Should we be *Charlie*? A deliberative take on religion and secularism in

mediated public spheres[*]

Hartmut Wessler

Eike Mark Rinke

Charlotte Löb

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[*] Address correspondence to Hartmut Wessler, Department of Media and Communication Studies, University of
Mannheim, Rheinvorlandstr. 5, 68159 Mannheim, Germany. E-mail: wessler@uni-mannheim.de.

Abstract

The terror attack on the French satirical magazine *Charlie Hebdo* in January 2015 serves to explore the role of religion and secularism in mediated public spheres. We argue that deliberative theory, including its recent criticisms and extensions, helps navigate normative dilemmas presented by the attacks. From a deliberative perspective journalists should reprint *Charlie* cartoons that are perceived by Muslims as insulting and incendiary only if this fulfills a real need for public reflection and enlightenment. Media and the wider public should engage in differentiated solidarity with *Charlie Hebdo*, help transfer the hidden argumentative potential of its cartoons into the realm of truly argumentative discourse and engage in meta-deliberation that explicitly reflects the contexts and rules for public debate.

Key reference terms:

Contestation, deliberation, religion, secularism, political discourse culture, media event, *Charlie Hebdo*

SHOULD WE BE *CHARLIE*?

A DELIBERATIVE TAKE ON RELIGION AND SECULARISM IN MEDIATED

PUBLIC SPHERES

We live in a "religio-secular age" (Marty, 2003; Miller, 2008). Different religions and

different variants of secularism coexist (see Göle, 2010), certainly on a global scale but often

even in individual societies. This situation can be explosive as the terror attacks on the satirical

magazine *Charlie Hebdo* as well as on Jews and law enforcement officers in Paris on January 7,

2015 sadly remind us. Such violent attacks are extreme symptoms of a communication

breakdown or at least of the absence of camp-bridging exchange. Many contemporary conflicts

are hard to solve because the parties involved construct their disagreement as a dispute between

irreconcilable religious convictions and worldviews. The deep societal divisions underlying

these conflicts may run between adherents of different religious faiths, or between religious

fundamentalists and more or less militant secularists. Along both divides people may eschew

communication with members of the opposing camp altogether or they may not engage in truly

open listening but in distrustful and hostile exchanges (Luskin, O'Flynn, Fishkin, & Russell,

2014). We wish to argue that theories of deliberation provide a uniquely valuable set of

conceptual tools for understanding and resolving such deep conflicts in divided societies. These

tools have been used extensively in studies of mediated public deliberation as well (Rinke, in

press).

One particularly important conceptual tool is the concept of the deliberative system as

developed by Mansbridge et al. (2012). A deliberative system is "a loosely coupled group of

institutions and practices" (p. 22) that should seek truth, establish mutual respect and facilitate

inclusive democratic decision-making. Using these three functions in order to evaluate the

quality of the deliberative system helps put the contributions of single parts of the system into

perspective. Mansbridge et al. attribute a broadly connective role to the media because they

serve as "the major links to and among the citizenry within a deliberative system" (p. 22).

Mediated deliberation primarily fulfills the first two functions, truth-seeking and respect, and is

therefore understood as a form of constructive engagement openly available to everybody in a

mediated public sphere. For the purposes of this paper we neither look at the decision-making

function of deliberation nor at forms of mediated deliberation that are confined to members of

particular organizations or participants of specific deliberative experiments.

Deliberative democratic theory has traditionally focused on cases of moral disagreement,

including religiously charged societal conflicts like the *Charlie Hebdo* case discussed below, and

contemplated ways to deal with such cases in a more compelling fashion than important

alternative theoretical options, particularly the classical liberal and agonistic models of

democracy (Ellis, 2012; for helpful distinctions see, e.g., Baker, 2002; Ferree, Gamson,

Gerhards, & Rucht, 2002). The classical liberal model features an aggregative concept of

democracy and is therefore focused on free and equal elections as quintessential democratic

mechanisms of interest aggregation (Ferree et al. 2002, pp.206-210). One recurring criticism of

this model has been its incapacity to productively deal with deep moral conflict because it carries

the obvious risk of a religious (or any other) minority systematically losing out when political

decisions are made. The model offers little prescription for dealing with social pluralism other

than for citizens in public discourse to altogether bracket their particular identities and hide them

behind a "veil of ignorance" (e.g., Rawls, 1971). In contrast, the deliberative model of

democracy promises at least some measure of protection against continued political domination

by a particular religious majority through the requirement for good, public reasons to grant

legitimacy to collectively binding political outcomes (e.g., Lafont, 2014). Which kinds of

reasons should be deemed acceptable is, of course, a matter of philosophical controversy and

beyond the scope of this essay. For our purposes, it will suffice to say that the public justification

requirement of deliberative democracy gives it an edge over aggregative concepts of democracy

when it comes to the prospects for a productive processing of deep moral conflicts.

Likewise, while agonistic theorists have generated a number of productive critiques that

have improved the capacity of the deliberative model to accommodate deep moral conflict (for

details, see below), agonistic models themselves offer little by way of accommodating different

types of disagreement. Although antagonistic conflicts lie at the heart of their notion of

democracy, agonists do not provide much guidance with regard to their nature, origin, and

possible accommodation (Erman, 2009) because they construe them as fundamentally

irreconcilable. Deliberative democratic theory, in contrast, has been crafted by its proponents as

the normative model that most directly tackles the problems associated with intractable, moral

conflicts. Central works in deliberative theory take as their starting point the facts of social

pluralism and moral conflict and see moral discussion as central to political life and the original

problem of democracy (e.g., Gutmann & Thompson, 1996). Consequently, deliberative theory

has focused on ways of making "distinctly moral compromises" possible by developing

principles and standards for the practice of public deliberation. The underlying idea is that only

such deliberation may engender genuine compromise and ensure cooperation among members of

opposed moral camps (e.g., Bohman, 1996).

The case of *Charlie Hebdo* is an example of a complex moral conflict involving religious

and secular identities, and scholars of deliberative democracy have in recent years examined

precisely such conflicts in theoretical terms. In the process, modern deliberative democratic

theory has converged on a position of "open secularism" in which religious reasons are welcomed into public debate while upholding requirements for mutual respect and the necessity for public policy arrangements to be accepted as just by all reasonable citizens (e.g., Bohman & Richardson, 2009; Chambers, 2010; also Habermas, 2006). In this essay, we aim to apply these insights to the *Charlie* case and show how deliberative democratic theory may inform our assessment of this concrete moral conflict and how the theory, in turn, may be informed by the case.

Mediated deliberation as an analytical and practical tool for engaging with deep religio-secular divides is made up of two major components: *Mediated contestation* as a robust public process of working out differences between groups and *political discourse cultures* as the patterns of production, reception, and appropriation of political communication, on which these contestatory practices rely (see Hepp & Wessler, 2009).

Mediated Contestation

Deliberative theory holds that mediated contestation may help realize principles of political equality, but only if it meets the core requirements of broad inclusion and moderation. Moderation and inclusion constitute independent and reconcilable requirements of effective political equality. In a deliberative framework, *moderation* is understood as the tendency to attune one's preferences vis-à-vis fellow citizens who are seen as possessing equal political standing and legitimacy. It entails the requirement to offer reasons for one's own preferences as well as to attend carefully to the opposing points of view, that is, to practice justification and reciprocity. Therefore, moderation relates to the ethical function of establishing mutual respect as introduced by Mansbridge et al. (2012). This function can be further differentiated using Gastil's (2008, p. 52) criteria of mediated deliberation as a social process. Apart from its analytical

benefits mediated deliberation, according to Gastil, should fulfill four social criteria: adequate

distribution of speaking opportunities; mutual comprehension; the consideration of other ideas

and experiences; and respect toward other participants. Especially the last three criteria define a

form of communication that is also often labeled "dialogue". Mediated deliberation thus includes

the forms of conciliatory dialogue that, for example, Pearce and Littlejohn (1997) and Remland,

Jones, Foeman, and Arévalo (2014) have studied in the context of moral conflicts. Dialogues of

this kind have the power to bridge differences between conflict parties through respectful,

moderate exchanges and can thus be seen as examples of deliberation.

The *inclusion* requirement, on the other hand, translates into a need for publicity. Only if

the discursive processes guiding political decision are publicized, may the cross-cutting interests

present in a divided society be moderated – a process that ensures public accountability, a

broadly shared sense of inclusion among members of different societal camps and, ultimately,

the legitimacy of political decisions (O'Flynn, 2007). Other authors have grouped these core

criteria in slightly different ways (see, for example Coe, Kenski, & Rains, 2014; Ferree et al.,

2002; Rinke, Wessler, Löb, & Weinmann, 2013), but the aspects mentioned do constitute the

essential normative components of mediated deliberation.

The adequacy of Habermas' (e.g., 1994, 1996) original deliberative framework to process

difference and deep divides through public communication has been doubted especially from an

agonistic point of view. Following Mouffe (1999) and Sanders (1997, pp. 348−349), the

deliberative demand for civil speech and the focus on fact-based argumentation systematically

favors some groups over others. According to these critics, this contradicts the deliberative

claim for broad inclusion of everybody affected by an issue in the discussion and neglects the

putative benefits of passions and emotions for democratic discourse (Mouffe, 1999, pp.

755−756). Furthermore, the deliberative idea of achieving a consensus has been radically

rejected by representatives of the agonistic perspective due to its alleged exclusionary character

(Mouffe, 1999; Sanders, 1997).

However, while the agonistic criticism raises important issues, some of its representatives

fail to recognize changes within the deliberative framework which take up and respond to the

agonistic criticism. For example, Peters (2008) proposes to replace personal equality as a basis

of inclusion by a principle of openness or equal opportunity for issues, perspectives,

interpretations, ideas, and arguments (pp. 126-127). Young (1996) agrees with the agonistic

critics that the criteria of moderate and civil speech negatively affect the claim for broad

inclusion because they discriminate against speech by underprivileged groups and minorities.

But instead of discarding the deliberative perspective entirely she suggests including alternative

forms of communication such as greeting, rhetoric and storytelling because they "supplement

argument by providing ways of speaking across difference in the absence of significant shared

understandings" (p. 129). Even though the deliberative paradigm favors fact-based reasoning in

civil and respectful discussion over passionate and emotional public contestation, this does not

imply that these alternative forms of communication are seen as illegitimate and should be

excluded from the discourse. Rather, the deliberative perspective recognizes the benefits of

these alternative forms of communication for a deliberative discourse, provided that they are

eventually transformed into rational arguments in order to realize their full deliberative potential

(Habermas, 1996, p. 381). Concerning the demand for reaching a consensus, some scholars who

support the deliberative paradigm have incorporated the agonistic criticism and shifted to the

demand for reasoned dissent instead of substantive agreement (e.g., Wessler & Schultz, 2007).

Even further, Dryzek (2005) responds to the agonistic criticism in relation to deep value conflicts

by broadening the deliberative framework, offering conditions under which the deliberative perspective is flexible and robust enough to process even these divides. In our view, thus, deliberative theory addresses the complexity of social reality in a more reasonable way than the agonistic perspective precisely because it is open for non-argumentative forms of communication and alternative idioms, albeit on a shared foundation of procedural fairness and commitment to justifiable solutions.

Political Discourse Cultures

Mediated contestation does not flourish in a vacuum. It is rooted and embedded in "social practices and institutional structures that impact the character of the public sphere and the mode of cultural reproduction. Put differently: public spheres have a social and cultural foundation that extends well beyond the framework of media markets and media organizations. Many other structures that are of importance affect intellectual production and its reception, collective interests and problem definition. These structures include educational and research facilities, journalism and other professions, networks and cliques of producers of cultural and intellectual property, structures for interest articulation and aggregation such as political parties, interest groups and social organizations and milieus." (Peters, 2008, p. 246)

We concur with Peters's non-mediacentric perspective that directs our attention to the deep social and cultural foundations of mediated contestation. These foundations jointly constitute the framework in which mediated contestation, and public communication more generally, takes concrete shape. The cultural component of these foundations consists of the *political discourse culture* of a particular collectivity. Political discourse cultures represent the ensemble of patterns (i.e. classification systems, and discursive formations) to which members of

a specific group refer in order to give meaning to political action (Hepp & Wessler, 2009, p. 184). This definition comprises a mental element (classification systems), a textual component (discursive formations) as well as a pragmatic aspect (the everyday practice of meaning construction) (Hepp, Brüggemann, Kleinen-von Königslöw, Lingenberg, & Möller, 2012, pp. 32-33). If we transpose this three-dimensional concept to the issue of deep religio-secular divides, we can ask which classification systems, mediated discursive formations and meaning-making practices support or stifle camp-bridging communication. This question pertains to both argumentative exchanges between camps in a more narrow sense and ritual enactments of community as experienced in political media events more broadly.

To be sure, there are dangers at both ends of the continuum. On the one hand, a political discourse culture can be too single-minded to accommodate meaningful cultural and religious difference, thus fostering negative stereotyping and aggressive "othering." On the other hand a political discourse culture can be fragmented into separate spheres of public discourse so that discursive encounters across the divide are avoided altogether. While fragmentation seems preferable to oppressive unity at first sight, the avoidance of communication across camps is likely to create a lack of understanding and will engender free-floating mutual misconceptions in the long run.

It seems, therefore, that divided societies are condemned to developing models situated more in the middle of the continuum that combine two things in creative ways: (a) a more or less extended zone of indifference between the divided communities; not every cultural or religious belief or practice should always be commented on by the other side; and (b) sites and occasions for mutual discursive engagement including the opportunity to criticize members on the other side. Ironically, the emergence of indifference presupposes at least a certain element of

secularism in the political discourse culture, whatever its specific form (see Göle, 2010). And this cultural element is more easily sustained in institutional settings that safeguard religious freedom *and* freedom of expression. Previous research has shown that power-sharing political institutions and camp-bridging media consumed by members on both side of the divide help mitigate conflicts, including religious and religio-secular strife (e.g., Wessler & Rinke, 2014; Wolfsfeld, 2004).

Political media events represent a particularly potent element of political discourse cultures with acute consequences for cross-camp contestation. Media events are public performances co-produced by media that command exceptional public attention and disrupt societal routines. But they can only function if the mediated performances produced (textual element) offer distinctions between "us" and "them" (the mental component) that resonant with and are appropriated by large audiences (the pragmatic component). By considering media event performances as an integral part of mediated contestation in situations of deep division we explicitly extend the framework originally associated with the deliberative tradition. We emphasize the community-generating capacities of political media events and thus offer a conception of media events that differs from both its "inventors" and recent critics.

Originally conceived by Dayan and Katz (1992) as the "high holidays of mass communication" media events were thought to offer powerful occasions for celebrating and experiencing national unity, occasions at which societal conflicts are suspended and common ground is emphasized. This ceremonial conception of media events is narrow and seems outdated. Dayan (2010, p. 26) has emphasized that media events are subject to a logic of "conflictualization." Katz and Liebes (2010) have introduced terror, disaster and war as additional types of media events and have emphasized their disruptive qualities. These revisions

have prompted some critics to abandon the ritual enactment and experience of specific

communities as a defining criterion of media events altogether. Couldry (2003, p.65), for

example, criticizes the neo-Durkheimian thinking in Dayan and Katz's original account and

discards with it any reference to community in favor of analyzing media events as feeding into

the "myth of the mediated centre," i.e. the media's self-construal as society's symbolic centre.

The analysis of the integrating or disintegrating effects of media events in relation to concrete

groups in society is thus abandoned for an analysis of how the media come to claim and uphold

their symbolic power vis-à-vis other power centers in society. While we share the critical

intention of uncovering the hidden construction rules of media event performances, we wish to

retain the enactment and experience of specific communities as a central element in media event

analysis, particularly as we aim to understand divided societies.

Brüggemann and Wessler (2014) offer an overarching typology of media events that

focuses on their different modes of experience, ranging from celebration through mourning and

consoling to revolting. Whatever the dominant experience that a particular media event conjures

up, in the context of religio-secular divides it is paramount whether the experience is shared

across divides or disputed, and whether certain groups are victimized or marginalized. Taking

the terror attack on *Charlie Hebdo* as an example, it makes all the difference whether the event is

celebrated by some groups and deplored by others and subsequently used to bolster up

exclusionary ethnic identifications and mutual stereotypes, or whether it is constructed as an

occasion for unified outrage at the aggressors and for mourning across the religious divide. The

latter alternative, even it is does not primarily entail argumentation, lies at the heart of what

public deliberation is about. In addition, recognizing the global diversity of political discourse

cultures broadens our analytical horizon and allows us to understand why globally

communicated events charged with religio-secular conflict tend to entail vastly different

collective reactions in different parts of the world (think, for example, of the torching of

Christian churches in Niger by Muslim mobs a week after the attack on *Charlie Hebdo* out of

anger at the insult seen in their Muhammad caricatures). With such a focus media event analysis

remains an important tool in understanding the nature of political discourse cultures and their

interactions across the globe.

<h2 style="text-align:center">Case Study: Should We Be *Charlie*?</h2>

The events in Paris in January 2015 may be interpreted as expressions of a rivalry

between the religious and the secular, in which both are confronted with one another and

recomposed in the process (Göle, 2010, p. 52). Drawing on the values of inclusion and

moderation as well as the importance of political discourse cultures, especially in our

increasingly transnational media systems, deliberation theory allows us to identify and provide

theoretically grounded answers to important normative dilemmas that emerged for citizens,

elites, and media in the events' aftermath.

The "right to offend" versus deliberative self-restraint

The first dilemma concerns the question of whether newspapers and online media around

the world should reprint and repost *Charlie Hebdo* cartoons that would be found offensive by

large groups of Muslims. The popular discourse surrounding this question mainly revolved

around two frames: On the one hand a libertarian frame that asserted a "right to offend," cast as

an extension of the more general right to freedom of speech, and on the other hand a more

conciliatory frame that asserted the "right not to get offended," based on an acute awareness of

the sensitivities of Muslim communities domestically and around the globe. These frames

dominated Western public discourse after the *Charlie Hebdo* attacks, much like after previous

Muslim-related freedom of speech controversies (Mondal, 2014). Fervent defenders of a "right to offend", of course, regularly answered the question concerning reprinting *Charlie Hebdo* cartoons in the affirmative. The deliberative perspective, however, points to the limitations of this position: It is important for a vital public debate that this particular right exists, but it may be wise to exercise it with restraint in some situations, not out of fear but as a demonstrative act of non-offense that can potentially spawn respect.). The deliberative perspective thus challenges the dichotomy suggested by routine rights-based discourse and advances a substantive understanding of what desirable public discourse should look like.[i]

This interpretation is supported by the empirical observation that asserting freedom of speech, including the right to offend, in a conspicuous show of one's willingness and ability to use it without restraint, does indeed polarize societies and makes camp-bridging co-orientation and deliberation less likely. As an example, take the "Muhammad Cartoons Affair" sparked by the publication of 12 cartoons about the Prophet Muhammad by the Danish newspaper *Jyllands-Posten* in 2005. The publication of these cartoons set in motion a spiral of reciprocal confrontation, during which false oppositions of Islam and a "European culture" emerged and were asserted (Henkel, 2006, p. 7). The publication of these cartoons, instrumentalized as they became by governments and other agents, sparked significant outrage among Muslim communities around the world. Importantly and unlike most mass media would have it, this reaction of Muslims was not so much a claim for a "special treatment" of their religion and community, but rather incited by a particularly inflammatory, racialized depiction of the Prophet and Muslims in these cartoons that violated the deliberative principle of equality (Hussain, 2007). Not only did the particular quality of the depictions lead to spontaneous outrage, but also to mounting perceptions among Muslims of widespread Western islamophobia (Webman, 2012).

Conversely, the Cartoons Affair also left its mark on Western publics, which in the

aftermath engaged in and with a discourse that furthered Western prejudice towards Muslims

through a variety of common "othering" techniques (e.g., Creutz-Kämppi, 2008). A further

problem exemplified by the Cartoons Affair is that in today's media environment such

controversies almost necessarily become transnational in nature. Such transnational conflicts,

while they escalate and lead to societal polarization along ethnocultural lines, are rarely ever

truly resolved (Mondal, 2014, p. 147). They may fade out after some time, yet they continue to

linger and constitute a latent potential for similar conflicts to later resurge with even greater

intensity, foregoing the processes of consensus-building or at least reasonable disagreement that

are emphasized in theories of deliberative democracy (e.g., Guttman & Thompson, 2000).

Deliberative theory thus suggests that journalists should not opt to publish material if it

can reasonably be expected to be perceived as insulting and incendiary by others and does not in

the first place fulfill a real need for public reflection (see also Nacos & Torres-Reyna, 2007, p.

124). Of course, in democratic societies a "Ministry of Discourse Quality" neither exists nor

should exist that authoritatively judges the offensive potential of public speech for its citizens.

Deliberative theory suggests that moderation is built on collective and voluntary self-restraint

that is anchored in a political discourse culture revolving around respect for those different from

oneself.

Public demonstration of solidarity and meta-deliberation

Another normative dilemma relates to the issue whether citizens, elites, and journalists

should publicly identify themselves with *Charlie Hebdo* as in the slogan "Je suis Charlie/Nous

sommes Charlie" during mass demonstrations and on social media. While such identification

does not constitute an argumentative engagement in the strict sense, deliberative theory suggests

that such universal public show of solidarity should be valued as a precondition for camp-

bridging deliberation. Public solidarity may promote *inclusion* and integration, even across

boundaries of political discourse cultures, and it does not only honor the victims and support the

survivors but also mitigates the danger of hysterical reactions to the attacks through an

experience of collective self-efficacy. Collective identification with the victims, as evidenced in

people of different faiths joining the marches, may thus prepare the ground for reentering camp-

bridging deliberation.

In the case of *Charlie Hebdo*, solidarity clearly affirmed the deliberative value of

inclusion as enacted through the right to free speech for which *Charlie* came to stand. However,

the dilemma becomes clearer if we consider how such solidarity relates to the deliberative value

of *moderation*. In essence, solidarity with *Charlie* meant hailing public communicators that came

to represent an aggressive, potentially divisive secularism. Deliberative theory suggests that the

best way to deal with this dilemma lies in public "meta-deliberation" (e.g., Thompson, 2008, p.

515). Meta-deliberation is communication about the context and the rules for public debate, and

there are examples for both aspects in the *Charlie Hebdo* debate. Much Internet-based

communication outside France misinterpreted *Charlie Hebdo* as a right-wing, racist publication

whereas the magazine is clearly part of the French secular left. To mitigate communicative

escalation, it is therefore helpful to explain and reflect on that variant of secularism and its

societal context rather than to simply celebrate it.[ii] Apart from providing context, meta-

deliberation has also helped to publicly reflect on the rules of discussion by debating how

freedom of expression and deliberative self-restraint can be balanced. A case in point here is the

protest in May 2015 of some 200 PEN members against the conferral of the U.S. PEN's

"freedom of expression courage" award to *Charlie Hebdo*.[iii] Through public debates like this

meta-deliberation can be an important source of constant democratic innovation (Fung, 2012), and it can generate a pluralistic deliberative system that allows for the collective contemplation about how, if necessary, religio-secular systems should be changed.

While the meta-deliberative process should, ideally, be open-ended, there is much to be said in favor of keeping a "post-secular balance between shared citizenship and cultural difference" (Habermas, 2008, p. 27). In such a balance aggressive secularism is rejected and a positive role for religion in the public sphere granted given that religious doctrines can serve as resources of moral intuitions not otherwise accessible to a secular society (Habermas, 2006). This view of a deliberative approach to religion in the public sphere corresponds to the conception of a "weakly secular" state (An-Na`im, 2010, p. 217-218). Such a state, religiously neutral but engaged in the coordination of the religious and the political, reserves a positive role for religion in public life, rather than trying to suppress and control it, and thus helps sustain the robust civil debates of pluralism. Such a model can be realized, for example, through national ethics commissions in which theologians of all faiths could be represented alongside non-religious experts or through explicitly inter-religious worship during national commemorative events or preceding sessions of parliament etc.

Such a deliberation-promoting form of secularism is, however, at least partly at odds with the secularism embodied by *Charlie Hebdo.* Deliberative theory would call for differentiated forms of public solidarity with *Charlie* that uphold freedom of expression while pointing to the detrimental effects of derogatory othering. And it points to the necessity to unearth the latent argumentative potential that vitriolic satire hides in its thorny shell. As Bernhard Peters (2008, p. 144) writes, "[s]uch forms can – as barbs, the medium of bitter truth, or as revelations – serve as effective means for a critical public sphere. Implicitly, such criticism makes use of

argumentative foundations – but they depend upon a transfer into the realm of the discursive." In this sense *Charlie Hebdo* caricatures often point to problems in the way religion is practiced in Islam, Christianity, and Judaism. Their critical argumentative potential can be an important resource for public debate, and the potentially offensive form should be no excuse to ignore its substance altogether. But productive public debate should ultimately extend to a wider range of deliberative exchanges on the matters criticized as well as explicit meta-deliberations on the boundaries of public discourse as described above. From a deliberative perspective, therefore, rituals of public solidarity are important but insufficient and the general public should support but not wholly identify with *Charlie Hebdo*. We should thus be with *Charlie*, but not unconditionally be *Charlie*.

Conclusion

What, then, can we learn from the *Charlie Hebdo* case for a theory of mediated deliberation? First, by analyzing a prime example of both mediated contestation and public ritual we have come a fair bit closer to spelling out the role assigned to mediated communication in a deliberative democratic system. Some deliberative theorists mention the media as a potential site of deliberation, but tend to deride them at the same time for their seeming failure to actually produce deliberation (e.g., Mansbridge et al., 2012). In contrast, the *Charlie Hebdo* case highlights the deliberative potential of mediated crises that lies in the opportunity to symbolically draw inclusive boundaries in defense of central values and to foster substantive, moderate debate across lines of deep difference. It is an empirical question to which degree what types of media in which kind of political discourse culture are positioned to successfully perform these normative functions. But the *Charlie Hebdo* case serves as a reminder that deliberative theorists

should not write off the media when conceiving the deliberative system and that mediated deliberation can seek truth and foster respect under certain conditions.

Secondly, *Charlie Hebdo* shows that insisting on the right to free expression is not enough when it comes to creating healthy democratic contestation. Voluntary self-restraint is not tantamount to censorship or cowardice. Conversely, it is also not sufficient to insist on a putative "right not to be offended" if this means worshiping your own sensitivities and ignoring the argumentative kernel enclosed in provocative and even offensive criticism. Deliberative theorists should insist on the deliberative values of inclusion and moderation enshrined in such rights claims rather than hailing the rights as such.

Finally, the *Charlie Hebdo* case can serve to sensitize deliberative theorists to the role of non-argumentative forms of public discourse, such as media events with their community-generating functions, in preparing and facilitating subsequent argumentative exchanges. An exclusively rationalistic account of deliberation would miss the role that public demonstrations of solidarity and of camp-bridging unity can have in spawning respect and the willingness to listen. Empirical deliberation researchers should move from single cases like the one we have presented here to a more systematic study of the legal, political, and cultural breeding grounds of mediated contestation in situations of deep division.

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[i] Six months after the attack *Charlie Hebdo's* editor, Laurent Sourisseau, used the same rights-based discourse in his announcement in the German magazine "stern" that the journal would stop drawing Muhammad: "We have drawn Muhammad to defend the principle that you can draw what you like. But it's a bit strange: people expect that we exercise a freedom that essentially nobody else dares to use anymore. But we have done our job. We defended the right to caricature. Now it's other people's turn." [translation by the authors] While this position is highly understandable, it does not offer a substantive conception of public debate through satirical cartoons.

[ii] See „No, Charlie Hebdo is not racist. Here's why." by LorenzoA, posted on DailyKos, May 27, 2015 at 07:30 AM PDT

[iii] See „After Protests, Charlie Hebdo Members Receive Standing Ovation at PEN Gala" By Jennifer Schuessler, *New York Times*, May 6, 2015