
Free speech VS Hate speech

We have seen a lot on the internet people fighting over a speech, even some press charges for not sharing the same perspectives and few people went to jail because of it. Then a question arises, if we believe in the idea of a free speech, that everyone has the right to speak, why would we punish people for say making a speech? The answer is that when you start to make a speech that promotes and provokes violence or hate then it's no longer a free speech, is a hate speech. Hate speech by definition is speech that offends, threatens, or insults groups, based on race, color, religion, national origin, sexual orientation, disability, or other traits. Hate speech shouldn't be encouraged, However, developing such policies runs the risk of limiting an individual's ability to exercise free speech. Creating such policy is hard, because the dilemma of either protecting a community interests or safeguarding the rights of individuals, but we don't have to pick sides, an equilibrium of protecting the civil rights of all without limiting the civil liberties of the speaker should be met.

Hate speech may or may not be a crime, given that a speech, also including hate speech, is an individual right that has been largely protected by law. In American law hate speech has to be acted on to turn into a crime, yet there is a special exception called the "fighting words" clause, which stipulates that if someone uses word to "incite an immediate of peace", then it's no longer a right therefore not protected by law. Indonesian government mostly use some restrictions in dealing with hate speech, we have seen a lot of debates, events, seminars cancelled because of not sharing the same opinion with the government or doesn't fit with the society, but is it effective? Don't restrictions solve this dilemmatic problem? The answer is, according to ACLU "historically, restrictions on speech have proven to be ineffective, and not just that it is counter-productive in the fight against bigotry. The reason is that although drafted with the best intentions, these restrictions are often interpreted and oppose social change. Why? Because they place power to decide whether speech is offensive and should be restrained with authority figures, rather than with those seeking to question or dismantle existing power structures" On Jakarta, 16-17 September 2017, there was a planned of having a "seminar 65: Pengungkapan Sejarah 165" which essentially will discuss about what happened in 1965 during the widely believed communist era in Indonesia.

The word "Communist" is still feared by many Indonesians, hence some group of people decided to take an action by causing a disruption and force the police to dissolve the seminar. This idea of taking an action by your own is the solution that many Indonesian people believe will solve the problem once and for all. As a result, people will just shut someone down because they are not sharing the same perspectives, regardless of who's right and wrong. Not just that, the Indonesian authority is not strong enough to control this sort of behavior, and for this reason it is bound to happened repeatedly. ACLU states that "The best way to deal with a bigoted speech or hate speech is that we all have to prepare to fight this problem. That means being an advocate: speaking and convincing others. Confronting, hearing, and countering offensive speech is an important skill". It's very clear that the reasons why it seems that hate speech is increasing day by day is because we have been dealing with it in a wrong way. When our government or some group of people shuts down speakers who embrace hate or bigoted views, it deprives the society of having the opportunity to confront those views themselves, hence the society is not learning something new, as a result we are more fragile when exposed by another

"bigoted views in" the future, or in Indonesian proverb it's called "Mati satu tumbuh seribu". Which means that by shutting one down will only bring thousand subsequently. In conclusion, the best way of dealing with hate or bigoted speech is not by shutting it down. The better approach is to respond to ideas we hate with the ideals we cherish. Silencing hate speech will not protect us, Indonesians, from the harsh realities of an often unjust world. Silencing a bigot will accomplish nothing except turning them into a hero. We have to prepare to fight the hate speech by ourselves to always speak out and convince others, to never tired of speaking of what is right, then we will eventually corner this bigot and end them once and for all.

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