Free speech, tolerance, offence and diversity:

A comparative study of France and Denmark

using the cases of Dieudonné and Yahya Hassan

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Submitted in accordance with the requirements for

the degree of Doctor of Philosophy

The University of Leeds

School of Media and Communication

February 2018

Declaration of authorship

The candidate confirms that the work submitted is her own, except where work which has formed part of jointly authored publications has been included. The contribution of the candidate and the other authors to this work has been explicitly indicated below.

Footnote 13 in Chapter 2 of the thesis - Freedom of speech: legislation and interpretation - makes reference to a section of a multiple-authored working paper. The candidate wrote all the main sections of the working paper, and one of the co-authors, Alisha Patel, provided edits of these. Each of the co-authors wrote their respective sections: "4.1. Egypt: Hate speech in the post-January 25th Uprising (Yosra El Gendi)"; "4.2. Kenya: Responses to electoral violence: The problem of hate speech, peaceocracy and censorship (Alisha Patel)"; "4.3. Serbia: Hate speech and a legacy of the past (Davor Marko)"; "4.4. South Africa: Reflections on hate speech (Wallace Chuma)". The section referenced is "4.2. Kenya: Responses to electoral violence: The problem of hate speech, peaceocracy and censorship (Alisha Patel)", pages 16-20 in: Elliott, C., Chuma, W., El Gendi, Y., Marco, D. and Patel, A. 2016. Hate speech: Key concept paper. MeCoDEM Working Paper Series. [Online] Available from: http://www.mecodem.eu/publications/working-papers/.

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Acknowledgements

I would firstly like to thank each of this project's interview participants: thank you all for volunteering your time to contribute to this thesis by discussing your thoughts and opinions with me.

I would like to express my gratitude to my supervisors, Professor Katrin Voltmer and Dr Katy Parry. Thank you for your guidance, support and reassuring words over the course of this journey. I will remember fondly our supervision sessions which were always filled with plenty of shared laughter. You have each contributed in so many ways to my intellectual and professional development, and it has been a privilege to be guided and inspired by you. I have been truly fortunate to have you as my supervision team.

Thank you to my peers and colleagues at the School of Media and Communication, which fosters a unique environment of academic rigour and relaxed camaraderie. I am grateful to have been a part of the School and our academic community.

Thank you to my family and friends, for your encouragement as I undertook my studies, and especially to Jennifer for your love and friendship.

I would also like to thank my partner and husband, Richard, for being so confident in my abilities and for always being there to cheer me on when I need it most.

Lastly, I would like to thank my parents, Dr David Elliott and my late mother, Mrs Margit Elliott. I hope that I have reflected your spirit of adventure, one that brought you together. Thank you for everything that you have provided for me, and for supporting me in achieving this dream.

Abstract

This thesis examines how notions of freedom of speech, tolerance, and diversity are negotiated and tested by media controversies prompted by provocative speech acts. The study draws upon two cases from the creative realm: French comedian Dieudonné and Danish poet Yahya Hassan, both of whom have engaged in transgressive speech acts. As country cases, France has a history of immigration and cultural diversity, but Denmark is relatively new to this; yet in recent years, both have engaged in debates about freedom of speech and minority groups. The ways that these issues are then addressed sheds light on how changing societies respond to controversy. This is where the research questions are located: How are the parameters of freedom of speech, tolerance and offence renegotiated in times of change? How do such renegotiations take shape in different national contexts, such as in France and Denmark? How do provocative speech acts in the creative realm test the boundaries of freedom of speech? Finally, how do nationhood, identity and diversity impact public debates about these provocative speech acts? Using a Thematic Analysis of 95 articles from one centre-left and one centre-right newspaper per country about the cases, as well as 21 in-person interviews held in Paris and Copenhagen with activists, journalists, politicians, lawyers and artists, the findings highlight how an expressive act might originate from one individual, but it can create tensions in different ways as it travels through various modes of interpretation and social discourse. What the findings show is that this mediated dynamic tests democratic values such as freedom of speech, because its parameters are being challenged, questioned, or renegotiated through these types of embodied communication, and they reveal how consensus on the acceptable parameters of speech must shift in order to accommodate the diversification of culture in each country context.

Table of contents

List of figures

List of tables

List of abbreviations

AGRIF   L'Alliance générale contre le racisme et pour le respect de l'identité française et chrétienne; *The general alliance against racism and for the respect of French and Christian identity*

CERD   International Convention on the Elimination of All Forms of Racial Discrimination

CRIF   Conseil Représentatif des Institutions Juives de France; *Representative Council of the Jewish institutions of France*

CRI-France   Coordination contre le Racisme et l'Islamophobie-France; *Coordination against racism and Islamophobia-France*

DF   Dansk Folkeparti; *Danish People's Party*

DIT   Det Islamiske Trossamfund; *The Islamic Society of Denmark*

ECHR   European Convention for Human Rights

FFEU   Foundation for Ethnic Understanding

FN   Front National; *National Front*

ICCPR   International Covenant on Civil and Political Rights

KF   Konservative Folkeparti; *Conservative People's Party*

LDH   Ligue des droits de l'Homme; *The league of human rights*

OIC   Organisation of Islamic Cooperation

PIR   Le Parti des indigènes de la République; *The party of the indigenous of the Republic*

PS   Parti Socialiste; *Socialist Party*

TA   Thematic Analysis

UDHR   Universal Declaration of Human Rights

1. Introduction

Freedom of speech is a fundamental democratic value, but it carries with it a sense of duty and responsibility. Utterances and actions can be transgressive and they can offend. Provocative expressions can add acrimony to social tension. The dynamics involved in the interpretation and exchange of words mean that these can be perceived as ridicule, or attack a person or group of people. Such events can be symptomatic of the cultural climate in which the act occurs, and they can call into question the larger social, political, and cultural structures of the event's context. Considering the interpretative nature of communication, we are then left with catalytic elements that transform a speech act into a widely-acknowledged media controversy. These controversies can point towards deeply-rooted social and cultural ills and spark debates about the parameters of fundamental aspects of democracy, such as freedom of speech, and what it means to communicate with one another with equal dignity and respect.

My thesis examines communication and freedom of speech when it concerns speech acts that take place in diverse contexts and that can potentially offend.[1] My project is a comparative study between France and Denmark, with one case study for each country. The context of the selected countries and the individual cases, which were media controversies, enhance the comparative element in two ways: the study is widened to a comparative study between the two countries, but maintains analytical focus by keeping the discussion focused on the context of the individual cases. I selected the case of Danish poet Yahya Hassan, who published a volume of poems in late 2013 that were highly critical of his immigrant, Muslim background, and the case of French comedian Dieudonné M'bala M'bala, who was targeting Jews in his comedy, and who in January 2014 was prevented by government from performing in several cities in France. These two cases provide a unique opportunity to examine how free speech acts from the creative realm have had an impact on discussions on freedom of speech, as well as on debates about how their speech acts relate to wider issues on integration, assimilation, society and culture.

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[1] The terms *freedom of speech*, *free speech*, and *freedom of expression* are used interchangeably throughout this thesis, as referring to a right to expression as well as a liberty and legal right, as indicated when referenced.

Media controversies are events that are picked up on, disseminated, and circulated through the media. They are events that are relevant because they can have an impact on the society and culture in which they are taking place (Sponholz, 2016: 504). This is because the media, to whatever extent, determines whether or not such events are worthy of being addressed, and therefore, to what degree they may be relevant to the public interest (Ibid.). The selected case studies each involve members of an ethnic minority, and they both raised questions about the limits of transgressive and provocative speech coming from the creative realm. They also each carry with them an element of scandal, which was picked up on by the media, similar to what Stanyer (2013: 104-105) described as a "critical moment". *Critical moments* are events by which, through the media exposure of these events, the understanding of the contexts and circumstances in which they occur changes and is then shifted. However, *critical moments* are events that are highly visible, though not to the extent and degree of *media events*, as described by Dayan and Katz (1992). Therefore, media controversies can be at a much smaller scale, but they trigger a research interest, from a methodological perspective of "key incidents" (Emerson, 2007: 439), that indicate that something interesting has taken place, and that they are worthy of closer examination. What the case studies illustrate, is that through their provocative speech acts, the resulting media exposure raised challenging questions to do with the limits of offensive speech and how it relates to freedom of speech. This was because, as media controversies, they were situated in the middle ground between consensus and taboo (Sponholz, 2016: 505).

France and Denmark have each had free speech media controversies in relatively recent times. The infamous Danish Mohammed Cartoon controversy, and *Charlie Hebdo*'s reprinting and support of said cartoons in the mid-2000s provided much fodder for a heated debate about the propriety of speech acts and acknowledging religious offence, as well as tensions with freedom of speech and freedom of the press.[2] During the course of study for this project further incidents took place where certain groups were targeted due to what their attackers regarded as offensive behaviour: the fatal attacks at *Charlie Hebdo*'s headquarters in January 2015 (BBC, 2015a), as well as a smaller yet also deadly incident in Copenhagen in February 2015 (Chrisafis, 2015). In the French instance, the target was *Charlie Hebdo* and its satirical cartoons, and in the Danish instance it was the Lars Vilks Committee,

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[2] Most of the literature discusses the Danish Cartoons Controversy as an example of free speech in relation to religious offence, though others have argued that it is an example of political conflict (Klausen, 2009: 10).

whose free speech seminars take a critical stance on Islam and what they see as the threats of radicalism. These cases demonstrate how perceived transgressions of free speech can result in violent consequences, and so better understanding how societies manage boundaries of acceptability, and the media's role in such negotiations, are significant and timely research objectives.

Debates about freedom of speech, tolerance, offence and diversity exist around different pressure points when it concerns provocative speech in democratic contexts. There is firstly the right of the individual to speak, and the valuing of multiple and pluralistic debate in all its forms. This is balanced against freedom of speech as a right under responsibility, and is rooted in notions of acknowledging the dignity of, and respect for, others. Tensions are then created between these various elements and interpretations of freedom of speech, because the social fabrics of contemporary societies are constantly changing. This means that consensus on what is, and what is not acceptable speech, also shifts and changes. A discussion of freedom of speech then becomes a vicious circle of which, or whose, liberties take precedence when parties are in conflict, and becomes a binary between the rights and liberties of the speaker and the rights and liberties of the listener. Therefore, freedom of speech and the negotiation of tolerance and offence are, and constantly will be, challenges for countries with diversifying demographics.

At the same time, these pressure points offer a unique opportunity to explore how the parameters of freedom of speech are negotiated, which brings the discussion back to the selected case studies of French comedian Dieudonné and Danish poet Yahya Hassan, and how the media controversies that they triggered might question how freedom of speech is understood in each country context. In order to best address these complex and nuanced research themes, my thesis encompasses several research questions. The central research question for my thesis is: *How are the parameters of freedom of speech, tolerance and offence renegotiated in times of change?* This central research question is supported by three sub-questions. Firstly, how do such renegotiations take shape in different national contexts, such as in France and Denmark? Secondly, how do provocative speech acts in the creative realm test the boundaries of freedom of speech? Lastly, how do notions of nationhood, identity and diversity impact public debates about these provocative speech acts? By applying theories within communications studies, my project seeks to understand how we make sense of media controversies that cause offence and require tolerance.

In order to answer my research questions, I created a case-within-a-case research design. As already noted, my thesis is a comparative study between France and Denmark, with one case study per country context. Each case study was involved in a media controversy in close chronological proximity to one another, which added to this structured comparative element but also provided practical considerations in terms of data collection. The methods of data collection consist of online articles about the cases from four newspapers (*Le Figaro* and *Le Monde* for France and *Jyllands-Posten* and *Politiken* for Denmark), as well as transcripts from interviews held in Paris and Copenhagen. These interviews were conducted in English, French, and Danish with civilians and elites who are activists, journalists, lawyers, politicians and artists, and who in some shape or form, through their work, have a vested interest in the research themes at hand. My method of data analysis is Thematic Analysis, which best offered the flexibility to organise and explore the material.

My thesis consists of three theoretical chapters, followed by four empirical chapters, which are introduced by a chapter that outlines the research design and methodology of the empirical enquiry. In the first theoretical chapter on freedom of speech, legislation and interpretation, I explore the philosophical and legal foundations of freedom of speech, and what limitations it may have, as well as tying this discussion in with the country contexts. I do this by first discussing legislation, in terms of landmark legislation, core texts, and specific national texts, followed by three thematic interpretations of freedom of speech: freedom of speech as an absolute value, with a discussion on "fighting words"; the value of pluralism, with a discussion of counter-speech; and lastly free speech as a right under responsibility, with a discussion on extreme speech and hate speech, censorship, and self-censorship. I conclude the chapter with a brief discussion of various key free speech events, moving from *The Satanic Verses* to *#JeSuisCharlie*.

In the next theoretical chapter on communication and social performance, I explore how different communication theories help us understand the dynamics of media controversies, and how they become problematic. I do this by looking at theories on the communicative process of social performance, mediation and controversy, as well as theories on humour and satire, with a discussion on aesthetics and taste. The case studies are discussed in detail here; with the case of Dieudonné, the arm-gesture known as the *quenelle* and a silly song he did in order to make fun of the Holocaust ("Shoananas"), as well as the case of Yahya Hassan and how his poetry was perceived as making generalisations about Danish Muslims. The two

cases raise the question of whether or not they relate to divisive speech or merely questions of propriety and taste, which is discussed after the background on the case studies.

In the last theoretical chapter on diversity and its challenges, I address facets of each national context in relation to discussions on diversity. I do this through looking at diversity and national cohesion, by briefly examining theories in nationalism and multiculturalism, followed by a discussion on *laïcité* and divisions in society in the French context, and homogeneity and questions of identity in the Danish context. I also look at marginalisation and processes of "othering" in both contexts, with an examination of French otherness in the example of France, post-*Charlie*, and Danish otherness through the example of "common values". Lastly, I discuss new debates on citizenship and identity and how culture and secular ideas are being reinvented and re-imagined.

In the research design chapter, I outline my project's structure and methodology of the empirical enquiry. Here, I address my choice in using a comparative, case study approach and I outline the research questions. Following this, I summarise the rationale for the selected media outlets used to capture the media debate surrounding the two case studies (*Le Figaro* and *Le Monde* for France and *Jyllands-Posten* and *Politiken* for Denmark). As explained, I have chosen the focus on the opinion-leading broadsheet newspapers in each country, as my focus is on how authoritative voices in both societies attempt to manage the perceived provocations, and the degree to which outsider voices are given space to challenge norms. I also discuss the interviews, the interview questions, and sampling strategy for the interview participants, who, as free speech stakeholders are activists, journalists, politicians, lawyers, and artists; and who were selected in order to better understand the nuances in how freedom of speech is interpreted in the context of this study. Also included here is information on research ethics and fieldwork risks and challenges, of which there were a few. I then address the method of data analysis, which is Thematic Analysis, the coding strategy, and the coding approach for both types of data collected (media content and interview transcripts). Lastly, limitations of research are discussed.

In Chapter 6, I address the media content sources and examine what the parameters may be of public debate about the case studies; and how these relate to the selected newspapers and the interviews. I take each case study, Dieudonné in the case of France, and Yahya Hassan in the case of Denmark, and arrange the findings thematically between themes on

freedom of speech and themes on diversity. With regard to the freedom of speech category, the discussion is focused on the role of government intervening in Dieudonné shows, and the role of Yahya's poetry as opening up a debate about further issues. With regard to the diversity category, the discussion focused on the role of taboo and social problems in the Dieudonné case, and in the Yahya case, the issue here had more to do with how Yahya's poems revived debates about immigrants and integration.

My approach in the three remaining empirical chapters on the interview findings was to ask how the themes on freedom of speech, tolerance, offence, and diversity are discussed in the country contexts of the interviews, and what the similarities and differences might be between France and Denmark. In the empirical chapter on freedom of speech, the topic of freedom of speech was discussed in the interviews as a binary between the rights and liberties of the speaker, versus the rights and liberties of the listener. This was positioned as free speech needing to be practised by considering others, versus a position that supports the individual and the idea that one should be able to say what one wants.

In the following chapter on communication, I discuss the interview participants' views on the role of creative expression and how discussions on tolerance and offence need to be met with alternative discourses. Here I discuss the role of creativity in relation to provocation, and how the participants responded on themes on humour and satire. Counter-arguments are then discussed, as a facet of responding to provocation by engaging pluralism and a "marketplace of ideas", followed by how concepts of tolerance are being re-imagined in a new way of prioritising the rights and liberties of the listener, over the rights and liberties of the speaker. Notions of the sacred and de-sacralised are discussed here, as a way of breaking down barriers and revisiting the meaning of tolerance.

Lastly, the chapter on diversity addresses how themes within identity and cultural cohesion challenge how people are living together. Here I discuss ideas that the participants gave about how people may live in a diverse context, but they do not share the same heritage with the mainstream. These are separated between the Danish context and the French context, but the remaining sections of the chapter are aligned thematically for both sets of interviews. These cover ideas about coexistence versus assimilation, and how contact with "others" shape diverse contexts, just as much as accepting differences would do. The chapter rounds off by returning to themes on freedom of speech, by addressing alienation and

fairness as aspects of life in diversity which challenge and impede access to freedom of speech. The conclusion chapter returns to my research questions and outlines the project. I then summarise my analytical contributions, followed by a summary of my empirical contributions, and finally, concluding remarks.

What the findings show is that the balance between tolerance and offence lies with how the target is addressed through a provocative speech act. In the case of my thesis, this is examined in the comedy of Dieudonné that targets Jews and the memory of the Holocaust, and the poetry of Yahya Hassan that targets Muslims in Danish society. If the target is not able to offer a counter-discourse, then this furthers marginalisation and social and cultural divisions. Ultimately, I argue that freedom of speech is a value that must be exercised with consideration towards others, because this is required in order to preserve human dignity and respect towards others, as valuable and equal members of society. What emerges through the findings, however, is that tolerance in its traditional sense of living side by side with others whose beliefs might not be the same as one's own, has in recent times been re-imagined from tolerance as recognising the speaker's right to speak, to a definition of tolerance as recognising the right of the listener to not be offended. This then means that a point of contention is created because there is a fear of insulting the other party, and thus the speaker is prevented from expressing themselves. These perceived sensitivities raise the question of how mutual understanding and consensus-forming can then take place in diversifying contexts when it concerns freedom of speech.

2. Freedom of speech: legislation and interpretation

2.1. Introduction

This chapter explores elements of freedom of speech from two different angles: legislation and interpretation. The reasoning behind commencing this discussion with the legislative elements of freedom of speech is that although regulation is necessary to ensure that the ability to exercise freedom of speech is assured and enforced, what is clearly evident from the literature is that the more hypothetical and interpretative aspects of freedom of speech are not necessarily in harmony with regulation. The ideal does not reflect the reality when different parties ascribe to different philosophical foundations on how one is able to exercise freedom of speech. Indeed, perhaps this is why defining and regulating freedom of speech can be so difficult, since assessing an act of speech means that the legitimacy and validity of it is highly contextual and subjective, because acts of "self-expression" can be determined as valid or invalid according to their "intelligibility", "accuracy", and "truthfulness" (O'Neill, 2009: 168); though such concepts are also entirely open to interpretation.

This chapter's questions are: *What are the philosophical and legal foundations of freedom of speech? What are its limitations, if any, and what are the arguments that support or counter these? How do the selected country contexts relate to these arguments?* The answer to these questions begins with a discussion on the legislation of freedom of speech, which is based on constructs of rights. Berlin (1958), for example, discusses this with his notions of "positive" freedom (positive as a right to self-determination) and "negative" freedom (negative as in the absence of government interference), because "a right to express beliefs and political attitudes instantiates or reflects what it is to be human" (Barendt, 2005: 13). My case studies, which will be discussed in detail in the following chapter, show how the rights to self-determination are not questioned in the Danish case of poet Yahya Hassan, but there were some questions raised about the role of government interfering in the French case of comedian Dieudonné M'bala M'bala; yet both engaged in speech that was perceived to be generalising and prejudiced. Provocative and transgressive speech in these instances is therefore nuanced and contextual when it concerns freedom of speech.

2.1.1. Defining freedom of speech

So, what does freedom of speech actually *mean*? The phrase *freedom of speech* is used as encompassing forms of individual or unified expression. These expressions can be spoken or written words, and they can be actions or thoughts stated through creative or collective manifestations. Any communication channel can articulate these actions, including print, visual, broadcast, and online media. Freedom of speech is a layered and multi-faceted concept, and it is also connected to terms such as *freedom of expression*, or *freedom of the press*. *Freedom of speech* can be defined as the "freedom to express one's opinions without censorship, legal penalty, or any other restraint" (OED, 2016c). Freedom of speech is essential to the integrity of democracy, because individuals have a right to self-govern (Redish and Mollen, 2009: 1304), and as citizens they must be able to give a critical voice to issues related to the government, or any other issue that might concern them (Gelber, 2010: 305). *Freedom of the press* is also considered a cornerstone of democracy, and it is defined as the "freedom to print and publish anything without interference or censorship" (OED, 2016d). Yet freedom of the press is complicated by factors such as partialities imposed by press politics, press ownership, political alliances within the press, or the political orientation of journalists. Finally, the term *freedom of expression* is defined as "frankness or openness in the expression of one's thoughts, feelings, etc.; … [or] the right to express oneself without interference or censorship" (OED, 2016b). These terms are also tied to notions such as *freedom of conscience*, the "freedom to follow one's own beliefs in matters of religion and morality" (OED, 2016a); as well as *freedom of thought*, the "freedom to think or reason without restriction or interference" (OED, 2016e).

How these phrases are determined as rights depends on the cultural and legal contexts in which they are asserted, and in many situations, it can be argued that they are all mutually dependent on one another. The lack of ability to exercise any one of these values of freedom can give important insight into the democratic state of a given culture, society, or country, as well as shedding light on the political and social structures of these settings. Indeed, "there is no democracy without public discourse and no public discourse without freedom of speech, freedom of the media, and freedom of information" (Grimm, 2009: 10). Freedom of speech, however, along with freedom of the press, could be grouped together as pertaining to legal rights, whereas freedom of expression/conscience/thought are moral rights that are tied to the aforementioned legal rights. Elements of these will be present not only

throughout this chapter but also in the next two theoretical chapters, as they all pertain to what it means to be an individual, to have choice and to have a voice, to be represented or to represent oneself in society, and to live freely without fear of persecution.

The philosophical implications of freedom of speech force the consideration of the rights of the individual, and what the role of government is in relation to individuals. An idealistic model would be that it is government's role not to be an active agent in free expression, that is, neither encouraging nor discouraging it, but on the other hand it is government's role to ensure pluralistic expression (Barendt, 2005: 30). This certainly seems to present a paradox when conflicts involving free speech arise, and this is relevant because of the fact that freedom of speech is never contested unless it is challenged by controversial speech. Generally, free speech becomes a volatile topic when controversial speech is directed at an individual or group's political identity, religious identity, or lifestyle choices. Mediating these conflicts includes considering the repercussions of limiting or encouraging freedom of expression, including the defence of hate speech and whether or not this significantly affects a person or group's right to human dignity (Barendt, 2005: 5).

The notion of human dignity is one that is constructed according to intricate concepts concerning equality and politics (Barendt, 2005: 5,33), and is something that is morally constructed (Simpson, 2013: 708). The essence of human dignity, is to inherently have value as a thinking, articulating, emotive human being (Streiffer, 2014: Section 5).[3] Human dignity is an integral concept when discussing social injustices and oppression, processes of "othering", or ideas about what it is to be an autonomous agent, because they all involve communication and how acts of expression are exchanged, and reciprocated through the recognition of the speaker, or listener, as someone with intrinsic value.

Philosophical discourses around freedom of speech in relation to a fundamental value of human dignity means that it is necessary to at least attempt to regulate it, because to be human and to have value as a human being also means that one must be able to express oneself. Yet what are the implications of regulation? In order to regulate something, it has to be clearly defined and outlined, but where do the lines then lie? Do they include physical

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[3] Further explanations on human dignity are related to Kant ([1785] 1948) and the "categorical imperative" (Evans, 2014: Section 5), which is a "moral law that is unconditional or absolute for all agents, the validity or claim of which does not depend on any ulterior motive or end" (Encyclopædia Britannica, 2014).

acts of expression as well as spoken or written words? If the regulation of freedom of speech simply means a lack of government interference, the question of the acceptable range of free speech is then raised (Barendt, 2005: 74). Free speech, however, must always be regulated in some shape or form, even if it is to say that there can be no governmental interference with it. Therefore, freedom of speech can never be truly separated from any sort of government involvement; because the legislative aspects of freedom of speech will always be tied to its interpretative and moral boundaries (Maussen and Grillo, 2014: 174). Freedom, or concepts of freedom, is always shifting these boundaries, and the actions of individuals can also challenge these boundaries. To add to this, a present-day discussion on freedom of speech carries with it the weight and burden of centuries of debate, criticisms, and reformulations of previous thought. Some would "trace the genealogy of the right to free speech to the French revolution, the eighteenth century constitutionalism as well as to the idea of the secular overcoming of the religion during the Enlightenment" (Belavusau, 2010: 181), though certainly still carrying roots from Ancient Greece and its "semiotic cradle" (Belavusau, 2010: 181).

There are innumerable thinkers and philosophers to acknowledge here, such as Voltaire and Kant, as well as the historical relevance and impact of the origins of the written word, moving from the Church to the printing press. This chapter does not attempt to provide an exhaustive list of all the legislative history, philosophical underpinnings and ensuing arguments associated with such a richly loaded term as freedom of speech. Instead, it will identify a few areas that pertain to the research topic at hand and are relevant both generally and to the country contexts selected for this study, which will be discussed further in the next chapter on communication. This study does not look at the legal structures of each country, though they do inform and affect each research context. Rather, this study looks at how certain concepts of freedom of speech help shape how free speech can be understood and articulated. In the section on legislation, I address American and European texts, as well as texts from the United Nations, followed by specific texts from France and Denmark. The philosophical angles are considered in the section on interpretation by grouping together three arguments when it concerns freedom of speech: freedom of speech as an absolute value, notions around pluralism, and freedom of speech as a right under responsibility. Included in the discussion of these are brief discussions in sub-categories for each on: *fighting words* (under absolute value); counter-speech (under pluralism); and extreme speech, hate speech, censorship and self-censorship (under freedom of speech as a right

under responsibility). The final section before the summary discusses recent free speech events and controversies, starting with the publication of Rushdie's *The Satanic Verses* (1989), and ending with the Twitter phenomenon of *#JeSuisCharlie* after the notorious extremist attacks in Paris in January 2015.

2.2. Legislation

Democracy and freedom of speech are interconnected (Redish and Mollen, 2009: 1303), and it is the duty of governments to protect freedom of speech in order to ensure that each citizen is able to thrive in a democratic environment and exercise their liberties. Yet it is open to interpretation, and it is this interpretative nature of speech that determines the degree to which an act of speech is offensive or criminal, save for laws and regulations that are specific to a country context; on topics such as racism, incitement to hatred, incitement to violence, or laws on Holocaust denial. This section will consider several aspects of legislative texts on freedom of speech from the American and European angles. Here, the literature often divides the texts into three areas: regulation in the United States, specifically the First Amendment of the Bill of Rights (Congress of the United States, 1789); the European Convention for the Protection of Human Rights and Fundamental Freedoms (Council of Europe, 1950), and the various legislative texts of the United Nations, which build upon each other in nuanced ways. This study is a comparative study between France and Denmark, and so each country's legislative texts on freedom of speech are also explored here, albeit in brief. In relation to France, there is consideration of a brief passage of the constitution and two laws that are often discussed in relation to freedom of speech: the Pleven Law of 1972 on racism and the Gayssot Act of 1990 on Holocaust denial. In the case of Denmark, freedom of speech is also considered in relation to a brief passage of the constitution, but mainly in relation to Paragraph 266b of the Penal Code, which is also known as the "racism paragraph" that deals with discriminatory or prejudicial speech acts.[4]

Since speech acts, either vocalised words or actions that articulate a position, are highly interpretative and subjective to the person interpreting the act, or contextual to the who's,

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[4] It is important to note that legislation of freedom of speech also has historical references to freedom of the press, though this chapter only touches upon freedom of the press briefly. Freedom of the press as a topic encompasses a broad area of research, such as the role of press freedom, censorship and press ethics (see, for example: Dosenrode, 2010).

the what's, the when's, the how's and the why's of said act,[5] the necessity of legislating freedom of speech remains. What we know is that guiding principles inform legislation and concepts, then become the outcomes we can examine today in relation to particular instances, such as in case law. However, the ability to identify a true definition of freedom of speech cannot be achieved merely through examining legislative texts, because in some cases the rights and sensibilities of particular parties take precedence, or a particular context might offer nuances that cannot be defined within specific terms. As will be explored in the section on interpretation and its applications, this interpretative element is divided between a position of freedom of speech being exercised as an absolute right, or a position of valuing pluralism, or lastly a position where freedom of speech is a right under responsibility; though this is dependent on where the speech act might be taking place geographically and contextually, and again, under what sorts of legislative contexts.

2.2.1. Landmark legislation

A key point of reference in the literature about free speech is The United States First Amendment of the Bill of Rights. In the majority of literature researched for this section, no other text has presented such a consistent source of intricate and multi-faceted deliberation. The Amendment reads:

> 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. (Congress of the United States, 1789)

The First Amendment was written in reaction to a specific circumstance, for a people living in a different time. It became law in the United States only thirteen years after independence from the British (Congress of the United States, 1776), due to specific motivations based on an urgent need for just those things the Amendment references: the right to freely practise a religion, and the right to freely express opinions individually or collectively after living under oppressive conditions. The historical nature and language used in the Amendment, however, makes it open to interpretation, given its distinct lack of clear meaning or definition (Bollinger, 1986: 5). This is particularly the case when reflecting on how "speech" is

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[5] This is loosely derived from Lasswell ([1948] 1964), "Who (says) What (to) Whom (in) What Channel (with) What Effect".

considered, because "speech in its aspect as communication—and conduct that is intended to communicate even if it is not speech in the strict sense—are at issue" (Collier, 2011: 2). In addition to being open to interpretation, the First Amendment requires a "*moral* reading", a perspective where individuals "must decide how an abstract moral principle is best understood" (Dworkin, 1996: 6, emphasis original). This moral reading, however, ties political morality with constitutional law, "but political morality is inherently uncertain and controversial, so any system of government that makes such principles part of its law must decide whose interpretation and understanding will be authoritative" (Ibid.). The language of the First Amendment is also often contested in light of language used in the Fourteenth Amendment, which provides "protection of citizens' privileges and immunities and its guarantee of due process and equal protection of the laws" (Ibid.: 7). What makes the First Amendment interesting is not only how it is read in and of itself, but how it is read in relation to other Amendments to the Bill of Rights as well.

In 1950, shortly after the Second World War, 47 member states signed the European Convention for Human Rights (ECHR; Council of Europe, 2018), previously known as the Convention for the Protection of Human Rights and Fundamental Freedoms. Article 10 of the ECHR offers an elaborated definition of freedom of speech. Consisting of two parts, the Article reads:

> (1) Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. This Article shall not prevent States from requiring the licensing of broadcasting, television or cinema enterprises.

> (2) The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary. (Council of Europe, 1950: 5)

In dissecting Article 10, it sets definitions of what governments are entitled to do. Where the First Amendment states what US Congress *cannot do*, Article 10 underlines what government is *allowed to do*. In essence, however, the thread that ties the two are notions of *freedom*

and liberty as defined by restrictions, as opposed to *freedoms in and of themselves*, which the texts of the United Nations highlight.

The United Nations

There is a plethora of texts within the United Nations that build upon or reiterate one another. These texts are often cited in the literature from a legal perspective where case law is used to rationalise or describe how freedom of speech was, or was not, exercised in a given situation. The seminal texts that will be discussed here are Article 19 of the Universal Declaration of Human Rights, and Article 19 of the International Covenant on Civil and Political Rights.

Announced in 1948 at the United Nations General Assembly (OHCHR, 2018d), the Universal Declaration of Human Rights (UDHR) includes its own clause concerning freedom of expression, specifically, Article 19: "Everyone 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" (UN, 2018). A difference between Article 19, the First Amendment and Article 10 of the ECHR, is that the latter have to do with government's role, whereas Article 19 states, in general terms, what *individuals* are *entitled to do*. Article 19 of the UDHR, however, is "generally understood merely as asserting a liberty right to express oneself, without any concomitant right to be assisted in communicating with wide—or narrow—audiences" (O'Neill, 2009: 169).

The next key legislative text is the International Covenant on Civil and Political Rights, which was adopted in 1966 (OHCHR, 2018c). Where the United Nations Declaration of Human Rights is *non-binding* (Mchangama, 2015: 76), the International Covenant on Civil and Political Rights (ICCPR) is binding for 168 signatory nations (George, 2016: 27). Article 19 of the ICCPR reads:

> 1. Everyone shall have the right to hold opinions without interference.
>
> 2. Everyone shall have the right to freedom of expression; this right shall include freedom 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 his choice.

3. The exercise of the rights provided for in paragraph 2 of this article carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary: (a) For respect of the rights or reputations of others; (b) For the protection of national security or of public order (ordre public), or of public health or morals. (OHCHR, 2018c)

Article 19 of the ICCPR echoes similar language to Article 10 of the ECHR, namely, that free speech acts carry with them certain responsibilities. Another aspect that is tied to these articles is hate speech or incitement to hatred, which is addressed in Article 20(a) of the ICCPR: "Any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law" (OHCHR, 2018c); as well as in Article 4(a) of the International Convention on the Elimination of All Forms of Racial Discrimination (CERD), from 1969, which:

> Shall declare an offence punishable by law all dissemination of ideas based on racial superiority or hatred, incitement to racial discrimination, as well as all acts of violence or incitement to such acts against any race or group of persons of another colour or ethnic origin, and also the provision of any assistance to racist activities, including the financing thereof. (OHCHR, 2018b)

In short, these various landmark legislative texts are often cited in the literature to argue cases in terms of their degrees of infraction (or offence), particularly in case law. Yet they are merely informative for the purposes of this study and it is now necessary to move the discussion onwards to national legislation in the French and Danish contexts.

2.2.2. National legislation of France and Denmark

Both France and Denmark have backed the European Convention on Human Rights (ECHR), as well as the International Covenant on Civil and Political Rights (ICCPR) and the Universal Declaration of Human Rights, in addition to the Charter of Fundamental Rights of the European Union. The Charter of Fundamental Rights of the European Union is legally binding due to the Treaty of Lisbon. This means that France and Denmark, in addition to their own laws, are bound by the Charter as well as the ECHR on a European level (Harris, M., 2013).

France and the Gayssot Act

Article 11 of the Declaration of the Rights of Man and of the Citizen from 1789 states: "The free communication of thoughts and opinions is one of the most precious rights of Man: every Citizen can therefore speak, write, freely print, except to answer to the abuse of this liberty in cases determined by the Law" (Légifrance, 2017a).[6] Although the circumstances and history of France's Declaration of the Rights of Man and of the Citizen is a key component of France's approach to individual liberties, Article 11 is not often referenced in the literature; rather it is the Pleven Law and particularly the Gayssot Act that receive the most attention.

In 1972, the Pleven Law was passed by French parliament, targeting specifically racism, racial discrimination, libel and racist speech (Légifrance, 2017b; Bird, 2000: 399,408,409). The Gayssot Act of 1990 renders it illegal to deny the Holocaust (Bird, 2000: 411), as well as any act that is racist, anti-Semitic or xenophobic (Légifrance, 2017c). France is a republican society (Bird, 2000: 400), and it has these protections against racism which present a challenge where "the French law against racist speech represents a shift toward the recognition of group-based equal rights and has set in motion important transformations in public race conscious", however, "judges seem to take into consideration the public mood at a particular time and place to determine whether a certain expression is likely to cause a dangerous public disruption" (Bird, 2000: 407). This then means that legal tolerance can be shaped by a given event, even though freedom of speech is guaranteed by the government (Ibid.: 413); and so there is a tension here between individually-based rights and group-based rights when it concerns free speech violations.

One of the most often-cited cases in the French context when it concerns freedom of speech, extreme speech and hate speech in recent times, is the notorious negationist and historian Robert Faurisson and his statements with regard to Holocaust denial (Bleich, 2011b: 922). In the mid-1990s, the United Nations Human Rights Committee ruled against him in *Faurisson v. France*, by conceding that the Gayssot Act was an admissible restriction to the rights granted in Article 19 of the ICCPR (OHCHR, 2018a; Bleich, 2011a: 58), which, as noted before,

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[6] "Art. 11. La libre communication des pensées et des opinions est un des droits les plus précieux de l'Homme : tout Citoyen peut donc parler, écrire, imprimer librement, sauf à répondre de l'abus de cette liberté dans les cas déterminés par la Loi" (translation mine).

is binding for its signatory nations (George, 2016: 27). With regard to Faurisson, the Human Rights Committee stated that "while he does not contest the use of gas for purposes of disinfection, he doubts the existence of gas chambers for extermination purposes ('chambres à gaz homicides') at Auschwitz and in other Nazi concentration camps" (OHCHR, 2018a: 3). However, the document then goes on to describe Faurisson to have argued that the passing of the Gayssot Act meant that he was targeted personally and was being prevented from his individual freedom of expression and academic freedom, as well as "that the incriminated provision constitutes unacceptable censorship, obstructing and penalizing historical research" (OHCHR, 2018a: 5).[7]

What makes the *Faurisson v. France* case relevant to a discussion on freedom of speech, is the line between the right to express oneself when it concerns contesting or critiquing historical events. So-called "memory laws", which ensure that the severity of past events cannot be legally negated or denied (Gutman, 2016: 576), can be perceived by some to infringe on their rights to individually express their opinions or beliefs on a topic, even if they go against a documented historical narrative. As will be shown in the French case study selected for this project and discussed further in the next chapter on communication, the repeated denial, misgiving, or making light of the extent of an event like the Holocaust is a speech act that is then moved beyond the realm of freedom of speech, because it questions historical memory and compromises the victims' human dignity.

Denmark and the "racism paragraph"

Section 77 of the Danish Constitution, with regards to freedom of speech states: "Everyone is entitled to publicize his ideas in print, in writing or speech, though under responsibility by the courts. Censorship and other preventive measures shall never again be introduced" (Folketinget, 2015). The notion of responsibility is echoed here, as in Article 10 of the ECHR; however, the sentence on censorship refers to the prohibition of censorship in 1849. Prior to this, the Danish King's civil servants were able to inspect books and newspapers before publication and make any changes they wanted. The prohibition presently means that there cannot be criminal proceedings made after the publication of newspapers or books, though

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[7] The "personal" element here was that Faurisson had a history in the previous decades of stating his misgivings about the severity of the genocide of Jews during the Second World War (Rousso et al., 2006: 76).

injunctions can be placed if said publication risks upsetting public order (Folketinget, 2016). More specifically, what is often cited when it concerns freedom of speech in the Danish context is the so-called "racism paragraph" (Siim and Meret, 2016), which is Section 266b of the Danish Penal Code:

> Whomever publicly or with the intention of wider dissemination, makes statements or imparts other information by which a group of people are threatened, insulted or degraded on account of their race, skin colour, national or ethnic origin, religion or sexual orientation shall be liable to a fine or to imprisonment up to two years.[8] (Justitsministeriet, 2016)

A historical case which is often discussed in relation to Section 266b and the Danish context is the case of *Jersild v. Denmark*, which reached the European Court of Human Rights in the early 1990s (Belavusau, 2010: 170). Here, Danish journalist Jens Olaf Jersild interviewed a group of radical young adults called the "Green Jackets" (*Grønjakkerne*), as a part of a public-access programme televised in July 1985 (ECtHR, 1994: 4). During the interview, the participants made several blatantly prejudicial statements about immigrants and minorities, as can be seen from these transcript excerpts:

> Just take a picture of a gorilla, man, and then look at a nigger, it's the same body structure and everything, man, flat forehead and all kinds of things.
>
> A nigger is not a human being, it's an animal, that goes for all the other foreign workers as well, Turks, Yugoslavs and whatever they are called.
>
> What we don't like is when they walk around in those Zimbabwe-clothes and then speak this hula-hula language in the street. (ECtHR, 1994: 9)

Jersild was found guilty of racism in the national courts, because it was determined that not enough efforts were made to provide a criticism of, or counter-discourse to, the comments made in the interviews. However, this was later overturned by the European Court of Human Rights, because it indicated that it was not up to the Court, "nor for the national courts for that matter, to substitute their own views for those of the press as to what technique of reporting should be adopted by journalists" (Belavusau, 2010: 171). What makes this case

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[8] "Den, der offentligt eller med forsæt til udbredelse i en videre kreds fremsætter udtalelse eller anden meddelelse, ved hvilken en gruppe af personer trues, forhånes eller nedværdiges på grund af sin race, hudfarve, nationale eller etniske oprindelse, tro eller seksuelle orientering, straffes med bøde eller fængsel indtil 2 år" (translation mine).

thought-provoking and relevant to the discussion undertaken in this chapter is to what extent there is media responsibility when handling statements that can be interpreted as hateful (Ibid.). What *Jersild v. Denmark* shows is that like any legislative text, Section 266b is open to interpretation, both to the context, but also in the presentation of material and argument, or the presentation of others' points of view. Hate speech in Denmark when it concerns Paragraph 266b of the Penal Code is a current topic of discussion: some say that it needs to be abolished because it creates a situation where certain cases reach conviction and others do not (Mchangama, 2015: 75), whereas others say that it is a necessary element needed in contemporary Danish law (Lykkeberg, 2013; Stanners, 2013).

2.2.3. The challenges of legislation

In summary, the beginning of this section outlined a number of core legislative texts that are often brought up and explored in the literature. In the introduction to this chapter, the point was made that freedom of speech can never be entirely free or devoid of government involvement, since laws exist in order to protect and defend individual liberties. In the words of legal philosopher Ronald Dworkin (2006: 44):

> Free speech is a condition of legitimate government. Laws and policies are not legitimate unless they have been adopted through a democratic process, and a process is not democratic if government has prevented anyone from expressing his convictions about what those laws and policies should be.

What do we do then, when processes of legitimation are translational across borders and cultures? As will be discussed in the next section on freedom of speech and its interpretation, there is a tension between the approach to freedom of speech as a fundamental liberty and the approach that it is still a fundamental liberty but it carries with it responsibilities. In the case of Europe, the ECHR has "a framework that considers contested expressions to be performing two speech acts: imparting information or ideas to the public, and acting on some people's feelings" (Bot, 2012: 255). France and Denmark are both members of the European Union, and from Article 2 of its treaty is the following:

> The Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities. These values are common to the

Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail.
(EUR-Lex, 2016)

As with most legislative texts, they are texts that bind countries to honour them, but in reality they are words to aspire to even though they are "European values" (Harris, M., 2013). When we consider that countries like France and Denmark are ranked highly in terms of press freedom (39 and 4, respectively; RSF, 2018), it is also important to consider how that access is perceived and what mechanisms are involved in providing or denying that access. Laws are also now passed regionally or nationally, since "social peace in an increasingly multiculturalist Europe requires certain restrictions on expressions aimed at racial, ethnic, and religious (and recently also sexual) minorities" (Mchangama, 2015: 77). How arguments on restrictions are shaped, not just within legislation but also within the literature, invokes the interpretative aspects of freedom of speech. This is especially the case because free speech controversies cannot always be negotiated using arguments within legislation or jurisprudence, since the nuances of interpretative reactions such as offence, in the form of "moral injuries", do not fit neatly into categories that laws can define (Veninga, 2016: 28). Also, whether or not laws exist does not necessarily determine if freedom of speech can be or cannot be exercised (Grimm, 2009: 11), so the limits of freedom of speech are always in flux, and open to interpretation.

2.3. Interpretation

Part of what makes free speech debates so contentious is the tension that is held in place by tolerance and only broken by offence, discrimination, incitement to violence, or violence. This tension, however, is also disrupted by the interpretation of what or whose liberties and freedoms take precedence. Perhaps a different tactic when it concerns freedom of expression is to see these "freedoms as freedoms of communication, because this includes an interactive perspective including listeners/viewers and a variety of audiences" (Bader, 2014: 322); however, extending it to "freedoms of communication" does not necessarily mean that the role of offence dissipates. Offence caused by grievous infringements such as hate speech makes it equally difficult to pin down and define, either in legal terms or more deliberative terms (Bader, 2014: 323), because "expression rightly has limits and we should distinguish between liberty, which is valuable, and mere licence that allows anything at

whatever cost" (Franco and Warburton, 2013: 151). Therefore, context and interpretation are crucial, as noted in an often-cited passage from John Stuart Mill:

> 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] 2003: 131)

The context of a speech event, to what degree it incites a reaction, how it is interpreted, how these interpretations are vocalised and to what degree these vocalisations receive and impart attention, are all factors in gauging the degree to which the event or act is offensive, an infringement on the rights of others, or a crime. These interpretations are shaped by the philosophical foundations of free speech that one may have, the main three of which are: freedom of speech as an absolute value, which states that an individual must be able to express themselves at whatever cost, regardless of what other people think; pluralism, or a fundamental valuing of multiple voices and ideas; and freedom under responsibility, which imposes on the speaker the acknowledgment of certain considerations before engaging in a speech act. Included in this discussion are the sub-categories: *fighting words* for free speech as an absolute value; counter-speech for pluralism; and extreme speech, hate speech, censorship, and self-censorship for free speech as a right under responsibility. By starting out with freedom of speech as an absolute value, this section will discuss how a precedent such as this can, or cannot, be met.

2.3.1. Absolute value

At the core of freedom of speech as an absolute value is the ability to express oneself without restraint. John Milton's, *Areopagitica* ([1644] 1738), offers arguments for both freedom of speech and freedom of the press. *Areopagitica* contests the need for book licensing and censorship because of a "worry about the impact of governmental restraint" (Saxonhouse, 2006: 20); "for Books are not absolutely dead things", Milton emphasises, "but do contain a potency of Life in them, to be as active as that Soul was, whose Progeny they are; nay, they do preserve, as in a Vial the purest Efficacy and Extraction of that living Intellect that bred them" (Milton, [1644] 1738: 5). Milton was concerned that too much control over the press could lead to the demise of society and intellectual exchange. The central theme of *Areopagitica* resonates even to the present day, and it is a key work in the appeal for

preventing government interference in public discourse (Saxonhouse, 2006: 20-21), as well as being emblematic of individual freedom. Milton echoes this with his statement, "but when Complaints are freely heard, deeply considered and speedily reform'd, then is the utmost Bound of civil Liberty attained, that wise Men look for" (Milton, [1644] 1738: 2). Although this chapter cannot go into the history and intricacies of press freedom, Milton's arguments here point to the vital need to be able to express oneself without restraint, a theme of which is also predominant in the American First Amendment.

The First Amendment is unique, because "this exceptional level of protection for free speech is the product of a long tradition of protecting the sovereign rights of self-governing citizens against the dangers posed by an excessively invasive state" (Bird, 2000: 400). Indeed, the First Amendment "epitomizes the liberal vision of pluralistic tolerance" (Ibid.), however, the reason why freedom of speech as an absolute value has been placed in its own category, and not alongside pluralism, which will be discussed later, is because while pluralism is an approach to freedom of speech that requires it to be unrestricted and open to the extent that the ability to impart or seek truth is exercised in order to achieve civility, freedom of speech as an absolute value gives the speaker the right to engage in speech acts regardless of the outcome or benefit of the speech act. It could be seen by some as bearing a moral right to freedom of expression (Ramsay, 2012: 31; Brison, 2008: 98), and also by others as a political doctrine (Brison, 2008: 97), instead of a philosophy.

Yet the point that is continually raised is that the language of the First Amendment, like all historical texts, is open to interpretation. In Dworkin (1996), it is made clear that as the drafters of the American Constitution, the Founding Fathers, could not have considered the consequences of the phrasing they used (Schwarzschild, 1998: 597). This can be seen in the case of the interpretations of the First Amendment, as well as Dworkin's aforementioned emphasis on using a "moral reading" when examining it through a philosophical lens. Dworkin also employs a judicial lens in relation to the American Constitution and argues for "a high level of generality to give courts the authority to prescribe just social policy" (Schwarzschild, 1998: 599). This is an interesting argument, because it underscores just how speech is subjective both within and outside the realm of legislation.[9] Meiklejohn ([1948]

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[9] In one example, Schwarzschild (1998: 599) discusses how Dworkin argues that pornography should not be censored, though MacKinnon (1993) makes an emphatic case for the elimination of pornography as "speech", and provides arguments for the elimination of

2004: 3-5), discusses the American context in relation to the First Amendment, where political freedom and self-governance are a norm in the United States:

> What, then is the difference between a political system in which men do govern themselves and a political system in which men, without their consent, are governed by others? Unless we can make clear that distinction, discussion of freedom of speech or any other freedom is meaningless and futile.
> (Meiklejohn, [1948] 2004: 5)

Absolutely this is a necessary thing "if the citizens of a democratic state are to perform their duties as self-governing citizens" (Scanlon, 1972: 206). Yet a key criticism of Meiklejohn is that he relies on a "supposed boundary between public speech and private speech" (Chafee, quoted in Stone et al., 2008: 11). Ultimately, it comes down to a view of government being a "servant" to its people, or as a "master" of its people (Chafee, 1919: 947). Chafee (1919), talks about balancing individual interests and group interests when considering the merits of a speech act. The individual interest lies in the right of the individual to express themselves, and the social interest lies in the objective of achieving truth (Ibid.: 957).

"Fighting words"

Even though the First Amendment provides language that intimates that it protects freedom of speech as an absolute value, the "fighting words doctrine" counters this because speech can be prevented if it disrupts public order (Bleich, 2011b: 922). *Fighting words* originated in the case of *Chaplinsky v. New Hampshire* in 1942, which eventually reached the Supreme Court. In it, a Jehovah's Witness called a city official a "Fascist" and a "damned racketeer" (Anonymous, 1993: 1130), and the conviction was upheld because these "'fighting' words neither contributed to the expression of ideas nor possessed any 'social value' in the search for truth" (Rosenberg, 2009). The *fighting words* argument then distinguishes mere opinions with opinions that are not constructive, and opinions that may even be potentially harmful; which brings the discussion to the protection of free speech even when it involves racist speech (Bleich, 2011b: 918), and also brings up the topic of tolerance. Barendt (2005: 30-31) argues, in reference to Bollinger (1986) and his work on extreme speech, that:

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various forms of female objectification in terms of the First Amendment (concerning speech) and the Fourteenth Amendment (concerning equality).

> Freedom of speech should be explained and defended as helping to develop a practice of tolerance; hate speech cases provide a good setting for cultivating tolerance, since speech is less damaging than, say, discriminatory conduct, and therefore, these decisions pose relatively few dangers to social cohesion.

This position, however, could certainly be debated. Freedom of speech is considered to be a "fortress", according to Bollinger, and "so great is the fear of a government power that might limit free speech that even extremist speech must be protected lest the fortress be weakened" (quoted in Saxonhouse, 2006: 22). Regardless of the *fighting words* doctrine, even if one was to look at freedom of speech as an absolute value which is inviolable, its limitation is evident where "the problem still remains in identifying the exact boundary between legitimate public discourse and objectionable speech" (Grimm, 2009: 19).[10] These boundaries, between opinions, constructive opinions, or how and in what ways tolerance can balance opinions with offence, must be established through consensus and debate, which brings the discussion to arguments on pluralism.

2.3.2. Pluralism

The ability to express oneself in a social context without restraint and the search for truth are fundamental aspects of pluralism, where "hearers have a basic right to receive a speaker's expression, one that stands alongside a speaker's right to express himself" (Ramsay, 2012: 68). The ability to exchange ideas without fear of any repercussions or persecution is a fundamental aspect of a plural, democratic society. Indeed, there is an integral notion of "the crucial role of freedom of expression in the formation of public opinion on political questions" (Barendt, 2005: 18), and freedom of speech will always have a political element not only on the practical side of government's role in legislation, but also because a citizen's ability to exercise freedom of speech is reflective of the democratic climate of a given citizen's country and the types of liberties that he or she is afforded. Supporting a pluralistic model would indicate that a given society acknowledges the "value of diverse ways of life which may be incompatible and conflict, but which tolerate each other" (Barendt, 2005: 30).

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[10] There is also an argument that "not freedom of speech, but the exceptions require the justificatory arguments", because "freedom of speech no longer is in need of defense itself. It is rather the expectation" (Saxonhouse, 2006: 34).

Mill's essay, *On Liberty* ([1859] 2003), makes a case where every individual can provide a valid contribution towards public debate. Published in 1859, Mill is "more concerned with the process of discovering truth rather than the meaning of the term", because "the premises of an idea must be continually contested, free from persecution from the state and the 'tyrannical majority'" (Wragg, 2013: 384):

> If all mankind minus one were of one opinion, and only one person were of the contrary opinion, mankind would be no more justified in silencing that one person, than he, if he had the power, would be justified in silencing mankind. (Mill, [1859] 2003: 100)

This quote speaks to the "marketplace of ideas" argument, and it is one that is fundamental to the case for freedom of speech (Stone et al., 2008: 9; Baker, 1989: 6); where everyone has a right to contribute to public discussion, debate, and intellectual development. The *marketplace of ideas* argument is a "core of ethics of communication" (O'Neill, 2009: 168). Yet there are several important criticisms here, which include Mill's assumption that the publication of statements which are true contribute towards the "highest public good", the expectation that all members of society are capable of contributing equally to public debate, and considering distinctions between factual statements and expressive statements (Barendt, 2005: 8-10). Also, there is an argument that "there is no truth—only the competition of ideas" (Justice Holmes, quoted in Belavusau, 2010: 175).[11]

Since pluralism allows for a diverse range of beliefs and opinion sharing, the notion of tolerance comes in here as well, especially when it concerns insult or offence. In a democracy even those in power cannot escape being insulted or offended, and, in the example of religious offence, Dworkin (2006: 44) writes:

> If we want to forbid the police from profiling people who look or dress like Muslims for special searches, for example, we cannot also forbid people from opposing that policy by claiming, in cartoons or otherwise, that Islam is

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[11] This quote is from *Abrams v. United States*, where anti-war activists were convicted for distributing pamphlets in 1919 (PBS, 2007). A further quote by Justice Holmes that is also often cited is "that the best test of truth is the power of the thought to get itself accepted in the competition of the market" (US Supreme Court, 1919: 250-U.S.630), which complements Mill where he says: "However unwillingly a person who has a strong opinion may admit the possibility that his opinion may be false, he ought to be moved by the consideration that however true it may be, if it is not fully, frequently, and fearlessly discussed, it will be held as a dead dogma, not a living truth" (Mill, [1859] 2003: 114).

committed to terrorism, however misguided we think that opinion is. Certainly we should criticize the judgment and taste of such people. But religion must observe the principles of democracy, not the other way around. No religion can be permitted to legislate for everyone about what can or cannot be drawn any more than it can legislate about what may or may not be eaten. No one's religious convictions can be thought to trump the freedom that makes democracy possible.

The ability for someone to convey an opinion and for someone else to be able to respond is key to a pluralistic environment, however, once the element of religion is introduced, there is a division between regarding religion as a personal (and private) choice or belief system and recognising that members of a faith may regard their belief system to be a way of life and worldview. In other words, as described above by Dworkin (2006: 44), religious convictions cannot supersede freedoms such as freedom of speech, even if members of a particular faith view their religion as being able to dictate what freedoms can, or cannot be exercised. Regardless of a person's definition of faith, the ability to reply and voice a counter-discourse is also a key element in a pluralistic context and is discussed in the literature in the form of counter-speech.

Counter-speech

The right to freedom of speech does not only rest with the speaker, but also with the listener. Counter-speech, or the act of offering a counter-discourse to meaningfully engage in a conversation or debate on a topic, offers the listener an opportunity to react or to "speak back" (Mårtensson, 2013: 230; Gelber, 2002: 117), particularly when it concerns speech directed towards a minority. Indeed:

> Counter-speech is also essential. Politicians should lead by condemning incidents of discriminatory expression, while ensuring that members of targeted minority communities can make their own voices heard in the media and elsewhere to counter the ignorance on which so much prejudice is based. (Franco and Warburton, 2013: 151)

The notion of "speaking back" applies here for members of society who are marginalised and who would otherwise be the target of particular speech acts. This is tied to political rights where criticising and protesting are an important facet of garnering attention (Sen, 1999: 4), and offering a counter-discourse. Within the counter-speech context also lies the *right to*

offend argument, which is the premise that the right to engage in a particular speech act must be allowed because it plays a vital role within a particular discussion, and to impede this dialogue would go against fundamental constructs of democracy (Bot, 2012: 255). Included here would also be a *right to ridicule* argument where:

> Ridicule is a distinct kind of expression; its substance cannot be repackaged in a less offensive rhetorical form without expressing something very different from what was intended. That is why cartoons and other forms of ridicule have for centuries, even when illegal, been among the most important weapons of both noble and wicked political movements. (Dworkin, 2006: 44)

Speaking openly about a topic is important for both the pluralism argument as well as the counter-speech argument, because the alternative carries with it its own dangers. Here, it is "far better to meet the deeply offensive with rebuttal and ridicule in public than to encourage secret exchanges of toxic views" (Franco and Warburton, 2013: 152). This is a negative argument, and a positive argument for counter-speech also bears with it noble causes, such as giving voice to social issues, or fighting for social change and equal rights in countries where this is not the norm (Nasrin, 2008). Counter-speech is important in challenging ideas and opinions, and the ability to ridicule can challenge social, cultural and political models, as well as ideas about political correctness; however a limitation here is that "we also need to remember that the fact that there is a *right* to offend does not mean that there is a *duty* to offend" (Lester, 2010: 23, emphasis original). Negotiating that element of duty, however, then plays into notions of freedom of speech as not being an absolute value or adhering to a pluralistic approach, instead, it means that freedom of speech must be regarded as a right under responsibility.

2.3.3. Right under responsibility

The idea of freedom of speech as being a liberty yet under responsibility is one that is not immediately obvious in the literature on freedom of speech. In terms of legislation, however, it is quite clear that the European context does not see freedom of speech as absolute as much as it is in the American context. The American approach has a "judicial rhetoric" that is supporting a "democracy as liberty" argument, whereas the European model is supporting a "democracy as equality" argument (Belavusau, 2010: 182). The literature addresses this as well but it is also about considering a speech act as something that is constructive and meaningful towards a debate that provides positive contributions to society. Scanlon (1972:

204-205) describes freedom of speech as being consequentialist. This means that the merits of a dialogue that may have immediate consequences must be determined in terms of the merits of lasting contributions of that dialogue. Whether or not a speech act is meaningful or if it provides a lasting contribution would be subjectively based on interest: "the speaker's interest in communicating ideas and information; the audience's interest in receiving ideas and information; and bystanders' (or public) interest in speech" (Barendt, 2005: 23,25,27). How interest is generated, that is, if there is no constructive contribution to a debate, determines the legitimacy of a speech act and engages these elements of freedom of speech under responsibility. Offence, however, is also a form of legitimation of a speech act in itself because the reactionary components of a response such as offence are a form of acknowledgement of the speech act.

There are several key texts on freedom of speech, offence and legitimacy, which are important when considering freedom of speech as a liberty under responsibility. Butler (1997: 4), develops arguments about accountability and the communicative aspects of "linguistic vulnerability". Here, she investigates the embodiment of language and how harmful words affect communication, the nature or enactment of language and communication, as well as ideas about how words are expressed and the nature of the delivery of words (Butler, 1997: 5,8,13). In contrast to other philosophical works on free speech that discuss the rights of the individual in relation to a government or society, Butler takes a distinct route by discussing the implicit consequences of words and their interpretations and how they relate to agency (Bot, 2012: 239).[12]

Schauer (1982: ix-x) also investigates philosophical principles of free speech, including the communicative aspects of free speech, in the form of the relevance of "an other-regarding activity", which highlights the fluidity between "self-regarding acts and other-regarding acts; but if there is such a distinction, then speech is more often than not other-regarding, capable of causing great harm and great good". Rooted in the distinction between behaviour that is self-regarding or behaviour that is other-regarding is the "harm principle" (Mondal, 2016: 4; Bleich, 2011b: 918), originating with Mill ([1859] 2003), where he writes in *On Liberty*, "that the only purpose for which power can be rightfully exercised over any member of a civilized

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[12] Theories of agency encompass a further body of literature. Butler (2006: 195-199), for example, elaborates on notions of agency are a part of a "process of signification", one that negotiates individuals as subjects within a "cultural field".

community, against his will, is to prevent harm to others" (Ibid.: 94). Looking at the *harm principle* further shows that:

> The more important distinction appears to be that between consensual and non-consensual harm, rather than that between the self-regarding and non-self-regarding action. That is, interference can be justified in order to prevent non-consensual harms, but not to prevent consensual harms.
> (Saunders, 2016: 1005)

Of course, the notion of "harm" and what it specifically entails can be, and is, contested in present terms (Turner, P.N., 2014: 299), and certainly the processes of giving and receiving consent can be blurred and are subjectively ascertained. The important point to take away here, however, and apply it back to the current discussion, is that the perception of any sort of harm is indeed specific to the individual, but it invokes aspects of the vulnerability of a person or group, as well as harm to an individual or group; particularly if it involves hateful or extreme speech.

Extreme speech and hate speech

Extreme speech and hate speech both compromise and reinforce freedom of speech. They are concepts that encompass the various interpretative angles discussed so far in this chapter. If we consider freedom of speech as an absolute value and the dangers of self-censorship, then it is important to allow extreme speech or speech that may seem hateful, by respecting the right of an individual to express him- or herself. The presence of extreme speech or hateful speech is also necessary as a part of a pluralistic spectrum and giving audiences or listeners an opportunity to offer counter-discourses to this speech. The limitation of extreme speech and hateful speech is when one considers the dangers to public order, or the dangers of incitement to violence or discrimination against individuals or groups that are vulnerable.

Hate speech is evidenced by how speech is communicated or by assessing the probability of causing harm through violence or discrimination (Post, 2009: 127). A definition of it is where hatred is expressed towards an individual or a group, and is based on a shared characteristic of said person or group (Weinstein and Hare, 2009b: 4), which is elaborated on here by Cohen-Almagor (2013: 43), as being:

> Bias-motivated, hostile, malicious speech aimed at a person or a group of people because of some of their actual or perceived innate characteristics. It expresses discriminatory, intimidating, disapproving, antagonistic, and/or prejudicial attitudes toward those characteristics, which include gender, race, religion, ethnicity, color, national origin, disability, or sexual orientation. Hate speech is aimed to injure, dehumanize, harass, intimidate, debase, degrade, and victimize the targeted groups and to foment insensitivity and brutality against them.

Speech that is perceived as harmful is perhaps fleeting, but it highlights cultural divides and enforces a particular social status or hierarchy. In establishing identity-based social hierarchies, hate speech also helps create and sustain these hierarchies (Simpson, 2013; 701-706). Freedom of speech is a fundamental liberty, but if we take the claim that hate speech cannot be legally prohibited until harm is established (Ibid.: 707), we then enter into more dangerous territory. Establishing harm can be done in different ways, for example, Benesch's (2013: 2) dangerous speech framework is one example where it is relevant to examine how a speaker may have impact on an audience, the reactions of the audience to the speaker, the risks of harm or violence, and how much effect the method of the message may have in the dissemination of ideas.[13] Whatever the case may be, speech that has the potential to harm or infringe on an individual or a group's human rights and rights to live free of persecution, would then require prevention in the form of censorship.[14]

Censorship

Cohen-Almagor (2005: 244) identifies four points to consider before limiting free speech, "1. The content of the expression, 2. The manner of expression, 3. The intentions of the speaker, 4. The circumstances". The requirement of censorship would then need to be balanced by considering whether or not a speech act is considered to be offensive or incites violence (Tsesis, 2013: 1146), and to what degree this may infringe on someone's right to dignity (Waldron, 2010: 1597). Referring back to the *harm principle*, the outcome of censoring speech needs to be carefully considered because:

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[13] One example of the dangers of harm in hate speech is explored in the case of the 2007 Kenyan Presidential elections and incitement to violence through the use of hate speech on broadcast media (Elliott et al., 2016: 16-20).

[14] Although this section on extreme speech and hate speech is quite brief, Weinstein and Hare (2009a) offer a comprehensive edited volume on the topic, using various legal, philosophical and communication angles.

> If group after group demands protection for its history, it may prove politically difficult to rebuff successive claims because of the precedents set by earlier decisions. Drawing the line around the freedom for racists to express themselves or to be free from punishments for their opinions (even when they serve as motives to criminal acts) is a difficult task in ethnically diverse states. For liberal purists, there are few justifications for restricting racists' rights to think, say and act according to their beliefs. For others, the marginal restrictions on racist expression or penalties for racist motives are acceptable because they help to preserve community cohesion and public order or because they prevent undue harm to victims and protect their dignity. (Bleich, 2011b: 930)

The requirement for censorship arises because individuals engaging in speech acts need to be held to account, but the danger or limitation here would be that censoring would create "free speech 'martyrs' of the speakers and giving the hateful message a larger platform than it might otherwise enjoy" (Franco and Warburton, 2013: 150). There is also an argument that "proponents of hate speech bans have yet to demonstrate convincingly any link between such bans and social peace and tolerance" (Mchangama, 2015: 75). It should be remembered, however, that there is a distinction between expressive actions that are fleeting, and expressive actions that bear consequences due to the "transmission of meaning" of these actions (Collier, 2011: 2). How meaning is transmitted is naturally tied to language and how we communicate or articulate our ideas.

Self-censorship

In some instances, objectionable speech is met with extreme forms of outside pressure and results in self-censorship. This is problematic because there is then a restriction that is put in place. Reactions to restrictions in the form of self-censorship can be in two forms: in the form of a public's disapproval, or in the form of an individual's engagement in self-censoring (Cook and Heilmann, 2013: 178). Self-censorship and freedom of speech has been explored in relation to the media (Anthonissen, 2008), from a creative perspective in literature (Coetzee, 1996), as well as in artistic expression (Mintcheva, 2016), amongst many other areas of research. What then, are "acceptable" forms of speech? It would seem overly simplistic to return to the previous argument that any speech, even speech acts that would seem hateful, are a necessary element of an individual's access to self-expression and by extension, a contribution to public discourse. Protecting hate speech, however, and not enforcing censorship in certain contexts, presents risks of racism becoming the norm in pluralistic

societies (Hirvonen, 2013: 78), which then compromise human rights, as well as defame and injure (Leo et al., 2011: 769).

2.4. From "The Satanic Verses" to "Je Suis Charlie"

There have been a number of free speech events in the last three decades that have provided much fuel for debates on freedom of speech and its limits, both with the selected country contexts of France and Denmark, as well as globally. In September 1989, Salman Rushdie published his novel *The Satanic Verses* in the United Kingdom, which led to protests on a global scale (Winston, 2012: 3). Some of the protests of the book led to violence, though there were arguments that these were "over-reactions" to this literary work (Ibid.). Still, a *fatwa* (death sentence) was placed against Salman Rushdie, which created political tensions across global Muslim publics (Ibid.: 5). Some countries banned the book or made it a crime to own it, and several newspapers and bookstores were attacked for publishing and selling it, as well as continued riots and casualties (Ibid.: 3-7). Translators of the book were assaulted, one killed (Ibid.: 7). The reaction to the book was highly contentious and sensitive because of a division between those viewing the book as a literary contribution, and those who consider themselves as a part of an international Muslim community, and who viewed the book as an affront to the Prophet Mohammed (Malak, 2005: 100).

Herein lies the problematic of freedom of speech, both in the case of *The Satanic Verses* and its ensuing controversy, but also with *Charlie Hebdo*'s publications, and the Danish Mohammed Cartoon controversy. The purported insult that is claimed with such affronts to a certain people's sensitivities and convictions lies in tension with freedom of speech and the ability to exercise creative expression, and with this, there is a risk that is carried. Certainly:

> Creativity has been – is – threatened and the publication, performance or exhibition of works, destined almost always for limited distribution or circulation, now run the danger of being transformed, by the actions of the mob or lone assassins, into occasions of mayhem and terror. (Winston, 2012: 9)

Controversies in the recent three decades since the Rushdie Affair that involve faith, religion, and ethnic minorities have been violent. Theo van Gogh, the Dutch filmmaker who directed a short film called *Submission*, was murdered in 2004 in a proclaimed act of religious violence

(Cottee, 2014: 981).[15] In 2005, Danish newspaper *Jyllands-Posten* published twelve caricatures of the Prophet Mohammed and sparked a debate as to when it is suitable and appropriate to exercise rights to freedom of speech when it concerns religion (Rose, F., 2005). French satirical newspaper *Charlie Hebdo* also published caricatures of the Prophet Mohammed, as a follow-up to the Danish Cartoon Controversy in 2006 (Klausen, 2009: 192). The case of the *Charlie Hebdo* caricatures is not so important in and of themselves as drawings or illustrations in this present discussion, but in terms of their influences on a discourse on religion and the mocking of religion in the French public sphere. The *Charlie Hebdo* caricatures are without a doubt a commentary on diversity in present-day France, and even if they were published as humour and satire, they could be seen as baiting the flames of a contemporary French "clash of civilizations" and a "problem of immigration" (von Rohr and Leick, 2013).

In 2008, the short film *Fitna*, was produced by right-wing Dutch politician, Geert Wilders, who is the leader of the Dutch People's Party for Freedom. Both this production, as well as *Submission*, to varying degrees of explicitness, have been viewed as being critical of Islam and contributing to polarisation in The Netherlands (Vellenga and Wiegers, 2013: 111), yet they have also contributed to free speech discussions in a larger European and global context. In 2012, another short film originating from the United States, *Innocence of Muslims*, was uploaded to YouTube. Although the production quality is said to be quite poor, as well as being heavily dubbed, the film was considered to contain offensive material and so controversy ensued, leading to riots across the Arab world, and in particular, Egypt; where the film's director was sentenced to death *in absentia* (Cox, 2014: 740-741). What makes this case relevant is that the blasphemous elements of the film are countered with an observation of a "Muslim reaction" to the material (Ibid.: 756). Although the production elements of the film were described as "comically poor" (Ibid.: 768), this is not what mattered the most: it is the representation of a religious figure that caused offence.

The last event to discuss here are the Paris attacks in 2015, which consisted of one attack at a kosher supermarket and another attack at the *Charlie Hebdo* office. The aftermath of this attack brought forth a discussion where "public discourse surrounding these events has

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[15] The scriptwriter for *Submission*, Ayaan Hirsi Al, is a Somali-born Dutch immigrant, who at that time was involved in Dutch politics and was the actual target of Theo van Gogh's assassin, making her a would-be "martyr for free speech" (Jusova, 2008: 148).

largely relied on interpreting them in terms of free speech and blasphemy, pitting what is described as the Western democratic value of freedom of speech against Muslim religious sensitivities" (Veninga, 2016: 25). A division was created between supporters of *Charlie*, as being supporters of the right to free expression versus the "others" who did not support these values. What became apparent in the aftermath of the attacks was that this was not such a simple binary. There were individuals who did not support *Charlie* in what they were doing through their message and publications, though they were against the violence that took place and what that violence represented (Ferencik, 2017: 54). This support against the attack and targeting of the victims (but not ascribing to the *#JeSuisCharlie* movement) contributed an important element to a discussion on freedom of expression, because it showed how public discourses that may once have been perceived as a binary, freedom of speech as a Western democratic value versus Muslim religious sensibilities, shifted to one that showed how French Muslim publics did not see the issue as being one to do with sensibilities, but instead about how the violent acts that took place had nothing to do with mainstream Muslims or Islam as a religion.

2.5. Conclusion

In exploring freedom of speech first in terms of its legislation and then by its interpretation, it is clear that there are limitations across the board. The American and European legislative contexts are rooted in values of "democracy as liberty" and "democracy as equality", respectively (Belavusau, 2010: 182), when it concerns freedom of speech. Although free speech in the American First Amendment is as close as one can get to a position of freedom of speech as an absolute value, the European approach of free speech under responsibility means that both areas are confined by limitations imposed by a *harm principle*, in terms of disruption to public order or the risk of injury to a given group of people. The interpretative arguments discussed in this chapter all have their own limitations as well, and are reflective of various deliberative positions: freedom of speech as an absolute value carries with it an idea that speech should always be allowed, and in the event of harm, becomes a right under responsibility, even if it contributes towards a broader, more pluralistic debate. Berlin (1958) and his notions of "positive" and "negative" freedom (positive as a right to self-determination and negative as in the absence of government interference) are notions that

resonate in both the legislative and interpretative contexts.[16] Concerns about over-regulation and setting limits on freedom of speech means that the two are always in an awkward dance with one another, and this is seen in the recent events that took place in the French and Danish contexts, with the Danish Cartoon Controversy and with *Charlie*.

In this chapter, I highlighted the various ways that the nature of speech is contextual and interpretative. Firstly, speech acts are interpretative and subjective to the person interpreting the act. Secondly, freedom of speech controversies cannot be negotiated through legislation or jurisprudence alone, because the nuances of interpretative reactions (such as "moral injuries" as described by Veninga, 2016: 28), cannot always fit into categories defined by the law. This is because controversial speech acts need to be assessed by how offensive they are, before assessing how they might infringe on the rights of others or even be a crime. Thirdly, arguments on the relevance of controversial speech, such as a right to ridicule argument (Dworkin, 2006: 44), show how the legitimacy and validity of controversial speech in and of itself has importance and should not be softened or censored, because its original meaning would then be changed.

The freedom of speech discussion does not end in this chapter. How speech acts are exercised under free speech liberties, even if they are ones that target vulnerable members of society, are seen in the selected case studies, in the form of perceived mocking of the Holocaust in the French case, and in the form of perceived generalisations about a Muslim immigrant minority in the Danish case. Theories on social performance, genre and mediation, as well as the communicative aspects of humour and satire, as they are related to taste and aesthetics, will now be explored in the next chapter on communication and social performance, where the selected case studies are discussed further as well.

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[16] Another argument for "negative" freedom of speech is where an individual has a right to not be provoked or be required to respond to a speech act (Barendt, 2005: 95), or "negative" freedom of speech in the form of freedom from constraints (Fromm, [1941] 2013: 25).

3. Communication and social performance

3.1. Introduction

Art, poetry and comedy often delve into topics that elicit a reaction from the viewer or listener by being provocative; indeed, part of presenting something with the aim of grasping the attention of others is a form of engagement that expects to produce a reaction. This is of interest when the nature of such free speech acts is perceived as offensive, because it engages a particular communicative dynamic. This chapter addresses communication theories and their relationship to topics on social performance, genre and mediation when it concerns creative expression, in order to answer its chapter question: *In what ways do different communication theories help us understand the dynamics of media controversies, and how do they become problematic?*

Beginning with speech act theory, the chapter explores how cultural pragmatics are important when thinking about how meaning is transferred from a speech act to other modes of interpretation, and in what ways these may or may not influence deliberation and debate. How speech is constructed through elements of the speaker, action, and audience, is furthered here with a discussion on social performance, mediation and genre. Considering how acts of speech are communicated in this way becomes problematic when one examines how certain types of expression, such as creative expression, is understood (or misunderstood) when communicating humour, satire, ridicule and mockery. A speech act originates from a speaker but evolves in different ways as it travels through various modes of interpretation, understanding, communication technologies and social discourses. That dynamic, and the reaction that arises from it, can apply tension to the values of democracy because the parameters of free speech are in turn being challenged, questioned, or tested through these types of embodied communication.

The two selected case studies offer an opportunity to explore these themes. The French case of Dieudonné M'bala M'bala shows how his use of comedy is instrumentalised, as perceived by some in France, as a platform for the dissemination of anti-Semitic ideas and continued attempts at making fun of the Holocaust; which are seen in the examples of the so-called inverse Nazi salute known the *quenelle* and a purported comedic song that refers to the Holocaust. The Danish case of Yahya Hassan shows how his poetry, which includes poems

that deal with themes of vagrancy and impiety within immigrant Muslim communities in Denmark, sparked debates about minority communities as well as arguments either supporting or discrediting him. What the cases show, is that the creative expressions voiced through their respective crafts prompted debates that addressed notions of membership to society and challenged values on freedom of speech. The final section that concludes this chapter considers the relationship between questions of taste and the nature of divisive speech. Although this could be seen as an iteration of extreme speech, the notion of divisive speech presents an opportunity to examine the ways in which divisive speech can potentially undermine, without breaking, established constructs and morals concerning the liberties of others, such as freedom of speech.

3.2. Social performance

What we say and what we mean by what we say is significant when we think about how meaning is imparted and communicated. A discussion of this begins with speech act theory. Here characteristics of linguistics and pragmatics are discussed in relation to what Austin (1962) described as the *locutionary*, which is speech itself, the *illocutionary*, what speech acts do, and the *perlocutionary*, which is the action that results in a speech act (Bot, 2012: 239). Words are not only utterances but they also impart an action, and when looking at utterances one must "consider from the ground up how many senses there are in which to say something *is* to do something, or *in* saying something we do something, and even *by* saying something we do something" (Austin, 1962: 94, emphasis original). This then means, from a communication perspective, that words have consequences to, and impact on, the listener, and can be contextually significant and meaningful.

Performatives are known in pragmatics to be a part of *performative sentences* where the speaker is declaring an intention to act in a certain way; but such "locutionary acts", as Austin (1962) describes them, can be meaningful yet need to be contextualised in order to understand the meaning, purpose, or intent of the person engaging in the act (Green, 2014: Section 2). The relationship between symbolic versus declarative statements is relevant when it moves a speech act from an idea, notion, or opinion that is contextually significant to other areas of inquiry and debate. Speech act theory provides the root of a communicative act, because "recognition of the significance of speech acts has illuminated the ability of language to do other things than describe reality" (Green, 2014: Introduction). This form of

description occurs because established ideas within a social and cultural context help inform and enhance a speech act (Hall, K., 1999: 185). In this way, linguists help communications scholars understand how "language mediates" (Livingstone, S., 2009: 5), and how "speech events" shape the ways in which communication and meaning take place and are transmitted (Kreider, 2015: 80), through social performance.

Social performance as a theoretical area of literature explains a type of negotiating process, by how meaning is conveyed in more general terms and how signals are configured within discourse. Literature on social performance encompasses different areas with different roots from sociology and anthropology. Examples here would be performance in a stage/recipient context (Turner, V., 1986), ritual through culturally significant rites (Geertz, 1973), or interaction and status (Goffman, 1967). All of these point further back to Durkheimian roots of *religiosity* and a society or culture's relationship of the ritual as performed through the *sacred* and as lived through everyday life in the form of the *profane*, which together shape the ritualised life of society as a collective consciousness (Durkheim, 1915: 37,444). These are also the origins of performance studies, which "is a set of acts that, if properly deployed, will catalyse liminality in the broader social arena" (Alexander et al., 2006: 11). *Liminality* in the sense used here is based on Turner's ([1969] 2008) work on *liminality* and *communitas*. The *liminal* in a cultural anthropological sense is conceptualising what occupies the space between the boundaries of conceptual elements, which are acknowledged through the practise of rituals (Ibid.: 95). *Communitas* refers to the interaction between people that creates a "generalized social bond" (Ibid.: 96). These processes comprise the sense of community or connectivity between peoples, which is achieved through ritual (Goodman, T., 2006: 172).

Rituals of performance and social rituals reinforce each other, and they sometimes rely on tangible elements in order to be enacted. In other words, to successfully dramatise something, it is transformed by turning a ritual performance into a performance that carries with it a physical or material act, such as a speech act of words or a speech act of action.[17] In this way, social performances can be a spectacle in the form of the *carnivalesque* (Turner, V., 1986: 21-32). It is clear, however, that performances present an opportunity to construct an

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[17] A historical example would be the Boston Tea Party, which had political consequences when anti-British American colonialists dumped 90 tonnes of tea into Boston Harbour, an example showing how "the collective performance successfully dramatised colonial opposition to the British crown" (Alexander, 2006a: 53).

order, where an audience "expects, observes, interprets, and identifies with the performance" because "without an audience the performance would be pointless, without a performance the audience would dissolve"; it is an exchange that is fundamental to the process of performance (Giesen, 2006: 357). In short, social performance theory and performance studies look at the relationship or the divisions between the artificial and the real, or ritual in its abstract and embodied forms, to explain how ideas or manifestations of ideas, are staged and received (Alexander and Mast, 2006: 5-7). In creative contexts, such as the selected case studies that will be discussed at the end of this chapter, how creative expressions (an abstract idea) are communicated can transform how it is interpreted and received. This ties in to the next section on mediation, which as a term offers "a theoretical explanation for how events enter into social existence" (Mast, 2006: 138), particularly through communication technologies.

3.3. Mediation and controversy

Mediation is the introduction of a topic into the media so that it may be disseminated and processed in other ways in the realm of social life. How media is studied, not just by how it is being pushed on to society, but also as something that is created and then circulates within, on, and around society, and how these converge with one another (Jenkins, 2006), is also a part of mediation. Indeed, communications studies today is very much intertwined with how relationships and concepts exist "beyond the traditional dualism of mass and interpersonal forms of communication to encompass new, interactive, networked forms of communication whose influence may be traced across multiple spheres of modern life" (Livingstone, S., 2009: 1).

Forms of representation are communicated in the genre of the medium (Richardson et al., 2013: 170), and "culture and individual memory are constantly produced through, and mediated by, the technologies of memory" (Bosch, 2016: 6; Sturken, 2008). All of these rely on human interconnectivity, since "today's media become meaningful because of coordinated human activity and, at the same time, people understand the world and their position in it through the media" (Livingstone, S., 2009: 5). Societal values are arbitrated in different ways and are "often understated processes by which struggles over power occur in everyday life" (Ibid.: 9).

Understanding communication through genre and mediation requires different approaches. Hall (1997) looks at how media representation can be understood through micro- or macro-processes, in order to "elaborate a dynamic, nonlinear circuit of meaning" (Livingstone, S., 2009: 10). Richardson et al. (2013: 170) discuss how communication forms or mediums can be broken down into different categories, such as broadcast (radio/television), print and the internet, where events can be shaped and crystallised in different ways depending on how, and in what ways, these elements influence each other. *Media events* are a category of events where audiences are given cues that command their attention on a widely-recognised event or issue (Dayan and Katz, 1992).[18] Events as attention-grabbing occurrences can also be understood in a lesser form as "moments", where a "critical moment", as described by Stanyer (2013: 104-105) and based on Giddens (1991), is "a point at which a transition starts or gathers momentum, a tipping point which opens up new possibilities, or a fateful moment which fundamentally alters a given state of affairs", because it can be "an event or series of events in close proximity, but its significance, the extent to which it changes practice, can only be fully understood in historical context… They are points in time after which things are different".[19] Examining events like these shows how understanding of a topic shifts and acquires a new meaning when it is examined or discussed a certain way. In the context of acknowledging the different terms, *media events* and *critical moments*, the notion of a "media controversy" is relevant here.

Media controversies are events that are instigated and then garner attention within the media. They may not be cataclysmic events, such as is the case with *media events*, or events like *critical moments* that can define how something is understood within a specific moment or context, but they are events that are important and significant because they bridge these different concepts together in a manner that says that a controversy is relevant and that it has impact. They are events that are controversial since they are located in a middle ground between consensus and taboo (Sponholz, 2016: 505), because of the role of the media:

> Media controversies are communication conflicts that take place in the mass media. However, mass media are not only the 'place' of such controversies, but also constitute them. First of all, media decide if the conflict will be 'broadcast', that is, put on the agenda. As public agendas in modern societies are decisively

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[18] Couldry et al. (2010) offers a more recent examination of *media events*, through studies on globalisation and modernised communication and digital technologies.

[19] Although the object of study in this source is about the extra-marital lives of politicians, the terminology "critical moment" itself is relevant here as a *defined moment in time*.

> co-determined by media, such 'broadcasting' also determines the chances of a conflict becoming an issue, that is, the subject of public concerns. (Ibid.: 504)

An example tying these elements within this project would be the aforementioned Danish Mohammed Cartoon controversy. The twelve editorial cartoons that were printed by *Jyllands-Posten* in September 2005, were originally printed in a newspaper but their significance transcended this medium when a select group of Danish Muslims petitioned to several Muslim countries for attention on the matter, which resulted in further news coverage, and then in various countries, public outrage and violence (Klausen, 2009: 185-200). As a *critical moment*, the Danish Cartoon Controversy provided that catalyst where discourses on religion and journalistic practices were questioned, and forever transformed within the global media (as a *media controversy*), but at the same time the event of the publication of the children's book that set off the whole controversy in the first place was not met with much opposition. *Jyllands-Posten* had sent out a call to some 40 artists to depict the Prophet Mohammed as they saw him because Kåre Bluigten, a children's book author, was not able to find an artist willing to illustrate his book on the life of the Prophet Mohammed, yet the book in question eventually was published without fanfare (Malik, 2013; Bluitgen, 2012), and is currently available in the Danish public libraries as a book and e-book (Bibliotek DK, 2018).

So, the basis for the entire controversy, which would not have existed without media coverage and mediated communication (Langer, 2008: 346), was based on the fact that a book could not be illustrated, which inspired the artistic project of drawing the Prophet Mohammed, then the subsequent printing of editorial cartoons, which provided a mass-mediated controversy across the globe about religious offence, freedom of speech, journalistic practice and freedom of the press. This is an example of how the dynamic journey of the Danish Mohammed Cartoon's communicative message affected perceptions on a multitude of issues related to offence and free speech, which existed and mattered in different forms at different points in time. It demonstrates how subjective the nature of controversy and offence can be in acts of creative expression, in the form of illustration, humour or satire.

3.4. Humour and satire

This section will focus primarily on the literature on humour, while also expanding on themes on satire; as these are very much tied to notions of offence. The processes of communication with humour, the telling and receiving of jokes, and how the object of the joke is positioned, are all relevant to the present research interest in how we understand and impart meaning. Expanding upon what has been discussed so far, in terms of freedom of speech, and how critical engagement in it is essential to democratic life, humour has a number of theoretical interests and approaches.[20]

At the root of humour, which is abstract, is laughter, which is physical. Kant ([1790] 2007: 161), says that "laughter is an affect arising from a strained expectation being suddenly reduced into nothing", which, when discussing humour, is the release of the anticipation when listening to a joke, such as the punchline (Boyd, 2004: 3).[21] Beattie (1779: 320) writes that what we find funny is that which we do not expect:

> Laughter arises from the view of two or more inconsistent, unsuitable, or incongruous parts or circumstances, considered as united in one complex object or assemblage, as acquiring a sort of mutual relation from the peculiar manner in which the mind takes notice of them.

It is clear that humour also has emotional characteristics (Richardson et al., 2013: 176), and that it functions as a release mechanism in social interaction, a theory which originates with Bergson ([1901] 2007). Communication studies on humour, however, are based on three core theories: relief theory, which is the release of tension; incongruity theory, which is the disruption of established knowledge, and superiority theory, which is eliciting a sense of eminence (Meyer, 2000: 310). These three theories inform four functions of humour in communication: two serve to unite and two serve to divide (Ibid.). These have "theories of use" which are the unifying aspects of identification and clarification, along with two divisive aspects which are enforcement and differentiation (Ibid.). In this way, how humour both unites and divides, through communication, helps define boundaries within social life (Ibid.).

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[20] Examples of research would be political engagement in television satire, for example, in Europe (Coleman et al., 2009), or news-satire as comedy in United States (Gray et al., 2009).
[21] Kant, according to Holm (2017: 184), regarded humour as a "gratifying bodily sensation, rather than an aesthetic work worthy of an act of true judgement".

This then brings up an issue of compatibility between people, and what sorts of traditions of speech people embrace when they are faced with, for example, a media controversy with offensive material, where "such interpretations frame the controversy in the light of fundamental cultural differences, thus obscuring its power dynamics" (Kuipers, 2011: 76). Kuipers (Ibid.: 77) explores Turner's notion of the "carnivalesque", which has origins with Bakhtin (1984), as an "alternative popular public sphere characterized by excess, mockery and inversion of hierarchies".[22] This was also articulated by Habermas (1992: 427) as being "the periodically recurring revolt of a counterproject to the hierarchical world of domination, with its official celebrations and everyday disciplines".

Humour and creative expression offer a means of challenging social hierarchies and questioning power dynamics within these by testing acceptable boundaries (Holm, 2017: 39). One example where boundaries are negotiated in humour would be with ethnic jokes, where such "jokes delineate the social, geographical and moral boundaries of a nation or ethnic group" (Davies, 1982: 383). Here groups determine their physical boundaries but also their social boundaries, which define who does, or does not, belong within these established areas. There are also moral boundaries, which are maintained by ethnic jokes and which "define what is acceptable and characteristic behaviour of the members, and what is unacceptable behaviour characteristic of outsiders" (Davies, 1982: 384).

Boundaries in these senses are dictated socially, but humour and jokes can be communicated through a number of genres. To mention a few, these could be through print or visual media such as cartoons, editorial cartoons, satirical magazines; or television or audio-visual media such as animated sitcoms and late-night shows; or performance pieces in either formal settings, or at comedy clubs and street performances (Hariman, 2008: 248); as well as satirical programmes and satirical news shows (Gray et al., 2009). Cartoons, for example, "can make a genuine contribution to the public discourse essential to a free and democratic society" (Grimm, 2009: 19), since "despite their sometimes caustic nature, from the early cartoon portraying George Washington as an ass down to the present day, graphic depictions and satirical cartoons have played a prominent role in public and political debate" (US Supreme Court, 1988: 485 U.S.54).

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[22] This term is not limited to an actual carnival, such as those from the Middle Ages or the Renaissance, but can also be applied to other instances, such as in the form of literature as a force that liberates and inverts social relations (Holm, 2017: 47).

Satire has many meanings and definitions, one of which is where satire can be "understood as a genre that seeks to perform a moral critique and corrective to point out faults or failings" (Goltz, 2015: 284). Another definition would be that satire is "a genre in literature, film, and other media which is used to deflate, ridicule, and censure the perceived folly or immorality of what is represented. Tools include irony, sarcasm, wit, caricature, exaggeration, distortion, and parody. Satire *invites the audience's moral indignation*" (Daniel and Rod, 2016, emphasis own). Moral indignation can also be engaged here through the use of parody, which is the "comic refunctioning of preformed linguistic or artistic material" (Rose, M.A., 1992: 52), though some would interpret this as ridicule. Billig (2005: 5) explains the cultural significance of humour and ridicule, where "humour and seriousness remain inextricably linked" (Ibid.: 243). This is because there is a distinction between "humour's rebellious and disciplinary functions, although, in practice it may be difficult to distinguish between the two", given the controversial nature of humour where "one person's harmless bit of teasing will be another's cruelty" (Ibid.: 7-8).

Satire and comedy in the political sense also function as a method of vindication against a perceived elite by offering an opportunity to readdress power imbalances (Corner, 2000: 32-33). This can be seen in "humour scandals" where:

> Such scandals are dramatizations of social divides. They demarcate group boundaries by highlighting moral and political oppositions – usually within societies, but in this case transnationally. Such controversies often lead to reordering of social positions: a realignment of power relations, strengthening of one paradigm at the expense of another, the emergence of new discourses and accepted truths. (Kuipers, 2011: 76)

"Humour scandals" in this instance, tie back to media controversies in that they change how people talk about a topic or subject such as humour and satire. Satire and how humorous messages are received and interpreted is significant. In a study on political satire and how "perceived funniness" is internalised within a viewer, Boukes et al. (2015: 739-740) found that, "those who agreed with the satire found it funny, whereas those with preferences incongruent with the satire perceived it to be much less funny". Although this seems to be an obvious conclusion, the point given here is that if the process of communication by the satirist and interpretation by the recipient is distorted, it results in a "misfiring of satire", because "receivers are closely situated or emotionally entangled to the satirized topic" (Ibid.: 740). How persuasive messages may be in these instances, is also relevant because of their

"ability to absorb a receiver in the message" (Ibid.), which pull the satirised into the discourse, whether desired or not.

Using a media perspective, research has shown that "entertainment-based media messages" can have a significant influence on democratic life (Holbert et al., 2011: 188), because there are "functions that comedy performs within civic culture and civic subjectivity" (Corner et al., 2013: 31). If the persuasiveness of the message is inherent or if messages and cues are missed within this civic subjectivity, elements of shame and embarrassment are introduced. Goffman (1967) addresses these elements, and his work has been described where:

> When social bonds are broken – no matter whether these are interpersonal bonds or bonds between macro-groups – then shame is the 'natural' reaction. However, shame is such an unpleasantly powerful emotion that it is often by-passed or denied. The results can be destructive of social bonds. For instance, shame can spiral into withdrawal or, when by-passed, it can be transformed into rage. (Billig, 2001: 24)

How someone actually "gets" a joke and negotiates these elements of hierarchy, shame and boundary-testing is deeply tied to social and cultural contexts and how language is used and understood. Certain countries, like France, have a tradition of making fun of stereotypically "stupid" or "stingy" groups, such as Jewish people concerning the latter (Davies, 1982: 385). In Denmark, satire is traditionally a part of public life where "humour is often used to deepen relationships and demonstrate a shared *folkelig* [people's] identity" (Veninga, 2014: 122). So humour, as articulated by Meyer (2000), can indeed simultaneously unite and divide, depending on who the audience is. Yet the joker has "moral responsibilities" in his or her approach to jokes (Hietalahti, 2016: 25), even though inter-ethnic or cross-national joking can exist because it is upheld by a shared acceptability or norms about joking. When jokes become offensive, it is because these norms have either changed, not been established, or have not been agreed upon (Davies, 1982).[23] Indeed, this is because "humour is never just a

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[23] The "moral responsibility" of jokes is something that is echoed by Plato's Laws, where "a composer of a comedy or of any iambic or lyric song shall be strictly forbidden to ridicule any of the citizens either by word or by mimicry, whether with or without passion" (Plato, 1968: 11.936a). The research on jokes from a communications perspective is largely text-based, where breaking them down and understanding their connotations and contexts helped inform an understanding of the creator or humourist (Berger, 1976: 115). The "techniques" of jokes have also been explored, in order to help inform how jokes are constructed and delivered (Berger, 2016), including how irony plays a role in challenging norms about

joke. It is a complex and complicated aesthetic mode that plays a central role in the mediated cultural life of contemporary subjects" (Holm, 2017: 209). These processes that are involved with the speaker, listener and propriety are tied to how social and cultural aesthetics are shaped and understood.

3.4.1. Aesthetics and taste

Aesthetics has origins in Burke (1796) and his notions of taste, which is "dependent upon a capacity for judgement derived from experience", one which is separate from one's actual faculty of taste (Blackwell, 2003: 325-326). Yet the ability to distinguish between what one perceives one's taste to be is not only about power dynamics and hierarchies as discussed above, or about social order, which will be discussed at the end of this chapter in the form of Bourdieu ([1979] 2010), but also as a method of authority over others and as a means of reinforcing social differences (Blackwell, 2003: 326). Hume ([1741] 1777) makes the argument that taste also includes the pleasures of the mind (Blackwell, 2003: 328), an important point in the cultivation and the "delicacy" of taste:

> Where the organs are so fine, as to allow nothing to escape them; and at the same time so exact as to perceive every ingredient in the composition: This we call delicacy of taste, whether we employ these terms in the literal or metaphorical sense. (Hume, [1757] 1777: 236)

So where Hume divides between the physical and the psychological derivatives of taste, Burke (1796), divides between cultural taste that is naturally acquired versus taste that is learned (Blackwell, 2003: 332). When it concerns various forms of art, taste has ties with aesthetics, because it "concerns the nature and functions of art" (Aiello and Parry, 2016: 11). Topics like humour and satire are therefore not only about propriety or impropriety (Mondal, 2014: 57), but also about constructs of taste and ascription to taste. In tying the themes discussed so far in this chapter, how humour and satire relate to social performance, as well as the unifying or divisive aspects of the communication of speech acts, these mechanisms show how social values and taste are reinforced. Signs and symbols are continually being

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humour, e.g. "the *doing* of racism, the *doing* of sexism" through jokes (Goltz, 2015: 266, emphasis original).

reconfigured through these communication processes.[24] Yet, as always, the theories discussed here need to be offered within a context, which will be shown in the following brief discussion of the selected case studies. Here, both cases engage in forms of creative expression that are provocative, either in the French case by addressing an "other" group, or in the Danish case by addressing "one's own" group, by touching on themes that could be perceived as transgressive and offensive.

3.5. The case studies

As previously outlined, the selected cases are the case of French comedian Dieudonné M'bala M'bala and the case of Danish poet Yahya Hassan. Each of these cases, and individuals, have engaged in acts of speech that are within the realm of creative expression but deal with themes related to freedom of speech, as well as themes on tolerance, offence and diversity in their respective countries. By engaging in embodied speech, through the use of comedy and the use of poetry, the cases show how a speech act can have significance in broader realms. In this section, I will first discuss the French case, on Dieudonné's comedy, his use of the arm gesture known as the *quenelle* and the relationship of his comedy acts and fan outreach to the mocking of the Holocaust. I will then discuss Yahya's poetry and how some of his poems have been perceived to make offensive generalisations about Muslim minorities in Denmark, by pandering to negative and prejudiced stereotypes. The differences and commonalities between the cases are then discussed, and I conclude by tying in the cases with the theory.

3.5.1. Dieudonné's comedy, the "*quenelle*" and making fun of the Holocaust

Dieudonné is a French-Cameroonian comedian, who is well-established in the comedy field in France (Briscoe, 2014). In his early career, he was anti-racist and was a part of a double-act with Elie Semoun, a Jewish comedian (Moore, 2014). Having started as a stand-up comic in the 1990s, his comedy was not what it is today. Dieudonné is known in the media for his anti-Semitic comedy sketches, as well as being convicted for anti-Semitic hate speech (BBC, 2014). He is also known for being connected to the former National Front founder, Jean-

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[24] There currently exists a field of research that deals with the "political consequences of contemporary humour" (Holm, 2017: 7), though the particular source cited here deals only with English-speaking media.

Marie Le Pen, who is the godfather to one of his children (Moore, 2014), and extreme-right essayist Alain Soral (E&R, 2017a). Dieudonné, however, has said that his comedy "is anti-Zionist and anti-establishment, but not anti-Semitic" (Reuters in Paris, 2014). In response to a newspaper interview question: "What do you think of the rise of anti-Semitism amongst some young 'Beurs'?" (Mbongo, 2009: 235);[25] Dieudonné's reply was:

> Racism was invented by Abraham. The 'chosen people', it's the beginning of racism... Jews and Muslims, for me, it does not exist. So, anti-Semitism does not exist because Jews do not exist. They are two notions which are each as stupid as each other. No one is Jewish or so everybody is. I do not understand this story. For me, the Jews are a sect, a scam. It is one of the most serious because it is the first.[26] (Lyon Capitale, 2002)

Dieudonné's views expressed here, with the phrase "For me, the Jews are a sect, a scam" were considered an infraction of the law because it did not contribute towards a debate. Instead it was abusive towards a particular group. Here, "the suppression of this abuse is therefore a necessary abridgement of freedom of expression in a democratic society" (Mbongo, 2009: 236). This is one of many examples of Dieudonné's dealings with the law. In recent years, Dieudonné has been in the international media due to his performance of the *quenelle*, an arm gesture that is loaded with symbolism, where "critics say the comic's trademark straight-arm gesture is a Nazi salute in reverse" (Reuters in Paris, 2014), as well as others perceiving that "it pulls off the amazing double of denying the Holocaust while suggesting that the Jews deserved their fate" (Moore, 2014).

The origins of the *quenelle* are not exactly known, but Dieudonné is believed to have first performed it in the mid-1990s. Named after a traditional French dish (Le figaro.fr, 2014 [LF-251]), the *quenelle* has, as noted above, often been referred to in the media as an inverse-Nazi salute (Weissbrod, 2015). Performed by straightening one's right hand and arm and pointing it downward, while straightening the other hand and placing it in the middle of one's right upper arm, the *quenelle* certainly has semantic attachments to the raised and

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[25] 'Beurs' is a colloquial (non-prejudicial) term associated with people of North African origin, translating to a "butter" shade of skin colour.

[26] "Le racisme a été inventé par Abraham. Le 'peuple élu', c'est le début du racisme... Juifs et musulmans, pour moi, ça n'existe pas. Donc antisémite n'existe pas parce que juif n'existe pas. Ce sont deux notions aussi stupides l'une que l'autre. Personne n'est juif ou alors tout le monde. Je ne comprends rien à cette histoire. Pour moi, les Juifs, c'est une secte, une escroquerie. C'est une des plus graves parce que c'est la première" (translation mine).

straightened right hand and arm of the Nazi salute; it is a gesture that is simultaneously open to interpretation and culturally loaded:

> The popularity of Dieudonné rests on his ability to play on and to fuse many of the themes that have become so corrosive of contemporary politics, and not just in France: a contempt for mainstream politics and politicians, a sense of voiclessness [sic] and abandonment, particularly in France in the *banlieues*, a perception of a world out of control and driven by malign forces, victimhood as a defining feature of social identity, a willingness to believe in conspiracy theories, and the growth of new forms of anti-Semitism, particularly on the left and among youth of North African origin. The reason that the 'quenelle' has become so popular is that it embodies in a single gesture many of these contemporary themes. It has become for many an expression of hatred for the system. (Malik, 2014)

Indeed, Dieudonné's main audience is said to be young men of Arab and African origin, where "they don't necessarily have the same cultural references about what happened in Europe during the Second World War" and where it is not automatically taboo to laugh at Jews or the Holocaust (Jean-Yves Camus, quoted in Beardsley, 2014). These young men are "so furious with 'the system' that they are beyond the reach of even populist politicians... Their refuge, for now at any rate, is in his destructive, dark humour, rather than in organised politics" (Lichfield, 2014).

Dieudonné's fun-making of the Holocaust has been a point that he has evaded in interviews (Aziz, 2015), however, his song, "Shoananas", is one that both presents a silly mix of words and brings the Holocaust into comedic play. In French, the phonetics of the chorus have been interpreted to sound like "Shoah nanas" or "Holocaust floozies" (Lichfield, 2014), but some sources have cited this song as being called "Holocaust pineapples" (Rose, S., 2014). In any case, the blatant reference to the Shoah, which is a Jewish word for "apocalypse" (Hietalahti, 2016: 23), and putting it in a juvenile made-up song, can certainly be construed as offensive. The song, which is based on two pop songs, is a full song.[27] The chorus of the song, which was verified via an online comedy sketch (forumsoral_com, 2009), copies of court documents (E&R, 2017b), as well as audience footage from one of Dieudonné's shows (Chacha, 2013: 00:01:12), is translated here:

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[27] The songs are: "Rosalie" (Carlos, 1978) and "Cho ka ka o" (Cordy, 1985).

Sho ananas ! Sho ! Sho ! Sho ananas !
Tu me tiens par la Shoah,
Je te tiens par l'ananas.

Sho pineapples! Sho! Sho! Sho pineapples!
You grab me by the Shoah
I'll grab you by the pineapple.

Although this thesis is not a cross-language linguistic project, it is worth mentioning that the tone of this chorus in French is vulgar, with the use of "grabbing by" and what it alludes to. YouTube removed it in late January 2014, and Dieudonné was fined for it by the French courts (Beardsley, 2014). The issue of being fined is one that has plagued Dieudonné for some time, with plenty of unwanted attention and litigation from various French organisations, which support the interests of various religious communities. These include *Conseil Représentatif des Institutions Juives de France* (Representative council of the Jewish institutions of France – CRIF), *Mouvement contre le racisme et pour l'amitié entre les peuples* (Movement against racism and for friendship between peoples), *SOS Racisme* (SOS Racism), and *L'Alliance générale contre le racisme et pour le respect de l'identité française et chrétienne* (The general alliance against racism and for the respect of French and Christian identity – AGRIF). Dieudonné became radical in 2002 (Beardsley, 2014), some say 2004 (Lichfield, 2014), and he has been well known to these organisations in various forms.[28]

The main issue that has arisen for Dieudonné in the recent past is the interference by the French government in his show, called *Le Mur* (The Wall), which was touring in 2013 and 2014. In December 2013, Dieudonné made references to gas chambers in relation to a Jewish French journalist, effectively saying what a shame that the journalist was not alive at the time of the Holocaust. The then-Minister of the Interior Minister, Manuel Valls, became involved by appealing to the Prefects of each of France's regions to stop the show. The government could not, in and of itself, stop the show, but the appeal could be made and the decision left to the Prefects (Beardsley, 2014), even though, it could be argued, Valls' involvement and influence was a part of a broader political performance as a show of "the conquest and exercise of power" (Kuhn, 2013: 293).

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[28] This was evident in the media content collected, which is discussed further in Chapter 6, and through an interview with a representative from one of these organisations, AGRIF, whose contributions can be found in Chapters 6-9.

Without delving deeper into the Dieudonné case and his notoriety, the case as described here relates back to freedom of speech and the themes discussed in this thesis in several ways. First, there are the speech acts in which Dieudonné engages, in the examples of the "Shoananas" song and the arm gesture, the *quenelle*; both of which have been perceived as offensive or as an incitement to hatred. Second, there is the issue of the fines, which demonstrate that Dieudonné has broken the law, but more importantly, there is the third issue of the government intervening with the show, which both inadvertently promoted Dieudonné but also presented arguments against a dangerous precedent that an individual should be prevented from engaging in an act of speech before it occurs. The blurring of the lines of propriety or indeed the proper conduct of government when dealing with offensive speech is highlighted where:

> Therein arguably lies the brilliance of Dieudonné's comedy, where lines between performer and character are multi-layered and blurred, and where the racialised irreverence dares the spectator to take seriously that which is presented in the frame of satire. Who are the real racists, it seems to ask us: those who play with popular stereotypes or those who can only see race and racism in the play? (Silverstein, 2014)

Dieudonné's work as a comedian and performer then, show how his material occupies a middle (*liminal*) space between action and interpretation, and provokes the audience to turn the material inward and question the reaction itself, as opposed to the material at hand. How Dieudonné is able to use his work to provoke in this way, was tested further when Dieudonné was fined for tweeting, after the attacks in Paris and at the *Charlie Hebdo* office in January 2015: "*Je me sens Charlie Couliaby* [I feel like Charlie Couliaby]" (Wendling, 2015). By piggy-backing on the *#JeSuisCharlie* movement, which received world-wide recognition and participation via social media (BBC, 2015b), Dieudonné engaged in provocative behaviour by merging the solidarity to those who died during the attacks and rights to free expression, with a presented allusion of support for their attackers. The *#JeSuisCharlie* movement, although generally seen by most to be in support of freedom of speech and in solidarity with *Charlie Hebdo*, presented an opportunity to examine how media frames can induce collective emotion in large groups of people (Walter et al., 2016: 3956). The media frames of the Dieudonné case are dealt with in this thesis in terms of the negotiation of offence and memory, and will be examined further in Chapter 6 on the media content and the cases, along with the Danish case of Yahya.

3.5.2. Yahya Hassan's poetry and perceived generalisations about Muslim immigrants

Yahya is a young Danish poet with Palestinian parents. On October 17, 2013, he published 150 poems that were highly critical of the immigrant, Muslim background in which he grew up (Bomsdorf and Jervell, 2013; Hassan, 2013b). Thirty-two thousand copies of his book were sold within the first week, a rarity for both Danish poetry and Danish publishing house Gyldendal. Yahya's poetry about child abuse and lower-class, ghetto life provoked a large-scale debate on ethnicity, religion, and diversity in Denmark (Bomsdorf and Jervell, 2013). Yahya received death threats as well as being attacked after the publishing and media exposure of his poetry (Bury, 2013; Bomsdorf and Jervell, 2013; PS, 2013), very likely due to various statements he made in interviews with journalists, including:

> There is a massive group of Arabs - Muslims – that commit crime on a big scale. They steal things, they sell stolen things, or they deal hash. But how can you call yourself a Muslim if all this is forbidden?... I knew when I would tell my story [it] would break many taboos and many people would get offended and my parents would get angry, but my premise was that I would have to tell it as it is.
> (Yahya Hassan, quoted in Bomsdorf and Jervell, 2013)

Yahya's success, at 18 years old, was preluded by an interview with the Danish centre-left newspaper, *Politiken* (Omar, 2013 [PO-001]), which was the most "shared" article in the history of the newspaper (Bomsdorf and Jervell, 2013).[29] In December 2013, Yahya was charged with racism by Mohamed Suleban, a Danish politician. "He says that everybody in the ghettos like Vollsmose and Gellerup steal, don't pay taxes and cheat themselves to pensions", Suleban explained to *Politiken*, "Those are highly generalising statements and they offend me and many other people" (Bury, 2013). The case was later dismissed;[30] but at the time, Yahya's words provided fuel to a heated conversation on diversity in Denmark:

> Denmark is obsessed with [Yahya]. He's a bright, angry young man, talented and very charismatic. He deserves attention because his poetry, born of rap, is raw and urgent and has huge flair. Its observational qualities, along with its mix of Danish street-slang and sophisticated word-play has real literary merit. But would he get so much coverage if he weren't [sic] criticizing the Muslim ghetto community he comes from? I suspect not… Most of the people who come to his

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[29] The article does not specify how the interview was "shared" or how the "sharing" was quantified, however, it is likely the article was the most referenced article in terms of internet sharing functions on the newspaper's website or via social media.
[30] One of the project's interviewees confirmed this.

readings aren't his target audience. They are white middle-aged Danes. He's providing music for their ears. And many of those who laud him in the media aren't typical poetry-lovers: they're right-wing populists and those he calls 'freedom-of-expression junkies'. He is providing music for their ears, too. In the midst of all these he has really kept his integrity. He's the kid from the ghetto, giving the world the finger. (Novelist Liz Jensen, quoted in Bury, 2013)

This quote addresses the ways in which Yahya's volume of poems fit into the notions discussed earlier on taste. In this instance, his poems moved beyond the literary realm and are described here as appealing to what Hume ([1741] 1777) defined as taste being tied to the pleasures of the mind (Blackwell, 2003: 328); but for an audience that was not necessarily a poetry-reading one. The self-titled volume, "Yahya Hassan" was originally to be called "Ghetto Poems" (*Ghettodigte*) prior to its publication in October 2013 (Bryd, 2013 [JP-002]). It was well received by critics at most of Denmark's major newspapers: *Jyllands-Posten*, *Politiken*, conservative newspaper *Berlingske*, tabloid newspaper *Ekstra Bladet*, moderate newspapers *Kristeligt Dagblad* and *Information*, as well as liberal newspaper *Weekendavisen* (Schütt-Jensen, 2013 [JP-017]). Shortly after publishing his poems, Yahya won an award for new writers (Spøhr, 2013 [JP-029]).

Written entirely in capital letters and without punctuation, the presentation of Yahya's poems is as jarring and loud as the content of the poems themselves. Indeed, even his readings of his poems are read in a loud monotone (Biblioteket Sønderborg, 2014). They are written in the first person, and describe Yahya's life in ways that show hardship, particularly the physical abuse that he and his siblings suffered under his father, but are also descriptive poems about his life in the ghetto, getting into trouble, stealing and doing soft drugs, and having an affair with his married social worker. The poems for the most part carry an accusation of the paradoxes within underprivileged communities, such as how people practise their (Islamic) faith, as seen in this excerpt:

MIG JEG SIGER TIL EN PERKER
HVAD ER DET DU SIGER DIG
OM DIN GUD
MED SKUNKLUGT PÅ DIN MUND?
DIG DU ER MUSLIM?
DU VED IK
OM DU VIL HA HALAL ELLER HARAM

ME I SAY TO A PERKER[31]
WHAT IS THAT YOU SAY YOU
ABOUT YOUR GOD
WITH THE SMELL OF SKUNK ON YOUR MOUTH?
YOU WHO ARE MUSLIM?
YOU DON'T KNOW
IF YOU WANT HALAL OR HARAM

("LANGDIGT" / "LONGPOEM" in Hassan, 2013a: 144)

There was also a more directed approach, as seen later here in the same poem:

MIG JEG PISSER PÅ ALLAH OG PÅ HANS SENDEBUD
OG PÅ HANS ALLE MULIG UDUELIG DISCIPLE

ME I PISS ON ALLAH AND ON HIS MESSENGER
AND ON ALL OF HIS USELESS DISCIPLES

("LANGDIGT" / "LONGPOEM" in Hassan, 2013a: 153)

This poem is an example where Yahya's poems have a certain approachability with being written in the first person, yet at the same time risk being representative of an actual situation, or a description of a social reality. This is enhanced by his use of "ghetto" language (Stæhr and Madsen, 2017: 72), which gives it a sense of authenticity, rather than something to be viewed as a creative contribution or a literary representation of the author's imaginary.

3.5.3. Differences and commonalities between the cases

The differences and commonalities between the cases should be noted here. The differences are that Dieudonné is a middle-aged French man of mixed heritage who has been on the French entertainment scene for several decades. Dieudonné has a huge following on his website, called the *Dieudosphère*, with 145,000 followers on Twitter, 1.29 million followers on Facebook and 240,000 followers on YouTube (Dieudosphere.com, 2018). Yahya is a young man in his early twenties, who is an immigrant to Denmark from Palestine, and who has only been in the creative scene for a short-lived amount of time, with 49,500 followers on

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[31] *Perker* [singular] is a derogatory term from the mid-1980s, referring to people with darker skin tones coming from, for example, Iran or Turkey, or a Middle Eastern or Arab country (Den Danske Ordbog, 2017).

Facebook and a meagre 6,700 followers on Twitter (Facebook, 2018; Twitter, 2018), perhaps due to the niche area that he is in, but also to due to language constraints. Not many in the world speak Danish (or read Danish poetry), but a number of people across different countries either speak or understand French, so Dieudonné's potential reach is greater, particularly with his online presence and popularity as a humourist.

Both, however, have a few things in common. As noted, they were both involved in media controversies close to one another, one in late 2013 and the other in early 2014. They both have engaged in creative speech, as exercising their free speech liberties, that have addressed a minority population and instigated a discussion on diversity and offence. They are both themselves from ethnic minorities, yet speak their national languages fluently, either as a native, or as someone who learned it from a young age. They both have used their notoriety to get involved in politics, where Dieudonné ran unsuccessfully for a seat in the European Parliament in 2002 (Beardsley, 2014; Parti Anti Sioniste, 2009), and Yahya received a nominal number of votes with *Nationalpartiet* (The National Party) in 2015, before being kicked out (Bang Thomsen, 2016). Finally, each case highlights differences between protections against minority groups. In the French case, this would be the taboo of anti-Semitism, and a perceived protection of Jewish people, through laws like the Gayssot Act. In the Danish case, it would be how anti-Islam sentiments are not taboo in the same way, particularly if the speaker is one speaking about "his own people".

3.5.4. How the cases relate to the theory

The cases relate to the theory discussed here in different ways. As creative expressions, the speech acts that each individual engage in are tied not only to social performances as artists, but also to communication contexts that address diversity and cultural life. By addressing provocative topics, the Holocaust in the case of Dieudonné, and Muslims and Islam in the case of Yahya, both individuals invoke the unifying and divisive aspects of speech which incite reactions, emotion, and offence. These question free speech because it is being challenged by the foundations that hold it up: cultural life, social life, and the recognition of rights. Whether this was intentional (in the case of Dieudonné) or not (in the case of Yahya), both of these individuals, through their respective crafts, placed themselves within a wider social and political debate about national heritage, integration, and cultural life.

When aspects of national heritage, integration, and cultural life concern one or several minority groups, the issue of representation also comes to play. In the French case, the live comedy acts of Dieudonné became symbolic of a movement or ideology, and the performance of the *quenelle* was a manifestation of this. In the Danish case, Yahya's printed volume of poems provoked a debate about the place of Muslims and Islam in Danish society, even before they were published, because Yahya's work was announced through an interview prior to publication. Both cases engaged the news, television debates, and gained mass awareness through their activities and via social media.[32] The cases show how representations within both country contexts were renegotiated through the social performances of the actors involved within the cases. They were firstly renegotiated through the mediation of the topics concerning the cases, such as on ethnicity and religion, and the genres of the cases were transformed from comedy and poetry to communicating something that became important beyond the consumption of their creative productions. In the French case, it was argued that Dieudonné's audience did not feel represented by the mainstream government and media, and in the Danish case, the discussion around Muslims and Islam in Denmark turned the spotlight, perhaps unwittingly, on to minority members of Danish society and their cultural place within society. Here, each individual engaged in inflammatory themes through their work, bringing an event from one form of expression that perhaps would not normally garner media attention (comedy and poetry), to a form of attention that generated reactions in various mediated forms. Creative performance can function as a vessel for meaning, just as more formal or traditional methods do, such as journalist accounts of events and facts. Truth from experience is also relevant, comedy and poetry in their linguistic forms, are truth-seeking but also representative of subjective experience.

What makes the cases relevant are the ambiguities, such as who are the targets, which are clearly not the powerful, and are instead the marginalised. Dieudonné's comedy is based on observations of an ethnic "other", whereas Yahya's poetry is formulated from his personal experiences of "his own". Both cases show the links in the complex interplay between a message, the intended audience, and the media and the wider audiences that observe this dynamic. These audiences are significant because "audiences are co-authors and co-owners of the meanings produced" in creative messages (Goltz, 2015: 266). This raises the question of what purpose does "otherness" serve when someone or something is mocked and what advantage does it give the person doing the mocking? What needs to be examined next is

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[32] This was evidenced in the media content collected on the cases.

how these communicative forms can both bring people together, as discussed above through the theory on humour and laughter, but also be socially and culturally divisive.

3.6. Is it divisive speech or a question of taste?

The case studies raise questions on whether the communicative messages that each engage in should be regarded in terms of taste, or if they pertain to a formulation of divisive speech. If we take the idea that freedom of speech ensures self-governance and good governance, whereby governments are able to implement policies that ensure that individuals are able to further freedom of speech in the form of knowledge construction and truth-seeking or truth-making (Callamard, 2017), then divisive speech becomes dangerous because it instigates polarisation and prevents constructive and meaningful debate. Since freedom of speech enshrines the notion that all persons should be able to express their thoughts and opinions freely, the resulting spectrum from extreme-left to extreme-right views on how society should be and function, means that when free speech acts occur that engage in divisive speech, the middle ground, from a social and cultural perspective, is compromised. To summarise more concisely: divisive speech undermines, without breaking, established constructs and morals concerning free speech by challenging discussions on tolerance/intolerance in the *liminal* middle ground and potentially preventing meaningful discussion and debate that is required in order to establish parameters of permissible speech. Therefore, examining and understanding divisive speech contexts and how they are manifested can shed light on how countries negotiate offensive material, and whether or not the acceptable parameters of free speech change.

What makes a speech act offensive is to what degree it is divisive and to what degree it compromises taste values. Bourdieu ([1979] 2010) expands on notions of the aesthetic discussed previously, in terms of distinguishing between taste and values, by introducing concepts of social and cultural "capital", which are constructs of a shared "habitus", and how these engage or uphold social distinction.[33] This is evident in a traditional approach of discussing social class, but would also involve concepts of propriety or impropriety, what can or cannot be said, and questions on how groups ascribing to a particular habitus deal with situations that challenge them. Gundelach (2000: 120) writes about habitus and taste, where

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[33] Bourdieu ([1979] 2010: 49) also describes this as "aesthetic disposition", which "acts to naturalise social hierarchies" (Holm, 2017: 181).

"the national habitus is primarily shaped by the collective experiences of a people. It is crystallized in the collective memory and in the social institutions, and is, in turn, changed by collective events". The collective nature of habitus can then shift and change, particularly when discussing events that are emotive and which challenge these taste values.

The negotiation of good or bad taste is a separate process, but a relevant one, where one must consider the "ethical and aesthetic dimensions of evaluative judgement" (Stewart, 2017: 37). Using a speech act perspective, words must be chosen if they are "morally appropriate" (Harris, I., 2012: Section 4), because in taking a *freedom of speech under responsibility* approach, "empathetic listening" plays a key role in how speech should be something that is coherent and meaningfully described (Dobson, 2014: 66). Therefore, judgement is shaped by gauging what sorts of consequences there may be to one's actions. Taste and habitus determine if, or if not, a speech act is divisive in a given case study or country context. If one considers a social constructivist approach, where knowledge is socially constructed, then how these elements are reiterated or reconstructed in society, through mediation and discourse, are relevant. Here, the interpretative elements of taste should be seen as a social performance that is mediated, especially when it concerns offence. Recent examples in the literature have arguments on the notion of outrage as social performance (Alexander, 2006b: 91), or "hate spin",[34] which is the deliberate manufacturing of offence due to strategic political motivations, using the media in order to address this offence-taking (George, 2017: 4).

3.7. Conclusion

In this chapter, I discussed how communication and social performance play an important role in understanding how messages are conveyed and communicated, through further theories on humour and satire, as well as themes on aesthetics and taste. The dynamic journey of a communicative message originates from a speaker but evolves in different ways as it travels through various modes of interpretation, understanding, communication technologies and social discourses; and the selected case studies of French comedian Dieudonné and Danish poet Yahya Hassan show this. That dynamic, and the reaction that

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[34] George (2016: 4) defines *hate spin* as "manufactured vilification or indignation, used as a political strategy that exploits group identities to mobilize supporters and coerce opponents".

arises from it, together are an object of interest because discourse on tolerance and offence can apply tension to the values of democracy, since the parameters of free speech are being challenged, questioned, or tested through these types of embodied communication. How "speech events" shape the ways ideas and opinions are communicated (Kreider, 2015: 80), are important here because interpretation is subjective, but offence and controversy are also subjective, especially when discussing humour and satire. How hierarchies are challenged or inverted through humour and satire (Bakhtin, 1984), and how theories of humour, such as the release of tension and relief theory, show positive and unifying aspects of humour and satire, but if there is a "misfiring" of the comedy or satire (Boukes et al., 2015: 740), then moral indignation becomes a factor (Daniel and Rod, 2016).

Humour, propriety and impropriety deal with taste and ascription to taste, which are socially constructed. Signs and symbols within the genres of the selected case studies (comedy and poetry) are representative of subjective experience, but the attention garnered on the comedy and poetry means that interpretations and reactions exist in different mediated forms. Controversial moments that are triggered by creative expressions bring about a re-evaluation of freedom of speech, how we communicate, and how diverse societies deal with challenges brought on by discourses in these moments, which test the spectrum of acceptable speech, but at the same time can be socially and culturally divisive. This then invites the question of how do controversies shift through the media in communicative forms and who the target of provocative speech acts may be, such as marginalised groups. In the next chapter, I explore theoretical themes on diversity and its challenges. Here, topics on diversity include discussions on national cohesion, and processes of "othering" through social marginalisation, both of which are elements in the development and reconstruction of debates on diversity.

4. Diversity and its challenges

4.1. Introduction

In the previous chapter, there was a discussion on speech acts in relation to speech act theory, social performance theory and theories on humour and satire. These were tied to the selected case studies (French comedian Dieudonné and Danish poet Yahya Hassan), which touch upon themes on ethnic and religious diversity, and whose creative expression points towards how taste does, or does not factor in when it concerns divisive speech. The dynamic journeys of these case studies, as examples of media controversies, show how theories on mediation, humour, and satire can help shape and redefine discussions on how freedom of speech is interpreted and re-interpreted. As media controversies, the case studies present a contemporary discussion on the relationship between freedom of speech, tolerance and offence, as well as on how the original acts performed by each individual, comedy in the French case, and poetry in the Danish case, have been translated into something that is meaningful and significant to wider cultural and social spheres. This is because they call into question the nature of diversity in each country context and they act as ways of reinforcing notions of nationhood by recirculating everyday ideas about the meaning and importance of topics central to civic society (Billig, 1995), such as freedom of speech.

In this chapter, I address the theme of diversity and its many challenges, through its chapter question: *What do facets of a country's national context tell us about identity in relation to integration and diversity?* Here I cover some of the key elements that make up social and cultural life within the national contexts of this study, France and Denmark, which bring in debates on diversity and national cohesion, secularity, integration, assimilation, citizenship and mechanisms of "othering". I explore further themes on marginalisation in the selected contexts, where internal socio-economic inequalities contrast with the unification that secularity should bring, in the case of France, along with the social positioning of "new Danes" (*nydanskere*), in the case of Denmark. I then provide a discussion on new debates on citizenship and identity, and how these might shift how we understand freedom of speech.

4.2. Diversity and national cohesion

In this section, I will first very briefly discuss concepts of nationalism and multiculturalism. The aim is not to provide an exhaustive literature review of each of these loaded conceptual and theoretical concepts, but to highlight a few points as they relate to how belonging and citizenship are established in societies like France and Denmark, which have shifting demographics. I then address themes taken from these contexts and apply them to ideas about diversity and national cohesion. This could also be tied into notions on the political, which exists in the form of formal procedures, but can also exist within a cultural context (Coleman and Freelon, 2015: 1); or within a wider political culture.[35] Each country has its layers of systems, informed by history, histories of religiosity, as well as histories of struggle which have brought them to where they are today in their present social, cultural and political condition of "civic culture".[36]

National contexts become diversified due to immigration, and this creates its own tensions. Some scholars speak of these tensions when they talk about governments needing to ensure the "management of immigration and integration", or when they talk about the "myth of return" of immigrants to their homelands (van Krieken, 2012: 467). The reality is also that both integration and assimilation involve the "brutal bargain" of immigration (Podhoretz, [1967] 2017: 15), or the idea that immigrants must "accept that aspects of their old lives are lost forever, and that this is the price to be paid for the advantages of migration" (van Krieken, 2012: 468). Due to this, national identity and culture are in the process of reconfiguration. In the Danish case, there is the relatively recent cultural presence of Islam, which has shifted norms that pointed originally towards a shared Christian identity. In the French case, the Republic's motto of *liberté*, *égalité*, and *fraternité* serves as a reminder of a union brought about after the French Revolution in the late 1800s (Élysée.fr, 2015), yet the

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[35] Political culture here refers to the "values and political conduct of individual or collective agents" (Carreira da Silva et al., 2016: 1119).

[36] "Civic culture" as a term within studies on political culture has origins with Almond and Verba (1963, 1989), who identified three typologies: parochial, subject, and participant political culture (Carreira da Silva et al., 2016: 1121). Also related to political culture is Putnam (1993: 167), and his work on "social capital", which consists of the "features of social organization, such as trust, norms, and networks, that can improve the efficiency of society by facilitating coordinated actions". Richardson et al. (2013: 5) identifies "civic culture" as a "dispersed idea, ranging from the perspectives surrounding types of committed civic action to the less self-conscious, intermittent and partial sense of the 'civic self' that informs everyday life for many people".

approach to secularity, *laïcité*, as a means of separating Church and State has, as an unfortunate consequence, reinforced divisions between people of different religious and ethnic backgrounds by constantly making it a point of contention.

4.2.1. Nationalism

Countries in Europe have been undergoing significant demographic changes since the mid-19th Century, notably after the Second World War. This saw an influx of people from colonial or post-colonial countries, as well as other countries sharing boundaries with Europe, ones that were viewed upon as "somewhat alien, backward and culturally and politically 'strange'" (Hedetoft, 2013: 322). This resulted in debates on topics to do with prejudice, ethnicity and citizenship, and caused Europeans to question their heritages and politics in light of these new changes; where an identification of the "others" in the 1960s and 1970s "kept questions about national identity alive" (Ibid.). How Europeans identified themselves in this way, in relation to ethnic heritage, cultural histories, and unifying elements such as shared language (Moravcsik, 2012), brings up a discussion on nationalism. Nationalism, some would argue, is a "political ideology" where:

> We can succinctly define the political ideology of nationalism as one which claims that there exists a unique nation, that this nation has a special value and therefore right to existence and recognition, and that to secure this right the nation must possess autonomy, often understood as a sovereign nation state. (Breuilly, 2013: 3-4)

Historians who are writing on nationalism as a "political ideology" explain that there are several perspectives that can be taken here: the concept of "nations" as being an object separate from nationalism, but which then defines nationalism; or nationalism as a concept that defines and constructs nations; or "nation" as merely being a concept that is utilised by nationalists (Breuilly, 2013: 13). Others cite "cultural homogeneity" as the "cause for the birth of nationalism" (Campbell and Hall, 2010: 89), in reference to Gellner (1983), who "established the connections between nationalism and egalitarianism in modern societies" (O'Leary, 1997: 191), and outlined nationalism "based on the (political) ideal of congruity between culture, territory, ethnicity and politics, between state and nation, and between citizenship, identity, language and belonging" (Hedetoft, 2013: 319). One critique of Gellner, however, is that these generalisations are not substantiated in his arguments on "expressions of nation-ness and nationalism at the political centres of social formations"

(Meadwell, 2014: 31). Billig (1995: 71) describes this where, "different factions, whether classes, religions, regions, genders or ethnicities, always struggle for the power to speak for the nation, and to present their particular voice as the voice of the national whole". Being a part of a national whole provides legitimacy and unity to nationalistic ideology as well as to national identities (Sudlow, 2012: 205). More recently, nationalism has been defined by Billig (2017: 319) as even being "the dominant political ideology of today, determining what politics is to be seriously practised and what can only be non-seriously imagined".

The most recent debate on nationalism moves from understanding nations and nationalism in terms of "what" created it or "when" it was created, to a discussion on "how" it was created, in terms of "the ways nations are discursively narrated and reproduced" (Skey and Antonsich, 2017b: 2). Citizens and people within a nation are active agents here in redefining a social imaginary (Anderson, B., [1983] 2006), or the national "we" (Antonsich, 2016: 40). Nationalism, it has been argued, can also be as a response to globalisation, diversity, and migration, where:

> Nations are not merely valued goods people defend against global challenges; they are resources people mobilize and augment to cope with global challenges. This extends to the solidarities maintained in diasporas and not only solidarity against migrants but the projects of assimilation by which migrants are integrated into host nations which are not only enriched, but actually become more articulate about themselves in the process. (Calhoun, 2017: 26-27)

Nationalism, in this sense, means that ideas about the nation are "constructed and fragmented" (Bonikowski, 2017: 148). Yet in order to make sense of nationalism and its relevance, Skey and Antonsich (2017a: 324) stress the importance of understanding national frameworks not just in terms of how they are put into practice, but also in terms of how meaningful, or of what value they have, within a given context, such as on issues related to culture or the multi-culture.

4.2.2. Multiculturalism

Some argue that multiculturalism as a term is a "paradoxical notion" because "the –ism part of the concept may connote ideology, policy, or discourse, but in all cases it stands for an approach to a culturally diverse social reality informed by a normative objective to frame, control and steer developments in a particular direction" (Hedetoft, 2013: 319). Advocates

for multiculturalism view it in two ways, on the one hand, as a means of opening borders between countries, in order to open a debate about the importance and moral aspects of "intercultural tolerance and understanding" (Ibid.). Others however, have described multiculturalism as the reverse: it is the source of scepticism and social decay (Modood and Meer, 2013: 25), and leading to a "crisis of multiculturalism" (Hervik, 2012: 213; Triandafyllidou et al., 2012: 1).

Inevitably, a discussion on multiculturalism would not be complete without a discussion on citizenship, and by extension, discrimination. This is because discrimination plays a significant role in tensions within citizenship (Bertossi, 2007: 9), since it involves different ways in recognising people as members of society. This has been described as the "'politics of indifference'… centred on *individual* rights, and 'politics of recognition,' centred on *group* rights", which determine how multiculturalism is interpreted in certain contexts (Villard and Sayegh, 2013: 236, emphasis original). Some, however, argue that challenges within multiculturalism are mostly defined by tensions between the minority and majority, or conflict between religious groups, as well as differences between language and culture (Hedetoft, 2013: 319). I will now discuss these themes in relation to the selected country contexts in more detail, firstly by discussing the French context, then the Danish. In the example of Denmark, historical, social, and religious homogeneity in relation to immigration and family reunification laws have challenged paradigms of multiculturalism and diversity in Danish society. In the case of France, republican values of *laïcité* create a disconnect with socio-economic divisions and the very diverse demographic of French society.

4.2.3. French *laïcité* and divisions in society

France has a long history of immigration but like Denmark, immigrants were seen as a temporary solution for labourers. This was chiefly the case in the 1970s, where second-generation immigrants occupied cheap housing, or *cités*, in the peripheries of France's larger cities (*banlieues*). These communities created notions of multiple citizenship and "cultural diversity inside the political discourse on nationality, citizenship and the political community" (Wihtol de Wenden, 2007: 53). The history of immigration and the resultant generations of immigrants led to disparities within public policies on urban spaces and education, resulting in a type of "ethnicisation of poverty" (Ibid.: 56). *Cités* are urban areas which "are occupied largely by the victims of social exclusion and a disproportionately high immigrant

population", which creates a social and cultural distance that is "fuelled by a distorted media representation" containing a relegated "other" (Higbee, 2001: 197). The *cités* were constructed in the 1950s and 1960s, when the demand for post-war housing was high, in the outer limits of cities where land was cheap and the locations convenient to an industrialised workplace. This ended in the 1970s with de-industrialisation, leaving the residents of these areas even more isolated. Those who were able moved away, being replaced by new immigrant workers, mainly from North Africa. Social and economic isolation left a large population of immigrants excluded from the metropolis, so that these spaces exist "as an ideological construct: a site of containment of the marginal or threatening 'other'", where "such areas are a 'lost cause'—allowing for the failure of government initiatives to tackle exclusion and acute social deprivation in such 'problem areas' to be excused" (Ibid.: 198-199).

This type of neglect of the French *banlieues* revealed an "anger of populations—for the most part postcolonial minorities—doomed to abandonment and marginalization, and with no mechanism for voicing their concerns" (Bancel, 2013: 215). Following the death of two teenage boys evading police in 2005, riots broke out in the Parisian *banlieues* and in other cities (Thomas, 2013: 63). The riots "dramatically shook visions of Europe and its politics of multicultural and multi-ethnic co-existence" (Horvat, 2010: 747), and furthered disassociation. This disassociation was described as a "*fracture sociale* [social fracture]", a term used by Jacques Chirac during his 1995 Presidential campaign, which refers to a "perceived disintegration of community and civic responsibility that accompanies exclusion, violence and delinquency but also to the growing divide between rich and poor in French society" (Higbee, 2005: 123).

The realities of cultural diversity and social and economic exclusion in France are a constant tension between the social classes and ethnic groups that make up the French population and politicians, interest group leaders and academics who comprise the elite, who struggle to establish the tone of debate on French identity and national heritage (von Rohr and Leick, 2013); one that is perforated with cultural malaise. A newspaper article highlights this by saying, "nationalism tends to flip towards racism and France is a hot bed of tension. Islamophobia, anti-Roma, and anti-black racism remain equally popular. All of which will only continue to grow with economic downturn and chronic unemployment" (Rose, S., 2014). Yet diversity in France is not only a matter of race or ethnic origins, but also a matter of politics

and religion. *Laïcité* is the French form of secularism that "has increasingly become a sacred - non-negotiable - element of collective life" (Barras, 2013: 276). *Laïcité* is also a fundamental aspect of the French republican model, which is built on a "myth" of "equality and the protection of the rights of all citizens" (Bancel, 2013: 209). However, it "is subject to multiple readings and perspectives: legal, ideological/philosophical, political and sociological" (Le Grand, 2013: 60).

Laïcité was made predominant in recent decades by the banning of visible religious symbols in French schools in March 2004 and sparking an intense debate about religion and citizenship (Sistare, 2010: 129). Given this, is the case of France a matter of conflict of "ethnoreligious nationalism" (Shepard, 2013)? Some argue that, "the social representation of skin colour, even more so than ethnicity is, strictly speaking, unthinkable in France given that, at least in theory, all individuals are considered equal before the state" (Bancel, 2013: 213). This can also be seen in the types of lobbying and activism done by anti-racist groups, as they are seen to be utilising certain laws that both protect and enable them to promote specific interests, which contribute to tensions between racial and ethnic groups in the French context by creating confrontational exchanges involving group assertions of democratic rights (Bird, 2000: 409). What is then seen in the case of France is that identity is still without a doubt closely linked with ethnicity and religion, both things of which the French government has tried to smooth over with the upholding of *la laïcité*.

The question of identity in France has in recent years been also been tied to *laïcité* (Sommier, 2016: 232). Nicolas Sarkozy originally brought attention to this in 2009, in his discussions about a "national identity" (Le Monde.fr, 2009), spurred on by discourses on social schisms created by the 2005 riots (de Laforcade, 2006: 217). More recently in 2015, Nadine Morano, a politician with the centre-right *Les Republicains* said on a national TV channel debate that "we are a Judeo-Christian country, of a white race, which welcomes foreigners" (ONPC, 2015). She made this statement by paraphrasing de Gaulle, in relation to acts of violence against Jews and a discussion in the programme on "national cohesion", yet it backfired and created a debate about the propriety of politicians making statements on what it is to be French, as well as on race and religion (Taïeb, 2017: 2-3). This was echoed by Marine Le Pen during the 2017 presidential election, where she highlighted the "Christian roots" of France, while at the same time noting that these roots were "'secularized' [laicisé] by the Enlightenment" (Brubaker, 2017: 1198). The Christian element and heritage of Europe in this

context is not something to be ignored, as many countries are secularised and have retreated from the Christian faith; although this is presented as a contrast to a Muslim "other" (Ibid.: 1199), something that has been been discussed in the public domain in France in other examples, such as the ban of a full-face veil (*niqab*) in public places in 2011 (BBC, 2017), to the burkini-ban in certain municipalities in 2016 (Brubaker, 2017: 1202). These recent instances are notable because they are examples of discussions on diversity, ones that merge religion with public life and should otherwise be outside of the political domain. In other words secularity, or *laïcité*, should only refer to state institutions and not to culture in more general terms. They show how, in different Western cultures and societies, countries such as France are undergoing changes where political debates about secularity are more often than not involving private life and cultural life, and therefore the internal life of a national context.

4.2.4. Danish homogeneity and questions of "Danishness"

The insulated context of Denmark resulted from three factors: religious homogeneity, geographical unity, and the welfare infrastructure. The predominance of Lutheranism by the 19th century, the scaling down of territories in northern Germany and in Sweden, as well as the advent of a national welfare system in the 20th century, all contributed towards the construction of an insulated, homogeneous, society (Campbell and Hall, 2009: 556-557). This is seen where countries like Denmark are able to secure their socioeconomic status, and they are able to protect themselves from "external vulnerabilities" by shaping discourse to promote national interests (Ibid.: 547). This argument sets the precedent for an "end of tolerance" approach, one which "naturalizes xenophobic reactions to immigrants of non-western countries and cultivates a 'no more apology' approach" towards them (Hervik, 2012: 213). Within the last decade or so, the political language in Denmark has been one where there is an increase of language referring to "dangerous cultural 'others'" (Ibid.: 214).

In Denmark, immigration and cultural diversity are primarily the result of migrants and family reunification (Hervik, 2012: 213). As a consequence, attitudes towards immigration originally fostered a "host-guest" relationship, where "guests would act like proper guests and follow the rules of the national house" (Ibid.: 220). This was the result of an approach of a formal, politically developed multiculturalism, in order to protect "its monocultural welfare model" (Hedetoft, 2013: 325). Yet some of the literature argues that:

> It would be presumptuous to speak of a backlash against multicultural policies in Denmark because such policies never gained much prominence in the first place. Thus, when Danish politicians and political commentators announce the end of multiculturalism, they seem to be expressing a desire that things should stay as they have been and perhaps a desire for more restrictive immigration and integration policies. (Holtug, 2013: 190)

This however, is not necessarily reflected in the population, where there are indications that "Danes are no more hostile or intolerant than other peoples of Europe", which presents an inconsistency where one point of view is reflected in the population, and an opposite one politically (Ibid.: 190). It demonstrates a political position that might reveal a resistance to change, in a social context that is diversifying. The case of Denmark is interesting because it is a small country that is being forced, by globalisation, to move and evolve politically and culturally with a larger global community.

In the face of cultural diversity the focus on "Danishness" is the result of the "complex relationship between processes of globalisation, constantly challenging national imaginations, and the re-establishment and reproduction of the systems of signification that produce our mode of inhabiting national spaces" (Koefoed and Simonsen, 2007: 311). In this case there is an ongoing debate on what it is to be Danish in relation to an "other", where two discourses either discuss the extent to which immigrants and refugees should be accommodated (Ibid.: 314), or to what degree immigrants can adopt liberal values of society (Mouritsen and Olsen, 2013: 691). This is demonstrated in two ways, the first is where the "national integration philosophy is moving towards a civic perfectionism that promotes not only liberal character building, but a society of equal social and democratic participation", and the second where challenges with immigration and integration force an internal reformulation of Danish national identity (Ibid.: 692-693). With globalisation, Denmark is forced into changing its national identity in relation to how the public perceives definitions of identity and citizenship (Mouritsen, 2013: 86).

It is clear that Denmark and France have their respective challenges when it concerns diversity and national cohesion. In France, these problems are complicated by a history of immigration, resulting in social and cultural hierarchies. In Denmark, these problems are presented by an insulated, homogenous welfare society with a more recent history of contact with "other" cultural, religious, and ethnic groups. The next step now is to add to

this discussion by addressing themes related to notions of religion and identity, in the form of marginalisation and processes of "othering".

4.3. Marginalisation and "othering"

Marginalisation takes place when social imaginaries are being or have been reconstructed (Taylor, 2004), in relation to the negotiation of a generalised "other". Mead (1967) describes othering as the self in relation to others, whereas Said ([1978] 1995: 1) discusses othering in the form of a European/Orient dichotomy of an "exotic" other. Taylor (1994: 38) explain othering in terms of how identity is shaped through the recognition of others, where "equal dignity" is needed in order to acknowledge different groups representing different factions of human diversity. The question of "rights-liberalism" is discussed here, which is the balance between the desire of a group's culture to exist and survive, versus practices mandated by a government that could potentially prevent such a goal (Landesman, 1994: 384).

Notions of belonging and processes of othering are intertwined. Mead (1967) discusses the importance of social norms in the development of the identities of individuals (Post, 2009: 128), and how critical this is in order to be a part of a larger community:

> A person is a personality because he belongs to a community, because he takes over the institutions of that community into his own conduct. He takes its language as a medium by which he gets his personality, and then through a process of taking the different rôles that all the others furnish he comes to get the attitude of the members of the community… The structure, then, on which the self is built is this response which is common to all, for one has to be a member of a community to be a self. (Mead, 1967: 162)

The above quote shows how notions of personhood and belonging are integral to the development of a sense of community. Yet it is not enough to have a sense of identity and selfhood, which is where the notion of dignity comes in, because concepts of dignity rely on norms of being accepted and respected by others (Post, 2009: 129). Taylor (1989: 15) describes this as "attitudinal respect", which is different to "active respect", such as respect of the rights of others "in the sense of non-infringement". This is furthered by Voltmer and Lalljee (2007: 96), inspired by Kant's original development of respect as a concept, which is an element to consider when looking at societal cooperation and integration. Here:

> Respect involves acknowledging someone's dignity and inherent value as a human being regardless of what he or she thinks or does. It does not necessarily involve agreement with or even liking of that person. Respect is therefore an essential prerequisite of social life, especially in situations where cultural, historical or social differences have caused deep divisions between different segments of society.

These concepts of respect and identity shape processes of segmentation and othering. Us-and-them or insider/outsider binaries are something that drives divisions and polarisation. As individuals we do not enter into life as a *tabula rasa*, or with a mind and identity that is a blank slate (Samet, 2008: Introduction), where we create our identities as we live. Instead, othering, in its positive and negative sociological and cultural forms, helps establish who we are and where we do or do not belong. Othering can also exist because it is mediated through, for example, nationalist communication, by scapegoating and vilifying people or using emotive language (Abzianidze, 2016). This type of formulation of "predatory identities" as described by Appadurai (2006: 51), show how certain influencing forces can work to undermine or eradicate a minority it perceives as a threat. Through the use of language around certain groups, such as groups presenting a threat, concepts and terms then become normalised (Billig, 2008: 783). Both of the country contexts of France and Denmark show these notions of inclusion or exclusion in society, which I will now discuss in relation to the former and the example of *Charlie*, and in relation to the latter in the example of "common values".

4.3.1. French otherness in the example of post-*Charlie*

The events post-*Charlie*, as discussed in Chapter 2, showed that there was a division between people supporting freedom of speech as a value (and therefore *Charlie Hebdo*), and people not endorsing the violent acts of the January 2015 attacks at the *Charlie Hebdo* office, but who at the same time were being perceived to not support freedom of speech.[37] This is an idea that is rooted in the notion that Muslims are against free speech when it concerns acts that are perceived to offend Islam (Khiabany and Williamson, 2015: 572). In the case of the attacks and *Charlie*, this then raised relevant questions about national identity, but also reinforced notions of marginalisation and othering.

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[37] The edited volume, *After Charlie Hebdo: Terror, racism and free speech* (Titley et al., 2017) is a recent contribution that further addresses the social, cultural, and political implications of the attacks, as they relate to secularity, identity, extremism, free speech and *media events*.

In a 2015 broadcast called "A Nation Divided? The *Charlie Hebdo* Aftermath" by BBC Three (Aziz, 2015), a number of points concerning othering were discussed. Here, there was an exploration of how Muslim minorities are expected to answer for, and to represent one another, causing a conflict of choice between being allegiant to one's "native" country and putting one's religion first. This raises the question of, on whose basis is a country constructed? This invokes what cultural historian Andrew Hussey calls the "politics of identity" (Ibid.: 00:21:33), and the fact that actions such as the banning of head scarves in public life that are meant to assert freedoms actually do the reverse, because they perpetuate concepts of alienation. This is certainly not aided by the rhetoric of certain political parties, such as the National Front, where Jean-Marie Le Pen's granddaughter, Marion Le Pen, discusses Muslim minorities with English-Pakistani journalist and comedian Shaista Aziz, as transcribed here:

> Aziz: So, you talk about immigration, but these are French people, they were born in France, they went to university, they went to school, they work here, they're not immigrants, they're- they're from here, aren't they? They're French.

> M. Le Pen: You are correct in saying, that, in effect, a portion of these young people are French, they were born in France, they are the descendants of immigrants. That is a reality, and so, in effect, we've also fabricated many French people who are not French of heart, but French on paper.[38] (Ibid.: 00:31:57)

These types of generalising statements that are used by the National Front in arguments for unification and assimilation, actually force the judgement of the place of ethnic minorities and their aforementioned expectation of choosing between religion or country, by challenging their identity in this way. Aziz comments about this later in the documentary:

> I think this issue of identity is a really complicated thing and it has become more complicated since the attacks in Paris. People who are feeling alienated and who are grappling with this issue of who they are and— it's not really who they are, they know who they are— it's about feeling accepted. I think people want to belong, and I think to feel you belong somewhere is really powerful, and it grounds a person, it gives you history, it gives you roots— if you don't have that, it can be very confusing, and it can cause a lot of turmoil in a person's head, because basically, you're constantly being challenged and questioned and viewed as an outsider, viewed as an 'other', which is actually quite a painful experience. (Ibid.: 00:33:30)

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[38] M. Le Pen's response was in French and it is my own translation.

Although documentary in this form can be considered to be a part of a creative interpretation of reality (Grierson and Hardy, 1946: 11), the points raised here are relevant to the contemporary context of France. This is because the topic of Islam in France and the processes of othering when it concerns Muslims, has to do with the de-sacralisation of religions, and the removal of religion from national identity, in order to achieve national cohesion. The reality, however, points to a public discourse that seeks to "shape an Islam that preaches tolerance, respects diversity, supports the separation of church and state, and embraces integration wholeheartedly and without hesitation" (Bawer, 2002: 347); though this points dangerously towards an inherent notion that Islam as a religion is not compatible with French and Western constructs of social and cultural life. The tensions described in the quote above speak to how societies are grappling with these issues of inclusivity when it concerns ethnic and religious minorities, and ensuring that all members of society are able to feel like they belong to a national whole. These tensions shed light on the differentiation of groups in the French social and cultural context, where these topics were evident in other domestic issues. An example would be a 2005 law that French school books should discuss positive effects of colonialism (Bancel, 2013: 208), countering the 2001 Taubira Law, which highlighted colonialism and slave trade as a crime against humanity (Frith, 2015: 213). This shows how, to a certain degree, laws and historical memory favour or protect certain groups or national constructs. It is clear, that within the discussion of this section, France has a loaded history and contemporary context, one that has, and continues to cause, conflict between ethnicities and immigrants of different nationalities, and therefore perpetuating concepts of "otherness".

4.3.2. Danish otherness in the example of "common values"

In the Danish context, fears around immigration and social diversification are linked to a fear of the welfare state being changed and compromised (Siim and Meret, 2016: 111). One of the main issues in Denmark is that immigrants and minority communities live in isolated conditions. This can be due to a number of reasons, such as strong welfare benefits for those not in work, the inability of refugees to work, and a high minimum wage leaving a deficiency in available jobs for unskilled labour, all of which "perpetuate cycles of dependency and labour market marginalization"; particularly when immigrants and minority groups do not contribute through taxes to the system supporting them (Mouritsen, 2006: 74). Welfare in this instance addresses issues beyond economic and social policy, because they have to do

with maintaining social cohesion, which is established through shared cultural norms and traditions. In other words, everyone in Denmark, as equal citizens, must contribute and pay taxes in order to be a part of a national whole. Those who are unable to do so remain as an outsider group.

As discussed previously, the literature often points to discussions about a Muslim "other" in the Danish context, which according to some "resist integration into mainstream society", as is seen in the case of countries like Denmark which are relatively new to accommodating non-ethnic demographics (Bawer, 2002: 338). There is a politics of fear and discomfort of having "others" present in Danish society, because "for almost all Northern Europeans, national identity continues to be wrapped up in, and equated with, ethnic background" (Ibid.: 348). This is reinforced by language used to refer to immigrants and their descendants as "second generation immigrants", as well as using the term "Muslim" and "immigrant" interchangeably (Ibid.: 343). Certainly, this is problematic for these populations, including subsequent European-born generations to be referred to in these ways, because it creates a "*generation by generation outsider status*" (Ibid.: 354, emphasis own), and does not foster a constructive approach to inclusivity (Ibid.: 339).

This "outsider status" is also juxtaposed as a "social underclass", which is discussed in reference to the ghettoisation of certain communities that are predominantly inhabited by Muslim minorities (Mouritsen, 2006: 74). The issue of a social "underclass" is perhaps both a symptom of, and the result of, a secular system, since Denmark has a "secularized Christianity-as-culture" model (Ibid.: 77). This speaks to the idea that European nations such as Denmark, were once "monoculturalist" (Hedetoft, 2013: 323); meaning that they at one point ascribed to one set of values of cultural heritage, based on models of Christian nation-states. What this then means for the "social underclass" is that members of this group are a part of society, yet also excluded to a degree because of their religious or ethnic affiliation. This is reinforced by their "outsider status" and established prejudices.

Processes of "othering" have been discussed in this section, in relation to the Danish context as well as the French, as a construct that is a part of a larger phenomenon of cultural anxiety in terms of society and "culture and what is happening to it" (Grillo, 2003: 158), propagated by constructs of "moral panics", where a "group of persons emerges to become defined as a threat to societal values and interests" (Cohen, [1972] 2002: 1). Intolerance here can only be

overcome by reassessing how members of society relate to one another with respect and open deliberation; which shifts this discussion to what sorts of new debates are taking place on these themes of cultural and social diversity.

4.4. New debates

This chapter has dealt with themes on immigration, and certain elements involved in how diverse societies such as France and Denmark have adjusted to integration. Taking the example of multiculturalism (in the sense of diversifying societies), there is a new push to think about society and cultures living *in diversity* as opposed to living "with diversity" (Amin, 2012: 113). This then calls for an approach where diversity becomes something that must consider hybridised or layered identities; rather than thinking about diversity and identity as a part of a social reality that is constructed around traditional or more established frameworks of a homogenous whole. As has been discussed throughout these chapters, the selected case studies and the social realities of France and Denmark show that in actuality, diverse communities are not a part of a "mainstream" society, rather, current social and cultural structures within each country show how there is a disconnect between what is perceived as "mainstream" versus the many social and cultural groups that currently exist. The issue then becomes an issue of reshaping ideas about a shared (national) identity as well as the future of a continued shared identity.

Therefore, discussing the themes of national cohesion and processes of othering and marginalisation in this chapter, sheds light on to how countries are having to reassess and reconstruct their national heritages. France is secular with Catholic roots, and it has a long history of an integrationist approach of its many ethnic groups, even though there exist divisions that are religious and ethnic as well as socio-economic. Denmark has a long history of being culturally insulated and ethnically homogenous, it is liberal yet traditionally Lutheran, and it too has divisions that are religious, ethnic and socio-economic. Both countries are changing with the times, where ideas and policies on citizenship and identity must change along with embracing religious freedom and ethnic diversity, including upholding a tradition of freedom of speech as being emblematic of civic life. Integration and assimilation highlight otherness and perceived internal threats, yet in order to sustain social cohesion, change must take place. This is because as individuals or groups living within a given social, cultural, or political context, the need for legitimation is the same, where the

freedom to have a voice and the freedom of be recognised as valuable members of society are all necessary elements in diversifying contexts. The resulting problematic is that both nations are forced to redefine their own collective national identities, in the face of changing demographics and diversification, as a result of migration, as well as renegotiating citizenship or what it means to belong.

4.4.1. Citizenship and identity

Modood (2016: 480) makes an analogy that citizenship as a concept is like a body. The legal frameworks that shape citizenship are the skeleton of the body, however, aspects of belonging make up the flesh of the body. One cannot be without the other, but both need to acknowledge the other. The same can be said about how one is to understand citizenship as something that is both related to policy and to theory. Admittedly, this chapter does not address the French and Danish government's policies on integration or assimilation, since the research interest is more about how issues of integration and assimilation shape perceptions of freedom of speech.[39]

Addressing unity when coming to terms with ethnic and religious difference, naturally raises a number of issues. The "problem of religions", for example, such as Islam in the Danish and French contexts, has been in focus because it means that there needs to be a reassessment of the role of religion in the moral fabric of a given society (Cox, 2014: 739). Respect in the face of prejudice is key here because combined with this is the idea of a cultural threat, where hostile discourses against members of religions, such as Muslims, could exacerbate prejudiced behaviours towards them (Franco and Warburton, 2013: 150). These issues are positioned in different ways. Certain research contexts pitch a Muslim minority against a Christian "native" (Carol et al., 2015: 647), but this of course makes certain assumptions as to what degree people are "Muslim" or "Christian", or that they have to be one or the other, and this does not leave space for the in-between (*liminal*) spectrum of people who are not a part of these heritages or who have these heritages but perhaps do not ascribe to them.

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[39] Leydet (2018), offers an overview over different aspects of terminology and literature on citizenship, ranging from models of citizenship (republican or liberal), internal challenges (universalist, differentialist, liberal nationalist, postnationalist), as well as a discussion on the relevance and changes theories on globalisation have shifted understanding of citizenship.

Nevertheless, such studies point towards considerations of the nature of "asymmetric power relationships", where Muslim minorities do not deny the rights of the Christian majority, because this would work against their own interests (Carol et al., 2015: 647), but at the same time they must also contend with this juxtaposition between "a religious majority and religious minority that in addition interferes with native and immigrant status" (Ibid.: 667-668). In a globalised society, this then means that constructing nationhood and citizenship in a traditional sense can no longer take place (Joppke, 2007: 18), because as a continent, Europe has to tackle issues with diversity in order to "preserve its democratic values" (Alexander, 2013: 547). Becoming "multicultural", however, brings its own challenges. Using the example of right-wing parties, which have thrived by identifying immigration as an element of constructing identity where definitions about groups are established and upheld (Cantle, 2016: 472-473), then shows how people can become a part of a "tick-box classification which homogenises communities under a single aspect of their identities" (Ibid.: 477).

Diversity then means that it is something that is built around constructs on how we shape and represent our individual and collective identities as a part of a national whole. Another way of looking at diversity in this way is through the idea of "super diversity". This is described as a state of being which is "distinguished by a dynamic interplay of variables among an increased number of new, small and scattered, multiple-origin, transnationally connected, socio-economically differentiated and legally stratified immigrants", which create "new ethnicities", or hybridised identities and communities (Vertovec, 2007: 1024). Yet this does not explain the idea of "parallel lives" (Cantle, 2016: 477), or social fragmentation (Colombo, 2015: 800), nor how *ingroups* and *outgroups* react and relate to each other in a social context (Tajfel, 1982); indeed in a diversified and multicultural context.

Returning to Modood (2016: 480), citizenship is what makes up the core of diversity. Citizenship is described here as "a relationship with each other which has to be expressed within an ethical, principled framework", one which is "informed by key ideas like liberty, equality, fraternity or unity and democracy" (Ibid.). Citizenship, Modood argues, is not only about a vertical relationship between a citizen's rights and a given state, but also intersects with a horizontal relationship with citizens at each end (Ibid.). Citizenship and diversity are a part of a process of equality, not in terms of making someone whole by attributing them membership to a majority, but by acknowledging difference as a part of public life (Ibid.: 480-

481). Indeed, the majority must be actively inclusive of all members of society to avoid internal schisms in the reshaping of national identities (Ibid.: 481-483).

Citizenship relates to theories of rights and theories of belonging where, "political engagement, and sense of belonging, provide legitimacy and the ability to make claims about equality and inclusion" (Bloemraad, 2015: 591-592). Yet these also come with certain conditions. "Civic integration" is a term used to describe the various mandatory conditions and policies countries impose on immigrants, on an individual basis, to learn local language and customs, as well as to take various types of tests and courses in order to facilitate residency or eventual citizenship (Goodman, S.W. and Wright, 2015: 1886). This has been seen to not just integrate but to also act as a "gatekeeper" by controlling the numbers, and under which conditions, immigrants must adapt (Ibid.).

The problem, and it is one that this study is examining, is the nature of cultural privilege through these processes of diversity and how they relate to free speech, as well as tolerance, which is "a limited good because it is dependent on the goodwill of the person who is doing the tolerating, presumably the more powerful section of society, such as the majority, which can withdraw its toleration if it so chooses" (Cantle, 2016: 478). The processes of tolerance and toleration are therefore always going to be in flux, based on how social and cultural hierarchies are in negotiation with one another. When such processes are unsuccessful, alienation occurs, as described by Taylor et al. (2012: 414):

> The major motivation of immigrants into rich democracies is to find new opportunities, of work, education, or self-expression, for themselves and especially for their children. If they manage to secure these, they – and even more their children – are happy to integrate into the society. It is only if this hope is frustrated, if the path to more rewarding work and education is blocked, that a sense of alienation and hostility to the receiving society can grow, and may even generate a rejection of the mainstream and its ethic.

So, diversity and integration are related to how politics of recognition are constructed (Taylor, 1994), and whether they are shaped by a "right to be different". The issue also has to do with a given ethnic, religious or minority group identity and to what degree it engages in "public expression" as an engagement with this identity (Kastoryano, 2006: 62).

4.4.2. The "politicisation of culture" and the "secular imagined community"

So now the discussion is moved to other types of debates, such as a "politicization of culture" or a "new culturalization of politics" (Mouritsen, 2006: 73). Perhaps this is also tied to "civic patriotism", as described by Laborde (2002: 611-612), which "urges that existing political cultures be democratically scrutinized and re-shaped in an inclusive direction". These are all processes of groups or collectives and not of individuals, and are dependent on what type of liberal approach is to be undertaken. Political liberalism, as articulated by Rawls ([1893] 2005) states that individuals must be able to make their own choices (Joppke, 2008: 534). This of course means that a multiplicity of personal choices conflict with achieving an overall consensus, where "social unity in a liberal society cannot derive from the 'good' of nation and nationalism, but only from a consensus on the 'rights' that should accrue to each individual" (Ibid.: 535). The shaping of a collective "us" is either formed on the basis of a mentality of natives, versus a mentality of incorporating natives along with immigrants and minorities (Ibid.: 536). Also, "a key precept of liberalism" is that "law and public policy can regulate only the external behaviour of people, not their inner motivations" (Ibid.: 541-542).

This type of conflict between external and internal motivations in the development of nation and culture means that both country contexts of France and Denmark seem to struggle with an idea of a "secular imagined community" (Sommier, 2016: 243). In this case, the positive values of liberalism and diversity are contrasted with the negative values of stigmatising religions or attempting to achieve a singular definition of a shared identity, through a "new contemporary sociological imagination" (Wieviorka, 2014: 633). This is difficult to achieve when there is a division between insiders and outsiders, including "internal outsiders", who might be citizens but are not considered as belonging to a whole (Brubaker, 2017: 1192). Not only this, but there is an argument that countries like France and Denmark regard the "self and other not in narrowly national but in broader civilizational terms" (Ibid.: 1193), and "civilizational discourse refers to a different kind of imagined community, located at a different level of cultural and political space, than national discourse" (Ibid.: 1211). Liberalism in this context helps protect "our way of life" (Ibid.: 1204), but in some ways, complicates the understanding of how processes of integration, assimilation, marginalisation, othering, citizenship and an "imagined community" occur when discussing diversity. Another angle would be the "social imaginaries" that are achieved through the connection between "the objectively recurrent and the subjectively enacted", where

elements of culture and society are lived and experienced by all members of that culture or society (Calhoun, 2017: 23). Yet, even with all these challenges, diversity can ultimately be a positive element to society, though it must be overcome by social and cultural processes of interaction between all members of society, in order to establish a redefined "we" (Putnam, 2007: 138-139).

4.5. Conclusion: diversity and freedom of speech

In addressing diversity as a contemporary topic, it is evident that as a concept or ideal, diversity has many social, cultural and political challenges, ones which seem to create a choice between diversity on the one hand or national cohesion on the other. This chapter did not include a formal discussion of politics in the French and Danish contexts, although it must be acknowledged that research in this area is certainly relevant, given how "European identity, defined in religio-civilizational terms, has come to figure more centrally in political rhetoric" (Brubaker, 2017: 1212).[40] These aspects of immigration, integration, and assimilation are tied to political culture and civic culture, and are thus also intimately tied to how free speech is understood and valued in a given national context.

Khiabany and Williamson (2015: 372,572) describe how freedom of speech in the European context "is not treated universally, but is tied to questions of social, political and economic power", based on how the media has shaped "our" versus "their" freedoms when it concerns, for example, a Muslim minority. Yet as discussed in Chapter 2, the distinction of group rights versus individual rights is a circular discussion when it involves acts of free expression. In the instance of racist speech, Bleich (2011b: 930), describes how each instance needs to be assessed individually, because local and political contexts determine the severity of any offence, but that at the same time, "each citizen has the responsibility to articulate his or her own position and to take part in broader discussions about how to balance the fundamental values of liberal democracies". The civic duty of all members of society, to be able to contribute equally to a free and democratic debate is compromised by, for example, social inequalities in countries like the ones described in this chapter in France and Denmark. Issues on free speech, therefore, will always be connected to issues on diversity, because

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[40] Brubaker (2013: 1) has argued previously that "religious pluralism entails deeper and more divisive forms of diversity", ones which inform and shift how politics is organised and negotiated in different contexts.

speaking freely and contributing to a debate are crucial aspects of civic life. The negotiation of freedom of speech as it relates to diversity, then becomes a conflict between the rights of individuals and political life as a citizen. Mouffe (2007: 4) describes the theoretical challenges of thinking about political life due to the "uncontested hegemony of liberalism". Here there is a "rationalist and individualist approach which is unable to grasp adequately the pluralistic nature of the social world", which forms an eternal struggle between the two and therefore makes a rational consensus unachievable (Ibid.).

Applied here, this then means that an individual's or group's right to free expression is in constant tension with an individual's or group's perceived right to protect their religion or identity from offence. The case studies discussed in Chapter 3 merge these themes, and I explore them further in the following empirical chapters on the media content and interview findings, in order to shed light on how we understand media controversies that potentially cause offence and test the limits of tolerance, as well as challenge established democratic constructs on values such as freedom of speech. First, however, the next chapter on the project's research design covers the various ways in which addressing these issues were approached through my project's research design structure, methods of data collection, and methods of data analysis.

5. Research design

5.1. Research design and using a comparative, case study approach

This chapter outlines the research design of my project, from its case study structure, to choices in methods of data collection, which are online newspaper articles and interview transcripts, followed by a discussion on the method of data analysis, which is Thematic Analysis. Challenges in fieldwork and limitations of research are also explored, before a conclusion addressing various aspects of conducting qualitative research.

My project is a comparative study between France and Denmark, where there is one case study for each country context; in the French case it is comedian Dieudonné M'bala M'bala, and in the Danish case it is poet Yahya Hassan. Each case study was involved in a media controversy, and each case study provoked debates about social and cultural challenges within each country context. Using theories within communications studies, my project seeks to shed light on how we make sense of, and understand, free speech events that cause offence or require tolerance, because they apply tension to democratic constructs and values such as freedom of speech. My research data consists of media content from one centre-left and one centre-right newspaper per country, and transcripts from in-person, semi-structured interviews with civilians and elites who are free speech stakeholders such as activists, politicians, lawyers, and artists. Three core themes within the literature inform the research contexts: on freedom of speech, communication, and diversity. The research approach is interpretivist and the method of data analysis is Thematic Analysis. Together, these methodological elements comprise the research design structure, which is also illustrated here:

Table 1: Research design	
Country contexts	
France	Denmark
Case studies	
Dieudonné M'bala M'bala (comedy)	Yahya Hassan (poetry)
Research data – Online articles	
Le Monde (centre-left)	*Politiken* (centre-left)
Le Figaro (centre-right)	*Jyllands-Posten* (centre-right)
Research data – Interview transcripts	
Paris	Copenhagen

Setting up my research project in a case study format in this way best addresses the research interest and both narrows down the project from a broader country case context to being directed and shaped by a case study. Using a case study methodology offers an opportunity to examine phenomena within a particular context and help inform other research contexts or theories and describe a particular reality from a given time, place, or topic (Flyvbjerg, 2007: 391; see also: Gerring, 2004; Stake, 1995; Ragin and Becker, 1992).

Both of the case studies are relatively "new" to the literature.[41] The Dieudonné case is by far the most discussed, however, based on a general survey, many articles only mention the case in passing. Those articles that deal with the Dieudonné case a little further are found in areas of study that include: religious studies (Ben-Moshe, 2015), anti-Semitism studies (Grigat et al., 2016; Clavane, 2014; Mazel, 2014), studies on hate speech and law (Tsesis, 2017; Keck, 2016; Mchangama, 2015), arguments against counter-speech (Lepoutre, 2017), social media research (Leone, 2015), colonial studies (Alzouma, 2011), studies in humour (Hietalahti, 2016), cultural studies (Boudana, 2015), and European studies (Camus, 2006).[42]

In the Danish case, given Yahya's young age (18 years old at the time), and the short-lived notoriety of the events surrounding the publication of his poems in 2013 and 2014, does not have much written about him to date. Most of the journal articles about him discuss his case in relation to literary studies, in terms of his authorship as an immigrant (Gokieli, 2015), how poetry can be used as "agenda setting" (Handesten, 2015), or niche studies, such as on Palestinian writers writing in languages other than Arabic (Ebileeni, 2017). By selecting these particular case studies, it is apparent that there is a gap in the literature about these two particular individuals and the topics they address.

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[41] The searches for articles about Dieudonné were for English-language peer-reviewed articles in the period of 1990-2017, using search terms: "Dieudonné M'bala M'bala", and "quenelle". I also refined to relevant subject areas and only considered articles that I could access and confirm were about the case. The searches for articles about Yahya were for English-language peer-reviewed articles in the period of 2013-2017, using the search terms: "Yahya Hassan" and "'Yahya' AND 'Denmark'". I also only considered articles that I could access and confirm were about the case. Search engines used were: ProQuest CSA, Scopus, Web of Science, Google Scholar.

[42] This list is certainly not exhaustive and has focused primarily on English-language peer-reviewed journal articles.

5.1.1. The role of comparative analysis

Ever since *The crisis of public communication* (Blumler and Gurevitch, 1995)*,* which called for more comparative research in media and communication studies, there has been a growing body of literature in the field that incorporates comparisons across countries, ranging from micro-level research on individual opinions and media use, to structural analyses of ownership and regulation. As the authors claim, "all scientifically geared research is inherently comparative" (Ibid.: 73), because we must compare and contrast concepts in order to understand their scope and content. This makes comparative research important because it allows us to gain particular insights. It allows us to distinguish between the exception and the norm, and whether or not our observations are universal or specific to particular circumstances and times. In conducting comparative research, we must ask ourselves, what are we comparing, why are we comparing it, and how are we going to do the comparison (Sartori, 1991: 243).

Indeed, as articulated by Blumler and Gurevitch (1995: 75), "although many theoretical propositions about the social and political functions of the mass media are couched in universal terms, the evidence adduced in support of them is almost always culture-specific". In this way, comparative research can be situated within particular national and cultural contexts. Generally speaking, comparative research involves "comparison between a minimum of two political systems or cultures (or their subelements) with respect to at least one object of investigation relevant to communication studies" (Esser and Pfetsch, 2004: 8), but it can also involve large-N research consisting of a multiple number of countries. While the inclusion of large numbers of countries is an effective way of analysing general patterns and trends, this approach risks passing over important nuances and processes that are located behind these general patterns.

Comparison as a research tool is a major instrument to develop concepts and theories. Indeed, comparative research "offers the opportunity to address a particular set of questions that are of crucial importance for our understanding of a wide range of communicative processes" (Esser and Vliegenthart, 2017: 2). Comparison facilitates five different aspects of research: *understanding* of "one's own society", *awareness* through offering a new research perspective, *generalisation* through testing how and in what ways research topics apply in different contexts, preventing *relativisation*, or the application of concepts without

substantiating them, and finally offering *alternatives*, or conditions that could potentially be useful to a given research context (Ibid.). Most importantly, comparative research "guides our attention to the explanatory relevance of the contextual environment for communication outcomes and aims to understand how the systemic context shapes communication phenomena differently in different settings" (Ibid.: 3). In other words, comparison allows us to understand how topics in communication work, either in different ways or in similar ways in selected contexts.

In this way, comparison allows us to substantiate and position research interests and questions within the wider academic discourse, and in turn contribute to them. Comparative research has therefore been described as "moving from description to explanation, from simplification to theoretical sophistication, from accidental choice of cases to their systematic selection, and from often anecdotal evidence to methodological rigour" (Esser and Hanitzsch, 2012: 3). This pushes comparative research to develop new ways of thinking about how we understand communication and the contexts in which it occurs. Since this study is a qualitative research project, using Thematic Analysis to examine the media coverage and discourses about two case studies, I chose to focus on two cultures, the French and Danish, followed by the primary object of investigation, which is examining the parameters of freedom of speech.

The choice of countries is essential in order for comparative research to be meaningful. Comparative analysis relies on research contexts that have enough similarities to justify why they have been paired together, but also enough differences to allow for comparison and contrast in the analysis, by examining key threads that tie the two together (Elliot et al., 2016), and it can comprise studies on the media within or across country contexts (see, for example: Blumler et al., 1992; Canel and Voltmer, 2014). Indeed, comparative studies aim to understand phenomena based on "differences and similarities between objects of analysis against the backdrop of their contextual conditions" (Esser and Hanitzsch, 2012: 5), but also that "the recognition of the (casual) significance of contextual conditions is what makes comparative research exceptionally valuable" (Esser, 2015: 46). In this study, France and Denmark are similar in that they are both European countries, committed to democratic values of, and rights to, freedom of expression, human rights and pluralism. They are also both countries that have had recent controversies and debates on freedom of speech.

As discussed in Chapter 2, both France and Denmark have been exposed to free speech controversies within the last two decades, with the publication activities of *Charlie Hebdo* and the Danish Mohammed Cartoon Controversy. Both countries also have legal structures that prevent hateful or racist speech, in the case of Denmark and paragraph 266b of the Danish Penal Code, or specific hateful or anti-Semitic speech, in the case of France and the Gayssot Act. Much of the literature addresses conflicts over free speech by referencing case law, such as *Faurisson v. France*, concerning Holocaust denial, and *Jersild v. Denmark*, concerning racist speech. This research, however, pulls the topic beyond established discourses on provocation and case law and looks at the discourses surrounding actual controversies about the boundaries of freedom of speech. Most existing research has focused on the Anglo-Saxon world, often applying generalisations to other (Western) countries, and in turn ignoring the significant cultural and historical variations of other countries that will nuance controversy. By looking at two countries that are less frequently studied in this area, this research contributes to our understanding of the challenges that freedom of speech is facing, in changing societies and in contemporary contexts.

At the same time, the two selected countries differ in significant ways that help us to understand the role of the cultural, political and historical contexts that shape the understanding of freedom of speech. As country contexts, France has a long history of immigration and diversification, while Denmark has a shorter history of diversification. In the recent decades up to the present, both countries have had ongoing debates about freedom of speech and the negotiation of the rights of minority groups, which offers an opportunity to examine how these diversifying contexts deal with controversy. This project's research questions address these elements, by first addressing how the parameters of freedom of speech, tolerance and offence are renegotiated in times of change, but also with how these renegotiations occur in different national contexts, such as in France and Denmark.

This study is set up by using a case-within-a case structure, or with a position of the *nation as context of study*, which is where there is a "hypothesized generality of findings across nations in order to support claims regarding an abstract or universal phenomenon" (Livingstone, Sonia, 2003: 484). In this study, the "abstract or universal phenomenon" here is the commitment to democratic values of, and rights to, freedom of expression. However, by comparing two similar, but different countries, the comparative research design makes it possible to identify those elements of the understanding of freedom of speech that are

shared across (democratic) countries and those aspects of these discourses that are context-specific. Furthermore, the focus on two particular media controversies, French comedian Dieudonné and Danish poet Yahya Hassan, offers the opportunity to encapsulate the complexity involved in each of the selected case studies and country contexts in recent times. These two media controversies peaked within close proximity to each other in the selected online newspapers, in late 2013 and early 2014, making them a contemporary "snapshot" moment as controversies that emerged from the creative realm, but each within their own country contexts.

5.1.2. The selection of the case-study countries

Since virtually all European countries are currently engaged in often highly divisive public debates on free speech and toleration, the cases of France and Denmark, covered in this research, stimulate reflection on the validity of some of the arguments that dominate these debates, such as having the right to express oneself freely and without restraint. However, I would like to emphasise that as a qualitative study, this research does not primarily aim at wider generalisation beyond the cases considered here, but rather towards a deeper understanding of freedom of speech as a contested value, in a particular context within a particular historical moment. France and Denmark constitute two particular cultural and political constellations that can be assumed to shape public discourses on freedom of speech in significant ways. Each of the country contexts raise interesting questions on the role of social justice and equality when it concerns speech events. They are seen as "forward-thinking" and "progressive" countries, with rich histories in the philosophies of individual thought and free expression, but they too deal with many of the same issues that other countries contend with when it concerns minorities, religion, tolerance and offence, in terms of questions on where the boundaries or limits of freedom of speech may be. In both countries, we see this with the pressures of immigration as well as the stigmas of Islam, and its perceived influence on culture and society.

Another important reason for selecting these two countries, is that I speak both languages fluently and that I have lived in both countries for long periods of time. This meant that when I was conducting my fieldwork, I was able to conduct many of the interviews in the interviewee's native language, which is an immense advantage in establishing an open and comfortable conversation, as well as building a relationship of mutual trust. Having lived in

both countries also meant that I understood any cultural references that the interviewees were making. Most importantly, interviewees were able to express their ideas and thoughts to me in their own words, while I was able to capture the nuances of meaning when I transcribed the interviews and analysed them as a part of the interview material.

In terms of expanding the research by adding further countries, it would have been interesting to find out how similar cultural experiences are reflected in public discourses on freedom of speech. For example, an extension of countries with colonial pasts could have included, besides France, Britain, the Netherlands, Spain and Portugal. Countries at the periphery with only recent substantial immigration, besides Denmark, could have included other Scandinavian countries. Another way of extending the scope of this study would have been the inclusion of an Eastern European country where (modest numbers of) immigration, especially of Muslim refugees, has triggered an extremely hostile response from both politicians and the general population. At the same time, many Eastern European countries, in particular Poland and Hungary, have seen a rise of nationalism and increased illiberalism that challenge the values of freedom of speech. Except for the British case, this research design would have posed extreme linguistic problems and it would not have been possible to explore the meaning of freedom of speech, cultural diversity and tolerance to the degree of depth that was the aim of this study.

In summary, setting up this project using the French and Danish contexts as country case studies, meant that the research design was responding to the nuanced and qualitative nature of this research, and it showed how important it is to consider cultural context in instances such as these. Returning to Esser and Pfetsch (2004: 8), the comparative model of this project is set up using the two cultures of France and Denmark, with the primary area of investigation being the parameters of freedom of speech. Indeed, in any study that involves research on multiple country contexts, it is the context and topic at hand that helps frame and define the research interest. This research design shows how in using a comparative approach, cultural as well as legal contexts are what shape narratives about how an event is understood and interpreted when it concerns freedom of speech in each country context, but also that they must be contextualised and situated using the examples of further debates or controversies. In this project, this was done with the selection of Dieudonné and Yahya Hassan as cases.

5.1.3. The selection of Dieudonné and Yahya Hassan as cases

As media controversies, the French case of comedian Dieudonné and Danish poet Yahya Hassan provide a "snapshot" moment that brings to attention the simmering tensions that ignite debates about the limits of provocative speech in a contemporary context. In other words, the purpose of the two case studies is not to study the events themselves, but the debates about freedom of speech that were triggered by them. In spite of the differences, both cases were similar enough in that they address analogous problematics. Each of the case studies engaged in creative provocations that have been pushed into society via the media, and each offered an opportunity to see how the boundaries of offence and tolerance are tested in these instances. Debates on freedom of speech and provocation when it concerns religions and minority groups is a topical area of research that builds on existing literature on the Danish Cartoon Controversy, as well as the work of *Charlie Hebdo*. In short, as "snapshot" moments, the selected case studies provided insight into the media response to the cases, and how debates on the cases were articulated and circulated as media controversies.

Media controversies is a term that describes events that are addressed by, and circulated within, the media, and they are relevant because they can have relevance and impact on culture and society (Sponholz, 2016: 504). Each case study involves a member of an ethnic minority targeting ethnic minorities through their respective speech acts, which are derived from the creative realm (comedy in the former and poetry in the latter). They both also addressed notions of transgressive speech when it concerns creative expression, as well as provocative speech and the targeting of minorities within each country context. They also both concern, to varying degrees, an element of scandal which draws media attention, in a way that Stanyer (2013: 104-105), described as a "critical moment", where context demonstrates how a mediated event might shift perceptions on the event's issues or topic. This means that media controversies can be more subtle and at a smaller scale, because they are not events that have a broad, even global impact, such as *media events* as described by Dayan and Katz (1992). So, by describing the case studies as media controversies, they show how controversy can occupy an in-between space between consensus and taboo (Sponholz, 2016: 505), thus allowing for debates to take place and circulate within the media, but also within society. This, combined with a methodological approach of identifying "key incidents", which are occurrences that can be more low-impact, or nuanced events that demonstrate

that something worthy of examination has occurred (Emerson, 2007: 439). In the instance of the case studies, they were both individuals where their notoriety and debate about the issues they raised were circulated through and within the media, because they addressed concepts of offensive, provocative, and transgressive speech.

What the cases highlight in communicative terms, is that transgressive speech always raises questions of the rights of the speaker versus the rights of the listener. It also raises the question of who ought to set the boundaries of public speech, such as the state, society or other authorities such as religious institutions. The cases show how controversy was generated and debated, but also that the issues are in the public interest because they resonate and had an effect on society. This was because each case targeted an ethnic group or minority group, Jews in the French case, and Muslims in the Danish case. Also, what can be taken from these cases and generalised to other research contexts, are the themes within the discourses about the cases and the issues that they raised, because they aggravated the social and cultural pressure points that force societies to address topics to do with equality and inclusivity, as well as addressing questions of the limits and boundaries of tolerance and offence. Specifically, diverse contexts must address challenges regarding social, cultural, and political questions pertaining to racial, ethnic, and religious diversity because they can have an impact on senses of belonging or marginalisation. The selected case studies show how speech acts that originate in the creative realm can indeed test the boundaries of freedom of speech, because they play a role in challenging notions of nationhood, identity and diversity through speech acts.

The process of communication when it concerns transgressive material, occurs across various media and genres, in the way that they are mediated, and in the way that they are negotiated in a given society or culture. As discussed in Chapter 2, the question of freedom of speech and religious offence has been widely studied in recent decades with examples originating from different countries; such as the Rushdie Affair in 1989 (UK); Theo van Gogh's film, *Submission* in 2004 (NL); the 2005 Danish Cartoon Controversy (DK); Geert Wilders' anti-Islamic film, *Fitna* from 2008 (NL); the notoriety of the film, *Innocence of Muslims* from 2012 (USA); and the *#JeSuisCharlie* movement in the aftermath of Parisian attacks in 2015 (FR). These examples speak to the relevance and topical nature of free speech and provocation, and engage questions that emerge when boundaries of free speech are contested in such moments. Each of these examples have, to varying degrees, had a societal impact in that

there was a questioning of the acceptable limits of freedom of speech when it concerns (Muslim) religious offence. This impact, and the study of acceptable limits of speech is a topic that will continue to resonate today. This is because democracies, such as the French and Danish, that embrace the separation of church and state must in turn continue to address the role of religion in public life, since for a great number of citizens, religion is an integral part of identity, belonging and cultural life. What we see here is that European countries are dealing with free speech controversies which engender wider debate beyond their initial focus, which is what the instance of French comedian Dieudonné and Danish poet Yahya Hassan demonstrate as cases.

5.2. The research questions

My project looks at the communicative significance of media controversies, and uses a cultural angle to look at interpretation, meaning, and arguments to shape an understanding of freedom of speech, tolerance and offence in diverse contexts. Meaning and discourse when it involves freedom of speech is not a static process and the communication approach of my project looks at how normative theories apply to these discussions. The project examines aspects of the communicative journey of the selected case studies, from the individuals and speech acts elicited through their respective crafts, to a media controversy, to the ensuing debate and discussion. Working from a methodological perspective of free speech controversies as "key incidents", the research interest is shaped here not by a "full-blown, clearly articulated theoretical claim, but a more intuitive, theoretically sensitive conviction that something intriguing has just taken place" (Emerson, 2007: 439). Indeed, events on whatever scale may flare up and then die down again, but such "key incidents" can, and should, be used to fuel interest to explore a given issue at hand. This research seeks to understand the relationship between the research themes (freedom of speech, tolerance, offence, diversity) and describe their nuances. These themes are guided by the project's research questions, which are listed here:

Table 2: Research questions
Central research question
How are the parameters of freedom of speech, tolerance and offence renegotiated in times of change?
Sub-question 1
How do such renegotiations take shape in different national contexts, such as in France and Denmark?
Sub-question 2
How do provocative speech acts in the creative realm test the boundaries of freedom of speech?
Sub-question 3
How do notions of nationhood, identity and diversity impact public debates about these provocative speech acts?

Each of the chapters also have their own chapter question, in order to help shape and guide the content of the chapters. Some have already been listed in the previous chapters, but they are all listed together here:

Table 3: Chapter questions		
Theoretical	Freedom of speech	What are the philosophical and legal foundations of freedom of speech? What are its limitations, if any, and what are the arguments that support or counter these? How do the selected country contexts relate to these arguments?
	Communication	In what ways do different communication theories help us understand the dynamics of media controversies, and how do they become problematic?
	Diversity	What do facets of a country's national context tell us about identity in relation to integration and diversity?
Empirical	Media content and the cases	In what ways did the selected media sources discuss the cases? What are the parameters of public debate and arguments as mediated in the selected newspapers, and how are these also discussed in the interviews?
	Interviews	How are the themes on freedom of speech, tolerance, offence, and diversity discussed in the country contexts of the interviews, and what are the similarities and differences between France and Denmark?

Setting up the research design in this way, through the case study approach, chapter questions, and moving from a central research question to the sub-research questions, best allows for the elicitation of the research material from the data.

5.3. The media content

Quality newspapers engage in public debates, and are a "cultural authority" as well as opinion leaders in how events are interpreted, shaped, and articulated (Anderson, C.W., 2013: 166; Anderson, C.W., 2008: 249). They are highly visible and established points of reference when it concerns current events and news. Equally, they also engage in internal processes related to editorial value, in terms of how news topics are selected, and the ways in which news items are shaped and articulated according to the editorial line of a given newspaper (Firmstone, 2008: 218-222). In order to keep the volume of potential data manageable, the selection of newspapers was limited to online articles from four newspapers from the two selected countries, France and Denmark. The French newspapers are *Le Figaro* and *Le Monde* with respect to my French case study, Dieudonné M'bala M'bala, and my Danish newspapers are *Jyllands-Posten* and *Politiken*, with respect to my Danish case study, Yahya Hassan. Two of these newspapers are centre-left oriented, and two are centre-right oriented. Each case study is researched within the context of the country of origin, and the collected data does not include cross referencing (e.g. Dieudonné in either *Politiken* or *Jyllands-Posten*).

The timeline allocated for collecting articles about these case studies was from January 1, 2013 to December 31, 2014; and the selection of this time frame was for three reasons: the cases were active during the initial stages of this research project, that is, from September, 2013, which provided an opportunity for original research; due to their controversial natures, there were reasonable expectations that the cases would be ongoing throughout the selected time period; there were reasonable expectations that the data collected for the selected time period would achieve data saturation for the needs of my project.

Collecting and using articles from the online sources of each newspaper was mainly for practical purposes. The newspaper articles were for the most part easily obtainable online and would therefore not require archival work with hardcopy versions. This all seemed logical at the outset; however, collecting the articles was time-consuming and a sometimes-challenging task, because each of the newspapers required slightly different search function approaches to obtain articles.[43] The resulting data set of 459 articles for the Danish

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[43] Newspaper articles for *Politiken* could not be obtained via *politiken.dk*, but by Google Advance Search. All other articles were obtained by a membership subscription and searches

newspapers and 516 articles for the French newspapers offered a considerable volume of data to sample from.

5.3.1. The two cases / four newspapers

The media content collected consists of 975 online newspaper articles across the four selected newspapers, *Le Figaro* and *Le Monde* for France, and *Jyllands-Posten* and *Politiken* for Denmark. In terms of the French newspapers, the Dieudonné case was mentioned or discussed in 201 articles on *Le Monde*'s website, *lemonde.fr*; and in 315 articles on *Le Figaro*'s website, *lefigaro.fr*. In terms of the Danish newspapers, the Yahya case was mentioned or discussed in 271 articles on *Politiken*'s website, *politiken.dk*; and in 188 articles on *Jyllands-Posten*'s website, *jyllands-posten.dk*.[44]

Although these cases are not related to one another, it is interesting to note that each case peaked in the newspapers within a close time frame of each other. In the Danish case, the online articles peaked in November, 2013. In the French case, the online articles peaked in January, 2014. The fact that both cases peaked close to one another provides an exciting element of being two free speech media controversies occurring in each country close to one another, both in terms of the study at hand but also in terms of providing a recent event to discuss with interview participants. The figure below illustrates when each case peaked within the media content collected:

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using the respective website search functions at *jyllands-posten.dk*, *lefigaro.fr* and *lemonde.fr*.

[44] The selection criteria for these articles was that each article had to mention the case study at least once in the body of the text.

Figure 1: The two cases / four newspapers
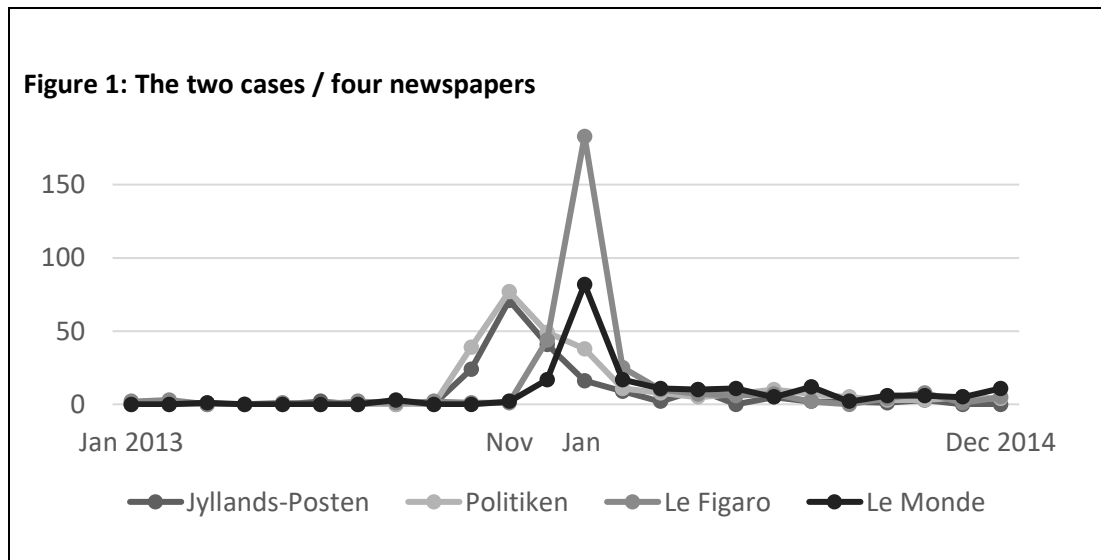
What will now follow is a description of the newspapers per country, followed by a description of an exploratory assessment of the media content, prior to outlining the sampling strategy.

5.3.2. France: *Le Monde* and *Le Figaro*

In the French case, both *Le Figaro* and *Le Monde* "have the high visibility of national organs that represent established, characteristic, political stances" (Barnes and Larrivee, 2011: 2502); although others say that they "are known to reflect the views of the French national elite on foreign and security policy issues" (Hellman, 2011: 58). *Le Figaro*, was founded in 1826 and has been owned by French corporation Socpresse since 2004 (BBC, 2006). In 2014, it printed 337,000 daily copies (Lipovsky, 2014: 366). Centre-left newspaper, *Le Monde*, was founded in 1944 and is owned by *Le Monde* SA (85%) and media group Lagardère (15%; BBC, 2006). In 2014, *Le Monde* printed 332,000 daily copies (Lipovsky, 2014: 366).[45]

In the case of *Le Figaro*, almost all of the articles about the Dieudonné case were categorised under "Flash News" or more in-depth pieces under "My Figaro". *Le Figaro* also had articles under other categories such as "Politics" and "Society". *Le Monde* had longer articles and more opinion pieces, which were under the "Ideas" category. The table below shows the percentages of articles per category about the Dieudonné case:

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[45] At the time of data collection, *Le Figaro* offered all its online articles for free, except for those listed under "My Figaro" (*Mon Figaro*). *Le Monde* offered a limited of number of online articles free per month, otherwise a subscription was required for access to all articles.

Table 4: Media content - *Le Figaro* / *Le Monde* sections					
Le Figaro			*Le Monde*		
Culture	4%	13	Culture	6%	11
Flash News	60%	190	Ideas	19%	39
My Figaro	5%	14	Politics	16%	33
Politics	7%	18	Society	35%	70
Society	18%	54	Sport	3%	6
Other	6%	26	*Other*	21%	42
315 articles			**201 articles**		

5.3.3. Denmark: *Politiken* and *Jyllands-Posten*

In the Danish case, "Danish newspapers have long sought to transcend politics and use populist appeals to attract a broad readership" (Benson et al., 2012: 33). Both of the Danish newspapers, *Jyllands-Posten* and *Politiken* belong to the same media company, JP/Politikens Hus A/S, however, both newspapers retain their editorial independence (JP/Politikens Hus, 2014). *Jyllands-Posten* was founded in 1871 and was the first Danish newspaper to go online in 1995 (BBC, 2005). It printed 85,000 daily copies in 2014 (Statistics Denmark, 2014). *Politiken* was established in 1884 (BBC, 2005), and it printed 92,000 daily copies in 2014 (Statistics Denmark, 2014).[46]

In terms of the articles from *Politiken* about the Yahya case, the majority of the articles were grouped either under the categories of "Culture", or "Debate", followed by "Domestic". The "Debate" section featured mostly journalists, but also opinion pieces by politicians, students, and teachers. *Jyllands-Posten* had the same sections as *Politiken*, however, there are several additional sections. These include "Aarhus", representing this provincial capital, "Politics", and "Premium", which was a section accessed by payment and consisted of editorial pieces and essays by various experts and prominent individuals in different areas of debate. The table below shows the percentages of articles per category about the Yahya case:

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[46] At the time of data collection, *Jyllands-Posten*'s website offered free access to all articles except those under the "Premium" section, which required an additional subscription. *Politiken* offered all articles free of charge, but within a limited number of articles per month, otherwise a subscription is required; though articles could only be searched for using Google Advanced Search.

Table 5: Media content - *Jyllands-Posten / Politiken* sections					
Jyllands-Posten			*Politiken*		
Aarhus	11%	20	Culture	43%	116
Culture	17%	32	Debate	37%	101
Debate	24%	46	Domestic	15%	40
Domestic	16%	30	*Other*	5%	14
Premium	27%	50	**271 articles**		
Politics	5%	9			
Other	0.5%	1			
188 articles					

5.3.4. Exploratory assessment of the newspapers and articles

There was a very brief assessment of the media content after collection. In the French case, *Le Figaro*, had a much more "blog" style approach, with shorter articles at higher frequencies and evidently less editorial involvement, whereas *Le Monde* had more editorial involvement in the sense that articles seemed to be reflective of surrounding societal issues related to the Dieudonné case. In short, *Le Figaro* seemed to be simply pushing the case as news, whereas *Le Monde* both pushed and engaged in the case as news. In the Danish case, the differences between *Jyllands-Posten* and *Politiken* were nuanced. Both *Jyllands-Posten* and *Politiken* had editorials and opinion pieces, and the content was balanced overall even if their total numbers were different. *Jyllands-Posten* dropped and jumped up again in numbers per month, whereas *Politiken* continued to mention the topic from February, 2014. Such an assessment, however, is merely descriptive without a more formal sampling strategy.

5.3.5. Sampling strategy

In order to prepare my data for analysis, I needed to go about collecting the articles in a systematic way. As I was going through the media content, I entered each article into a database.[47] Using the database functions, I was then able to search for articles for each month of the year, and then by date, for each newspaper. In this way I was able to secure an accurate chronological master list of the articles for each newspaper by copying over specific details into a Word document: the author, title, date and time, section, and link. I then collected PDFs of each article, where I was able to check them as I was working, and so I

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[47] I used EndNote, which is a basic database as well as being a referencing software.

removed extraneous articles such as those with only a title and a video embedded in it, which I might have missed the first time around.

In order to randomise the sample using my master lists for each newspaper, I used Microsoft Excel to reshuffle the numbered articles for each newspaper using the *=RAND()* formula function, which assigned each numbered article a random decimal number between 0 and 1. I then sorted the list in Excel from smallest to largest, and took the first 25 articles from each list for *Le Figaro*, *Le Monde*, and *Politiken*, but I only had 20 for *Jyllands-Posten*, due to the selection criteria. Each article had to fulfil these three criteria: the text body of the articles is more than eight sentences in length; they are not purely news pieces but instead more developed news pieces, discussion articles, essays, or opinion pieces (though not interviews); they mention the first and/or last name of the case study three times or more in the text body of the article, including quotes.[48] This selection criteria best offered the opportunity to see what sorts of discussions were taking place in each newspaper about the cases. Using NVivo 11 for Windows (Pro Edition), I uploaded the 95 PDFs of the sampled articles according to their title and number from my master lists, which meant that I could organise them and analyse them in chronological order. This was to allow me to conceptually understand the core elements of each case before developing the analysis further. The media content, however, is only one of the two types of data collected for my project.

5.4. The interviews

The main data component of this project's research design is interview transcripts. Interviews allow researchers to delve into knowing "what a set of people think, or how they interpret an event or series of events", and in a case study context, "respondents are selected on the basis of what they might know to help the investigator fill in pieces of a puzzle or confirm the proper alignment of pieces already in place" (Aberbach and Rockman, 2002: 673). In interviews "two people, often relative strangers, sit down and talk about a specific topic", because it "*pervades and produces our contemporary cultural experiences and knowledges of authentic personal, private lives*" (Rapley, 2007: 15, emphasis original). This approach facilitates an understanding of how participants view reality, and how aspects of

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[48] Each sampled list was rechecked before finalising, i.e. I went through the shuffled article list for each newspaper and verified that I was happy to keep the article and ensure I had not missed any details.

identity, arguments about topics, or accounts about events are produced, because the act of interviewing is a reciprocal process (Ibid.: 16). The interview type used here, is one that Bauer et al. (2000: 85) would describe as the "episodic interview", where "everyday knowledge about certain objects or processes" is shared. Interviews give the researcher an insight into various topics because human experience is subtle, varied and influenced by a multitude of factors, but interviews are only as fruitful as the interviewer ensures a continued and positive process of interaction by steering the conversation, through the use of the interview questions.

5.4.1. The interview questions

The interviews conducted were in-person and semi-structured, and contained seven core questions. Below are the questions that I asked most participants. Some of the questions were adapted for each country context and the interviews were meant to last about an hour, though this depended on the participant's availability. Questions were asked in order, though in some cases it was more appropriate to move between the questions, or, if time was limited, only ask some of the questions.

Table 6: Interviews - Interview questions
Warm-up
1) There have been a number of controversies about freedom of speech recently. Do these have any relevance for your work/practice?
The case and creative work
2) Some time has gone by, but [*what do you think about the Yahya Hassan debate/what do you think of the Dieudonné affair*]? What struck you the most about it? 3) Some people argue that creative expression can push the limits of what people think is acceptable, even when some people are offended – what role do you think creative work has to play here? 4) Do you think [*Dieudonné's/Yahya Hassan's*] work and performances have affected how freedom of speech is understood in [*France/Denmark*]? Do you think his actions as a [*comedian/poet*] contributed positively or negatively to the debate?
On the media content
5) Do you read [*Le Monde* or *Le Figaro* / *Politiken* or *Jyllands-Posten*], and do you think they have different ways of covering events such as these?
On offence and diversity
6) It's clear that freedom of speech is a controversial topic: some people put human dignity first and say it needs to be protected from offensive speech, others emphasise the importance of tolerance and the willingness to accept offences. Where do you think we should draw the line? 7) How do you think these issues affect [*life in France/Denmark*] as a culturally diverse society?

5.4.2. Sampling strategy and interviewees

Interview participants for this project are free speech stakeholders belonging to relevant organisations and entities that are involved in discussions concerning issues related to diversity and freedom of expression, and who were interested in, or engaged in, the themes on or around the case studies. They were selected by means of a purposive sampling, by identifying them through the literature (e.g. Charb, 2015), through documentaries (e.g. Aziz, 2015), or through the project's media content, in order to identify individuals who would be interested in the research topic, in terms of the case studies, as well as general debates about

freedom of speech. This sampling was combined in some cases with snowball sampling and the scope of this project was limited in terms of time and resources to 21 interviews.

All participants were approached by phone or email, using only my University email account. Appointments were confirmed by email and informed consent documents (the information sheet and participant consent form) were attached to the meeting confirmation email for the participant to review. These documents were provided in either French or Danish.[49] I provided refreshments for all interviews that I hosted, such as drinks and snacks. The hosting venues were offices or meeting rooms at two locations at the American University of Paris in the 7th Arrondissement, or meeting rooms at two easily-accessible community cultural centres in Copenhagen (*Kulturhuset Indre By* and *Kulturstationen Vanløse*). Interviews hosted by the participants were at their places of employment. At the interview, verbal consent was obtained prior to starting recordings and acceptance of the participant consent form was also confirmed verbally on the recoding, and transcribed separately as documentation. This saved time and removed the need to safely store signed hardcopy consent forms.

The resulting interviews consisted of civilian and elite participants who are activists, artists, journalists, lawyers or politicians. All interview participants are educated and/or working professionals. The total number of interviews is 21, covering approximately 19 hours of interview time. I conducted five interviews in English, nine interviews in French, and seven interviews in Danish. I transcribed the interviews fully and directly into English from those interviews conducted in French or Danish. Below is a list of the interview participants:

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[49] I used translation services to ensure that these documents were to a professional standard. The English-Danish translation service was provided by Straker Translations, and the English-French translation service was provided by a member of the International Association of Conference Interpreters. See Appendix 1 and 2 for the text in English.

Table 7: Interviews - Participant overview *See p.viii for the List of abbreviations*						
Code	City	Gender	Organisation	Role	Elite/ Civilian	Language	Duration
D.01	CPH	M	DIT	Activism	Civilian	EN	01:00:32
D.02	CPH	F	Lars Vilks Committee	Activism	Civilian	DK	00:47:25
D.03	CPH	M	Justitia	Lawyer	Elite	EN	00:28:19
D.04	Malmö	M	Artist	Artist	Elite	EN	01:36:12
D.05	CPH	M	Free Press Society	Activism	Civilian	DK	01:13:30
D.06	CPH	M	*Berlingske*	Journalist	Civilian	DK	01:02:11
D.07	CPH	M	*Jyllands-Posten*	Journalist	Elite	EN	01:07:58
D.08	CPH	M	DF	Politics	Elite	DK	00:39:38
D.09	CPH	M	KF	Politics	Elite	DK	00:14:04
D.10	CPH	F	DIT	Activism	Civilian	DK	01:10:04
D.11	CPH	M	Social Democrats	Activism	Civilian	DK	00:52:57
F.01	Paris	F	LDH	Lawyer	Elite	FR	00:30:12
F.02	Paris	F	CRI-France	Activism	Civilian	FR	01:11:15
F.03	Paris	M	PIR	Activism	Civilian	FR	00:35:52
F.04	Paris	F	FFEU	Activism	Civilian	FR	00:37:46
F.05	Paris	M	AGRIF	Activism	Civilian	FR	00:52:26
F.06	Paris	M	FN	Politics	Elite	FR	01:10:12
F.07	Paris	F	PS	Politics	Elite	FR	01:11:36
F.08	Paris	M	*The Guardian*	Journalist	Elite	EN	00:31:12
F.09	Paris	M	*Le Monde*	Journalist	Civilian	FR	01:09:14
F.10	Paris	F	Stand-up comedian	Artist	Elite	FR	00:47:54

5.4.3. Research ethics

In order to conduct the interviews, application form number PVAR 14-003 was submitted for University ethical review in August 2014 to the University of Leeds Faculty Research Ethics Committee for the Faculty of Arts, Humanities and Cultures, and was approved in September 2014. This was in keeping with appropriate protocol on informed consent. Safety issues related to fieldwork were addressed by submitting a University of Leeds Fieldwork Assessment Form for Medium Risk Activities before each fieldwork trip to Paris and Copenhagen.

5.4.4. Fieldwork risks and challenges

All interviews took place in Paris and Copenhagen on separate trips in July, August, September and October 2015. The interviews were conducted in the participants' places of work, at cafés, at meeting rooms at the American University of Paris, or at meeting rooms at community centres in Copenhagen. There were a number of fieldwork risks and challenges that I had to consider and adapt to. The first fieldwork risk related to the fieldwork cities, due to their size and risk of terrorist attacks. My last fieldwork trip to Paris had to be cancelled due to the terrorist attack at the *Eagles of Death Metal* concert taking place at the Bataclan theatre on Friday November 13, 2015. This was for a final interview with a journalist, which could not be rescheduled. Naturally, these cities can be dangerous in areas, particularly Paris, but I was never out late and occasionally took taxis to save time or avoid public transport. All safety protocol was followed in relation to notifying the appropriate persons about my travel plans and movements.

Other fieldwork risks involved safety issues for my interview participants, which were accommodated by their own security measures. In one case (Participant D.04), the interview was organised over the phone with a police officer calling from a hidden number. On the day of the interview, I was collected by an undercover officer at a train station and brought to a police station in an unmarked, reinforced police car. All my movements were observed as I rode in the front passenger seat with the officer. At that interview, I was accompanied at all times by a plain-clothed policeman, including during the interview. Although it did not create a disruption for us, as the participant has to be accompanied by security in all of his public outings and is used to these circumstances, we had to make do with our uncomfortable office

chairs in an otherwise bare police interrogation room. The police officer accompanying us sat at the only desk, and switched spots with another officer about halfway through. Occasionally mobile phones beeped or rang. I had already been instructed not to ask any questions about where the participant lives or about his travel arrangements. In another case (Participant D.07), I went to the participant's place of work where two bodyguards met me at reception and accompanied me to the employee entrance. I had to be scanned in by one of the bodyguards to go through rotating barriers and the participant was on the other side waiting to greet me. There was a small panic as the same bodyguard could not get in (since he had already scanned me in), but the participant was calm throughout and he said to them that he was fine to escort me into the office. Both experiences were interesting as a researcher, but also personally daunting as I was made very aware that the mortal dangers these participants face are not only real for them, but also for anyone who is in contact with them.

In terms of fieldwork challenges, this had mainly to do with interviewing elites. In the Danish case, there was a certain element of being overly self-aware, in terms of my need to speak eloquently and clearly to participants (i.e. negotiating the fear of appearing stupid). This was particularly the case in one interview where there was a certain element of being "star-struck" in speaking with someone who has had enormous exposure in the media as well as in academia. In another case, I was very aware of trying not to make grammatical errors as I was speaking Danish (which is a second language to me), with a few participants who are known to belong to organisations that have, in my personal opinion, prejudiced views towards foreigners and immigrants. There was a certain amount of effort that had to be made on my part to distance myself from the person and the material we discussed. In most instances, however, the participants were flexible and understanding that French and Danish are not my native languages though I do speak them, for the most part, fluently. In the French case, I encountered a few challenges. One participant (F.01), is a lawyer and although I arrived on time, she thought that I was her dog walker, there to take out her very friendly Golden Retriever. When she realised I was there for an interview, she thought I was a law student and when I explained who I was and handed over the consent form,[50] she refused to continue the interview if her responses were to be anonymised. I was eventually able to

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[50] For the first four interviews I conducted, I had paper versions of the consent documents, before switching over to obtaining consent on the recordings.

secure the interview after promising that her name will be mentioned.[51] Although the interview ended up being short due to the delays and the participant's availability, it was still worth the effort and was evocative at the analysis stage. A final small fieldwork challenge was that I organised the first fieldwork trip to Paris for July, which is the usual summer holiday period, in addition to being Ramadan that year, so it was difficult to arrange interviews.

The rewards of the fieldwork had primarily to do with connecting with individuals who start out as strangers, but eventually open up and share their thoughts, and in some cases, personal stories about themselves. A challenge was certainly getting used to the interviewing process, as an interviewer asking someone else challenging questions, but the dynamic of getting to know someone, at least for a short time, and seeing them relax and express themselves was rewarding. The material discussed were related to topics that each participant was interested in, and it meant a lot to me that they were willing to give their time freely to participate in the interviews. Each interview was memorable in its own way, from the faint smell of stale cigarettes at the National Front's headquarters in Paris, to the security issues described above, to one participant (F.10) going into character as she spoke, impersonating various African and North African women and making me laugh. These elements, on a personal level, were intellectually stimulating but also thought-provoking and fun, because they are a reminder that being a researcher is much more than only engaging in a process of data collection and analysis; and of writing up.

5.5. Thematic Analysis

As discussed in Chapter 3, a speech act is a statement that is expressed either by words or actions to convey an opinion and elicit a response. An opinion is a thought that is articulated through an argument. In terms of research methods of analysis, we would then arrive at Argumentation Analysis (Toulmin, 1958). Argumentation Analysis:

> Aims to provide a structured method for analyzing negotiation processes. It defines and elaborates the typical, formal elements of arguments as a means of exploring the

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[51] Participant F.01's title and name are: Maître Agnès Tricoire, however, Maître Tricoire will be referred to henceforth as Participant F.01 for consistency with the other participants' code names.

connections between the explicit statements and the implicit meanings in people's discourse. (Attride-Stirling, 2001: 387)

Thematic Analysis (TA) has roots in Argumentation Analysis, and it aims to reveal themes from the data (Attride-Stirling, 2001: 387), because it provides "a form of pattern recognition within the data, where emerging themes become the categories for analysis" (Fereday and Muir-Cochrane, 2006: 82). TA offers methodological flexibility because it provides room for "a wide range of analytic options" (Braun and Clarke, 2006: 97), which give my project the operational malleability needed in terms of addressing the content (media content and interview transcripts) which have been translated from two additional languages (French and Danish), on themes which are already interpretative and contextual.

Very briefly, Thematic Analysis has several roots: its chronological roots lie within Argumentation Theory (Toulmin, 1958), its epistemological roots in Grounded Theory (Glaser and Strauss, 1967), and its methodological roots in Content Analysis (Krippendorff, 1980);[52] but it is a fairly new method of analysis, sometimes used in mixed-method approaches (Fugard and Potts, 2015; Guest et al., 2012). So, what exactly does TA work towards? TA aims to summarise and encapsulate qualitative data and to classify this data through a consistent coding practice, through the use of themes, which are "offered to the reader as a compelling and coherent reading of data, rather than (more or less) accurate identification of a decontextualized or pre-existing truth" (Braun and Clarke, 2016: 740). Thematic Analysis is therefore a useful, flexible method where themes do not necessarily "emerge" from the data, rather, they can also be concept-driven (Braun and Clarke, 2016: 740).[53] TA thus uses deductive elements from the data, but with analysis being informed by inductive elements from theory.

5.5.1. Coding strategy

The coding strategy for both the media content and interview transcripts was at first data-driven in the sense that the data was collected and then used in a preliminary analysis, to

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[52] Content derived from course notes from the summer school course: ME405, Qualitative Research Methods, Department of Methodology, The London School of Economics and Political Science (August 2014).

[53] Boyatzis (1998: 1-28), explains Thematic Analysis in detail in *Transforming Qualitative Information*, though he regards TA as a tool to use alongside other methods as a "way of seeing" qualitative data.

help inform the final coding structure. In this way, the preliminary observations along with the early stages of developing the theory chapters, helped inform further iterations of the coding strategy and practice. The final coding structure was developed using the following steps:

1. Drafting a coding frame;
2. Organizing the data;
3. Performing a preliminary coding of the data;
4. Assessing the coding frame and then revising it;
5. Conducting the analysis with the revised coding frame;
6. Drafting the results. (Flick, 2014: 429)

Utilising TA to guide this process allowed for the flexibility needed for interpreting the material from a qualitative angle, yet also adhering to established sets of research practices and methodologies.

5.5.2. Coding approach for the media content

In terms of the coding approach for the media content, I developed the coding frame by using two basic elements of argumentation, by asking:

a) What is the main *appeal* (topic) or problem presented within the article?
b) What are the *arguments* (points of discussion) that support or counter the appeal?

Using these elements of argumentation then fit into the thematic practice of Thematic Analysis. The analysis for all the articles then required these two questions to be asked, where text from each article were coded for each. After coding for these two items, the coded texts were then re-coded with new sub-codes about what that particular text described. One code was given per article so as to better be able to organise the analysis. I did a pilot study using an article from each newspaper and then proceeded with the full study of all the articles; the findings of which are provided in the next chapter (Chapter 6).

5.5.3. Coding approach for the interviews

In terms of the coding approach for the interviews, I read through each transcript several times in order to familiarise myself with the common themes from each interview. I then

coded all transcripts twice with codes that were then categorised under the themes of "freedom of speech", "tolerance and offence", "diversity", as well as the participants' viewpoints on the case studies and the media content. At the second phase of coding, I grouped the codes into two or three sub-themes as elicited through the material, which then became the chapter structure which I present in Chapters 6-9.

5.6. Limitations of research

The limitations of research were mainly in the methods of data collection, and the ways in which data could be collected about the case studies. There was a vast potential in the collected media content (975 articles), in terms of various themes, ideas, or concepts to explore. In positioning newspapers against other forms of media such as television and broadcast media, there are several points to consider. First, television news items tend to be short and succinct, because of the limitations of a time-bound medium. The space for commentary and analysis is very limited for news stories of this nature, and so broadcast news is unlikely to provide the opinion-rich material relevant to this project. This limitation is compounded by the commercial pressures faced by traditional public service broadcasting, where journalism is one of the more expensive programmes to produce (Nielsen, 2010: 124). Second, the choice to focus on print media has also practical reasons. Past broadcasting material is time-consuming and difficult to access, whereas the leading quality newspapers now have extensive, reliable and accessible online archives. Additional materials for an expanded media analysis would have been to analyse broadcast material such as radio and television debate transcripts, or footage from minority media outlets, that is, media that engage or represent the voice of minorities. All of these would address, in different ways, the voice of the general public.

While the omission of the voice of the general public is one of the limitations of this study, the inclusion of other forms of media, such as social media, would have opened up another dimension of comparison. This would be one, for example, between elite discourses (journalistic media, experts) and ordinary people, in addition to the comparison between countries, case studies and different stakeholders. Media content in this instance would consist of discussions from platforms such as YouTube, Facebook or Twitter. Yet the incorporation of these would mean that the methodological approach would shift, by moving the analysis from how arguments and opinions about the selected case studies were shaped

by the selected newspaper sources, as traditional and established producers of news, to another realm of looking at how arguments and opinions about the selected case studies were shaped by a broader public.

Returning to the selection of newspapers, newspapers are still opinion leaders in different ways, because they "continue to play an important agenda-setting role in raising debate about the stories they select and editorially frame" (Cushion et al., 2018: 163). This means that newspapers play a part in shaping and constructing a national imaginary by addressing audiences in different ways, such as by influencing consensus and impacting culture (McCombs, 2004: 134). Therefore, widening the scope of analysis to other forms of media would mean that the focus of attention would encompass a more chaotic mediascape, where the key arguments or frames of reference become diffused. Given the available resources and the restricted time frame of this project, it was also important to keep the volume of data manageable without losing information needed to answer this study's research questions on how freedom of speech must be renegotiated when controversy takes place in diverse contexts. Hence, by limiting the selection of newspapers to one centre-left newspaper and one centre-right newspaper per country, I was confident that I would capture a range of arguments that was articulated by the newspapers regarding the individual case studies. In terms of practical limitations, the online articles could have been collected in a different format, that is, instead of generating PDFs, the articles could have been copy-pasted into a Word document, which would have allowed for more analytical flexibility, such as auto-coding, queries and other ways of analysing the material, using NVivo. Perhaps the study could have benefited too by looking at readers' responses in the comments sections, to see what sorts of themes were discussed there, and if they would be different from the interview participants' responses.

Additional forms of data about the case studies of the two countries would potentially have been relevant to incorporate into this study, for example, analysis of statements made by political actors and survey data of public opinion. These, however, carry with them a number of considerations about the types of data to collect and their methods of data collection. An example here would be to collect statements made by political actors on social media, such as Facebook or Twitter. The aim, however, of this study was to move beyond strategic statements, such as those articulated on social media platforms, because they are often carefully worded for public consumption. Additionally, social media statements are usually

short and lack nuance. Another way of examining statements would be to collect footage from television or radio debates, transcribing these, and juxtaposing them against one another within each country context. This however, would not give room to nuance the research themes. The interviews allowed me to question the interviewees and to ask them why they think about topics in a particular way, so that I could bring out the ambiguities and dilemmas that this study addresses. I was able to interview political actors from both sides of the political spectrum in both country contexts, and even though the numbers of persons interviewed were limited, this is compensated for by the scope and depth of the material obtained through the interviews achieved. The practical limitations of the interviews were related to fieldwork and the ability to "get the interview", meaning that more interviews could have been conducted, including ensuring that there were more of each "type" of interview so that there was more of a balance; for example, two comedians and two artists, instead of one comedian (for France) and one artist (for Denmark).

Other sources of data would be survey data of public opinion. Substantive survey data about each of the individual case studies do not exist for the Danish case, and surveys on the French case exist in a small number. Using the online articles as a starting point, only one article addressed surveys done on the public's perception of government intervention to try and stop Dieudonné's shows in 2014 (Le Figaro.fr and AFP. 2014 [LF-183]). The article cited a survey completed by CSA (Consumer Science & Analytics) and discussed how 52% of people surveyed thought that the government was right to intervene, but of those, 64% did not think that the intervention would aid in preventing the propagation of anti-Semitism, which was at the root of the intervention (Le Figaro.fr and AFP. 2014 [LF-183]). I tried to confirm the source of this survey, however, a search on the CSA website yielded no hits (CSA, 2018). This same article referenced other surveys done by BVA, *Société d'études et conseil, spécialiste du comportement* (Association of studies and consulting, specialist in behaviour), and a search of their website yielded three surveys (BVA, 2018). All of these surveys date from 2014, and only one deals directly with Dieudonné, "The French and Dieudonné" (BVA, 2014b). The following two address government intervention in Dieudonné's shows and the popularity of Manuel Valls, "Barometer of National Politics: January 2014" and "Personality of the Week: Manuel Valls", respectively (BVA, 2014a; BVA, 2014c). The survey on Dieudonné was a combination of a telephone and an internet survey of 997 people aged 18 and over, on January 9 and 10, 2014 (BVA, 2014b), which limits the survey content available to that particular time and the specific issue of government intervention in Dieudonné's shows.

Other types of surveys would exist, such as television programme viewership and newspaper reader opinion polls, however, exploration of these would require further considerations, such as the participant selection criteria, or how representative they may be. The next step would be to include survey data about surrounding topics and issues, such as national opinion polls on pluralism, immigration, immigrants, or on tensions to do with anti-Islamism or anti-Semitism. Sources here could include, for example, data from the *European Social Survey (ESS) Topline Series*, which address topics such as immigration and interpretation of democracy (ESS, 2018), public opinion surveys such as *Special Eurobarometer 452* on pluralism and the media (Eurobarometer, 2016), or studies run by Ipsos MORI, such as the *BBC Global Survey: A world divided*; which examines social and cultural pressures in 27 countries (Ipsos MORI, 2018). Examining studies such as these, however, would move this study's focus to a wider range of issues and problematics, and detract from the core aspects of this study, which was to focus on free speech and provocative speech originating in the creative realm. Moreover, survey data must rely on standardised questions and response categories that provide an aggregated picture of attitudes, but do not offer enough details as to why people think about a topic in a certain way. Since finding out about the arguments and reasoning that are behind the attitudes held by individuals is the main objective of this study, this meant that a qualitative approach was deemed more appropriate.

To summarise here, a closer examination of survey data on the individual French case could potentially have been interesting to add to this study, however, no similar data exists on the Danish case. The research design for my thesis was constructed in a way that the data would be balanced. This balancing of the data was in terms of collecting the online articles from one centre-left and one centre-right newspaper per country about the case study from each country, followed by the interview transcripts from interviews in Paris and Copenhagen with free speech stakeholders such as activists, journalists, politicians, lawyers, and artists, about the case studies but also broader questions on freedom of speech, tolerance and offence. In developing this research design, I was aiming to be sensitive to the nature of methodological choices, and how they need to be considered in terms of how, and to what extent, they enhance and enrich the research interest at hand. Adding additional elements on politicians' statements or survey data would shift this study from engaging in a small sample of data using a qualitative approach, to considering the opinions of, and engagement with "the public" in both broader qualitative as well as quantitative terms.

As with all research, there is no "perfect case study" and the case studies selected presented their own limitations. In the Danish case, not much has been written about Yahya in peer-reviewed journals, given his age and the short-lived nature of his media controversy. In the French case, there were a number of peer-reviewed journals and sources written in French, but I chose, for the most part, to use sources written in English. This had mainly to do with my language skills, which are strongest verbally in French and Danish, and the need to keep the research contained and achievable within the time allocated.

There are still many positives. The contribution of the two methods of data collection lies in taking a research element and pairing it with another one that can be enhanced by it. Here, the media content, conveniently collected using online resources, complement the "controversial" aspect of the cases. The cases peaked for each relatively close to one another, which pulls the two-country contexts closer together. It was exciting to be able to locate and select case studies that were current and relevant to the research interest at the beginning of my doctoral research journey, making these cases both original and unique as "snapshot" moments but also with the potential for different types of data to be collected about them, such as online articles, which helped inform the development of the interview questions; since the case studies would still be "fresh" in the interview participants' minds.

5.7. Conclusion

As researchers, the ethos should always point to the approach that "good social science is problem-driven and not methodology-driven, in the sense that it employs those methods that for a given problematic best help answer the research questions at hand" (Flyvbjerg, 2007: 402). The problem-driven approach then fulfils the purpose of knowledge-generation: Can we learn something new from this research? Does the research project avoid the "so-what" question raised when research is not clearly presented? If the answer to each of these questions is "yes", then the research is fulfilling its purpose, yet qualitative researchers "must be careful about the analytic and empirical horizons that they open up under the rubric of context" (Holstein and Gubrium, 2007: 278), as well as being sensitive to the reflexive process, by "remaining attentive to the discursive and rhetorical moves utilized to both enunciate and legitimate a particular view of the world" (Back, 2007: 257). Indeed, "every term of reference (for example, sampling, concept formation, generalization, or data collection) needs to be discussed in relation to the empirical world, not any ethereal

conceptual space or universe of signs" (Seale et al., 2007: 3). Using a "toolbox" or convergent methods approach to research design, this project employs select research methodologies in order to best respond to the research questions and interests. In this way, "the deficiencies of any one method can be overcome by combining methods and thus capitalizing on their individual strengths" (Blaikie, 1991: 115).

My thesis is informed by three core theory chapters on the themes of freedom of speech, communication and diversity, followed by an interpretivist approach to the media content and to the interview transcripts, by using tools within Thematic Analysis. My central research questions inspire the subsequent chapter questions for each theoretical and empirical chapter in the thesis, by looking at how, and in what ways, certain tensions around democratic values concerning free speech come into existence through various types of media controversies, such as in the selected case studies. Each case study involves individuals in the creative realm who, through expressive acts and by creative means, provoked a social debate about diversity within each country context, which raises questions on the acceptable parameters of freedom of speech when it concerns tolerance and offence. The next chapter is the first of my four empirical chapters, starting with the media content, before moving on to three chapters on the interview findings; each mirroring the theory chapters on freedom of speech, communication and creative expression, and lastly on diversity.

6. The cases and public controversy

6.1. Introduction

The media content used for this project adds an important communications element, one which shows how, by using the selected case studies, "media do not simply add a new element to the story, they transform it" (Livingstone, S., 2009: 8). Yet any sort of media content represents a moment that is both suspended in time, as an object of examination, but also fleeting, because it may not carry with it the same relevancy beyond that particular moment and in a given media system; in this case, France and Denmark. According to Hallin and Mancini (2004: 67), media contexts are shaped by "media system characteristics", where France has a *Mediterranean* or *Polarized Pluralist Model* and Denmark a *Northern European* or *Democratic Corporatist Model*; and they "are marked by differences in state laws and regulations, links between media and political parties, journalistic professional traditions, and the structure of audience and advertising markets" (Benson et al., 2012: 22). The challenges that these contexts then impose are vast and encompass innumerable ways of examining events and how they are addressed, treated, or discussed in the media; be it print or digital; or how they are perceived in other arenas and audiences.

In this chapter, I discuss the ways in which the Danish and French case studies were covered in the selected prestige press, *Le Figaro* and *Le Monde* for France, and *Jyllands-Posten* and *Politiken* for Denmark, as well as the interview participants' views on the cases themselves, in order to answer the chapter question: *In what ways did the selected media sources discuss the cases? What are the parameters of public debate and arguments as mediated in the selected newspapers, and how are these also discussed in the interviews?* With regard to the newspaper articles, if one considers quality newspapers to be seen as a "moral arbitrator", an idea based on Dewey (1927), who argued that "democratic press should play a vital role in gathering facts and presenting the facts in order to engage us as individual citizens" (Barger, 2003: 30-31), then debates that arise out of events that are covered by such sources both engage and uphold values about pluralistic debate. With regards to the contributions from the interview participants, discussions on the case studies show how people think about media controversies as a part of an interaction with a public debate, because we are "not simple passive receivers of media messages" (Billig, 2009: 348), but instead incorporate them as a part of our worldview.

Returning to Livingstone's quote, "media do not simply add a new element to the story, they transform it" (2009: 8), I explore in this chapter the cases and their surrounding narrative, because each case contains elements of the spectacle, in reference to Turner, V. (1986: 21-32), and the "carnivalesque". Two aspects of each case study show how discussions within the selected media were also prevalent in the interview responses. In the French case, the involvement of the government and Manuel Valls' appeal to local prefects to ban Dieudonné's shows instigated a discussion on the dangers of interference in free speech events prior to them taking place. In the Danish case, the controversy and debate around Yahya Hassan's work as a poet acted as a catalyst for debate about wider issues in society to do with integration. In short, this chapter offers an interpretation of media controversies such as the case studies, which can be seen as a "snapshot" moment of media and public debate, by examining interpretation through the media in the form of the online newspaper articles, and in the interviews as an aspect of public interpretation, in order to understand how media controversies such as these relate to freedom of speech, society, and culture in broader terms.

6.2. Dieudonné, *Le Figaro* and *Le Monde*

The articles collected during the selected period covered the main events within the case study: Dieudonné's numerous fines and subsequent attempts to claim bankruptcy to avoid paying the fines; the notoriety of his show *Le Mur* (The Wall) and his follow-up show called *Asu Zoa*, with slightly adapted sketches; West Brom footballer Nicolas Anelka performing the *quenelle* during a football match in England and the subsequent online engagement of people posting pictures of themselves performing the *quenelle* at various locations and memorial sites; Manuel Valls getting involved as the then- Minister of the Interior, with the support of then- President Hollande, to stop Dieudonné from performing *Le Mur* in various sites on the premise of disruption to public order; and discussions on the history and dangers of anti-Semitism in France. The last two points are the ones that were predominant both with the articles and the interviews in discussing the case, because they have to do with the propriety of the government intervening in controversial speech before it occurs, as well as the nature of provocative speech in a cultural context with established historical sensitivities.

The online article sample for the Dieudonné case consists of 25 articles from each newspaper (*Le Figaro* and *Le Monde*), and the articles were written by journalists or contributors such

as authors, academics, lawyers, or professionals. In the case of *Le Figaro*, 18 articles were written by journalists and seven by others.[54] In the case of *Le Monde*, 17 articles were written by journalists and eight by others. In order to identify what sorts of main arguments were being made in the articles, I conducted a first phase of analysis where I searched for the appeal and then the argument within each article.[55]

With respect to the main appeal of the French articles, I arrived at three areas about the case for both newspapers. These consisted of the articles addressing: a) Dieudonné's humour or performance of the quenelle as being anti-Semitic; b) how the case brought about a number of legal considerations about free speech; and c) the problem of Manuel Valls getting involved by instigating a ban on the shows. With respect to the types of arguments or points that were made in order to back up the presented appeal or problem, these were divided into two areas: 1) Dieudonné's work as a comedian, and 2) Dieudonné's relevance in terms of broader issues. Under Dieudonné's work as a comedian, there was discussion about Dieudonné simply manipulating his comedy for financial gain and being deliberately provocative to play with national taboos, in order to be divisive. Under the broader issues, the articles discussed the case as having to do with debates on anti-Semitism and anti-elitist conspiracy theories, or discussing the case in relation to race or ethnicity as tied to a colonial past, where Dieudonné's comedy appeals to a population of disaffected youth. Some articles extended their coverage on the issue of Manuel Valls getting involved because in doing so, he inadvertently provided a certain amount of PR for Dieudonné. A last point was that the Dieudonné case brought attention to the complexity of freedom of speech and how its legal and moral parameters shape what is, or is not, acceptable speech.

In terms of differences in the approaches to the cases between the two newspapers, *Le Figaro* and *Le Monde*, the *Le Figaro* articles focused mainly on the problem of Manuel Valls getting involved in the case, whereas the *Le Monde* articles dealt with social issues on the dangers of Holocaust denial, a perceived rise of anti-Semitism in France, and social divisions based on ethnicity.

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[54] In both the French case here and in the Danish case later, the profession of the first author was considered in the event of an article having multiple authors.
[55] See section 5.5.2. for the full description of the coding approach.

6.2.1. Discussion

In order to achieve a more conceptual understanding of the case, both in terms of the online articles, but also in terms of the interview transcripts, I recoded all the articles according to two main themes that became apparent in the media content from the first phase of analysis: a) the topic of freedom of speech in relation to government intervention in preventing speech before it occurs, and b) the topic of diversity and how Dieudonné was perceived to play on problems and social taboos which addressed a disaffected audience.

Freedom of speech: intervention of government

The articles that were coded under this topic of freedom of speech and the role of government intervening in Dieudonné's shows, in order to prevent speech before it can occur, were predominant for the *Le Figaro* sample, with 13 out of 25 articles being coded here, as opposed to three out of 25 for the *Le Monde* sample. After coding, the codes were divided into two aspects: the legal aspects and the moral aspects of government intervention in the Dieudonné case.

The legal aspects of government intervention

The articles discussed the legal aspects of limiting Dieudonné in a number of ways. There was coverage of the various ways in which then-Minister of the Interior Manuel Valls could challenge Dieudonné legally, such as forcing the latter to pay his then-outstanding fines or to otherwise stop his shows [LF-045; 065; 066; 096 and LM-033]. One article came to Manuel Valls' defence in intervening, viewing it as unproblematic because Dieudonné had repeatedly been convicted for hate speech offences, and therefore should be stopped again [LF-175]. Another article covered how Dieudonné sued Manuel Valls for defamation because the latter had accused Dieudonné of "propagating the *quenelle*" and claiming that Dieudonné had an "obsession" which was the "hatred of the Jew" [LF-146]. Other topics addressed here were related to how polemical the issue was, in terms of the sequence of events culminating in Manuel Valls' involvement [LM-125], but also that he should not have set aside all domestic issues to deal with the Dieudonné case. This was articulated by author Philippe Bilger in *Le Figaro*:

> One does not see how all of a sudden, the Republic felt so much in danger that
> all activities stop and all problems that are urgent and a priority are put to one
> side, to be committed to remove a delusional and provocative person, in a sort
> of personal battle that ridicules legitimate struggles.[56] [LF-036]

Philippe Bilger [LF-036] was making a point here that Manuel Valls should have been taking care of his other political responsibilities, as well as arguing that Dieudonné's acts as a comedian were not the concern of government. Similar grievances were addressed within Manuel Valls' own party, the Socialist Party, with one party member being quoted as saying "it's not up to the Minister of the Interior to say when we can or cannot laugh" [LF-113], nor should Manuel Valls have garnered so much attention on Dieudonné, which effectively promoted his activities as a comedian [LF-110]. Both of these points show how the articles discussed the impropriety of government intervention in cultural life, which ties the case into the moral aspects of this government intervention.

The moral aspects of government intervention

The moral aspects of Manuel Valls' intervention were more nuanced. One article from *Le Figaro*, in discussing subscriber comments, addressed the dangers of intervention and the precedents this might set because it would be more favourable for the courts to address the issue of, for example, Dieudonné's purported anti-Semitic statements. On the other hand, this same article also showed how certain commentators supported the *Conseil d'État*'s decision to uphold the case because of a need to prevent the dissemination of hate speech [LF-196]. Only one article from *Le Monde* explicitly engaged an argument that Manuel Valls was right to intervene because of the dangers of racist speech, arguing that legislation "allows the suppression, including a one-year prison sentence, of 'any racist, anti-Semitic or xenophobic act', as well challenging the existence of crimes against humanity, starting with the Holocaust". The contributor then argued that "in this respect, the provocations of the 'humourist' are not opinions, but offences" [LM-037].

Incidentally, an article co-written by a centre-right politician and a lawyer (Valérie Boyer and Sévag Torossian) was a part of the sample for both the *Le Figaro* and the *Le Monde*, though

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[56] "On ne voit pas pourquoi soudain la République s'est sentie tellement en danger que, toutes affaires cessantes et tous problèmes prioritaires et urgents laissés de côté, elle s'est consacrée à faire disparaître un personnage délirant et provocateur dans une sorte de combat personnel qui ridiculise les luttes légitimes" (translation mine).

each had different titles. In the case of *Le Monde*, the article was titled "An acceptable freedom of expression for all" [LM-046], and in the case of *Le Figaro*, the article was titled "Freedom of expression: who decides what can be said?" [LF-136]. The article is positioned just when Manuel Valls intervened and was published in both newspapers on the same day (January 9, 2014). The article outlines the various judicial and legal steps in law-making and assessing infringements of the law. The thesis of the article was that Manuel Valls was playing a "dangerous game" by engaging in a legal battle in order to acquire the attention of the media, as well as questioning the merits of politicians getting involved in fundamental liberties such as freedom of expression. Although it did not reach any ultimate conclusion, it is interesting to note how this article, identical in content, was formatted differently for each newspaper as well as being titled differently. Without moving into a linguistic analysis, the title for the *Le Figaro* article, "Freedom of expression: who decides what can be said?", reflects on the *Le Figaro* sample, which mainly covered Manuel Valls' intervention and the legalistic aspects of the case, whereas the title for *Le Monde* article, "An acceptable freedom of expression for all", reflects the types of arguments in the sample, in relation to the case being related to Holocaust denial and anti-Semitism; that is, what sorts of speech is acceptable for all groups, including offended parties, on a legal level but also a moral one.

Four out of the 10 interview participants discussed the issue of government intervening in the Dieudonné case. These were split into three areas, one was on Manuel Valls specifically, the other was on government in general, and finally an argument that preventing speech before it happens is against democracy. Participant [F.02], a member of an organisation that provides social and practical assistance to Muslims, described Manuel Valls as being "irresponsible" in dedicating himself to stopping Dieudonné, and he should have used his time better in dealing with more important issues. Participant [F.06], a politician in a right-wing party, also thought that Manuel Valls should have spent his energies on more important domestic issues, as this carried with it an "important political responsibility to French life".[57] To him, the case did not necessarily contribute to a debate on freedom of expression, because it was not an issue until government got involved, and that Manuel Valls, in effect, acted as a PR agent and generated more attention on Dieudonné, to Dieudonné's advantage:

[57] Anecdotally, our conversation on the topic was interrupted by a staff member asking for approval for a Tweet against Manuel Valls; "It's a Tweet against Manuel Valls, since we're talking about him!", he joked.

> The socialist government that is currently in place is the first government to use a veritable liberticide behaviour. It is not respecting a certain number of procedures that allow security for the private life of individuals. We have a government that is capable of mobilising the whole panel, the ministers, the deputies, against one person, against a humourist. Frankly we're a little far from the idea of the enlightened France that we had back in the day! [F.06]

In this context, the government mobilising against Dieudonné shows to what degree the government was playing a role as a moral arbiter or mediator in public life. Participant [F.05], a member of an activist Christian organisation, spoke about this but in more general terms where the government was a "whole machine" of "the system", comprising of all the various governmental and judicial departments, mobilising against Dieudonné as a single individual. He described this in somewhat biblical terms as containing a "sacrificial logic", where he thought that this was a sign that the government was "interfering with the intellectual life of the country", because "the State should not control the public voice" [F.05]. Participant [F.01], a human rights lawyer, also addressed this aspect of the State controlling individual speech. She thought that the most concerning aspect of the case was that Dieudonné's shows were stopped and his rights to free expression prevented before any possible infringement of the law could take place. She explained that "in a rule of law, in a democratic state, the principle is liberty, and if someone abuses their liberties, they have to be prosecuted" [F.01]. She therefore thought that the intervention by the government was a political mistake because it was pre-emptive.

In summary, the Dieudonné case as it relates to freedom of speech was addressed though the analysis of the online articles and the interview transcripts, which showed that on the one hand, the case had to do with the role of government intervening, mostly on a legal aspect (online articles), or on a more nuanced moral aspect (online articles and interviews). What this tells us is that when there are contentions between culture and law, the law is what is referred to, because this is what sets the precedent or equal level for all members of society. The reasons behind these arguments were of course caused by Dieudonné speech acts themselves, ones which use comedy to play on social taboos in order to address a disaffected audience.

Diversity: playing with taboos and social problems

The articles that were coded under this topic of Dieudonné playing on social taboos and problems in order to address a disaffected audience, were predominant for the *Le Monde* sample, with 14 out of 25 articles being coded here, as opposed to eight out of 25 for the *Le Figaro* sample. The topic is divided into two aspects: on the one hand Dieudonné's work as a comedian and a "provocateur", and on the other hand the issues that tied Dieudonné to an audience that is marginalised.

Dieudonné as a "provocateur"

Beginning with the topic of Dieudonné's work as a comedian and a "provocateur", there are several areas for discussion here. Dieudonné was largely able to address his audience through the web [LM-099], including endorsing and mobilising fans to participate in a demonstration of several thousand in Paris in January 2014, officially protesting then-President Holland in an event called a "day of anger" [LF-229]. Dieudonné's notoriety, however, was mainly tied to his stand-up shows, where his venue, *Le Théâtre de la Main d'or*, was described in one *Le Monde* article as being "a little museum of provocations" [LM-028], where Dieudonné exercised a type of "absolute freedom of speech", which meant that "anything can be laughed at and talked about with everyone" [LM-057], yet he was described in one article as "becoming a professional of anti-Semitism", using his "reputation as a humourist to create anti-Semitism and propagating it" [LF-015], as well as proliferating racial hatred and causing a debate about contemporary racism [LM-031].

Although Dieudonné has denied that he is anti-Semitic, the fact that he brought notorious Holocaust denier Robert Faurisson on stage in an earlier show, meant that he had always played with taboos and provocation [LM-018]. In toying with the taboo of making fun of the Holocaust, Dieudonné was surpassing the limits of tolerable speech, a point underscored by Roger Cukierman, then-President of CRIF, in a *Le Figaro* article:

> When I hear that Dieudonné regrets that a particular journalist at Radio France, with a famous Jewish surname, was not alive at the time of the gas chambers, I shiver. I was a hidden child during the Second World War. Hitler gassed and burned my grandparents, my uncles, my aunts, my cousins. It's unbearable for

me to continue to hear today, in France, about a former humourist converted
to the business of hatred.[58] [LF-142]

This quote shows the limits of humour and provocation about the Holocaust, because there are certain elements of cultural and historical memory that should never be trivialised, because in doing so, the dignity of those affected by the Holocaust is compromised. Yet at the same time, the fact that Dieudonné made fun of the Holocaust shows how there is an audience that does not regard this as taboo, and the case study reveals that this is because Dieudonné has an audience that is disaffected and marginalised.

Dieudonné and a marginalised and disaffected audience

In terms of the issues that Dieudonné drew attention to for an audience that is marginalised and disaffected, the material covers two areas for discussion. Firstly, there was a discussion about the *quenelle* and how this relates to a population that does not see itself as a part of the mainstream. Secondly, there was a discussion about the dangers of negating, or minimising the significance of the Holocaust.

At the beginning of the Dieudonné controversy, the issue of the *quenelle* and the massive amount of response that it had with audiences and online engagement, was discussed in the articles. Here, people were photographed performing the *quenelle* at various sites, including religious and World War II memorial sites. This was described in an early article from *Le Figaro* as a "rallying gesture", one which Dieudonné has been evasive about its meaning, though he acknowledged the unifying effects of *quenelle* performances when he was quoted as saying, "today, it doesn't belong to me anymore. This concept, this magical formula doesn't belong to me anymore, it belongs to the revolution that is coming" [LF-010]. The level of engagement on the Dieudonné controversy on social media and the internet showed how there was something that "was moving in France" with a sort of "discontent from people who think that they are not being listened to" [LF-121]. This was an also idea described by Dominique Sopo, the former President of *SOS Racisme*, in relation to the discrimination and

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[58] "Quand j'entends Dieudonné regretter que tel journaliste de Radio France au patronyme réputé juif n'ait pas vécu à l'époque des chambres à gaz, je frémis. J'ai été un enfant caché pendant la Seconde Guerre mondiale. Hitler a gazé et brûlé mes grands-parents, mes oncles, mes tantes, mes cousins et cousines. Aujourd'hui, il m'est insupportable de continuer d'entendre en France un ancien humoriste reconverti dans le commerce de la haine" (translation mine).

racism that was experienced by a population whose social and economic marginalisation was not being properly addressed by institutional or political action [LM-022]. Dieudonné's appeal to a particular audience of "young people from Arabo-Muslim culture", was addressed as being tied to that audience's support of the "Palestinian cause", one that Dieudonné was known to toy with in his anti-Semitic humour [LM-041]. Dieudonné's success and appeal was described to be "a symptom of a nation on the path of disintegration" [LF-169], also described by sociologist Michel Wieviorka as using anti-establishment rhetoric to push an "archaic racism" as well as a "revived anti-Semitism" [LM-024]. This idea was furthered by anthropologist Jean-Loup Amselle, who described Dieudonné as bringing back a "post-colonial anti-Semitism" [LM-025].

A concern that was more predominant in the *Le Monde* articles was the dangers and impact of Holocaust denial. Author Emilie Frèche wrote that "the law would never suffice to repair the evil" that Dieudonné would inflict on the minds of young people, because of this minimisation of the impact of the Holocaust [LM-049]. Journalist Mattea Battaglia discussed the issue of teaching about the Holocaust in high schools, where young people were not considering the limits of freedom of speech and were acquiring a type of "indifference" or "relativism" about the topic:

> Holocaust denial falsifies all historical truth and it is totally delusional. No democratic political formation, whether from the left or the right, gives it any credence at the moment. Yet, Holocaust denial cannot be reduced to the level of an ideological aberration defended by a very small group: one must combat its toxicity because of its growing influence in society.[59] [LM-113]

France was described as being in a "period of social crisis and intellectual confusion" when talking about the severity of anti-Semitism and whether or not it is something that is traditionally only associated with the political right [LM-069]. This social discussion was described as something that addresses Republican values such as combatting anti-Semitism and "all forms of racism" in order to achieve cohesion [LF-298], yet the case was also described as facilitating a type of regression of public speech and rejection of the legacy of

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[59] "Totalement délirant, le négationnisme falsifie toute vérité historique. Aucune formation politique démocratique, qu'elle soit de gauche ou de droite, ne lui accorde aujourd'hui le moindre crédit. Pourtant, le négationnisme ne peut être réduit au rang d'une aberration idéologique défendue par un tout petit groupe : il faut en combattre la toxicité en raison de son influence croissante dans la société" (translation mine).

the Enlightenment and "Republican heritage", because there was a need to "distinguish between legitimate questioning from vehemence" [LF-260]. A last article by author Pierre Mertens, described the difference between "hard" Holocaust denial versus "soft" Holocaust denial, where the latter presents a "minimisation, an under-estimation of the severity of genocides and the triumphal affirmation of racist opinions" [LM-032]. Together these arguments show how, in discussing diversity and the marginalisation of particular groups, other areas that would normally be held in place by the mainstream culture, such as the taboo of the Holocaust, become compromised by alternative discourses that challenge the mainstream.

The contributions from the interview participants mix the themes discussed above, in terms of Dieudonné as a "provocateur" and Dieudonné addressing or appealing to a marginalised audience. Participant [F.08], a newspaper contributor and French historian, spoke about this in terms of Dieudonné accessing an audience through "promulgating defiance" of the Gayssot Act and testing limits of Holocaust denial. Participant [F.04], a member of an organisation that works towards cooperation between Jewish and Muslim communities, described Dieudonné in this context as the number one "enemy of the State" and that he used "intellectually vulnerable people in the Muslim community" to make money off of anti-Semitic humour. She thought that Dieudonné's success, in part, was because political entities and the media turned Dieudonné into the "absolute devil, in a society that visibly still needs devils", in order to make a scapegoat out of him, and make a political point about what can, or cannot be said [F.04].

Participant [F.09], a journalist at a national centre-left newspaper, thought that Dieudonné managed to use "corrosive" humour to tap into an "alternative public", one that "is not the same public that watches the news", but "another composite, misbegotten public that feels liberated by this speech" and "not at all represented by the system":

> Dieudonné reveals both necessary things and unnecessary things in society. When he attacks taboos, he pulls people towards hateful speech that becomes a part of a cannon that then gets re-canonised into something that's a bit troublesome, a bit nauseating. That's why he's a little disturbing, since he has a fairly strong influence on a lot of people. He makes himself out to be a Robin Hood of freedom of expression with people in the *banlieus*. [F.09]

Other participants made points about social cohesion, or rather lack thereof. Participant [F.01], a human rights lawyer, thought that Dieudonné "undermines living together" and that he "does politics" by engaging in a type of "competitive victimhood", which pitches different communities against one another. Participant [F.02], a member of an organisation that provides social and practical assistance to Muslims, thought that Dieudonné, in a way, has become a "spokesperson" for underrepresented people. Participant [F.04], a member of an organisation that works towards cooperation between Jewish and Muslim communities, spoke about Dieudonné offering, in playing with the "absolute taboo" of the Holocaust, an outlet for a frustrated audience. The problem, for her, is that "the State and most of the elite" were certain that their position, in condemning Dieudonné, was reflective of an "absolute truth" because:

> They aren't capable of hearing that there are people who aren't exactly anti-Semitic when they listen to Dieudonné, but they like Dieudonné because he tells them: You see you don't have the voice, you're frustrated, you're like me, they don't let you speak, come to me, they don't look like you. [F.04]

This aspect of drawing in an audience was discussed by Participant [F.07], a politician in a centre-left party:

> One sees that he can fill stadiums in a way that's extremely— it shows that there is a type of subculture. There is an audience of people who do not believe anymore in the official discourse. Who are conspirers, who do not believe anymore the mainstream media and who are in a sort of underground sphere, which is very difficult to control. [F.07]

It is not so much the case of Dieudonné in and of himself, but what sorts of repercussions he has in discourses and contexts of undermining a "collective identity", which the participant discussed further:

> Dieudonné, his interest is that blacks reproach whites about slavery. That the Arabs reproach the French about colonisation. That the Arabs reproach the Jews for taking everything from them. It's assigning people their identity and then putting them against each other. It's an extraordinary model, but it's not liveable. Dieudonné gathers people who are in a certain form of social distress, and youth who are in a little bit of disaccord with their circumstances. It doesn't help us presently. [F.07]

She thought that this was the case especially because of the vulnerability of an audience that might not be able to keep a certain distance from Dieudonné's material, in the sense of having "the culture and history necessary to understand that there are people who go to these shows, from an activist point of view, to support him because they believe in his bullshit" [F.07]. The reality, for her, was that Dieudonné's shows facilitated an understanding of the "role of one another in society", which to her is dangerous [F.07]. Participant [F.05], a member of an activist Christian organisation, thought something similar. He thought that Dieudonné was so destructive to a point that he "de-integrates" people, through an ideology of whites-against-Muslims-and-blacks. He described this process of threatening national cohesion as being against "French values" [F.05].

The only participant to say something different, though at the same time responding to the contributions above, was Participant [F.03], a member of an activist group that campaigns for French minorities from the former colonies and territories. He viewed Dieudonné's popularity and success as revealing just how much France is changing:

> There is an emergence of groups that take charge, who take public responsibility, who refuse integration *à la française*, who refuse assimilation and who are in the process of transforming France. France is in the process of transforming and this is a cultural reality. [F.03]

In summary, what the Dieudonné case shows in terms of diversity and appealing to or addressing a marginalised audience, be that through a platform of humour, provocation, and toying with anti-Semitism, individuals and groups are mobilised to connect and create a new discourse. This new discourse does not fit into the mainstream, just as Participant [F.03] described above, because it is one that does not fit into a traditional model of union and cohesion, because they do not ascribe to the same sets of values, such as the taboo of making fun of the Holocaust. These are arguments that are similar, yet coming from a different angle, in the Danish case.

6.3. Yahya Hassan, *Jyllands-Posten* and *Politiken*

The articles collected during the selected period covered the main events within the case study: that Yahya gave an interview to *Politiken*, which generated media engagement even before his poems were published; that his volume of poems was the most successful poetry

publication seen since the late 1970s;[60] that he won literary awards, and engaged in TV and newspaper debates; that his public reading of his poems in an underprivileged area was almost cancelled because of fears of violence; and finally that he had an affair as a minor with his married social worker who published a book about her experiences, and was subsequently convicted. In light of this range of events, the Yahya case as it relates to freedom of speech was nuanced. Although Yahya had a right to express himself through creative means, the provocative nature of his poems became a focal point in social and cultural discussions related to diversity and immigration, as well as ideas about who can legitimately be critical of Islam.

The sample for the Danish case consists of 20 articles for *Jyllands-Posten* and 25 articles for *Politiken*, and the authorship of these articles were either by journalists or others, such as authors, academics, lawyers, or professionals.[61] In the case of *Jyllands-Posten*, 16 articles were written by journalists and four by others. In the case of *Politiken*, 12 articles were written by journalists and 13 by others. In taking the same steps as for the French articles, in order to identify what sorts of main arguments were being made in the articles, I conducted a first phase of analysis where I searched for the appeal and then the argument within each article.[62]

With respect to the main appeal of all the Danish articles, I arrived at three areas about the case for both newspapers. These consisted of the articles addressing, a) that controversy or media attention about poetry was highly unusual and therefore tied to freedom of speech, b) that the issues Yahya's poetry addresses have to do with an ethnic underclass, and finally that c) who says what in public is received differently and legitimised differently. With respect to the types of arguments or points that were made in order to back up the presented appeal or problem, these were divided into two areas, 1) Yahya's work as a poet, and 2) Yahya's case as being symptomatic of issues. In terms of Yahya's work as a poet, the common themes were that Yahya speaks from his own experience and this has value, but also that Yahya is the voice "from the ghetto" and is able to speak on behalf of others. A second theme was that Yahya's work is first and foremost poetry and not social commentary.

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[60] This was with the publication of "*Tryghedsnarkomaner*" ["*Safety/security Junkies*"] in 1977 by Vita Andersen (Enger, 2008).

[61] I could not achieve 25 articles for *Jyllands-Posten*, based on the selection criteria (see section 5.3.5.).

[62] See section 5.5.2. for the full description of the coding approach.

In relation to Yahya's case as being symptomatic of issues, the themes revolved around free speech as being threatened by those who are not able to tolerate and accept criticism of Islam, or that immigrants may feel like integration is a lost cause. Another theme was that immigrants need to adopt Danish values but these were countered with the need to acknowledge diversity. There was also a positioning of us-and-them arguments, either "us" as ethnic Danes and "them" as immigrants, or vice versa. Two final themes were firstly that people use the Yahya case to make their own points and support their own agendas, whether this is through integrationist arguments or arguments that acknowledge social schisms, and secondly that there are double standards at play in who is able to say what.

In terms of differences in the approaches to the case study, I found that the *Jyllands-Posten* articles seemed to focus mainly on the problem of a double standard, in terms of who is able to speak freely on a given issue, whereas *Politiken* focused on the problem of social inequality and the ability or need for non-ethnic Danes to engage in debate.

6.3.1. Discussion

In order to achieve a more conceptual understanding of the case, as well as pairing them with the interview findings, I recoded all the articles according to two main themes that had become apparent in the data from the first phase of analysis: a) the ways in which Yahya's poetry opened debates about freedom of speech, and b) the ways that Yahya's poems instigated a multifaceted debate about integration, immigrants, politics and society.

Freedom of speech: poetry as opening up debate

The articles that were coded under this topic of freedom of speech and the ways in which Yahya's poetry opened up debates about freedom of speech were predominant only marginally for the *Politiken* sample, with 9 out of 25, then 8 out of 20 for the *Jyllands-Posten* sample. The issue of how Yahya's poetry opened up debates about freedom of speech can be divided into two aspects: firstly, the literary aspects of the volume of poems, and secondly the double standards that arise out of Yahya's statements being perceived as legitimate because he was speaking about "his own".

The literary aspects of Yahya's poems

Yahya's poems were described as being well-received by literary critics, and this contributed to their popularity, even if Yahya had not promoted the volume in an interview before they were published [JP-017]. The volume of poems, it was argued, played an important role in debates about religion and immigrants, because "something really starts to happen when such a linguistic force is combined with an important topic" [JP-137]. The literary aspect of Yahya's poems was discussed in one article in terms of a discussion on who is on the "right" or "wrong" side of freedom of speech, by making an analogy of Salman Rushdie coming from the cultural elite and therefore on the "right side", whereas the type of uproar generated by the Danish Mohammed Cartoons were on the "wrong side", and the Yahya case was, as a literary work, on the "right side" [JP-159]. This was because, as underscored by author Bjørn Bredal, he is first and foremost a poet [PO-093]. Journalist Anders Jerichow described that Yahya had "given Denmark a gift" in the form of his collection of poems [PO-074]. *Politiken*'s literature editor, Jes Stein Pedersen, described the importance of the poems as facilitating a conversation "between generations", and showed "how important a collection of poems can be to democratic dialogue" [PO-043]. The relevance of Yahya's poems was also elaborated on in contemporary terms:

> Yahya has, in a short amount of time, introduced the genre of poetry to a generation of young people with Muslim/multicultural backgrounds, for whom poetry was an unknown genre that no one was interested in. At the same time, he introduced to the Danish people a new symbolic universe within poetry.[63] [PO-032]

This "symbolic universe" that the creative realm of poetry has to offer, is what bridges different genres of creative communication with interpretation. The relevance of this interpretative factor was a point that was also made about the individual reading the poems as being responsible, and accountable, for their own interpretation; a point made by author Pablo Henrik Llambías [PO-127]. This interpretative aspect shows how Yahya's poems and criticisms about immigrants and Islam were being used by different people for their own agendas, a point that will come up again in the next section.

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[63] "Yahya Hassan har på kort tid introduceret poesigenren til en generation af unge med muslimsk/flerkulturel baggrund, for hvem poesi var en ukendt genre som ingen interesse havde. Samtidig introducerer han for den danske befolkning nye symbolske universer inden for poesien" (translation mine).

The literary aspect comes in here because Yahya was saying "what no one has said before", through poetry [PO-039]. The lines on freedom of speech were "softened" and shifted by the Yahya case, because in the past, any criticism of Muslims was connected to anti-immigrant rhetoric [JP-084]. Yet this was countered with arguments that Danish society assumes that freedom of speech is completely free, even if it actually must be practised under responsibility, because in some instances of provocation, the listener would understandably react. The article making this point provided an analogy, appealing to the reader to "knock on the door of the local biker gang's clubhouse and tell them that they are a bunch of damned sissies" and then see what happens [PO-086]. This raises questions about when and how it is appropriate to be critical through creative means, where one contributor stressed that the conditions for this is when "the criticism is well-founded and dependent on facts" [PO-211]. This is where concerns about the publication of the volume of poems connected to the topic of integration [JP-007], which will come up again later on in this section.

Yahya's poems and double standards

The issue of double standards had to do with who is legitimately allowed to say what. Pia Kjærsgaard, former leader of the Danish People's Party, described this in *Jyllands-Posten* as Yahya being able to speak because he was writing about "his own" and his criticisms of Islam were therefore legitimate. The argument was made that "the left" was supporting Yahya and dividing people by not accepting that anyone else (i.e. white Danes) could say the same [JP-094]. The main argument that came up throughout several articles was a juxtaposition between the types of comments Yahya was making about Muslims and Islam versus identical comments made by white, male Danes in recent decades, yet because Yahya comes from the social "underclass", his comments became legitimate [JP-112]. How this type of legitimation is perceived by the public, is a "democratic problem", because freedom of speech must apply equally to everyone, but what is determinative is "the content and truthfulness of what is being said and not who it is that says it" [JP-069], which author Jens-Martin Eriksen and academic Frederik Stjernfelt wrote must be assessed using judicial means [PO-071].

The majority of the interview participants addressed the case study in relation to an idea of the speaker as having relevance or importance, in the sense of who has more validity or credibility. Seven out of the eleven interview participants discussed the issue of poetry opening debates about freedom of speech, mainly in terms of this issue of double standards.

Simply put by Participant [D.03], a human rights lawyer, Yahya was "seen as authentic, making his criticisms legitimate; whereas if it had been an old white male saying the same things, then he would be called racist". This was also voiced by Participant [D.02], a journalist who runs a free-speech interest group:

> I read about this poet whom I've never heard of before, and I thought: That's a loud mouth, unique. What struck me was that if the 'old Danes' or what they're now called, with white skin colour, had said the same, some people would have said: Would *Politiken* have promoted such a person like they did with Yahya Hassan? [D.02]

Participant [D.05], a member of a freedom of speech activist group, said something similar:

> It's interesting when there's an immigrant who criticises immigrants, because it means something, who one is, in relation to what one is allowed to say and what one can allow oneself to say. If I had gone and said the same things as Yahya Hassan, then there would be a number from the left wing who would criticise me for being racist or something similar. [D.05]

In this sense, the fact that Yahya wrote poems about "his own people" or "his own environment", was significant. Participant [D.06], a journalist formerly at a national centre-left newspaper, talked about the positives of Yahya being someone who spoke about "his own":

> I think he's been very good for public debate in Denmark. And it's not just because he's made my job easier by delivering news, but that he pointed to some taboos that we haven't talked about and couldn't figure out how to talk about before. The debate started on some of the problems there are in socially challenged immigrant families, in areas that we sometimes talk about as ghetto areas. It's clear that when there is someone from within this environment, that means something, it has a little more credibility than if it's a Danish man from somewhere in the province or Copenhagen who says it. [D.06]

Participant [D.09], a politician in a centre-left party, thought that what was most remarkable about the Yahya case was that it was instigated by *Politiken*, even before Yahya's poems were published. He thought that this was also related to the issue of a double standard, in terms the speaker determining how acceptable speech may be:

> What was special about Yahya Hassan's breakthrough was that it was *Politiken* which launched him in a way, right? And *Politiken* usually has a standpoint which is critical about the viewpoints that Yahya Hassan brought forth, and then they come and give him a column space so he can be so critical. A Dane-born would never been allowed to do that, a white Dane, right? [D.09]

Participant [D.08], a politician in a right-wing party, also highlighted that who speaks also carries with it a significance:

> Yahya wrote a collection of poems, for me there is nothing sacrilegious about that, there were other artists who have done that, against Christianity or different things. It's not because of that, but because he did it, it became something special. [D.08]

In assembling the contributions from the participants above, who speaks has significance in different ways. Yahya had more credibility in speaking because he was addressing issues that had to do with his "own people", and he had more legitimacy because of a "who speaks matters" argument, where his unique position as an immigrant poet gave him more exposure or accessibility about the topics that he was addressing.

Diversity: arguments about integration

The articles that were coded under this topic of diversity and the ways in which Yahya instigated a multifaceted debate about immigrants, society and politics, were predominant for the *Politiken* sample, with 10 out of 25 articles being coded here, as opposed to seven out of 20 for the *Jyllands-Posten* sample. The issue of Yahya instigating a multifaceted debate about immigrants, society and politics can be divided into two aspects: a) on the one hand there were arguments about very specific social problems that Yahya highlighted as a reality, and b) on the other hand there were arguments made about more general issues and challenges with integration.

Yahya highlighted specific issues

The specific arguments related to Yahya's poems addressing a social problem in immigrant communities have to do with child abuse and neglect. One article wrote about a type of fascination with Yahya's poems as material from "neglected and abused children", which should be used more constructively than to "giggle and gasp" over [JP-016]. Another spoke

about Yahya's work as "a cry for help", not for himself, "but on behalf of abused children" [PO-021]. A solution suggested here was for "immigrant parents" to be educated about childrearing, because, for example, smacking children is illegal in Denmark [PO-004]. These arguments came from a small number within the sample, but they highlight how some contributors were making the point that Yahya's grievances, articulated through his poems, were more about a social problem of child abuse than an issue to do with wider discussions on immigration and integration, which the rest of the sample covered.

Yahya and wider challenges on integration

Many of the articles ascribed a legitimacy to Yahya's work, as him speaking from his own experience but also describing a social reality. Journalist Mikael Jalving described this as Yahya's poems addressing "class and Islam", which gives his work "a relevancy that others don't have" [JP-012]; because his work "politicised current topics like integration" [JP-174], and "shifted the debate on integration" [JP-136]. *Politiken*'s literature editor, Jes Stein Pedersen, wrote about the different ways someone "can be a Dane", by contributing with "a work of art" that "goes into the most sensitive areas in the reader and in the welfare state" [PO-194]. He had already described the poems as addressing a social reality where "the ghettos are full of built-up frustration", which "everyone knows can threaten social harmony even in developed democratic societies" [PO-116]. An article by the Free Press Society's chairman, Katrine Winkel Holm, took a stronger stance by describing the poems as highlighting the "problem of lack of cultural integration", which "is the result of contempt and disinterest in Danish society" [JP-010].

Peter Skaarup, leader of the Danish People's party, described the underprivileged community where Yahya had to have considerable police protection for a reading he was giving at a library, as being one where "there are a number of residents who have their own laws" and showing how "there clearly is something wrong with Danish society when a poet can't perform publicly without massive protection from the authorities and the police" [PO-081]. This was countered by an article that argued that the reason for these types challenges was because different social and ethnic groups actually know very little about each other [PO-142]. The poems revealed to what extent there are divisions in society, described as "parallel societies" [PO-037], yet one article addressed the dangers of "misusing" Yahya's poems by people "with the wrong intentions", who want to use his statements to make their

own points about integration, Islam or religion [PO-027]. Another article by *Politiken*'s literature editor, Jes Stein Pedersen, acknowledged that perhaps there was a blurring of the lines by the media of Yahya's statements to the media as contributing to a debate, versus remembering to view his poems as creative work [PO-016].

Five out of the eleven interview participants discussed the issue of Yahya instigating a multifaceted debate about immigrants, society and politics, in similar ways to the online articles. Participant [D.01], a member of a leading Muslim organisation, said that as soon as Yahya spoke out against the established elite, he stopped being a "national hero". The participant thought that this was because "you can't take freedom of speech in all its instances, but only in instances where the speaker chooses to criticise Muslims" [D.01]. He also thought that due to the symbolic nature of poems, anyone would be able to "interpret their own agenda" in Yahya's work. Participant [D.10], also a member of a leading Muslim organisation, thought that different actors had made a bit of "a marionette doll" of Yahya, but that she thought this was because Denmark is a "teeny tiny country, things are made to be bigger than they really are and a little more drama is created than there necessarily needs to be" [D.10].

Participant [D.11], an activist with centre-left political roots, held an opposite view. He thought that Yahya's statements were valid in that Yahya was speaking from his own experience and was exercising his right to freedom of expression, but that Yahya's poems carried with them statements that were provocations because:

> His statements were generalising, degrading and almost racist. I thought it was problematic that he could go so far, because the statements that he made were on the same line as some of the most racist and extreme opinions of those belonging to the furthest right-wing in Denmark, including those who have been sentenced for racism. Just because he has another ethnic background, where he comes from a minority, doesn't mean that he has an extended freedom of speech in relation to making racist statements about his own countrymen, such as ethnically and marginalised Muslims. [D.11]

Participant [D.03], a human rights lawyer, had a different view. He said that "Yahya was suddenly seen as speaking the truth", which "changed the debate" to where "it was no longer possible just to accuse people of being racist when they criticise Islam, and suddenly, we said: Okay, we have to talk about these issues" [D.03]. But the matter of using Yahya for

people's own agenda also came up here by Participant [D.06], a journalist formerly at a national centre-left newspaper:

> There were people who used his expressions, misused them I will say, to promote their own agenda because there are also people who have, for whatever reason, an interest in exhibiting Muslims as bad people. Yahya's pointed out himself that he's been tied to a wagon for other's interests. If the goal is that we can talk about things and discuss the most reasonable, enlightened solution for a problem, then it's damaging if people misuse freedom of speech in this way. [D.06]

The brief contributions offered by the interview participants covered how freedom of speech was used in different ways in the Yahya Hassan case. Yahya's poems were at first well-received but the topics he addressed were being appropriated by different entities in order to underscore their own opinions on immigrants and integration. At the same time, the generalisations Yahya had made in his poems were highly offensive, raising questions of double standards, and who is allowed to say what when it concerns critical statements about Muslims and Islam. Lastly, the tug-of-war that ensues from debates about double standards and using the Yahya case to further arguments about immigrants and integration, means that freedom of speech was not necessarily being challenged in and of itself, rather it was the surrounding issues that were most significant.

6.4. Conclusion

The case of French comedian Dieudonné and Danish poet Yahya Hassan showed some interesting similarities and differences. These have to do with the context of each media controversy, the target and audience of each controversy, and the nature of taboo or infringement of each controversy. In the instance of the context of each controversy, the Dieudonné case showed how the provocation of his speech acts had to do with cultural and historical sensibilities, whereas the Yahya case showed how the provocation in his speech acts had to do with cultural and ethnic sensibilities in a contemporary context. In terms of the targets and audience in each media controversy, the Dieudonné case targeted a Jewish population, through fun-making of the Holocaust, in order to appeal to the frustrations of an audience that does not see itself as a part of the mainstream. The Yahya case targeted a Muslim population, and the audience was a mainstream audience that in turn addressed the themes within his poetry in different ways, in terms of integration, or who can legitimately

be critical in this context. Lastly, taboo or infringement were addressed in the Dieudonné case in terms of the perceived anti-Semitic nature of his humour, whereas in the Yahya case, the infringement rests on Yahya's poetry, which had perceived generalising and negative stereotypes about Muslim immigrant, ghetto life. Both cases, as media controversies, were legitimised through the exposure they received in the articles, as well as through discussions about them with the interview participants.

The following chapters expand on the themes that the case studies address. In Chapter 7, the findings show that the interview participants discussed freedom of speech as a binary between exercising freedom of speech in terms of regarding others, or in terms of prioritising the rights of the individual to be able to speak freely. The creative aspect that the case studies address is expanded upon in Chapter 8, where discussions on creative expression must be addressed using alternative discourses, either by interrogating the relationship between creativity and provocation, meeting offence with counter-arguments, or by revisiting the meaning and interpretations of tolerance. Lastly, Chapter 9 addresses the themes in diversity that the cases put the spotlight on, namely that national constructs are not necessarily shared unilaterally in each country context, how contact with others shapes whether or not societies coexist or assimilate, and finally how topics such as alienation and fairness are very much tied to freedom of speech as it relates to diversity.

7. The binary of free speech: regarding the other or prioritising the individual

7.1. Introduction

This chapter on the interview findings and the theme of freedom of speech is relatively short compared to the following two chapters on tolerance and offence, and then on diversity. What I found after coding the interview transcripts was that responses and the codes for the freedom of speech category were typically the same across the board, where all the interview participants support freedom of speech and they all said that the limits of freedom of speech were decided by the law, such as violence or incitement to violence. The more nuanced codes when discussing freedom of speech were mostly in relation to topics and issues that fit in the diversity category of the interview findings, and then by how ideas of tolerance and offence are negotiated by the participants. This chapter will therefore briefly discuss some of the key arguments made by the interview participants within the freedom of speech context. They are in parallel with the philosophical line of argument presented in Chapter 2, and they have been split into two categories: either a) in the form of the values around freedom of speech as needing to be exercised with consideration towards others, or b) in the form of freedom of speech as an absolute value which should be exercised completely without restraint by the individual, under the theme "you should be able to say what you want".

7.2. The consideration of others

What I found was that arguments on freedom of speech related to the consideration towards others for both the French and the Danish interviews, and this was tied, by extension, to notions of fairness. Fairness here was viewed in the sense that the same "rules" should apply to everyone and the same laws and limits should apply to everyone, but it was also discussed in other ways, such as in relation to how debate is developed, in the sense of conversation or discussion, or in relation to how "equal" access would be to said debates or discussions.

The idea of fairness was discussed by Danish Participant [D.11], an activist with centre-left political roots, who made the point that the limits, or ability to practise free speech lies in a requirement of everyone needing to operate under the same and equal conditions. This would be needed, he argued, in order for everyone to be able to participate and contribute

equally to a debate. To him, this applied to anyone, whether they are an artist or politician, because there are no particular set of rules that distinguish or enable one person to have more access to free speech than the other person. When it came to generalising or prejudiced statements about a minority, a Muslim minority, it was up to the courts to get involved and decide to what degree such statements infringe on the law; but this then raises a question about the nature of ridicule.

The notion of ridicule is central to concepts of offence and the negotiation of processes of tolerance. In the context of this current discussion on how a speaker must consider others, Danish Participant [D.01], a member of a leading Muslim organisation, discussed how freedom speech as a topic is familiar to Muslims because it should not be used as a means to subvert or make fun of another's religion; rather, the kind of freedom of speech which would be supported by the participant's organisation is one that fosters and contributes towards a constructive debate. This was the case for any subject matter even beyond religion, he explained, such as being critical of a country's rulers or voicing concerns about the inner workings of society, as well as how members of society can share their experiences and learn from one another. This idea was shared by French Participant [F.04], a member of an organisation that works towards cooperation between Jewish and Muslim communities, when she said that the issue is not about how freedom of speech is a fundamental right in and of itself, something she (nor any of the participants) ever disputed, but that freedom of speech should not be used as a tool to continually target a particular group of people in French society, the Muslim minority, who are already marginalised and not represented fully either politically or in the media.

How one speaks to one another is an idea that Danish Participant [D.10], a member of a leading Muslim organisation, talked about. Here she said that it is not so much freedom of speech in and of itself that has changed, even though there is a lot of attention paid in the Danish context on racial and religious tensions in society. What has changed mostly for her is the way that people relate to one another, such as by being emboldened to say certain things online, with the protections a physical and virtual screen would give a person, giving them the chance to say things which they might not otherwise say in person. Being able to speak to one another decently, for her, was just a basic aspect of how we communicate with one another:

> Speak to the person like you want to be spoken to. One can say the same thing in many different ways. If one says it in a nice way, without being accusing, then the other will take on board what was said and think about it and reflect over it. It's just plain communication, how we talk to one another. [D.10]

Considering others and practicing restraint when one speaks to one another does not necessarily mean that a person is not able to practise freedom of speech, it simply means that one decides not to address issues that could potentially create an unnecessary conflict. Danish Participant [D.01], also a member of a leading Muslim organisation, gave an example he usually gives to journalists in order to illustrate and explain what it is to bridge an understanding between people and to find a middle ground:

> Two people live next to one another. They each have trees in their garden. During autumn, the leaves fall down and the wind blows towards one neighbour. The first neighbour has the opportunity to pile up his leaves and burn them off, knowing full well that the ashes will fall into the second neighbour's garden. He chooses not to do that and he refrains from doing that even though he has the right to do it. That doesn't minimise his right to burn off the leaves. It's just consideration towards his neighbour. We should look at the debate about freedom of speech in the same light. That we refrain ourselves out of consideration for the other person. [D.01]

The notion of restraint that this participant described, is one that is engaged in out of respect for the other person. It then invokes certain behaviours of civility, which creates a dual aspect of the consideration towards others: on the one hand, considering the other party could be seen here as recognising the other party's human dignity; but on the other hand, it could also be seen as a twisting of the argument to force a particular behaviour to be changed. Given the types of arguments that were addressed here by the participants, such as a requirement for speech to contribute towards a constructive debate [D.01], or that it should comprise of speech that is respectful [D.10], as well as being wary of speech that does not give the targets of that speech an opportunity to engage fully in a debate [F.04], how freedom of speech is exercised with consideration towards others is a matter of ensuring that certain norms about respectful debate are followed. Danish Participant [D.11], an activist with centre-left political roots, talked about how there is nothing that is too holy that it cannot be made fun of or discussed, but that this needs to be balanced. This consideration, for him, had to do with particular considerations towards minorities and their rights to live their lives peacefully, have religious freedom, and be their own person without suffering from offence or abuse. By creating an environment where one is still being considerate of

others, nothing is then needing to be protected from being discussed, whether the topic is on Islam or ethnic minorities and their social issues.

The notion of consideration towards others, as discussed here, is not tied to ideas of self-restraint, but more in terms of a recognition of the other with "equal dignity" (Taylor, 1994: 38). In this way, exercising free speech through the consideration towards others fosters a peaceful diversity of opinion. In using this line of argument, total free speech is not a desirable or useful thing, because of two moral principles, a) the risk of harm and b) the need to recognise the consequences of speech. Consideration towards others and the risk of harm, refers to the *harm principle* (Mondal, 2016: 4; Bleich, 2011b: 918), originating with Mill ([1859] 2003), where he writes in *On Liberty*, "that the only purpose for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm to others" (Ibid.: 94). This is balanced with a moral argument of the need to recognise others in the form of the "consequentialist" argument, one which states that speech should be considered in terms of the lasting contributions of a speech act to a debate (Scanlon, 1972: 204-205).

In this way, consideration towards others means that the risks of harm to an individual or group must be balanced with how meaningful a speech act may be to a debate. Both of these aspects carry with them the ethos of preserving cooperation through the respect and recognition of other people's dignity (Voltmer and Lalljee, 2007: 96); as well as a duty towards others, because of the need to acknowledge what Butler (1997: 4) describes as "linguistic vulnerability", one which explains how words and actions impart meaning and have the potential to be harmful. Like Participant [D.01] articulated above, just because one *can* say something does not mean one *should* (Lester, 2010: 23), because "expression rightly has limits and we should distinguish between liberty, which is valuable, and mere licence that allows anything at whatever cost" (Franco and Warburton, 2013: 151). Yet this is exactly the argument that is countered in the interview findings, one that dictates that freedom of speech should be exercised freely as an absolute value, without any sort of restraint whatsoever.

7.3. You should be able to say what you want

The idea that one should be able to say what one wants, is one that many of the participants alluded to at some point or another during their interviews, particularly the Danish interviews, with the view that the only limitations lie with hateful speech, lawless behaviour or incitement to violence; and in one case [D.08], a politician in a right-wing party, the limit was slander and defamation as well as incitement to violence. The idea that "you should be able to say what you want" stems from to what degree controversial or offensive speech is accepted. This was highlighted by Danish Participant [D.03], a human rights lawyer, when he said that controversial speech is the type of speech that typically garners the most attention, and is what actually challenges the limits of freedom of speech:

> When you live in a liberal democracy, the speech that gets called into question tends to be controversial speech, since no one is going to jail you for criticising the government or for other ordinary political speech. [D.03]

One French participant [F.05], a member of an activist Christian organisation, talked about how the law should apply to everyone, and with the law applying to everyone, the ability to exercise free speech means that it is absolute for everyone. He took this line of argument because he felt that by allowing everyone to practise freedom of speech to the same degree would mean that it could not be manipulated by government, which he felt was the case in France, where only the few are allowed to speak about issues that challenge government and society. However, being able to say what one wants to say is not necessarily an argument that is tied to societal, governmental or legal impositions, but it could also be the types of barriers that one sets for oneself. French Participant [F.10], a stand-up comedian, talked about her journey of being able to express herself through her work, which is tied to her faith and to how she chooses to present herself to the public:

> I had done two years at the conservatory, and when it was over, I met my husband who taught me my religion. I didn't know Islam, I didn't practise it a lot. He taught me the love of God, and he made me want to practise it. From that point I decided to veil myself for spiritual and religious convictions and I said to myself I couldn't go on stage because who would give me a role with a scarf? It wasn't possible. So, I put it to one side. A couple years later I saw a girl who wore a scarf like me and who did shows, she told stories about the Prophet and she played the role of a small boy and I realised that the barriers were in my head. I could also go on stage if I wanted to. [F.10]

Being able to express oneself without restraint, or self-restraint in the instance above, is then not only tied to an equal access to freedom of speech, or even giving oneself the right to express oneself, but it is also tied to more cryptic themes about danger and risk. As described by Danish Participant [D.02], a journalist who runs a free-speech interest group, everyone should be able to express oneself but there is the reality of a forced restraint because of a fear of violence. In this instance, engaging in free speech means that one has to ask oneself whether or not one is willing to live with the risks and consequences from the types of exposure that arises from engaging in particular debates, such as criticisms of Islam, in the public domain:

> Should one continue to say what one thinks? There are many people, and many otherwise fine colleagues in newspapers and other places that have a very theoretical defence with regard to freedom of speech, which supports everything, but there is also something quite obvious where one needs to ask oneself: Is one willing to live with the risks? Because one is of course. [D.02]

How free speech is related to danger and risk was echoed in some of the other Danish interviews, where one participant [D.06], a journalist formerly at a national centre-left newspaper, spoke about practical consequences to his work life. Although we discussed the broader threats and risks associated with freedom of speech and his work as a journalist, for him there were tangible consequences, based on security measures at his workplace, which includes police surveillance, bullet-proof glass and a highly secured entrance-exit system. Yet the threat of danger and violence is not only tied to several of the participants' workplaces, but is also tied to a fear and anxiety in both participants' work and private life. As explained by Danish Participant [D.02], a journalist who runs a free-speech interest group, making an active choice not to think too much about the danger and risk is what she needed in order to continue going about her daily life. She spoke about how it was not a matter of repressing her fear but about making an empowered choice to continue on working and addressing issues she believes are important and relevant for the freedom of speech interest-group that she runs. Free speech is an absolute value, then, because it is something that is constantly challenged with the threat of risk and danger, but it is one that must be upheld at whatever cost. The situation for her, however, is relatively minor compared to two other interview participants, whose security conditions are significant.

Another participant for the Danish interviews [D.04], an artist with an interest in political art, spoke about the realities of constantly being under police protection, after being widely

covered in Scandinavian media in the mid-2000s and receiving multiple death threats as well as surviving several attempted attacks:

> There are the practical things to work out, like what do I need for my life? How do I make things run? Do I need pottery equipment? Everything is stored away and it might be easier to buy new things. The other thing is of course that everything has to be very organised. We go here, you go there. There are all of these restrictions to live with. It creates a new lifestyle, but in a way, you get used to it. You live in hope that there could be lighter restrictions, things could be a bit better. [D.04]

Danish Participant [D.07], a journalist and newspaper editor at a national centre-right newspaper, spoke about similar realities that he has to deal with, as he is also under constant protection; something that since the mid-2000s, he had not quite reconciled until now:

> I have finally arrived at the conclusion that I am going to live with a security challenge for the rest of my life. For many years I thought that it would go away at some point. That was a delusion, but I don't want to go into hiding. I want to talk about the things that I feel are important, though I don't want to do stupid things. I consider thoroughly what I say yes to and what I'm not doing. It's a balance, and the challenge is not to let it frustrate you and depress you, that you don't have the same kind of privacy, even if there are very few things that you can do in a spontaneous way. Nothing in fact. [D.07]

What the contributions of these two participants show, is that in extreme conditions where someone is forced to live a new life with extensive security and conditions on their movements, their commitment and belief in the ability to practise freedom of speech is so great that they continue to persevere, even in difficult circumstances. What can be taken away here is that it is not only the risks to individuals which mean that freedom of speech should be completely unrestrained. There is also an argument that freedom of speech is lost if certain topics become too sacred to challenge and discuss, because this would then mean that people live in fear or concern for their safety. Participant [D.04], made the point that refraining from speech that has the potential to harm other people's religious or theological convictions, would then mean that freedom of speech is lost because nothing should be outside the realm of discussion or critique; and idea that speaks to Bollinger (1986) and his "fortress" argument, where conceding to any special considerations would undermine and weaken freedom of speech. Danish Participant [D.08], a politician in a right-wing party, addressed this when he made a rhetorical point about limits:

> I think one can say what one wants. I completely don't care, I support the largest possible freedom of speech, I do. Also, who actually sets the limits on what an offence is? That's the next problem we have. Who decides? [D.08]

The participant is making an important point here about the dangers of determining the limits and boundaries of free speech. This is mainly because of the dangers and risks of interference by government. As discussed in Chapter 2 on freedom of speech, legislation and interpretation, there were several core points made by key texts that argue against limitations on free speech as imposed by government, such as Milton's appeal in *Areopagitica* for individual freedom as being tied to a lack of governmental interference ([1644] 1738), or the United States First Amendment as a text that was established in order to ensure individual freedoms, or additionally, Meiklejohn's arguments about the right to self-governance ([1948] 2004). Berlin's arguments about freedom here, in the form of positive freedom as a right to self-determination, and negative freedom as the absence of government interference (1958), ties the theoretical elements of freedom of speech as an absolute value with the practical arguments outlined by the participants above: the need to speak freely and be critical of government [F.05], and the dangers and risks of consequences to free speech if one gives in to fear or violence, as lived by several of the participants [D.02, D.04, and D.07].

7.4. Conclusion

Freedom of speech as a right was something all of the interview participants from both countries agreed on was a necessary liberty as a part of democratic life; however, most of the contributions in this chapter were from the Danish interview participants. Some questioned certain laws, or questioned how equal an ability to exercise freedom of speech was for all members of society. Much of the discussion on freedom of speech was tied to further issues on religious and ethnic diversity, the case studies, and the nature of tolerance and offence and what these meant to them. The limits were, for the most part, the threat of violence or incitement to hatred. The living situations of two of the participants show just how extreme conditions can become when freedom of speech is exercised; supporting an argument that one should be able to express oneself freely without fear of violence or danger, because once this becomes an issue or special considerations are made towards the feelings and perceived offence of others, then freedom of speech is totally compromised and lost. Yet some of the other interviews show how, by engaging in consideration towards

others in a mutually peaceful and respectful manner, the exchange of ideas and debates on issues can take place, as long as this is done carefully and sensitively. The themes discussed in this chapter had more to do with a general approach or values that the participants had at the outset: either you should consider others, or as an individual, you should be able to say what you want. The following chapter on tolerance and offence delves further into these values and should be seen as a continuation or extension of this chapter.

8. Creative expression: meeting tolerance and offence with alternative discourses

8.1. Introduction

This chapter discusses the interview findings in relation to concepts of tolerance and offence. The chapter is divided into three topics. The first topic is on the provocative aspects of creative work, and its relationship to freedom of speech. Here, further ideas about humour and satire are explored, such as the healing nature of laughter, or the importance of comedy and satire to public discourse. The next topic is the communicative dynamic of offence, and how several participants talked about the need for offence to be met with counter-arguments as a means of combatting, or responding to, offensive material. Finally, the last section deals with what some participants consider to be a "new" interpretation of tolerance, whereby tolerance is no longer a practice where speakers accept what other people are saying, writing, expressing; rather, tolerance has been re-imagined to the speaker needing to consider the listener, and, in some cases, adapt their behaviours accordingly.

8.2. Creativity and provocation

Freedom of speech and creative work go hand in hand. As noted by Danish Participant [D.09], a politician in a centre-left party, an individual cannot exercise creativity without freedom of speech, since being creative is about challenging conventions and boundaries, as well as being provocative. Several of the participants had a number of opinions on the role of provocation and creative work. As one Danish Participant [D.07], a journalist and newspaper editor at a national centre-right newspaper, explained:

> It's a part of cultural expression to challenge the limits. To try to say the unspeakable. To provoke people to reflect upon things in life, but in an authoritarian regime, usually the first targets are writers and artists, because anybody with an individual point of view that is different from the ruling ideology is perceived as a threat. We don't have that but it's clear that cultural life is confronted with new challenges and this is a problem. [D.07]

This idea was also shared by a participant for the Danish interviews [D.04], an artist with an interest in political art, who explained:

> The idea of transgression and challenging existing values is the core of art in the modern sense. It's to create something that we don't have at the moment. To create something new. You have to expand on the current situation that you are in and challenge values. That's a natural practice when you are making art. [D.04]

The aspect of "making art" here is a way of creating interpretative work as a contribution to the creative realm, but also to push limits and test boundaries, even if it is provocative, because it offers the interpreter an alternate view on social and cultural realities. The participant [D.04] described the challenges in this by saying, "you have to be understanding if you are misunderstood", because sometimes these elements do not translate when there is provocation. Danish Participant [D.01], a member of a leading Muslim organisation, offered a different take on the role of provocation in relation to creative work and creative expression:

> Creative expression— I mean, there are a lot of things that could be creative. And what is understood to be creative expression? Is it when you use freedom of speech to provoke a minority? I think that whenever we look at something that we define as creative speech, we need to ask what creative speech really is, and what the purpose is of moving those barriers in certain directions. [D.01]

So creative work, as discussed here, involves challenging limits and addressing issues that could potentially be controversial [D.07], even though this would be countered with an argument as to how constructive these actions would be [D.01]. That is, to what degree expressions contribute constructively to a "marketplace of ideas", even if they are, for example, coming from an artistic realm. Danish Participant [D.03], a human rights lawyer, spoke about the intersection between controversy and banning. He gave the example of Dan Park, a Swedish artist whose exhibits were cancelled in Denmark because of threats and who received a prison sentence in Sweden for racist speech. Dan Park, according to the participant, was not saved from prosecution for engaging in "artist's expression" [D.03].

The issue here with creative work and potential provocation has to do with being understood or received, and what is the greater purpose or goal of creative work, even if it concerns controversial material. Yet there were further arguments about "artistic licence" as it relates to provocation. French Participant [F.02], a member of an organisation that provides social and practical assistance to Muslims, talked about how it is the role of artists to denounce things that they disagree with. In the case of comedians, she said, their role is to make people

laugh and to use their platform well, but even in circumstances where she does not agree with their types of humour, they are still within the realm of artists and retain the right to express themselves creatively. Creativity and the role of the artist in this sense moves the discussion now on to themes on humour and satire.

8.2.1. Humour and satire

One of the key ways in which the interviewees talked about provocation and creativity was in relation to satire and humour. French Participant [F.04], a member of an organisation that works towards cooperation between Jewish and Muslim communities, made the point that freedom of thought and humour are tied together because taboos and norms can be challenged and broken through the use of humour in ways that are accessible to people. The subject of laughter was also one that came up, as a means of bringing people together. French Participant [F.02], a member of an organisation that provides social and practical assistance to Muslims, talked about how the Holocaust, for example, should not remain a taboo topic, because by being able to laugh at anything, laughter will heal old wounds and release tension about the wrongdoings of the past. Even with grim topics, the participant thought that laughter can help a healing process by bringing people together. She gave an example of funerals in her Muslim culture, where people gather together and they might grieve for five minutes but the rest of the time will be spent laughing, and even making jokes or insulting the deceased, but in a good-spirited way. She elaborated here on this ritual, saying that laughter was a "system of healing" which does not minimise events, rather it acknowledges them in a way that is restorative.

The idea of bringing people together was furthered by another French participant [F.10], a stand-up comedian, who talked about how diverse and mixed her audience is. She said this was because she engages in a type of humour that appeals to everyone, and is one that does not make people feel uncomfortable. Most importantly, she spoke about how humour can help de-dramatise highly charged situations. We talked about a YouTube clip she had posted about a terrorist attack that had taken place in North America, one which had resurfaced and gained considerable exposure online in France after the January 2015 attacks at the *Charlie Hebdo* office. Here, she elaborated on how much humour can help release tension through laughter:

> Humour de-dramatises and it de-sacralises. There are certain situations where one is so oppressed, that the only way to get out of it and to not go crazy, is with laughter. It's the only way to decompress, to make some distance in relation to a painful situation. [F.10]

While the participants talked about humour and satire as bringing people, but also providing an element of release and of healing [F.02 and F.10], other participants talked about humour and its role in public discourse. French Participant [F.06], a politician in a right-wing party, talked about how sometimes humour, satire and caricature can be more "efficient than a long political discourse" about a particular issue. He thought satire is inherently a good thing because:

> There is a mania in France on individual thoughts, on the media, on the press, where we know there are some ideas that are hard to transmit, and humour and satire allow the debate to be lifted or opened when it's sometimes a little too closed in on itself. [F.06]

In other words, humour and satire provide a means of sending a message in alternative ways within public discourse, which is another way of contributing to public debate. Several participants addressed how comedy and satire contribute to public debate in the way described above by Participant [F.06]. French Participant [F.08], a newspaper contributor and French historian, defined satire as the powerless fighting the powerful. Another participant for the French interviews [F.09], a journalist at a national centre-left newspaper, spoke about the historical significance of satire in France, because it has an established tradition but also because it is related to free speech stakeholders such as *Charlie Hebdo*:

> That's why the attacks on *Charlie Hebdo* had a profound effect because it's a part of the DNA of satire and political caricature. It's very old and it's very French. There is a real tradition of provocation and political humour in France, and showing the *Galois* spirit. [F.09]

Yet in a discussion of satire, there still needs to be an acknowledgement of the nature of provocation, something which can be both disparaging, as seen above in the arguments about creativity and provocation, but at the same time emancipatory, as seen here as the release and relief of humour and laughter. The same participant above [F.09], spoke about how liberating laughter can be:

> The only thing that's really corrosive and funny is what no one dares saying. That's what releases laughter, laughter is liberating, and one is not liberated by words one hears every day. [F.09]

This last quote above is what brings the arguments together in a cyclical manner: creative expression may affect a particular group that feels targeted because the purpose of the expression is questioned [D.01], but humour and laughter can help diffuse and de-dramatise an already-charged situation [F.02 and F.10], or provide an outlet or means of liberating a debate [F.06 and F.09], because laughter of the unexpected gives a release (Beattie, 1779: 320), but that release also removes tension (Meyer, 2000: 310). In the two sections above, the Danish interviews contributed mostly to arguments about creativity and provocation, whereas the French interviews contributed in the arguments about humour and satire, since the discussions revolved around the case studies of Danish poet Yahya Hassan and French comedian Dieudonné. Debates on provocation and its effects shifts this discussion on to the next section on how some of the participants argued that provocation and offence should be met with counter-arguments.

8.3. Offence should be met with counter-arguments

This section brings together some of the arguments made by the participants in relation to questions of tolerance and offence, ones which counter or elaborate on one another. This supports an idea that there are no limits to freedom of speech, just reactions; reactions whose validity carry more or less weight given the context or subject. At the forefront of an argument that there are no limits, just reactions, is the idea of counter-discourse. By contributing to an argument, a person creates a counter-discourse to a topic that they might not agree with. This idea was put forth by French Participant [F.04], a member of an organisation that works towards cooperation between Jewish and Muslim communities. Here, she was talking about how, with free movement and transnational communication, the meaning of freedom of speech has been lost, therefore, there should be no limits on freedom of speech, just the opportunity to counter-argue others' speech:

> If someone wants to say that the Shoah is a joke and that it didn't exist, he has the right to say it. If he wants to say that Islam is the most rotten religion of the world, he has the right to say it; but I have the right to give an alternative discourse. [F.04]

The position the participant was taking here was one that dictated that free expression, as discussed in the previous chapter on the interview findings and freedom of speech, was related to freedom of speech as an absolute value, though with an extra layer. This extra layer means that in order to ensure that there is pluralistic discourse, everyone should be able to offer a counter-discourse, or to "speak back" (Mårtensson, 2013: 230), about an issue. These themes, when discussing creativity and provocation, concern moral arguments on freedom of speech if the topic is on a minority group or a religion. A participant for the Danish interviews [D.07], a journalist and newspaper editor at a national centre-right newspaper, made a comparison between himself and those at *Charlie Hebdo*:

> They are my friends and we are in the same boat, in this Islam thing, and on the same side, but they are all in favour of hate speech laws in France, they all support laws against Holocaust denial, and they think it's right and it's necessary to prosecute journalists. And we disagree on that. I think that these issues should be solved in the court of public opinion. [D.07]

Opening a debate and leaving it to the "court of public opinion" means here, for the participant, that in order to meaningfully resolve or address a debate, it should be discussed in a way that offers a dialogue and counter-discourse. An extension to the argument here of not limiting speech and leaving it up to public opinion, is where protecting speech in this way actually protects a person's dignity. This idea was presented by Danish Participant [D.03], a human rights lawyer, who made the point that a person's dignity is taken away if they are actually not given the opportunity to engage in a debate or stick up for themselves and offer a counter-discourse:

> I think protecting free speech is a key part of protecting dignity. I think it takes away your dignity if someone decides for you, you shouldn't be allowed to speak your mind. But it also takes away the dignity of others, if you have someone saying for example no, you can't cope with that. [D.03]

French Participant [F.10], a stand-up comedian, talked about how freedom of expression should be equal for all, even if it is provocative or shocking. The point of dialogue, for her, was that people accept that other people do not hold the same opinions and values, and that one can discuss ideas together. She gave an example where she was invited to a programme on national television, where she was seated next to a former FEMEN activist. When she was questioned about being placed next to her, as a veiled woman, she responded that they both

represent women's freedom, which is being able to do what one wants to with one's body. She elaborated further:

> There was someone who came to see my show two weeks ago and she adored it. She said to me: I thought you were great. She doesn't wear a scarf, she's the extreme opposite, but it doesn't prevent us from having a discussion so we could get to know one another, regardless of our completely different opinions. It's thanks to diversity that the world is balanced, and if one starts to prohibit this person or that person from expressing themselves because their statements bother us, then there is no more freedom of expression. [F.10]

How discourses are balanced, as described by the above participant, shows to what degree a diversity of opinions can be accommodated in different contexts. This could be in the sense of a counter-discourse [F.04], or opening an issue to the "court of public opinion" [D.07], or acknowledging a person's dignity in the sense that they should be enabled to speak for themselves [D.03]. The matter of engaging in debate here, however, does not take into consideration the matter of the speaker, or the emitter, in relation to the listener. As pointed out by French Participant [F.07], a politician in a centre-left party, two people could make the same statement and it would not be interpreted in the same way, because "who says what is important". This brings up the matter of tolerance, and how the intersection of speaker-listener-interpretation then raises questions over how much, or how little, a controversial or provocative statement should be considered as offensive and whether or not it should be tolerated.

8.4. Re-imagining the interpretation of tolerance

This section discusses the nature of offence in relation of an alternative interpretation of tolerance, which was expressed directly by one participant, and repeated in different ways by other participants. This interpretation is one that sets a condition on freedom of speech, whereby tolerance is no longer a practice of accepting, even if it is grudgingly, that others will have a different point of view, practise a different religion, or engage in different daily practices, including the expression of ideas through speech. This alternative interpretation of tolerance dictates instead, that tolerance is no longer about different speakers accepting other speakers' ability to express their ideas or opinions, instead, tolerance is a practice where the speaker has to tolerate the listener, and therefore impede or monitor what it is that they are about to say that could potentially affect or violate the perceived rights and

liberties of the listener. Having a definition of tolerance that is re-imagined in this way refers back to an idea that there is a "grievance fundamentalism", where people engage in behaviours of victimisation when offended (Rose, F., 2014: 206), or a "manufactured offence", where people who claim to have their religious sensitivities violated use these arguments for exposure (George, 2017: 4); and the focus is then shifted to the rights of the listener.

These notions mean that values of tolerance are shifted from the rights and liberties of the speaker to being secondary to the rights and liberties of the listener, which is a form of setting limitations on speech. As put by French Participant [F.06], a politician in a right-wing party:

> It's from the moment that we start to put conditions and limits on speech, where we allow an outbidding, a sort of over-excitement in the aggression, that finally one wants to control everything and finally one controls nothing. [F.06]

Control in this sense means that tolerance cannot happen if speech is not free and open. French Participant [F.07], a politician in a centre-left party, also said that speech should not be limited. She brought up the events surrounding the January 2015 attacks in Paris, and how they had presented, again, in a "extremely brutal and violent" manner the contentious elements of freedom of expression. She, like the politician in the right-wing party, said that the limits of freedom of expression were dictated by the law, but in tying her interview with the material here on the question of tolerance, she said that the limit of expression also lies with dignity:

> I think that we should be able to mock religions in an absolutely total manner. Afterwards I will say that the barrier is dignity. It's to effectively not question the dignity of people. Where we've seen difficulties is where, yes one has freedom of expression, but all the same they went too far. No, no one went too far. There is no freedom of expression with: Yes, but… There is freedom of expression. The framework is the law. The limit is the dignity of the person. From the moment that one respects the dignity of the person, one respects the laws, then everything should be possible. [F.07]

So, for her, the issue of tolerance in its alternate interpretation comes in when the argument of going "too far" is used. At the same time, however, taking into consideration the dignity of others, speech that is prevented then becomes self-censored speech, or re-imagined from

the speaker's right to speech to the listener's right to be protected. It could be argued that negotiating tolerance in this way is a matter of struggling with agency, and self-censorship is the result of restrictions. Danish Participant [D.07], a journalist and newspaper editor at a national centre-right newspaper, talked about how self-censorship is actually driven by an invisible force of fear:

> It's not very courageous to censor yourself, that's why people will come up with excuses for their self-censorship. They will, for instance, say: Oh, we won't publish this because it's offensive to a lot of Muslims and we don't want to insult them, and that's a very nice explanation but I learned from experience that in most cases it's just not the truth, but then it makes it very difficult to talk about it. [D.07]

By moving tolerance from the speaker to the listener in instances such as the perceived offence of Muslims, the participant pointed out the dangers of creating a culture of fear of insulting the other party, as well as highlighting the limitations this then places on mutual dialogue [D.07], or on controlling dialogue [F.06]. To concede to self-censorship in this instance, is actually to give in to a fear of violence by a perceived audience, that is, extremist Islamists. Participant [D.07] elaborated further:

> We need to have an honest debate about self-censorship and about the fear behind it so that we can have a discussion about what kind of society do we want. Do we want to live in a free society or in a fear society? So far, I would say it's been rather difficult to have that conversation because people are not that willing to admit that they're afraid, and it's fear that's driving intolerant decisions. [D.07]

By taking the arguments in this section about tolerance being re-imagined to prioritising the rights and liberties of the listener, this, for the participant, means that tolerance in this form is then driven by fear. Themes of fear and violence were themes that were explored in the previous chapter on the interview findings, in the discussion on freedom of speech as an absolute value, and how freedom of speech must be defended in light of this fear of violence. This is where conflict over freedom of speech is located: if participants argue that freedom of speech should be held as an absolute value, then the priority goes to the rights and liberties of the speaker, but this would then mean that tolerance, in its traditional sense must be upheld instead of prioritising the rights and liberties of the listener.

8.4.1. The sacred and de-sacralised

Tackling tolerance in this sense, means that there is a tension between subject matters and acts of speech that challenge aspects of the *sacred*, referring to Durkheim (1915), the relationship between the *sacred* and the *profane*, and the communicative aspects of speech that de-sacralises and opens topics to debate; but it also refers to notions and constructs of the aesthetic (Aiello and Parry, 2016: 11), and ideas of social capital (Bourdieu, [1979] 2010), in terms of taste, because this can reinforce social differences (Blackwell, 2003: 326). In this way, provocative speech challenges societies to speak frankly about matters that might be offensive, but of course this means that tolerance and offence have to meet somewhere in the middle. This was a point that was brought up in different ways by the participants. As put by Danish Participant [D.01], a member of a leading Muslim organisation:

> I don't think that you can let offences and tolerance meet together on one level. I think you can meet offences with an apology, and you can meet tolerance afterwards on that issue. It's extremely important that we recognise that whenever you speak badly about a people, that has an effect. Not just onto them, but also onto the whole system. On to people viewing them and looking at them. [D.01]

So, for the participant, the matter was not merely an issue of tolerance and offence, but the wider implications and consequences of offensive speech that is targeted towards a specific group or religion. A participant for the Danish interviews [D.04], an artist with an interest in political art, talked about how these issues, such as topics related to religion and faith, are really a matter of opinion and not the sacred, but that Western societies struggle to accept this. To these groups, he explained, certain topics are beyond critique because they are real and sacred to them and there is a boundary then that should not or cannot be passed. Accepting this, to him, would mean that freedom of speech is then lost. Again, the balance is then between freedom of speech in the form of consideration towards others, referring to the rights and liberties of the listener, or in terms of freedom of speech as an absolute value, referring to the rights and liberties of the speaker.

Danish Participant [D.07], a journalist and newspaper editor at a national centre-right newspaper, did not juxtapose tolerance with offence in this way, rather, he positioned it by saying that freedom and tolerance cannot be placed alongside one another. He explained that the historical connection with tolerance, which he described as "giving freedom to

people whose beliefs you hate", and its historical connection need to be rehabilitated. He explained that the practice of tolerance is not a simple binary of ignoring an issue or accepting an issue and this has implications to society today:

> I think that there is a deep misunderstanding about the relationship between freedom and tolerance in our culture, and I think that's a far stronger threat to freedom today in Europe, than Islamists, and that discussion. We are divided within our own culture about what freedom implies and what it means. We have to go back and we have to look at how important they are to a liberal democracy. [D.07]

To be able to speak is a right that needs to be protected as long as it does not incite violence, but because of a lack of consensus on a definition of tolerance, divisions and multiplicities of opinions and values are created. Danish Participant [D.05], a member of a freedom of speech activist group, also talked about the original meaning and interpretation of tolerance:

> It's funny with the concept of tolerance because the nature of it has changed since its original meaning. Originally tolerance meant that you accept that other people had, for example, a different religion than yourself, that they believed something else, that they found another way to salvation, that they practised their religion in another way regardless if you absolutely could not like it or you despised it and thought that it was damaging and brought people to ruin and so on— Tolerance was on the basis of accepting that regardless of how much you didn't like what they said, did, or how they practised their religion, then you accepted it even if you found it in every way repulsive, loathsome, or reprehensible or ungodly or blasphemous or whatever. That's what tolerance originally meant. [D.05]

The participant then elaborated:

> The whole notion of tolerance has been flipped around, which says that it's not about tolerating that other people think differently than oneself, now it's about the people who— kind of listen to it. And that has an extreme consequence that we no longer have religious freedom. If you have to take it very literally, then you can't put yourself forward on a Church's pulpit and preach against those who are a part of a religion that is ungodly, because it would offend them. So that modern reading of tolerance means that we have flipped the notion of tolerance around, that's really a serious threat against our freedom, against our freedom of speech, against our religious freedom, against political freedom, because it means that one can no longer say what one thinks, because there is

someone who can feel offended by it. And in the end, there is no limit for what
people can be offended by. [D.05]

Although this is a longer passage, it is an important one, because it shows how the participant formulated and articulated his thoughts on how interpretations of tolerance have shifted. To the participant, there are significant dangers in conceding too much to the sensibilities of a listener who has the potential to be offended, because offence is contextual, subjective and interpretative, which is what was articulated earlier [D.01]. The meaning of tolerance has shifted, and needs to be revisited [D.05 and D.07].

A problem arises when one looks back at the wider implications of what speech acts can do (Austin, 1962: 94), because they can be interpreted as controversial, provocative, hateful, or prejudicial. In other words, returning to the *harm principle* (Mill, [1859] 2003: 94), the lasting effects and implications of controversial or provocative speech must be considered here, in relation to what potential challenges creative speech and provocation may have to social bonds (Turner, V., [1969] 2008: 96), or to societies that are a part of the active process of constructing and reconstructing meaning when it concerns creative messages (Goltz, 2015: 266); especially as this also relates to human dignity and to diversity.

8.5. Conclusion

In tying these themes together, the nuances of provocation in creative work and expression, how offence can or should be met with counter-arguments, or how an interpretation of tolerance has been re-imagined, what can be taken away here is that in a discussion on freedom of speech, tolerance and offence, the boundaries and limitations of each are still always tied to what people perceive as the rights and liberties of the speaker, and the rights and liberties of the listener. In the case of the former, the listener must tolerate the speaker because the speaker's contribution is a contribution to the "marketplace of ideas", and is a moral argument that upholds values of pluralism. In the case of the latter, the values and the dignity of the listener cannot be compromised, using, for example, humour and satire, and therefore the moral argument here is tied to the notion of consideration and respecting others.

Ultimately, challenges with tolerance and offence cannot be resolved concretely, but as the contributions from both the French and Danish interviews show, they must be re-addressed

when new contexts and when circumstances allow it. The unifying and divisive aspects of communication when it concerns humour and satire (Meyer, 2000), depend on the target of that humour or satire. If the target is an already marginalised social position, then this means that satire and humour are not being used to challenge power in the traditional sense, instead it is used to further stigmatise and create divisions between people. Yet, because of their interpretive nature, humour and satire are always contextual and also subjective, and the "misfiring of satire" (Boukes et al., 2015: 740), can cause a moral transgression (Daniel and Rod, 2016). Therefore, freedom of speech is a value that must be exercised with consideration towards others, because this is required in order to preserve human dignity and respect towards others, as valuable and equal members of society. The next chapter on the theme of diversity will explore these notions further, by visiting ideas about shared culture and heritage, how living in or with diversity presents their own challenges, and in light of these issues, how agency and fairness play a role in an individual or group's ability to be a part of a collective whole, and thus be able to exercise freedom of speech.

9. Together but separate: questions of identity and cultural cohesion

9.1. Introduction

This chapter on the interview findings and the theme of diversity covers most of the material discussed in the interviews, and is divided into three sections. In the first section, "not everyone shares the same heritage", ideas about what it is to be a citizen of a country or a member of a society are explored through the participants' responses about how different groups might not necessarily fit into the mainstream or adhere to values of the mainstream. The section is divided into two sub-sections, one on the context of Denmark, which deals with homogeneity in the Danish context and how the topic of immigrant (Muslim) groups are discussed; the other on the context of France, which deals with the idea that not everyone is first a citizen "of the Republic". The following section addresses two themes that are discussed when considering diverse contexts: the issue of different, but separate groups "coexisting" with one another versus the notion or need for different and separate groups from the mainstream to assimilate into that mainstream. Here the section is divided into two sub-sections, one that discusses ideas about contact with others, and one that discusses ideas on how differences are accepted. Finally, the last section addresses topics on freedom of speech as they relate to diversity, thereby bringing the chapter full circle back to the core topic on freedom of speech. Here the section is divided into two sub-sections on ideas about equality and fairness.

9.2. Not everyone shares the same heritage

At the root of this section is the idea that in country contexts, not everyone ascribes to a common or shared idea about what it means to be a citizen of that country or what it means to be part of a larger nation or community. "Not everyone shares the same heritage" speaks to the contexts of France and Denmark in separate but similar ways, because they address an "outsider" group that needs to, but might struggle to, integrate into an "insider" group (Brubaker, 2017: 1192). In the case of France, it is the idea that there is a population of disaffected youth with North African heritage, who do not share the same cultural background as French citizens *de souche* ("native-born" or "of native stock"). Here, for example, there is a perception that taboos around an event such as the Holocaust are not shared, respected, or memorialised in the same way (Jean-Yves Camus, quoted in Beardsley,

2014; Lichfield, 2014). In the Danish case, the naming of immigrants' descendants as "new Danes" or "second- or third-generation immigrants" creates a language of separation that prevents people who are not of ethnic Scandinavian heritage from fully integrating or assimilating into mainstream society (Bawer, 2002: 354). This can be seen, for example, in discourses on "parallel lives" (Cantle, 2016: 477), and social fragmentation (Colombo, 2015: 800), where groups are marginalised by living in economically-isolated communities that are created through social housing. This section will explore the various ways in which the participants spoke about these issues and the ways in which each country context does or does not foster an environment that accommodates people across a socio-economic, religious, and ethnic spectrum.

9.2.1. The Danish context

Part of the conversations in the Danish interviews on the subject of "not everyone shares the same heritage" revolved around looking and sounding different. Participant [D.05], a member of a freedom of speech activist group, talked about the struggles foreigners face in Denmark. He said that discrimination takes place in the job market, and if foreigners have different names or if they have poor Danish language skills, they will struggle. This is particularly problematic when there are people who are born and raised in Denmark, and who otherwise consider themselves Danes, but happen to look different and practise a different faith. This creates a language of differentiation, whereby people who do not ascribe to a particular mould may not be able to fit in, though there is resistance to this. One participant [D.01], a member of a leading Muslim organisation, asserted:

> Whatever people might say, we consider ourselves Danes. This is our country. I was born here, so whatever people say, nobody can take that away from us.
> [D.01]

The "us" the participant was speaking of, is a reference to a common Muslim "we", one which makes up the community of members of the organisation. Participant [D.10], also a member of a leading Muslim organisation, wears a *hijab* and she talked about how sometimes people do not think that she is Danish because of this. She said that "it's gotten a little better now", but that people would often speak English to her:

> I was actually in a restaurant the other day and there was a man who wanted to
> ask me to close the window and he spoke to me first in Danish and then he said:
> Oh sorry, and then began speaking English to me. I just answered in Danish and
> I was like, come on, really?! Honestly, right? Or like when one is told one speaks
> good Danish. I then want to say: I should know, I studied at a Danish university,
> I actually speak better Danish than you do, right?! [D.10]

Part of the problem is how these types of behaviours, in addressing people who are perceived to be an "other", forces them to see themselves differently, or as belonging to another category that is not part of a whole. This came up in an interview with Participant [D.08], a politician in a right-wing party, when we were discussing a topic that had been in the news at the time of the interview, which was on asylum-seekers and refugees having their Danish citizenships revoked because they had been granted citizenships without being able to speak Danish fluently. Some of the cases involved people with Post Traumatic Stress Disorder, who would have struggled to learn Danish, and news media at the time were covering the injustices of revoking citizenships from these individuals. To the participant, the issue of speaking the Danish language, however, was central to being a Dane:

> When one gets Danish citizenship, then one is a part of the Danish people. One
> is a part of the whole of society, with the same conditions as everyone else. And
> that's determinative, because it's also what integration aims for. [D.08]

The issues about citizenship and what it is to be Danish brought up by the participant, were also addressed by Participant [D.10], a member of a leading Muslim organisation, who talked about a "national feeling" in Denmark. She talked about diversity as being an element that can be seen as threatening, particularly by parties such as the right-wing Danish People's Party, and it "becomes something nationalistic" [D.10]. She also talked about how identity in Denmark is not just about how people see themselves, but also about how others perceive one another, in addition to a reflection back onto oneself, which brings up the topic of "new Danes", a term often used to refer to integrated immigrants or their descendants. Participant [D.08], a politician in a right-wing party, made a few points in relation to this type of categorisation. He explained that when someone is called a "new Dane", it is because one is then referring back to the origins that person has come from, and the reasons for which they might have immigrated to Denmark. He saw it as "natural" to ask about someone's heritage if he could point-blankly establish that someone was not of Scandinavian origins:

There are some who think that it's discriminatory, but one has to think about how people come to a country, where they don't completely share the same conditions. So, when we begin to use those different words, then it's because we address the different problems that there can be, right? I consider this very natural, when we live in such a homogenous society as the Danish one. That there is someone who is, so to say, different. Someone who sticks out. That's just how it is. [D.08]

Participant [D.02], a journalist who runs a free-speech interest group, gave a similar response about the ways in which someone looks as being a point of interest, where she also spoke about how "natural" it was to describe people by their background. She gave the example of an artist with a Middle Eastern background who did not want to be referred to as an "immigrant author". She thought it was normal to describe the artist as such because to her, "it plays a role" [D.02]. She did not think this was degrading in any way, though she could relate further:

I can sometimes understand that people with a Middle-Eastern background get annoyed about reading about immigrants. They say: I was born in Brønshøj [a Copenhagen suburb], I haven't immigrated anywhere. It's not written with malice, but there can be some things there. [D.02]

With those "things" that each of the participants [D.02 and D.08] talked about, there is a type of normalisation that occurs where people are forever having to revert back to their heritage, as opposed to the two previous participants [D.01 and D.10], who see themselves as Danes. This comparison could be seen as evidence of a continued insider/outsider group contrast (Brubaker, 2017: 1192), which places the mainstream culture against an "immigrant other" (Holtug, 2013: 190), but also that the "immigrant other" actually does not see itself as an "other". Participant [D.08], a politician in a right-wing party, positioned this as being an issue related to integration. The first problem, for him, had to do with how well people can be integrated and secondly, what would be the number of people that could feasibly integrate into Danish society. This of course would play a role in the differentiation and labelling of "second- or third-generation immigrants" (Bawer, 2002: 354). The participant described this type of categorisation as a sometimes-subconscious act, when the term is used in relation to discussions on particular social conditions:

I believe that when one talks about first-second-third-generation immigrants, then one talks about those who are not properly integrated, and I think that as soon as one addresses those conditions, then one says it unconsciously, because

they are saying that there are some people who don't feel like they are Danes
or properly integrated into Danish society. [D.08]

With this line of argument, defining people's background a certain way plays a role in how they should be perceived, and in some cases, accepted generally, as members of a community or of society at large; just as Mead (1967: 162) argued that to be a part of a community is to have selfhood, but how are people able to "feel" like they are part of a whole, if they are constantly reminded that they are not?

A participant for the Danish interviews [D.04], an artist with an interest in political art, talked about an "identity problem" in Scandinavia. Here he spoke about how everyone needs to assume some sort of singular identity, but that everyone inherits aspects of identity, which are also aspects that are not necessarily adaptable (in his opinion), to change, such as Muslims and their practices. An opposite aspect of this "identity problem" was addressed by one participant [D.01], a member of a leading Muslim organisation, where he said that Scandinavians are experiencing a "besieged mentality", because they are not used to adapting to different peoples and religions. He said that in contexts where Muslims are criticised, it is because those speaking regard their society as perfect and are suspicious of anything that is different from the norm. He talked about the need to "mirror oneself" in one another when debating sensitive issues, because society is too rooted in its own cultural norms. This idea was shared by another participant [D.10], also a member of a leading Muslim organisation. She talked about this aspect of mirroring the self in others, but not in terms of two different people interacting with one another, but in terms of one person seeing oneself through a particular lens:

It's about the different ways one talks about a population group. They then
don't view themselves as Danes when they are talked about as first-, second-,
or third-generation immigrants. It becomes something like: If they don't see me
as a Dane, then I don't see myself as a Dane. [D.10]

The participant gave an analogy from a group conversation, where a hypothetical non-ethnic Scandinavian performed a heroic act as a fireman and saved a woman. Here, a discussion arose about the hypocrisies when talking about people with an immigrant background, where the person was lauded as a hero for saving the woman, but if he had actually violated her, he would have been referred to as a Muslim or as a second-generation immigrant. She said that some people might not notice the difference, but in the case of the analogy, it was

actually a conversation taking place with teenagers. She said that they would pick up on these details because it would have an influence on their outlook and everyday life. This, however, can also move in the other direction, going back to the above quote, where the participant said that some people might resolve themselves to live up to a particular stereotype because they think that if that is how they are perceived, then it was not worth the effort to counter it.

The "lack of effort" in countering stereotypes, or the acceptance of labelling groups of people, would potentially marginalise people, either actively or passively, and contribute to the creation of a redefined imagined community (Anderson, B., [1983] 2006), but also in terms of an "other". Participant [D.09], a politician in a centre-left party, referred to the effects of this in terms of how this creates "parallel societies", which in Danish political discourse is discussed as an actual phenomenon:

> There are parallel societies in Denmark, there are. They are at [housing projects] Mjølnerparken, Blågårds Plads, Vollsmose, Gellerup. There are people who live physically in Denmark but are mentally somewhere else. [D.09]

When questioned about the political challenge that these "parallel societies" pose, the participant responded by highlighting that smaller societies within a larger society are always going to be in conflict when it concerns public issues. This is because, he said, they have their own values and norms. What is most striking about the point the participant was making was the idea of people "living physically" somewhere but being "mentally somewhere else". It demonstrates that there is an acknowledgement of a population in Denmark which does not consider itself to be a part of society. This point was furthered by Participant [D.01], a member of a leading Muslim organisation, where he discussed the living-physically-but-mentally-being-somewhere-else analogy. He said that certain Danish Muslims are forced, because of these social and cultural constructs, into a type of tunnel vision about themselves and their world, where there could then be potentially harmful consequences:

> Whenever you provoke Muslims, you will always push a minority into the direction of extremism, because they would have acknowledged that it's an us-and-them fight. This makes our job harder, because we try to tell our younger generation: There is hope for you, this is your society, you are a citizen of this society, and then they say: Why do they say this about us? [D.01]

The participant was making the point here that by placing people into boxes, through mechanisms of how an "other" group is viewed, there is then the consequence of a type of pressure-cooker effect. If groups are placed under too much pressure, or are marginalised to a particular degree, then this has consequences to how well a group can or cannot be integrated, in addition to a risk of significant divisions and eventually violence. Not all the participants, however, thought that the struggles imposed here are impossible to overcome. Participant [D.11], an activist with centre-left political roots, spoke about the opportunities that diversity brings to society, even to a homogenous country like Denmark. He described the transition as one that needs to take time, because Denmark is going from "a little society with the same religion, culture and everything, to a multicultural society" [D.11]. He thought that contemporary debates about Islam and integration both create tensions in some communities, fear in others, but that in the end the result will be a positive and enriching one, because people will begin to understand and accept one another. The challenges of diversity in this instance are not always negative, but can also work towards positive ends (Putnam, 2007: 138-139), and a redefined "we" (Antonsich, 2016: 40). This understanding and acceptance is a part of the process of assimilation and integration, or even ideas about "coexistence", which will be discussed later in this chapter.

9.2.2. The French context

In the case of France, the issues discussed here were also on aspects of identity, as well as on heritage and citizenship. Participant [F.10], a stand-up comedian, talked about how people who are immigrants are constantly asked about and reminded of their origins, particularly if they have an ethnic heritage. She made the point that people where she lives in North Paris would not necessarily say that they are French right away, and gave herself as an example, where she tells people about her North African heritage first when asked where she is from. She said that if she said she was French first, she'd be prodded again with questions of where she is "originally from":

> As soon as you are little tanned, then you're not from here. People want to know so they can put you in a box: Oh, you're [North African], [North Africans] are like that. Oh, you're from Martinique, people from Martinique are like that, and so in their heads they're already with a mindset. [F.10]

Just as was the case with the Danish interviews, the "being from" element here points back to a country of origin, and not necessarily where the person him- or herself may say that they were from. Participant [F.08], a newspaper contributor and French historian, talked about how people from a mixed or different background can have a "fragmented identity", one that can both be imposed on the person, as described in the above quote, or one that can be adopted by an individual. Participant [F.07], a politician in a centre-left party, addressed these schisms by saying that people need to have one common French approach. She thought that diversity meant that people are divided and "aggregate" themselves into different communities so that they can live within their own social customs and norms. In the end, according to the participant, people become marginalised and ghettos are then formed:

> I think we need to liberate people from their identity. They need to try to be nothing else in public life, nothing else other than French citizens. One arrives. One is here, and one becomes a citizen. One pays taxes and one participates in the public political life of the country. [F.07]

In the case of this participant, everyone must play an active role in integrating oneself into a larger national community. She felt that people should not be assigned identities, such as being a Muslim, or being a mother, because she would never address her constituents in this way. Instead, she articulated:

> We are first of all citizens of the Republic. When people come to see elected people, we don't regard them as the carriers of an identity or as representations of their communities. It's not like that. [F.07]

By being "carriers of an identity", tension then arises between individual representations and ones related to secularity. Participant [F.05], a member of an activist Christian organisation, talked about how *laïcisme* is "a religion today", where he described government engaging in *laïcité* in quite absolute terms:

> Children need to adopt the *laïc* religion. It enters into the public debate, saying: This is good, this isn't good, now you're going to practise it, you're going to do a day on *laïcité*. This government wants to have spiritual power and impose its ideas. It tries to integrate all the cultures into one whole, but it won't work. [F.05]

The idea that the participant is pushing here is the notion of *laïcité* as being instrumentalised to achieve a particular political goal of cohesion, one that has become fundamentally institutionalised (Barras, 2013: 276). The points that Participant [F.07] was making above, in terms of shedding certain elements of one's identity, in order to merge with a national whole, are contrasted here with Participant [F.05], who described the government's efforts towards secularity though *laïcité* as being to such an extreme as to have an almost religious-like element to its promotion. An idea of tensions with *laïcité* is positioned quite differently by another participant [F.04], a member of an organisation that works towards cooperation between Jewish and Muslim communities. She spoke about how freedom of speech, together with *laïcité*, are both being instrumentalised by certain people to propagate a hateful discourse towards particular groups of people, such as Muslim minorities, who do not have significant economic opportunities and are not represented politically or in media such as television and radio. Although *laïcité* advocates a separation of Church and State, the reality here is that there is evidence then of a schism between supporting a civil identity that requires the absence of religion and the setting aside of one's heritage, versus the realities of people where ethnicity, race and religion are actually at issue in the participants' daily work and private lives.

In the French context then, it became apparent that there are two areas that contribute to tensions around the idea that "not everyone shares the same heritage", and these have to do with positive or negative sentiments on Muslims in France, but also in relation to a historical resonance of anti-Semitism. French Participant [F.01], a human rights lawyer, spoke about this:

> There is in France an old background of anti-Semitism that we are not able to extinguish. It affects what certain people call French *de souche*, French people who are French for an extremely long time, and there is an anti-Semitism which affects populations with immigrant origins, if they are from Maghreb origins or, to a lesser degree, the populations of African origin. [F.01]

Participant [F.08], a newspaper contributor and French historian, acknowledged these current trends but also talked about how anti-Semitism predates many of these contemporary issues. His point was that Jewish people have always been a scapegoat in French culture, but that this is also combined with a complex relationship between France and its former colonies in North Africa. These thoughts were also articulated by Participant [F.09], a journalist at a national centre-left newspaper, who talked about how certain

historical "culpabilities" have not been addressed and dealt with in a significant way, when it concerns anti-Semitism in France. He brought up the Vichy regime, and how the historical occurrences here have not been exposed fully, for example, through French or Hollywood films. The participant talked about the Gayssot Act, and anti-Semitic language which was once considered unacceptable, but is now re-entering public discourse. He gave the example of contemporary male politicians saying some of the same things that Jean-Marie Le Pen was saying in the 1980s, but that they are now considered acceptable, or at least there is not as much controversy around these statements, because anti-Semitic language has become normalised to a degree. What the participant's points here show, is that time and context can change how people speak about sensitive events.

Participant [F.02], a member of an organisation that provides social and practical assistance to Muslims, talked about how it is not just a matter of identity but also a matter of how communities are grouped together. She cited Jewish and Muslim communities in particular, where each "behave" in different ways, but the problem is that the Jewish community is afforded extra protections by the State, and so Muslim minorities perceive, through their lack of similar protections, that their communities are not afforded the same recognition. She explained that even though it is not acceptable for Jews to be targeted and suffer from violence, by having certain laws that protect them, then that means that each community is treated differently. Participant [F.01], a human rights lawyer, talked about these divisions in relation to freedom of speech as being a part of a process of a double standard. When asked to clarify, she explained:

> Double standards here mean that we, when we are Arab or black, when we express ourselves, we are reprimanded, when the Jews are not. So, I say these things very simply, it's very violent to hear, that's what double standards mean, which is an enormous problem, because furthermore anti-Semitic acts have not stopped increasing. All this creates a very bad climate between people of different origins and of different religions, and all of this attacks how we go about living together. [F.01]

The matter of everyone not sharing the same heritage, or there being different views of a shared heritage, creates certain problems in the public domain when it concerns issues around Jews and anti-Semitism. Participant [F.07], a politician in a centre-left party, talked about how there was a problem of teaching about the realities of the Second World War to high school students, such as what or where Auschwitz is, and the historical occurrences

related to the Holocaust. This was repeated by Participant [F.09], a journalist at a national centre-left newspaper, in discussing an over-saturation of imagery and history on the Holocaust in schools. He said that certain students struggle with the material because:

> It's not their history. They weren't there. They have another history which is colonisation, slavery, and they think too much about that. Every week there is coverage on the Shoah, it's too much. It nourishes a frustration that could transform into anti-Semitism. [F.09]

Participant [F.04], a member of an organisation that works towards cooperation between Jewish and Muslim communities, also acknowledged this anti-Semitism in France, which she described as a particular discourse that has resulted in an imbalance between anti-Semitism, which is prevented to a certain measure through laws, and Islamophobia, which is not currently prevented explicitly nor regarded as a taboo to the same degree. She talked about a rising Islamophobia in certain Jewish communities as being related to the anti-Semitic acts of the January 2015 attacks in Paris, because the attackers (Amedy Couliaby and Saïd and Chérif Kouachi), "unfortunately have a Muslim culture" [F.04]. The historical frustrations and misappropriation of history are combined here with contemporary ethnic and religious divisions, from anti-Semitism to Islamophobia.

Participant [F.02], a member of an organisation that provides social and practical assistance to Muslims, described how there is a lack of a separation in the media between what she described as regular Muslims or Arabs and the terrorist acts of individual Muslims. She said that the media "forges a public opinion" because of the way that it handles the dissemination of news from violent events, so that:

> The 'little Frenchman' at home says: My God another Muslim, they are all the same. Where no, it's not true. And, for example, the attacks at *Charlie Hebdo*, the two boys who did the attack, they are boys of Arab origin but they grew up in the foster system because their parents were dead. When we said: Yes, it's them, they are of Arab origin— well it's not important that they are of Arab origin, they are French and so it was the French system that failed them. [F.02]

So, for the participant the issue had to do with ascribing responsibility or blame. The reading here is that Muslims are more inclined to be extremists, but by being a part of French institutions, Muslims become citizens first. The attackers in this instance were literally wards of the State because they were a part of the foster system, therefore the participant was

describing a degree of misunderstanding and prejudice here. Participant [F.03], a member of an activist group that campaigns for French minorities from the former colonies and territories, talked about how the issue of Islamophobia in France has really to do with a racism that originates with the French state. Here, the participant argued that people with origins from the former colonies will never fit into the mainstream, such as descendants with European origins (Poles, Italians, or Spaniards), which he described as "the whites", would have done. Although this seems to be a quite extreme view on the French social situation, the idea that France has not reconciled its colonial history was also shared by Participant [F.08], a newspaper contributor and French historian, who said that there is a "psychological tension" between France and its former colonies and annexes, because there is an "emotional closeness" between France and the Maghreb region. He explained:

> You've got two versions of history that don't quite meet in the middle. There is the French version of history, where colonisation happened in this way, wars were fought and this is where we are now. On the North African side, you've got a lot of questions like: Who was responsible for this? It creates an emotional conflict. [F.08]

Participant [F.03], a member of an activist group that campaigns for French minorities from the former colonies and territories, talked about addressing this issue of colonisation by using a bottom-up approach. He talked about the need for people to assert their own identities and future, though he argued that this assertion must be against a white hegemony. Without moving too much in the direction of the tensions between race and power, what can be taken away here is that the contribution from the participant shows that there is indeed a lack of reconciliation among certain groups with both their French and colonial roots, as described by Participant [F.08] in the above quote. In a society where citizens are asked to "shed their identities" as described previously by Participant [F.07], the reality is that this might not, or cannot, occur. What this section shows is that in order to address and tackle issues to do with diversity, acknowledging how people have different backgrounds and heritages, as well as their perceptions as to how they are treated and valued as citizens is important, because there needs to be a move from regarding society as being "fractured" (Higbee, 2005: 123), to exploring how cohesion can take place through the recognition of the "other" (Taylor, 1994: 38). The next sections address another facet of this, which is whether or not groups "coexist" or if they are indeed able to assimilate.

9.3. Coexisting versus assimilation

This section will discuss ideas and challenges in diversity, where there is a contention between viewing diversity as multiple cultures and ethnicities "coexisting" side by side, or viewing diversity as a process whereby different groups are integrated as a part of an inclusive whole. The section is divided into different themes, as opposed to the previous section, which was divided by country, where each country context is addressed within the theme, and in relation to how the arguments of the various participants were, or were not aligned with one another, first by addressing ideas about having contact with "others", and secondly by addressing ideas about accepting differences.

9.3.1. Contact with "others"

How countries deal with challenges in achieving a national community, through exposure and interaction with groups belonging to other ethnicities or faiths, was a topic that was discussed in both the French and Danish interviews. Contact with others is naturally a major facet of how diversity is negotiated, whether or not this may have negative or positive influences. Danish Participant [D.06], a journalist formerly at a national centre-left newspaper, said that as journalists who research the issue and write about it regularly, multiculturalism or diversity is never really a problem for those people who actually live in it. However, French Participant [F.07], a politician in a centre-left party talked about an opposite aspect, where a population that consists of citizens who work and pay taxes and have a feeling of their way of life being threatened, in the face of a "cultural insecurity", a term introduced by French academic Laurent Bouvet (2015), in his book of the same name. When asked what this meant, the participant elaborated:

> There are people who have a feeling of relegation, and at the same time concern about the preservation of their way of life. They have strong claims of community and identity along with an economic insecurity and fragility. That's to say: I live in Seine-et-Marne, because I can't live in Paris. I have two children, I don't have financial means, I am then going to exile myself to the outer zone. I can't travel without a car, because public transport doesn't go to my place. My children take the train to school, it's far. My car will get stolen. I will find myself relegated. On top of that I'm a victim of delinquency and criminality. There is a crisis of passion, and in this crisis of passion one can have the feeling that it's the immigrant who's responsible, because he will, without doing anything, receive financial support where I pay taxes, and I don't have a library, I don't

have a cinema next to my place, and on top of that the transport is a hassle, the RER doesn't work. So, these people can have a feeling at some point that the other person is a threat, and they go for the extreme vote, because they are fed up. It's a feeling of relation to a world that is changing. [F.07]

The participant spoke about how her work and purpose is to uphold a particular view of *laïcité*, all the while responding to, and addressing how, French society is shifting and changing. She described how immigration and diversity are challenges on a global scale across continents and how "successive communities" are having to adapt to life in France:

These communities need to integrate and assimilate into the national community, and they have at each time re-interrogated our way of living, re-interrogated the framework in which the national community is evolving. [F.07]

She described how the place of Islam in France has been one of these questions to address. Part of the process, for her, is to consider how particular religious communities can be integrated and made a part of a national whole, but at the same time maintaining common values about equality, fraternity, solidarity and *laïcité*, yet also taking on board particular demands and attentions needed to address sensitive issues. To the participant, political life in France is about rethinking how these processes of living together are possible, particularly given how certain norms need to fit into cultural life as well:

It's true that today, there are challenges with Islam. I firmly think that Muslims need to be helped to organise a French Islam, which can adapt Islam's practices, adapt its calendars, to life in France, for the very large majority of Muslims who will be inspired to be French citizens. And to be inspired to be French citizens entirely. Without being stigmatised, without flipping the finger all the time. For us the challenge is the integration and assimilation of these populations. I think that everyone can live in an equal way but in return there are improvements to be made. [F.07]

The participant spoke about religious freedom being absolute, but she acknowledged that "a certain number of Muslim compatriots can't practise their religion in good conditions" [F.07], and that other, more established religions have already benefited from state support in order to establish their places of worship, and therefore, places in society. "One needs to be able to exercise one's religion with dignity", she specified, but on the other hand, like a discussion on free speech, there needs to be a limit to special concessions for people:

It's a question that is posed to French society. What model do we want to support? Does each person need to have their day off? I don't work on Saturdays, for example, it's important. And someone else wants to work very early in the morning because he prays at a certain time. Is that the model? One needs to ask oneself the question. If the majority supports this, that's what it'll be, but it poses some issues. The swimming timetables, for example. Do we accept having swimming times for women because they can't be seen or swim at the same time as men? Is this the society that we want? It's a question that needs to be asked and responded to collectively. [F.07]

The ideas presented here by the participant [F.07], have to do with how certain groups are integrated into the fabric of a French national community, because there is first and foremost a collective French identity. This idea was countered by French Participant [F.09], a journalist at a national centre-left newspaper, who talked about how Muslims in France have isolated themselves to a degree that then invites feelings on inequality. He thought that this was because Muslim communities have not been integrated properly and because not enough time has passed to allow for a proper integration, and so they are in competition with more established groups. This then, according to him, creates different degrees of relegation, where feelings of victimhood contribute to continued feelings of inequality.

French Participant [F.10], a stand-up comedian, talked about inequalities for Muslim women in relation to *laïcité*. The conversation came about as we were discussing how French public schools were banning skirts that school administrations considered to be too long, an option favoured by some Muslim girls. Here, the participant was making a point that these young women were not free to make their own clothing choices, which she described as a condition for women's liberation. She made the point that dictating that school girls' skirts are too long would then force some of them to remain home and complete their studies remotely. The participant thought that because of this, *laïcité* has been completely misappropriated and "distorted" because "*laïcité* is about respecting other people's religions. It's not about prohibiting all religions and all religious signs" [F.10].

French Participant [F.07], a politician in a centre-left party also talked about similar issues, but on the banning of veils in public institutions and schools, and how *laïcité* in this context is again about shedding one's identity, voiced here as a way of becoming first and foremost a French student before having any other cultural identity. The participant said that the context has changed from when the law banning religious symbols was passed in 2004, to the present:

The law was voted in, nothing happened, there was silence on the radio. I think that everyone understood that the school was a sanctuary, it's a particular place of exchange and of learning. It's a place that should be preserved and a place of humility. We arrive at school and we're humble. We're rid of everything from the outside and we come and we are a student of the Republic. One leaves one's culture, one's tradition, and one leaves that at home, because that's something else. It's different. Now it's the canteens. There were people from the right who said no more substituting meals. It's worked for years, I don't see why they go fucking around with that, it works very well and I don't see why one needs to have totally different meals now. Pork has been replaced by turkey, it's doesn't have to be sourced from very far. It's not very complicated and it doesn't stigmatise anyone. Not everything needs to be reinvented. [F.07]

This idea of reinvention in the face of adjusting and accommodating the values and norms of different people have to do with how people fit into a national model, and it was one that was predominant in the interview with Participant [F.07], which is why her contributions have been predominant in this section up to now. French Participant [F.06], a politician in a right-wing party, talked about France having a French culture and a "French model", which he described as "a French history, a French tradition that is on unity and cohesion of a free people". The participant described diversity, in the form of coexisting, as unsustainable because it would undermine the integrity of "the original culture, the French culture" [F.06]. He described people as "deserving to be French", once they have assimilated into French culture:

To assimilate into French culture, French society, is to make the effort that says yes, one deserves to be French in nationality. To assimilate is to leave behind oneself and one's culture. From the moment where someone makes this considerable effort, of assimilating into French culture, well obviously he has all the honour of being French. I think that French society has lost a lot from the abandonment of this principle of assimilation and the fact of having encouraged integration with: Come as you are with your culture and live like you live at home. [F.06]

Coexisting in this way creates tension, a theme which comes up again, both with other participants, but also here as well, because both of the above participants ([F.06] and [F.07]), spoke about ways of everyone needing to compromise aspects of their identity in order to create a re-imagined national "we" (Antonsich, 2016: 40). The participant [F.06], went on to explain how the government has failed in protecting communities and society at large from the establishment of cultural divisions, ones which give particular groups (Muslims), certain

liberties that would otherwise not be acceptable. The participant gave an example of a Lille mayor allowing special swimming pool hours for Muslim women, or, an example where municipal police have allowed people to pray on a street (the specific place was not mentioned here), which meant that a certain type of "door" would then be opened for particular people:

> If you open the door to them, obviously they are going to come in. It's the responsibility of the government to enforce the law and make people respect the principles of *laïcité*, equality, freedom, and consequently of the Republic. [F.06]

The participant did not see the issue as being one related to race, but one that is related to whether or not people respect the law and to what degree "responsible people let them disobey the law" [F.06]. In essence then, the participant was making the point that cultural divisions are dangerous and government should not support diversity in the sense of groups cohabiting rather than integrating. In addition, he thought that diversity is a good concept in an abstract way, but not in terms of how it might apply to social and cultural life in France:

> For example, I'm caricaturising a little, but for lunch I ate Chinese. The other day I took a friend to a Quebecois restaurant. From time to time I've had a meal with my sister's boyfriend's family, who is originally from Mali. Being in contact with different cultures, yes, it's enriching, it's interesting and sometimes it's really fun. But on the other hand, to authorise the fact that people can live according to their culture, and completely and entirely living in their own culture on our soil, that's not possible. [F.06]

The participant then took the topic of culture a step further:

> Multiple cultures are not made for collective life. Before the idea of living together there is the idea of knowing how to live, from only one and the same culture, and not from several. We can have an opening to the world but if we mix everything, if all the cultures are together, then we lose an individual identity and an individual culture. [F.06]

By this argument, if too many cultures are mixed together, the "essence" of the main culture is diluted and compromised, but the participant also stressed that whenever a person becomes French, they are and remain French, regardless of how recently an individual might have acquired French citizenship. Participant [F.07], a politician in a centre-left party, very

curiously repeated some of the ideas from Participant [F.06], though from another angle. She thought that diversity in this sort of discussion, in terms of identifying individual groups as a part of a multiplicity of religions and ethnicities, comprises of a type of "glorification" of diversity that is actually a political problem. To her, the French Republican ideal has to do with the preservation of values. She gave an example of a group called Coexist, which was formed after nationwide demonstrations on January 11, 2015, in support of freedom of speech and *Charlie Hebdo* after the attacks in Paris a few days earlier. The three symbols of the major monotheist religions make up the group's logo: the Islamic crescent, the Jewish Star of David, and a Christian cross. To her, however, the issue is not about inter-religious understanding, but about being French citizens first and then being a part of one national community second. In the examples of Participant [F.06] and Participant [F.07], how each of the participant's parties approaches this commitment is different; in the former, there is a rejection of the possibility of allowing diversity in its multiple form, whereas the latter accepts that there is the need to allow diversity in its multiple forms, but to adapt it in a way that fits with the values of the party and the country.

Moving over to the Danish interviews, the themes related to contact with "others" also had to do with immigration and integration but more in terms of so-called "parallel societies". Danish Participant [D.08], a politician in a right-wing party, said that Danes do not have a problem with the idea that immigrants may one day want to acquire citizenship, or that they would "want what's good for the country", only "Danes don't want the rest" [D.08]. He said that Danes do not want conflict and they do not want the development of parallel societies, nor the ghettoisation of certain areas, which the participant described as happening "too quickly" in the last four decades. The participant believes that Danes not wanting these sorts of problems with immigration is the main reason why his party has steadily increased its power. Interestingly, another Danish participant [D.10], a member of a leading Muslim organisation, said that part of the reason why Participant [D.08]'s party has achieved as much power as it has, is because of its clear way of speaking to people:

> When one analyses their language, it's all 'we, we, we'. They talk as if we are all the same. And there are all sorts of other parties that fell, precisely because they tried to follow the same line and it didn't fit in at all with their politics. And then it just showed, well fine, that they just got thrown to one side because no one trusts them anymore, but with them, even I trust them! I know what they're talking about, I know what their opinions are. [D.10]

Even though we discussed the approachability of parties like this particular right-wing party, the participant thought politicians are out of touch with society at large, particularly in a city like Copenhagen. She said that regular people interact with each other enough in the city so that there is not the type of conflict that arises in suburban or provincial areas, and even that issue is misappropriated and blown out of proportion. She described politicians as living in their own "parallel society" and actually fostering an environment of fear where there is none:

> I would say that the politicians, they live their own parallel society. It's them who are not in our reality, it's them who don't see what's happening because people live together and they live in peace. [D.10]

Danish Participant [D.11], an activist with centre-left political roots, saw diversity as something that is enriching for society. He thought that although there are certain discussions around integration or Islam, overall the fact is that Denmark is a culturally diverse society and that bridges will be built as people have more contact with one another and learn more about one another. Danish Participant [D.02], a journalist who runs a free-speech interest group, also shared this sentiment of having an open debate about issues. She made the specific point that Muslims are not able to be "well integrated" if debates are avoided, though for her they were less about achieving an understanding about one another, and more to do with having a debate about things that are potentially provocative and offensive. This sentiment was also shared with Danish Participant [D.08], a politician in a right-wing party:

> If one wants to maintain a type of diversity where people can live side by side, then one must liberate the debate, because if one doesn't do that, then it's as if it's in a pressure cooker, at some point the lid will be blown off and it becomes more violent. That's my position of it and I of course hope that we can do it so that we can live side by side in a proper way because that's what it's about, right? That's what it's about. [D.08]

So popular debate on an issue is needed, but as described by Danish Participant [D.09], a politician in a centre-left party, the problem in Denmark is that in dealing with problems and conflicts, they need to be acknowledged properly. He made the point that issues are not often directly acknowledged and so therefore the issues cannot really be resolved, which is not helped either with particular issues being blown out of proportion (of which he did not specify). The point the participant was trying to make, however, was that matters need to be

acknowledged fully first before there are any attempts at resolution, or of accepting differences.

9.3.2. Accepting differences

The idea of accepting differences has to do with the approach to diversity within a country context. This could either be seeing diversity as living side-by-side, or diversity as assimilation. Danish Participant [D.06], a journalist formerly at a national centre-left newspaper, and indeed some others, described the challenges of integration and assimilation being approached in two different ways by two different factions in the Danish context. One faction is on the side of diversity, in terms of "coexisting" as different members of different religious or ethnic subcultures. The other faction dictates that there cannot be this sort of coexistence and everyone must adhere to a common whole. The participant thought that the solution would be somewhere in the middle, but that controversies, such as those on free speech, are reflective of these two types of camps, because Danish society is divided on its approach to integration (Koefoed and Simonsen, 2007: 314; Mouritsen and Olsen, 2013: 691). Danish Participant [D.03], a human rights lawyer, talked about how people need to "buy the whole package" when it comes to integration in a traditionally homogenous society like Denmark, even though he also described the issue as, for example, being a binary one between minorities needing to be offered special protections versus everyone being treated the same way across the board. French Participant [F.02], a member of an organisation that provides social and practical assistance to Muslims, described how differences need to be accepted or there will be consequences for this. She spoke about how she has dual nationality with France and a North African country. She said that if she were to become a politician one day she would be asked to choose between the two, but that she would not be able to because she has both nationality and both heritages, and on top of that, she would not want to be asked to choose. Most importantly, she stressed how in an age of globalisation, the movement of people is a constant process and that it is necessary to accept others and their cultures.

In the process of accepting differences, several participants for both sets of interviews spoke about "the rules" or a "common way of life" as being needed in order to find a middle ground. French Participant [F.07], a politician in a centre-left party, talked about this, where the solution, for her, was to create a proper environment for a debate:

One has to establish peaceful conditions of a debate, so that one can explain that it's not against the communities, it's simply that at one point the Republic needs to organise itself. It needs to organise itself in order to be able to integrate people. [F.07]

Accepting conditions for a debate works in different ways. The participant who was most vocal about this in terms of "the rules" in relation to integration and a discussion on freedom of speech, was Danish Participant [D.05], a member of a freedom of speech activist group. He spoke about the problems that arise after "importing people" into society:

The only way where people with very different cultural backgrounds can live in peace and quiet together in a society is to accept some general and liberal rules. That's the recipe for a liberal society. If you begin to say that it needs to be a fight of values where everyone has the right to fight to avoid being insulted, then you limit people's opportunity to live as they want. That means that everyone else must set aside their rights to live life as it suits them. [D.05]

When pushed a little further about the differences between expressing oneself and deliberately provoking others, the participant replied:

It's clear that there are many links and we set limits for ourselves, that's natural. We have to work around other people we want to get along with. One doesn't always say to one's wife that her ass looks big, right? There are a bunch of situations where we with good reasons stop ourselves and avoid telling people truths. Of course, and that comes along with working around one another in a civilised way. [D.05]

The participant concluded his point by articulating a position about "pushing values" on to others:

The liberal solution is to say that you are allowed to believe in whatever, you are allowed to be a religious fanatic. The only thing you're not allowed to do is to push your values on to other people. So, it's the difference between pushing one's own values onto other people or one's own preferences for how society is set up. There is one set of collective values which apply for everyone. [D.05]

This balancing of consensus on how collective values are ascribed and shared when accepting the rights of others, is precisely where the topic of freedom of speech has returned to this discussion on diversity.

9.4. Topics on freedom of speech and diversity

This section turns the topic of diversity back to freedom of speech, because each is very much related to one another. This is because, in order to be able to access and exercise freedom of speech, every member of society needs to be recognised as valuable, by having their human dignity acknowledged. Human dignity is to inherently have value as a thinking, articulating, emotive human being (Streiffer, 2014: Section 5). Having value, in the sense of human dignity means that every citizen is able to have a voice and be a contributing member to society. This section divides the findings from the interview participants' responses into two aspects of having access to freedom of speech in a diverse context. The first section addresses themes of alienation, whereby people who are relegated in the form of social alienation are not able to engage in free speech. Although the contributions were only from the French interviews, the second section addresses notions of fairness, whereby everyone needs to have equal and fair access in order to exercise freedom of speech.

9.4.1. Alienation

The topic of alienation was discussed in different ways in the interviews. In some instances, the topic of the January 2015 attacks at *Charlie Hebdo*'s office was cited as an example of the ways in which the issue of freedom of speech became a point of both unification but also of differing views. French Participant [F.09], a journalist at a national centre-left newspaper, spoke about how post-*Charlie*, there was a type of "national reconciliation" that took place in France:

> France is a country of moaners [*râleurs*], who like to speak up and we are rarely all of the same opinion. *Charlie* was this type of rare historical event where there was a friendship, in any case we thought there was a friendship, a collective emotion. Now in facing the horror, defending freedom of expression, *Charlie Hebdo*, we would all go demonstrate together. [F.09]

The problem afterwards, the participant explained, is that once the dust had settled a little post-*Charlie*, people began to realise that they did not necessarily support *Charlie Hebdo* directly:

There was a counter-reaction and dissident words, anti-*Charlie* words, which were pro-Coulibaly and pro-Kouachi, that were intolerable and which were taken to the judiciary machine. [F.09]

After *Charlie*, the issues around freedom of speech and the various voices engaged in the debate showed how nuanced it became. Going back to the topic of the Gayssot Act, the participant spoke about how the nuances in the *Charlie* debate were exacerbated because one community was set against another. This highlights how, by creating particular laws to protect particular people may be dangerous, because this will have a ripple effect, one that brings up discrimination, but also notions of victimhood. Danish Participant [D.05], a member of a freedom of speech activist group, spoke about this aspect of victimhood. To him, those who are the proponents of freedom of speech are actually the victims, because they are at risk of being the targets of violence. When pressed further, by referencing another Danish participant ([D.01]), who had spoken about how, if certain Muslims get marginalised and pushed enough they might be more inclined to move towards extremism, the participant became very agitated and turned the notion of victimhood around:

If you begin to give the victims the blame for terror and violence, then that's a fundamentally immoral premise. It's almost fundamentally racist to say that extremists don't personally have responsibility for their actions, they just react like dumb beasts at our terrible provocations. And that actually is really disrespectful to us, instead of acknowledging that they actually have clear political goals for what they're doing, and they often plan their terror months in advance. They are not people who just react like small children. We're talking about intelligent adults who have a political project, and have a goal with what they're doing, and who plan it in great detail, and who are well-financed by many sources. [D.05]

In the above quote, the participant perceived himself as being a victim because his group is openly engaged in contentious debates about freedom of speech, but also disregarded the argument that marginalised people can also become the victim. Danish Participant [D.01], was not saying concretely that Muslims are victims, rather that if certain circumstances allow it, they become a victim of violence by engaging in their marginalisation and becoming a perpetrator. Although Danish Participant [D.05] quickly calmed down after assurances that the question was merely for hypothetical purposes, his response and reaction show how certain dialogues and debates are shaped by, and perhaps contribute to, these ideas of alienation, or a social and moral panic (Cohen, [1972] 2002: 1), when it concerns free speech.

French Participant [F.04], a member of an organisation that works towards cooperation between Jewish and Muslim communities, would flip the issue of Islam around again by speaking about how it is a religion that is demonised. This came about after a brief discussion on PEGIDA (Patriotic Europeans Against the Islamisation of the West), and in what ways organisations like this influence debates on diversity. The participant spoke about how debates around Islam have continued to be negative because ideas about the negative effects of Islam have become normalised and shared:

> There has been an impregnation of Islam in Europe which is truly negative. Islam is the burka. The veil. Terrorism. Excision. No freedom of speech. Against homosexuals. Against women. [F.04]

This negative impression is what other participants have responded to by stating that there is a need to "modernise" Islam. A form of this argument was discussed earlier by French Participant [F.07], but voiced again by Danish Participant [D.04], an artist with an interest in political art, who spoke about how religions such as Islam compromise values around freedom of speech. He described this as a questioning of values, and how it could be modernised further, because "modernising Islam is an understatement from everyone who is involved in this discussion, since it should be modernised, it's just at what kind of speed" [D.04]. What these quotes show is that there is a disparity between how groups view themselves and how others view them, and how and in what ways the liberties of all individuals can be exercised, including freedom of speech.

Yet this does not change the fact that certain groups will have more visibility in society, particularly in Danish society, which up until recently has been largely homogenous. Danish Participant [D.01], a member of a leading Muslim organisation, spoke about alienation in terms of what it means to look different:

> Muslims, obviously, they are clothed differently, they eat differently, they speak differently, they look different. I'm just generalising, but whatever is besieged in the mind of a normal Danish person, then of course you will have something remaining that will keep you defining your own identity on the basis of the opponent. I remember, my father, he came here in 1969, and he was invited to this country. I asked him a couple of years ago: What was Denmark like back then? And he said: Well Denmark was a very innocent and lovely country. We were viewed upon as mascots, they'd never seen curly hair and they'd never seen people with this kind of skin— but if we had been practicing our religion,

and not cheating the system, then we might not have these problems today. I tend to disagree with him because the issue of cheating pops up when there is a particular political agenda. [D.01]

Ideas about a political agenda can be balanced against how people speak about Muslims and Islam. Danish Participant [D.05], a member of a freedom of speech activist group, spoke about how criticising Islam is not the same as criticising Muslims, and that these are two separate processes. He said that certain entities use this for their own political agenda by accusing people who are critical of Islam as being racist, which the participant maintained was not the case. Arguments around agenda are also tied to arguments on integration. Danish Participant [D.07], a journalist and newspaper editor at a national centre-right newspaper, spoke about another aspect of an agenda of debate, where if the sensibilities of one group are favoured over another, there is a process of exclusion that then takes place, which "counters the process of integration and their sense of equality".

So, the themes that the above participants discussed covered different arguments on the tensions between integration and alienation when considering religion and freedom of speech. The section started out by highlighting how differences of opinion became apparent after *Charlie* [F.09], but that, in the face of a perceived risk of violence from Islamists, "defenders of freedom of speech" are then placed in a position as the victim [D.05]. Naturally, this sort of positioning is related to what another participant described as the "demonisation of Islam" [F.04]. This is also related to an idea that Islam needs to be "modernised" to fit into Western societies [D.04], because aspects of minority groups, such as their visibility in society, needs to be acknowledged [D.01]. All of this raises questions about the nature of critique, and how critique of a religion (Islam) is not the same as the critique of a people (Muslims) [D.05], but in fact, some of the arguments of the participants seem to merge ideas about minorities together with ideas about a religion, where any special considerations towards Muslims in general, and in a free speech capacity, would in itself reinforce exclusion [D.07]. In this sense, progress in establishing an understanding between people should be inclusive by acknowledging the vulnerability of others, an idea that refers back to Butler (1997: 4), and her notions of the degree to which words and actions can be harmful or have consequences for others, but also how a collective community, or consciousness (Durkheim, 1915: 37,444), can be redefined for all citizens as equal members of society (Modood, 2016: 480).

9.4.3. Fairness

A theme that has been carried through in these chapters on the interviews, when it concerns freedom of speech, has to do with ideas of cultural privilege, in terms of what a particular agenda might be where certain groups have been given more of a "voice" than others. French Participant [F.10], a stand-up comedian, spoke about how, in the French context, everyone should be considered first and foremost as French citizens. This was an opinion that was voiced by both Participant [F.06] and Participant [F.07], who are politicians in a right-wing political party and a centre-left political party, respectively. The difference, here, however, was that Participant [F.10] spoke about how particular laws "authorise a certain community to express themselves more than another", and by having such laws, this then means:

> From the moment that one starts to segment, one says: Here is the Jewish community, the Muslim community, the gay community— One creates divisions, and if one authorises one community more than another to express itself, there could be problems. For me, the rules should be universal, they should apply to everyone. Now there are laws against anti-Semitism, there are laws against homophobia, but against Islamophobia there are none. Today someone can insult a Muslim person, and there isn't a specific law which concerns this. [F.10]

The idea that laws and protections should be fair was one that was shared with French Participant [F.05], a member of an activist Christian organisation. Here the participant spoke about fairness in terms of freedom of speech being embraced as a "fundamental value", however, "on the other hand, we can't defend some and forget others, we need an equality, the law is universal, it applies to everybody" [F.05]. A stronger sentiment about how freedom of speech should be fair was voiced by French Participant [F.03], a member of an activist group that campaigns for French minorities from the former colonies and territories. His stance was that stigmatised groups in France do not have a voice, and therefore they are unable to access freedom of speech in a similar and equal way to others, or a (white) majority. Although the group's stance is quite radical in its approach to race relations, the points the participant was trying to make on how speech becomes legitimised need to be considered here, because "there are a number of controversies that function essentially with a gaze of subjugation" [F.03]. Although it is quite concise, the participant articulated his position clearly by saying that:

> Dominated groups do not have a real access to freedom of expression because freedom of expression is not saying that I am free to say what I want, it's the freedom to be heard and the ways which allow this voice to be heard in a manner that is equal and dignified for everyone. [F.03]

The participant described how there is not a real pluralism in France and that it only has a "façade pluralism" [F.03], because it is controlled by government as a hegemonic force. The idea of power was also voiced by French Participant [F.04], a member of an organisation that works towards cooperation between Jewish and Muslim communities:

> The line between freedom of expression and defamation or insult or propagation of racist ideas is very thin. And who sets the line? Well power. And power is not necessary neutral. It is never neutral. [F.04]

The fact that certain citizens in the French context feel that they cannot access freedom of speech equally is both thought-provoking and problematic, because it indicates that freedom of speech is not viewed as equal or fair; an idea that is the antithesis of what constructs like the "myth" of *laïcité* is institutionalised to protect (Bancel, 2013: 209).

9.5. Conclusion

This chapter took on the very loaded and nuanced themes of diversity when it concerns belonging and concepts of nationhood. These were discussed in two ways in the first part of the chapter. There were first discussions on identity and perceptions of the self in relation to others in the Danish context, or living physically someplace but being mentally someplace else, both of which create schisms. In the French context, it was more in terms of discussions on notions of citizenship or a civil identity, along with notions of group rights and the recognition of particular groups, both of which mean that there is not a cohesive whole. Each country context deals with challenges with shifting values and norms, but ultimately this has to do with a conflict of recognition, based on Taylor (1994: 38), and the recognition of the "other" when different groups are in contact with one another.

Contact with others, and acceptance, are necessary elements in order to achieve consensus and redefined collective values, and this was discussed in the second section of this chapter. Based on the interviews, is evident that religion, faith, and ethnicity are very much a part of daily life in both the French and Danish contexts. People have within them their identities, in

their various multiple or hybrid forms, yet each country context also has ideas about what it means to have a collective identity, first and foremost, based on historical and shared values. In the French context, this has roots with a history of tensions with already-established ethnic groups, and in the Danish context, this has roots in identity as being based on a common, shared homogenous identity.

Both country contexts contend with diversity and national cohesion as one that needs to be reconstructed to become a "new contemporary sociological imagination" (Wieviorka, 2014: 633), yet concepts of alienation and fairness also have bearing and meaning here. In the instance of alienation, the targets of speech acts mean that they are not able to articulate and contribute to public debate. In instance of fairness, freedom of speech must be accessed equally, though as evidenced from the contributors from the French interviews, this is not always possible. Negotiating alienation and fairness in a diverse context means that access to freedom of speech is impeded through challenges with social cohesion, and must be renegotiated in times of change in order to affirm each citizen's human dignity as contributing, equal members of society.

10. Conclusion

Freedom of speech is acknowledged as a universal value, but when it concerns provocative topics, its scope and boundaries become controversial. Equally, time and context change how we understand provocation and offence. As modern societies become more culturally diverse, we realise that identities are no longer static and fixed, but instead they are fluid and evolving, and this can also change opinions on issues and topics. With growing diversity, the concepts of majority and consensus themselves, which have provided stability and cohesion, are being challenged and societies have to find new ways of negotiating a broader range of often-conflicting norms, worldviews and sensibilities. Where does this then leave us? The selected case studies of French comedian Dieudonné and Danish poet Yahya Hassan showed how an expressive act might originate from one individual, but it can develop in different ways as it travels through various modes of interpretation, understanding and social discourses. What my thesis showed, is that this mediated dynamic can apply tensions to democratic values such as freedom of speech, because its parameters are being challenged, questioned, or tested through these types of embodied communication, where they point to broader issues in each national context that test culture and social cohesion.

10.1. The project

In this thesis, I set out to answer my research question: *How are the parameters of freedom of speech, tolerance and offence renegotiated in times of change?* This question was supported by three sub-questions: How do such renegotiations take shape in different national contexts, such as in France and Denmark? How do provocative speech acts in the creative realm test the boundaries of freedom of speech? Finally, how do nationhood, identity and diversity impact public debates about these provocative speech acts? In order to answer the research questions, I divided the conceptual elements of the thesis into three thematic areas: freedom of speech, communication, and diversity.

The topic of freedom of speech was approached in the theoretical chapter by looking at landmark legislation and texts that address the interpretative aspects of freedom of speech, and the empirical chapter detailed a binary of interpretation that is often taken in a discussion on freedom of speech. This binary is the idea that freedom of speech must be exercised with consideration towards others, or that it must be held as an absolute value

that prioritises the individual's right to expression. Being able to pair the findings with these two interpretative approaches was an exciting result, because all of the interview participants were in agreement with how important freedom of speech is, but they took one of these two positions in their arguments. These tied back to the rights and liberties of the speaker, referring to free speech as an absolute value, and the rights and liberties of the listener, which refers to free speech as a right under responsibility.

The negotiation of tolerance when it meets offence is a process of interpretation, and this was addressed in the theoretical chapter on communication and social performance by looking at theories within humour and satire along with notions of taste and the aesthetic, whereas the empirical chapter mirrored these elements by addressing creative expression and different ways in which they are important. The results showed that the purpose of creative expression is very often to push limits and test boundaries, but this then means that provocation can be met with counter-discourses. The results also showed that there is currently a re-imagining on the processes of tolerance, moving from accepting the rights and liberties of the speaker, to acknowledging the rights and liberties of the listener. Although there can be no definitive solution here, the idea that tolerance is in a continual process of being reconfigured is a critical one, because diversifying societies will always have shifting opinions and values, and will always be faced with the task of negotiating these challenges.

The theoretical chapter on diversity and its challenges approached the topic by addressing themes on national cohesion in each country context, marginalisation and "othering", as well as new debates on citizenship, identity, and cultural identity. The empirical chapter responded to these themes by exploring how the interview participants talked about heritage, and how, in diverse contexts, not everyone shares the same values, or identifies with the majority. The results showed that the participants had different ways of negotiating diversity, either with an argument that members of diverse societies coexist together, or that they must assimilate into a national whole; and these ideas were also tied to notions of identity. Finally, the consideration of freedom of speech and diversity showed how addressing alienation and ensuring fairness are important in order for all members of diverse societies to be able to contribute to society, by being able to exercise freedom of speech on equal terms.

In responding to the research questions, provocation, tolerance and offence have to do with testing boundaries, which each case study did in different ways.

In the Dieudonné case, the main issue had to do with government intervening and attempting to prevent Dieudonné from performing. The intervention here showed that government was acting pre-emptively because of the risk to public order. However, both the media coverage from *Le Figaro* and *Le Monde*, as well as the interviews, questioned whether or not it was appropriate for the then-Minister of the Interior, Manuel Valls, to engage the powers of government in order to stop a speech act before it occurs. What becomes apparent here is the clear line that the government was thought to have crossed. In the French context, the media controversy focuses on the government over-stepping, which is perceived as more of a concern to cherished freedoms, than the acts of a comedian. However, it was also apparent in the media content and in the interviews that Dieudonné was quite obviously playing with taboos and social problems, through the *quenelle* arm gesture and the "Shoananas" song, in order to appeal to a disaffected audience. Whether or not this was just for financial gain or merely to be provocative as a comedian is a question that still remains, but the taboo aspect of Dieudonné's comedy was what was problematic.

In the Yahya case, the main issue had to do with Yahya's poetry opening up debates about life in the ghetto and stereotypes around Muslims who are already marginalised, as well as discussions about immigration and integration, which both *Jyllands-Posten* and *Politiken* covered. What became apparent in the media content and the interviews was that the content of his poems is what opened up a multifaceted debate, one that either discussed Yahya's poems in terms of its literary aspects, or one that addressed wider issues to do with immigration, integration, culture and society. What was problematic, and what tested boundaries with the Yahya case, was that his poems raised questions about who has the right to legitimately be critical of Islam and of Muslims.

Both of the cases, as well as the country contexts, show how boundaries are tested, and these have been discussed in my thesis, in response to my research questions, by addressing the parameters and renegotiation of provocative speech, the role of provocation and offence, and finally concepts of nation, identity, and belonging. As media controversies, both of the case studies were events that were picked up by, and circulated by, the media (Sponholz, 2016: 504). As demonstrated in the debates that surrounded them, they were

shown to have an impact on their respective cultures and societies, but they also underscored how much context matters in understanding the themes that they raised on provocative speech. This was because debates about both of these case studies, as media controversies, were situated in a space between consensus, in terms of what is acceptable speech, and taboo, in terms of what is unacceptable speech (Ibid.: 505).

My thesis highlights how interpretation and context are what determine whether or not an infringement from a provocative speech act is a criminal, and therefore legal infringement, or a moral one. The Dieudonné case study showed how his notoriety and success had to do with dancing on that line of legal and moral infringement in order to address an audience that did not see itself as a part of the mainstream, one that did not regard the perceived insult of the memory of those who suffered in the Holocaust as offensive. Taboo, in the Dieudonné case, was being teased and reinvented. The Yahya case study showed how his perceived generalisations about Muslims were mostly a moral offence, because it was a part of a creative expression that was not regarded as a criminal offence, though there was still a moral infringement. Ultimately the Yahya case showed that it acted as a catalyst that opened up public debate to a wide range of issues; on poetry, on Yahya's upbringing, if his reality reflected society at large, and whether or not he could legitimately be critical of "his own people". Both cases, however, address provocation in different ways.

Provocation and offence are, and will always be, related to one another. This is because offence is a form of legitimation of a transgressive communicative act, and because the reactionary components of a response such as offence acknowledges that act. When it concerns humour and satire, however, the subjective nature of interpretation means that the degree of transgression or provocation will not always be acknowledged in the same way. This is the case when there is a diversity of opinions and beliefs on where the boundary of offence may lie. The Dieudonné case, in his fun-making of the Holocaust, tested the boundaries of Holocaust denial, which in the French context is both a moral and a legal transgression; yet it also demonstrated how the degree of infringement and the severity of taboo is not shared unilaterally in French culture. The Yahya case, in his poetry about his underprivileged and neglected upbringing, antagonised a Muslim community by making generalisations about Muslims in Denmark, but he also underscored how Danish collective identity is still seen as being a part of a homogenous, ethnically Scandinavian majority in contrast to an "other".

The two country cases tied the above concepts on the parameters and renegotiation of freedom of speech and provocation with concepts of nation, identity, and belonging by emphasising that it is human dignity that ties these elements together. This is because, in order to be a part of society, as an equal, contributing member, then everyone must be recognised as a valuable member of society. Disassociation and marginalisation prevent this recognition from taking place to different degrees. The French country context showed how social and cultural relegation of certain groups means that there has been the creation of dual identities: one that is French and one that is an "other". This has created an imbalance between *laïcité*, which ensures that all are to be treated as equal citizens, and the social reality that says that not everyone is being treated equally. This can be seen in the instance of perceived special protections afforded to the Jewish community in the form of laws against anti-Semitism, but no protections offered to Muslims in relation to Islamophobia and Islamophobic acts. The Danish context showed how minorities, particularly Muslim minorities, are also relegated, but with a normalisation of language about immigrants and their descendants in terms of being categorised as "second-, third-, fourth-generation immigrants", which always positions people as an "other". Due to this language of differentiation, these groups are struggling with being recognised as a part of a redefined national whole, which further exacerbates challenges in the diversification of culture.

10.2. Analytical contributions

A comparative study of these two particular cases within the selected country contexts does not exist in any other comparative research project, and they address fundamental elements of how contemporary European societies interpret events that move from relatively niche cultural areas, to having relevance and impact in broader cultural, social, and political spheres. Comparative studies are enriching because they highlight how contextual factors are also what shape how freedom of speech is understood, as seen in the case of France, with a long history of diversification, versus the case of Denmark, which is relatively new to becoming diversified. In addition to this, my thesis pulls different strands of theoretical and normative scholarship that are typically addressed separately; and this is seen in my theoretical chapters on the themes of freedom of speech, communication and social performance, and on diversity and its challenges.

Furthermore, the contribution from my project is my examination of creative speech acts as important elements in communication that have a relevance and impact on understanding how the boundaries of freedom of speech are addressed and negotiated. This is because approaching freedom of speech controversies, and certainly ones that are interpretative since they are in the creative realm, means that they cannot only be examined in traditional frameworks, such as legalistic ones, because they take place in rich, heterogenous societies and require a more flexible approach to understand the nuances involved. Recent scholarship has focused on the Danish Mohammed Cartoons as well as *Charlie Hebdo*'s work, but my thesis pulls the discussion beyond these by looking at other forms of creative expression, comedy in the French case and poetry in the Danish, which are also worthy of scholarship and examination, because they are in their nature forms of expression that test the boundaries and limits of provocation, tolerance, and offence.

10.3. Empirical contributions

My empirical approach is innovative because it addresses different questions on free speech, tolerance and offence outside of legalistic terms or case law. Typically, notions of freedom of speech are contained within discussions on legal limitations or regulation of the press. However, by taking the angle of culturally-literate provocateurs, such as Dieudonné and Yahya Hassan, my thesis demonstrates how discussions on freedom of speech should not only be addressed in traditional realms of scholarship on politics or law. Although these aspects of speech were pertinent to each of the cases, both cases addressed the parameters of acceptable speech in more nuanced, moral, and philosophical terms related to culture and society.

My thesis also focuses on how provocations attract media attention and commentary, and therefore become media controversies that are relevant to the delineations of mediated public debates on freedom of speech. This can reveal how prestige press in each social context of my thesis, such as is the case with *Le Figaro* and *Le Monde* for France, and *Jyllands-Posten* and *Politiken* for Denmark, both report on, as well as shape a narrative of an event. This in turn shapes what needs to be tolerated or what can cause offence when it concerns media controversies such as the Dieudonné and Yahya Hassan cases.

Furthermore, my interviews with various free speech stakeholders (activists, journalists, politicians, lawyers, and artists), provided an in-depth, bottom-up consideration on how each case study tested the boundaries of freedom of speech, but also the wider consequences and implications that controversial speech can have on society, belonging, cohesion, and identity. These are seen in each of the three empirical chapters on the interview findings where, in the first empirical chapter on freedom of speech, the participants' responses refer back to two main philosophical positions when it concerns freedom of speech; freedom of speech as an absolute value, and freedom of speech as a right under responsibility. Yet this binary often lacks the flexibility and cultural sensitivity needed in order to accommodate free speech controversies in diverse societies.

Lastly, contemporary controversies on freedom of speech are often negotiating a conflict of recognition, between a minority group and the dominant culture, or of a new minority group versus an established minority group. In the former, this is seen with "new Danes" versus ethnic Scandinavians in the Danish context, and in the latter, Muslims with no protections against Islamophobia versus Jews with recognised legal protections against anti-Semitism, in the French context. Each country context showed how established key values no longer have the ability to generate consensus, which then means that new tensions and injustices are able to come into existence. This was seen mostly in the case of France, and the discrepancies of *laïcité*, but also in the case of Denmark where new definitions of identity and belonging challenge dominant culture. Here, binaries of French or Danish identity are juxtaposed against a foreign or "other" identity, or ideas of the nation are juxtaposed against notions of outsiders. This demonstrated that there is a need to examine how individuals manage multiple identities and a nuanced sense of belonging; particularly as immigrants or people with mixed heritages. Such a new cultural hybridity means that understanding freedom of speech as it relates to tolerance and offence is complex and socially, culturally, and historically loaded.

Using my case studies as a reference point, I suggest that future research on controversial and provocative speech could go in two directions. The first would be to examine controversial speech that forces the re-interrogation of history, which the Dieudonné case points toward, in relation to the taboo of the Holocaust, and how that taboo and historical memory are not shared in the French context. This raises critical questions on what it means to preserve history as well as the dangers of revising, or lessening the severity of

transformative historical events. The second would be to examine controversial speech that forces the redefinition of identity, which the Yahya case points toward, in relation to ethnicity and redefining a homogenous national identity in the Danish context. This raises critical questions on what it means to belong, and how societies tackle social inequalities and hierarchies. Each of these approaches would deal with controversial speech from different temporal perspectives, one that looks to the past and the importance of preserving historical narrative, and the other looking to the present and the social narratives of citizens and how they might redefine their shared identities. Both are equally important, and equally evocative of how we understand and give meaning to controversial speech by interrogating how we are re-imagining and defining contemporary society and culture today.

10.4. Concluding remarks

The comparative nature of this research was situated with the case studies within the contexts of France and Denmark. This project showed how this design meant that each country context shares "factors of influence (*conditions*) that help to explain differences and similarities in the objects of analysis (*outcomes*) embedded in the different cases" (Esser, 2015: 46). The French case of comedian Dieudonné and Danish case of poet Yahya Hassan, demonstrate several shared key comparative elements. Firstly, they are both media controversies, which were events that were covered by the media and which had an impact on discourses on freedom of speech in each country context. As media controversies, their coverage in the selected newspapers showed how prestige press play a role in how narratives about events are shaped, but also how they mediate debates about freedom of speech. Both case studies showed how debates about them moved from niche areas of culture, comedy in the former and poetry in the latter, to wider cultural, social, and political spheres. Both case studies also addressed just how important creative speech acts can be in how we understand communication, and where the boundaries of freedom of speech may lie.

The case studies, however, by their nature, addressed different aspects of their respective country contexts, which meant that there were several key differences. These have to do with conflict over rights to recognition. In the French case, this was between minority groups, where there are perceived legal protections for Jews against anti-Semitism, but none for Muslims and Islamophobia. In the Danish case, this was between a majority group and a minority group, where an ethnic Scandinavian identity is juxtaposed against immigrant "new

Danes". What tied these differences together, on a comparative level, is that both country contexts, as they evolve and diversify, no longer have shared key values that maintain and hold consensus in place. This fosters an environment where senses of injustice can emerge, which challenge social cohesion. In the French case, this was seen with the shifting of valuing *laïcité* as a means for unity. In the Danish case, this was seen with hybridised senses of belonging, which challenged homogenous norms from the dominant culture. As case studies, both the Dieudonné case and the Yahya Hassan case demonstrated that in terms of freedom of speech, the binary between the rights and liberties of the speaker, and the rights and liberties of the listener often involves a power struggle that can be challenged through provocative speech acts.

This thesis demonstrated how tolerance and offence will always be the pressure points that determine whether or not provocative or controversial speech has moved beyond the acceptable limits of freedom of speech in diverse contexts. Speech that is consistently provocative and controversial can become divisive when it does not foster mutual and constructive dialogue. The reality today is that the ability to maintain consensus, for all intents and purposes, is shifting in cultural contexts that are becoming increasingly diversified but are also having to contend with speech that challenges and potentially impedes social and cultural cohesion. It is exactly these parameters on what it means to communicate and debate in a meaningful way that are what hold elements of free speech and tolerance together, because this requires the respect of others and valuing all contributing speakers with equal dignity.

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Appendices

Appendix 1: Participant information sheet text

INFORMATION SHEET

PhD project on free speech, multiculturalism and religion: a comparative study of France and Denmark

You have been invited to take part in a research project. Please read the following information and please feel welcome to discuss it with others if you wish. Please also ask if there is anything that is not clear or if you would like more information.

What is the purpose of the project?

This project looks at how freedom of speech is understood in France and Denmark, particularly in relation to multiculturalism, religion, and ethnic minorities, and how this affects the parameters of freedom of speech. In 2013 and 2014, we saw debates on this in France with the Dieudonné affair, and in Denmark with the publication of Yahya Hassan's controversial poems. The project will conclude in 2017.

What will happen if I take part?

If you agree to participate in this research project, you will be asked to participate in an interview which will last about an hour. We will conduct the interview in [Danish/French] or in English, and it will take place at your place of work, or in a public place, or at a meeting room at [the American University of Paris (7e)/cultural centre in town].[64]

How does participating in this project benefit me?

While there are no direct benefits for those people participating in the project, this is a doctoral research project which is an original contribution to contemporary academic debate on how freedom of speech is understood in France and Denmark. Experience from other research shows that participants find interviews to be a highly enjoyable experience, which provides an opportunity to share opinions and reflect on important issues.

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[64] This sentence read: "If we meet outside of your place of work or practice, I am able to reimburse you for one round-trip by public transportation. We will conduct the interview in [Danish/French] or in English", for the first fieldwork trip to Paris and Copenhagen; however, it was changed to this text for the second fieldwork trip to Paris and Copenhagen, as no one took me up on the offer the first time around, as well as to indicate the place of the interview if I was to be hosting it.

Will I be recorded and how will the recorded media be used?

You will be asked to be recorded for the interview. These audio recordings will be used for transcription for analysis in the doctoral thesis. The analysis may also be used for illustration in conference presentations and lectures. No other use will be made of the transcriptions without your written permission.

Will my participation in this project be kept confidential?

All materials and data that will be collected about you will be kept strictly confidential and secure.

Can I withdraw my participation?

You are free to withdraw at any time. You do not have to give any reason for withdrawing and there are no consequences should you choose to withdraw.

Will I be able to read any materials published?

The results of the analysis from the interviews will be published as a part of my doctoral thesis, which will be available at the University of Leeds thesis online archive. The results of the data analysis may also be discussed at conferences or lectures.

What happens now?

You do not have to take anything with you, but on the day of the interview, I will ask you to confirm verbal acceptance of the attached participant consent form.[65] If you have any questions or concerns, please do not hesitate to contact me at any time between now and then.

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[65] The sentence for the information sheet for the first trip to Paris read: "You do not have to take anything with you, but on the day of the interview I will ask you to sign and date a participant consent form". This was subsequently changed for the following trip to Paris as well as the two trips to Copenhagen. Ethical approval was obtained for this and is filed as form number: PVAR 14-003, amendment October 15.

Appendix 2: Participant consent form text

PARTICIPANT CONSENT FORM

PhD project on free speech, multiculturalism and religion: a comparative study of France and Denmark

Name of researcher: Charlotte ELLIOTT, PhD Candidate

Instructions: Please initial the box if you agree with the statement to the left

1. I agree to take part in the above research project. I confirm that have read and understood the information sheet explaining the above research project and I have had the opportunity to ask questions about the project.	
2. I understand that my participation is voluntary, and I will inform the researcher, Charlotte ELLIOTT, should my contact details change.	
3. I give permission for members of the research team to have access to my responses. I understand that my responses will be kept strictly confidential. I understand that my name will not be linked with the research materials, and I will not be identified or identifiable in the published doctoral thesis, or stated at any conference or lecture.	
4. I agree to give a voice recorded interview. I understand that should I not wish to answer any particular question or questions, I am free to decline.	
5. I understand that that I am free to withdraw at any time without giving any reason and without there being any consequences.	

Name, email / phone number of Participant
Date and signature of Participant
Signed and dated by Charlotte ELLIOTT, in the presence of the Participant