



Modernization and Technological Developments that have an Impact on Freedom of Expression in Today's Digital Age

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Abstract. Indonesia as a democratic country must open the widest possible opportunities to realize the freedom of expression, especially in the current digital era, it is felt that there are many deviations in the name of freedom of opinion, even in this case there are rules that limit freedom of opinion so as not to cause negative impacts such as rules to reduce or limit freedom of opinion have been regulated in various legal rules, the restrictions in question are restrictions that aim to minimize the negative impact of misinterpretation in the use of the term freedom of opinion.

Keywords: Freedom of Speech · Digital Age · Modernization

1 Introduction

Indonesia is a unitary state in the form of a republic where this is expressly stated in the provisions of the 1945 Constitution of the Republic of Indonesia Article 1 paragraph (1): “The Indonesian state is a unitary state, in the form of a unitary state. republic”, and is stated in paragraph (2): “Sovereignty is in the hands of the people and is implemented according to the law”. Sovereignty in the hands of the people means that Indonesia adheres to a democratic system in running its government whereas where in this democratic country the highest power is in the hands of the people or the people have a big share in the government system. Indonesia is also a country in the form of a republic and this country is organized based on populist principles. Sovereignty in its application is carried out democratically which is formed through general elections or elections,

Moreover, Indonesia is a democratic country where the highest power is in the hands of the people. Then refer to the Law - Law no. 9 of 1998 concerning the freedom to express opinions in public which is contained in Article 1 paragraph (1) which states that freedom of expression is the right of every citizen to be able to express his thoughts orally, in writing, and so on freely but can still be accounted with the laws and regulations. - applicable invitation.

Seeing the development of an increasingly modern era which is also followed by the development of increasingly advanced technology also raises a new view of the existence of freedom of expression on social media, in this, case electronic media and social media are platforms that contain various information and can also be used as a forum

for expression in convey views or ideas you have. In the context of a democratic country itself, the social scale becomes a forum to accommodate and convey public aspirations, where through social to present various news, reviews, views and so on which can also be regarded as forms. Conveying individual aspirations through the content provided or also writing made as a form of indirect expression of aspirations. But on the other hand, technological advances that also encourage new variations in the expression of opinions also have negative impacts that cannot be taken lightly, lack of literacy often leads to misunderstandings. So in this case freedom of opinion and expression, especially on social media, has a responsibility and is limited by law. Law and has been regulated by law. In this analysis, the discussions that will be arranged are: So in this case freedom of opinion and expression, especially in social media, has responsibilities and is limited by law and has been regulated by law. In this analysis, the discussions that will be arranged are: often leads to misunderstandings, so in this case freedom of opinion and expression, especially on social media, has responsibilities and is limited by law and has been regulated by law. In this analysis, the discussions that will be arranged are: So in this case freedom of opinion and expression, especially in social media, has responsibilities and is limited by law and has been regulated by law. In this analysis, the discussions that will be arranged are: often leads to misunderstandings, so in this case freedom of opinion and expression, especially on social media, has responsibilities and is limited by law and has been regulated by law. In this analysis, the discussions that will be arranged are: have responsibilities and are limited by law and have been regulated by law. In this analysis, the discussions that will be arranged are: have responsibilities and are limited by law and have been regulated by law. In this analysis, the discussions that will be arranged are:

1. What is the true meaning of freedom of opinion?
2. How is the correlation between freedom of speech and popular sovereignty?
3. What is the condition of freedom of expression in today's digital era?

2 Method Research

Research on modernization and technological developments that have an impact on freedom of expression in the current digital era, the authors decided to use qualitative research methods, this is based on the fact that there are different views and applications regarding freedom of expression. This paper is studied using a qualitative approach to find out issues related to the term freedom of opinion which is often misunderstood, so this study applies a deductive mindset to understand the issues discussed and also uses positivistic logic and avoids subjective judgments. In this, case the researcher also places himself as a separate part of the object under study. Researchers too.

I hope that this article will be able to answer some of the questions that being discussed.

3 Discussion

3.1 Meaning of Freedom of Opinion

As mentioned a little earlier that Indonesia is a sovereign could where which is stated in the 1945 Constitution article 1 paragraph 2, namely, sovereignty is in the hands of the people and implemented according to the Constitution. It should also be noted that this theory of sovereignty does not only consist of people's sovereignty, but there is also a theory of God's sovereignty, which is a theory that explains that the highest power in a country comes from God, where in this theory it is explained that everything comes from God's teachings and is then conveyed To the leader, the countries that adhere to this theory are Japan, Ethiopia, and others, in this case even though Indonesia is a country where the majority of the population knows the god of Nahum in Indonesia, it does not apply this god theory.

Freedom of speech itself literally, according to the Big Indonesian Dictionary (KBBI) comes from the word free (freedom) which is defined as a state of independence or freedom, while opinion or opinion is someone's idea or idea about something, so that freedom of expression is Overall is defines independence for someone to issue ideas or ideas about a thing. The manifestation of the freedom of opinion and expression can be in from whether the people feel that their aspirations can be channeled properly without any restrictive efforts being made. Based on popular sovereignty, especially in the political arena (4) freedom of expression enables society (and the state) to achieve stability and adaptation/adaptability. The next development of Article 28 E paragraph (3) of the 1945 Constitution concerning freedom of opinion is accommodated in Law Number 9 of 1998 concerning the freedom to express opinions in public which has been regulated in Article 1 paragraph (1) "Freedom to express opinions orally, writing and so on freely and responsibly by the provisions of the applicable laws." In the provisions of this Law, it is emphasized that freedom of expression is a fundamental right in the life of a country, especially a sovereign democratic country, and the freedom of this country is protected by law and the state itself.. Freedom of opinion both orally and in writing is part of Human Rights, which is a right inherent in human beings since humans are born which cannot be contested by others, this freedom of opinion is guaranteed by the state, which is regulated in the General Declaration of Human Rights. in the 1945 Constitution. Constitutional Justice Wahiduddin Adams said that freedom of opinion and expression applies to all types of ideas, including those that may be very offensive or offensive, but are accompanied by responsibilities and are legally limited by the government. In this case, there are several limitations regarding freedom of opinion, including, firstly, the opinion submitted must be based on the law, secondly, there is respect for the rights of freedom of others, carried out to obtain justice and the public interest by with considerations of morality, security, and public order in a democratic society, furthermore it does not contain elements of propaganda, is informative and useful. The point is that human rights also have limitations, especially the rights granted related to the existence of freedom of opinion. Where in expressing an opinion a right holder must be subject to the existence of an applicable legal rule and must also respect the rights of others, do not let someone's opinion violate the area of freedom of others which can later disrupt security, public order, and human rights violations that result in

law. Furthermore, it does not contain elements of propaganda and is informative and useful. The point is that human rights also have limitations, especially the rights granted related to the existence of freedom of opinion. Where in expressing an opinion a right holder must be subject to the existence of an applicable legal rule and must also respect the rights of others, do not let someone's opinion violate the area of freedom of others which can later disrupt security, public order, and human rights violations that result in law. Furthermore, it does not contain elements of propaganda, and informative and useful. The point is that human rights also have limitations, especially the rights granted related to the existence of freedom of opinion. Where in expressing an opinion a right holder must be subject to the existence of an applicable legal rule and must also respect the rights of others, do not let someone's opinion violate the area of freedom of others which can later disrupt security, public order, and human rights violations that result in law.

3.2 The Relationship Between Freedom of Opinion and People's Sovereignty

There is a guarantee and protection for freedom of expression so that everyone who has aspirations, ideas, ideas can freely convey them while remaining responsible for their aspirations, in the sense that as long as the aspirations conveyed do not cause conflicts or problems, they should freedom of expression is upheld without any attempt to silence the aspirations of the people. According to the Johannesburg Principles, there are several principles in limiting human rights, namely:

- a. Restrictions must be governed by accessible, unambiguous, and carefully crafted laws that allow each individual to see whether an action is against the law or not.
- b. Restrictions must have a genuine purpose and must demonstrate the effect of protecting legitimate national security interests.
- c. Governments must be able to demonstrate that restricted information poses a serious threat to legitimate national security interests.

The restrictions imposed are the lowest possible way to protect these interests, and these restrictions must be in line with democratic principles. In an emergency, states may apply such restrictions but only to the extent, the situation requires and only if those rights do not conflict with the government's obligations under international law. Discrimination on any basis should not be a basis for limiting the right to freedom of opinion and expression in this case, as explained above, restrictions can be applied if the expression of opinion is deemed to endanger security, restrictions should not be made based solely on differences of opinion held. Of course, in this case, if there are restrictions and also revocation of the right to freedom of opinion, certainly all parties will immediately condemn this action, but on the other hand, it is necessary to pay attention to whether these people in expressing their opinions are by the applicable rules. It should also be recalled that there is Article 6 of Law Number 9 of 1998 concerning the freedom to express opinions in public, discusses that citizens who express opinions in public are obliged and responsible to respect the rights and freedoms of others, respecting the moral rules that generally recognized, comply with applicable laws and regulations,

In addition, the existence of freedom of opinion is one form of proof of the running of a sovereign government system and true democracy, once again that the people are the holders of the highest power in a country, and opinions must be heard, in the form of freedom of opinion not only verbally or verbally but also through speech. Writings, books, discussions, or press activities, because basically, every citizen can legally express what is on his mind, whether it be in the form of opinions or views as well as criticism. The Lokataru Foundation assesses that freedom of expression in the era of President Jokowi has narrowed the space for public expression. This can be seen from the policies taken by the government such as in the Papua issue, violence and intimidation against demonstrators, and so forth where during this government several government policies were in the spotlight of citizens because they violated the principles of democracy in the state such as the example that occurred in Papua, namely regarding the slowing down of internet access in the area where this also affected their activities related to the internet such as searching, obtaining, and publish information through the internet media, where this can also be said as a form of limiting the expression of aspirations through electronic public media. As a sovereign country, we must be able to instill the importance of guaranteeing freedom of expression without silence, we must also be able to respect every opinion that is expressed. Given other than that opinion, it can be implemented or not, because indeed we should give each other space to be able to equalize the opinions we have as long as they do not conflict with existing rules.

The application of freedom of opinion in realizing a sovereign state can be started from small things or the consciousness of each individual, for example, this freedom can begin to emerge when deliberation occurs at a small level such as deliberation for consensus because with this deliberation we are taught to be able to express our views. That we have and respect the opinions of others and course in this deliberation we are also free to express our aspirations, this is important because big things must start from small things like when we are used to following deliberations and always accept existing decisions and responses, This will foster mutual respect for the opinions of others.

3.3 The Condition of Freedom of Expression in Today's Digital Age

In using social media, we are indeed required to be wise in receiving circulating information, we also have to filter all incoming information because it cannot be denied that there is very wide freedom in the use of social media in addition to having a positive impact. Impact because of the ease of disseminating information, news, aspirations, or others. And so on, but on the other hand, it is undeniable that the freedom that exists in social media also brings negative impacts such as mixing problems between facts or opinions, information or disinformation, even to the point of giving rise to propaganda and hatred. so that in this case it can be said that those who wish to express their aspirations or opinions are hindered by several factors such as the presence of individuals who take advantage of the freedom of opinion to spread disinformation and propaganda that refers to hatred such as defamation, slander and so on, the second is the existence of individuals who act in the name of freedom of expression when in fact they use social media as a means of propaganda, spread hoaxes and other negative efforts so of course, in this case, they can limit and even curb freedom of opinion in public, the argument for freedom of opinion that should be used to channel aspirations, ideas, and ideas. Views

are misused as a means to spread hatred. The second is the existence of individuals who act in the name of freedom of expression when in fact they use social media as a means of propaganda, and spread hoaxes and other negative efforts so that of course, in this case, they can limit and even curb freedom of opinion in public, the argument for freedom of expression that should be used to channel aspirations, ideas, and ideas. Views are misused as a means to spread hatred. The second is the existence of individuals who act in the name of freedom of expression when in fact they use social media as a means of propaganda, and spread hoaxes and other negative efforts so that of course, in this case, they can limit and even curb freedom of opinion. in public, the argument for freedom of expression that should be used to channel aspirations, ideas, and ideas. Views are misused as a means to spread hatred.

People often only read part of the news or information circulating without understanding the entire information presented so people often immediately assume that irrelevant opinions arise from the problems presented because of a lack of literacy which results in not being absorbed by the information. The aims, objectives, and main ideas that have been studied in language, so that the opinion that emerges is incorrect. Seeing hoaxes that have a lot of negative impacts on the community, can even take a person's life, moreover, the hoax contains elements of SARA and is related to health problems, for example, what recently happened which is also often a hot topic of discussion, namely about hoaxes circulated by anti-vaccine groups. in Indonesia, where they use religious issues and spread hatred against certain religious groups, of course, if this is allowed to develop it will have an impact on the success of this planned vaccination program. In this scope, with many hoaxes circulating, it can be interpreted as an abuse of freedom of expression in public, especially in the realm of social media, therefore there are restrictions on freedom of expression on social media as regulated in Law Number 11 of 2008 concerning Information and Electronic Transactions and Law Number 19 of 2016 concerning amendments to Law Number 11 of 2008 concerning Information and Electronic Transactions of course if this is allowed to develop it will have an impact on the success of this planned vaccination program. In this scope, with many hoaxes circulating, it can be interpreted as an abuse of freedom of expression in public, especially in the realm of social media, therefore there are restrictions on freedom of expression on social media as regulated in Law Number 11 of 2008 concerning Information and Electronic Transactions and Law Number 19 of 2016 concerning amendments to Law Number 11 of 2008 concerning Information and Electronic Transactions. of course if this is allowed to develop it will have an impact on the success of this planned vaccination program. In this scope, with many hoaxes circulating, it can be interpreted as an abuse of freedom of expression in public, especially in the realm of social media, therefore there are restrictions on freedom of expression on social media as regulated in Law Number 11 of 2008 concerning Information and Electronic Transactions and Law Number 19 of 2016 concerning amendments to Law Number 11 of 2008 concerning Information and Electronic Transactions.

Freedom of expression itself is part of the human rights inherent in the personality of every individual. Referring to the Covenant on Civil and Political Rights or also known as the international convention on civil and political rights or known as the ICCPR where in this covenant it has explicitly explained that it is possible to limit or reduce various

categories of human rights, including the right to freedom of expression, although this limitation can only apply under certain circumstances and conditions, this is stated in article 19 of the ICCPR and the right to organize/associate (article 21 of the ICCPR) can be made the subject of a reduction (limitation or reduction), then the existence of the subject of the reduction itself has contained in article 19, article 20, and articles 19 and 2.

4 Conclusion

The development of the times followed by developments in the field of technology has given a great influence, one of which is advances in the field of communication and the internet or social media, at this time we encounter many writings, news, information, and all the rules on social media that sometimes do not include a clear source so that this form of writing can become a hoax, or we also encounter many writings that are propaganda, slander, or defamation of someone. Seeing the number of violations on social media, it seems that it has quite an effect on freedom of expression on social media because it is felt that it will be difficult to distinguish between opinions that are propaganda, or false solicitations, with opinions that are based on the goal of public welfare.

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