

Legal Analysis of the Political Policy on the Free Nutritious Meal (MBG) Program of the Prabowo–Gibran Administration Lacking a Legal Framework

Oktoriusman Halawa

Universitas Kristen Indonesia, Indonesia

Email: oktohalawa.net@gmail.com

KEYWORDS	ABSTRACT
Free Nutritious Meal Program (MBG); Legak Certainty; Good Government.	<p>This legal research aims to examine the legal certainty of the implementation of the Free Nutritious Meal Program (MBG) by the Prabowo-Gibran government to achieve legal certainty and good governance. This study employs a normative juridical approach, using primary data derived from laws, regulations, and court decisions. The results indicate that the implementation of the MBG program by the Prabowo-Gibran government lacks a clear and definitive legal basis, which is not aligned with the objectives of the law and the principles of good governance. The conclusion of this study emphasizes that the implementation of the MBG program by the Prabowo-Gibran administration lacks a strong and well-defined legal framework, resulting in inconsistency with the objectives of the law and the principles of good governance. Therefore, it is recommended that the government promptly evaluate and strengthen the legal foundation of the MBG program, preferably through a Government Regulation or, ideally, through a Law, to ensure legal certainty and the realization of good governance.</p>

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INTRODUCTION

The Free Nutritious Meal (MBG) Program launched by the Prabowo-Gibran government on January 6, 2025, brings great hope for improving the quality of public nutrition (Adinda & Jamal, 2026; Mulyosudarmo et al., 2025; Thawley et al., 2024). This MBG program is the realization of Prabowo and Gibran's political promise during their campaign, which, upon election and assumption of governmental power, must be implemented (Nastain et al., 2025; Simandjuntak, 2023; Suhaeni et al., 2025). However, in its execution, the program still faces various challenges, particularly regarding immature planning and the absence of a strong legal foundation. Without clear regulations—such as Presidential Regulations or Presidential Instructions—the implementation of this program has the potential to encounter serious problems in terms of governance and transparency (Gusman, 2024; Halimatussadiyah et al., 2024; Mochtar & Afkar, 2022; Mutiarin et al., 2024).

According to the Regional Research and Information Center (PATTIRO), the MBG program, which allocates a budget of Rp71,000,000,000,000.00 (seventy-one trillion rupiah) for an estimated 19.47 (nineteen point forty-seven) million beneficiaries, requires a strong legal framework to ensure its effectiveness and sustainability. The absence of clear regulations may weaken governance and transparency in its implementation. Several problems may arise due to the absence of a clear legal foundation, including: (1) Weak governance: Without clear

regulations, the implementation of the MBG program may experience coordination problems among agencies and ministries; (2) Risk of corruption: The large budget allocated to the MBG program increases the risk of corruption if not accompanied by strict supervision; and (3) Legal uncertainty: The lack of a solid legal foundation may create uncertainty for stakeholders, including beneficiaries and program implementers (Carboni et al., 2025; Mkhwanazi, 2024; Zikargae et al., 2022).

Based on these conditions, it is evident that the implementation of the MBG program by the Prabowo-Gibran government has the potential to create legal uncertainty and undermine the principles of good governance (Agustini et al., 2025; Jamal & Adinda, 2026). Therefore, it is crucial to conduct legal research addressing the following questions: (1) How is the legal arrangement of the Free Nutritious Meal (MBG) program under the Prabowo-Gibran government? and (2) How can legal certainty and good governance be ensured in implementing the Prabowo-Gibran government's Free Nutritious Meal (MBG) program?

This research aims to analyze the legal framework governing the Free Nutritious Meal (MBG) program initiated by the Prabowo-Gibran administration and to examine how legal certainty and the principles of good governance can be realized in its implementation. Theoretically, this research is expected to contribute to the development of administrative law, particularly regarding the importance of a strong legal basis for government programs utilizing state budget funds. Practically, this research provides input and recommendations for the government to evaluate and strengthen the legal framework of the MBG program, increases public understanding of the importance of a clear legal foundation in government programs, and serves as a reference for future researchers studying similar issues related to legal certainty in flagship government programs.

METHOD

This research employs a normative juridical method with a legislative approach. The data used in this study consist of secondary data, including primary legal materials such as laws and regulations related to the Free Nutritious Meal (MBG) program, and secondary legal materials comprising books, journal articles, and expert opinions. The data collection technique is conducted through a literature study, which involves collecting, reviewing, and analyzing relevant legal documents and literature. Furthermore, the collected data are analyzed qualitatively using methods of legal interpretation and systematic interpretation to address the formulated legal issues. The results of the analysis are presented in a descriptive-analytical manner to provide a comprehensive understanding of the legal certainty and governance aspects of the MBG program.

RESULTS AND DISCUSSIONS

1. Arrangement of the Free Nutritious Meal Program (Mbg) of the Prabowo-Gibran Government

The Government of the Republic of Indonesia led by President Prabowo Subianto and Vice President Gibran Rakabuming ("Prabowo-Gibran") has a flagship work program called Free Nutritious Meals ("MGB"). This MBG program basically aims to meet the needs of the community from the nutrition fulfillment sector and reduce stunting rates in Indonesia.

The Government of the Republic of Indonesia continues to accelerate the implementation of the MBG program set by President Prabowo Subianto as a national priority program. As a

national priority program, Prabowo-Gibran has established the National Nutrition Agency ("BGN") through Presidential Regulation Number 83 of 2024 concerning the National Nutrition Agency ("PERPRES Number 83 of 2024"). The establishment of BGN aims to carry out the fulfillment of national nutrition in Indonesia. This is as stated in the provisions of Article 3, Article 4, and Article 5 of Presidential Decree Number 83 of 2024 which regulates the duties and functions of BGN, with the following details:

Article 3 of Presidential Decree Number 83 of 2024: The National Nutrition Agency has the task of carrying out the fulfillment of national nutrition.

Article 4 of Presidential Decree Number 83 of 2024: In carrying out the duties as referred to in Article 3, the National Nutrition Agency carries out the following functions:

- a. coordination, formulation, and determination of technical policies in the field of systems and governance, provision and distribution, promotion and cooperation, and monitoring and supervision of national nutrition fulfillment;
- b. coordination and implementation of technical policies in the field of systems and governance, provision and distribution, promotion and cooperation, as well as monitoring and supervision of national nutrition fulfillment;
- c. coordination of the implementation of duties, coaching, and providing administrative support to all organizational elements within the National Nutrition Agency;
- d. management of state property/wealth which is the responsibility of the National Nutrition Agency;
- e. implementation of substantive support to all organizational elements within the National Nutrition Agency;
- f. supervision of the implementation of duties within the National Nutrition Agency; and
- g. implementation of other functions given by the President.

Article 5 of Presidential Decree Number 83 of 2024:

- 1) The goal of fulfilling nutrition which is the duty and function of the National Nutrition Agency as referred to in Article 3 and Article 4, is given to:
 - a. students at the level of early childhood education, primary education, and secondary education in the general education environment, vocational education, religious education, special education, special service education, and pesantren education;
 - b. children under five years of age;
 - c. pregnant women; and
 - d. breastfeeding mothers.
- 2) The change in the target of nutritional fulfillment as referred to in paragraph (1) is determined by the President.

Based on the description of the provisions above, it can be seen that BGN has special authorities, duties, and functions related to the fulfillment of nutrition for students (students), children under five years old, pregnant women and lactating mothers.

Referring to the authority obtained from Presidential Regulation Number 83 of 2024, BGN then launched the Free Nutritious Meal Program (MBG) as part of efforts to improve the nutritional status of the community, especially children, pregnant women, and lactating mothers. This program aims to ensure optimal nutritional fulfillment, which is the foundation for the development of quality human resources in Indonesia, towards the vision of "Golden Indonesia 2045". Expert Staff for the Coordination of Maritime Resources Improvement of the

Coordinating Ministry for Human Development and Culture (Kemenko PMK) Budiono Subambang said that one of the important Quick Wins programs to realize the 4th Asta Cita is to provide nutritious and healthy food in schools and Islamic boarding schools as well as nutritional assistance for toddlers and pregnant women. The goals, objectives, strategies, benefits, and success indicators of the MBG program, according to Budiono Subambang are as follows:

a. Program Objectives

The MBG program has several main objectives, including:

- 1) Increased Nutritional Intake: Provide nutritious food to learners and other target groups to improve nutritional status.
- 2) Nutrition Education: Increasing knowledge about nutrition among students and the community.
- 3) Local Economic Support: Utilizing local food to support the welfare of farmers and micro, small, and medium enterprises (MSMEs).
- 4) Poverty Reduction: Reducing the economic burden of poor families in obtaining nutritious food.
- 5) Improving Educational Achievement: Increasing student participation and attendance in school, as well as reducing dropout rates.

b. Program Objectives

The program targets a variety of groups, including:

- 1) Students from early childhood education to secondary and vocational education.
- 2) Pregnant women, breastfeeding mothers, and children under five.
- 3) People in remote and underdeveloped areas.

c. Implementation Strategy

The program is designed to reach more than 83,000 villages and sub-districts throughout Indonesia. BGN collaborates with government agencies and third parties to build effective service units. There are three service unit management models that can be applied:

- 1) Self-managed model: Fully managed by BGN.
- 2) Cooperation with State Institutions: Managed together with other government agencies.
- 3) Cooperation with Third Parties: Involving private partners in management.

d. Economic and Social Benefits

Investments in this program are expected to provide significant economic returns and create new jobs, strengthen local food systems, and improve people's health and education.

e. Success Indicators

The success of the program is measured through several indicators, including:

- 1) Improving the nutritional status of students.
- 2) Behavioral changes towards a healthier diet.
- 3) Increase nutrition knowledge among program targets.

From the description of the goals, objectives, strategies, benefits, and success indicators of the MBG program above, it can be seen that basically the implementation of the MBG program has good goals and for the interests and needs of the community, and is in line with the goals of the formation of BGN as stipulated in Presidential Regulation Number 83 of 2024.

Furthermore, BGN through its authority and in the context of implementing the MGB program in Indonesia, BGN then issued several regulations and decisions, including:

- a. Regulation of the National Nutrition Agency Number 1 of 2024 concerning the Organization and Work Procedures of the National Nutrition Agency ("BGN Regulation Number 1 of 2024"), which basically regulates the structure and functions of the National Nutrition Agency in implementing national nutrition programs.
- b. Regulation of the National Nutrition Agency Number 2 of 2024 concerning the Organization and Work Procedures of the Nutrition Service Office ("BGN Regulation Number 2 of 2024"), which basically regulates the structure and function of the Nutrition Service Office in implementing the national nutrition program.
- c. Decree of the Head of the National Nutrition Agency Number 63 of 2025 concerning the Second Amendment to the Technical Guidelines for the Implementation of Government Assistance for the Free Nutritious Meal Program for the 2025 Fiscal Year ("Decree of the Head of BGN Number 63 of 2025"), which essentially regulates the technical implementation of the Free Nutritious Meal Program, including budget allocation, targets, and implementation mechanisms.

From the Decree of the Head of BGN Number 63 of 2025, it can be seen that the budget of the MBG program in the first phase in 2025 has a budget of Rp71,000,000,000,000.00 (seventy-one trillion Rupiah).

The budget for the first phase of the MBG program in 2025 is substantial, attracting widespread attention from various groups, including academics and practitioners from different fields, particularly law. This is because the regulation of the MBG program, which utilizes a significant portion of the State Revenue and Expenditure Budget (APBN), is governed only by the Decree of the Head of BGN Number 63 of 2025. As noted by Herlambang Wiratraman, a legal expert from Gadjah Mada University (UGM), the MBG program has the potential to undermine the fulfillment of other fundamental rights of citizens, such as education and health. According to Herlambang, the allocation of such a large amount of resources to the MBG program may diminish the fulfillment of citizens' basic needs and, in its implementation, could lead to the risk of abuse and misuse of authority by officials due to insufficient regulation.

Based on the above description, it can be seen that the regulation of the MBG program under the Prabowo-Gibran administration is specific and technical, relying solely on the Decree of the Head of BGN Number 63 of 2025. This regulation is inadequate and has the potential to create legal uncertainty in cases of abuse or misappropriation during the program's implementation stage. Considering the large budget allocated for the MBG program, adequate and comprehensive regulations with binding legal force are required to serve as a strong legal framework for implementing this national priority program of the government.

2. Realizing Legal Certainty and Good Government in the Implementation of the Prabowo-Gibran Government's Free Nutritious Meal (MBG) Program

The government as the holder of the mandate of the people as mandated by the Constitution must be well aware of its authority and obligations in running the government, including in carrying out work programs aimed at the welfare and prosperity of the people. As stated in the Prabowo-Gibran Asta-Cita which is a commitment and promise to the people, it is appropriate that every work program that is implemented must be based on and based on legal certainty and the principles of good government.

Legal certainty is a concrete form of legal rules in written form that contain general rules that serve as guidelines for everyone to behave in society. These regulations are a limitation

and reference for the community in taking action against other parties. The existence of such a rule and the implementation of such rules are a form of legal certainty. In the context of government in Indonesia, the implementation of work programs by the government must be based on clear and definite legal rules in order to realize legal and state order. The government as the mouthpiece of the law must be able to ensure that every policy taken and implemented must be in accordance with what is appropriate and does not contradict the law itself.

Furthermore, in running the government of a country, the principle of good government is needed. When referring to the provisions of Law Number 30 of 2014 concerning Government Administration ("Law Number 30 of 2014"), which basically regulates how the Government conducts the administration of Government properly and correctly. In the general principles of good governance, several steps have been set for government officials. The general principles of good governance according to Law Number 30 of 2014, include:

- a. The Principle of Legal Certainty, which is a principle in the state of law that prioritizes the basis of the provisions of laws and regulations, propriety, regularity and justice in every policy of government administration;
- b. The Principle of Usefulness, which is the benefits that must be considered in a balanced manner between:
 - 1) The interests of one individual with the interests of another;
 - 2) Individual interests with society;
 - 3) The interests of citizens and foreign communities;
 - 4) The interests of one community group and the interests of another community group;
 - 5) The interests of the government with the community;
 - 6) The interests of the present generation and the interests of future generations;
 - 7) The interests of humans with their ecosystems;
 - 8) The interests of men and women.
- c. The principle of impartiality, which is the principle that requires Agencies and/or Government Officials to determine and/or carry out Decisions and/or Actions by considering the interests of the parties as a whole and non-discriminatory;
- d. The principle of prudence, which means that a Decision and/or Action must be based on complete information and documents to support the legality of the determination and/or implementation of the Decision and/or Action so that the relevant Decision and/or Action is carefully prepared before the Decision and/or Action is determined and/or carried out;
- e. The principle of not abusing authority, which is the principle that requires every Agency and/or Government Official not to use its authority for personal or other interests and not in accordance with the purpose of granting such authority, not to exceed, not to abuse and/or not to confuse authority;
- f. The principle of openness, which is a principle that serves the public to gain access to and obtain true, honest and non-discriminatory information in the administration of government while still paying attention to the protection of personal rights, classes and state secrets;
- g. The principle of public interest, which is a principle that prioritizes the welfare and benefit of the public in an aspirational, accommodating, selective and non-discriminatory manner;
- h. The principle of good service, which is the principle of providing timely service, clear procedures and costs, in accordance with service standards and the provisions of laws and regulations.

The General Principles of Good Government (AUPB) are principles used as a reference for the use of authority for Government officials in issuing Decisions and/or Actions in the administration of government so that they can realize good government.

If it is related to the context of the implementation of the MBG program by the Prabowo–Gibran administration, it can be known that the regulation of the government's MBG program, which is only through the Decree of the Head of BGN Number 63 of 2025, is an action that is not in line with the AUPB and does not reflect the principle of reflecting good government.

In order to realize legal certainty and good government over the implementation of the MBG program by the Prabowo–Gibran government, the government should evaluate and rearrange the legal umbrella and/or legal basis for the implementation of the MBG program.

CONCLUSION

Based on the results of the discussion presented above, it can be concluded that the regulation of the MBG program under the Prabowo–Gibran government through the Decree of the Head of BGN Number 63 of 2025 is inadequate and very weak, with the potential to cause legal uncertainty and hinder effective law enforcement in the event of abuse or misuse during implementation. The implementation of the MBG program by the Prabowo–Gibran government is not in accordance with the AUPB and does not reflect the principles of good governance. It appears to serve merely as the fulfillment of political campaign promises, thereby leaving a negative impression on the Prabowo–Gibran administration. Therefore, to ensure legal certainty and the realization of good governance, it is recommended that the implementation of the MBG program by the Prabowo–Gibran government be immediately evaluated and reorganized under a stronger legal framework or foundation. The proper legal basis for implementing the MBG program should be established at least through a Government Regulation and, ideally, through a Law.

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