In remembering the Charlie Hebdo attack we must not forget the responsibility that goes with free speech

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On 11 January, unity marches were held across France following terrorist attacks which killed 17 people in Paris, including an attack on the headquarters of the satirical magazine Charlie Hebdo. One of the key debates to have taken place since the attacks has focused on the issue of free speech, given the controversial nature of some of the material published by the magazine. **Tariq Modood** *argues that while there is clearly no possible justification for the violence that took place, there is nevertheless an important responsibility which accompanies free speech and we should stop short of celebrating images that reinforce social divisions.*

The fact that for a number of days the air-waves and the ether was dominated by discussions flowing from the massacre at the Charlie Hebdo headquarters is what one would expect. Moreover, that for many within hours the intellectual discussion was about freedom of speech is also not surprising. After all there is only one opinion about the murders, that it is unjustifiable. Freedom of speech on the other hand, and its relevance to this case, is a matter of controversy.

Despite the rhetorical declarations that any legal limit on speech is intolerable and that we must resist those who propose such legislation, many limits already exist and some have been rightly initiated by liberals. For example, in Britain since 1986 we have had an incitement to racial hatred law, and since 2006 incitement to religious hatred legislation. The latter is actually much weaker than the former, though a stronger version has been in force in Northern Ireland since 1970 – British politicians having concluded quite quickly that you cannot really get two communities to co-exist peacefully without curbing the right to insult each other.

I think our existing legislation, which is not very strong and not very often used and rarely leads to convictions, is about right and sends an important signal across society of what is publicly unacceptable. In any case it was very clear from the discussion that changing the law was not an issue. Indeed, the swirling and heated debate and the declarations of '*Je suis Charlie*' (in so far as they were about freedom of speech and not just shock that journalists should be murdered) were not about law at all.

For example, in contrast to some of their European counterparts British newspapers chose not to reproduce any of the Charlie Hebdo cartoons. Yet, the reason attributed to this was not because they would be breaking the law. Rather, they were said to be acting out of fear or out of not wanting to give Muslims unnecessary offence. It cannot be denied that fear of violent retaliation must have been a factor, but the

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important point is that those who chose not to republish offensive cartoons did not fail to exercise their right to free speech – see, for instance, *The Observer's* justification of its restraint.

It has been said that "in its cartoons, Charlie Hebdo did not discriminate. The magazine lampooned all and sundry in

its cartoons: racists, bigots, right-wing politicians, the uber-rich, Judaism, Christianity, Islam, and more." Yet there is a world of difference between satire against the powerful ('speaking truth to power') and against the powerless, where it becomes not just a form of bullying but risks becoming racist.

Charlie Hebdo published many images of Muslim-like characters, some of them acting violently. Not all of them are meant to be of the Prophet Muhammad, but it is not always clear which are. Those that are of the Prophet of course break an Islamic self-proscription, but the message can be confusing. Focusing on say the armed figure threatening to come and take revenge before the end of January, what is the message? Muhammad is a terrorist? Islam is a terroristic religion? Muslims are followers of a terrorist? Or suppose that the picture is simply meant to represent the generality of Muslims, in the way that, for example, the 1920s Nazi magazine, *Der Stürmer*, would have a cartoon of a Jewish financier, the undesirable qualities of whom – heartless, exploitative, greedy and so on – was meant to be about Jews *as such*.

A third possibility is that the cartoon and others like it represent only Islamic terrorists; in which case they are inoffensive and not just satirical but embody a form of political defiance against terrorism. However, the success of such a cartoon depends upon it being clear to all readers of that the cartoon that it cannot be mistaken to be about all Muslims or about a figure dearly revered by many Muslims. Such a cartoon then will have a very broad appeal.

So, the 'free speech' argument of the last week has not really been about the right to free speech, but about how to exercise the responsibility that goes with free speech. I see no reason to celebrate those who abjure this responsibility or exercise it carelessly, heedless of the consequences of their actions. The defence of Charlie Hebdo – that they did not target Islam but everybody and anybody – is not impressive if the assumption is that targeting minorities and weak groups and being willing to use and strengthen stereotypes and racist imagery is ok, as long as the satirists in question also satirise the powerful.

None of this of course justifies any form of violence let alone the murders of last week, but it at least identifies some of the relevant issues, especially those which are about the uses of freedom and of being mindful of how images can reinforce social divisions.

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