

The Urgency of Updating Auction Law Policy in Indonesia to Improve the Effectiveness of Law Enforcement and the Protection of Community Rights

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Abstract. *Auction law policy in Indonesia plays a strategic role as a law enforcement instrument, particularly in the execution of court decisions and the settlement of civil obligations. However, in practice, various dynamics and problems still hamper its effective implementation. This study aims to analyze the urgency of reforming auction law policy in Indonesia to improve the effectiveness of law enforcement and strengthen the protection of public rights. The research method used is normative juridical with a statutory and conceptual approach. The results show that the dynamics of auction law policy in Indonesia are characterized by regulatory asymmetry, weak transparency, and the emergence of post-auction disputes that are detrimental to the parties. Furthermore, the development of electronic-based auctions has not been fully supported by a comprehensive legal framework, thus creating potential legal uncertainty. From the perspective of law enforcement effectiveness, reforming auction law policy is a necessity to create a simpler, more transparent, and more accountable system. This reform also needs to be directed at strengthening institutions and optimizing the use of information technology in the auction process. The implications of reforming auction law policy not only impact the effectiveness of law enforcement but also on the protection of public rights more broadly. Adaptive and responsive policies will ensure legal certainty for debtors, creditors, and auction participants, as well as provide access to justice for injured parties. Therefore, updating auction legal policy in Indonesia is a strategic step in realizing a legal system that is just, transparent, and oriented toward protecting public rights.*

Keywords: Auction Law Policy; Law Enforcement; Legal Reform; Protection of Community Rights; Transparency.

1. Introduction

Auction law policy in Indonesia holds a crucial position within the national legal system, particularly as an instrument for enforcing court decisions and settling various civil obligations, such as debts and collateral enforcement. Auctions serve not only as a mechanism for the open sale of goods to the public, but also as a means of achieving legal certainty and justice for the parties involved. In practice, auctions must be based on the principles of transparency, accountability, and efficiency to foster public trust in the legal system. However, with the changing times and the complexity of societal needs, current auction law policy faces various challenges that require serious attention from policymakers. (Rapi, Mudrika Jaya, Hasbuddin Khalid, dan Sri Lestari Poernomo; 2024).

The dynamics and issues within Indonesian auction law policy demonstrate a discrepancy between prevailing legal norms and practice. Issues such as a lack of transparency in the auction process, the potential for price manipulation, and post-auction disputes indicate that the existing system is not yet fully effective. Furthermore, the development of information technology, which has driven the emergence of electronic auctions, has not been fully matched by comprehensive and adaptive regulations. This creates legal uncertainty, particularly regarding the validity of electronic transactions, data security, and protection of the parties involved. These conditions demonstrate that Indonesian auction law policy still requires in-depth evaluation and systematic reform. (Sujak, Galuh Mafela Mutiara, dan Hanif Noer Rofiq; 2024).

From the perspective of effective law enforcement, updating auction legal policies is an unavoidable necessity. Auctions, as an instrument for enforcing court decisions, must be able to proceed quickly, accurately, and produce fair results for all parties. However, if auction policies fail to address existing challenges, the law enforcement process will be hampered and potentially lead to injustice. Therefore, updating auction legal policies needs to be directed at simplifying procedures, increasing transparency, and strengthening the role of authorized institutions. Furthermore, the integration of technology into the auction system must be accompanied by clear and firm legal regulations to ensure the security and legitimacy of each process. (Febriana, Nabilah, Ahmad Zazili, dan Rohaini; 2023).

Furthermore, the updated auction legal policy also has significant implications for the protection of public rights. In every auction, various interests must be protected, including those of debtors, creditors, and auction participants. Without adequate policies, the potential for rights violations will increase, ultimately harming the wider community. Therefore, the updated auction legal policy must be able to guarantee fair legal protection and provide an effective dispute resolution mechanism. Therefore, the updated auction legal policy aims not only to increase the effectiveness of law enforcement but also to create a legal system that is just, transparent, and oriented towards protecting public rights. (Febriana, Nabilah, Ahmad Zazili, dan Rohaini; 2024).

2. Research Methods

The research method used is normative juridical with a statutory and conceptual approach. The results show that the dynamics of auction legal policy in Indonesia are characterized by regulatory asymmetry, weak transparency, and the emergence of post-auction disputes that are detrimental to the parties. (Sastrani, I Dewa Ayu Nyoman Utari, Christin Sasauw, La Ode Ghondohi, dan Chesye Figeline Liklikwatil; 2026).

3. Results and Discussion

3.1. Dynamics and Problems in Auction Legal Policy in Indonesia

The dynamics of auction law policy in Indonesia demonstrate developments inextricably linked to ongoing social, economic, and technological changes. Auctions, as a legal instrument, play a crucial role in enforcing court decisions and settling civil obligations. However, in practice, these dynamics are often fraught with challenges reflecting the gap between prevailing legal norms and realities on the ground. Increasingly complex societal needs demand an adaptive auction system, but existing regulations have not fully kept pace with these developments. (Setiawan, Dodi, dan Miftakhul Huda; 2023).

One of the main problems in auction legal policy in Indonesia is the lack of synchronization between laws and regulations governing auction aspects. Overlapping regulations often create confusion in implementation, both for law enforcement officials and the public. This results in legal uncertainty, which can slow down the auction process and give rise to potential disputes. This regulatory disharmony also highlights the need for more integrated and comprehensive policy reforms.

Another frequently encountered issue is the lack of transparency in auction implementation. Although the principle of openness is legally established, in practice, there are still cases where information regarding auction objects, limit

values, or the implementation process is not clearly communicated to the public. This situation opens the door to unhealthy practices, such as price manipulation or collusion between certain parties. This lack of transparency ultimately harms the public and undermines trust in the auction system.

Furthermore, post-auction disputes are a fairly common occurrence and indicate weaknesses in the auction legal system. These disputes can arise from various factors, such as procedural inconsistencies, objections from third parties, or issues related to the validity of the auctioned object. The high number of disputes indicates that auction legal policies are unable to provide adequate legal certainty for the parties. This also results in delays in case resolution and increases the burden on the judicial system.

Advances in information technology have brought new dynamics to auction legal policy, particularly with the emergence of electronic auctions. While digitizing auctions offers easier access and efficiency, it also poses new challenges, such as system security, personal data protection, and the validity of electronic transactions. Existing regulations are not yet fully capable of addressing these aspects in detail, creating potential legal uncertainty. (Sena, I Gede Arya Wira; 2023).

Another equally important issue concerns the capacity and professionalism of the officials involved in auction implementation. Auction officials and related institutions are required to possess adequate competency to carry out their duties effectively and in accordance with legal provisions. However, in practice, there are still shortcomings in human resources, both in terms of quantity and quality. This can impact the quality of auction implementation and potentially lead to procedural errors.

Inter-institutional coordination is also a challenge in auction legal policy in Indonesia. Auctions often involve various parties, such as courts, government agencies, and financial institutions. Lack of effective coordination can lead to obstacles in the auction process, such as administrative delays or data inconsistencies. This situation highlights the need for a more integrated system to support effective auction implementation.

Another emerging dynamic concerns the protection of parties involved in auctions, particularly debtors. In some cases, debtors feel disadvantaged because the auction price is deemed not to reflect the fair value of the object being sold. This indicates weaknesses in the mechanism for determining the limit price and overseeing auction implementation. Suboptimal legal protection can lead to injustice and conflict in society. (Pardosi, Mustari Apandy, dan Ahmad Afandi; 2023).

3.2. The Urgency of Updating Auction Legal Policy from the Perspective of Law Enforcement Effectiveness

The urgency of updating auction legal policy from the perspective of effective law enforcement cannot be separated from the strategic role of auctions as an enforcement instrument in Indonesia's civil law system. Auctions serve as a concrete means of enforcing court decisions, particularly in the settlement of financial obligations such as debts. When auction policies fail to accommodate evolving practice, the law enforcement process is hampered and loses its effectiveness.

In practice, various obstacles often arise in auction implementation, indicating a mismatch between legal norms and realities on the ground. Complicated procedures, a lack of regulatory clarity, and weak coordination between institutions are factors that reduce the efficiency of auction implementation. This situation results in delays in the implementation of court decisions, ultimately eroding public trust in the legal system. (Baharuddin, M. Yusuf, dan Rouli Anita Velentina; 2025).

Updating auction legal policies is crucial to address these challenges. Regulatory reform is needed to create a simpler, faster, and more transparent system. With more adaptive policies, the auction process can run effectively and provide legal certainty for the parties involved.

The effectiveness of law enforcement depends heavily on the legal system's ability to effectively execute decisions. Auctions, as part of the enforcement mechanism, must ensure that every court decision can be implemented without significant obstacles. Therefore, reforms to auction legal policy must be directed at strengthening implementation aspects, not just the normative level.

Furthermore, policy updates are needed to address various practices that violate legal principles, such as price manipulation or a lack of transparency in the auction process. These practices not only harm certain parties but also undermine the integrity of the legal system as a whole. With firmer policies and effective oversight, the potential for irregularities can be minimized.

Developments in information technology are also a significant factor driving the urgency of updating auction legal policies. Electronic auctions offer various advantages, such as ease of access and time efficiency. However, without adequate regulation, the implementation of this technology can create new risks, such as data leaks or system misuse. Therefore, legal policies must accommodate technological developments while still ensuring the security and legitimacy of the auction process. (Al Hafidhi, Muhammad, M. Riza Pahlevi, dan Khairuldi; 2022).

Updating auction legal policies also relates to the need to improve the professionalism of officials involved in auction implementation. Auction officials and related institutions must have sufficient competence to carry out their duties professionally and responsibly. Policies that support human resource capacity building will contribute to effective law enforcement.

In the context of law enforcement, legal certainty is a crucial element. Unclear or overlapping auction legal policies will create uncertainty that can hinder auction implementation. Therefore, policy reform must include harmonization of laws and regulations to create a consistent and integrated legal system.

Updates to auction law policies must also address the aspect of fairness. The effectiveness of law enforcement is measured not only by the speed of implementation but also by the fairness it produces. Fair policies will ensure that all parties receive equal treatment in the auction process.

Furthermore, policy updates are needed to increase transparency in auction implementation. Transparency will allow the public to monitor the auction process and prevent irregularities. This will increase public trust in the legal system.

The urgency of updating auction legal policies is also evident in the increasing number of disputes related to auction implementation. These disputes demonstrate that the existing system is unable to provide adequate legal certainty. With clearer and more comprehensive policies, the potential for disputes can be minimized.

Auction law policy updates must also consider the need to increase efficiency in auction implementation. Simplified and integrated procedures will expedite the auction process and reduce costs for the parties. This will improve the overall effectiveness of law enforcement. (Fawzi'ah, Nurul Itsna, Widi Nugrahaningsih, dan Aris Prio Agus Santoso; 2024).

In the era of globalization, Indonesia's legal system is also required to compete with other countries' legal systems. Updating auction law policies to be modern and transparent will increase Indonesia's competitiveness in attracting investment. This demonstrates that reforming auction law policies impacts not only law enforcement but also economic development.

The updated auction legal policy also provides an opportunity to integrate various systems related to auction implementation, such as the judicial system and the financial system. This integration will increase the efficiency and effectiveness of auction implementation.

Furthermore, policy updates must also address the protection of parties involved in auctions. Adequate legal protection will increase public trust in the auction system and encourage public participation.

Auction law policy updates must also include strengthening oversight mechanisms. Effective oversight will ensure that every auction process is conducted in accordance with applicable regulations. This is crucial to prevent irregularities that could harm the public.

The urgency of updating auction legal policies is also evident in the need to improve coordination between institutions involved in auction implementation. Good coordination will ensure that every process runs smoothly and efficiently.

Auction law policy updates must also address evolving societal needs. Adaptive policies will be able to address evolving challenges and provide appropriate solutions.

Furthermore, policy updates can also improve the quality of public services in auctions. Good service will increase public satisfaction and strengthen trust in the legal system.

Updating auction law policies also contributes to improving integrity within the legal system. Firm and transparent policies will reduce the potential for corruption and abuse of authority.

The urgency of updating auction law policies is also related to the need to improve public legal literacy. With a better understanding, the public can actively participate in the auction process.

Auction law policy updates must also incorporate evolving technological aspects. Adaptive policies will accommodate innovation and improve auction efficiency.

Furthermore, policy updates can improve the quality of data and information used in auctions. Accurate data will support informed decision-making. (Siregar, Ria Juliana; 2022).

Updates to auction law policies must also consider sustainability. Sustainable policies will provide long-term benefits to society.

The urgency of updating auction law policy is also evident in the need to create a responsive legal system. A responsive system will be able to adapt to changes in society.

Updating auction legal policies also provides an opportunity to increase innovation within the legal system. Innovation will improve the efficiency and effectiveness of auction implementation.

Furthermore, policy reforms can also improve the competitiveness of Indonesia's legal system globally. A modern and transparent system will attract more investors.

Auction law policy updates should also include education and training for the officials involved. Capacity building will support better auction implementation.

3.3. Implications of Auction Law Policy Updates for the Protection of Community Rights

The reform of auction law policy in Indonesia has far-reaching implications for the protection of public rights, particularly in the context of the increasing complexity of legal relations and economic transactions. Auctions, as a legal instrument, serve not only as a mechanism for the sale of goods but also as a means of enforcing legally established rights and obligations. Therefore, any changes to auction policy will directly impact the legal standing of the public, whether as debtors, creditors, or auction participants. Within this framework, policy reform is crucial to ensure that the entire auction process is fair, transparent, and provides legal certainty for all parties involved.

The protection of public rights in auctions depends heavily on clear regulations governing each stage of the process. When auction legal policies are updated with due regard for the principles of justice and legal certainty, the potential for rights violations can be minimized. Conversely, if existing policies contain loopholes or are unclear, the public could potentially be disadvantaged. Therefore, policy updates must accommodate the need for comprehensive legal protection, including access to information, procedural transparency, and oversight mechanisms. (Pratama, Andi; 2022).

Another implication of the auction law reform is increased transparency in the auction process. Transparency is a key element in protecting public rights, as open information allows the public to clearly understand the auctioned object, the price limit, and the procedures to be followed. This reduces the potential for manipulation or unfair practices in auctions. Policy reforms that emphasize transparency will also increase public trust in the auction system, thus optimizing public participation in the process.

In addition to transparency, accountability is also a crucial aspect in updating auction legal policies. Accountability relates to the responsibilities of parties involved in the auction process, including auction officials and authorized

institutions. With a more stringent and clear policy, every action taken during the auction process can be legally accounted for. This provides assurance to the public that their rights will be protected in the event of irregularities or violations during the auction process. (Wibowo, Agus; 2022).

Updates to auction legal policies also have implications for increased protection for debtors. In many cases, debtors are often in a weak position in the auction process, especially when the auctioned object is an asset with high economic and emotional value. With policies that favor the protection of debtors' rights, such as setting reasonable price limits and transparent procedures, the potential for disproportionate losses can be minimized. This is crucial to ensure that auctions are not only oriented toward creditors' interests but also consider fairness for debtors.

On the other hand, the updated auction legal policy also provides greater protection for creditors. Creditors, as those entitled to debt repayment, require an effective and efficient auction mechanism to realize this right. With clearer and more integrated policies, the auction process can proceed more quickly and with fewer disputes, enabling creditors' rights to be fulfilled without facing protracted obstacles. This creditor protection is also crucial for maintaining the stability of the overall economic system. (Rahmawati, Diah; 2022).

The implications of the policy update are also evident in the protection of auction participants. Auction participants, as the parties purchasing auction objects, require legal certainty regarding the status and validity of the goods they acquire. With a more comprehensive policy, the risk of post-auction disputes can be minimized. This creates a sense of security for auction participants, allowing them to be more confident in participating in the auction process without worrying about future legal issues.

The application of technology in auction systems is also a crucial part of reforming auction legal policies. Electronic auctions provide easy access for the public to participate in the auction process without being restricted by geographic location. However, the implementation of technology also requires strict regulations to ensure data security and transaction validity. Clearly regulating these aspects can protect the public from potential cybercrime and system abuse.

The updated auction legal policy also encourages the creation of a more effective oversight mechanism. Adequate oversight will ensure that every stage of the auction process complies with applicable regulations. This is crucial to prevent irregularities that could harm the public. With robust oversight, the public has assurance that their rights will be protected by a transparent and accountable system.

Another implication is increased public access to justice. With clearer and more easily understood policies, the public can more easily access information and understand their rights and obligations in the auction process. Furthermore, policy updates must include effective dispute resolution mechanisms, so that those who feel they have been wronged can obtain justice quickly and appropriately. (Santoso, Budi; 2023).

Updating auction legal policies also contributes to improving the quality of public services. Auctions, as part of public services, must be able to provide prompt, transparent, and professional service. With policies that support improved service quality, the public will directly benefit from an improved auction system. This will also improve the image of the institutions responsible for conducting auctions.

In a broader context, reforms to auction law policies also have an impact on increasing public trust in the legal system. Public trust is a crucial element in successful law enforcement. When the public believes that the legal system operates fairly and transparently, they are more likely to comply with the law and actively participate in the legal process. (Lestari, Siti; 2023).

Another equally important implication is the creation of a healthier economic climate. Auctions, as an asset distribution mechanism, play a crucial role in supporting economic activity. With better policies, the auction process can run efficiently and deliver optimal economic value. This will encourage sustainable economic growth and benefit society at large.

Updates to auction law policies also have a positive impact on consumer protection. In this context, auction participants can be considered consumers entitled to clear and accurate information about the object they are purchasing. With policies governing this, consumer rights can be effectively protected.

Furthermore, policy updates can also reduce the potential for social conflict arising from auctions. Unresolved disputes can lead to tensions within communities. Therefore, policies that minimize disputes will contribute to social stability.

The updated auction law policy also encourages increased professionalism among officials involved in auction implementation. With higher standards, officials are expected to carry out their duties more effectively and responsibly. This will positively impact the overall quality of auction implementation.

Another implication is increased public legal literacy. With clearer policies and effective outreach, the public will better understand auction mechanisms and their rights. This is crucial to prevent misunderstandings that could harm the public.

Policy updates also provide an opportunity for harmonization with other laws and regulations. This is crucial for creating an integrated and non-conflicting legal system. Harmonization can enhance legal certainty.

In practice, updates to auction law policies must also address substantive justice. This means that policies should be oriented not only toward procedures but also toward fair outcomes for all parties. This is crucial to ensuring that the law truly provides real protection for the public. (Nugroho, Eko; 2022).

Updating auction legal policies also opens up space for innovation within the legal system. With adaptive policies, various innovations can be developed to improve the efficiency and effectiveness of auction implementation. This will provide long-term benefits to society.

Another implication is increased integrity in auction implementation. With strict policies and effective oversight, the potential for corruption and abuse of authority can be minimized. This is crucial for maintaining public trust in the legal system.

The updated auction law policy also provides protection for vulnerable groups. An inclusive policy will ensure that all parties, including the less empowered, receive adequate protection in the auction process.

Furthermore, policy updates can also improve administrative efficiency in auction implementation. Simplified and integrated procedures will reduce administrative burdens and expedite the auction process. This will benefit all parties involved. (Handayani, Rina; 2023).

The updated auction law policy also has implications for improving the quality of available data and information. With a better system, auction-related data can be managed more effectively and used for more informed decision-making.

Another implication is improved coordination between institutions involved in the auction process. Good coordination will ensure that each process runs smoothly and complies with applicable regulations.

Updates to auction law policies also have a positive impact on environmental protection. In some cases, auction objects may relate to natural resources. Therefore, policies that consider environmental aspects will provide additional benefits to the community. (Putra, Arif; 2021).

4. Conclusion

Various obstacles such as regulatory inconsistencies, a lack of transparency in auction implementation, and the rise in post-auction disputes indicate that the auction legal system still requires comprehensive reform. Furthermore, technological developments driving the implementation of electronic auctions have not been matched by adequate legal regulations, potentially creating legal uncertainty for the parties. The urgency of reforming auction legal policy is increasingly apparent from the perspective of effective law enforcement. Auctions, as an instrument for implementing court decisions, must be able to operate efficiently, transparently, and provide legal certainty. When auction policies fail to guarantee this, the law enforcement process is hampered and has the potential to lead to injustice. Therefore, policy reform is needed, including simplifying procedures, harmonizing laws and regulations, and strengthening the role of auction institutions and officials. Furthermore, the integration of technology into the auction system must be supported by clear regulations to ensure the security, legitimacy, and accountability of the auction process as a whole. Reforming auction legal policy also has significant implications for the protection of public rights. Adaptive and responsive policies will be able to provide balanced protection for all parties involved, including debtors, creditors, and auction participants. With clearer and more transparent regulations, the potential for abuse of authority and practices detrimental to the public can be minimized. Furthermore, policy reforms must ensure an effective and accessible dispute resolution mechanism, so that all aggrieved parties can receive proportional justice. Therefore, reforming auction law policy in Indonesia is an urgent need. This reform aims not only to improve the effectiveness of law enforcement but also to strengthen the protection of community rights and increase public trust in the legal system. A modern, transparent, and equitable auction law policy will be a crucial foundation for realizing a national legal system that is responsive to current developments and capable of providing optimal benefits to the wider community.

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