

RESEARCH ARTICLE

# Hate Speech: Social Risks and Legal Aspects of Regulation

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## Abstract

The article examines the phenomenon of hate speech as one of the challenges of the modern media space. Its manifestations in journalism and social networks, as well as legislative measures to counter it, are analyzed. Special attention is paid to the problem of distinguishing between freedom of speech and hate speech in the context of the digitalization of society.

## KEY WORDS

Hate speech, freedom of speech, mass media, social networks, legal regulation, Uzbekistan.

## INTRODUCTION

With the development of information technologies and social media, a significant part of public life has moved into the virtual space [1]. Along with this, the need arose for the legal regulation of interpersonal and social communications, and for the adoption of new laws providing for the regulation of human relations in the virtual world. One of the most pressing problems of the digital era is the abuse of freedom of speech and the spread of hate speech [2; 3]. We often speak about the constitutional and legal guarantees of freedom of speech and the activities of the media. At the same time, the topic of abuse of freedom of speech and hate speech is very relevant today.

### Theoretical Foundations and Legal Context

In scholarly and legal literature, hate speech is defined as statements aimed at humiliating an individual or a group on the basis of their ethnic, religious, gender, or social affiliation [4]. The Constitution of the Republic of Uzbekistan in its new edition (Articles 33, 81, 82) guarantees freedom of speech and the activities of the media [7]. Professional journalism develops in compliance with the law. There is no censorship

of the media in the country, and the state supports the development of freedom of opinion. However, society is witnessing the phenomenon of "unofficial public censorship," when intolerance toward differing opinions provokes the spread of hate speech.

The problem is not new at all; it is present throughout the world, and people are fighting against it. Today, "hate speech" manifests itself in any act of communication, including texts, images, videos, songs, and so on. On the Internet, one can ознакомиться with a huge amount of material about "hate speech" and the fight against it. It is possible to classify "hate speech" according to direction, purpose, and so on. It is used mainly against a group of people, and sometimes against a person, depending on his or her ethnic, social, religious origin, and other factors. In recent years, some norms have appeared in the legislation of Uzbekistan that provide for punishment for defamation and insult. Amendments have been introduced into the Criminal Code of the Republic of Uzbekistan (Article 244-6, Dissemination of False Information in the Criminal Code of the Republic of Uzbekistan), providing for liability for the

dissemination of false information and defamation in the media and on the Internet [8]. According to it, "The dissemination of false information, including in the mass media, telecommunications networks, or the worldwide information network Internet, leading to the humiliation of a person's dignity or discrediting a person, committed after the application of an administrative penalty for the same actions, shall be punishable by a fine of up to one hundred and fifty basic calculation units or compulsory community service of up to two hundred and forty hours, or correctional labor for up to two years, or restriction of freedom for up to two years." If this act leads to a threat to public order or security, other measures of punishment are applied.

### **Main Forms of Manifestation of Hate Speech**

Hate speech can be classified according to its aims and objects of orientation. Most often it is used: against social or ethnic groups; against individuals; in journalism; in users' comments. Special attention should be paid to the transformation of a neutral journalistic text into an object of hatred through the audience's reaction [6].

For example, we often encounter insults against a group of people on social networks through ironic and sarcastic words such as "Crystal Clear," "Musappochilar," "Dinchi," "Kofir," "Feminist," and so on. Hate speech is revealed in two forms. First, it is sometimes found in a journalist's text. The author may use a word that can lead to discussions and the use of malicious, hateful words. Or, for the sake of views, an incorrect headline is used in journalistic material. Such an act by a journalist or blogger only serves to worsen the status of journalism. The second phenomenon occurs outside journalism. Mainly, we read it in comments or posts. Even if the original journalist's text is written without hate speech, it can sometimes be turned into an object of hatred. For example, a journalist reports on a woman who is a victim of violence, but in most cases one can read malicious words addressed to the victim in the comments. Supposedly, "she herself is to blame," "what was she doing outside in the evening," "why is she in a café," "she should have held her tongue, that is why her husband beat her," "she is probably loose herself," and so on. In connection with events taking place in the world, some people have begun to write hostile and insulting words addressed to some country or the leader of a country. Or hate speech can be used to incite hatred between countries. For example, if someone commits a crime and the headline constantly mentions that a migrant from

Uzbekistan committed the crime, this leads to the formation of a stereotype among readers that migrants from Uzbekistan are all criminals. Freedom of opinion and speech is the most valuable thing. But, it seems that there is still no tolerance for other people's opinions. In society, intolerance of another opinion and statement is found in most cases. We are more inclined toward collective thinking. If someone thinks differently, it is immediately subjected to shame. Whether the statement was right or wrong, it has the right to live in the media space.

Hate speech can be classified according to its goals and objects of orientation. Most often it is used:

against social or ethnic groups (for example, the stereotyping of migrants);

against individual persons (insults against victims of violence);

in journalism (provocative headlines, the use of evaluative vocabulary);

in user comments (aggressive and discriminatory statements).

Special attention should be paid to the transformation of a neutral journalistic text into an object of hatred through the audience's reaction.

### **Social Consequences**

Researchers note that hate speech contributes to segregation, discrimination, and the growth of social tension [11; 13; 14]. In a number of cases, it provokes real acts of violence. In the context of information wars, the use of hate speech becomes an instrument for destabilizing society and undermining trust in the media [1; 2; 5].

We need to clearly define the boundaries between freedom of speech and hate speech, the incitement of hatred. Offensive statements on various social media platforms can cause violence in real life. There have been cases when, after such statements on social networks, groups of people actually gathered in order to harm the person who became the target of hate speech. Today, various types of hate speech and threats can be encountered, although cyberthreats (Cyberbullying) are criminally punishable.

Studies show the importance of the ethical aspects of journalism in the media space [13].

### **Modern Challenges and Prospects for Regulation**

With the development of artificial intelligence, the risk of the

large-scale spread of fakes, bots, and trolling is increasing, which heightens the danger of hate speech [1]. At the same time, new technologies can also be used to detect and block it.

It is important that any type of hate speech is destructive for a person, his or her status in society, health, and future, and ensuring the protection of human rights requires combating this phenomenon.

### CONCLUSION

Hate speech poses a serious threat to social stability, human rights, and democratic development. Its manifestations in the media and social networks require comprehensive counteraction, both legal and educational. The balance between freedom of speech and the protection of society from hateful statements is a key condition for the formation of a tolerant media environment.

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