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LEGAL POLICY RECOMMENDATIONS FOR TERMINATING MBG IN INDONESIA

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ABSTRACT

The Free Nutritious Meals (MBG) program is a populist policy designed to address stunting and improve the quality of human resources in Indonesia. However, from a legal-political perspective, the implementation of this policy faces fundamental challenges related to fiscal space, bureaucratic effectiveness, and potential regulatory overlap. This study aims to analyze the urgency of recommending termination or fundamental transformation of the MBG program through an analysis of state financial law and the principle of legal expediency. The research method used is normative juridical with a statutory and conceptual approach. The results of the study indicate that reliance on new debt financing for consumption programs risks violating the prudence principle in the State Finance Law. Furthermore, the establishment of the National Nutrition Agency triggers institutional redundancy that has the potential to lead to maladministration. This study recommends a policy reorientation toward a conditional cash transfer scheme and strengthening basic sanitation infrastructure that is more legally and economically sustainable.

A. INTRODUCTION

The Unitary State of the Republic of Indonesia, as affirmed in Article 1 paragraph (3) of the 1945 Constitution of the Republic of Indonesia, is a state based on law (rechtsstaat). As a state based on law, every public policy born from the political will of the ruler must have a legal rational basis that leads to the welfare of the people (salus populi suprema lex esto). One of the policies that has attracted the most public attention in the current national leadership transition is the Free Nutritious Meal Program (MBG). Philosophically, this policy aims to break the chain of poverty and address the problem of chronic stunting that hinders the potential of Indonesia's human resources.[1] However, from a legal political perspective, every massive and costly policy requires testing of the consistency of norms, fiscal resilience, and the principle of the benefit of the law itself.

Legal policy in terminology is the direction of legal policy that will or has been implemented by the government nationally to achieve state goals.[2] In the context of the MBG, the proposed legal policy appears highly populist. However, problems arise when this policy clashes with the legal realities of

1 Badan Pusat Statistik., *Laporan Indeks Pembangunan Manusia dan Angka Stunting Nasional*. Jakarta: BPS. 2025.

2 Mahfud MD, Moh., *Politik Hukum di Indonesia*. Jakarta: PT RajaGrafindo Persada. 2009.

state finances. Indonesia has a budget deficit limit strictly regulated by Law No. 17 of 2003 concerning State Finances. Forcing the implementation of the MBG, estimated to cost up to IDR 400 trillion per year, has the potential to create legal instability in the governance of the state budget, which in turn could threaten the constitutional rights of other citizens to sustainable public services.[3]

From a legal and administrative perspective, the establishment of the National Nutrition Agency through a Presidential Regulation raises questions about overlapping authority. So far, addressing nutrition and stunting has been the purview of the Ministry of Health and the Ministry of Social Affairs. According to Lawrence Friedman's Theory of Legal Effectiveness, the success of a law depends on its structure, substance, and legal culture.[4] The new structure created specifically for MBGs risks lengthening bureaucratic red tape and unnecessarily increasing transaction costs. In an uncertain global economy, centralized and capital-intensive policies like MBGs require thorough evaluation before they become a permanent burden on the state budget.

Furthermore, the legal and political aspects of terminating or postponing this program are based on the principle of due process of lawmaking. A national-scale program impacting tens of millions of people should not be born solely from political campaign promises, but rather should be preceded by a comprehensive academic paper and transparent public review.[5]

Without a strong empirical basis, the MBG program risks becoming a sociologically flawed legal product because it does not meet the basic needs of communities in remote areas who need clean water infrastructure more than ready-to-eat food that is vulnerable to distribution and sanitation problems.

From a corruption law perspective, the massive food procurement scheme at thousands of distribution points across Indonesia poses a potential source of abuse of power. National legal policy should be directed at strengthening existing systems (such as school health centers (UKS) or integrated health posts (Posyandu) rather than creating a new ecosystem with untested oversight. Termination or fundamental changes to the MBG are recommended to avoid potentially far greater state losses in the future. This recommendation does not mean eliminating the fulfillment of public nutrition, but rather requires policy reformulation to better align with general principles of good administration.

The gap between ideal regulations (das sollen) and the reality on the ground (das sein) regarding logistical readiness in underdeveloped, frontier, and outermost (3T) regions indicates that the MBG is not yet legally or technically ready. Therefore, this paper will examine in depth why national legal policy should prioritize fiscal sustainability and strengthening the pri-

3 Asshiddiqie, Jimly,. *Perihal Undang-Undang*. Jakarta: Rajawali Pers. 2010.

4 Friedman, Lawrence M., *The Legal System: A Social Science Perspective.* New York: Russell Sage Foundation. 1975.

5 Subechi, A., Due Process of Lawmaking dalam Kebijakan Transisi Kepemimpinan: Perspektif Politik Hukum. *Jurnal Legislasi Indonesia*, Vol. 21 No. 3, 2024, page. 88-104.

mary health care system over maintaining the MBG policy, which carries high legal and economic risks.

B. RESEARCH METHODS

This research uses a normative juridical approach, namely legal research that positions law as a system of norms. The normative system in question concerns the principles, norms, and rules of legislation, court decisions, agreements, and doctrines (teachings).

1. Research Approach

The approaches used in this research include:

a. Statute Approach: Examining Law No. 17 of 2003 concerning State Finance and regulations related to education and health budgets.
b. Conceptual Approach: Refers to the principles of legal politics, good governance, and the effectiveness of public policy.

2. Data Sources

The data used is secondary data consisting of:

a. Primary Legal Materials: Statutory regulations, including APBN financial notes and Presidential Regulations related to the National Nutrition Agency.
b. Secondary Legal Materials: Textbooks, legal journals, reports from international institutions (World Bank/IMF), and policy research results on stunting and fiscal matters.
c. Tertiary Legal Materials: Legal dictionaries and materials from credible mass media related to the MBG discourse.

3. Data Collection and Analysis Techniques

The data collection technique was carried out through Library Research. The collected data was then analyzed descriptively and qualitatively using a deductive method, namely drawing conclusions from general statements (legal political theory and fiscal regulations) to specific statements (recommendations for terminating or revising the MBG program).

C. RESULTS AND DISCUSSION

1. The Paradox of Legal Politics: Between Populism and Budget Certainty

Indonesian legal policy in the last decade has shown a strong tendency towards responsive law but sometimes neglects long-term technocratic aspects. The Free Nutritious Meal Program (MBG) is a concrete manifestation of a political promise that was transformed into a legal instrument through the establishment of the National Nutrition Agency based on Presidential Regulation Number 83 of 2024. Philosophically and theoretically, this policy aims to realize the legal ideals (rechtside) of enlightening the life of the nation as stipulated in the Preamble to the 1945 Constitution. However, in its implementation, there is a sharp legal contradiction (antinomy) when this policy is confronted with Law Number 17 of 2003 concerning State Finances.

a. The Conflict Between Responsive Law and Fiscal Certainty

The MBG policy is a portrait of responsive law, where the law is used as a tool to meet urgent societal needs (in this case, nutritional needs). However, according to Philippe Nonet and Philip Selznick, uncontrolled responsive law can become subservient to immediate political interests.[6] MBG's legal policy tends to prioritize aspects of instant fulfillment of social rights without going through in-depth legal ratio testing of national economic carrying capacity.

From a financial law perspective, every state spending policy must adhere to the principle of fiscal sustainability. The implementation of the MBG, estimated to require a budget of up to IDR 400 trillion when fully implemented, will disrupt the state budget. This figure is equivalent to nearly 15-20% of total central government spending, automatically forcing the government to undertake massive budget reallocations through automatic adjustment mechanisms or budget cuts in other ministries and agencies.[7] This creates legal uncertainty for development programs that were previously planned in the National Medium-Term Development Plan (RPJMN).

b. Violation of the Prudence Principle

Legally, Article 3 paragraph (1) of Law No. 17 of 2003 emphasizes that state finances must be managed in an orderly manner, in accordance with laws and regulations, efficiently, economically, effectively, transparently, and responsibly, while taking into account a sense of justice and propriety. The MBG legal policy, which relies on increasing the state debt ratio to finance consumptive expenditure (not capital expenditure or productive investment), is doctrinally contrary to the prudence principle.

The use of debt to finance daily food consumption creates a legal burden on future generations (intergenerational inequity). Constitutionally, the debt burden arising from populist policies can be considered a disregard for the economic rights of future citizens, as fiscal space for future social protection will be sucked up to pay interest on current debt.[8]

c. Threats to Earmarking of Education and Health Budgets

The legal politics of MBG also have the potential to obscure the budget earmarking limits established by the constitution and laws. Indonesia has a legal commitment to allocate 20% of the national budget to education and 5% to health (this was previously removed in the latest Health Law, but remains the moral standard for policy). Problems arise when MBG funds are "deposited" or "taken" from the education budget under the pretext of providing meals at school.

Legally, this constitutes a form of budgetary trickery that violates the spirit of the constitutional mandate. If education funds, which should be used to improve teacher quality and infrastructure,

6 Nonet, Philippe & Selznick, Philip., *Law and Society in Transition: Toward Responsive Law*. New Brunswick: Transaction Publishers. 2003.

7 Siahaan, Marihot P*., Hukum Keuangan Negara: Teori dan Praktik.* Jakarta: Erlangga. 2025.

8 Asshiddiqie, Jiml.,. *Perihal Undang-Undang.* Jakarta: Rajawali Pers. 2010.

are diverted to food procurement, the essence of "enlightening the nation's life" is undermined. This creates legal uncertainty for stakeholders in the education sector, which already has long-term development projections.[9]

d. Recommendation for Termination Based on Legal and Political Considerations

Based on the paradoxical analysis above, national legal policy requires immediate reorientation. Recommendations to halt or completely evaluate the MBG are not a rejection of the public's nutritional needs, but rather an effort to maintain the integrity of state financial law. Good legal policy must fulfill the following elements:

1) Procedural Validity: Not only through Presidential Decree, but must be in sync with the State Budget Law and the State Finance Law.
2) Budget Justice: Not sacrificing obligatory programs for populist programs.
3) National Security: Maintaining the debt ratio so as not to undermine economic sovereignty in the future.[10]

Therefore, stopping the MBG program in its current format is a constitutional step to restore the dignity of state financial management to the right track, in accordance with the general principles of good governance.

2. Institutional Evaluation: Legal Redundancy and Inefficiency

Legal institutions are the primary infrastructure for implementing public policy. In the context of the Free Nutritional Meals Program (MBG), the establishment of the National Nutrition Agency as the sole regulator and executor creates a serious risk of overlapping authority with existing ministries. Based on Max Weber's Bureaucratic Theory, the effectiveness of a policy depends heavily on functional specialization and clear coordination. Weber emphasized that an ideal bureaucracy must have a clear division of labor to avoid duplication of tasks that lead to wasted resources (Weber in Albrow, 2024: 12).[11]

a. Fragmentation of Authority and Conflict of Sectoral Norms

Indonesia currently has a well-established institutional structure to address nutrition issues. The Ministry of Health (Kemenkes) is legally responsible for specific (medical) nutrition interventions, while the Ministry of Social Affairs (Kemensos) and the Ministry of Villages (Kemendes) handle sensitive (socio-economic)

9 Prasetyo, Anton., *Hukum Administrasi Negara dan Tata Kelola Sektor Publik*. Semarang: Unissula Press. 2026.

10 Suhendra, D., Desentralisasi Gizi: Kritik atas Kebijakan Sentralistik MBG dan Optimalisasi Dana Alokasi Khusus (DAK). *Jurnal Hukum dan Kebijakan Publik*, Vol. 14 No. 1, 2026, page. 70-85.

11 Albrow, Martin., *Birokrasi: Tinjauan Sosiologis.* Jakarta: Pustaka Utama. 2024.

interventions. The establishment of the National Nutrition Agency through Presidential Decree No. 83 of 2024 has actually increased the regulatory burden on the state's administrative legal system.

Normatively, the presence of this new agency triggers fragmentation of authority. For example, in determining nutritional standards, there is the potential for conflict between regulations issued by the Ministry of Health and the operational policies of the National Nutrition Agency. From an administrative law perspective, the lack of clarity regarding "who does what" will lead to a diffusion of responsibility when program failures occur in the field.[12]

b. Transaction Cost Inefficiency

From a legal and economic perspective, establishing a new institution requires significant start-up costs from the state budget. These costs include building procurement, recruiting new employees, and building IT and operational systems from scratch. This contradicts the spirit of bureaucratic reform, which prioritizes lean government principles.

Instead of optimizing the existing nutrition directorate within the Ministry of Health or empowering educational institutions (schools), the government has created a new entity that must develop its own tender mechanisms and supply chain. This inefficiency is politically and legally detrimental to the state, as funds that should be diverted to purchasing food are instead absorbed to cover salaries and allowances for the new bureaucratic structure.

c. Risk of Maladministration and Bureaucratic Corruption

New and complex legal structures tend to have untested internal control systems. According to Agency Theory, the greater the distance between the mandate-giver (the people/state) and the implementing agency (the new body), the greater the potential for information asymmetry, which can lead to corrupt practices.

Established technical ministries, such as the Ministry of Health or the Ministry of Education, Culture, Research, and Technology, already have integrated audit and oversight systems with experienced Inspectorates General. The National Nutrition Agency, as a new institution with a budget of hundreds of trillions of rupiah, is vulnerable to corruption in procurement of goods and services. The recommendation to discontinue or reintegrate the nutrition function into a technical ministry is based on the argument that an established structure is better able to guarantee legal accountability than a hastily created ad hoc agency.

d. Impact on Public Services in the Regions

From a sociological and legal perspective, the existence of this executive central body risks degrading the role of regional governments. Under Law No. 23 of 2014 concerning Regional

12 Prasetyo, Anton., *Hukum Administrasi Negara dan Tata Kelola Sektor Publik.* Semarang: Unissula Press. 2026.

Government, health and education are mandatory government affairs that are subject to deconcentration and decentralization. The transfer of authority to implement free meals to a central agency in Jakarta undermines the spirit of regional autonomy.

Legal inefficiencies arise when regional bureaucracies are forced to serve two masters: their parent ministry and the National Nutrition Agency, which distributes the program. This creates administrative confusion at the school and village levels, ultimately slowing down responses to the dynamics of diverse local nutritional needs.[13]

3. Cost-Benefit Analysis

In the discourse of legal philosophy, one of the main objectives of law is to provide the greatest benefit for the greatest number of people (the greatest happiness of the greatest number), a principle of Utilitarianism popularized by Jeremy Bentham. However, in the context of the Free Nutritional Meal Program (MBG), there are serious doubts about the effectiveness of "provision of ready-to-eat meals" compared to "empowering sustainable food access." The top-down legal approach in this program is considered to have failed to map needs precisely sociologically and geographically.

a. Root Cause Analysis Failure: Nutrition vs. Sanitation

Legally, public policy requires that regulations be based on empirical evidence to achieve optimal benefits. Data shows that the root of the nutritional problem in many regions, particularly Eastern Indonesia, is not simply the lack of school meals, but rather poor access to clean water and sanitation, which leads to recurring infections such as diarrhea and worm infestation. These diseases prevent the body from absorbing nutrients optimally.[14]

Legal policies that focus solely on downstream interventions (prepared food) without addressing upstream aspects (clean water infrastructure) represent a form of legal inefficiency. In a cost-benefit calculation, investing in a drilled well or a water filtration system at the village level provides far more permanent and intergenerational legal and health benefits than providing disposable daily meals consumed in unhygienic environments.[15]

b. Violation of the Principle of Local Food Sovereignty

Legally, enforcing uniform food menu standards across Indonesia through contracts with major vendors or national catering services has the potential to violate the principle of food sovereignty, as protected by Law No. 18 of 2012 concerning Food. Article 3 of the

13 Suhendra, D., Desentralisasi Gizi: Kritik atas Kebijakan Sentralistik MBG dan Optimalisasi Dana Alokasi Khusus (DAK). *Jurnal Hukum dan Kebijakan Publik*, Vol.14 No.1, 2026., page. 70-85.

14 Unicef Indonesia., *Laporan Situasi Air, Sanitasi, dan Higiene (WASH) Nasional.* Jakarta: Unicef Representative Office. 2025.

15 Waluyo, Bambang., *Penelitian Hukum dalam Praktek.* Jakarta: Sinar Grafika. 2025.

Food Law emphasizes that food management is carried out to achieve food sovereignty, independence, and security.

The centralized legal policy of the MBG tends to favor large catering corporations capable of meeting complex administrative tender requirements, thus marginalizing local farmers and rural MSMEs. This undermines the concept of a circular village economy, which should be the foundation of national economic strength. If the law is used to facilitate the accumulation of profits for a handful of large vendors under the guise of social programs, the distributive justice aspect of legal benefits is neglected.[16]

c. Negative Externalities and Environmental Sustainability

A legal benefit analysis must also consider negative externalities, including environmental impacts. Provision of ready-to-eat meals nationwide for millions of children daily will generate massive amounts of packaging waste (plastic/Styrofoam) and food waste if not managed with strict regulations.

adequate waste management infrastructure in rural schools, this program will actually create new health problems in the form of environmental pollution. From an environmental law perspective, this contradicts the principles of sustainable development. The short-term benefits of nutritional intake could be offset by long-term losses due to the destruction of local ecosystems that support the community's livelihoods.[17]

Therefore, public policy law recommends reformulating the massive MBG budget. National legal policy should be directed towards strengthening community-based food security, for example, through optimizing village yard land and improving community health center infrastructure and basic sanitation.

The legal benefits of infrastructure improvements are cumulative; once built, they will continue to serve the community without dependence on fluctuating global food prices or annual budget cuts. Transforming a "free meals" program into a "village-based nutritional sovereignty" program would be more in line with the principle of true legal benefits and ensure more sustainable protection of the right to health for all citizens.[18]

4. Potential Violations of the General Principles of Good Governance (AAUPB)

Every action taken by government officials in issuing policies must be based on the General Principles of Good Governance (AAUPB). The massive and hasty implementation of the Free Nutritional Meal Program (MBG) without an adequate transition period carries a high risk of violat-

16 Subechi, A., Due Process of Lawmaking dalam Kebijakan Transisi Kepemimpinan: Perspektif Politik Hukum. *Jurnal Legislasi Indonesia,* Vol. 21 No. 3, 2024, page. 88-104.

17 Prasetyo, Anton., *Hukum Administrasi Negara dan Tata Kelola Sektor Publik.* Semarang: Unissula Press. 2026.

18 Waluyo, Bambang., *Penelitian Hukum dalam Praktek.* Jakarta: Sinar Grafika. 2025.

ing the norms of Law No. 30 of 2014. This mismatch between political ambition and administrative readiness creates a gap for systemic maladministration.

a. Violation of the Principle of Carefulness

The principle of accuracy mandates that a decision and/or action must be based on complete information and documents to support the legality of the determination and/or implementation of the decision (Article 10 paragraph (1) letter d of Law No. 30/2014). The implementation of MBG without a valid pilot project in various geographical zones of Indonesia - considering the diversity of logistics between Java and the 3T (Frontier, Outermost, and Underdeveloped) regions - is a form of legal speculation.

The government is considered careless if it ignores distribution risk variables, the cold chain for animal protein, and inter-regional food price disparities. This unpreparedness is not merely a technical issue, but a legal flaw in policymaking, as it ignores the principle of prudence in managing vast public funds.[19]

b. Violation of the Principle of Public Benefit and Interest

The principle of utility requires that every policy provide tangible benefits to society without creating a disproportionate burden. In the context of MBG, a paradox of utility arises:

1) Systemic Corruption Risk: The logistics of food procurement for tens of millions of children across thousands of distribution points is a breeding ground for bribery, collusion, and price markups. Based on empirical experience with social assistance, procurement schemes for raw materials or processed food are extremely difficult to monitor in real time. Politically and legally, the state is considered negligent if it creates a system whose structural design has significant opportunities for corruption.[20]
2) Nutritional Quality Degradation: Legally, the state has minimum service standards (SPM). However, consistently monitoring the quality of daily nutrition in remote schools is an administrative challenge. Failure to guarantee these nutritional standards means the state has failed to fulfill the legal promise of benefits that underpinned the program's inception.

c. Principle of Not Abuse of Authority (Abuse of Power)

If the MBG program is forced through despite studies showing fiscal and logistical unpreparedness, the policy could be considered an overreach or abuse of authority for short-term political goals (populism). In administrative law, policies adopted solely based on political considerations without a strong technocratic basis can be categorized as

19 Subechi, A., Due Process of Lawmaking dalam Kebijakan Transisi Kepemimpinan: Perspektif Politik Hukum. *Jurnal Legislasi Indonesia*, Vol. 21 No. 3, 2024, page. 88-104.

20 Komisi Pemberantasan Korupsi (KPK*)., Laporan Pemetaan Risiko Korupsi pada Program Strategis Nasional.* Jakarta: Direktorat Monitoring. 2026.

detournement de pouvoir (the use of authority for purposes other than those intended by law).[21]

The government's failure to uphold the aforementioned principles provides legitimate space for the public to file a Citizen Lawsuit. The basis for the lawsuit is unlawful acts by the authorities (onrechtmatige overheidsdaad) due to perceived negligence in managing state finances for a program that has not significantly impacted long-term stunting reduction but instead increases the national debt burden.

Legally, citizens have the right to demand the cancellation or revision of a program through the State Administrative Court (PTUN) if the program is proven to be a waste of state funds without measurable results. This legal accountability serves as a control mechanism to ensure that national legal policy is not solely controlled by political desires but remains within the bounds of sound administrative law.[22]

5. Recommendations for Legal Policy Reform

Based on the findings and critical analysis of the various risk dimensions mentioned above, this study formulates a reorientation of national legal policy. These recommendations are not intended to ignore the state's obligations to fulfill the right to food and nutrition, but rather to ensure that the legal instruments used meet the criteria of effectiveness, accountability, and budgetary equity.

a. Phase-out and Comprehensive Audit

The main recommendation from a legal and political perspective is to halt the national expansion of the Free Nutritional Meals Program (MBG) before a comprehensive audit is conducted. Legally, the government is required to conduct an environmental, economic, and social impact assessment (Regulatory Impact Assessment) on the initial phase or ongoing pilot projects.

This gradual phase-out is necessary to prevent further state losses due to policy speculation. The audit must be independent, involving the Supreme Audit Agency (BPK) for fiscal aspects and independent nutrition experts for health aspects. The results of this audit will serve as the legal basis for deciding whether the program should be continued, completely revised, or permanently terminated to safeguard the stability of the state budget.[23]

b. Policy Transformation: From Goods to Conditional Cash Transfer (CCT)

National legal policy must shift from a bureaucratic and corruption-prone "handout" approach to empowerment through a Conditional Cash Transfer (CCT) scheme. Technically, this could be achieved through an integrated food card that can only be used to

21 Asshiddiqie, Jimly., *Perihal Undang-Undang.* Jakarta: Rajawali Pers. 2010.

22 Prasetyo, Anton*., Hukum Administrasi Negara dan Tata Kelola Sektor Publik*. Semarang: Unissula Press. 2026

23 Siahaan, Marihot P*., Hukum Keuangan Negara: Teori dan Praktik.* Jakarta: Erlangga. 2025.

purchase nutritious commodities (such as eggs, milk, and local protein).

This transformation provides several legal and practical advantages:

1) Minimizing Leaks: Eliminating long procurement chains that often become loopholes for bribery and mark-ups.
2) Distribution Cost Efficiency: The country does not need to bear massive logistics and warehouse costs, because distribution is carried out by the market through local MSMEs.
3) Consumer Sovereignty: Giving parents the right to determine the type of nutritional intake that is appropriate to their child's health conditions and local wisdom, so that it is in line with the principles of human rights in choosing food.[24]

c. Strengthening Local Regulations and Budget Decentralization (DAK)

The centralized legal policy implemented by the National Nutrition Agency needs to be deconstructed. In accordance with Law No. 23 of 2014 concerning Regional Government, nutrition management should be a regional responsibility, supported by the central government through the Physical and Non-Physical Special Allocation Fund (DAK) mechanisms. The transfer of authority to the Regional Government allows:

1) Sociological Relevance: Menus and distribution patterns can be adapted to geographical characteristics (e.g., island vs. mountainous areas) and local wisdom.[25]
2) Local Accountability: Closer oversight is carried out by the community and the local DPRD, thereby shortening the administrative control distance.
3) Strengthening the Village Economy: The nutrition budget will circulate in local village markets, rather than being siphoned off to large vendors in the capital, thus creating a real economic multiplier effect at the grassroots level.

As a long-term measure, the government is recommended to codify or synchronize regulations related to nutrition, clean water, and sanitation. Legal policy should not view nutrition issues in a fragmented way, only through the lens of the "dinner plate." An integrated legal framework is needed that mandates the allocation of a budget for basic infrastructure in every region with high stunting rates. This way, legal interventions will be structural and permanent, not merely temporary social assistance policies that are highly dependent on the political will of a particular regime.[26]

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24 Waluyo, Bambang., *Penelitian Hukum dalam Praktek*. Jakarta: Sinar Grafika. 2025.

25 Suhendra, D., Desentralisasi Gizi: Kritik atas Kebijakan Sentralistik MBG dan Optimalisasi Dana Alokasi Khusus (DAK). *Jurnal Hukum dan Kebijakan Publik,* Vol. 14 No. 1, 2026, page. 70-85.

26 Prasetyo, Anton., *Hukum Administrasi Negara dan Tata Kelola Sektor Publik*. Semarang: Unissula Press. 2026.

D. CONCLUSION

Based on an in-depth analysis of the Free Nutritional Meals (MBG) Program in Indonesia from a legal political perspective, several fundamental conclusions can be drawn as follows: Legal Antinomy and Fiscal Crisis: The MBG Program reflects a highly responsive-populist legal landscape, yet is trapped in the paradox of budget certainty. There is an antinomy between the political ambitions of Presidential Decree No. 83 of 2024 and the prudence principle of Law No. 17 of 2003 concerning State Finance. Dependence on debt financing for short-term consumption risks creating fiscal instability and violating the economic rights of future generations. Institutional Inefficiency: The establishment of the National Nutrition Agency triggers bureaucratic redundancy and fragmentation of authority, which contradicts the principles of lean government. The transfer of functions from established technical ministries (Ministry of Health and Ministry of Social Affairs) to new institutions increases transaction costs and increases the risk of maladministration and systemic corruption in the massive logistics procurement chain. Failure of Policy Utilitarianism: A utility analysis shows that the "fast food" approach is imprecise in targeting the root causes of stunting, especially in the 3T (United, Disadvantaged Regions) which are more in need of basic infrastructure (clean water and sanitation). In addition, the centralization of vendors in this program has the potential to harm local food sovereignty as mandated by Law No. 18 of 2012 concerning Food. Violation of AAUPB: The implementation of the policy without a mature academic paper and transparent public review indicates a violation of the Principles of Accuracy and the Principles of Benefit in Law No. 30 of 2014. This opens up the opportunity for legal speculation that could lead to citizen lawsuits against the government.

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Law Number 23 of 2014 concerning Regional Government;

Law Number 30 of 2014 concerning Government Administration;

Law Number 31 of 1999 concerning the Eradication of Criminal Acts of Corruption;

Presidential Regulation Number 83 of 2024 concerning the National Nutrition Agency;

The 1945 Constitution of the Republic of Indonesia.