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Examining the Legitimacy of the Free Nutritious Meal Program through Western Legal Philosophy and Pancasila

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Original Article

Abstract

The Free Nutritious Meal (MBG) Program is a strategic state policy aimed at addressing nutritional needs, improving human resources, and promoting social welfare. This study examines its legitimacy through natural law, legal positivism, utilitarianism, and Pancasila legal philosophy. Using normative legal research with philosophical, statutory, and conceptual approaches, the study employs literature review and qualitative normative analysis. The MBG Program possesses substantial philosophical legitimacy by promoting the protection of life, human dignity, legality, legal certainty, social utility, and distributive justice. From a Pancasila perspective, the program reflects Divinity through institutional integrity, Humanity through respect for dignity, Unity through equitable access, Democracy through public participation, and Social Justice through proportional benefit distribution. However, its legitimacy remains conditional upon consistent implementation of legality, morality, accountability, transparency, and social justice. Thus, legitimacy depends not only on policy objectives but also on substantive implementation.

Keywords: *Free Nutritious Meal Program, Legal Philosophy, Legal Legitimacy, Pancasila*

Abstrak

Program Makan Bergizi Gratis (MBG) merupakan kebijakan strategis negara untuk memenuhi kebutuhan gizi, meningkatkan kualitas sumber daya manusia, dan mewujudkan kesejahteraan sosial, tetapi legitimasi dan implementasinya memerlukan pengujian filosofis melampaui aspek administratif dan legal-formal. Penelitian ini bertujuan menganalisis MBG melalui perspektif hukum alam, positivisme hukum, utilitarianisme, dan filsafat hukum Pancasila. Penelitian menggunakan metode hukum normatif dengan pendekatan filosofis, perundang-undangan, dan konseptual melalui studi kepustakaan serta analisis kualitatif-normatif. MBG memiliki legitimasi filosofis kuat karena mendukung perlindungan kehidupan, martabat manusia, legalitas, kepastian hukum, kemanfaatan sosial, dan keadilan distributif. MBG mencerminkan Ketuhanan melalui integritas, kemanusiaan melalui penghormatan martabat, persatuan melalui pemerataan, kerakyatan melalui partisipasi, dan keadilan sosial melalui distribusi manfaat yang proporsional. legitimasi MBG bersifat kondisional dan bergantung pada konsistensi implementasi dengan prinsip legalitas, moralitas, akuntabilitas, dan keadilan sosial.

Kata kunci: *Makan Bergizi Gratis, Filsafat Hukum, Legitimasi Hukum, Pancasila*

1. INTRODUCTION

Meeting the basic needs of citizens is a fundamental responsibility of the state in promoting public welfare. The state is responsible not only for maintaining public order and security but also for creating conditions that enable every citizen to live a dignified and decent life. Accordingly, public policies concerning food, health, education, and nutrition should not be regarded merely as administrative instruments of government; rather, they constitute concrete manifestations of the state's responsibility to protect and fulfill the fundamental rights of its citizens. Such policies must therefore satisfy the principles of legality, justice, social utility, and respect for human dignity.¹

The Free Nutritious Meal (MBG) Program is a strategic state policy officially launched on January 6, 2025, through the National Nutrition Agency and implemented gradually through Nutrition Fulfillment Service Units (SPPG). The program seeks to improve the nutritional status of its target beneficiaries—including students, toddlers, pregnant women, and breastfeeding mothers—while supporting human resource development in pursuit of the Golden Indonesia 2045 vision. The MBG Program operates at the intersection of social welfare policy, the fulfillment of the rights to food and health, human capital development, and public financial management.

The MBG Program cannot be assessed solely on the basis of the number of beneficiaries reached or the administrative effectiveness of its implementation. Its nationwide scale and the substantial public resources involved raise fundamental questions concerning the legality of state authority, the equitable distribution of benefits, food safety and nutritional adequacy, budgetary transparency, institutional accountability, public participation, and equality in service delivery. These issues must be examined within a broader normative framework grounded in humanitarian values, democratic principles, and social justice.²

Pancasila is particularly important in this context because Indonesian law is expected not only to satisfy formal requirements of legal validity but also to embody the values of humanity and social welfare. The principle of just and civilized humanity requires MBG beneficiaries to be treated as rights-bearing subjects whose dignity must be respected, while the principle of social justice requires the equitable distribution of benefits, particularly to vulnerable populations and communities in disadvantaged and remote regions. Moreover, the principle of popular sovereignty requires governance to be transparent, accountable, participatory, and subject to meaningful public oversight. The MBG Program should therefore be examined not merely as a government initiative

¹ Oman Sukmana, "Konsep Dan Desain Negara Kesejahteraan (Welfare State)," *Jurnal Sosial Politik* 2, no. 1 (2017): 103–22, <https://doi.org/10.22219/sospol.v2i1.4759>.

² Ach. Fadlail, "Demokrasi Pancasila: Landasan Nilai Dan Prinsipnya Dalam Membangun Sistem Dan Etika Politik Indonesia," *Jurnal Hukum, Politik Dan Ilmu Sosial* 3, no. 1 (2024): 403–13, <https://doi.org/10.55606/jhpis.v3i1.3995>.

but as a legal and public policy whose legitimacy depends on the interaction among legality, morality, social utility, justice, and public welfare.

A growing body of scholarship has examined the MBG Program from the perspectives of law, public policy, ethics, human development, and Pancasila values. Nevertheless, existing studies tend to emphasize particular dimensions of the program rather than developing an integrated legal-philosophical framework. For example, Mulyosudarmo et al. examined the free nutritious meal policy through a normative legal approach, comparing Indonesia's experience with that of the Netherlands and other developed countries. Their study emphasized the policy's alignment with the national legal framework, institutional preparedness, public support, and the need for regulatory reform.³ However, its comparative orientation did not specifically address the philosophical legitimacy of the MBG Program from the perspective of Pancasila legal philosophy.

Putri and Musfiqoh situated the MBG Program within John Rawls's theory of justice and *maqashid al-shariah*, or the objectives of Islamic law. They argued that the program should be understood as an instrument for fulfilling constitutional rights rather than merely as an act of charity, particularly in light of the state's obligation to protect vulnerable populations.⁴ Although their analysis strengthens the distributive justice dimension of the program, it does not integrate the broader traditions of Western legal philosophy with Pancasila legal philosophy.

Melisa, Hendra, and Razak examined the MBG Program in relation to Pancasila values, particularly social justice, humanity, gotong royong (mutual cooperation), and equitable access to education. Their study highlighted the program's potential contributions to students' learning concentration, school participation, and educational equity while identifying challenges related to sustainability, quality control, and cross-sectoral coordination.⁵ Although this approach is important for demonstrating the relationship between nutrition policy and Pancasila values, it does not develop Pancasila as a systematic legal-philosophical framework for assessing the legitimacy of state policy.

Research by Ariyanto and Saharuddin, drawing on Pierre Bourdieu's theoretical perspective, demonstrates that the MBG Program generates effects that extend beyond health interventions to include transformations in habitus, the formation of social capital, the distribution of economic capital, and the restructuring of power networks.

³ Suviana Suwoto Mulyosudarmo et al., "Free Nutritious School Meal Programs in Indonesia and the Netherlands: A Comparative Analysis of Legal Foundations and Constitutional Rights," *Constitutional Law Society* 4, no. 2 (2025): 233–54, <https://doi.org/10.36448/cls.v4i2.123>.

⁴ Rizki Amalia Putri and Siti Musfiqoh, "Free Nutritious Meals as a Constitutional Right: An Ethical and Maqashid Shariah Perspective in Indonesia," *Journal of Integrative Sustainability and Ethics* 1, no. 2 (2025): 156–65, <https://doi.org/10.15642/jibec.2025.1.2.159-168>.

⁵ Melisa Melisa et al., "A Pancasila and Educational Analysis of the Government's Free Nutritious Meal Program," *Diversity: Logic Journal Multidisciplinary* 3, no. 3 (2025): 121–29, <https://doi.org/10.61543/div.v3i3.157>.

This study broadens the understanding of the program's socio-economic consequences while identifying potential risks, including political patronage, the marginalization of certain business actors, disparities in service quality, and geographical barriers to program implementation.⁶

Meanwhile, Naisabur, Zulbaidah, and Hasana highlight the gap between *das sollen* (what ought to be) and *das sein* (what actually exists), particularly with respect to weaknesses in the regulatory hierarchy, accountability mechanisms, food safety standards, institutional coordination, and the equitable distribution of service quality. These studies collectively demonstrate that the MBG Program raises multidimensional legal, social, economic, and ethical issues.⁷ Nevertheless, there remains a significant research gap concerning an integrated philosophical examination of its legitimacy through the major traditions of Western legal philosophy—particularly natural law, legal positivism, and utilitarianism—in dialogue with Pancasila legal philosophy.

This study addresses that gap by examining the philosophical legitimacy of the MBG Program through an integrated framework combining Western legal philosophy and Pancasila legal philosophy. It specifically analyzes whether the program's objectives, legal foundations, and implementation are consistent with the principles of natural law, legal positivism, utilitarianism, and Pancasila as the philosophical foundation of the Indonesian legal system. Through this approach, the study seeks to move beyond an assessment of administrative effectiveness and normative legality toward a deeper examination of whether the MBG Program is substantively justified as a legitimate instrument of state policy.

Ramadhani and Astuti specifically examine issues of legal accountability, accurate beneficiary targeting, logistical distribution, food quality, data digitalization, Standard Operating Procedures (SOPs), and public oversight.⁸ Zaini further investigates the relationships among legal development, human rights, governance, and the fulfillment of the rights to food, health, and social welfare. The study proposes a governance model centered on regulatory harmonization, institutional strengthening, digital governance, collaborative oversight, performance-based auditing, and meaningful public participation.⁹

⁶ Komang Ariyanto and Saharuddin Saharuddin, "Analysis of The Free Nutritious Meals Program (MBG) From Pierre Bourdieu's Perspective: Policy Review and Capital Transformation," *Indonesian Journal of Innovation Multidisipliner Research* 4, no. 2 (2026): 1145–62, <https://doi.org/10.69693/ijim.v4i2.581>.

⁷ Nanang Naisabur et al., "The Free Nutritious Meals Program (MBG) Policy as an Instrument for Human Resource Development Between the Reality of Implementation and Legal Ideals," *Competentie: Journal International Sustainable Research* 3, no. 1 (2026): 20–26, <https://doi.org/10.65049/n3th0z85>.

⁸ Angraini Oktavia Ramadhani and Desi Alia Putri Astuti, "Free Nutritional Meal Program: Ensuring Rights Are Fulfilled and Obligations Are Implemented on Target," *Diplomasi: Jurnal Demokrasi, Pemerintahan Dan Pemberdayaan Masyarakat* 4, no. 1 (2026): 91–102, <https://doi.org/10.58355/dpl.v4i1.78>.

⁹ Naya Amin Zaini, "Legal Development and Human Rights in the Governance of Indonesia's Free Nutritious Meals Program: A Good Governance Perspective," *Journal of Legal Teory and Society* 1, no. 2 (2026): 149–64, <https://doi.org/10.26623/wdr3cr06>.

Abidin, Putra, and Veriandy examine the moral legitimacy of the MBG Program through the frameworks of deontology, natural law, teleology, and utilitarianism. Their analysis demonstrates that the program's legitimacy depends not only on the protection of fundamental rights but also on fairness in implementation, budgetary efficiency, and the realization of long-term social benefits.¹⁰ Jihad, A. Rellang, and Musafir further argue that the effectiveness of the MBG Program depends on transparency, stakeholder participation, food safety, engagement with local economies, and integration with educational objectives.¹¹ Meanwhile, Boyke emphasizes the dual character of the MBG Program: it functions as a social welfare intervention while potentially strengthening the government's political legitimacy, provided that its implementation is supported by adequate accountability mechanisms.¹²

Despite these contributions, a significant research gap remains concerning the absence of an integrated framework that connects Western legal philosophy with Pancasila legal philosophy in evaluating the MBG Program as a state policy. Previous studies have generally examined legality, justice, governance, or morality as separate analytical dimensions, thereby leaving insufficiently explored the relationship between these dimensions within the philosophical foundations of the Indonesian legal system. The originality of this study lies in its two-tiered philosophical framework. First, Western legal philosophy is employed as a complementary analytical perspective for examining the dimensions of legality, morality, fundamental rights, state authority, and social utility. Second, Pancasila legal philosophy serves as the primary normative framework for assessing whether the orientation and implementation of the MBG Program are consistent with the values of humanity, democracy, unity, social justice, and the state's commitment to public welfare.

Against this background, this study aims to analyze the Free Nutritious Meal (MBG) Program through an integrated framework combining Western legal philosophy and Pancasila legal philosophy. Specifically, the study pursues two objectives: (1) to examine the MBG Program from the perspectives of natural law, legal positivism, and utilitarianism, with particular attention to the relationship among legality, morality, fundamental rights, state authority, social utility, and the allocation of public resources; and (2) to examine the MBG Program from the perspective of Pancasila legal philosophy by assessing the extent to which its policy orientation and implementation

¹⁰ Alie Zainal Abidin et al., "Moral Legitimacy of Indonesia's Free Nutritious Meal Program through Pluralistic Ethical Perspectives," *Journal of Transformative Governance and Social Justice* 4, no. 2 (2026): 140–55, <https://doi.org/10.26905/j-tragos.v4i2.17034>.

¹¹ Suryani Jihad et al., "Beyond Food Provision: A Critical Policy Analysis of Indonesia's Free Nutritious Meal Program," *Jurnal Sosial Politik Humaniora* 3, no. 1 (2026): 1–8, <https://doi.org/10.59966/jsph.v3i1.2593>.

¹² Muhammad Syahghozy Boyke, "Free Nutritious Meals, Political Legitimacy, and Capability Expansion in Indonesia," *Seikat: Jurnal Ilmu Sosial, Politik Dan Hukum* 5, no. 3 (2026): 417–30, <https://doi.org/10.55681/seikat.v5i3.2338>.

embody the values of the Divine, just and civilized humanity, national unity, democracy, and social justice.

2. RESEARCH METHODOLOGY

This study employs a normative legal research methodology with a philosophical orientation to examine the Free Nutritious Meal (MBG) Program through the perspectives of Western legal philosophy and Pancasila legal philosophy. Rather than measuring the program's empirical effectiveness, the study focuses on legal norms, principles, doctrines, and philosophical concepts to assess its legality, moral legitimacy, justice, social utility, legal certainty, and contribution to social welfare.

The study adopts three complementary approaches: philosophical, statutory, and conceptual. The philosophical approach is employed to examine the moral foundations and normative legitimacy of the MBG Program. The statutory approach analyzes its constitutional and regulatory foundations, while the conceptual approach examines relevant concepts, including the welfare state, fundamental rights, distributive justice, natural law, legal positivism, utilitarianism, and Pancasila legal philosophy.

Legal materials, consisting of primary, secondary, and tertiary sources, were collected through a systematic literature review. Primary legal materials include relevant constitutional provisions and legislation governing the MBG Program and related matters. Secondary materials comprise scholarly books, journal articles, legal doctrines, and academic studies, while tertiary materials include legal dictionaries and other reference sources used to clarify relevant concepts and terminology.

The collected materials were analyzed using qualitative normative and interpretive methods through deductive reasoning. The natural law perspective was employed to examine the program's moral foundations, protection of human dignity, and fulfillment of fundamental rights; legal positivism was used to assess legality, normative validity, and legal certainty; and utilitarianism was applied to evaluate social utility, the distribution of benefits, and the broader consequences of the program. In addition, Pancasila legal philosophy was employed as a normative framework for assessing the program in relation to humanity, national unity, democracy, accountability, equity, and social justice.

The findings derived from these analytical perspectives were subsequently compared to identify areas of convergence and divergence among the respective philosophical frameworks. The validity and consistency of the analysis were strengthened through normative source triangulation, involving the systematic comparison of legal provisions, scholarly literature, legal doctrines, and philosophical arguments. The analysis also incorporated systematic, conceptual, and philosophical interpretation to ensure coherence between the legal norms examined and the normative principles underlying the study. The study evaluates the legitimacy of the

MBG Program according to three principal parameters: legality, moral legitimacy, and social justice. These parameters provide an integrated framework for determining whether the program is not only legally valid but also morally justified and consistent with the broader objectives of social welfare and the values embodied in Pancasila.

3. RESEARCH RESULT AND DISCUSSION

3.1. The Free Nutritious Meal (MBG) Program from the Perspective of Western Legal Philosophy

The legitimacy of the Free Nutritious Meal (MBG) Program cannot be established solely by reference to its positive legal foundations. Rather, its legitimacy emerges from a multidimensional relationship among legal validity, moral justification, the protection of fundamental rights, social utility, and the state's commitment to public welfare. A policy may be formally valid under positive law, yet its broader philosophical legitimacy depends on the extent to which its implementation substantively advances the underlying purposes and values of law.

The MBG Program possesses a strong moral foundation. Within the natural law tradition, the significance of law derives not merely from its enactment by a competent authority but also from its orientation toward human flourishing and the common good.¹³ Aristotle identified the pursuit of the “good life” as a central purpose of communal existence,¹⁴ while Thomas Aquinas conceptualized law as a rational ordering directed toward the common good.¹⁵ Access to adequate food and nutrition constitutes a fundamental condition for human survival, physical and cognitive development, and meaningful participation in social life. Accordingly, state intervention through the MBG Program can be morally justified insofar as it addresses fundamental human needs rather than merely advancing administrative or governmental interests.

The right to food and adequate nutrition should not be understood merely as an object of government assistance but as a substantive prerequisite for living a life consistent with human dignity. The Kantian perspective reinforces this proposition through the principle that human beings must always be treated as ends in themselves rather than merely as means to institutional or governmental objectives. Accordingly, MBG beneficiaries should not be reduced to statistical units used to satisfy administrative performance targets. The quality of food, nutritional adequacy, food safety, accurate beneficiary targeting, and nondiscriminatory treatment constitute

¹³ D. A. Jones, “Christian Ethics, Roman Catholic,” in *Encyclopedia of Applied Ethics* (Elsevier, 2012), <https://doi.org/10.1016/B978-0-12-373932-2.00192-7>.

¹⁴ Donald Morrison, “The Common Good,” in *The Cambridge Companion to Aristotle's Politics*, 1st ed., ed. Marguerite Deslauriers and Pierre Destrée (Published in the United States of America by Cambridge University Press, New York, 2013), <https://doi.org/10.1017/CCO9780511791581.008>.

¹⁵ Simon Francis Gaine, “Eternal Law in the Thought of Thomas Aquinas,” *International Journal for the Study of the Christian Church* 24, no. 1 (2024): 115–25, <https://doi.org/10.1080/1474225X.2024.2327756>.

integral components of the state's moral obligation to respect the dignity of those whom the policy is intended to serve. The success of the MBG Program should therefore be assessed not only by its beneficiary coverage but also by the quality and substance of the protection it provides to the individuals who are the subjects of the policy.

An Aristotelian conception of justice further suggests that the MBG Program can be understood as an instrument of distributive justice.¹⁶ Justice does not necessarily require that everyone receive identical benefits; rather, it requires that benefits and burdens be distributed in accordance with relevant differences in needs and circumstances. This distinction is particularly important because the nutritional requirements of children, toddlers, pregnant women, and breastfeeding mothers differ substantially from those of other population groups. By allocating public resources to address the specific nutritional needs of these groups, the state engages in a form of proportional redistribution. The provision of free nutritious meals is therefore normatively justified when resources are genuinely directed toward groups with greater or more specific needs rather than distributed solely according to administrative convenience or uniformity.

This argument is closely aligned with John Rawls's theory of justice, particularly the principles of "justice as fairness" and the difference principle. Under Rawls's framework, social institutions are justified when their arrangements give particular consideration to those who are least advantaged.¹⁷ Policies designed to address nutritional needs can reduce the extent to which household economic circumstances determine a child's access to adequate nutrition. Adequate nutrition has far-reaching implications for health, cognitive development, learning capacity, school attendance, and the development of human capabilities. Consequently, the redistribution of public resources through the MBG Program should not be viewed merely as the provision of food or consumption assistance; it may also function as a mechanism for promoting equality of opportunity.

The MBG Program has significance beyond its immediate nutritional objectives. By providing nutritional support to vulnerable groups, the state potentially reduces structural inequalities that originate in differences in household income and access to essential resources. The program can therefore be interpreted as an institutional mechanism through which the state seeks to translate substantive equality into concrete public policy. This interpretation is consistent with Putri and Musfiqoh, who conceptualize the MBG Program primarily as an instrument for fulfilling constitutional rights rather than as an act of charity, particularly in relation to vulnerable populations.¹⁸

¹⁶ Izhak Englund, *Corrective and Distributive Justice: From Aristotle to Modern Times* (Oxford University Press New York, NY, 2009), <https://doi.org/10.1093/oso/9780195380071.001.0001>.

¹⁷ John Rawls, *Justice as Fairness: A Restatement* (Harvard University Press, 2001).

¹⁸ Putri and Musfiqoh, "Free Nutritious Meals as a Constitutional Right: An Ethical and Maqashid Shariah Perspective in Indonesia."

Amartya Sen's capability approach further deepens this analysis by shifting attention from the distribution of resources to the substantive freedoms that individuals have to achieve lives they have reason to value.¹⁹ Well-being cannot be adequately assessed solely in terms of the resources or goods individuals receive; rather, it should be evaluated in terms of their actual capabilities to pursue valued ways of living. From this perspective, nutritious meals constitute an enabling condition for the development of human capabilities, particularly the ability to learn, work, participate in social life, and realize one's potential. The MBG Program therefore has a potentially transformative dimension because sustained nutritional interventions can contribute to the long-term development of human capabilities. This interpretation is consistent with Jihad et al., who find that the MBG Program has the potential to improve children's readiness to learn and contribute to human capital development,²⁰ although these outcomes remain contingent upon service quality, food safety, and effective integration with educational objectives.

However, moral justification cannot substitute for the requirement of legal validity. The government's authority to allocate and administer public resources must be grounded in a clear legal basis, supported by an appropriate institutional structure, defined implementation procedures, effective oversight mechanisms, and enforceable accountability arrangements. Hans Kelsen's theory situates the validity of legal norms within the hierarchical structure of the legal system.²¹ Accordingly, the legal authority underlying the MBG Program, including its financing and implementation, must be traceable to higher-order legal norms and remain consistent with the regulations governing its implementation.

The jurisprudential perspective associated with Hart further demonstrates that the complexity of the MBG Program requires an institutional framework consisting of rules that govern not only substantive conduct but also the allocation of authority, modification of rules, supervision, and accountability.²² This consideration is particularly important because the program involves multiple actors, including the National Nutrition Agency, local governments, educational institutions, Nutrition Fulfillment Service Units (SPPGs), food suppliers, private-sector entities, operational personnel, and members of the public. Without a clear allocation of responsibilities and authority, the program is vulnerable to overlapping mandates, institutional inefficiencies, and accountability gaps. These concerns are consistent with Naisabur et al. (2026), who identify weaknesses in regulatory hierarchy, accountability mechanisms, food safety

¹⁹ Wiebke Kuklys, ed., *Amartya Sen's Capability Approach: Theoretical Insights and Empirical Applications*, Studies in Choice and Welfare (Springer-Verlag Berlin Heidelberg, 2005), <https://doi.org/10.1007/3-540-28083-9>.

²⁰ Jihad et al., "Beyond Food Provision: A Critical Policy Analysis of Indonesia's Free Nutritious Meal Program."

²¹ Hans Kelsen, *Pure Theory of Law* (University of California Press, 1967).

²² Herbert Lionel Adolphus Hart and Leslie Green, *The Concept of Law*, 3rd ed., Clarendon Law Series (Oxford university press, 2012).

standards, and interagency coordination as significant challenges to the program's implementation.²³

Furthermore, Fuller's concept of the "inner morality of law" demonstrates that formal legality must be supported by the substantive and operational quality of legal rules.²⁴ Regulations governing the MBG Program should be clear, comprehensible, consistent, transparent, stable, and capable of effective implementation. These requirements necessitate clearly defined standards governing nutritional composition, food safety, procurement, distribution, reporting, monitoring, supervision, and evaluation. The mere existence of regulations is therefore insufficient. Legal rules must provide practical and consistently applicable standards that can guide all actors involved in program implementation. This argument reinforces Zaini's findings that regulatory fragmentation, institutional coordination, food safety oversight, transparency, and accountability constitute critical determinants of effective MBG governance.²⁵

The legitimacy of public policy depends substantially on its consequences and the social benefits it produces. Bentham established the foundational principle of utilitarianism through the pursuit of "the greatest happiness of the greatest number,"²⁶ while Mill subsequently developed the theory by distinguishing among different qualities of human well-being.²⁷ Applied to the MBG Program, a utilitarian assessment requires determining whether the allocation of public resources generates aggregate social benefits that outweigh the economic, administrative, and social costs associated with the program. These benefits extend beyond the immediate provision of food and may include improved health, enhanced readiness to learn, increased productivity, strengthened human capital, and greater economic activity within local communities.

Utilitarian analysis also establishes important conditions for the program's legitimacy. The magnitude of potential social benefits does not, by itself, justify every method of implementation. Public expenditures must be evaluated in terms of the relationship among inputs, implementation processes, outputs, and outcomes. Budgetary waste, inaccurate beneficiary targeting, unsafe or nutritionally inadequate food, unequal distribution, and inefficient procurement mechanisms can substantially reduce the program's aggregate social benefits. Utilitarianism therefore serves a dual function: it provides a normative justification for the MBG Program while simultaneously establishing a framework for assessing its efficiency, consequences, and overall social value.

²³ Naisabur et al., "The Free Nutritious Meals Program (MBG) Policy as an Instrument for Human Resource Development Between the Reality of Implementation and Legal Ideals."

²⁴ Lon L. Fuller, *The Morality of Law*, 15th ed., A Yale Paperbound 152 (Yale Univ. Press, 1978).

²⁵ Zaini, "Legal Development and Human Rights in the Governance of Indonesia's Free Nutritious Meals Program: A Good Governance Perspective."

²⁶ Jeremy Bentham, *Utilitarianism* (Progressive Publishing Company, 1890).

²⁷ Antis Loizides, "John Stuart Mill: Individuality, Dignity, and Respect for Persons," in *The Roots of Respect*, ed. Giovanni Giorgini and Elena Irrera (De Gruyter, 2017), <https://doi.org/10.1515/9783110526288-010>.

Ariyanto and Saharuddin demonstrate that the MBG Program may generate broader economic benefits through increased incomes for local producers, employment creation, and the development of regionally based supply chains.²⁸ However, these potential benefits are accompanied by significant challenges, including disparities in service quality, geographical barriers, the marginalization of certain business actors, and the potential for political patronage. Social utility must therefore be evaluated comprehensively rather than solely in terms of aggregate benefits. A program may generate substantial overall benefits while simultaneously producing significant distributive concerns if those benefits are concentrated disproportionately among particular regions, institutions, or population groups.

Taken together, the perspectives of natural law, legal positivism, and utilitarianism reveal that the legitimacy of the MBG Program is multidimensional. Natural law provides the moral foundation by emphasizing human dignity, fundamental needs, and the common good; legal positivism establishes the requirements of legal validity, institutional authority, and legal certainty; and utilitarianism evaluates the program in terms of its aggregate social consequences, efficiency, and public value. None of these perspectives is sufficient in isolation. The philosophical legitimacy of the MBG Program depends on the extent to which its implementation simultaneously satisfies these dimensions and translates them into a coherent framework of public welfare.

The analysis demonstrates that each school of Western legal philosophy offers distinct insights while also exhibiting particular limitations. Natural law addresses why the state has a moral obligation to meet the nutritional needs of its citizens; legal positivism explains how such obligations acquire legal legitimacy and are implemented through the legal system; and utilitarianism assesses the extent to which the allocation of public resources generates optimal social benefits. These perspectives are not mutually exclusive. Rather, they constitute a complementary chain of normative reasoning: morality provides the substantive direction of state action, positive law establishes legal legitimacy and certainty, and utility provides a basis for evaluating the consequences of public policy.

The MBG Program therefore cannot be adequately assessed through an exclusively administrative lens. Ariyanto and Saharuddin, for example, demonstrate that the accuracy of beneficiary data, logistical complexity, food quality, and oversight mechanisms can directly affect the effective fulfillment of citizens' rights.²⁹ Similarly, Boyke identifies a potential tension between the program's developmental benefits and the possibility that it may be used as an instrument for strengthening political

²⁸ Ariyanto and Saharuddin, "Analysis Of The Free Nutritious Meals Program (MBG) From Pierre Bourdieu's Perspective."

²⁹ Ariyanto and Saharuddin, "Analysis Of The Free Nutritious Meals Program (MBG) From Pierre Bourdieu's Perspective."

legitimacy.³⁰ These considerations indicate that the legitimacy of the MBG Program must be constructed through a careful balance between the exercise of state authority and appropriate constraints on governmental power, between aggregate social benefits and distributive justice, and between policy objectives and the protection of individual rights.

The legitimacy of the MBG Program consequently emerges from the interaction of legality, morality, and social utility. Legality without morality risks producing policies that are formally valid but substantively unjust; morality without legality may undermine the principle of the rule of law; and utility without justice may justify sacrificing the interests of particular groups for the sake of aggregate benefits. These three dimensions must therefore be considered simultaneously when determining whether the MBG Program constitutes a genuinely legitimate public policy.

This integrated framework provides the analytical foundation for examining the MBG Program through the lens of Pancasila legal philosophy. Unlike the Western philosophical traditions discussed above, Pancasila provides a specifically Indonesian normative framework that seeks to integrate legality, humanity, democracy, national unity, and social justice into the formulation and implementation of state policy. Accordingly, the ultimate legitimacy of the MBG Program must be assessed not only in terms of whether it is legally authorized, morally defensible, and socially beneficial, but also in terms of whether its orientation and implementation reflect the fundamental values of Pancasila as the philosophical foundation of the Indonesian legal order.

3.2. The Free Nutritious Meal (MBG) Program from the Perspective of Pancasila Legal Philosophy

The MBG Program demonstrates substantial normative alignment with the *Rechtsidee* (legal ideal) of Pancasila, particularly because its fundamental objectives involve fulfilling basic human needs, improving human capabilities, and promoting the equitable distribution of social welfare. Nevertheless, such alignment cannot be presumed. The implementation of the MBG Program must be continuously evaluated in light of the integrity of public officials and program administrators, respect for human dignity, interregional equity, meaningful public participation, transparency, food safety, and the fair distribution of program benefits.

The first principle of Pancasila, Belief in the One and Only God (*Ketuhanan Yang Maha Esa*), introduces a fundamental moral and ethical dimension into the governance of the MBG Program. Within Pancasila legal philosophy, law and state power are not value-neutral instruments; rather, they must be oriented toward the creation of a social order grounded in morality, integrity, and human dignity. Because the MBG Program

³⁰ Boyke, "Free Nutritious Meals, Political Legitimacy, and Capability Expansion in Indonesia."

involves substantial public resources and addresses the basic nutritional needs of citizens, its administration requires a high degree of ethical integrity. The fulfillment of nutritional needs cannot be separated from the state's responsibility to prevent abuse of authority, conflicts of interest, corruption, manipulation of beneficiary data, and procurement practices that favor particular vested interests.

The first principle should therefore not be understood primarily as a matter of religious symbolism or ritual observance but as an ethical constraint on the exercise of public authority. Although the state possesses legitimate authority to intervene in the fulfillment of citizens' nutritional needs, that authority must be exercised honestly, responsibly, transparently, and in the genuine interests of beneficiaries. This interpretation extends the arguments of Septiningsih et al., who position Pancasila values as a moral orientation for the formulation and implementation of law.³¹ Moral integrity constitutes a necessary condition for ensuring that legal legitimacy does not deteriorate into merely formal or procedural validity.

The second principle, Just and Civilized Humanity (*Kemanusiaan yang Adil dan Beradab*), provides the most direct normative foundation for the substantive orientation of the MBG Program. At its core, the program establishes the fulfillment of basic nutritional needs as an objective of state policy. MBG beneficiaries must therefore be treated as rights-bearing subjects rather than merely as recipients of government assistance or statistical units used to measure program performance. Accordingly, food quality and safety, nutritional adequacy, hygiene, accurate beneficiary targeting, nondiscriminatory treatment, and recognition of the specific needs of different beneficiary groups are integral components of the program's commitment to human dignity.

An increase in the number of beneficiaries cannot, by itself, demonstrate compliance with the second principle if the food provided fails to satisfy appropriate safety and nutritional standards. From a Pancasila legal-philosophical perspective, the quantity of service provision cannot substitute for the quality of respect accorded to human dignity. This argument is consistent with Ramadhani and Astuti, who identify beneficiary data accuracy, logistical distribution, and food quality as critical factors affecting the fulfillment of beneficiaries' rights.³² Such shortcomings should not be viewed merely as administrative deficiencies; they also constitute substantive humanitarian and legal concerns because they directly affect the state's ability to protect the dignity and rights of those whom the program is intended to serve.

This humanitarian dimension can be further illuminated through comparison with Japan's School Lunch Program (*Kyūshoku*). Japanese practice demonstrates that school

³¹ Ismawati Septiningsih et al., "Rivalisasi Antara Hukum Dengan Politik Dalam Pembentukan Peraturan Perundang Undangan Di Indonesia," *Integralistik* 35, no. 2 (2024): 79–80, <https://doi.org/10.15294/wm0d2v49>.

³² Ramadhani and Astuti, "Free Nutritional Meal Program: Ensuring Rights Are Fulfilled and Obligations Are Implemented on Target."

meals can function not only as a mechanism for providing nutrition but also as an instrument of health education, the development of healthy eating habits, discipline, and social responsibility.³³ This experience offers an important lesson for the MBG Program: it has the potential to evolve beyond a food-distribution mechanism into a broader human-development policy that integrates nutrition, education, character formation, and social responsibility. Nevertheless, the Japanese model should not be adopted mechanically. Its relevant principles must be adapted to Indonesia's distinctive social, cultural, institutional, and geographical conditions and, most importantly, to the normative values of the Indonesian legal system.

As a national policy, the MBG Program should not generate substantial disparities in access to or standards of welfare based on geographic location, socioeconomic status, or regional infrastructure. This consideration is particularly important because Indonesia is an archipelagic country characterized by considerable disparities in infrastructure, transportation, and public-service capacity. The MBG Program should therefore contribute to strengthening national solidarity by ensuring equitable access to essential nutritional services across regions. This orientation reflects the third principle of Pancasila, the Unity of Indonesia (Persatuan Indonesia).

The principle of unity does not require the complete standardization of every aspect of program implementation. Rather, unity should be understood as a shared national objective that permits context-sensitive implementation. Menus, distribution mechanisms, food sources, procurement arrangements, and service models may be adapted to local circumstances, provided that they continue to satisfy nationally established standards of nutritional adequacy, food safety, and service quality. This approach is particularly important for disadvantaged, frontier, and outermost regions, where the rigid application of uniform standards without consideration of local conditions may inadvertently produce rather than reduce inequality.

Accordingly, unity within the MBG Program should be pursued through national integration that recognizes and accommodates regional diversity. The substantive objective should remain nationally consistent—ensuring that every eligible citizen has access to safe and nutritious food—while the institutional and operational mechanisms for achieving that objective may legitimately vary according to local geographic, cultural, economic, and infrastructural conditions. Such an approach allows the principle of national unity to operate not as a demand for uniformity but as a constitutional commitment to equitable inclusion within Indonesia's diverse territorial and social context.

A comparison with Brazil provides an additional perspective on the potential development of the MBG Program. Brazil's Programa Nacional de Alimentação Escolar

³³ Nathan Hopson, "Cooperation, Responsibility, Discipline, Hygiene, and Nutrition: Transforming Japan's School Lunch Program in the 1960s," *Cogent Arts & Humanities* 12, no. 1 (2025): 2496457, <https://doi.org/10.1080/23311983.2025.2496457>.

(PNAE) demonstrates how school meal policies can integrate nutritional needs with education, public health, social development, and the participation of local food producers.³⁴ This experience illustrates how the MBG Program could develop into a broader policy ecosystem connecting schools, farmers, micro, small, and medium-sized enterprises (MSMEs), local governments, food-service providers, and communities. This interpretation is consistent with Ariyanto and Saharuddin, who demonstrate that the MBG Program has the potential to strengthen social capital and generate broader economic effects through the participation of local actors.³⁵

The fourth principle of Pancasila, Democracy Guided by the Inner Wisdom of Deliberations Among Representatives (*Kerakyatan yang Dipimpin oleh Hikmat Kebijaksanaan dalam Permusyawaratan/Perwakilan*), requires a shift from exclusively government-driven policymaking toward a more participatory and accountable model of governance. Because the MBG Program relies on public funds and provides essential public services, citizens have a legitimate interest in understanding how the policy is formulated, how public funds are allocated and spent, how beneficiaries are identified, and how service quality is monitored and evaluated.

Participation, however, cannot be reduced to formal consultation procedures. It must provide meaningful opportunities for parents, students, teachers, local governments, health professionals, local businesses, civil society organizations, and beneficiaries to contribute information, express concerns, provide criticism, and submit complaints. The fourth principle therefore establishes a substantive connection between democratic participation and public-policy accountability. This interpretation reinforces the findings of Jihad et al., who identify limited transparency and stakeholder participation as important challenges in the implementation of the MBG Program.³⁶

Effective oversight mechanisms must likewise be clearly defined and operationalized. Although governmental supervision is essential for ensuring administrative and regulatory compliance, public oversight is equally important because it enables the actual experiences and concerns of beneficiaries to be incorporated into program monitoring and evaluation. Budgetary transparency, access to public information, accessible complaint mechanisms, independent auditing, and performance reporting should therefore be understood not merely as managerial instruments but as concrete institutional expressions of the fourth principle of Pancasila in the governance of social welfare policies.

The fifth principle, Social Justice for All the People of Indonesia (*Keadilan Sosial bagi Seluruh Rakyat Indonesia*), constitutes the ultimate normative orientation of the

³⁴ Darlan Christiano Kroth et al., "Programa Nacional De Alimentação Escolar: Uma Política Pública Saudável," *Ciência & Saúde Coletiva* 25, no. 10 (2020): 4065–76, <https://doi.org/10.1590/1413-812320202510.31762018>.

³⁵ Ariyanto and Saharuddin, "Analysis Of The Free Nutritious Meals Program (MBG) From Pierre Bourdieu's Perspective."

³⁶ Jihad et al., "Beyond Food Provision: A Critical Policy Analysis of Indonesia's Free Nutritious Meal Program."

MBG Program and a principal benchmark for evaluating its success. Social justice does not mean providing identical benefits to every individual regardless of circumstances. Rather, it requires proportional attention to groups with greater needs and to populations facing structural or geographical barriers to adequate nutrition.

Accordingly, the equitable implementation of the MBG Program must be assessed across multiple dimensions simultaneously, including geographic equity, accessibility for vulnerable populations, service quality, nutritional adequacy, food safety, and equality of opportunity. A program may reach a large number of beneficiaries while still failing to fully realize social justice if communities in remote or disadvantaged areas remain underserved. Similarly, substantial differences in the quality or nutritional standards of meals across regions may generate inequities in the actual benefits received by citizens. These concerns are consistent with Naisabur et al. and Zaini, who highlight disparities in service quality, institutional fragmentation, and the need for stronger governance mechanisms.³⁷

Comparative experiences further demonstrate the potential of school meal programs to function as broader instruments of social protection and human development. The National School Lunch Program (NSLP) in the United States, for example, illustrates how school meal provision can support social protection and child health.³⁸ Brazil's PNAE demonstrates the potential relationship between school meals and the empowerment of local producers, while Japan's *Kyūshoku* model highlights the integration of food provision with education and the cultivation of healthy eating habits. Nevertheless, the MBG Program possesses a distinctive legal and normative character because its legitimacy must ultimately be interpreted within the framework of Pancasila. International experiences can provide valuable lessons for policy learning and institutional design, but they cannot constitute the primary source of the program's legitimacy. Ultimately, the legitimacy of the MBG Program must derive from the Constitution, national legislation, and the *Rechtsidee* (legal ideal) embodied in Pancasila.

The five principles of Pancasila therefore constitute an integrated normative unity for evaluating the MBG Program. The first principle provides the ethical foundation for the exercise of state authority; the second places human dignity at the center of public service delivery; the third promotes national integration and solidarity; the fourth requires meaningful participation, deliberation, transparency, and accountability; and the fifth establishes the ultimate objective of equitable welfare and social justice. These principles should not be treated as five independent or isolated evaluative criteria. Rather, they form an interconnected normative value chain: state authority must be

³⁷ Naisabur et al., "The Free Nutritious Meals Program (MBG) Policy as an Instrument for Human Resource Development Between the Reality of Implementation and Legal Ideals"; Zaini, "Legal Development and Human Rights in the Governance of Indonesia's Free Nutritious Meals Program: A Good Governance Perspective."

³⁸ Gabriella M. McLoughlin and Juliana F. Cohen, "School Meals as a Strategy to Prevent Childhood Obesity and Advance Food Equity: A Narrative Review," *Current Obesity Reports* 15, no. 1 (2026): 18, <https://doi.org/10.1007/s13679-026-00697-5>.

exercised ethically, oriented toward human dignity, implemented in the spirit of national unity, constrained and legitimized through democratic participation, and ultimately directed toward the realization of social justice.

The legitimacy of the MBG Program under Pancasila cannot be established merely by demonstrating that meals are distributed to a large number of beneficiaries. Its deeper legitimacy depends on whether the entire policy cycle—from formulation and budgeting to procurement, distribution, monitoring, and evaluation—reflects the integrated values of Pancasila. The program is therefore normatively legitimate only when state power is exercised with integrity, beneficiaries are treated with dignity, implementation accommodates Indonesia's diversity, governance remains participatory and accountable, and the resulting benefits are distributed fairly across society.

This distinction also highlights a critical difference between normative legitimacy and implementation-based legitimacy. At the normative level, the MBG Program demonstrates strong alignment with the values of Pancasila because its objectives are directed toward fulfilling basic needs, promoting human development, and advancing social welfare. However, this philosophical alignment must be validated through the program's actual implementation. Persistent problems such as distributive inequality, inadequate food security, budgetary opacity, limited public participation, or abuse of authority may create a gap between the *das sollen* (the normative ideal) of Pancasila and the *das sein* (the empirical reality) of MBG implementation.

The MBG Program can therefore be understood as a concrete manifestation of a Pancasila-based rule-of-law state (*negara hukum*). Nevertheless, its legitimacy is conditional rather than absolute and must be continuously assessed against the quality, integrity, and substantive outcomes of its implementation. The MBG Program should not be understood merely as a mechanism for providing food but as a broader policy instrument that connects state responsibility with the fulfillment of fundamental rights, human development, democratic governance, and social justice.

Accordingly, evaluating the success of the MBG Program requires an assessment that extends beyond the number of beneficiaries served or the number of Nutrition Fulfillment Service Units (SPPGs) established. Evaluation should also consider the extent to which the program protects human dignity, strengthens national integration, facilitates meaningful public participation, ensures equitable service delivery, safeguards food security and safety, promotes transparency and accountability, and advances social justice. In this sense, the ultimate measure of the MBG Program's legitimacy lies not simply in its capacity to distribute nutritious meals, but in its ability to translate the normative ideals of Pancasila into equitable, accountable, and dignified public services.

4. CONCLUSION

The Free Nutritious Meal (MBG) Program possesses substantial philosophical legitimacy insofar as it is directed toward fulfilling basic human needs, protecting the rights to food and health, developing human capital, and advancing social welfare. From the perspective of natural law, the program derives moral justification from the protection of human life and human dignity. Legal positivism emphasizes the requirements of legality, legitimate authority, legal certainty, and institutional accountability, while utilitarianism evaluates the program in terms of its social utility and the rational and efficient allocation of public resources.

From the perspective of Pancasila legal philosophy, the MBG Program reflects the principle of Belief in the One and Only God through integrity and ethical governance; Just and Civilized Humanity through respect for the dignity and rights of beneficiaries; the Unity of Indonesia through equitable national access and coverage; Democracy Guided by the Inner Wisdom of Deliberations Among Representatives through meaningful participation, transparency, and public accountability; and Social Justice for All the People of Indonesia through the proportional and equitable distribution of program benefits. These dimensions demonstrate that the legitimacy of the MBG Program cannot be reduced to formal legality or administrative performance alone but must also be assessed in terms of its moral justification, social consequences, and consistency with the fundamental values of Pancasila.

The study contributes to the philosophical analysis of public policy and law by integrating Western legal-philosophical perspectives with Pancasila legal philosophy. This integrated framework demonstrates that the legitimacy of the MBG Program is multidimensional and conditional upon the interaction of legality, morality, utility, human dignity, democratic accountability, and social justice. Nevertheless, the study is limited by its normative focus and does not empirically examine the experiences, perceptions, or outcomes experienced by program beneficiaries and other stakeholders.

Accordingly, the implementation of the MBG Program should be strengthened through greater regulatory harmonization, robust food-safety standards, transparent and accountable budget management, participatory oversight mechanisms, and more equitable service delivery across regions. Future research should employ socio-legal and empirical approaches to investigate the relationship between the program's normative foundations and its implementation in practice, particularly by examining whether and to what extent the philosophical legitimacy established at the normative level is realized in the everyday experiences of beneficiaries. Such research is essential for identifying and addressing potential gaps between the *das sollen* (normative ideal) and the *das sein* (empirical reality) of the MBG Program.

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