

## REFORMULATION OF FOOD SECURITY LAW TO REALIZE THE WELFARE STATE

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### **Abstract**

*The concept of food security is food availability to everyone, which is reflected in the availability of sufficient and productive food in a sustainable manner. The purpose of this study is the reformulation of food security in the framework of people's welfare and national economic recovery with the end result to be achieved from food security to food sovereignty. The method used is juridical normative by examining the sources of law through theories, concepts, and legislation related to research. The results showed there are currently quite a lot regulations of food-related but its implementation is still considered less effective. Strategic steps regarding the reformulation of food security in the framework of national economic recovery for the future can be done by harmonizing and synchronizing legislation related to food, land management and spatial planning, and implementing agrarian reform. Law No. 18 of 2012 which specifically regulates food is considered not in accordance with the needs of the community and the times so that the government is expected to quickly and seriously revise these rules and create new legal rules that can accommodate problems in the community so that in the future not only food security is fulfilled but also food sovereignty.*

**Keyword:** Law; Food Security; Food Sovereignty; Agrarian Reform; Economic Recovery; People's Welfare.

### **A. INTRODUCTION**

Food security is a concept that is officially used by the Indonesian government as a step to meet people's food needs. food security is closely related to self-sufficiency the ability of a nation to control its food production, processing and distribution to feed its own people. The use of the concept of food security itself is officially confirmed in various legal products, in this case contained in Law Number 7 of 1996 which has now been amended by Law Number 18 of 2012 concerning Food and Government Regulation No. 17 of 2015 concerning Food Security and Nutrition.<sup>1</sup> In various countries, it has also continued to grow widely and has been widely accepted in the last two

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<sup>1</sup> Asep Dedy Sutrisno. "Kebijakan Sistem Ketahanan Pangan Daerah." *Kebijakan: Jurnal Ilmu Administrasi* 13, no. 1 (2022): 28-42.

decades.<sup>2</sup> Even so, the concept of an approach to food security which is a concept and approach in development in general also continues to face challenges, obstacles, as well as various new thoughts, initially only focusing on the production side, but until now the meaning has been formulated to mean it has become broader.<sup>3</sup>

In the past, during the New Order era, Indonesia was once a rice-producing country in the world thanks to the food self-sufficiency program. However, as time went on, it was inversely proportional, so it is known that currently Indonesia is a country that imports rice from other countries. This is really very sad because Indonesia is known as one largest agricultural countries of the world.

Judging from its geographical location, Indonesia, which is an archipelagic country with a relatively high population, is of course obligatory for the state to provide food availability that can be accessed for all people. The availability of food is closely related to the quality of health, nutritional development, and the economic level of the community.<sup>4</sup> When viewed from a political point of view, the steps to carry out the development of ideal food security are of course the main concern in the national-scale agricultural development sector since before independence, before and after the reforms to the present.

From a legal point of view, in terms of fulfilling food needs, it is included in the opening mandate of the 1945 Constitution, namely "*...to protect the entire Indonesian nation...*" in the framework of protecting the entire nation. Further arrangements regarding food are currently regulated in Food Act No. 18 of 2012. The welfare state is a state with the concept of government that takes an important role in the protection and primacy of the economic and social welfare of its citizens.

One of the problems regulated in Food Act No. 18 of 2012 has it does not explain further where the availability of food comes from and how to produce this food in this policy. That is, the state may or freely declare that it availability without regard to where the source of the food availability itself means that the state may import from other countries in order to declare food availability without having to produce it itself.<sup>5</sup> In fact, when viewed from the concept of food security and looking at the condition of Indonesia, which is an

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<sup>2</sup> Angga Dwiartama, Matthew Kelly, and Jane Dixon. "Linking food security, food sovereignty and foodways in urban Southeast Asia: cases from Indonesia and Thailand." *Food Security* 15, no. 2 (2023): 505-517.

<sup>3</sup> Syahyuti Syahyuti. "Paradigma Kedaulatan Pangan dan Keterlibatan Swasta: Ancaman terhadap Pendekatan Ketahanan Pangan (?)." *Analisis Kebijakan Pertanian* 9, no. 1 (2011): 1-18.

<sup>4</sup> Gie K.K. *Membangun kemandirian pangan: mandat terbesar dari rakyat kepada kita semua*. Presented at the launch of a book, Jakarta, 2004: 14.

<sup>5</sup> Fauzin Fauzin. "Pengaturan impor pangan negara indonesia yang berbasis pada kedaulatan pangan." *Jurnal Pamator: Jurnal Ilmiah Universitas Trunojoyo* 14, no. 1 (2021): 1-9.

agricultural country, of course this raises major irregularities related to food security by involving imports from other countries. The initial concept of food policy, which was initially felt to be able to accommodate market needs, has clearly raised problems from circles or groups of people who are quite concerned about ongoing market policies. The law on food the government's implementation of is considered to have sidelined the continuity of national food production itself.<sup>6</sup> The majority of people are of the view that the currently applicable law on food has been unable to respond to the problems that have arisen and has not had the ability to change lifestyles, especially fishing communities and farmers as food producers. Indonesian farming community groups consider that in Law Number 18 of 2012 the government seems to be forcing the concept of food security and food sovereignty into one unit despite the fact that the idea of food sovereignty should be the response to the failure of the idea of food security that has implemented by the government so far.

In addition, when viewed in terms of regulations that regulate or relate to one regulation to another, the two collide with each other. This is important to be discussed comprehensively because food is something that has a direct impact on people's lives. this encouragement is also reinforced by the new government policy on food self-sufficiency program for the next four or five years, so in this research aims to determine the concept of food security and its development as well as reformulating the law of food security in the framework of people's welfare and national economic recovery.

## **B. RESEARCH METHODS**

This article uses normative juridical as a research method by analyzing various sources related to the matter to be studied. The statutory and analytical approach will be used by the author in order to examine the legal material which is carried out in depth on the laws and regulations related to food security law, legal concepts and legal theories that are relevant to the object of research. Regarding data sources, this research uses secondary data which are classified into three groups, in the form legal materials in the form of books, journals, and legislation and regulations as primary legal documents like Law Number 18 of 2012 concerning Food, Law Number 41 of 2009 concerning Protection of Sustainable Food Agricultural Land, Government Regulation Number 17 of 2015 concerning Food Security and Nutrition, and Presidential Regulation Number 66 of 2021 concerning the National Food Agency. Legal magazines, and various other references related to this research and as for the material tertiary law in the form of legal dictionaries, website,

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<sup>6</sup> Marthin Sinaga, "Polemik Undang-Undang Pangan", 2013, in quotes <http://hukum.kompasiana.com/2013/03/13/polemik-uupangan-536660.html>.

and books related to the terms used in this research.<sup>7</sup> Literature study was carried out in the context of data collection, this aims to gather information pertinent to the issues that will be addressed. The analysis is carried out deductively, namely by drawing conclusions from a problem that is general in nature to the problems faced.

## C. RESULTS AND DISCUSSION

### 1. The Concept of Food Security and Its Development

Initially, food security was a response to the disappointment of the concept of food development in various parts of the world. even though agricultural and food development at that time had been able to achieve high production and productivity, in developing countries it still caused problems including some farming communities in fact still living in conditions that were far from prosperous, there was damage to agricultural resources, and unfair trade. This matter shows that although food security has been achieved, on the other hand this has not been able to guarantee the condition of the farming community and the condition of local food.<sup>8</sup>

What is meant by the availability of sufficient food, both in terms of quantity and quality, that is safe, diverse, nutritious, equitable, and affordable and does not violate the community's religious, philosophical, or cultural beliefs, allowing people to lead productive lives is known as food security.<sup>9</sup>

The main focus in terms of building food security is the foremost essential issue for the country because nourishment plays an awfully critical part in national financial development. Food protection is described because the availability of meals in sufficient amount and quality, dispensed at low priced expenses and secure for consumption for each citizen to aid their day-by-day sports in any respect times. Thus, food security covers the household level and the national level.<sup>10</sup>

The state has an obligation to every citizen to guarantee the accessibility of nourishment in adequate amounts (besides guaranteed quality), this is based on the fact that basically every citizen has the right to food for the survival of his life. The provision of food by the state must be carried out mainly through domestic food production, which should continue to increase from year to year in line with the increase in population. As a

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<sup>7</sup> Peter Mahmud Marzuki, *Penelitian Hukum, Edisi Revisi*, Cet. ke-8, Jakarta, Kencana Prenada Media Group, 2013: 83.

<sup>8</sup> Sri Wahyuni, Wahyuning K. Sejati, and Miftahul Azis. "Kedaulatan pangan sebagai basis untuk mewujudkan ketahanan pangan nasional." In *Forum Penelitian Agro Ekonomi*, vol. 33, no. 2, pp. 95-109. 2015.

<sup>9</sup> Article 1 number 4 of Law number 18 of 2012 concerning Food.

<sup>10</sup> Handewi Purwati Saliem, and Mewa Ariani. "Ketahanan pangan, konsep, pengukuran dan strategi." In *Forum Penelitian Agro Ekonomi*, vol. 20, no. 1, pp. 12-24. 2002.

provider of food, in general the development phase in the rural region in Indonesia given that 1967 till now, has skilled 5 phases: the consolidation segment, the excessive boom segment, the deconstruction segment, the disaster segment, the transition segment and decentralization.<sup>11</sup>

What meant by suppers sway is the inborn right of each state and person to develop nourishment autonomously and the proper to set up a device of agriculture, cattle and fisheries with none subordination from worldwide market forces. As a concept, food sovereignty is actually parallel to food security, only the elements are different. The elements in question are in terms of an ago-ecological agricultural production model that is different from industrial agriculture, an agricultural trade model that is protectionist and encourages local markets rather than liberal, using instruments from the *International Planning Committee for Food Security* which is different from the WTO, approaches to natural resources agricultural genetics that is communal and tends to be anti-patent which contradicts the *Trade Related Aspects of Intellectual Property Rights (TRIPS) agreement*, as well as the emphasis on *green rationalism environmental discourse* rather than *economic rationalism* as adopted in food security.<sup>12</sup>

Food security and food sovereignty are conceived as two competing approaches to food policies. However both they portray different strategies and imaginaries. Food sovereignty supports small, agroecological, and local agriculture while also promoting territorial rights for peasants and Indigenous peoples, and the protection of national production. Food security, in contrast, prioritises trade-oriented goods, imports, and intensive agriculture while promoting poverty-alleviation policies.<sup>13</sup>

The concept of food security is indeed more often used by almost all countries in the world, this is because the concept of food security has a simpler meaning and can be accepted by most people in the world. Food security can be implemented in all countries because it does not depend on the presence or absence of the agricultural sector. With this concept, one of them is Singapore, as a country that does not have agricultural land, Singapore can still be a country that has food security even though it does not produce its own food. This is the basis for the concept of food security to be more applicable. Whereas Food sovereignty emphasizes the reclamation of land,

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<sup>11</sup> Bustanul. *Analisis Ekonomi Pertanian Indonesia*. Jakarta, Buku Kompas, 2004: 32.

<sup>12</sup> Syahyuti Syahyuti. "Paradigma Kedaulatan Pangan dan Keterlibatan Swasta: Ancaman terhadap Pendekatan Ketahanan Pangan (?)." *Analisis Kebijakan Pertanian* 9, no. 1 (2011): 1-18.

<sup>13</sup> Roger Merino. "The geopolitics of food security and food sovereignty in Latin America: Harmonizing competing visions or reinforcing extractive agriculture?." *Geopolitics* 27, no. 3 (2022): 898-920.

food, livelihoods, and identities of food insecure individuals via their direct participation in the design and implementation of food systems.<sup>14</sup>

As a benchmark, the Malthusian concept which suggests that food growth is like an arithmetic progression and population growth is likened to a geometric progression, in fact is currently gaining momentum. The Indonesian nation with a population growth that continues to grow, if it is not accompanied by developments in food production which continues to increase, then of course it will cause problems in the future related to fulfilling food availability. The increase in population certainly has an impact on increasing the need for food which in terms of fulfillment, due to limited production and limited distribution, the fulfillment of food needs cannot be fulfilled.<sup>15</sup>

The meals safety gadget includes 3 sub-systems, particularly meals availability, affordability, and utilization. Various benchmarks may be used to see the volume to which meals safety is performing. Achmad Suryana chose six parameters to measure food security, namely achieving the goal of self-sufficiency in 5 critical meals commodities, availability of strength and protein consistent with capita (availability), share of bad people, intake of strength and protein consistent with capita (affordability), success of the Expected Food Pattern (PPH) rating and dietary parameters in youngsters below 5 years of age or toddlers (*utilization*).<sup>16</sup>

Food sovereignty is closely aligned with how partnering communities described food security, food sustainability and opportunities to improve access to food.<sup>17</sup> Food security in the order region is the ability of a territory to secure the entire people get food in enough is enough, decent quality, safe, and halal, which is based on optimization of resource utilization based on the diversity of local resources.<sup>18</sup>

In practice of production, distribution and consumption of food, the conception of food sovereignty is indeed considered to be better than the concept of security. However, this concept cannot be immediately applied to

<sup>14</sup> Ali Loker, and Charles Francis. "Urban food sovereignty: urgent need for agroecology and systems thinking in a post-COVID-19 future." *Agroecology and Sustainable Food Systems* 44, no. 9 (2020): 1118-1123.

<sup>15</sup> Yunastiti Purwaningsih. "Ketahanan pangan: situasi, permasalahan, kebijakan, dan pemberdayaan masyarakat." *Jurnal Ekonomi Pembangunan* 9, no. 1 (2008): 1-27.

<sup>16</sup> Achmad Suryana. "Menuju ketahanan pangan indonesia berkelanjutan 2025: tantangan dan penanganannya." In *Forum Penelitian Agro Ekonomi*, vol. 32, no. 2, pp. 123-135. 2014.

<sup>17</sup> Domingo, Ashleigh, Kerry-Ann Charles, Michael Jacobs, Deborah Brooker, and Rhona M. Hanning. "Indigenous community perspectives of food security, sustainable food systems and strategies to enhance access to local and traditional healthy food for partnering williams treaties first nations (Ontario, Canada)." *International journal of environmental research and public health* 18, no. 9 (2021): 4404.

<sup>18</sup> Virginia V. Rumawas, Herman Nayoan, and Neni Kumayas. "Peran Pemerintah Dalam Mewujudkan Ketahanan Pangan di Kabupaten Minahasa Selatan (Studi Dinas Ketahanan Pangan Minahasa Selatan)." *Governance* 1, no. 1 (2021).

countries that do not have agricultural land such as Singapore. In addition, without being accompanied by serious efforts to increase and improve the production system, food sovereignty cannot run optimally because food sovereignty itself aims to fulfill food at the household level from small scale to national adequacy. thus, when implementing a food sovereignty policy, it becomes *urgent* when a country is faced with a choice between producing its own food or relying on imports where when viewed from the understanding and meaning that food sovereignty means the ability to independently produce its own food. Indonesia as a large country, of course, at this time dependence on imported food is ironic, because apart from setting aside the wealth and potential of local resources, this can also be dangerous for national stability. Therefore, food should not be burdened on vulnerable markets, but must depend on domestic self-sufficiency to provide for the food itself.

## **2. Reformulation of Food Security Law for the welfare of the people and National Economic Recovery**

Currently in Indonesia there is a risk of food crisis or food insecurity. From year-to-year agricultural production in Indonesia has the potential to continue to decline, while the need for food is increasing as a result of population growth and a relatively significant increase in middle class growth. Ironically, the policy adopted by the government to overcome the problem of the lack and availability of government food needs is to import from other countries.

It is known that currently Indonesia is a country that depends on food imports. Data from the Ministry of Trade stated that Indonesia's food import commodities increased by 65.8% or reached 23,868 tons from the previous year in 2020 during early 2021.<sup>19</sup> In addition, there is a discourse that the Government is planning to import rice in the midst of a farmers' main harvest with the reason of securing food availability during the pandemic until 2021. The existence of this discourse certainly has an effect on market psychology, this is what then results in falling prices at the farm level.<sup>20</sup>

Indonesia has not managed to meet the needs of food, especially rice from its own production.<sup>21</sup> According to the Ministry of Agriculture, if a country's dependency ratio on imports does not exceed 10% of domestic consumption, then this is said to be successful in being self-sufficient. during

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<sup>19</sup> Center for the study of domestic trade. Analisis Perkembangan Harga Bahan Pangan Pokok di Pasar Domestik dan Internasional. accessed on 15 Juli 2021. [http://bppp.kemendag.go.id/media\\_content/2021/04/Analisis\\_Bapok\\_Bulan\\_Maret\\_2021.pdf](http://bppp.kemendag.go.id/media_content/2021/04/Analisis_Bapok_Bulan_Maret_2021.pdf).

<sup>20</sup> BBC News Indonesia. "Pemerintah Canangkan Impor Beras di Tengah Panen Raya, Petani: Itu Menyakitkan". <https://www.bbc.com/indonesia/indonesia-56336972> (accessed on 15 juli 2021).

<sup>21</sup> Vitri Aryanti. "Ekonomi Politik Program Nasional Kedaulatan Pangan: Studi Kasus Anomali Implementasi Kebijakan Swasembada Beras (2014-2020)." *Al Qalam: Jurnal Ilmiah Keagamaan dan Kemasyarakatan* 17, no. 4 (2023): 2334-2352.

the 2013–2019 period the average rice import ratio was around 2.3%, but it was different in 2018, when Indonesia was faced with a high import dependency ratio of 6.2%. Due to the high population of Indonesia and the large dependence of the people on rice as the main staple, between 2013 and 2019 Indonesia had to import an average of 0.9 million tons of grain every year from the international rice market which competed with other countries because the availability of food was limited.<sup>22</sup>

The problems that arise in connection with regulations governing food, for example:<sup>23</sup>

- a. Problem of Legal Substance: regarding the prohibition of hoarding food which will be further explained through the PP and regulated further through the Minister of Trade (Article 53 of Food act No. 18 of 2012), but in reality, the Minister of Trade referred to at that time had not yet been issued, as a result Article 53 of the Constitution is still not fully in effect.
- b. The Problem of Legal Structure: in its food control, Indonesia often experiences overlapping authorities because it adheres to more than one supervisory system. Which involves more than one agency. Supervision starting from the licensing process, inspection in the customs area, to supervision outside the customs area has different hierarchies and responsibilities and stands alone in each authorized institution. As a result, the implementation of supervision is slow and not properly accommodated due to the complexity of the procedures that must be carried out.
- c. The Problem of Legal Culture: it is undeniable that the times are developing along with a large population of around 252 million people, making the agricultural sector no longer of interest to the younger generation, especially with the small amount of agricultural land and the high level of urbanization making the younger generation tend to leave rural areas/agriculture and in the end the agricultural sector becomes less attractive to the younger generation.

Conditions make it clearer that the change in Law Number 7 of 1996 to Law Number 18 of 2012 has not been sufficient to provide an alternative to the insecurity of food availability in Indonesia and in fact has further distanced

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<sup>22</sup> The SMERU Research Institute. "Tinjauan Strategis Ketahanan Pangan dan Gizi di Indonesia: Informasi Terkini 2019–2020".

<sup>23</sup> Center for analysis and evaluation of National Law National Law Development Agency Ministry of Law and Human Rights in 2016. "Laporan Akhir Analisis dan Evaluasi Hukum Dalam Rangka Peningkatan Kedaulatan Pangan", Page. 86-97.



Indonesia from achieving food sovereignty. Law Number 18 of 2012 which should be the answer to the national food problem. However, this policy is considered less effective against national food production actors. Referring to Law 18 of 2012, the notion of food security is founded on the country's ability to provide sufficient, safe, equitable and affordable food.<sup>24</sup>

This is only allowed to become a problem that will never be resolved, quoting in an interview conducted online. five ways. First, implement Law number 11 of 2020 concerning work copyright. Second, digitizing MSMEs. Third, synergize BUMN. Fourth, strengthening inter-regional cooperation.<sup>25</sup> Then the last thing is the establishment of a food BUMN holding in strengthening the national food ecosystem. Recent research conducted by Ronald on food sovereignty which is essentially Food Sovereignty (FSO) is a dynamic, adaptive, and context-dependent concept, and strategies to promote it must be flexible. This depends on each country regarding the choice of mobilization strategies must be adjusted to the specific political, cultural, and economic context.<sup>26</sup>

Based on the above explanation, other strategic steps regarding the reformulation of food security in the context of people's welfare and Indonesia's future economic recovery can be carried out in the following ways: *The First*, Harmonization and Synchronization of Legislation Related to Food. In forming a legal product, there are various conditions that need to be considered, including the existing hierarchy of laws and legislation, the principle of formation of laws and legislation, content, and other legal principles so that later the legal products made do not overlap or conflict with one another. In other words, it is necessary to carry out a harmonization and synchronization in the formation of a legal product.<sup>27</sup> Harmonization and

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<sup>24</sup> Muhammad Ilham Arisaputra. "Reforma agraria untuk mewujudkan kedaulatan pangan." *Rechtidee* 10, no. 1 (2015): 39-59.

<sup>25</sup> Arnoldus Kristianus, "Pemerintah Siapkan 5 Jurus Perkuat Ketahanan Pangan," *Investor.Id*, 2021, <https://investor.id/business/pemerintah-siapkan-5-jurus-perkuat-ketahanan-pangan>.

<sup>26</sup> Ronald Byaruhanga. "NGOisation and food sovereignty: unearthing the intricacies of NGO-driven food sovereignty efforts. Insights from Uganda." *Agriculture and Human Values* (2024): 1-18.

<sup>27</sup>Harmonisasi dan Sinkronisasi Peraturan Perundang-Undangan. (accessed on 16 Juli 2021). <https://sultra.bpk.go.id/wpcontent/uploads/2018/04/Sinkronisasi-Harmonisasi.pdf>.

synchronization of a legal product is primarily not limited to before a legal product is made, but in practice it is also carried out on legal products that have been formed. This effort was made because of the legal dynamics of the formation or promulgation of a new law and regulations, causing several existing legal products to become disharmonious or out of sync with the newly promulgated laws and regulations. The problem of food is an important issue for a country, for this reason, regulations are needed to regulate this matter. The legislation related to the improvement of sovereignty or food security, including: Law Number 18 of 2012 concerning Food; Law Number 41 of 2009 concerning Security of Economical Nourishment Agrarian Arrive; government regulation wide variety 28 of 2004 regarding meals protection, great and nutrition; government direction number 12 of 2012 concerning Motivating forces for the security of dinners Rural Arrive; and the latest is Presidential Regulation Number 66 of 2021 concerning the National Food Agency. The many regulations governing food prove that food is one of the fundamental things. in forming a law, it must have the objectives to be achieved and be effective. this is needed to be used as a benchmark regarding the benefits of establishing a statutory regulation related to food sovereignty as expected.<sup>28</sup> Legal harmonization is an effort or process that seeks to overcome the boundaries of differences, conflicting matters and irregularities in the law. Efforts or processes to realize harmony, suitability, compatibility, compatibility, balance among legal norms in laws and regulations as a legal system in a unified framework of the national legal system.<sup>29</sup>

*The Second*, Land management and spatial planning. Which will make stronger meals sovereignty in Indonesia the government's next step is to encourage development in the agricultural sector by optimizing swampland as productive and active agricultural land for farmers. with so much land that can

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<sup>28</sup> Center for analysis and evaluation of National Law National Law Development Agency Ministry of Law and Human Rights in 2016. "Laporan Akhir Analisis dan Evaluasi Hukum Dalam Rangka Peningkatan Kedaulatan Pangan", Page. 14, [https://bphn.go.id/data/documents/peningkatan\\_kedaulatan\\_pangan.pdf](https://bphn.go.id/data/documents/peningkatan_kedaulatan_pangan.pdf).

<sup>29</sup> Moh Fahriyanto Marikar. "Harmonizing the National Legal System Through the Formation of Ideal Legislation." *Jurnal Legalitas* 16, no. 2 (2023): 167-178.

be used as productive land, the government and related institutions must continue to optimize areas with potential swamp land to be developed into productive agricultural land.<sup>30</sup> Implementation of land use planning is an activity development carried out by the government and the city government in order to realize spatial planning, and carried out in stages in accordance with the time limits specified in the land use plan.<sup>31</sup> In order to guarantee sustainable development and to maximize the prosperity of the people in an equitable manner and with increasingly limited resources, the amount of land due to the growing population requires careful and good planning so that its utilization can be used as effectively and efficiently as possible. Spatial planning and land management are steps to achieve these things. Through spatial planning, the utilization of natural resources such as land and water are carried out as optimally as possible, in addition to preventing conflicts of various interests in the use of space. Land management is a support for the implementation of the spatial use plan described in the land use plan.<sup>32</sup> This is in line with the Mandate of the 1945 Constitution as described in the Explanation of the Indonesian Constitution which states that earth and water and the herbal wealth contained inside the earth are the principal factors of people's prosperity. Therefore, it should be controlled by way of the state the human beings. Land control by the state means that the state has the authority to regulate and administer its allocation, use, supply and maintenance. On the basis of this right to control, the state can determine what steps must be taken as an effort to food security and security for the welfare and for the greatest possible prosperity of the people.

*The third, Agrarian Reform.* In the preamble "Considering" Law Number 41 of 2009 concerning Assurance of Economical Food-Agricultural Arrive it's

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<sup>30</sup> Kumparan.com. "Strategi Pemerintah dalam Meningkatkan Ketahanan Pangan di Indonesia". (accessed on 15 Juli 2021). <https://kumparan.com/techno-geek/strategi-pemerintah-dalam-meningkatkan-ketahanan-pangan-di-indonesia-1ruh4IPk36m> .

<sup>31</sup> Anita Anita, Rusfandi Rusfandi, and Meidy Triasavira. "Pencegahan Alih Fungsi Lahan Serta Penataan Ruang Dalam Rangka Mewujudkan Pembangunan Berkelanjutan." *Jurnal Jendela Hukum* 9, no. 1 (2022): 93-106.

<sup>32</sup> Bappenas.com. "Bab 19 Penataan Ruang dan Pertanahan". (accessed on 16 Juli 2021). [https://www.bappenas.go.id/index.php/download\\_file/view/8721/1729/](https://www.bappenas.go.id/index.php/download_file/view/8721/1729/).

explained that: the state in this case guarantees the right to food as part of every human right in order to achieve self-reliance, security and food sovereignty. To implement this, of course the state needs to carry out efforts, one of which is through agrarian reform as a whole and in its entirety considering that at present there has been an imbalance in terms of ownership, use and utilization of natural resources, especially in the land sector. Through agrarian reform, it is hoped that it can revitalize the agricultural and rural sectors to become more robust. the success of agrarian reform which can be seen through the certainty of tenure over land that guarantees life and employment opportunities for farmers, the ability to manage land use as a natural resource and the preservation of environmental quality, nourishment sway, efficiency capabilities that are able to form rancher families able to carry out changes -contribute and have tall acquiring control. if this is achieved, of course, as an agrarian country, the agricultural sector will become the livelihood of most of the people and a contributor to national industrialization. In this regard, the purpose of establishing agrarian reform is to improve welfare, justice and security for the people in particular.<sup>33</sup> Agrarian reform has actually become the government's agenda, as stated in the National Development Plan 2014-2019 this is stated in Presidential Regulation Number 88 of 2017 but even so, other schemes such as Forest exchange and resettlement, have not been regulated by the decree.<sup>34</sup> When viewed from the poverty rate of households in rural areas, until now, the majority of poor people live in rural areas and work as farmers and/or farm laborers. National development must be based on the National potential in the form of abundant natural resources and human productive forces of Indonesia, not only on imported power and relying solely on foreign investment. The policy of sustainable food agricultural land protection is absolutely implemented and implemented if the government is serious about protecting the remaining

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<sup>33</sup> Muhammad Ilham Arisaputra. "Reforma agraria untuk mewujudkan kedaulatan pangan." *Rechtidee* 10, no. 1 (2015): 39-59.

<sup>34</sup> Rohmat Junarto, Sukmo Pinuji, Jamaluddin Mahasari, and Dian Aries Mujiburohman. "Land Rights and Agrarian Reform in Forest Areas: A Basis for Sustainable Development." *International Journal of Sustainable Development & Planning* 19, no. 1 (2024).

agricultural land in Indonesia and at the same time empowering farmers.<sup>35</sup>

With the potential and existing conditions mentioned above, it is in vain if food availability only relies on import-oriented temporary food security. The most realistic food procurement policy is through local food production.<sup>36</sup> Presumably the time has come for this nation to think about food sovereignty by empowering farmers in the agricultural sector and fishermen in the fisheries and maritime sectors which have a long-term impact on people's welfare and national economic resilience.

#### **D. CONCLUSION**

Indonesia still has to continue to struggle to overcome major problems in order to increase the diversity of food production. So far, the government's awareness of increasing food production has not been able to significantly reduce import dependence. In its development began to realize, it is not enough just food security if the availability of food comes from and is sourced from imported products, this does not have a positive impact on public welfare and national economic growth. Decisive steps that need to be done related to food is to harmonize and synchronize regulations related to food, especially law no. 18 of 2012 which is no longer in accordance with the needs of society and the times, so it is expected that the government will immediately and seriously review and revise this law and create a new legal umbrella that is expected to be able to accommodate the needs of the current and future community in addition to land and spatial management to ensure sustainable development and as much as possible for the welfare of the people equally, as well as implementing agrarian reform as a whole and thoroughly is also important so that the expected results will not only procurement and availability of food but also empower the economy towards food self-sufficiency. The implication of this study including for the future is to increase legal awareness among those involved in order to accelerate the national economy, especially on food issues. Regulatory improvements need to be made to strengthen the protection of the rights of farmers and fishermen by accommodating and facilitating with more binding laws, as well as the active role of stakeholders in terms of implementation to make it more transparent and fairer, ensuring effective protection of rights for all parties involved. The

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<sup>35</sup> Endang Dyah Ayu Pitaloka. "Kebijakan Perlindungan Lahan Pertanian Pangan Berkelanjutan Dalam Dimensi Politik Hukum Penataan Ruang." *Jurnal IUS Kajian Hukum Dan Keadilan* 8, no. 1 (2020): 49-78.

<sup>36</sup> Partini Partini, and Intan Sari. "Kebijakan Pengembangan Ketahanan Pangan Lokal." *Jurnal Agribisnis* 11, no. 1 (2022): 78-83.

limitation of this study is that the description is only seen from one point of view through descriptive analytical studies without statistical data so there is no hypothesis that can be tested, for further research is expected to examine similar research thoroughly whether there are similarities that can explain some of the findings analyzed here.

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