

## *Hate Speech vs. Free Speech*

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Guest Editors:

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### **Scope of our Special Issue:**

Opinions, facts, truth, and impossibility are continuously being expressed through languages and other semiotic systems. In democratic culture, written and verbal discourses are key moments. Paradoxically, speech on the Internet is increasingly understood as communication involving mass participation and interaction:

“The ability of individuals and groups to share their views with others, and build on the ideas of others, and the promotion and dissemination of knowledge and opinion. All these values remain as important in a world of blogs, search engines, and social software.” (Balkin)

In a positivist sense, speech carries legal protections such as standard safeguards for freedom of expression. Yet, speech is often more than straightforward communication through language. For example, the term “act of expression” may even include “displays of symbols, failures to display them, demonstrations, many musical performances, and some bombings, assassinations, and self-immolations” (Scanlon). Accordingly,

“Since acts of expression can be both violent and arbitrarily destructive, it seems unlikely that anyone would maintain that as a class, they were immune from legal restrictions.” (Scanlon).

Legal restrictions on expression may take the form of imposition of criminal sanctions, or of the general recognition of the courts of the right of persons affected by the acts.

In a traditionalist sense, speech is a fluid communication of ideas that are expressed, change, and often morph through altered meaning and context. Ideas are fluid and morph depending upon received responses which perpetuate the evolving communication. Yet, through the context of the web, speech remains static and ever present, often in ways that have potential for harm through the permanence of the medium. As an example, the online social medium Twitter not only promises freedom of speech to its users, but also massively amplifies the scope for hate speech with the re-tweeting facility for ideas that remain as initially presented.

The shift in the nature of speech on social media means that drawing the line between hate speech and the legitimate exercise of freedom of speech is more challenging than ever. Obviously, there are still limits, to the extent that certain utterances or expressions are clearly hate speech and no longer enjoy protections as free speech. However, legal arguments about hate speech often appeal to “intention” or “injured feelings”, but rarely engage in analysis of pragmatic factors such as mitigation (hedging) that have been extensively discussed by linguists, or conduct fine-grained analysis of the degree of responsibility that an author asserts

in his/her text. Conversely, when linguists analyze examples of hate speech, they may find it hard to follow the legal reasoning used in such cases. Both for legislation that restricts speech as “hate speech” in order to ensure dignity, respect, and equality, and for web-based regulatory bodies on social media platforms (Twitter, Facebook, Instagram) that devise policies to prevent the reposting of violence or violent speech, it would be desirable to move towards an understanding of hate speech/free speech that takes both legal and linguistic aspects into account.

*Contributions are requested for – but not limited to – the following topics:*

- Multicultural and variable aspects of Free Speech and Hate Speech over time and space,
- Contextualized discourse analyses across Free Speech and Hate Speech,
- Specific aspects of Free Speech and Hate Speech on social media platforms,
- Making meaning in Law and meaning-making in Linguistics,
- Linguistic analysis of criteria used in judgments on cases of Hate Speech and/or Free Speech,
- Critical analysis of policy documents on Hate Speech and Free Speech.

This is the logical evolution of the work started by Anne Wagner and Sarah Marusek and published in “Law, Culture and the Humanities” – *Rumors on the Net – A Brackish Suspension of Speech and Hate*, [doi.org/10.1177/1743872119880121](https://doi.org/10.1177/1743872119880121)

### **Submission info:**

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We will accept up to 12 papers of almost 10,000 words (references included).

1. Please send your abstract (300 to 500 words) to Anne Wagner ([valwagnerfr@yahoo.com](mailto:valwagnerfr@yahoo.com)), Jacob Mchangama ([jacob@justitia-int.org](mailto:jacob@justitia-int.org)) and Natalie Alkiviadou ([natalie@justitia-int.org](mailto:natalie@justitia-int.org))
  
2. **Deadlines:**
  - Abstract submission: **15 May 2021**
  - Abstract Acceptance: **15 June 2021**

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