuntabilitas penggunaan anggaran negara. Peraturan Presiden Nomor 83 Tahun 2024 tentang Badan Gizi Nasional memberikan landasan kelembagaan, sedangkan Peraturan Presiden Nomor 115 Tahun 2025 tentang Tata Kelola Penyelenggaraan Program Makan Bergizi Gratis mengatur tata kelola pelaksanaan program. Selain itu, dasar hukum diperlukan untuk melindungi hak masyarakat atas kesehatan dan gizi yang layak serta meminimalkan risiko penyimpangan dan ketidaktepatan sasaran. Dengan demikian, harmonisasi regulasi, penyusunan aturan teknis, dan penguatan pengawasan menjadi langkah penting untuk mewujudkan pelaksanaan Program MBG yang efektif, akuntabel, dan berkelanjutan.

Kata kunci: dasar hukum; Makan Bergizi Gratis; kepastian hukum; tata kelola; ketahanan keluarga.

Abstract

The Free Nutritious Meals (MBG) Program is a strategic government policy aimed at improving nutritional quality, particularly among children and vulnerable groups, while strengthening family resilience. However, its implementation requires a strong legal foundation to ensure legal certainty, effective governance, and program sustainability. This study aims to analyze the urgency of establishing a legal basis for the implementation of the MBG Program. The research employs a normative legal method using a statutory approach and a conceptual approach. Legal materials were collected through a literature review, covering relevant legislation and scientific literature, and analyzed using a descriptive qualitative method. The findings indicate

that a legal foundation plays a crucial role in legitimizing government policy, ensuring legal certainty, clarifying the division of authority among institutions, and strengthening transparency and accountability in the use of state funds. Presidential Regulation No. 83 of 2024 concerning the National Nutrition Agency provides the institutional foundation, while Presidential Regulation No. 115 of 2025 concerning the Governance of the Free Nutritious Meals Program regulates its implementation. Furthermore, a clear legal framework is essential to protecting the public's right to adequate health and nutrition and minimizing the risks of budgetary irregularities and inaccurate beneficiary targeting. Therefore, regulatory harmonization, the development of technical regulations, and strengthened oversight are essential to ensuring that the MBG Program is implemented effectively, accountably, and sustainably.

Keywords: *legal basis; Free Nutritious Meals; legal certainty; governance; family resilience*

INTRODUCTION

The fulfillment of adequate food and nutritional needs is one of the essential prerequisites for developing high-quality human resources. Nutritional adequacy is related not only to individual health but also to children's growth, learning abilities, productivity, and societal well-being. However, household economic constraints and unequal access to nutritious food remain challenges in ensuring the equitable fulfillment of people's basic needs. Kes et.al explain that household food security is closely associated with families' socioeconomic conditions and their ability to meet food needs sustainably. In this context, government intervention is necessary to expand access to nutritious food while strengthening social protection for vulnerable groups [1].

The Free Nutritious Meal (Makan Bergizi Gratis/MBG) Program is one of the Indonesian government's strategic policies aimed at supporting nutritional fulfillment, particularly among children, and improving the quality of human resources. Beyond its health and educational dimensions, the program also has socioeconomic implications because it has the potential to reduce household expenditures on food. Rahayu [2] examines the dynamics of political support for the MBG Program in Indonesia, highlighting the relevance of the political dimension in understanding this policy. Meanwhile, Sujud [3] situates the MBG Program within the context of welfare transformation and social justice for students. These two perspectives demonstrate that MBG should not be understood merely as a food provision initiative but also as part of a broader development policy associated with public interests, the distribution of benefits, and government responsibilities.

Despite its strategic objectives, the success of the MBG Program is not determined solely by the size of its budget, the breadth of its beneficiary coverage,

[1]Oktoriusman Halawa, "Legal Analysis of the Political Policy on the Free Nutritious Meal (MBG) Program of the Prabowo–Gibran Administration Lacking a Legal Framework," Jurnal Indonesia Sosial Sains 7, no. 2 (2026): 488–95, https://doi.org/10.59141/jiss.v7i2.2215.

[2]Luis Fiska Rahayu, "Dinamika Dukungan Politik terhadap Program Makan Bergizi Gratis (MBG) di Indonesia," PANDITA 8, no. 2 (2025): 815–31.

[3]Fatih Atsaris Sujud, "Upaya Transformasi Kesejahteraan dan Keadilan Sosial melalui Program Makan Bergizi Gratis (MBG)," 2026; full bibliographic details to be verified.

or the readiness of its technical implementation. A nationwide program involving multiple institutions, local governments, educational institutions, food suppliers, and communities requires a clear legal foundation and coordinated governance mechanisms. In a state governed by the rule of law, government policies must be implemented under lawful authority, in accordance with applicable legislation, and in a manner that ensures public accountability. Article 1(3) of the 1945 Constitution of the Republic of Indonesia stipulates that Indonesia is a state governed by the rule of law . Consequently, public policy implementation must uphold the principles of legality, legal certainty, the protection of public rights, and accountability in government administration. Therefore, the existence of an adequate legal foundation for implementing the MBG Program constitutes a significant issue that warrants systematic examination.

Constitutionally, the fulfillment of nutritional needs is closely related to the state's responsibility to ensure public welfare and health. Article 28H(1) of the 1945 Constitution of the Republic of Indonesia recognizes everyone's right to physical and spiritual well-being and access to health services [4]. Furthermore, child protection and the fulfillment of children's nutritional needs must be regarded as integral components of the state's obligation to safeguard the growth and development of future generations. Afandy and Desiandri [5] discuss the implementation of policies concerning the protection and fulfillment of children's rights, while Latif examines the right to the highest attainable standard of health. Both studies provide relevant conceptual foundations for understanding that nutritional fulfillment policies are not merely matters of government political choice but are also closely connected to the protection of fundamental rights. Accordingly, regulations governing the MBG Program must ensure that its nutritional objectives are translated into implementation mechanisms that are measurable, safe, equitable, and subject to effective oversight. From an institutional and governance perspective, Presidential Regulation No. 83 of 2024 concerning the National Nutrition Agency constitutes an important component in establishing the institutional foundation for implementing national nutrition policies. However, the establishment of an institution alone is insufficient to ensure the effective implementation of all aspects of the program. Adequate regulations are required to govern the distribution of authority, inter-institutional coordination, service standards and food safety, funding mechanisms, monitoring, evaluation, and accountability in cases of irregularities. Hakim and Yuliana [6] examine the juridical implications of Presidential Regulation No. 83 of 2024 for the governance of the MBG Program. Their study is relevant to examining the relationship between the institutional foundation and the need for operational regulations. Furthermore, Lendra et al. [7] connect the MBG policy with the principles

[4]Republic of Indonesia, Constitution of 1945, art. 28H(1).

[5]Tri Afandy and Yati Sharfina Desiandri, "Tinjauan Implementasi Kebijakan Perlindungan dan Pemenuhan Hak Anak," Iuris Studia 4, no. 3 (2023): 145–55.

[6]Bawon Nul Hakim and Wahida Yuliana, "Implikasi Yuridis Perpres Nomor 83 Tahun 2024 terhadap Tata Kelola Program Makan Bergizi Gratis," EKSPOSE 24, no. 2 (2025): 267–83.

[7]I Wayan Lendra, Daud Husni, and Yuyun Fitriani, "Kebijakan Makan Bergizi Gratis dan Relevansinya terhadap Nilai-Nilai Good Governance," Arus Jurnal Sosial dan Humaniora 5, no. 1 (2025): 937–45.

of *good governance*, highlighting transparency, accountability, effectiveness, and coordination as important dimensions in evaluating program implementation.[8]

Regulatory issues must also be examined in terms of potential gaps between policy objectives and implementation. Inadequate or poorly coordinated regulations may lead to unclear responsibilities, overlapping authorities, inaccurate targeting, weak oversight, and difficulties in determining accountability when violations occur. Aisyah et al. [9] specifically address legal certainty in the MBG Program in relation to public accountability. Paonganan et al. [10] also discuss the importance of harmonizing legislation to address regulatory conflicts in Indonesia. These studies provide a foundation for positioning regulatory harmonization and consistency as essential components of legal analysis concerning development programs. Accordingly, strengthening the legal foundation of the MBG Program cannot be achieved merely by issuing regulations; it also requires ensuring consistency among legal instruments, clarity of legal norms, and the availability of effective oversight and accountability mechanisms.

Several studies on the MBG Program have examined political support, the protection of children's rights, institutional governance, public accountability, and social justice. Nevertheless, further research is needed to systematically integrate the dimensions of legal foundations, regulatory formulation, and program implementation requirements within the framework of national development. Such analysis is important for assessing the extent to which the existing legal framework provides legitimacy for the policy, ensures legal certainty, regulates the distribution of authority among implementing institutions, and guarantees that the use of state resources is accountable. Through this approach, the discussion of the MBG Program's legal foundation extends beyond merely identifying existing regulations and instead focuses on assessing the adequacy and coherence of the legal framework in supporting sustainable program implementation.

Based on these issues, this study aims to analyze the urgency of establishing a sound legal foundation for implementing the Free Nutritious Meal (Makan Bergizi Gratis/MBG) Program in Indonesia, particularly in relation to policy legitimacy, legal certainty, regulatory harmonization, the distribution of authority, and program accountability. This study is expected to contribute academically to the development of legal studies and public policy research while providing considerations for the government in strengthening the regulatory framework governing the MBG Program. Ultimately, a clear, consistent, and rights-oriented legal foundation is necessary to ensure that program implementation is not only administratively effective but also consistent with the principles of the rule of law, transparency, accountability, and sustainability

[8]Republic of Indonesia, Constitution of 1945, art. 28H(1).

[9]Siti Aisyah et al., "Kepastian Hukum Program Makan Bergizi Gratis dalam Menjamin Akuntabilitas Publik," Jurnal Mitra Pengembangan Hukum 1, no. 3 (2025): 29–37.

[10]Rangga Trianggara Paonganan, Ronny A. Maramis, and Dani R. Pinasang, "Analisis Harmonisasi Peraturan Perundang-undangan dalam Mengatasi Konflik Regulasi di Indonesia," Innovative 5, no. 4 (2025): 4796–4812.

RESEARCH METHOD

This study employs normative legal research using the statute approach and the conceptual approach. The statute approach is used to examine various legal provisions relating to the implementation of the Free Nutritious Meal (Makan Bergizi Gratis/MBG) Program, particularly those concerning government authority, the fulfillment of the rights to food and health, child protection, and public policy governance. Meanwhile, the conceptual approach is employed to analyze the concepts of regulatory formulation, policy communication, legal certainty, institutional coordination, and the principles of good governance in the implementation of development programs [11].

The legal materials used in this study consist of primary and secondary legal materials. Primary legal materials include the 1945 Constitution of the Republic of Indonesia; legislation relating to food, health, child protection, and state finance; as well as regulations concerning the institutional framework and governance of the MBG Program, including Presidential Regulation No. 83 of 2024 concerning the National Nutrition Agency and other relevant regulations. Secondary legal materials comprise legal textbooks, scientific journal articles, and previous research addressing the legal foundation of the MBG Program, policy reform, public policy communication, the protection of socioeconomic rights, and good governance [12].

Legal materials were collected through library research by identifying, compiling, and examining relevant legislation and scholarly literature related to the research problem. The collected legal materials were analyzed qualitatively through legal interpretation and reasoning and subsequently presented using a descriptive-analytical approach. The analysis focused on three aspects: the adequacy and clarity of the regulatory framework governing the MBG Program; the relationship between regulatory formulation and policy communication in supporting inter-institutional coordination and disseminating information to the public; and the strengthening of legal certainty, transparency, and accountability in program implementation. Through these stages, this study seeks to identify the need for regulatory strengthening and the formulation of communication policies that support the effective, coordinated, and sustainable implementation of the MBG Program

The statutory analysis distinguishes institutional competence, substantive beneficiary protection, fiscal authority, and operational duties. The interpretive sequence is: (1) classify the legal instrument by hierarchy and subject matter; (2) identify each actor's enabling competence; (3) test consistency with food-safety, public-finance, public-service, and administrative-law obligations; and (4) locate any demonstrable accountability gap. The materials specifically considered include Presidential Regulations Nos. 83/2024 and 115/2025, Law No. 18/2012 on Food, Law No. 17/2023 on Health, Law No. 17/2003 on State Finance, Law No. 1/2004 on State Treasury, Law No. 30/2014 on Government Administration, and Law No. 25/2009 on Public Services. This article evaluates legal design as of 31 October 2026, not actual nutritional or expenditure outcomes. The official wording of

[11]Peter Mahmud Marzuki, Penelitian Hukum (Jakarta: Kencana, 2017).

[12]Soerjono Soekanto and Sri Mamudji, Penelitian Hukum Normatif (Jakarta: RajaGrafindo Persada, 2019).

individual operational articles should be checked against authenticated copies before galley publication.[13]

RESULTS AND DISCUSSION

1. The Urgency of a Legal Foundation for the Implementation of the Free Nutritious Meal Program

The Free Nutritious Meal (Makan Bergizi Gratis/MBG) Program is a development policy that focuses not only on fulfilling food needs but also on improving public health, education, and social welfare. Therefore, the implementation of this program must be situated within a legal framework capable of ensuring legal certainty in its implementation, protecting beneficiaries, and establishing accountability for its administration. From the perspective of administrative law, public policies must be implemented under legitimate authority and in accordance with applicable legislation. Accordingly, the legal foundation of the MBG Program should not be understood merely as an administrative requirement but as an instrument for ensuring that policy objectives can be achieved in a measurable and accountable manner.

This urgency is consistent with studies that examine the MBG policy in relation to the principles of good governance [14]. These principles require program administration to be transparent, accountable, effective, and coordinated. In the context of the MBG Program, these principles must be applied throughout the entire implementation process, from determining beneficiaries and procuring food supplies to food preparation, distribution, and the evaluation of budget utilization. Without clear regulations, the objectives of nutritional fulfillment may not be achieved optimally because program implementation may encounter coordination problems, inaccurate beneficiary targeting, and inadequate oversight. Therefore, the existence of a legal foundation must be accompanied by concrete implementation mechanisms so that legal norms do not remain merely a source of formal legitimacy but instead serve as operational guidelines for all parties involved.

From a constitutional perspective, the implementation of the MBG Program is closely related to the state's responsibility to fulfill the public's rights to welfare and health. Article 28H(1) of the 1945 Constitution of the Republic of Indonesia guarantees everyone's right to physical and spiritual well-being and access to health services. Meanwhile, Article 34(3) establishes the state's responsibility to provide adequate healthcare facilities and public service facilities. These two provisions provide a constitutional basis for understanding the importance of policies that support the fulfillment of the population's nutritional needs. Discusses the right to the highest attainable standard of health as part of the protection of fundamental rights [15]. Accordingly, the MBG Program should be understood not merely as a

[13]Republic of Indonesia, Presidential Regulation Number 83 of 2024 concerning the National Nutrition Agency.

[14]I Wayan Lendra, Daud Husni, and Yuyun Fitriani, "Kebijakan Makan Bergizi Gratis dan Relevansinya terhadap Nilai-Nilai Good Governance," Arus Jurnal Sosial dan Humaniora 5, no. 1 (2025): 937–45.

[15]Amril Amril and Hasan Sazali, "Formulasi Regulasi dan Kebijakan Komunikasi dalam Pelaksanaan Program Pembangunan," Jurnal Indonesia: Manajemen Informatika dan Komunikasi 6, no. 3 (2025): 1670–79, https://doi.org/10.63447/jimik.v6i3.1566.

government policy choice but as a form of development intervention that must be directed toward the public interest and implemented with due regard for the protection of rights.

Nevertheless, the existence of beneficial social objectives does not automatically guarantee the success of a program. Nutritional fulfillment policies still require a clear legal basis for authority, implementation standards, and evaluation mechanisms. In this regard, it is important to distinguish between policy legitimacy and implementation effectiveness. Legitimacy indicates that a program has a legal foundation that can be justified and held accountable, whereas effectiveness concerns the ability of implementing institutions to translate legal provisions into services that are actually delivered to the public. Therefore, the success of the MBG Program should be assessed not only in terms of the existence of regulations or the breadth of program coverage but also in terms of the extent to which its implementation aligns with the objectives of nutritional fulfillment and beneficiary protection.

2. The Position of Presidential Regulation No. 83 of 2024 and Presidential Regulation No. 115 of 2025

Within the regulatory framework examined in this study, Presidential Regulation No. 83 of 2024 concerning the National Nutrition Agency and Presidential Regulation No. 115 of 2025 concerning the Governance of the Implementation of the Free Nutritious Meal Program serve complementary functions. Presidential Regulation No. 83 of 2024 provides the institutional foundation for the National Nutrition Agency, whereas Presidential Regulation No. 115 of 2025 governs the implementation and administration of the MBG Program. This distinction is important because the establishment of an implementing institution does not automatically address all the operational regulatory requirements of a national program [16]. The existence of an institution must be accompanied by legal provisions that establish working mechanisms, coordination arrangements, funding, oversight, and program evaluation.[17]

Hakim and Yuliana [18] examine the juridical implications of Presidential Regulation No. 83 of 2024 for the governance of the MBG Program. Their perspective highlights the importance of institutional arrangements in ensuring clarity in policy implementation. However, institutional effectiveness also depends on working relationships with ministries, local governments, educational institutions, and other parties involved in food provision. If the division of responsibilities is not formulated and implemented consistently, overlapping authorities or gaps in accountability may arise. Therefore, institutional regulations must be examined alongside the rules governing program implementation to ensure that the MBG Program has a clear direction and a well-defined allocation of responsibilities.

[16]Affandi Anwar Pohan, "Analisis Yuridis Peraturan Presiden Nomor 83 Tahun 2024 tentang Badan Gizi Nasional dalam Program Makan Bergizi Gratis Ditinjau dari Siyasah Dusturiyah" (UIN Syekh Ali Hasan Ahmad Addary Padangsidimpuan, 2025).

[17]Republic of Indonesia, Presidential Regulation Number 83 of 2024 concerning the National Nutrition Agency.

[18]Bawon Nul Hakim and Wahida Yuliana, "Implikasi Yuridis Perpres Nomor 83 Tahun 2024 terhadap Tata Kelola Program Makan Bergizi Gratis," EKSPOSE: Jurnal Penelitian Hukum dan Pendidikan 24, no. 2 (2025): 267–83.

Analytically, the relationship between these two regulations can be understood through two dimensions. First, the institutional dimension, which determines who has the authority to coordinate and implement the policy. Second, the operational dimension, which establishes how the policy is implemented, monitored, and evaluated. Presidential Regulation No. 83 of 2024 primarily addresses the first dimension, whereas Presidential Regulation No. 115 of 2025 provides a governance framework for the second. This relationship demonstrates that institutional establishment and implementation arrangements are two inseparable legal requirements. Accordingly, the researcher illustrates the relationship between these two interconnected regulations in a simplified manner as follows:

Table 1. Comparison of Presidential Regulation No. 83 of 2024 and Presidential Regulation No. 115 of 2025

Presidential Regulation No. 83 of 2024	Presidential Regulation No. 115 of 2025
Establishes the National Nutrition Agency (BGN)	Regulates the governance of the MBG Program
Defines the duties and authority of BGN	Establishes how BGN implements the MBG Program
Regulates BGN's organizational structure	Regulates the program's operational mechanisms
Establishes the institutional framework for national nutrition policy	Regulates the provision of nutritious meals to designated beneficiaries

From the perspective of constitutional law, a presidential regulation is a legal instrument through which government policies are translated into binding legal norms. This means that once a policy has been established through a presidential regulation, it is no longer merely a political or administrative program but becomes a legally binding framework that must be implemented by the relevant government institutions. In this context, the President's policy was institutionalized through Presidential Regulation No. 83 of 2024, which established the National Nutrition Agency (BGN), while Presidential Regulation No. 115 of 2025 subsequently provided a framework for the operational implementation of the MBG Program [19].

Therefore, Presidential Regulation No. 83 of 2024 provides the institutional foundation, whereas Presidential Regulation No. 115 of 2025 establishes the operational framework for the MBG Program. Their legal significance stems from several characteristics: (1) they apply nationally; (2) they bind ministries, government agencies, local governments, and relevant program implementers within their respective legal mandates; (3) they provide a basis for developing implementing regulations; (4) they support the legal framework for the allocation and use of state budget funds, subject to applicable budgetary legislation; and (5) they provide a regulatory basis for oversight by audit institutions and law enforcement authorities within their respective powers.[20]

[19]Republic of Indonesia, Presidential Regulation Number 115 of 2025 concerning Governance of the Implementation of the Free Nutritious Meal Program.

[20]Republic of Indonesia, Presidential Regulation Number 115 of 2025 concerning Governance of the Implementation of the Free Nutritious Meal Program.

However, presidential regulations must not conflict with the 1945 Constitution of the Republic of Indonesia, statutes, or government regulations. Following the issuance of Presidential Regulation No. 115 of 2025, BGN officially announced that it was preparing various BGN regulations as implementing instruments to translate the provisions of the presidential regulation into more detailed operational rules. Accordingly, the regulatory framework can be presented hierarchically as follows: (1) the 1945 Constitution of the Republic of Indonesia; (2) statutes; (3) government regulations; (4) Presidential Regulation No. 83 of 2024; (5) Presidential Regulation No. 115 of 2025; and (6) BGN regulations, guidelines, standard operating procedures (SOPs), technical guidelines, and decisions of the Head of BGN.

Nevertheless, the existence of these two presidential regulations cannot, by itself, be taken as evidence that all legal issues concerning the MBG Program have been resolved. The adequacy of the legal framework must be assessed in terms of the clarity of its provisions, consistency with higher-level legislation, and the availability of technical rules that can be implemented by program administrators. Provisions concerning nutritional standards, food safety, procurement, distribution, budget management, complaint mechanisms, and accountability must be systematically examined to determine whether each aspect has been adequately regulated. Therefore, regulatory harmonization and the development of implementing rules are essential to ensure continuity between general legal norms and technical requirements in practice.

Accordingly, the principal issue in developing the MBG regulatory framework is not merely whether a legal foundation exists, but whether the regulations collectively establish a coherent and comprehensive system. An adequate regulatory framework must clarify the distribution of authority among institutions, establish service standards, and provide effective mechanisms for oversight and dispute [21]. Assessing these aspects is necessary to ensure that the implementation of the MBG Program is not only formally lawful but also administratively and substantively accountable.

3. Formulation of Regulations and Communication Policies in the Implementation of the MBG Program

The implementation of a national-scale development program requires a clear relationship between regulations, institutional coordination, and policy communication. Regulations establish the authorities, obligations, procedures, and standards that must be followed, while policy communication serves to convey these provisions to the parties responsible for implementing the program and those who benefit from it [22]. In the context of the Free Nutritious Meal (Makan Bergizi Gratis/MBG) Program, communication is not merely an activity intended to socialize the program to the public; it is also part of the process of ensuring that government

[21]Abd Rahman, Muhammad Fikri, and Haura Mudya Maysha, "Reformasi Program Makan Bergizi Gratis untuk Pemenuhan Hak Sosial Ekonomi," Legislatif 9, no. 1 (2026): 82–104, https://doi.org/10.20956/jl.v9i1.47999.

[22]Markus Hadinata, "Free Nutritious Meal Policy in Indonesia under President Prabowo," Bina Praja 18, no. 1 (2026): 65–78.

institutions, local governments, schools, food providers, parents, and beneficiaries share a consistent understanding of the policy.

Amril and Sazali [23], through their study of regulatory formulation and communication policies in the implementation of development programs, provide a relevant perspective for understanding the relationship between rulemaking and policy implementation. In the implementation of the MBG Program, unclear information regarding beneficiary eligibility, meal standards, distribution schedules, complaint procedures, or the responsibilities of implementing parties may hinder the achievement of program objectives. Therefore, policy communication must be supported by consistent regulations and operational guidelines. Information communicated to the public must align with official provisions to prevent differences in understanding among the central government, local implementers, and the community.

The relationship between regulation and communication is also closely associated with the principle of transparency. The public needs adequate information about the program's objectives, beneficiary eligibility criteria, food quality standards, and channels for submitting complaints. Such information enables the public to understand their rights while participating in oversight. From a good governance perspective, information transparency is one of the elements that supports accountability in government administration [24]. Accordingly, policy communication should not focus solely on generating public support; it should also create opportunities for evaluation, criticism, and the reporting of implementation-related problems.

In practice, the formulation of communication policies for the MBG Program should encompass at least three aspects. First, consistency of messages across institutions, ensuring that information about the program's objectives, procedures, and standards does not contain contradictory statements. Second, clarity of operational information, particularly regarding the division of responsibilities, food safety, meal distribution, and complaint-handling mechanisms. Third, two-way communication that enables implementers and beneficiaries to report challenges and receive clear follow-up responses. These three aspects should be incorporated into the program's governance framework rather than treated as supplementary activities separate from the oversight system.

From a legal perspective, effective communication also requires clarity regarding the information that must be disclosed, the parties responsible for communicating it, and the mechanisms for handling complaints. Without clear rules and procedures, communication risks becoming a one-way process of information dissemination that does not lead to improvements in implementation. Therefore, strengthening communication policies must go hand in hand with improvements to technical regulations and accountability mechanisms. In this way, communication can serve as a bridge between legal norms and the practical implementation of the

[23]Amril Amril and Hasan Sazali, "Formulasi Regulasi dan Kebijakan Komunikasi dalam Pelaksanaan Program Pembangunan," Jurnal Indonesia: Manajemen Informatika dan Komunikasi 6, no. 3 (2025): 1670–79, https://doi.org/10.63447/jimik.v6i3.1566.

[24]Zahra Ekasiwi Megawati, "Government Responsibility for the Free Nutritional Meal Program Policy Based on the Principle of Liability in Cases of Student Poisoning," Law Research Review Quarterly 12, no. 4 (2026): 1767–92, https://doi.org/10.15294/lrrq.v12i4.46750.

program, while strengthening public trust through information that can be verified and held accountable.

4. Protection of Socio-Economic Rights through the MBG Program

The MBG Program also has a socio-economic protection dimension because the fulfillment of food needs is closely related to household economic conditions. Families facing income constraints may experience difficulties in providing nutritious food consistently. In this context, the provision of meals through a government program has the potential to help meet the nutritional needs of beneficiaries while reducing some of the burden of household food expenditure. Kes, Handini, and Seliana [25] examine the relationship between household food security and its implications, providing a relevant basis for explaining that access to food cannot be separated from the socio-economic conditions of families. Nevertheless, the socio-economic benefits of the MBG Program cannot be assumed to arise automatically simply because meals are provided free of charge. These benefits depend on accurate beneficiary targeting, the quality and adequacy of meals, the regularity of distribution, and the suitability of services to beneficiaries' needs. If meals fail to meet nutritional standards or distribution does not reach groups in need, the objectives of social protection may not be achieved optimally. Therefore, the legal framework must ensure that program implementation is governed by measurable standards and evaluation mechanisms that enable the government to determine whether the intended beneficiaries actually receive the program's benefits.[26]

The rights-protection dimension also requires attention because some beneficiaries of the MBG Program are children. Nutritional fulfillment is closely associated with children's growth, health, and ability to participate in the learning process. Afandy and Desiandri [27] examine the implementation of policies for the protection and fulfillment of children's rights, providing a conceptual basis for positioning children's needs as an essential consideration in program implementation. In the context of the MBG Program, a child-protection orientation must be reflected in the provision of food that is safe for consumption, meets nutritional requirements, and is distributed through procedures that safeguard beneficiaries' health.

Accordingly, the regulatory framework for the MBG Program must address food safety standards, hygiene throughout food preparation, the quality of raw materials, transportation, storage, and the handling of incidents that may endanger beneficiaries. The allocation of responsibilities must also be clearly defined, particularly in determining which parties are responsible for conducting inspections, receiving reports, and taking corrective action when food is found not to meet the required standards. Clear regulations are necessary to ensure that beneficiary protection does not depend solely on the care exercised by individual implementers, but constitutes an obligation that can be monitored and evaluated.

[25]Fara Disa Durry Kes, Laksmi Suci Handini, and Irma Seliana, Ketahanan Pangan Rumah Tangga dan Implikasinya (Thalibul Ilmi Publishing & Education, 2024).

[26]Republic of Indonesia, Law Number 25 of 2009 concerning Public Services.

[27]Tri Afandy and Yati Sharfina Desiandri, "Tinjauan Implementasi Kebijakan Perlindungan dan Pemenuhan Hak Anak," Iuris Studia 4, no. 3 (2023): 145–55.

Beyond health protection, the program has the potential to support local economies if food procurement involves farmers, livestock producers, micro-enterprises, and local businesses in a transparent manner. However, the involvement of local economic actors must be accompanied by fair procurement procedures, clear quality standards, and oversight of budget utilization. In this way, the program's economic benefits may extend beyond meal recipients and potentially stimulate broader economic activity in the regions where the program is implemented. This potential must nevertheless be demonstrated through implementation evaluations rather than inferred solely from the program's objectives or policy design.

Based on this discussion, the MBG Program can be understood as an initiative that connects nutritional fulfillment policies with the broader agendas of social protection and economic development. However, the achievement of these benefits depends heavily on the quality of the regulatory framework and its implementation. A strong legal foundation is necessary to ensure that socio-economic objectives are translated into service standards, implementers' obligations, and accountability mechanisms that can be effectively monitored and evaluated.

5. Budget Accountability and Oversight of the MBG Program

The MBG Program involves food procurement, preparation, and distribution on a large scale. These characteristics make budget management and oversight important aspects of its legal analysis. Every expenditure of public funds must comply with applicable regulations, serve clearly defined purposes, and be subject to examination and accountability. In this context, the legal framework serves to establish limits on the authority of implementing parties while providing a basis for assessing whether budget utilization is consistent with the program's objectives.[28]

Wahidah et al. [29], through their study of legal certainty in the MBG Program as a means of ensuring public accountability, identify accountability as a significant issue in program administration. This perspective indicates that the existence of regulations must be accompanied by oversight mechanisms capable of detecting irregularities and ensuring appropriate follow-up on findings. Oversight should not be limited to examining expenditure records; it should also assess the consistency between budget utilization, the number of beneficiaries, food quality, and the program's implementation outcomes.

To support accountability, the regulatory framework for the MBG Program needs to clarify the stages of budget planning, food procurement, payments to suppliers, distribution recording, reporting, and auditing. Each stage requires documentation and indicators that can be used to trace the implementation process. For example, data on the number of meals produced and distributed should be verifiable against the recorded number of beneficiaries. Similarly, food procurement should be supported by transaction records and quality inspections so that budget utilization can be assessed in terms of both administrative compliance and service quality. Furthermore, oversight must be supported by clear follow-up mechanisms. Findings concerning budget discrepancies, food quality, or distribution must be addressed through procedures that identify the responsible authorities, establish

[28]Republic of Indonesia, Law Number 17 of 2003 concerning State Finance.

[29]Cut Wahidah Mumtaza et al., "Effectiveness of Free Nutritional Meal Program (MBG) as a Legal Instrument in Protecting Children's Rights," Jurnal Ar Ro'is Mandalika 5, no. 3 (2025): 885–89.

follow-up deadlines, and specify the forms of accountability required. Provisions for public complaints should also be integrated into the oversight system so that information from schools, parents, beneficiaries, and the wider community can inform program evaluation. In this way, public participation becomes more than a symbolic expression of transparency; it serves as a source of information for improving program implementation.

From a government governance perspective, transparency and accountability must operate in tandem. Transparency enables the public to access relevant information, while accountability ensures that parties entrusted with authority must explain and take responsibility for their decisions and actions. These two principles reinforce each other in preventing the abuse of authority and strengthening public trust in the program [30]. Therefore, strengthening the legal foundation of the MBG Program should focus on establishing an oversight system that is not merely formal but also capable of consistently linking information disclosure, inspection, and follow-up action.

6. Regulatory Harmonization and Strengthening the Governance of the MBG Program

One of the key challenges in implementing national programs is ensuring consistency among regulations governing institutional arrangements, program implementation, rights protection, food safety, and budget utilization. Each regulation has a distinct scope and purpose, but their implementation must be mutually supportive. When provisions related to the MBG Program are inconsistent, implementers may encounter difficulties in determining the standards to follow, the authority they are expected to exercise, and the procedures to apply when problems arise. In this context, regulatory harmonization is a process intended to ensure normative consistency and clarify the relationships among different regulations. Paonganan et al. [31], as cited in this study, identify the harmonization of legislation as a relevant issue in addressing regulatory conflicts in Indonesia. Applied to the MBG Program, this means that regulations governing program administration must be examined for their consistency with provisions concerning health, food, child protection, state finance, and government administration. Such examination is necessary to prevent the MBG regulatory framework from creating conflicting norms or regulatory gaps in areas that are important to beneficiaries.

Harmonization must also take into account the distribution of authority among institutions. A program involving the central government, local governments, educational institutions, and food providers requires a division of responsibilities that can be clearly understood and consistently implemented. Unclear authority may lead to delays in decision-making or the shifting of responsibility when problems arise. Therefore, technical regulations need to clarify which parties are responsible for planning, procurement, quality control, distribution, complaint handling, and evaluation.

[30]Taty Sugiarti, Firdaus Arifin, and Ihsanul Maarif, "State Responsibility and Food Safety Supervision in the Free Nutritious Meal Program," 2026; details require publisher verification.

[31]Rangga Trianggara Paonganan, Ronny A. Maramis, and Dani R. Pinasang, "Analisis Harmonisasi Peraturan Perundang-undangan dalam Mengatasi Konflik Regulasi di Indonesia," Innovative 5, no. 4 (2025): 4796–4812.

The constitutional assessment must distinguish a state obligation to protect health and adequate access to food from an unconditional entitlement to one delivery mechanism. Articles 28H(1) and 34(3) establish public-welfare and health commitments; enforceable MBG procedures derive from the implementing instruments and the generally applicable duties governing public services, food safety, and public expenditure. Presidential Regulation No. 83/2024 establishes the National Nutrition Agency (BGN), whereas Presidential Regulation No. 115/2025 regulates implementation, monitoring, evaluation, reporting, funding, and procurement. Neither instrument should be read as independently displacing the authorities of the State Audit Board, internal government auditors, or specialized food-safety regulators. Their respective powers must be read cumulatively with higher-level laws.[32]

For an unsafe meal, responsibility should be traced from the contractual provider and food-preparation unit through transport and distribution logs to the implementing authority's documented supervision. The response should include immediate incident reporting, isolation of affected batches, preservation of samples and records, health referrals, independent technical investigation, documented corrective measures, and access to complaints and remedies. Supplier liability is not automatically identical to institutional supervisory fault; both require an applicable legal basis and an attributable breach. Detailed operational service standards may be developed by the competent implementing agency, while changes to the competence of institutions or to duties fixed by higher laws require an instrument of appropriate rank.[33]

Presidential Regulation No. 83 of 2024 establishes the National Nutrition Agency, while Presidential Regulation No. 115 of 2025 provides the governance architecture for implementation, oversight, reporting, financing, and procurement of the Free Nutritious Meal Program. Their coexistence is not in itself a conflict of norms. The actionable legal issue is ensuring that each activity—food safety, contracting, incident response, financial control, communication and complaints—is allocated to an identifiable actor and supported by traceable records. Existing higher-level food, health, state-finance and administrative laws continue to apply. The recommended reform is an implementing accountability protocol specifying responsibilities, minimum records, emergency escalation and remedies, with any proposed change to institutional competence addressed by regulation of the proper rank. This normative study does not independently demonstrate nutritional effectiveness or reduced household expenditure.

[32]Republic of Indonesia, Constitution of 1945, arts. 28H(1) and 34(3).

[33]Republic of Indonesia, Law Number 18 of 2012 concerning Food.

Table 2. Institutional Accountability and Regulatory Status (Authors' Normative Assessment)

Stage	Principal function and evidence	Legal assessment
Policy and coordination	BGN: program planning, instructions and records; ministries/local bodies act within delegated mandates	Perpres 83/2024 (institutional) and 115/2025 (implementation); competence must be traced to each instrument
Food sourcing and delivery	Suppliers and kitchens: quality records, temperatures, delivery and incident logs	Contractual obligations plus food/health law; a private supplier is not a public auditor
School-level distribution	Receipt records, beneficiary access, rapid referral of reported illness	Local school roles must arise from applicable implementing arrangements; do not assume independent fiscal authority
Oversight	Internal audit, public financial audit and food-safety inspection retain distinct scopes	Financial review cannot substitute for technical food-quality examination
Complaints and remedies	Publication of criteria, contact channels, case register, response time and review of corrective actions	Proposed implementing standard, not a claim that all such fields are already prescribed

In addition to harmonization, governance needs to be strengthened through periodic evaluations of regulatory implementation. These evaluations should assess whether existing provisions can be effectively implemented, whether the distribution of authority operates efficiently, and whether oversight mechanisms can prevent and address irregularities. The findings can serve as a basis for improving technical guidelines, standard operating procedures, and provisions that do not yet provide adequate legal certainty. Accordingly, the development of the MBG regulatory framework should be understood as an ongoing process rather than one that ends when a regulation is issued. The sustainability of the program also requires a consistent legal and institutional framework. National development programs require long-term planning, accountable financing, and evaluation systems that facilitate continuous improvement [34]. However, sustainability does not simply mean maintaining the program; it also means ensuring that the program continues to meet its objectives, benefits its intended target groups, and operates in accordance with applicable law. Therefore, the sustainability of the MBG Program must be supported

[34]Tuba Gokmenoglu and Ceyda Sensin, "Beyond the Lunch Tray: A Systematic Review of School Meals, Social Justice, and Policy in Türkiye," Journal of Hunger and Environmental Nutrition (2026): 1–32, https://doi.org/10.1080/19320248.2026.2685292.

by legal certainty as well as the government's capacity to adjust program implementation based on accountable evaluation findings.

Based on the overall analysis, the urgency of establishing a legal foundation for the MBG Program lies in the need to connect development objectives with lawful authority, clear implementation standards, protection of beneficiaries' rights, and effective accountability mechanisms. Within the regulatory framework examined in this study, Presidential Regulation No. 83 of 2024 and Presidential Regulation No. 115 of 2025 serve complementary functions in relation to institutional arrangements and program governance. Nevertheless, their effectiveness depends on harmonization with relevant regulations, adequate technical provisions, consistent policy communication, and transparent oversight. Thus, the strength of the MBG Program's legal foundation should not be measured solely by the existence of regulations, but by their capacity to ensure that the program is implemented lawfully, fairly, safely, accountably, and in a manner that promotes the fulfillment of the public's rights.

CONCLUSION

Based on the research findings, the legal foundation plays an important role in ensuring legal certainty, policy legitimacy, the protection of public rights, and accountability in the implementation of the Free Nutritious Meal (Makan Bergizi Gratis/MBG) Program. Presidential Regulation No. 83 of 2024 concerning the National Nutrition Agency provides the institutional foundation, while Presidential Regulation No. 115 of 2025 concerning the Governance of the Implementation of the Free Nutritious Meal Program establishes the framework for its governance. Nevertheless, these regulations need to be supported by the harmonization of legislation, a clear division of authority among institutions, adequate technical regulations, and strengthened oversight and policy communication. These measures are necessary to minimize the risks of inaccurate beneficiary targeting, budgetary irregularities, overlapping institutional authority, and food safety problems. Therefore, the urgency of establishing a legal foundation for the MBG Program lies not only in legitimizing its implementation but also in ensuring the fulfillment of the public's rights to nutrition and health in a fair, transparent, accountable, and sustainable manner.

REFERENCES

Afandy, Tri, and Yati Sharfina Desiandri. 2023. “Tinjauan Implementasi Kebijakan Perlindungan Dan Pemenuhan Hak Anak.” *Iuris Studia: Jurnal Kajian Hukum* 4(3):145–55.

Aisyah, Siti, and others. 2025. “Kepastian Hukum Program Makan Bergizi Gratis Dalam Menjamin Akuntabilitas Publik.” *Jurnal Mitra Pengembangan Hukum* 1(3):29–37.

Amril, Amril, and Hasan Sazali. 2025. “Formulasi Regulasi Dan Kebijakan Komunikasi Dalam Pelaksanaan Program Pembangunan: Studi Pada Program Makan Bergizi Gratis.” *Jurnal Indonesia : Manajemen Informatika Dan Komunikasi* 6(3):1670–79. doi: 10.63447/jimik.v6i3.1566.

Ardhana et al. 2026. “Analisis Implementasi Dan Dampak Pada Makanan.” *Jurnal Jendela Pendidikan* 6(02):463–75.

Cut Wahidah Mumtaza, Parningotan Malau, Josmangasi Simbolon, Fanny Aliet Yuliant. 2025. “Effectiveness of Free Nutritional Meal Program (Mbg) As a Legal Instrument in Protecting Children ’ s Rights in Indonesia.” *Jurnal Ar Ro’is Mandalika* 5(3):885–89.

Ekasiwi Megawati, Zahra. 2026. “Government Responsibility for the Free Nutritional Meal Program Policy Based on the Principle of Liability in Cases of Student Poisoning.” *Law Research Review Quarterly* 12(4):1767–92. doi: 10.15294/lrrq.v12i4.46750.

Gokmenoglu, Tuba, and Ceyda Sensin. 2026. “Beyond the Lunch Tray: A Systematic Review of School Meals, Social Justice, and Policy in Türkiye.” *Journal of Hunger and Environmental Nutrition* 00(00):1–32. doi: 10.1080/19320248.2026.2685292.

Hadinata, Markus. 2026. “Free Nutritious Meal Policy in Indonesia under President Prabowo.” *Bina Praja* 18(1):65–78.

Hakim, Bawon Nul, and Wahida Yuliana. 2025. “Implikasi Yuridis Perpres Nomor 83 Tahun 2024 Terhadap Tata Kelola Program Makan Bergizi Gratis.” *EKSPOSE: Jurnal Penelitian Hukum Dan Pendidikan* 24(2):267–83.

Halawa, Oktoriusman. 2026. “Legal Analysis of the Political Policy on the Free Nutritious Meal (MBG) Program of the Prabowo–Gibran Administration Lacking a Legal Framework.” *Jurnal Indonesia Sosial Sains* 7(2):488–95. doi: 10.59141/jiss.v7i2.2215.

Herdiana D. 2025. “Implementasi Kebijakan Makan Bergizi Gratis (MBG).” *Jurnal Administrasi Dan Manajemen* 3(2).

Indonesia. 1945. *Undang-Undang Dasar 1945 Pasal 28 H*. Kementrian Hukum dan HAM.

Kes, Fara Disa Durry, Laksmi Suci Handini, and Irma Seliana. 2024. *Ketahanan Pangan Rumah Tangga Dan Implikasinya*. Thalibul Ilmi Publishing \& Education.

Khoiriah, Zahra, and Asti Sri Mulyanti. 2025. “Protection for Beneficiaries of the Free Nutritious Meal.” *CaseLaw: Journal of Law* 8(2):11–24. [DOI unverified; verify publisher record].

Lendra, I. Wayan, Daud Husni, and Yuyun Fitriani. 2025. “Kebijakan Makan Bergizi Gratis Dan Relevansinya Terhadap Nilai-Nilai Good Governance: Analisis Kualitatif Dalam Administrasi Publik.” *Arus Jurnal Sosial Dan Humaniora* 5(1):937–45.

Marzuki, Peter Mahmud. 2017. *Penelitian Hukum*. Jakarta: Kencana.

Paonganan, Rangga Trianggara, Ronny A. Maramis, and Dani R. Pinasang. 2025. “Analisis Harmonisasi Peraturan Perundang-Undangan Dalam Mengatasi Konflik Regulasi Di Indonesia.” *Innovative: Journal of Social Science Research* 5(4):4796–4812.

Pohan, Affandi Anwar. 2025. “Analisis Yuridis Peraturan Presiden Nomor 83 Tahun 2024 Tentang Badan Gizi Nasional Dalam Program Makan Bergizi Gratis Ditinjau Dari Siyasah Dusturiyah.” UIN Syekh Ali Hasan Ahmad Addary Padangsidimpuan.

Rahayu, Luis Fiska. 2025. “Dinamika Dukungan Politik Terhadap Program Makan Bergizi Gratis (MBG) Di Indonesia.” *PANDITA: Interdisciplinary Journal of Public Affairs* 8(2):815–31.

Rahman, Abd, Muhammad Fikri, and Haura Mudya Maysha. 2026. "Reformasi Program Makan Bergizi Gratis Untuk Pemenuhan Hak Sosial Ekonomi." *Legislatif* 9(1):82–104. doi: 10.20956/jl.v9i1.47999.

Republik Indonesia. 2025. "Peraturan Presiden Nomor 115 Tahun 2025."

Simangungsong, Gusfen Alextron, and Lestari Victoria Sinaga. 2026. "Tanggungjawab Perdata Pengelola Dapur Program Makan Bergizi Gratis (MBG) Menurut KUHPerdata Terhadap Pasca-Kasus Keracunan Makanan." *Judge : Jurnal Hukum* 6(08):1340–47.

Soekanto, Soerjono, and Sri Mamudji. 2019. *Penelitian Hukum Normatif*. Jakarta: RajaGrafindo Persada.

Sugiarti, Taty, Firdaus Arifin, and Ihsanul Maarif. 2026. "State Responsibility and Food Safety Supervision in the Free Nutritious Meal Program: A Constitutional and Health Law Analysis." *As-Siyasi: Journal of Constitutional Law* 6(1):291–315. doi: 10.24042/as-siyasi.v61.30885.

Sujud, Fatih Atsaris. 2026. "Upaya Transformasi Kesejahteraan Dan Keadilan Sosial Melalui Program Makan Bergizi Gratis (MBG) Bagi Peserta Didik." *Jurnal Pengabdian Masyarakat Al-Ghobi* 3(1):24–37.