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Article Title

## **Crimes of Conspiracy and Assistance in Terrorism**

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## ABSTRACT

*This study aims to understand the application of material criminal law to the crime of conspiracy and assistance to commit terrorism. This study uses a normative legal research method. The collected legal material is then qualitatively analyzed to describe the problem and answer the study objectives. The results show that the definition of criminal conspiracy in Article 88 of the Penal Code encompasses an agreement between two or more individuals to commit a crime. Initial discussions not directly related to crime planning do not fall within the category of a malicious conspiracy. Furthermore, concerning the crime of terrorism, material criminal law does not differentiate between the roles of conspirators, assistants, and main perpetrators in terrorism. Consequently, an agreement to commit a terrorist crime made by two or more individuals already fulfils the element of criminal conspiracy. In this context, conspirators and terrorism assistants can be prosecuted according to Government Regulation in Lieu of Law Number 1 of 2002, even if the planned terrorist act has not been executed. Therefore, it is recommended for law enforcers, including POLRI, Prosecutors, and Judges, to pay close attention to the nuances of the criminal conspiracy definition according to the Penal Code and Government Regulation in Lieu of Law Number 1 of 2002 in the eradication of criminal acts of terrorism. It is crucial to distinguish between initial discussions that do not indicate preparation for a criminal act and explicit agreements to commit a terrorist crime. Law enforcers must apply a thorough understanding of how material criminal law classifies conspirators, assistants, and main perpetrators without distinction in terrorism cases. Thus, fair and accurate handling of individuals planning terrorist crimes can be realized while upholding the principles of justice and proportionality in law enforcement.*

*Keywords:* Assistance; Conspiracy; Crime; Terrorism.

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## INTRODUCTION

In the discourse on terrorism, the etymological roots of the terms “terrorism” and “terror” are unequivocally traced to the Latin “*terrere*,” signifying the induction of fear or horror. This linguistic foundation underscores the inherent objective of terrorism: to instil a profound sense of dread (Rusfiana & Hanifah, 2021). Hardiman (2005) elucidates that employing fear as a mechanism for power acquisition predates the formal conceptualization of terrorism. This strategy, encompassing intimidation, unforeseen violence, and even homicide, has been a staple in the arsenal of those seeking dominion, transcending individual actors to encompass entities and sovereign states. Kambang et al. (2020) articulated that terrorism is not merely the purview of solitary actors but extends to organized collectives with definitive political or theological aspirations.

Johnson (2017) further refines the definition of terrorism as a calculated act characterized by the grotesque targeting and extermination of noncombatants, thereby sowing seeds of terror. This characterization posits terrorism squarely within the realm of political malfeasance, with the primary objective of furthering specific political ends. Thus, terrorism, in its essence, is a manifestation of political violence, executed with the intent of manipulating the socio-political fabric.

Historically, the conceptualization of terrorism has evolved significantly, initially perceived as a mechanism employed by marginalized factions to resist the dominion of more formidable entities or as manifestations of criminality by individuals or collectives. This perception underwent a paradigmatic shift after the events of September 11, 2001, when the United States, for its political exigencies, appropriated the term, casting terrorism as the antithesis of democracy and Western civilization (Mani, 2021). This redefinition had the effect of disproportionately associating terrorism with Islam, mainly targeting “Islamic fundamentalists,” predicated on a pre-existing Western narrative that views dissenting cultures as a threat to Western hegemony. Consequently, America positioned itself as the vanguard in the fight against this perceived threat, advocating for stringent measures to curtail and even halt the proliferation of Islamic ideologies (Hendropriyono, 2009).

Marijan (2003) highlights that the term “terror,” in its historical context, was initially tied to the French Revolution, denoted by the term “*regime de terreur*” as referenced in the 1789 edition of the *Dictionnaire of the Academie Francaise*. This period underscored the term’s positive connotation, symbolizing revolutionary actions aimed at the dismantlement of the existing autocracy, actions that ultimately achieved their intended outcomes. Notwithstanding these historical interpretations, the practice of terrorism, characterized by acts of extreme violence such as assassination, can be traced back to as early as 66-67 BC. During this period, radical Jewish factions engaged in terrorist activities against Roman occupiers in what is presently the contested regions of Israel and Palestine (Goldman, 2022), marking one of the earliest recorded instances of terrorism.

The debate on the definition of terrorism also occurred in Indonesia during drafting of [Government Regulation in Lieu of Law Number 1 of 2002](#)<sup>1</sup>. However, the definition of terrorism was finally agreed upon and written in Article 1 point 2 of [Law Number 5 of 2018](#), which explains that:

*“Terrorism is an act that uses violence or the threat of violence, creating an atmosphere of terror or widespread fear, potentially causing mass casualties, and/or resulting in damage or destruction to strategic vital objects, the environment, public facilities, or international facilities with ideological, political or security motives.”*

Furthermore, the typology of terrorism is multifaceted, as delineated by Qardhawi (2010), who categorizes it into distinct classifications. *The first type*, civilian terror, pertains to actions that undermine civilian life and social stability, executed by criminal entities employing armed aggression against individuals or property at their discretion.

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<sup>1</sup>Government Regulation in Lieu of Law Number 1 of 2002, enacted by Law Number 15 of 2003, was amended by Law Number 5 of 2018.

*The second type*, colonial terror, refers to the aggressive tactics employed by a sovereign state to establish dominion over another, characterized by the employment of severe force to subjugate and exploit the indigenous populace of the colonized territories. *The third type*, state terror, represents actions that contravene the principles of Sharia, ethical standards, and the statutory laws of nations. This type involves governmental forces perpetrating acts of aggression against demographic groups distinguished by racial, linguistic, religious, sectarian, or political attributes, often resorting to military might to suppress dissent and, in extreme instances, engage in genocidal campaigns.

*The fourth type*, international terror, encompasses acts of terrorism that transcend national boundaries, implicating multiple nations within the global arena. *Lastly*, political terror is identified as violent engagements directed against governmental entities or officials with the intent of exerting pressure to achieve specific objectives, such as the release of captives or the withdrawal from occupied territories. This type of terror is notable for its variable objectives and methodologies, which may fluctuate between legality and illegitimacy regarding the aims and tactics employed (Shaffer, 2022).

Terrorism continues to pose significant challenges within Indonesian society, marked by several grievous incidents in recent years. Notably, a suicide bombing targeted the Makassar Cathedral Church on March 28, 2021, following the conclusion of the second Mass service (Azanella & Kurniawan, 2021). The assailants, a married couple, were prevented from entering the church by security personnel but detonated their explosives at the entrance. This attack resulted in the death of the perpetrators and inflicted injuries on 20 members of the congregation, who were subsequently transported to a nearby hospital for emergency treatment.

In a separate incident within the same year, an individual identified by the initials 'ZA' infiltrated the Headquarters of the State Police of the Republic of Indonesia<sup>2</sup>, wielding what was later identified as an airsoft gun. 'ZA' discharged the weapon six times before being fatally shot by security forces. The Chief of POLRI, Listyo Sigit Prabowo, later revealed that the 25-year-old woman was influenced by ISIS ideology (Aditya et al., 2021). Moreover, the POLRI and the Indonesian National Armed Forces<sup>3</sup> continue to confront ongoing terrorist activities in Papua, which persistently result in casualties among both the POLRI and TNI personnel. A significant incident occurred on September 26, 2021, when an attack was launched against the Kiwirok Police Sector Headquarters in the early morning hours, leading to the death of a Mobile Brigade Corps personnel, Bharatu Muhammad Kurniadi Sutio (Setyadi, 2021).

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<sup>2</sup>Hereinafter referred to as the POLRI.

<sup>3</sup>Hereinafter referred to as the TNI.

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Indonesia's struggle with terrorism traces its modern chapter to the devastating Bali Bombings of 2002, where 202 individuals, comprising both Indonesians and foreigners, lost their lives, followed by a subsequent attack in 2005 that resulted in 23 fatalities (Arnani & Hardiyanto, 2019). Beyond the overt acts of violence such as suicide bombings, the realm of terrorism in Indonesia also encompasses the preparatory phase of conspiracy, a concept not explicitly defined within [Government Regulation in Lieu of Law Number 1 of 2002](#).

Article 88 of the [Penal Code](#) elucidates that a criminal conspiracy is constituted by the agreement between two or more individuals to perpetrate a crime, delineating "criminal conspiracy" strictly as an agreement without encompassing preliminary discussions or planning within its scope. The Academic Draft on the Eradication of Criminal Acts of Terrorism underscores the imperative for a legal framework that categorically criminalizes the conspiracy to commit acts of terrorism, recognizing the collaborative nature of such crimes, which seldom are the undertaking of solitary individuals. Typically, terrorist acts are initiated through conspiratorial arrangements involving multiple parties.

Furthermore, Article 15 of [Law Number 5 of 2018](#) prescribes penalties for individuals involved in conspiracies, extending liability beyond the immediate perpetrators to include those who provide support. Assistance within Article 56 of the [Penal Code](#) encompasses individuals who intentionally aid in committing a crime, either during its execution or by facilitating opportunities, means, or information essential for the crime's perpetration. The Academic Draft on the Eradication of Criminal Acts of Terrorism further articulates that terrorism frequently employs specialists contributing in critical albeit limited capacities, such as procurement of materials, construction of explosive devices, or their delivery. The draft amplifies the concept of "assistance" to include support rendered before, during, or after a terrorist act, thereby broadening the ambit of complicity to encompass individuals whose contributions, though indirect, are integral to executing a terrorist act. This interpretation extends the legal scope of aiding and abetting within the context of terrorism beyond the provisions of the conventional [Penal Code](#) to encapsulate a broader range of complicit behaviours.

Based on the introduction above, this study aims to understand the application of material criminal law to the crime of conspiracy and assistance to commit terrorism. This study offers a more profound comprehension of how Indonesian criminal law addresses terrorism conspiracy cases, particularly in applying provisions related to conspiracy within the [Penal Code](#), [Government Regulation in Lieu of Law Number 1 of 2002](#), and other related regulations. Through this analysis, the study anticipates identifying gaps or deficiencies in the current legislation and proposing recommendations to enhance the effectiveness of criminal law in preventing,

addressing, and eradicating criminal acts of terrorism. Moreover, this study enriches the corpus of criminal law literature concerning terrorism conspiracy, serving as a reference for other researchers, legal practitioners, and policymakers in combating the phenomenon of terrorism in Indonesia.

## METHOD

This study uses a normative legal research method with a statute approach (Qamar & Rezah, 2020). The legal materials used in this study include legislation, legal books, scholarly articles, and online materials that discuss the act of conspiracy and assistance in the crime of terrorism. The collection of these legal materials is done through a literature study technique. The collected legal material is then qualitatively analyzed to describe the problem and answer the study objectives (Sampara & Husen, 2016).

## RESULTS AND DISCUSSION

### A. Crime

#### 1. Definition

In the Dutch rendition of the [Penal Code](#), the term “*strafbaar feit*” is utilized, which the National Law Development Agency’s translation team interprets as a “criminal offense.” Consequently, contemporary Indonesian legislators use the term “criminal offense” to amend the [Penal Code](#) provisions. [Prodjodikoro \(2012\)](#) identifies several commonly used terms related to criminal offenses. *Firstly*, [Moeljatno \(2008\)](#) frequently adopts the term “criminal act,” also referenced in Article 5 section (3) point b of [Emergency Law Number 1 of 1951](#), which regulates that acts recognized by prevailing law must be deemed criminal acts. *Secondly*, [Lamintang and Samosir \(1990\)](#) often use the term “action that can be punished.” *Thirdly*, [Utrecht \(1986\)](#) refers to it as a “criminal incident or event.”

The [Penal Code](#) lacks a definitive explanation for “criminal offense” or “*strafbaar feit*,” leading criminal law scholars to offer their interpretations. A “criminal offense” or “*strafbaar feit*” is broadly understood as an act warranting punishment for the perpetrator ([Basri, 2021](#)). [Prodjodikoro \(2012\)](#) defines a crime as an act subjecting the perpetrator to criminal penalties. [Simons \(1921\)](#) highlights that a criminal offense entails an actionable behavior under the threat of legal sanctions, intertwined with culpability, and executed by an accountable individual. Hamel in [Moeljatno \(2008\)](#), describes “*strafbaar feit*” as a legally proscribed, punishable human conduct executed with fault.

Moeljatno (2008), distinct among legal theorists, interprets “criminal offense” differently, preferring the term “criminal act.” He contends that criminal acts encompass only the deeds themselves, stating, “criminal acts refer solely to the act’s nature, which is prohibited under the penalty of law upon transgression.” From Moeljatno’s viewpoint, elements such as the perpetrator’s identity and related aspects like guilt and accountability fall outside the “criminal act” definition, belonging instead to the domain of “criminal responsibility.”

## 2. Elements

Understanding the definition of a criminal offense necessitates recognizing its comprising elements: the objective and subjective elements (Nasrullah, 2020). The objective element resides external to the perpetrator, encompassing factors related to the act’s context:

- a. Unlawfulness or *wederrechtelijkheid*;
- b. The perpetrator’s status, such as “public servant” in an office-related crime per Article 415 of the Penal Code, or “manager or commissioner of a limited liability company” as specified in Article 398 of the Penal Code; and
- c. The causality aspect denotes the link between the act and its consequences.

Conversely, the subjective element is inherent to the perpetrator, embodying their internal state and intentions. This element encompasses:

- a. Willfulness or inadvertence (*dolus* or *culpa*);
- b. Specific intent or *voornemen* in attempts as outlined in Article 53 section (1) of the Penal Code;
- c. Various forms of intent as demonstrated in offenses like theft, fraud, extortion, forgery, among others;
- d. Premeditation or “*voorbedachte raad*” as seen in the crime of murder under Article 340 of the Penal Code; and
- e. The presence of fear or “*vrees*” in crimes such as child abandonment, as regulated in Article 308 of the Penal Code.

## 3. Classification

In criminal law theory, criminal offenses are categorized into distinct types, namely crimes and offenses. Crimes, or “*rechtsdelicten*,” inherently contravene justice, irrespective of their codification within legislation. Such acts, inherently perceived by society as unjust, are termed “*mala in se*,” denoting their intrinsic malevolence (Ambarita, 2018). Conversely, offenses are actions recognized as criminal solely due to their legislative designation as such.

Society deems these acts criminal offenses because they are proscribed and penalized by law, classifying them as “*mala prohibita*” or “*malum prohibitum*” crimes.

In addition, criminal law delineates additional subdivisions of offenses, including formal (*formeel delict*) and material (*materieel delict*). The **Penal Code** typically articulates offenses in terms of “*voltooid delict*,” indicating actions completed by the perpetrator. A formal offense is explicitly forbidden and sanctioned by law, whereas a material offense is deemed complete upon the manifestation of the proscribed consequences (Asril, 2023). Another classification encompasses “*delicta commissionis*,” “*delicta omissionis*,” and “*delicta commissionis per omissionem commissa*,” which relate to the nature of the offense in terms of action or inaction. “*Delicta commissionis*” refers to offenses arising from the breach of legal prohibitions, while “*delicta omissionis*” pertains to offenses resulting from failing to fulfill legal mandates (Setyanugraha, 2021).

The categorization of criminal offenses into “*delicta commissionis*” and “*delicta omissionis*” does not fully capture the spectrum of violations delineated within the **Penal Code**. Instances exist where a violation of a prohibition does not necessitate an active deed but arises from inaction, as exemplified by a mother causing her nursing child’s death through neglect to breastfeed or provide alternative nourishment. These instances are classified as “*delicta commissionis per omissionem commissa*.”

The **Penal Code** also differentiates offenses based on the requisite mental state, distinguishing between “*opzettelijke delicten*,” where the law specifies the necessity of intentional commission, and “*culpooze delicten*,” where negligence or unintentional actions suffice for culpability (Riza & Asmadi, 2023). An example of the latter is Article 359 of the **Penal Code**, addressing negligence resulting in death. Furthermore, the **Penal Code** differentiates between simple and aggravated offenses (Pratama, 2019). Aggravated offenses, such as severe injury or death resulting from maltreatment (Article 351 section (2) and section (3) of the **Penal Code**) or nocturnal theft (Article 363 of the **Penal Code**), contrast with simple offenses like basic maltreatment (Article 351 of the **Penal Code**) or theft (Article 362 of the **Penal Code**). “*Geprivilegeerd delict*” refers to offenses where extenuating circumstances, such as a woman who kills a child born out of a premarital relationship (Article 341 of the **Penal Code**) (Palguna et al., 2022).

The **Penal Code** also introduces “*enkelvoudige delicten*,” offenses punishable upon a single violation, and “*samengestelde delicten*,” which



necessitate multiple infractions for prosecution under specific legislation (Sari, 2019). Lastly, the Penal Code distinguishes between “*klacht delicten*” and “*gewone delicten*,” the former requiring a victim’s complaint for prosecution (Endri et al., 2022). “*Klacht delicten*” bifurcates into absolute, necessitating a direct victim’s complaint (e.g., defamation under Article 310 of the Penal Code), and relative, about familial contexts (e.g., intrafamily theft under Article 367 of the Penal Code). Conversely, “*gewone delicten*” are prosecutable without a complaint, categorizing them as ordinary offenses.

## **B. Terrorism Crimes**

### **1. Definition**

Etymologically, the term “terrorism” merges “terror,” signifying cruelty, violence, and horror, with “ism,” denoting a doctrine or belief system. The roots of “terrorist” and “terrorism” trace back to the Latin “*terrere*,” which implies inducing fear or trembling. Terrorism, thus, encompasses acts of violence or the threat thereof, targeting indiscriminate entities unconnected to the aggressor, culminating in destruction, death, fear, uncertainty, and collective panic (Mafazi & Bahroni, 2021). The burgeoning global discourse on terrorism contributes to shaping a unified conceptualization of its essence and implications, with “terror” also embodying the instillation of horror (Kusuma et al., 2019).

Diverse interpretations of terrorism exist, as proposed by various institutions and scholars. Poerwadarminta (1987) characterizes terrorism as the execution of terror through violence to instill fear, typically aimed at achieving specific objectives, notably political ones. Terrorism, in this view, is synonymous with violence employed by ideologically driven entities to engender fear for goal attainment. Meanwhile, Adams (1986) articulates terrorism as the deployment or threat of physical force by individuals or collectives for political ends, whether for profit or against prevailing authorities, designed to stun, incapacitate, or cow a broader audience beyond the immediate victims.

The FBI (2016) delineates terrorism as the employment of violence or the threat thereof against people or property to coerce a government or civilian population toward social or political aims. Furthermore, the US Department of State (2001) define terrorism as politically motivated violence perpetrated by state actors or non-state groups against noncombatants, typically aimed at swaying the affected groups. If we look at the current law, Article 1 point 2 of Law Number 5 of 2018, which explains that:

*“Terrorism is an act that uses violence or the threat of violence, creating an atmosphere of terror or widespread fear, potentially causing mass casualties, and/or resulting in damage or destruction to strategic vital objects, the environment, public facilities, or international facilities with ideological, political or security motives.”*

## **2. Types and Punishments**

Terrorism presents a complex and captivating subject for scholarly inquiry and analysis. It perpetually engages in discourse as a social phenomenon, resisting definitive conclusions. The academic pursuit of terrorism has yielded extensive scholarly contributions and profound examinations. In Indonesia, the presence of terrorism has prompted the formulation of specific legal measures to curb the proliferation of terrorist activities (Rivanie, 2020). These preventative efforts have led to heightened vigilance among law enforcement agencies. Nonetheless, dissenting voices bearing resemblance to those of terrorists have emerged, contributing to the ongoing challenge of achieving consensus on the definition of terrorism.

Terrorism transcends the mere identification of its perpetrators, whether individuals or networks; it encompasses acts deeply rooted in beliefs, doctrines, and ideologies capable of disrupting societal norms, consciousness, and perspectives (Setiadi, 2019). The Indonesian [Government Regulation in Lieu of Law Number 1 of 2002](#) delineates the spectrum of terrorism-related offenses and their corresponding punishment.

*First*, committing or threatening violence to cause mass casualties is regulated in Article 6 of [Law Number 5 of 2018](#). This provision prescribes punishment with imprisonment for a minimum of 5 (five) years and a maximum of 20 (twenty) years, life imprisonment, or the death penalty. *Second*, collecting or providing funds for the crime of terrorism is regulated in Article 11 of [Government Regulation in Lieu of Law Number 1 of 2002](#). This provision prescribes punishment with imprisonment for a minimum of 3 (three) years and a maximum of 15 (fifteen) years.

*Third*, joining or recruiting people into terrorist organizations is regulated in Article 12A section (2) of [Law Number 5 of 2018](#). This provision prescribes punishment with imprisonment for a minimum of 2 (two) years and a maximum of 7 (seven) years. *Fourth*, joining the paramilitary for acts of terrorism regulated in Article 12B section (1) of [Law Number 5 of 2018](#). This provision prescribes punishment with imprisonment for a minimum of 4 (four) years and a maximum of 15 (fifteen) years.

*Fifth*, ties to terrorist organizations are regulated in Article 13A of [Law Number 5 of 2018](#). This provision prescribes punishment with imprisonment for a maximum of 5 (five) years. *Sixth*, conspiracy, preparation, attempt, or assistance to commit the crime of terrorism is regulated in Article 15 of [Law Number 5 of 2018](#). This provision prescribes punishment with the same penalty as regulated in Article 6, Article 7, Article 8, Article 9, Article 10, Article 10A, Article 12, Article 12A, Article 12B, Article 13 point b and point c, and Article 13A.

### **C. Conspiracy and Assistance in the Crime of Terrorism**

The concept of malicious conspiracy is addressed within [Government Regulation in Lieu of Law Number 1 of 2002](#). To bolster the legal framework, ensuring both protection and legal certainty in countering terrorism, [Law Number 5 of 2018](#) enhances the provisions related to criminal conspiracy. Article 15 of [Law Number 5 of 2018](#) encompasses criminal conspiracy and extends to preparing, attempting, and assisting executing terrorist activities, reflecting the evolving legal and societal landscapes. Criminal conspiracy is emphasized in Article 88 of the [Penal Code](#), which regulates that “the conspiracy is deemed to exist if two or more persons have agreed to commit a crime.”

Meanwhile, assistance constitutes a facet of criminal complicity, alongside other forms such as execution, instigation, and encouragement, underscoring the legal principle that liability extends beyond principal offenders to include those aiding in completing a crime ([Fahririn, 2023](#)). The indictment of accomplices ensures comprehensive accountability, encompassing the primary actors and those contributing to the criminal act’s fulfillment.

[Utrecht \(1987\)](#) articulates that the doctrine of participation aims to attribute responsibility to individuals who, though not fulfilling all elements of the crime, facilitate the principal perpetrator’s actions, thereby bearing culpability for the criminal occurrence. Their partial involvement is crucial for the crime commission, warranting their accountability. Participation encapsulates any psychological and physical involvement by one or more individuals in orchestrating a crime. The participants in a criminal collaboration may perform varied roles, possessing distinct intentions and attitudes toward the crime and fellow collaborators. Despite these variations, their actions interlink, each contributing to the criminal act’s execution.

The [Penal Code](#) delineates the nuances of assistance across three specific articles. Article 56 of the [Penal Code](#) outlines the objective and subjective elements and the typology of assistance, establishing the foundational criteria for

complicity. Article 57 of the [Penal Code](#) delves into the extent of liability borne by assistants, clarifying the boundaries of their legal responsibility. Article 60 of the [Penal Code](#) explicitly addresses the ramifications of assistance in criminal contexts, distinguishing the liability associated with crimes from that of minor offences.

## CONCLUSIONS AND SUGGESTIONS

Based on the results and discussions, it is concluded that the definition of criminal conspiracy in Article 88 of the [Penal Code](#) encompasses an agreement between two or more individuals to commit a crime. Initial discussions not directly related to crime planning do not fall within the category of a malicious conspiracy. Furthermore, concerning the crime of terrorism, material criminal law does not differentiate between the roles of conspirators, assistants, and main perpetrators in terrorism. Consequently, an agreement to commit a terrorist crime made by two or more individuals already fulfills the element of criminal conspiracy. In this context, conspirators and terrorism assistants can be prosecuted according to [Government Regulation in Lieu of Law Number 1 of 2002](#), even if the planned terrorist act has not been executed.

Based on the conclusion above, it is recommended for law enforcers, including POLRI, Prosecutors, and Judges, to pay close attention to the nuances of the criminal conspiracy definition according to the [Penal Code](#) and [Government Regulation in Lieu of Law Number 1 of 2002](#) in the eradication of criminal acts of terrorism. It is crucial to distinguish between initial discussions that do not indicate preparation for a criminal act and explicit agreements to commit a terrorist crime. Law enforcers must apply a thorough understanding of how material criminal law classifies conspirators, assistants, and main perpetrators without distinction in terrorism cases. Thus, fair and accurate handling of individuals planning terrorist crimes can be realized while upholding the principles of justice and proportionality in law enforcement.

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