Research Article

Undermining People's Freedoms and Opinions in the Digital Era

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Abstract.
The transition of media that conveys freedom of expression and opinion from mass media to online media has given rise to the phenomenon of cybercrime. As a result, there is weakening of freedom of expression and opinion. In fact, according to the data in 2020-2021, there were 44 cases related to freedom of expression and opinion. This paper aims to look at the impact and the reasons behind the occurrence of cyberattacks. This research is included in socio-legal research with secondary data sources. The data search process uses documentation and analysis using an interdisciplinary approach. The result is that cybercrime is carried out in the form of hacking, doxing, and cyberbullying. The impact was a violation of the principles of human rights and democracy, causing fear in the community. Crimes in the form of hacking, doxing, and cyberbullying occur because they are effective in protecting political interests and putting pressure on society, also it is difficult for perpetrators to be prosecuted legally.

Keywords: hacking, doxing, cyberbullying

1. Introduction

The emergence of cybercrime phenomena in the digital age threatens society’s freedom of speech and expression, especially in digital spaces such as Twitter, Instagram, and Facebook. The phenomenon of cybercrime arises from changes in the media that convey opinions and expressions of opinion. The communication of statements and opinions used to take place in mass media but is now shifting to Internet media. According to Human Rights Commission data, there were 44 cases related to freedom of speech and expression between 2020 and 2021. Up to 52% are violations of freedom of expression in the digital space [1]. Bintang Emon was once targeted for criticizing why his perpetrators poured acid on Novell Baswedan. Bintang Emon was attacked as a methamphetamine user [2]. From mid-2018 to 2020, SAFENet recorded 18 identity theft incidents involving 23 victims. The victims of doxing are those who criticize government policies [3]. According to Human Rights Commission records, there were 18 hacking
incidents between 2020 and 2021 [4]. One of them is Vivitris Santi, a victim of hacking on his social media accounts. Hackers abused social media accounts, accusing the Prosperity Justice Party and the Democratic Party of masterminding the 2021 worker and student demonstrations [5]. All of these attacks were aimed at curbing the victim's courage. This is in serious contradiction to the 1945 Constitution (UUD 1945) and the Human Rights Act (UU HAM).

So far, writings addressing threats to free expression in the digital space have focused on several aspects. The first article deals with threats to free expression from a legal perspective. Mufti [6], Miptahul [7], Tangguh [8], and Vidya [9] wrote about the existence of Section 27(3) of his ITE Act, a legal instrument restricting freedom of expression. In fact, between 2013 and 2021, about 400 people were indicted for exploiting provisions of his ITE Act. Both writings recognize the threat to freedom of expression due to the phenomenon of 'culture cancellation': Puput explained that a culture of rejection makes people untrustworthy, even if they are telling the truth. They are legitimized as untrusted persons and thus lose the space to express their opinions [10]. Threats to freedom of expression do not arise solely from legal and cultural dimensions, but this document focuses on threats to freedom of expression in other dimensions.

The purpose of this work is to correct deficiencies in previous works. In his two previous articles, he subverted culture by discussing threats to free expression from a legal perspective. To conclude our discussion of freedom of expression and threats to expression, this article focuses on threats to freedom of expression and expression in the digital age, such as in the form of account hacking (hacking) and dissemination of personal information (doxxing), increase. Bullying (Cyberbullying). What is the relationship between attacks and restrictions on freedom of expression? How do hacking, identity disclosure, and cyberbullying attacks work to limit free speech in digital media? In this post, readers can find and redesign strategies for expressing their opinions in the digital space so that they do not become victims of hacking, doxxing, or cyberbullying attacks.

2. Methods

This study is a study of social law. This research is based on legal issues of freedom of thought and expression as stipulated by the Constitution of 1945 and the Human Rights Act. Researchers conducted normative studies on both laws and regulations. Then check the context of the field.
Research data sources use secondary data sources, such as news material published on authoritative media websites. Select the message because it has a clear rationale for its validity.

Data collection techniques using documented techniques. The documentation method was chosen because it is related to the type of data required. Researchers enter search keywords in the Google application to search for news and obtain data. Researchers then select the messages that are most relevant to their needs.

An interdisciplinary approach is used in analytical techniques. The interdisciplinary approach was chosen because it meets the authors’ need to address issues of freedom of opinion and opinions from different fields. Researchers conduct their analysis by constructing arguments about issues of opinion and freedom of expression using the field of political science.

3. Results and Discussion

3.1. Hacking

Account hacking (hacking) is illegally gaining access to another person’s computerized account. Account hacking is a form of crime as it can directly or indirectly harm the victim. This form of illegal deletion is an attempt to control accounts, both individuals and groups of people, according to the perpetrator’s wishes. The aim is to damage the victim’s reputation and cause physical and psychological harm [11]. Hacks usually target the victim’s social media accounts such as WhatsApp, Instagram, Telegram, Twitter, websites, emails, and YouTube accounts [1]. According to data released by Safeness, WhatsApp and Instagram are the most frequently hacked media. WhatsApp was hacked 62 times, Instagram 43 times, websites 29 times, Telegram 24 times, Twitter 19 times, and other media 23 times [12]. Digital media users can therefore become victims of hacking attacks aimed at tangible or intangible gain.

In the context of freedom of expression, victims of account hacking are generally people who actively criticize government policies. This is done as an attempt to limit their sphere of action or as a reminder not to continue criticizing. According to Amnesty International, there were 66 attacks on freedom of expression in 2020, with a total of 88 victims. 2021 saw 14 incidents involving 26 victims, 12 of whom were activists [13]. Sasmith Madrim, an activist for the League of Independent Journalists, was one of the victims of the account hack. My social media accounts and mobile number have been hacked, and I can no longer receive calls or text messages from that mobile number.
His Facebook profile was manipulated with pornographic images. His Instagram photos were deleted by hackers, and his cell phone number was distributed by the perpetrators. Hackers also uploaded conflicting information, such as calling on the police to arrest Hariz Azhar and Fatia, supporting the construction of the Bener Purwolejo dam, and helping the government disband the Islamic Defences Front. [14]. A student from the University of Indonesia’s Executive Committee for Students (BEM UI) was also hacked after he uploaded a statement that Jokowi was the king of lip service. WhatsApp, Telegram, and Instagram accounts of some BEM UI administrators are not accessible [15].

A common pattern of account hacking involves fraudulently taking over a victim’s media account and impersonating the original owner of the account. There are at least two things criminals can do after taking over an account. After hacking the account, the culprit first took steps to distract and provoke the issue. The incident was witnessed by scholar Vivitri Susanti. His WhatsApp and Instagram accounts were hacked. After the hack, the perpetrators used their WhatsApp and Instagram accounts to spread provocative information that did not reflect their opinions. For example, statements about the reasons for participating in demonstrations, the dissolution of HTI and his FBI, and even the dissemination of information about prostitution [16] Second, legal action (criminalization) follows after a victim is hacked. This is the experience of Ravio Patra, an activist who actively criticizes government policy. After the hacking attack by the perpetrators, Rabiot lost access to and control over his WhatsApp and mobile phone numbers. The perpetrators spread messages across the country calling for arson and looting. As a result of this chain message, Mr. Raviot was arrested by the police on suspicion of hate speech. Raviot was arrested, questioned by police for over 24 hours, and eventually released. [17]

3.2. Doxing

Dissemination of personal data is a form of illegal dissemination of personal data on the Internet (docking) [18]. Dissemination of personal data is a violation of the confidentiality of identities, and sensitive personal data can be misused by people who are not responsible for taking actions that harm the victim [19]. He has committed three forms of unauthorized disclosure of personal information. The first is the act of implicitly disclosing the identity of an individual or group of people. This act is carried out by disseminating the victim’s initials or pseudonym. Second, disclosure of the victim’s identity is made clear by revealing the identity of the victim. The act was carried out
by disseminating photographs, addresses, and detailed characteristics of the victims. Third, the dissemination of personal data aims to attack the victim’s honour, credibility, reputation, and spirituality. This act was carried out by disseminating sensitive personal data about the victim [20].

In the context of freedom of expression, distributing personal information is a crime because distributing personal information is illegal. Crimes that disseminate personal information can harm victims. Victims of crimes that disseminate personal data can feel psychological pressure as personal data is disseminated in the digital space. This information is readily available to the general public. These situations can lead to cyber bullying and criminal behaviour against victims [21]. Data released by SAFE Net shows an increase in personal data disclosure from 2017 to 2020. Most of the victims were journalists; some were activists. Victims experienced personal information exposure in the form of revealing family photos, home addresses, ID cards, and press ID cards to their parents’ identities. Dozing is therefore a crime that attacks the victim's psyche by disseminating personal or family data [22].

The dissemination of personal data over the Internet constitutes an attack on the victim’s activities, and docking is a form of reaction by the perpetrator, who has a different perspective than the victim. In this identity theft act, the perpetrator disseminates the victim’s personal data so that it becomes known to those who share the victim’s views. This act can provoke a mass attack on the victim. Journalists are victims of dozing because of their work in journalism. Rolando Fraciscus has experienced a privacy breach for reporting on the conduct of Bela Tauhid. The killer posted his ID and press ID on Instagram. Journalist Chakrauni Nuraram was arrested for publishing a fact-checking article about a member of the Indonesian People’s Legislative Assembly of the PDI Perjuangan Party who is not the grandson of the West Sumatra PKI. Perpetrators released personal addresses, phone numbers, family photos, and baby photos [23]. Additionally, Pramdi AW was active and became a victim of identity theft after participating in demonstrations against the Omnibus Act. ID Doxer’s tweeted ID number, home address, and family card number Therefore, the act of dozing is also an attempt to attack the victim due to the difference in behaviour and views between the perpetrator and the victim.

3.3. Cyberbullying

Cyberbullying is a form of cybercrime that takes the form of bullying through digital media. Cyberbullying usually targets vulnerable people. It is assumed that victims cannot
Perpetrators of cyberbullying use digital media to take action with the aim of harming the dignity of their victims. Cyberbullying takes many forms, including scaring and embarrassing the victim or blaming the victim through social media posts. Additionally, forms of cyberbullying are nonverbal acts of harassment, humiliation, and exclusion carried out through digital media. Another form of cyberbullying is sending videos or pictures via digital media that insult, embarrass, or isolate victims. This practice is therefore considered cyberbullying through verbal and non-verbal conduct via digital media.

Cyberbullying is one of the crimes that attack the victim’s psyche and can have a negative impact on the victim. Cyberbullying can have negative psychological effects on victims, such as irritation, anger, stupidity, and embarrassment. Physically, the act of cyberbullying leaves the victim with physical disabilities, such as an inability to sleep. Saloni, a DPR-RI member of the National Democratic Party (Nasdem), commented on Bima Yud Saputro’s criticisms, including cyberbullying. Saloni, who initially supported Mr. Bima’s actions, criticized the damage to road infrastructure in Lampung. Later, he said that Bima’s way of criticizing the president, who was in Murthy’s car, was cheap. The digital imprint of Mr. Saloni’s remarks could serve as a wake-up call for public critics of the authorities. Indirectly, the consequences of Saloni’s actions may lead to his lack of self-confidence and lack of courage to criticize.

Cyberbullying is an act of interest that involves both personal gain, carried out voluntarily, and group gain, carried out in a structured manner. Cyberbullying that occurs spontaneously for personal gain is reactionary behaviour for whatever reason. Structured cyberbullying for the benefit of the group is done through planning and organization. According to the Locate Foundation report, cyberbullying occurs sporadically and systematically. This can also be seen in efforts by perpetrators to create flyers and info graphics about cyberbullying practices. Victims of cyberbullying by activists experience cyberbullying as a result of their activities. Haris Azhar and Bambang Wijojant were victims of cyberbullying attacks by leaflets. Fryer’s account attacks her reputation as an activist for alleged aiding and abetting the Red Book case. In addition, officials from Asfinawati, the ICW, and the Corruption Eradication Commission (KPK) have also experienced cyberbullying attacks, accused of being communists and Taliban.
3.4. Undermining Freedom of Public Expression

The undermining of freedom of expression in the digital space can be seen in three ways: the hacking of social media accounts, the presence of dozing, and the presence of cyberbullying. All three point to the weakening of people's freedom of expression in the digital space. These three measures create an atmosphere of insecurity, not freedom [32]. People fear becoming victims when they express their opinions or criticize government policies. People who do not have particularly strong political or economic power. The people's fears are not unfounded. Because, upon closer inspection, among the victims of the weakening of freedom of expression are also journalists and activists with greater political knowledge and access. Even people with strong backgrounds and those who lack political knowledge or access can become victims. This debilitating act created an atmosphere of fear in communities that expressed their views in the digital space.

Undermining free speech is a form of castration against democratic life. On the other hand, democracy is a constitutional obligation, something that should be upheld and implemented in the state and in the life of the state. Castration of democracy means ignoring the provisions of the 1945 Constitution. Democracy requires public participation in many aspects of life, including responses to sensitive and vulnerable issues. This is especially true when it comes to criticizing government policies that are seen as damaging the interests of society. Criticism can be expressed by anyone as a contribution to civil society. For activists and journalists, communicating information to the public is imperative as a form of moral and professional responsibility [33]. Democracy provides critics with a non-interventional space for building synergies between policymakers and the public. Concentration of power can be prevented by adhering to democratic principles. Undermining freedom of expression through hacking, identity theft, and cyberbullying is therefore a covert means of slowly destroying democracy.

Undermining freedom of speech and opinion is a kind of human rights violation. Freedom of speech and opinion are human rights guaranteed by international and domestic law. Under international law, human rights are guaranteed by the Universal Declaration of Human Rights (UDHR). Under state law, human rights are guaranteed by several laws, including the 1945 Constitution and laws ratifying the Human Rights Act and the International Covenant on Civil and Political Rights. Human rights are fundamental rights inherent in human nature. Human rights must not be restricted or abolished. These are the rights that enable people to exist in their lives as human beings.
and as citizens [34]. Limiting your right to freedom of expression and opinion means limiting your very existence in life.

Measures that weaken freedom of speech and expression through hacking, identity theft, and cyberbullying are taken to protect the political interests of specific groups. Perpetrators of hacking, identity theft, and cyberbullying attack and counter victims when their interests are thwarted. Attacks via digital media are more effective in revealing the identity of perpetrators and are more likely to trend. In this way, the flow of information is distorted, and the focus of the community is dispersed. There have been several incidents of hacking, identity theft, and cyberbullying due to the intervention of political power. This can be seen in the incident in which activists were attacked for criticizing the omnibus law policy and revision of the KPK law. In addition, journalists came under political attack over their identities as a result of reporting on Bela Tawhid’s actions. Based on these different interests, we find that the affiliations of perpetrators of attacks are also diverse, not only with respect to power criticism but also with different backgrounds.

Measures that undermine freedom of speech and expression through hacking, identity theft, and cyberbullying are effective against victim harassment and acts of terrorism. Hacker attacks focus on account recovery. During the recovery process, the offender has time to interrupt the victim’s focus of activity. At the very least, the process of integrating the victim is interrupted, giving the perpetrator time to turn away from the problem and develop a narrative of resistance. Docking and cyberbullying have the effect of terrorizing the victim and disrupting the victim’s psyche and family. This fear serves as a warning to the victim to stop acting and to stop expressing criticism. The pressure of fear and worry is not directed at the victim but can affect other victims’ families. As a result, the victim suffers psychological pressure not only from the perpetrator but also from the victim’s family.

Actions that impede freedom of opinion and expression through hacking, doxing, and cyberbullying are difficult to prosecute. Hacking, identity theft, and cyberbullying are difficult to identify. Perpetrators use technological improvements to protect and hide their identities. Docking and cyberbullying actors may use anonymous accounts or pseudonyms. In this way, it is difficult for ordinary people to identify the perpetrator. It’s even harder for hackers. Criminals may take advantage of hacker networks spread across different countries. The difficulty of taking action against hacker perpetrators comes with a number of obstacles. First of all, it is necessary to secure human resources who can technically clarify the identity of the perpetrator. A second reason is the limited technical equipment available to investigate the various reports of hacking.
incidents held by law enforcement agencies. Third, we look at the jurisdiction where the offender is from another country. Even if the identity of the perpetrator is revealed, if the perpetrator is from another country, the prosecution process must be carried out in cooperation between states. [35] Hacking, identity theft, and cyberbullying are therefore crimes with complex challenges to detect.

4. Conclusion

The undermining of freedom of speech and expression in the digital age comes in the form of hacking, identity theft, and cyberbullying. These three forms of behaviours have raised public concerns about representation. Hacking, docking, and cyberbullying are also forms of castration against democracies where the right to free expression is restricted. Furthermore, hacking, docking, and cyberbullying are forms of human rights violations, and the right to freedom of expression is a fundamental individual right that cannot be restricted.

Undermining people's freedom of opinion through hacking, identity disclosure, and cyberbullying in the digital age effectively protects the political interests of perpetrators. Hacking, identity theft, and cyberbullying all successfully create fear and anxiety in victims. From a legal perspective, it is also difficult to prosecute perpetrators of hacking, docking, and cyberbullying. It can be said that acts that weaken freedom of opinion and expression are not accidental but are caused by various motives.

References


