

Limitation of Opinion With Social Media Take Down System, is Indonesia Toward to Totalitrimism?

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Abstract

Indonesia is a country with a democratic government system so that Indonesia provides equal treatment, rights and obligations to all its people. Freedom of opinion is a right owned by every human being that is guaranteed by a state, as contained in Article 28E paragraph (3) which reads "Everyone has the right to freedom of association, assembly and expression". Advances in technology and information today is the right opportunity for every individual to voice his opinion on social media. Nevertheless. Freedom of argument often raises problems, namely the restriction of opinion by implementing a take down system on social media. This restriction of opinion then becomes a question mark, is Indonesia then heading towards totalitarianism? The method used in this article is a literature study, with data collection techniques through reference searches through books, journals, notes, and reports that are related to the problem. This article aims to describe the practice of restricting opinions that are taken down in social media. In addition, this article is expected to provide solutions to these problems. Restrictions on opinion on social media can still be found, this is supported by the presence of two examples of cases of opinion that were taken down on social media without any information. One form of unilateral take down that happened to Surya Anta when explaining the conditions of the Detention Center in a thread on his twitter.

Keywords: *Opinion, Take down, Totalitarianism*

1. INTRODUCTION

Indonesia is a country that adheres to a government system, namely democracy, where this system focuses on equal rights and obligations for all citizens. The democratic government system has existed since ancient Greek civilization with a characteristic pattern of polis, this system is identical with voting in carrying out the government process. According to Aristotle, a good state is a state that can lead to the public interest, for all its citizens (Riska et al, undated). Therefore, the Indonesian state, which adheres to this system, recognizes the existence of Human Rights (HAM) as fundamental rights, which in nature already exist and are attached to every individual with their universal and lasting nature (Marwandianto et al, 2020). This right has become a necessity to always be respected, protected, respected and given, without having to seize the property of others. These rights include many things, one of which is freedom of opinion, this right has been written in Article 28 (e) Paragraph (3) The 1945 Constitution of the Republic of Indonesia which reads "Everyone has the right to freedom of association, assembly and expression" (Bakhtiar et al, 2020). Freedom of expression has an important role for a country with a democratic system, because the participation of the community is very much needed by the state for the development of the country itself, such as in making policies. Therefore, this freedom must be fully granted to citizens to express their aspirations or opinions freely. As the state's obligations are divided into three, namely, respect (obligation to respect), protect (obligation to protect), and fulfill (obligation to fulfill) (Marwandianto, et al. 2020). Based on this, the government also has obligations to its citizens for the rights that should be obtained for citizens.

This freedom of expression can be implemented in writings, books, discussions, press activities, and in other spaces, either directly or through cyberspace. One manifestation of the existence of freedom of expression is carried out on social media, be it Twitter, Instagram, Facebook, TikTok, Youtube, and so on. This social media has a good impact on countries with a democratic system, because all aspirations such as opinions or opinions from citizens can be sent and known through social media. Freedom of expression on social media is also free and the state provides space and guarantees for that freedom without finding any influence or intervention from any party (Nasution, 2020). Social media is a place for the public to be freely accessible, but the government in its prevention function issues norms or rules of morality that must be maintained, then social and political order must be maintained. However, it can be seen through (liputan6.com, 2021) which states that the Ministry of Communication and Informatics (Kemkominfo) that negative Internet case data from August 2018 to November 2021 there were 1,573,282 cases handled in Indonesia. However, even though preventive measures have been given, it does not detract from the existence of freedom. As for Human Rights related to the internet and freedom of opinion, 1) universality and equality must be enforced freely and equally, (2) rights and social justice on the internet must be upheld as a form of respect for the rights of others, (3) the right of everyone's accessibility. are the same, safe and open, (4) everyone has the right to seek, receive, and convey information that they wish to convey freely (Warong et al, 2020). Freedom of expression through social media is an adaptation of technological developments, because it can be utilized both in terms of freedom and speed in seeking and finding available information. Citizens can express various things to other people, even though there is no direct interaction, but by using social media it

can be judged as if they can interact, because there are many features of social media that make it real. people who can access social media freely, make this commonplace.

In the country of Indonesia, which adheres to a democratic system which is also a country with a legal system that makes people's lives within the country. However, Indonesia is still allowed to express its thoughts, both in writing but not demeaning and even harassing certain parties who will be voiced. At this time, the use of the internet is one of the breakthroughs in speaking out, but there are certain aspects that need to be considered, namely human rights, which have become one of the aspects in people's lives, Indonesia, the number of users is very high in 2020 at this time especially during the current pandemic era which makes internet users very intensive to search for news on social media, it is very necessary to do so so that young people reach information on what is happening at this time.

Currently, the independence of citizens in expressing opinions in public is a manifestation of the existence of democracy in the life of society and the state. As is the case with sounding, as already explained. Then how about someone posting their own opinion and then being taken down by the authorities, (Warong, 2020) for now it's like taking down or deleting a post that there is a certain reason for the safety of local residents so that they are not easily provoked, it could be a hoax or a hoax. contrary to the facts, then does it have anything to do with the totalitarianism that exists in the government? It must be known in advance that totalitarianism according to the KBBI is an understanding carried out by totalitarian governments and practices carried out in aspects of life, there must be state regulations that are carried out for the sake of realizing common and easy goals to achieve Together the government has the highest authority as a regulator or law maker in the country , there are several types of totalitarianism, the first is communist totalitarianism, in which the inhabitants of socialism pass spontaneously to totalitarianism, the second is theocratic totalitarianism, where there is monopolized politics from several groups associated with certain religious principles. right-wing totalitarianism, economics as political independence that will limit the beliefs that can lead to communism. The origins of totalitarianism. There is pluralism which will be driven by the moral majority. Therefore, a totalitarian government is not only a leader who is too harsh in government. Based on this, the purpose of this study is to find out what kind of opinion restrictions will be taken down in social media.

Based on the background and identification of the problems above, the formulation of the problem in this research is "How is the practice of freedom of expression in Indonesian society".

2. RESEARCH METHODS

This research uses the method of literature study or literature review. Where, this method uses data or information that already exists, this is as explained by Syaibani (2012) that literature study is the effort of a researcher to collect data through searching for information that is considered still relevant to the topic or problem being discussed (Azizah and Purwoko, 2017). The data obtained comes from books or scientific works, such as those already in notes, books, papers, and articles and other scientific works (Maman et al, 2021). The characteristics of research using the literature study method are that researchers get data in the form of text or numbers that are not from field research, then ready-to-use data from the writings of other people, then library data is

also secondary data or not the first author, and Lastly, Pustaka data does not have space and time limits (Azizah and Purwoko, 2017).

Data analysis in this study used descriptive analysis. The method of this analysis is to take the special data needed and then use it in research (Algiffari, 2015). Descriptive research is research that has the nature to provide a description of a phenomenon and symptoms that are currently happening (Gani, 2003).

3. RESULT AND DISCUSSION

Human Right Perspective on Freedom of Opinion

Opinion is an absorption of the word from English, namely "Opinion" which means a response or opinion on a phenomenon that occurs either directly orally or through writing distributed to social media. In general, opinion can be interpreted as a personal opinion or a thought about personal or other people's opinions. Opinions are subjective, because they are based on personal thoughts, opinions are categorized as subjective sentences where the things expressed are based on the thoughts of a party so that there is a tendency that an opinion is not neutral. Examples of opinions include opinions from the public about a phenomenon that occurs, a person's view of what he sees, and so on.

Every human being has the right to freedom in expressing his opinion because it is a human right that is owned by every individual that is guaranteed and protected by the state. As a country where every movement of its people is protected by law and uses a democratic system, Indonesia itself has the authority to regulate and protect in carrying out what has been regulated by the Constitution. Indonesia as a country has several obligatory things, namely by providing protection, carrying out enforcement, and giving rights so that its people can express their opinions or opinions freely. However, in terms of obtaining freedom of opinion or opinion, there are still limitations as stated in Article 28J paragraphs (1) and (2) of the 1945 Constitution of the Republic of Indonesia.

According to Article 19 paragraph (2) of the ICCPR which states that every human being does have the right to have an opinion, but the submission must not be done arbitrarily. Opinions must be applied with limitations orally, in writing or in print, through the media of choice. Furthermore, the essence of understanding human rights possessed by every human being is the first that these human rights have a unique or universal nature. By not discriminating against social status, religion, skin color, race is a manifestation of the existence of human rights. Then this right belongs to the individual not because each individual is a community of any country, but this right exists because they are human beings created by the creator. The second is that the protection of these human rights is effective in the context of democratic legitimacy. Then the third is regarding restrictions on the enforcement of human rights which can only be enforced or taken within the framework of the rule of law. That is, rights are protected by law and the state is obliged to comply with constitutional requirements if it elevates or limits individual rights. Therefore, the realization of the rights of every human being is only limited by the limitation of opinion in order to ensure that every human being will have the same rights in terms of society.

It is said that in guaranteeing and respecting the existence of human rights, any country must protect them and make them respected in their own country. It must always be implemented or complied with. Judging from the characteristics of Human Rights based on the writings in the Universal Declaration of Human Rights, it can be seen that there are groups of rights, including:

1. Moral rights

- a. Freedom of movement
- b. Freedom of speech to express opinions
- c. Freedom to choose in an organization or association
- d. Freedom to choose, accept, practice one's religion or belief.

2. Human Rights Politics

- a. Have the right to vote and be elected
- b. Have the right to participate in government activities
- c. The right to form and establish political parties/political parties and other political organizations.

Indonesia as a country that always uses law as a reference and a country that adheres to this democratic system makes everyone have the freedom to have an opinion or opinion. However, this is limited by the existence of the provisions in the law contained in laws and regulations such as Law no. 36 of 1999, Law no. 11 of 2008, and Law no. 14 of 2008 which regulates transparency in public information and telecommunications matters. However, with restrictions on expressing opinions on social media, people are wondering about the rights they should get, namely regarding human rights. This opinion restriction can then cause some stigma and the existence of opinion restrictions will make it difficult for people to interact in the world of social media. Both Twitter, Instagram, and others.

Take Down Phenomenon

At this time "Take Down" is actually not a foreign thing for the people of Indonesia, the article is that there are many expressions of opinion that are taken down in circulation on social media. Take down is an action where the news uploader intentionally or forcibly deletes the news he has uploaded. On the official page of the Ministry of Communication and Informatics, there are several criteria for what "content" is subject to take down. Quoting from its official website, the Ministry of Communication and Information has firmly stated that they will firmly and continuously strive to combat all content that contains elements of ethnicity, religion, and race (SARA). Not only that, those who are prone to take downs, we often meet people or groups who voice their opinions but are also affected by take downs. Generally, these opinions contain their opinions or views on political issues that are currently happening in the political world.

Reported from (Bisnis.com, 2021) which said that the Ministry of Communication and Information (Kemkominfo), in dealing with opinions expressing hatred for race, ethnicity or religion will swiftly take steps as a response to opinions that are freely expressed. The Ministry of Communication and Informatics, Dedy Permadi, said that until now there have been more than 3,640 opinions that have been taken down because of their hatred of SARA. It was explained that the take down system rules for opinions or content there are 3 criteria that will be used as a reference. The first is about opinions that contain insults to religion in Indonesia. Next is the opinion regarding the invitation to spread hatred and commit violence against different religions. And the third is about the call for hatred against certain ethnic groups in Indonesia.

Some examples of opinions or news that have been taken down are one of them from social media twitter. Twitter is a social media that can be said to have a considerable influence in opinion. Twitter is said to be a social media that can spread information quickly because half of the trending topics on Twitter are CNN headlines. It is also known that on Twitter, everyone can voice their opinions by chirping to express

opinions and can disseminate information, which is not uncommon also that the information contains hoaxes or untrue news. Not only hoaxes, it is often found that opinions uploaded cause controversy and offend other parties. An example of an opinion that was taken down on Twitter social media suddenly (without any reason) is an opinion or twitter thread written by Surya Anta, a former political prisoner who shared the conditions of the Salemba Detention Center, Central Jakarta. It was revealed that in a twitter thread written by Surya Anta related to the depravity that occurred in the detention center, namely starting from the sale and purchase of narcotics, the existence of burglaries from old prisoners, the sale and purchase of rooms, the total number of prisoners who were more than their capacity, then from improper food. However, the take down phenomenon did not find a bright spot because the Minister of Communication and Information (Menkominfo) Johnny G. Plate when asked about this was the government that ordered Twitter to delete Surya's content, no comments appeared.

Then the next example is related to opinions that are taken down in social media, namely the Instagram account of the celebrity Nikita Mirzani in an opinion on his post. Regarding this, the celebrity said that people deliberately reported on Nikita's account as a result of conveying their opinions to the public, so that the Instagram account was taken down due to the many reports. Although often the celebrity's Instagram account is suddenly lost due to his opinion, the celebrity said that it was removed due to his posts and opinions, Nikita Mirzani will not be afraid and will continue to voice his opinion as long as it is considered appropriate and is part of the process of conveying aspirations as a citizen. From the two examples above, it can be seen that the phenomenon of restricting opinions with the take down system in Indonesia can still be found. Restriction of opinion that occurs in Indonesia without a clear explanation with the aim of the interests of a political circle can turn Indonesia, which adheres to a democratic system, into a totalitarian state. Totalitarianism is a system of government and political practice that has the basic principle of exercising absolute and unlimited power by a nation. Totalitarianism puts forward a single power in which the people submit to all the powers that are owned by the holders of power. According to Ardent, totalitarianism is a system that aims to dominate public policy using objective selection (Nashi and Manshur, 2020). This flow indoctrinates society to achieve the ultimate goal by justifying the focus of power with all restrictions on individual and group power because according to them it has become natural or historical destiny.

4. CONCLUSION

This paper is not intended as a reading report or summary, but as an effort to explore things that can be learned from take down phenomena or opinion restrictions that occur in Indonesia. The restriction of opinion with a take down system in Indonesia is not only for the benefit of the elite, but the restriction of opinion in Indonesia has a legal basis such as the laws and regulations of Law No. 36 of 1999, Law no. 11 of 2008, and Law no. 14 of 2008 to regulate matters such as telecommunications and public information disclosure. The legal basis is intended for the public not to express their opinions arbitrarily that can defame a person, and to respect the rights of others with considerations of morality, religion, security, and public order. But judging by the phenomena that have been collected by the author, it is possible that this action can be misused by parties who have power for personal gain. The Ministry of Communication and Information (Kemkominfo) explained that the take down system for opinions or

content has 3 criteria that will be used as references, namely, opinions that contain insults to religions in Indonesia, Opinions regarding invitations to hate or commit violence against adherents of certain religions, and about calls to hate individuals from certain groups or tribes. Smart people must be wise in their opinions through social media by paying attention to the words or goals of the opinion so that no person feels disadvantaged.

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