

First—and last—do no harm

Speech should be freer than it is in many Western countries



THE march in Paris after the massacre at *Charlie Hebdo* was supposed to display international solidarity over the right of free expression. In retrospect, it was a pageant more of hypocrisy than of principle. The Russian foreign minister's atten-

dance did not stop two of his countrymen being prosecuted in Moscow for holding *Je Suis Charlie* placards. His Saudi Arabian counterpart apparently saw no contradiction between the parade and the public flogging of a blogger in Jeddah two days before. Turkey is a champion locker-up of journalists, but its shameless prime minister turned up all the same. Meanwhile, somewhat misconstruing the point, in the name of modesty an Israeli ultra-Orthodox publication photoshopped the female leaders from its coverage.

Terrorism was the main issue in the Paris attacks, which targeted a kosher shop as well as a magazine. But the subsidiary row they ignited—about the parameters of free speech—has been stoked rather than soothed by their aftermath, and continues to roil the world (see page 49). *The Economist* believes the right to free speech should be almost absolute.

Begin with the obvious controversy: blasphemy. The pope last week sympathised with those who feel compelled to react to perceived slights against Islam. Disparage another's faith, he

said, and you “can expect to get punched”. Not only were his comments a little unChristian, they were also deeply mistaken. Few subjects demand scrutiny as urgently as does religion—which, erroneously or otherwise, is invoked in conflicts and disputes around the globe. Muslims themselves forcefully, sometimes lethally, debate interpretations of their creed. Any censorship regime that exempts Islam or other religions from searching commentary is perverse.

Still, many Muslims see the safeguards afforded to ethnic groups in some countries by hate-speech laws and ask why their faith, which some consider more essential than their skin colour, should be denied such respect. In fact, religious faith is different, in that unlike race it is, or ought to be, a question of choice rather than biology. Nevertheless, the solution to this perceived double standard is not to carve out more exceptions to free speech, but to remove some of the existing ones. ▶

No fire in the theatre

It is, for example, understandable that denying the Holocaust is an offence in several European countries, but it is also anachronistic: the evidence requires no help from the law to overwhelm the deniers. Geert Wilders, a disreputable far-right politician, should not face prosecution, as he now does, for pledging to reduce the number of Moroccans in the Netherlands. Dieudonné M'bala M'bala, a comedian, should not have been arrested for flippantly associating himself with one ▶▶

▶ of the Paris killers. Likewise, Islamist zealots are entitled to exploit the West's freedoms to decry its decadence. Free societies are strong enough to absorb and discredit these idiocies.

That does not mean they should impose no restrictions at all. Even in America, with its admirable constitutional protections, free speech has limits. Child pornographers are rightly regarded as having committed a crime. Advocacy or incitement of violence is banned. Those caveats offer a sound precept: speech should be curtailed only when it is likely to cause serious harm—not including the emotional kind. The likelihood of harm will vary by time and place: in ethnically combustible parts of Africa, officials are entitled to be more stringent with rabble-rousing *génocidaires* than might be defensible elsewhere. But everywhere the rules should be as light as public order requires. The greater the leeway for suppression, the more likely rulers are to abuse it—witness the different cases of Russia, Saudi Arabia and Thailand.

A common objection to this liberal stance is that, in the internet age, a book or caricature published in Europe can lead to deaths in Japan or Nigeria, as during the furores over Salman Rushdie's novel, “*The Satanic Verses*”, the cartoons of Muhammad published in Denmark in 2005 and *Charlie Hebdo*. Such butterfly-wing effects, this argument runs, mean all governments should be stricter. On the contrary: the globalisation of outrage is further evidence that striving to pre-empt offence leads to a spiral of censorship. Take into account every fragile sensibility or unintended consequence on the other side of the world, and public discourse will shrink to vanishing.

The proviso—a vital one—is that not everything that is permitted is compulsory or desirable. Many words and images should be allowed that are neither prudent nor tasteful. Editors, broadcasters, politicians and citizens should be mindful of those values, too. But they should be matters of conscience, not for the law. ■