

FOOD SOVEREIGNTY: THE OPPORTUNITIES AND CHALLENGES OF GOVERNMENT FOR THE NEXT FIVE YEARS

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Abstract

Food problem remains a fundamental problem for Indonesia. It is an irony, that a country with a vast territory and abundant natural resources, yet the level of food imports continues to rise, ahigh food prices, food insecurity in various regions and others. Law Number 18 Year 2012 regarding Food mandated that the implementation of food should be based on food sovereignty, independence and security. All three are different concepts but influence each other. If food security focuses on satisfying the needs of food, food sovereignty is the right of the government or political stance to independently determine food policy and the rights of the communities to determine appropriate food system with the potential of local resources. President Jokowi in the last election campaign, includes the mission of building a vision of food sovereignty into the 9 (nine) priority agenda called "NAWA CITA". By using the descriptive method, this paper will describe and analyze how the policy direction of the new era in realizing food sovereignty in the perspective of the legal substance, Institutional Law and Legal Culture. From the analysis concluded that Indonesia has not yet reached the condition of food sovereignty. It is therefore necessary for efforts and strong commitment of the new government to achieve food sovereignty and competitive amid globalization through the development of products based on local resources, improved regulation in the food sector, and the establishment of food agencies as mandated by The Law Number 18 Year 2012 on Food.

Keywords: Food Sovereignty, Government Policy

A. Introduction

Food problem is a very fundamental issue, and determine that fate of a nation. It is a irony for agraricultural country which has arable land and "gemah ripah loh jinawi", but food needed for Indonesia has depended on impor, with uncontrolled of increasing price. It has been sixty nine years since the independence of Indonesia, but people has not been in the state of food sovereignty. Increasing import of food up to four time in ten years, decreasing of farm land in amount more than 5

acres, shrinkage of farmer about five hundred in ten years and still a lot of poverty in community which majority live in rural and working as former. Data from Central Bureau of Statistic as of March 2014, showing that rural poverty level about 17 million peoples or almost 50 percent of total amount of farmer in Indonesia, approximately 31,70 million peoples. It is becoming an irony, since food is essentially the most important basic human needs, therefore the fulfillment of the food is a part of individual human rights and the state must ensure food

availability. Because of the importance of food for human being, the right to food is protected and guaranteed in the Universal Declaration of Human Rights of 1948. Article 11 (1) stated that: "Everyone has the right to standard living adequate for the health and well being of himself and of his family, including food".

In addition to the Declaration of Human Rights of 1948, an international instrument that regulates food problem comprehensively is the International Covenant on Economic, Social and Cultural (ECOSOB Covenant) which had been ratified in Indonesia through the Law Number 11 Year 2005. General obligations of Indonesia as a State parties are to take particular measures including legislative measures to maximize the available resources, to fully realize the right to food and also to ensure the absence of discrimination.²

In our state constitution, the Constitution of the Republic of Indonesia (Constitution) 1945 does not explicitly include the right to food. However, right to food in 1945 Constitution implicitly formulated in Article 27 Paragraph 2, Article 28 A Paragraph(1) and Article 34, Article 27 Paragraph 2 of 1945 Constitution states "Every citizen has the right to work and livelihood that are decent for human beings", and Article 28, Paragraph a(1) 1945 Constitution Second Amendment states " Every citizen has the right to live a prosperous spiritual and physical, residing and got a good environment and healthy and the right to health care", in which the implicitly includes the right dimensions for every citizen to

food. While Article 34 of the 1945 Constitution even more implicitly confirms the role of the State, as this article about the rights poor and neglected children are guaranteed to be maintained by the State. The formulation of Article 27 Paragraph (2), Article 28 Paragraph (1) is a finite reflection of the achievement of objectives of the Republic of Indonesia as stated in the Preamble to the Constitution of 1945, which in the second paragraph reads "Indonesia is an independent, united, sovereign, just and prosperous country."

Implementation of food in Indonesia is regulated in Law Number 18 Year 2012 on Food. Mandate of the Food Act as set out in Article 3 said that the implementation of food made to satisfy basic human needs that provide benefits in a fair, equitable and sustainable based on food sovereignty, food sovereignty and food security. Three points should be seen as a decision, the political integrity, the State decree and policy. This policy will be used optimally to improve productivity and food production (agriculture, livestock, fisheries as well), and strengthen national food reserves. This policy is also expected to support small farmers to be ready to become qualified suppliers.

Jokowi, the president-elect, in the last election campaign has the Vision, Mission and Action Program for Roadmap for Sovereignty, Independent and have a personality Indonesian states that food sovereignty included in the 9 (nine) priority agenda called "NAWA CITA". This paper will discuss how the government's policy toward the next 5 years in the field of food in

order to achieve food sovereignty as part of the agenda of priorities that ought to be implemented by the elected President.

B. Food Sovereignty Concept and Food Security Concept

Food sovereignty is the right of the state and nation to independently determine the Food policy guaranteeing the right to food for the people and the right to determine the Food systems that is suitable with the potential of local resources.³ Food sovereignty is the concept of the right to food with a good nutritional quality and appropriate culturally, are produced with sustainable and environmentally friendly farming systems. It means that food sovereignty upholds the principle of diversification according to the existing local cultures.

The concept of food sovereignty has been known since long time. This concept was originally a policy framework and discourse to raise the welfare of small farmers. One of the momentums is on the World Food Summit Five Years Later in June 2002 in Rome, Italy. In this meeting, a number of social organizations representing small farmers, agricultural laborers, fishermen, indigenous peoples along with a number of NGOs established the International Planning Committee for Food Sovereignty (IPC). IPC acts to facilitate dialogue between civil society and the FAO to achieve food sovereignty. Then in 2007, an international conference of Food Sovereignty is held in Nyeleni, Mali. The conference reinforced the understanding of social movements

and the struggle to achieve food sovereignty to be an alternative answer the problems of global food and agriculture.

At the time of the world food crisis of 2008 occurred a major reform occurs in the UN Committee on Food Security as a result of civil society pressure and criticism on the 35th court on October 2009, the UN Committee on Food Security officially opened the space for civil society engagement to be involved and play an important role in formulating policies to eradicate hunger in the world. This is used by the peasant movement and other civil society to incorporate a democratic alternative food system as discussed in the FAO Committee for World Food Security which should be implemented so that the countries and communities around the world have the right to implement food sovereignty. In the concept of food sovereignty, to overcome the food crisis requires the involvement of small farmers, and not transnational corporations, and should gain control over agrarian resources needed to produce the food, soil, water, seeds and local markets. Finally, the concept of food sovereignty is an alternative for economic policy in many countries.⁴

In Indonesia, the concept of food sovereignty has been known since 2002, however, was known long before the concept of food sovereignty Indonesian government used when it is food security. The concept of food security and food sovereignty is a different matter. Basically food security is the availability of food in sufficient quantities, distributed at affordable prices as well as safe for

consumption. So the key is the availability, affordability and stability of procurement. In this context, food becomes merely a commodity that can be traded locally and even internationally. Food then entered into the world trade that up until now the regulations and the agreements are still being debated. Nevertheless, the concept of food security is much more established. This concept has been widely accepted and has been adopted in almost all countries in the world. Food security can be achieved in all countries either with or without the support of the agricultural sector. With this approach, for example, Singapore can remain resilient in food without having to be supported by domestic food production, because of high per capita income; people of Singapore can meet their food needs from imports which are nearly 90% of the required food availability. Singapore government provides freedom to import and supply of food and food products, but the country is also very famous for food safety and hygiene, with the enactment of strict rules to ensure the security of any supply of food imported into the country under the supervision of the Singapore Agri- food and Veterinary Authority of Singapore (AVA) and the Food Control Department.⁵

The shift towards the concept of food security and food sovereignty is shown at the revision of Law Number 7 Year 1996 to the Law Number 18 Year 2012 on Food. The newer food law has to provide state obligation to recognize, protect and fulfill the right to food for its citizens. On the other hand, the amendment of food law also

contained firmness concept of food sovereignty, though not necessarily opposed to the concept of food security, since both are different. Food sovereignty is the right of the state and nation which can autonomously determine its food policy without fear and doubt as well as affected by interest powers, and to guarantee of right to food for people to determine the appropriate system of food businesses which are suitable with the potential of local resources. The aim of the new law on food is to achieve self-sufficiency in terms of food supply. Besides, another goal is to increase value added, nationally and internationally competitiveness.

The new law on food in Indonesia are carry out with the aim of improving ability to produce the food on their own, providing a wide range of food and fulfill requirements of safety, quality, nutrition for public consumption, and achieve food sufficiency level. States is obliged to build food sovereignty independently determine the food that guarantee the right to food of people and guarantee the freedom for people to determine the food system in accordance with the potential of local resources. In the previous law on food, fulfillment of food sufficiency had only reached to the household level. But, in the new law on food Number 18 Year 2012, fulfillment of food sufficiency has reached to individual level, and therefore could be take and advantage of the potential of natural resources, human, social, economic and local wisdom.⁶

Implementation of food according to the Food Law is based on food sovereignty, food

independency and food security. All three are different concepts but inter related and continuous with one another. Food security focuses on the fulfillment of conditions sufficient food. It is important for the government to build food security based on the strength and uniqueness of local resources, so the food needs for the household can be met without reliance on imports, towards food self-sufficiency. Self-sufficiency of the nation and the state requires the ability in producing a wide range of food to can guarantee domestic food needs adequate to the individual level by utilizing the

potential of natural resources, human, social, economic, and local wisdom. The concept to demands the involvement of all elements of society to contribute to food self-sufficiency is what gave birth to the concept of food sovereignty. In the concept of food sovereignty, self-determining government food policy and involves the community and provide rights to the people to determine the food system in accordance with the potential of local resources. Simply put, the difference of the three concepts and some indicators can be seen in the following table:

Table 1
COMPARISON OF INDICATORS OF FOOD SECURITY, FOOD INDEPENDENCE AND FOOD SOVEREIGNTY

DEFINITION	FOOD SECURITY	FOOD INDEPENDENCE	FOOD SOVEREIGNTY
	The condition of fulfillment of Food for the states to individual, as reflected in the availability of sufficient, both quantity and quality, safe, diverse, nutritious, equitable, and affordable Food and does not conflict with religion, beliefs, and culture of the community, to be able to live healthy, active, and productive in a sustainable manner.	The ability of the state and the nation in producing diverse Food domestically which can ensure an adequate fulfillment of Food to the individual level by utilizing the potential of natural resources, human, social, economic, and local wisdom with dignity	The right of the state and nation to determine the Food policy which guarantees the right to food for the community to determine the appropriate Food systems in accordance with the potential of local resources.
INDICATION OF FOOD SOVEREIGNTY	none	<ul style="list-style-type: none"> • The ability to produce diverse food. • Adequacy of food to the individual level. • Utilization the potential of natural resources, human resources, social economy and local wisdom. 	The community is involved to determine the food system in accordance with the potential of local resources

INDICATORS OF FOOD SOVREIGNITY	none	<ul style="list-style-type: none"> • Community involvement. • Strengthening of the local wisdom 	<ul style="list-style-type: none"> • State has the right to determine their own food policies • Involvement of the community to determine the food system
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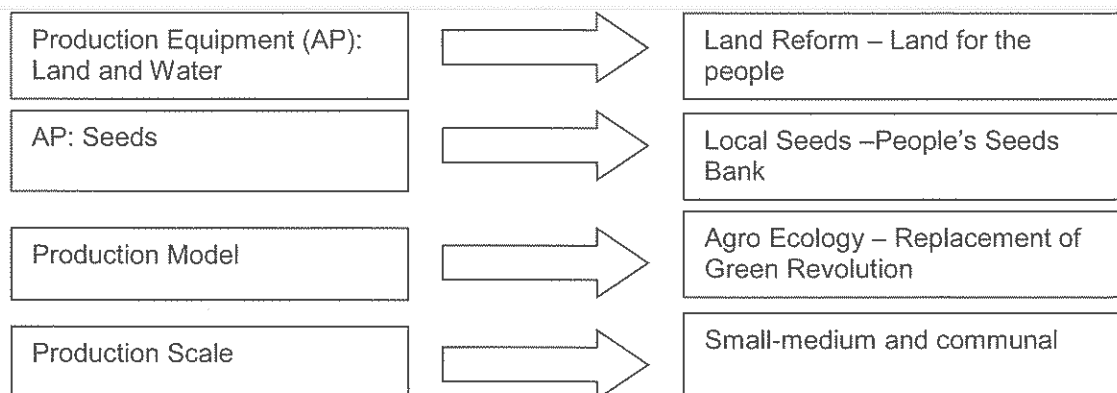
The concept of food sovereignty may not apply in countries that do not have a farm, such as Singapore. However, the policy of food sovereignty becomes important when countries are faced with a choice between producing food themselves or rely on imports. In the perspective of sovereignty, food is not a commodity to be traded away without protection. Therefore, food is not super imposed on a vulnerable market, but the independence of the insufficiency. In the context of large countries such as Indonesia, dependence on food imports is a misnomer, because in addition to ignoring the potential and wealth of local resources can also bring a threat to national stability. Therefore food policy in Indonesia would be better if you apply the

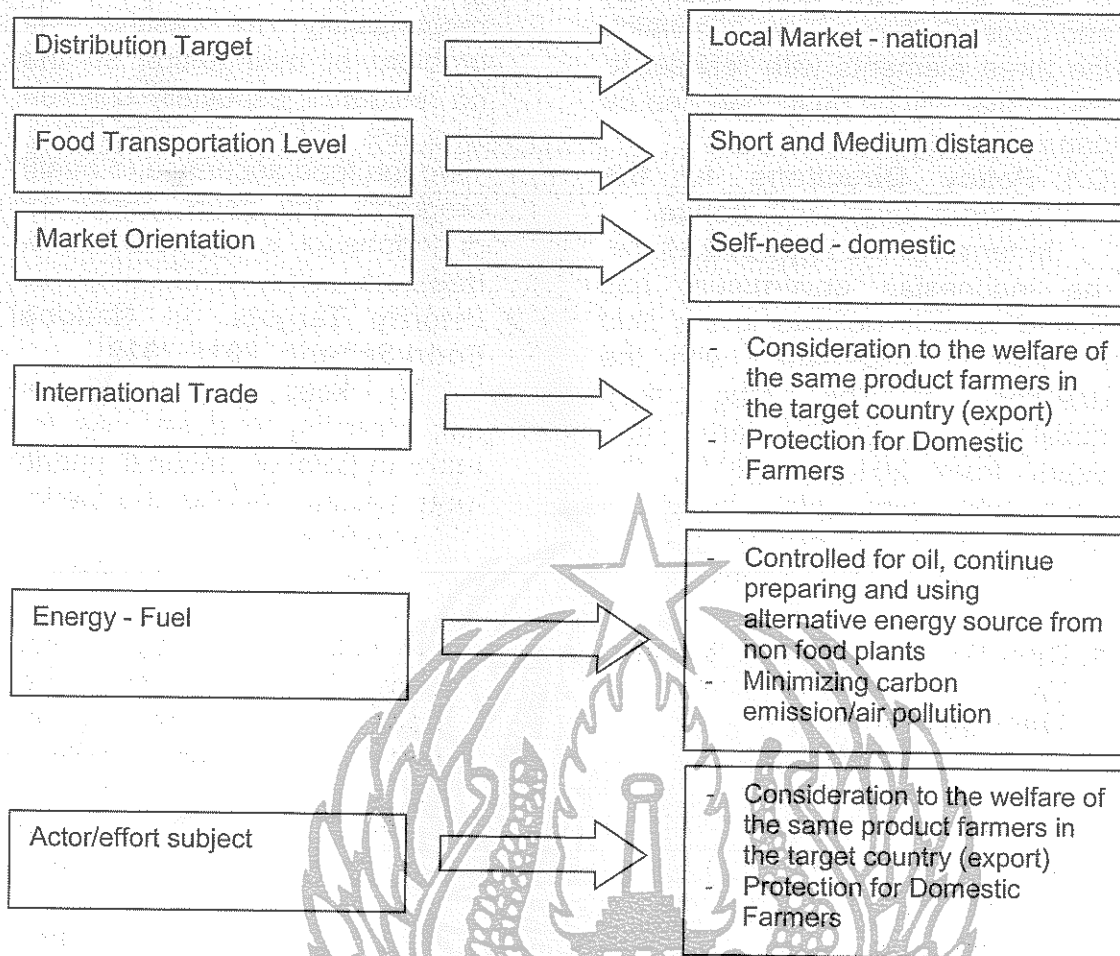
principles of food sovereignty in the economic development of the food in the new era later. There are seven prerequisites to up hold food sovereignty, namely:

1. Agrarian Reform
2. The existence of people's rights of access to food
3. The use of natural resources in a sustainable manner
4. Food for the food and not just a commodity to traded
5. Restrictions food control by corporations
6. Prohibit the use of food as a weapon
7. Provision of access to small farmers for agricultural policy formulation

In addition to the seven conditions, practice to build food sovereignty is based on the basic principles as the diagram below:⁷

Table 2
BASIC PRINCIPLE OF FOOD SOVEREIGNITY





From the description above, the food sovereignty will only be achieved when farmer as food producer has, master and control the means of food production such as land, water, seeds and technology and various policies that support the implementation of agrarian reform in the frame. This needs to be accompanied by implementing sustainable agricultural community not only to improve the soil quality, environment and production that is safe for human health. The program should be run in earnest in an attempt to remove the dependency on transnational corporations that produce farming input. The sovereignty has now

entered a new era, after Jokowi – Jusuf Kalla, President and Vice President of the Republic of Indonesia for the period 2015-2019 has entered the food sovereignty into one of the top nine political ideals law "Nawa Cita" to be performed.

C. Government Policies on Food

The system is a unit consisting of parts that are interdependent on each other to achieve certain goals. National law is a law or legislation formed and executed to achieve goals, and the basic law of a country's ideals.⁸ In theory Lawrence M. Friedman, said that the legal system is divided into three (3) parts, namely the Law of

Substance, Structure/Institutional and Legal Culture of Law,⁹ in which the three elements with respect to each other will be described one by one in this paper.

C.1. Policy Directions in the Field of Legal Substance

In terms of the legal substance, the Indonesian government has issued various policies in the field of food in accordance with the direction of the long term development, medium-term to-3 years from 2015 to 2019, the government work plan for 2015, and also the vision-mission and the concept of food sovereignty of the elected President.

1. Direction of the 3rd Medium Term Development (RPJMN) (2015-2019)¹⁰

Development in the 3rd RPJMN (2015-2019) aims to consolidate the overall development in various fields by emphasizing the achievement of economic competitiveness based on competitiveness of natural resources and qualified human resources as well as the increasing ability of science and technology. In the food sector, with ever-increasing population growth coupled with the issue of fulfilling nutrition for the population. With a projected population of Indonesia in 2020 is estimated at 271 066 400 inhabitants (Book of Indonesia Population Projection 2010-2035), the food that needs to be provided is also quite large. Until now, in some parts of Indonesia there are still many people who suffer from nutritional deficiencies, even less so they ultimately cannot survive due to suffering from malnutrition. The

government takes full responsibility to resolve the problem of malnutrition so that no residents, especially children, who are victims of malnutrition. Through food security and health programs, the entire population of Indonesia is expected to be free from lack of nutrition issues.

2. Priority Targets on National Food Security 2015-2019¹¹

To keep improving and strengthening food security, the main targets of national priority food security during the period 2015-2019 are:

1. Increasing the availability of food sourced from domestic production such as in rice production in order of sovereignty can be maintained, secure supply of soybeans for needs of craftsmen and consumption of tofu and tempeh, corn production to meet the diversity and local food, beef production for securing beef consumption at the household level, as well as domestic sugar production to meet household sugar consumption. As for fish to support the production of source of protein, aside from meat and eggs. Salt production to meet household salt consumption.
2. The increase in the distribution and accessibility of food that are supported by monitoring the distribution of food to prevent speculation, as well as an increase in reserves in order to strengthen the government's price stability. Regarding fisheries, there will be

- developed integration of the National Fish Logistics System (SLIN) into the National Logistics System.
3. Improving the quality of food consumption so as to achieve a score of Hope Food Pattern (PPH) 92.5 (2019).
 4. Repair the Regional Fisheries Management System (WPP).
 5. Improvement & rehabilitation of irrigation system, irrigation groundwater, wetlands and ponds covering an area of 628.2 thousand ha.

Table 3
Food Security Target Year 2015-2019

Commodity	Unit	Baseline 2014	2019	Growth Average 2015-2019 (%)
1. Production				
a. Rice	Million Ton	69,9	82,0	2,9
b. Corn	Million Ton	18,6	23,4	4,0
c. Soybean	Million Ton	0,89	1,02	2,7
d. Sugar	Million Ton	2,8	3,4	4,1
e. Beef	Ribu Ton	395,1	459,9	3,1
f. Fish (aside from seaweed)	Million Ton	12,4	18,7	8,5
g. Salt	Million Ton	2,5	3,3	7,2
2. Consumption				
a. Calorie Consumption	Kkal	1.967	2.150	-
b. Fish Consumption	kg/capita/year	38,0	54,5	-
1. Food Pattern Score		81,8	92,5	-
2. Expected (PPH)				

3. Direction of Development and Food Security Strategy 2015-2019¹²

As per the direction of the Law Number 17 Year 2007 on RPJPN 2005 to 2025, Law Number 18 Year 2012 on Food, and the Law Number 19 Year 2013 on Protection and Empowerment of Farmers and objectives above, the general policy direction RPJMN food security in 2015-2019 are: strengthening food security towards food self-sufficiency with the increase in staple food production, food price stabilization, assurance of safe and quality food with increased nutritional value, as well as

increasing the welfare of food businesses, especially farmers, fishermen and fish cultivator. Food Resilience policy direction is performed with 4 (four) main strategy, as follows:

1. Increased availability through strengthening the capacity of the domestic production of rice and food sources of protein
2. Improving the Distribution Quality and People's Accessibility to Food
3. Quality Improvements of Food Consumption and Nutrition for the Society.
4. Mitigation of Disturbance Towards Food Sovereignty

5. Government Work Plan (RKP)
2015 for Food Security Sector

5. Vision and Mission to build food sovereignty according to Elected President Jokowi

To ensure priority roads change towards Indonesia politically sovereign, independent personality in the field of economics and culture, then formulated nine priority agenda is often called "Nawa Cita". In the priority to 7 (seven) said that the new government policy in the field of food later will realize economic independence by moving the strategic sectors of the domestic economy, ie build food sovereignty based agribusiness populist.¹³

In order to build food sovereignty, President Jokowi – Jusuf Kalla has a legal politic that will be executed during the reign of five (5) years from 2015 to 2019. According to the former head of BPHN Prof. C. Sunaryati Hartono, in practice the politics of law is a tool or means and measures that can be used by the government to create a national legal system which can be used to achieve the goals and objectives of the nation and state. In building food sovereignty, President Jokowi's policy focuses on agriculture (agribusiness). With the motto of Farmers is a cornerstone of change, the fortune of farmers means good fortune for food, the goals to be achieved are as follows:

1. Build food sovereignty based on people's agribusiness

The policy adopted for the achievement of objectives,

among others, (a) Formulation of policies on the import of food control, (b) agricultural Poverty reduction and support farmer re-generation, (c) implementation of agrarian reform, (d) Development of agri-business through the development of specialized banks for agriculture, SMEs and Cooperatives.

2. Stop Food imports (1)

It is an irony that Indonesia, with such a vast territory apparently is still importing to meet food needs. According to the data,¹⁴ the increase in rice imports on the years 2010-2013 reached 482.6%, then the import of corn in the last 1 (one) year was 3.2 million tons, then the increase in beef imports up to 250% from the year 2010 to 2013 and a deficit of meat cow in 2014 reached 40,000 (forty thousand) tons.

Solutions that will be done to resolve the issue, namely (a) For the rice, would be an increase in production capacity from 50DUP/ha to 5.6 DUP/HA, (b) For the corn, will be intensification of maize agri-culture from 4.8tons/ha to 5.6 tons/ha, the development of farmers' seed bank owned by the people for the good independence of seeds and development of organic fertilizer for fertilizer, (c) for the beef, will be the development of agro-ecology, building a "Sea Toll" for distribution cattle production in eastern Indonesia to the western region of Indonesia, the increase in the capacity of

people's farms. Sea toll is the smooth travel of ships nationwide from the west end to the east end Indonesian and vice versa. This will greatly affect the purchasing power and affordability requirements and commodity prices prevailing in the community, especially in the eastern region of Indonesia, which still have to buy the item price higher than the price in the western region of Indonesia.

3. Stop Food Imports (2)

Conditions problem which are not much different occurs in soybeans commodity, red onions and red peppers. According to the data,¹⁵ of the soybeans commodity, soybean imports have increased by 57% during the period 2010-2013. In red onion commodity, increase imports reached 99.8% in the 2010-2013 timeframe and red chili for commodities, increased imports reached 141% during the period 2010-2013.

Solution to overcome the problem for the soybean commodity is to make the production policy increase from 1.46tons/ha to 2.3tons/ha, the government guarantees favorable prices for farmers, encouraging the development of soybean seed bank for each farmer groups. In onion commodity government guarantee local seed production, encourage increased production from 10.1 to 11 tons/ha. While the red chili commodity,

government will increase the productivity of 0,078 tons/HA (from 6.84 tons/ha to 6,918tons/HA), and favorable price guarantees for chili farmers.

4. Agrarian Reform

Indonesian agrarian reform for farmers can be interpreted as an attempt to expand the farm land for farmers' owners or provide land for farming for working farmers.¹⁶ Problems associated with the agrarian are the shrinkage of wetland on the island of Java at 50,000 hectares per year. This occurs due partly to land conversion from farm land into and other settlements. According to the data, the total area of land controlled by farmers declined from 10.50% to 4.95%, so the amount of food crop farmers with a land size of less than 0.5 hectare increased from 44.51%, to 56.41%. This leads to poverty and inequality for farmers and farm workers.

In terms of agrarian reform, we can follow the example of Japan, where the portion of their farmland only 25% of the total area of mostly mountainous, but able to make a major contribution to the economy of Japan. One of the measures taken and the perceived benefits to date is the National Regulations on Consolidation (unification) Year 1961 this policy was made because of the ownership of agricultural land at that moment when the fragmented and small so its range is not effective. To

support this policy, the National Government and Local Government also prioritize infrastructure development around the area of agriculture such as farm roads, drains and others. Current ownership of agricultural land in Japan ranged between 10-30 hectares per farmer and around the highway which is a farm road. With a large area of land ownership and centralized in one location to make high agricultural productivity in Japan.¹⁷

Agrarian reform to be implemented later by the new government, among others, an increase of 1.1 ha of land redistribution to 1 million head of small family farmers and farm workers every year, 9 million ha of land to peasants and agricultural laborers, small farmers and increased access to agricultural land ownerships.

5. Poverty reduction and regeneration of agricultural farmers

Farmers poverty is an bad issue and have not been solved. According to the data,¹⁸ as many as 29 million of Indonesian people are still under the poverty line and 18 million people are at the countryside. In the year 2013 the average age of farmers over 54 years to reach 8.26 million, while as many as 45-54 years of age 6,5 million coupled with a 52% major provincial irrigation networks are damaged rice producer and weak legal protection for

indigenous and local communities.

Various policies that will be pursued includes the achievement of 1000 seed sovereign villages until 2019, increasing the ability of farmers' organizations and the active involvement of women farmers as the backbone of food sovereignty, rehabilitation of damaged irrigation network to 3 million ha of agricultural regeneration and support young farmers in Indonesia. Other policies such as stopping the conversion of arable land, stop the pollution of the river water to the rice fields, the increase in research and utilization of the widest and as quickly as possible, and increase the procurement and maintenance of infrastructure.

C.2. the Policy Direction for Institutions

In the Law on Food, some article provide mandate to establishment of food agencies, among others:

1. Article 32

Section (1) The Government assigns institutions which engaged on food to manage of government's food reserves in accordance with legislation.

Section (2) The Government Institutions referred to section (1) supported by network and national infrastructure.

2. Article 126

In regards to achieve on national food sovereignty, food independence and food security, established of government institution which manage in food field, under and responsible to the President.

3. Article 127

The government institution referred to article 126, has tasks to implementing governments duties in food field

4. Article 128

The Government institution referred to article 127 able propose to President to give specific assignment for state agencies in food field to implementing production, storage and distribution of food or other food staple which is set by the government.

5. Article 129

Further provision regarding organization and working arrangement of Government Institution referred to Article 126 up to article 128 governed by government regulation.

Institutions governing the affairs of the organization of food and agriculture include the Ministry of Agriculture, Ministry of Maritime and Fisheries Affairs, the Ministry of Commerce, Bureau of Food Security, Food Security Council, Agency for Food and Drug Administration (BPOM), Halal Certification Agency MUI, the National Standardization Agency, and Indonesian Bureau of Logistics (BULOG). Institutional performance is defined as the ability of an institution to use its resources efficiently to produce output that is fit for purpose and relevant to the needs of the user. Currently, the

relevant institutional food in Indonesia with a variety of devices and the existing institutional system is not yet able to anticipate, prevent and deal with the issue of food insecurity and malnutrition. Multi-sectoral management requires real action in the management of food at national level. Some related institutions, among others:

1. Agency for Food Security

A structural organization under the Ministry of Agriculture, Based on Presidential Regulation Number 10 Year 2005 on the organization and duty of echelon I. Food Security Agency has the task of carrying out the assessment, development and coordination in the field of strengthening food security. To further optimize its performance then based on Presidential Decree Number 83 Year 2006 the Food Security Council was established.

2. Food Security Council (DKP)

Is a non-structural body which is led by a Chairman, who is the President of the Republic of Indonesia. This institution was established under Presidential Decree Number 132 Year 2001 which has been revised to Presidential Decree Number 83 Year 2006. In accordance with the regulation, the main task of Central/Province/Regency/City DKP is to assist the President/Governor/Regent/Mayor in:¹⁹

- a. Formulating national policies in order to achieve national/regional food security;
- b. Conducting the evaluation and control of the strengthening of the national/region food security;

c. Building a program coordination of food security with all stakeholders. The coordination includes the provision, distribution, reserves, diversification, problem prevention and control of food and nutrition, price control, human resource development and international cooperation.

3. Indonesian Bureau of Logistics (BULOG) is still one important institution in ensuring food security in Indonesia. The Changes in the legal status of Indonesian Bureau of Logistics (BULOG) was in 2003, from an Agency into State Owned Enterprises (SOEs), whose capital is wholly owned by state. Currently the role of BULOG has not heard from again. People long for a reform in BULOG organization. BULOG, which originally in charge of controlling the entire food in Indonesia, then narrowed to only handles rice. Of course, has created great opportunities for the private sector to play in the market, making the stability of food prices in Indonesia cannot be controlled. Indonesian Bureau of Logistics was established by the presidium of the cabinet 114/U/kep/5/1967, the primary purpose is securing food supply in order to establish the existence of a new government. BULOG task was slowly growing, such as rice price stabilization, support the development of multi-commodity food commodities, to the last one with the promulgation of Presidential Decree No. 50/1995. Indonesian Bureau of Logistics principal

tasks in accordance with the Decree is to control and manage the inventory price of rice, sugar, wheat, wheat, soybeans, feed and other food, either directly or indirectly to maintain the stability of prices from producers to consumers based on government policy in general. Then, with the promulgation of Presidential Decree No. 19/1998, the government restore Indonesian Bureau of Logistics tasks as the Presidential Decree No. 39/1968 The contents of the decree is that Indonesian Bureau of Logistics only deals with rice commodity alone, while other food control is released for the market.

The function and role of Indonesian Bureau of Logistics in the control of food needs to be improved so that food prices in the market can be controlled properly. To be precise Indonesian Bureau of Logistics should be under the president. If Indonesian Bureau of Logistics is coordinated by the President, it would take away the intervention of this institution of elite interests. Therefore it will simplify the main function of Indonesian Bureau of Logistics, to stabilize food prices and also to protect their crops in Indonesia. In the sense that when food prices shot up due to the lack of food on the market, Indonesian Bureau of Logistics, under president will immediately make policy. One of policy is to provide incentives to farmers to boost productivity in food, so food availability in the market can be met, so the market turmoil can be controlled.

C.3. Institutional Food Sovereignty in Future

Existence of food security institutions still faces many obstacles on the ground, among others, due to budget constraints, lack of coordination, lack of leadership and lack of commitment, no clear operating guidelines at the local level. With the problems that occurred during this time, it is important to improve the performance of food security institutions, food security has become obligatory functions and activities can be accountable to the public.

At present the existence of the Food Security Institute also raises questions because of its status under the Ministry of Agriculture, so it is considered less reflecting food security as obligations. With the complexity of the problems of food, it takes an institute of food security at the ministry. Overall improvement of the performance limitations of existing food security agencies eventually require efforts to strengthen the commitment and political will, especially in the face of challenges and competition in the ASEAN Economic Community which shall apply at the year 2015. Through strong institutions that supported by the quality of human resources, programs and activities are supported by clear and focused adequate financing, it is expected development of national food sovereignty will be more stable as expected.

C.4. Policy Directions in the Field of Legal Culture

Legal culture or culture of law according to Lawrence Meir Friedman is the human attitude toward the law and the legal

system-beliefs, values, thoughts, and expectations. Legal culture is an atmosphere of social thought and social strength that determine how the law is used, avoided, or abused. Legal culture is closely related to public awareness. The higher the public awareness it will create a legal culture that is good and can change the mindset of the people regarding current the law. Simply put, the level of public compliance with the law is one indicator of the functioning of the law.

Food sovereignty contains two (2) aspects, the right of the nation and the state to determine food policy and the rights of communities to determine appropriate food system with the potential of local resources. Indonesia has the second largest bio diversity of the world, but its people culture or habit of consuming carbohydrates is limited to the consumption of rice as their staples food, so that the use of local food for daily food intake is not optimal. Culture and eating habits of the people who do not support the consumption of varied meals, nutritionally balanced and safe, yet the development of the food industry based on local foods that support diversification of food consumption is a problem in itself. Based on the predictions of the Center for Data and Information Systems Agriculture, consumption of rice as a staple food increases from the year to year. In 2012 there were approximately 26.08 million tons and is expected to increase to approximately 31.35 million tons by 2025 Increased consumption of rice can be caused by the increasing number of population based on the population growth rate of 1.4% per

year. Other carbohydrate foods such as cassava, sago and tubers are less familiar among the people. Indonesian culture is still attached to the rice so that the term "If you do not eat rice, means you have not eaten."

Since 2011 the Government has analyzed how much of the potential of local food from all regions in Indonesia to balance the food consumption of Indonesia's population so as not to completely rely on rice through food diversification program. Based on the strategic plan of the Ministry of Agriculture in 2010-2014, diversification of food taken in an effort to utilize local or regional potential and reduce reliance on one type of food such as rice. Various programs to achieve food self-sufficiency is intended to exploit the natural resources available without having to import food that can be cultivated in their own country. Food Security Agency through Permentan Number: 61/Permentan/OT.140/10/2010 has the mandate to implement the Society Diversification and Food Security Program Enhancement. Food policy that has been applied to the government for this, focusing more on rice consumption alone as a carbohydrate source provider carbohydrate source as provider of Indonesian society.

Legal culture is reflected in the program of "One Day No Rice" Depok City Government developed as part of national food diversification program and to develop local food wisdom. The basic concept of this movement invites the public to reduce consumption (demand) carbohydrates sourced from rice

and increase the consumption (demand) a local non-rice food. The purpose of this movement is to accelerate the diversification of food consumption based on local resources to promote the establishment of food consumption patterns varied, nutritious, balanced, safe and halal. It aims at creating awareness and changing people's behavior toward diverse food consumption and increase the use of local food potential, reduce dependence on imported consumer goods and maintain stable prices of basic commodities.²⁰

Movement "One Day No Rice" is a movement of "One Day without Rice". The movement is a strategic and effective movement in food diversification efforts, as well as to maintain national food security. This movement is part of the political views of the Indonesian nation to meet the needs of increasing national food reserves through efforts to reduce the consumption of rice and increase the demand for local non-rice food such as bananas, bread fruit, corn, sago, sweet potato, cassava, taro and soon all over the archipelago, including disadvantaged areas, to increase the production of non-rice food. This was done in an effort to meet the demand for the people who live in the non-rice food producers' area, especially in urban areas.

Currently, the government is also developing a product resembling rice with mocaf flour known as analog rice (intelligent rice). It is called smart because it is made from local raw materials, easy and cheap, cooked in a simple, healthy, nutritious, which can improve the welfare of the

people's economy. Current analog rice production is still limited but if developed will be increasing the consumption of non-rice and non-wheat, so as to increase the job vacancy which can make development even up to the village level cassava producer.

"One Day, No Rice" Movement and also socialization of "Rice Analog" is expected to arouse a sense of nationalism back from the Indonesian people to love and use local products of non-rice and non-wheat which are competitive and have high value. Potential local processed foods, that once there should be reintroduced into the midst society, as one characteristic of Indonesian society that needs to be maintained and preserved. Hopefully, more and more people are returning to the region of origin and farming on their land and meet the social and cultural activities in the area of origin in the quality of life that is safe and prosperous.

D. Improving Competitiveness

The era of globalization has increasingly opened the world of food trade (borderless). The existence of various international instruments such as the World Trade Organization (WTO) are demanding free and fair trade, standards demands and regulatory related to food safety and food quality as non-tariff barrier and regulatory demands without discrimination. It is therefore necessary that competitiveness is the key factor in the face of global trade. Competitiveness is the ability of accompany or a nation to offer products and services that meet the quality standards of local and international market at competitive

prices and provide enough benefit from the use of the resources that are used or consumed in producing. This problem had been pointed out by the Board of the National Ministry of Justice legal guidance and Human Right son the Role of Regulation and Governance on Increasing Competitiveness in the National Product Seminar.

Various problems which arise in the seminar include flood of food imports to Indonesia, bad imports management that led to products imported directly so that it becomes direct competitor for the local commodity since the time of harvest, global food trading system is getting more and more open (borderless), light import duty and non-discriminatory, the decrease on agricultural production due to the uncontrolled conversion of agricultural land continues to decrease, limited budget allocations in the state budget for agriculture and rural development infrastructure which contributes to the high cost of distribution and marketing of food commodities. Another problem is the lack of control and the availability of supporting infrastructure and technologies in the food industry operations that lead to low quality production and quality of food, and also a relatively long span of bureaucracy to lead to high initial cost that affects the shrinking profit margins and ultimately reduces competitiveness.

Therefore we need a strategy and a great effort from the government and other stakeholders to improve the competitiveness of food products thoroughly on various sectors such as the revitalization of HR, farmer financing arrangements,

the development of technology. In terms of regulations, there should be improvements in the quality of regulation, synchronization of national legislation and harmonization with International instruments. It is very possible considering that Indonesia has abundant human resources in productive age, biological resources every large and diverse, as well as favorable climatic conditions making it possible to produce throughout the year.

E. Conclusion and Suggestion

Currently, food sovereignty in Indonesia is still far from expectations. Many unresolved food issues such as food import dependence, high food prices, the food crisis in some areas and the decrease of agricultural land. However, an effort to achieve food sovereignty has been done through various programs and food policies that have been implemented by the government. The President-elect, Jokowi, have an idea or political laws in the field of food for the next

government called "NAWA CITA". The priority is to build people's food sovereignty-based agribusiness, stop food imports, implementation of agrarian reform, poverty alleviation, agriculture and regeneration of farmers.

With the direction of political policy to become law in the areas of food, food sovereignty is expected to be realized. In the future it needs to develop food products based on local resources in order to improve compliance with the domestic demand for consumption and reduce dependence on imports, the need to improve the quality of regulation through regulatory reform, the need for synchronization and harmonization of legislation in the field of food, increase coordination across relevant sectors of food, the need for development of specialized farmer financing system, the establishment of food agencies as mandated by the Food Act and increased socialization of non-rice food consumption.

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