Actio Pauliana Legal Reconstruction of Creditors in Bankruptcy Disputes to Achieve Substantive Justice

Yapiter Marpi
Faculty of Law, Universitas Sebelas Maret, Surakarta, Indonesia
Kentingan, Jl. Ir Sutami No.36, Kec. Jebres, Kota Surakarta, Central Java, Indonesia 57126
yapitermarpi@gmail.com

Pujiyono Suwadi
Faculty of Law, Universitas Sebelas Maret, Surakarta, Indonesia
Kentingan, Jl. Ir Sutami No.36, Kec. Jebres, Kota Surakarta, Central Java, Indonesia 57126
pujifhuns@staff.uns.ac.id

Hari Purwadi
Faculty of Law, Universitas Sebelas Maret, Surakarta, Indonesia
Kentingan, Jl. Ir Sutami No.36, Kec. Jebres, Kota Surakarta, Central Java, Indonesia 57126
hpurwadie@staff.uns.ac.id

***Abstract*— Basically, bankruptcy and PKPU are a follow-up to the principle of parity creditoroum and the principle of pari passu prorle parte in the property law system. Law Number 37 of 2004 concerning Bankruptcy and Postponement of Debt Payment Obligations (PKPU) was enacted with the intention of protecting the rights of creditors who have receivables from the bankrupt party, bearing in mind that in general the assets left by the bankrupt party are smaller than the amount the debt. So this condition has the potential to cause chaos if the number of creditors is more than one, because each of them will fight over each other to control the assets left behind as compensation for paying off their receivables, and in the end among the creditors there will be: "whoever is quickest/strongest gets it, and who is slow will bite the finger." The problem in research is how to reconstruct the legal actio paulina of creditors who have been harmed by debtors? Normative Legal Research (doctrinal legal research) using the library research method. The purpose of this actio pauliana is to avoid losses from creditors, by requesting the court to cancel the debtor's legal actions which are deemed to be detrimental to creditors. Provisions regarding actio pauliana are contained in Article 1341 of the Civil Code, which stipulates that every creditor can apply for the cancellation of all acts that are not required to be carried out by the debtor.**

Keywords: Creditors; Actio Pauliana; Debtors; Bankruptcy; Justice

I. INTRODUCTION

In the business world, the inability to pay obligations, as a rule, starts with the powerlessness of one of the gatherings to satisfy the accomplishments in the understanding. Arrangements that are often a wellspring of indebted persons default are credit arrangements.[1] Failure to pay the debtor in the credit agreement if it drags on can result in the bankruptcy of the debtor. A credit agreement is a legal act between the creditor as the bank and the debtor as the borrower of money where the creditor lends a sum of money to the debtor and the debtor promises to return it according to the agreement set forth in the agreement.[2]

In Indonesia, liquidation is directed in Regulation Number 37 of 2004 concerning Chapter 11 and Suspension of Commitments for Installment of Obligation. As per Article 1 passage (1) UUK-PKPU, bankruptcy is a general confiscation of all the assets of the bankrupt debtor whose management and settlement are carried out by the curator under the supervision of a supervisory judge as stipulated in this law.[3]

Bankruptcy itself can be interpreted as follows "a process in which a debtor who has financial difficulties paying their debts is declared bankrupt by a court, in this case, a commercial court, because the debtor is unable to pay his/her debts. In Indonesia".

So this is where the significance of liquidation organizations capabilities to ensure insurance for each part of life and each legal relationship lies. Chapter 11 regulation assumes a part in providing certainty in settling obligation questions between the gatherings. As explained that "Bankruptcy has become an inseparable part of society and touches various lines in people's lives".[4]

A. K. Jaelani et al. (eds.), *Proceedings of the International Conference on Law, Economic & Good Governance (IC-LAW 2023)*, Advances in Social Science, Education and Humanities Research 827,
https://doi.org/10.2991/978-2-38476-218-7_112

National legal products that guarantee certainty, order, enforcement and legal protection with the core of justice and truth are expected to be able to support the growth and development of the national economy, as well as secure and support the results of national development.[5]

The procedural regulation at the business court in liquidation cases has extraordinary qualities; in particular, the idea of the Chapter 11 case assessment is brief and basic, specifically that the debt holder is adequate to demonstrate that the debt holder satisfies the prerequisites to be pronounced bankrupt as specified by Article 2 of Regulation Number 37 of 2004 concerning liquidation and delay of obligation installment commitments are straightforward in court, So there is no requirement for reply-and-reaction strategies, for example, replicating and duplicating, which are generally completed in conventional common preliminary procedures. The preliminary cycle is completed momentarily, and the business court should quickly give the insolvency demand, assuming the circumstances are met.[6] One of the laws needed to support the development of the national economy is a regulation on bankruptcy and postponement of debt payment obligations which were originally regulated in bankruptcy regulations.[7]

Common cases that can be submitted to the business court are as applications. In the construction of the common strategy process, liquidation is remembered for the class of utilization structures, to be specific, Chapter 11 applications presented by debt holders and loan bosses, which mean to get a liquidation proclamation by a court that is constitutive for the two debt holders and lenders, in particular a choice pronouncing an individual or substance insolvency adventure. In a claim that happens due to a case from somebody who feels their social liberties have been disregarded, and by presenting a case to court, the two players are brought to be heard, frequently alluded to as a claim against a claim.[8]

Bankruptcy law as a sub-topic of business law studies is of course inseparable from the legal framework of business as a system. Besides that, bankruptcy law as a legal instrument that specifically regulates the procedures for paying debts of a debtor to creditors is of course also related to other areas of law that are linked to bankruptcy law itself.

As it is known that the bankruptcy process is a process of implementing the provisions of Article 1131 and Article 1132 of the Civil Code which aims to distribute debtors' assets fairly, intended so that creditors obtain prior implementation (pari passa) from others, as well as creditors obtain greater repayment against others (protata).

The lack of popularity of this bankruptcy issue occurs because so far many parties are dissatisfied with the implementation of bankruptcy. Many bankruptcy matters are not completed, the length of time required for trials, the absence of clear legal certainty, are some of the many reasons that exist. Psychologically, this may be acceptable, because a bankruptcy statement means the loss of the value of receivables because the debtor's assets declared bankrupt are not sufficient to cover all of his obligations to creditors. As a result, in bankruptcy matters, not all creditors agree and some even try hard to oppose it.

II. LITERATURE REVIEW

A. Concept of Understanding Actio Pauliana

Bankruptcy is an attempt to obtain payment for all creditors in a fair and orderly manner so that all creditors receive payment in accordance with the size of their respective debts without causing conflict over the payment of these debts. Based on the provisions of Article 1 number 1 UUKPKPU mandates in essence that bankruptcy is the confiscation of all assets of a bankrupt debtor where the management and settlement of these debts is taken over by a curator and supervised by a Supervisory Judge. The purpose of declaring bankruptcy is to fulfill the interests of creditors through general confiscation of the debtor's assets or wealth. In principle, a bankruptcy event is a way to receive cash payments to all parties who owe money fairly and proportionally. Then bankruptcy becomes a warning sign so that it becomes the final solution for the disputing parties. [9]

In the explanation which is a balance-sheet test according to the Uniform Commercial Code (UCC) which determines that a person is considered insolvent either in a state where they stop paying or are unable to pay their debts which have matured due to the equity test, the explanation of insolvency is also stated and explained in the American Federal Bankruptcy Law.[10] The provisions of Article 1341 of the Civil Code are an exception to the provisions of Article 1340 of the Civil Code which contains the principle of privity of contract (the principle which explains that an agreement is only binding on the parties who make it). The principle of privity of contract can still be excluded by actio pauliana so that parties who were not originally bound by the agreement become bound by the agreement made. Starting from the provisions of Article 1341 of the Civil Code, there are important elements that need to be underlined to prove the existence of good ethics or good faith.[11]

In principle, bankruptcy law is a general confiscation of all assets of a bankrupt debtor, both existing and those that will exist in the future, with the main aim being to use the proceeds from the sale of these assets to pay all debts of the bankrupt debtor proportionally (prorate parte) and in accordance with the creditor structure. -creditors. Through the Bankruptcy Law, it is hoped that there will be a fair and proportional distribution of the debtor's assets to each creditor, except if among the creditors there are

those who according to law must have priority in receiving payment of their bills, so that security is guaranteed and the interests of the parties concerned are guaranteed. The implementation of general confiscation must avoid confiscation and execution by individual creditors. Creditors must act together (concursus creditorium) in accordance with the principles as stipulated in the provisions of Article 1132 Burgerlijk Wetboek (Civil Code). The object of the bankruptcy law dispute, referring to the definition and objectives above, is "debt" and "more than one creditor". This is expressly stated in the provisions of Article 2 paragraph (1) of Law of the Republic of Indonesia Number 37 of 2004. The object of "debt" and the number of creditors which must be more than one, is a fundamental requirement in submitting a bankruptcy petition against a debtor to be examined and decided. by the Panel of Judges at the Commercial Court.[12]

B. From several definitions of bankruptcy

It can be seen that the elements that must be fulfilled when the debtor can be said to be bankrupt are:

- There are a minimum of two or more creditors
- The debt to be collected has matured or can be collected by the creditor. This can be interpreted as meaning that the debtor's obligation to pay the debt has matured either because of an agreement in the agreement, there has been an acceleration of the debt collection time due to the agreement, sanctions or fines have been given by the authorized agency or official for that purpose, or because of a court decision.
- The two things mentioned above can be proven simply by the creditor.

Actio pauliana provides consequences for debtors who have carried out legal actions which they know could cause losses to creditors, so all forms of legal actions can be requested to be canceled through the Commercial Court. If the debtor enters into a sale and purchase agreement, all assets that have been transferred must return to the bankruptcy debtor. In accordance with the provisions of Article 49 paragraph (2), in the event that the object cannot be returned, the buyer is obliged to pay the price of the object.[13]

As an effort to fight against the debtor's actions, creditors who feel that their interests have been harmed by the debtor will file a lawsuit, namely the actio pauliana lawsuit. Actio Pauliana originally comes from Roman which means to refer to the action or attempt to cancel the action of the debtor. Basically actio pauliana is a right given by law to a creditor to make a claim that contains the annulment of all forms of agreements made by the debtor and with whom the debtor binds himself provided that it can be proven that the debtor and the party binding themselves to the debtor At the time of carrying out the action, he/she knew that the action taken could result in losses to creditors. After all these conditions are fulfilled by the debtor, then the creditors can file for bankruptcy against the debtor.[14] The position of creditors is determined by the type and nature of each creditor's receivables. Creditors are divided into several types, namely concurrent creditors, separatist creditors and preferred creditors. Even though these conditions have been met and bankruptcy has been filed, some debtors who do not have good ethics often make grants or sale and purchase agreements with third parties to save their assets from the bankruptcy declaration that the debtor will later receive. Payment of debts that can already be collected is a legal act which is the obligation of the debtor so that such payments cannot be contested by other creditors, even if payment to one creditor is detrimental to other creditors. Such efforts will certainly cause creditors to feel disadvantaged because the value of assets that should still be there will be reduced and it is likely that the amount of the debt paid will not match the remaining debt that should be paid by the debtor.

III. METHODE

The research method used is normative legal research. Normative legal research is defined as research on statutory rules, both from the perspective of statutory hierarchies (vertical) and the relationship of statutory harmony (horizontal). The approach method used is the statutory approach, the fact approach and the conceptual approach.[15] The sources of legal materials used include primary legal materials, secondary legal materials and tertiary legal materials. The collection of legal material in this study was carried out by way of literature study in the form of secondary data as the basic material for research by conducting a search of regulations and other literature relating to the problems studied or often referred to as legal research literature.[16] The method of processing legal materials is carried out descriptively, namely describing a phenomenon as it is or legal or non-legal positions or propositions.[11] Furthermore, after the legal material has been processed, an analysis is carried out on the legal material which will finally be known regarding the special characteristics of the commercial court in adjudicating bankruptcy cases.

IV. RESULT AND DISCUSSION

A. Position of Bankruptcy Law in the Framework of the National Business Law System

In its latest development, after being in force for 6 years, the bankruptcy law is felt to contain many weaknesses in it, so it requires changes. besides that, because this bankruptcy law contains many weaknesses so that it does not provide legal certainty,

so the absence of legal certainty has shocked the world of bankruptcy justice in Indonesia with the many bankruptcy cases that occurred at that time. If judging from the history of its development in Indonesia, the bankruptcy law institution is not a relatively new institution in the legal system that applies in Indonesia.[17] The staatue bankrupt of 1570 which was valid in England was a bankruptcy law that was in effect during the colonial period in the United States. The first bankruptcy law issued by the federal government was the bankruptcy act of 1800. The opportunity for a debtor to voluntarily apply for a declaration of bankruptcy against himself only entered US bankruptcy law after the enactment of the bankruptcy act of 1841.[18]

To overcome the various weaknesses contained in the bankruptcy law, on October 18, 2004 the Government enacted Law No. 37 of 2004 concerning bankruptcy and postponement of debt payment obligations.[19]

Then, the word bankruptcy is added with the suffix ke and an, so that it becomes bankruptcy which means a process or method. In the bankruptcy law, bankruptcy is defined as a general confiscation of the assets of the bankrupt debtor whose management and settlement are carried out by a curator under the supervision of a supervisory judge.[20] According to Hadi Shubhan, bankruptcy is a court decision that causes a debtor's assets to be in general confiscation aimed at repayment of the debtor's debt to his creditors.[21]

According to the provisions of the bankruptcy law, bankruptcy results in general confiscation of all of the debtor's assets, both those that existed at the time the bankruptcy declaration decision was made and those that were obtained during the bankruptcy process.

B. Procedural Law at the Commercial Court in Bankruptcy Cases

The Commercial Court is a court that handles two issues as a dispute resolution court, namely, on bankruptcy and intellectual property rights (IPR). The procedural law used by the Commercial Court in bankruptcy cases is basically still guided by Law Number 37 of 2004 concerning Bankruptcy and Suspension of Obligations for Payment of Debt.[22]

The procedural law at the Commercial Court in bankruptcy cases is somewhat different from ordinary civil procedural law. Some specific matters in bankruptcy cases are:[23]

a) Events with letters. The procedures for civil proceedings at the Commercial Court apply in writing or by letter (schiftelijke procedure), in contrast to the procedures in force at the District Court which allow for oral procedures (modeling procedure).

b) Liability with expert assistance. The Bankruptcy Law and PKPU require the assistance of a legal expert. This is because in a bankruptcy process which requires legal knowledge and technical skills, it is necessary for both parties to the dispute to be assisted by a person or a technical person.

c) Passive judge. The procedural law in bankruptcy proceedings is based on the conviction that judges are essentially passive. The judge only supervises that the procedural regulations stipulated by law are carried out by both parties.[24]

d) Proof. simple. Examination. bankruptcy cases. at the Courts. takes place more quickly, this is because the Bankruptcy Law provides a time limit for bankruptcy proceedings. In addition, the faster time for examining cases at the Commercial Court is influenced, among other things, by the evidentiary system adopted, which is simple or summary proof.

e) Limited inspection time. The Bankruptcy Law stipulates that the Court's decision on the application for a bankruptcy statement must be pronounced no later than 60 (sixty) days after the date the application for a bankruptcy statement was registered.

f) The decision is immediate. The decision on the application for a declaration of bankruptcy at the Commercial Court can be carried out beforehand, although legal remedies are still being filed against the decision.

g) Arbitration Clause. The existence of the Commercial Court, as a court formed under Article 280 paragraph (1) of Perpu No. 1 of 1998 has special authority in the form of exclusive substantive jurisdiction over the settlement of bankruptcy cases. With legal status and power, the Commercial Court has the legal capacity to resolve bankruptcy applications.

h) No Appeal available. Article 11 paragraph (1) of Law Number 37 of 2007 expressly states that the legal remedy that can be filed against a decision on an application for a declaration of bankruptcy is an appeal to the Supreme Court. So, against the decision at the Commercial Court of first instance, an appeal cannot be filed.[25]

In principle, the Commercial Court is part of the judicial power, namely as part of the power of an independent state to administer justice in order to uphold law and justice based on Pancasila and the 1945 Constitution of the Republic of Indonesia, for the sake of the implementation of the Republic of Indonesia. pursuant to Article 306 UUK-PKPU juncto Decree of the

President of the Republic of Indonesia Number 97 of 1999, the jurisdiction of the Commercial Court is divided by region as follows:[26]

a. The jurisdiction of the Commercial Court at the Medan District Court covers the provinces of North Sumatra, Riau, West Sumatra, Bengkulu, Jambi and the Special Region of Aceh.

b. The jurisdiction of the Commercial Court at the Central Jakarta District Court covers the Special Capital Region of Jakarta, the provinces of West Java, South Sumatra, Lampung and West Kalimantan.

c. The jurisdiction of the Commercial Court at the Semarang District Court covers the areas of the provinces of Central Java and the Special Region of Yogyakarta.

d. The jurisdiction of the Commercial Court at the Surabaya District Court covers the provinces of East Java, South Kalimantan, Central Kalimantan, East Kalimantan, Bali, West Nusa Tenggara and East Nusa Tenggara.

e. The jurisdiction of the Commercial Court at the Ujung Pandang District Court covers the provinces of South Sulawesi, Southeast Sulawesi, Central Sulawesi, North Sulawesi, Maluku, Irian Jaya.

V. CONCLUSION

The Commercial Court is different from the General Court, where a judge's decision cannot be appealed, is specific and exclusive. The Commercial Court is a special court. Where only debt disputes and other trades are resolved in commercial courts. From these provisions it can be concluded that bankruptcy means a situation when the debtor stops paying, either because of the condition of being unable to pay or because of the condition of not wanting to pay. The debtor as a party declared bankrupt will lose control of the property and will be handed over to the curator under the supervision of an appointed court judge.

In principle, bankruptcy includes all of the debtor's assets at the time the bankruptcy declaration was made, along with all the wealth acquired during the bankruptcy. With a bankruptcy statement, the bankrupt debtor by law loses the right to control and manage his assets entered into bankruptcy, starting from the date of the bankruptcy. The procedural law used by the Commercial Court in bankruptcy cases is basically still guided by Law Number 37 of 2004 concerning Bankruptcy and Suspension of Obligations for Payment of Debt. The procedural law at the Commercial Court in bankruptcy cases is somewhat different from ordinary civil procedural law.

REFERENCES

[1] A. A. Sitti Hajani, Sufirman Rahman, "Kedudukan Hukum Barang Bukti yang Merupakan Harta Pailit Dalam Sita Pidana," *J. Lex Gen.*, vol. 4, no. 2, 2023, [Online]. Available: https://pasca-umi.ac.id/index.php/jlg/article/view/1334

[2] P. T. C. Pratama, I.P.Y.P., & Landra, "Perlindungan Hukum Terhadap Kreditor Atas Penyusutan Nilai Objek Jaminan Hak Tanggungan Dalam Perjanjian Utang Piutan," *Kertha Semaya J. Ilmu Huk.*, vol. 7, no. 6, 2019.

[3] P. D. Larasati, "Merek Sebagai Harta Pailit Terkait Dengan Perseroan Terbatas Yang Dinyatakan Pailit," *J. Huk. dan Kenotariatan Fak. Huk. Univ. Airlangga*, vol. 2, no. 2, 2018.

[4] M. F. Idris, "Access to Justice for Disability in the Perspective of John Rawls Theory (Case of Demak Regecy Indonesia)," *J. Law Leg. Reform*, vol. 2, no. 3, pp. 391–400, 2021, doi: https://doi.org/10.15294/jllr.v2i2.46486.

[5] D. B. F. L. J. Sinaga, "Akibat Hukum Kepailitan Perseroan Terbatas Sebagai Badan Hukum Atas Merek Dagang Dalam Boedel Pailit," *J. Law Pro Justitia*, vol. 5, no. 2, 2020.

[6] A. I. Cohen, "Corrective vs. Distributive Justice: The Case of Apologies," *J. Ethical Theory Moral Pract.*, vol. 19, no. 3, pp. 663–677, 2016, [Online]. Available: http://link.springer.com/10.1007/s10677-015-9674-5.

[7] E. R. Ginting, "Hukum Kepailitan Teori Kepailitan," Jakarta: Sinar Grafika, 2018.

[8] A. G. A. Kale, G. I., & Dharmakusuma, "Syarat Kepailitan Sebagai Bentuk Perlindungan Hukum Debitor Dalam Undang-Undang Nomor 37 Tahun 2004," *Kertha Semaya J. Ilmu Huk.*, vol. 4, no. 1, pp. 1–12, 2015.

[9] I. A. Juniarta, I. D. A. D., & Sukihana, "Kewenangan Pengadilan Niaga Indonesia Dalam Eksekusi Aset Debitor Pailit Yang Berada Di Luar Negeri," *Semaya J. Ilmu Huk.*, vol. 7, no. 8, pp. 1–13, 2019.

[10] M. Millar, "A Capability Perspective on Antibiotic Resistance , Inequality , and Child Development," vol. 1, pp. 225–242,

2020, doi: 10.1007/978-3-030-27874-8_14.

[11] K. Puspitasari, L. N., Septiandani, D., Sediati, D. S. R., & Sukarna, "Problematika Eksekusi Harta Pailit Dalam Cross Border Insolvency," *J. USM Law Rev.*, vol. 4, no. 2, pp. 743–755, 2021.

[12] R. T. Ugarte, "Ensuring Party Equality in the Process of Designating Arbitrators in Multiparty Arbitration: An Update on the Governing Provisions," *J. Int. Arbitr.*, vol. 27, no. 1, pp. 9–49, 2010.

[13] S. Retnaningsih, "Perlindungan Hukum Terhadap Debitor Pailit Individu Dalam Penyelesaian Perkara Kepailitan Di Indonesia," *ADHAPER J. Huk. Acara Perdata*, vol. 3, no. 1, 2017.

[14] A. Harmathy, "Changes in the Legal System : A Comparative Essay Based on the Hungarian Experience," vol. 12, no. 2, 2019.

[15] E. N. Butarbutar, *Metode Penelitian Hukum Langkah-Langkah Untuk Menemukan Kebenaran Dalam Ilmu Hukum*. Bandung: Refika Aditama, 2018.

[16] P. E. T. Dewi, "Legal Consequences of Bankruptcy on Joint Assets after Divorce," *J. Huk. Prasad*, vol. 10, no. 1, 2023.

[17] T. D. S. Liem, "Problematika Hukum Proses Permohonan Penundaan Kewajiban Pembayaran Utang Tetap Oleh Kreditor," *Maleo Law J.*, vol. 6, no. 1, pp. 95–104, 2022.

[18] B. Nugroho, "Peranan Alat Bukti Dalam Perkara Pidana Dalam Putusan Hakim Menurut KUHAP," *Yuridika*, vol. 32, no. 1, pp. 17–36, 2017.

[19] A. W. & W. P. Ananta, *Hukum Acara Pengadilan Niaga: Practical Guide to the Commercial Court*. Jakarta: Sinar Grafika, 2018.

[20] E. Adi, "Penal Mediation as the Concept of Restorative Justice in the Draft Criminal Procedure Code," *Lex Sci. Law Rev.*, vol. 5, no. 1, pp. 139–64, 2021, doi: https://doi.org/10.15294/lesrev.v5i1.46704.

[21] P. E. T. Dewi, "Karakteristik khusus pengadilan niaga Dalam mengadili perkara kepailitan," *J. Huk. Sar.*, vol. 5, no. 1, pp. 2720–9555, 2023, doi: https://doi.org/10.36733/jhshs.v2i2.

[22] J. B. I Gusti Ayu Ketut Rachmi Handayani, Lego Karjoko, Abdul Kadir Jaelani, "The Politics Settlement of Land Tenure Conflicts During Jokowi's Presidency," *J. Indones. Leg. Stud.*, vol. 7, no. 2, pp. 487–524, 2022, doi: doi.org/10.15294/jils.v7i2.57539.

[23] H. F. Sjawie, "Tanggung Jawab Direksi Perseroan Terbatas Atas Tindakan Ultra Vires," *J. Huk. Prioris*, vol. 6, no. 1, 2017.

[24] P. E. T. Mantili, R., & Dewi, "Penundaan Kewajiban Pembayaran Utang (PKPU) Terkait Penyelesaian Utang Piutang Dalam Kepailitan," *J. Aktual Justice*, vol. 6, no. 1, pp. 1–19, 2021.

[25] N. Yanto, O. Y., Darusman, Y. M., Utami, I. S., & Nurdiyana, "The Light Judgment Decisionin The Case Of Corruption: The Implications For The Sense Of Public Justice," *J. IUS Kaji. Huk. dan Keadilan*, vol. 8, no. 1, pp. 1–16, 2020.

[26] Y. Risa, "Perlindungan Hukum Terhadap Kreditur Atas Wanprestasi Debitur Pada Perjanjian Kredit Dengan Jaminan Hak Tanggungan," *Norm. J. Ilm. Huk.*, vol. 5, no. 2, pp. 8–93, 2017.