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## Electronic Auctions and the Constitutional Right to Public Services in Indonesia: A Legal Evaluation of KPKNL Practices

Article	Abstract
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### INTRODUCTION

Digital transformation in public administration has become a key strategy of the state to improve the quality of public services (Situmeang, 2025). Digitalization is not merely understood as administrative modernization, but also as an instrument to realize the principles of the rule of law through services that are transparent, accountable, and legally certain (Arif,

2025). In this context, state auctions constitute one form of public service administered by the state. They are directly connected to the fulfilment of citizens' rights as guaranteed by the 1945 Constitution of the Republic of Indonesia.

The right to public services is a constitutional right of citizens. Article 28D paragraph (1) of the 1945 Constitution guarantees every person the right to recognition, guarantees, protection, and fair legal certainty, while Article 34 paragraph (3) affirms the state's obligation to provide adequate public services.

These constitutional provisions are operationalized through Law Number 25 of 2009 on Public Services, which establishes legal certainty, transparency, accountability, and equal treatment as normative standards for all services delivered by the state apparatus (Mafita, 2019; Turnip, 2025a). Accordingly, every form of public service, including auction services, must be assessed not only from the perspective of administrative compliance, but also in terms of the fulfilment of citizens' constitutional rights.

State auctions, particularly the execution auctions of mortgage rights, are characterized as juridical-administrative public services that directly affect citizens' private legal rights (Akyas et al., 2025; Febrianto & Ayunda, 2020; Prakoso & Idrus, 2025). In practice, auctions are often associated with debtor default and the enforcement of creditors' rights over collateral objects (Abrarsyah & Djajaputra, 2022; Alimah, 2024; Faizin et al., 2025). However, when state institutions conduct auctions, they cannot be viewed merely as private legal relationships between debtors and creditors. The organization of state auctions must adhere to the principles of equality before the law, utility, and legal certainty as manifestations of the rule of law (*Rechtsstaat*) (Leonard & Pakpahan, 2024; Moktar et al., 2021; Putra & Kunarti, 2022; Rio et al., 2024).

Institutionally, the State Assets and Auction Service Office (*Kantor Pelayanan Kekayaan Negara dan Lelang*—KPKNL) holds a strategic position as the executor of state authority in the field of auctions (Novita et al., 2022; Rasji, 2024). KPKNL does not merely perform technical auction functions, but also represents the state in fulfilling its constitutional obligations to citizens (Febrianto & Ayunda, 2020). Therefore, every administrative action undertaken by KPKNL in the organization of auctions, including the determination of schedules, announcements, implementation, and the determination of auction results, must reflect the principles of transparency, accountability, and fair legal protection for all service users (Lubis et al., 2022; Mafita, 2019; Novita et al., 2022).

The strengthening of the electronic auction system through the *lelang.go.id* platform and the enactment of Regulation of the Minister of Finance of the Republic of Indonesia Number 86 of 2024 concerning Auction Minutes constitute part of the state's efforts to enhance the quality of digital-based public services. This regulation affirms the authenticity of auction minutes as official records and strengthens procedural and administrative standards for auction implementation. Nevertheless, the existence of such regulation necessitates a critical examination to assess whether it has effectively ensured the fulfilment of citizens' constitutional rights to public services, particularly in terms of legal certainty, access to information, and accountability of service providers.

Previous studies indicate that research on electronic auctions has predominantly focused on technical, administrative, and procedural aspects, particularly transparency, efficiency, and service quality, without explicitly linking electronic auction practices to the constitutional right to public services (Arif, 2025; Lubis et al., 2022; Pamungkas & Prakoso, 2024a). Landina et al. examined the implementation of electronic auctions for regional government assets conducted by the State Assets and Auction Service Office (KPKNL), emphasizing compliance with auction principles and identifying operational constraints. However, the

analysis remained confined to administrative and procedural dimensions, without engaging constitutional considerations. Similarly, (Cholifah & Fanida, 2019) analyzed the transparency of the Electronic Auction program at KPKNL Surabaya from a public administration perspective, highlighting information disclosure and accessibility for auction participants. Other studies (Mazwa et al., 2025; Ningrum, 2024; Siregar & Siregar, 2023; Widyasti, 2025.) have shown that the quality of electronic auction services significantly impacts user satisfaction. However, these assessments primarily rely on service performance indicators rather than constitutional guarantees of public service delivery.

In parallel, empirical legal studies on mortgage auctions reveal a persistent imbalance in litigation between individual debtors and banking institutions. Several studies show that individuals are generally in a weaker position when contesting mortgage execution auctions against banks, both at the trial and appellate levels (Hetharie, 2023; Ardhi, 2024). This imbalance is primarily attributed to limited access to legal resources (Setiawan, 2021) and insufficient understanding of legal rights and procedural safeguards available in mortgage execution auctions (Pratiwi et al., 2023) (Elisa et al., 2023) (Retnowati et al., 2023) (Herwastoeti, 2024). As a result, debtors frequently suffer defeat in litigation, leading to significant socio-economic consequences, particularly for entrepreneurs whose properties are auctioned to satisfy outstanding debts (Sriwati, 2021) (Pamungkas & Prakoso, 2024b). Beyond material losses, these outcomes often generate a perceived loss of justice and legal fairness among debtors (Soraya, 2021; Prihartanto, 2021; Jumanah et al., 2023; Pratiwi et al., 2023)

Despite the expanding literature on electronic auction administration and mortgage execution disputes, prior studies generally treat e-auction regulation as an administrative/technical instrument rather than as a constitutional obligation to deliver public services, and do not specifically assess the implementation of Minister of Finance Regulation Number 86 of 2024 against the constitutional right to public services under Article 28D paragraph (1) and Article 34 paragraph (3) of the 1945 Constitution and Law Number 25 of 2009. This research fills that gap by repositioning electronic auction governance as a public-service duty with constitutional benchmarks, and by offering a normative-legal evaluation of PMK 86/2024 to determine whether its design and implementation strengthen legal certainty, transparency, accountability, and equal access for service users. The novelty lies in integrating auction regulation analysis with constitutional public service rights to derive concrete constitutional parameters for e-auction practice, while identifying specific legal-entry points for individuals to challenge mortgage execution auctions within that framework effectively.

## RESEARCH METHOD

This study employs a normative legal research method with an evaluative constitutional character, aimed at assessing the implementation of electronic auctions (e-auctions) as part of public service delivery from the perspective of citizens' constitutional rights (Najiyah, 2024; Safitri et al., 2024). This method is selected because the study not only examines procedural compliance in auction implementation but also evaluates its conformity with the principles of the rule of law, the fulfilment of the constitutional right to public services, and the state's constitutional obligation to ensure fair, equal, and non-discriminatory treatment of citizens. The research employs a statutory, conceptual, and case-based approach.

The statute approach is used to analyze the coherence and consistency of legal norms among the 1945 Constitution of the Republic of Indonesia, Law Number 25 of 2009 on Public Services, Law Number 4 of 1996 on Mortgage Rights, and Minister of Finance Regulation Number 86 of 2024 on Auction Minutes, particularly in relation to guaranteeing equitable access to electronic auction services. The conceptual approach is employed to examine legal

concepts, such as the constitutional right to public services, the principle of equality before the law, non-discrimination, state obligations, and the idea of the rule of law (*Rechtsstaat*) as normative parameters for evaluating e-auction practices (Gumilang et al., 2024; Pujiningsih, 2024; Yuniar et al., 2025). Meanwhile, the case approach is used to analyze court decisions on disputes over the execution of mortgage auctions, particularly those involving the State Assets and Auction Service Office (KPKNL), to assess how the principles of equality and the protection of citizens' rights are applied in practice.

The analysis in this study is directed explicitly at addressing four key issues. First, it examines whether e-auctions provide fair access for debtors as citizens, particularly in terms of access to information, opportunities to submit objections, and procedural safeguards. Second, it assesses whether the procedures implemented by KPKNL align with the principles of non-discrimination and equality before the law, which are fundamental standards of public service delivery. Third, it analyzes information asymmetry in the implementation of e-auctions as a potential violation of the constitutional right to information and adequate public services. Fourth, it evaluates DJKN and KPKNL as executive organs in fulfilling the state's constitutional obligation to deliver public services that are transparent, accountable, and provide legal certainty.

The legal materials used in this study comprise primary, secondary, and supporting legal sources. Primary legal materials include constitutional provisions, statutes, and regulations governing auctions and public services. Secondary legal materials include scholarly literature, textbooks, and academic journal articles relevant to e-auctions and constitutional rights to public services. Supporting legal materials, including court decisions and policy documents, are used to understand the practical implementation of electronic auctions as a basis for juridical facts.

To support the normative analysis, this study employs descriptive qualitative analysis assisted by NVivo 12 Plus software. Court decisions and supporting documents are analyzed through a coding process to identify patterns in legal practice related to access to justice, procedural equality, information asymmetry, and the roles of KPKNL and DJKN as state authorities. The use of NVivo in this study is instrumental in organizing and systematically mapping the data and does not alter the normative character of the research. The final analysis is conducted through legal reasoning by linking the supporting empirical findings to constitutional norms and public service standards. Through this method, the study aims to provide a comprehensive evaluation of the implementation of e-auctions as a public service, ensuring the fulfillment of citizens' constitutional rights in accordance with the principles of the rule of law.

## ANALYSIS AND DISCUSSION

### E-Auction and Access to Justice for Debtors as Citizens

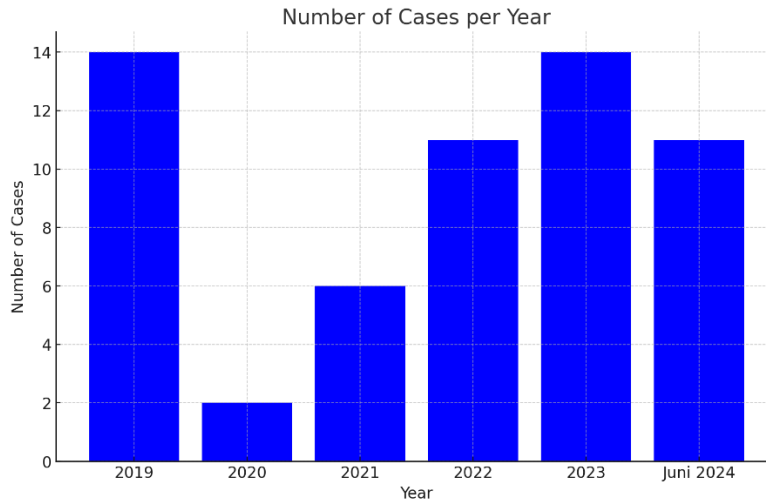
Within the rule of law framework, every governmental action that affects citizens' rights must be examined through the principle of access to justice. The implementation of e-auctions by the State Assets and Auction Service Office (KPKNL) cannot be understood merely as a civil execution mechanism, but rather as a form of juridical public service whose consequences directly affect property rights, legal certainty, and citizens' sense of justice (Octavian, 2024; Turnip, 2025a).

Normatively, the digitalization of auctions through e-auctions is claimed to expand access and improve efficiency. However, the empirical findings of this study demonstrate that technological access does not necessarily equate to substantive access. Debtors are often placed in an unequal position from the outset of the process due to a limited understanding of

procedures, legal terminology, and the juridical implications of each stage of the auction (Muslim et al., 2024; Turnip, 2025b). This condition indicates that e-auctions have not fully ensured effective access to justice, particularly for structurally disadvantaged groups of citizens.

Disputes over the execution of mortgage auctions continue to increase each year in Indonesia and have become a recurring phenomenon at the Pekanbaru District Court. This situation highlights the importance of sustained attention from academics and legal practitioners to seek equitable solutions to these disputes. From a legal standpoint, each party is entitled to an equal share of justice so that mortgage auction cases may reach a fair balance.

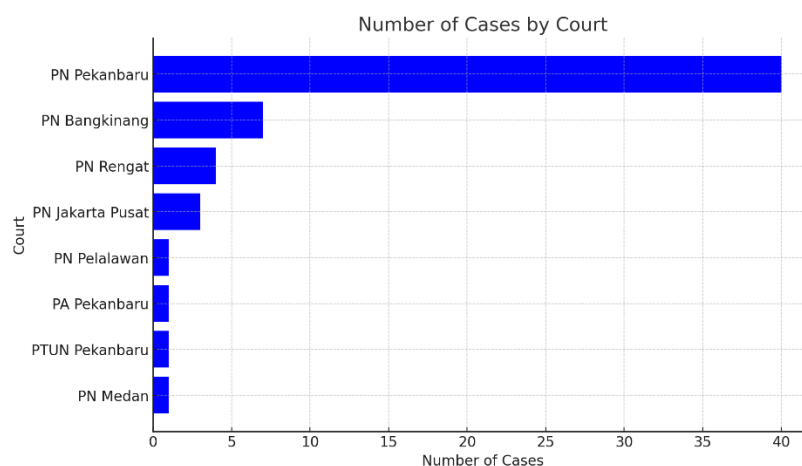
Figure 1. Number of KPKNL Pekanbaru Lawsuit Cases for the Period 2019 to June 2024



Source: KPKNL Pekanbaru-data processed, 2025

Figure 1 shows the number of lawsuits handled by KPKNL Pekanbaru from 2019 to June 2024. In 2019, there were 14 cases, which declined sharply to only 2 cases in 2020. In 2021, the number increased to 6 instances; in 2022, to 11; and in 2023, to 14. As of June 2024, 11 cases had been recorded. NVivo-based analysis of court decisions and case archives indicates that disputes over the execution of mortgage auctions at KPKNL Pekanbaru are not incidental but constitute a recurring pattern. In 2019, there were 14 lawsuits, which declined significantly to 2 in 2020 due to pandemic-related restrictions on economic activity, then increased consistently to 14 in 2023 and 11 by June 2024. This pattern suggests that as financial conditions normalize and auction activity increases, conflicts between debtors and the state, as the provider of auction services, also intensify.

Figure 2. Number of KPKNL Pekanbaru Lawsuit Cases for the Period 2019 to 2024 Based on the Court.



Source: processed from SIPP Supreme Court, 2025

Figure 2 details the distribution of lawsuit cases handled by KPKNL Pekanbaru from 2019 to 2024 based on the courts involved. The Pekanbaru District Court recorded the highest number of cases, totaling 40, followed by the Bangkinang District Court with 7 and the Rengat District Court with 4. The concentration of lawsuits in the Pekanbaru District Court, 40 out of a total of 58 cases indicates that debtors actively resort to judicial mechanisms as a last avenue to access justice. This fact reinforces the argument that access to justice in e-auctions is not fully available at the administrative stage. If public services had provided effective preventive protection mechanisms, the escalation of disputes into litigation should have been minimized. Accordingly, these data confirm that e-auctions have not yet ensured effective access to justice for debtors as citizens, as envisaged under Article 28D, paragraph (1), of the 1945 Constitution.

From a constitutional perspective, the state's failure to guarantee access to justice is not merely a technical administrative issue. Still, it may constitute a violation of Article 28D paragraph (1) of the 1945 Constitution, which guarantees fair legal certainty. When citizens are factually unable to exercise their rights due to procedural complexity and limited assistance, those rights lose their substantive meaning. Therefore, e-auctions, as a form of public service, must be evaluated not only in terms of system openness but also in terms of their ability to ensure the effective exercise of rights by debtors as citizens.

### **KPKNL Procedures and the Principles of Non-Discrimination and Equality Before the Law**

The principle of equality before the law requires that every citizen be treated equally by state authorities, both in the substance of policies and in the design of public service procedures. In execution auctions, KPKNL applies the same procedures to all parties. However, procedural uniformity does not necessarily result in substantive equality of justice (Fadli, 2025; Permata, 2020; Putra & Kunarti, 2022).

This study finds that standardized auction procedures may, in fact, give rise to indirect discrimination. Creditors, as institutions with substantial legal and administrative resources, can effectively utilize procedures. At the same time, debtors often become mere objects of those procedures without adequate capacity to participate on an equal footing. This imbalance is not caused by explicit discriminatory treatment, but by service designs that fail to account for differences in the capacities of the parties involved.

NVivo findings (Figure 2) show that individual debtors file the majority of lawsuits against KPKNL, whereas creditors, typically financial institutions, are rarely positioned as

defendants. This pattern reveals a structural imbalance in service relations, in which formally equal procedures disproportionately benefit parties with stronger administrative and legal capacities.

In the context of equality before the law, procedural uniformity does not automatically create substantive equality. These empirical data demonstrate that KPKNL procedures tend to operate under the assumption that all service users possess equal capacity, whereas in reality, debtors occupy a weaker position. Consequently, auction procedures that appear neutral may generate indirect discrimination, which is inconsistent with the principle of non-discrimination in a state governed by the rule of law.

From a rule-of-law perspective, the state's obligation does not end with the application of formally neutral procedures. Instead, the state is required to prevent structural injustice through policies that are sensitive to the position of vulnerable citizens. Therefore, if KPKNL procedures consistently provide unequal protection to creditors and debtors, such practices must be questioned on the grounds of non-discrimination and equality before the law.

### **Constitutional Right to Public Services in Relation to Electronic Auctions and the Role of KPKNL**

Public services in Indonesia are not merely administrative activities, but part of constitutionally protected citizens' rights. Article 28D paragraph (1) of the 1945 Constitution guarantees the right to recognition, guarantees, protection, and legal certainty, as well as equal treatment before the law. In the context of state administration, this provision requires that any public service that delivers legal consequences be conducted through clear procedures, measurable standards, and fair treatment, to ensure legal certainty and legal protection for service users. In parallel, Article 34 paragraph (3) of the 1945 Constitution explicitly places responsibility on the state to provide proper public facilities and public services. This constitutional mandate positions the state as a duty bearer, meaning that the delivery of public services must be oriented not only to efficiency, but also to the fulfillment of citizens' rights through accountable governance.

These constitutional guarantees are operationalized through Law Number 25 of 2009 on Public Services, which frames public service delivery as a legal obligation of state institutions to meet citizens' needs for goods, services, and/or administrative services. The law emphasizes principles such as legal certainty, equal rights, non-discrimination, transparency, accountability, and proportionality, and requires service standards that are publicly accessible and consistently implemented. Therefore, when a public service results in the transfer or confirmation of rights, such as an auction, it must be assessed as a rights-based service: the process must protect parties' legitimate expectations, ensure access to information, prevent arbitrary administrative actions, and provide effective safeguards against harm caused by procedural defects.

Within this framework, the implementation of auctions, especially electronic auctions, should be understood as part of the fulfillment of constitutional rights. Auctions create direct legal impacts for citizens (including buyers, sellers, and third parties). They thus must align with Article 28D (1)'s requirement of legal certainty and equal treatment, and with Article 34(3)'s mandate that the state provide proper public services. Consequently, e-auctions are not only a technological modernization initiative but also a constitutional and statutory obligation to strengthen transparency, fairness, and legal protection in public service delivery. This rights-based approach also clarifies KPKNL's institutional accountability as the implementing agency: its administrative actions in organizing and validating auctions constitute state actions that must be justifiable under constitutional guarantees and the public service law.

The implementation of auctions, including electronic auctions, constitutes a form of public service that directly affects the fulfilment of citizens' civil rights. In practice, auctions function not only as mechanisms for the execution or transfer of rights, but also as state instruments to ensure legal certainty and legal protection for the parties involved. Several studies emphasize that auctions conducted without adequate transparency and accountability are prone to disputes and losses, particularly for good-faith auction winners (Abrarsyah & Djajaputra, 2022; Putra & Kunarti, 2022).

The transformation of auctions into electronic formats (e-auctions) is positioned as an effort to modernize public services and enhance transparency. Empirical studies demonstrate that implementing e-auctions at KPKNL improves information disclosure and procedural efficiency and reduces administrative irregularities (Cholifah & Fanida, 2019; Novita et al., 2022; Siregar & Siregar, 2023). From a public service perspective, such transparency is a fundamental prerequisite for ensuring equal access and legal certainty for service users. Nevertheless, several studies also indicate that digitalization of auctions does not automatically guarantee the protection of parties' rights. Post-auction disputes, blocking of ownership certificates, and objections to the validity of auction minutes continue to occur, indicating a gap between formal legal certainty and substantive justice (Pratiwi et al., 2023; Gumilang et al., 2024; Octavian, 2024). This condition underscores that electronic auctions, as a form of public service, must be evaluated not only in procedural terms but also in terms of their effectiveness in protecting citizens' rights.

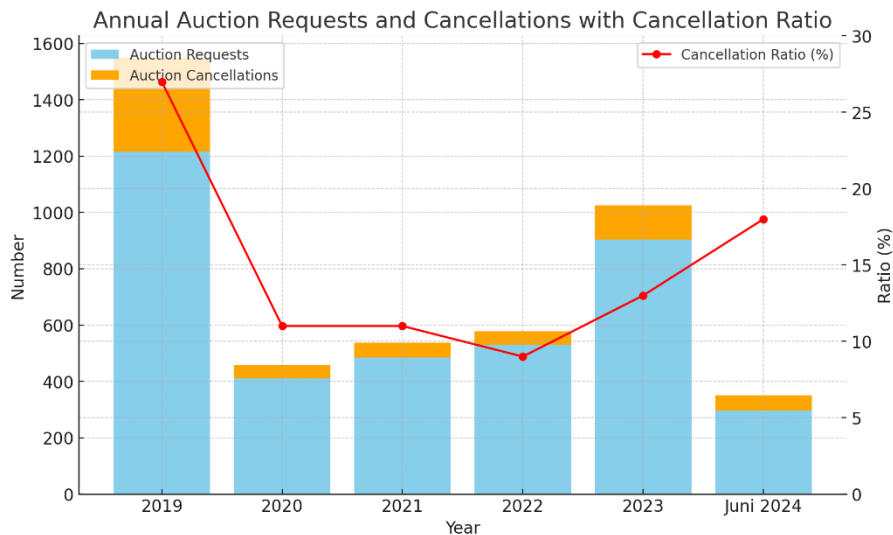
From an institutional perspective, KPKNL plays a central role as the auction organizer and as the state's representative in the provision of public services in the field of state assets and auctions. Research on KPKNL's auction implementation indicates that this authority positions KPKNL as an administrative organ bound by the principles of legal certainty, prudence, and legal protection for the parties involved (Febrianto & Ayunda, 2020; Turnip, 2025b). Accordingly, every administrative action taken by KPKNL in electronic auctions has direct implications for the fulfilment of citizens' constitutional right to fair public services. Strengthening auction regulations and practices, including the renewal of auction rules in the era of disruption, is considered essential to ensure a balance between economic efficiency and the protection of citizens' rights (Akyas et al., 2025; Widyasti, 2025.). Within this framework, electronic auctions should be understood as public services that require state accountability, in which KPKNL functions not merely as a technical executor of auctions but also as a duty bearer responsible for ensuring legal certainty, justice, and legal protection for all service users.

### **Information Asymmetry as a Violation of the Constitutional Right to Public Services**

The right to information is an essential component of the right to public services guaranteed by the 1945 Constitution and the Public Service Law. In the context of e-auctions, information on reserve prices, valuation mechanisms, objection procedures, and legal consequences should be communicated clearly, comprehensively, and be accessible to all citizens.

The findings of this study indicate that information asymmetry remains a central issue in the implementation of e-auctions. Although information is formally available through electronic systems, it is often technical, normative, and not communicative to the general public. As a result, debtors frequently become aware of potential losses or injustices only after the auction process has begun or even after the auctioned object has been sold. This condition reflects a failure of public services to fulfill the dimension of meaningful transparency.

Figure 3. Application, Cancellation, and Ratio of Auction Cancellation to Application for Execution of Mortgage Rights Auction Period 2019 to June 2024



Source: KPKNL Pekanbaru-data processed, 2025

Figure 3 illustrates auction application data and cancellations for mortgage execution auctions from 2019 to June 2024. In 2019, there were 1,216 auction applications, with 334 cancellations, resulting in a cancellation rate of 27%. In 2020, applications decreased to 411 with 47 cancellations, resulting in an 11% cancellation ratio. In 2021, 485 applications and 53 cancellations produced the same 11% ratio. In 2022, there were 531 applications and 47 cancellations, lowering the ratio to 9%. In 2023, applications rose significantly to 904 with 122 cancellations, increasing the ratio to 13%. By June 2024, 297 applications had been recorded, with 54 cancellations, resulting in an 18% cancellation rate. Overall, from 2019 to June 2024, there were 3,844 auction applications and 657 cancellations, resulting in an aggregate cancellation rate of 17%. This relatively stable ratio indicates that cancellations are not anomalies, but an inherent feature of auction practice. The primary reasons for cancellations include debtor objections, discrepancies in reserve prices, and identified administrative defects.

The stability of the cancellation ratio reinforces indications of structural information asymmetry. Debtors typically submit objections only after the auction process has commenced or is nearing execution, indicating that crucial information, particularly regarding valuation and legal implications, was not adequately understood from the outset. From the perspective of the constitutional right to public services, this situation reflects the state’s failure to provide information that is not only available but also comprehensible and usable by citizens.

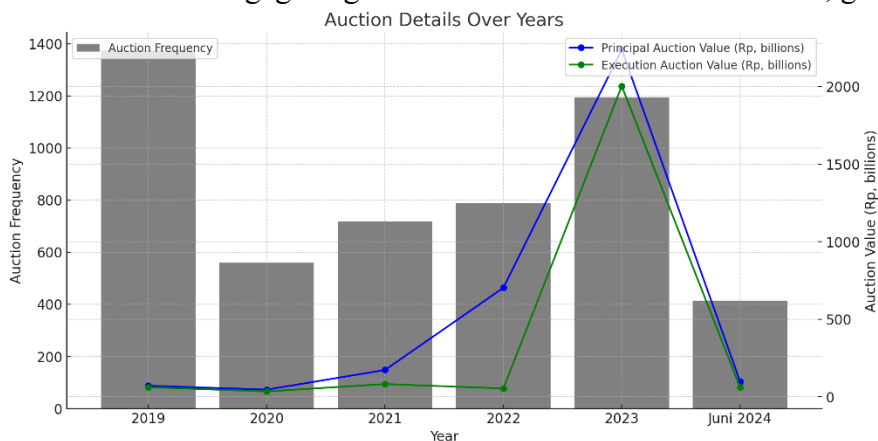
Constitutionally, transparency cannot be interpreted merely as the disclosure of documents, but rather as the state’s ability to ensure that information can be understood and utilized by citizens to protect their rights. When information asymmetry is allowed to persist, the state indirectly creates conditions that disadvantage citizens and potentially violate the right to legal certainty and fair protection. Accordingly, information asymmetry in e-auctions may constitute a violation of the constitutional right to public services.

### Evaluation of DJKN and KPKNL as Executive Organs in Fulfilling Constitutional Obligations

As part of the executive branch, the Directorate General of State Assets (DJKN) and KPKNL bear constitutional obligations (state obligations) not only to implement statutory regulations, but also to ensure that their implementation aligns with constitutional values. The

issuance of Minister of Finance Regulation No. 86 of 2024 reflects an effort to strengthen formal legal certainty by standardizing auction minutes and administrative procedures. However, enhanced administrative legal certainty does not automatically translate into the fulfillment of constitutional justice.

Figure 4. Table of Auction Frequency and Subject Matter, Auction Subject Matter, Frequency of Auctions Sold, Frequency of Auctions Without Interest (TAP), and Total Frequency of Auctions for Execution of Mortgage Rights for the Period 2019 to June 2024, general price.



Source: KPKNL Pekanbaru-data processed, 2025

Figure 4 presents detailed data on mortgage execution auctions from 2019 to June 2024, including auction frequency, principal auction values, successful auctions, and auctions without bidders (TAP). In 2019, there were 1,374 auctions with a principal value of IDR 71,708,195,290, of which 166 were successful, and 716 attracted no bidders. In 2020, auctions declined to 560 with a principal value of IDR 46,235,752,583, of which only 84 were successful, and 280 had no bidders. In 2021, auctions increased to 718 with a principal value of IDR 173,124,959,191, with 121 successful auctions and 311 without bidders. In 2022, there were 789 auctions with a principal value of IDR 703,027,362,141, including 136 successful auctions and 348 without bidders. In 2023, auctions rose sharply to 1,195 with a principal value of IDR 2,238,223,496,238, with 169 successful auctions and 613 without bidders. As of June 2024, there were 414 auctions with a principal value of IDR 97,255,586,627, of which 67 were successful, and 176 had no bidders. These data demonstrate fluctuations in auction frequency, with a sharp decline in 2020 likely due to the COVID-19 pandemic. They also show a significant increase in principal auction values in 2022 and 2023, reflecting rising economic values of auctioned objects or property prices in general. The consistently high number of auctions without bidders indicates overpricing or excess supply relative to market demand, signaling an imbalance between reserve prices, market expectations, and unfavorable economic conditions.

Accordingly, these conditions suggest that reserve price determinations often do not align with market realities or citizens' economic capacity. In the context of public services, repeated auction failures cannot be viewed merely as market dynamics, but rather as indicators of ineffective service policy.

As a normative comparison, Islamic financing practices prioritize restructuring and deliberation as mandatory steps before execution, which are conceptually more aligned with principles of citizen protection. The fact that such mechanisms have not been firmly institutionalized in conventional KPKNL auction practices indicates that DJKN continues to prioritize administrative efficiency over fulfilling the state's constitutional obligation to protect citizens' rights.

This study demonstrates that DJKN's regulatory focus and practical implementation remain predominantly oriented toward administrative validity and evidentiary strength. At the same time, protecting citizens' rights has not yet become a primary orientation. The absence of effective administrative objection mechanisms and the limited use of preventive approaches to potential injustice indicate that state obligations are still narrowly understood as regulatory compliance rather than as the fulfillment of constitutional rights.

Within the framework of a modern rule of law, executive organs are required to be responsive and corrective regarding the impacts of their policies on citizens. Therefore, DJKN and KPKNL must be evaluated not merely as technical implementers of auctions, but as the primary bearers of responsibility for the quality of constitutionally grounded public services. If e-auctions only ensure legal certainty for the state and creditors, without adequately protecting debtors as citizens, then the constitutional objectives of public services have not been fully achieved.

Accordingly, it can be concluded that although Minister of Finance Regulation No. 86 of 2024 strengthens the formal legality of auction minutes, the fulfillment of the constitutional right to public services continues to face serious challenges. DJKN and KPKNL must therefore be positioned not only as technical auction administrators, but as constitutional duty-bearers responsible for ensuring public services that are fair, transparent, and legally certain.

This analysis demonstrates that the principal issue in the implementation of e-auctions does not lie in the absence of regulation, but rather in a public service orientation that remains administrative-centered rather than constitutional-centered. Consequently, the evaluation of e-auctions must focus on assessing the extent to which the state, through DJKN and KPKNL, genuinely fulfills citizens' constitutional rights to public services that are fair, transparent, and legally certain.

## CONCLUSION

This study concludes that electronic auctions (e-auctions) conducted by the Directorate General of State Assets (DJKN) and the State Assets and Auction Service Office (KPKNL) constitute a form of juridical public service that is directly related to the fulfillment of citizens' constitutional rights. Therefore, e-auctions cannot be assessed solely on administrative compliance and procedural efficiency, but must be evaluated in accordance with the principles of the rule of law, access to justice, and the guarantee of the right to public services, as stipulated in the 1945 Constitution and the Public Service Law. Based on normative analysis and empirical findings, this study demonstrates that e-auctions have not yet fully ensured effective access to justice for debtors as citizens. Recurrent patterns of litigation indicate weak preventive protection and limited administrative corrective mechanisms in auction implementation. In addition, the uniformity of KPKNL procedures has the potential to create substantive inequalities and indirect discrimination, thereby failing to fully realize the principles of non-discrimination and equality before the law. This study also finds that information asymmetry remains a structural issue in e-auctions, as reflected in the stable rate of auction cancellations due to debtor objections and discrepancies in reserve prices. This condition indicates that transparency has not yet been achieved in a meaningful sense and has implications for the failure to fulfill the right to fair legal certainty. Although Minister of Finance Regulation No. 86 of 2024 has strengthened formal legal certainty, the orientation of DJKN and KPKNL remains predominantly administrative, while the protection of citizens' constitutional rights has not become a primary focus. Accordingly, e-auctions

must be redirected toward a constitutional-centered public service approach to genuinely ensure fair, transparent, and legally certain public services for all citizens.

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## COMPETING INTEREST

This research has no conflict of interest with any party

## AUTHORS CONTRIBUTIONS

Surizki Febrianto conceptualized the study, formulated the main research questions, and developed the theoretical framework on constitutional rights to public services, electronic auctions, and the role of KPKNL. Surizki also supervised the overall research process and critically revised the manuscript for substantial intellectual content. Umi Muslikhah conducted the literature review, analyzed statutory regulations and court decisions related to electronic auctions and the role of KPKNL, and contributed to the drafting of the methodology and discussion sections. Rabiah Binti Aminudin was responsible for collecting and analyzing secondary legal materials, including scholarly articles and regulatory documents related to e-auctions and legal protection, and contributed to data interpretation and manuscript drafting. Moses focused on methodological consistency and academic writing quality, carried out language editing and citation checking, and ensured coherence between sections and compliance with journal standards. All authors reviewed and approved the final version of the manuscript and agreed to be accountable for all aspects of the work.

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