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Legal Effectiveness of E-Purchasing Implementation in Government Procurement: An Empirical Study from the Perspective of Transparency and Fairness in Indonesia

Narendra Tricahya Pratama^{1*}, Winshery Tan², Nurlaily Nurlaily³

^{1,2,3} Faculty of Law, Universitas Internasional Batam, Indonesia

*correspondence email : pratamanarendra1910@gmail.com

Abstract

This study aims to analyze the effectiveness of e-purchasing implementation in the government sector from the perspectives of transparency and fairness.

The method used in this study is empirical approach with data collected through interviews, observation, documentation, and literature review. Data were analyzed qualitatively using a descriptive-analytical method based on Soerjono Soekanto's theory of legal effectiveness. The research was conducted in Indonesian government agencies, involving Commitment-Making Officials (PPK) and Budget-Using Officials (KPA) as informants.

The novelty of this research lies in the gap between the ideal (*das sollen*) and reality (*das sein*) in the implementation of e-purchasing, where, normatively, this system is designed to ensure transparency and accountability; however, in practice, deviations as well as structural and cultural barriers within the procurement bureaucracy are still observed.

The results of the study show that although regulations governing the procurement of goods and services are sufficiently robust, the implementation of e-purchasing still faces various challenges, such as technical system barriers, resistance from procurement officials, infrastructure limitations, and a bureaucratic culture that does not yet fully support the principle of transparency. Additionally, indications of fictitious procurement practices were found, suggesting weak oversight and enforcement of the law.

Conclusion of this study is that the effectiveness of e-purchasing implementation has not yet been fully achieved. Therefore, it is necessary to strengthen technical regulations, improve human resource capacity and infrastructure, foster a bureaucratic culture that is transparent and accountable, and implement stricter and more systematic oversight to ensure that e-purchasing truly becomes an instrument of procurement modernization oriented toward the public interest.

Keywords: E-Purchasing; Procurement of Goods; Legal Effectiveness; Transparency; Government

Abstrak

Penelitian ini bertujuan untuk menganalisis efektivitas penerapan e-purchasing di sektor pemerintahan dari perspektif transparansi dan keadilan.

Metode yang digunakan dalam penelitian ini adalah pendekatan empiris dengan data yang

dikumpulkan melalui wawancara, observasi, dokumentasi, dan tinjauan pustaka. Data dianalisis secara kualitatif menggunakan metode deskriptif-analitis berdasarkan teori efektivitas hukum Soerjono Soekanto. Penelitian ini dilakukan di instansi pemerintah Indonesia, dengan melibatkan Pejabat Pengambil Keputusan (PPK) dan Pejabat Pengguna Anggaran (KPA) sebagai informan.

Kebaruan penelitian ini terletak pada kesenjangan antara ideal (*das sollen*) dan realitas (*das sein*) dalam implementasi e-purchasing, di mana secara normatif sistem ini dirancang untuk menjamin transparansi dan akuntabilitas; namun, dalam praktiknya, penyimpangan serta hambatan struktural dan budaya di dalam birokrasi pengadaan masih teramati.

Hasil Penelitian menunjukkan bahwa meskipun peraturan yang mengatur pengadaan barang dan jasa cukup kuat, implementasi e-purchasing masih menghadapi berbagai tantangan, seperti hambatan teknis sistem, resistensi dari pejabat pengadaan, keterbatasan infrastruktur, dan budaya birokrasi yang belum sepenuhnya mendukung prinsip transparansi. Selain itu, ditemukan indikasi praktik pengadaan fiktif, yang menunjukkan lemahnya pengawasan dan penegakan hukum.

Kesimpulan dari studi ini adalah bahwa efektivitas implementasi e-purchasing belum sepenuhnya tercapai. Oleh karena itu, perlu memperkuat regulasi teknis, meningkatkan kapasitas sumber daya manusia dan infrastruktur, menumbuhkan budaya birokrasi yang transparan dan akuntabel, serta menerapkan pengawasan yang lebih ketat dan sistematis untuk memastikan bahwa e-purchasing benar-benar menjadi instrumen modernisasi pengadaan yang berorientasi pada kepentingan publik.

Kata kunci: Pengadaan Elektronik; Pengadaan Barang; Efektivitas Hukum; Transparansi; Pemerintah

1. INTRODUCTION

Public purchasing of supplies and labor acts as a primary foundation for establishing a government that is honest, productive, open, and responsible.¹ In today's law-based societies, government acquisition is seen as much more than paperwork; it is a fundamental tool used to ensure that state operations are conducted with openness, competence, and a commitment to justice.² Far from being just theoretical ideals, these standards are deeply rooted in Indonesian administrative law, which dictates that all taxpayer money must be utilized to maximize public prosperity in accordance with Article 23 of the 1945 Constitution.^{3,4}

The shift in the procurement paradigm has gained momentum since the enactment of Law No. 30 of 2014 on Government Administration, which affirms that the procurement of goods and services constitutes part of the exercise of governmental authority.⁵ Consequently,

¹ Adekoya, Adesanya Augustine. "Public procurement in local government: A tool for good governance, value creation, and sustainable development." *International Journal of Management and Economics Invention* 10, no. 2 (2024).

² Jimly Asshiddiqie, S. H. *Konstitusi dan konstitusionalisme Indonesia*. Sinar Grafika, 2021.

³ Deri, T. Muhammad, and Mulia Saputra. "The Influence of Internal Control Systems, Government Accounting Policies, Human Resource Competence and Regional Financial Management Accountability on the Quality of Financial Reporting." *International Journal of Management Analytics (IJMA)* 4, no. 1 (2026): 131-146.

⁴ Muktiadji, Nusa, Sri MULYANI, Moermahadi Soerja DJANEGARA, and Bambang PAMUNGKAS. "The role of financial management accountability in enhancing organizational performance in Indonesia." *The Journal of Asian Finance, Economics and Business* 7, no. 12 (2020): 845-852.

⁵ Hadjon, P. M. *"Hukum Administrasi dan Tindak Pemerintahan."* Gadjah Mada University Press (2007).

every action taken by procurement officials is subject to the principle of legality and may be challenged through administrative oversight mechanisms or judicial review.⁶ In this regard, the effectiveness of procurement is determined not only by the strength of technical regulations but also by the extent to which government officials adhere to the principles of administrative law in exercising their authority.^{7,8}

Procurement system reform in Indonesia subsequently evolved through various regulations, ranging from Presidential Decree No. 80 of 2003⁹, Presidential Regulation No. 54 of 2010¹⁰, to Presidential Regulation No. 16 of 2018¹¹ and Presidential Regulation No. 12 of 2021. These developments indicate a significant shift toward an information technology-based procurement system through e-procurement and e-purchasing based on an electronic catalog managed by LKPP.^{12,13,14} This transformation aims to improve the efficiency and effectiveness of procurement, strengthen transparency, expand access for SMEs, and minimize practices of corruption, collusion, and nepotism (KKN), which have long been major challenges in government goods and services procurement.^{15,16}

These various regulatory changes demonstrate that the government is consistently striving to build a more modern, digitally-based procurement system as part of its bureaucratic reform efforts.^{17,18,19} However, implementation on the ground shows that the success of this transformation is determined not only by the availability of regulations, but also by the readiness of infrastructure, human resource capacity, and changes in work culture within the

⁶ Indroharto. *Usaha Memahami Undang-Undang tentang Peradilan Tata Usaha Negara: Buku I Beberapa Pengertian Dasar Hukum Tata Negara*. Cet. 4. Jakarta: Pustaka Sinar Harapan, 1993.

⁷ Jimly Asshiddiqie, S. H. *Konstitusi dan konstitusionalisme Indonesia*. Sinar Grafika, 2021.

⁸ Tan, David. "Apostille Convention and Its Ramification Following the Accession of the Indonesian Legal Practices." *Padjajaran Jurnal Ilmu Hukum (Journal of Law)* 8, no. 3 (2021): 313-331,

⁹ Presidential Decree of the Republic of Indonesia Number 80 of 2003 concerning Guidelines for the Implementation of Government Goods/Services Procurement.

¹⁰ Presidential Regulation of the Republic of Indonesia Number 54 of 2010 concerning Government Goods/Services Procurement.

¹¹ Presidential Regulation of the Republic of Indonesia Number 16 of 2018 concerning Government Goods/Services Procurement.

¹² Kurniawan, Iwan. "Analisis Yuridis Terhadap E-Purchasing Dalam Pengadaan Barang/Jasa Pemerintah." *Journal Of Law And Policy Transformation* 4, no. 1 (2019): 103-120.

¹³ LKPP. "Annual Report on Government Goods/Services Procurement." *LKPP* (2020).

¹⁴ Zahra, Femilia, Muhammad Iqbal Abdullah, Muhammad Din, Harifuddin Thahir, Harun Harun, and Jati Kasuma Ali. "The role of e-purchasing in government procurement fraud reduction through expanding market access." *International Journal of Data and Network Science* 6 (2022): 179-184.

¹⁵ Hadjon, P. M. " *Hukum Administrasi dan Tindak Pemerintahan*." Gadjah Mada University Press (2007).

¹⁶ LKPP. "Annual Report 2022." *LKPP* (2022).

¹⁷ Presidential Regulation of the Republic of Indonesia Number 12 of 2021 concerning Amendments to Presidential Regulation Number 16 of 2018 concerning Government Goods/Services Procurement.

¹⁸ LKPP. "2021 Annual Report: Procurement Transformation for an Advanced Indonesia." *LKPP* (2021).

¹⁹ Kurniawan, Iwan. "Analisis Yuridis Terhadap E-Purchasing Dalam Pengadaan Barang/Jasa Pemerintah." *Journal Of Law And Policy Transformation* 4, no. 1 (2019): 103-120;

bureaucracy.^{20,21,22} These conditions indicate that the digitization of procurement is still in a transitional phase that requires continuous strengthening so that the primary objectives of efficiency, transparency, and accountability can be optimally achieved.^{23,24}

A number of previous studies have made significant contributions to our understanding of e-procurement implementation. The study by Nani & Ali²⁵ shows that strategic, technological, organizational, and human resource factors play a crucial role in enhancing accountability and transparency in procurement within local governments. Meanwhile, Wibowo et al.²⁶ found that e-procurement exhibits a fairly high level of effectiveness with a strong correlation to budget execution, although this remains limited to quantitative efficiency aspects. On the other hand, Siregar et al.²⁷ indicate that e-procurement implementation in certain regions remains ineffective due to limitations in infrastructure and human resources. Research by Habibi & Untari²⁸ also revealed that although e-procurement has improved transparency and accountability, obstacles such as limited human resources and organizational structure remain challenges. Additionally, Hendayani & Fauzi²⁹ highlighted that the effectiveness of e-procurement is significantly influenced by organizational characteristics and managerial change processes in the implementation of digital systems.

Although these various studies have provided insights into the effectiveness of e-procurement, most still focus on aspects of efficiency, technology, and organization. Few studies have comprehensively integrated Soerjono Soekanto's legal effectiveness theory to evaluate the implementation of e-procurement in the government sector. Furthermore, studies

²⁰ Mappasere, Fatmawati A. "The Role of E-government in Improving Efficiency and Transparency in Public Services in Indonesia." *KnE Social Sciences* (2025).

²¹ Basmar, Nur Azizah. "Evaluasi implementasi e-procurement dalam pengadaan barang/jasa (studi pada Universitas Gadjah Mada)." *ABIS: ACCOUNTING AND BUSINESS INFORMATION SYSTEMS JOURNAL Ученые: Universitas Gadjah Mada* 3, no. 3 (2020).

²² Nugroho, Rino Ardhan. "Electronic government adoption in developing countries: The case of the Indonesian electronic procurement system." *University of Queensland. Retrieved from <https://espace.library.uq.edu.au/view/UQ371615>* (2015): s42148386_phd_submission.

²³ Santosa, Dewa Puji, and Nectaria Putri Pramesti. "Research Trends in E-Procurement and Goods/Services Procurement: A Bibliometric Study with Insights from Indonesia (2020–2025)." *Civil and Sustainable Urban Engineering* 5, no. 2 (2025): 155-167.

²⁴ Nova, Deta Helisa, Kgs M. Sobri, and Abdul Nadjib. "Analysis of Corruption Prevention Forms and Policies in Goods and Services Procurement: E-Procurement as a Solution." *Indonesian Interdisciplinary Journal of Sharia Economics (IJSE)* 7, no. 3 (2024): 7755-7775.

²⁵ Nani, Dhiona Ayu, and Syaiful Ali. "Determinants of effective e-procurement system: Empirical evidence from Indonesian local governments." *Jurnal dinamika akuntansi dan bisnis* 7, no. 1 (2020): 33-50. <https://doi.org/10.24815/jdab.v7i1.15671>

²⁶ Wibowo, Yan Ari, Trijetti Trijetti, and Rachmad Irwanto. "Effectiveness Of Government's Electronic Procurement Of Goods And Services In Its Role Within The Government's Projects." *International Journal of Civil Engineering and Infrastructure* 2, no. 1 (2022): 57-69. <https://doi.org/10.24853/ijcei.2.1.57-69>

²⁷ Siregar, Iwan Setiawan, Muhtarom Nurhafni, and Muhtarom Muhtarom. "Effectiveness of The Electronic Procurement Service System in Procurement of Goods And Services in Gayo Lues District in 2021." *Riwayat: Educational Journal of History and Humanities* 7, no. 1 (2024).

²⁸ Habibi, Muhammad Mujtaba, and Sri Untari. "Efektivitas Pelaksanaan E-Procurement Dalam Pengadaan Barang Dan Jasa." *Jurnal Ilmiah Pendidikan Pancasila Dan Kewarganegaraan* 3, no. 2 (2018): 159-168.

²⁹ Hendayani, Ratih, and Putri Aulia Fariha Fauzi. "Analysis of E-Procurement Implementation in Effectiveness Procurement of Goods and Services:(Case Study at PT. KERETA API INDONESIA (PERSERO))." *International Journal of Entrepreneurship and Business Management* 1, no. 2 (2022): 153-169. <https://doi.org/10.54099/ijebm.v1i2.368>

on substantive justice in public procurement, particularly regarding digital access gaps across regions, remain relatively limited. Moreover, research explicitly addressing the gap between *das Sollen* (legal norms) and *das Sein* (empirical reality) in the implementation of e-purchasing in Indonesia has yet to be extensively conducted.^{30,31,32}

Given these conditions, this study occupies a distinct position and offers novelty in three main aspects. First, this study employs Soerjono Soekanto's theory of legal effectiveness as the primary analytical framework to assess the implementation of e-procurement more comprehensively. Second, this study does not merely focus on aspects of efficiency and transparency but also examines the dimension of substantive justice in public procurement. Third, this study explicitly analyzes the gap between normative conditions (*das Sollen*) and empirical reality (*das Sein*) in e-procurement practices in Indonesia, thereby providing a more critical and contextual perspective on administrative law.

The results of this study are expected to contribute to supporting the formulation of government goods and services procurement policies that are more transparent, accountable, and efficient, as well as theoretically enriching the study of administrative law, particularly regarding the effectiveness of the law in the digitalization of public procurement in Indonesia. Furthermore, this research can serve as a reference for the development of empirical studies on the implementation of e-procurement in the government sector. The findings of this research are also expected to provide input for strengthening regulations and the governance of electronic procurement systems.

2. METHOD

This study is an empirical legal study. An empirical approach was used to analyze field data related to the implementation of e-procurement in government through interviews, observations, and document reviews.^{33,34} This study was conducted at local government agencies in Indonesia, with informants consisting of 1 Decision-Making Official (PPK) and 1 Budget-Spending Official (KPA) as the key actors in the implementation of government procurement of goods and services. The sampling technique used in this study was purposive sampling, which involves selecting informants based on the consideration that they possess the authority, experience, and direct involvement in the implementation of e-procurement within the government sector. Data collection techniques included in-depth interviews, direct observation of the procurement process, documentation, and a literature review.³⁵

³⁰ Prabowo, Hendi Yogi, and Kathie Cooper. "Re-understanding corruption in the Indonesian public sector through three behavioral lenses." *Journal of Financial Crime* 23, no. 4 (2016): 1028-1062.

³¹ Lestyowati, Jamila. "Analysis of E-Purchasing Problems in the Procurement of Goods and Services for Work Units." *Jurnal Simposium Nasional Keuangan Negara* (2018): 669-695.

³² Adi, Cosmas Sakti Wijaya. "Analisis penerapan E-procurement menggunakan sistem pengadaan secara elektronik: studi kasus pada Layanan Pengadaan Secara Elektronik (LPSE) Kementerian Keuangan Papua Barat." *Indonesian Treasury Review: Jurnal Perbendaharaan, Keuangan Negara dan Kebijakan Publik* 2, no. 2 (2017): 1-16.

³³ Santosa, Dewa Puji, and Nectaria Putri Pramesti. "Research Trends in E-Procurement and Goods/Services Procurement: A Bibliometric Study with Insights from Indonesia (2020–2025)." *Civil and Sustainable Urban Engineering* 5, no. 2 (2025): 155-167.

³⁴ Moleong, Lexy J. "Qualitative research methods revised edition." *Bandung: PT Teen Rosdakarya* 5, no. 10 (2014).

³⁵ Sugiyono. *Qualitative, Quantitative, and R&D Research Methods*. Bandung: Alfabeta, 2018.

The data sources consist of primary and secondary data. Primary data was collected through interviews and observations of e-procurement implementation in the field, while secondary data was obtained from official documents such as Presidential Regulation No. 16 of 2018, Presidential Regulation No. 12 of 2021, LKPP technical guidelines, and procurement audit and evaluation reports.^{36,37} Data analysis was conducted qualitatively using a descriptive-analytical approach, which involved comparing e-procurement implementation practices in the field with applicable legal provisions and the principles of good governance, including transparency, accountability, efficiency, effectiveness, and fairness.³⁸ In this study, analysis indicators were also developed based on Soerjono Soekanto's five factors of legal effectiveness namely legal factors, law enforcement, infrastructure/facilities, society, and legal culture which were used as operational variables to assess the effectiveness of e-purchasing implementation.

Data validity is ensured through source and method triangulation, which involves comparing the results of interviews, observations, and official documents to ensure the consistency of research findings.^{39,40} Using this method, the study is expected to yield valid and relevant findings that can provide an empirical basis for the formulation of legal policies aimed at enhancing the effectiveness of e-procurement implementation within the government sector.

3. DISCUSSION

3.1. Regulations and Rules for the Implementation of *E-Purchasing* in the Government Goods and Services Procurement System

Government procurement of goods and services is a vital instrument in realizing transparent, accountable, and efficient governance. Procurement of goods and services is not merely a transaction process, but also a means to ensure the use of the state budget in accordance with the principles of *good governance*. Clear regulations are the main foundation for effective and accountable procurement. There are five main laws governing government procurement of goods and services, namely: 1). Law Number 30 of 2014 concerning Government Administration, which emphasizes the principles of legality, transparency, accountability, and administrative compliance. This law serves as the legal umbrella for all government administrative processes, including the procurement of goods and services, by emphasizing the obligation of public officials to act in accordance with the rules and avoid abuse of authority. With this law, procurement officials are required to comply with formal procedures and carry out their administrative responsibilities in an orderly manner, which forms the basis for the implementation of electronic-based procurement regulations. 2).

³⁶ Soekanto, Soerjono, and Sri Mamudji. *Normative Legal Research: A Brief Review*. Jakarta: RajaGrafindo Persada, 2015.

³⁷ LKPP. "2021 Annual Report: Procurement Transformation for an Advanced Indonesia." *LKPP* (2021).

³⁸ Maskanah, Umami, Alsa Mala Khoerunnisa, Dafina Nurulita Suherman, and Tuti Zulaeha. "Comparison of Auction Systems and Procedures Between Indonesia and Japan: A Study of the Principles of Transparency and Legal Certainty." *Golden Ratio of Law and Social Policy Review* 4, no. 2 (2025): 138-147.

³⁹ Moleong, Lexy J. "Qualitative research methods revised edition." *Bandung: PT Teen Rosdakarya* 5, no. 10 (2014).

⁴⁰ Creswell, John W., and J. David Creswell. *Research design: Qualitative, quantitative, and mixed methods approaches*. Sage publications, 2017.

Presidential Regulation No. 16 of 2018 concerning Government Goods/Services Procurement, which introduces the paradigm of electronic-based procurement (procurement digitization). This Presidential Regulation emphasizes the use of electronic systems in every stage of procurement, from planning, supplier selection, to transaction reporting, as an effort to improve the efficiency, transparency, and accountability of procurement, as well as to minimize the risk of manual intervention and abuse of authority.⁴¹ Article 38 paragraph (1) states that "*E-purchasing* is a method of purchasing goods/services through an electronic catalog system."

This *e-purchasing* system is managed by the Government Goods/Services Procurement Policy Agency (LKPP) through the website <https://e-katalog.lkpp.go.id>, where government agencies can purchase verified products at standard prices and specifications, thereby providing legal certainty and minimizing the risk of irregularities. 3). Presidential Regulation No. 12 of 2021, which emphasizes the use of *e-purchasing* and *e-catalog* as the primary method for selecting suppliers if goods/services are available in *the e-catalog*. The aim is to accelerate the procurement process, minimize manual intervention, and provide certainty of standard prices and specifications for each government agency. Thus, every procurement conducted through *e-purchasing* is formally in accordance with the principles of *good governance* and the principles of state administrative law.⁴² 4). LKPP Regulation No. 9 of 2021 and LKPP Regulation No. 12 of 2021. These two regulations detail the procedures for implementing *e-purchasing* and developing electronic catalogs, including digital transaction mechanisms, supplier validation, and catalog maintenance.[4] These regulations serve as technical guidelines for procurement officials (PPK and KPA) to ensure that the procurement process is consistent, efficient, and accountable.⁴³ 5). LKPP Circular Letter No. 1 of 2023 provides guidance on the implementation of national and local electronic catalogs, including product verification procedures and the integration of *e-purchasing* systems between government agencies⁴⁴. The aim is to ensure that every procurement transaction is properly recorded, auditable, and in accordance with applicable regulations, thereby supporting legal certainty and administrative transparency.

Table 1. Regulatory Framework for E-Procurement and E-Purchasing in Indonesia

Regulatory Levels	Number and Year	Issuing Authority	Main Provisions
Law	Law No. 30 of 2014	House of	Principles of government

⁴¹ Presidential Regulation No. 16 of 2018 concerning Government Procurement of Goods/Services.

⁴² Presidential Regulation of the Republic of Indonesia Number 12 of 2021 concerning Amendments to Presidential Regulation Number 16 of 2018 concerning Government Goods/Services Procurement.

⁴³ LKPP. "LKPP Regulation No. 9 of 2021 concerning Procedures for Implementing E-Purchasing." *LKPP* (2021).

⁴⁴ LKPP. "Circular Letter No. 1 of 2023 concerning Guidelines for the Implementation of National and Local Electronic Catalogs." *LKPP* (2023).

Regulatory Levels	Number and Year	Issuing Authority	Main Provisions
		Representatives & President of the Republic of Indonesia	administration: legality, transparency, accountability, administrative compliance
Presidential Regulation	Presidential Regulation No. 16 of 2018. Presidential Regulation No. 12 of 2021	President of the Republic of Indonesia	General framework for the procurement of goods/services, implementation of <i>e-purchasing</i> and <i>e-catalog</i>
LKPP Regulation	LKPP No. 9 of 2021	LKPP	Procedures for implementing <i>e-purchasing</i>
	LKPP No. 12 of 2021	LKPP	Development of local electronic catalogs
Circular	SE LKPP No. 1 of 2023	LKPP	Guidelines for the implementation of national and local electronic catalogs

Source: Secondary data compiled by the author based on laws and regulations

However, although the e-procurement system has been comprehensively designed from a normative perspective and has a strong legal foundation through regulations and various technical guidelines issued by the LKPP, research findings indicate that implementation on the ground still reveals a significant gap between ideal provisions (*das sollen*) and actual practices (*das sein*). Normatively, this system is expected to create a procurement governance system that is transparent, accountable, efficient, and free from subjective intervention, as the entire process has been designed to be digital and electronically documented. However, empirical reality shows that these ideal objectives have not yet been fully and optimally achieved.

Interview results with Commitment-Making Officials (CMOs) indicate that, in principle, the e-procurement system has facilitated the procurement process, particularly regarding transparency and digital documentation. Informants stated that: *"The system itself has been very helpful because all processes are more open and documented, but in practice we still often face limitations in the e-catalog, so not all needs can be met immediately"* (PPK, interview, 2025).

This statement highlights a discrepancy between the normative expectations of a system that should be comprehensive and responsive and the actual conditions on the ground, which still face limitations in the electronic catalog. In some cases, these limitations even force work units to postpone procurement processes or adjust budget planning.

A similar point was raised by the Budget User Officer (KPA), who emphasized that while the e-purchasing system enhances transparency, flexibility in meeting needs remains the primary challenge. The informant stated: *"E-purchasing does make the process more*

transparent and well-documented, but not all needs are immediately available in the catalog, so we have to wait or readjust budget planning” (KPA, interview, 2025)

From these two informant statements, it is clearly evident that there is a gap between the ideal design of the e-procurement system and the reality of its implementation on the ground. In theory, e-procurement is designed so that all procurement needs can be met quickly, transparently, and with proper documentation through an electronic catalog without going through lengthy manual processes. However, in practice, various obstacles are still encountered that reduce the system’s effectiveness. This is confirmed by the Commitment-Making Official (PPK), who stated that: *“The system itself is very helpful because all processes are more open and documented, but we still frequently face product limitations in the e-catalog, so not all needs can be met immediately” (PPK, interview, 2025).*

In line with this, the Budget User Officer (BEO) also noted that: *“E-purchasing does make the process more transparent, but not all needs are available in the catalog, so sometimes we have to wait or adjust the budget plan” (BEO, interview, 2025).* These statements indicate that, empirically, the limited variety of products, slow catalog updates, and a supplier verification process that is not yet fully responsive are the primary factors hindering the optimal implementation of the system.

When compared to the normative objectives set forth in regulations, the e-procurement system is ideally expected to create time efficiency, price certainty, and a reduction in direct interactions between suppliers and procurement officials to minimize the potential for irregularities. However, in reality, while manual interactions have indeed decreased, new obstacles have emerged in the form of limitations within the digital system itself, such as delays in catalog updates, limited system integration, and reliance on unevenly distributed technological infrastructure.

Field observations also reinforce these findings, indicating that e-procurement implementation barriers encompass both structural and technological aspects. Some work units still face limitations in stable internet access, particularly in certain regions, which directly impacts delays in accessing the e-procurement system. This situation indicates that procurement digitization remains highly dependent on the uneven readiness of technological infrastructure. On the other hand, there are disparities in digital literacy levels among procurement officials, leading to variations in their ability to operate electronic systems optimally. In some cases, procurement staff unfamiliar with digital systems tend to require more time for verification and transaction processes, thereby slowing down the entire procurement cycle. This reinforces the finding that human resource readiness remains a key factor determining the success of e-procurement implementation within the government sector.

Thus, it is evident that digital transformation in the procurement of goods and services has not entirely eliminated classic bureaucratic problems; rather, it has merely transformed them from manual to digital forms. Transparency has indeed increased because all transactions are recorded electronically and can be monitored by various parties; however, in terms of

substantive effectiveness, challenges remain regarding equitable access, service speed, and the availability of goods and services.

Furthermore, the research findings also indicate that the implementation of e-procurement has made a positive contribution to enhancing accountability and transparency in public procurement. This system makes the procurement process easier to audit and reduces the scope for irregularities. However, from a substantive equity perspective, there remains an access gap between developed and underdeveloped regions due to differences in technological infrastructure and digital literacy. This indicates that the principle of equity in procurement has not yet been fully and evenly achieved.

3.2. Government Goods and Services Procurement Process through *E-Purchasing*

Government procurement of goods and services is carried out through an electronic-based *e-purchasing* mechanism, as regulated in Presidential Regulation No. 16 of 2018 and Presidential Regulation No. 12 of 2021, LKPP No. 9 of 2021, LKPP No. 12 of 2021, and SE LKPP No. 1 of 2023. This process involves several stages that must be complied with by the user unit, the Commitment Making Officer (PPK), the Budget User Authority (KPA), and the *e-purchasing* system itself, and is supervised by LKPP and BPK. The following table illustrates the procurement activity flow:

Table 2. Stages of the E-Purchasing Process in Government Procurement System

Process Stage	Actors/Related Units	Activity Description
Goods/Services Requirements	User Unit	Determining the type and quantity of goods/services required.
Budget Planning and Approval	Budget User Authority (KPA)	Preparing budget plans and providing administrative approval.
Product Selection in the E-Catalog	Commitment Making Officer (PPK)	Selecting products or services available in the e-catalog according to needs and specifications.
System Verification and Automatic Approval	<i>E-Purchasing</i> System	The system automatically validates data, prices, and the availability of goods/services.
Supplier Confirmation and Electronic Contracts	PPK & Supplier	Confirmation of the selected supplier and creation of an electronic contract through the <i>e-purchasing</i> platform.
Payment through the SPSE/LPSE System	Finance Department/PPK	Execution of payments in accordance with the contract through the electronic procurement system (SPSE/LPSE).
Digital Reporting	LKPP & BPK	All transactions are recorded for audit,

Process Stage	Actors/Related Units	Activity Description
and Auditing		monitoring, and accountability purposes.

Source: Developed by the author based on relevant procurement regulations and LKPP guidelines

1. The first stage begins with the user unit determining the type and quantity of goods/services required. Identifying the right needs is very important so that procurement is in line with public service objectives. From the perspective of Soekanto's theory of legal effectiveness, this stage is related to community factors, namely the awareness, understanding, and attitude of the user unit towards the procurement procedure.⁴⁵ If the user unit does not understand the regulations or does not carry out an accurate needs analysis, the subsequent procurement process may be ineffective, even resulting in waste or specifications that do not meet standards. Therefore, socialization of procurement procedures and technical guidance to user units are important prerequisites for the law to be effective in the field. The procurement of goods/services must be in accordance with the specified needs and provide the maximum benefit in accordance with the specified objectives.⁴⁶
2. The Budget User Authority (KPA) prepares the budget plan and provides administrative approval⁴⁷. This stage affirms the principles of legality and accountability, as stipulated in Law Number 30 of 2014 concerning Government Administration.⁴⁸ KPA compliance with regulations ensures that procurement is within the official budget framework and in accordance with regulations, thereby reducing the risk of budget irregularities.
3. The Commitment Making Officer (PPK) selects products or services available in *the e-catalog* according to needs and specifications.⁴⁹ The use of *e-catalogs* emphasizes the principles of transparency, efficiency, and price certainty, while reducing the risk of manual intervention or abuse of authority. This stage is the meeting point between legal factors, law enforcement (PPK), and facilities/infrastructure (*e-purchasing* system access), which are the main determinants of the effectiveness of the procurement process.
4. The *e-purchasing* system automatically validates data, prices, and the availability of goods/services.⁵⁰ This mechanism strengthens legal certainty and digital accountability, in line with Soekanto's theory that the law is only effective if supported by adequate facilities/infrastructure. Automatic validation helps reduce human error, ensures compliance with regulations, and speeds up the procurement process.

⁴⁵ Soerjono Soekanto, *Factors Affecting the Effectiveness of Law*, Jakarta: Rajawali Press, 1986, pp. 45–49.

⁴⁶ Shahrullah, Rina Shahriyani, Asmin Patros, and Rional Putra. "Penyalahgunaan Wewenang Oleh Aparatur Negara Dalam Pembangunan Gedung DPRD Kota Batam." *Journal of Judicial Review* 16, no. 2 (2014): 1-10.

⁴⁷ Presidential Regulation of the Republic of Indonesia Number 16 of 2018 concerning Government Goods/Services Procurement, Articles 12–14.

⁴⁸ Law Number 30 of 2014 concerning Government Administration. Jakarta: State Secretariat, Articles 4 and 7.

⁴⁹ Presidential Regulation of the Republic of Indonesia Number 16 of 2018 concerning Government Goods/Services Procurement, Article 38 paragraph (1)

⁵⁰ LKPP. "E-Contracting and SPSE/LPSE Guidelines." *LKPP* (2021), pp. 8–11.

5. The next stage is supplier confirmation and electronic contract creation.⁵¹ The PPK and supplier finalize the contract through the *e-purchasing* platform, which is legally valid. This stage ensures that each party understands their respective rights and obligations, strengthens the effectiveness of substantive law, and reduces the risk of future disputes. Electronic contracts also support the principles of accountability and legal certainty, as all transactions can be traced digitally.
6. Once the contract is agreed upon, the Finance Department and PPK make payments in accordance with the contract through the SPSE/LPSE system.⁵² The use of electronic systems reduces manual errors, speeds up administrative processes, and facilitates internal oversight. In addition, digitized payments enable *real-time* financial reconciliation and monitoring, thereby maintaining the principles of transparency and accountability in public budget management.
7. The final stage is digital reporting and auditing, where LKPP and BPK record all transactions for auditing, monitoring, and accountability purposes.⁵³ This system closes the legal implementation cycle and reflects the principles of *good governance* as a whole: transparency, accountability, and legal certainty. With digital auditing, government agencies can ensure that procurement is carried out in accordance with regulations, prevent irregularities, and increase public trust in the management of the state budget.

3.3. Analysis of the Effectiveness of *E-Purchasing* Implementation from the Perspective of Fairness and Transparency

The implementation of *e-purchasing* in government procurement of goods and services aims to ensure a fair, transparent, and accountable process. From Soerjono Soekanto's (1986) perspective, the effectiveness of law is not only measured by the existence of written norms, but also by the extent to which the law can be applied in practice.⁵⁴ The five main factors in the effectiveness of law are legal factors, law enforcement, facilities/infrastructure, society, and culture. All of these play a role in ensuring the optimal implementation of *e-purchasing*.

1. Legal Factors

Legal factors are related to the certainty and fairness of regulations. Presidential Regulations No. 16 of 2018 and No. 12 of 2021 provide a clear legal framework for *e-purchasing* and the use of *e-catalogs*.⁵⁵ These regulations emphasize that every goods/services provider has the same opportunity to participate in the procurement process if their products are listed in *the e-catalog*, thereby upholding the principle of substantive fairness. In addition, all transactions are recorded electronically, from product

⁵¹ Presidential Regulation of the Republic of Indonesia Number 12 of 2021 concerning Amendments to Presidential Regulation Number 16 of 2018 concerning Government Goods/Services Procurement, Article 6.

⁵² LKPP. "SPSE/LPSE Guidelines." *LKPP* (2021).

⁵³ LKPP. "Circular Letter No. 1 of 2023 concerning Guidelines for the Implementation of National and Local Electronic Catalogs." *LKPP* (2023).

⁵⁴ Soekanto, Soerjono. *Sociology of Law: An Introduction*. Jakarta: Rajawali Pers, 1986.

⁵⁵ Presidential Regulation No. 16 of 2018 concerning Government Procurement of Goods/Services.

selection and validation to electronic contracts and payments, which strengthens the transparency of the process and prevents abuse of authority.⁵⁶

2. Law Enforcement Factors

Law enforcement factors play an important role in ensuring the effective implementation of regulations. The Commitment Making Officer (PPK) and Budget User Authority (KPA) are responsible for carrying out each stage of procurement in accordance with procedures.⁵⁷ From the perspective of fairness, PPK compliance prevents favoritism or discrimination against certain providers. In terms of transparency, oversight by authorities, including the National Procurement Agency (LKPP) and the Supreme Audit Agency (BPK), ensures that all transactions are auditable and comply with procedures. Weaknesses in law enforcement, such as weak sanctions, can reduce effectiveness and open loopholes for fictitious procurement practices or price *markups*.⁵⁸

3. Facilities/Infrastructure Factors

Facilities and infrastructure factors include the availability of digital infrastructure and human resource capacity. The *e-purchasing* system must be supported by a stable internet network, *user-friendly* applications, and adequate hardware and software. Infrastructure limitations in remote areas can lead to access disparities, which have the potential to cause unfairness for user units or local providers. The competence of PPK and KPA in operating the system determines the success of implementation and consistency in applying the rules, so that transparency is not only formal but also real in the field.

4. Community Factors

Societal factors are related to the awareness, understanding, and attitudes of procurement officials and goods/services providers towards *e-purchasing* regulations. If procurement officials do not understand the procedures or do not carry out a needs analysis accurately, the procurement process can be ineffective and risk causing waste or specifications that do not meet standards. Dissemination of regulations, training, and technical guidance to user units are important prerequisites for the law to be effective in the field.

5. Cultural Factors

Cultural factors relate to the values, norms, and customs that have developed in the bureaucracy.⁵⁹ A hierarchical work culture and dominant personal relationships can hinder the implementation of electronic systems, resulting in suboptimal procedural fairness and substantive transparency. Conversely, a bureaucratic culture oriented towards integrity, professionalism, and openness supports the consistent implementation of *e-purchasing*, strengthens accountability, and upholds the principles of *good governance*.⁶⁰

⁵⁶ Presidential Regulation of the Republic of Indonesia Number 12 of 2021 concerning Amendments to Presidential Regulation Number 16 of 2018 concerning Government Goods/Services Procurement.

⁵⁷ LKPP. "LKPP Regulation No. 9 of 2021 concerning Procedures for Implementing E-Purchasing." *LKPP* (2021).

⁵⁸ LKPP. "LKPP Regulation No. 12 of 2021 concerning the Development of Electronic Catalogs." *LKPP* (2021).

⁵⁹ Soekanto, Soerjono. *Sociology of Law: Some Basic Issues and Their Application in Indonesia*. Jakarta: Rajawali Press, 2002.

⁶⁰ LKPP. "Technical Guidelines for the Implementation of E-Purchasing and Electronic Catalogs." *LKPP* (2023).

Overall, *e-purchasing* improves access fairness because all providers listed in *the e-catalog* have the same opportunities, increases process transparency because all transactions are documented and auditable, and strengthens the accountability of procurement officials because every step is recorded⁶¹. Full effectiveness is achieved when the five Soekanto factors work simultaneously: clear regulations, enforcement of discipline, adequate facilities/infrastructure, public awareness of the law, and a bureaucratic culture that supports transparency and integrity. Thus, *e-purchasing* can be said to be effective in the context of fairness and transparency if there are no structural or cultural barriers, and all stages of procurement are followed in accordance with applicable regulations.⁶²

3.4. Legal Efforts to Optimize the Implementation of E-Purchasing

Legal efforts to optimize the implementation of *e-purchasing* in government procurement of goods and services are strategic steps in realizing transparent, accountable, efficient budget management that is in line with the principles of *good governance* and the General Principles of Good Governance (AUPB).⁶³ This includes strengthening regulations, enforcing compliance and sanctions, increasing human resource capacity, strengthening digital infrastructure, and enforcing the principles of transparency and accountability as part of the General Principles of Good Governance (AUPB). To achieve optimization, several legal and policy efforts can be carried out in an integrated manner.

First, regulatory strengthening is needed through the consistent implementation of Presidential Regulation No. 16 of 2018 and Presidential Regulation No. 12 of 2021, accompanied by updates to LKPP technical regulations so that they are always in line with technological developments and procurement governance needs. This is in line with the findings of a study by the International University of Batam (UIB), which confirms that regulatory certainty and uniformity of rules between agencies are the foundation for the effectiveness of e-purchasing.⁶⁴ Second, in terms of compliance enforcement, the application of administrative and disciplinary sanctions to PPK, KPA, and providers who do not follow the e-purchasing mechanism is an important legal instrument to ensure legal certainty. UIB's empirical legal research shows that weak enforcement of sanctions is one of the causes of the ineffectiveness of e-purchasing in the regions.⁶⁵ Sanctions that are firm and reflect the principle of accountability are part of the AUPB.

Third, increasing human resource capacity is also a crucial point, because the quality of e-purchasing implementation is greatly influenced by procurement officials' understanding of

⁶¹ Law Number 30 of 2014 concerning Government Administration. Jakarta: DPR RI & State Secretariat.

⁶² LKPP. "Guide to Digital Auditing of Government Goods/Services Procurement." *LKPP* (2021)

⁶³ Soekanto, Soerjono. *Sociology of Law: An Introduction*. Jakarta: Rajawali Pers, 1986. Pp 77-80.

⁶⁴ Kurniawan, Iwan. "Analisis Yuridis Terhadap E-Purchasing Dalam Pengadaan Barang/Jasa Pemerintah." *Journal Of Law And Policy Transformation* 4, no. 1 (2019): 103-120.

⁶⁵ Setyadiharja, Rendra, Shahril Budiman, Zamzami A. Karim, Raja Abumanshur Matridi, Junriana Junriana, Ferizone Ferizone, and Achmad Nurmandi. "E-procurement system technology: an analysis in electronic procurement service unit (LPSE) of Kepulauan Riau Province." *The Asian Journal of Technology Management (AJTM)* 7, no. 2 (2014): 93-107.

the system. Procurement officials such as PPK and KPA as well as *e-purchasing* system user units need to receive regular training to understand system operations, *e-catalog* use, provider validation, and electronic contract procedures. The *e-purchasing* system must be supported by a *user-friendly* interface, automatic monitoring features, and integration with SPSE/LPSE to facilitate payments and reporting.⁶⁶ Equal access to the system across all regions, including remote areas, is an important part of equitable implementation.⁶⁷ Several studies, including research by UIB and other national journals, show that continuous training or certification, as well as the internalization of good governance principles, have been proven to increase the effectiveness of e-purchasing implementation.⁶⁸

Fourth, strengthening digital infrastructure is necessary as an *enabling* policy. The e-purchasing system requires a stable network, user-friendly interfaces, and good system integration. Infrastructure limitations are a major obstacle to the implementation of e-purchasing and e-catalogues.⁶⁹ Fifth, legal and policy efforts must place transparency and accountability as key principles, including through digital audits, openness of procurement data, and public access to e-catalog transactions. National research shows that e-purchasing increases transparency and reduces the potential for irregularities through electronic tracking.⁷⁰

Transparency and accountability must be upheld at every stage of procurement. Regular digital audits by LKPP and BPK, which utilize electronic transaction records, ensure that all procurement activities are accountable.⁷¹ The principle of accountability is maintained through audit mechanisms and periodic reports.⁷² The principle of transparency is upheld by providing public access to procurement information so that public oversight can be carried out⁷³. By integrating regulatory strengthening, human resource development, infrastructure improvement, transparency, and the internalization of a culture of *good governance*, the *e-purchasing* system can run optimally, supporting the principles of fairness and transparency,

⁶⁶ LKPP. "Technical Guide to the Implementation of E-Purchasing and Electronic Catalog." *LKPP* (2021).

⁶⁷ Amalia, Rizky, Muhammad Amirul Alfian, Maghfirah Aliefia, M. S. N. B. M. Radzi, and Faizal Kurniawan. "Digitalization of the public procurement system in Indonesia: Challenges and problems." *Yuridika* 38, no. 3 (2023): 1-20.

⁶⁸ Sirait, Debby Mayani, Lubna Salsabila, Timbul Dompok, and Karol Teovani Lodan. "Realizing Good Governance through the Implementation of Electronic Procurement Services (LPSE) in Batam City." In *Conference on Business, Social Sciences and Technology (CoNeSciNTech)*, vol. 3, no. 1, pp. 135-143. 2023.

⁶⁹ Awalludin, Krisna Rendi, and I. N. D. P. Putra. "Analysis Of Factors In Tenders For Procurement Of Construction Goods/Services Using The E-Catalogue System." *Journal of Civil Engineering and Planning* 5 (2024). <https://doi.org/10.37253/jcep.v5i1.9286>.

⁷⁰ Firmansyah, Anry, Rio Yusri Maulana, and Ahmad Zaini Miftah. "Transformation of the procurement system in the Indonesian government." *Sosiohumaniora* 26, no. 2 (2024): 369-381. <https://doi.org/10.24198/sosiohumaniora.v26i2.56209>

⁷¹ Hochstetter, Jorge, Felipe Vásquez, Mauricio Diéguez, Ana Bustamante, and Jeferson Arango-López. "Transparency and E-government in electronic public procurement as sustainable development." *Sustainability* 15, no. 5 (2023): 4672.

⁷² LKPP. "Technical Guidelines for the Implementation of E-Purchasing and Electronic Catalogs." *LKPP* (2023)

⁷³ Susantya, Stefanus Ardy, Khoirul Aswar, Mahendro Sumardjo, Ingrid Panjaitan, and A. Andreas. "E-procurement adoption in Indonesian government: A study of TOE model." *Innov. Mark* 18, no. 3 (2022): 99-109.

and strengthening good governance.⁷⁴ Thus, the five components of regulatory strengthening, enforcement of sanctions, human resource development, infrastructure strengthening, and transparency are the legal measures required to ensure that the implementation of e-purchasing is in line with the principles of good governance and AUPB.

4. CONCLUSION

Based on research findings, the implementation of e-procurement in government procurement of goods and services has made a positive contribution to improving efficiency and transparency through a digital recording system that can be monitored by various oversight agencies. However, from the perspective of legal effectiveness and substantive justice, its implementation still faces challenges in the form of infrastructure gaps, disparities in digital literacy across regions, and a bureaucratic culture that has not yet fully adapted to digital systems. Therefore, regulatory harmonization, human resource capacity building, strengthening of digital infrastructure, and the integration of data-driven oversight systems are necessary to ensure optimal accountability. This study provides a scientific contribution by reinforcing Soerjono Soekanto's analysis of legal effectiveness in the context of public procurement digitization, particularly by highlighting the gap between the normative aspect (*das sollen*) and empirical implementation (*das sein*) in Indonesia's e-procurement system.

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