Social Media and the Repercussions of Freedom of Speech
Virtual Hate and Real–Life Violence

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Freedom of speech does not entail saying whatever we want, whenever we want, wherever we want. No one has the right to scream "fire!" or "bomb!" in a theatre or on a plane. Whoever does that jokingly are subject to a fine or imprisonment. Thus, laws are passed to regulate freedom of speech and protect people in real life or virtually on social media. Despite the merits of social media, there are other demerits too, including the proliferation of hate messages and inciting violence in new unprecedented ways. Those downsides are reinforced by the misunderstanding of some social media users of the concept of freedom of speech.

Freedom of Speech

Freedom of speech and expression is the cornerstone of human rights and a pillar of free democratic societies. These freedoms guarantee fundamental rights such as peaceful assembly, participating in public affairs, and freedom of choice. Digital platforms, particularly social media, have reinforced users' freedom of circulation of information and views. However, the misapplication of the freedom of speech by spreading hate speech prompted the setting of disciplines to create a safety valve for individuals and societies. These legislative efforts to regulate the freedom of speech raise concerns over the adverse impact on human rights advocacy in modern societies.

International human rights treaties guarantee everyone the right to free expression and thought. Meanwhile, countries pass laws restricting or prohibiting certain forms of social media expression, such as hate speeches inciting violence .

Free speech advocates call for open environments for the free circulation of ideas with no restrictions. To this effect, experts demonstrate why they appreciate such freedom:

- The capacity for individuals to exercise their right to articulate their viewpoints without fear of censure or suppression is crucial in fostering a society that is autonomous and self-reliant.

- This fundamental liberty is an essential element in preserving the democratic framework and upholding the tenets of liberalism .

- Engaging in open and unrestrained discourse concerning political and legal matters is paramount in enabling citizens to make informed decisions regarding their electoral choices, ensuring that those in positions of authority are answerable to the people, and facilitating critical discussions on contentious issues pertinent to politics and society.

However, some specialized researchers believe that hate speech may cause complex problems leading to the elimination of the freedom of opinion. They insist on the importance of restricting such discourse on social media to protect minorities from bullying, disdain, detriment, and persecution. But we should first answer some important questions:

➢ What is hate speech and how can we legally restrict it?

➢ How can we identify the grey area between freedom of speech and hate speech?

➢ What is the competent authority authorized to restrict the freedom of speech?

➢ What kind of speech can be restricted and how to restrict it on social media platforms ?

Practices and Consequences

The strategies currently employed by racist organizations to disseminate hate speech on the internet and on social media are nothing new. The path to extremism today resembles that taken by fascists and nazis in the early 20th century, who made use of the media that was readily available at the time, such as radio and television, to disseminate their racist ideas, manipulate the emotions of the populace, and incite fears about the potential impact of immigrants, minorities, and Jews on their families and way of life.

The Nazis rose to power in Nazi Germany not through violent discourse and murders, but through stereotypical recurring speeches that alter facts, falsify reality, inflame the

soul, and incite the masses. These practices are quite similar to current social media practices, most notably :

1) Anonymity

Social media allow everyone to express their opinions, attitudes, and orientations and to have a voice of their own. This is a democratic way for guaranteeing freedom of speech and communicating visions and views with others. Every social media user has the option of using their true identity or an alias to remain anonymous. Anonymous users are more likely to express impulsive, immoral, and illegal opinions such as libel, insulting, disdain, deception, and defamation because, unlike known users, they do not face moral or legal consequences for their posts.

2) Spreading Fake News

Absolute freedom of expression is a two-edged weapon. It encourages people to express themselves without fear of repercussions. Meanwhile, it allows the spread of misinformation, which causes confusion and disrupts peace, with no penalties. In most cases, there is no law that makes sharing false information on social media illegal, resulting in a slew of misinformation.

False information, camouflage, or inaccurate statements about events are all examples of fake news. They may have disastrous societal consequences, such as the statements and comments made after the 2020 US elections claiming they were rigged, not to mention the negative impact on US society and the resulting division, protests, riots, and assault on the Congress building. Most victims of fake news are those who cannot fact-check the information they read and may believe all that is published to be true .

3) Digital Persecution

Comments on social media often target weak and marginalized people like women and ethnic, gender, and religious minorities. Yet there are many societies and bodies that call on tech companies to take strict measures against digital persecutors.

All platforms have enacted anti-hate internal laws. Facebook, for example, considers hate speech a direct attack on users, drawing on the personal traits protected by the law, such as race, national origin, and gender identity. Twitter's official policy also stipulates its commitment to countering hate, racism, and abuse on its platform. All tech companies have specialized teams working around the clock, reviewing reports, and making sure rules are constantly applied.

Hate and Violence

It may be inferred from the above that the age of social media has facilitated posting any type of discourse or content online at the touch of a button without regard for the consequences. Social media have become a haven for hate under the guise of freedom, as evidenced by how several racist Aryan groups used to spread white supremacist propaganda and hatred in order to disrupt social peace. When such a discourse reaches the general public, virtual words become real-life violence .

This has been manifested in several incidents over the past few years where hate that started in cyberspace resulted in real-life catastrophes. For example:

- In 2012, white-supremacist Wade Michael Page killed six people at a Sikh temple in Wisconsin after having been active on racist Aryan forums online.

- In 2015, Dylann Storm Roof self-radicalized on social media and killed nine African Americans at a church in South Carolina.

- Robert Bowers killed 11 elderly worshippers at a synagogue in Pennsylvania. He was active on rightist Gab social network, which is a website similar to Twitter used by white supremacists.

Thus, views in cyberspace can transform from virtual hate into real-life violence, hence the necessity for legalization to face bullying, harassment, and credible threats of violence against individuals and institutions.

Legalization Challenges

Most constitutions and international human rights treaties protect freedom of speech, even though they do not provide much real protection of freedom of speech in public places, online, or on social media. Countering hate speech requires an understanding of the difference between the freedom of speech protected by the law and the denounced atrocious hate speech .

Another challenge posed by hate speech on social media is that it can be used as a pretext by oppressive regimes to further restrict the rights of their citizens, because the definition of hate varies by country and culture. Defining hate is problematic and is one of the major challenges of addressing and legalizing such discourse because there is no universally recognized definition of hate speech. The concept is associated with several legal issues, such as freedom of speech and expression, inciting discrimination

and hatred, or inciting hostility and violence, all of which should be considered when providing an accurate and objective definition of hate .

The issues of freedom of speech and hate speech are difficult to resolve in court since lawsuits filed against social media by individuals or institutions, alleging that their freedom of speech has been violated or they have been subject to hate and bullying, are often declined. The adjudication of such cases is mainly difficult since social media platforms are owned by private companies that are not subject to law-protected freedom of speech .

Hence, users posting on social media do not have the same right of freedom of speech. Besides, companies owning social media have the right to regulate behavior on their platforms based on their internal laws and to prohibit whomever they want as Twitter did with former President Donald Trump and others.

Conclusion

One of the major challenges that countries face today is regulating the fight against hate speech in cyberspace. Given the complexities of the situation, it is necessary to closely monitor new legislative initiatives in order to assess the balance between protecting free speech and prohibiting hate speech. In this regard, social media companies should be transparent about the content they prohibit and they should make their data available to researchers and the general public.