The Link Between Hate Speech and Terrorism: A Critical Analysis of Indonesia's Legal Framework

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Abstract: *Hate speech and terrorism are two forms of crime that are similar in their discriminatory nature. The efforts to address these crimes are of significant importance, as they starkly contrast with the values that Indonesia holds dear and present serious threats to its multicultural society. This study aims to explore the correlation between hate speech and terrorism and to explain how this correlation may assist in the development of a legal framework that better addresses both issues. The research employed a normative legal approach to analyze the existing positive laws regarding hate speech and terrorism, aiming to identify correlations between the two. This normative legal research utilized a combined statutory approach, employing primary law sources as secondary data. The analysis revealed normative issues within the Indonesian legal framework that restrict the criminalization of offenses that fall between the legal definitions of hate speech and terrorism. These issues need to be addressed as an important step in Indonesia's legal development to realize a safe society for all Indonesians.*

Introduction

In recent years, the rise in the usage of various social media platforms has led to an alarming intertwining of hate speech and terrorism, raising significant concerns among the public (Zhang et al., 2018). Although hate speech may not directly incite violence, it fosters an environment of hostility that can facilitate radicalization and extremist actions (Walther & McCoy, 2021). This escalating issue has prompted lawmakers and policymakers in Indonesia to pay closer attention, as the country has experienced its share of hate speech incidents and terrorist acts over the past decade. Consequently, there is an urgent need to examine and analyze the legal frameworks in Indonesia that address the intersection between hate speech and terrorism. While the Indonesian government has implemented measures to combat both hate speech and terrorism, the outcomes remain inadequate to prevent the proliferation of these crimes and ensure that such offenses do not continue to rise.

Efforts to block and delete content that incites hatred on various social media platforms have proven to be ineffective, as much of it eventually gets

reuploaded and goes under the radar, at least for the relevant government agencies (Arofah, 2018). In 2018, the government amended the Terrorism Law to better support the fight against terrorism. However, this fragmentation has not sufficiently clarified the uncertainties and ambiguities surrounding cases that exist in the gray area between hate speech and terrorism. This study seeks to address these issues by conducting a thorough analysis of the legal framework in Indonesia concerning hate speech and terrorism. The research aims to provide a comprehensive understanding of this framework, examining the gaps and areas that require improvement. It is hoped that this study will help bridge the gap and offer insights that can contribute to the development of a more cohesive and unified legal framework for addressing these issues in Indonesia.

The issue of hate speech and terrorism has garnered significant attention from scholars and policymakers worldwide. While hate speech is not necessarily a direct cause of terrorism, it creates an environment of hostility that can lead to radicalization and extremist actions. Several studies have examined the link between hate speech and terrorism. A study conducted by Chetty and Alathur (2018) identifies and elucidates the connections between hate speech and terrorism. This research investigates how hate speech can result in increasingly extreme forms of thinking, which may culminate in real violence and terrorism. The study argues that several elements of social media facilitate the growth of hate groups and their integration into networks of terrorist organizations. These elements are then exploited by terrorist groups to conduct advertisements aimed at recruitment, disseminate information, and plan and execute attacks.

In Indonesia, numerous studies have examined the issues of hate speech and terrorism. One study analyzed the connection between hate speech and terrorism through social media posts made by and directed at Indonesian Muslims. This study argues that there are significant social tensions between Muslims, who are the majority religious group in Indonesia, and other religious communities, which ultimately fuel hate speech and terroristic social media posts (Karjo & Ng, 2020). Another study investigates the nature of violent extremism in Indonesia, which is frequently linked to various forms of hate crimes and terrorism. This research identifies four dimensions of religious extremism: theological, ritual, social, and political. The psychological analysis presented in the study indicates that all four of these elements significantly contribute to the rise of violent hate crimes, each showcasing its own unique moderate and extreme examples (Wibisono et al., 2019). Regarding legal frameworks, numerous studies have investigated the effectiveness of existing laws and regulations in addressing hate speech and terrorism. One notable example is a study that assesses the adequacy of Indonesia's legal framework in combating hate speech and its implications for freedom of speech (Fernando et al., 2022). Furthermore, the study reveals the role of digital spaces in the escalation of hate speech as a crime and how this phenomenon disproportionately dominates the landscape of cases related to freedom of speech in Indonesia.

Despite the existing literature on hate speech and terrorism in Indonesia, there remains a notable gap in research regarding the legal

framework that addresses the intersection of these two issues. Specifically, there is a pressing need to analyze and evaluate the legal provisions that govern cases falling within the gray area between hate speech and terrorism. The primary aim of this study is to bridge this research gap by assessing the legal framework in Indonesia as it pertains to the critical issues of hate speech and terrorism. By identifying the strengths and weaknesses of the current legal framework and highlighting areas that require improvement, this study seeks to make a significant contribution to ongoing efforts aimed at combating the dangers and impacts of hate speech and terrorism in Indonesia. Through this process, the research aspires to provide valuable recommendations that can enhance the effectiveness of Indonesia's legal landscape in in Indonesia concerning the prevention of the proliferation of hate speech and terrorism. Ultimately, this study seeks to facilitate the creation of a more secure and harmonious society by addressing the negative impacts of hate speech and terrorism.

Method

This study employed the normative legal research method to analyze the existing positive laws relevant to Indonesia for fulfilling the study's objectives (Disemadi, 2022). The normative legal research method involves an analysis of legal principles and norms based on ethical considerations, legal theories, and societal values, providing guidance for legal decision-making (Tan, 2021). In the analysis of the relevant positive laws in Indonesia, this study utilized a statutory approach, employing secondary data derived from primary legal sources, namely Law No. 11 of 2008 on Information and Electronic Transactions, Law No. 19 of 2016 on Amendments to Law No. 11 of 2008 concerning Information and Electronic Transactions, Government Regulation in Lieu of Law No. 1 of 2002 on the Eradication of Criminal Acts of Terrorism (as stipulated through Law No. 15 of 2003), and Law No. 5 of 2018 on Amendments to Law No. 15 of 2003 concerning the Stipulation of Government Regulations in Lieu of Law No. 1 of 2002 on the Eradication of Criminal Acts of Terrorism to become Law, and Law No. 1 of 2023 on Criminal Law Code. These data undergo various processes, notably reduction, which involves filtering relevant legal provisions, followed by verification to ensure the accuracy of interpretations through a rigorous normative analysis. Additionally, the descriptive analysis highlights key connections between hate speech and terrorism within the legal framework.

Results and Discussion

The Violent Nature of Hate Speech

The issue of hate speech has garnered significant attention in recent years, as many have recognized its potential to incite violence and discrimination (Alhakim, 2022). Hate speech constitutes a form of expression that targets individuals or groups based on their identities, such as race, ethnicity, religion, gender, sexual orientation, or disability. The violent nature of hate speech is rooted in its capacity to cause harm, both directly and indirectly (Saha et al., 2019). The impact of hate speech can be severe, resulting

in psychological distress, physical violence, and even death (Ferrier & Garud-Patkar, 2018). Hate speech can be considered a form of violence in and of itself, as it often targets vulnerable groups and has the potential to inflict significant harm. The use of hateful language can create stigma and foster an environment of fear and hostility, leading to increased discrimination and violence against the targeted group (Xu et al., 2021). Furthermore, hate speech can contribute to the normalization of discriminatory attitudes, including the very hate speech itself, thereby making it more acceptable to engage in other forms of discriminatory behavior (Soral et al., 2020). Additionally, hate speech can obstruct efforts to achieve social justice by spreading further animosity against marginalized and vulnerable populations. It can also undermine policies that support these groups, thus diminishing the importance of equality through various forms of misinformation. Hate speech is particularly prevalent when a society is approaching significant events, whether political or cultural. In the realm of politics, the phenomenon of hate speech is prevalent across various digital platforms and has been shown to significantly contribute to the rise of hate crimes in the United States as a consequence of the political chaos present (Ferrier & Garud-Patkar, 2018).

Furthermore, hate speech can act as a precursor to more violent forms of extremism, such as terrorism. Even more significantly, it can be masked with humor as a means of desensitization (Askanius, 2021). Hate speech has the potential to radicalize individuals and groups, leading them to engage in violent acts against targeted communities. This process can begin with something as simple as the use of offensive, derogatory, and discriminatory language, which can have significant effects on both individual and group thinking (Bilewicz & Soral, 2020). In some instances, hate speech has been directly linked to terrorist attacks, as evidenced by the recent rise of far-right extremism in many countries (Nesbitt, 2021). Hate speech from small groups of like-minded individuals with disturbing views can attract terrorist organizations seeking to recruit them, ultimately undermining efforts to combat terrorism. This phenomenon can occur even when those small groups do not intend to spread their hateful views or join a terrorist group.

The detrimental effects of hate speech on an individual's psychological and emotional well-being are incontrovertible. The vitriolic nature of hate speech can evoke intense feelings of shame, anxiety, and depression, particularly for individuals belonging to marginalized or vulnerable groups (Lee-Won et al., 2020). Hate speech can inflict long-lasting psychological trauma and elicit symptoms of post-traumatic stress disorder (PTSD), especially in individuals who have previously encountered discrimination or violence (Cripps & Stermac, 2018). This effect is found to be more pronounced among marginalized or vulnerable groups, such as women and immigrants (Papcunová et al., 2021). Furthermore, the use of derogatory language and slurs is likely to exacerbate feelings of helplessness, worthlessness, and isolation among its targets, thus creating a pervasive sense of social exclusion and disaffection. Such an environment of exclusion and hostility can contribute to the perpetuation of hate and intolerance, making it all the more essential to combat hate speech and promote inclusivity in society.

In addition to its detrimental effects on individuals' mental and emotional well-being, hate speech can produce a chilling effect on free speech, thereby impeding individuals' ability to express themselves openly and freely. Although this may sound counterintuitive, the reality is that there is a significant debate regarding the dilemma between free speech and hate speech. Many suggest that those who oppose bans on hate speech are the true defenders of free expression, while those who support such bans are seen as hostile to free speech (Howard, 2019). The threat of being subjected to hate speech can lead to self-censorship, as individuals may fear being targeted or attacked for their views or opinions. This fear-induced limitation on free speech is tantamount to an act of violence in and of itself, as it restricts individuals' fundamental right to engage in public discourse and express themselves freely without fear of persecution or retribution. In this sense, hate speech has the potential to stifle the exchange of ideas and impede the progress of democratic societies, making it essential to confront and combat it through legal and social means.

Hate speech has been recognized as having a pervasive and destructive impact not only on its direct targets but also on society at large. The far-reaching effects of hate speech include the potential to generate social unrest, political instability, and the deterioration of social cohesion. When allowed to flourish unchecked, hate speech can instill a climate of fear and suspicion, causing tensions to arise between different communities. This, in turn, can trigger a vicious cycle of violence and retaliation, where each group perceives its use of violence as a legitimate response to the other. Consequently, the impact of hate speech can transcend individual harm and has the potential to cause far-reaching and long-lasting damage to society. This underscores the importance of combating hate speech through both legal and social means, with careful consideration, as it can diminish the legitimacy of other laws without entirely undermining them (Weinstein, 2017).

Moreover, the use of hate speech by individuals in positions of power can exert a particularly potent influence, especially when employed as a political tool (Montero et al., 2022). When authority figures, such as politicians or religious leaders, utilize hate speech, it can lend credibility to prejudiced attitudes and provide a platform for extremist ideologies. This situation can foster greater division within communities and impede efforts to achieve consensus and peaceful resolutions. The harmful impact of hate speech wielded by those in positions of authority is particularly concerning, as such individuals may possess greater reach and influence, and their words are often given more weight by the public.

Hate speech can additionally contribute to the stigmatization and dehumanization of targeted groups, creating a conducive environment for violence against them (Xu et al., 2021) . By perpetuating negative stereotypes and portraying targeted groups as less deserving of respect and dignity, hate speech makes it easier for perpetrators of violence to justify their actions (Makarova et al., 2022). In some instances, hate speech engenders a culture of impunity, where individuals who engage in violence against targeted groups are not held accountable for their actions. This lack of accountability can further perpetuate the cycle of violence and complicate efforts to address the

underlying causes of discrimination and oppression. Therefore, it is crucial to recognize the dangerous impact of hate speech and take proactive steps to counter it, including promoting tolerance, education, and implementing legal measures designed to hold perpetrators accountable for their actions.

The dangerous impact of hate speech extends beyond adults; it also significantly affects children and young people. Exposure to hate speech during formative years can lead to the internalization of discriminatory attitudes and beliefs, which may have enduring effects on their social and emotional development. Children who are repeatedly exposed to hate speech may assimilate these negative beliefs, prompting them to engage in discriminatory behaviors towards others, including bullying and harassment. This behavior can create a ripple effect among their peers, fostering a hostile environment that perpetuates the cycle of discrimination and violence. Given the potential harm that hate speech can inflict on children and young people, it is crucial to implement measures to protect them from its detrimental effects. These measures should include educational programs that promote empathy and understanding, as well as the enforcement of laws that prohibit hate speech.

It is important to recognize that the violent nature of hate speech is not confined to the use of overtly offensive language or derogatory slurs. More subtle forms of hate speech, such as microaggressions or dog whistles, can also perpetuate discriminatory attitudes and contribute to the marginalization of targeted individuals and groups (Collins, 2021). While these forms of hate speech may not be as immediately recognizable or explicit, they can still have significant impacts on individuals' mental and emotional well-being, as well as their ability to participate in public discourse and engage with their communities. Therefore, it is crucial to acknowledge the harmful effects of all forms of hate speech, regardless of their level of explicitness.

The Correlation Between Hate Speech and Terrorism

The relationship between hate speech and terrorism is multifaceted and necessitates a comprehensive understanding of the underlying factors involved. Hate speech has the potential to radicalize individuals and groups, potentially leading to violent extremism and terrorism. The influence of hate speech on the radicalization process constitutes a complex issue that encompasses a range of social, psychological, and political factors (Bilewicz & Soral, 2020). Despite the challenges associated with addressing this issue, it is essential to examine the various ways in which hate speech can contribute to terrorism to develop effective strategies for prevention and intervention.

Hate speech has been linked to the emergence and perpetuation of terrorism, which is a multifaceted issue that necessitates a thorough understanding of the underlying factors (Oyawale, 2022). One way in which hate speech can contribute to terrorism is through the promotion of extremist ideologies that justify the use of violence against targeted groups. In contrast, these ideologies are often used to justify prohibitions on hate speech itself (Hrynyshyn, 2022). Hate speech can create a hostile and volatile environment, fueling the radicalization of individuals who feel marginalized or oppressed. This situation renders them more vulnerable to extremist views that offer a sense of purpose and identity, making it easier for them to adopt violent means

to achieve their objectives (Harris & Johns, 2021). This phenomenon is particularly evident among youth, who are generally more open to a variety of ideologies. In this regard, the impact of hate speech on terrorism cannot be underestimated and requires a concerted effort to address and mitigate its potential consequences.

Hate speech serves as a catalyst for the creation of a polarized social environment (Au et al., 2022), where certain groups are designated as "others" and perceived as threats to the dominant group (Ittefaq, 2018). The dehumanization of targeted groups—where individuals are stripped of their basic human rights and dignity—further exacerbates this issue, rendering it increasingly difficult to address the root causes of hate speech. This normalization of violence can ultimately lead to the acceptance and perpetration of violent acts. Thus, it is imperative to understand and address the underlying causes of hate speech, as well as its effects on the dehumanization of targeted groups, in order to prevent the normalization of violence and promote peaceful coexistence.

The language employed in hate speech can be profoundly divisive, fostering an "us versus them" mentality that cultivates a hostile environment for targeted groups (Ibrahim, 2019). This divisive rhetoric may lead to feelings of resentment, anger, and victimization, thereby increasing the likelihood of violent extremism, which can manifest in even more extreme forms of hate, such as genocide (Armoudian, 2020). Moreover, hate speech can reinforce discriminatory attitudes and behaviors, perpetuating a cycle of violence and systemic oppression that is often difficult to dismantle. Therefore, it is imperative to recognize the detrimental impacts of hate speech and strive towards building a more inclusive and tolerant society.

The intricate relationship between hate speech and terrorism is exacerbated by the difficulties inherent in defining and regulating hate speech. In many countries, the protection afforded by free speech laws complicates the ability to hold individuals accountable for engaging in hate speech, thereby obstructing efforts to tackle the root causes of discrimination and oppression. Furthermore, the distinction between hate speech and legitimate political discourse is often ambiguous, making it challenging to differentiate between the two. As a result, a legal and regulatory environment fraught with complexities emerges, impeding efforts to effectively confront the issues surrounding hate speech and terrorism. Therefore, it is essential to develop a clear and comprehensive definition of hate speech that balances the right to free expression with the need to protect vulnerable groups to address this pressing issue.

The importance of identifying the connections between hate speech and terrorism cannot be overstated, as this relationship presents significant challenges in ensuring the protection of human rights while mitigating the potential for violent extremism. Although free speech is a cornerstone of democratic societies, the potential for hate speech to incite terrorism underscores the necessity for a nuanced understanding of the complex factors contributing to this issue. Democracies uphold the principle of free speech and expression, which creates a dilemma between protecting free speech and combating the increase in hate-related crimes stemming from hate speech

(Rafoss, 2019). Terrorist organizations can exploit this dynamic to disseminate their messages and recruit new members. They utilize media and the internet to spread their propaganda and communicate with sympathizers.

As previously noted, hate speech can significantly contribute to the polarization of society by promoting divisive rhetoric that reinforces negative stereotypes and prejudices against targeted groups. This phenomenon can lead to the fragmentation of communities, wherein individuals and groups become isolated from one another, thereby diminishing the potential for constructive dialogue and cooperation. Consequently, this fragmentation can foster feelings of marginalization and exclusion among certain groups, rendering them more susceptible to extremist ideologies and recruitment. The challenge of addressing hate speech and terrorism is further complicated by the difficulties associated with overcoming the fragmentation and polarization engendered by hate speech, as well as its complex collateral impacts, such as altering perceptions of diversity (Wieviorka, 2022). Terrorist organizations frequently focus their efforts on specific communities based on their political, social, or religious identities. For instance, they may target ethnic or religious minorities who feel socially disenfranchised (Hollewell & Longpré, 2022). Terrorist groups use these grievances to convince individuals that violence is a legitimate form of resistance and that they have a duty to fight against oppression or persecution. Terrorist organizations exploit societal grievances to persuade individuals that violence is a legitimate form of resistance, positioning it as a duty to combat oppression or persecution. Conversely, these groups may adopt a fearmongering approach, instilling anxiety in an already dominant demographic by portraying other groups as threats to their existence or way of life.

The influence of hate speech on terrorism is exacerbated by the pervasive use of online platforms and social media (Piazza, 2020). The anonymity and accessibility these platforms offer create a fertile environment for the rapid dissemination of hate speech, allowing it to reach a broad audience (Castaño-Pulgarín et al., 2021). This environment has enabled extremist groups to utilize these platforms to propagate their ideologies, recruit followers, and incite violence against targeted communities. The prevalence of hate speech online complicates efforts to monitor and regulate such content effectively, necessitating innovative strategies and cooperation between various stakeholders to address this issue.

Moreover, it is crucial to note that the correlation between hate speech and terrorism is not restricted to any particular set of ideological or societal groups. The devastating impact of hate speech is felt across the political and ideological spectrum, necessitating a comprehensive and inclusive approach to address this issue. To combat the adverse effects of hate speech on society, it is essential to develop strategies that recognize and acknowledge the diverse manifestations of hate speech and its consequences for individuals and communities globally. Hence, there is an urgent need for international cooperation to tackle this concern and promote a more equitable and just world for all. From the perspective of criminal norms, it is evident that correlations exist between hate speech and terrorism, including the violent, hostile, and discriminatory nature of both. Therefore, it is important to analyze these

normative correlations within the specific legal framework of hate speech and terrorism.

Connecting Normative Structures of Hate Speech and Terrorism

Conducting an in-depth analysis of hate speech from a legal standpoint offers a promising approach to addressing the multifaceted issues surrounding hate speech and terrorism. By comprehensively examining existing legal frameworks, it becomes feasible to identify loopholes and potential avenues for enhancement. This analysis can facilitate the development of effective strategies and policies aimed at curbing the spread of hate speech and terrorism, thereby contributing to the overarching objective of promoting peace, stability, and social cohesion. One potential method for analyzing hate speech through a legal framework is to investigate current laws and regulations related to hate speech and terrorism. This examination can encompass laws pertaining to incitement to violence, hate speech, and terrorism financing, among others. Through this scrutiny, it is possible to pinpoint areas where the laws may be strengthened or expanded to more effectively address hate speech and terrorism.

Indonesia primarily utilizes five laws to address hate speech and terrorism, which include Law No. 11 of 2008 on Information and Electronic Transactions (EIT Law), Law No. 19 of 2016 on Amendments to Law No. 11 of 2008 on Information and Electronic Transactions (Amended EIT Law), and Government Regulation in Lieu of Law No. 1 of 2002 on the Eradication of Criminal Acts of Terrorism (later stipulated through Law No. 15 of 2003 as Terrorism Law), Law No. 5 of 2018 on Amendments to Law No. 15 of 2003 on Stipulation of Government Regulations in Lieu of Law No. 1 of 2002 on Eradication of Criminal Acts of Terrorism to become Law (Amended Terrorism Law), and Law No. 1 of 2023 on Criminal Law Code (Revised Criminal Law Code).

First, it is essential to analyze the fundamental normative basis provided by the relevant laws within the Indonesian legal framework to gain an overview of how the normative structures among them can be interconnected to support the fight against the eradication of terrorism in Indonesian society. Table 1 serves as a critical tool to illustrate the alignment and discrepancies between Indonesia's legal provisions regarding hate speech and terrorism. By comparing these normative values, we can identify specific areas where improvements in the legal framework are necessary to address both issues more comprehensively.

Table 1. Comparisons of normative values in Indonesia's legal framework on hate speech and terrorism

Source of Law	Provision
EIT Law: Article 28 paragraph (2)	Everyone who intentionally and without rights disseminates information aimed at creating feelings of **hatred or hostility towards certain individuals**

	and/or groups of people based on ethnicity, religion, race and inter-groups.
Amended EIT Law: Article 45A paragraph (2)	Everyone who deliberately and without rights disseminates information aimed at causing **hatred or hostility towards certain individuals and/or groups of people based on ethnicity, religion, race and inter-groups** as referred to in Article 28 paragraph (21) shall be punished with imprisonment a maximum of 6 (six) years and/or a maximum fine of Rp. 1,000,000,000.00 (one billion rupiah).
Revised Criminal Law Code: Article 242	Any person who in public expresses feelings of **hostility, hatred or contempt towards one or several groups or groups of the Indonesian population based on race, nationality, ethnicity, skin color, gender, mental disability or physical disability**, shall be punished with imprisonment for a maximum of 3 (three) years or a maximum fine of category IV.
Revised Criminal Law Code: Article 300	Everyone in public who: **a. commits hostile acts in nature; b. expresses hatred or hostility; c. incites to commit or discriminate against religion, other people's beliefs, groups, or groups based on religion or belief in Indonesia**, shall be punished with imprisonment for a maximum of 3 (three) years or a maximum fine of category IV.
Terrorism Law: Article 6	Everyone who deliberately uses violence or **threats of violence** creates an atmosphere of terror or widespread fear of people or causes mass casualties by seizing independence or loss of life and property of other people, or causing damage or destruction of vital objects. Those that are strategic or environmental or public facilities or international facilities, shall be punished with the death penalty or life imprisonment or imprisonment for a minimum of 4 (four) years and a maximum of 20 (twenty) years.
Amended Terrorism Law: Article 1 number 2	Terrorism is an act that uses violence or **threats of violence** that creates an atmosphere of terror or widespread fear, which can cause mass casualties, and/or cause damage or destruction to strategic vital objects, the environment, public facilities, or international facilities with ideological, political or security disturbance motives.
Total	329

Source: Indonesia's Primary Law Sources (latest 2023).

Table 1 illustrates that Indonesia imposes strict restrictions on punishing hate speech crimes. This is primarily aimed at protecting Indonesia's multicultural society, which can be fractured by any form of social tension. Both the Electronic Information and Transactions (EIT) Law and the Revised EIT Law utilize identical wording to define hate speech as "*hatred or hostility towards certain individuals and/or groups of people based on ethnicity, religion, race, and inter-group relations*," with the Revised EIT Law introducing criminal charges for the crime of hate speech as defined. It is noteworthy that this definition of hate speech is confined to the context of "*to incite*," as indicated by the phrases "*at creating*" and "*causing*" at the beginning of the definition. This definition is substantially different from the two provisions in the Revised Criminal Law Code. Article 242 of the Revised Criminal Law Code criminalizes individuals for merely expressing sentiments that align closely with those defined under the provisions of the EIT Law. This article specifically highlights vulnerable groups that may become victims of such crimes, including individuals identified by their "*race, nationality, ethnicity, skin color, gender, mental disability, or physical disability*." In contrast, Article 300 introduces a more complex layer of criminalization by addressing hostile acts, expressions of hatred or hostility, and incitement to commit acts of discrimination.

Nonetheless, it is important to note that Article 300 of the Revised Criminal Law Code predominantly emphasizes religious beliefs, thereby undermining the recognition of other groups within the diverse fabric of Indonesian society. This is particularly concerning for marginalized communities that often face discrimination or persecution. On the contrary, the narrow level of protection against hate speech is not reflected in the previously relevant article, namely Article 242. This article identifies the largest number of groups among all other provisions that are vulnerable to hate speech crimes. This normative issue creates an asynchrony in the development of the legal framework aimed at criminalizing hate speech and protecting marginalized groups because the complex layers of criminalization in Article 300 only apply to the protection of religious communities in Indonesia.

The normative connection between the legal frameworks addressing hate speech and terrorism is found in the use of the terms "hostile" or "hostility." In the field of psychology, hostility can manifest as either physical or emotional hostility (Thomas et al., 2018). As previously mentioned, the correlation between mental distress caused by hostility and the use of hate speech is a significant connection between hate speech and terrorism. However, an important point that the Indonesian legal framework regarding terrorism lacks is the acknowledgment of the discriminatory nature of terrorism. Terrorism often targets specific groups not only through its violent acts but also via its propaganda (Coche, 2018). The absence of normative recognition of this issue is problematic, as it restricts the preventive measures that can be employed to detect early signs of terrorist activities.

Additionally, analyzing hate speech within the context of combating terrorism through the legal framework may necessitate the development of new laws and regulations specifically addressing this issue. For instance, some countries have enacted laws that specifically target hate speech online or hate

crimes, which can provide a foundation for addressing the issue more effectively. By instituting new laws and regulations, it is possible to create a more comprehensive legal framework for addressing both hate speech and terrorism. Analyzing hate speech to combat terrorism through a legal framework necessitates international cooperation and coordination. Given the global nature of hate speech and terrorism, it is essential to develop international legal frameworks and cooperative mechanisms to address these issues effectively. This development can include the establishment of international conventions and agreements, the sharing of best practices and expertise, and the provision of assistance to countries with weaker legal systems. With the rise of social media and other online platforms, it has become easier than ever for terrorist groups to recruit individuals from around the world, thereby expanding their influence and spreading their terror more widely.

Finally, the most crucial aspect of the fight against hate speech and terrorism is the need for a balanced approach. This approach must uphold the fundamental human right of free speech while simultaneously addressing the risks associated with hate speech and terrorism. Furthermore, it requires collaboration among all communities to effectively counter these threats. The emphasis on *Bhinneka Tunggal Ika* is more important than ever and must be adapted within the Indonesian legal framework (Suastika et al., 2022). It is essential to develop legal frameworks that effectively address hate speech and terrorism while also respecting the fundamental human rights and freedoms of individuals, rooted in the values of Pancasila, which serve as the national spirit and ideology of Indonesia.

Conclusion

This study's analysis reveals significant links illustrating the correlation between hate speech and terrorism. Understanding these links may assist Indonesia in combatting both hate speech and terrorism by recognizing the shared discriminatory nature of these offenses and their similar societal impacts. While it is true that terrorism induces greater fear in any society than hate speech, the latter can serve as a concerning precursor to the former; consequently, the legal framework must be capable of acknowledging this relationship. The normative analysis presented in this study reveals that there are significant normative issues within the Indonesian legal framework that may impede efforts to criminalize both crimes in conjunction with one another. The predominant focus on specific religious communities, coupled with the insufficient recognition of the discriminatory nature of terrorism, if addressed, could potentially pave the way for more robust preventive measures to combat terrorism in the future. This, in turn, would facilitate the realization of a safe and just Indonesian society for individuals from diverse backgrounds.

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