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ANY QUALITY POLICY AND THE RIGHT TO FOOD: A STUDY OF THE STATE'S CONSTITUTIONAL OBLIGATIONS

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Abstract

This study examines the any quality policy in government paddy procurement as a state response to the need to maintain national rice availability, while raising concerns regarding the protection of food quality as an integral component of the right to food. The core issue lies in the tension between flexibility in absorbing paddy from farmers and the state's legal obligation to provide food that is safe, suitable, and of adequate quality in accordance with the relevant regulatory framework. The research employs a doctrinal method using primary and secondary legal materials, combined with statutory, conceptual, and comparative approaches that include policy practices in India, China, and Thailand, in order to assess the alignment of the policy with the principles of the right to food and proportionality. The findings indicate that the any quality policy can meet constitutional obligations only when supported by adequate quality control mechanisms. Price instruments such as rafaksi are insufficient to preserve quality and therefore must be complemented by strengthened post harvest facilities, technical standards for drying and sorting, consistent quality monitoring, and enhanced administrative capacity at both national and regional levels. The study concludes that an integrated policy design linking price instruments with technical instruments is essential to ensure that the state can effectively safeguard food quality and fully uphold the right to food.

Keywords: *Right to food, food quality, any quality policy, national food system.*

I. INTRODUCTION

National food security has long been understood as a multidimensional issue that requires systemic governance. According to Candel, food security governance demands integration between state instruments, institutional capacity, and regulatory frameworks that remain responsive to market dynamics.[1] This view aligns with the conceptual framework proposed by Ecker and Breisinger, which positions food security as a system shaped by interactions among production, distribution, access, and stability.[2] When the 1945 Constitution guarantees the right to a decent life and access to safe food, the link between food policy design and the fulfillment of

[1] J.J.L. Candel, "Food Security Governance: A Systematic Literature Review," *Food* 6 (2014): 585–601, https://doi.org/10.1007/s12571-014-0364-2.

[2] Olivier Ecker and Clemens Bresinger, "The Food Security System: A New Conceptual Framework," *Affiliation: International Food Policy Research Institute* 1166 (2012).

constitutional rights becomes more explicit. Therefore, the shift to a single-price or any quality scheme in paddy procurement cannot be regarded merely as an administrative stock-management policy, but must be analyzed as a state action that carries implications for citizens' rights.

Clapp et al. emphasize that food security should be understood through six dimensions, namely availability, access, utilization, stability, agency, and sustainability.[3] The transition to a fixed price of Rp 6,500 per kilogram for all paddy, replacing the quality-differentiated scheme under National Food Agency Regulation Number 4 of 2024, directly affects these dimensions, particularly quality and utilization. This is consistent with Falcon and Naylor, who argue that twenty-first century food policies must balance production interests, accessibility, and quality to avoid long-term vulnerability.[4] Eliminating quality differentiation accelerates procurement but introduces potential declines in rice quality, a consequence that requires deeper inquiry from the perspective of the right to food.

Impacts on farmers reveal a significant shift in incentives. When quality no longer determines price, farmers may reduce attention to improved cultivation practices. This observation is supported by Kiriyama et al., who note that policy changes can affect farmers' decisions in managing production inputs.[5] At the milling level, heterogeneous paddy quality increases sorting burdens, particularly for small mills with limited equipment. This issue aligns with the findings of Saha et al., who highlight the close relationship between rice quality and the sustainability of food systems.[6] Declining rice quality will most heavily affect low-income households who are most sensitive to changes in price and quality.

Sarris emphasizes that rice trade policies in Asia have always operated under tensions between supply stability and food quality.[7] In Indonesia, McCulloch and Timmer point out that rice policy is inherently political and prone to distortion without strong institutional design.[8] Thus, the any quality policy must be understood as part of a broader food governance structure, in which every state intervention affects citizens' access to quality food. Because the right to food constitutes a human right that the state must fulfill, constitutional analysis becomes relevant in determining whether this

[3] Jennifer Clapp et al., "The Case for a Six-Dimensional Food Security Framework," *Food Policy* 106 (2022): 1–10, https://doi.org/10.1016/j.foodpol.2021.102164.

[4] Walter P. Falcon and Rosamond L. Naylor, "Rethinking Food Security for the Twenty-First Century," *American Journal of Agricultural Economics* 87, no. 5 (2005): 1113–27.

[5] Hiroki Kiriyama et al., "Nitrogen Stock and Farmer Behaviour under Rice Policy Change in Japan," *Journal of Environmental Management* 299 (2021), https://doi.org/10.1016/j.jenvman.2021.113438.

[6] Indrani Saha et al., "Rice Quality and Its Impacts on Food Security and Sustainability in Bangladesh," *PLoS One* 16, no. 12 (2021), https://doi.org/10.1371/journal.pone.0261118.

[7] Alexander Sarris, "Trade-Related Policies to Ensure Food (Rice) Security in Asia," in *The Rice Crisis* (Routledge, 2012).

[8] Neil McCulloch and C. Peter Timmer, "Rice Policy in Indonesia: A Special Issue," *Bulletin of Indonesian Economic Studies* 44 (2008), https://doi.org/10.1080/00074910802001561.

policy safeguards or undermines national food quality.

In several countries, state intervention in paddy procurement and post harvest systems commonly produces uneven outcomes across regions. Wijesooriya et al. show that variations in regional capacity to manage post harvest processes lead to discrepancies in rice quality.[9] This helps explain Indonesia's condition, where regions with modern facilities can maintain paddy quality, while less-equipped regions tend to produce lower-quality rice. Such disparities are directly linked to the fulfillment of the right to food, as discussed by Zulaeha et al., who stress that local governments have a legal duty to ensure equal fulfillment of this right.[10]

From a human rights perspective, Valente and Suarez Franco argue that fulfilling the right to food requires a combination of regulations, institutions, and policy instruments that center on citizens.[11] McDermott further suggests that constitutionalizing the right to food must be accompanied by implementable instruments whose effectiveness can be tested.[12] When the any quality policy disregards paddy quality, questions emerge regarding how the state ensures that food quality standards remain fulfilled, given that quality standards are integral to the right to food. The urgency of this concern is strengthened by Madhumita Saha, who demonstrates how inaccurate or insufficiently contextual data can generate policy grounded in incorrect assumptions, thus weakening implementation effectiveness.[13]

In Indonesia, alternative approaches to stabilizing rice prices and quality have also been explored. Wildana and Alhabshi propose a waqf-based model for price stabilization and food security.[14] Their work illustrates that policy options extend beyond procurement schemes, underscoring the need to assess the any quality policy not only for administrative efficiency but also for its alignment with the state's constitutional obligations. Considering regional disparities, shifting farmer incentives, and risks of declining rice quality, this study seeks to address the fundamental question of whether the any quality policy is consistent with the constitutional mandate to fulfill the right to food.

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[9] Nalaka Wijesooriya et al., "Government Intervention in Paddy Marketing: Issues in Purchasing and Post-Stock Management," *Hector Kobbekaduwa Agrarian Research and Training Institute,* 2017, https://doi.org/10.13140/RG.2.2.21722.06088.

[10] Mulyani Zulaeha et al., "Responsibility of Local Governments in Fulfilling the Right to Food," *International Journal of Law Environment and Natural Resources* 3, no. 2 (2023): 150–65, https://doi.org/10.51749/injurlens.v3i2.78.

[11] Flavio Luiz Schieck Valente and Ana Maria Suárez Franco, "Human Rights and the Struggle against Hunger," *Yale Human Rights and Development Journal* 13 (2010): 435.

[12] Michael J. McDermott, "Constitutionalizing an Enforceable Right to Food: A New Tool for Combating Hunger," *Boston College International and Comparative Law Review* 35, no. 2 (2012): 543.

[13] Madhumita Saha, "Right Data, Wrong Data: Statistical Sampling and The Making of Modern Agriculture in India," *Sage Journals* 55, no. 4 (2025): 591–612, https://doi.org/10.1177/03063127241307947.

[14] Muhammad Dandy Alif Wildana and Syed Musa Syed Jafaar Alhabshi, "Proposed Waqf Framework for Food Security and Price Stabilization Policy of Rice in Indonesia," *Journal of Islamic Finance* 7, no. 2 (2018): 70–85, https://doi.org/10.31436/jif.v7i2.305.

The central issue is not merely the effectiveness of paddy absorption but the consistency of the policy with the state's duty to ensure food availability and quality as part of constitutional protection. By integrating constitutional law perspectives, food policy analysis, and empirical findings from international literature, this study aims to provide a comprehensive basis for evaluating whether state policy responds only to short-term stock needs or also fulfills the right to food in an equitable and sustainable manner.

II. RESEARCH METHOD

This study employs a doctrinal method that focuses on identifying, interpreting, and analyzing positive legal norms along with relevant theoretical constructions. The research relies on two categories of data, namely primary legal materials and secondary legal materials. Primary legal materials include the 1945 Constitution, statutes and regulations in the food sector, implementing regulations on paddy procurement, and judicial decisions relevant to the fulfillment of the right to food. Secondary legal materials consist of books, academic journals, research reports, and policy documents that provide theoretical and empirical explanations on food policy design, including literature on paddy quality standards and rice market dynamics.

The research uses three approaches. The statutory approach is used to examine constitutional norms and sectoral regulations that govern the right to food, state obligations, and the authority of institutions involved in paddy procurement, namely: (i) the Constitution of the Republic of Indonesia of 1945, (ii) Law 18 of 2012 on Food, (iii) Government Regulation 86 of 2019 on Food Safety, (iv) Government Regulation 17 of 2015 on Food and Nutrition Security, and (v) National Food Agency Regulation 4 of 2024 on Government Purchase Prices and Rafaksi for Paddy and Rice. The conceptual approach is applied to unpack key ideas on the right to food, proportionality, and public policy design oriented toward ensuring food quality. The comparative approach examines quality based paddy procurement policies in India, China, and Thailand, with particular attention to how these countries balance supply stabilization, quality incentives, and protection of the right to food. This comparison provides an overview of alternative policy designs and helps position Indonesia's any quality policy within the international landscape.

Data analysis proceeds in three stages. First, identifying relevant norms from each type of legal material. Second, linking these norms with theoretical insights and comparative experiences to assess the alignment of the policy with the state's constitutional obligations. Third, constructing a systematic legal argument to determine whether the any quality policy meets the standards for protecting the right to food and the principles of public policy accountability. This process produces a structured assessment of the policy's consistency with constitutional mandates.

III. ANALYSIS AND DISCUSSION

a. The Right to Food, the Principle of Proportionality, and Quality Oriented Public Policy Design

The understanding of the right to food has shifted from a charity based approach toward recognition as a legal right that can be claimed. This shift positions citizens as rights holders and the state as a duty bearer, meaning the state's obligations are no longer moral in nature but legally binding. This idea aligns with Gómez, who interprets the right to food through four dimensions to ensure it is not reduced to a moral appeal but treated as a legal concept that demands responsive policies and institutions.[15] Steiner, Alston, and Goodman (2008) similarly emphasize that human rights, including the right to food, can only be realized through a combination of norms, institutions, and effective accountability mechanisms. The state therefore cannot stop at ensuring the availability of food, but must also guarantee its quality, accessibility, and sustainability.

This expanded understanding reinforces that food security is not confined to availability alone. Pinstrup-Andersen notes that food security measurement must also capture quality, stability, and accessibility.[16] Within a rights based framework, quality standards become an inherent component of the right, which means that any policy that risks degrading food quality must be scrutinized. London argues that a rights based approach is meaningful only when public policies are designed with accountability as a central element.[17] Guendel also highlights that the evaluation of public policies cannot be separated from the assessment of rights fulfillment.[18] Thus, every policy affecting food must be tested against minimum human rights standards, not merely administrative efficiency.

Public law analysis provides tools to determine whether a policy meets such standards. The principle of proportionality, particularly the suitability or rational connection element, becomes crucial. Marketou explains that rationality in public law requires a logical cause and effect relationship between policy goals and instruments.[19] If the state claims to protect the right to food, then every instrument chosen must directly support quality and access. Instruments that create risks to food quality must be tested more strictly, as their connection to the goal becomes weaker. In the context

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[15] Jorge Freddy Milian Gómez, "Rethinking the Human Right to Food from a Single Perspective to a Four-Fold Legal Interpretation," *Journal of Human Rights Practice* 16, no. 2 (2024): 589–602, https://doi.org/10.1093/jhuman/huad047.

[16] Per Pinstrup-Andersen, "Food Security: Definition and Measurement," *Food Security* 1, no. 1 (2009): 5–7.

[17] Leslie London, "What Is a Human Rights-Based Approach and Does It Matter," *Health and Human Rights* 10, no. 1 (2008): 65–80.

[18] Ludwig Guendel, "Evaluation, Public Policies, and Human Rights', in Evaluation Voices from Latin America," *New Directions for Evaluation* 2012, no. 134 (2012): 29–37, https://doi.org/10.1002/ev.20016.

[19] Afroditi Marketou, "Proportionality in English Public Law: Continuity and Change," in *Questioning the Success of Proportionality* (Cambridge University Press, 2021), 75–104, https://doi.org/10.1017/9781108993364.003.

of the shift in paddy procurement schemes, the suitability principle requires the state to show that the mechanism does not create quality degradation that would hinder the fulfillment of citizens' rights.

Rationality must also be understood within political and social contexts. Sikkink shows how transnational pressures and international norms shape human rights policies.[20] In the context of food, these norms obligate states to ensure food that is safe, of adequate quality, and affordable. Knuth and Vidar (2011) add that constitutional protection of the right to food is insufficient without capable institutions to oversee implementation.[21] When administrative capacities differ across regions, the risk of unequal rights fulfillment increases. Yet capacity itself is not uniform; Fernández-i-Marín, Knill, and Steinebach demonstrate that bureaucratic quality shapes the state's ability to implement complex policies.[22] If the administrative burden of a policy exceeds available capacity, implementation may fail, as noted in Fernández-i-Marín et al.[23]

This discussion of capacity leads to policy design theory. Peters argues that policy is a product of design requiring an understanding of power structures, institutional dynamics, and actor interactions.[24] Good design aligns instruments, implementers, and goals into a coherent chain. Lewis et.al. add that policy design must be sensitive to the distribution of power within the bureaucracy; instruments must harmonize normative goals with mechanisms that enable their achievement.[25] Accordingly, a food policy that focuses solely on procurement cannot be considered complete without complementary instruments to ensure quality.

Policy instruments are ultimately political choices. Vedung conceptualizes instruments as carrots, sticks, and sermons, reflecting how states influence actor behavior.[26] When the state enacts a single price policy without quality assurance mechanisms, it is effectively choosing an incomplete policy instrument. Sørensen and Bay show that in welfare states, local preferences significantly shape implementation

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[20] Kathryn Sikkink, "Transnational Politics, International Relations Theory, and Human Rights," *American Political Science Association* 31, no. 3 (1998): 516–23, https://doi.org/10.2307/420610.

[21] Lidija Knuth and Margret Vidar, *Constitutional and Legal Protection of the Right to Food around the World* (Food and Agriculture Organization, 2011).

[22] Xavier Fernández-i-Marín, Christoph Knill, and Yves Steinebach, "Studying Policy Design Quality in Comparative Perspective," *American Political Science Review* 115, no. 3 (2021): 931–47, https://doi.org/10.1017/S0003055421000186.

[23] Xavier Fernández-i-Marín et al., "Bureaucratic Quality and the Gap between Implementation Burden and Administrative Capacities," *American Political Science Review* 118, no. 3 (2023): 1240–60, https://doi.org/10.1017/S0003055423001090.

[24] B. Guy Peters, "Designing Institutions for Designing Policy," in *Policy-Making as Designing* (Bristol University Press, 2023), 151–70, https://doi.org/10.46692/9781447365952.007.

[25] Jenny M Lewis, Michael McGann, and Emma Blomkamp, "When Design Meets Power: Design Thinking, Public Sector Innovation and the Politics of Policymaking," *Policy Press* 48, no. 1 (2020): 111–30, https://doi.org/10.1332/030557319X15579230420081.

[26] Evert Oskar Vendung, "Policy Instruments," in *Carrots, Sticks, and Sermons: Policy Instruments and Their Evaluation* (Transaction Publishers, 2011), 280.

outcomes.[27] If central policy does not consider regional capacity variation, quality disparities can widen. Howlett and Ramesh call these gaps critical capacity deficits, which often cause governance failures.[28]

Food policy falls into the category of complex policy. Hurka et.al. demonstrate that such policies require bridging instruments to balance interests and capacities.[29] When policy increases burdens on specific actors, such as small mills unprepared for heterogeneous paddy, it generates significant implementation risks. Limberg et.al. find that rule growth without capacity readiness widens the gap between policy goals and outcomes. In food governance, this gap manifests as declining rice quality and unequal access across regions.[30]

Quality of implementation is strongly influenced by vertical integration of policy across government levels. Knill et.al. explain that vertical integration determines policy consistency.[31] When coordination is weak, policy becomes fragmented. Hooghe et. al. likewise show that regional authority shapes implementation quality.[32] In food policy, when post harvest facilities and supervisory capacities vary across regions, central policies that ignore these differences risk producing inequitable quality outcomes.

Evaluation frameworks reinforce this urgency. Shadish et.al. emphasize that policy evaluation must be grounded in normative goals. If the goal is the fulfillment of the right to food, evaluation indicators cannot focus solely on procurement but must assess quality, access, distribution, and impacts on vulnerable groups.[33] Lieberman shows that a nested analysis approach enables assessment of the relationship between policy design and field realities. This approach allows clearer detection of gaps between goals and outcomes.[34]

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[27] Rune Sørensen and Ann–Helén Bay, "Competitive Tendering in the Welfare State: Perceptions and Preferences among Local Politicians," *Scandinavian Political Studies* 25, no. 4 (2002): 357–84, https://doi.org/10.1111/1467-9477.00076.

[28] Michael Howlett and M. Ramesh, "Achilles' Heels of Governance," *Regulation & Governance* 10, no. 4 (2015): 301–13, https://doi.org/10.1111/rego.12091.

[29] Steffen Hurka, Maximilian Haag, and Constantin Kaplaner, "Policy Complexity in the European Union, 1993-Today," *Journal of European Public Policy* 29, no. 9 (2022): 1512–27, https://doi.org/10.1080/13501763.2021.1938174.

[30] Julian Limberg et al., "Rule Growth and Policy Impact," *European Journal of Political Research* 60, no. 2 (2020): 438–54, https://doi.org/10.1111/1475-6765.12406.

[31] Christoph Knill, Christina Steinbacher, and Yves Steinebach, "Sustaining Statehood: A Comparative Analysis of Vertical Policy-Process Integration in Denmark and Italy," *Public Administration* 99, no. 4 (2020): 758–74, https://doi.org/10.1111/padm.12705.

[32] Liesbet Hooghe et al., *Measuring Regional Authority: A Postfunctionalist Theory of Governance* (Oxford University Press, 2016), https://doi.org/10.1093/acprof:oso/9780198728870.001.0001.

[33] W. R. Shadish, T. D. Cook, and L. C. Leviton, *Foundations of Program Evaluation: Theories of Practice*, *Sage Publications*, 1991.

[34] Evan S. Liberman, "Nested Analysis as a Mixed-Method Strategy for Comparative Research," *American Political Science Review* 99, no. 3 (2005): 435–52, https://doi.org/10.1017/S0003055405051762.

Taken together, these discussions converge on a single point: the right to food cannot be separated from the quality of public policy design. Food quality is not an auxiliary variable; it is part of the right itself. The suitability principle requires a clear relationship between policy instruments and the protection of food quality. Meanwhile, policy design theory shows that policy quality depends on the interaction between instruments, actors, and capacity. Weakness in any element directly affects the fulfillment of the right to food. With this understanding, a policy such as any quality must be examined not only in terms of procurement efficiency but also in terms of whether it supports or undermines citizens' right to food in accordance with the state's constitutional obligations.

b. The Any Quality Policy and the Guarantee of the Right to Food

The any quality policy in paddy procurement places the state at a critical point of evaluation regarding whether the operational instruments chosen align with its constitutional obligation to fulfill the right to food. In the entitlement paradigm discussed by Gómez, the state must ensure that public policies do not merely increase access or supply volume, but also guarantee food quality as part of the minimum standard owed to citizens.[35] This principle becomes vital when examining the substantial changes introduced through National Food Agency Regulation (Badan Pangan Nasional, Bapanas) Number 4 of 2024.

Law 18 of 2012 affirms that food is a human right and that its fulfillment is a state obligation (Article 3). This norm places quality as an integral component of rights fulfillment. Furthermore, the law requires the government to ensure the availability of food that is safe, of good quality, and affordable for all citizens (Article 59 paragraph 1). Therefore, any policy that may reduce rice quality standards must be assessed for consistency with these constitutional obligations.

Additional mandates arise from Government Regulation 17 of 2015, particularly the requirement that government food reserves must be maintained in both adequacy and quality in a sustainable manner (Article 8 paragraph 1). This establishes quality as a legal obligation that cannot be negotiated. Even when there is a need to absorb large quantities of paddy from farmers, policy instruments may not reduce protections for food quality.

Government Regulation 86 of 2019 adds a binding dimension concerning food safety. The obligation to prevent contamination, quality degradation, and nutrient loss along the supply chain (Article 4 paragraph 2) clarifies that quality standards are matters of consumer safety, not merely price. This means that price correction mechanisms such as rafaksi are insufficient for safeguarding quality without additional controls.

[35] Gómez, "Rethinking the Human Right to Food from a Single Perspective to a Four-Fold Legal Interpretation."

Within this context, the changes introduced through Bapanas Regulation 4 of 2024 must be examined carefully. The regulation amends Article 2 and Article 3 of Bapanas Regulation 6 of 2023 and updates Annexes I and II. The revised Article 2 retains quality parameters such as moisture content, impurities, milling degree, and broken grains. However, significant changes occur in Article 2 paragraphs (6) to (8), which allow Government Purchase Prices (HPP) to be evaluated at any time through a decision of the National Food Agency Head. This flexibility raises questions about how quality will be maintained during frequent price adjustments.

The core of the any quality policy lies in the amendment to Article 3. Article 3 paragraph (1) now states that the government may purchase paddy and rice "outside HPP quality requirements" by applying rafaksi. This provides the legal basis for accepting paddy of varied quality with price corrections.

From a right to food perspective, a key question arises: is rafaksi sufficient to protect quality? Rafaksi is an economic instrument, whereas quality is a matter of food safety. When high moisture, high impurity, or physically damaged paddy is accepted without supporting technical instruments, the risk of quality degradation in government rice reserves increases. This creates potential conflict with the government's obligation to protect the quality of rice distributed through social assistance or market interventions.

Article 3 paragraphs (3) to (5) allow rafaksi to be evaluated at any time. Once again, administrative flexibility is provided, but without a parallel mechanism for post purchase quality monitoring. Yet Government Regulation 17 of 2015 requires sustained quality across time and regions. Without a built in quality evaluation mechanism, the legal and technical connection between rafaksi and quality protection becomes weak.

Annexes I and II also change the HPP values and rafaksi for varieties with higher broken grain and bran content. These numbers constitute part of the incentive structure. If price corrections do not adequately reflect quality risks, incentives for producing high quality paddy may weaken, affecting government reserves in the long term.

When read through the lens of proportionality, particularly rational connection, the state must demonstrate that loosening quality standards at the input level still supports the goal of protecting the right to food. If there is no evidence of strengthened drying, sorting, or processing facilities, the causal relationship between instrument and goal becomes inadequate.

From a policy design perspective, as Peters (2023) explains, policy quality depends on the match between instruments and implementation capacity. Bapanas Regulation 4 of 2024 does not introduce new instruments and does not mention improvements to post harvest capacity at BULOG, the main actor affected by the any quality scheme. BULOG must purchase heterogeneous paddy, but the regulation offers no assurance that drying or sorting facilities are sufficient. Here, the implementation burden increases without capacity augmentation, a common cause of policy failure as noted by Fernández-i-Marín et.al.[36]

The "Considering" section of Bapanas Regulation 4 of 2024 emphasizes protecting farmers' income and adjusting production costs, but does not mention quality or food safety. The economic emphasis, without corresponding attention to consumers' right to quality food, creates an imbalance in policy design. Under a rights based approach, such balance is essential, as London (2008) highlights.

The state's obligation includes providing policy instruments that maintain quality from upstream to downstream. Law 18 of 2012 requires the development of post harvest facilities as part of government responsibility (Article 12 paragraph 5). Therefore, the any quality policy must be accompanied by improvements to post harvest systems. Without this, the state risks shifting the burden of quality onto consumers, contradicting the idea of the right to food as an entitlement.

Overall, the flexibility introduced by the any quality policy accelerates paddy absorption but creates risks to quality protection. Rafaksi alone is insufficient without complementary tools. The rational connection principle requires the state to demonstrate that this policy still aligns with constitutional obligations, including maintaining food quality in government reserves.

Thus, the any quality policy can be considered adequate only if accompanied by additional instruments such as improved post harvest capacity, enhanced quality monitoring systems, and transparent public evaluation procedures. Without these, the relationship between instrument and legal purpose remains incomplete. The existing legal framework—Law 18 of 2012, Government Regulation 17 of 2015, Government Regulation 86 of 2019, and Bapanas Regulations 6/2023 and 4/2024—clearly places quality as a state obligation. It is therefore crucial to determine what measures must be added to ensure that the any quality policy does not become a weakness in fulfilling the right to food, but instead works in alignment with the broader legal framework established by the state.

For clarity, Table 1 below presents an analysis of the any quality policy within the framework of the right to food and the state's constitutional obligations.

[36] Fernández-i-Marín et al., "Bureaucratic Quality and the Gap between Implementation Burden and Administrative Capacities."

Tabel 1: ***Legal and Policy Analysis of the Any Quality Scheme in Indonesia's Rice Procurement System***

Regulation	Relevant Articles	Core Normative Substance	Implications for the Any Quality Policy	Critical Notes and Policy Gaps
Law No. 18/2012 on Food	Article 3; Article 59(1); Article 12(5)	Food is a human right; the state must provide food that is safe, high-quality, and affordable; the government must build post-harvest facilities to ensure quality.	Food quality is part of the right to food; purchasing rice of varying quality must still ensure that government rice stocks meet safety and quality standards.	No room for policies that reduce rice quality; any quality is only lawful if accompanied by quality-control mechanisms and strengthened post-harvest capacity.
Government Regulation No. 17/2015 on Food Security	Article 1; Article 8(1)	Food security includes adequacy in quantity and quality; government food reserves must maintain their adequacy and quality across time and regions.	Absorbing low-quality paddy risks undermining the obligation to maintain reserve quality; policy design must ensure that rice quality does not deteriorate.	Quality variation caused by any quality creates difficulties in meeting interregional and intertemporal quality standards without quality-control instruments beyond price adjustment.
Government Regulation No. 86/2019 on Food Safety	Article 4(2)	The state must prevent contamination , quality degradation, and nutrient loss throughout the food supply chain.	Accepting off-spec paddy increases risks of contamination , mold, high moisture, and nutrient degradation in storage.	Price-based rafaksi does not fulfill food safety obligations; technical monitoring mechanisms and quality-control procedures are required.

National Food Agency Regulation No. 6/2023	Articles 2 and 3; Annex I and II	Sets Government Purchase Price (HPP) based on quality parameters such as moisture content, impurities, milling degree, and broken grains; rafaksi functions as a price correction.	Establishes the initial quality standards before the introduction of the any quality scheme.	Rafaksi originally acted as a strict correction mechanism; the changes introduced by Regulation 4/2024 weaken the prior quality framework.
National Food Agency Regulation No. 4/2024 (Amendment)	Article 1(1) amending Article 2; Article 1(2) amending Article 3; Annex I and II	HPP may be revised at any time; buying paddy outside the specified quality is allowed with rafaksi; HPP and rafaksi tables are updated.	Provides the legal basis for the any quality scheme; the state formally accepts lower-quality paddy with price deductions.	Contains no provisions for post-purchase quality evaluation; no enhancement of BULOG's capacity; lacks accountability procedures; administrative flexibility may weaken quality protection.
Constitutional Obligations of the State	(Interpreted through Article 28C and Article 33(3) of the Constitution via the Food Law)	The state must guarantee access to adequate food, including its quality; state control over key sectors must benefit the people.	The any quality policy must demonstrate a rational link to quality protection; the evidentiary burden rests on the state.	If the state cannot show that flexibilizing quality standards still protects rice quality, the policy risks violating constitutional duties.
Implementation Instruments (BULOG)	Procurement duties under NFA Reg. 6/2023 Article 4	BULOG must purchase rice according to the updated HPP and	BULOG handles diverse paddy quality despite uneven drying	Any quality increases implementation burdens without

	rafaksi.	and sorting infrastructure.	capacity enhancement, heightening the risk of reduced national rice reserve quality.

c. Comparative Policies in India, China, and Thailand

The comparison of policies similar to any quality in India, China, and Thailand shows that all three countries face the same dilemma, namely how to maintain rice supply stability while preserving incentives for quality. India faces a structural challenge due to its strong dependence on government procurement. Kanaka and Chinnadurai explain that cost structures in Indian rice cultivation create significant quality variation across regions, which often leads the government to allow higher moisture content or certain levels of damage.[37] This tolerance is used to protect farmers, especially when harvests take place under extreme weather conditions. Debnath et al. add that India's food policy, particularly through the minimum support price, aims to stabilize the domestic market but increases the need for quality reconditioning before paddy can be processed into rice for public distribution.[38] These findings show that input flexibility must be supported by adequate post harvest technical capacity.

China applies a stricter approach to quality control. Huang et. al. note that the need to maintain balance between rice supply and demand has led the Chinese government to place technical standards at the center of production and national stock policies.[39] Li and Li point out that physical limitations in China's food production force the state to reduce quality risks as much as possible, because any decline in quality can directly affect stock stability.[40] Ma et. al. strengthen this by showing how technical parameters such as moisture levels and grain damage play a key role in maintaining harvest quality.[41] Taken together, these studies indicate that China does not apply any quality explicitly, but uses price deductions based on quality testing and requires storage facilities to have temperature and humidity control technology. For this reason, flexibility remains possible but within a tightly regulated technical framework.

[37] S. Kanaka and M. Chinnadurai, "The Policy Analysis Matrix of Rice Cultivation in India," *European Journal of Basic and Applied Sciences* 2, no. 1 (2015).

[38] Deepayan Debnath et al., "The Impact of India's Food Security Policy on Domestic and International Rice Market," *Journal of Policy Modeling* 40, no. 2 (2018): 265–83, https://doi.org/10.1016/j.jpolmod.2017.08.006.

[39] Jikun Huang, Scott Rozelle, and Mark W. Rosegrant, "China's Rice Economy and Policy: Supply, Demand, and Trade," *Economic Development and Cultural Change* 47, no. 4 (1999): 3–5.

[40] Jianmin Li and Zhaohu Li, "Physical Limitations and Challenges to Grain Security in China," *Food Security* 6, no. 2 (2014): 159–67.

[41] Mingming Ma et al., "Current Situation and Key Parameters for Improving Wheat Quality in China," *Frontiers in Plant Science* 12 (2021), https://doi.org/10.3389/fpls.2021.638525.

Thailand takes a different path by balancing export quality with farmer income stability. Rerkasem explains that Thailand's rice agroecosystem produces quality variation influenced by local ecological characteristics.[42] In practice, Thailand does not generally encourage the acceptance of low quality paddy but allows flexibility only under disaster or weather disruption conditions. Ricks shows that Thailand's rice price policies are often influenced by rural political considerations, leading the state to occasionally accept substandard paddy to ease social pressure.[43] This does not mean quality is ignored. Poramacom notes that Thailand places milling at the center of quality correction by providing incentives for drying, sorting, and quality improvement before rice enters reserve systems or export channels.[44] Therefore, flexibility is not granted directly to farmers but is managed through processing at the milling level.

A consistent pattern emerges across the three countries. Kanaka and Chinnadurai highlight that quality flexibility in India is always accompanied by systematic reconditioning.[45] Debnath et.al. reinforce this by noting that India's public distribution system functions only because rice quality is controlled strictly at the final stage.[46]

The experiences of India, China, and Thailand offer important lessons for Indonesia in ensuring that the any quality policy aligns with the fulfillment of the right to food. India shows that quality flexibility only works when the state has strong reconditioning capacity, particularly drying and sorting facilities capable of improving substandard paddy. China reinforces the need for price correction formulas based on quality testing and advanced storage technologies that minimize quality degradation from the beginning. Thailand demonstrates that flexibility must be accompanied by technical oversight, with mills functioning as the main point of correction to maintain rice quality.

The main lesson for Indonesia is the need to link input flexibility with guaranteed output quality. The any quality policy must be accompanied by non negotiable minimum quality standards, strengthened post harvest facilities, and clear stock classification to ensure that rice distributed to the public remains safe and suitable for consumption. Rafaksi must be calculated based on technical risk, not merely market price. Regular quality evaluations and public accountability mechanisms are also needed to monitor the fulfillment of the right to food. With these measures, the any

[42] Benjavan Rerkasem, "The Agroecosystem of Thai Rice: A Review," *Chiang Mai University Journal of Natural Sciences* 14, no. 1 (2019): 1–21, https://doi.org/10.12982/CMUJNS.2015.0068.

[43] Jacob Ricks, "Politics and the Price of Rice in Thailand: Public Choice, Institution Change and Rural Subsidies," *Journal of Contemporary Asia* 48, no. 3 (2018): 395–418, https://doi.org/10.1080/00472336.2017.1419275.

[44] Nongnooch Poramacom, "Rice Production, Prices and Related Policy in Thailand," *International Journal of Business and Social Science* 10, no. 1 (2014).

[45] Kanaka and Chinnadurai, "The Policy Analysis Matrix of Rice Cultivation in India."

[46] Debnath et al., "The Impact of India's Food Security Policy on Domestic and International Rice Market."

quality policy can support farmers without sacrificing food quality as required by national legal frameworks.

For further clarity, a comparison of any quality policies between the three countries can be presented in table 2 below.

Table 2: ***Comparative Overview of Paddy Procurement and Quality Governance in India, China, and Thailand***

Country	Policy Approach to Paddy Procurement	Quality Standards and Controls	Incentive Structure for Farmers	Institutional Capacity and Post Harvest Systems	Risks and Observed Outcomes	Relevance for Indonesian Any Quality Policy
India	Minimum Support Price (MSP) with procurement by Food Corporation of India (FCI). MSP applied universally but quality requirements remain mandatory.	India maintains Fair Average Quality (FAQ) standards. Relaxation possible during adverse seasons but accompanied by strict technical checks.	MSP provides stable price incentives. Strict FAQ encourages farmers to meet minimum quality thresholds.	India invests heavily in drying, storage, and milling infrastructure. Capacity varies across states, but major procurement states have stronger systems.	Relaxation of FAQ in several states has occasionally reduced grain quality. Higher moisture content and foreign materials increase warehousing losses.	India shows that accepting low quality grain requires strong technical controls. Relaxation without post harvest capacity causes deterioration.
China	State Procurement Program with tiered pricing and incentives for higher quality	China maintains strict moisture, purity, and variety standards. Non compliance leads to	Tiered pricing rewards high quality. Subsidies for improved seed, cultivation	Strong centralized warehouses, modern drying facilities, and rigorous inspection systems. Regional	Despite strict grading, rapid procurement during shortages has produced mixed	China illustrates that flexibility must be paired with rigorous grading and modern

	grain. Government also applies quality grading systems that affect procurement price.	significant price deductions. Mandatory testing at procurement points.	technology, and post harvest machinery.	disparity still exists but at a lower scale.	quality batches. Capacity buffers these risks.	infrastructure to prevent quality losses in state stocks.
Thailand	Price support and pledging schemes. Past programs accepted mixed quality paddy but required mills to conduct sorting and quality correction.	Quality control enforced at milling stage. Moisture and impurity limits remain mandatory. Acceptance of mixed quality is offset by mill obligations to meet output standards.	Farmers receive higher prices for premium varieties. Government historically compensates mills for sorting costs.	Milling sector is relatively advanced. Sorting, drying, and storage capacity stronger than India and some parts of China.	Pledging scheme once caused oversupply of mixed quality paddy, increasing sorting burdens, although mills could correct deficiencies.	Thailand demonstrates that acceptance of heterogeneous quality must be paired with mill level correction capacity, or quality decline becomes systemic.

d. Steps to Align the Any Quality Policy with the Fulfillment of the Right to Food

The any quality policy in paddy procurement opens a debate on how far the state may relax input quality standards without weakening the quality of food that forms part of citizens' rights. The right to food is not an act of charity but a legal entitlement that positions the state as the duty bearer and citizens as rights holders. This principle requires every public policy to be examined through the relationship between the instrument chosen and the constitutional goal it intends to achieve. When the state decides to accept paddy of varying quality, including paddy that previously did not qualify under the Government Purchase Price (HPP) scheme, it must demonstrate that this relaxation will not diminish the fulfillment of the right to safe, suitable, and high quality food.

A rights based approach requires the state to link the any quality policy to its legal obligations under Law 18 of 2012, Government Regulation 17 of 2015, and Government Regulation 86 of 2019. The Food Law clearly places quality as part of the right the state must guarantee. Government Regulation 17 of 2015 obliges the government to maintain food reserves that are sufficient and high quality, while Government Regulation 86 of 2019 emphasizes that food safety includes preventing contamination, quality degradation, and nutrient loss along the supply chain. These norms bind the state to ensure that relaxed input standards cannot be used as a justification for lowering the quality of food distributed to the public. The any quality policy gains full legitimacy only if such consistency can be demonstrated.

The principle of proportionality, particularly the "rational connection" element, requires the state to show a logical causal link between the policy instrument and the protection of rights. Accepting paddy outside HPP standards is permissible only if the state provides quality control mechanisms at other stages to ensure that final rice quality is maintained. Price based justification through rafaksi is insufficient because food quality is not merely an issue of economic value but one involving safety and nutrition protected by law. To satisfy the rational connection requirement, the state needs a quality risk map that identifies all potential sources of degradation arising from accepting heterogeneous paddy, from high moisture levels to fungal contamination, broken grains, and nutrient decline during storage. Such a risk map serves as the basis for designing appropriate price corrections and determining the necessary technical interventions.

Accepting low quality paddy also requires a minimum quality threshold that cannot be crossed. This threshold must align with food safety rules and cannot be compromised through rafaksi. The state may purchase paddy below certain standards but must not purchase paddy that poses health risks or cannot be processed into safe rice. This threshold is not merely a technical instrument but a minimum requirement for a policy that respects the right to food.

Rafaksi requires technical justification as well. The price reduction applied to low quality paddy must reflect actual costs for drying, sorting, processing, and risks of quality decline during storage. Without a risk based formula, rafaksi becomes merely an economic adjustment with no connection to quality protection. This is where the antithesis to earlier policy gaps emerges: the fundamental issue is not rafaksi's flexibility but the absence of an empirical link between rafaksi and food quality protection. The state must show that price instruments form part of a coherent policy design that consistently prevents quality deterioration in food reserves.

Post harvest capacity strengthening is also essential to balance input flexibility and output quality. The Food Law obliges the government to develop post harvest facilities as an instrument to ensure quality, yet the any quality policy increases the burden

without expanding technical capacity. If the state accepts high moisture paddy, drying facilities must be available. If it accepts paddy with higher impurity levels, sorting facilities must be capable of handling it. Without strengthened capacity in drying and sorting, the any quality policy merely shifts the burden to BULOG and small milling enterprises that often lack adequate technical equipment. This can lower the quality of government rice reserves, particularly when storage facilities are vulnerable to humidity and temperature fluctuations.

Quality based stock classification is another key measure to prevent low quality rice from being distributed to vulnerable groups. Government stocks can be divided into categories, from premium stock for emergency uses requiring high standards, to medium and low grade stocks that require further reconditioning before distribution. This approach aligns input flexibility with the constitutional obligation to provide quality food. Without classification, government stocks may be mixed, making quality standards unenforceable.

An accountability based approach requires the state to provide publicly accessible evaluation mechanisms. A major issue has been the absence of quality monitoring after procurement. To address this, the state must establish a reporting system that publishes regular quality updates. This includes average moisture levels of procured paddy, laboratory test results for contaminants, broken grain percentages, and stock conditions after several months of storage. Public reporting ensures that citizens can assess whether the any quality policy genuinely protects food quality. Such transparency is central to a rights based approach that recognizes citizens as evaluators, not merely recipients.

Beyond transparency, the state must provide public evaluation forums involving academics, farmers, consumers, local governments, and oversight bodies. Joint evaluation reflects the concept of deliberative accountability, recognizing the multi stakeholder nature of food policy. These forums allow regular discussions on quality control capacity, implementation challenges, and policy adjustments. The core weakness in earlier policies is therefore not only the absence of evaluation mechanisms, but also the absence of transparent, structured public deliberation.

Improving policy design requires integrating price instruments with technical instruments. The any quality scheme must operate as a policy package that includes procurement, drying, sorting, milling, quality monitoring, and stock classification. Technical instruments that ensure quality cannot be treated as optional additions but as mandatory components of the design. This integration is consistent with the views of Peters, Lewis, and Torfing on the importance of policy design coherence for consistent implementation.

Interagency coordination must also be strengthened. Local governments have uneven capacities, and their roles must be standardized. Local authorities may be given powers to conduct on site quality checks, while central ministries and the National Food Agency develop the technical standards. This multi level coordination aligns with the theory of Hooghe and Marks on the importance of regional authority structures that work in harmony with central authority. Without such coordination, the any quality policy will generate regional quality disparities that are difficult to manage.

Administrative capacity strengthening is another essential component. A common failure in modern public policy is imposing implementation burdens that exceed the available capacity, as explained by Howlett and Ramesh. In the context of any quality, BULOG bears the largest burden. Therefore, the state must align the mandate with the capacity at each bureaucratic level. If BULOG is required to accept low quality paddy, the state must provide funding to enhance BULOG's technical facilities. Implementation burdens must not arrive faster than the required capacity improvements.

Adding a constitutional suitability test for HPP and rafaksi adjustments is also crucial. Since the right to food is a constitutional mandate implemented through the Food Law and derivative regulations, every pricing policy change must be evaluated for its consistency with rights protection. This includes assessing impacts on stock quality, food safety risks, and the distribution of quality to vulnerable groups. This constitutional alignment test ensures that policy design does not deviate from the state's normative commitments.

Taken together, these additional steps demonstrate that the any quality policy does not have to be a point of weakness in fulfilling the right to food. The policy can support farmers' income and accelerate paddy procurement as long as the state balances it with adequate quality control instruments and capacity. By strengthening the rational connection between input flexibility and output quality, and ensuring accountability and transparency, the any quality policy can become an effective tool to maintain food stock stability, enhance farmer inclusion, and protect the right to food comprehensively.

For further clarification, the steps to ensure that any quality policy is in line with the fulfillment of the right to food can be presented in table 3 below.

Tabel 3: ***Strategic Measures to Align the Any Quality Policy with the Right to Food and National Legal Frameworks***

Identified Problem	Legal–Theoretical Foundation	Required Corrective Measure	Expected Outcome
Relaxed input-quality standards are not matched with guarantees for output quality	The right to food as *entitlement* requires the state to protect food quality (Food Law; Food Security PP; London; Gómez)	Establish a quality risk map, set minimum non-negotiable quality thresholds, and classify paddy/rice based on safety and suitability	A rational connection is maintained between flexible inputs and high-quality outputs consistent with proportionality principles
Rafaksi functions as the sole corrective instrument	Quality is a matter of safety, not price; the state must control quality (Food Safety PP)	Develop a risk-based rafaksi formula and combine it with technical instruments such as drying standards, moisture tests, and grading systems	Rafaksi becomes not only a price correction but a component of a broader quality assurance mechanism
Insufficient post-harvest capacity to process lower-quality paddy	The state is required to build post-harvest facilities (Food Law Article 12(5))	Strengthen drying, sorting, and processing facilities; mandate minimum technical capacities at procurement points	Input variability can be converted into consistent and safe rice outputs
Potential degradation of national food reserve quality	The government must maintain reserve quality over time (Food Security PP Article 8)	Implement quality-based stock classification (premium–medium–low grade), stock rotation, and reconditioning standards	National reserves remain stable in quality despite receiving diverse paddy grades
No quality evaluation after procurement	Rights-based approaches require	Conduct routine quality evaluations,	Public can verify that their right to adequate, quality

	accountability and evaluative mechanisms (London; Guendel)	independent audits, and public reporting of moisture content and lab results	food is fulfilled
Absence of public accountability mechanisms	Rights-holders must be able to oversee state actions (Steiner, Alston, Goodman)	Establish public evaluation forums, complaint mechanisms for food quality, and interregional quality transparency reports	Increased accountability and more responsive policy management
Weak inter-agency coordination	Policy design theory (Peters; Lewis; Torfing); multilevel governance (Hooghe & Marks)	Develop coordination protocols among NFA–BULOG–local governments–Ministry of Agriculture	Standardized implementation quality across regions with reduced disparity
Implementation burden exceeds administrative capacity	Administrative capacity theory (Howlett & Ramesh; Fernández-i-Marín)	Require minimum facility certification at procurement points, strengthen BULOG's technical capacity, and allocate specific funding	Reduced implementation failures and improved quality stability
HPP and rafaksi changes are not tested against constitutional duties	Constitutional obligations via the Right to Food and state control principles	Introduce a constitutional alignment test prior to adjusting HPP/rafaksi, including quality, distribution, and food-safety impact assessments	Pricing policies remain aligned with constitutional duties
Weak integration between price-based and technical instruments	Rational connection requires coherence between instruments and goals	Design an integrated policy package combining price tools, technical procedures, and administrative protocols	A coherent policy design that meets standards of policy design quality
Lack of	Legal norms	Add mandatory	Any quality

mandatory quality safeguards in NFA Regulation 4/2024	cannot expose citizens to food-safety risks	quality safeguard clauses, prohibit purchase of harmful paddy, and require treatment before storage	remains within safe boundaries consistent with food law obligations
System unprepared to distribute rice with varying quality	The right to food includes suitability standards for vulnerable groups	Set distribution standards according to quality classifications; vulnerable populations receive only premium or medium-grade rice	Fair and safe government distribution aligned with state obligations

If these measures are implemented, the any quality policy will no longer be seen as a threat to food quality but as a policy innovation that operates in harmony with the state's constitutional mandate. The policy can combine economic goals and social rights within a mutually reinforcing design. In this way, the policy can evolve from an emergency mechanism into a structured part of a comprehensive, quality oriented rights fulfillment system that aligns with the legal framework established by the state.

IV. CONCLUSION

The overall assessment of the any quality policy shows that state flexibility in absorbing paddy without strict quality standards is not the core issue. The central concern lies in the state's ability to prepare technical instruments, institutional capacity, and accountability mechanisms to ensure that early stage quality relaxation does not result in reduced food quality, which forms part of citizens' rights. The right to food as an entitlement requires consistent quality protection in line with Law 18 of 2012, Government Regulation 17 of 2015, and Government Regulation 86 of 2019. For this reason, any policy that affects the quality of government rice reserves must demonstrate a rational connection between its goals and the instruments it employs.

The any quality policy will gain full legitimacy only if the state can manage quality risks through strengthened post harvest facilities, classification of stock based on quality, application of drying and sorting standards, and transparent quality evaluation. Price instruments such as rafaksi are insufficient as standalone correction mechanisms and must be combined with technical standards that safeguard food safety. Strengthening administrative capacity within BULOG and local governments is also essential to ensure consistent implementation and prevent regional declines in quality.

A coherent policy design that aligns price instruments, technical instruments, and

administrative procedures is necessary to keep the policy in line with the state's constitutional obligations. Public accountability mechanisms, including quality reporting and open evaluation forums, are required so that citizens can meaningfully assess the fulfillment of their rights. With these supporting instruments in place, the any quality policy can function as an adaptive policy that maintains food quality, stabilizes reserves, and fulfills the right to food as mandated by national law, without allowing quality to become a point of vulnerability in food governance.

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