This item was submitted to Loughborough's Research Repository by the author.
Items in Figshare are protected by copyright, with all rights reserved, unless otherwise indicated.

We hate to quote Stanley Fish, but "there's no such thing as free speech, and it's a good thing too". Or is it?

PLEASE CITE THE PUBLISHED VERSION

https://www.zedbooks.net/

PUBLISHER

Zed Books

VERSION

NA (Not Applicable or Unknown)

PUBLISHER STATEMENT

This work is made available according to the conditions of the Creative Commons Attribution-NonCommercial-NoDerivatives 4.0 International (CC BY-NC-ND 4.0) licence. Full details of this licence are available at: https://creativecommons.org/licenses/by-nc-nd/4.0/

LICENCE

CC BY-NC-ND 4.0

REPOSITORY RECORD

Grantham, William, and Toby Miller. 2019. “We Hate to Quote Stanley Fish, but "there's No Such Thing as Free Speech, and It's a Good Thing Too". Or Is It?”. figshare. https://hdl.handle.net/2134/24132.

‘A unique transnational take on the weaponisation of liberal values after the Paris attacks. *After Charlie Hebdo* takes Islamophobia apart and equips us for the fight back.’
Liz Fekete, Director, Institute of Race Relations

‘An engaging contribution to our understanding of the 2015 attacks, examining the media framing of the event and the conflict of values it created in public debate.’
Romain Badouard, University of Cergy-Pontoise

‘A bold, challenging and forthright collection that raises fundamental questions around issues of race and identity.’
Michael Cronin, Trinity College Dublin

‘These essays offer stimulating perspectives on the violent paradoxes of French liberalism. For English speakers, they give valuable context to the political dynamics behind the Charlie episode.’
Nick Riemer, University of Sydney

‘The attack on *Charlie Hebdo* has been a transformative event, one that presents particular challenges for freedom of speech. This insightful collection helps us to reflect on how we can develop an alternative narrative on violence, racism and freedom of expression.’
Donatella della Porta, Scuola Normale Superiore (Florence)

AFTER CHARLIE HEBDO

TERROR, RACISM AND FREE SPEECH

Edited by Gavan Titley, Des Freedman, Gholam Khiabany and Aurélien Mondon

ZED

After Charlie Hebdo: Terror, Racism and Free Speech was first published in 2017
by Zed Books Ltd, The Foundry, 17 Oval Way, London SE11 5RR, UK.

www.zedbooks.net

Editorial Copyright © Gavan Titley, Des Freedman, Gholam Khiabany and
Aurélien Mondon 2017

Copyright in this collection © Zed Books 2017

The rights of Gavan Titley, Des Freedman, Gholam Khiabany and Aurélien Mondon
to be identified as the editors of this work have been asserted by them in
accordance with the Copyright, Designs and Patents Act 1988.

Typeset in Plantin and Kievit by Swales & Willis Ltd, Exeter, Devon
Cover design by Andrew Brash

All rights reserved. No part of this publication may be reproduced, stored in a
retrieval system or transmitted in any form or by any means, electronic, mechanical,
photocopying or otherwise, without the prior permission of Zed Books Ltd.

A catalogue record for this book is available from the British Library

ISBN 978-1-78360-939-0 hb
ISBN 978-1-78360-938-3 pb
ISBN 978-1-78360-940-6 pdf
ISBN 978-1-78360-941-3 epub
ISBN 978-1-78360-942-0 mobi

CONTENTS

Acknowledgements | vii

Introduction: Becoming symbolic: from *Charlie Hebdo* to 'Charlie Hebdo' 1
Gavan Titley

PART I: THE CONTESTED REPUBLIC

1 *Charlie Hebdo*, Republican secularism and Islamophobia. 31
Aurélien Mondon and Aaron Winter

2 The meaning of 'Charlie': the debate on the troubled French identity 46
Philippe Marlière

3 After the drama: the institutionalisation of gossiping about Muslims 63
Valérie Amiraux and Arber Fetiu

4 A double-bind situation? The depoliticisation of violence and the politics of compensation 79
Abdellali Hajjat

PART II: THE LONG 'WAR ON TERROR'

5 The whiteness of innocence: *Charlie Hebdo* and the metaphysics of anti-terrorism in Europe 97
Nicholas De Genova

6 The visible hand of the state 114
Gholam Khiabany

7 Symbolic politics with brutally real effects: when 'nobodies' make history 129
Markha Valenta

8 Extremism, theirs and ours: Britain's 'generational struggle'. . . . 146
Arun Kundnani

PART III: MEDIA EVENTS AND MEDIA DYNAMICS

9 From *Jyllands-Posten* to *Charlie Hebdo*: domesticating the Mohammed cartoons. 165
Carolina Sanchez Boe

10 #JeSuisCharlie, #JeNeSuisPasCharlie and ad hoc publics 180
Simon Dawes

11 Mediated narratives as competing histories of the present 192
Annabelle Sreberny

PART IV: THE POLITICS OF FREE SPEECH

12 Media power and the framing of the *Charlie Hebdo* attacks 209
Des Freedman

13 We hate to quote Stanley Fish, but: "There's no such thing as free speech, and it's a good thing, too." Or is it?. 223
Bill Grantham and Toby Miller

14 *Jouissance* and submission: 'free speech', colonial diagnostics and psychoanalytic responses to *Charlie Hebdo*. 239
Anne Mulhall

PART V: RACISM AND ANTI-RACISM IN POST-RACIAL TIMES

15 Not afraid 259
Ghassan Hage

16 '*Je Suis Juif*': *Charlie Hebdo* and the remaking of antisemitism . . . 262
Alana Lentin

17 Race, caste and gender in France. 278
Christine Delphy

18 The ideology of the Holy Republic as part of the colonial counter-revolution 291
Selim Nadi

About the contributors | 304
Index | 308

ACKNOWLEDGEMENTS

The editors would like to thank Professor Bernard Mahon, the Research Development Office and the Department of Media Studies at Maynooth University for their support of the seminar from which this book was developed. Thanks also to Ken Barlow and all at Zed Books. This book is dedicated to our friend Sharam Alghasi.

13 | WE HATE TO QUOTE STANLEY FISH, BUT: "THERE'S NO SUCH THING AS FREE SPEECH, AND IT'S A GOOD THING, TOO." OR IS IT?

Bill Grantham and Toby Miller

> In a situation where any allegiance to religion is regarded as odd and to be kept under wraps (like the veil which in France mustn't be worn in public) then what comparable freedom of speech can the 6,000 [*sic*] inhabitants of the *banlieues*[1] in Paris have? They conspicuously lack the money, education, networking skills and expertise realistically to have a voice. Claiming the high moral ground when your opponent can't get a word in edgeways is actually a form of tyranny and not the out-workings of liberty, equality and fraternity. (Watson 2016: 156)

> While some were tempted, a year ago, to in effect lay blame on *Charlie Hebdo* for having crossed the boundaries of common decency in publishing cartoons of the Prophet Muhammad, that kind of caveat became impossible to utter after attackers opened fire and detonated explosive belts on just about anyone: people sitting at cafe terraces, spectators at a rock concert, or passers-by near a football stadium. (Nougayrède 2016)

> The motive of the attack was mentioned as a revenge against the depiction of Prophet Mohammed (p[eace] b[e] u[nto] h[im]) by the Magazine, hence [the] *Charlie Hebdo* incident then provoked a worldwide shocks [*sic*] against Islam and Muslims which the Observatory would say, was the most significant turbulence since the terrorist attack on 11 September 2001 in the United States. (OIC 2015: 27)

Introduction

The polarities over *Charlie Hebdo*, as exhibited above by a dedicated philosophical religionist, a lapsed *Le Monde* editor, and the organisation of Islamic states, have if anything grown stronger in the period since publication of the satirical magazine's cartoons of Mohammed and subsequent assassinations and reactions: cardiovascular incidents in a

French hospital increased markedly following the attacks, leading to connections being adduced between heightened media coverage and intense illness (Della Rosa et al. 2016), there were riots in Niger because its President supported *Charlie Hebdo*, and massive protests against the magazine were held across much of the Islamic world (Mueller and Matthews 2016; Sreberny 2016).

From François Hollande (2015) marching and militarising to Tariq Ali (2015) marching and moralising, duelling certainties have dominated the discourse. In that context of profound commitment from all sides, this chapter endeavours to do something slightly different. We are not principally concerned with binaristic position-taking, so simply achieved by those blessed with greater certainty about life than are we. Rather, we want to examine the empirical and theoretical questions that both inform and arise from the *Charlie Hebdo* crisis.

We begin with limits to free speech and blasphemy that arise from their very foundational institutions and texts. Then we address some of the literature about the initial cartoons and assassinations, situating the events in debates about speech in the name of liberalism, and violence in the name of Islam.

Free speech

The United States is often represented as the bastion of free speech, and its eighteenth-century Enlightenment project on behalf of white, property-owning men is regularly invoked, both implicitly and explicitly, in cases such as *Charlie Hebdo*. To live in the US, as we both did for more than two decades, is to experience a constantly replenished fantasy of free speech, where competing perspectives forge the truth, unencumbered by censorship. The *locus classicus* is the First Amendment to the US Constitution. The Amendment says the following:

> Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

Its original six guarantees – against the creation of a state religion and for freedom of worship, speech, the press, assembly, and the right to seek redress from the government – have evolved into more general protections of the right to expression, assembly and activism.

The apparently limiting language of the Amendment – 'Congress shall make no law' – has been taken by successive Supreme Courts[2] to cover the activities of all state and federal governments and agencies. The First Amendment implies that these protections guarantee conduits to power for ordinary people as well as respites from the religious tyranny, sectarianism and warfare of Europe.

In its deliberations on the First Amendment, the Supreme Court has dealt with some complicated issues. Many of them stem from the quandary 'What is speech?' Is burning the national flag a speech act? (Yes.) Is legislation nominating English as the national language unconstitutional? (Yes.) Can governments erect religious statuary? (No.) May a person who peacefully urges citizens to refuse the draft in wartime be treated as a criminal? (Yes, because that is the equivalent of shouting 'Fire!' in a theatre when there is none.)

For critics like our eponym Stanley Fish, limits to speech do not only emerge when governments must deal with the damage that open discourse may cause in extraordinary, limit cases (1994). Rather, the *very idea* relies on limits: the notion that speech is without adverse – or indeed any – material consequences other than the free exchange of views, as per an idealised university seminar, assumes that much speech is not protected, when it promotes and seeks material action, such as harming others. In US jurisprudence, the historical means of regulating expression is to say that a particular form does not constitute speech. Examples have included defamation, blasphemy, sedition, 'fighting words', pornography and motion pictures. Some of these genres have since been re-anointed to fall within the First Amendment's protections. Some have not.

We are suggesting that even in the principal physical and conceptual domicile of free speech, there are limits, at certain times and under certain laws – and especially when one must distinguish between talking and doing. Consider speech-act theory's notions of constative versus performative speech (Austin 1962): 'I thee wed' are not *just* words, because they enact a legal relationship, with lasting implications for the parties concerned, taxation revenue, state expenditure, healthcare, divorce, alimony and inheritance, *inter alia*. The distance between action and speech is compromised.

In the *Areopagitica*, the Anglo world's urtext on these matters, Milton was happy "to suppress the suppressors themselves" – his way of denying Catholics the free-speech rights that he claimed and

advocated for his own sect. A less bigoted fellow-traveller, John Stuart Mill, famously put it this way:

> opinions lose their immunity [from sanction], when the circumstances in which they are expressed are such as to constitute their expression a positive instigation to some mischievous act. An opinion that corn-dealers are starvers of the poor, or that private property is robbery, ought to be unmolested when simply circulated through the press, but may justly incur punishment when delivered orally to an excited mob assembled before the house of a corn-dealer, or when handed about among the same mob in the form of a placard. (Mill 1859)

In other words, free-speech supporters confront practical restrictions on speech that are to do with defining it and assessing whether it is in the public interest and how it is phrased – as information and opinion versus demagoguery. This restriction also extends to who owns speech. For instance, the US Copyright Act of 1976 (as subsequently amended) incorporates the doctrine of 'fair use' to manage restrictions on free speech that would otherwise be generated by the concept of intellectual property (17 U.S.C. §§ 107). It grants limited rights, for instance, to comment on and even *through* texts produced by others. Providing the means to speak can also be part of state policy: from the nineteenth century, the US postal service facilitated political conversation by subsidising the transportation of newspapers and magazines. It tried to do the same in the 1980s via the emergent internet, but was blocked by the Republican Party, which favoured granting rights privately to telephone companies (McChesney 2013: 204, 103). So the US once recognised that the state should in fact enable free speech by subsidising it – not just getting out of the way, or regarding it as identical to other commodities.

Beyond the US, the preamble to the United Nations' Universal Declaration of Human Rights calls for "a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want", describing this as "the highest aspiration of the common people". Article 19 avows that "[e]veryone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers".

But even those true believers who style themselves 'Article 19' now offer us *'Hate Speech' Explained: A Toolkit* to guide governments on

restricting the very thing their eponym seeks to guarantee. Article 19 (the organisation) favours limits to freedom of speech when applied to individuals' dignity, though not in the name of collective notions, such as national security, morality, or public order. It accepts the category 'hate speech', while noting that this varies in both definition and legal status across jurisdictions and philosophies. For example, YouTube and the South African state both link hate speech to violence, but the European Court of Human Rights does not. Hence Article 19 argues that: "Pluralism is essential, as one person's deeply held religious belief may be offensive to another's deeply held belief and vice versa. By privileging one belief system over another, either in law or in effect, restrictions on blasphemy inevitably discriminate against those with minority religions or beliefs." It insists that human beings have rights, but religious institutions or abstract commitments such as faith do not.

Blasphemy

Blasphemy is currently *the* crucial debating point over free speech. Cartooning in particular seems to rile anxious sacerdotes, notably *Charlie Hebdo*'s caricatures of all three monotheistic religions; it has been unsuccessfully sued for defamation of Catholicism fourteen times (R. Ali 2015). Pope Francis condemned both the 2015 killings and the caricatures: "One cannot provoke, one cannot insult other people's faith, one cannot make fun of faith. There is a limit … Every religion has its dignity" (quoted in McElwee 2015).

The Organisation of Islamic Cooperation,[3] which represents fifty-seven countries over four continents that define themselves as Muslim, condemned cartoons of Mohammed that appeared in the Danish broadsheet *Jyllands-Posten* in 2005–6. The Organisation subordinates other international protocols to sharia and describes 'Islamophobia' as "the worst form of terrorism". Its members generally walk out of global gatherings that address queer rights (Howden et al. 2006; Wahab 2007; Evans 2012).

The Organisation's Cairo Declaration on Human Rights in Islam (Nineteenth Islamic Conference 1993) avows that in the best world, of which Islam is the sole custodian, "knowledge is combined with faith". Article 16 of the Declaration guarantees moral rights to the creators of texts, provided they do not run counter to sharia. Article 22 (c) reads: "Information is a vital necessity to society. It may not be exploited

or misused in such a way as may violate sanctities and the dignity of Prophets, undermine moral and ethical Values or disintegrate, corrupt or harm society or weaken its faith"; and 22 (d): "It is not permitted to excite nationalistic or doctrinal hatred or to do anything that may be an incitement to any form or [*sic*] racial discrimination."

This logic argues that the *Charlie Hebdo* cartoons may be deemed both blasphemous, because they ridicule a historic leader of a religion, and defamatory, as they also ridicule adherents of that religion. In addition, the way that supporters of the magazine expressed their sentiments is perceived by some as solidarity *against* Islam as much as *for* free speech (Cox 2016).

Emanuel Todd (2015) argues that blasphemy should not be outlawed, but needs self-regulation because of the offence and discord it provokes among the disenfranchised. Advocates for this position also note the ambivalence of existing international accords on the right to mock religions:

> the International Covenant on Civil and Political Rights … and the European Convention on Human Rights … quite clearly do allow for the possibility of speech being restricted in the name of public morality, and if and when a religion is inextricably linked with a nation's public morality, then it is difficult to see why this justification for restricting speech could not apply, at least in theory, to irreligious speech. (Cox 2016: 203)

Given that Muslims represent a quarter of the world's population and Islam is the official religion of a quarter of all countries, rejecting their state codes of blasphemy is akin to saying that international law need not be endorsed by vast numbers in order to be sovereign. *Contra* this position, the 2013 Rabat Plan of Action, adopted by the United Nations High Commissioner for Human Rights and many other international authorities, insists that blasphemy should not subvert free speech.[4] As a practical matter, it is clear that countries which favour prohibiting negative representations of religion are most likely to prohibit religious freedom (Henne 2013). Islamic states that prohibit blasphemy are generally authoritarian and experience violent resistance by their subjects. Nilay Saiya's research demonstrates that:

> blasphemy laws encourage terrorism by creating a culture of vigilantism in which terrorists, claiming to be the defenders of Islam,

> attack those they believe are guilty of heresy. This study empirically tests this proposition, along with alternative hypotheses, using a time-series, cross[-]national negative binomial analysis of 51 Muslim-majority states from 1991-2013. It finds that states that enforce blasphemy laws are indeed statistically more likely to experience Islamist terrorist attacks than countries where such laws do not exist. (Saiya 2016)

The Qur'an does not prescribe punishments for blasphemy, or prohibit representation of its true believers' favourite prophet (Saiya 2016). There are rather non-specific, albeit vaguely threatening, fates awaiting blasphemers, but no sign of this occurring in the material world. And it is worth noting that #jesuiskouachi was used 49,000 times on the day of the attacks on *Charlie* (Badouard 2016). The hashtag's adherents relished using their right to free speech to support murder. Meanwhile, the mimetic nature of many recent terrorist attacks, combined with the tendency for them to be committed by social outcasts and those imprisoned for petty crime or sectioned for mental health reasons, might make us ponder whether intense ideological force was their sole impetus (Crone 2016).

Besides, not all Muslims are as vulnerable and sanctimonious as their *bien-pensants*. Islamic humourists all over the world routinely engage in religious satire, mocking themselves and others. Their number includes cartoonists subject to fatwas and state harassment, such as Ali Ferzat, Ali Dilem, Zunar and Musa Kart, and authors who specialise in Bakhtinian profanation (Hirzalla and van Zoonen 2016; Salovaara 2015; El Hissy 2013). As blasphemy laws bite, Muslim cartoonists continue to chafe against their governments' pious assaults (Crispin 2015). On the free-speech side of the debate, satirical French Muslim rappers are routinely denied the right to expression by the state (Kleppinger 2016). Both groups of Islamic satirists relish the genre's capacity to cause offence. That is its very point.

So what should we do about the issues raised by *Charlie Hebdo*? To answer that query, we must go back, and back some more.

Diversity and culture

We all know that the history of Europe is chaotic, fraught, global, and forged in relation to bellicose encounters north, south, east and west. This occurred via both Islamic imperialism and the continent's

more successful Christian reconquest. The latter regarded religious imperialism abroad as a 'complement' to 'positivist nation-building at home', with bloodletting legitimised by capitalism and nationalism (Asad 2005: 2). But the "history of individual peoples, and indeed of whole continents such as 'Europe', is now being written in terms of a cultural formation defined by something outside, 'the other'" (Halliday 2001: 113). Cultural differences see the colonising nations altered by their migrant populations' languages, religions, cuisines, clothing and senses of self, especially when they come from formerly enslaved/colonised lands; hence the famous slogan from the 1970s popularised by migrant activists in the UK: 'We are here because you were there.'

Debates about religion in Europe were historically about the commensurability of Protestantism and Catholicism within and between states. Today, the issue is Islam, both as a racial referent and a governmental alternative to secularism. Habermas explains that de-territorialised terrorism, by non-state as well as state actors, has been unleashed by a potent mixture of faith, fraud, ethnicity and economics in response to Western violence, taunts and fiefdoms (2006). The reality today is that "[i]ncreasing numbers of *citizens … do not belong*. This in turn undermines the basis of the nation-state as the central site of democracy" (Castles and Davidson 2000: viii). Working in London or Paris means confronting the endgame of these interactions on a routine basis and encountering vicious reactions from nativists who deny their own bloody past.

That said, one can exaggerate the impact of violent Islamic encounters on European public opinion. According to a 2016 Pew Research Centre attitudinal survey, most people in France, Britain and Germany are positive about Muslims. Spanish views are more ambiguous, while negativity predominates in Poland and Italy. The gap between left and right is relevant: 36 per cent of Germans on the right dislike Islam, but just 15 per cent on the left do so. The situation is similar in Italy and France (Hackett 2016). Across France, Belgium, Germany, Britain and the Netherlands, concerns about Muslim communities have led to calls to restrict migration. Muslims themselves are largely content with a separation of church and state, which finds them delinking faith from fealty (Bertelsmann Stiftung 2015). It is also worth noting that much of this negative public opinion is based on profound ignorance: "European publics wildly overestimate the

proportion of their populations that is Muslim … on average French respondents thought 31% of their compatriots were Muslim, against an actual figure closer to 8%" (*The Economist* 2015).

But regardless of the data, the difficulty of bridging the distance between Europe's dominant groups and its Muslim minorities is very strong, due to a myriad of moral panics, folk devils, incendiary religionists, gullible youth, opportunistic politicians and militarised states. In Jesús Prieto de Pedro's words:

> The European liberal constitutions of the nineteenth century were political constitutions … The constitutions of the first third of the twentieth century … were devoted to economic and social issues … another stage is evidenced in the decade of the 1970s in the eruption of cultural concerns: this generates lexical forms and doctrinal categories such as 'cultural rights' … the free existence of culture, cultural pluralism, and the access of citizens to culture are guaranteed in intensified forms. (de Pedro 1999: 63)

This raises a series of complex questions, such as whether minority cultures should be protected from external rule when retention of cultural norms may prevent dynamic change and shackle individual autonomy. For example, should members of a culture be protected by the state from internal oppression when their human rights are compromised in the name of religion, or when the well-being of outsiders is threatened? What should be done about host nations' economic and cultural insecurities, which may be projected onto new arrivals? Should liberalism's lofty but contingent sense of tolerance be celebrated or castigated in contrast with religion's pious intolerance? And what is the responsibility of the bourgeois media to cover Islam in ways endorsed by the religion (Johnson 2000: 406, 408; Runnymede Trust 2000: 240; Sian 2015)? Western media representations of Islam continue to stereotype it, emphasising violence and negative storylines (Ahmed and Matthes 2016).

And the response of states confronted by this cultural difference? Driven by a security and financial agenda, European Union cultural policy has focused over the last forty years on the Cold War, terrorism, economic efficiency, Hollywood, and migrant integration. The media are expected at once to inform and represent new arrivals, right the wrongs of stereotypes, encourage identification with Europe, and function as efficient and effective industries. For their part, migrants

are dual targets: of the state, to ensure fealty; and of commerce, to ensure consumption (Mattelart and d'Haenens 2014).

There are many complex limit cases – for example, when a British woman rejected her Muslim parents' plans for an arranged marriage, they sought intervention by the state in the name of cultural maintenance, citing the exemption of Sikhs from safety helmet legislation to ensure protection of their headgear culture as a precedent. Here is a case where measures designed to protect minorities from outside harassment may in fact insulate them from internal dissent, with the state ultimately policing religious observance and familial power dynamics. In this instance, the courts found in favour of the woman, citing the priority of protecting individual rights and doubting the representativeness of self-appointed community spokespeople (Benhabib 2002: 19; Kymlicka 1995: 2, 35–6). When such grand narratives of collectivity and individualism collide, liberal states must double-declutch between support for "a community of individuals and a community of communities" (Runnymede Trust 2000: 176–7, 240).

The literature on *Charlie*

The 'Global North' is inclined to explain natural and social phenomena without reference to deities, but equally without reference to the social importance of showing respect for those deities as a means of living together. How does that rate next to the threat and actuality of individual or mass murder (Cliteur 2016)?

Religious philosophy advises that opposing religion and reason amounts to 'intellectual apartheid', arguing that "the anti-religious stance displayed in the cartoons reflects freedom of speech for one set of worldviews but not for others" (Watson 2016). This is a category mistake about cartoons and what they are. Should a sermon, a political column, or a party manifesto include all sides to debates? They are not textbook chapters, mathematical proofs, kinship maps or scientific documentaries, which claim to give unvarnished accounts of fact. There is no reason why a cartoon should enunciate all sides to an issue, or be impartial.

As noted earlier, *Charlie Hebdo* has treated religious icons, figures and beliefs of various kinds with equal contempt across its history. But we are instructed that when it comes to Mohammed, "*Charlie Hebdo* caricatures are an example of ill judged, uncontrolled and limitless freedom of speech and a risky action that may have future consequences

that might cause moral harm" (Švaňa 2016: 67). Again, this is a category mistake. It is ludicrous to place this burden on cartooning as opposed to other genres, such as reportage, religious incantation, or letters to the editor. Balance of this kind should not be expected of particular satirical works of art. Such desires are a philosophical religious indulgence.

More credibly, the Iranian government criticised both the cartoonists and the gunmen (Barry 2016). The eminent Hegelian communitarian and *New Left Review* founder Charles Taylor distanced himself from the murder, but argued that such attacks should surprise no one given the magazine's additions to the social critique and marginalisation already experienced by those it mocked. While opposing limits to free speech, Taylor pointed to the folly of exercising it in such ways (Swan 2015). And Delfeil de Ton (the pen name of *Charlie* co-founder Henri Roussel) denounced his assassinated colleagues for recklessly exposing themselves and others to danger (M.C. 2015).

For Will Self (2015), satire presupposes a shared ethics and sense of justice as its precondition, and the prospect of unsettling power and comforting weakness. The genre relies on social and cultural specificity, not the breadth of interpretation or right and wrong that comes with daily duels between religious and secular governance. So he discerns an error by *Charlie Hebdo*: misreading the nation within which it was nested.

Responses to the attack on Twitter saw #JeSuisCharlie become "a metaphor for organising news flows, opinions, affects and participatory events in the digital media ecosystem". Within an hour of the murders, a dedicated wiki page had emerged (updated and translated into seventy languages), and within a day, over fifty French and international cities featured tributes. A phone application soon emerged to connect supporters wherever they were (Salovaara 2015). "[N]on-Arabs living in Arab countries … [used] #JeSuisAhmed ('I am Ahmed') five times more often when … embedded in a mixed Arab/non-Arab … network. Among Arabs living in the West, we find a great variety of responses, not altogether associated with the size of their expatriate community" (An et al. 2016). The political postures underpinning various hashtags have been clustered to disclose that #CharlieHebdo is linked to sympathy for victims, #JeSuisCharlie with absolutist support for free speech, #JeNeSuisPasCharlie with a cross-sectarian rejection of free speech both *by* Muslims (as offensive) and *for* Muslims (as something they do not warrant), and #JeSuisAhmed with recognition that a

Muslim policeman was among those whose life was taken, and the need for limitations on free speech. Their use maps closely onto regions of linguistic and religious sectarianism, apart from #JeNeSuisPasCharlie, which appealed to right-wing Islamists and Christians alike, for different reasons (ibid.).

Most Parisian marchers supporting the magazine were from the middle and elite classes (Todd 2015). As hundreds of noted writers put it, "'equal opportunity offence' is the aspiration of Charlie Hebdo. But how is such an aspiration to be fulfilled unless the disparate 'targets' of offence occupy an equal position and have an equivalent meaning within the dominant culture?" (quoted in Greenwald 2015). This is the argument in favour of free speech being rooted in respect for differences (Hietalahti et al. 2016).

The 2015 attack and others have unleashed a state response that is unparalleled in the last sixty years, and not just as per the libertarian left's cliché complaints about surveillance. It is much more important and strategic than that logic will admit:

> For the first time since the end of the Second World War, the assumption that France is experiencing a new form of territorial war is explicit in the public debate. It has reinforced the strong conviction among the French politicians and diplomats that security requires close cooperation with the USA and a renouncement of the Gaullist paradigm of exceptionalism. (Lequesne 2016)

The billionaire feminist critic Élisabeth Badinter called for a boycott of stores selling Islamic fashion; Laurence Rossignol, a socialist minister, likened Muslim women in headscarves to African Americans supporting slavery; and Najat Vallaud-Belkacem, the Education Minister, proposed a programme of re-education for pupils who failed to support the magazine.[5] French international broadcasting attributed the attacks to foreigners (Hollis-Touré 2016; Kiwan 2016; Połońska-Kimunguyi and Gillespie 2016). Meanwhile, dissident intellectuals refuse the government's pleas for unity and the call for Islam to denounce the attacks, because this fails to recognise the heterogeneous backgrounds and institutions of Muslims (Kiwan 2016).

Conclusion

Because partially incommensurate world views and ethnicities are now engaged in uncomfortable *frottage*, we need a new *convivencia*

(Veninga 2016). Advocating, protecting and practising free speech is asserted to be socially beneficial, although the claim that a particular text lacks social benefit does not invalidate it. But when the preponderance of discourse is opposed to a religion followed by such vast numbers, something needs to give on all sides. This should be a matter of case-by-case judgement by participants, be they pious or professional. Both doctrinal and public-policy activity must insist on the centrality of living together, with all the contradictions and paradoxes that implies about minority welfare, social peace, and freedom of speech.

Notes

1 The term *banlieues* is not a formal administrative one. No census numbers are kept that would give a clear idea of how many people live in them, but this number appears extremely low. The term is used popularly to describe impoverished areas characterised by housing projects and immigrant populations. France is said to be home to around 6 million Muslims, three-quarters of North African descent (Połońska-Kimunguyi and Gillespie 2016: 570).

2 Interestingly, no free-speech case reached the Court for the first 128 years of the Amendment's life.

3 See www.oicoci.org/oicv3/page/?p_id=52&p_ref=26&lan=en.

4 See www.ohchr.org/Documents/Issues/Opinion/SeminarRabat/Rabat_draft_outcome.pdf.

5 Of the 64,000 French schools, pupils at 200 declined to observe a minute's silence of respect for the deaths at *Charlie Hebdo* (i.e. to agree to have their speech stilled) (Stille 2015).

References

Ahmed, S. and J. Matthes (2016) 'Media Representation of Muslims and Islam from 2000 to 2015: A Meta-Analysis', *International Communication Gazette*. doi: 10.1177/1748048516656305.

Ali, R. (2015) *Blasphemy, Charlie Hebdo, and the Freedom of Belief and Expression: The Paris Attacks and the Reactions*. London: Institute for Strategic Dialogue. www.strategicdialogue.org/wp-content/uploads/2016/02/Freedom_of_expression_02_15_WEB_FINAL_VS3-FINAL.pdf.

Ali, T. (2015) 'Short Cuts', *London Review of Books*, 22 January. www.lrb.co.uk/v37/n02/tariq-ali/short-cuts.

An, J., H. Kwak, Y. Mejova, S. A. Saenz de Oger and B. Gomez Fortes (2016) 'Are You Charlie or Ahmed? Cultural Pluralism in Charlie Hebdo Response on Twitter'. Paper presented at the International Association for the Advancement of Artificial Intelligence (AAAI) Conference on Web and Social Media (ICWSM), Cologne, 17–20 May. http://arxiv.org/abs/1603.00646.

Article 19 (2015) *'Hate Speech' Explained: A Toolkit*. London: Article 19. www.article19.org/data/files/medialibrary/38231/'Hate-Speech'-Explained---A-Toolkit-(2015-Edition).pdf.

Asad, T. (2005) 'Reflections on Laïcité & the Public Sphere', *Items and Issues* 5 (3): 1–11.

Austin, J. L. (1962) *How to Do Things with Words: The William James Lectures Delivered at Harvard University in 1955*. Oxford: Clarendon Press.

Badouard, R. (2016) '"Je ne suis pas Charlie". Pluralité des prises de parole sur le web et les réseaux sociaux' in P. Lefébure and C. Sécail (eds) *Le Défi Charlie. Les medias à l'épreuve des attentats*. Paris: Lemieux.

Barry, J. (2016) 'Pragmatic Dogma: Understanding the Ideological Continuities in Iran's Response to the Charlie Hebdo Attacks', *Islam and Christian-Muslim Relations* 27 (1): 77–93.

Benhabib, S. (2002) *The Claims of Culture: Equality and Diversity in the Global Era*. Princeton, NJ: Princeton University Press.

Bertelsmann Stiftung (2015) *Religion Monitor: Understanding Common Ground: Special Study of Islam, 2015 – An Overview of the Most Important Findings*. Gütersloh, Germany: Bertelsmann Stiftung. www.bertelsmann-stiftung.de/fileadmin/files/Projekte/51_Religionsmonitor/Religionmonitor_Specialstudy_Islam_2014_Overview_20150108.pdf.

Castles, S. and A. Davidson (2000) *Citizenship and Migration: Globalization and the Politics of Belonging*. Basingstoke: Macmillan.

Cliteur, P. (2016) 'Taylor and Dummett on the Rushdie Affair', *Journal of Religion and Society* 18: 1–15.

Cox, N. (2016) 'The Freedom to Publish "Irreligious" Cartoons', *Human Rights Law Review* 16: 195–221.

Crispin, S. W. (2015) *Drawing the Line: Cartoonists under Threat*. Committee to Protect Journalists, 19 May. https://cpj.org/reports/2015/05/drawing-the-line-cartoonists-under-threat-free-expression-zunar-charlie-hebdo.php.

Crone, M. (2016) 'Radicalization Revisited: Violence, Politics and the Skills of the Body', *International Affairs* 92 (3): 587–604.

de Pedro, J. P. (1999) 'Democracy and Cultural Difference in the Spanish Constitution of 1978' in C. J. Greenhouse with R. Kheshti (eds) *Democracy and Ethnography: Constructing Identities in Multicultural Liberal States*. Albany, NY: State University of New York Press, pp. 61–80.

Della Rosa, F., B. Dongay, J. Van Rothem, B. Farah and A. Pathak (2016) 'We Are Charlie: Emotional Stress from "Charlie Hebdo Attack" Extensively Relayed by Media Increases the Risk of Cardiac Events', *Archives of Cardiovascular Diseases Supplements* 8: 2.

El Hissy, M. (2013) 'Veiled Bodies, Vile Speech: Islam, the Carnivalesque and the Politics of Profanation' in F. Peter, S. Dornhof and E. Argita (eds) *Islam and the Politics of Culture in Europe: Memory, Aesthetics, Art*. Beilefeld: Transcript, pp. 127–42.

Evans, R. (2012) 'Islamic States, Africans Walk Out on UN Gay Panel', *Reuters Africa*, 8 March. http://af.reuters.com/article/topNews/idAFJOE82702T20120308?sp=true.

Fish, S. (1994) *There's No Such Thing as Free Speech, and It's a Good Thing, Too*. New York: Oxford University Press.

Greenwald, G. (2015) 'Read the Letters and Comments of PEN Writers Protesting the Charlie Hebdo Award', *The Intercept*, 27 April. https://theintercept.com/2015/04/27/read-letters-comments-pen-writers-protesting-charlie-hebdo-award.

Habermas, J. (2006) 'Religion in the Public Sphere', *European Journal of Philosophy* 14 (1): 1–25.

Hackett, C. (2016) '5 Facts about the Muslim Population in Europe',

Pew Research Center, 19 July. www.pewresearch.org/fact-tank/2016/07/19/5-facts-about-the-muslim-population-in-europe.

Halliday, F. (2001) *The World at 2000: Perils and Promises*. Basingstoke: Palgrave.

Henne, P. S. (2013) 'The Domestic Politics of International Religious Defamation', *Politics and Religion* 6 (3): 512–37.

Hietalahti, J., O. Hirvonen, J. Toivanen and T. Vaaja (2016) 'Insults, Humour and Freedom of Speech', *French Cultural Studies* 27 (3): 245–55.

Hirzalla, F. and L. van Zoonen (2016) '"The Muslims are Coming": The Enactment of Morality in Activist Muslim Comedy', *Humor* 29 (2): 261–78.

Hollande, F. (2015) 'Charlie Hebdo – Statements by President Hollande', *France in the United States*, 8 January. www.franceintheus.org/spip.php?article6408.

Hollis-Touré, I. (2016) 'Introduction: Risk Assessing *Charlie Hebdo*', *French Cultural Studies* 27 (3): 219–22.

Howden, D., D. Hardaker and S. Castle (2006) 'How a Meeting of Leaders in Mecca Set off the Cartoon Wars around the World', *Independent*, 10 February. www.independent.co.uk/news/world/middle-east/how-a-meeting-of-leaders-in-mecca-set-off-the-cartoon-wars-around-the-world-6109473.html.

Johnson, J. (2000) 'Why Respect Culture?', *American Journal of Political Science* 4 (3): 405–18.

Kiwan, N. (2016) 'Freedom of Thought in the Aftermath of the *Charlie Hebdo* Attacks', *French Cultural Studies* 27 (3): 233–44.

Kleppinger, K. (2016) 'When Parallels Collide: Social Commentary and Satire in French Rap Before and After *Charlie Hebdo*', *Contemporary French Civilization* 41 (2): 197–216. http://dx.doi.org/10.3828/cfc.2016.10.

Kymlicka, W. (1995) *Multicultural Citizenship: A Liberal Theory of Minority Rights*. Oxford: Oxford University Press.

Lequesne, C. (2016) 'French Foreign and Security Challenges After the Paris Terrorist Attacks', *Contemporary Security Policy* 37 (2): 306–18.

Mattelart, T. and L. d'Haenens (2014) 'Cultural Diversity Policies in Europe: Between Integration and Security', *Global Media and Communication* X (3): 231–45.

M.C. (2015) 'Delfeil de Ton, ancien de "Charlie", accuse Charb d'avoir "entrainé l'équipe dans la surenchère"', *20 Minutes*, 15 January. www.20minutes.fr/medias/1517631-20150115-delfeil-ancien-charlie-accuse-charb-avoir-entraine-equipe-surenchere.

McChesney, R. W. (2013) *Digital Disconnect: How Capitalism is Turning the Internet Against Democracy*. New York: The New Press.

McElwee, J. J. (2015) 'About Paris Attacks, Francis Says Freedom of Expression Has Certain Limits', *National Catholic Reporter*, 15 January. www.ncronline.org/news/global/about-paris-attacks-francis-says-freedom-expression-has-certain-limits.

Mill, J. S. (1859) *On Liberty*. London: Longman, Roberts, & Green Co. www.econlib.org/library/Mill/mlLbty3.html.

Mueller, L. and L. Matthews (2016) 'The National Elections in Niger, February–March 2016', *Electoral Studies* 43: 203–6. doi: 10.1016/j.electstud.2016.06.001.

Nineteenth Islamic Conference of Foreign Ministers (Session of Peace, Interdependence and Development) (1993) 'Cairo Declaration on Human Rights in Islam, Aug. 5, 1990, U.N. GAOR, World Conf. on Hum. Rts., 4th Sess., Agenda Item 5, U.N. Doc.

A/CONF.157/PC/62/Add.18 (1993)'. http://hrlibrary.umn.edu/instree/cairodeclaration.html.

Nougayrède, N. (2016) 'A Year After the Charlie Hebdo Attack, France is Still in Denial', *Guardian*, 9 January. www.theguardian.com/commentisfree/2016/jan/09/charlie-hebdo-paris-terror-attacks-france.

OIC (2015) *Eight OIC Observatory Report on Islamophobia May 2014–April 2015*. Jeddah: Organisation of Islamic Cooperation (OIC). www.oic-oci.org/upload/islamophobia/2015/en/reports/8th_Ob_Rep_Islamophobia_Final.pdf.

Połońska-Kimunguyi, E. and M. Gillespie (2016) 'Terrorism Discourse on French International Broadcasting: *France 24* and the Case of *Charlie Hebdo* Attacks in Paris', *European Journal of Communication* 31 (5): 568–83.

Runnymede Trust (2000) *The Future of Multi-Ethnic Britain*. London: Profile Books for Commission on the Future of Multi-Ethnic Britain.

Saiya, N. (2016) 'Blasphemy and Terrorism in the Muslim World', *Terrorism and Political Violence*. doi: 10.1080/09546553.2015.1115759.

Salovaara, I. (2015) '#Je Suis Charlie: Networks, Affects and Distributed Agency of Media Assemblage', *Conjunctions: Transdisciplinary Journal of Cultural Participation* 2 (1): 103–15.

Self, W. (2015) 'A Point of View: What's the Point of Satire?', BBC News, 13 February. www.bbc.co.uk/news/magazine-31442441.

Sian, K. (2015) 'How Do You Spot a Student Extremist in a University?', *Guardian*, 21 July. www.theguardian.com/higher-education-network/2015/jul/21/how-do-you-spot-a-student-extremist-in-a-university.

Sreberny, A. (2016) 'The 2015 *Charlie Hebdo* Killings, Media Event Chains, and Global Political Responses', *International Journal of Communication* 10: 3485–502.

Stille, A. (2015) 'Five Lessons About France After Charlie Hebdo', *The New Yorker*, 28 February. www.newyorker.com/news/daily-comment/five-lessons-france-charlie-hebdo.

Švaňa, L. (2016) '*Charlie Hebdo* Attacks in the Light of Aquinas' Doctrine of Double Effect and Ignatieff's Lesser Evil Theory', *Human Affairs* 26: 63–72.

Swan, M. (2015) 'Charlie Hebdo "Part of the Situation" That Led to Attack, Says Charles Taylor', *Catholic Register*, 12 January. http://catholicregister.org/item/19513-charlie-hebdo-part-of-the-situation-that-led-to-attack-says-charles-taylor.

The Economist (2015) 'Islam in Europe', 7 January. www.economist.com/blogs/graphicdetail/2015/01/daily-chart-2.

Todd, E. (2015) *Who is Charlie? Xenophobia and the New Middle Class*. Oxford: Polity.

Veninga, J. E. (2016) 'Echoes of the Danish Cartoon Crisis 10 Years Later: Identity, Injury and Intelligibility from Copenhagen to Paris and Texas', *Islam and Christian-Muslim Relations* 27 (1): 25–34.

Wahab, S. (2007) 'Islamophobia Worst Form of Terrorism', *Arab News*, 17 May. www.arabnews.com/node/298472.

Watson, B. (2016) 'Belief and Evidence, and How It May Aid Reflection Concerning Charlie Hebdo', *Think* XV (42): 151–61.