

The Effectiveness of Criminalizing Hate Speech through Electronic Media in Indonesia

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Abstract

The existence of the internet not only has positive impacts, but also has negative impacts, one of which is the rampant hate speech that is spread through social media. The government then issued Law No. 11 of 2008 concerning Electronic Information and Transactions as amended by Law No. 19 of 2016, which regulates the criminalization of hate speech conducted via electronic media. Nonetheless, even though there have been criminal threats against acts of hate speech through cyberspace, the number of cases of hate speech that are handled by the police has actually increased from year to year. The purpose of this paper is to find out how the influence of social changes in the criminalization of hate speech through electronic media and the effectiveness of criminalization of hate speech through electronic media as an effort to tackle the rise of hate speech in cyberspace. This research uses normative legal research method. The results of this study explain that social changes related to the way of sharing information via electronic media have a real impact on applicable law in Indonesia with the existence of regulations regarding the criminalization of hate speech through electronic media. However, since the enactment of this regulation, the number of acts of hate speech through electronic media has increased from year to year. Therefore, the criminalization policy must pay attention to the principle of subsidiarity, meaning that criminal law must be placed as a last resort in overcoming crimes using a penal instrument, not as the main effort. Other efforts are needed that should be prioritized apart from punishing the perpetrators of criminal acts.

Keywords: Hate Speech, Criminalization, Cyberspace, Internet, Crime.

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INTRODUCTION

The development of science has led humans to make various kinds of discoveries that are very useful in human life. One of the inventions that had a very significant impact on social life was the discovery of the internet. The internet as one of the results of the development of information technology is an information resource capable of reaching the entire world (Mildawati, 2000).

The development of technology has led to a communication revolution that causes people's lives in various countries to be inseparable and has even been determined by information and communication, (Koloay, 2016) therefore there have been many shifts in behavior patterns of people around the world regarding how to disseminate information and communicate. In the past, people could only send letters through the post office by writing the words in advance

on paper media, nowadays people can easily send letters just by typing on the computer and sending them using the internet, and this can be done with the invention of e-mail. Another example, in the past, when people wanted to spread information to the public, people had to make posters and post them on various street corners, whereas now when people want to share information with the public, this can be done by simply typing on a computer or smartphone and then sharing it on social media, like Facebook, Twitter, Instagram, and so on.

Apart from the examples mentioned above, there are still many things that were previously difficult to do in the real world, but with the invention of the internet, everything can be done easily only through electronic media. However, the internet is not only close to positive things that can help human life, there are also many negative effects that arise after the

invention of the internet. With the convenience offered, only by using a smartphone, tablet, laptop, or computer, people can communicate and spread information with just a snap of a finger. The more freely people communicate and socialize with electronic media, it often makes it very easy for these people to convey things that are not appropriate to be conveyed, one of which is currently rife with information dissemination aimed at generating hatred or enmity.

Indonesia is a constitutional state; therefore all aspects of community life are regulated by law. The use of technology in people's lives also requires that the law be able to adapt to social changes that occur as a result of the use of these technological developments. (Nugroho, 2016). Therefore, the government then issued Law No. 11 of 2008 concerning Electronic Information and Transactions as amended by Law No. 19 of 2016, where the law regulates the criminalization of hate speech conducted through electronic media, as regulated in Article 28 paragraph (2) and Article 45A paragraph (2) of the law. The criminalization of hate speech through electronic media is interesting to study, so the author is interested in discussing the effect of social changes on the regulation of hate speech through electronic media.

Before this article was written, there have been several writings discussing how technological developments affect the law in Indonesia. Whereas in this writing the author will discuss more specifically, namely the effect of social changes related to how to share information and communicate at this time on the criminalization of hate speech through electronic media which is then regulated in the Law on Electronic Information and Transactions. Furthermore, after the enactment of the Law on Electronic Information and Transactions which regulates the prohibition of hate speech via electronic media, there have been many cases handled by the police in this regard. (Anugrahadi, 2020). With so many cases that have already been tried, the author is also interested in exploring the effectiveness of criminalizing hate speech in the Law on Electronic Information and Transactions in creating orderly behavior in sharing information dan communicating in cyberspace.

Based on the background as previously described, the author is interested in raising the following problems: 1) How is the influence of social changes in the criminalization of hate speech through electronic media? 2) Is the criminalization of hate speech through electronic media effective in creating order in communicating in cyberspace?

METHOD OF RESEARCH

This legal writing uses normative legal research, where the data sources include research on legal principles, legal systematics, legal synchronization, and legal comparisons. (Soekanto,

2015) In order to obtain accurate information and data on various issues related to this legal writing, the author uses a statute approach, a comparative approach, and a conceptual approach (Marzuki, 2005). Library material in this legal writing consists of primary legal materials, namely in the form of statutory regulations, and secondary legal materials, namely books, journals, results of scientific activities, research reports, and so on.

DISCUSSION

1. The Effect of Social Changes in the Criminalization of Hate Speech Acts through Electronic Media

Along with technological developments, people are increasingly spoiled with various digital platforms that make it easier to communicate and share information to the public. This has an impact on social changes in social life. Social change, in general, can be defined as a process of shifting or changing the structure/order in society, including a more innovative mindset, attitudes, and social life to get a more useful life (Budijarto, 2018).

With the help of technology, communicating and sharing information that used to only can be done conventionally, nowadays can be done by simply typing on a smartphone screen or by typing through a computer medium without having to physically meet one another. With many conveniences offered, technological developments not only have many positive impacts but also negative ones. By not meeting physically and easily typing with fingers on their gadgets, it is not uncommon for parties to easily share things that are inappropriate to spread to the public. One of them is spreading hate speech, namely communication actions carried out by individuals or groups in the form of provocation, incitement, or insults to other individuals or groups in terms of various aspects such as race, gender, disability, skin color, sexual orientation, nationality, religion, and others (Kardiyasa *et al.*, 2020). This has happened a lot in Indonesia since the internet, computers, and smartphones began to penetrate.

There are several factors behind an individual or group making hate speech, namely: (Febriyani *et al.*, 2018)

- a. Self-psychological conditions such as mental disorders, emotional power, and low mental illness;
- b. Lack of social control from family and society;
- c. Environmental influences;
- d. Public ignorance of the impact of their actions;
- e. Tools, facilities, and technological advances, where people can spread hate speech easily via the internet, including through social media such as Facebook, Instagram, Twitter, and others;

Considering the social changes that develop in society related to the rise of hate speech through electronic media, the Indonesian government then regulates criminal acts of hate speech through electronic media with the issuance of Law No. 11 of 2008 concerning Electronic Information and Transactions as amended by Law No. 19 of 2016 (Law on Electronic Information and Transactions). In Article 28 paragraph (2) in conjunction with Article 45A paragraph (2) of the law, it is stipulated that every person knowingly and without right distributes information aimed at creating hatred or enmity for certain individuals and/or groups of people based on ethnicity, religion, race, and inter-group relations, shall be punished with a maximum imprisonment of 6 (six) years and/or a maximum fine of IDR 1,000,000,000.00 (one billion rupiah).

Article 28 paragraph (2) and Article 45A paragraph (2) of the Law on Electronic Information and Transactions are a form of criminalization against acts of hate speech committed via electronic media. According to Soerjono Soekanto, criminalization has the meaning of an act or determination by the authorities regarding certain actions which the community or community groups consider as an act that can be punished as a criminal act. (Soekanto, 1981) Criminalization can also be interpreted as the process of determining a person's actions as punishable. This process ends with the formation of law in which the act is punishable by a criminal sanction. (Sudarto, 1986).

Prior to the enactment of the Law on Electronic Information and Transactions, the prohibition on hate speech was actually regulated in the Criminal Code, to be precise in Articles 156, 156a, and 157. However, regulations regarding hate speech crimes were later regulated in Article 28 paragraph (2) in conjunction with Article 45A paragraph (2) of the Law on Electronic Information and Transactions is a *lex specialis* aimed at acts of hate speech committed through electronic media. According to Paul Cornil, the notion of criminalization is not limited to determining an act as a criminal act and can be convicted, but also includes the addition (increase) of criminal sanctions against existing crimes. (Cornil, 1970).

Article 156 of the Criminal Code regulates hatred against racial and ethnic groups of the Indonesian population with a maximum imprisonment of four years or a maximum fine of four million five hundred thousand rupiahs. Article 156a of the Criminal Code regulates hatred of religion with a maximum imprisonment of five years. Article 157 of the Criminal Code regulates the dissemination of hatred against groups of the population by means of writing with a maximum imprisonment of two years and six months or a maximum fine of four million five hundred thousand rupiahs (Based on Article 3 of the Regulation of the Supreme Court of the Republic of Indonesia No. 2 of 2012 concerning Adjustments to the Limits of Minor

Crimes and the Number of Fines in the Criminal Code, each maximum amount of the fine punishable by the Criminal Code except Article 303 paragraph 1 and paragraph 2, 303 bis paragraph 1 and paragraph 2, is multiplied to 1,000 (one thousand) times). Whereas Article 28 paragraph (2) in conjunction with Article 45A paragraph (2) of the Law on Electronic Information and Transactions regulates the dissemination of information that causes hatred or enmity for individuals or certain groups of society based on ethnicity, religion, race, and inter-group relations, can be imposed maximum imprisonment of six years and/or a maximum fine of one billion rupiahs. When referring to the formulation of the article, it can be seen that the criminal acts in Article 28 paragraph (2) in conjunction with Article 45A paragraph (2) of the Law on Electronic Information and Transactions combine hate speech against ethnicity, religion, race, and inter-group relations into one article with the same threat of criminal penalty, different from the Criminal Code which is spread over three articles. Moreover, the threat of criminal penalty in Article 28 paragraph (2) in conjunction with Article 45A paragraph (2) of the Law on Electronic Information and Transactions include the addition (increase) of criminal sanctions against criminal acts in the Criminal Code, namely with a maximum penalty of six years and/or a maximum fine of one billion rupiahs. Thus, the criminalization of hate speech through electronic media as regulated in the Law on Electronic Information and Transactions is included in the definition of criminalization as intended by Paul Cornil.

According to Sudarto, there are several things that need to be considered related to criminalization, including: (Sudarto, 1986).

- a. Criminal law facilities must pay attention to the objectives of national development, namely to create a just and prosperous society based on Pancasila. In this regard, criminal law is aimed at tackling crimes and holding the countermeasures themselves for the welfare and protection of the community;
- b. Acts which are attempted to be prevented by criminal law are undesirable actions, namely actions that cause harm to the community;
- c. Criminal law facilities must also consider the cost-benefit principle;
- d. The use of criminal law must also pay attention to the capacity or capability of the work power of law enforcement agencies, that is, there should be no overbelasting.

The results of the formulation (conclusion) of the 1976 Criminal Law Reform Symposium also shared Sudarto's views regarding the criteria for criminalization, namely: (Arief, 1996).

- a. Is the act disliked or hated by the community because it is detrimental or potentially cause harm, cause victims, or potentially cause victims?
- b. Is the cost of criminalizing this act balanced with the results to be achieved, meaning that the costs of making laws, monitoring and enforcing the law, as well as the burden borne by the victim, and the perpetrator of the crime themselves must be balanced with the orderly situation to be achieved?
- c. Will this criminalization actually add to the workload of law enforcement officers that is unbalanced or cannot be fulfilled by their capabilities?
- d. Did these actions slow down or hinder the goals of the Indonesian nation and thus pose a danger to the whole society?

Based on Sudarto's opinion and the conclusions of the 1976 Criminal Law Reform Symposium, the spread of hate speech through electronic media in Indonesia is in fact in line with the criteria regarding the dangers and impacts of harm caused to society. Hate speech has various negative and dangerous impacts on people's lives, especially for a multicultural democratic country like Indonesia. First, hate speech can hinder the free exchange of ideas. Second, hate speech can trigger hostility or hatred towards certain individuals or groups. Third, hate speech can be a means of mobilization or recruitment by hardline groups, where the worst impact can disrupt the unity and integrity of the country. Fourth, hate speech is generally directly related to and followed by discrimination and violence. (Ahnaf & Suhadi, 2014).

Although the criminalization of hate speech through electronic media is in line with the criteria regarding the dangers and losses incurred, the criteria regarding the cost and benefit principle and the workload of law enforcement officials are equally important criteria to ensure effective law enforcement.

Several cases of hate speech in Indonesia which later implemented Article 28 paragraph (2) in conjunction with Article 45A paragraph (2) of the Law on Electronic Information and Transactions, including:

a. Hate speech on social media by Ahmad Dhani Prasetyo

This case involved a musician known as Ahmad Dhani in 2017. Through his Twitter account, Ahmad Dhani stated "Anyone who supports blasphemy is a bastard who needs to be spat in his face -ADP." For his statement conveyed via social media, namely Twitter, Ahmad Dhani was charged with Article 45A paragraph (2) in conjunction with Article 28 paragraph (2) of the Law on Electronic Information and Transactions. Ahmad Dhani was then sentenced to prison for one year and six months by a panel of judges at the South Jakarta District Court, this verdict was lighter than the demands of the public prosecutor, namely two years in

prison. (*South Jakarta District Court Verdict Number 370/Pid.Sus/2018/PN Jkt.Sel*) However, at the appeal level, the sentence imposed on Ahmad Dhani was reduced to only one year in prison. (*DKI Jakarta High Court Verdict Number 58/PID.SUS/2019/PT.DKI*).

b. The Jonru Ginting case

Jon Riah Ukur or known as Jonru Ginting was convicted of hate speech through the content he uploaded on social media, namely Facebook. Jonru's upload is considered very dangerous and if left unchecked, it can divide the nation. One of Jonru's posts questioned by investigators was about Quraish Shihab who will become the imam of the Eid prayer at the Istiqlal Mosque in Jakarta. According to Jonru, Quraish Shihab does not deserve to be an imam because of his statement that says Muslim women do not need to wear hijab, and then Jonru invites Muslims not to pray Eid at the Istiqlal Mosque if the imam is Quraish Shihab.

In the verdict of the East Jakarta District Court, Jonru was found guilty of violating Article 45A paragraph (2) in conjunction with Article 28 paragraph (2) of the Law on Electronic Information and Transactions and was sentenced to prison for one year and six months and a fine of fifty million rupiahs. At the court of appeal, the East Jakarta District Court's decision was upheld. (*DKI Jakarta High Court Verdict Number 142/PID.SUS/2018/PT.DKI*)

c. The Jerinx SID case

The most recent case related to the alleged crime of hate speech through electronic media is the case that befell I Gede Ari Astina, also known as Jerinx. Jerinx was charged by the Public Prosecutor with Article 45A paragraph (2) in conjunction with Article 28 paragraph (2) of the Law on Electronic Information and Transactions. This case arose because Jerinx through his Instagram account said IDI was the WHO lackeys. For his actions, the Public Prosecutor considered Jerinx to have been legally and convincingly proven guilty of committing a criminal act intentionally and without the right to disseminate information aimed at causing hatred or enmity for certain individuals and/or community groups based on ethnicity, religion, race, and inter-group relations. In their lawsuit, the public prosecutor then charged Jerinx with imprisonment for three years and a fine of ten million rupiahs (Riza, 2020).

Some of the cases above are a few small examples of criminal cases which then proceed to the trial process by applying Article 45A paragraph (2) in conjunction with Article 28 paragraph (2) of the Law on Electronic Information and Transactions. This shows that social change has a real impact on the applicable law, including law enforcement in Indonesia. The development of science which is increasingly fast makes the law demanded to be able to adapt to existing social changes, with the aim of achieving order, the law

is expected to be able to regulate all aspects and dimensions that are considered dangerous and can have a big negative impact on the orderliness in society.

2. The Effectiveness of Criminalizing Hate Speech Acts through Electronic Media in Creating Orderliness in Cyberspace

Since the enactment of the Law on Electronic Information and Transactions, there have been many cases of hate speech through electronic media that have been processed legally. The Institute for Criminal Justice Reform (ICJR) considers that Article 28 paragraph (2) in conjunction with Article 45A paragraph (2) of the Law on Electronic Information and Transactions has been used in various hate-spreading cases in Indonesia, in contrast to articles in the Law on Racial Discrimination, which has never been used at all in the Court. Some cases that use articles in the Law on Electronic Information and Transactions generally focus on the spread of religious hatred and have never been used in relation to cases of racial and ethnic-based hate speech. (Institute for Criminal Justice Reform, 2017).

From year to year, the number of hate speech cases handled by the Indonesian National Police (Polri) has increased. Throughout 2015, the number of reports related to hate speech was 671 reports. Then in 2017, the National Police handled 3,325 cases related to hate speech crimes, this figure increased by 44.99% compared to 2016 which totaled 1,829 cases. (Medistiara, 2017).

According to the views of some jurists, there are several theories regarding the purpose of punishment, such as absolute theory (retributive), teleological theory (goal), and retributive teleological theory. However, it cannot be denied that one of the goals of criminalization in Indonesia is in line with the teleological theory, namely punishment as a means of achieving useful goals to protect and towards the welfare of society, the emphasis is on the goal, namely to prevent people from committing crimes (Gunarto, 2009). By paying attention to data on cases of hate speech through electronic media which is increasing from year to year, it can be an indication that there is something wrong in the formulation of the law. This could be the result of overcriminalization, namely '... too much punishment, too much crimes ...'. Douglas Husak argues that there are at least three forms of overcriminalization, one of which is an overlapping crime (Ali, 2018). Overlapping crime is defined as '... by criminalizing the same conduct over and over again ...' or the recriminalization of an act that has been prohibited by another law, or in one law there are two offenses that have the same substance. (Smith, 2012) In this regard, there is a view that the provisions of Article 28 paragraph (2) in conjunction with Article 45A paragraph (2) of the Law on Electronic Information and Transactions are overlapping from the provisions

regarding the prohibition of hate speech in the Criminal Code. There are no new norms and new actions regulated in Article 28 paragraph (2) in conjunction with Article 45A paragraph (2) of the Law on Electronic Information and Transactions, the only difference is the means used to spread hate speech. However, because it is seen as a new and more serious form of crime, a heavier threat of criminal penalty is regulated in the Law on Electronic Information and Transactions, which is imprisonment with a maximum of six years. (Prahassacitta, 2017).

In this case, the author agrees that the criminalization of hate speech through electronic media in practice has led to overcriminalization, however, the author believes that regulations regarding the prohibition of hate speech through electronic media are still necessary, because Article 28 paragraph (2) in conjunction with Article 45A paragraph (2) of the Law on Information and Transactions Electronics cannot be equated with Articles 156, 156a, and 157 of the Criminal Code. Although the difference between the two laws lies only in the media they are disseminated, but the existence of Article 28 paragraph (2) in conjunction with Article 45A paragraph (2) of the Law on Electronic Information and Transactions is very much needed. The distribution media via electronic media (in this case the internet) has a much broader distribution power when compared to the conventional method of distribution which is usually carried out orally or in writing. The spread through internet media is very difficult to stop because once information is published and disseminated, with only a few minutes, the information can be accessed by a very wide scope, can include one country or even the world. (Simbolon *et al.*, 2018) So that this can have a very broad impact, can cause massive hatred and division, and can even endanger state security. Therefore, with the consideration that the impact that can be caused can be much greater, this makes the criminal threats regulated in Article 28 paragraph (2) in conjunction with Article 45A paragraph (2) of the Law on Electronic Information and Transactions, heavier when compared to with Articles 156, 156a, and 157 of the Criminal Code. So that according to the author's opinion, the main problem regarding the increasing number of cases of hate speech processed legally due to the criminalization of hate speech through electronic media, lies not in the overlapping crimes factor, but rather on the importance of implementing one of the principles of criminalization, namely the principle of subsidiarity.

The criminalization policy must pay attention to the principle of subsidiarity, which means that criminal law must be placed as a last resort (*ultimum remedium*) in tackling crime using a penal instrument, not as a primary effort (*primum remedium*) to solve criminal problems. (Luthan, 2009) With the increasing number of cases of hate speech through electronic media, it shows that the determination of an act to be a

criminal act does not automatically affect the behavior and obedience of society not to commit or repeat the act. By seeing that many cases have been processed legally, it can be concluded that penal efforts in enforcing hate speech violations through electronic media have been implemented in Indonesia, but these efforts are not sufficient. In line with the principle of subsidiarity in the criminalization policy, efforts to punish perpetrators are not absolutely a priority, but also other efforts that should be optimized first.

As explained in the previous sub-chapter, there are several factors that cause hate speech through electronic media, some of which are caused by public ignorance of the impact of their actions and the existence of technology means that make it easy for people to spread hate speech through internet media such as via Facebook, Instagram, Twitter, and others. When considering these factors, in line with the principle of subsidiarity, there are at least two ways that can be optimized by the government as the main effort to overcome hate speech through electronic media through non-penal efforts, including:

a. Optimizing socialization and counseling efforts

In fact, non-penal efforts have been made by the State Police of the Republic of Indonesia by issuing Head of the Indonesian Police Circular Number: SE/6/X/2015 as internal instructions within the police environment at the operational level for practical handling of acts that are seen as hate speech if the act has a purpose or could lead to acts of discrimination, violence, loss of life, and/or social conflict.(Mangantibe, 2016) In the circular, there are instructions for taking preventive measures in handling hate speech, one of which is by prioritizing the function of Binmas and Polmas to provide counseling or outreach to the public regarding hate speech and the negative impacts that potentially will occur because of it. Furthermore, if an action is found that has the potential to lead to hate speech, every member of the National Police is required to make peace efforts first, if it is not successful then a settlement will be made through penal measures.(*Head of the Indonesian Police Circular Number: SE/6/X/2015 Concerning Handling Hate Speech*)

Nonetheless, the issuance of this circular since 2015 has not had a significant impact because the number of cases of hate speech via electronic media is increasing. So that the implementation of counseling and outreach should be improved, not only limited to the Police environment, but also through the wider environment. The government can involve ministries or state institutions in conducting counseling or outreach in the work environment under them, for example, the Ministry of Communication and Information Technology can collaborate with media parties to disseminate information/socialization electronically, such as through television, websites, social media, and

others. Another example, the Ministry of Education and Culture can also issue a circular regarding an appeal for outreach to school students about how to use social media properly and the dangers of hate speech via electronic media.

b. Increase digital platform participation

In 2019, Ministry of Communication and Informatics calls on Facebook to use artificial intelligence (AI) technology to ward off negative content on its platform.(Annur, 2019) Even so, suggestions alone are not enough to provide coercion to social media service providers or communication media to ward off negative content sent or spread through their platforms, because in reality there is still a lot of negative content on digital platforms in Indonesia.

One of the efforts that can be learned by Indonesia is the effort made by Germany, which has issued a law on hate speech on social media. This regulation is known as the Network Enforcement Act or NetzDG, which stipulates that social media companies have an obligation to delete various offensive posts. Facebook, Twitter, and various other media companies have a duty to promptly investigate complaints about hate speech on their platforms. Social media companies must remove posts containing threats of violence, slander, and hateful content within 24 hours of filing a complaint or within one week if the problem at hand is more complicated. Any social media that does not comply with these regulations will be threatened with a fine of 50 million Euros or around 798 billion Rupiahs.(Librianty, 2018).

So far, convictions in Indonesia related to hate speech through electronic media have only focused on the perpetrators of the criminal acts themselves. The state does not impose coercion or obligation on social media platform providers to participate in filtering negative content. Reflecting on Germany, it is necessary to regulate the participation of social media platform providers in overcoming negative content, considering that criminalizing hate speech through electronic media is not enough, but must also be supported by other efforts and the involvement of other parties who also has a role in creating orderly behavior in sharing information dan communicating in cyberspace.

CONCLUSION

Technological developments that make it easy for people to share information through the internet media and the public's ignorance of the impact of hate speech have led to the widespread distribution of content in cyberspace that is negative and contains hate speech. Facing the social changes that occurred in this society, the Indonesian Government then issued a Law on Electronic Information and Transactions which contained the criminalization of acts of hate speech carried out through electronic media. This is regulated

in Article 28 paragraph (2) in conjunction with Article 45A paragraph (2) of the Law on Electronic Information and Transactions, with a maximum imprisonment of 6 (six) years and/or a maximum fine of IDR 1,000,000,000.00 (one billion rupiahs). This shows that social changes related to how to share information via electronic media have a real impact on the applicable law in Indonesia with the existence of regulations regarding the criminalization of hate speech through electronic media.

Nonetheless, since the enactment of this regulation, the number of acts of hate speech through electronic media has increased from year to year. This shows that the criminalization of hate speech actors does not provide effective results in overcoming the spread of hate speech through electronic media. Therefore, the criminalization policy must pay attention to the principle of subsidiarity, meaning that criminal law must be placed as a last resort in overcoming crimes using a penal instrument, not as the main effort. Other efforts are needed that should be prioritized apart from punishing the perpetrators of criminal acts. First, the government can increase the involvement of various parties such as ministries, state institutions, or other parties deemed necessary to promote socialization and outreach to all elements of society. Second, the government needs to issue regulations that not only focus on punishing perpetrators, but also regulating the participation of digital platform service providers to take part in controlling the content that is negative and contains hate speech.

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