

# Hate Speech in Election: Increasing Trends and Concerns

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**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, 27<sup>th</sup> of 2018. There are 154 regionals that will conduct the election of Regent/Mayor. Meanwhile, the regionals 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 1<sup>st</sup>, 2018 entitled *Selama 2017, Aduan Naik 900 Persen*[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 politic already known a term of black campaign. Secondly, this election in 2018 will follow by many regionals (171 regionals). Thirdly, the hate speech potential is always present in the normal atmosphere or election.

TABLE 1. SOCIAL MEDIA AND HATE SPEECH CASES IN 2017

No	The Type of Complaints	Amount of Complaint's	Blocking
1	Pornography	19.778	776.882
2	Ethnic Issues	16.742	183
3	Defamation	7.795	-
4	Gambling	7.246	7.443
5	Fraud	2.950	2.868
6	Content that disturbs the public	1.691	
7	Terrorism and radicalism	1.586	202
8	Trading products with special rules	800	-
9	Violation of IPR	739	361
10	Negative content recommended by sector agencies	215	-
11	Child abuse	150	6
12	Information security breach	142	15
13	Content that violates values of socio-cultural	142	-
14	Content that facilitates access to negative content	125	-
15	Separatism or dangerous organization	34	-
16	Drugs	-	89
17	Normalization	-	387
	Amount of complaints	60.135	787.662

Source: Harian Kompas, February 1<sup>st</sup>, 2018, Page. 5

## 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 Badrodin Haiti, 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. General

Badrohin Haiti has explained that this decision is based on a study. He said “...kami mengadakan pembahasan di seminar-seminar ... seperti kejadian kemarin, waktu JakMania rusuh ...” [sic.][2] [...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 country the term of hate speech has been used 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 Pengaturan dan Penanganannya” [sic.][4] [Hate Spread: Issues of Arrangement and Handling.] This study cites some definition of hate speech which refers from several sources.

John K Roth defining 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 defining 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 arise 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 Badrohin Haiti has strictly spoken about this. In his opinion “...kalau kampanye terjadi provokasi, black campaign, bisa masuk kategori hate speech...” [sic.][6] [...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), *Komnas HAM* (National Commission on Human Rights). *Bawaslu*'s comments can be seen from the statement of Mochammad Afifuddin (Member of *Bawaslu*). Mochammad Afifuddin said “...Saat ini pasca Pilkada DKI Jakarta, isu sara dan politik identitas semakin mengemuka, isu agama, isu etnis menjadi hal yang sangat mengancam. Apalagi media sosial belakangan banyak disalahgunakan...” [sic.][7]

[...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 (Komnas HAM) can be seen from the leader of Komnas HAM Ahmad Taufan Damanik's statement that is “...kadang saking asiknya kontestasi politik dalam rangka kemenangan, (menjadi) lupa, (malah) mempersekusi orang lain, termasuk mendiskriminasi kelompok tertentu...sudah mulai kelihatan, tapi ada kecenderungan isu primordial, keagamaan, di dalam memobilisasi opini masyarakat. Ini tidak sehat untuk demokrasi kita...” [sic.][8] [...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 Meliala, a Professor of criminology at the Faculty of Social and Political Sciences, University of Indonesia argues that how hate speech potencial will be high on election on 2018. According to him hate speech “... dapat dipastikan akan meningkat ... Banyak pihak yang terkagum-kagum pada khasiat ujaran macam ini dalam memojokkan lawan ... Bahkan, pelaku menganggap sepele perbuatannya karena merasa tidak melanggar hukum ...” [sic.][9] [...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 disqualification sanctions. The chairman of *Bawaslu RI* Abhan, describe that “*Kami (Bawaslu) mengualifikasi apakah konten itu melanggar peraturan. Tim dari peserta pemilu atau pilkada bisa menggunakan media sosial sebagai media kampanye. Penggunaan itu dibatasi 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 diskualifikasi terkait pelanggaran ini...*” [sic.][1, p. 5] [“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. ID\* 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. Defamation 3. Humiliation 4. Unpleasant acts 5. Provoke 6. Inciting 7. Spread the false news
2	Banners	Often actors are not identified	
3	Social media networks	Social media activist	
4	Public opinion submission (demonstration)	Can be identified	
5	Religious lectures	Religious leader	
6	Print or electronic mass media	Can be identified	
7	Pamphlet/Flyer	Can be identified	

Annotation: \*Identification.

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	528.396

Source: Harian Kompas, February 1<sup>st</sup>, 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.

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