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Foundations of Global History

February 18, 2023

The Charlie Hebdo Attacks: The Quandaries of Free Speech and Religious Tolerance

On January 7, 2015, two French Muslim terrorists attacked the Paris office of the satirical magazine Charlie Hebdo, which had published cartoons caricaturing Muhammad, an act considered profane and even forbidden by Muslims. As most world leaders and social parties condemned these attacks, the bloodshed also sent shockwaves around the globe, sparking debates surrounding the balance between religious tolerance and free speech. What should the limits of free speech be? How important is religious tolerance, and how should individuals go about it?

In 2011, the Charlie Hebdo newspaper published an issue featuring the prophet Muhammad saying, “100 lashes of the whip if you aren’t dying of laughter.” Naturally, not all reactions were positive. Not only was this an insult to Muhammad, but it was also considered highly offensive and even prohibited in certain Islamic countries to depict the prophet. Four years later, the terrorist group Al Qaeda decided to strike back, killing 17 people in the Charlie Hebdo offices as revenge for portraying Muhammad.¹ At first, this shooting provoked widespread outrage at the terrorist group: “84% [of a sample of the French population] reported they felt anger, 52% reported that they felt fear, while 42% reported experiencing both emotions.”² There was a nationwide minute of silence, and many held multiple rallies to show support for the victims’ families. However, anti-Muslim sentiments and discrimination also

¹ “Charlie Hebdo Shooting: The Response.” n.d. Encyclopedia Britannica. <https://www.britannica.com/event/Charlie-Hebdo-shooting/The-response>.

² Pavlos Vasilopoulos, Marcus George E., and Foucault Martial. “Emotional Responses to the ‘Charlie Hebdo’ Attacks: Addressing the Authoritarianism Puzzle.” *Political Psychology* 39, no. 3 (2018): 557–75. <http://www.jstor.org/stable/45095191>.

became more prominent following the attacks. People started to blame all Muslims for the actions of Al Qaeda; some began vandalizing mosques and attacking Muslim civilians. Authorities registered 54 anti-Muslim incidents in the week following the attacks. A recent study showed that 42% of Muslims experienced discrimination based on their faith³. Islamophobia in France reached new heights and to this day is still prevalent amongst the population. Alongside this rise in Islamophobia, questions concerning the limits of satire and the boundaries of free speech also began to take over politics and society. Muslims and those who empathize with the religious community argued that the depictions of Muhammad were intentionally offensive and that the magazine's cartoons went too far. In contrast, others, mostly liberals, asserted that the freedom to express oneself without fear of censorship or violence is a necessary moral right.

In the wake of the attacks, a worldwide debate over free speech, the role of media and satire in democratic societies, and how it is balanced out with religious tolerance broke out. Some argued that free speech should be a fundamental right no matter what, and others argued that there should be limits, especially when it comes to inciting violence and hate speech. The French political right wing prioritizes free speech in the context of individual liberties and opposition to government censorship. They saw restrictions on speech as a threat to freedom of expression. They argued that individuals should be able to express their views without fear of repercussions, even if those views are controversial or offensive. While free speech is crucial to promoting democracy and equality and giving citizens the power to express their opinions and ideas, it can also spread malignant emotions and hate. The French Constitution protects freedom

³ Guerin, Cécile, and Zoé Fourel. 2021. "A Snapshot Analysis of Anti-Muslim Mobilisation in France after Terror Attacks." Vision of Humanity. April 26, 2021.
<https://www.visionofhumanity.org/a-snapshot-analysis-of-anti-muslim-mobilisation-in-france-after-terror-attacks/>.

of expression, and “Article 11 follows that up with ‘the free communication of ideas and of opinions is one of the most precious rights of man’”⁴. It adds that ‘any citizen may therefore speak, write and publish freely, except what is tantamount to the abuse of this liberty in the cases determined by Law’”⁵. In the U.S., Congress uses the logic that “calculated risks of abuse (malignant emotions and hate) are taken in order to preserve higher values (freedom of expression),” and the authors of the Bill of Rights “accepted that these risks were evils.”⁶ This illustrates the degree to which freedom of expression was valued in the country and the Americans’ belief that it was worth preserving despite the risks.

The public’s mixed, if not completely conflicting, views on freedom of speech complicated the decision-making regarding hate speech on religion. Where should society draw the line? Do we allow free speech at the expense of hate speech or suppress all forms of malignant speech? According to American lawyer Floyd Abrams: “The risks inherent in suppressing [hate] speech tend to outweigh whatever gains may be thought to flow from the suppression of those views.”⁷ In short, Abrams argues that there are negative consequences to restricting free expression, and these downsides are more significant than the advantages gained by preventing the spread of hate speech. The French case confirmed Abrams’ concerns.

In France, the left wing typically supports broader free speech, especially regarding the ability of marginalized groups to express themselves. However, as a means of defending vulnerable populations, they generally uphold imposing limits on hate speech or communication perceived as discriminatory. France implemented the “Avia Law” to balance the situation in 2019. Individuals and social media companies that failed to remove hate speech from their

⁴ Weber, Andrew. 2015. “FALQs: Freedom of Speech in France | in Custodia Legis: Law Librarians of Congress.” Loc.gov. March 27, 2015. <https://blogs.loc.gov/law/2015/03/falqs-freedom-of-speech-in-france/>.

⁵See 4

⁶ Yoo, Christopher S., "Free Speech and the Myth of the Internet as an Unintermediated Experience" (2009). All Faculty Scholarship. 280. https://scholarship.law.upenn.edu/faculty_scholarship/280

⁷ Floyd Abrams, Hate Speech: The Present Implications of a Historical Dilemma, 37 Vill. L. Rev. 743 (1992).

platforms within 24 hours would be heavily fined⁸. However, this divided people even further instead of helping resolve the debate. Opponents of this law complained that it would be manipulated and used to stifle and silence political speech or dissenting opinions. The renowned French right-wing politician Marine Le Pen described the law as oppressive⁹, and even Alexis Corbière from the left-wing camp shared Le Pen's thoughts¹⁰.

Additionally, the 24-hour deadline for removing hate content was thought to be short and would result in excessive removal of content that wouldn't necessarily qualify as hate speech. The Avia Law was eventually deemed unconstitutional and is no longer active in France. However, the country still promotes freedom of expression, and "the constitution and law provide for freedom of expression, including for members of the press and other media."¹¹

The media and its presence in freedom of expression were also controversial and divisive topics. The right argues that the press and satire should have more freedom to express themselves without fear of retaliation. The media could provoke thoughts and discussions with satire, leading to positive social change. However, the left argues that irony reinforces negative stereotypes and perpetuates harmful ideas. As societies become increasingly diverse and multicultural, balancing individual rights and social cohesion is essential to ensure that all voices can be heard and none will be harmed.

Religious tolerance was another critical debate following the Charlie Hebdo attacks that tied in directly with freedom of expression and the role of the media. Should mocking religious

⁸ "France's Law on Hate Speech Gets a Thumbs Down." n.d. European Digital Rights (EDRI). Accessed February 26, 2023. <https://edri.org/our-work/frances-law-on-hate-speech-gets-thumbs-down/>.

⁹ https://twitter.com/MLP_officiel/status/1260466742129823745

¹⁰ <https://twitter.com/alexiscorbiere/status/1260596284983054341>

¹¹ "France." n.d. United States Department of State. Accessed November 24, 2023. <https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/france/#:~:text=a.->.

figures and beliefs be censored? If so, wouldn't that be a breach of freedom of expression? How far should religious tolerance go before it is perhaps too oppressive? How should countries accommodate diverse religious beliefs and practices in secular societies? While many countries, such as the United States, have laws that protect religious freedom and prohibit discrimination based on religion, there are still challenges in ensuring that religious minorities can fully participate in society without facing discrimination or persecution. For example, in France, there has been controversy over laws prohibiting the wearing of religious symbols, such as hijabs, in public spaces. The burkini, a full-body swimsuit worn by certain Muslim women, was forbidden in France in 2016 from being worn on public beaches¹². The French Council of State later revoked the restriction, although it is still under discussion. While these laws are intended to promote secularism and prevent the oppression of women, they have been criticized by some as a form of discrimination against Muslims and remain a topic of debate. Proponents of laws such as those contend that they are required to protect the French Republic's secular values and stop women's persecution. Those who are against it claim that such laws would unfairly target Muslims and undermine their right to freedom of religion. Some contend that these restrictions may further marginalize France's Muslim community. The debate over religious tolerance in France and other countries emphasizes the tension between individual liberties, secularism, and social cohesion values. While laws protecting religious freedom and prohibiting discrimination are essential, they must be balanced with the need to uphold societal values.

In September 2023, a Danish law was passed banning public burnings of the Quran, and it sparked an outcry. Danish artists, writers, actors, directors, journalists, and cartoonists have opposed it, and they collectively agree that the law is “an attack on art, political expression and

¹² Quinn, Ben. 2017. “French Police Make Woman Remove Clothing on Nice Beach Following Burkini Ban.” The Guardian. November 28, 2017. <https://www.theguardian.com/world/2016/aug/24/french-police-make-woman-remove-burkini-on-nice-beach>.

freedom of the press,” as well as on “free and democratic society.”¹³ The Danish people’s response shows that societies greatly value free speech, and the majority of the Danish people uphold that all forms of speech should be allowed to operate in a free and democratic society. Even almost a decade after the Charlie Hebdo attacks, there are still plenty of forms of hate speech and religious intolerance around the world, and populations are still trying to solve these problems.

Historically, the new order enforced by the Mughal emperor Akbar has reconciled the potential conflicts between Muslims and Hindus. However, devised to forge the diverse religious groups into one cohesive political community to serve the nonsectarian state, his approach can hardly resolve today’s quandaries exposed by the attacks¹⁴.

In conclusion, the Charlie Hebdo attacks have sparked a global debate over the balance between free speech and religious tolerance. The attacks raised questions about the importance of free speech, the limits of satire, and the need for religious tolerance in diverse societies. While laws have been established to protect religious freedom and prevent discrimination, controversies remain over their implementation and are likely to persist for decades and even centuries. Ultimately, the challenge for modern societies is to find a way to promote both free speech and religious tolerance while also respecting diverse cultural and religious beliefs. Despite ancient rulers’ feats in ensuring religious tolerance, their wisdom applied to their times. Civil rights leaders, activists, politicians, and legislators in modern civilizations need to work closely together to balance free speech and religious tolerance strategically.

¹³ Le Monde.fr. 2023. “Danish Law Banning Public Burning of Quran Sparks Outcry,” September 25, 2023. https://www.lemonde.fr/en/international/article/2023/09/25/in-denmark-outcry-against-law-banning-the-public-burning-of-the-quran_6139117_4.html.

¹⁴ “India - the Composition of the Mughal Nobility.” n.d. Encyclopedia Britannica. <https://www.britannica.com/place/India/The-composition-of-the-Mughal-nobility#ref485810>

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