ATTACKS ON HISTORY: THE ESSENTIAL GLOSSARY

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© **Antoon De Baets**

a.h.m.de.baets@rug.nl

Abbreviation: ICCPR = International Covenant on Civil and Political Rights

Abuse of history: Use of history with intent to deceive. Achieved through distortion or denial. Breaches the integrity of history. Often ingredient of attacks on history.

Academic freedom: Freedom at higher-education institutions to teach in class, to discuss in public, to do and publish research, and to participate in professional or representative academic bodies without coercion or censorship threat.

Accusation, spurious: Accusation without proper basis, often politically motivated.

Archival cleansing: Legally unauthorized destruction of archival records.

Archival obstruction: Abusive restriction of access to and use of records by means of political, legal, or administrative measures or through over- and reclassification. Form of censorship.

Archival secrecy: Prohibition of access to archival records. Censorship if illegal and/or disproportionate.

Atrocity crimes: Umbrella term for genocide, crimes against humanity, and war crimes as defined in the Rome Statute of the International Criminal Court.

Atrocity denial: 1. Simple denial: factual claim that past atrocity crimes recognized as such by international courts in their final judgments or by the community of scientific experts in virtual consensus, did not take place, or normative claim that these crimes are not atrocity crimes. 2. Qualified denial: rhetorically disguised forms of denial such as minimizing, disputing, condoning, justifying, or glorifying atrocity crimes. Alongside distortion, main form of abuse of history. Often hate speech, if the denial claim is not stated erroneously, ignorantly, in good faith, or for legitimate

legal, journalistic, or scientific purposes. Censorship if officially imposed while excluding alternatives. Crime if directly and publicly inciting to prepare, start, or continue violence against target groups.

Atrocity denial laws: Laws prohibiting, fining, repairing, or criminalizing the public denial, minimization, disputation, condoning, justification, or glorification of atrocities. Compatible with international human rights law if the denial is a form of hate speech. Risk of censorship when overbroad or when including opinions that are not hate speech.

Atrocity propaganda: False claim made by State (or group) A with intent to confuse or discredit that 1. State (or group) B or its predecessors committed atrocity crimes; 2. historians who disclosed evidence for atrocity crimes committed by State A, lie; 3. historians who questioned evidence provided by State A for an atrocity crime committed by State B, lie. Refutation by State B or by historians of State A's false claim not to be confused with atrocity denial. *See* propaganda, historical.

Attacks on history: Threats or uses of force by State or non-State actors against historians or their work with intent to silence them. Often accompanied by abuse of history.

Blasphemy: Statement deemed insulting to a (usually dominant) religion or other belief system, or to its doctrines, symbols, leaders, personalities, or adherents.

Blasphemy laws: Laws punishing blasphemy. Incompatible with international human rights law.

Censorship: Systematic control over the content or exchange of facts or opinions (typically by suppression) by others than the speaker. Violation of the right to free expression.

Censorship, cross-border: State attempts to suppress unwelcome opinions circulating abroad with the help of visits, diplomacy, lobbying, funding, propaganda, and visa policy. Synonym: transnational repression.

Censorship of history: Systematic control over the content or exchange of historical facts or opinions (typically by suppression) by others than their creators (government, colleagues, superiors, sponsors, institutions, professional societies, publishers, source providers, pressure groups, audiences). Abuse of history. Term often polemically co-opted.

Censorship, positive: Name sometimes given to propaganda.

Charge, spurious: Charge which, although lawful, is incompatible with international human rights law for being formulated too broadly or applied arbitrarily or disproportionately, often leading to malicious prosecution.

Chilling effect: Deterring effect, on an individual and others, of a disproportionate restriction or sanction on the free expression of that individual, often with intent to encourage self-censorship.

Cleansing: *See* archival cleansing; cultural cleansing; ethnic cleansing.

Coercion: Force or threat of force to pressure individuals directly or indirectly into doing something against their will with intent to dominate them, especially by using authority and exploiting fear. *See* non-coercion principle.

Commemoration: Ceremonial practice, often formal, official, and collective, in which historical figures or events are remembered with respect.

Crimes against freedom of expression: Crimes against individuals for using their right to free expression, including killing, death threats, abduction, hostage taking, arbitrary arrests, prosecutions, imprisonment, torture, inhuman and degrading treatment, harassment, intimidation, and deportation. Also include the confiscation of, and damage to, their equipment and property.[1]

Crimes against the future: Acts committed with intent to destroy a national, ethnical, racial or religious group in whole or in part, particularly by imposing measures intended to prevent births within that group (Article II of the United Nations Genocide Convention).

Crimes against history: Crimes committed as part of a widespread or systematic attack on history pursuant to or in furtherance of a State or non-State policy, such as the illegal imprisonment, torture, assassination, and disappearance of historians, or the denial of atrocity crimes. Violates, where applicable, the human rights to life, fair trial, free thought, free expression, equality, culture, and science. Abuse of history.

Crimes against memory: Crimes committed as part of a widespread or systematic attack on memory pursuant to or in furtherance of a State or non-State policy, such as or the intentional destruction of

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[1] Derived from International Mechanisms for Promoting Freedom of Expression, Joint Declaration on Crimes against Freedom of Expression (2012), paragraph 4; https://www.osce.org/files/f/documents/c/2/91595.pdf.

cultural heritage, or the denial of atrocity crimes. Violates, where applicable, the human rights to free thought, free expression, culture, and science.

Crimes, atrocity: *See* atrocity crimes.

Cultural cleansing: *See* cultural heritage, intentional destruction of.

Cultural heritage: Movable or immovable tangible expression (including monuments, archaeological sites, museums, archives, and libraries) or intangible expression (practices, representations, knowledge, skills, and the instruments, objects, artefacts, and cultural spaces associated with them) of the way of living of a community that is passed on from generation to generation.

Cultural heritage, intentional destruction of: Under international criminal and humanitarian law, act with intent to destroy cultural heritage in whole or in part. War crime; crime against memory. *See* iconoclasm; vandalism.

Cultural heritage, pillage of: Illegal appropriation of movable cultural heritage. Synonyms: looting, spoliation.

Culture wars: Chains of public controversies between conservative and progressive opponents intended to determine which beliefs, values, and practices should be adopted. *See* history wars; memory wars.

Deception: In a free expression context, willfully manipulated information with or without intent to harm or obtain unfair advantage. Non-malicious manipulation can occur for literary, satirical, or educational reasons.

Defamation: Harming the reputation of living individuals in written (libel) or spoken (slander) form.

Defamation and insult, charge of: Charge that individuals harmed the reputation, or insulted the honor, of a living or dead person. Often disguised censorship attempt.

Defunding: Sudden reduction in, freezing, or cancelation of budgets with intent to punish.

Deletion: *See* erasure.

Democracy: System of government, based on the rule of law, where citizens periodically, freely and fairly elect a political leadership that respects their human rights, protects the rights of minorities, provides separation of powers, and ensures public accountability.

Denial: *See* atrocity denial.

Denialism: Practice of atrocity denial. Synonym: negationism. *See* revisionism, historical.

Denial laws: *See* atrocity denial laws.

Disinformation: Dissemination of misleading or false information with intent to deceive or harm. Term often co-opted derogatorily in attacks against those exposing disinformation. *See* misinformation.

Distortion: Plagiarism, piracy, fabrication, falsification, erasure, or suppression of facts and opinions with intent to deceive. Alongside denial, main form of abuse of history.

Doxing: Online disclosure of personal data (such as name, address, telephone, email, social security number, photos) identifying targets without their consent. Criminal form of online harassment and malinformation.

Epistemic injustice: Form of injustice adversely affecting the epistemic chain from sources of information to narratives and systematically distorting the resulting knowledge.

Erasure: Act of deleting relevant facts or opinions. Belongs to the distortion type of abuse of history.

Ethnic cleansing: Policy of rendering areas ethnically homogeneous by using force or intimidation to expel civilians of other ethnic or religious groups. Often accompanied by atrocity crimes.

Fabrication: Invention of facts and opinions ex nihilo with intent to deceive. Belongs to the distortion type of abuse of history.

Fake news: Disinformation posing as news. *See* disinformation.

Falsification: Altering facts or opinions with intent to deceive. Often through embellishment or vilification. Belongs to the distortion type of abuse of history. *See* disinformation.

Fighting words: Words meant to incite immediate violence.

Freedom of association: Human right of individuals to organize themselves in independent non-profit entities to voluntarily pursue common interests or activities (Article 22 ICCPR).

Freedom of expression: Human right of individuals to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of their choice (Article 19.2 ICCPR). Its scope includes erroneous and false statements, except when the latter constitute hate speech.

Freedom of expression about the past: Free expression about history, memory, tradition, heritage, and other past-related phenomena, including the rights to express critical historical opinions and to seek historical truth through access to original sources, research, exchange, and debate.

Freedom of expression, prohibition of: Legally prescribed ban of, fine for, or punishment for propaganda for war and hate speech (Article 20 ICCPR). Risk of censorship.

Freedom of expression, restriction on: Limitation on free expression which must be provided by law and necessary for respect of the rights or reputations of others or for the protection of national security or of public order, or of public health or morals. No violation of free expression or censorship if done in compliance with the permissible restrictions of Article 19.3 ICCPR.

Freedom of expression, suspension of: Possibility of States to derogate from their obligations regarding the right to free expression during an emergency threatening the life of the nation, if the derogation is time-limited, proportionate, and only to the extent strictly required by the exigencies of the situation.

Freedom of expression, violation of: Limitation of free expression by States that goes beyond the permissible restrictions of Article 19.3 ICCPR.

Freedom of information: Human right of individuals to access and divulge information held by public authorities (Article 19.2 ICCPR).

Freedom of opinion: Human right to hold or adopt opinions without interference.

Freedom of peaceful assembly: Human right of individuals to peacefully meet, discuss, and protest together (Article 21 ICCPR).

Freedom of thought: Absolute and non-derogable human right to hold or adopt the thoughts or beliefs of one's choice (Article 18 ICCPR). Subject to limitations if one's thoughts or beliefs are manifested, either individually or in community with others and in public or private. *See* non-coercion principle.

Genocide denial: *See* atrocity denial.

Genocide denial laws: *See* atrocity denial laws.

Harassment: Abusive expression or conduct, often online, with intent to intimidate individuals or cause emotional distress, including through death threats, defamation, allegations of professional incompetence, calls for dismissal or censure, and criticism of their employer.

Hate speech: Under Article 20 ICCPR, prohibited speech advocating national, racial or religious hatred that incites to discrimination, hostility or violence. Historical hate speech (hate speech related to the origins or past of individuals, groups, or peoples) is an abuse and crime of history. *See* incitement to discrimination, hostility, or violence.

Hate speech laws: Under Article 20 ICCPR, obligatory laws to prohibit hate speech, possibly including fines and punishment for suspects and reparation for their victims. Risk of censorship when overbroad or vague.

Heckler's veto: Preventing speakers from taking the word with disruptive acts.

Historians: In the broad sense, all those involved, professionally or otherwise, in the collection, creation, or transmission of history understood as a narrative about the past.

Historical fact, established: Qualification for the Holocaust used by the European Court of Human Rights.

History politics: Politics designed to determine how the past is to be studied and taught. *See* memory politics.

History wars: Chains of public controversies intended to determine how a given set of historical events is to be studied and taught. *See* culture wars; memory wars.

Iconoclasm: Campaign of intentional destruction of cultural heritage. *See* vandalism.

Incitement to discrimination, hostility, or violence: Direct or indirect, explicit or implicit statement about individuals or groups intentionally encouraging others to act so that it creates imminent risk of discrimination, hostility or violence against these individuals or groups. *See* hate speech.

Indoctrination: Repeating one idea to listeners while preventing other ideas from reaching them until it is accepted unquestioningly. Synonym: brainwashing. *See* dogma.

Information, right to: *See* freedom of information.

Insult: Breach of a living individual's honor.

Integrity of historians: Principle that historians must behave and work responsibly, that is, honestly (in good faith, incorruptibly), accurately, and critically.

Integrity of historical writing: Principle that historical writing, including historiographical and philosophical reflection on it, must not be corrupt.

Intimidation: Threat to individuals with intent to scare them.

Laws, abusive: Laws that do not meet the principles of legality (because they are vaguely worded or contain overbroad provisions allowing arbitrary interpretation and discretion), legitimacy (because they are used for illegitimate purposes or for legitimate purposes for which they were not intended), or necessity (because the restrictions imposed are unnecessary or disproportionate).

Lie: False statement expressed with intent to deceive or harm.

Loyalty oath: Oath imposed on elected officials or State employees to affirm their loyalty to an ideology, party, or government, or disavow other loyalties deemed subversive. *See* compelled speech.

Memory laws: Laws that either declare that specific historical events happened or penalize the expression of opinions about historical facts that differ from those prescribed in these laws. The coercive type is incompatible with Article 19 ICCPR, the declaratory type is not.

Memory politics: Politics designed to determine how the past is publicly remembered. *See* history politics.

Memory wars: Chains of public controversies intended to determine how the past is to be publicly remembered. *See* culture wars; history wars.

Misconduct, scholarly: Breach by scholars of legal or moral norms (use of offensive language in classrooms; intimidating and discriminatory treatment of colleagues and students) or professional norms short of fraud (abusive conduct related to sources and data, research practice, and representation and publication). *See* fraud; questionable research practices.

Misinformation: Dissemination of misleading or false information without intent to deceive or harm. *See* disinformation.

National security: Protection of the existence of the nation, its sovereignty, territorial integrity, or political independence against a large, likely, and imminent use of force by external or internal opponents. Permissible restriction ground for free expression if strict conditions are met.

Negationism: *See* denialism.

Persecution of historians: Intentional and severe deprivation of the human and professional rights of historians because they are historians or for discriminatory reasons of a political, national, ethnic, racial, religious, or other nature, ranging from the destruction of their infrastructure of sources and resources to pressure, harassment, and unfair dismissal, public attacks, and to crimes against freedom of expression and crimes against history (imprisonment, torture, exile, and death).

Piracy: Unauthorized appropriation, reproduction and/or distribution of another's work, usually for commercial purposes. Copyright infringement. Censorship if name of original author remains unacknowledged. Censorship and crime if consisting of the appropriation of unpublished work of others. Belongs to the distortion type of abuse of history.

Plagiarism: Intentional presentation of facts or opinions originally expressed by others as own work without appropriate source attribution. Copyright infringement. Often takes the form of unannotated quotation or sloppy paraphrazing. Belongs to the distortion type of abuse of history.

Political killings of historians: Deaths of historians as the direct and intended result of attacks by State and non-state agents (extrajudicial assassinations, unlawful judicial executions, and enforced disappearances) or the indirect but immediate result, intended or not, of persecution (in-detention deaths, deaths following ill-treatment, and suicides due to severe political pressure or impending deportation), carried out *either* because the historians were targeted in their capacity as historians *or* because they belonged to a group of intellectuals, academics, journalists, human rights defenders, or political activists, *or* because they belonged to a specific national, racial, ethnic, or religious group. Crime against history.

Privacy: Human right encompassing the private life, family, home, or correspondence of a living individual (Article 17 ICCPR).

Privacy, charge of invasion of: Charge that an individual, institution or content provider intruded upon the privacy of a living or dead person. Sometimes disguised censorship attempt.

Privacy, posthumous: Privacy of dead persons.

Propaganda: Systematic manipulation of facts or opinions (through distortion or denial) by the government or other powers with intent to persuade, deceive, or intimidate. Close to disinformation. Often accompanies censorship. Under Article 20 ICCPR, prohibited if encouraging armed conflict or containing hate speech. Under international criminal law, punishable if inciting to racial discrimination, persecution, or genocide.

Propaganda, atrocity: *See* atrocity propaganda.

Propaganda for war: Incitement to the crime of (military) aggression or other breaches of the peace against another State (*ad bellum*). Prohibited under Article 20 ICCPR. *See* war propaganda.

Propaganda, historical: Systematic manipulation of historical facts or opinions (through distortion or denial) by the government or other powers with intent to persuade, deceive, or intimidate. Close to disinformation. *See* atrocity propaganda.

Prosecution, malicious: Initiating criminal or civil cases without sufficient legal basis, often politically motivated and based on spurious charges, with intent to harm or secure unfair advantage.

Protest: Public demonstration against government or institutional policies. Human right if peaceful (Article 21 ICCPR).

Public debates about history: Public confrontations of adversarial opinions about the past, consisting of direct debates in oral or written form between two or more individuals, or of indirect debates in written form between two or more individuals separated in time. Can be held between experts ("academic debate"), non-experts ("lay debate"), or both.

Public order: Set of rules that ensures the functioning of society. Permissible restriction ground for free expression if strict conditions are met.

Public safety: Protection of the safety of individuals, their life or physical integrity or against serious damage to their property. Permissible restriction ground for the freedoms to manifest one's religion or belief, peaceful assembly, and association if strict conditions are met.

Regime censorship paradox: In a repressive society there is less information about usually more serious censorship, whereas in a democratic society there is more information about usually less serious censorship.

Reputation: Human right encompassing the good name (fame, esteem) generally held by living individuals within a community (Article 17 ICCPR). Permissible restriction ground for free expression if strict conditions are met.

Reputation, posthumous: Reputation of dead persons.

Responsibilities of historians: Responsibilities to respect history and historians (including respecting the integrity of history); to protect history and historians (including opposing abuses of and attacks on history); and to promote history (including creating favorable conditions for historical research, teaching, and debate). *See* ethics for historians, code of; rights of historians; State obligations in the field of memory and history.

Revisionism, historical: 1. Revision of historiography after the use of new evidence or methodology, or new questions, perspectives, or interpretations. 2. Name given to denialism or negationism by deniers themselves.

Rights of historians: Human rights to freedom of thought, opinion, expression, peaceful assembly, association, movement, education, and culture, among others, and professional rights associated with academic freedom. *See* ethics for historians, code of.

Rule of law: Governance principle in which all individuals and institutions are accountable to laws that are publicly promulgated, equally enforced, and independently adjudicated.

Science: Evidence-based and peer-reviewed knowledge provisionally accepted as a reliable and plausible representation of reality.

Secrecy: Intentional concealment.

Securitization of history: Policy that treats history not as a free expression issue but as a national security issue.

Sedition: Speech inciting armed rebellion against the government.

Sedition laws: Laws punishing sedition. Formulated too broadly if including peaceful advocacy of State reform.

Self-censorship: Omission, voluntary or not, of relevant facts or opinions for fear of negative personal consequences. Often preceded by reluctance to investigate these facts and opinions. Most efficient, widest spread, and least visible form of censorship.

Silence: Umbrella term for all types of absence or omission of information or themes in sources, archives, narratives, and historiography.

SLAPPs (Strategic lawsuits against public participation): Manifestly unfounded freedom of information requests or court proceedings filed by a private party or the State against critical opponents with intent to silence them by forcing them to invest much time and incur high costs for their defense. *See* lawfare.

State obligations in the field of memory and history: Specific State obligations regarding memory and history, inferred directly or through international treaty interpretation rules from general State obligations in the field of human rights, particularly those to respect, protect, and promote human rights, and those to investigate, make reparation for, and prevent human rights violations. *See* responsibilities of historians.

Suppression: Intentional minimization or omission, sometimes coerced, of relevant facts and opinions. Belongs to the distortion type of abuse of history.

Surveillance: Observation of individuals or groups, including their communications, with their knowledge (overt) or without their knowledge (covert), with intent to collect data about them.

Surveillance, unwarranted: Secret tracking, often digitally, of masses or targeted individuals, including their communications, by police, army, or others with intent to collect bulk data on their conduct at home, at work, during protests, and elsewhere.

Terrorism: Criminal acts committed with intent to kill civilians, physically harm them, or hold them hostage, with the purpose of provoking a state of terror in the general public or target groups.

Tradition: Ancient ceremonial practice repeated for generations to the present day.

Trolling: Anonymous online vilification of individuals, often by controlled mobs, with intent to provoke hostility against them. Form of online harassment.

Trolling of forums: Participation in forums with intent to maliciously disrupt discussions or to spy and report to the authorities.

Truth, historical: Evidence-based and peer-reviewed facts and opinions about the past provisionally accepted by the peer community of expert historians as reliable and plausible representations of that past.

Vandalism: Campaign of arbitrary destruction of cultural heritage. *See* iconoclasm.

War propaganda: Propaganda during a war (*in bellum*). Prohibited if constituting hate speech (Article 20 ICCPR). *See* propaganda for war.

Watchlists: Online lists of individuals (sometimes including their personal data) supposedly requiring surveillance. Form of online harassment. *See* doxing.

Whitewashing history: Suppression of relevant historical facts and opinions with intent to make historical narratives more acceptable. *See* framing; omission, improper.