
Editor's Note

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This collection of articles is the result of the first International Symposium on *Hate Speech, Symbols and Memories* that took place at the Faculty of Political Sciences, University of Zagreb, Croatia, from June 5th to 7th 2018 as part of the research project *Hate Speech in Croatia*. As the organizer of the symposium, I am obliged to all prominent scholars for their contribution in debating hate speech/free speech controversies, especially our special guests Eric Heinze and Natalie Alkiviadou, for coming to Croatia; on top of their presentations, they held additional lectures for students on understanding new phenomena around free speech and how it has been regulated.

New conflicting debates on freedom of speech have been shaped around limiting freedom of expression, political correctness, hate and extreme speech, aiming at policing speech and symbolic manifestations of expression, questioning historical narratives through the so-called memory laws, and the politics of public space, i.e. reclaiming the public space through its political remodeling by questioning particular symbolic meanings and removing/replacing “undesirable” monuments, renaming streets, squares, etc. After years of researching hate speech/free speech controversies, the idea for the symposium became logical, so we did not merely want to present our current research related to the *Hate Speech in Croatia* project among the international scholars, but even more than that. Namely, I had the feeling that our ongoing current debates on hate speech, memories, and symbols became probably the most divisive political issues in Croatia, and hence detrimental for furthering political dialogue, basically polarizing and antagonizing society and igniting memory wars on the so-called Ustasha/Fascists v. Partisans/Communists political axis. The discourse of banning speech and symbols has been proliferating especially in the light of the general lack of understanding of what the concept of “hate speech” is, as well as of what “freedom of expression” means. Another core motivation for this edited collection of articles was to closely examine the abovementioned con-

cepts of “hate speech” and “memories” in the intersection of political science and law, especially in the context of various political and legal pressures for censoring speech and banning symbolic expressions, including those related to memory laws that aim toward “legal governance of history” and prescribing “duty to remember” (Belavusau & Glizczyńska-Grabias, 2017: 1, 6).

Usually, edited volumes begin with the general approach about the topics in question proceeding toward more particular. I opted for the opposite way. In this collection we start with the articles tackling recent debates, very particular and very controversial in their social context, and from there, we end up in providing comprehensive overviews on the European and international legal frameworks along with various case-laws as examples of how these controversial free speech/hate speech issues can fall, or not, into the array of legal regulations.

The first text in this collection is written by our special guest and distinguished scholar in free speech and democracy Eric Heinze (Queen Mary, University of London), and it deals with one of the most controversial current debates in the domain of free speech, especially in the Anglo-American context, about censoring speech at the universities, or “no-platforming” phenomena and creating so-called “safe spaces”. In that respect, Heinze’s study represents an excellent contribution to these ongoing debates, as well as a seminal work of that sort in the context of the Croatian readership. The second article in this collection is my own. Entitled “On Memory Politics and Memory Wars: A Critical Analysis of the Croatian *Dialogue Document*”, the article focuses on the concepts of memory politics, memory wars, and the role of mnemonic actors by delving into the origins of the politics of memory in Croatia from the 1990s. What I am particularly concentrating on is the outcome of extensive discussion led by government-appointed *Council for Dealing with the Consequences of Undemocratic Regimes*, namely their *Dialogue Document* which was made public on February 28, 2018 and its shortcomings in providing a fair assessment of conflict-ridden historical narratives, and especially on its incoherencies and confusions in delivering recommendations for regulating controversial symbolic expressions in Croatia. The third article by Đorđe Gardašević (Law Faculty, University of Zagreb) continues on examining the topic of controversial symbols in the context of freedom of expression by focusing particularly on the analysis of the ways in which the most controversial salute in Croatia – “For the Homeland Ready” – has been approached from the constitutional law perspective, and by the courts in Croatia, as well as providing an excellent overview of the European case-law examples and legal frameworks relevant for that discussion. Nebojša Blanuša and Enes Kulenović (Faculty of Political Sciences, University of Zagreb) offer the results of the most recent survey research made regarding the attitudes of Croatian citizens on regulating hate speech and controversial symbolic expressions. This research

follows the one made in 2016 and as such it contributes to continuous tracking of the context in which the heated debates about banning or not banning speech and symbols deeply divides Croatian society. Without revealing the results of the survey right away, what should be noted is that polarization over these contentious issues is growing, thus narrowing down further possibilities for continuous dialogue. The fifth article, by our special guest Natalie Alkiviadou (School of Law, University of Central Lancashire Cyprus), brings a research of the international and European regulation of hate speech along with numerous case-laws. More particularly, it provides an analysis of the European Court of Human Rights and its position regarding hate speech that should be of great interest for Croatia as a European Union member. Alkiviadou concludes that there is no common approach amongst international and European institutions on what hate speech is. Finally, the last article in this collection is written by Vesna Alaburić (lawyer and political scientist) and it, again, logically follows the previous article. Like Alkiviadou, Alaburić problematizes the concept of hate speech via the European jurisprudence binoculars. The article provides a detailed overview of the international legal documents targeting hate speech along with numerous case-law examples related to the ways in which the European Court of Human Rights interprets the European Convention on Human Rights. It concludes that European jurisprudence concerning hate speech is still unsettled especially due to the fact that there is no clear definition of hate speech.

Finally, the need for a collection of articles about limiting freedom of speech, about facing the past, symbols and memories is of fundamental value for understanding the limits of our own ideological cages. This is especially evident as well as detrimental for democratic culture when labelling those who we disagree with as “enemies”. For that reason it might be at the end both relevant and provocative to quote from once influential Croatian politician and his philosophical reflections about freedom of consciousness and politics: “Very often, in their public appearances, the ideologists of repressive systems can say that they are for the freedom of consciousness, but only for the freedom of consciousness that affirms the totality of official ideology and politics, insisting that such freedom is not valid for ‘enemies’, which imply all opponents according to the motto: ‘Who is not with us, is against us’. Because this motto means: ‘Whoever does not fully accept, without limitation, the integrity of our ideology and does not act in accordance with the integrity of our ideology, is against our ideology’. And who is against our ideology, is against our government, our state, our regime – that is the enemy. And there can be no freedom for the enemy” (Šeks, 1994: 113).

REFERENCES

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