

EDITORIAL

Dear Readers,

The second issue of the scientific journal *Facta Universitatis: Law and Politics* for the year 2020 contains articles from different fields of law, social sciences and humanities.

Jelena Petrović, PhD in Economics, Associate Professor, University of Niš, Faculty of Science and Mathematics, Department of Geography, Niš, Serbia, and **Žarko Dimitrijević**, LL.D., Public Enforcement Officer for the area of the High Court and the Commercial Court in Niš, Serbia, submitted the paper titled “*The Impact of International Tourism on Energy Consumption: a panel study of the Western Balkans and the European Union*”. During the 21st century, international tourism has recorded a steady increase and a rising importance for the economic growth and development of many countries. Tourism in general and international tourism in particular require a vast amount of energy for products and services that are needed to satisfy tourists` needs and wants. The purpose of this paper is to analyze the impact of international tourism on the final energy consumption in the Western Balkans and the European Union countries in the period from 2007 to 2017. The results of regression analysis indicate that the impact of the number of foreign tourists on final energy consumption depends on the level of international tourism development.

Dorđe Đekić, PhD, Associate Professor, History Department, Faculty of Philosophy, University of Niš, Serbia, submitted the paper titled “*Banishment from Home in Serban Medieval History*”. Banishment from home is an old type of punishment, which was mainly used in regulating family relationships. It was first recorded in the Hammurabi’s Code and subsequently envisaged in other legal systems. The first record of this punishment in Serbian legal history dates back to the medieval times, when King Stephen the First-Crowned banished his wife Eudokia for adultery. It was also recorded in the second Charter of Ziča, in Emperor Dušan's Code, in the abridged version of Mateus Blastares' *Syntagma Canonum*, and in the Code of Justinian, but not always as a form of punishment. It was quite a common feature in the medieval statutes of Kotor, Skadar and Budva. The research presented in this paper, has shown that this legal institute had different features and functions in the observed period.

Darko Dimovski, LL.D., Associate Professor, Faculty of Law, University of Niš, Serbia, submitted the paper titled “*Hate Crime Prevention Programs*”. Although many countries have criminalized hate this form of violent crime, few countries pay special attention to prevention measures aimed at countering hate crimes. In this paper, the author presents the hate crime prevention programs launched in the countries that have advanced most in the implementation of these prevention measures. The first two parts of the paper are dedicated to the analysis of special hate crime prevention programs focusing on the perpetrator, while the third part presents the programs focusing on the potential victims. The last part of the paper discusses the role of the media as the bearers of hate crime prevention programs.

Danilo Kostić, Attorney-at-law, PhD student, Faculty of Law, University of Niš, Serbia, submitted the paper titled “*Exclusion of Illegality of Offensive Speech given in defence of a right or protection of justified interests*”. This scientific article analyzes the

basic features and elements of the criminal offense of insult from the theoretical and normative aspect, with specific reference to the analysis of the conditions necessary for the application of the special legal ground for excluding illegality of offensive speech, stipulated in Article 170 (4) of the Criminal Code of the Republic of Serbia. Relying on the critical analysis of national criminal legislation and a brief review of national courts' practice, the author points to the contradiction of adopted legal standpoints when interpreting the disputed provisions, and emphasizes the importance of ensuring uniform and consistent court practice in this field.

Dorđe Đelić, Attorney-at-law, PhD student, Faculty of Law, University of Niš, Serbia, submitted the paper titled "*Culpability as an essential element of indictment and the operative part of the judgment*". The author deals with culpability as a subjective element of the general notion of a criminal offense, which must be an integral part of every indictment and the operative part (disposition) of the judgment on conviction. After presenting the notions of a criminal offense and culpability in Serbian criminal law theory and current legislation, the paper focuses on the content of indictment and judgment on conviction, and discusses the issue of the subjective and objective identity of an indictment and judgment in theory and legislation, focusing on a violation of the identity of an indictment and a judgment in case of entering culpability into the disposition of the judgment on conviction. The author also provides examples from the practice of higher-instance courts in Serbia and a critical standpoint on the legal reasoning in the decisions where the court found a violation of the Criminal Code, given that the scope of an indictment has been exceeded in terms of culpability.

Andelija Nešović, LL.M., PhD student, Faculty of Law, University of Niš, Serbia, submitted the paper titled "*Criminal Sanctions in Dušan's Code*". Dušan's Code, one of the most important legal document of medieval Serbia, was largely based on the Byzantine legal tradition and Serbian customary law. It envisaged a rigorous system of criminal sanctions and severe forms of punishment. In this article, the author presents and analyzes relevant provisions of Dušan's Code on criminal sanctions and forms of punishment imposed on criminal offenders in medieval times. Based on this analysis, the author contrasts these provisions with the positive criminal legislation of the Republic of Serbia. The research methodology is based on the historical, dogmatic and normative methods.

We hope you will enjoy reading the results of scientific research on the legal, criminological, historical, and social issues that the contributing authors have chosen to discuss in their theoretical and empirical research. The multidisciplinary nature of the submitted papers and the authors' choice of current legal issues indicate that our scientific journal *Facta Universitatis: Law and Politics* is open to different approaches to the legal matter under observation and committed to publishing scientific articles across a wide range of social sciences and humanities. In that context, we invite you to submit research articles on topics of your professional interest.

We would like to extend our appreciation and gratitude to our distinguished reviewers whose professional attitude to double-blind peer review has significantly contributed to the quality of our scientific journal.

Editor-in-Chief

Prof. Miomira Kostić, LL.D
Niš, 9th September 2020