

Reconceptualization of the Recognition of the Unity of Customary Law Communities in Indonesian Legislation

Irpan Suriadiata

irpan.suriadiata@gmail.com

Universitas Nahdlatul Ulama Nusa Tenggara Barat

Article Info

Received: 2024-7-14

Revised: 2024-12-22

Accepted: 2024-12-24

Keywords:

Reformulation;

Recognition;

Customary Law;

Community; Legislation,
Indonesia

Abstract

This study investigates the recognition of customary law communities in Indonesian legislation, with the objective of redefining the notion to better align with the evolving dynamics of customary law communities and the requirements of contemporary legal systems. This study employs a normative technique, which involves a systematic analysis of positive legal provisions, as well as an empirical sociological approach that encompasses the identification of unwritten laws and research on the efficacy of the law. The data utilized comprises primary, secondary, and tertiary legal sources, obtained by traditional documentation research methods and information technology. The study findings suggest that current legislation has not adequately addressed the presence and rights of customary law communities. Hence, it is imperative to develop a more inclusive and cohesive reinterpretation of the notion of recognition that not only acknowledges the presence of customary law communities, but also ensures the effective safeguarding and enhancement of their rights. This study aims to enhance the development of legal policies that are more equitable and more aligned with the requirements of customary law communities in Indonesia.

I. Introduction

Indonesia is an extremely diverse nation. It is home to a diverse array of communities, nations, cultures, religions, and customs. This nation refers to itself as "Bhineka Tunggal Ika" in order to acknowledge the diversity that constitutes it. This diversity in actuality can be a blessing, but it can also be a disaster (Rachman, 2010). This depends on how this nation manages this diversity.

The diversity of customary law in Indonesian society, which constitutes this nation, is one of the aspects of diversity that will be examined in this paper. Society and its customs are akin to two opposing aspects of a coin that are inextricably linked. The foundation of customs is distinct for each community group. The Indonesian nation was established on the foundation of a pluralistic society, which encompassed customs, religion, race, language, and other factors, as the architects of this nation recognized from the outset (Maulidan & Darmawan, 2024; Saddam et al., 2020).

While all societies have customs that are inextricably linked to their daily lives, some of these customs are formally institutionalized, while others are not. In the context of Sasak society, it is known that there is an expression that translates to "lain tutuk lain jejak," which means "different villages, different customs," in order to recognize the existence of these conventions (Jailani & Faaisal, 2023). This expression shows that in all social groups, there are different customs.

Sociologically, customary law is a component of human culture that is the outcome of human work, emotions, and creativity in community life. It is employed to regulate the collective life of individuals in order to establish a harmonious and positive community. Soerjono Soekanto explicitly states this in the following manner:

Law, and customary law, of course, are components of culture from a sociological perspective. Nature was created by God Almighty, and it is within this natural environment that humans establish or develop culture. Culture is the outcome of human labor, emotions, and creativity in society, which are organized and employed in accordance with the will. Community labor generates technology and material culture, which is essential for humans to exploit the natural environment for the benefit of society. Feelings encompass all aspects of the human soul's expression as a member of society. In addition to producing knowledge in the form of pure theories and those that have been arranged to be directly practiced in community life, creation is the mental ability or reasoning ability of individuals who reside in society. The results of sentiments and creativity are also referred to as spiritual culture (non-material culture), which includes law (Soekanto, 1982).

The existence of two legal systems that serve as guidelines in the life of society (Indonesia) is undeniable. The national legal system, which is codified in the laws and

regulations of the state authorities, and customary law, which has been practiced by each member of society (Indonesia) and is a hereditary heritage from their ancestors, are the two systems. In an ideal world, these two legal systems should coexist harmoniously in order to foster a society that is both more prosperous and improved. However, in practice, they frequently conflict (discord).

The necessity of enhancing the State's recognition of customary law communities is frequently discussed in academic discourse due to the frequent discrepancy between customary law and state law, and the fact that customary law is almost always considered to be in a weak position. This recognition is regulated in Article 18 B paragraph (2) and Article 28I paragraph (3) of the 1945 Constitution, Article 51 paragraph (1) letter b of Law No. 24 of 2003 concerning the Constitutional Court, and Article 6 of Law No. 39 of 1999 concerning Human Rights.

Consequently, the necessity to fortify the State's acknowledgment of customary law is interpreted as the necessity to establish more detailed and assertive regulations that govern customary law communities, beginning with the rights, obligations, and territorial boundaries of these communities. Consequently, I frequently contemplate whether this action is not akin to the establishment of a State within a State, specifically the customary State and the State of Indonesia.

The implication of this discussion is that we must determine the actual location of the customary law community. We need to establish whether there is a customary law community in Mataram City, West Lombok, East Lombok, North Lombok, and all other places. In order to address this question, it is necessary to adhere to the attributes of customary law communities as transmitted by experts in customary law. Indeed, the attributes exhibited by customary law specialists may not always encompass all variations and features of customary law communities in Indonesia. Due to our inability to identify the features of customary law communities based on these numbers, we can conclude that there is no customary law community in this location, or in simpler terms, "the community does not follow customary practices." If this conclusion is adopted, it will undoubtedly serve as the catalyst for long-lasting social conflict within society. Every community has customs, as there are almost any communities that claim to lack customary law.

The scholarly discussion on the governance of customary law communities within the constitution of this nation is steadily expanding and gaining traction. This is evident in various regions of Indonesia, including Papua, Sumatra, and Lombok, where conflicts arise between the community and the government over land rights. The government asserts its ownership of the land as state property, while the community asserts its customary ownership, commonly referred to as customary land of the customary

community.

Within the vicinity, there exist conflicting assertions over the rightful ownership of the land. The government asserts its ownership based on documented evidence, while the community lacks substantiation for their claim. Conversely, the community asserts ownership of the property based on customary land rights established by the community's customary law, which has been upheld for generations since their forebears, spanning several decades or even centuries.

In this particular situation, there exists a conflict of interests between the governing body and the general populace. The government relies on the justification of codified statutory law, whilst the people invoke the justification of oral customary law. Under these circumstances, the government frequently prevails over the community, resulting in the transfer of land that the community regards as customary land to capitalist entities (companies).

According to the description provided, the author observes a lack of agreement between the government and society due to differing perspectives and legal systems. In this situation, the community may need to request that the government establish regulations that acknowledge the validity of their customary law, on par with state law. The government and society are currently in a position where they are trying to assert their respective stances. Specifically, the government aims to prioritize state law over customary law, while society desires equal recognition for both. This article seeks to explore the extent to which the state plays a crucial role in acknowledging and honouring the cohesion of customary law communities. It also aims to examine how the revision of norms pertaining to the recognition of customary law communities in the 1945 Constitution can promote equality among all citizens under the law.

RESEARCH METHOD

This research is normative in nature, with an emphasis on the examination of positive legal provisions in specific categories, as well as the explanation and prediction of legal relationships. The approaches employed are as follows: the statute approach, which is a comprehensive and hierarchical closed system that examines regulations related to the Protection of Citizens' Fundamental Rights; the conceptual approach, which comprehends abstract elements related to the Protection of Citizens' Fundamental Rights; the analytical approach, which seeks to understand the nature and meaning of the rules and their application in legal practice; and the historical approach, which examines the background and factors that influence the development of regulations in the land sector (Johnny Ibrahim, 2005; Syahrums, 2022). The primary legal materials, which include laws and regulations related to the Protection of Citizens' Fundamental Rights (UD 1945, Law No. 5 of 1960, Law No. 32 of 2004, and others), secondary legal materials, such as books, research results, scientific journals, and articles, and tertiary legal materials, such as legal dictionaries, encyclopedias, and other sources that provide clues to primary and

secondary data, are among the types and sources of data. The conventional and information technology methods of data collection involve the tracing, acquisition, and analysis of primary, secondary, and tertiary data documentation. Quote cards are employed to summarize the outline of the authors' thoughts, document the opinions expressed, and respond to the perspectives expressed.

2. Results and Discussion

The relationship between the state and society.

The relationship between society and the state has been extensively discussed in this section, and reviews of this topic can be found in numerous literatures. However, the author believes that it is crucial to review this topic in this article, as it appears that each entity "has its own place" in the current era. This is actually impossible, as the concept of the state necessitates the existence of residents (people) and territory, in addition to the requirement for recognition from other countries (Mustaqim & Miftah, 2015; Ridwan & Sudrajat, 2020).

The strong community pressure on the State to recognize each customary legal system with all of its instruments, including the territorial area where the customary law applies, confirms that the State motto "Bhineka Tunggal Ika" is truly upheld by the Indonesian people, but it also shows that the people no longer believe in it and even do not want to submit to the legal system created by the State. With the motto "Bhineka Tunggal Ika," the State firmly acknowledges that the Sasak people remain the Sasak people, with all of their cultural and customary uniqueness; the Sumbawa people remain the Sumbawa people, with all of their cultural and customary uniqueness; and the others, similarly, remain and hold fast to their respective identities. The Sasak people do not need to become Sumbawa people; they may not even need to become "Indonesian". However, when the Indonesia agreement was signed, everything became Indonesia. In other words, while we retain our regional identity (customs), we must also recognize that we are Indonesian citizens who must submit to the regulations of the Republic of Indonesia, as long as they are carried out in accordance with the mandate of our country's constitution, which is a joint agreement of the founders of this nation. A person is said to as a citizen first and foremost because of his loyalty; legally, he is devoted to the government and is prepared to coexist with others in the country, even if there are significant differences between them. On the other hand, a person may request protection from the state in his daily life, and the state must comply. If he owns a house, he has the right to occupy it happily without being evicted by the state; if he does not have property as a source of income, he has the right to get land from the state to meet his basic needs.

The perspective described above demonstrates that the state and citizens hold a balanced

position. A country cannot exist without its population, and vice versa.

In the conception of the relationship between society and the state, Magnis-Suseno & Tri (2006) states that there are four patterns of relations between society and the state, namely as follows:

The first model is the Communitarian Model, which is influenced by the ideas of A. Mcintyre, Sandel, M. Walzer, and others. In this paradigm, countries are regarded as "ethical totalities," which are a community that adheres to specific values and possesses a diverse collective identity. In this paradigm, the existence of state law and customary law is equivalent or equivalent. The state is envisioned as an extended family; however, in this scenario, the communitarian model state will typically adopt the values of the dominant ethnic customs to establish the collective identity of its citizens. The second model is the Liberal Model, which is influenced by the ideas of J. Rowls. In this paradigm, the state is perceived as a "political totality" that is integrated through contemporary positive law that is not influenced by the values of specific ethnic groups. State law must be uniform and universal in this capacity. In this position, there is an abstract distinction between the state and society, between public and private space, and between political and ethical communities. In this role, a member of an indigenous community or tribe is required to relinquish their identity and assume a neutral political role as a citizen. Therefore, the existence of ethnic groups in this position can be characterized as having no structural position, as cultural values are deemed politically irrelevant. Their existence is tolerated as long as it does not affect the security and political interests of the state.

The third model is the Multicultural Model, which is influenced by the ideas of W. Kymlica and Ch. Taylor. This multicultural model is a critical response to the liberalism model. In this model, the state is not sufficient to simply respect individuals without considering their cultural heritage. The cultural identity of groups in society must be acknowledged by the state. In this multicultural paradigm, cultural pluralism is acknowledged, and the collective rights of the cultural group are safeguarded to preserve its collective identity. This implies that the state in this paradigm maintains its liberal nature, but it also ensures the cultural rights of the group in addition to individual rights. Therefore, ethnic groups occupy a structural position that is comparable to that of other identity groups, including gender, sex, and religious affiliations. The fourth model is the Deliberative Model: Equiprimordiality of Ethnic Groups and the State. This paradigm is influenced by the ideas of A. Aratyo, Cohen, B. Peter, and Habermas.

According to this paradigm, citizens and social groups, such as ethnic groups, customs, religions, and others, are treated equally. Citizens from diverse cultural origins strive to forge a mutual understanding that transcends their individual ethnocentric viewpoints. This implies that the values of the dominant ethnic group must be regarded

as equivalent to those of other cultural groups in this model. In this paradigm, the ethnic group occupies the same structural position as the state. The state does not precede the ethnic group, and the ethnic group does not precede the state. Both operate concurrently (coexistence). The sovereignty of the state and the sovereignty of the ethnic group are equiprimordial, meaning that they are identical in origin; one is not derived from the other.

The fourth relationship pattern is the most appropriate and ideal of the four models of relations between society and the state mentioned above, according to F. Budi Hardiman. The author endorses the fourth relationship pattern for the following reasons, without any intention of adhering to the opinion:

Initially, each individual is born without a fixed plan, desire, or estimation of their life journey. Humans are never given the option to be born with a specific gender. There is no choice for humans to be born in a specific region or country. Humans are never given the opportunity to choose their familial background or social status at birth. It is impossible for humans to opt for a specific name and surname at birth. Humans are never able to choose to be born into a specific socio-historical circumstance. There is no choice for humans to be born into a specific religious, customary, ethnic, or linguistic environment. All of this is acknowledged as a gift from God Almighty that must be protected and valued (Huriani et al., 2022; Ruslan, 2020).

Every citizen is born into a social and cultural situation that they were not able to choose in advance, as a result of God's will. Some individuals were born in Lombok, where they were exposed to the social and cultural contexts of the island, while others were born in Sumbawa, where they were exposed to the same social and cultural contexts: and so forth. They are in the same position as human beings, who were created by God and possess all of their social and cultural characteristics. They share a common commitment to unite as the citizens of the Republic of Indonesia. Therefore, they must also receive the same treatment and position in both national and state life. Secondly, the Indonesian nation is founded on four pillars that must be upheld by all Indonesians, including the state and customary law communities: Pancasila, the 1945 Constitution, *Bhineka Tunggal Ika*, and the Unitary State of the Republic of Indonesia. The four pillars are also the boundaries of expression for all Indonesian citizens. This means that each citizen is free to engage in any social, political, cultural, economic, or other activity as long as it does not violate the principles outlined in the four pillars. In the same vein, the state must continue to consult the four pillars when formulating all policies. In this scenario, the state and society are in a similar position to implement the principles outlined in the four pillars of the nation.

Third, the prerequisites for the establishment of a state include the existence of territory, the presence of individuals, the existence of a government, and international recognition. This implies that the people's existence is of paramount importance in this

position and is equivalent to that of the government. Specifically, both are essential for the establishment of a state, and there is no one that is more superior or dominant than the other.

The Importance of Acknowledging Customary Law Communities in the Constitution of the Republic of Indonesia.

Every law function as a system. The customary law system in Indonesia is founded upon the distinct mindset of its people, which diverges from the worldview governing the Western legal system. Civil law, particularly in the western legal system, is meticulously documented in the statute book, but customary law is not. Customary law is characterized by a high degree of pluralism, as it is shaped by the customs of the specific community to which it applies (Kharlie et al., 2021; Kharlie & Sh, 2020).

Lately, there has been an increasing emphasis on acknowledging the presence of customary law communities. This is evident in the vibrant scholarly discussions surrounding this issue and the community's need for a distinct legal framework to govern this common law. This matter requires greater scrutiny and extensive investigation, as the presence of Article 18B paragraph (2) of the 1945 Constitution has necessitated a thorough examination of the authenticity of customary law communities in our region. Our assessment of the existence of customary law is based on the opinions of experts who have identified the characteristics of customary law communities. Interestingly, we have found it challenging to meet these characteristics in our area. Therefore, we have concluded that there are no customary law communities present. According to Article 18B paragraph (2) of the 1945 Constitution, the government acknowledges and honors the customary law communities and their traditional rights, as long as they are still in existence and align with the progress of society and the principles of the Unitary State of the Republic of Indonesia, as specified by the law. The provisions in this article can be understood as both a recognition of customary law communities by the state and an attempt to formalize customary law. This could potentially lead to the detachment of customary law from its origins and make it subject to the state's validation and invalidation.

The effort to promote positivity can be observed in the following sentence: "as long as it is still alive and in accordance with the development of society and the principles of the Unitary State of the Republic of Indonesia, as regulated by law." In this context, the state establishes a benchmark, restriction, or defining feature of customary law that is acknowledged by the state. However, it is important to note that this provision alone does not fully comply with the requirements stated in Article 18B paragraph (2) of the 1945 Constitution. Therefore, additional regulations in the form of legislation or other measures must be implemented (Agus, 2017; Burhanudin, 2021).

Customary law communities are compelled to validate their existence according to

the criteria established by the state, which are founded on beliefs deemed to be accurate. In this scenario, it is necessary to empirically verify customary law communities using the technical instructions provided by the government. If a customary law community fails to meet the empirical verification criteria, its existence must be officially declared as non-existent and without significance. Customary law, being primarily unwritten, poses challenges in terms of verification within the framework of positive law. Customary law is distinct from statute law as it is not formally written or codified, but some aspects of it may be recorded, particularly those emanating from past rulers (Agus, 2017b; Haba, 2010; Sugiswati, 2012).

The more rigorous the verification process, the lower the probability of the customary law community being acknowledged. The more rigorous the verification process, the more power the state has to potentially eliminate the cultural artifacts and practices of communities that fail to meet the verification criteria (Bradley & Goldsmith, 1997; Posner, 1980)

Consequently, rather than striving for official acknowledgment from the government, we find ourselves compelled to eradicate other customary law communities, regardless of their limited numbers or inferior standards, making it challenging to engage in the process of establishing verification criteria. Verification of Customary Law Communities will effectively eradicate the values, ideals, and social capital inherent in these diverse Customary Law Communities. The contents of customary law differ from those of positive law. The treasures inherent in customary law are highly revered and deeply ingrained within the customary law society. Consequently, there are instances where their veracity cannot be ascertained by the scientific methods employed by positivism.

Article 18B paragraph (2) of the 1945 Constitution acknowledges and respects customary law communities. However, it is important to recognize that this recognition also implies a limitation, as it is impossible for the law to comprehensively control and address all aspects of human existence. The scope of legal regulation is highly restricted, although the challenges of human existence surpass the quantity of current laws and regulations. Hence, the acknowledgment and reverence mentioned in Article 18B paragraph (2) of the 1945 Constitution should not be construed as a mandatory requirement for all customary law communities. Instead, it serves as a declarative and fundamental expression of the state's dedication to its citizens. In the context of this Customary Law Community, it is important to regulate actions that are prohibited by the state and affect the life of the community. This is because the number of prohibited actions is generally smaller than the number of permitted actions. Therefore, it would be more effective to focus on regulating actions that are prohibited by the customary law community, in line with the four pillars of the nation: Pancasila, the 1945 Constitution, the Republic of Indonesia, and Bhineka Tunggal Ika. The four pillars serve as the boundaries

for the expression of all citizens of the Republic of Indonesia. This means that every citizen is allowed to engage in various social, political, cultural, economic, or other activities, as long as they do not violate the principles outlined in the four pillars. When considering customary law communities, it is important to understand that their territory should not be seen as a power-based territorial area like that of a state. Instead, it is crucial to clearly define the boundaries of the customary rights of these communities. This definition should be based on the interpretation of Article 33 paragraph (3) of the 1945 Constitution, which states that these rights should be used for the greatest benefit of the people. This interpretation is closely linked to the meaning expressed in Article 28H paragraph (1) of the 1945 Constitution, which guarantees everyone the right to live in physical and spiritual prosperity, including having a place to live and a healthy living environment.

The state should not consider the customary rights area of the customary law community as having territorial boundaries that must be as clear as the boundaries of the state. Once the boundaries of the area are established, the state should refrain from interfering in the development of the area and improving the necessary facilities and infrastructure for the customary law community to prosper. If this occurs, it can lead to the inference that there exists a parallel governing entity. The customary rights area within the customary law community should be understood as a means by which the state delegates management rights to the community. This ensures that the state cannot infringe upon the customary rights of the community under the pretext of law or development. However, this protection is contingent upon the community effectively and efficiently utilizing their customary rights area to achieve prosperity and collective well-being. In the author's perspective, there is no necessity to impose strict regulations on the rights of customary law communities. This is because it is the state's responsibility to safeguard all Indonesian citizens and promote the overall well-being of the nation. Furthermore, every individual has the right to equal access to available natural resources. According to the author, tight regulation of customary law communities by the state would indicate the creation of social classes that resemble or represent social inequality.

4. Conclusion

Based on the description, the author can deduce that the Deliberative Model is considered the optimal framework for the relationship between society and the state. In this model, all people and social groupings, including ethnic groups, cultures, religions, and others, are regarded as equals. The ethnic groups hold an equal structural position to that of the state. There is no chronological order between the existence of ethnic groups and the state. Neither one comes before the other. Both operate in parallel (coexistence). Regulating the rights of customary law communities in laws and regulations is unnecessary, as it is the state's duty to safeguard all Indonesian citizens and promote the overall well-being.

Moreover, every individual has the right to equal access to available natural resources. According to the author, if customary law communities are strictly regulated by the law, it will indicate that the state is establishing social classes that can potentially lead to social discrimination. In order to ensure adherence to the constitution of the Republic of Indonesia, namely Article 33 paragraph (3) of the 1945 Constitution, it is imperative that the state is motivated to consistently apply it without any kind of societal discrimination. Activists or advocates for customary law communities should prioritize cultural empowerment and strive to expand economic, political, social, and cultural opportunities for the community, aiming to attain prosperity for all Indonesian people.

References

- Agus, A. A. (2017). Eksistensi Masyarakat Adat dalam Kerangka Negara Hukum di Indonesia. *Jurnal Sosialisasi*, 4(1), 5–15.
- Bradley, C. A., & Goldsmith, J. L. (1997). Customary international law as federal common law: a critique of the modern position. *Harvard Law Review*, 815–876.
- Burhanudin, A. A. (2021). Eksistensi Hukum Adat di Era Modernisasi. *Salimiya: Jurnal Studi Ilmu Keagamaan Islam*, 2(4), 96–113.
- Huriani, Y., Zulaeha, E., & Dilawati, R. (2022). *Implementasi moderasi beragama bersama penyuluh perempuan di Bandung Raya*. Prodi S2 Studi Agama-Agama UIN Sunan Gunung Djati Bandung.
- Jailani, M., & Faaaisal, M. (2023). Analisis Penyelesaian Sengketa di Luar Pengadilan Berdasar Hukum Adat sebagai Jaminan Perlindungan Hak Masyarakat Adat di Pulau Lombok. *Indonesian Journal of Social Sciences and Humanities*, 3(1), 10–21.
- Johnny Ibrahim. (2005). *Teori dan Metode Penelitian Hukum Normatif*. Bayumedia Publishing.
- Kharlie, A. T., Fathudin, F., & Triana, W. (2021). Reforming Islamic Marriage Bureaucracy in Indonesia: Approaches and Impacts. *Al-Jami'ah: Journal of Islamic Studies*, 59(2), 255–286.
- Kharlie, A. T., & Sh, M. H. (2020). *Kodifikasi hukum keluarga islam kontemporer: Pembaruan, pendekatan, dan elastisitas penerapan hukum*. Prenada Media.
- Magnis-Suseno, F., & Tri, I. (2006). *Hubungan struktural masyarakat hukum adat, suku bangsa, bangsa dan negara: ditinjau dari perspektif hak asasi manusia*. Komisi Nasional Hak Asasi Manusia.
- Maulidan, A. C., & Darmawan, W. (2024). Implikasi Multikulturalisme dalam Pembelajaran Sejarah Sebagai Upaya Meningkatkan Kesadaran Persatuan Indonesia. *Jurnal Artefak*, 11(1), 49–64.
- Mustaqim, M., & Miftah, M. (2015). Tantangan Negara-Bangsa (Nation-State) dalam Menghadapi Fundamentalisme Islam. *Addin*, 9(1).
- Posner, R. A. (1980). A theory of primitive society, with special reference to law. *The Journal of Law and Economics*, 23(1), 1–53.
- Rachman, B. M. (2010). *Sekularisme, liberalisme, dan pluralisme*. Grasindo.
- Ridwan, I. H. J., & Sudrajat, M. H. A. S. (2020). *Hukum administrasi Negara dan kebijakan pelayanan publik*. Nuansa Cendekia.
- Ruslan, I. (2020). *Kontribusi Lembaga-Lembaga Keagamaan dalam Pengembangan Toleransi Antar Umat Beragama di Indonesia*. Arjasa Pratama.
- Saddam, S., Mubin, I., & Sw, D. E. M. (2020). Perbandingan Sistem Sosial Budaya Indonesia Dari Masyarakat Majemuk Ke Masyarakat Multikultural. *Historis: Jurnal Kajian, Penelitian Dan Pengembangan Pendidikan Sejarah*, 5(2), 136–145.

- Soekanto, S. (1982). Kedudukan dan Peranan Hukum Adat di Indonesia. *(No Title)*.
Syahrums, M. (2022). *Pengantar Metodologi Penelitian Hukum: Kajian Penelitian Normatif, Empiris, Penulisan Proposal, Laporan Skripsi dan Tesis*. CV. Dotplus Publisher.