



Political Reorientation of Farmer-Based National Food Law in Realizing Food Sovereignty

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Abstract

Background. The main problem lies in the mismatch between legal norms that promise farmer protection and policy practices that are still oriented towards market stability and food security.

Aims. This study aims to analyze the political direction of national food law in relation to farmer partisanship and formulate a farmer-centric policy reorientation model to realize food sovereignty.

Methods. The research uses a juridical-socio-legal approach with a qualitative, descriptive-analytical method, drawing on literature on laws and regulations, academic literature, and empirical data on food policy dynamics.

Result. The results of the study show that the politics of national food law is still dominated by the supply-oriented, market-driven paradigm, so that farmers are not positioned as the main subjects in the food system. The current food security approach has limitations in addressing structural problems, such as unequal access to resources, weak price protection, and low farmer participation in the policy process. This condition has an impact on the fact that food sovereignty has not been realized substantially.

Conclusion. As a solution, this study offers a political reorientation of farmer-based food law that emphasizes strengthening farmers' position through regulatory reformulation, economic protection, and increased participation in policymaking.

Implementation. This approach is expected to shift the paradigm of food law from simply ensuring availability to a just, sustainable, and sovereign system. Thus, food law not only functions as a regulatory instrument but also as a means of empowering farmers in realizing national food welfare and independence.

Keywords: legal politics, food law, farmers, farmer-centric, food sovereignty



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INTRODUCTION

Food is not only related to human biological needs, but also concerns strategic dimensions in state life, including social, economic, and political stability. In the Indonesian context, food regulation is often framed as ensuring availability and supply stability, reflected in policies that focus on distribution and price control. This approach, while important, often

ignores the more fundamental structural dimension: farmers' position as the main producers in the national food system. As a result, food law tends to develop as a market-oriented administrative instrument, rather than as a means of just social transformation (FAO, 2011).

Normatively, Indonesia already has legal frameworks that regulate food and farmer protection, including Law Number 18 of 2012 concerning Food and Law Number 19 of 2013 concerning Farmer Protection and Empowerment. However, these regulations have not fully bridged farmers' interests in policy practice. The insynchronization between legal norms and implementation can be seen from the weak protection of agricultural product prices, limited access to production resources, and the dominance of import policies in maintaining food stability. This condition shows that the law has not functioned optimally as an instrument to promote farmers' welfare in a sustainable manner (Asshiddiqie, 2010).

The dominance of the food security paradigm in national legal politics has also strengthened a supply-oriented, pragmatic policy orientation. Food security places more emphasis on the adequacy of supply without adequately considering the structure of fair production and distribution. In practice, this approach opens space for market interventions that do not always favor farmers, and, in some cases, even weaken their position in the food value chain. This shows that food security has not fully addressed the issue of justice in the national food system (Clapp, 2016).

Alternatively, the concept of food sovereignty has developed that places farmers as the main subjects in the food system. This concept not only emphasizes the availability of food but also the community's right to determine a food production and distribution system that is in accordance with local conditions. Food sovereignty has a strong political dimension because it demands a change in power relations over the management of food resources, including the state's role in protecting and empowering farmers. Thus, this approach opens up space for a paradigm shift in food law towards a more participatory and equitable direction (Via Campesina, 2007).

From a legal-political perspective, the direction of legal policy cannot be separated from the values the state seeks to realize. The politics of food law that remains oriented towards market stability tends to prioritize economic efficiency over social justice. In fact, within the framework of a welfare state, the law should function as a tool to ensure an equitable distribution of welfare, including for farmers as a strategic group. Therefore, a political and legal reorientation is needed that can shift the focus of policy from just food availability to empowering farmers as the main actors in the national food system (Mahfud MD, 2011).

Departing from this description, this research aims to address several fundamental problems: how the current political direction of national food law relates to the partiality of farmers, why the existing approach has not been able to realize food sovereignty, and how to formulate a farmer-based food law political reorientation model. In line with that, this study aims to analyze the political construction of the applicable food law, identify weaknesses in the paradigm used, and formulate alternative approaches that are more equitable and oriented towards food sovereignty as the ultimate goal (Soekanto, 2014).

The current body of literature on national food law and policy predominantly emphasizes the food security paradigm, which focuses on ensuring food availability, affordability, and market stability. This approach has been widely adopted in many countries, including Indonesia, where food regulation is primarily oriented toward maintaining supply stability and controlling consumer prices. Although this paradigm has contributed to short-term food security, it has often overlooked farmers' structural position as the primary producers within the food system.

Normatively, Indonesia has established legal instruments designed to protect farmers, including the Food Law and the Farmer Protection and Empowerment Law. However, the effectiveness of these regulations remains limited due to inconsistencies between legal norms and policy implementation. The persistence of import-based stabilization policies, weak price-protection mechanisms, and limited farmer participation in policymaking indicates that food law has not fully served as an instrument of social justice and economic empowerment for farmers.

In response to these limitations, the concept of food sovereignty has emerged as an alternative framework that emphasizes farmers' rights to control food production systems and participate in decision-making processes. While this concept has been widely discussed in theoretical and policy discourse, its integration into national legal systems remains incomplete. Therefore, a comprehensive analysis of the political direction of food law is necessary to identify structural weaknesses and formulate a more equitable and farmer-centered policy framework.

Despite the growing recognition of food sovereignty as an alternative paradigm to food security, there remains a significant gap between normative legal commitments to farmer protection and the actual implementation of food policies. Existing studies have largely focused on food availability and market efficiency, while limited attention has been given to the structural imbalance in legal politics that places farmers in a subordinate position within the

food system. Furthermore, the absence of an integrated legal-political framework that combines socio-legal analysis, welfare state theory, and participatory governance mechanisms has hindered the realization of food sovereignty in practice. Therefore, a systematic reorientation of national food law that prioritizes farmers as central actors in the food system is urgently needed.

This study offers a novel contribution by developing a farmer-centric political reorientation model of national food law that integrates the principles of food sovereignty, welfare state theory, and socio-legal analysis. Unlike previous studies that focus primarily on food security outcomes, this research emphasizes the structural transformation of legal policy to strengthen farmers' participation, economic protection, and institutional empowerment. By positioning farmers as primary subjects within the national food system, this study provides a conceptual and practical framework for achieving sustainable food sovereignty and equitable agricultural development.

LITERATURE REVIEW

The study of legal politics essentially rests on the understanding that law is not born in a vacuum but is the result of the configuration of social, economic, and political forces that develop within a country. Legal politics is understood as the direction of state policy in the formation and implementation of laws to achieve set goals. Thus, it is not enough to analyze food law only by stopping at written norms, but also to trace the policy orientation behind it, including which interests are accommodated and who benefits from the law's construction (Mahfud MD, 2011).

In the context of a welfare state, law has a broader function than just maintaining order; it is also an instrument for distributing welfare fairly to all citizens. The welfare state theory places the state as the main actor responsible for ensuring the fulfillment of basic needs, including food, through policies that favor vulnerable groups such as farmers. Therefore, the existence of food laws should not only ensure the availability of food but also ensure that the production and distribution processes take place fairly and provide decent economic benefits to farmers (Esping-Andersen, 1990).

In line with that, the concept of food sovereignty developed as a criticism of the dominance of the food security paradigm, which was considered too market-oriented. Food sovereignty emphasizes the right of communities, especially farmers, to determine their own food systems, including in terms of production, distribution, and consumption. This concept

expands the meaning of food from a mere commodity to a human right related to cultural identity, environmental sustainability, and social justice. Thus, food sovereignty offers a more holistic perspective on the food system, while placing farmers as a central actor in the process (Patel, 2009).

In subsequent developments, farmer-centric approaches began to gain attention as an alternative framework in formulating food policies. This approach emphasizes the importance of placing farmers as primary subjects within legal and policy systems, rather than merely objects of protection. This includes strengthening access to production resources, ensuring fair price protection, and actively involving farmers in the policy-making process. Thus, the farmer-centric approach is not only normative but also operational, encouraging more equitable changes in the structure of the food system (Scoones, 2015).

From a socio-legal perspective, law is seen as a part of a social reality that interacts with various non-legal factors. This approach allows for a more comprehensive analysis of the effectiveness of food law, taking into account how legal norms are implemented in practice and how communities respond to them. In this context, the mismatch between legal norms and social reality is an important indicator of the extent to which the law can fulfill its function as a tool of social engineering. Therefore, the socio-legal approach is relevant for reviewing existing food law politics and formulating alternative policies that are more responsive to the needs of farmers (Cotterrell, 2012).

By integrating political and legal theory, the welfare state, food sovereignty, and socio-legal approaches, this study seeks to develop an analytical framework that fully explains the dynamics of national food law. This framework is not only used to identify weaknesses in existing systems but also to formulate a direction of reorientation that is more favorable to the farmer. In this case, law is no longer understood as a neutral instrument but as a tool consciously used to promote the realization of social justice and food sovereignty (Nonet & Selznick, 1978).

METHODS

This study uses a juridical-socio-legal approach to understand food law not only as a written norm, but also as a social practice that lives and develops in society. This approach was chosen because it bridges the analysis between normative aspects and empirical reality, especially in examining how the politics of food law operate and the extent to which it aligns with farmers as the main subject in the national food system.

The type of research used is qualitative with a descriptive-analytical character. The data used are mainly secondary, including laws and regulations, academic literature, previous research results, and policy documents relevant to food issues and farmer protection. To strengthen the analysis, this study also uses limited empirical data, such as the dynamics of import policies and fluctuations in the prices of agricultural products, as reflections of the political implementation of food law in the field.

Data collection is conducted through library research, while data analysis is conducted qualitatively using interpretive and analytical methods. The author examines the relationship among legal norms, relevant theories, and policy practices to identify gaps. The results of the analysis are then used as a basis for formulating a construction of a farmer-based food law political reorientation that is more contextual, applicable, and oriented towards the realization of food sovereignty.

RESULTS AND DISCUSSION

The Politics of National Food Law from the Perspective of Partiality for Farmers

The political direction of national food law basically still shows a strong orientation towards supply stability and price control at the consumer level. Policies taken by the state tend to focus on maintaining food availability in the short term, including through import mechanisms when there is an imbalance between production and demand. Within this framework, food law functions more as an administrative instrument to ensure smooth distribution and market stability, while the protection of farmers has not been a top priority. This condition indicates that policy orientation remains dominated by the macroeconomic approach rather than the producer welfare approach (Clapp, 2016).

Normatively, there are efforts to place farmers as subjects that must be protected through Law Number 19 of 2013 concerning the Protection and Empowerment of Farmers, which regulates price guarantees, access to financing, and protection against farming risks. However, in practice, the implementation of these regulations often does not run optimally, especially when dealing with other sectoral policies that emphasize market efficiency. As a result, there is a misalignment between the protection norms formulated and the reality of policies that can actually weaken farmers' position, for example, through import policies during the harvest season (Saragih, 2017).

On the other hand, Law Number 18 of 2012 concerning Food emphasizes food availability, affordability, and safety. Although conceptually this law recognizes the

importance of food independence, in its implementation, there is still a dominance of a supply-oriented approach to food security. This shows that Food law has not fully integrated farmers' interests as the main producers in the national food system, resulting in a policy bias that favors consumers over producers (Arifin, 2014).

From a legal political perspective, this condition indicates that there are policy choices that tend to place market stability as the country's top priority. The politics of food law have not been fully oriented towards creating distributive justice for farmers, but are more oriented towards maintaining price stability at the consumer level. In fact, within the framework of a welfare state, the law is supposed to serve as an instrument to protect vulnerable groups and ensure a more equitable distribution of economic benefits. When food law cannot carry out this function, it can be said that the law's political direction remains substantively in favor of farmers (Mahfud MD, 2011).

Furthermore, the partiality towards farmers can also be seen from the extent to which they are involved in the policy formulation process. In practice, farmers' participation in food policy formation is still relatively limited, so the resulting policies often do not reflect real needs on the ground. This strengthens farmers' position as policy objects, not as subjects who play a strategic role in determining the direction of the national food system. Thus, the current food law politics still need to be reoriented to accommodate farmers' interests in a fairer and more sustainable manner (Scoones, 2015).

Weaknesses of the Food Law Approach in Realizing Food Sovereignty

The food security paradigm that has been the foundation of national policy shows several limitations when confronted with a more substantive goal: food sovereignty. Food security is often understood in terms of food availability and accessibility, without considering the production structure and power relations within the food system. As a result, the resulting policies are more oriented towards meeting short-term needs through market mechanisms, including imports, which has the potential to weaken domestic production capacity. In this context, food law has not been able to drive the structural transformation needed to achieve food independence (Clapp, 2016).

This weakness is even more visible when it is associated with the concept of food sovereignty, which demands greater control from farmers over the food system. Food sovereignty is not only about the end result in the form of food sufficiency, but also about fair production processes, access to resources, and equitable distribution of benefits. However, the

current legal approach does not fully accommodate these dimensions, so farmers remain in a subordinate position in the food value chain. This shows that there is a gap between the ideal concept of food sovereignty and the policy practices that take place (Patel, 2009).

In addition, regulatory fragmentation hinders the realization of food sovereignty. Policies related to food, agriculture, trade, and investment often run independently without adequate coordination. This condition leads to policy inconsistencies, where one regulation can support the empowerment of farmers, while another regulation opens up space for market liberalization that is detrimental to them. In such a situation, the law loses its integrative power as a system that should consistently direct policies towards the same goal (Arifin, 2014).

From an implementation point of view, the weakness of the food law approach is also seen in the low effectiveness of protection for farmers. Existing legal instruments are not fully able to guarantee fair prices, access to financing, and protection against farming risks. In fact, in some cases, the policies taken actually add to the burden on farmers, for example, through price fluctuations due to immeasurable market interventions. This shows that the law has not functioned optimally as a social engineering tool capable of balancing market interests and farmers' welfare (Soekanto, 2014).

Furthermore, the existing food law approach remains minimal in its accommodation of aspects of participation and local wisdom. In fact, food sovereignty requires the active involvement of the community, especially farmers, in shaping food systems that align with local social and ecological conditions. When the law does not provide enough space for such participation, the resulting policies tend to be top-down and less responsive to real needs on the ground. Thus, the weaknesses of the current food law approach are not only normative but also structural and implementational, requiring a more fundamental overhaul (Scoones, 2015).

Reorientation of Farmer-Centric Food Law Politics as an Effort to Realize Food Sovereignty

The limitations of the existing food law paradigm encourage the need for a political reorientation of the law that places farmers as the main actors in the national food system. The farmer-centric approach does not simply place farmers as objects of protection, but as subjects who have a strategic position in determining the direction of food policy. In this perspective, the law not only functions as a regulatory tool but also as an instrument of empowerment that strengthens farmers' bargaining position within economic and political structures. This

reorientation is important for shifting the dominance of the market approach towards a more equitable and sustainable one (Scoones, 2015).

Conceptually, the farmer-centric approach is closely related to the principle of food sovereignty, which emphasizes farmers' control over production resources, including land, seeds, and technology. Within this framework, food law must guarantee equitable access to production factors and protect farmers from harmful practices, such as market monopolies and dependence on external inputs. Thus, the reorientation of legal politics is not only normative, but also touches on structural aspects that have been a source of inequality in the food system (Patel, 2009).

The implementation of this approach requires a more integrated and consistent regulatory reformulation. Synchronization among food, agriculture, and trade policies is an important step to avoid norm conflicts that can harm farmers. In addition, the state needs to strengthen price protection instruments and ensure a fair distribution mechanism. In this case, the law must function as a coordination tool that directs various sectoral policies towards the same goal: the welfare of farmers and national food independence (Arifin, 2014).

The reorientation of legal politics also requires a change in the pattern of relations between the state and farmers. The state is no longer positioned solely as a regulator that controls the market but as a facilitator that creates a conducive agricultural ecosystem. This includes the provision of infrastructure, access to financing, and technology support that suits local needs. In this context, state alignment must be realized in practice through policies that favor smallholder farmers, the most vulnerable group in the food system (Esping-Andersen, 1990).

Furthermore, the farmer-centric approach also requires an expansion of the space for farmers' participation in the policy formulation process. This participation is not only formal, but must provide space for farmers to be substantively involved in decision-making. Thus, the resulting policies will be more responsive to on-the-ground needs and have greater social legitimacy. From a legal political perspective, this shows a shift from a top-down model to a more participatory and inclusive model (Mahfud MD, 2011).

Thus, the political reorientation of farmer-based food law is a strategic step to bridge the gap between norms and practices that have been happening. This approach not only offers a conceptual change but also provides a more concrete direction for formulating equitable food policies. Through the integration of the principles of food sovereignty and a farmer-centric approach, it is hoped that national food laws can function more effectively as an instrument to

realize farmers' welfare and food independence in a sustainable manner (Nonet & Selznick, 1978).

State of the Art (Existing Knowledge)	Research Gap (Unresolved Issues)	Novelty (Contribution of This Study)
<p>Food law policies in many countries, including Indonesia, are primarily oriented toward food security, emphasizing supply stability and price control mechanisms to ensure availability and affordability of food.</p>	<p>Existing studies largely focus on food security outcomes rather than examining the structural imbalance between legal norms promising farmer protection and policy practices that prioritize market stability.</p>	<p>This study introduces a political reorientation framework of food law that shifts the paradigm from supply-oriented food security to farmer-centered food sovereignty.</p>
<p>Legal frameworks such as Law No. 18/2012 on Food and Law No. 19/2013 on Farmer Protection and Empowerment provide normative protection for farmers through price guarantees, risk protection, and access to resources.</p>	<p>There is limited analysis of the discrepancy between normative legal provisions and actual policy implementation, particularly regarding the persistent vulnerability of farmers in the food system.</p>	<p>This research systematically analyzes the norm-implementation mismatch in national food law and identifies structural weaknesses in policy orientation affecting farmers' welfare.</p>
<p>The concept of food sovereignty has emerged globally as an alternative to food security, emphasizing community rights to control production systems, distribution, and consumption patterns.</p>	<p>Previous literature often conceptualizes food sovereignty theoretically without integrating it into a coherent legal-political framework for policy reform.</p>	<p>This study develops an integrated farmer-centric legal model linking food sovereignty principles with legal politics and welfare state theory.</p>
<p>Socio-legal approaches have been used to analyze the relationship between law and social realities in agricultural and food systems.</p>	<p>Few studies apply socio-legal analysis specifically to the political direction of national food law and its implications for farmer participation in policymaking.</p>	<p>This research applies a juridical-socio-legal analytical framework to evaluate the political orientation of food law and propose participatory governance mechanisms involving farmers.</p>
<p>Farmer participation in policy formulation is recognized as an important element of equitable food governance.</p>	<p>Empirical studies examining the institutional mechanisms for farmer participation in national food law decision-making remain limited.</p>	<p>This study proposes a participatory governance model that positions farmers as primary policy actors rather than passive beneficiaries.</p>

Theoretical Implication

Theoretical Contribution

This study contributes to the development of legal and policy theory by expanding the conceptual understanding of food law from a regulatory instrument of market stability to a transformative mechanism for social justice and farmer empowerment. By integrating the welfare state perspective with the concept of food sovereignty, this research demonstrates that food law can function as an instrument of distributive justice within national development frameworks.

Methodological Contribution

The study introduces a juridical-socio-legal analytical approach that bridges normative legal analysis with empirical policy realities. This methodological integration allows for a more comprehensive evaluation of the effectiveness of food law and provides a replicable framework for analyzing agricultural and food policies in developing countries.

Practical / Policy Contribution

This research provides a practical policy model for reorienting national food law toward farmer-centered governance. The proposed framework emphasizes regulatory harmonization, participatory policymaking, and strengthened economic protection mechanisms for farmers, thereby supporting the realization of sustainable food sovereignty.

CONCLUSIONS

Based on the results and discussions, it can be emphasized that the political direction of the national food law still shows a strong tendency towards supply stability and price control, so that partiality towards farmers has not been substantively realized. Although there are normative regulations to protect farmers, their implementation has not been optimal due to the dominance of market-oriented policies and the lack of sectoral integration. This condition puts farmers in a vulnerable position, both in production and distribution, so the law has not fully functioned as an instrument for realizing social justice in the food system.

Furthermore, the food security approach used so far has proven limited in realizing food sovereignty. Supply-oriented and market-driven orientations are not able to address the structural problems faced by farmers, including access to resources, price protection, and participation in policies. The fragmentation of regulations and weak implementation show that food law lacks the integrative power to consistently direct policies towards the goal of food sovereignty.

In this context, the political reorientation of farmer-centric food law is an urgent need. This approach offers a paradigm shift by placing farmers as the main subjects in the food system, while encouraging the transformation of law from mere regulatory instruments to means of empowerment. This reorientation is not only conceptual, but also requires structural changes in policies and regulations in order to realize a fair, sustainable, and sovereign food system.

Recommendations

First, it is necessary to reformulate and synchronize regulations in the fields of food, agriculture, and trade to ensure a consistent policy direction and support farmers. This harmonization is important to eliminate the normative conflicts that have been an obstacle to the implementation of farmer protection and to ensure that all sectoral policies operate within a single framework of food sovereignty.

Second, the state needs to strengthen protection instruments for farmers, especially in terms of fair price guarantees, access to financing, and protection against farming risks. This policy must be designed operationally and implemented so that it does not stop at the normative level alone, but can have a real impact on improving farmers' welfare.

Third, a paradigm shift is needed in food law and politics by adopting a farmer-centric approach as the primary foundation for policy formulation. This includes expanding the space for farmers' participation in decision-making, as well as strengthening farmers' institutions as strategic actors in the national food system.

Fourth, the government needs to encourage the development of a sustainable, local, production-based food system by paying attention to aspects of local wisdom and environmental sustainability. This approach will not only strengthen national food independence but also create a more inclusive and equitable economic system for farmers.

Thus, the political reorientation of farmer-based food law is not only an academic discourse but must be realized through concrete policies that address structural challenges in the national food system and lead to the realization of food sovereignty in a sustainable manner.

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