Hate Speech in Election: Increasing Trends and Concerns

by Husnul Isa Harahap
Hate Speech in Election: Increasing Trends and Concerns

Husnul Isa Harahap
Universitas Sumatera Utara
Department of Political Science
Medan, Indonesia
husnul.harahap@usu.ac.id

Abstract—Simultaneous Regional Elections in 2018 is not a new phenomenon in Indonesia. This election is a mandate of UU 8 of 2015. According to UU 8 of 2015, the simultaneous regional election will be held in several waves, and the first wave has been held in 2015 and 2017. However, there were different phenomena that arose before the 2018 election. One of them was the emergence of hate speech. This study discusses the potential of hate speech in simultaneous elections in 2018. Methods of data collection in this study is literature study and descriptive analysis method. This study found that there is a potential of hate speech in election in 2018. These potentials can be described in terms of the actors, media and hate speech forms that can occur. The potential can occur on the side of the actors in a broad sense. Potential media used as media hate speech also varied. Similarly, from the possibility of the form of hate speech that occurs.

Keywords—hate speech; regional elections; general election; democracy; freedom of expression

I. INTRODUCTION

The Simultaneous election will be held in 2018. On June, 27th of 2018. There are 154 regions that will conduct the election of Regent/Mayor. Meanwhile, the regions that will conduct the election of governor and deputy governor amounted to 17 provinces. However, election in 2018 is different with election in 2017, anticipatory discourse of hate speech is more prominent. In a prediction, the hate speech will arise in 2018 election.

If referring to the news in Harian Kompas (Kompas Daily) on February 1st, 2018 entitled Selamat 2017, Adhik 900 Percent[1], p 5] [During 2017, the Complaints Raise 900 Percent], it appeared that there were 787,622 total complaints related to the use of social media. Ethnic issues and defamation became the highest issues. Even pornography could not beat both issues (see Table 1). Table 1 shows a tendency that the social media has been used as media of hate speech.

How potential does the hate speech in election in 2018? This problem will describe in this study. There are 3 reasons why it is necessary. Firstly, hate speech is a new discourse though in politics already known a term of black campaign. Secondly, this election in 2018 will follow by many regions (171 regions). Thirdly, the hate speech potential is always present in the normal atmosphere or election.

II. RESEARCH METHOD

The Method that use in this study is a qualitative method. Methods of data collection in this study is literature study. The type of data that has been used is secondary data. This study using many source from the internet especially online news and documents.

III. THE CONCEPT OF HATE SPEECH

Hate speech often interpreted in Indonesia as ujaran kebencian. This term arose and became public's attention when Kapolri (National Police Chief) in 2015 issued Surat Edaran (Circular Letter) Number SE/06/X/2015. According to General Budiordersu Harli, the reason why hate speech has become the police's concern is to prevent conflict. The examples that can be seen is a case of soccer supporters conflict.
Badrodin Haiti has explained that this decision is based on a study. He said “...kami mengadakan pembahasan di seminar-seminar ... seperti kejadian kemarin, waktu JakMania rusah ...” [sic.[j2] [...we held discussions at seminars ... like yesterday’s incident. When JakMania was riot.] Nevertheless, there are also many critics of the decision.

The biggest concern is the possibility of disruption of the balance between freedom of expression of political opinion and state control over it. The form of hate speech based on Surat Edaran Kapolri (Circular Letter) Number SE/06/X/2015 letter f including insult, defamation, unlovable acts, provoking, inciting, spreading false news and all the above actions have a purpose or can have an impact on acts of discrimination, violence, disappearance of life, and or social conflict.[3]

In other countries the term of hate speech has been used for a long time ago. Especially in developed countries. There are many studies on hate speech. The background of the rules of hate speech is always related to the anticipation of conflict cases. Otherwise a study about hate speech in Indonesia is not too much. Among the existing, there is a study conducted by non-organizations that is Imparsial. The title of the study is “Penebaran Kebencian: Masalah Pengaruh dan Penyebabnyanya” [sic.[j4] [Hate Spread: Issues of Arrangement and Handling] This study cites some definition of hate speech which refers from several sources.

John K Roth defines hate speech as the criminal acts and offensive speech directed at individuals due to race, ethnicity, religion, sexual orientation, or other group of affiliates. Anne Weber defines hate speech as the incitement of racial hatred or in other words hatred aimed at a person or group on the basis of race, religion, intolerance expressed by aggressive nationalism and ethnocentrism [4, pp. 10–11].

Referring to the definition, a case that arises related to hate speech is almost same with case that happened in Indonesia. But according to Erik Bleich “...it is possible to enact and enforce laws that limit these forms of racism without being overly inimical to freedom of expression and opinion” [5, p. 917]. It means it is very possible if establish and implement laws that limit the act of racism without limiting freedom of expression and opinion.

IV. THE POTENTIAL OF HATE SPEECH

The Simultaneous Regional Elections has the potential for hate speech. In political term there is a black campaign. This negative campaign that in general term called as hate speech. The Chief of the Indonesian National Police General Badrodin Haiti has strictly spoken about this. In his opinion “...Salah kampanye terjadi provokasi, black campaign, bisa masuk kategori hate speech ...” [sic.[j6] [...if the provocation happens in campaign, the black campaign, can categorized as a hate speech...].

The potential of hate speech in election of 2018 put forward by several institutions such as Bawaslu (Election Supervisory Board of Indonesia), Kornnas HAM (National Commission on Human Rights). Bawaslu’s comments can be seen from the statement of Mohhammad Asfihdun (Member of Bawaslu). Mohhammad Asfihdun said “...Satu ini pula Perkara DKI Jakarta, isi surat dan politik identitas sendiri sendiri, sendiri agama, sendiri etnis menjadi hal yang sangat mengguncam. Apalagi medan sosial belakangan banyak disalahgunakan...” [sic.[j7] [...nowadays after election of DKI Jakarta was held, SARA issues and identity politics are increasingly prominent, religious issue, ethnic issue becomes very threatening thing. Moreover, social media lately is misused...].

Meanwhile, the statement of National Commission on Human Rights (Kornnas HAM) Ahmad Taufan Damanik’s statement that is “...kadang saja di bawah konteks politik dalam rangka pemenangan, (menjadi) lupa, (malah) menampakkan orang lain, termasuk majunya kelompok tertentu, sangat umum dilakukan, tapi ada kecenderungan itu primordial, kegumaman, di dalam menambatkan opini masyarakat. Ini tidak salah untuk demokrasi kita...” [sic.[j8] [...sometimes when a group too preoccupied with political contestations to achieve victory generate to judge others including to discriminate certain groups... has begun to appear, but there is a tendency of primordial, religious issues, in mobilizing society. This is not good for our democracy...].

Adrianus Meladia, a Professor of criminology at the Faculty of Social and Political Sciences, University of Indonesia argues that how hate speech potential will be high on election on 2018. According to him hate speech “...dapat dipastikan akan meningkat... Banyak pihak yang terkogak... pada khasiat yuratis macam ini dalam menyoalkan hukum... Bahkan, pelaku menganggap sepele perbuatan mereka karena menurut tidak melanggar hukum...” [sic.[j9] [...will certainly increase... There are many people are amazed to the efficacy of this kind of utterance to corner the opponent...moreover the actor considers the acts are trivial because they feel not violate the law...]. These views can be regarded as a warning that hate speech should be anticipated from the beginning.

However, according to the Head of the Election Supervisory Board of Indonesia (Bawaslu RI), sanctions against violations related to hate speech does not up to the disqualification sanctions. The chairman of Bawaslu RI Abhan, describe that “Kami (Bawaslu) menguatalkan apakah konten itu melanggar peraturan. Tim dari peserta pemilu akan pikada bisa menggunakan media sosial...sebagian media kampanye. Penggunaan itu dibawa oleh Undang-Undang nomor 10 Tahun 2016 tentang Pemilihan Gubernur, Bupati, dan Wali Kota,UU No 7/2017 tentang Pemilu, serta peraturan KPU dan peraturan Bawaslu. Apabila ada pelanggaran (dalam penggunaan media sosial), peserta ditegur dan tidak bisa menggunakan media sosial lagi untuk kampanye. Tidak ada sanksi disanksi terkait pelanggaran ini...” [sic.[j1] [We (Bawaslu) verify whether the content violates the rules. Teams of participant’s election or local elections can use social media as a campaign medium. The use is limited by Law number 10 of 2016 on the Election of Governors, Regents, and Mayors; UU No. 7/2017 on General Elections, as well as KPU regulations and Bawaslu regulations. If there is a violation (in the use of social media), the participants are reprimanded and cannot use social media anymore for the campaign. There are no disqualification sanctions related to this violation...].

Based on cases that have happened at least can be described that the initial map of hate speech potential in elections 2018. The potential of hate speech actors can be identified (see Table 2). However, some of the facts in the actor’s field are often unidentifiable. For example in the case of banners or banners indicated hate speech. Often no one is responsible.
TABLE 2. IDENTITY OF HATE SPEECH TREND IN GENERAL ELECTION

| No | The Potential Media | The Potential Actor | The Potential Hate Speech |
|----|---------------------|---------------------|--------------------------|
| 1  | In a campaign activity oration | Can be identified | 1. Insult |
| 2  | Banners             | Often actors are not identified | 2. Defamation |
| 3  | Social media networks | Social media activist | 3. Humiliation |
| 4  | Public opinion submission (demonstration) | Can be identified | 4. Unpleasant acts |
| 5  | Religious lectures | Religious leader | 5. Provoke |
| 6  | Print or electronic mass media | Can be identified | 6. Inciting |
| 7  | Pamphlet/Flyer      | Can be identified | 7. Spread the false news |

All media are potentially used as media hate speech (see Table 2). But from the various media that exist, the most widely used potential is social media (see Table 3). Firstly, everyone has access to social media. Secondly, the scope is broader, with low cost so that it becomes an effective medium for the dissemination of hate speech, especially for false news. Thirdly, there are still many social media users still do not understand about the dangers of hate speech. Fourthly, social media has a digital footprint so it is easy to find hate speech cases. The compass provides social media data that is used for negative content. This means that social media has the potential to serve as a media hate speech.

TABLE 3. NEGATIVE CONTENT IN SOCIAL MEDIA (2016 AND 2017)

| No | Type of Complaints       | 2016   | 2017   |
|----|--------------------------|--------|--------|
| 1  | Twitter                  | 3,211  | 524,741|
| 2  | Facebook and Instagram   | 1,375  | 2,232  |
| 3  | Google+ and YouTube      | 1,144  | 1,307  |
| 4  | Telegram                 | 2      | 110    |
| 5  | Line                     | 0      | 1      |
| 6  | Blackberry Messenger     | 3      | 5      |
|    | Total                    | 5,732  | 528,306|

Source: Harian Kompas, February 1, 2018, Page 5

The potential of campaign speeches, religious lectures, and public opinion submission can also be of particular concern to the hate speech case. This happens because such activities can be easily recorded and become viral in social media includes media banners. Most banners will be photographed and shared on social media as well as being the talk of the media.

This concern about hate speech is necessary to strengthen democracy. Hate speech forms such as humiliation, defamation, blasphemy, disrespectful acts, and provoking, inciting, spreading false news have the potential to cause negative things. Therefore, anticipation of hate speech with potential hate speech mapping is important to prepare the necessary steps. Especially to minimize the case of hate speech in regional election on 2018. However, referring to Erik Bleich[5] the challenge is how to make hate speech can be limited without limiting freedom of expression and opinion.

V. CONCLUSION

This study found that there is a potential hate speech in 2018 simultaneous elections. Several statements and opinions from government agencies and observers’ opinions reinforce this view. Potential of hate speech can be described from the side of the actors, media and hate speech forms that can occur. The potential can occur on the side of the actors in a broad sense. Potential media used as media hate speech also varied. Similarly, from the possibility of the form of hate speech that occurs. However, it can be said that social media has the greatest potential to be the most prominent means of hate speech.

REFERENCES

[1] “Selama 2017, Aduan Naik 900 Persen,” Kompas Com, p. 5, 01-Feb-2018.
[2] F. Firdaus, “Kontroversi ‘hate speech’: Dari latar belakang hingga siapa bisa terjerat,” Rapppler Indonesia, 11-Oct-2015.
[3] “Surat Edaran Kapolri Nomor SE/06/X/2015.”
[4] Tim Imparsial, Penelitian Kebencian, Jakarta: Imparsial, 2017.
[5] E. Bleich, “The Rise of Hate Speech and Hate Crime Laws in Liberal Democracies,” J. Ethn. Migr. Stud., vol. 36, no. 6, pp. 917-934.
[6] P. Gumilang, “Kampanye Hitam Pilgub Bagian Ujaran Kebencian,” CNN Indonesia, 11-Jan-2015.
[7] Nurmain, “Melawan Ujaran Kebencian dalam Persitru,” Bawaslu.go.id, 12-Jan-2018. [Online]. Available: https://bawaslu.go.id/id/berita/melawan-ujaran-kebencian-dalam-pemilu. [Accessed: 02-Jan-2018].
[8] R. Belarminus, “Ujaran Kebencian dan Intoleransi Judi Fokus Pengawasan Komnas HAM di Pilgub 2018,” Kompas.com, 22-Jan-2018.
[9] Y. Yanuar, “Ujaran Kebencian, Isu SARA Ancam Pilgub 2018 dan Pilpres 2019?,” Tempo.co, December 09:23 WIB-2017.
# Hate Speech in Election: Increasing Trends and Concerns

## Originality Report

| Similarity Index | Internet Sources | Publications | Student Papers |
|------------------|------------------|--------------|----------------|
| 6%               | 6%               | 1%           | 4%             |

## Primary Sources

1. www.cairn-int.info  
   Internet Source  
   1%

2. nasional.tempo.co  
   Internet Source  
   1%

3. research-dashboard.binus.ac.id  
   Internet Source  
   1%

4. Submitted to Universitas Negeri Surabaya The State University of Surabaya  
   Student Paper  
   1%

5. rmol.co  
   Internet Source  
   1%

6. Submitted to Middlesex University  
   Student Paper  
   1%

7. epdf.tips  
   Internet Source  
   1%

8. newpolitiknusantara.blogspot.com  
   Internet Source  
   1%
| Exclude quotes | Off | Exclude matches | < 1% |
|----------------|-----|-----------------|------|
| Exclude bibliography | On | vs | |