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# FEAR, HATRED, AND THE LIMITS OF LAW

A Critical Analysis of French Political Discourse Following Terrorist  
Attacks

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## Abstract

*Regarding counter-terrorism and Islamophobia, many scholars highlight the law-makers' responsibility in the creation and implementation of laws negatively affecting Muslim communities. Few, however, provide an in-depth analysis on how political discourse on terrorism can, by itself, create, convey and reproduce anti-Muslim prejudices. Being key actors of liberal democracies, politicians are expected to exercise their right to free speech for discussing socially valuable issues, such as terrorism. Nevertheless, when political discourses create prejudices and misconceptions about entire communities, they become potentially harmful for society. In this case, law can appear as a necessary tool for restricting dangerous speech. This thesis seeks to determine how political discourses on terrorism can create Islamophobia, and whether the law is an appropriate instrument to tackle this phenomenon.*

*It is based on the elaboration of a Critical Discourse Analysis framework, rooted on the link between terrorism, Islamophobia and the notion of engineered moral panic. The framework is then applied to a selection of discourses, delivered by politicians from extreme-right and mainstream parties in France, following the two major terrorist attacks of 2012 and 2015.*

*The findings of this analysis suggest that, while the political discourses selected are instilling fear regarding terrorist events and fueling hostility towards a wide spectrum of people held responsible for it, they are delivered in a cautious manner and do not constitute, per se, blatant examples of hateful speech directed towards national, ethnic and religious minorities. Since these speeches fall into a 'grey area' as regards to hate speech regulations and free democratic deliberations, the judicial enforcement of hate speech bans would depend on rather arbitrary factors, and the legal implementation of further restrictions would be ineffective and dangerous for democracy. Consequently, grassroots initiatives appear to be a more appropriate response to these dangerous discourses.*

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## Introduction

‘Government policies adopted after the terrorist attacks of September 11, 2001 profoundly altered the human rights landscape’,<sup>1</sup> explained Human Rights Watch on the aftermath of 9/11, referring about the United States. In general, it is largely acknowledged that, in Western liberal democracies, counter-terrorism measures have had a direct and significant impact on human rights. One of the most salient examples of grave and systematic of human rights violations has been put into the spotlight in December 2014, when the U.S. Senate released a report on the Central Intelligence Agency’s methods of detention and interrogations on terrorist suspects.<sup>2</sup> These methods, called ‘enhanced interrogation techniques’, constituted in fact serious cases of torture, which included sleep deprivation, waterboarding, ‘walling’ – ‘slamming detainees against a wall’<sup>3</sup> – ice water ‘baths’ and ‘rectal rehydration’<sup>4</sup>. In Europe, the European Court of Human Rights (ECrHR) has built a consistent jurisprudence on cases involving the deportation of alleged terrorists by European states to countries where they would most certainly be tortured.<sup>5</sup> Apart from infringing on the prohibition of torture, Western states have adopted and implemented counter-terror laws which violate a wide amount of human rights, including for example, rights to liberty – with very long or indefinite periods of detentions for suspected terrorists - and rights to privacy – with phone taping and special searches.<sup>6</sup> When being deployed in Europe, these strong restrictions on human rights also led the ECrHR to develop a consistent case law.<sup>7</sup> It is thus commonly endorsed, by the scholarly world and by jurisprudence, that, in the name of the ‘war on terror’, liberal democracies have been directly undermining their essential values through repressive actions and legislation.

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<sup>1</sup> Human Rights Watch, 2002, accessed online.

<sup>2</sup> U.S. Select Committee on Intelligence, 2014.

<sup>3</sup> *Ibidem*, p 19.

<sup>4</sup> *Ibidem*, p 20.

<sup>5</sup> European Court of Human Rights, 2015.

<sup>6</sup> Epifanio, 2011.

<sup>7</sup> European Court of Human Rights, 2015.

However, a phenomenon which is more subtle to assess, is the indirect effect of counter-terrorism on human rights, and more precisely the negative impact of post-9/11 anti-terror laws and narratives on certain religious and ethnic groups. While it has been acknowledged that, on the aftermath of terrorist attacks against Western states, hate crimes against Muslim populations tend to rise dramatically,<sup>8</sup> this form of societal violence is not perpetrated by governments, which, on the contrary, tend to be seen as providing adequate legal responses when it occurs.<sup>9</sup> For assessing the role played by political actors on the establishment of a link between counter-terrorism and Islamophobia, many scholars underline the law-makers' responsibility in the increase of discrimination and hatred against Muslims, by analysing how the content and implementation of laws and policies can impact on this particular group.<sup>10</sup> Few, however, provide an in-depth analysis on how political discourse on terrorism can, by itself, create, convey and reproduce anti-Muslim prejudices.

When it comes to the politically sensitive topic of terrorism – which can be defined as ‘the calculated use of violence or threat of violence to attain political, religious, or ideological goals’ - ,<sup>11</sup> <sup>12</sup> words, speeches, discourses and narratives are in themselves framing and influencing social realities. Because they are the elected representatives of the public and consequently constitute crucial actors in democratic deliberations and decision-making, politicians play, and are expected to play, an essential role in shaping these social realities. That is why political free speech is a foundational value of democratic societies. However, when political discourses create prejudices and misconceptions about entire communities, they become potentially harmful for society. This is where the human right to free speech clashes with other human rights, such as the right to equal dignity and the right not to be discriminated against, and where law can appear as a necessary instrument to define the

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<sup>8</sup> Hanes and Machin, 2014.

<sup>9</sup> Human Rights Watch, 2002, accessed online.

<sup>10</sup> See for example, Choudhury and Fenwick, 2011, or Bonino, 2013.

<sup>11</sup> Rothe and Muzzatti, 2004, p 331.

<sup>12</sup> It must be underlined here that there is no common legal definition on terrorism and that the term, in itself, can be considered as a controversial academic topic.

appropriate limit between these conflicting rights. This thesis seeks to determine how political discourses on terrorism can create Islamophobia, and whether the law is an appropriate instrument to tackle this phenomenon. The methodology applied to answer these research questions will rest on the critical analysis of a selection of political discourses delivered following terrorist events. It will be done through the particular case of France, which is going through a key period to assess this issue, as the country has recently undergone the worst terrorist attack on its territory since 1961, and as its leading extreme-right party, which rests on a strong Islamophobic narrative, knows an unprecedented high electoral and popular support.

The first Chapter will establish a theoretical framework of Critical Discourse Analysis, rooted on the link between terrorism, Islamophobia and the notion of engineered moral panic. It will be argued that a certain political manipulation of public fears on terrorism, led to an increased resentment against Islam, Muslims and perceived Muslims, as they came to be define as a threat for Western society. The second Chapter will contextualise and explain the reasoning behind the selection of discourses, as regards to their nature, the time-frame in which they were delivered and the political affiliation of the people delivering them. Whilst the political nature of the discourses is of prime importance, especially regarding the special relationship existing between politicians, media and the public, the discourses selected have been delivered during two strategic time-frames, following two major terrorist attacks in France, in 2012 and 2015. Moreover, the discourses selected emanate from both extreme and mainstream politicians, due to the rise of extreme-right in Europe and in France, and because of the rising ‘porosity’ between mainstream and far-right ideas. The third Chapter will critically analyse the selected discourses, and notably underline that they are all based on the fueling of high concern, and on the creation of an ‘Us v. Them’ dichotomy, where the threat is ‘Islamist terrorism’ but encompasses in reality a wider spectrum of people. The fourth Chapter will assess that, regarding these speeches, the enforcement of hate speech laws would be counterproductive, and a non-legal

alternative to tackle political provocations to Islamophobia through a comprehensive 'naming and shaming' strategy led by a grassroots organisation will be discussed.

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**CHAPTER I**  
**ROOTING TERRORISM, ISLAMOPHOBIA AND MORAL PANIC IN**  
**POLITICAL DISCOURSE**

This chapter seeks to establish a framework of analysis for political discourses, based on the examination of the link between terrorism, Islamophobia and the academic concept of engineered moral panic.

## I) Terrorism and Islamophobia

### 1. Definition, evolution and origins of Islamophobia in Western countries

‘Islamophobia is a much used but little understood term’.<sup>13</sup> Increasingly utilised by the media, politicians and scholars, the scope and origins of this concept are, however, far from unanimously agreed upon. If it is the British think tank Runnymede Trust which started the diffusion of the term in 1997 through the report *Islamophobia: A Challenge for Us All*,<sup>14</sup> Asal explains that the origin of the notion goes back to the beginning of the 20th century and was first used in the context of the French colonisation.<sup>15</sup> It was used to refer at the time by some ethnologists to the segregation of Muslims by the French administration and also to prejudices about Islam transmitted by the Christian Church.<sup>16</sup> Nowadays, because the term encompasses both a form of religious intolerance and a new type of racism, its definition remains uncertain and is subjected to many scholarly debates.<sup>17</sup> A definition that can be used for this thesis, is the one coined by Asal when referring to the Runnymede Trust report:

‘Islamophobia refers to dread or hatred towards Islam and by extension to fear and dislike against all Muslims’.<sup>18</sup>

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<sup>13</sup> European Monitoring Centre on Racism and Xenophobia, 2005, p 60.

<sup>14</sup> Runnymede Trust, 1997.

<sup>15</sup> Asal, 2014, p 15.

<sup>16</sup> Ibidem.

<sup>17</sup> Bravo Lopez, 2011, 557.

<sup>18</sup> Asal, 2014, p 18.

It must be underlined that, as Islamophobia partly rests on the racialisation of a religious minority in Western countries,<sup>19</sup> this phenomenon does not only affect Muslims but also people who are perceived to belong to the Muslim community, mostly because of their ethnic origins. These strong sentiments on a religion and its perceived followers can then manifest themselves in different forms, ‘in particular through negative general attitudes’<sup>20</sup> such as expressing general negative opinions, stereotyping and perpetuating negative representations, ‘but also to varying degrees, through discriminatory acts and through violence and harassment’.<sup>21</sup>

Many experts agree that various expressions of intolerance against Muslims and perceived Muslims have been increasing for the past years in Europe and the United States. The Arab American Institute’s survey on American attitudes towards Arabs and Muslims highlighted that ‘favorable attitudes have continued to decline - from 43% in 2010 to 32% in 2014 for Arabs; and from 35% in 2010 to 27% in 2014 for Muslims’.<sup>22</sup> Recently, several studies have been published to assess and analyse diverse manifestations of Islamophobia in Western countries. For instance, Gallup World showed that, between 2008 and 2011, an important percentage of respondents in Italy, France, Germany, the United Kingdom, Canada and the United States considered that Western societies did not respect Muslims (from 28% in Italy to 52% in the U.S.).<sup>23</sup> Zick, Küpper and Hövermann, when conducting a general study on intolerance and discrimination in Germany, the U.K., France, the Netherlands, Italy, Portugal, Poland and Hungary, highlighted that between 27% (Portugal) and 61% (Hungary) of respondents believed there were too many Muslims in their country while between 47% (the U.K) and 62% (Portugal) of respondents thought that Islam was a religion of intolerance.<sup>24</sup>

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<sup>19</sup> Bravo Lopez, 2011, p 558.

<sup>20</sup> European Commission against Racism and Intolerance, 2000, p 3.

<sup>21</sup> Ibidem.

<sup>22</sup> Arab American Institute, 2014, p 3.

<sup>23</sup> Gallup World, 2013.

<sup>24</sup> Zick, Küpper and Hövermann, 2011, p 61.

To explain the roots of such a stereotyped and negative perception of Islam and Muslims in Europe, Ogan *et al.* go back to the early 14th century, when a mostly Christian population started to express strong feelings against immigrants from Muslim countries which were beginning to settle in the Old Continent.<sup>25</sup> More specifically, in France, regarding the origins of ‘modern’ Islamophobia, Deltombe identifies three steps in the construction by the media of a stereotyped Islam associated to a negative perception of Muslims, in his foundational book *L’islam imaginaire*. According to the author, the first wave of anti-Muslim prejudices arose in France between the 1970’s and the 1980’s, when migrants populations from Sub-Saharan Africa and North Africa were increasingly starting to be blamed for a supposed ‘integration deficit’.<sup>26</sup> Influenced by a violent vision of political Islam following the 1979 Iranian Revolution, a concern started to appear in the media: Islam could be incompatible with French society. Following this ‘cultural’ wave of Islamophobia, a second one occurred in the 1990’s, centred on diplomatic issues.<sup>27</sup> After the fall of the Berlin wall, a new form of bipolarity was constructed by the media: the one presumably opposing the ‘Islamic World’ to the ‘Western World’.<sup>28</sup> It is during this period that Saddam Hussein’s Iraq and Algerian Islamism were represented as new international enemies. Finally, after 9/11 a third wave of Islamophobia emerged in France - but also in many other Western countries. After the devastating and spectacular terrorist attacks, perpetrated in the name of Islam on American soil, the fear towards this religion and its perceived followers took on a new dimension, turning into a national security concern. Gradually, the media started to accuse a supposedly homogenous ‘Muslim community’ of being devoured from the inside by Islamism, thus creating potential invisible enemies and, in many news reports or investigations, a recurring question began to be raised: ‘Should we be afraid of Islam?’<sup>29</sup>

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<sup>25</sup> Ogan, Willnat, Pennington and Bashir, 2014, p 28.

<sup>26</sup> Deltombe, 2007.

<sup>27</sup> Ibidem.

<sup>28</sup> Ibidem.

<sup>29</sup> Ibidem.

## 2. The recurring association of Islam, Muslims and ethnic minorities with terrorism

After the hijacked planes crashed into the World Trade Centre and the Pentagon, international political relations were profoundly altered, and while George W. Bush launched the ongoing ‘war on terror’, the Islam of a minority of militant groups has been ‘awarded much greater attention than the diversity of religious faith and practice among the world’s Muslims’.<sup>30</sup> In fact, according to Rytter and Holm Pedersen, this explains partly why ‘many politicians, commentators and citizens in Europe today often consider Islam as opposed to democracy, equal rights and freedom of speech’.<sup>31</sup> Not only pictured as intolerant, Islam is also perceived as a violent religion. According to Deltombe, the dominant essentialist narrative on Islam tends to picture this religion and terrorism as two contiguous and interdependent phenomena.<sup>32</sup> This tendency is embodied by what Karim calls the ‘Muslim terrorism’ discourse and what Richard Jackson calls the ‘Islamic Terrorism’ narrative, which, while lacking a thorough understanding on the foundations of Islam and the diversity of Muslim communities, *de facto* associates them with the use of political violence.<sup>33</sup> According to Jackson, the very use of the term ‘Islamic terrorism’ is problematic, as it ‘discursively links the religion of Islam with terrorism, thereby forming an unconscious and seamless association between the two’.<sup>34</sup> Furthermore, if Karim believes that the prejudicial portraying of Islam as a violent religion goes before 9/11, Odartey-Wellington argues that these attacks towards the U.S. exacerbated the construct of the ‘Muslim terrorism’ discourse by creating ‘a new dimension of security concerns’.<sup>35</sup> The author explains that because of the high degree of immersion and integration of the 9/11 terrorists into societies of the Western world, this narrative, which was circumscribed in the

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<sup>30</sup> Rytter and Holm Pedersen, 2014, p 2303.

<sup>31</sup> Ibidem.

<sup>32</sup> Deltombe, 2007. .

<sup>33</sup> Karim, 2002, p 102 and Jackson, 2007.

<sup>34</sup> Jackson, 2007, p 405.

<sup>35</sup> Odartey-Wellington, 2009, p 28.

public imaginary ‘to “typical” geographical contexts such as the Middle East’<sup>36</sup> was transformed into ‘a palpable threat that has the potential to infiltrate Western communities’.<sup>37</sup>

In this view, the next terrorist attack could now happen anywhere in the West, at any time and be carried out by any individual related to Islam. The idea of ‘Islamic Terrorism’ becoming a widespread, tangible but also invisible danger for Western societies led many observers and politicians to consider Muslim and perceived Muslim populations as ‘potential internal enemies’, subjecting them to ‘suspicion, surveillance and control’.<sup>38</sup> One of the most striking examples of this post-9/11 shift, is the increased practice of ethnic profiling, which is the use of ‘racial, ethnic, national, or religious characteristics as a way of singling out people for identity or security checks’.<sup>39</sup> As highlighted by a survey of the Fundamental Rights Agency conducted in 2010, in Europe, it is mainly people belonging to minorities who are subjected to random security checks (in France for example, 42% of the respondents were North Africans, 38% Sub-Saharan Africans and only 22% belonged to ‘majority population’).<sup>40</sup> Hussain and Bagguley refer to this situation as the ‘securitization’ of Muslims, a process which progressively defines them as a security threat.<sup>41</sup> According to the authors, if a group is being securitized, ‘this applies not just to the practices of the police and the security services, but also to political debate, media discourse and the level of popular beliefs’.<sup>42</sup> Consequently, when the process of securitization is achieved, ‘it becomes impossible to speak of the securitized group without implying the security threat’.<sup>43</sup>

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<sup>36</sup> Ibidem.

<sup>37</sup> Ibidem.

<sup>38</sup> Rytter and Holm Pedersen, 2014, p 2303.

<sup>39</sup> Open Society Foundation, 2013.

<sup>40</sup> Fundamental Rights Agency, 2010, p 30.

<sup>41</sup> Hussain and Bagguley, 2012, p 716.

<sup>42</sup> Ibidem.

<sup>43</sup> Ibidem.

It must be underlined that this recurring use of a security narrative to refer to Muslims and ethnic minorities following 9/11, can be nurtured and enhanced by what Altheide calls ‘the politics of fear’<sup>44</sup> surrounding terrorism. According to this author, and to many others,<sup>45</sup> the fear created by terrorist actions - and consequently, by terrorists and potential terrorists - is actually framed by mass media and grown and instrumentalised by decision-makers in order to serve different political purposes, such as distracting citizens from other social issues or generating electoral support.<sup>46</sup>

## II) Terrorism and moral panics

‘While the events of September 11, 2001 were indeed tragic, the construction of a moral panic by the media and politicians to support their interests is a greater social tragedy’,<sup>47</sup> argue Rothe and Muzzatti in their fundamental article. The sociological concept of moral panic, which can be envisaged as an extended approach to the notion of ‘securitization’, was developed initially in the 1970’s regarding forms of deviation from social norms, especially drug trafficking and use. Progressively, the concept was further developed and discussed across various academic disciplines such as criminology, political sciences or legal studies.<sup>48</sup> One of the most precise definition of a moral panic has been given by a ‘founding father’ of the notion, Cohen:

*‘A condition, episode, person or group of person emerges to become defined as a threat to societal values or interests; its nature is presented in a stylised and stereotypical fashion by the mass media; the moral barricades are manned by editors, bishops, politicians or other*

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<sup>44</sup> Altheide, 2003.

<sup>45</sup> See for example Robin, Correy, *Fear: The History of a Political Idea*, Oxford: Oxford University Press, 2004 or Sustein, Cass R., ‘Fear and Liberty’ pp 967-996 in *Social Research*, Vol. 71, 2004.

<sup>46</sup> Altheide, 2003, p 38.

<sup>47</sup> Rothe and Muzzatti, 2004, p 327.

<sup>48</sup> Krinsky, 2013, pp 1-2.

*right-thinking people (...) Sometimes the subject of the panic is quite novel and at other times it is something which has been in existence long enough, but suddenly appears in the limelight. Sometimes the panic passes over and is forgotten (..) at other times it has more serious and long lasting repercussion and might produce such changes as those in legal and social policy or even in the way society conceives itself*<sup>49</sup>

According to Rothe and Muzzati, various types of actors are needed for a moral panic to occur.<sup>50</sup> The first, and most important actors are the ‘folk devils’, individuals responsible for the deviant or criminal conducts, they are ‘the personification of evil’,<sup>51</sup> a ‘visible reminder of what we should not be’.<sup>52</sup> The second actors, are the rule enforcers - typically the police or the judiciary - who are expected to detect, arrest and repress the folk devils. Essential for the development of a moral panic, ‘they present themselves as the “thin blue line”, which separates order and civilization from mayhem and anarchy’.<sup>53</sup> A third crucial series of actors is the media, which are often considered as the most influential players for the arrangement and diffusion of a moral panic, making criminal behaviours appear more spectacular or frequent than they really are. Bonn even argues that ‘moral panics arise when distorted mass media campaigns are used to create fear, reinforce stereotypes and exacerbate pre-existing divisions in the world, often based on race, ethnicity and class’.<sup>54</sup> Politicians are another vital type of actors in the process. Subjected to the variations of public opinion, it is essential that, facing an episode of moral panic, they portray themselves as ‘purveyors of the moral high ground’.<sup>55</sup> Their reaction is often characterized by ‘self-righteousness and the “politics of rage”’<sup>56</sup> and they usually call for ‘zero tolerance policies, tougher laws and harsher sentences’.<sup>57</sup> The final actor needed is the public. The

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<sup>49</sup> Cohen, 2002, p 1.

<sup>50</sup> Rothe and Muzzati, 2004, p 329.

<sup>51</sup> Hier and Greenberg, 2002, p 140.

<sup>52</sup> Cohen, 2002, p 2.

<sup>53</sup> Rothe and Muzzati, 2004, p 329.

<sup>54</sup> Bonn, 2011, p 228.

<sup>55</sup> Rothe and Muzzati, 2004, p 329

<sup>56</sup> Ibidem.

<sup>57</sup> Ibidem, p 330.

level of public rage and supports determines the existence or not of a moral panic as ‘the *vox populi* is enlisted as a front-line agent in the crusade against the designated evil’.<sup>58</sup> Apart from a set of specific actors needed for the creation of a moral panic, some criteria, identified by Goode and Ben-Yahuda, are inherent to this social phenomenon. A moral panic is characterised by ‘a heightened level of concern over the behaviour (or supposed behaviour)’<sup>59</sup> of the folk devils and coupled with an ‘increased level of hostility’<sup>60</sup> towards them. Moreover, there must be a certain social consensus on the fact that the threat posed by folk devils is serious. Most importantly, a moral panic is defined by the disproportionality of social concerns and reactions to the supposed or real threat. These reactions are in fact ‘considerably greater than that which a sober empirical evaluation could support’.<sup>61</sup> Finally, a moral panic is volatile and can appear - or disappear - quickly and without warning.

Goode and Ben-Yahuda have identified three models of moral panics, and the one especially relevant for this thesis is the ‘elite “engineer” or “orchestrate”’<sup>62</sup> model, where ‘an elite group deliberately and consciously undertakes a campaign to generate and sustain concern, fear, and panic on the part of the public over an issue that they recognize not to be terribly harmful to the society as a whole’.<sup>63</sup> In this view, several scholars argue that, since 9/11, in the Western World, there have been an engineered moral panic around terrorist events. Before developing this academic analysis on the social reactions to terrorist attacks in the United States and in Europe, it must be underlined that the atrocity of these attacks are not being contested, and that there is a legitimate concern about the potential impact of international terrorism in Northern countries. However, it is the disproportionality of this concern and its mediatic and political instrumentalisation which is at stake in many scholars’ works. For instance, Bonn explains that it is a moral panic orchestrated by the

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<sup>58</sup> Ibidem.

<sup>59</sup> Goode and Ben-Yahuda, 1994, p 156.

<sup>60</sup> Ibidem, p 157.

<sup>61</sup> Ibidem, p 158.

<sup>62</sup> Ibidem, p 160.

<sup>63</sup> Bonn, 2011, p 228.

Bush administration and supported by the mass media exploiting prejudices on Arabs, which legitimised the Iraq war.<sup>64</sup> Rothe and Muzzatti ascertain, in a comprehensive analysis of the post-9/11 context, that an engineered moral panic did occur in the United States. First, terrorism - and an increasingly broad understanding of potential terrorists - were almost immediately defined as a threat to America's values, the country being, in George W. Bush's words, 'the brightest beacon for freedom and opportunity in the world'.<sup>65</sup> Second, the media started to launch an extensive coverage of terrorism as 'for one year and fifty days, a total of 17,744 stories ran in the New York Times regarding terror, 10,761 in the Washington Post, and 5,200 in the USA Today'.<sup>66</sup> Third, not only the Bush administration built on the public concern and generated hostility towards terrorists, but they also fed the public 'with political jargon that would pave the way for the State to ensure its interests', notably through a regular use of 'the dichotomous, "Either you are with us or you are with the terrorists"' speech by President Bush'.<sup>67</sup> Fourth, the reaction from authorities, politicians and moral entrepreneur was clearly disproportionate, as it mainly took the form of a call to war against Iraq where 'administration officials seemed to think that simply repeating the phrase "Iraq is a threat to America" would somehow validate a war'.<sup>68</sup> Finally, this moral panic resulted in serious social changes, one of the earliest being the rise of hate crimes as the Uniform Crime Report announced that, after the attacks, 'anti-Islamic incidents (once the second lowest) became the second highest reported among religious bias incidents'.<sup>69</sup>

The engineered moral panic on 9/11 was not only circumscribed to the U.S., but spread to the entire Western World. While the '9/11 spectacle of terror was a global media event'<sup>70</sup>, which even changed the media history, Marron, for example, shows that, in British media,

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<sup>64</sup> Bonn, 2011, pp 227-228.

<sup>65</sup> Rothe and Muzzatti, 2004, p 332.

<sup>66</sup> Ibidem, p 334.

<sup>67</sup> Ibidem, p 336.

<sup>68</sup> Ibidem, p 341.

<sup>69</sup> Ibidem, p 343.

<sup>70</sup> Kellner, 2007, p 123.

‘representations of 9/11 followed the general ideological parameters of the papers with the conservative Times presenting coverage completely sympathetic to the U.S.’<sup>71</sup>. Moreover, many European countries immediately passed anti-terror laws: for example, on the 15th of November 2011, France passed a law relative to daily security, reinforcing police powers for random stop and search to fight terrorism<sup>72</sup> and in the U.K., the Anti-terrorism, Crime and Security Act 2011, passed on the 14th of December 2001 has been described as ‘the most draconian legislation Parliament has passed in peacetime in over a century’.<sup>73</sup> This disproportionate immediate reaction has been followed, for some European countries, by a strong involvement in the 2003 Iraq war, notably for Poland and the U.K. which were part of the coalition invading Iraq. In France, a country which refused to take part in the war, François Bonnet explains however that a moral panic on the rise of national insecurity shook society in 2002, particularly during the presidential elections where the leader of an extreme-right party was present on the second round,<sup>74</sup> and Deltombe partially link this phenomenon to the media coverage and political response to the terrorist attacks in the U.S. As for the situation following the immediate aftermath of 9/11, Liz Fekete argues that the various European reactions to the terrorist attacks in London and Madrid can be qualified as a ‘new strain of McCarthyism’,<sup>75</sup> where the fear of Communism has been deliberately replaced, by intelligence services, the media or politicians, by the fear of radical Islam.

All these scholarly developments suggest that, following 9/11, there has been a form of political manipulation on the public fears of terrorism in the Western World, which contributed to increased resentment and hostility towards Islam, Muslims and ethnic minorities in various countries, since they became associated to or sometimes identified as folk devils posing a serious threat to Western societies. As shown above, this direct association of an entire population with a security concern has been chiefly accomplished

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<sup>71</sup> Ibidem, p 125.

<sup>72</sup> Vie-Publique, 2015, accessed online.

<sup>73</sup> Tomkins, 2002, p 205.

<sup>74</sup> Bonnet, 2004, 948.

<sup>75</sup> Fekete, 2009, p102.

by the media and politicians through the construction of specific public discourses and narratives on terrorist attacks and their perpetrators. As this thesis aims at acknowledging and analysing the mechanisms by which such harmful narratives are formed, the use of Critical Discourse Analysis (CDA) to do so appears appropriate.

### III) A Critical Discourse Analysis framework

#### 1. The analytical utility of CDA

Pierre Bourdieu, eminent French sociologist, on his book on television, acknowledged the indubitable impact of words on social realities by stating:

*'I sometimes want to change each presenters' word, as they often speak lightly, with absolutely no idea of how difficult and serious are the issues they raise and the liabilities they incur by raising them, before thousands of viewers, without understanding them and without understanding that they do not understand them. For these words do something, they create fantasies, fears, phobias or simply misrepresentations'.*<sup>76</sup>

CDA, as a 'multidisciplinary discipline for the analysis of text and talk in the humanities and social sciences'<sup>77</sup> recognises and examines the power and significance of words. According to critical discourse analysts, if language can have an effect on society, there is actually a dialectic relationship between discourses and the social context in which they are produced. As this academic field rests on the assumption that discourses are ideological and polarize power relations, CDA consequently 'seeks to unveil the hidden web of domination, power, discrimination and control existing in language'.<sup>78</sup>

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<sup>76</sup> Bourdieu, 1996, p 19.

<sup>77</sup> Rahimi and Javad Riasati, 2011, p 107.

<sup>78</sup> Moufahim, Humphreys, Mitussis and Fitchett, 2007, p 542.

The central aim of CDA being to provide frameworks of understandings on many ideologically-driven discourses, there is a whole field of the discipline dedicated to the expression of racism and xenophobia in public discourses. As established before, post-9/11 Islamophobia can be understood as a new form of racism, especially since it is partially based on the racialisation of a religious community and is often directed, in practice, against ethnic minorities. This academic area, and especially the work of van Dijk which argues that ‘discourse plays an important role in the production and reproduction of racism’,<sup>79</sup> provides analytic tools for this thesis. Particularly, in his book *Elite Discourse and Racism*, Van Dijk elaborates on a top-down approach to the diffusion of racism in society, where the elites - namely politicians, the media, academics and corporations<sup>80</sup> - play a crucial role in ‘the reproduction of contemporary ethnic and racial equality’<sup>81</sup> through their discourse, ‘since the public actions of the elites are predominantly discursive’.<sup>82</sup> One of the main benefits of this type of approach is that CDA sheds light on concealed and institutionalised forms of racism. While Van Dijk underlines that his work is not focused on ‘explicitly, intentionally or blatantly racist ideologies’ as the elites reject them and identify them as being ‘the only form of racism’,<sup>83</sup> Capdevila and Callaghan, in their article ‘It’s Not Racist. It’s Common Sense’ argue that ‘it is quite possible for politicians to produce rhetoric that marginalizes and denigrates entire groups of people, without risk, as long as they play the game too and do not explicitly *name* the issue as one of race’.<sup>84</sup>

To help deconstruct what is subtle, hidden and unnamed, many critical discourse analysts have elaborated on discursive concepts and forged analytical frameworks. One of them is the discourse-historical approach, initially developed by Wodak<sup>85</sup> and then re-applied by

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<sup>79</sup> Van Dijk, 1997, p 31.

<sup>80</sup> Van Dijk, 1993, p 8.

<sup>81</sup> Ibidem.

<sup>82</sup> Ibidem, p 9.

<sup>83</sup> Ibidem, p 8.

<sup>84</sup> Capdevila and Callaghan, 2008, p 12.

<sup>85</sup> Wodak, 2001.

other scholars studying issues surrounding racism in public discourses. Whilst originally, this approach was used to analyse the discursive construction of an anti-Semitic stereotypical image during the 1986 Austrian presidential campaign of Kurt Waldheim,<sup>86</sup> it was then applied to other specific political phenomena, like the ‘marketing’ strategy of the Flemish extreme-right party Vlaams Blok.<sup>87</sup> This framework of analysis emphasises the necessity to contextualise discourses and ‘attempts to integrate a large quantity of available knowledge about the historical sources and the background of the social and political field in which discursive “events” are embedded’.<sup>88</sup> While contextualisation is a chief part on this type of CDA, it also focuses on three interrelated dimensions of discourse: first, the semantic elements used - which corresponds to the content of the discourse -, second, the discursive strategies adopted to achieve determined aims, and third, the linguistic means employed - such as the lexical field.

## 2. Critically analysing discourses on terrorism

In order to determine how French politicians can create and reproduce Islamophobia while publicly discussing issues on terrorism, terrorist events and alleged terrorists, the discourse-historical approach will be applied on key speeches and interviews.

### *Semantic elements*

Lying on the assumption that discourses critically analysed will be produced in a context of moral panic, special attention will be payed to the use of fear, the manipulation of emotions and the generation of high concern and hostility against terrorism. In this view, it will be of crucial importance to observe the construction - or not - of enemies, the designation of folk devils. This identification does not have to be precise, folk devils can either be terrorists,

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<sup>86</sup> Moufahim, Humphreys, Mitussis and Fitchett, 2007, p 543.

<sup>87</sup> Moufahim, Humphreys, Mitussis and Fitchett, 2007.

<sup>88</sup> Wodak, 2001, p 65.

extremist Muslims or even Muslims and perceived Muslims. Moreover, following one of the most important discursive foundations of the ‘Islamic Terrorism’ narrative, it will be necessary to examine whether the assumption that ‘violence - and by implication, terrorism - is inherent to Islam’<sup>89</sup> is made, notably through the frequently expressed belief that ‘terrorism is directly linked to (...) extremist and fundamentalist forms of Islam’.<sup>90</sup>

### *Discursive strategies*

According to Van Dijk, one of the foundations of elite discourses which create and reproduce racism is the following of ‘a double strategy of “positive self-presentation” and “negative other-presentation”’.<sup>91</sup> While politicians employ pride or self-glorification to refer to their community and their country, implying that ‘Our party, Our country, Our people, are humane, benevolent, hospitable, tolerant and modern’,<sup>92</sup> minorities are often subtly presented in negative terms, mostly through the highlighting of ‘illegal practices or unacceptable cultural differences’.<sup>93</sup> This use of the classical ‘Us vs. Them’ dichotomy; which is also highlighted by Rothe and Muzzatti as a central mean to engineer a moral panic on terrorism,<sup>94</sup> must be observed closely. This strategy is often coupled with disclaimers - ‘We are good *but* They are bad’<sup>95</sup> - and denial of racism - as in Western democratic countries ‘the very accusation of racism is firmly rejected’.<sup>96</sup> Furthermore, a powerful argumentative strategy which must be scrutinised, is that of generalisation, which facilitates the creation of prejudices<sup>97</sup> and over-simplifications, notably with the division of

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<sup>89</sup> Jackson, 2007, p 403.

<sup>90</sup> Ibidem.

<sup>91</sup> Dasli, 2014, p 461.

<sup>92</sup> Van Dijk, 1997, p 72.

<sup>93</sup> Ibidem, p 85.

<sup>94</sup> Rothe and Muzzatti, 2004, p 335.

<sup>95</sup> Van Dijk, 1997, p 80.

<sup>96</sup> Ibidem, p 82.

<sup>97</sup> Rahimi and Javad Riasati, 2011, p 110

the Muslim community between two sides: the ‘moderates’ and the ‘extremists’, as if they were distinguished by ‘an identifiable line’.<sup>98</sup>

### *Linguistic means*

Here again, assuming that the discourses are embedded in a context of moral panic, the employment of the lexical fields of fear and security must be carefully analysed. Moreover, when deconstructing the dominant ‘Islamic terrorism’ discourse, Jackson provides a non-exhaustive list of core labels which constitute the foundations of this narrative : “the Islamic world’, ‘the West’, ‘the Islamic revival’, ‘political Islam’, ‘Islamism’, ‘extremism’, ‘radicalism’, ‘fundamentalism’, ‘religious terrorism’, ‘jihadists’, ‘Wahhabis’, ‘Salafis’, ‘militants’, ‘moderates’, ‘global jihadist movement’, ‘al-Qaeda’, and of course, ‘Islamic terrorism’”.<sup>99</sup>

If these three dimensions of analysis are one of the foundations of the discourse-historical approach, this framework also rests on the need to put in context discursive events. That is why it is now needed to explain and justify the rationale behind the selection process of speeches and interviews which will constitute the empirical basis of this thesis.

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<sup>98</sup> Jackson, 2007, p 411.

<sup>99</sup> Ibidem, p 401.

**CHAPTER II**  
**CONTEXTUALISING**

Three aspects of the discourse corpus selected for this thesis must be discussed, before these discourses are analysed: the nature of the discourses, the timeframe in which they are produced and the actors producing them.

#### D) The political nature of discourses

In Critical Discourse Analysis, if political discourses are of prime importance, it is in part because discursive events constitute one of the chief actions of politicians. The use of rhetoric in politics is actually so crucial that the two disciplines are often pictured as intrinsically linked. In Ancient Greece, the sophists, reflecting on the essence of the political even argued that ‘rhetoric is the entirety of politics’.<sup>100</sup> Although not going as far as this philosophical statement, it must be underlined that the use of certain types of discourses, including the choice of labels and expressions, are often forming an integral part of public policies. Referring to the Bush administration depiction of the Iraq war, when they invariably mentioned ‘coalition forces’ rather than ‘American forces’ or a liberation war rather than an invasion, Krebs and Jackson show that ‘rhetoric is central to politics, even when politics takes the form of war’.<sup>101</sup>

In that matter, and because they are aware of the power of words, many scholars acknowledge that politicians are central actors in the creation and development of a moral panic. This crucial role is also due to their essential connection with two sets of actors: the media and the public. Indeed, it is undeniable that politicians benefit from an extensive media coverage, in comparison to other types of social actors. As public figures involved in the decision-making process, their opinions are widely relayed by the mainstream media, which are, according to Dasli, ‘the main cultural sites where the ideas of the powerful are presented’.<sup>102</sup> It has been particularly the case since the emergence and rapid development

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<sup>100</sup> Laufer, 1989, p 184.

<sup>101</sup> Krebs and Jackson, 2007, p 136.

<sup>102</sup> Dasli, 2014, p 462.

of mass media which contributed to change the very essence of politics. Indeed, ‘the mediatization of politics (...) is part of what has become known as the cultural shift in politics and, more contentiously, a feature of the reworking of modern politics’.<sup>103</sup> Indeed, mediatization changed the way politics is made, emphasizing the ‘spectacularisation’ of political decisions and the sensationalism of political leaders, and thus facilitating an atmosphere conducive to collective fear and panic. By raising the media coverage of political actions and discourses, this phenomenon also tightened the already strong links existing between politicians and public opinion.

In Key’s words, ‘unless mass views have some place in the shaping of policy, all the talk about democracy is nonsense’.<sup>104</sup> In liberal Western democracies, where political leaders mostly get their powers and responsibilities from the vote of citizens, one of their major goals is to induce popular and electoral support through their opinion, the decisions they publically take and the policies they implement. In fact, according to Matsubayashi, there is a dialectic relationship between politicians and public opinion. On the one hand, citizens shape political stances as ‘politicians’ fear of losing the next election generates an incentive to meet their constituents’ demands’,<sup>105</sup> but on the other hand, ‘politicians choose to shift constituents’ preferences closer to their own favoured positions because this strategy allows them to pursue their own policy goals without paying any electoral costs’.<sup>106</sup> Since it has been established that ‘many facets of the security discourse have a populist appeal, primarily because they draw on the insecurities commonly felt by a range of social groups’<sup>107</sup> terrorism appears to be an issue where the pivotal role of politicians as receptacles and shapers of public opinion is more sensitive than usual. Indeed, taking for example the Madrid bombings of 2004, where the reaction of the conservative government greatly impacted on the legislative elections and the resulting victory of the socialist party,

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<sup>103</sup> Axford, 2001, p 22.

<sup>104</sup> Key, 1961, p 7.

<sup>105</sup> Matsubayashi, 2012, p 451.

<sup>106</sup> Ibidem, pp 451-452.

<sup>107</sup> Pantazis and Pemberton, 2012, p 659.

Indridason argues that ‘it appears likely that terrorist attacks influence voters’ concerns about their safety. Terrorism may influence how they cast their votes if voters perceive political parties to differ in their ability to provide security’.<sup>108</sup>

That is why, for more accuracy, the political discourses which will be analysed in this thesis are not only dealing with terrorism, but are also formed following terrorist attacks, which constitute a strategic timeframe for politicians to interact with the public and seek to influence their opinion.

## II) Two strategic timeframes

### 1. 2012: Mohamed Merah’s shootings

In Toulouse, on the 11th of March 2012, 9 days before the launching of the official presidential electoral campaign, but a few months after the unofficial one began, Sergeant Iman Ibn Ziaten is killed by a bullet in the head, shot by a man on a scooter.<sup>109</sup> Four days later, the ‘killer on a scooter’, as designated by the media, shoots three other soldiers in Montauban, 50 kilometers away from the first shooting. Mohamed Legouad and Abel Chenouf are killed instantly, while Loïc Liber is seriously injured.<sup>110</sup> After the murder of three members of the armed forces, high concerns are raised in the media, especially since the ‘killer on a scooter’ remains unidentified and seems to follow a pattern. On the 19th of March, in Toulouse, the ‘killer on a scooter’ drives towards a Jewish school and fire shots at the crowd gathered around the entrance. Jonathan Sandler, a religious studies teacher, and his 5-year-old and 4-year-old are killed. The man then sets fire inside the school and kills the 7-year-old daughter of the school director, Myriam Monsogeno.<sup>111</sup>

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<sup>108</sup> Indridason, 2008, p 242.

<sup>109</sup> L’Obs, 24/03/2012, accessed online.

<sup>110</sup> Ibidem.

<sup>111</sup> Ibidem.

While the public is in shock, most of the candidates to presidency officially announce that they are suspending their campaign, while the president Nicolas Sarkozy triggers the Vigipirate plan, France's national security alert system at red alert.<sup>112</sup> Created in 1978 by an interministerial decree, this anti-terror framework forms part of the French civil defence strategy and aims at both inform State's representatives of any terrorist threat via decentralised intelligence centers, and to implement generalised surveillance measures - with, for instance, military patrols in airports, train stations and schools.<sup>113</sup> In 2003, the Vigipirate plan has been modernised by the French government to list five levels of national alert: green, corresponding to 'no threat', yellow, corresponding to 'particular vigilance', orange, corresponding to 'simple Vigipirate', red, corresponding to 'reinforced Vigipirate' and black, corresponding to 'particularly serious threat'.<sup>114</sup> As the identity of the killers is still unknown, the political ideology behind his act of terrors remains uncertain. Since he killed both Jewish people and soldiers from the Maghrebi community, the 'killer on a scooter' could be a terrorist acting in the name of Islam, avenging the people of Palestine and murdering Muslim 'traitors' working for the French army, but he could also act in the name of a far-right ideology. The latter ideology is in fact preferred at first by investigators, who believe that the killer could seek to "'purify, "renationalise" institutions considered as the base of the Republic and the nation',<sup>115</sup> especially since three former colleagues of the soldiers were well-known neo-nazis.<sup>116</sup> However, on the 21st of March, the killer is localised and identified. His name is Mohamed Merah, he is a French and Algerian man from Toulouse, who is known to have tight links with a salafist organisation from his hometown.<sup>117</sup> In 2010, he travelled to Lebanon, Syria, Jordan, Palestine, Israel, Tadjikistan, Afghanistan and Egypt and in 2011, he attended a training

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<sup>112</sup> L'Obs, 24/03/2012, accessed online.

<sup>113</sup> Guittet, 2008, p 191.

<sup>114</sup> Ibidem, p 192.

<sup>115</sup> Lebourg, 02/05/2012, accessed online.

<sup>116</sup> Le Point, 20/03/2012, accessed online.

<sup>117</sup> Defranoux and Tourancheau, 6/12/2012, accessed online.

camp run by Al-Qaeda.<sup>118</sup> For the media and the politicians, it is thus established beyond doubt that France is facing an Islamist terrorist attack. On the 22nd of March, after hours of siege and fights, Merah is killed by police forces in his apartment.<sup>119</sup>

This terrorist attack is particularly important for analysing political discourses on terrorism, since it happened a month before French presidential elections. The political reactions to this tragedy were formed in a context of electoral campaign but also in an atmosphere of national fear and traumatism. Discourses generated following Merah's killings could represent the opportunity for political leaders to both show their ability to react adequately in times of crisis, and to emphasize their propositions on security issues. In fact, far from constituting a 'parenthesis' in the electoral battle, the Toulouse and Montauban shootings influenced a great part of the campaign and modified the strategies and agenda of some candidates.<sup>120</sup> Consequently, some of the most significant campaign speeches are directly referring to this terrorist attack.

## 2. 2015: Charlie Hebdo and Hyper Casher.

On the 7th of January 2015, two hooded men attack the office of the satirical newspaper Charlie Hebdo. They kill eight members of the newspaper, including five famous cartoonists (Charb, Cabu, Wolinski, Tignous and Honoré), one guest of the newspaper, a maintenance agent and two police officers.<sup>121</sup> When leaving the office, they are filmed shouting 'Allah Akbar' and shooting in the streets. They are rapidly identified as two brothers of Algerian origins, Chérif and Saïd Kouachi. Chérif has already been convicted in 2008 to three years of imprisonment for being involved in a terrorist network, and both of the brothers were allegedly militarily trained in Yemen, in 2011.<sup>122</sup> A manhunt begins

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<sup>118</sup> Ibidem.

<sup>119</sup> L'Obs, 24/03/2012, accessed online.

<sup>120</sup> Bazin, 23/03/2012, accessed online.

<sup>121</sup> L'Obs, 10/01/2015, accessed online.

<sup>122</sup> Le Monde, 09/01/2015, accessed online.

around Paris, while the president François Hollande declares that the 8th of January will be a day of national mourning, and triggers the Vigipirate plan at the ‘terrorist attack’ level, since the plan has been simplified in 2014, only comprising two levels of alert : ‘Vigipirate’ and ‘Vigipirate terrorist attack’. On the next day, a police officer is killed in the street of Paris by a man and the anti-terrorism forces are immediately mobilised.<sup>123</sup> On the 9th of January, the killer is identified as Amedy Coulibaly. He is a repeat offender, who radicalised with a Parisian Salafist network and who met Chérif Kouachi in prison.<sup>124</sup> Simultaneously that day Coulibaly take hostages in Hyper Cacher, a Jewish supermarket, while the Kouachi Brothers are found by the police forces and seek refuge in an empty printing company. After intense fightings, the three terrorists are killed by police forces. During the hostage-taking, Coulibaly murdered four people and injured seven.

These terrorist attacks are crucial for this thesis because of their nature and their short-term and long-term effects. They are the most murderous attacks which happened on French soil since 1961<sup>125</sup> and they had a huge national and international impact. Especially regarding the Charlie Hebdo attacks, where cartoonists were massacred for both publishing the Danish caricatures of Prophet Mohammed in 2006 and drawing their own caricatures of the prophet in 2011 and 2012,<sup>126</sup> there is a strong widespread feeling that it is actually the essence of freedom of expression that has been attacked. The slogan ‘Je suis Charlie’, created a few hours following the attacks was rapidly shared worldwide and became mainly a symbol of resistance against terrorism and of defence of free speech.<sup>127</sup> Most importantly, on the 11th of January, a Republican march to honour the victims of the attacks took place in Paris and gathered between 2 and 4 millions of people,<sup>128</sup> constituting the most important public gathering in France since the end of the German occupation, in 1944. Around fifty heads of states and governments from all over the world, including Angela Merkel,

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<sup>123</sup> L’Obs, 10/01/2015, accessed online.

<sup>124</sup> Le Monde, 09/01/2015, accessed online.

<sup>125</sup> Le Monde, 07/01/2015, accessed online.

<sup>126</sup> The Telegraph, 04/05/2015, accessed online.

<sup>127</sup> Paperon, 18/01/2015, accessed online.

<sup>128</sup> L’Obs, 11/01/2015, accessed online.

Benjamin Netanyahu and Mahmoud Abbas joined the march, making Paris ‘capital of the world’<sup>129</sup> for one day. This historic march became a symbol of national unity, as Prime Minister Manuel Valls declared that ‘it is necessary that the spirit of this 11th of January remains’.<sup>130</sup>

However, prior to these declarations, at least seven mosques got attacked following the day of the Charlie Hebdo shootings<sup>131</sup> and a poll released by the French Institute of Public Opinion a week after the attacks stated that 40% of French people believed that the Muslim community was a threat to France’s identity.<sup>132</sup> The ‘spirit of the 11th of January’ has also been challenged by many deep debates on French secularism, religious freedom, blaspheme and freedom of speech, at the national and international level. One of the most important controversies concerns the decision of six American authors not to attend a ceremony of PEN America - organisation defending freedom of expression - because Charlie Hebdo was receiving a prize. Rachel Kushner, one of the the authors, ‘said she was withdrawing out of discomfort with what she called the magazine’s “cultural intolerance” and promotion of “a kind of forced secular view”’.<sup>133</sup> Moreover, in France, some public figures, such as the artist Abd al Malik, started to criticise Charlie Hebdo for its irresponsible depiction of the Muslim world, contributing to the rise of Islamophobia in France.<sup>134</sup>

It is in this complex context, where France went through the most dramatic terrorist attack perpetrated in the name of Islam on its territory, that politicians have had the opportunity to forge essential discourses on the matter. While the traumatism created by these attacks was revived three months later, when the police forces arrested a man in Villejuif suspected to plan an attack on churches,<sup>135</sup> it must also be underlined that the attacks occurred three

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<sup>129</sup> Ibidem.

<sup>130</sup> Ibidem.

<sup>131</sup> Le Figaro, 09/01/2015, accessed online.

<sup>132</sup> Les Echos, 16/01/2015, accessed online.

<sup>133</sup> Schuessler, 26/04/2015, accessed online.

<sup>134</sup> Metronews, 24/02/2015, accessed online.

<sup>135</sup> RFI, 22/04/2015, accessed online.

months before departemental elections and a few months before the beginning of the electoral campaign for the regional elections, so they could also be used and elaborated on by politicians from different parties and affiliations to fulfill their electoral interests.

### III) Two categories of politicians

#### 1. From a far-right party

The 2014 European Parliament elections, described by many observers as a political ‘earthquake’,<sup>136</sup> can be apprehended as a relatively accurate portrayal of the rise of far-right<sup>137</sup> parties across Europe these last ten years.<sup>138</sup> Indeed, between the 2004 and 2014 elections, the Danish People’s Party went from 6.8 to 26.6 % of votes, the French Front National from 9.8 to 24.86%, combined Greek extreme-right parties, including Golden Dawn, went from 4.1 to 15.54% and UKIP and the BNP went from 21.1 to 27.88%. On national elections, many far-right parties are also observing encouraging electoral results. For instance, while in June 2015 the Danish People’s Party became the second political force of Denmark, with 21.1% of votes - compared to 12.3% in 2011,<sup>139</sup> in Austrian local elections of the same month, the far-right FPÖ significantly rose, notably in the state of Styria where it went from 10.6% of votes at the previous elections, to 27.1%.<sup>140</sup> If many factors can explain these local, national and European electoral successes, including ‘mainstream party behavior, legacies and corruption’<sup>141</sup> one of the major explanation comes from ‘economic grievances’<sup>142</sup>, the effects of the financial and economic crisis in many

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<sup>136</sup> Halikiopoulou and Vlandas, 2015, p 281.

<sup>137</sup> In this thesis, far-right, extreme-right and radical right will be used as synonyms, even though some scholars acknowledge some substantive differences between these concepts.

<sup>138</sup> Relatively, because European elections are often considered as ‘second-hand’ elections, where voters express more their frustrations than during national elections.

<sup>139</sup> Eddy, 18/06/2015, accessed online.

<sup>140</sup> Euronews, 01/06/2015, accessed online.

<sup>141</sup> Bustikova, 2014, pp 1738-1739

<sup>142</sup> Ibidem, p 1738.

countries and the European governments' answers to the crisis. Indeed, according to Palmer, 'the growth in support for far-right, anti-European, anti-immigrant parties has been fed by the worst world recession since at least the 1930s – mass unemployment and falling living standards, made worse by the self-defeating austerity obsession of European leaders'<sup>143</sup>. The example of the rise of popular support for the neo-fascist party Golden Dawn in Greece is, in that matter, emblematic. Analysing the chronology of the party's electoral success, Toloudis explains that 'the party's success appears to have been a direct consequence of the economic fallout that Greece has experienced since 2009'<sup>144</sup>. Another major explanation, arguably linked to the European economic crisis, is the rise of unfavorable attitudes towards immigrants which 'have therefore been demonstrated to be the most important predictors in explaining far-right-wing support'.<sup>145</sup> Indeed, one of the key common features of all European far-right parties, is their 'anti-immigrant or anti-immigration standpoint'<sup>146</sup> often coupled with an Islamophobic narrative. Hafez explains that, resting on a shared 'European Occidental-Christian world-view',<sup>147</sup> 'Islamophobia has become the main exclusionary project of the far right: an attempt to mark Muslims as naturally different - at times as inferior and capable of conspiring against their western 'host society' - in order to oppress them and exclude them from the national collective'.<sup>148</sup>

In France, the main - and highly emblematic - far right party is the Front National. Created in 1972 by a former French Nazi collaborator, the party is then led by Jean-Marie Le Pen, former extreme-right soldier who notably fought in Algeria. 'From its beginnings, the party has strongly supported French nationalism and controls on immigration, and it often has been accused of fostering xenophobia and anti-Semitism'.<sup>149</sup> As there was a widespread

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<sup>143</sup>Palmer, 15/11/2015, accessed online.

<sup>144</sup> Toloudis, 2014, p 38.

<sup>145</sup> Lucassen and Lubbers, 2012, p 548.

<sup>146</sup> Ibidem.

<sup>147</sup> Hafez, 2014, p 481.

<sup>148</sup> Ibidem.

<sup>149</sup> Ray, 2014, accessed online.

‘anti-fascist taboo’<sup>150</sup> following World War II in France, at first, the ideological corpus of the party avoided ‘overt racist statements based on biological (racial) or genetic criteria of differentiation’<sup>151</sup> and made distinctions based on cultural and ethnic ground - what is today referred to as a new form of racism.<sup>152</sup> For example, in 1999, Carl Lang, secretary general of the party would denounce ‘integration which leads to national disintegration, that is to say a multicultural France, a (..) ‘balkanised’, ‘tribalised’ France’<sup>153</sup> But the 1990’s, a period when the theme of immigration started to be used by traditional parties, also involved the emergence of some FN discourses including strands of blatant racism. For instance, one of the most prominent figures of the party, Bernard Antony, declared in 1996, ‘our country is losing its intellectual, moral and biologic substance. France is diminished, invaded, occupied and degraded’.<sup>154</sup> Thus, according to Swyngedouw and Ivaldi, the FN has been establishing a ‘hierarchical dichotomy between French and non-European foreigners’<sup>155</sup> which is not only built on ‘the traditional opposition between ‘civilisation’ and ‘barbarity’<sup>156</sup> but also on the “‘capacities” or “performances” of “Whites” and “Blacks” comparatively’.<sup>157</sup> It is this combination of ‘old’ and new forms of racism which characterised the FN narrative for three decades, enhanced by multiple racism and anti-Semitism-related convictions for Jean-Marie Le Pen. For instance, in 1987 on a radio interview, he declared, talking about gas chambers, ‘I believe it is a point of detail of World War II history’<sup>158</sup> and was condemned for negationism. In 2005, he was condemned for incitement to racial hatred for his interview in *Le Monde*, where he notably declared : ‘the day where in France, we will have not only 5 millions but 25 millions of Muslims, they will

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<sup>150</sup> Swyngedouw and Ivaldi, 2001, p 4.

<sup>151</sup> Ibidem.

<sup>152</sup> Hafez, 2014, p 481

<sup>153</sup> Ivaldi, 2005, pp 36-37.

<sup>154</sup> Swyngedouw and Ivaldi, 2001, p 5.

<sup>155</sup> Ibidem.

<sup>156</sup> Ibidem.

<sup>157</sup> Ibidem.

<sup>158</sup> Tassel, 27/04/2002, accessed online.

command us. And French people will walk on the very edge of the aisle, walking down the sidewalk, looking down'.<sup>159</sup>

However, in 2011, the party went through a major change in its political strategy and leadership. While Jean-Marie Le Pen's daughter, Marine Le Pen, is elected as the president of the party, she launches 'a comprehensive strategy of "de-demonization"<sup>160</sup> or 'dediabolization' as she calls it. Although her father's party mainly constituted 'a rallying point for the various strands of traditional French right-wing extremist nostalgia',<sup>161</sup> which does not represent a large electorate, Marine Le Pen seeks to create conditions for her party to 'play a significant – perhaps even decisive – role in French politics'.<sup>162</sup> For doing so, she puts 'the FN on a path of policy moderation and ideological deradicalization',<sup>163</sup> distancing herself and her party from the most extreme positions related to the former president, and ensuring that the FN 'is gradually entering a realm of republican acceptability and aligning itself with the political line of modernized populist right-wing parties in Europe'.<sup>164</sup> This mainly consists in changing the communication strategy of the party: members of the party photographed giving the Nazi salute are publicly expelled,<sup>165</sup> and Marine Le Pen strongly condemns the Holocaust, declaring for instance in an interview that the Nazi camps have been 'the height of barbarity'.<sup>166</sup> In fact, one of the driving forces of the FN's 'dediabolization' strategy, is to clearly distance itself from anti-Semitism while continuing to 'present immigration - particularly from Islamic countries - as a threat to France'.<sup>167</sup> In fact, Hafez explains that, in the view of achieving genuine populism, the 'Muslim threat' has now become the strongest focal point of the party regarding its discourse on migration

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<sup>159</sup> Le Monde, 24/02/2005, accessed online.

<sup>160</sup> Betz, 2013, p 2.

<sup>161</sup> Ibidem

<sup>162</sup> Ibidem.

<sup>163</sup> Almeida, 2013, p 167.

<sup>164</sup> Ibidem, p 168.

<sup>165</sup> Le JDD, 27/04/2011, accessed online.

<sup>166</sup> Mahrane, 03/02/2011, accessed online.

<sup>167</sup> Ray, 2014, accessed online.

and security.<sup>168</sup> Marine Le Pen herself does not hesitate to compare Muslim prayers in the streets to the German Occupation during World War II - which led to the waiver of the parliamentary immunity in the European Parliament, in 2013.<sup>169</sup>

This political strategy appears to be undeniably successful in terms of electoral and popular support. While, 'since the mid-1980s, FN has received anywhere between 10 to 16 percent of the vote in French presidential elections'<sup>170</sup>, at the 2012 presidential elections the FN scores 17,9% of votes, which corresponds to 6.4 millions of voters.<sup>171</sup> In the following years, the party achieves significant electoral victories in local and European elections, where the FN attains the highest score in comparison to all the other French parties. In January 2015, following the Charlie Hebdo and Hyper Casher attacks, the party's popularity was put at 28% by the polling firm VBA,<sup>172</sup> and an Odoxa poll in May 2015 put Marine Le Pen at the first rank of an hypothetical first presidential round, with 30% of the votes against 25% for Nicolas Sarkozy and 17% for François Hollande.<sup>173</sup>

Due to this combination of a renewed public image of the party to be labelled as democratically acceptable, the persistent use of a strong anti-Muslim narrative and a rising electoral and political success, discourses from members of the Front National are of key importance for this thesis. First, because manifestations of Islamophobia in the FN discourses cannot be completely open and blatant, since the party is still working on its process of 'ideological deradicalization'. Second, since it is assumed here that, because of the history and overall ideology of the party, when dealing with issues involving national security and terrorism, the creation and reproduction of Islamophobic prejudices in FN discourses is completely purposive. Thus, discussing terrorism is, in that matter, a political

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<sup>168</sup> Hafez, 2014, p 484.

<sup>169</sup> Le Monde, 02/07/2013, accessed online.

<sup>170</sup> Robins-Early, 02/12/2014, accessed online.

<sup>171</sup> Laubacher, 24/04/2014, accessed online.

<sup>172</sup> Robins-Early, 02/12/2014, accessed online.

<sup>173</sup> De Charette, 26/05/2015, accessed online.

strategy which allows the party to achieve its anti-immigration and anti-Muslim agenda in a relatively concealed way.

If this political trend can be seriously worrying for migrants in France, ethnic minorities and the French Muslim community, it is nonetheless not surprising, especially regarding the narrative, policies and legislation of other mainstream parties regarding certain key issues for the FN.

## 2. From a mainstream party

According to Mudde, the importance of far-right parties is probably embodied ‘through their impact on other parties far more than through direct policy impact’.<sup>174</sup> Indeed, observing the evolution of far-right parties in the last twenty years, many political scholars have acknowledged a certain porosity in the boundaries separating these parties and the mainstream ones.<sup>175</sup> This porosity has been first practically acknowledged since the mid-1990’s, when far-right parties started to form coalitions or create informal collaborations with mainstream parties, sending the clear message that radical right parties were not democratic pariahs anymore, and were becoming acceptable political partners.<sup>176</sup> Apart from the strategic construction of political partnerships between extreme and mainstream parties, there is most importantly a form of ‘contagion’ of far-right ideas towards the mainstream parties, which can be transcribed into law and policies. This is particularly noticeable on international and national anti-terrorism legislations, which are explicitly linking terrorist issues with stricter immigration and asylum policies. Indeed, the EU *Common Position on the application of specific measures to combat terrorism*, adopted in 2001, ‘underlines the need for effective border controls and controls on the issuing of

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<sup>174</sup> Mudde, 2007, 282-3.

<sup>175</sup> Minkerberg, 2013, p 6.

<sup>176</sup> Ibidem, p 17.

identity papers and travel documents<sup>177</sup> and provides that ‘refugee status must not be abused by terrorists’.<sup>178</sup> Moreover, the German *Prevention of Terrorism Act* introduced new mandatory refusal grounds for granting residence permits to foreigners, including the broad motive of being ‘a threat to the free democracy or security of Germany’<sup>179</sup>. In Italy, a reform of the Immigration Act, presented just after 9/11, included new measures to prevent illegal immigration. According to Brouwer, ‘the restrictive approach to the entry of foreign nationals in this new law, seem to have more to do with the right-wing signature of the present government of Berlusconi and the problems Italy is facing with immigrants at its southern borders, than with the 11th September events’.<sup>180</sup> This legal instrumentalisation of terrorism by a mainstream party to restrict immigration is an example of how extreme-right ideas are being concretely transcribed into laws adopted by ‘moderate’ governments. More specifically, elaborating on a huge Greek state operation against ‘illegal immigrants’ referred to by mainstream state officials as a ‘war’, Kallis shows that ‘the divisive ideas of the contemporary far right vis-à-vis minorities, immigrants, and Muslims and Islam in particular have been crossing multiple boundaries—between extremist and mainstream political spaces and voter constituencies’.<sup>181</sup> This change of discourses and policies regarding issues which are usually focused on by far-right parties is often associated with electoral purposes. Indeed, in Han’s view, as the electoral success of radical right parties (RRPs) has opened opportunities for some parties, it is commonly established that ‘some MPs decide to jump on the bandwagon because they, particularly right-wing parties, believe the issues raised by RRP can provide opportunities to expand a broad right-wing bloc’.<sup>182</sup> The recent political evolutions in the French right-wing discourse and policies are a good example of this.

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<sup>177</sup> Brouwer, 2003, p 403.

<sup>178</sup> Ibidem, p 403.

<sup>179</sup> Ibidem, p 409.

<sup>180</sup> Ibidem, pp 410-411.

<sup>181</sup> Kallis, 2013, p 240.

<sup>182</sup> Han, 2015, p 557.

If, in France, some mainstream politicians produced discourses ideologically close or identical to the far-right, including the socialist president François Mitterrand agreeing that ‘the tolerance threshold [in matters of immigration] had been exceeded’<sup>183</sup> and the conservative president Jacques Chirac denouncing an “immigration overdose” and the “noise and smell” of African families’,<sup>184</sup> ‘none did so in such a consistent and open manner as Sarkozy’.<sup>185</sup> In the 2007 presidential elections, the candidate for presidency of the largest French right-wing party (Union for a Popular Movement - UMP) took up the challenge of attracting the far-right electorate in order to win the elections. ‘In his own words, the French president became the face of an “unabashed right”, a right that would do everything required to reclaim the Front’s electorate’.<sup>186</sup> One of the main approaches used to do so was to use rhetoric fairly similar to that of the Front National, especially regarding migration, religion and security issues. For instance, in a campaign speech, the future president would state that ‘the problem with France [and its immigration policies] is that for too long it has asked nothing of anyone, not even the respect of its values and laws; [now] it is facing one of the most serious crises of its history’.<sup>187</sup> Referring to ‘common sense’, the candidate would discuss French identity, draw a clear line between inner and outer groups and strongly condemn communitarianism. Many electoral surveys show that this strategy has been successful, as 35% of the extreme-right electorate in 2002 voted for Nicolas Sarkozy in 2007.<sup>188</sup> Common features of this specific electorate includes the rejection of immigrants, an aversion for Islam and an authoritarian vision of society.<sup>189</sup> That is why, when Marine Le Pen was asked if the relatively low scores of her father at the 2007 electoral elections implied the end of his political career, she answered ‘I don’t think so. In any case, this is the victory of his ideas’.<sup>190</sup>

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<sup>183</sup> Mondon, 2013, p 28.

<sup>184</sup> Ibidem, p 29.

<sup>185</sup> Ibidem.

<sup>186</sup> Ibidem.

<sup>187</sup> Ibidem, p 35.

<sup>188</sup> Mayer, 2007, p 10.

<sup>189</sup> Ibidem, p 11.

<sup>190</sup> Mondon, 2013, p 22

It must be underlined that ‘Sarkozy’s appropriation of radical-right themes was limited for the most part to rhetoric’<sup>191</sup>, and that his government did not systematically and consistently implement extreme-right policies. However, the 2007 campaign strategy had some noticeable impacts on the right-wing party discourses, laws and policies in France. Nicolas Sarkozy’s government drafted two laws on immigration: the *Law on immigration control, integration and asylum*, in 2007, and the *Law on immigration, integration and nationality*, in 2011<sup>192</sup>. The first law promoted a ‘chosen immigration’ with much stricter grounds to access residence permits, notably regarding the criterion for family reunification. An UMP Member of Parliament, Thierry Mariani, tried to pass an amendment to this law, imposing DNA tests for family reunifications, but this initiative was aborted by the government in 2009 due to ‘particularly constraining legal difficulties’.<sup>193</sup> The second law mainly extended repressive measures for undocumented migrants. Moreover, Nicolas Sarkozy publicly expressed a wish to implement a forced loss of nationality for people of foreign descent attempting to kill a person in position of public authority, but this contested measure was abandoned during Parliamentary debates.<sup>194</sup> However, one of the most controversial policies of Sarkozy’s government, has been the ‘unprecedented campaign of stigmatisation’<sup>195</sup> directed towards Roma people, in August 2010. After declaring that ‘we must do away with unauthorised Roma camps. They are lawless no-go areas which are intolerable in France’<sup>196</sup>, the president urged his government to act and the Ministry of Interior issued a circular on the 5th of August, to take ‘systematic action to dismantle illegal camps, priority given to those of Roma’.<sup>197</sup> This political decision received an extensive international media coverage and has been firmly condemned by many international organisations, including the EU, the Council of Europe

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<sup>191</sup> Ibidem, p 29.

<sup>192</sup> Carvalho and Geddes, 2012.

<sup>193</sup> Ibidem, p 288.

<sup>194</sup> Ibidem, p 291.

<sup>195</sup> Nacu, 2012, p 1323.

<sup>196</sup> Gould, 2015, p 28.

<sup>197</sup> Nacu, 2012, p 1324.

and the UN, so much so that the circular was repealed and replaced a month later by another circular which did not specifically mention Roma people. With this episode, Nacu underlines that ‘it was the first time in decades that French authorities explicitly designated one ethnic group as a supposed threat to French identity, using the rhetoric of xenophobia against it and thus adopting positions on immigration close to those of the extreme right’<sup>198</sup>. Another key policy which was reflecting a mainstreaming of far-right ideology, was the launching, by Sarkozy’s government, of a 100 days ‘Grand Debate on National Identity’, which was further described as an ‘electoral appeal to an extreme right-wing electorate that favours a stricter set of boundaries around what it means to be French’.<sup>199</sup> Moreover, many members of the UMP followed this new political direction, including one of the presidents of the party, Jean-François Copé, who launched a ‘manifesto for an unabashed right-wing’ in 2012, notably denouncing the existence of an ‘anti-white racism’, which is originally an extreme-right label.<sup>200</sup>

Due to the more systematic use of narratives usually circumscribed to extreme-right - more particularly on questions relative to immigration, integration and identity - in order to generate electoral support, UMP politicians discourses are interesting empirical materials for this thesis. First, because they could be a good sample for the discursive manifestation of institutionalised racism, where some forms of xenophobia or racism are made legitimate by the actors who produce and reproduce them. Indeed, ‘the respectability of the various positions Sarkozy held in government facilitated the legitimization of many ideas previously considered in conflict with democracy’.<sup>201</sup> Second, because this institutionalisation of national, religious or racial intolerance is mainly done for strategic purposes, in an attempt to generate popular and electoral support. As stated before, terrorist events exacerbate the sensitivity of voters and public opinion regarding political actions and

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<sup>198</sup> Ibidem.

<sup>199</sup> Laurence and Goodlife, 2013, p 35.

<sup>200</sup> Mondon, 27/09/2012, accessed online.

<sup>201</sup> Mondon, 2013, p 29.

discourses, and could represent key opportunities for members of mainstream parties to attract traditional far-right voters.

**CHAPTER III**  
**CRITICAL DISCOURSE ANALYSIS**

Five important discourses have been selected from members of the FN and the UMP, following the Toulouse shootings and the Paris attacks. The two speeches given in 2012 are emblematic campaign speeches from two candidates to presidency: Nicolas Sarkozy and Marine Le Pen. The three discourses produced in 2015 are a traditional annual speech given by Marine Le Pen, and two controversial interviews given by two active UMP members who both held ministerial duties under Nicolas Sarkozy's presidency. All discourses were extensively relayed and discussed in the media.

For the purpose of this thesis, all the speeches have been translated into English, and the interviews have been both transcribed and then translated. They are being critically analysed through the framework established in Chapter 1, following three interrelated strands of discourses: semantic elements, discursive strategies and linguistic means. The findings of this analysis are then compiled and put in perspective.

## D) Analysis of selected discourses

### 1. Extreme-right discourses

#### a. 2012: Campaign speech of Marine Le Pen in Nantes

On the 25th of March 2012, three days after the death of Mohamed Merah, Marine Le Pen produced one of her most famous campaign speeches dedicated to the attacks.<sup>202</sup> A large extract examined below.<sup>203</sup>

#### *Semantic elements*

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<sup>202</sup> Front National, 2012, accessed online.

<sup>203</sup> See [Annex I](#).

The first idea transmitted by this speech, is that the clear folk devil to fight, the ‘widespread evil’, the ‘gangrene’ that should be eliminated, is ‘radical Islam’, a notion used eight times by Marine Le Pen in this extract, while ‘terrorism’ - with no other label - is only mentioned twice. It is important to underline that ‘radical Islam’ is differentiated from terrorism, since she states that ‘under the influence of radical Islam, the most determinate people go from criminality to intellectual terrorism of their surroundings, then, for some of them, simply to terrorism’. ‘Radical Islam’ is thus an ideology which strongly incites to commit terrorist acts. She presents herself as being determined to fight ‘radical Islam’ when she claims ‘I will force radical Islam to kneel!’. However, it appears that her vision of what constitutes ‘radical Islam’ is very wide and that the whole religion and a large portion of its followers are concerned, since her propositions to tackle it include the fact that ‘sermons will be systematically surveilled in mosques’.

The second chief semantic feature of this speech, is the association of the danger of ‘radical Islam’ with some specific geographic areas, the suburbs, French ‘quartiers’ or banlieues’. She describes these areas in a very threatening way, they are ‘no-go zones’ which are ‘multiplying’, that are ready to ‘burn’ and that the State does not control anymore, but where ‘drugs’, ‘gangs’ and ‘radical Islam’ are ruling. Adding a social and urban perspective to the development of ‘radical Islam’ while generating high concerns about entire geographical zones in France which are presented as independent territories within French territory, she describes these suburbs as places where forced marriages, gender segregation, the forced practice of Ramadan, the obligation to follow a halal diet or the forced wearing of veils for women can sometimes be systematic. Moreover, she implies that people attempting to derogate from these informal rules face a real danger, as ‘we know the fate that awaits people resisting in these suburbs. These affronts to radical Islam are not accepted’.

The third main message conveyed by this speech, is the direct association of terrorism and ‘radical Islam’ to immigration, an immigration clearly identified as coming from ‘Asia’,

‘Africa’ and ‘Maghrebi’. As Marine Le Pen claims: ‘this radical Islam is the direct consequence of mass immigration’. Documented and undocumented migrants, as well as their children who became French, can all potentially be indoctrinated by ‘radical Islam’ and then commit terrorist acts. That is what is implied when she announces the part of her speech which received the most media coverage:<sup>204</sup>

*‘How many Mohamed Merah in the planes, the boats which each day arrive in France full of immigrants ? How many Mohamed Merah in the 300 clandestins who, each day, arrive in Greece via Turkey, first step in their European odyssey? How many Mohamed Merah among the children of these immigrants, not assimilated, sensitive to the most radical and destructive theories, breaking completely with our Republican principles?’*

This statement is quickly followed by a range of measures destined to drastically limit immigration in France, with for example quotas going from 200 000 to 10 000 ‘legal’ immigrants per year, abolition of *jus soli* or restriction of rules on residence permits.

Finally, Marine Le Pen implies that a French political and corporate elite has been facilitating this whole situation, as ‘our elites left the power to Islamists’. It is because of a ‘naïve left-wing attitude’ that the ‘Right’ did not strongly intervene in suburbs areas. ‘Mass immigration’ has been imposed by ‘right-wing and left-wing parties’ as well as the MEDEF<sup>205</sup> to ‘bear down on the wages of French workers’. Nicolas Sarkozy ‘kneeled’ in front of some left-wing politicians and created the French Council of the Muslim Faith, which is a complete ‘failure’.

### *Discursive strategies*

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<sup>204</sup> ‘Marine Le Pen fait l’amalgame entre immigration et terrorisme’, *Libération*, or ‘Le Pen : Combien de Mohamed Merah dans les bateaux qui arrivent en France?’, *L’Obs*, or ‘Marine Le Pen : Combien de Mohamed Merah dans les bateaux...’, *France Soir*.

<sup>205</sup> French employers’ trade union

The whole speech rests on a double ‘Us vs. Them’ dichotomy. The positively represented in-group is the ‘French people’, since ‘being French is a pride, not a right!’, and notably encompasses ‘French workers’. The two out-groups, are the vaguely defined representatives of ‘radical Islam’, and the French ‘elites’. Members of ‘radical Islam’ - which are also potential terrorists - comprise ‘Fundamentalist Islamists’, ‘Islamists’, ‘fanatical’ and ‘Salafist’ imams but could also comprise ‘immigrants’, ‘children of these immigrants, not assimilated, sensitive to the most radical and destructive theories’, ‘clandestine offenders’ and ‘uprooted’ people. While some of these people are ‘breaking completely with *our* Republican principles’, ‘*we* are the ones who had to adapt’ to their practices of forced marriage by changing ‘the French law’ to forbid marriage before eighteen. To emphasize the negative other-representation of representatives of ‘radical Islam’, the speech rests on some strong hyperboles, which are ‘semantic rhetorical devices for enhancing and exaggerating meaning’.<sup>206</sup> Le Pen thus compares ‘radical Islam’ to ‘a gangrene which is developing on our territory with unbelievable speed’ or promises to ‘remove the vacuum pumps of clandestine immigration’. The French ‘elites’ are mainly ‘left-wing and right-wing politicians’ or simply ‘the Right’ or ‘the Left’ which imposed mass immigration on ‘*us*’, it was ‘*their* unfair decisions’ as ‘all politicians tell *us* that immigration is a chance’.

Moreover, the speech is based on subtle denials of racism, through the use of euphemisms, as “telling the truth” may thus be the typical euphemism of those accused of saying or writing derogatory things about minorities’.<sup>207</sup> When Marine Le Pen is about to explicitly associate ‘radical Islam’ with ‘mass immigration’, she starts her sentence by stating ‘let us not bury our heads in the sand’, a way to convince the audience that her political opinion is based on an obvious truth that needs to be faced. Furthermore, when formulating her proposals to fight ‘radical Islam’, she starts by saying ‘first morally, I will point out this phenomenon and will not try to hide it from French people’. While telling the truth appears

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<sup>206</sup> Rahimi and Javad Riasiti, 2011, p 110.

<sup>207</sup> Van Dijk, 1993, p 180

to be a moral obligation, she implies that the real danger of ‘radical Islam’ is being hidden and that openly denouncing it - and its members- is an effective way to tackle it.

Finally, her speech is also based on generalisations regarding the Muslim community, which are artificially divided between ‘French Muslims’, ‘our Muslim compatriots’ who seek to ‘live their faith, to practice their cult, in peace, as they aspire’ and ‘clandestins’ and ‘Fundamentalist Islamist’, implying that there are ‘good’ and ‘bad’ Muslims, the ‘bad’ Muslims encompassing all the believers who are not French.

### *Linguistic means*

In this speech, the dominant lexical field is the one of war. Referring to France as a ‘territory’, Marine Le Pen underlines that it ‘lost control’ of its suburbs, ‘lost the war’ and ‘gave up on fighting’ while buying ‘social peace’. Underlying the existence of a ‘cultural battle’, or of a ‘struggle’ against ‘no-go zones’ which will likely ‘burn again’, Marine Le Pen also points out that Qatar is ‘spreading’ in suburban areas, ‘taking control’ of French football and came to ‘infiltrate’ France. But Marine Le Pen will fight back, ‘force radical Islam to kneel’, ‘struggle without mercy’ against it, and put in place an ‘arsenal’ which will ‘eradicate it’.

Moreover, many notions belonging to the ‘Islamic terrorism’ discourse can be found in this speech. Apart from ‘radical Islam’, Marine Le Pen denounces ‘Fundamentalist Islamists’, ‘Islamists’, ‘Islamist proselytism’, ‘Islamist terrorism’, but also ‘fanatical imams’ and ‘Salafist imams’. She also accuses Qatar to establish an ‘Islamic financial system’ in France

### b. 2015 : Annual May Day speech of Marine Le Pen

Since 1988 the FN has been marching every year on May Day to commemorate Jeanne d’Arc, coupling a ‘patriotic holiday’ with workers’ day in order to ‘show the social function

of the FN',<sup>208</sup> explained one of the party's leaders. In 2015, Marine Le Pen's official speech before the march included a large section dedicated to the Charlie Hebdo and Hyper Casher attacks. With the rising electoral and political success of the FN, this event has received more and more media coverage and the whole speech has been filmed and transcribed on the party's website.<sup>209</sup> A large extract has been analysed below.<sup>210</sup>

### *Semantic elements*

The first prevailing characteristic of the content of this speech, is the clear designation by the leader of the FN of a folk devil. If she mentions the 'terrorist' of the aborted Villejuif attack, or the adoption of a 'law against Islamist terrorism', Le Pen primarily builds her whole speech around the concept of 'fundamentalist Islamist' or 'Islamist fundamentalism', which she evokes six times. 'Islamist fundamentalism' is, in her words, a 'threat' which has been rising, a 'menace'. She also states that 'we fight Islamist fundamentalism! Telling it allows to see where are our enemies'. Moreover, she repetitively associates this notion with a 'grenade', implying the idea of deadly dangerous phenomenon which has exploded and will explode again at any time. For Le Pen, terrorism and 'Islamist fundamentalism' are the exact same concept, especially as she explains that the future law on surveillance drafted by the government to prevent terrorism, has been motivated by 'this Islamist menace'. This semantic choice provokes an indirect association of Islam and violence, since radical Islam is consistently used as a synonym for terrorism. Thus, one of the solutions to fight terrorism, is to directly target practices of Islam notably by 'making the use of French language mandatory for sermons'.

A second semantic feature of this speech, is the consistent association of 'Islamist fundamentalism' and terrorist events with immigration. She starts the section of her speech

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<sup>208</sup> Albertini, 01/05/2015, accessed online.

<sup>209</sup> Front National, May 2015, accessed online.

<sup>210</sup> See [Annex II](#).

dedicated to the Charlie Hebdo and Hyper Casher attacks by claiming ‘Immigration, communitarianism, Islamist fundamentalism...here again today, France is out of control!’. Letting a ‘mass immigration’ settle in France was irresponsible since it became impossible to assimilate. While institutions and politicians are being accused of ‘instilling hatred of France’ to ‘immigrants children’, through the transmission of a ‘distorted version’ of French history – she is most probably referring to colonisation, decolonisation and slavery-, Le Pen denounces the rise of ‘communitarianism’, where immigrants and their descendants are supposedly allowed to live outside of France’s codes, customs, traditions and laws and could even be encouraged to develop ‘substitutive law, substitutive culture’. It is this combination which led to the ‘catastrophe’. The idea is that a dramatically high number of immigrants and their family, fueled by a feeling of revenge on France, and not ‘assimilated’ to the country, were allowed to keep living according to their codes and culture –which are implied to be of Islamic nature, with ‘substitutive menu, substitutive timetables’, and consequently violent. Thus, while fighting ‘Islamic fundamentalism’ necessitates to ‘restore borders’ or review asylum conditions ‘to avoid risks of infiltrations’ - implying that asylum seekers are potential terrorists, the most important measure would be to stop immigration.

Finally, her whole speech is based on the assumption that members of mainstream parties have not only been inactive, cowardly and inefficient regarding this whole situation, but have also been the ‘accomplices’ of ‘Islamist fundamentalism’. As ‘blindness and powerlessness have been the only response’ to the threat , other politicians are being referred to as ‘sorcerer’s apprentices’, ‘unaware people’ , ‘abusive leaders’, ‘opportunists’. Regarding ‘communitarianism’, ‘our elites organised or encouraged it, giving in to all communitarian demands, justifying them, sometimes even diligently anticipating them’. Nicolas Sarkozy has notably allowed the Islamic State to expand through his ‘stupid military campaign in Libya’, but he also weakened the army and the police forces, while François Hollande wrongly wished to bomb the national Syrian army. The whole anti-

terrorism strategy put in place following the Charlie Hebdo attacks is described as ‘a true inventory of the prevailing nonsense, but a criminal nonsense’.

### *Discursive strategies*

This speech is also based on a double ‘Us vs. Them’ dichotomy. Here again, ‘French people’ is the positively represented in-group, as one of the solutions to tackle ‘Islamist fundamentalism’ is to ‘teach the national novel of France, in its glory and light’. Emphasis is put on ‘*our* laws and lifestyle’, ‘*our* unity principles’, ‘meritocracy’, ‘respect of *our* culture, of *our* identity’, which all appear to be respectable. By opposition, ‘some people’ although ‘*they* or *their* parents have been welcomed’ in France, ‘behave like creditors, whose fantasised debt has not been paid back’. These people, ‘*our* enemies’, form part of the hyperbolic ‘Islamist fundamentalist grenade’ and there is an urgent need to ‘protect *our* country’ against them. The other group which is negatively represented, is that of mainstream politicians. When governing France, ‘*they* are the ones who pinned out the grenade’ of ‘Islamist fundamentalism’. They imposed ‘*their* distorted version of our past’, after the 11<sup>th</sup> of January, ‘*they* distorted this national spirit’, ‘*they* tried to discredit and to silence’ the truth tellers, ‘*we* have been anaesthetised’ by *their* anti-terrorist actions but ‘*we* will not be fooled’.

This speech also contains two clear denials of racism. ‘Those who predicted and announced the catastrophe’ that occurred in January 2015 have been subjected to attempts to discredit and silence them. ‘By calling Islamophobic all those who dared asking for the respect of laïcité but also common sense’, ‘our leaders’ eased the Charlie Hebdo and Hyper Casher attacks. In this view, the FN and people adhering to their opinions are not creating and fostering Islamophobia, but are simply telling the truth and calling for the respect of a fundamental French value whilst stating the obvious. It is not their attitude, but the one of those denouncing them which is dangerous. Moreover, Marine Le Pen adds a clear disclaimer to her argumentation when she states ‘we do not fight anyone’s religion in

France. We fight Islamist fundamentalism!'. She underlines that her whole speech is not directed towards Islam but towards the broad and undefined phenomenon of 'Islamist fundamentalism'.

### *Linguistic means*

Three lexical fields are combined in this speech. The first one is focused on war. Apart from all the military references to the Islamic State and the French intervention in Libya – 'military campaign', 'interventions', 'foothold', 'bombing the national army', 'arming them' – 'Islamist fundamentalism' is compared to a 'grenade' which had been 'pinned out', and the Charlie Hebdo and Hyper Casher attacks are the 'explosion' of this grenade. Marine Le Pen seeks to 'fight' Islamist fundamentalism, to 'protect our country', and our 'territory' notably against 'infiltration' through asylum procedures. One of the ways to do so is to raise the budget of the 'national defence' and the size of the 'armed forces'.

The second lexical field is focused on fear. 'Fundamentalist Islamism' is a 'threat', a 'menace' and a 'risk'. What happened with the attacks was a 'catastrophe' and now France is facing 'chaos' while Bush plunged Iraq in 'anarchy' and in Syria she prefers 'the lesser evil to the absolute worst'. France is now facing 'breathtaking aggravation' of deficits and 'the collapse' of its social system. In order to solve the issue 'we must act urgently' and Valls' surveillance law is 'not reassuring'.

The third lexical field is focused on the 'Islamic terrorism' discourse. Apart from 'Islamist fundamentalism', Marine Le Pen condemns the 'Islamist menace', 'bloody fanatics', 'Islamism', 'fundamentalism', 'radicalised activists', 'Islamist terrorism' and 'jihadists'. She also mentions the 'jihad' and the 'Sharia'.

## 2. Mainstream discourses

### a. 2012: Nicolas Sarkozy's campaign speech in Strasbourg

When the Toulouse attacks occurred, Nicolas Sarkozy was the president in power and had to react and give several public statements on behalf of his presidential role and duties. This means that, in principle, these statements were not explicitly dedicated to generating electoral support. However, on the 22nd of March, when Mohamed Merah was killed, the president held his first official campaign speech, as a candidate to presidency.<sup>211</sup> The first part of this speech is analysed below.<sup>212</sup>

#### *Semantic elements*

In this speech, where the president expresses his condolences to the families of the victims and formulates his proposals for fighting terrorism, two ideas are formed.

The first one is the designation of folk devils : Mohamed Merah and, more broadly, fanatics. Nicolas Sarkozy repeats twice on his speech that Merah was a 'monster' and a 'fanatic'. The 'murderer' was instilling 'hatred and terror' and committed an 'isolated, monstrous act'. More generally, the president is strongly condemning and determined to repress people apologising for 'extremist ideologies inciting for terrorism', 'people spreading hatred and violence', 'those who, by their words and behaviours would encourage fanaticism'. According to Nicolas Sarkozy, 'what is possible against pedophiles must be possible against apprentice terrorists or those who support them'.

The second argument is that France is a fair and humanistic nation, which should not, in any case, be blamed or held responsible for the terrorist attacks which occurred in March

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<sup>211</sup> Les Républicains, 2012, accessed online.

<sup>212</sup> See [Annex III](#)

2012. France has 'values', France is 'fighting for an ideal'. 'Millions' of people 'in the world' expects 'France to remain committed to them'. In fact, 'if France weights in the world, it is because France gives its name, its face to the most beautiful ideals of humanity'. These ideals are 'justice', 'freedom' and 'peace' and these values are 'the Republic which allows everyone to find a place in society, to be given a chance, to be free', or 'laïcité which protects freedom of conscience, freedom of religion' and 'equality of men and women which prevents communitarianism'. It is because of the strength of these foundational values, which have been 'denied' by Merah's attacks, that trying to explain, justify or excuse terrorist actions is unacceptable. 'Questioning society, pointing the finger at France, policies, institutions is unworthy'. There is no 'responsibility', 'France is not guilty', there is 'no atmosphere which could explain these crimes' and 'nothing which is happening in the world and in France', no 'cause' can justify, explain or excuse Merah's terrorist actions. In sum, 'this act must not make us reflect on ourselves'.

### *Discursive strategies*

The whole speech rests on the building of a clear 'Us vs. Them' dichotomy, where the inner-group comprises French citizens 'regardless of their origins, beliefs, background', respecting the Republic's values and the out-group is composed of fanatics, who are 'apprentice terrorist', people adhering to 'extremist ideologies' or more generally people infringing on France's values. As observed in the above section, while France is highly glorified in the president's speech, it is also frequently put in complete opposition with the outer-group. Indeed 'France is a country which will not let itself carried away by no fanaticism'. On the one side, there are '*our* history', '*our* culture', '*our* values', '*our* side', '*our* Nation', '*our* Republic'. '*We* are strong', '*we* are united', '*we* will never compromise' and '*we* will make people respect the Republic's institution'. On the other side, there are '*those* who would be tempted to be radically hostile towards the Republic', '*those* who would want to knock it down', '*those* people'. The antagonism is clear: '*we* will stop

*them!*'. Besides, the speech implies that 'if you are not supporting us, you are supporting them', as 'looking for the tiniest excuse would be an unforgivable moral fault'.

### *Linguistic means*

One of the dominant lexical fields used to refer to the terrorist attacks, is the one of criminality. Merah was a 'murderer', who committed 'odious crimes', as he 'killed an injured man and a child', plunging France into 'mourning' for the 'victims' of the attacks. This act 'engages the responsibility of the man committing it'. As France will not tolerate 'violence', some specific actions related to terrorism and fanaticism will be 'repressed penally by a prison sentence', some by 'a felony inscribed in the penal Code'.

It is worth underlying that, while Islam or Islamism are not mentioned at all in this speech, some terms used form part of the 'Islamic terrorism' discourse. As Merah was a 'fanatic', 'fanaticism', 'extremism', 'extremist ideologies' and 'terrorism' must be fought, and people who are being 'indoctrinated' in foreign countries must be punished.

b. 2015: Christian Estrosi's interview on France 3.

On the 26th of April, Christian Estrosi, UMP member, former secretary of state and minister, elected regional official and mayor of Nice, is interviewed on the set of France 3, a public TV channel, mainly for discussing his candidacy for the upcoming regional elections.<sup>213</sup> The journalist started the interview by questioning him on the aborted Villejuif attack and the answers given by Christian Estrosi benefited from extensive media coverage,<sup>214</sup> mainly because observers and politicians estimated that they were given with the purpose of attracting extreme-right electorate for the regional elections, as his FN

<sup>213</sup> Le 12/13 de France 3, 26/04/2015.

<sup>214</sup> 'Cinquièmes colonnes islamistes : quand Estrosi va plus loin que le FN', *Le Huffington Post*, 'Cinquièmes colonnes, troisième guerre mondiale : les mots d'Estrosi à la loupe', *Le Point*, 'Une troisième guerre mondiale est déclarée, estime Estrosi', *Le Figaro*.

opponent, Marion Maréchal Le Pen, benefits from a wide popular support in their region. An extract of this interview is analysed below.<sup>215</sup>

### *Semantic elements*

Two main ideas are conveyed in this part of the interview. The first one, is that France is at war against a designated folk devil, 'Islamofascism'. 'It is a Third World War', which threatens everyone : 'Catholics are threatened' , 'the Judeo-Christian civilisation' is threatened, ' a large majority of Muslims of France' are threatened, 'it is in fact all French people who are threatened'. The concrete embodiment of this state of war is that 'there are soldiers in our streets' as 'internal security forces' alone are not able to effectively tackle our 'enemy'.

Consequently, the second idea which is developed by Christian Estrosi is that, in this war, France is fighting against enemies which are deeply infiltrated in its society. They constitute 'Fifth Columns', which is a political myth inspired from the Spanish Civil War, often associated to conspiracy theories, and which refers to a traitor soldier, hiding in the enemies' ranks and ready to attack them.<sup>216</sup> They are 'networks infiltrated in our basements, in our garages', they are among Muslims of France 'who seek refuge' to escape them, they are infiltrated among French people as 'we have enemies of France who have a French identity card'. Thus, 'it is time to implement measures and laws' to stop the progression of this enemy within, and it would be needed to 'change laws on nationality'.

### *Discursive strategies*

The arguments raised by Christian Estrosi rest on a 'Us v. Them' dichotomy, where the in-group is composed of people belonging to 'great democracies', 'French people' who 'wake

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<sup>215</sup> See [Annex IV](#)

<sup>216</sup> Bastié, 27/04/2015, accessed online.

up early and work early to bring justice and equity'. In 'our streets' 'we are indeed dealing with an enemy', the 'Islamofascist' enemy embodied by the Kouachi brothers which the media make us believe that 'they are French because they have a French identity card'.

Moreover, Christian Estrosi creates a 'categorisation', one of the strategies identified by Van Dijk in racist discourses.<sup>217</sup> In France, there are three categories of people. The first one is the in-group of honest French citizens, belonging to the 'the Judeo-Christian civilization, which we are heirs to today'. The second one is the category composed by 'a large majority of Muslims of France', who 'put the Republic's laws above religious law' but who remains distinct from 'us' as they 'come to us to seek refuge because they feel threatened'. The third one comprises the 'Islamofascist' folk devils. The first two categories suggest that, even if 'a large majority of Muslims of France' are not the people that France is fighting against, they belong to a separate cultural group. The second and third category reflect an over-simplification implying that, in France there are 'good' and 'bad' Muslims.

### *Linguistic means*

Apart from the strong notions of 'Islamofascism' and 'Islamic State', the 'Islamic terrorism' discourse labels are not dominant in this interview. The dominant semantic field is that of war, as in the 'Third World War' we are fighting an 'enemy' or 'enemies' who have 'infiltrated' some communities who 'seek refuge' because they are 'threatened'. While Christians are a 'target', 'soldiers' are needed to ensure 'public safety'.

c. 2015: Nadine Morano's interview on BFM TV<sup>218</sup>

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<sup>217</sup> Rahimi and Javad Riasiti, 2011, p 109.

<sup>218</sup> One of France's 24 hours TV news channels.

A day after Christian Estrosi's controversial interview was broadcast, another interview received extensive media coverage.<sup>219</sup> Nadine Morano, active UMP member, former Secretary of State under Nicolas Sarkozy's presidency, elected regional official and Member of the European Parliament is invited on the set of BFM TV for a long political interview on the 27th of April 2015, almost four months after the Charlie Hebdo and Hyper Casher attacks. Whilst she offers solutions to fight 'the war triggered by fanatics and terrorists, the war against all religions, including Islam', including the loss of French nationality for binationals 'who do not respect the Republic', she considers that 'there is an external threat but also an internal threat in France'.<sup>220</sup> It is the next part of the interview, which has been broadcast online, relayed and discussed, which will be analysed.<sup>221</sup>

### *Semantic elements*

In this short extract, Nadine Morano offers two specific solutions to tackle the 'internal' terrorist 'threat': prohibiting imams who do not speak French, and stopping the building of new mosques in France. These two proposals are subjected to 'the real establishment of measures', 'which respect this religion' and justified by 'this situation of instability in our country'. These arguments imply that imams who are not speaking French are potentially indoctrinating new terrorists, so that terrorism in France is deeply rooted in Islamic religious institutions, and thus that this form of political violence is inherently linked to Islam.

Furthermore, while it has been established that there is a 'war' against 'terrorists' and 'fanatics', these people are a 'threat' to France - a notion used three times in this extract -, they can thus be considered as designated folks devils.

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<sup>219</sup> 'Nadine Morano veut "interdire les imams qui ne parlent pas français"', *France TV Info*, 'Nadine Morano veut interdire les imams qui ne parlent pas français', *Figaro TV*, 'Vidéo : Nadine Morano veut interdire les imams qui ne parlent pas français', *La Provence*.

<sup>220</sup> BFMTV, 27/04/2015, accessed online.

<sup>221</sup> See [Annex V](#).

### *Discursive strategies*

The interview also rests on a 'Us vs. Them' dichotomy. In '*our* country', '*we* must be aware of reality', and implement measures 'which allow *us* to be sure', that '*we* are not exposed to danger'. This danger comes from the building of 'some mosques', ruled by 'some imams'. It comes from '*those* who use Islam against religions'.

Furthermore, using the discursive strategy identified by Van Dijk as 'implication', since 'pragmatic contextuels are the main reasons that discourse remains implicit',<sup>222</sup> Nadine Morano claims: 'I distinguish what constitutes today's threat. Today's threat, sorry, but it *is neither Christians nor Jews*. Today's threat is those who use Islam against religions and against those who are not believers'. The construction of the whole argument tends to imply that 'today's threat' for France is simply Muslims.

Moreover, Nadine Morano is denying racism with a euphemism. When the journalist ask her if, in comparison, she has a problem with 'churches in France with Masses in different languages to reach different Christian communities', and she answers that she does not have a problem with it, she adds 'I think we must be aware of reality'. The fact that she is applying double standards regarding practices of Christianity and Islam in France purports to be the reflection of a neutral appreciation of reality, rather than an Islamophobic opinion.

### *Linguistic means*

This interview is dominated by two lexical fields. The first one, is that of danger, as France is facing a situation of 'instability' and there is a need for the situation to be 'stabilised'. We should not be 'exposed to danger', facing 'today's threat'.

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<sup>222</sup> Rahimi and Javad Riasiti, 2011, p 110.

The other lexical field, is that of ‘religion’ or ‘religions’. Opposed to ‘Islam’, ‘mosques’ and ‘imams’ there are ‘Jews’, ‘Christians’, ‘churches’ and ‘Masses’.

## II) Findings

Following the idea of a porosity of policies and narratives existing between extreme-right and mainstream parties and politicians, the findings of this critical discourse analysis have been organised according to the differences and common features existing between FN and UMP discourses in the aftermath of terrorist attacks.

### 1. Differences between mainstream and extreme discourses

Two noticeable differences can be highlighted between extreme and mainstream discourses. The first substantive distinction which is noticeable is that, when assessing the situation in France following terrorist attacks, Marine Le Pen systematically blames French ‘elites’, which include all right-wing and left-wing politicians who are, or have been, in charge of governing the country. Whilst this can appear as a clear electoral strategy to discredit any political opponent and build the image of her party as being a genuine political alternative to France’s bipartite system, this idea is also rooted in the populist ideology conveyed by the FN. Indeed, Federici, quoting Kazin’s definition of populism explains that it is ‘a language whose speakers conceive of ordinary people as a noble assemblage not bounded narrowly by class, view their elite opponents as self-serving and undemocratic, and seek to mobilize the former against the latter’.<sup>223</sup> This mobilisation of ‘ordinary people’ against French elites has been consistent in the FN discourses, and notably appears on the party’s political project when ‘positive discrimination’ is denounced

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<sup>223</sup> Federici, 1995, p 75.

as a model imported by ‘right-wing and left-wing elites’,<sup>224</sup> or when the Euro is described as a product of ‘financial elites’.<sup>225</sup> This electoral and populist dimension is logically absent from mainstream discourses, as they belong to what Marine Le Pen identifies as ‘elites’.

The second substantive distinction can be observed in Marine Le Pen’s campaign speech, where she circumscribes the development of ‘radical Islam’ to some specific urban areas, which are the French ‘banlieues’. This geographical and social stigmatisation of entire neighbourhoods echoes to what is referred to in France, by scholars, the media and politicians as the ‘crise des banlieues’, a ‘French social exception, explosive illustration of the astounding gap between the Republic’s promises and their achievement’.<sup>226</sup> In these suburban areas - also referred to by the government as ‘Sensitive Urban Zones’, a great proportion of inhabitants are people whose parents emigrated from the former French colonies in Maghrebi and Sub-Saharan Africa in the 1960’s, and the poverty rate<sup>227</sup> in 2015 reached 38.4%, which is three times higher than in the rest of France.<sup>228</sup> According to Bronner, this urban phenomenon is a form of social, economic but also ethnic segregation, which led to months of riots in 2005.<sup>229</sup> If the state implemented specific urban and social policies to improve the situation in SUZs, the FN often closely links them to ‘insecurity’ issues, as their whole political programme on ‘security’ starts with referring to these areas as the ‘fiefdom’ of violent gangs.<sup>230</sup> In comparison, if Nicolas Sarkozy refers to ‘some areas’ where firefighters are assaulted, mainstream discourses do not explicitly link terrorism with SUZs.

## 2. Common features in extreme and mainstream discourses

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<sup>224</sup> Front National, 2015 (a), accessed online.

<sup>225</sup> Front National, 2015 (b), accessed online.

<sup>226</sup> Bronner, 15/07/2011, accessed online.

<sup>227</sup> Percentage of people living with less than 964 euros a month.

<sup>228</sup> Vie-Publique, 2015, accessed online.

<sup>229</sup> Bronner, 15/07/2011, accessed online.

<sup>230</sup> Front National, 2015 (c), accessed online.

#### a. Creation of fear

All the discourses are based on the creation of high apprehensions, notably through the use of worrying lexical fields, focused on themes such as war, criminality and danger. France is 'wounded', France is facing 'risk', 'menace', 'danger', 'instability', 'chaos', 'catastrophe', 'collapse'. French people are 'threatened'. Marine Le Pen, in her 2012 campaign speech, Nadine Morano and Christian Estrosi are all explaining that France is in a state of war. If the president of the FN does not explicitly declare that the country is currently in that state, she strongly implies it, notably when she claims that she will 'struggle without mercy' against 'radical Islam'. She also states that there was a war taking place in 'no-go zones', but that France has lost it and now these areas are not controlled by the state anymore. However, Nadine Morano affirms that a war has been triggered by terrorists and fanatics against France, and Christian Estrosi centers a large part of his interview on the issue of the 'Third World War' that France is fighting. When he makes this claim the journalist replies 'when you say that, you are scaring people off. Are you not playing on fears?'. While the mayor of Nice denies the accusation by explaining that he is simply stating the truth, it seems that these political discourses on terrorist attacks are being voluntarily alarmist, suggesting that these mainstream and extreme political actors are engaging in one of the key processes of an engineered moral panic: the generation of heightened concern.

#### b. 'Us. v. Them' dichotomy

Another key characteristic of all these speeches, is that they rest on the clear construction of antagonism between two categories of people. As this antagonism takes both the form of a war and of an attack on France's values, as Nicolas Sarkozy states, for example, that 'it is the Republic's principles which have been violated', it opposes in-groups to out-groups, which are also designated as folk devils. On the one hand, the discourses often glorify the in-group, who are presented as hard workers, respecting and defending foundational values and ideals of 'justice', 'equity', 'equality', 'peace', 'laïcité', 'unity', 'meritocracy'. By the

recurring use of the pronoun 'we' or the possessive pronoun 'our', politicians include themselves in that category. It must also be underlined that the in-group depicted in the discourses of Marine Le Pen, Nicolas Sarkozy and Christian Estrosi is exclusively comprising 'French people', 'citizens of our country', and that migrants living in France are *de facto* excluded from the positively represented group. On the other hand, the out-group is represented in very negative terms, it is a 'gangrene', a 'grenade' composed of 'enemies', and Merah, one of its representatives, is a 'monster'. With the terms 'them', 'their', 'those', the politicians clearly distance themselves and the in-group from the out-group. Moreover, apart from Nicolas Sarkozy's speech which does not mention Islam once, all the other discourses associate directly or indirectly the out-group to this religion.

These findings suggest that these political discourses are engineering increased hostility towards folk devils, which are depicted as being fundamentally evil. Furthermore, these extreme and mainstream politicians are following a double strategy which is illustrative of elites racist discourses: on one side, they use a 'nationalist rhetoric'<sup>231</sup> which self-praises honest French people, a category whom they belong to, on the other side, they negatively represent the other, the enemy, which is almost systematically associated to a religion and a religious group.

### c. Vague definitions of folk devils

Another common feature of these discourses, is that even if specific terms are used to designate folk devils, the reality that these terms encompasses is consistently vague and wide. Marine Le Pen seeks to fight 'radical Islam' and 'Islamist fundamentalism', Nicolas Sarkozy targets 'fanatics', Nadine Morano, 'terrorists and fanatics' and Christian Estrosi, 'Islamofascism'. First of all, it must be underlined that, whilst the terms used by Marine Le Pen and Christian Estrosi to discuss and analyse terrorist events imply that terrorism is

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<sup>231</sup> Van Dijk, 1993, p 72.

intrinsically linked to extreme expressions of Islam, all of these terms, including that of ‘fanatics’ used by Nadine Morano and Nicolas Sarkozy, are labels commonly used in the ‘Islamic terrorism’ discourse described and analysed by Jackson. Moreover, according to the author ‘in their textual usage these terms are often vaguely defined (if at all), yet culturally loaded and highly flexible in the way they are deployed’.<sup>232</sup> In Marine Le Pen’s speeches, the concepts of ‘radical Islam’ and ‘Islamist fundamentalism’, which are never defined by the president of the FN, can potentially comprise some immigrants, documented or not, coming from Africa, Asia, and Maghrebi, ‘immigrants’ children’ who have been taught by irresponsible elites to hate France and which have been indoctrinated by ‘destructive’ ideologies, ‘Salafist’ and ‘fanatical’ imams, and some inhabitants of SUVs who are imposing the practice of Islam to others. Nicolas Sarkozy associates ‘fanatics’ to a very large spectrum of people. It encompasses ‘apprentice terrorists’, people wanting to be ‘radically hostile’ to the Republic, people who ‘by their words and behaviours would encourage fanaticism and would promote ideas which are contrary to our values’ but also ‘any person going to a foreign country to be indoctrinated to ideologies leading to terrorism’ and ‘any person who will regularly visit websites apologising for terrorism or calling for hatred and violence’. Nadine Morano implies that ‘terrorists and fanatics’ can potentially comprise ‘some imams who do not speak French in some mosques’ and the extremely vague category of ‘those who use Islam against religions and against those who are not believers’. Finally, Christian Estrosi associates ‘Islamofascism’ to inner enemies who are infiltrated in French society and are only technically French because of their identity papers.

These findings suggest that, while producing discourses which are centered on terrorist attacks, their causes and their solutions, these extreme and mainstream politicians are designating folk devils who can hardly be defined as only being ‘terrorists’. Instead, they tend to define as threats, or potential threats, a large spectrum of people going from

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<sup>232</sup> Jackson, 2007, p 401.

immigrants, ethnic minorities, Muslims, extremist Muslims and terrorists. This implicit association of entire national, ethnic and religious groups to the security issue of terrorism can be interpreted as being an overall racist discursive strategy of negative other-presentation.

#### d. Implicit racist statements

Most of these discourses contain statements which could be interpreted as verbal defamations or stigmatisation against minorities, but which are not directly or explicitly targeting them. As Marine Le Pen states that ‘radical Islam is the direct consequence of mass immigration’, disguising this opinion as a truth which needs to be faced through a euphemism, she is not, however, explicitly stating that immigrants are radical Islamists, but that the social phenomenon of ‘mass immigration’ leads to the development of ‘radical Islam’. With her interrogations on how many terrorists are there among ‘immigrants’, ‘clandestins’, and ‘children of these immigrants, not assimilated, sensitive to the most radical and destructive theories, breaking completely with our Republican principles’, she is not directly claiming that these groups of people are *all* terrorists, but that *some of them* could be or become ones. When Nadine Morano, while making her statement appear like a strict reflection of reality, claims that ‘today’s threat’ ‘is neither Christians nor Jews’, she does not add that ‘today’s threat is *Muslims*’ but that ‘today’s threat is those who use *Islam* against religions’. Finally, when Christian Estrosi creates two distinct categories of French citizens, those ‘heirs’ of the ‘Judeo-Christian civilisation’ and those being presented as ‘a large majority of Muslims of France’, he is subtly doing it through the use of pronouns whilst depicting them as equally suffering from ‘Islamofascism’, as these Muslims ‘come to *us* to seek refuge because *they* feel threatened by what I call “Islamofascism”’.

All these political discourses combined, and taken separately, are based on the formation of fear regarding terrorist events, and on the propagation of increased hostility, regarding the people held responsible for it. While these people are both pictured as belonging to a distinct group from the majority, and as being engaged in a clear antagonism against it, the social reality they are representing comprises a large spectrum of groups and individuals. Terrorists, or potential terrorists, are implicitly associated to migrants and ethnic and religious minorities. Consequently, this critical discourse analysis suggests that these extreme and mainstream political discourses are instilling and provoking hatred against people and groups of people.

**CHAPTER IV**  
**LIMITS OF THE LAW**

The provocation and instillation of hatred is legally defined as ‘hate speech’, which is described by the Council of Europe as ‘*covering all forms of expression which spread, incite, promote or justify racial hatred, xenophobia, anti-Semitism or other forms of hatred based on intolerance, including: intolerance expressed by aggressive nationalism and ethnocentrism, discrimination and hostility against minorities, migrants and people of immigrant origin*’.<sup>233</sup> However, the legal definition of what constitutes ‘hate speech’ differs between countries, and in the scholarly world, the legal regulation of hate speech is a widely discussed topic. This Chapter seeks to reflect on the democratic necessity of hate speech bans, and, after analysing the case of France and the jurisprudence of the ECtHR, to discuss whether they constitute appropriate instruments to tackle the speeches analysed on Chapter III.

#### I) Philosophical debates on hate speech laws in democracies

Article 11 of the French Declaration of the Rights of Man and the Citizen of 1789, which has been inscribed in the Constitution, states that:

*‘The free communication of ideas and of opinions is one of the most precious rights of man. Any citizen may therefore speak, write and publish freely, except what is tantamount to the abuse of this liberty in the cases determined by Law’*<sup>234</sup>

This article comprises two fundamental ideas: that freedom of speech is an essential human right, and that this right is not absolute, but knows limits which have to be determined by law-makers. One of the restrictions commonly used in many European countries, but also in other Western democracies such as Canada and New-Zealand, is the establishment of hate speech laws. However, these laws are subjected to profound academic debates, notably when they concern public discourses which form part of democratic deliberations.

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<sup>233</sup> Weber, 2009, p 3.

<sup>234</sup> Declaration of the Rights of Man and the Citizen, 1789.

## 1. Hate speech laws infringing on democratic processes

Brown identifies the ‘Principle of Democratic Self-Government’ as a central line of thoughts in the scholarly world of freedom of speech, which rests on the idea that ‘legalistic constraints on speech, or other expressive acts, including constraints on uses of hate speech, are unwarranted if they deny people the information they need in order to contribute to processes of collective decision-making on issues of public concern’.<sup>235</sup> According to this American school of thought, which rests on interpretations of the First Amendments of the U.S. Constitution, citizens have a right, but also, for some scholars, a ‘civic duty’<sup>236</sup> to take part in democratic processes, which does not only comprises elections, but more generally ‘genuine deliberations of issues’<sup>237</sup> within the ‘public sphere’.<sup>238</sup> It must be underlined that in this scholarly field, democratic deliberations through political speech encompasses ‘speech on innumerable areas of public concern, everything from prominent legal cases and rights to broader issues around public goods and even the sort of ethos or culture a society should have’.<sup>239</sup> As citizens are only ‘politically free’<sup>240</sup> if they take part in collective democratic deliberations, free speech is pictured as a necessary pre-condition to the development of these deliberations and consequently, as the bedrock of democratic governance. Indeed, this ‘dialogue facilitates the testing of competing claims and obtaining of diverse input into political decision making’.<sup>241</sup> That is why, according to Meiklejohn, ‘no idea, no opinion, no doubt, no belief, no counterbelief, no relevant information, may be kept’<sup>242</sup> from citizens, as it would amount to a ‘mutilation of the thinking process of the

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<sup>235</sup> Brown, 2015, p 188.

<sup>236</sup> Ibidem.

<sup>237</sup> Ibidem, p 190.

<sup>238</sup> Ibidem.

<sup>239</sup> Brown, 2015, p 190.

<sup>240</sup> Post, 1991, p 281.

<sup>241</sup> Tsesis, 2009, p 497.

<sup>242</sup> Meiklejohn, 1960, p 75.

community’.<sup>243</sup> Consequently, hate speech bans are thought to contravene with the fundamental process of democratic decision-making, where free speech is considered as a collective constitutional value, ‘which no pursuit of an individual purpose can ever claim’.<sup>244</sup>

Nevertheless, these positions on the anti-democratic essence of hate speech rest on a deliberative and participative vision of democracy that appears to be ideal, where all citizens have equal competences, knowledge and opportunities for taking part in necessary democratic deliberations. The reality of democratic decision-making differs from this exemplary model, as ‘some people get a lot more speech than others’.<sup>245</sup> Due to a various set of economic, social, cultural, gender, age, religious, and ethnic characteristics, some people are *de facto* underrepresented or even silenced during democratic deliberations, and it is usually the same people who are subjected to hate speech. Indeed, following the definition of the Council of Europe, hate speech is particularly directed towards minorities, migrants and people of immigrant origin. In fact, this line of thoughts ‘may ignore the distinctness of persons (or group of persons)’ and ‘assume that it is acceptable to sacrifice the good of one group of persons in society for the sake of striving for a yet to be fully realized collective value’.<sup>246</sup> This majority/minority dichotomy in freedom of speech shows that the ‘Principle of Self-Democratic Government’ must be nuanced, and that hate speech laws can actually serve important purposes in democratic societies.

## 2. Hate speech laws protecting democratic values

In Brown’s words, if some forms of expression are made ‘untouchable irrespective of any democratic judgement concerning where the basic threshold for democracy falls’, it could

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<sup>243</sup> Ibidem., p 27.

<sup>244</sup> Meiklejohn, 1960, p 55.

<sup>245</sup> MacKinnon, 1993, p 72.

<sup>246</sup> Brown, 2015, p 189.

‘undermine rather than bolster the claim that the system of government is democratic’.<sup>247</sup> Indeed, Western liberal democracies are not only defined by their decision-making process, but also by a set of values and rights they strive to respect, protect and fulfil. If freedom of speech is one of them, turning this freedom into a sacred value, even when hateful comments are directed towards specific groups in public discourses, can be apprehended as undermining another fundamental ideal of many democracies, which is ‘the aspiration of equal dignity’.<sup>248</sup> Tsesis limits freedom of speech in democracies to when it infringes on other rights by explaining that ‘the freedom to intimidate vulnerable groups, for instance, can prevent others from enjoying their equal right to public safety. Aggressive advocacy against identifiable groups also attacks their sense of dignity’.<sup>249</sup> In pluralistic democracies, where competing interests are inevitable, ‘speech, like any other individual right, sometimes has to give way to other democratic values, such as equality’.<sup>250</sup> In fact, this argument echoes the theory of ‘militant democracy’,<sup>251</sup> developed by Lowenstein, following his assessment of the threat Nazi hate speech had put on democracy in Germany. In his view, ‘sometimes free speech needs to be curtailed precisely to protect democracy’.<sup>252</sup> For instance, the scholarly world often associates the inscription of the prohibition of Holocaust denial in the German Constitution, ‘as an exercise of militant democracy’.<sup>253</sup> Following this view, some types of bans on public hate speech can appear as necessary tools for democracies, as they protect their foundational values and ultimately, the interests of some groups of people who are more vulnerable than others, such as migrants and ethnic and religious minorities.

The issue with hate speech laws regulating democratic deliberations, is to find and define ‘the minimum standard of respect that citizens are entitled to demand of one another in

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<sup>247</sup> Ibidem.

<sup>248</sup> Tsesis, 2009, p 497.

<sup>249</sup> Ibidem, p 499.

<sup>250</sup> Ibidem.

<sup>251</sup> Lowenstein, 1937.

<sup>252</sup> Brown, 2015, p 196.

<sup>253</sup> Ibidem, p 197.

public discourse'.<sup>254</sup> Thus, law-makers, when designing hate speech regulations, play the crucial role of finding the right balance between the creation of an 'Invasive State', in which fighting hateful statements justifies the establishment of arbitrary rules on freedom of speech, and the approval of a 'Hateful Society' within which the refusal to sanction the most extreme hate speech is allowing discriminatory attitudes and violence, according to Brettschneider's dichotomy.<sup>255</sup> Moreover, when it comes to interpreting hate speech laws, judges also need to balance conflicting rights, in order to establish what constitute legitimate and appropriate limits to freedom of speech.

## II) Facing philosophy with legal reality: hate speech laws, France and the ECHR

### 1. Public hate speech laws in France

In terms of restrictions on hate speech, the French model consistently differs from the American one, as 'it is virtually impossible to secure a conviction for racist expressions (...) unless the words provoke immediate violence or constitute a direct threat'<sup>256</sup> in the United States. In fact, France could be defined as a 'militant democracy', or as a 'pioneer'<sup>257</sup> state in the field. As shown at the beginning of this Chapter, the law-maker's power to restrict freedom of speech is enshrined in the Constitution, following the founding Declaration of the Rights of Man and the Citizen. This constitutional prerogative led the successive French governments to create a comprehensive legal arsenal for restricting hate speech, in the private sphere but most importantly, in the public sphere. One of the most emblematic pieces of legislation reflecting the importance of hate speech bans in the French political and legal landscape, is the so-called 1990 *Gayssot Law*.<sup>258</sup> This law criminalises the denial of crimes against humanity, as defined in the Nuremberg Trials, and has been

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<sup>254</sup> Heyman, 2008, p 181.

<sup>255</sup> Brettschneider, 2012.

<sup>256</sup> Bleich, 2014, p 284.

<sup>257</sup> Mbongo, 2010.

<sup>258</sup> Law Repressing any Racist, Anti-Semitic or Xenophobic Act, 1990.

originally created to punish people purporting to revise, or even negate the History of the Holocaust.<sup>259</sup> The *Gayssot Law* modified the *1881 Law on Freedom of the Press*,<sup>260</sup> which notably sets out all restrictions on public hate speech in French law.

Apart from denying crimes against humanity, this law establishes three distinct types of public hate speeches based on ethnic, national, racial or religious characteristics. The first type of offense is defined as ‘insulting’, which comprises ‘offensive expressions, scornful remarks or invectives that are devoid of any factual accusation’.<sup>261</sup> The second type of offense is ‘defamation’ which amounts to ‘any allegation or attribution of a fact that damages the honour or reputation of the person’.<sup>262</sup> Finally, the third type of offense is ‘provocation’ or ‘incitement’ to ‘discrimination, hatred or violence towards a person or a group of persons’.<sup>263</sup> It is for this offense that Jean-Marie Le Pen had been convicted in 2005, due to his statements on the imminent domination of Muslims over the country.<sup>264</sup> Incitement to discrimination, violence or hatred differs from insults, because the goal of the perpetrator implies a will to convince other people, to make an audience endorse their statements rather than simply hurting a person or a group of persons.<sup>265</sup> Incitement also differs from defamation for it comprises hateful or violent statements which do not convey any precise accusations.<sup>266</sup> To define what constitutes a critique delivered in the name of freedom of speech and what constitutes a clear incitement to hatred, the French Court of Cassation, examining the case of *Jean X. v. LICRA*<sup>267</sup>, declared that the limit was established when a statement ‘tends to prompt a feeling of hostility and rejection towards a group of persons based on a determined origin or religion’.<sup>268</sup> While there is still an

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<sup>259</sup> Troper, 1999, p 1239.

<sup>260</sup> Law on the Freedom of the Press, 1881.

<sup>261</sup> Ibidem.

<sup>262</sup> Ibidem.

<sup>263</sup> Ibidem.

<sup>264</sup> See Chapter II

<sup>265</sup> Service Public, 2015, accessed online.

<sup>266</sup> Ibidem.

<sup>267</sup> *Jean X v. LICRA*, Court de Cassation, 2015.

<sup>268</sup> Ibidem.

ongoing jurisprudential debate on the explicit or implicit nature of the statement,<sup>269</sup> appreciating what this ‘feeling’ exactly encompasses has yet to be done on a case by case basis, following the judges’ analysis.

Because incitement to hatred focuses on public speeches that are elaborated to convince an audience through generally hateful discourses, this offense is more likely to apply to political speeches produced during democratic deliberations, as it is the case of the corpus of extreme and mainstream discourses critically analysed in Chapter III. However, before discussing the appropriateness of French hate speech bans regarding these discourses, it is worth examining these restrictions in the light of the ECtHR jurisprudence, which has a broad understanding of political free speech.

## 2. The ECtHR jurisprudence on political hate speech bans

The political nature of speech is acknowledged as being of prime importance in the jurisprudence of the ECtHR on restrictions of freedom of speech. The Court underlines the essential value of ‘freedom of political debate in a free and democratic society’<sup>270</sup>, and attaches ‘the highest importance to the protection of political expression, which it has defined expansively to include speech on matters of general public concern’.<sup>271</sup> As established, for example, in *TV Vest vs. Norway*,<sup>272</sup> it means that, in practice, the Court applies a stricter scrutiny regarding restrictions on expressions of political nature as regards to other types of expressions, and applies ‘a correspondingly circumscribed national margin of appreciation with regard to the necessity of the restrictions’.<sup>273</sup> Moreover, following the jurisprudence established by *Handyside v. United Kingdom*,<sup>274</sup> where the Court states that

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<sup>269</sup> Korman, 2001, pp 387-388.

<sup>270</sup> Sharland, 2009, p 63.

<sup>271</sup> Ibidem.

<sup>272</sup> *TV Vest AS & Rogaland Pensjonist Party v. Norway*, ECHR, 2008.

<sup>273</sup> Ibidem.

<sup>274</sup> *Handyside v. United Kingdom*, ECHR, 1976

freedom of speech ‘is applicable not only to ‘information and ideas’ that are favourably received or regarded as inoffensive but also to those that offend, shock or disturb the state or any sector of the population’,<sup>275</sup> the ECrtHR considers that ‘the right to exaggeration and provocation constitutes an inherent component of political discourse’.<sup>276</sup> According to Flauss, it means that the Court generally tolerates ‘polemic’ discourses and that ‘excessive and/or extreme language is broadly understood to be accepted, particularly in discussions of political issues’.<sup>277</sup> Moreover, even if some political speeches are established by the Court to incite ‘a population to hatred and hostility based on religious, racial and regional distinctions’,<sup>278</sup> the restrictions imposed by states on the matter are not necessarily upheld by European judges. In the case of *Erbakan v. Turkey*,<sup>279</sup> where the Court underlined that ‘combating all forms of intolerance is an integral part of human rights protection’ and that ‘it is crucially important that in their speeches politicians should avoid making comments likely to foster such intolerance’<sup>280</sup>, the restrictions imposed by Turkey on the applicant where found to be in violation of Article 10 of the European Convention on Human Rights (ECHR), notably because the State pressed charges on the applicant five years after he made his statements, and that it was not established that his speech presented or could present an “‘imminent danger’”.<sup>281</sup>

As the Court seems to apply a high threshold of tolerance regarding the form and content of political speech, it does not mean, however, that national restrictions on hate speech are systematically disregarded by the ECrtHR when dealing with discourses of politicians. Actually, lately, the Court seems to have initiated a judicial move towards the encouragement of a greater sense of responsibility for politicians producing intolerant

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<sup>275</sup> Ibidem.

<sup>276</sup> Flauss, 2009, p 818.

<sup>277</sup> Ibidem., pp 818-819.

<sup>278</sup> ECHR, 2012, p 7.

<sup>279</sup> *Erkaban v. Turkey*, ECHR, 2006.

<sup>280</sup> Ibidem.

<sup>281</sup> Ibidem.

speeches. Indeed, in the *Féret v. Belgium*<sup>282</sup> case, the Court upheld a State's decision to condemn a member of an extreme-right party's leaflets and posters which notably stated that it was necessary to 'save our people from the threat constituted by the conqueror Islam'.<sup>283</sup> Weighting between the extended protection politicians should enjoy regarding freedom of speech and the reiterated idea that politicians should not foster intolerance, the Court ruled that there had been no violation of Article 10 in this case. As 'political discourses which incites to hatred based on religious, ethnic or cultural prejudices represents a danger for social peace and political stability in democratic states',<sup>284</sup> Belgium's application of hate speech restriction was 'necessary in a democratic society'.<sup>285</sup> Moreover, a year later, the case of *Le Pen v. France*<sup>286</sup> followed this judicial direction. The Court rejected the complaint of Jean Marie Le Pen regarding an alleged violation of freedom of speech. Without technically ruling on the merits of the case, the ECtHR found that the applicant's complaint was ill-founded, since the Paris Court of Appeal's motives for condemning Le Pen, notably that his discourse could potentially foster 'a feeling of rejection and hostility'<sup>287</sup> towards the Muslim community, were relevant and sufficient, and that the restriction on the applicant's freedom of speech was 'necessary in a democratic society'.<sup>288</sup> This judicial move seems to imply that, if the discourses analysed in Chapter III were subjected to hate speech restrictions by the French judges, the ECtHR may uphold this decision. However, this hypothesis remains very uncertain.

### III) The bluntness of law

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<sup>282</sup> *Féret v. Belgium*, ECHR, 2009.

<sup>283</sup> *Ibidem*.

<sup>284</sup> *Ibidem*.

<sup>285</sup> *Ibidem*.

<sup>286</sup> *Le Pen v. France*, ECHR, 2010.

<sup>287</sup> *Le Pen v. France*, ECHR, 2010

<sup>288</sup> *Ibidem*.

According to Sorial, hate speech bans can help to ‘distinguish between speech that is socially valuable and speech that is not’.<sup>289</sup> The issue with the discourses selected, is that they seem to be situated in a grey area regarding this social worth. Indeed, they are mainly focused on the topical issue of terrorism and counter-terrorism, which poses serious challenges on national security, international relations and human rights, and thus appears to be worth discussing for society. Moreover, in France, the fundamental value of ‘laïcité’ (explicitly referred to by Marine Le Pen and Nicolas Sarkozy in their speeches), which implies a strict detachment between religion and the public sphere, often leads to debates on religious practices and expressions.<sup>290</sup> It can then seem socially valuable, or at least socially acceptable, to discuss and condemn the impact of fundamentalist forms of religions on the organisation of society. Thus, at first glance, the speeches do not directly target Islam, but extremist religious groups and ‘Islamist’ terrorism, even if a critical discourse analysis allows unpacking the fact that these discourses are, in reality, targeting a wider spectrum of people and communities. Furthermore, it must be underlined that when racist statements are made, stigmatising and criminalising Islam, Muslims, immigrants or ethnic minorities, they are systematically communicated in a concealed and implicit way.

The blurry content and form of these speeches, implies that, if French hate speech regulations and ECHR law were exercised on these discourses, the enforcement of a sentence would be very uncertain. Indeed, regarding the jurisprudence of the French Court de Cassation, the key issue would be for a judge to establish whether they genuinely tend to ‘prompt a feeling of hostility and rejection towards a group of persons based on a determined origin or religion’. As for the ECtHR jurisprudence on political speech, it would be uneasy to determine whether they constitute ‘polemic’ and shocking discourses, which remain necessary in a free and democratic society, or whether they are hateful, intolerant discourses which endanger the social peace and political stability in France. In

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<sup>289</sup> Sorial, 2013, p 65.

<sup>290</sup> With, for example, the law on the ban of religious signs in public schools, and the very polemic ‘burqa ban’.

any case, the issue would only depend on the appreciation of the judges, when ‘the right to freedom of expression is without doubt one of the most sensitive to the political and ideological stances of the judges themselves’.<sup>291</sup> It implies that different judges considering a similar hate speech case very often reach divergent conclusions.<sup>292</sup> More specifically, in the *Féret v. Belgium* case, which concerns discourses fairly comparable to the ones critically analysed in Chapter III, three judges out of seven dissented the judgement. They notably stated that ‘a notion of hate speech that does not directly refers to a fueling of provocation of intolerant or violent acts is too large to be compatible with a serious protection of political speech’<sup>293</sup> and regretted the creation of a jurisprudence on ‘dangerous discourse’ which will amount to the unreasonable extension of restrictions on free speech.<sup>294</sup> This opinion confirms the ‘blurry’ nature of the extreme and mainstream speeches previously analysed, in the light of contemporary hate speech bans. It implies that a restriction of these discourses through current hate speech laws would probably strongly depend on the political opinion and legal ideology of the judges analysing them, which constitute factors that are rather arbitrary.

One could argue that, if the ECtHR truly elaborates a doctrine of ‘dangerous discourse’ and keeps heading towards the encouragement of political responsibility regarding intolerant speeches, a solution to limit the potential arbitrary aspect of French hate speech bans with regards to the speeches analysed in Chapter III, would be to change the law in order to restrict the judges’ margin of interpretation. Thus, a notion of ‘dangerous discourses creating an atmosphere conducive to the fueling of hatred’ could be introduced in the *Law on Freedom of the Press*, and Marine Le Pen, Nicolas Sarkozy, Nadine Morano and Christian Estrosi would most certainly be found guilty of delivering hate speech. However, the solution of widening the scope of hate speech bans would be both dangerous for democracy and ineffective. Indeed, while consistently restricting freedom of speech;

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<sup>291</sup> Flauss, 2009, p 849.

<sup>292</sup> Girard, 2014, accessed online.

<sup>293</sup> *Féret v. Belgium*, ECHR, 2009.

<sup>294</sup> *Ibidem*.

such a law can neglect and deny ‘the power of counter-arguments and independence of thoughts’<sup>295</sup> of citizens. It could pave the way for a dystopian ‘Invasive State’ which, by attempting to silence a greater number of opinions, alienates a greater number of people, who would stop identify to political decisions as they ‘instead feel controlled and manipulated’<sup>296</sup> and would consequently end their participation in democratic processes. The democratic legitimacy of the law-maker could then seriously be called into question, as well as the very essence of democracy. Indeed, the ultimate aim of hate speech bans should be to improve the quality of democratic debates, not to undermine the very possibility of holding these debates. Furthermore, Sorial underlines that ‘legal regulation tends to protect those speakers who are able to couch their claims in language that seems acceptable, even though they may cause more harm with their words’<sup>297</sup>. Nicolas Sarkozy, whilst building a clear antagonism between ‘fanatics’ and the majority, consistently uses democratic notions and highlights humanist ideals. Although the Republic is ‘indivisible’, Christian Estrosi subtly distinguish three categories of French people, heirs of the ‘Judeo-Christian civilisation’, ‘Muslims of France’ and members of ‘Islamofascism’, through the common victimisation of Christians and Muslims. Nadine Morano, while strongly implying that Muslims are a danger for France, never actually refers to this religious community. With her ‘dediabolization’ strategy, Marine Le Pen already changed a great part of the narrative of her party to make it seem more democratic and acceptable, whereas the core ideas of the FN remain unchanged. Moreover, contrary to her father, she has never been convicted of any hate speech offence. These politicians know the law and how to adapt their speech to it, and if legislation gets to be changed to be more restrictive, they will most certainly find ways to legally convey their dangerous messages.

In sum, for restricting these extreme and mainstream discourses which are instrumentalising terrorist events and fostering ethnic, racial and religious hatred, hate

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<sup>295</sup> Ibidem.

<sup>296</sup> Post, 2005, p 144.

<sup>297</sup> Sorial, 2013, p 60.

speech laws are a blunt and counterproductive instrument. They could either be arbitrary, as their enforcement would strongly depend on the personal characteristics of the judges interpreting them, or dangerous for democracy, by alienating and silencing a great number of citizens, while being ineffective, since educated and trained politicians will always find a way to make their dangerous statements appear acceptable.

#### IV) Tackling dangerous discourses: an alternative solution

##### 1. From a 'top-down' to a 'bottom-up' remede

The chief characteristic of engineered moral panics and elite racism, is that they emanate from 'the very top'<sup>298</sup> of Western societies and democracies. If law appears as a counterproductive tool to tackle the creation and reproduction of political Islamophobic narratives, it is also because legislation is a 'top-down'<sup>299</sup> instrument, designed and implemented by the very actors who are diffusing and institutionalising moral panics and racism within society. The cases of EU anti-terror legislations targeting asylum seekers and Sarkozy's systematic policy of Roma evictions, are eloquent examples. That is why a 'bottom-up' or 'grassroots'<sup>300</sup> approach to the issue seems more adequate. Grassroots organisations are groups 'without positions of authority' which 'make change without formal power'.<sup>301</sup> In the field of human rights, Non-Governmental Organisations (NGOs) are leading and essential grassroots actors. They constitute 'self-governing, private, not-for-profit organisations that are geared towards improving the quality of life of disadvantaged people'.<sup>302</sup> Distinct from government and public bodies<sup>303</sup>, they form part of civil society, which is 'a space or arena between households and the state which affords possibility of

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<sup>298</sup> Van Dijk, 1993, p 2.

<sup>299</sup> Kezar, 2012.

<sup>300</sup> Ibidem.

<sup>301</sup> Ibidem, p 726.

<sup>302</sup> Vakil, 1997, p 2060.

<sup>303</sup> Van Tuijl, 1999, p 495.

concerted actions and social organisation'.<sup>304</sup> It is within this non-institutional space, that innovative solutions can be found to tackle social issues, but also institutionalised human rights violations. Following the typology of Yaziji and Doh, in order to improve collective well-being, human rights NGOs are mainly carrying out advocacy actions,<sup>305</sup> as they 'engage in lobbying, serve as representatives and advisory experts to decision-makers, conduct research, hold conferences, stage citizen tribunals, monitor and expose actions (and inactions) of others'.<sup>306</sup> This last practice, referred to in the scholarly world as 'naming and shaming', 'is a popular strategy'<sup>307</sup> to push for the respect of human rights such as dignity, equality and non-discrimination, as 'shining a spotlight on bad behavior'<sup>308</sup> can help mobilising society and change harmful practices.

In France, traditional anti-racism NGOs such as the Movement against Racism and for Friendship between Peoples<sup>309</sup> (MRAP), SOS Racism<sup>310</sup> or the International League Against Racism and Anti-Semitism<sup>311</sup> (LICRA), use traditional forms of 'naming and shaming' against dangerous political discourses. It mainly comprises occasional and assertive press releases, such as 'Nicolas Sarkozy, little representative of the FN: *jus sanguini* against *jus soli*!',<sup>312</sup> or 'France is Charlie, FN is FN'.<sup>313</sup> However, an NGO created in 2007 called 'Les Indivisibles' and which aims at 'deconstructing, notably through humour and irony, ethnic and racial prejudice',<sup>314</sup> organised an entire 'naming and shaming' campaign dedicated to the denunciation of racist speeches, which takes the form of a satirical annual awarding ceremony.

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<sup>304</sup> Lenhing, 1998, p 27.

<sup>305</sup> Yaziji and Doh, 2009, p 8.

<sup>306</sup> Ibidem.

<sup>307</sup> Hafner-Burton, 2008, p 689.

<sup>308</sup> Ibidem, p 690.

<sup>309</sup> Mouvement contre le Racisme et pour l'Amitié entre les Peuples

<sup>310</sup> SOS Racisme

<sup>311</sup> Ligue Internationale contre le Racisme et l'Antisémitisme.

<sup>312</sup> MRAP, 2015, accessed online.

<sup>313</sup> LICRA, 2015, accessed online.

<sup>314</sup> Les Indivisibles, 2010, accessed online.

## 2. The ‘Y’a Bon Awards’

Since 2009, Les Indivisibles have been organising an annual ceremony called the ‘Y’a Bon Awards’, a reference to a racist colonial saying which used to be the slogan of a famous French brand of chocolate powder.<sup>315</sup> The goal of the ceremony, is to highlight the most racist and Islamophobic statements delivered by politicians, but also philosophers and journalists, through the satirical awarding of a prize – the trophy being a golden banana – according to several categories. Among these categories, ‘the Noises and Smells’<sup>316</sup> highlights the most prejudicial statements of ‘our elites’<sup>317</sup>, and ‘Islam stops with me’<sup>318</sup> is a special category dedicated to Islamophobic statements. Many politicians, from extreme and mainstream parties have been nominated and awarded, among them Nicolas Sarkozy – who won the ‘Controlled designation of origin’ price in 2010 for mocking the Arab origins of a French comedian<sup>319</sup>, but also many Members of Parliament, and members of the Socialist government, such as Michel Sapin or Manuel Valls. As the satirical ceremony received an important media coverage,<sup>320</sup> notably because members of the jury are often famous journalists or comedians; the president of the NGO, Amadou Ka, declared that Les Indivisibles is an organisation ‘of public interest’<sup>321</sup> and the comedian Matthieu Londe, stated during the 2015 ceremony he was facilitating: ‘we are organising a public sphere for ourselves, which serves as a counter-power against opinion makers who always appear on TV. It is our tool of resistance’.<sup>322</sup>

The ‘Y’a Bon Awards’ are a good example on how dangerous extreme and mainstream discourses can be called into question by grassroots organisations, without using legal

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<sup>315</sup> L’Express, 2011, accessed online.

<sup>316</sup> A reference to Jacques Chirac’s saying, reported in Chapter II

<sup>317</sup> Les Indivisibles, 2009, accessed online.

<sup>318</sup> Les Indivisibles, 2011, accessed online.

<sup>319</sup> Les Indivisibles, 2010, accessed online.

<sup>320</sup> ‘Y’a Bon Awards’, *Huffington Post*, ‘Y’a Bon Awards : des bananes pour lutter contre le racisme’, *Le Point*, ‘Y’a Bon Awards, nous votons Caroline Fourest !’, *L’Obs*.

<sup>321</sup> Khouiel, 08/06/2015, accessed online.

<sup>322</sup> Belkaab, 13/06/2015, accessed online.

channels but through freedom of expression, by using satirical and critical means which benefit from an extensive media coverage. By ‘naming and shaming’ dozens of politicians and journalists by ceremony, Les Indivisibles show that there is a general diffusion of intolerance and prejudices in the media and in the political sphere, and encourage the public to have a critical eye on the information and opinions they receive.

## Conclusion

This thesis has sought to show that while some extreme and mainstream political discourses on terrorist events are potentially dangerous for society, for they instrumentalise popular fears and instill prejudices and hatred against perceived Muslims through subtle semantic, discursive and linguistic ways, hate speech bans are a blunt instrument to tackle this combination of engineered moral panic and elite racism. Indeed, it has been acknowledged that at ‘the very top’ of society, there is political manipulation of public fears on terrorism, which contributes to increasing hostility towards migrants, Muslims and ethnic minorities. However, in a context of institutionalisation and popular acceptance of far-right ideas, the political discourses critically analysed in this thesis fall into a ‘grey area’ regarding hate speech regulations and free democratic deliberations. As they arguably discuss topics socially valuable for democratic societies, they are also delivered in a cautious manner and do not constitute, *per se*, blatant examples of hateful speech directed towards national, ethnic and religious minorities. Whilst the outcome of an enforcement of hate speech bans on these discourses would likely depend on rather arbitrary factors, further restrictions to criminalise them would have the counterproductive effect of silencing a great number of citizens albeit not necessarily preventing trained and educated politicians from conveying dangerous messages, by circumventing these restrictions. This is where law reaches its limits and where civil society initiatives step in.

Whilst the example of the ‘Y’a Bon Awards’ show that grassroots organisations can contribute to point out the hatred and prejudices conveyed in many political speeches, further efforts need to be invested in unpacking how, nowadays, the very notions of terrorism and Islam are addressed by politicians and the media. When the Charleston shooting occurred in June 2015, whereas the alleged perpetrator was a white supremacist who probably murdered nine African-American Christians for ideological reasons, some observers pointed out that, at first, he was referred to in the media and by politicians as a

‘mentally hill’ lone wolf, and not as a terrorist.<sup>323</sup> As Butler denounces the creation of double standards regarding perpetrators of mass killings, according to their ethnic origins or their religious affiliations,<sup>324</sup> it must be underlined that the international ‘war on terror’ has influenced the collective mental representations on terrorism, which is now almost systematically associated to Islam. The two concepts have to be clearly differentiated, showing that terrorism is not necessarily perpetrated by fundamentalist factions of Islam, and that, reversely, Islam is not a violent religion.

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<sup>323</sup> Butler, 19/06/2015, accessed online.

<sup>324</sup> Ibidem.

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## **Annexes**

### **Annex I**

Marine Le Pen, 25 March 2012, Nantes.

I say it in all seriousness: this affair is the most cruel and most visible consequence of a widespread evil, although invisible at Saint-Germain des Près, but so present in our suburbs. This affair is the paroxystic expression of a gangrene which is developing on our territory with unbelievable speed.

I affirm it: the State lost control of suburban areas, it lost the war and gave up on fighting. Unfortunately, Mohamed Merah's story is common!

The naive left-wing attitude corrupted the power and the Right which gave in to laxity, gave up on any will to struggle against no-go zones. They are multiplying. The State services, civil security services do not go to entire neighbourhoods anymore, abandoning them to gangs and fanatical imams.

We are only afraid of one thing: that these suburbs burn again. So we buy social peace, by wasting billions of euros. Billions of euros used for social assistance, urban policy, billions taken from honest taxpayers.

But we are not solving the issue. I do not understand these left-wing and right-wing politicians who do not have the courage to solve this issue.

In these no-go zones, there are two laws: that of drugs, and that of radical Islam.

(...)

The second law in these areas, is that of radical Islam.

If young girls or women try to go out of their building without wearing a veil, if those perceived as Muslim do not respect ramadan, if pork meat is served in cafeterias, if food is not halal, if female middle-school or high school students want to do sports, if men and women paddle together in public swimming pools, if male doctors try to cure female patients, if young women refuse to marry the one found for them, this is made difficult today and even sometimes impossible in some areas !

Do you know that for limiting forced marriages, the French law had to be changed. Young French women do not have the right to marry freely from fifteen, they need to wait to be eighteen. We are the ones who had to adapt!

We know the fate that awaits people resisting in these suburbs. These affronts to radical Islam are not accepted.

Against this radical Islam, what did Nicolas Sarkozy do? The opposite of what needed to be done. Here again, he kneeled in front of the left-wing 'bobos'. Far from encouraging the constitution of an Islam of France, he facilitated the constitution of an Islam in France. He put in place the French Council of Muslim Faith (*CFCF*). All the Muslims present in France participate to the designation of its members. Clandestine people participate to the designation of its members. French Muslims are almost intruders.

The representativeness of each mosque depends on its surface area. Nicolas Sarkozy's *CFCF* is at stake in a permanent battle between factions depending on foreign countries. Fundamentalist Islamists easily sneaked in. The *CFCF* does not help our Muslim compatriots to live their faith, to practice their cult, in peace, as they aspire. The *CFCF* is another failure of Nicolas Sarkozy.

Let us not bury our heads in the sand, this radical Islam is the direct consequence of mass immigration that right-wing and left-wing parties have been imposing on us for decades now, that the MEDEF wants to bear down on the wages of French workers.

This situation is the direct consequence of their unfair decisions. One million of legal foreigners only during Nicolas Sarkozy's five year mandate. And how many illegal ones? All records are beaten.

The Left, with Jean-Luc Mélenchon, wishes to massively regularise undocumented migrants, i.e clandestine offenders! What a reward for not respecting law. What a reward for an offense! What an incitement, in Africa, in Asia, in Maghrebi, to take all the risks, to come by all means to France! Why do you think that Mrs Parisot is staying quiet in front of Mr Mélenchon? Why do you think that Mrs Parisot keeps her negative comments for Marine Le Pen?

The Left imposed on the Right its immigration preference. The Left won the cultural battle! All politicians tell us that immigration is a chance, that we should have more immigration!

Today, we see the results !

How many Mohamed Merah in the planes, the boats which each day arrive in France full of immigrants?

How many Mohamed Merah in the 300 clandestins who, each day, arrive in Greece via Turkey, first step in their European odyssey?

How many Mohamed Merah among the children of these immigrants, not assimilated, sensitive to the most radical and destructive theories, breaking completely with our Republican principles?

Our elites have left the power to Islamists.

I am committed to reducing in five years legal immigration from 200 000 influxes per year to 10 000 per year, to strongly limit the number of asylum seekers.

I am committed to abolish *jus soli*. Acquiring French nationality must not be a formality anymore. Naturalisation must be submitted to strict conditions. Being French is a pride, not a right ! If the Front National was in power, Mohamed Merah would not have become French.

I am committed to remove any possibility in our law to regularise clandestine people, to expell any person illegally entered on our national territory, to remove the vacuum pumps of clandestine immigration.

I do not want clandestins protests or people protesting for clandestins : these protests will be prohibited.

I oppose automatic family reunification, which, without preparation, takes away mothers and children from their roots to rush them into the cold anonymity of big suburbs buildings, which creates uprooted people and which financially weights on the national community who cannot afford it anymore.

I oppose resident permits which last for 10 years, they must only last 3 renewable years, with a strict and systematic control.

And then, let us question ourselves!

Qatar is investing in our most strategic companies, what for?

Qatar is spreading, in our suburbs, 50 millions of euros to create companies on ethnico-religious criteria, what for?

Qatar is taking control of French football. Do you think it is for a deep love of the game? These wahabis know very well that it is the favorite sport of suburban youth. Football is only a medium to attain other goals !

Qatar funds jihadists in Tunisia and in Libya. How can we tolerate that it comes to infiltrate France with such investments? How can our left-wing and right-wing politicians lack so much prudence, perspicacity, going as far as to sign fiscal conventions exempting them from having to pay wealth taxes for 5 years?

And why did Mrs Lagarde rush into putting in place in our country an Islamic financial system?

Why do our politicians do everything they can to push radical Islam in France? It is well-known that if you grant 1 cm to radical Islam, it takes 5 from you !

Well, I will do the complete opposite! I will force radical Islam to kneel!

I will struggle without mercy against this gangrene. First morally, I will point out this phenomenon and will not try to hide it from French people.

And I will put in place an arsenal which will allow to eradicate it.

Sermons will be systematically surveilled in mosques. Salafist imams will be prohibited to practice their indoctrination. Proselytes of all sorts will be bugged and surveilled carefully. Regular perquisitions will help make sure they are not constituting arsenals at their place.

People who are coming back from a suspicious trip to Afghanistan or to any other country in which people are trained for terrorism will be forced to wear a permanent electronic bracelet from the moment they come back to France.

I will stop prejudices against laïcité in suburban areas : all victims of Islamist proselytism will be invited to press charges and will be heard. I will instruct our police services to systematically investigate on these guilty acts and to never refuse to investigate.

I will prohibit ostentatious religious signs for public services users. I do not want to know the religion of the female traveler who is next to me in the train.

I said that through the Mohamed Merah case, an example was given of hybridization between Islamist terrorism and ‘thugcracy’.

It is very easy to understand: delinquency keeps rising in these areas, and it is flirting more or less rapidly, more or less seriously, with terrorism. Under the influence of radical Islam, the most determined people go from criminality to intellectual terrorism of their surroundings, then, for some of them, simply to terrorism!

## **Annex II**

Marine Le Pen, 1 May 2015, Paris.

Immigration, communitarianism, Islamist fundamentalism...here again, today France is out of control.

Blindness and powerlessness have been the only responses to the rise of the fundamentalist Islamist threat, and the risk occurred.

Although all the ingredients were there in our country for a long time, to manufacture the fundamentalist Islamist grenade that they pinned out when launching their stupid military campaign in Libya.

Sorcerer's apprentices who let a mass immigration settle in France when we knew that it was not even conceivable anymore to assimilate such a high number of immigrants.

Unaware people who, at the same time, stubbornly insist on instilling hatred of France, disregard to its values and its History in immigrants children. They artificially nurtured a feeling of revenge, and even vengeance, by keeping harping on about their distorted vision of our past, the imaginary faults of our country, which is necessarily unworthy, necessarily guilty, necessarily overdrawn to them.

Why should we be surprised today to see some people, while they or their parents have been welcomed, to behave like creditors whose fantasised debt have not been paid back.

Abusive leaders, those who refused to stop this immigration although their own people struggle with unemployment, bad housing, care deficit, a drifting school system, the

brehtaking aggravation of deficits and public debt, the collapse of our social protection system or of our penitentiary system.

Unworthy were the people who imposed the end of the assimilation model to replace it by the integration model and its natural corollary, communitarianism, allowing the development of the idea that the Republic's laws were optional, negotiable, that our values were debatable, after all.

That, in France, we had, in sum, the right and maybe even the duty to live differently from French people, with other codes, other customs, other traditions, other laws.

Our elites organised or encouraged it, giving in to all communitarian demands, justifying them, sometimes even diligently anticipating them, if they enabled them to gain some electoral support when time has come : substitutive menu, substitutive timetables, substitutive curriculum, substitutive holidays and tomorrow, substitutive law, substitutive culture.

They tried to discredit and to silence those who predicted and announced the catastrophe.

By calling Islamophobic all those who dared asking for the respect of laïcité but also of common sense, respect of our laws and lifestyle, of our unity principles, of meritocracy, respect of our culture, of our identity.

By doing so, our leaders did not only let it happen, they organised, helped and supported the present chaos.

So, let us be clear.

We do not fight anyone's religion in France.

We fight Islamist fundamentalism!

Telling it allows us to see where are our enemies, where are their accomplices.

Because they are the ones who pinned out the grenade.

The Islamic State did not appear from nowhere.

The Islamic State was born in Iraq, plunged into anarchy by Bush, father and son.

Did Nicolas Sarkozy not applause these interventions, did he not support them ardently, loudly?

The Islamic State gained a foothold in Libya.

Did Nicolas Sarkozy, Alain Juppé and their friend BHL not provoke chaos in this country, supported by Mister Holland from the PS, putting fundamentalists in power, their first act being to enforce Sharia?

The Islamic State expanded to Syria.

Did François Hollande not wish to help them by bombing the national army or to close his eyes on Qatar and Saudi Arabia arming them?

They replaced authoritarian, but secular regimes by bloody fanatics who are now ruling instead of them.

Indeed, I prefer the lesser evil to the absolute worst.

Blindness I said...cowardice... and total inertia.

Like rabbits in headlights facing the grenade's explosion, the political class remained identical to itself, while the people united to reaffirm its refusal of Islamist fundamentalism and its attachment to freedom values.

They distorted this national spirit, disconnected it from its original meaning, and use it to their exclusive benefit, which, let us admit it, is what they do best.

The 11 January protest was turned into an attempt to exclude the first political force of the country, the National Front.

The 11 January union became a session of paranormal communion where a spirit, "the 11 January spirit" demanded that any critical mind disappear, that any proposal for action, any political suggestion, keeps quiet and that everyone obediently support blindness, cowardice, inaction...well no!

We say it loud and clear, UMP and PS are unable to take measures to protect our country against Islamist fundamentalism.

We have been anaesthetised for months from minutes of silence to commemorations, from verbal sentences to inept proposals, from free phone numbers against jihadism to the website 'stopdjihadisme.gouv.fr', from the laïcité day to psychological support unit for fighters coming back from jihad.

A true inventory of the prevailing nonsense, but a criminal nonsense!

Because we must act urgently! And starting by pointing out the political responsibilities, because we will not be fooled by those who 'talk about it the most, yell louder, are the most outrageous, to hide their acts, their responsibilities'.

Who is financing mosques in spite of the 1905 law?

Who is buying social peace by funding communitarian organisations?

Maybe Christian Estrosi can answer these questions?

Who cut twelve thousands police officers jobs? Nicolas Sarkozy

Who organised intelligence to use it for his service? Nicolas Sarkozy

Who downsized by 56 000 men the armed forces in five years? Nicolas Sarkozy

We will not be fooled either by opportunists who take advantage of the Islamist menace in order to pass liberticide laws.

It is obviously the case of Mister Valls.

This Islamist menace is a good deal to put in place generalised surveillance of all French people, to listen to their conversations, to read their e-mails, with no prior authorisation from a judge.

Only Mister Valls decides of a wiretap's opportunity, of laying microphones, of receptioning correspondences.

You must admit that it is not reassuring.

Anti-democratic laws, prejudicial to individual liberties, law for generalised policing and furthermore absolutely useless for struggling against Islamist fundamentalism.

After all, Merah, Kouachi, Coulibaly, Glam all had been detected by French intelligence as radicalised activists.

It is not intelligence which failed, it is thus the penal response which, once again, fails.

It is political orders which are lacking, it is the assessment which is ineffective.

The Villejuif attack was not thwarted by the government.

The Villejuif attack aborted because the terrorist shot himself in the foot (and it is not a metaphor).

A law against Islamist terrorism must include appropriate measures.

Restoring borders and stopping the free movement: France has a right to know who is on its territory.

Reviewing asylum conditions to avoid risks of infiltration.

Making the use of French language mandatory for sermons.

Deporting any foreigner who expresses sympathies for the Islamic State.

Forcing the loss of French nationality for any binational citizen who departed for the Islamic State.

Judging for crimes those who come back from it.

Providing human and material resources to the police forces.

Re-establishing intelligence on the field, in the suburbs, and ensure a follow-up.

Raising the budget of national defence, and not maintaining the cuts !

Making the School of Republic the cornerstone of citizenship through exigency and effort.

Imposing a zero tolerance on communitarian or religious claims.

Teaching the national novel of France in its glory and light. Contrary to the terrible middle school reform of Najat Valaud Belkacem, who is to education what BHL is to philosophy.

Forbidding any financing of religious or cultural structure from foreign countries which support or finance fundamentalism and from whom the building of new mosques must be suspended in France because we need to shed the light on their financing conditions.

Completely redefining our relations with Saudi Arabia and Qatar, these funders of Islamism.

Surveilling the intrusion of foreign funds in our suburbs.

Develop relations with countries which are struggling against fundamentalism, Russia, the United Arab Emirates, Egypt, among others.

And finally and most importantly, stopping immigration.

### **Annex III**

Nicolas Sarkozy, 22 March 2012, Strasbourg.

My dear friends,

A murderer sought, in his own words, to force France to kneel by instilling hatred and terror. He has been rendered harmless. All we have left are tears, pain, families, victims. And my thoughts tonight, as yours too I am sure, go first to the victims and their families. These tragic events plunged France into mourning, but these events remind us that we are strong when we are united around our values.

I want to tell you tonight about these values. These values, which are the foundation of our Nation, the foundation of our Republic. Millions of men and women in the world are expecting France to remain committed to them. France is true to itself when it is fighting for an ideal. An ideal of justice, of freedom, an ideal of peace. If France weights in the world, it is because France gives its name, its face to the most beautiful ideals of humanity. Today, France is wounded. France is deeply wounded by these odious crimes committed against children and unarmed soldiers. It is France's values which have been denied. It is the Republic's principles which have been violated. And I want to say today that these crimes are not the crimes of a mad man, because a mad man is irresponsible. These crimes are those of a monster and a fanatic. A monster able to kill an injured man and a child who is crying in the middle of a playground. Looking for an explanation for this fanatic, this monster's action, suggesting any understanding of him or worst, looking for the tiniest excuse would be an unforgivable moral fault.

Questioning society, pointing the finger at France, policies, institutions is unworthy. It amounts to not displaying a spirit of responsibility, in times when France needs unity. No, France is not guilty. No, in France, there is no atmosphere which could explain these crimes, for these crimes are unexplainable and inexcusable.

No, the Republic is not to blame. No, society is not responsible. And no, nothing which is happening in the world and in France, no cause whatever its nature, whatever its legitimacy, can justify, can explain, can excuse the murder of a child and of an unarmed soldier.

This crime does not serve any cause. No political cause, no religious cause, no human cause, this crime damages all the causes. This crime must be observed for what it is: an unacceptable act for conscience, for civilisation and for society. This isolated, monstrous act engages the responsibility of the man committing it, but this act must not make us reflect on ourselves. These tragedies prove once more than the fight against fanaticism, extremism, racism, anti-Semitism, hatred for the other do not belong either to our history or our culture.

Our values are those of the Republic. It is the Republic which allows everyone to find a place in society, to be given a chance, to be free. It is the value of laïcité which protects freedom of conscience, freedom of religion. It is equality of men and women which prevents communitarianism. We will never compromise on these principles, on these rights and on these duties. We will not compromise on respect, respect due to the Republic's institutions, respect due to state authorities, respect due to the police forces, respect due to the justice system and all those in society who represent the Republic. Respect due to teacher, educators, doctors in hospitals who suffer unacceptable violence. Respect due to elected officials, to mayors, respect due to soldiers wearing the Republic's uniform and who defend the Republic. Respect due to firefighters whom some people in some areas dare to throw stones at. We will make people respect the Republic's institutions !

And every time, every time that we accept any loosening in the defence of republican values and institutions, we weaken the bond linking all the citizens in our country, regardless of their origins, beliefs, background, and we create an opening for people spreading hatred and violence. Those who would be tempted to be radically hostile towards the Republic, those who would want to knock it down, those who, by their words and behaviours would encourage fanaticism and would promote ideas which are contrary to our values, those people must understand that the Republic will have no indulgence towards them. We will stop them !

From now on, any person going to a foreign country to be indoctrinated to ideologies leading to terrorism will be repressed penally by a prison sentence. Any person who will regularly visit websites apologising for terrorism or calling for hatred and violence will be repressed penally by a prison sentence. And let it not be said that it is impossible ! What is possible against pedophiles must be possible against apprentice terrorists or those who support them, including through their ideas.

And from now on, the spreading and the apology of extremist ideologies inciting for terrorism will be repressed by a felony inscribed in the penal Code with means which are those of the anti-terrorism policies. Everyone is warned, everyone will take their responsibilities. On our side, it is clear, the Republic will not cede an inch of ground.

France is a democracy. No-one will impose anything on it through violence. France is a country where reason always tempers passion. France is a country which will not let itself carried away by no fanaticism. The Republic is a government of authority and rigour, those who do not want to be part of the Republic will face this rigour and this authority. In that matter, allow me to honour the police forces, the Ministry of Interior, who did a remarkable job. And to our intelligence services, I simply want to say that I hear some want to weaken them or make them disappear, it is the Republic that we will be weakened, it would be totally irresponsible.

## **Annex IV**

Christian Estrosi, 26 April 2015, Paris – France 3.

**Journalist:** Let us come back to this case, because for the first time, it is churches which seems to have been targeted. Do you think that Catholics in France are threatened?

**Christian Estrosi:** Yes, Catholics are threatened.

**J:** In France ?

**C.E:** In France and everywhere in great democracies, but in France today, Catholics are a target. Al Qaeda said, ‘we want the extinction of Jews and crusaders’. Catholics embody this vision of crusaders that Al Qaeda has. Today, I want to say that it is in fact all French people who are threatened, it is the Judeo-Christian civilization, which we are heirs to today, which is threatened. It is also all those who belong to other religions, and I am thinking about a large majority of Muslims of France, who today put the Republic’s laws above religious laws and who come to us to seek refuge because they feel threatened by what I call ‘Islamofascism’, which has decided, whether it is within the Islamic State, in Iraq, in Syria and elsewhere, but also through the Fifth Columns and these networks infiltrated in our basements, in our garages..

**J:** You are going far, Fifth Columns?

**C.E:** Yes, I am going far, it is a Third World War that is declared to us today. It is needed to be aware of it.

**J:** When you say that, you are scaring people off. Are you not playing on fears?

**C.E:** But, whether we say the truth and we give ourselves the means to face it...

**J:** No, but if it is a war, it means that we have to take up arms !

**C.E:** But I think that if we have Vigipirate plans triggered today at the ‘terrorist attack’ alert level and there are soldiers in our streets, it is because we consider that it is not only up to internal security forces, police forces and national police forces to insure public safety, but that we are indeed dealing with an enemy. You know, when I am told everyday on television during the brother Kouachi hunt that they are French because they have a French identity card...well no. One is French when one is not an enemy of France. Yet, we have enemies of France who have a French identity card. And today, it is time to implement measures and laws.

**J:** Which means we must take their identity card?

**C.E:** But from the moment of one is an enemy of France, does one has the right to carry French identity papers? To benefit from all services for which those who wake up early and work early to bring justice and equity are paying for?

**J:** It would be needed to change laws on nationality...

**C.E:** But it seems to me that on the aftermath of the January attacks, the prime minister took the floor to take over proposals that we were making for months, and for which we were called oppressive back then...I applauded him since he was taking them over and they suited me. Apart from a small measure on intelligence, I do not see the rest coming today. That is why I am worried.

## **Annex V**

Nadine Morano, 27 April 2015, Paris –BFMTV.

**Nadine Morano:** Because infiltration is also made through social media, it is also made by some imams who do not speak French in some mosque.

**Journalist:** Is there a need to prohibit imams who would not speak French?

**N.M:** But of course! And I believe that in this situation of instability in our country... I heard in the OIF congress inquiries for the building of new mosques. I think that, as long as the situation has not been stabilised, as long as we have not put in place some measures which respect this religion, now is not the time to launch the building of new mosques.

**J:** So when Dalil Boubakeur says that we must double the number of mosques in France, you say no?

**N.M:** No, because it is conditioned to the real establishment of measures which allow us to be sure that in some mosque, there will be imams speaking French and that we are not exposed to danger to have mosques built without knowing what is inside. That is the reality! How it will be financed, this is what is important.

**J:** Of course, but Nadine Morano, on this language issue, there are churches in France with Masses in different languages to reach different Christian communities, you do not have a problem with that?

**N.M:** No, I do not have a problem with that. I think we must be aware of reality.

**J:** Are you distinguishing?

**N.M:** Of course, I distinguish what constitutes today's threat. Today's threat, sorry, but it is neither Christians nor Jews. Today's threat is those who use Islam against religions and against those who are not believers.

2015

# Fear, hatred, and the limits of law : a critical analysis of French political discourse following terrorist attacks

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