



Charles University

Faculty of Social Sciences

Institute of Political Studies

Bachelor's Thesis

2023

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Free Speech and Nationalism: “The Case Study of Vlaams Belang”

Bachelor's Thesis

Prague 2023

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Academic Year: 2022/2023

Bibliographic Note

Aert, Barbara van. 2023. "Free Speech and Nationalism: 'The Case Study of Vlaams Belang' ." Bachelor's Thesis, Charles University, Faculty of Social Sciences, Institute of Political Studies, 82 pages. Supervisor: Janusz Salamon, PhD.

Length of the Thesis: 223.667 characters

Abstract

The thesis is a case study of the Flemish nationalist party *Vlaams Belang*, considering whether their utterances on social media against Turkish- and Moroccan-Belgian communities should be restricted. To do so, the thesis explores the extent to which Belgian society, based on liberal-democratic values, allows the speech of *Vlaams Belang* to be uttered and the scope of the protections and limitations that Belgian legislation puts on freedom of speech. This thesis gives moral considerations for warranting a restriction on speech for the case of *Vlaams Belang*, and, thereby sheds some light on freedom of speech by presenting a multidisciplinary approach to this ongoing issue.

The theoretical framework presents three core arguments for freedom of speech. These are based on their relation to the functioning of a liberal democracy and what is valuable for its citizens. In addition, arguments are discussed that justify a limitation on freedom of speech in the realm of public debate. We consider two critical factors of the case that affect the philosophical arguments under consideration: social media and the cultural-historical context of Turkish and Moroccan Belgian communities. We consider the respect and recognition of others, the institutional relationship that the individual has to the state, and existing social hierarchies in Belgium as crucial for determining how harmful *Vlaams Belang's* utterances are to Turkish and Moroccan communities. Considering these elements, we decide if *Vlaams Belang's* speech should morally and legally be protected. As a result in this thesis we established that: Morally, *Vlaams Belang* speech should not be protected and legally they can be liable for their comments under Belgian jurisdiction.

Keywords: Freedom of Speech, Turkish, Moroccan, Vlaams Belang, Harm, Offense, Dignity.

Declaration of Authorship

The author hereby declares that he compiled this thesis independently, using only the listed resources and literature, declares that all the sources and literature used have been properly cited and that the thesis has not been used to obtain a different or the same degree.

A handwritten signature in black ink, consisting of a series of loops and a horizontal line at the bottom, representing the name Barbara van Aert.

Prague, 01.08.2023

Barbara van Aert

Institute of Political Studies

Bachelor's Thesis Proposal

Proposed Topic: Free Speech and Nationalism: The case study of Vlaams Belang

Research Question(s) and Topic Characteristics:

The Bachelor's Thesis seeks to explain the value of free speech in society, why it is desirable in the first place and how it can be limited or restricted in order to protect others.

Using the case study of Vlaams Belang, together with historical examples, I aim to understand the public perception of non-western immigrants in Belgium and their following stigmatisation. The clear opposition of Vlaams Belang to multiculturalism, their xenophobia, racism and promotion of hostility in defence of "traditional western values", is genuinely problematic in today's society and make it an important topic of discussion.

The aim of the thesis is mainly to defend the argument of protection to a less well-established group in society, but also hopefully to spark discussion. For this reason, opposite views will also be taken into consideration since, in the end, it depends on society to determine what is tolerated or not.

Working hypotheses:

1. The stigmatisation of a determined group, opposition to multiculturalism and xenophobia are clear vehicles for promoting hostility which is immensely problematic and detrimental in today's society.
2. An offensive statement that causes harm and damages the dignity of a group of people subsequently affects their ability to contribute to society, politics and public debate.
3. The promotion of extreme-right discourse and radical opinions in politics jeopardises other fundamental rights, such as religious freedom and freedom from non-discrimination.
4. The harm principle, the offence principle and the principle of dignity are sufficient arguments to restrict speech in the case of defending a vulnerable group in society.

Methodology:

In Chapter 1, I aim to discuss the value of free speech in society and the public debate, why this is desirable in the first place and how can it come into conflict with other important fundamental rights such as religious freedom and freedom from non-discrimination.

Following the same line of thought, I will continue to explore arguments from the Harm Principle, the Offence Principle and the Principle of Dignity, which, in the thesis, would be used to defend the idea of why a person's freedom of speech can be restricted or limited.

Finally, I will explain how hate speech closely relates to freedom of speech (better said, covered by the principle), the content, intention and likelihood of harm, and its final effect on society.

In Chapter 2, I will analyse the history of non-western immigration in Belgium, using

historical examples, I intend to elucidate their public representation, perception and their following stigmatisation, in favour of “ traditional western values” by a certain group in Belgian society, mainly represented by the Flemish nationalist party “Vlaams Belang”. Vlaams Belang's history and eventual rebranding would be also explained in order to have a better understanding of their “modern ideology”, subsequent criticism and the “successful” use of social media platforms for the marketing of nationalist propaganda.

In chapter 4, everything would come together, and having the historical context that philosophical arguments need in order to make any value judgement, I will explain the problem with the statements made by Vlaams Belang, taking into consideration different points of view regarding the legal and the political, besides from the philosophical, to offer more broad views of the problem. Finally, I open the discussion to find any gaps in the arguments/statements made throughout the thesis with the idea to improve future research.

Outline:

1. Introduction
 - a. Subject Matter and Motivation
 - b. Methodology
2. Chapter 1: “Free speech versus Hate Speech”: Philosophical Foundations
 - a. The value of “Freedom of speech”
 - b. The limitations of “Freedom of speech”
 - Principle of Harm
 - Principle of Offence
 - Principle of Dignity
 - c. Hate Speech
3. Chapter 2: History of non-western Immigration in Belgium
 - a. Historical Analysis
 - b. Today's Representation and Perception
4. Chapter 3: The case of “Vlaams Belang”
 - a. Vlaams Blok to Vlaams Belang: The Past and the Present
 - History
 - Ideology
 - b. Criticism and Complaints against Vlaams Belang
 - c. “Online success”: How do they achieve to market far-right ideology?
5. Chapter 4: Free Speech and Nationalism: What’s the Problem?
 - a. “The Problem”
 - b. “The Discussion”
6. Conclusions
7. References/ Bibliography

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1. Introduction

The refugee and migrant crisis has been one of the most significant and polarising recent issues in European politics (Karolewski and Benedikter 2018, 99). Since the migrant crisis of 2015, a new nationalist sentiment has emerged, and there has been an increase in the popularity of the radical right. For these parties, non-western immigrants and their descendants seemed to be the primary target. One of the many hypotheses to explain the success of the extreme right is that unemployment, economic decline, and political instability increase support for radical right parties (Betz 1993, 415), since these factors can make voters believe that employment and security are threatened by immigration. According to this theory, citizens fear becoming the 'losers' in the face of ethnic competition and social disintegration, reflected in the increased support for extreme far-right parties. This phenomenon is reflected in the growing popularity of the extreme right-wing political party *Vlaams Belang* in Belgium.

The far-right Flemish nationalist party was (re)founded in 2004 after the dissolution of *Vlaams Blok*, following the trial in which the Belgian Court of Cassation convicted them of racism and xenophobia (Brems 2006, 702). For *Vlaams Belang*, nationalistic discourse is justified and necessary to defend and preserve traditional Western values and the Belgian identity. Hence, its members are known to make inflammatory and provocative statements that resonate with Flanders's conservative population. However, problems arise when the content of that speech affects the rights of others, especially if these others are already in a vulnerable position in society or compromise the functioning of democracy. Accordingly, we must ask ourselves whether the right of freedom of speech, which in principle includes the right to utter provoking and incendiary statements, should overrule concerns. Throughout the party's existence, numerous media outlets have publicly documented xenophobic and racist incidents. This has given the party a spotlight strategically used to grow its online presence and followers, helping them reach even more potential voters in this new digital era.

Their presence has dramatically affected Belgium's Turkish and Moroccan communities because their statements mainly target these groups, and because of the country's history with immigration and religion, these communities have a more vulnerable position in society. In a liberal democracy like Belgium, the individual has secured rights such as freedom of speech,

freedom of thought, religious freedom and dignity. Here, the problem arises when freedom of speech disrupts other rights, causes harm, offence, or damages their dignity, affecting others' ability to contribute to society and the public debate, potentially harming the liberal democratic order. *Vlaams Belang's* freedom of speech becomes questioned when exposed to these realities. The fundamental right of freedom of speech is also protected by the Belgian Constitution and other human rights treaties, such as Article 19 of the Universal Declaration of Human Rights (United Nations, n.d.), Article 19 of the International Covenant on Civil and Political Rights (United Nations 1966), and Article 10 of the European Convention on Human Rights (European Court of Human Rights 1950) (Kingdom of Belgium FSP 2022). In Belgium, constitutional and legislative standards that either support or restrict freedom of expression under certain circumstances are put in place, and it seems we have the right to think and say what we want: so what is the issue?

Well, while for *Vlaams Belang*, it might seem like merely exercising their freedom of speech, this speech may be harmful, offensive and sometimes dignity diminishing to others. However, it is difficult to establish when their speech's content invades others' rights and at what point *Vlaams Belang's* social media utterances are morally acceptable and, if this is the case, what can and should be done about it within the scope of protection that Belgian legislation presents today.

1.1. The Aim of the Thesis

The debate over the limits of freedom of speech is not new, nor is it close to being settled. Determining what counts as harm and how to prohibit it is still a discussion surrounding much controversy related to broader societal issues and concerns. It is not up for discussion that freedom of speech is one of the most important fundamental rights and pillars of any democracy (Nations 2019). However, social media has intensified and improved how we share ideas, communicate, and share information. This is not itself a bad thing, but with it, more new challenges are coming to the surface, especially if the people sharing and communicating these ideas exist in a position of privilege and power in the same society, and with it, what they have to communicate has more visibility. In this thesis, I aim to explore the political party *Vlaams Belang* in Belgium, which has a history of precedent cases related to their incendiary comments and opinions and has successfully been able to transfer this to

social media. Here, they successfully continue to market and communicate their far-right ideas and opinions. Therefore, the thesis will answer the question: *Should Vlaams Belang's right to utter provoking and incendiary statements on social media be protected or restricted?*

In answering this question, the thesis is not trying to respond to whether we should legally restrict freedom of speech or resolve the existing dilemma between freedom of speech and the European nationalistic discourse. Instead, the thesis aims to describe, examine and critically explore the extent to which specifically Belgian society, under the liberal democratic values it subscribes to, is currently allowing the speech of *Vlaams Belang* to be uttered. Therefore, the thesis will only try to give a moral answer or consideration for the specific case of *Vlaams Belang*, based on the analysis of their social media statements, the consequences that these findings may have for Turkish and Moroccan communities in Belgium, together with their applicability to Belgian legislation, at least in a first instance, and the limitations that exist when trying to warrant such a restriction in certain circumstances. Hopefully, this thesis will help to gain a better understanding of this particular case by presenting an appropriate multidisciplinary approach to this ongoing debate in Belgium.

1.2. Outline

In part **1.3**. I outline the methodology. In paragraph **2.1**. I explain the value of freedom of speech in society and the public debate in which I introduce arguments justifying freedom of speech in a liberal democracy. This will be done in the following order: **2.2.1**. The truth argument will explain how freedom of speech may be used to arrive at the truth **2.2.2**. The autonomy argument will illustrate how freedom of speech allows rational, autonomous individuals to have the right to receive information, makes advocacy to make better choices and **2.2.3**. The democracy argument specifies how freedom of speech contributes significantly to the functioning of a democracy. In Chapter **2.2**. I will discuss why we may restrict speech in some instances and introduce arguments for limiting freedom of speech in the following order: **2.2.1**. The harm principle states that speech is always allowed unless it causes harm to others **2.2.2**. The offence principle will state that free speech may be restricted if it causes deep offence to others, and **2.2.3**. The dignity principle will illustrate that speech

may be restricted if it harms their dignity because of its value as a fundamental right and because a violation of it can harm an individual ability to contribute to society.

Chapter 3 will be dedicated to Moroccan and Turkish communities in Belgium, 3.1. will give an account of their cultural-historical context in Belgium. Chapter 4. *Vlaams Belang* 4.1. briefly introduces the party's history and relevant judicial cases. 4.2. *Vlaams Belang's* statements correspond to the case study and will be divided into: 4.2.1 *Twitter* 4.2.2. *Facebook* and 4.2.3. *YouTube*. In 4.3. Sub-conclusion, a final stance will be given regarding whether the social media statements prove to be harmful and offensive or can violate the dignity of others, together with the applicability of these findings to Belgian legislation and its limitations when warranting such a restriction. Finally, Part 5. Conclusion would be a summary of the research, Part 6. Bibliography and Part 7. Annexes.

1.3. Methodology

The thesis consists of a case study of the political party *Vlaams Belang*. An intrinsic case study is considered since the case is of interest, is unique, and is not meant to understand other cases or illustrate a particular characteristic or a general problem. I use this approach because of its usefulness in this research in understanding and learning about the case to a stronger extent (Stake 1995, 3). Also, it allows one to explore, examine and analyse data from real-life situations at a micro level (Zainal 2007, 5). Thereby, this case study provides a better understanding of the subject of interest and their complex behaviours, which makes this particular and unique case (Dubey Mishra and Rasundram 2017, 72). Since the case study method is criticised for lacking robustness as a research tool, framing and improving the case study design is crucial (Zainal 2007, 2). The first step was to decide that, in the case of *Vlaams Belang*, a case study was the most appropriate choice for answering the research question.

This is because of the deep understanding that is needed for this particular social problem and the context in which it is occurring. Therefore, due to the nature of what we want to better understand about the case study, the main data sources are qualitative, mainly from secondary sources, which are presented as a chain of evidence to be analysed and linked to a theoretical framework (Tellis 2015, 2). The theoretical contains arguments that justify freedom of speech, as well as arguments why such freedom could be restricted. Given that Belgium is a

liberal democracy, a central part of choosing arguments that justify freedom of speech, in this case, was that it would be indispensable for the functioning of that type of society and its members. I deem appropriate the arguments of ‘truth’ because it defends freedom of speech on the basis of truth discovery which is vital for public debate and in allowing societal development (Barendt 2013, 7), ‘autonomy’ because of its importance in preserving individual autonomy, our relationship with others and the state and its connection to freedom of speech in helping to preserve it (Greenawalt 1989, 144) and, ‘democracy’ because of how vital freedom of speech is in allowing for our participation in, and the functioning of, a liberal democracy (Greenawalt 1989, 145).

Subsequently, to justify freedom of speech restrictions, I consider arguments based on their scope and applicability in a liberal democracy concerning political or public debate. The ‘harm’ argument because of its general scope in justifying interference with an individual action to prevent harm to others (Turner 2014, 299-300), the ‘offence’ argument justifies a restriction on speech that is offensive to others (Drake 2018,4), and the ‘dignity’ argument because of its importance in restricting speech if it constitutes a violation of an individual's dignity (Tsesis 2009, 501). Cultural-historical context on the immigration of individuals of Moroccan and Turkish descent will be given from 1960 to the present time, since this is the period from which immigration started to be taken as a problem for Belgian society and in which *Vlaams Belang* and its predecessor *Vlaams Blok* starts to be more popular among the public and appears to profile itself more strongly in the political arena against immigration. This context is necessary to effectively interpret and apply arguments that justify a speech restriction since a comment that intends to be harmful, offensive or dignity-diminishing has a different connotation depending on the individual's position in society.

Quantitative data will support this thesis's arguments. *Vlaams Belang's* social media statements and a video transcription will be used to effectively provide a sample that can produce reliable descriptions of *Vlaams Belang's* statements and ideology relevant to the theoretical framework and research question. Social media statements will be shown as screenshots since these show more clearly the intention of message than is possible through text. The video will be manually transcribed to give a more accurate context when analysed. All the data will be presented in Dutch, the original language and then translated into English, presenting both examples. This will be done using manual, non-machine translation.

Statements will be retrieved from their *Twitter* and *Facebook* official accounts, and a video will be taken from their *YouTube* official account. Therefore, all the data is retrieved under the parameter of **a)** being explicitly related to Turkish and Moroccan communities in Belgium, **b)** from 2016 to 2023, the present time when this research was conducted and **c)** Statements retrieved are posted by them on their official social media accounts. These parameters ensure an overall perspective and enhance the data quality based on convergence and confirmation findings (Breitmayer, Ayres, and Knafl 1993).

What makes the period from 2016 to 2023 interesting for analysing *Vlaams Belang's* social media statements is that since the migration crisis in 2015, Belgium has experienced a large number of incidents associated with Islamic extremism from 2016 to 2022, which has exacerbated Islamophobia among Belgian society. This also overlaps with the EU's two 'picks' on illegal immigration after the migration crisis in 2016 and 2022 (Frontex 2023) and the beginning of *Vlaams Belang* 2016 campaign *Islamterreur: Ondergaan of Terugsslaan* ' (Islam Terror: Succumb or Strike back) (Vlaams Belang 2016), which aims to withdraw the recognition of Islam as a religion and to introduce a total ban on immigration from Islamic countries which continues today (Vlaams Belang 2016). When analysing *Vlaams Belang's* statements, these will be interpreted and analysed by referring back to the theoretical to see if there is a conflict between the outings of *Vlaams Belang* and the arguments for limiting freedom of speech. With these findings in hand, I will discuss the consequences and implications that these may have for Turkish and Moroccan communities and Belgian society in general.

Subsequently, I will see the applicability of these findings to Belgian legislation, the process that needs to be followed to warrant a speech restriction in Belgium and the limitations that may exist when doing so. I conclude by arguing that *Vlaams Belang's* statements have breached arguments that justify a speech restriction. Thus, morally, a limit is set when going against the fundamental values of a liberal democracy to which Belgium subscribe, especially if having the ability not to provoke harm, offence or damage others' dignity. This shows a lack of guilt and care for the consequences of their actions, which is morally reprehensible and can serve as a consideration, at least on a first instance, for legally warranting a speech restriction. Finally, *External validity* can be a concern in this case study since, given the case's uniqueness, it needs to be clarified to what extent the conclusion can be overgeneralised or be of interest outside of Belgium. However, the theoretical framework can

enable an analytical generalisation and transferability to other cases with common characteristics (Yin 2003, 33).

2. Theoretical Framework

Discussing these arguments that are indispensable for the functioning of a democratic government and its members is necessary for analysing this case. The idea to provide a theoretical framework in line with the case study of *Vlaams Belang*'s ability to speak in relation to democracy is crucial since freedom of speech facilitates its operation together with allowing citizens to participate in politics, allowing for citizens to 'seek the truth' in political speech by exercising this freedom in this way, relating to their representatives and giving their opinion on important public matters (Greenawalt 1989, 145). In order to analyse the case study, and more specifically, to answer the moral dimension of the right of *Vlaams Belang* to utter incendiary and provoking statements, it is first necessary to explore and consider which arguments justify freedom of speech. After that, I explore which arguments can justify limiting these utterances in a democracy. Accordingly, in this chapter, I explain and examine, in the form of a literature review, what has been written about protecting freedom of speech in a liberal and democratic society. Thusly, the following classification focuses on how freedom of speech connects to the basic premises of democratic government (Greenawalt 1989, 130).

2.1. Arguments Justifying Freedom of Speech

In what follows, I consider three core arguments for justifying freedom of speech based on its relation to the functioning of a liberal democracy and what is valuable for its citizens. The first one, the truth argument, defends freedom of speech on the basis of truth discovery and, in turn, this truth allows for societal development (Barendt 2013, 7). The second argument is the autonomy argument. According to this argument, freedom of speech helps us preserve our autonomy (Greenawalt 1989, 144). Finally, the third argument for democracy holds that freedom of speech allows for our participation in, and the functioning of, liberal democracy (Greenawalt 1989, 145).

2.1.1. Truth

a) *Truth Discovery*

One of the most well-known arguments in favour of freedom of speech is that it allows us to discover the truth, and restrictions on this freedom prevent us from communicating ideas and opinions and from determining if these ideas are accurate and valid. In this argument, ‘truth’ is valuable in a utilitarian sense because it allows for the progress and development of society (Barendt 2013, 7). In *On Liberty* (Mill 2003), Mill proposes that freedom of speech allows us to arrive at the truth, which is valuable. Hence, any censorship or restriction by the government or the people itself would prevent us from arriving at said truth, and therefore, such a restriction could be considered illegitimate (Mill 2003, 27). In this regard, restrictions on freedom of speech are problematic because if the government were to suppress communication and hence deploy censorship, it might suppress true or partly true ideas (Greenawalt 1989, 130). Communication here is important since, for Mill, the only way we can get close to acquiring knowledge of the truth about a subject is by listening to what can be said about that subject by other people that hold differing opinions from our own (Mill 2003, 32).

Engaging in discussions and listening to other people's points of view allows us to gain a fuller understanding of the arguments at play and, with it, to come closer to the truth. Mill advocates for a tolerant society that welcomes speech which can be, at times, unpleasant. Mill believes that opinions resulting from free discussions will always direct us to truth discovery and help us make better judgments and choices. Utilitarianism in Mill's theory rests on the assumption that truth is the most important thing we can have in society. Therefore, participating in discussions in which we engage in criticism and through which we are able to change our beliefs, even when these are not widely or commonly accepted, contributes to developing certain character qualities like intellectual complexity or scientific knowledge, which would benefit society since it helps us choose more truthful beliefs (Ten Cate 1998, 39).

Thus, for Mill, to refuse to hear someone else's opinions or suppress their ideas means assuming ultimate certainty and infallibility. However, no authority or person can assume an infallibility in their judgments (Badamchi 2014, 911). Hence, we are fallible, but freedom of speech offers us a possibility to discover our fallibility. Therefore, an opinion that deviates from commonly accepted beliefs can be truthful if the prevalent opinion is wrong, or, at least, may contain a partial truth that can be missing from accepted beliefs. Nevertheless, if an

opinion is truthful, those who believe in it cannot completely comprehend the rational ground of these truthful opinions unless these truths are often challenged (otherwise, true beliefs become dead dogma)(Ten Cate 1998, 38). Yet, the belief that an intellectual discussion or debate of public affairs always leads to the discovery of the truth has been a point of criticism. Eric Barendt (Barendt 2013) explains this well.

He argues that in specific environments, such as in a scientific community where there is a commitment to truth discovery, new opinions are constantly accepted, peer-reviewed and discussed. Hence, in such an environment, censorship would be wrong because it hinders truth finding. However, in society in general, it is hard to make this same assumption about the truth value of unregulated speech (Barendt 2013, 9). Unlike in a scientific community, people generally do not have a strong truth discovery commitment. Hence, opinions and findings are not examined scientifically. Individuals usually exercise their freedom of speech to express ideas and opinions, and they typically tend to listen to, agree with and take as truth what is closest to their pre-conceived beliefs. Hence, there is no certainty that discussion and debate generally lead to truth discovery in society.

Regardless, one could argue that in a liberal democracy, we choose who represents us in the understanding that we are making the right choice for the overall good of society. To return to Barendt's example, the government may not share the same dedication to, nor can it ensure an effective truth-discovery mechanism to arrive at the truth as a university or scientific community (Barendt 2013, 11). Governments also have certain interests in shaping what is considered to be true or false since, in doing so, they could ensure societal order, political and economic stability or protection of the ruling class's interests.

b) The Marketplace of Ideas and Social Media

Another truth argument comes from the analogy of the marketplace of ideas by Holmes Jr. He explains that opinions, regardless of how reprehensible they can be to others, deserve protection given the role they play when pursuing truth (Ten Cate 1998, 36). However, unlike Mill, Holmes does not see free speech as a truth-seeking mechanism (Blasi 2004, 24). Truth or, better said, 'accepted truth' would appear from the intellectual competition in this unregulated market of ideas. In Holmes's view, free debate will lead to the acquisition of truth and knowledge and brings new perspectives or solutions to societal problems. In contrast, government interference would only damage this process of how information is disseminated

(Ingber 1984, 3). This may leave the individual with a distorted perception of the social and the political, undermining the search for truth and the process by which we make vital decisions for public welfare (Ingber 1984, 9).

Overall, the issue with this logic is that no one can ever declare that one idea is more right or 'truer' than another (Barendt 2013, 12). This is contradictory since a fundamental aspect of the marketplace of ideas, to begin with, is its truth-seeking quality. In this regard, the 'market' analogy would not guarantee truth or even a 'prevalent' truth, but rather, it would merely guarantee the prevalence of the most popular ideas (Gordon 1997, 241). Secondly, it is difficult to understand why a democratically elected government should refrain from interfering in the 'marketplace of ideas', just as with an economic market, to ensure fair practices (Barendt 2013, 12). This is true especially in the situation where the metaphor of the market relies on the assumption of the equality of those participating in the discussion, completely ignoring individual differences like social status, power imbalances, prejudices, or biases, which are abundant in society (Maddox and Malson 2020, 3).

In this regard, social media has become a 'marketplace of ideas' that is constantly monitored and processed through big data and where speech often, depending on the social media platform, has minimal restrictions. We have a personalised online environment which provides tailored content, news and information, often using clickbait. Hence, in the online world, the dissemination of information is effectively immediate. Information is disseminated in a specific environment where it can be compared with other information. Yet, simultaneously, it is done in an 'endogenous environment', diminishing the quantity and the sources of information made available for the user to choose since it is already specifically tailored for them (Lombardi 2019).

This situation can make the truth-seeking process more difficult since you may not encounter a variety of opinions, given that they may already be tailored for you, and therefore, may reinforce your own beliefs about a matter. Furthermore, it may place all the responsibility on the user to make sophisticated choices and separate truth from falsehood (Ingber 1984, 7), especially when confronting 'fake news' (misleading or fake information shown as news) or 'junk news' (sensationalistic news from real news aiming to create more engagement from the public) (Herasimenka et al. 2022, 3). In the context of social media, it is easy to see how Barendt's argument, holding that in society, it is hard to make assumptions about the truth

value of unregulated speech because of the lack of commitment to truth discovery, can become a problem in online platforms (Barendt 2013, 9).

If no regulations exist, the way that information is communicated in this 'market' can become an issue. The result can be that 'real' debates (with a commitment to truth and knowledge) may not always happen in these environments. This is especially true if we apply Barendt's argument to the social media context, where unregulated speech does not always lead to truth or counter-opinion reception. Therefore, individuals risk ending up in an 'echo-chamber' (Ozdoglar and Acemoğlu 2021). In these information bubbles, certain beliefs become prevalent thanks to mutual reinforcement of individuals with the same beliefs (Iandoli, Primario, and Zollo 2021, 2). When people only interact with similarly-minded people in such an echo chamber, 'real' debate can be undermined, and social and political perceptions are distorted. This makes it difficult for individuals in the echo chamber to judge reality adequately. In this case, Holmes's argument against governmental interference becomes contradictory since not doing so may go against public welfare, damaging the processes in which we make decisions (Ingber 1984, 9). We should not overestimate our capacity to process online content or expect everyone to have the same ability to do so.

Truth discovery in today's society brings a new range of dangers, such as fake news, confirmation biases and big data analytics in social media. We receive tailored and personalised information based on what we say and share online, making it harder for individuals to escape biases when formulating beliefs or opinions (Soroka, Young, and Balmas 2015, 112). The risk arises when information is delivered in an incomplete or fragmented way, creating misinformation. Manipulation and exposure to polarising information create social divisiveness, leading to more extreme opinions in discussion (Iandoli, Primario, and Zollo 2021, 1). In this regard, the responsibility lies with social media platforms and EU legislators and policymakers to ensure that information is disseminated such that negative consequences are avoided.

However, this does not have to mean that regulations necessarily intervene with freedom of speech or make it impossible to have a 'vigorous' debate. Conversely, ensuring that information is not distorted or that individuals do not have an erroneous perception of public or political matters could protect the public welfare and further the discovery purposes of information exchanges (Ingber 1984, 9). Subsequently, we cannot assume that every individual can distinguish truth from falsehood, especially under those conditions, and now,

more than ever, we are influenced by other people's opinions. This is the case not only because of how fast and how much information is disseminated but also because of how tailored content is towards eliciting an emotional response from us. As stated by Barendt, society has a different relation to ensuring an objective truth than a scientific community (Ingber 1984, 25).

Regardless, online speech is still considered valuable and social media is still considered a place of public debate. Social media can also have (following Mill's utilitarianism) positive consequences for freedom of speech. Since social media rely on what has more engagement, content that provokes an emotional response in people leads to more discussion, while the 'algorithm' helps content find the right audience. Therefore, more information and ideas can figure in public debate. Social media can also provide for opinions that are not commonly accepted or for minorities' opinions to enter the public debate, promoting equality in diverse opinions (Chellappah 2022, 50). In this regard, censorship or 'blocking' information in social media by the users does not interfere with minority voices from being heard since it only allows for a person to make the individual choice of not wanting to see other people's comments or opinions. Here, one could argue that 'blocking' may even help to keep a civilised discussion, and the same could be argued for the 'algorithm' to show us content that only aligns closely with our ideals (Chellappah 2022, 52). The context of social media can provide for speech to happen with minimal restrictions while allowing for minority opinions to be seen and heard. On the positive side, provocative content that elicits an emotional response and that creates engagement could result in more truth-value propositions (Chellappah 2022, 51).

Of course, misinformation, manipulation of information and algorithms can make us lose objectivity, and therefore, the epistemic characteristic of Mill's argument here could be in danger. However, this does not have to be the case since social media (or platforms) can be a place for intellectual development for some individuals, depending on their 'algorithm' and the use they make of these social media platforms. Therefore, social media can be positive (or have some positive qualities) for freedom of speech.

2.1.2 Autonomy

c) *Autonomy as a Constraint*

The autonomy argument as a justification for freedom of speech simply states that not allowing an individual's decision to speak and to receive others' speech infringes on our autonomy. This defence shows that the right to freedom of speech is not consequentialist and, therefore, immune to balancing (Brison 1998, 322). This argument can be found in many different works. Famous is Isaiah Berlin's 'Four Essays of Liberty' (Berlin 1969), in which he holds that autonomy could be seen as freedom from governance interference or coercion, or what he calls 'negative liberty'. On this account, liberty is the absence of constraints, and individual autonomy has to be compatible with others' autonomy (absolute freedom does not exist for Berlin). Hence, everyone's right to autonomy will constrain actions from the government (Brison 1998, 324). Berlin mentions that externalities caused by individual actions are interferences in other people's spaces, but he does not mention how these interferences have to be regulated or what conduct this right protects (Collignon 2018, 38).

Ronald Dworkin uses Berlin's notion of autonomy as freedom from governance interference or coercion in his article *Is there a right to pornography?* (Dworkin 1981). Here, he appeals to the right of autonomy to defend the right to pornography, which he calls the 'right to moral independence' (Brison 1998, 324). Dworkin sees that restricting individuals' speech and access to others' speech out of disdain for their view of the good infringes on their autonomy, and hence any violation of this ability entails not treating somebody with equality and respect. In this view, the only negative consequences for others can be the cost of disapproving others' choices or their 'moral' harm, which we have no right to be protected against (Brison 1998, 325). Therefore, individuals must be treated as equals by their governments because political morality has no right and wrong, considering that we recognise different conceptions of the 'good'. Dworkin remarks that the liberal conception of the 'good' is a political duty demanded by justice (often relying on moralistic or paternalistic rationales) and does not lead to a 'view of neutrality' in the way of life of individuals (Holborow 1983, 371).

In this regard, Dworkin's 'moral independence' argument seems to suggest that governments should treat individuals as rational and autonomous beings by allowing them to access information or speech that we may disagree on and that any government restrictions on action

(freedom of speech) meddles with our free choice, and hence, with our exercise of autonomy (Greenawalt 1989, 150). However, it fails to explain or extrapolate the application of his argument to situations where our right to free speech may undermine other people's rights and vice-versa, or how using autonomy as a justification for absolute freedom of speech would allow and protect overall equality. There is a danger in making autonomy constitutive of freedom of speech since Dworkin's argument in defence of the 'autonomy of the minority' against the 'majority's morality' as preserving equality lacks the recognition of power imbalances and the cultural-historical context that influences the status of individuals or groups in society. This is, however, relevant to how damaging some acts of speech can be for certain individuals. Therefore, Dworkin's argument may be contrary to preserving equality in the first place.

Scanlon uses the same notion of autonomy as Dworkin for putting constraints on governmental interference. However, unlike Dworkin, he acknowledges that speech can cause more than just 'moral' harm (Brison 1998, 325). In "*A theory of freedom of expression*" (Scanlon 1972), Scanlon claims that exercising freedom of speech can lead to undesirable consequences which, if caused in any other way, would be considered so serious that this behaviour would cause them to be legally restricted (Ladenson 1975, 31). Yet, the right for individuals to express their ideas and beliefs is what autonomy is, even if, sometimes, the consequences are negative. Therefore, negative results from those acts cannot justify imposing legal restrictions on freedom of speech (Brison 1998, 325). Like Dworkin, Scanlon sees autonomy as a limitation or constraint on when the government can interfere in our freedom of speech, with this restricting the powers of the state to citizens that could recognise themselves as equal autonomous and rational agents (Scanlon 1972, 215). The idea is that these individuals see themselves as such, deciding what to believe and considering reasons for action and for defending their ideas, opinion or decisions in harmony with their rationality. This rationality does not have to be perfect (Scanlon 1972, 215). In this way, Scanlon relies not on institutions but on rationality and morals (Scanlon 1972, 206).

d) Scanlon 'Millian Principle'

In the Millian Principle (Scanlon 1972), which Scanlon sees as expanding Mill's defence in *On Liberty* (Mill 2003), he proceeds to describe these harms that, even if they are recognised as harms, cannot be used to justify a legal restriction for what he called 'acts of expression' (Scanlon 1972, 213). These harms are the ones coming from false beliefs as a

result of ‘acts of expression’ and the harmful outcomes of ‘acts’ committed as a result of those ‘acts of expression’ (Scanlon 1972, 213). Scanlon focuses not on if an act of expression harms individuals or society but on how it does this, hoping that this approach protects the notion of autonomy (Amdur 1980, 290). In a more recent account, Scanlon employs a concept of autonomy where autonomy is a good composed of the capacity to be self-legislated rationally, similar to Berlin's idea of ‘positive liberty’, which entails the idea of self-mastery (Berlin 1958, 22).

Scanlon suggests a divided idea of the self, represented by a ‘higher’ ruling part that is rational and motivates correct and proper action and the subordinated ‘lower’ part of the self, which is more impulsive and less rational (Reed 1980, 367). In this case, autonomous individuals can control themselves and decide how or what to act on, which requires self-reflection or self-mastery over our desires (Brison 1998, 330). Here, one could argue that the notion of autonomy as a justification for freedom of speech may assume that because of our ability to be rational, self-governing or authentic to our decisions, we would not need governmental restrictions on speech, yet, there is no way to know *a priori* if that would be the case. Therefore, this argument fails to explain why speech should be exempt from legal restrictions (Brison 1998, 332).

e) *Social Media and the Listener's Autonomy*

Accounts for autonomy based on Berlin’s Positive Liberty (Berlin 1958, 22), or the idea of self-government or authenticity with one's self, are mostly concerned with the autonomy of the speakers. However, a governmental restriction on speech will also affect the autonomy of listeners since their right to receive information is also infringed upon by such a restriction since having access to all kinds of information is what we need in order to make decisions and exercise our autonomy (Greenawalt 1989, 150). Nevertheless, issues can stem from having access to all the information, especially in social media. If we follow the classical notion of autonomy as connected with the idea of choice (Dan-Cohen 1992, 231), social media algorithms exacerbating misinformation could make us suspicious if our ‘actions’ or choices are made by an authentic and ‘free rational higher ruling part’ or are being manipulated without knowing it, therefore, having an impact in our autonomy (Dan-Cohen 1992, 232).

A Twitter internal report over several countries like the United States, United Kingdom, Japan, Canada, Spain, France and Germany examined political ‘algorithmic amplification’ within *Twitter’s* home timeline (Huszár et al. 2021, 1). This roughly means that ‘algorithms’ prefer certain types of (political) content or speech, which makes the user engage more. Therefore, it pushes that content to other users in a way that favours one type of speech while suppressing others. *Tweets* made by politicians from major political parties and elected politicians within the seven countries more visible or overrepresented in the social media platform were studied to see their benefits regarding ‘algorithmic amplification’ (Huszár et al. 2021, 2). Results show that right-wing parties benefit more from the algorithm than left-wing parties, except in Germany. Nevertheless, the algorithm does not amplify right or left extreme ideologies as much as it gives a preference for mainstream political content that the user engages more with (Huszár et al. 2021, 4). These results can easily relate to the fact that social media platforms do not have to ensure diversity in political views since their interest is in making the user engage more with content that generates advertising revenues.

However, these effects are still harmful since certain types of content are amplified by algorithms outside of the user's control, which can undermine the user’s autonomy (Sahebi and Formosa 2022, 11). Words like manipulation (influencing decision-making), persuasion (persuading someone into doing or believing something), and coercion (similar to persuasion but in a forced manner) are used to describe the effects of social media on our decision-making (Susser, Roessler, and Nissenbaum 2019, 4). However, the most dangerous one is manipulation since it implies a lack of awareness, possibly threatening our autonomy since we may lose our ability for self-governance (Susser, Roessler, and Nissenbaum 2019, 4). In this regard, social media can be harmful in not respecting the user's autonomy, interfering with its exercise and lowering the degree of our autonomy competence, which can all justify stronger regulation for social media platforms (Sahebi and Formosa 2022, 19). Yet, it has to be a clear balance between the necessary ‘awareness’ of the harm of social media to our autonomy and future education about these matters, together with a ‘reasonable and sensitive’ regulative framework since excessive regulation can also present other risks for the public, such as interfering with their freedom of speech and the continuous technological innovation from which we all benefit from (Sahebi and Formosa 2022, 19).

2.1.3. Democracy

f) Self-Governing Society

This argument starts from the premise that governments are democracies when they allow freedom of speech since not doing so is undemocratic (Schauer 1983, 241). This may seem obvious in today's democratic societies, but it is a crucial distinction since freedom of speech entails communicating and sharing ideas and beliefs publicly, which would not be possible if speech were restricted, as we see in totalitarian states. Therefore, the argument of democracy as a justification for freedom of speech facilitates the operation of liberal democracy in making possible the participation of the citizens in politics, where they can choose who their representatives will be, conferring them the responsibility of allocating resources and services for everyone. In this regard, democratic decision-making is made possible and enhanced by freedom of speech since citizens can 'seek the truth' in political speech by exercising this freedom, relating to their representatives and giving their opinion on important matters (Greenawalt 1989, 145). Discussion about political issues is what freedom of speech should protect, and democracy provides a communicative channel from which different views of individuals can come together and reason (Howard 2019, 98). Meiklejohn provides a theory of freedom of speech based on the idea of self-government, which for him, means 'popular sovereignty' (Schauer 1983, 246).

He states that freedom of speech acts as a way of arriving at an informed judgement on matters of public concern, making freedom of speech a vital instrument for decision-making processes in what he calls a 'self-governing' society (Kauper 1960, 619). In this view, governmental interference with political speech would hinder the functioning of other political processes that, for example, could help provide accountability on issues of abuse or injustice. This would dramatically affect the information that we need in order to make decisions about voting matters, impacting political and governmental decisions that affect everyone in society (Greenawalt 1989, 146), making freedom of speech vital for stimulating democracy, and not respecting this right would bring political turmoil or damage the creation of new laws and policies (Barendt 2013, 19). Nevertheless, conceptions of democracy vary since, for some people, not respecting the majority's decision is against their definition of democracy and for others restricting decision-making in some way can help ensure that democracy can continue to exist.

g) Dworkin's Conception of Democracy

Dworkin gives the notion of self-government a different value. Political action is seen by him as collective when all citizens participate freely and equally. He does not locate self-government in a competition for power between groups of citizens. Dworkin calls this a 'constitutional conception of democracy' (Dworkin 1998, 453). Dworkin's conception of democracy allows for a broader view of freedom of speech, unlike Meiklejohn's, in which minority groups are entitled to participate in public discourse and debate. This right is so fundamental that it cannot be ceded to the powers of the majority since it would be wrong for this majority to suppress minorities' right to communicate disagreement (Barendt 2013, 19). Equality is an essential element in Dworkin's argument since he justifies freedom of speech in a liberal democracy solely by the fact that it guarantees and reserves the commitment to equality since it offers everyone the right to speak, whether, for example, limitations from the state on speech may fail to offer or preserve our equality (Levin 2009, 357).

The issue with Dworkin's argument is that if citizens of a democracy are free to debate any point of view, then there is no clear way of ensuring that some types of speech would (never) not undermine or threaten that same notion of equality. One could argue that, in some ways, Dworkin's argument may be harmful to equality by allowing unrestricted speech, which at the same time may affect minority groups in society. Following this line of thought, we would have to accept hate or extremist speech that contested the government and its institutions since it does not depend on the state to draw the limits of public speech (Barendt 2013, 20).

In this light, Dworkin's 'right to moral independence' and his 'constitutional conception of democracy' may result in the same conundrum. How would unrestricted freedom of speech ensure equality? Especially if, in certain instances, speech restrictions can protect other individual rights. Thus, freedom of speech is not the only right or freedom to be preserved in a democracy (Howard 2019, 100).

2.2. Arguments for Limiting Freedom of Speech

In the following sub-section, I introduce three arguments that justify speech restrictions in a liberal democracy when concerning public or political debate. Firstly, the harm argument justifies interference with an individual action to prevent harm to others (Turner 2014, 299-300). Secondly, the offense argument justifies a restriction on speech that deeply offends us

(Drake 2018, 4), and finally, the dignity argument states that speech may be restricted if it constitutes a violation of an individual's or group's dignity (Tsesis 2009, 501).

2.2.1. Harm

h) Mill's Harm Principle

Mill, at the beginning of *On Liberty* (Mill 2003), introduces one of the most well-known principles for speech regulation: 'the harm principle', arguing for an individual's liberty to speak as freely as possible as long as this does not harm others. In this way, the only way power can be exercised over any individual is to prevent that harm, indicating that if an individual opinion or behaviour causes harm to another, that behaviour or opinion should be restricted (Mill 2003, 17). Therefore, Mill's harm principle is a limiting liberty principle based on the distinction between self-regarding actions and other-regarding actions, which can create harm and can justify interference (Saunders 2016, 1005, 1006). This aims to protect the area of individual liberty from unwarranted interference by the state or society (Hansson 2015, 735).

In this regard, harm-based restrictions or punishment consists of legal sanctions or social disapproval (Bell 2020, 3). The last allows individuals to change their attitudes or to be motivated to act differently to avoid social distaste and rejection since legal sanctions are only justified to safeguard the rights of individuals (Bell 2020, 4). Mill's harm principle primarily defends an individual's liberty, therefore, its standards for limiting speech are relatively rigid if there is no apparent threat (Drake 2018, 4). In *On Liberty* (Mill 2003), Mill gives the example of the *corn dealers* where he argues that the opinion that *corn dealers* are starving the poor should be left alone if this one is disseminated through the press. However, if delivered orally to an angry group of people outside a corn dealer's house or handed to that same angry group on a placard, this speech may incur legitimate punishment (Mill 2003, 81).

With this, Mill emphasises that, in this scenario, there is a higher probability of harm to the corn dealers if the on-site mob receives the opinion in person since then action can be initiated instantly (Blasi 2011, 539). This illustrates a difference between the total restriction of an opinion and mere regulation. The argument prioritises freedom of speech since the intention of the resulting harm of that opinion can vary depending on the context, time,

location, how it is expressed and to whom it is addressed (Blasi 2011, 540). Meaning that an act of speech that may be acceptable in some circumstances may not be in others, and depending on the specific situation, it may be restricted because of its capability to cause harm.

Of course, arguing for ideas contributing to truth-seeking processes and a more profound understanding of those truths is vital for society's development and an individual's freedom of thought (Blasi 2011, 553). Yet, the speaker's intention and the value of conveying an opinion are important to consider since there is a difference between intentionally causing harm or misleading the listener (where the agency can be threatened) and expressing an opinion that can be problematic but has some value in it (Blasi 2011, 553). Regardless, the harm produced by conveying that opinion needs to be considered since, after all, the harm principle serves a utilitarian purpose by focusing on if the harm outweighs the good in a particular context (Blasi 2011, 554).

i) Feinberg's Notion of Harm

Feinberg provides a normative context for Mill's harm principle, where he argues that harm can be understood as anything that has a negative consequence for others (Turner 2014, 300). Nonetheless, in practice, the principle rests on the judiciary to regulate actions that can result in harm. Thus, it is crucial to understand and differentiate whether and why actions are harmful or 'disagreeable' (Bell 2020, 4). With this, Feinberg aims to show the moral permissibility of the legislation to criminalise conduct since such criminalisation is a constraint on liberty and, therefore, can be reasons that may override doing so and others that may justify it or give just enough weight to make it morally permissible (Thomson 1986, 381-382). Therefore, Feinberg defines harm as a 'wrongful setback to a person's interests' (Stewart 2001, 49). To understand this, we need to think about individuals having a set of interests that concern and benefit their **a)** basic well-being (welfare), like financial security, a job, family, health or the stability of a country (Amdur and Feinberg 1985, 1947), and **b)** their goals and aspirations (ulterior) (Amdur and Feinberg 1985, 1948). Here, welfare interests are of higher importance because of their need to achieve any aims or goals an individual may want (Von Hirsch 1986, 705). Furthermore, an individual can act 'wrongly' by **a)** setting back an individual's interest, **b)** which is also their right, **c)** without a justification, **d)** under

circumstances in which the individual is personally at fault for doing so (Von Hirsch 1986, 701-702).

What is central to this argument for determining harm in speech and for determining if the right to utter that statement should be protected or restricted is identifying, in that specific context, the intention, fairness, and justifiable action in advancing one's interest, meaning we need an overall balancing of the harm (Stewart 2001,54). Overall, the applicability in a liberal democracy of Feinberg's harm principle can be a concern since he delivers a proposal of 'enforcing morals' implying a standard of tolerance that society collectively embodies and accepts as an external constraint on legislation instead of just being an individual (moral) consideration when balancing harms (Dripps 1998, 4). In a liberal democracy, considering its pluralism in views and opinions, justifications given by Feinberg's harm principle may be too broad or simple for measuring harm, or they might conflict with existing societal beliefs and values to be commonly adopted by everyone. Therefore, the applicability of the principle to overall society and legislation seems rather improbable in being successful (Dripps 1998, 5).

j) Politicians and Harmful Speech

A problem that can arise from public discourse in liberal democracies is when politicians express opinions that may result, directly or indirectly, in harmful actions. This type of political speech can happen in debates, newspapers, the internet, social media or public spaces and target the general public (Lepoutre 2017, 854). Hence, political speech can incite others to harm someone, indicating that if such an opinion had not been given, such harm would not have happened. In this case, it directly connects the act of speech to its harmful effects, which could warrant a restriction under Mill harm principle (Drake 2018, 4). Yet, even if can be obvious the connection between the act of expression and the harm produced or even if the politician's responsibility is acknowledged and apparent, this may still be insufficient as a reason to justify or warrant speech restriction. In this regard, when we legally cannot establish punishment, social disapproval can be a way to bring justice or fairness for the harm committed (Bell 2020, 3). Since disapproval can motivate the individual to act differently to avoid social dislike or repudiation (Bell 2020, 4). Especially since dislike is a concern for many politicians since their likeability is crucial for being (re-)elected.

2.2.2. Offence

k) Feinberg Offence to Others

One of the major critiques of using offence for justifying a speech restriction is that, depending on the individual, many acts of expression can be considered offensive while they do not have enough significance to warrant legal restriction (Amdur and Feinberg 1985, 1949). Feinberg responds to this objection that offence, unlike harm, creates no specific interest setback. Hence, to approach offence in a utilitarian manner would mean that the state has to intervene in many cases of dissatisfaction (Von Hirsch 1986, 707). So, if we distinguish between a simple offence from one with deeper, more profound damage, this one could hold enough ground to warrant restriction (Drake 2018, 4). This is done by ‘balancing’ factors determined by mediating maxims. We need to compare the ‘seriousness’ of the offence with the ‘reasonableness’ of the offensive conduct (Bayles and Feinberg 1986, 116). Hence, the ‘seriousness’ of the offence depends on **a)** magnitude, so the intensity and duration of the experienced aversion as well as the extent to which the offender could have predicted it, and **b)** how easily the unwilling victim could have avoided the offence and **c)** if the victim willingly has assumed the risk of offence (Amdur and Feinberg 1985, 1951). The ‘reasonableness’ of the offensive conduct relies on **a)** the significance it has for the actor, **b)** the social utility it presents, **c)** the time and place and the opportunity for the conduct to provoke less offence to others, **d)** to which extent the conduct is done with bad-intentions **e)** the place where the conduct occurs and to which extent the offence is likely to happen (Amdur and Feinberg 1985, 1951).

Like the harm principle, Feinberg's offence principle is unclear in the applicability, scope and ‘reasonableness’ of offensive conduct. This is because there are degrees of offence often determined by a cultural-historical context or social hierarchy, which can significantly affect how an utterance is perceived. Nevertheless, these factors can be difficult to grasp in any balancing test, so Feinberg's offence ‘test’ can still serve as a consideration before warranting a speech restriction.

l) Religion and Offensive Speech

Freedom of speech allows speech that is challenging, controversial, or diverging from our beliefs to be brought into the debate, therefore, an act of expression does not demand a restriction just because it makes us uncomfortable. This approach is part of the tolerance at the heart of exercising freedom of speech in a liberal democracy since, for some people, speech that is considered problematic or offensive can still have value for deliberation and truth-discovery purposes in a public debate (Billingham and Bonotti 2019, 532). Therefore is part of the reasonable pluralism that is bound to happen in a liberal democracy (Sandel and Rawls 1994, 1776). Nevertheless, M. Bonotti and J. Seglow remark that (following Feinberg's offence principle) offensive speech to individuals with religious beliefs can be wrongfully offensive since its 'wrongfulness' lies in that these religious offences are usually directed at groups facing existing social injustice and discrimination (Bonotti and Seglow 2019, 591).

Thus, offensive speech can greatly undermine their self-respect and reinforce negative biases and negative perceptions of these groups, which puts them in a position where they may be treated as second-class citizens (Billingham and Bonotti 2019, 535). In this regard, Bonotti and Seglow differentiate offensive religious speech that can attack an individual's religious sensibilities as in being provocative and speech that can entail a demeaning attitude towards a religious belief usually considered morally inferior. The former is believed to be more damaging against individuals or groups in a vulnerable societal position (Bonotti and Seglow 2019, 592). This is because, in a liberal society, we can be critical of others, yet, a vital element of liberal citizenship is that citizens, regardless of their political or religious views, consider and recognise each other as having a full 'status' in society. This way ensuring that offensive speech does not represent an exclusion from the political discussion or society (Bonotti and Seglow 2019, 596).

2.2.3. Dignity

m) Defamation and Vilification

Tsesis states that in a pluralistic society, clashes of interest are almost inevitable. Therefore, it is often required to weigh these competing concerns to respect other democratic values, such as equality and dignity (Tsesis 2009, 499). He sees hateful speech as contrary to democracy

since it can threaten democratic principles and individual citizenship, especially for vulnerable individuals. This may prevent them from participating in decision-making and democratic processes, contributing to society, and operating within the public debate (Tsesis 2009, 501). Thus, even if there are mechanisms put in place for their protection, speech that harms dignity can still undermine an individual sense of dignity, safety and status in society (Simpson 2013, 718). This is because speech that violates dignity is often associated with, or based on, underlying societal attitudes about others and ourselves that constitute an identity-based hierarchy (Simpson 2013, 708). So, acts of speech that seek to intimidate, discriminate or insinuate violence against others based on historical symbolism or are meant to hurt individuals based on ethnicity, nationality, or sexual orientation may be especially dangerous (Tsesis 2009, 501).

In this regard, defamation and vilification can be commonly used among politicians with extreme nationalist right-wing ideologies against a particular group in society, often a minority, as a means to create sympathisers in the public audience. Nevertheless, this type of speech is dangerous for democracy and the individual dignity of already vulnerable people in society (Bousquet 2022, 32). This is because speech acts that aim to defame others, falsely framing them as inferior, dangerous, violent and unworthy of respect, can take away an individual's social and political status (Bousquet 2022, 37), and vilifying speech usually aims to hurt or intimidate a group or individual, harming their dignity and attacking their value and respect as individuals (Bousquet 2022, 32). Hence, both types of speech have negative consequences for others, denying them equal participation and recognition by others in society, which in a liberal society is highly important for ensuring equal concern and consideration in political decisions and access to certain privileges (Bousquet 2022, 37).

1) Heyman's Right to Recognition

Heyman starts from the Kantian idea of individuals possessing an inner (absolute) value that commands respect from others (Ekeli 2021, 5). He emphasised that it is not only the obligation of institutions or governments to recognise an individual's status and treat them respectfully since dignity also lies in receiving recognition and giving recognition to others in society, which implies mutual respect, being seen as a citizen, a complete individual, and being treated according to that status (free and equal individual) (Simpson 2013, 711). Therefore, Heyman proposes envisioning citizenship as encompassing rights and duties. So,

the right to freedom of speech will hold a commitment to not harm the civic bonds that keep society together (Simpson 2013, 712). This would promote equality beyond relying only upon institutions or governments since, usually, people hold their right to be recognised against others in society and not the government (Simpson 2013, 714).

Therefore, the potential damage that an act of speech may have depends on the individual social 'status', which is constituted by the respect and recognition of others and not only by the institutional relationship that the individual has with the state (Simpson 2013, 716). Nevertheless, in a liberal society, an array of factors determines the 'status' of an individual in society. So, placing all the responsibility on the speaker's speech on determining that status does not acknowledge that this one (speaker's hate speech) is somehow aligned and reinforced by existing structural social hierarchies that people experience in society. The concern is on the level of responsibility of the speaker in diminishing others' status and, therefore, dignity (Simpson 2013, 717).

n) Waldron's Assurance-Based Approach

Waldron states that dignity functions as an 'uplifted legal' status that infers individual human rights but also enforces moral obligations on the individual, a so-called 'responsibility of rights' (Mcjunkin and Waldron 2015, 856). Therefore, an individual's 'status' in society is shown in his bearing, self-representation, speech and actions (Mcjunkin and Waldron 2015, 861). Consequently, an individual 'assurance' of not being discriminated against or being subject to violence which we are entitled to in society, is vital for that 'status'. Therefore, freedom of speech must entail the liberty to disseminate ideas that some consider offensive, but this does not mean that individuals should have the freedom to attack the dignity of other members of society since it would fail to give its citizens a sense of 'assurance' that are entitled to have therefore harm their social standing and dignity (Barendt 2019a, 541).

Unlike Heymans's 'right to recognition', Waldron's 'assurance' argument is more explicit in explaining how the speaker would be responsible for violating the status and dignity of others. This is because, besides considering how hateful speech affects the victim's status in society or how the speaker perceives the victim's status, it also considers how this type of speech would affect the victim's assurance of their own dignitarian condition as having freedom and equality of rights and dignity. Therefore, Waldron visualises hateful speech as a

form of group defamation (Simpson 2013, 718). This would make ‘assurance’ of not being discriminated against or being subject to violence a public good that secures the public order in a democratic society since hateful speech can threaten the mutual acceptance of our status as citizens (Simpson 2013, 719).

Waldron makes a convincing argument for placing the responsibility on hateful speech as undermining others' status, especially since we place moral significance on our status in society. After all, we believe that social hierarchies are unfair and demeaning to others being subordinated. Hence, anti-hate speech laws would protect the dignitarian status of others in society (Simpson 2013, 721). Nevertheless, it is difficult to know if hate speech is solely responsible for this ‘loss of assurance’ or whether multiple societal factors in a social identity hierarchy can also be at fault for continuing to reproduce discriminatory practices or attitudes towards others in a disadvantaged position (Barendt 2019a, 542).

3. Moroccan and Turkish Communities in Belgium

Having presented arguments in favour of freedom of speech as well as arguments that may justify its restriction, I now look at the single case study of *Vlaams Belang* in Belgium. I will start by providing the cultural-historical context of Turkish and Moroccan Belgian communities in Flanders from 1960 to the present. Since this is the period from which immigration started to be taken as a problem for Belgian society and in which *Vlaams Belang* and its predecessor *Vlaams Blok* started to be more popular among the public and appeared to be more strongly, in the political, against immigration. This is because Belgian nationalism, especially in Flanders, can be divided into the longstanding linguistic struggle, which gained great support and popularity among the Flemish population during the 60s and 70s and later, during the 80s, the concern moved to immigration. Therefore, the cultural-historical context is vital in providing a foundation to effectively interpret and apply arguments that justify a speech restriction since a comment that intends to be harmful, offensive, or dignity-diminishing may have a different connotation and significance depending on the individual's position in society.

In proving that an action or statement is harmful, empirical proof of such is necessary if warranting a speech restriction (Lepoutre 2017, 858). Nevertheless, depending on the

circumstances and the context, an act of speech may warrant a restriction, depending on its capability to cause harm. How profound an offence is can be correlated to a group's identity and may depend on a specific sociocultural and historical context (Bonotti and Seglow 2019, 591). Moreover, the group's recognition and protection of their dignity can be related to identity-based social hierarchies in society (Simpson 2013, 708). Therefore, a group's societal position is relevant when determining whether *Vlaams Belang's* statements should be protected or restricted.

Thereafter, I briefly describe *Vlaams Belang's* history and ideology, explaining its previous judicial cases and its final rebranding in 2004 from *Vlaams Blok* to *Vlaams Belang* (Erk 2005, 493). Subsequently, I present numerous statements retrieved from *Vlaams Belang's* official social media accounts whose content is explicitly related to Turkish and Moroccan communities in Belgium from 2016 to 2023, the present time when this research was conducted. These statements are presented as screenshots from *Twitter* and *Facebook* and a video transcription from *YouTube*, in Dutch, followed by its translation into English. Finally, with the cultural-historical context in mind, social media statements and the video transcription will be analysed by referring back to the arguments that justify speech restrictions to determine if speech restrictions are met in the case of *Vlaams Belang*.

3.1. Cultural-Historical Context

Belgium's immigration story is unique because Belgium's existence as a multination state has made it familiar with different nationalities living side-by-side (Phalet et al. 2003, 1). However, the country only received its first big labour immigration waves at the beginning of the 1920s, mainly from central and southern Europe. These immigrants were mainly from a catholic background and mainly settled in Wallonia (Timmerman, Vanderwaeren, and Crul 2003, 1065), which had a booming mining and steel industry at the time. Since Belgium is predominantly a catholic country, immigrants coming from this first wave did not have much trouble settling in or integrating into Belgium culture (Phalet et al. 2003, 1).

However, during the 1960s, economic development and disparities within Europe brought the need for foreign labour. Hence, another big labour migration wave became necessary (Bülent 2002, 20) from Southern Europe and other non-European countries like Turkey and Morocco (Phalet et al. 2003, 2). Subsequently, a bilateral agreement between Belgium, Turkey and Morocco further facilitated migration from these countries, with Moroccan and Turkish

immigrants settling primarily in *Brussels, Antwerp* and *Ghent* (Timmerman, Vanderwaeren, and Crul 2003, 1066).

a) *The Beginning of the 'Immigration Issue'*

During the 1970s, due to family reunification programs, Turkish and Moroccan communities in Belgium continue to grow exponentially (Timmerman, Vanderwaeren, and Crul 2003, 1067). These programmes made it easier for foreigners legally settled in Belgium to bring over spouses, children, and other family members (Martiniello 2003, 226). This family changed the character and composition of foreign groups in Belgium (Phalet and Swyngedouw 2003, 3). From this point on, Belgium could distinguish between 'old', from a white European catholic background, and 'new', with a Muslim background, migrant populations (Timmerman, Vanderwaeren, and Crul 2003, 1067). At the time, public debates about immigration were not popular in Belgium since the government and the politicians appeared unaware of how significant a problem immigration could become in the future. The main reason was that their presence as immigrants was seen as temporary (Mandin 2014, 8).

Until then, public policies had been slowly introduced, creating a significant disparity between ethnic Belgians and the new immigrants. This led to a structural lack of opportunities and discrimination for Turkish and Moroccan Belgians that have sustained among those born and raised in Belgium (Van der Bracht et al. 2014, 73). Since the 1980s, debates have been characterised by a problematisation of the presence of refugees, migrants and people of non-western background, especially Moroccan and Turkish. Economic, security and cultural homogeneity have become a big part of the narratives of this issue (Zienkowski, Cleen, and Smets 2017, 29). It was not until 1991, after the electoral success of *Vlaams Blok* in Flanders, which hinged on the anti-immigrant sentiment that existed, that, for the first time, the concern about immigration appeared more strongly and publicly in the political arena (Phalet et al. 2003, 4). This event strongly shifted how these Moroccan and Turkish communities were seen, perceived and represented in public and political discourse together with the media.

b) *Islam Awareness and Discrimination*

Islam became more present in Belgian society during the 1980s (Open Society Institute 2007, 6). For the first time, the ethnic and religious backgrounds of the new Belgian communities started to play a role. They were no longer seen as temporary labour migrants. Instead, their religion and cultural practices became more noticeable in society. Before that, the practice of Islam was mostly done in private, so the presence of Moroccan and Turkish migrants and the association between Islam and Turkish and Moroccan communities was still not installed in the minds of 'native Belgians'. Only once it became clear that many Turkish and Moroccans would stay in Belgium did non-profit religious associations start to organise to preserve their culture and identity (Open Society Institute 2007, 17).

Subsequently, several tensions in the public discourse and the media about these communities started to appear around 'the integration issue'. Islam and religious practices were increasingly seen as a cultural problem, and issues like discrimination, lower education, and employability rate were seen, again, as cultural issues rather than as a result of the lack of successful policies, failed integration or lack of labour market opportunities (Mandin 2014, 8). However, intergenerational poverty and ethnic and religious inequalities are correlated to racism and discrimination (Zienkowski, Cleen, and Smets 2017, 33). During the 1990s and 2000s, the topic of security was a concern. Even the second or third generation has been targeted as a possible threat to public security, safety, and moral and social order.

Subsequently, *Vlaams Blok* started a campaign against the so-called foreigner crime, linking foreigners and crimes targeted at Muslims of Moroccan and Turkish descent. This connection between ethnicity and criminality has greatly affected how the law and police respond towards these communities and the issue of 'security' (Zienkowski, Cleen, and Smets 2017, 31).

The reality for these communities in having low levels of employment, education, insufficient government help in providing economic support and sufficient integration may also contribute towards the growing radicalisation of young men in Belgium. After events like the involvement of the *Brussels* terror cell in *Paris* 2015, and *Brussels* 2016 terrorist attacks (Teich 2022, 143), another change occurred in how Belgian society perceived Muslim migrant communities. This reflected a more pronounced anti-Islamic sentiment seen in the media and public and political debates, contributing to an even more negative image of these

communities among the wider public (Teich 2022, 146). Islamic terrorism has become a main point of focus for the extreme right. The concern is placed in the cultural conflict focusing on the extreme side of things, especially the extreme right has placed importance on the radicalisation of Muslims, terrorism and anti-terror measures like the surveillance of mosques, military and police responses (Zienkowski, Cleen, and Smets 2017, 32).

In Flanders, the politicisation of this issue has deeply affected the perception of the Turkish and Moroccan communities, making it a possibility that the success of *Vlaams Blok* in 1991 (the predecessor of the *Vlaams Belang*) has contributed to this increasing problem since it has been one of the main factors of the party's popularity and electoral success (Mudde 2018, 88). Compared to its neighbouring countries, Belgium has generations of Muslims in Flanders exposed to anti-islam and anti-immigration rhetoric from politicians and the media (Teich 2022, 147). In this light, it seems almost impossible not to support the claim that Turkish and Moroccan communities, especially those from a Muslim background, hold a position in society that is more vulnerable and less secure than a native Belgian regarding recognition and social standing.

The political debate around this situation has been highly debated and combusive in Belgian society, which has motivated the far right to continue their incendiary rhetoric against these groups. Moreover, considering that individuals of these communities hold Belgian citizenship, they are entitled to be protected by Belgian jurisdiction and society against such discrimination. Nonetheless, their place or position in society is up for debate or put in doubt by extreme-right-wing politicians and more 'moderate' Belgians that sympathise with the anti-immigrant and anti-Muslim discourses.

4. Vlaams Belang

4.1. Introduction

The *Vlaams Blok*, the predecessor of *Vlaams Belang*, was the most important political representative of the extreme separatist wing of the *Vlaamse Beweging*, which was a Flemish nationalist movement that started in the 19th century seeking to promote Flemish culture, language and independence for Flanders (Mudde 1995, 5). In 1979, after the split of the

Volkunie, Karel Dillen from the *Vlaams Nationale Partij* and Pieter Bocken from the *Vlaamse Volkspartij* formed *Vlaams Blok* (Mudde 2018, 87). In this regard, ideologically, *Vlaams Belang* has gone through many changes. In 1977 after the fail of the Egmont pact, seeking for an agreement on the federalization and linguistic division of Belgium, from the *Volkunie* (1954-2001), two parties emerged the *Vlaams Nationale Partij* (1977-1978) and the *Vlaamse Volkspartij* (1977-1978), later becoming *Vlaams Blok* (1979-2004) and finally, forming the what is today *Vlaams Belang* (2004 to today)(Cas Mudde 2013, 87).

During the mid-80s, the *Vlaams Blok* ideology shifted into a more modern extreme-right-wing party, with its adherents emphasising immigration (Mudde 2018,87). With slogans like *Eigen volk eerst!* (Own people first!), the party gained media attention and a seat on the Belgian senate, which caused them to be taken more seriously by other opposition parties (Mudde 2018, 88). This led in 1989 to the imposition of a *cordon sanitaire* (which lasted from 1989 to 2004), which all other Belgian political parties agreed upon as an attempt to stop *Vlaams Blok* from entering the government and from having to collaborate with them (Sijstermans 2021, 276). Nevertheless, *Vlaams Blok's* intolerance of non-European immigrants, mainly of Turkish and Moroccan background (Brems 2006, 703), delivered them more electoral success in 1991 (Brems 2006, 702).

Subsequently, in 1992 the publication of the *70-puntenplan* by Philip Dewinter (Dewinter 1992) contained their proposal for an improved anti-immigration policy, which at the time was received with strong criticism since it suggested a violation of the rights of foreigners (Brems 2006, 703). However, from that *70-puntenplan* (Dewinter 1992), many points are today no longer taboo, or in some cases, have even been implemented by political parties that were against them in the past, like stricter conditions for naturalisation, a list of unsafe countries for asylum applications and a secretary of state for immigration (De Morgen 2015).

a) *Judicial Cases*

In 1981, Belgium adopted the anti-racism or *Morceaux law* (Moniteur Belge 1981), which criminalises the incitement or advocacy for discrimination, segregation, and violence against a person or group based on their race, origin and nationality (Moniteur Belge 1981, 2) (Brems 2006, 703). On 21 April 2004, the Court of Appeal of Ghent sentenced three associations that were entwined with the *Vlaams Blok* (Brems 2006, 704) to a fine for the violation of the

Belgian anti-racism law (Moniteur Belge 1981; Unia 2004a). More specifically, *article 3* (Moniteur Belge 1981,2), which stipulates punishment in the instance of a clear and sustained practice, advocacy for or assistance in discrimination or segregation (Moniteur Belge 1981,5) (Brems 2006, 703). It is essential to mention that *Article 3* has its limitations. Conduct and unequal treatment against minorities can only be considered discriminatory if its justification is not objective or reasonable (Moniteur Belge 1981,4) (Brems 2006,708).

Nonetheless, the court stated that the political party and its associations had shown clear and sustained advocacy to discrimination (Moniteur Belge 1981,5) (Brems 2006, 705). This was based on multiple publications that showed incitement to adopting discriminatory measures like the *70- puntenplan* (Dewinter 1992) and incitement to hate based on multiple political campaigns the party had made against foreigners (Brems 2006, 707). *Vlaams Blok* appealed this sentence, arguing that it violated freedom of speech and association, invoking articles 10 and 11 of the ECHR (European Court of Human Rights 1950, 12) (Brems 2006, 710). The Belgian Court of Cassation on 9 November 2004 confirmed the conviction (Unia 2004b) against the party, arguing that the anti-racism law, *article 3* (Moniteur Belge 1981, 2), does not violate articles 10 and 11 (European Court of Human Rights 1950, 12).

This is because articles 10 and 11 (European Court of Human Rights 1950, 12) that protect freedom of speech and association are subject to restrictions (stated in point 2 of both articles) that are prescribed by law and required in a democratic society for the protection of the reputation or rights of others (European Court of Human Rights 1950, 12). In this case, the nature of the evidence seen against the *Vlaams Blok* made them subject to the legal penalty or sentence. So, as stipulated by Belgian law and under the anti-racism law (Moniteur Belge 1981), *Vlaams Blok's* previous sentence was sustained (Unia 2004b). Nevertheless, what is significant about this case, in particular, is that it legally proved that political speech that is racist and discriminatory could be criminalised, and this criminalisation being in accordance with fundamental freedoms (European Court of Human Rights 1950, 12) (Brems 2006, 711).

b) After The Sentence

On 14 November 2004, the party changed its name from *Vlaams Blok* to *Vlaams Belang* to avoid sentencing and to reinvent itself into something more palatable for the wider public

(Erk 2005, 493). However, many things stayed the same. Hence their opposition to immigration persisted but was more toned down. Nowadays, their programme still supports stricter immigration and family reunification policies (Vlaams Belang 2022). Moreover, they believe that foreigners must adapt to the Flemish culture, not vice versa (Vlaams Belang 2022a), making a clear remark that Islamic values and norms go against the free society we live in and are contrary to European culture and values (Vlaams Belang 2022a). In this regard, the xenophobia and anti-Muslim sentiment remain the same but are now encrypted for the right audience and, of course, follows the *Moureaux law* (Moniteur Belge 1981), especially since staying within legality entitles them to continue receiving state subsidies (Erk 2005, 495).

Their sentencing contributed to their new image as they can now present themselves as ‘martyrs’ criticising the liberal democratic establishment and as the ‘outsiders’ being attacked for telling the truth and ‘how it is’ (Erk 2005, 497). With their persecution, they have become more relatable to a public that does not feel recognised or heard and that shares a discontent with the political correctness of Belgian politicians. In this line, *Vlaams Belang* has included more feminist rhetoric in its programme and successfully reached demographics that would probably not have voted for them in earlier times. An example of this situation is that since the refugee crisis, they have taken a position of defence towards women and the dangers of what they called the ‘Islamization’ of society. They say to liberate Muslim women from Islam's misogyny, making Muslim men the root of the issue (Zienkowski, Cleen, and Smets 2017, 36).

4.2. Vlaams Belang Statements

Vlaams Belang's statements are retrieved from their official social media accounts, *Twitter*, *Facebook*, and *YouTube*, from 2016 to 2023, the current year of the analysis. The migration crisis in 2015 and the following two ‘picks’ of illegal immigration that the EU experienced in 2016 and subsequently in 2022 demonstrated an increase of 64% when compared to the year before (2021 showed a total of 330.000 irregular border crossings) (Frontex 2023). This situation motivated *Vlaams Belang* in 2016 to launch their ‘*Islamterreur: Ondergaan of Terugsslaan*’ (Islam terror: succumb or strike back) campaign to withdraw the recognition of Islam as a religion and to introduce a total ban on immigration from Islamic countries which continues until today (Vlaams Belang 2016, 2023).

Considering that from 2016 to 2022, Belgium has experienced a high number of terrorist attacks linked to Islam extremism which have exacerbated Islamophobia among Belgian society, which overlaps with the EU's two 'picks' on illegal immigration in 2016 and 2022 and the beginning of *Vlaams Belang* campaign in 2016 makes the period from 2016 to 2023 interesting for analysing *Vlaams Belang's* social media statements. Thereafter, the following statements were selected based on their content being about Turkish and Moroccan communities and Islam since this is the predominant religion of these communities. In a liberal democracy, individual liberty, tolerance and pluralism in opinions are crucial and expected, so in order to justify a speech restriction or to infringe on this freedom of speech, there must exist a conflict between the utterances, the other individuals' rights and the liberal democratic values that Belgium subscribe to (Holtug 2002, 357). Therefore, another critical factor was that *Vlaams Belang's* content seems to conflict with a democracy's functioning and values or threaten these communities' individual and democratic rights.

In Chapter 3, we established that Turkish and Moroccan communities in Belgium have a vulnerable position in society. Their position is constantly put in doubt, especially when compared to the position of 'native' Belgians. Furthermore, these groups have endured generations of anti-Islam and anti-immigration sentiment and discrimination (Teich 2022, 147). At the same time, Turkish and Moroccans-Belgians hold Belgium citizenship; therefore, they should be protected under Belgian law and by society against inequalities and discrimination. Nonetheless, these communities still face intolerance, prejudice, lack of opportunities and stigmatisation, especially if they are Muslim (Mandin 2014, 8). From this vulnerability of Turkish- and Moroccan-Belgian citizens, we can infer that *Vlaams Belang's* speech regarding these communities can have a lot of impact: it can be harmful, offensive, or dignity-violating. Also, considering their vulnerable position, we must consider that these communities are less likely to protect themselves or have counter-speech, which *Vlaams Belang* seems to be aware of.

So, in what follows, I present different statements made by *Vlaams Belang* which are inappropriate and problematic but still do not breach principles that justify a speech restriction together with the ones that do. The main reason is that while we can see how these statements could be inappropriate or disagreeable, they still do not transgress or threaten other individuals' rights in an unacceptable manner or conflict with the well-functioning of

democracy and its values (Holtug 2002, 357). Therefore, when deciding whether *Vlaams Belang's* right to utter provocative and incendiary statements on social media should morally be protected or restricted, we should keep in mind that they can express opinions on social media that are not intentionally harmful, offensive or dignity-diminishing to others. It is important to acknowledge that regardless if *Vlaams Belang's* utterances threaten others' individual rights or conflict with the well-functioning of democracy and its values (Holtug 2002, 357), this one may not be a sufficient reason to legally ban their speech. Here, still has to exist a certain balancing of these conflicts. Therefore, it needs to be weighed the rights violation of other individuals against the right infringement would take place if we would allow, in this case, *Vlaams Belang* to do certain utterances. Finally, with the findings on hand, I will see their applicability to Belgian legislation and the limits of warranting a speech restriction in Belgium, at least in the first instance.

4.2.1. Twitter

Statement 1

1



(We want a thorough screening of everyone that enters the country. We barely have insight into the beliefs of asylum seekers from Islamic countries. If we do not drastically change course, inevitably, there will be victims. My Translation).

It is important to recall that *Vlaams Belang* has a longstanding history of being against immigration, specifically after the 2015 migration crisis. This crisis motivated them to launch

¹Vlaams Belang (@vlbelang). 2023, “We Willen Een Grondigere Screening van Iedereen Die Het Land Binnenkomt. We Hebben Amper Inzicht in de Denkbeelden van Asielzoekers Uit Islamitische Landen. Als We Het Roer Niet Omgooien, Zullen Er Vroeg of Laat Slachtoffers Vallen.” Twitter, April 12, 2023, 1:04 p.m, <https://twitter.com/vlbelang/status/1646106944225124353?cxt=HHwWgoC9jeviktgtAAAA>.

a campaign against Islam recognition and for a total ban on immigration from Islamic countries which continues today, as we see in this statement (Vlaams Belang 2016). In Chapter 3, we have already established how vulnerable the position of Turkish and Moroccan communities in Belgium is, especially if they are Muslim. So, when *Vlaams Belang* generalises, stating that *We (Belgians) barely have insight into the beliefs of asylum seekers from Islamic countries*, they explicitly single out asylum seekers from Muslim countries like Turkey and Morocco.

Thereby, they add an element of distrust to the beliefs these migrants from Muslim countries have because they are Muslim. We can see how this utterance could be offensive to these minority groups since it places a certain distrust in their beliefs. In this case, religion is a central part of who they are and how they live, which leads Statement 1 to incite not to trust who they are as individuals. In this case, following Bonotti and Seglow's logic (based on Feinberg's harm test), speech that is offensive to individuals' or groups' religious beliefs can be 'wrongful'. Its wrongfulness lies in that these offences happen in an environment of social injustice and discrimination endured by minority groups which may undermine their self-respect and non-domination (Bonotti and Seglow 2019, 591). Considering that *Vlaams Belang* is a political party giving an opinion about Muslims (asylum seekers), which consist of a minority group in Belgium with a vulnerable social status, the power-asymmetry and the power of this opinion to undermine their self-respect is clear.

As a result, Statement 1 may reinforce negative biases and preconceptions, putting them in a position where they may not be treated as equals. This makes the utterance dignity-violating (Billingham and Bonotti 2019, 535). However, the expression *We want a thorough screening of everyone that enters the country. We barely have insight into the beliefs of asylum seekers from Islamic countries...* can still be considered as part of the tolerance that democracy should allow and protect. This is because it is commonly acknowledged that part of the duty that politicians hold in society is to bring to the surface matters or public concerns that may offend some or at least be considered disagreeable. In this regard, *Vlaams Belang's* statement may still have value for deliberation and truth-discovery purposes in a public debate (Billingham and Bonotti 2019, 532). The reason is that this statement is made on *Twitter*, which can be considered a place of public debate. Following Mill's utilitarianism, social media still has positive consequences for freedom of speech, since it allows for more information and ideas, which are often not commonly accepted to participate and to be seen

and heard in public debate. As such, social media can promote equality (Chellappah 2022, 50).

Therefore, we may consider *Vlaams Belang's* provocative statement, which awakens an emotional response to engage the public in more discussion, thus possibly resulting in more truth-value propositions to be positive for freedom of speech (Chellappah 2022, 51). As a result, supporting the claim that Statement 1 is offensive as such becomes more difficult to defend since it is unclear if the offence in this utterance was intentional or to what extent the writer could have predicted the offence. In addition, the words used by the writer are set in a way that the *Tweet* is not directly offensive (slurs), or indicate a clear intent to incite hate against asylum seekers, to provoke this group, or to offend them. Instead, the writer directs these messages to the broader population (Belgians). Under Feinberg's offence principle of mediating maxims, differentiating between two sets, one assessing the 'seriousness' of the offence and the other the 'reasonableness' of the offensive conduct, this would make the offence 'reasonable', therefore protecting *Vlaams Belang's* right to express such an opinion (Bayles and Feinberg 1986, 116)

The writer continues by stating that there will be victims if the lack of screening does not change drastically (in having a *thorough screening of everyone that enters the country*). Here, *Vlaams Belang* is insinuating that those asylum seekers from Islamic countries pose a threat (because they are Muslims). Later underlines that same notion by saying *If we do not drastically change course, inevitably, there will be victims*. Here, either intentionally or unintentionally, these comments can instigate fear in the public and potentially open the possibility for people to take harmful action against Muslims. However, again we do not know if the writer intentionally deceived the listener or if there is an intention to provoke harm. Therefore, there is no reason not to protect *Vlaams Belang's* speech based on their speech being harmful to the public or to Muslims (Scanlon 1972, 213).

Considering the disparity between ethnic Belgians and the new immigrants and discrimination against Islam and its religious practices (Van der Bracht et al. 2014, 73), the writer says: *We want a thorough screening... We barely have insight into the beliefs of asylum seekers from Islamic countries... inevitably, there will be victims*). One could argue that there is also an intention to further harm the reputation and the perception of asylum seekers from Islamic countries, which may constitute a kind of defamation because it further undermines

their value and respect in society (Bousquet 2022, 32). This may affect future political decisions for these groups, denying them equal concern and consideration, which can be harmful and dignity-violating for these individuals that are already in a vulnerable position (Bousquet 2022, 37). Using Feinberg's notion of harm as a 'wrongful setback to a person's interests' (Stewart 2001, 49), if it is proven that comments made by *Vlaams Belang* were intended to harm these individuals or interfere with political decisions for these groups without a clear justification besides them being Muslim (*We barely have insight into the beliefs of asylum seekers from Islamic countries*). Then this would warrant a restriction.

However, it is impossible to know a priori if that would be the case or if *Vlaams Belang* is solely at fault for such harm. In regards to being dignity-violating, Heyman's right to recognition and Waldron's assurance-based approach clearly describe 'dignity' as, besides the recognition of institutions of the state, as being held by others as citizens (in a specific social identity hierarchy), implying mutual respect and treating others according to that dignitarian status (Simpson 2013, 711). So, a defamatory comment, or a comment done with the intention the defame, will directly affect the self-assurance of the asylum seekers of their dignitarian status and the mutual 'status'-acceptance between Belgians, asylum seekers or Muslims, possibly even disrupting public order, democracy and its values (Simpson 2013, 719). Yet, we do not know if *Vlaams Belang* intended to defame or damage the reputation and the perception of asylum seekers from Islamic countries (Muslims), or to what extent *Vlaams Belang's* speech would solely be responsible for either the loss of self-assurance of these individuals or the acceptance and respect that Belgian society would have for them. Therefore, it is insufficient to restrict this speech based on this statement being dignity-violating for asylum seekers or Belgian Muslims. Finally, this statement serves as an example of how *Vlaams Belang* can make comments that insinuate controversial and sensitive issues without violating Belgian law or breaching arguments that justify speech restrictions.

Statement 2

2



(*The biggest mosque in Brussels comes into disrepute after having previously been closed due to Salafism. This time it is due to Moroccan espionage. There is no such thing as a European or Western Islam. Stop the subsidisation & recognition of mosques, and do not give Islamists a chance!* My Translation).

Vlaams Belang, in stating that *The biggest mosque in Brussels comes into disrepute after having previously been closed due to Salafism. This time it is due to Moroccan espionage. There is no such thing as a European or Western Islam*, insinuates that there is no difference between radical Islam and moderate Islam. In addition, their *Tweet* implies that radical Islam is infiltrating society and that Muslims brought up in the West are untrustworthy since their religion is extremist. *Vlaams Belang* reinforces these beliefs by naming two events that were highly debated topics in Belgian politics: the closure of Brussels' biggest mosque due to its link to extremism (Birnbaum and Aries 2018) and the detention of a Moroccan secret service agent in connection with Moroccan and Qatari corruption and lobbying in the EU (Caulcutt and Braun 2022).

Firstly, misleading, directly or indirectly, the listeners by misinformation in equating Islam with extremism and a corruption scandal can be an issue, especially if generalising these adverse events or stereotypes to a broader diversity of Muslims especially since these ones also hold variety in their Islamic beliefs. However, there is no way to know for certain if

²Vlaams Belang (@vlbelang). 2020. "De Grote Moskee in Brussel Komt Weer in Opspraak, Nadat Hij Eerder Gesloten Werd Omwille van Salafisme. Nu Gaat Het Om Marokkaanse Spionage. Er Bestaat Niet Zoiets Als Een Europese of Westerse Islam. Stop de Subsidiëring En Erkenning van Moskeeën, Geef Islamisten Geen Kansen!" Twitter, December 4, 2020, 10:43 a.m. <https://twitter.com/vlbelang/status/1334795443360952321>.

Vlaams Belang believes what they are saying (*There is no such thing as a European or Western Islam*) or if there is an actual intention to misinform and mislead the readers. Because this statement is made on *Twitter*, algorithmic amplification can also be a concern, as shown by the company's internal report in 2021 (Huszár et al. 2021). This is because the algorithm can amplify extreme opinions or content that the user engages more with, as could be the case with *Vlaams Belang's* statement (Huszár et al. 2021, 4). This amplification can potentially harm the user's autonomy since there is still a preference for certain types of content that may contribute to forming false beliefs (based on misinformation) or that can affect decision-making (Sahebi and Formosa 2022, 14).

However, the possibility of *Vlaams Belang's* statement to harm listeners based on *Twitter* algorithms or misinformation in itself does not warrant a restriction since this responsibility lies with social media platforms and EU regulations to ensure that information is disseminated appropriately to avoid negative consequences for the public and not solely on *Vlaams Belang* or others social media users. Nonetheless, proving that *Vlaams Belang* intends to provoke such harm is rather difficult since we cannot know their intentions or if they actually believe what they are saying. Secondly, insinuating that there is no difference between radical Islam and moderate Islam (*There is no such thing as a European or Western Islam*), which is reinforced by naming two well-known events that are linked to negative conceptions of Muslims (extremism and a corruption scandal). This aims to prove or sustain the belief that radical Islam is infiltrating society and that Muslims brought up in the West are untrustworthy since their religion is extremist.

Overall this connection made by *Vlaams Belang* generalises and intensifies negative stereotypes about Islam and the Muslim community, which consists predominantly of Moroccan and Turkish individuals in Belgium. Also, equating Islam with radicalism and terrorism to show that Islam is a threat to society can create fear and rejection among Belgian society towards these communities. This may be harmful to these individuals as citizens and to democracy itself since it can underestimate Belgian Muslim's opinions, perceptions, credibility and capacity to defend themselves or participate in society (Drake 2018, 6). This situation can profoundly diminish their dignity since it denies them equal respect as a citizen and recognition, impacting their social standing and dignity (Simpson 2013, 711).

There is also a potential for their opinions to not be heard, undermining democratic processes. Using Feinberg's notion of harm, we can say that it may be a 'setback to their citizen's welfare interest' since it damages their capacity to participate in society as equals, which is their right (Von Hirsch 1986, 705). Based on Heyman's right to recognition, the potential damage this act of speech may have depends on the individual 'status', which is constituted by the respect and recognition of others, which is in a vulnerable position within the Belgian social identity hierarchy (Simpson 2013, 716). Statement 2 continues with *Stop the subsidisation & recognition of mosques and do not give Islamists a chance*. Here, *Vlaams Belang* states that the government should stop subsidising Islam and mosques, an important part of Muslim Turkish- and Moroccan-Belgian citizens in Belgium. These communities have the right to practice Islam, so this statement goes against freedom of religion. This is a fundamental right and the statement damaging this freedom makes the utterance harmful and a violation of dignity.

Following Feinberg's definition of harm, *Vlaams Belang*, in making a call to *Stop the subsidisation & recognition of mosques*, creates a clear setback of interest for Turkish- and Moroccan-Belgian citizens which is financial and religious (Amdur and Feinberg 1985, 1947). The 'wrongfulness' lies in the fact that *Vlaams Belang* is advocating for their right as Belgian citizens not to be recognised (*recognition and subsidisation of mosques which supports Islam practices*). Also, there is no clear and *weighty* enough justification for taking away that right. Given the fact that *Vlaams Belang* is a political party with representatives in parliament, they hold power from which advocating for others' rights not to be recognised could actually become a reality. Therefore, they may be personally or partially liable for a 'setback' (Von Hirsch 1986, 701-702). Nevertheless, threatening religious freedom in advocating for not recognizing Islam as a religion in Belgium could warrant a restriction or interference based even on more 'restrictive' views of Mill's harm principle, counting 'harm' as a right violation or damage to vital interests (Turner 2014, 300).

By writing *do not give Islamists a chance!*, the writer tells Belgians not to trust Muslims and invites them to refuse the recognition and subsidisation of mosques. It does this by connecting Muslims and Islam with two unrelated isolated events to vilify them. As a result, the public might believe that all Muslims are extremists and that they should not be trusted, which harms their dignity and attacks their value and respect as individuals (Bousquet 2022, 32), and denies them equal participation and recognition by others in society, which in a

liberal society is highly important for ensuring equal concern and consideration in political decisions and access to certain social-economical privileges (Bousquet 2022, 37). Moreover, speech that seeks to intimidate or discriminate based on ethnicity or religious beliefs does not add value to political or public debate, especially giving these communities standing and societal position (Tsesis 2009, 501).

Finally, the term *Islamists* refers to a specific feature of a community, which is offensive. This claim is supported by following Feinberg's offence 'balancing test' between the 'seriousness' of an offence and the 'reasonableness' of the offensive conduct (Bayles and Feinberg 1986, 116). In this regard, the writer intends to offend directly by using unnecessary slur *Islamists* since this one has no utility for the public or communicating the message. Moreover, the slur could be avoided altogether if there was a willingness not to offend, which also the writer could have predicted given the connotation and use of the word. This makes the offence 'serious' and the conduct 'unreasonable'. In this light, it is difficult to protect *Vlaams Belang's* utterance in this case since freedom of speech must entail the liberty to disseminate ideas which some may consider unpleasant, but this does not mean having the freedom to willingly offend, harm or violate the dignity of others, especially in a fragile position (Barendt 2019a, 541).

Overall, this statement could have been more acceptable if *Vlaams Belang*, in saying *Stop the subsidisation & recognition of mosques and do not give Islamists a chance!* Firstly, would have avoided the word *Islamists*, therefore changing the connotation of the message to something more palatable, for example, using the word *Muslims*. Secondly, calling for the right of citizens of Belgian Muslims not to be recognised, which is the most 'wrongful' part of this statement, would have given a justification(s) of weight, especially as politicians, for not recognising such right. Following the reasoning of generalising Islam as extremism, therefore, not subsidising or recognising mosques would stop extremists is insufficient since Islam has different ideological and political beliefs that differ from extremism. Thus, *Vlaams Belang* in wanting to prevent extremism since it is seen as a security problem, is also overriding the rights of others who, following their line of reasoning, do not pose a threat to Belgian society since they are not extremists.

Statement 3

3



(*Not every Moroccan is a rioter, but every rioter last Sunday was a Moroccan. Hooligans get a stadium ban, rioting Moroccans deserve a country ban!*. My Translation).

This *Tweet* is an extract from Tom Van Grieken's speech in 2022 during assembly sessions in the chamber of representatives following the 28 November 2022 world cup football match between Morocco and Belgium, which triggered riots in Brussels, Antwerp and Liège, which were highly condemned by officials of the Belgian government (DeMorgen 2022). Later on 1 December 2022, *Vlaams Belang*, on their official Twitter account and based on that event, stated that *not every Moroccan is a rioter, but every rioter last Sunday was a Moroccan*.

Here the writer is generalising and saying in an indirect way that Moroccans are rioters and that rioting is a quality that is inherent in that community. In this way, the utterance is offensive since it is an unnecessary generalisation of Moroccans as violent individuals. Feinberg's balancing test can support the claim of 'offensiveness' since, in the context of public debate (*Twitter*) as political speech, this 'figure of speech' has no value or utility for the public or the speaker to be conveyed. After all, it only makes negative generalisations about a vulnerable group in society, which could have been avoided if there was a willingness from the writer not to offend, which in this case, the writer could also have predicted to be offensive. Therefore, the offence is 'serious', and the conduct is 'unreasonable' (Amdur and Feinberg 1985, 1951). It is important to notice that the Moroccan community in Belgium

³ Vlaams Belang (@vlbelang). 2022. "Niet Iedere Marokkaan Is Een Relschopper, Maar Wel Elke Relschopper Afgelopen Zondag Was Een Marokkaan. Hooligans Krijgen Een Stadionverbod, Rellende Marokkanen Verdienen Een Landverbod!" *Twitter*, December 1, 2022, 6:08 p.m. <https://twitter.com/vlbelang/status/1598363349452034048?lang=en>.

faces disparity compared to ethnic Belgians. They have low employment and education levels, reflecting intergenerational poverty and ethnic-religious inequalities resulting from decades of discrimination and racism (Zienkowski, Cleen, and Smets 2017, 33).

Statement 3 continues to contribute to the negative generalisations and stereotypes of Belgian Moroccans, which reproduces existing social inequalities (Teich 2022, 146). The kind of defamation of Statement 3, where Moroccan-Belgian individuals are framed as dangerous and violent, can harm an individual's social and political status (Bousquet 2022,37). In this regard, it may even contribute to a diminishing belief in their own 'status' (Simpson 2013,718). Waldron's (dignitarian) assurance-based approach suggests that speech that aims to defame vulnerable groups or to discriminate harms the social standing and dignity to which they are entitled. Therefore, this speech can affect the vulnerable group's status by affecting how others perceive them in society, affecting the vulnerable group's belief in their own dignity (Simpson 2013,718).

This situation correlates with the ethnographic study made by P. Hermans in 2006 about the discrimination of young Moroccan men in Belgium and the Netherlands (Hermans 2006). The stigmatisation of these young men as 'violent' or 'criminal' impacts their behaviour, creating an inescapable reality for them (Hermans 2006, 99). In this regard, such stereotyping also leads to a greater risk of discrimination (Barendt 2019a, 541). The risk lies in entering a society that does not accept these individuals, so even when they are trying to portray a positive representation for themselves, the starting point is that something is wrong with them. This can severely affect their self-image (Hermans 2006, 99). Another issue to consider is that this type of statement may contribute towards deepening existing issues regarding the law and police treatment towards these communities (Zienkowski, Cleen, and Smets 2017, 31).

This means that a statement that contains a negative generalisation like 'dangerous' and 'violent' about Moroccans has more ability to produce harm than if it was made about another group in society, like ethnic Belgians, making it comparatively more problematic. Based on Mill's harm principle, we could restrict speech, since *Vlaams Belang's* opinion causes harm to others (Mill 2003, 17). However, for this to happen, we would need empirical proof of the connection between the statement and the harm committed, which is difficult. Nevertheless, many factors can also impact the deepening of these systematic issues, making

it harder to pinpoint *Vlaams Belang* as solely responsible for such harm. Furthermore, the writer states that *Hooligans get a stadium ban, rioting Moroccans deserve a country ban!* Firstly, this entails comparing hooligans to Moroccans. Hooligans are known for being violent, insinuating that Moroccans also have violent tendencies and behaviours. This part of the statement is again offensive since there is an unnecessary generalisation of Moroccans being violent that could have been avoided (Teich 2022, 146).

Furthermore, this utterance damages their dignity since it further contributes to the stigma of these communities, damaging their social and political status together with the ‘assurance’ that Moroccan men have of having the same status as other Belgians (Simpson 2013, 718). Secondly, stating that *rioting Moroccans deserve a country ban*, without further justification than *hooligans getting a stadium ban, so Moroccans should get a country ban!* is harmful since it does not respect Moroccan-Belgian people’s rights as citizens, nor does it recognise them as equals. Using Heyman's notion of dignity as being recognised by others, this utterance fails to ensure mutual respect for Moroccan-Belgians as citizens and it can have dignity-harming effects (Simpson 2013, 711). Using Feinberg's definition of harm as a ‘wrongful’ setback of interest (Stewart 2001, 49), *Vlaams Belang's* ‘wrongfulness’ lies in the fact that they are advocating for a country ban while, as citizens, they have a right to be in Belgium. Finally, we do not know whether or not *Vlaams Belang* refers to Moroccans that are Belgian citizens since depending on if they hold Belgian citizenship would depend on how harmful it is for their welfare and how dignity-violating to their rights as citizens the statement is.

4.2.2. Facebook

Statement 4

4



(Anyone who imports the third world into here can forget about the equality between men and women. Therefore, immediately stop subsidising Islam. That misogynistic religion has no place here!. My translation)

This is a *Facebook* post from this year 2023 containing an extract from Anke Van dermeersch's speech during assembly sessions in the Flemish parliament. She states that *Anyone who imports the third world into here can forget about the equality between men and women*, there is a clear intention to warn the public that if they agree with immigration from Islamic countries, they also agree with violence and discrimination towards women. Here, equating Islam with violence against women feeds the stigma around Islamic culture and religion that exists in people's minds, as established in Chapter 3.1, which can be misleading for the public. Here, the issue stems from the generalisation of an entire religion as having an extremist view, usually corresponding to fundamentalist Islam (Drake 2018, 4). Hence, it is not new for *Vlaams Belang* to use feminist rhetoric to gain more appeal among the population since targeting religious practices as a threat towards women allows them to place themselves as protectors of women's rights and equality from the senselessness of Islam (Akkerman 2015, 38).

Conversely, anyone who goes against this rhetoric risks being accused of ignoring the well-being of (Muslim) women or for being against gender equality (Akkerman 2015, 39).

However, there is no way to know if *Vlaams Belang* intends to mislead or misinform the

⁴ Vlaams Belang. 2023. "Wie de Derde Wereld Hier Importeert, Kan de Gelijkwaardigheid Tussen Man En Vrouw Vergeten. Stop Daarom Meteen de Subsidiëring van de Islam. Die Vrouwenvriendelijke Religie Heeft Hier Geen Enkele Plaats!" May 24, 2023. <https://www.facebook.com/watch/?v=987976462196745>.

public or if they believe Islam threatens women. Nevertheless, it reinforces stereotypes of violence, extremism and intolerance, a kind of vilification hurting Muslims' dignity undermining their equality and recognition by others (Bousquet 2022, 32). From the point of view of the belief that social hierarchies are unfair and demeaning to others that are subordinated, it is clear how Muslims, and especially Muslim women, are in an extremely fragile position in Belgian society. Intolerance of their practices, besides coming from the public, also comes from the government (Simpson 2013, 721). An example is that in 2011 Belgium banned burqas and Islamic veils that cover the entire face since these were perceived as symbols of the oppression of women (Dearden 2017).

In this situation, a view like Heyman's or Waldron's of dignity as 'held by others' would not 'perfectly' function to preserve or protect Muslims' dignity since in not having the mutual recognition of others this dignity violation may also be possibly reinforced by the state, and it may continue to be replicated by the existing social hierarchy of a 'catholic' Belgium (Simpson 2013, 717). Overall, this shows that an utterance like *Anyone who imports the third world into here can forget about the equality between men and women*, depending on the cultural-social context, could be more dignity damaging than if it were made against other groups in society. This would make evident that a speech restriction could be necessary for this case, yet in doing so, one would have to prove that such opinion directly contributes to the process in which intolerance and discrimination in Belgium's social identity hierarchy are replicated (Simpson 2013, 727). In this sense, protecting *Vlaams Belang's* speech could be morally relevant in a liberal democracy (Billingham and Bonotti 2019, 532).

One could argue that to form an opinion or adequate judgement about a matter of public concern, we need access to all information, especially political speech, even if this one is not the majority's opinion (Kauper 1960, 619). Using Dworkin's notion of a 'constitutional conception of democracy' (Dworkin 1998, 453), and the 'right to moral independence' as preserving or ensuring equality in a liberal democracy (Brison 1998, 324), we could say that 'minority opinions' must be entitled to participate in public discourse and debate if we want to ensure equality (Barendt 2013, 19). This is because restricting speech out of moral disagreement from our own view of the good would mean not respecting the autonomy of those holding these minority opinions, therefore, failing to ensure overall equality, which is a fundamental value for a liberal democracy like Belgium (Brison 1998, 325).

The writer continues, *Therefore, immediately stop subsidising Islam*. Here he explicitly states again that the government should not subsidise Islam, yet it is worth noticing that Islam receives the lowest religious subsidies of all the major religions in Belgium (Minister van Justitie 2016). *Vlaams Belang*, in advocating the ending of government subsidies for Islam, an essential part of Muslim Turkish- and Moroccan-Belgian citizens in Belgium, is to negate their religious freedom, which is a fundamental right. This makes the opinion harmful, a violation of dignity and goes against liberal democratic values. We place moral significance on our status in society, so speech that indicates an absence of mutual respect or recognition as citizens (Simpson 2013, 711), can leave individuals feeling unprotected or it can make them doubt their status in society, which is dignity diminishing (Simpson 2013, 718).

The ‘harmfulness’ of this comment lies in advocating for the right of others, who are still Belgian citizens, to be ignored by stopping subsidies. Following Feinberg's notion of harm, this could be considered a ‘wrongful setback of interests’ since it would mean setting back a fundamental right without a *weighty* justification besides the generalisation of implying that Islam is anti-women. Furthermore, this statement was uttered by Anke Van dermeersch, who sits on the Flemish parliament and therefore holds political power, which could make *Vlaams Belang* and, more specifically, Van dermeersch (partially) at fault for ‘setting back’ that interest. Nonetheless, if such a right were not to be recognised, this would justify a restriction based on the most basic premise of Mills harm principle (Turner 2014, 302).

The writer, in saying *That misogynistic religion has no place here!*, is causing offence for Belgian Muslims since it directly attacks Islam, giving them a negative portrayal. By using the word ‘misogynistic’, they are reiterating that Islam is anti-women. This vilification harms their dignity (Bousquet 2022, 32), and given their societal position, speech that is demeaning towards religious beliefs considered morally inferior is more damaging when such a group is already in a disadvantaged position (Bonotti and Seglow 2019, 592). In this regard, behind a background of intolerance coming firstly from the government is easy to see why *Vlaams Belang's* opinions have a different connotation when made to others who already feel not recognised as equals (Simpson 2013, 721). Finally, *Vlaams Belang* can be critical of others when engaging in discussion. However, the lack of mutual recognition of their dignity makes this opinion deeply offensive and, therefore, may have a greater probability of resulting in societal exclusion which is made explicit in making Islam incompatible with Western culture in referring to Islam as *...has no place here!*, or diminishing participation in public or

political debate from which these communities already feel their rights are not being recognised or acknowledged (Bonotti and Seglow 2019, 596).

Statement 5

5



Vlaams Belang 

16 mei om 10:22 · 

In geen enkel Europees land stemmen zoveel Turken op de islamistische dictator Erdogan, hoewel de meesten hier al hun leven lang wonen. Welk bewijs is er nog nodig om in te zien dat integratie bij massamigratie een leugen is? Niet alleen onze identiteit, maar ook onze democratie komt in gevaar. Hoog tijd dus om het migratiebeleid aan te scherpen, onze sociale zekerheid af te schermen en onze grenzen te beschermen!

(In no other European country do so many Turks vote for the Islamist dictator Erdogan, although most have lived here all their lives. What extra proof is needed to prove that mass migration integration is a lie? Not only our identity but also our democracy is in danger. So it is high time to tighten migration policy, shield our social security and protect our borders!.
My Translation)

In expressing that *In no other European country do so many Turks vote for the Islamist dictator Erdogan*, the utterance first points towards the Turkish-Belgians who, as a group, significantly voted in favour of Erdogan (who has a nationalist-populist discourse). This information is accurate (The Brussels Times 2023). However, in explaining the situation, using the word *Islamist* (referring to Erdogan) is unnecessary since it is offensive to the Muslim community, which the writer could have predicted. Using Feinberg's 'balancing test' for offensive conduct (Bayles and Feinberg 1986, 116), we can see that this offence is 'serious' and 'unreasonable'. The 'seriousness' of the offensive conduct relies on the fact that

⁵ Vlaams Belang. 2023. "In Geen Enkel Europees Land Stemmen Zoveel Turken Op de Islamistische Dictator Erdogan, Hoewel de Meesten Hier al Hun Leven Lang Wonen. Welk Bewijs Is Er Nog Nodig Om in Te Zien Dat Integratie Bij Massamigratie Een Leugen Is? Niet Alleen Onze Identiteit, Maar Ook Onze Democratie Komt in Gevaar. Hoog Tijd Dus Om Het Migratiebeleid Aan Te Scherpen, Onze Sociale Zekerheid Af Te Schermen En Onze Grenzen Te Beschermen!" May 16, 2023.
https://www.facebook.com/photo/?fbid=774967780753299&set=a.453657366217677&locale=nl_NL.

Vlaams Belang could have predicted the offence given the use of a slur and the ‘unreasonable’ lies in the fact that they could have avoided the word *Islamist* if they wanted to, especially considering that the slur did not present much utility or it was unnecessary to express such a message. Nevertheless, even if it was not directed towards Turkish Belgians, it is still offensive to Turkish Muslims (Von Hirsch 1986, 711).

The writer continues by writing that (Turks) *although most have lived here all their lives. What extra proof is needed to prove that mass migration integration is a lie? Not only our identity but also our democracy is in danger.* Here, he states that Turkish Belgians will only follow their cultural beliefs, which *Vlaams Belang* links to Erdogan, and never fully adapt to the proposed multicultural model (Duyvendak and Scholten 2010, 332), integrate into Belgian society or follow Belgian cultural values. Therefore, he argues that Turkish-Belgian citizens are posing a threat to Belgian democracy and identity. The idea that the presence of Turkish people in Belgium poses a security problem is nothing new, but could already be seen in the 1980s (Zienkowski, Cleen, and Smets 2017, 29).

Therefore, second and third-generation Turks have been targeted as a possible threat to public security, safety, and moral and social order. This link between ethnicity and criminality by the extreme right has affected how the law and police respond towards these communities, reinforcing this position of the vulnerability of Turkish-Belgian citizens in society (Zienkowski, Cleen, and Smets 2017, 31). So, this statement is problematic for Turkish communities because it can contribute to discrimination, rejection, and hostile behaviour that can perpetuate existing disadvantages of these individuals and groups, undermining their democratic participation and status (Tsesis 2009, 503). Moreover, portraying Turkish Belgians as a threat to Belgian democracy and identity is a kind of defamation because it frames them as dangerous, harming their social and political status (Bousquet 2022, 37).

Following Waldron’s or Heyman’s dignity view, this statement shows a lack of recognition or mutual acceptance from *Vlaams Belang* to Turkish Belgians of their status as equals and therefore diminishes their social status (Simpson 2013, 711). This development may be reinforced by existing structural social hierarchies that Turkish Belgians have endured for generations (Simpson 2013, 717). Nevertheless, there may be a possible loss of confidence of Turkish Belgians in their own social standing, which is dignity damaging (Barendt 2019a, 541).

They continue with *So it is high time to tighten migration policy, shield our social security and protect our borders!* In this regard, to call for a ‘tighter’ migration policy and shielding of social security like housing, healthcare, subsidies and protection of the borders, both of which are harmful to Turkish Belgians. Using Feinberg’s notion of harm constitutes a ‘wrongful setback of interests’ (Stewart 2001, 49). The ‘wrongfulness’ lies in setting back an interest like social security or a possible policy that would leave them at a disadvantage, which is also their right as citizens. *Vlaams Belang* does not give a clear justification except for the logic of: Turks voted for Erdogan and therefore they are not integrated into Belgian society, which makes them dangerous to Belgian democracy and society. Nevertheless, *Vlaams Belang*, as a political party with representation in parliament, could be responsible for such a ‘setback’ of the interest of Turkish Belgians.

However, this statement which is directed to ‘ethnic Belgians’, could also be seen as a mere discussion of matters of public concern. Considering that *Vlaams Belang* is a political party, it is their duty to bring to the surface such concerns, which should therefore be protected by freedom of speech. The fact that an opinion is not commonly accepted by others does not mean that it should be restricted since to do so could go against the equality and freedom the liberal democracies are trying to protect in the first place (Brison 1998, 325). In this case, *Vlaams Belang* could have the ‘right to moral independence’ of having a conception of the ‘good’ for Belgian society they completely believe in and defend. This ‘right’ would act as a constraint for restricting such speech (Brison 1998, 324). Finally, one could also argue that restricting their speech would mean interfering with the right of others to access such information, especially if *Vlaams Belang* is a political party that utters political speech in the context of public debate (Greenawalt 1989, 150).

4.2.3. YouTube

In 2016, *Vlaams Belang* presented a plan to withdraw the recognition of Islam and introduce a total ban on immigration from Islamic countries (Vlaams Belang 2016). The following transcript is an extract from a video posted on *Vlaams Belang's* official *YouTube* account that corresponds to a political campaign titled *Islamterreur: ondergaan of terugsslaan* (Islam terror: succumb strike back) which was launched during that same year in Antwerp (De Morgen 2016). The extract starts at **3:31** and ends at **4:05**, showing Anke Van dermeersch

who is a well-known senator and elected member of the Flemish parliament for *Vlaams Belang*, on the stage addressing the public. She states:

Statement 6

⁶ Dat in de islamitische cultuur aangerande en verkrachte vrouwen doorgaans als dader in plaats van als slachtoffer worden gezien is het zieke gevolg van die perverse seksuele moraal van moslimmannen. De geschiedenis, dames en heren, toont aan dat de mate waarin een samenleving islamiseert rechtstreeks af te leiden is uit de mate waarin moslimas hun lichaam moeten bedekken. Hoe meer islam, hoe meer bedekkend textiel voor vrouwen, hoe minder vrijheid.

(The fact that in Islamic culture, sexually assaulted and raped women are usually seen as perpetrators rather than victims is the sick result of the perverse sexual morals of Muslim men. History, ladies and gentlemen, shows us that the amount in which a society Islamises can be directly derived from the amount in which Muslim women have to cover their bodies. The more Islam, the more covering textiles for women, the less freedom. My Translation).

When Anke Van dermeersch states *The fact that in Islamic culture, sexually assaulted and raped women are usually seen as perpetrators rather than victims*, she is referring to Islam as being oppressive and violent against women because she believes it normalises sexual assault, placing the blame on the woman (victim) instead of the men (perpetrator). This idea is not exactly true since rape and sexual violence are considered forbidden by Islamic law (Hakam 2022). Nevertheless, we cannot know if there is an intention to mislead the public or if she actually believes what she is saying. Regardless, this type of speech can defame Muslims, and especially vilify Islam and Muslim men (*the sick result of the perverse sexual morals of Muslim men*) as having innate deviant sexual conduct just because they are Muslim. This harms the perception of Muslims, their credibility and their capacity to defend themselves or participate in society (Drake 2018, 6).

It paints Muslims as perpetrators of sexual violence, which is dignity-violating. Tesis is clear in stating that what can be dangerous about statements like this is that if the targeted group

⁶ Vlaams Belang. "Meeting Islamterreur - Korte Samenvatting." YouTube Video, 7:29, May 1, 2016. <https://www.youtube.com/watch?v=ffREoa0dUHc&list=PLWZnr9kyJS0UV-BWcTeoD1I9oWGUVI5>.

does not have public support or if there is a rejection of what this group believes in, they also lose part of the capacity to defend themselves, have counterspeech or participate in public or political discussion, metaphorically losing their 'sit in the table' (Tsesis 2009, 499). This may lead them to being excluded, denied of participation and therefore recognition, yet, using Feinberg's notion of harm, it would be difficult to prove the 'wrongfulness' of such an act based on *Vlaams Belang* being personally at fault for such a 'setback' of their rights as citizens (Stewart 2001, 49).

The statement continues with *History, ladies and gentlemen, shows us that the amount in which a society Islamises can be directly derived from the amount in which Muslim women have to cover their bodies. The more Islam, the more covering textiles for women, the less freedom.* This again establishes a connection between Islam being a violent religion that oppresses women by using the example of 'textiles' referring to burqas or veils as indicators of radical Islamic views. Also, using the word *Islamises*, which has a negative connotation, while not being directed explicitly at Muslims, still is offensive to Muslims. Offensive religious speech that is demeaning towards a religion or religious belief can be more damaging against groups that already confronts a background of discrimination coming from the state and society in general (Bonotti and Seglow 2019, 592).

Nonetheless, we could still accept this type of statement as mere political speech. *Vlaams Belang*, as politicians, have to be critical of others or bring to the surface what can be, at times, sensitive topics. However, a vital element of democracy is that, regardless of religious beliefs or political views, there still exists a consideration and mutual recognition of citizens as having 'full status'. To fail to do so would make speech that is critical or provocative to result in excluding vulnerable groups even more from society and the political or public debate, which again can diminish their dignity (Bonotti and Seglow 2019, 596).

After the 2011 veil restriction in Belgium (Dearden 2017), research was conducted by the University of Ghent to see how Muslim women that wear a veil felt about the ban and how they felt about the veil being considered oppressive by Belgian legislation. The research concluded that Muslim women felt the ban was harming their rights since the Belgian government did not consider their opinion or feelings about the matter (Brems et al. 2012, 33). The ban felt increasingly discriminatory since it portrayed a negative image or misconception of the veil and of Islam, and the women felt it diminished their freedom and

autonomy (Brems et al. 2012, 36). In this regard, it is unsurprising that Muslim women felt like their freedom and autonomy were diminished since the 2011 veil restriction in Belgium was based on existing societal attitudes within Belgian culture that form an identity-based hierarchy (Dearden 2017). In this hierarchy, Muslim women may experience exclusion considering that they were not consulted about a ban that was meant to ‘protect’ them (Simpson 2013, 708).

Following Dworkin's (liberal) conception of equality, we could say that this law's aim to protect women's rights or the collective good of society has harmed their dignity by preventing their ‘right’ to wear a veil. Relying on moralistic (based on the conception of the good) or paternalistic (aimed usually to improve that person's life) rationales fails to treat them with equal concern and respect, therefore harming their dignity (Brison 1998, 325). Subsequently, a view like Waldron's ‘assurance and security of your own dignitarian ‘status’ or Heyman's right to recognition where this ‘status’ is envisioned as receiving and giving recognition to others in society beyond relying on institutions or governments, here, can be difficult to envision (Simpson 2013, 727), taking into consideration that Muslim women felt that their dignity was harmed by a ban set by the Belgian government (Simpson 2013, 711).

Hence, placing all responsibility on others’ ‘speech’ for determining that status entails a failure to acknowledge that, in the background, this ‘status’, that may not even be ‘fully’ achieved yet (given what Muslim women expressed in the study), is also being determined and reinforced by existing societal attitudes within Belgian culture and society (Simpson 2013, 717). So, it is important to acknowledge that although provocative and problematic, *Vlaams Belang's* speech may be a by-product of such a condition or have a reduced level of responsibility for diminishing their status and, therefore, dignity (Simpson 2013, 727).

4.3. Discussion

a) *The Dangers of 'Political Incorrectness' in Social Media*

It is nothing new for *Vlaams Belang* to express opinions in which they criticise the liberal democratic establishment and telling things 'how they are' is one of their answers when confronted with criticism about their comments or views especially when this type of behaviours is a big part of the public appeal they have and want to project (Erk 2005, 497). However, in exercising their freedom of speech or fulfilling their duty as politicians by taking on sensitive or polemic topics, their utterances can sometimes be justified, in a utilitarian way, as of value because they entail truth-seeking or because they contribute to the deliberative process. Nonetheless, if harm is produced by conveying these utterances intentionally or unintentionally, this one must outweigh the good in that particular context (Blasi 2011, 554).

During the analysis, *Vlaams Belang's* utterances at times conveyed to the public that Islam was a threat or danger to society. Of course, we do not know if they, in fact, believe this. Therefore, even if it is easy to be biased in this situation, we cannot make moral judgments based solely on the factor of intentionally. Nonetheless, given the content of *Vlaams Belang's* statements and how they are expressed in the choice of words, generalisations and making connections between news and other isolated events, we must address the possibility that part of the public could believe something that may not be correct or truthful. This can be either by misinformation or misconstruction of an opinion, possibly creating a false belief that may further deepen the stigma of Turkish and Moroccan communities or that provokes Belgians to act in a harmful way towards these groups.

Here, the context of social media as a place of public or political debate, for most people, is 'the place' where they can engage in discussion with others, and access to information concerning global news or politics can greatly intensify this situation. Social media amplifies on what has more views and higher user engagement. Therefore, the final objective of these platforms is not 'fairness' or 'truthfulness' but rather keeping the user on the platform for as long as possible, even if the content they are pushing is extremist (as seen in the internal *Twitter* report)(Huszár et al. 2021). Following this, a personalised online environment

provides tailored content for users that may diminish their access to diverse opinions (Lombardi 2019), resulting in debates where a commitment to truth and knowledge or the reception of counter-opinions may not always happen. For example, we see ‘information bubbles’ where particular beliefs become dominant thanks to mutual reinforcement (Iandoli, Primario, and Zollo 2021, 2).

Nevertheless, social media also has positive outcomes for freedom of speech. More engagement means more ‘emotional response’, allowing more discussion on these platforms. Furthermore, engagement helps the ‘algorithm’ to find the right audience. Social media can also allow minorities' opinions to enter the public debate, promoting equality in diverse opinions (Chellappah 2022, 50). Of course, misinformation, manipulation of information and algorithms can make us lose track of objective reality and create social divisiveness that can cause more extreme opinions to dominate discussions (Iandoli, Primario, and Zollo 2021, 1). Here, we encounter a potential problem with *Vlaams Belang's* statements. Politicians' opinions on social media have greater exposure than a regular citizen would have, and therefore, people usually engage more with politicians' content. The danger here is that harmful actions towards minority groups can be provoked by misconstruing their opinion or simply by misinformation in social media, which can be more or less common depending on the social media platform, algorithm amplification and the extent to which individuals are consuming content through an ‘information bubble’ (Iandoli, Primario, and Zollo 2021, 2).

Regardless, the number of people reading these *tweets* and *Facebook* posts or viewing these *Youtube* videos can change the repercussions stemming from these comments since wider audiences dramatically open more possibilities for the statements to result, directly or indirectly, into harmful actions or offensive and dignity-violating comments. Algorithmic amplification and ‘information bubbles’ can exacerbate these emotional responses, therefore, creating more division or extremist opinions that can be replicated by either sympathisers of the *Vlaams Belang* or by individuals that just want to share, react, repost or re-tweet these statements. Either way, if, intentionally or unintentionally, *Vlaams Belang's* comments may indirectly inflict harm to others already in a disadvantaged position in society, which, in this case, can be a consideration for not protecting *Vlaams Belang's* speech in social media.

This situation is already accounted for in Scanlon Millian principle (Scanlon 1972), which focuses on protecting the autonomy of individuals, therefore, is it central to concentrated not

on if a speech act harms others but, more specifically, how it does this (Amdur 1980, 290). Scanlon defines the harm occurring from erroneous beliefs as the result of certain ‘acts of expression’, where such harm only occurs because the ‘act of expression’ has led others to believe that harmful actions were worth it being executed (based on that act of expression) cannot be used to restrict speech (Scanlon 1972, 213). So, assuming that harm has happened by an individual holding an erroneous belief or strong emotional response due to an utterance made by *Vlaams Belang* on social media and taking Scanlon Millian principle referring to harms that can not be used to justify legal speech restrictions (Scanlon 1972, 213), in this case, restricting speech would undermine *Vlaams Belang's* individual decision to speak, therefore, their autonomy (Brison 1998, 322). Making such a restriction ‘unlawful’.

This is especially true if we do not know if *Vlaams Belang* is at fault for intentionally misleading the listener, if it has the intention to provoke harm to others (Scanlon 1972, 213), or if it was just an emotional response from an individual influenced by factors like ‘algorithmic amplification’ and ‘information bubbles’ (Iandoli, Primario, and Zollo 2021, 2). So, in deciding if we should defend ideas that we may morally disagree with, *Vlaams Belang* still has the right to be treated with equality and respect (Brison 1998, 325), especially in a liberal democracy where a diversity of opinions must be included in public discourse and debate (Barendt 2013, 19). Hence, we need to acknowledge that *Vlaams Belang* is elected by the people and censorship, besides affecting *Vlaams Belang's* rights, would also affect the public autonomy by making it harder to receive the information they need to form a political opinion (Greenawalt 1989, 150). Finally, ‘likeability’ is a key concern for many politicians since being liked by a section of the electorate is crucial for being (re-)elected. So in the absence of a legal restriction, social disapproval can be a ‘moral’ way to bring justice or fairness to these communities, and it can motivate *Vlaams Belang* to act differently in order to avoid social disdain and to acquire enough votes (Bell 2020, 4).

b) *The Lack of Guilt*

Vlaams Belang was founded to avoid the *Vlaams Blok's* 2004 sentencing (Unia 2004b), reinventing themselves into a more toned-down version of themselves that would fit the legal framework. So far, even after the *cordon sanitaire* (1989-2004) (Sijstermans 2021, 276), the publication of the *70-puntenplan* by Filip Dewinter (Dewinter 1992) and the confirmation of their sentence in 2004 by the Court of Cassation (Unia 2004b), *Vlaams Blok*, now after the conviction of *Vlaams Belang*, have never publicly shown any guilt or regret in their comments

or actions for their past. In a legal sense, this could serve as evidence that weighs against them when warranting a speech restriction (Stewart 2001, 50), since showing sustained advocacy to discrimination can be legally punished in Belgium (Moniteur Belge 1981, 5). Morally, this shows little care or consideration in the content of their speech towards recognising Turkish and Moroccan communities in Belgium as equals deserving of respect which is essential in a democratic society.

Undermining the social status of Turkish- and Moroccan-Belgian citizens directly affects their social participation (exclusion), credibility (further deepening stigmas), capacity for counterspeech (Drake 2018, 6), equal concern and consideration in political decisions, which may also extrapolate to other areas as having access to certain social-economical privileges (Bousquet 2022, 37). An example of the consequences of this is exclusion, lack of credibility and consideration in political decisions is that Turkish and Moroccans in Belgium hold higher levels of discrimination and lower education and employability rate, usually linked to the lack of successful policies implemented by the government in previous decades (Mandin 2014, 8). In this regard, intergenerational poverty and ethnic and religious inequalities correlate to racism and discrimination (Zienkowski, Cleen, and Smets 2017, 33).

So, in expressing political opinions that continue to deepen the stigma of these communities, *Vlaams Belang* shows a clear lack of guilt (considering previous convictions). So, *Vlaams Blok's* 2004 conviction (Unia 2004b) came to prove that this type of political speech can be punished while respecting and being accordant to other freedoms like the freedom of speech and thought (European Court of Human Rights 1950,12) (Brems 2006, 711). Especially because people expressing these opinions are politicians, therefore, harm, direct offence, or damage to a person's dignity has more significance than if it were just a regular citizen or, in the context of social media, a single individual expressing these opinions on *Twitter*, *Facebook* or *YouTube*. In this position of power, where they can directly impact social matters that affect everyone in society, compromising the legal or social status of others or disrupting public order could interfere with Belgium's liberal democratic values.

In this light, morally, it is easy to see why the right of *Vlaams Belang* to utter provocative and incendiary statements on social media could overall not be protected. Nonetheless, even if it is clear how their opinion may cause profound damage to Turkish and Moroccan communities in Belgium, especially when Muslim, this is not yet a reason of weight to 'legally' restrict or ban speech in their case. Since, in a liberal democracy, there must still be a 'balancing' of the

competent rights, meaning the rights violation of other individuals against the right infringement, which would take place in this situation if we allowed *Vlaams Belang* to express certain opinions.

c) Applicability of the Findings to Belgian Legislation

One question that surfaces from the findings is: what would the applicability be of these findings to Belgian legislation. Morally, we establish that social disapproval and social coercion are adequate in this case. However, the evidence shows that we could take legal measures under certain circumstances. Articles 10 and 11 of the ECHR (European Court of Human Rights 1950, 12), which protect the right to freedom of expression and assembly, are embedded in the Belgian Constitution in Article 19 (De Belgische Kamer 2017, 9), which also protects freedom of expression. This means that within limits, Belgian citizens can still be punished when committing offences or transgressions while making use of this freedom. Speech that results in defamation, provokes incitement of misconduct and crimes (Justel 2021, 27), contains slander, insults and malicious disclosure (Justel 2021, 96), and certain speech-acts that are motivated by either racism or xenophobia, which is a violation of the Belgian anti-racism law (Moniteur Belge 1981), can be prosecuted if a complaint(s) exists.

In this regard, *Vlaams Belang's* statements have been shown to cause defamation, slander, insult, and advocacy for discrimination against a person or group based on their race, origin and nationality (Moniteur Belge 1981,2) (Brems 2006, 703). Given their previous judicial cases, campaigns, and political programmes against Islam and migrants, article 3, within the Belgian anti-racism law (Moniteur Belge 1981,2), could apply in their case. More specifically, statements 2, 5 and 6 were uttered outside assembly sessions, which is important since they could be prosecuted as regular citizens. This would entail punishment for a clear and sustained practice, advocacy for or assistance in discrimination or segregation (Moniteur Belge 1981, 5) (Brems 2006, 703). In their case, there is enough evidence tracing back to the beginning of this analysis in 2016, for example, with their campaign *Islamterreur: ondergaan of terugslaan* (Islam terror: succumb strike back) (Vlaams Belang 2016).

Nevertheless, for this to happen, *Vlaams Belang's* conduct towards, and unequal treatment of, minorities can only be considered discriminatory if its justification is not objective or reasonable (Moniteur Belge 1981, 4) (Brems 2006, 708). Hence, party members could be prosecuted as regular citizens if information or evidence is collected to make a strong enough

case and if a victim files a complaint. In the case of a complaint about defamation or slander (*article 443*), this one cannot be filed by third parties therefore, the victim must do it personally (Justel 2021, 96). Nonetheless, because *Vlaams Belang* is a political party, some of its members would fall within parliamentary immunity. Yet, this one only applies to opinions expressed while participating in assembly sessions in parliament and only during the term of office (Belgian House of Representatives 2000, 12). This is relevant since it would still make *Vlaams Belang* liable for statement 3, which is a *tweet* containing an extract from Tom Van grieken's speech (the representative deputy of *Vlaams Belang*) and statement 4, which is a *Facebook* post containing an extract from Anke van dermeersch's speech (community senator for *Vlaams Belang*) were both uttered while in parliament. Nevertheless, for them to be able to be prosecuted as regular individuals, parliamentary immunity must first be lifted.

In Belgium, members of the parliament (house and of the senate and the parliaments of communities and regions) (Belgian House of Representatives 2000, 12) can only be criminally prosecuted by officials of the public prosecutor's department and only after the permission of the legislative assembly. Meaning that 'regular' citizens cannot initiate proceedings or sue members of the Belgian parliament (Belgian House of Representatives 2000, 13). The process is as follows: The request to lift immunity ideally comes from the procurator general at the court of appeal (nearest district from which the case comes) and is forwarded to the president of the legislative assembly. This one informs the assembly about the request to lift the immunity without mentioning the individual's name or the involved charges (Belgian House of Representatives 2000, 33). Here, the accused member of the parliament can ask the assembly to suspend the prosecution at any time and only during the investigation, justified by solid and convincing arguments (Belgian House of Representatives 2000, 16).

If the procedure continues, the case is handed on to the prosecutions committee (Belgian House of Representatives 2000, 33). The committee then question the member of the parliament, who has the right to be heard if he asks to do so, and a colleague or counsel can assist it, and witnesses can also be called. Traditionally a decision is made by majority vote, but usually, what happens is that the committee reach a *consensus* (Belgian House of Representatives 2000, 17). Nevertheless, the decision made by the assembly does not imply guilt or innocence since it is just a mere authorisation to lift immunity (Belgian House of Representatives 2000, 34).

Overall, the process has instances where the charge can be dropped together with the fact that the evidence and charges must be significant enough to justify it. Therefore, it must be

acknowledged that initiating this process and reaching a point where the politician can be prosecuted is extremely difficult. An example of how hard it is, but not impossible, is that in the last 15 years, it has only happened twice for members of the *Vlaams Belang*, in 2008 for Franck Vanhecke under incitement to hate and xenophobia (Van Emden 2008) and in 2021 for Dries van Langenhove under incitement to hate and violence (Haige 2022).

4.4. Sub-conclusion

This research aimed to give a moral answer to the question: *Should Vlaams Belang's right to utter provocative and incendiary statements on social media be protected or restricted?*

Accordingly, the thesis critically explores the extent to which Belgian society is currently allowing the speech of *Vlaams Belang* to be uttered and the applicability of the findings to Belgian legislation. Therefore, throughout this research, several situations and contexts were laid out to determine a moral point of view which I defend based on freedom of speech theories and the liberal democratic values that Belgium subscribe to, such as freedom, human dignity, human rights, democracy, equality and the rule of law (European Union n.d.). Hence, one of the most important aspects was to have the cultural-historical context of Turkish and Moroccan communities in Belgium since this could provide a base for applying arguments that justify speech limitations.

In this regard, the considered arguments that justify freedom of speech, like ‘truth’, ‘autonomy’, and ‘democracy’, are connected to the intrinsic value to the individual that this freedom represents, as it involves external communication, like thoughts and beliefs, which are associated with autonomy (dignity). Furthermore, this freedom has a consequentialist and epistemic value as being vital for truth and knowledge and valuable for democracy in allowing political participation, voting, and holding accountable the government and politicians. Therefore, an individual is entitled to exercise freedom of speech except if a restriction is reasonably justified (Gunatilleke 2020, 93). So, given the value of freedom of speech, justifications or considerations for warranting speech restrictions or limitations must be standard values accepted by Belgian society as equals (Gunatilleke 2020, 94).

Importantly, the research presents a conflict of interests and rights, especially in the view that in order to protect the personal right of others, in this case, Turkish and Moroccan communities who are Belgian citizens, we would simultaneously not respect the rights of the other party, in this case, *Vlaams Belang's* right to have freedom of speech and thought. Therefore this situation

requires certain ‘balancing’. In Belgium, the ‘proportionality test’ is often used for evaluating the permissibility of limitations in speech in its last instance. Thus, only after considering if such restriction is prescribed by law (applicability), pursues a legitimate aim as, for example, in the protection of other (conflicting) rights and freedoms, and finally if such restriction is necessary and suitable for the legitimate aim pursued (European Law Institute 2022, 14).

In this regard, dignity constitutes the basis for other fundamental rights (EU Charter of Fundamental Rights 201). Hence, the importance in the analysis of arguments like Heyman's ‘right to recognition’ and Waldron's ‘assurance-based approach’, which start from the premise of being recognised as equals having a ‘full assurance’ of such (dignity) status. Consequently, Feinberg's harm based on ‘mediating maxims’ and offence based on ‘balancing’ arguments, besides offering a moral consideration prior to warranting a speech restriction or, in the case of *Vlaams Belang*, to protect or not their right, most importantly, departs from the idea of ‘claiming’ a right and such being recognised as valid against others (by legal rules or moral principles). This ‘claiming’ would entail that an individual holds rights commanding self-respect (assurance of having rights) and respect for others, therefore being necessary for dignity (Corlett 2006, 138).

In chapter 4.2, *Vlaams Belang* has shown to make statements that are harmful, offensive and dignity diminishing to Turkish and Moroccan communities, especially Muslim individuals, together with the fact that they do not bear any moral responsibility or guilt for the resulting damage of their comments. This is also shown in the previous sentence in 2004 (Unia 2004b), where there was no acknowledgement of the damage provoked to others or acceptance of the sentencing. Hence the name change from *Vlaams Blok* to *Vlaams Belang* to avoid the sentence and continue receiving subsidies from the Belgian government.

It is also important to acknowledge that *Vlaams Belang* also has made comments that are not harmful, offensive or dignity-violating for these communities. Therefore, they have the ability to make comments that insinuate controversial and sensitive issues that, for example, in statement 1, while being problematic or provocative, do not satisfy the requirements for justifying a legal speech restriction or to be morally condemnable. Disrespectful and derogatory vocabulary (like the use of the word *Islamists* and *Islamises*) in statements 2, 5 and 6, negative generalisation of Turkish and Moroccan communities (...*Not every Moroccan is a rioter, but every rioter last Sunday was a Moroccan*) like in statement 3, and the equation of Islam with

radicalism (*There is no such thing as a European or Western Islam!*) in statement 4 was shown to be not only offensive but also harmful to the communities.

Considering their vulnerable position, these comments diminish their credibility and capacity to defend themselves, to conduct counter-speech or to participate in society, which may harm democracy (Drake 2018, 6). At times, statements could be either intentionally or unintentionally misleading, like in statement 4 (*...Anyone who imports the third world into here can forget about the equality between men and women*), which could be altered into an acceptable utterance if there was an actual willingness to respect the minority group's dignity or to recognise them as equals (Simpson 2013, 711). Defamation, like in statement 6 (*...perverse sexual morals of Muslim men*) and vilification (*That misogynistic religion has no place here!*), in statement 4, were also present in most of the statements, which were harmful and dignity-violating for these communities, especially for Muslims. This goes against the right of Turkish Moroccan Belgians to be free from discrimination based on ethnicity, race and religious beliefs, together with failing to treat them with equality and consideration, which is fundamental for democracy and their dignity.

Because these statements were made in the context of social media, it may exacerbate the possibility for the statements about Turkish and Moroccan communities to be potentially more harmful. The amount of people engaging with these platforms influences the likelihood that the statements will result in harmful actions or offensive and dignity-violating comments. However, this situation is just a consideration of the potentiality of *Vlaams Belang's* statements in the context of social media to, directly or indirectly, result in harm, offence, or to be dignity-harming for an already vulnerable group in Belgian society. Therefore, this is not a justification that weighs in favour of not protecting *Vlaams Belang's* right to express its provocative or incendiary statements.

Considering that these statements were made on *Twitter*, *Facebook*, and *Youtube*, a place of public and political debate, can be justified as exercising their right to freedom of speech and as the reasonable pluralism bound to happen within political and public speech in a liberal democracy (Sandel and Rawls 1994, 1776). Considering their position as politicians, these statements can also be of value for public debate and contribute to truth-seeking purposes (Billingham and Bonotti 2019, 532). Nevertheless, it has to be considered the risk that social media can have in presenting information that may be incomplete or manipulated, thus creating

even more divisiveness and leading to more extreme opinions (Iandoli, Primario, and Zollo 2021, 1).

In this regard, regulations on these platforms are delicate since there is a fine line between protecting the public from the negative consequences coming from misinformation or manipulation of information without falling into paternalism, not respecting the public's autonomy or the rights of others to express their opinion (Greenawalt 1989, 150). However, the responsibility lies on the shoulders of social media platforms and the EU, not in *Vlaams Belang*, to ensure safety in how information is disseminated and in providing a necessary and need it balance between the 'awareness' of the harms of social media to our autonomy and the future education of the public about these matters, together with a 'reasonable and sensitive' regulative framework (Sahebi and Formosa 2022, 19).

Concerning the applicability of the research findings to Belgian legislation, it shows that *Vlaams Belang* could be liable for their opinions as regular citizens in statements 2, 5 and 6 under Moureaux law' *article 3* (Moniteur Belge 1981, 2), especially in view that in the past and currently, they have shown a clear and sustained practice, advocacy for or assistance in discrimination or segregation (Moniteur Belge 1981, 5), which has not been objective or reasonable (Moniteur Belge 1981, 4). Subsequently, Article 19 of the Belgian constitution (De Belgische Kamer 2017, 9), in which Articles 10 and 11 of the ECHR (European Court of Human Rights 1950, 12) are embedded, would allow, under certain limits, for Belgian citizens to be liable when committing offences while using this freedom supports this claim.

Statements 3 and 4 would also make *Vlaams Belang* liable even if Tom Van Grieken and Anke Van dermeersch are members of the parliament since these statements were both uttered while in assembly sessions. In this regard, parliamentary immunity could be lifted and, therefore, be prosecuted as regular citizens. Yet, only by officials of the public prosecutor's department and after the permission of the legislative assembly (Belgian House of Representatives 2000, 13). So, even if the process may be challenging is not inconceivable since it has happened twice for members of the *Vlaams Belang*, in 2008 (Van Emden 2008) and in 2021 (Haige 2022). Previous *Vlaams Belang* judicial cases have served as proof of sustained discrimination when seeing their applicability to Belgian legislation and as a context in demonstrating that this research's result has matched the previous sentencing by the Belgian Court of Cassation on 9 November 2004 (Unia 2004b).

Here, it is important to recognise that regardless of our own personal opinion and the results of this research *Vlaams Belang*, in a liberal democracy, has the right to express their opinion and to be able to participate in public or political debate even if we may disagree with their ideas, as may be their duty as politicians to bring, at times, uncomfortable or sensitive topics to the surface (Barendt 2013, 19). However, morally, a limit is set when going against the fundamental values of a liberal democracy which Belgium subscribe to in transgressing other individuals' rights and freedoms. Especially if, in provoking harm, offence or damaging others' dignity, they have shown the ability not to do so and considering that they do not show guilt or care for the consequences of their actions, which could be considered 'morally' reprehensible.

A clear example of *Vlaams Belang* crossing this 'limit' is statements 2 and 4, that besides being harmful, offensive, and dignity diminishing, they go against Turkish and Moroccan communities' basic freedoms and rights. In advocating for the Belgian government to stop subsidising and recognising Islam and mosques, which are an important part of Muslim Turkish- and Moroccan-Belgian citizens in Belgium, they go against their right to practice Islam, therefore, their religious freedom and their right as Belgian citizens to be treated with dignity in being recognised as free and equal individuals. This denies them, as citizens, the security they must have in their societal position, which is already diminished, but also goes against liberal democratic values upon which our society and political system are based, such as dignity, equality, religious freedom, freedom of thought and democracy (political rights).

In this light, 'morally' *Vlaams Belang's* speech should not be protected. Consequently, the only punishment that can be 'morally' implemented in the case of *Vlaams Belang* is social disapproval or social coercion (Bell 2020, 3). Thus, in the absence of a legal restriction, social disapproval or condemnation can be a way to bring justice to these communities and to encourage *Vlaams Belang* to change their behaviour. After all, popularity with Belgian electorate is important to get re-elected. Undermining this popularity could be an effective mechanism to keep *Vlaams Belang* from harming marginalized social groups. Legally, the research showed why and how *Vlaams Belang* can be liable, at least in the first instance, for their provocative and incendiary comments either as politicians or regular citizens based on the evidence shown throughout this analysis and their past convictions as *Vlaams Blok* and now as *Vlaams Belang*.

Clearly, a tension exists between protecting Turkish and Moroccans Belgians religious freedom and right to dignity while simultaneously respecting *Vlaams Belang's* right to freedom

of speech and thought. In this regard, the power to warrant content-based speech restrictions is in the hands of the courts to firstly interpret Belgian law and, secondly, execute a certain ‘balancing’ of conflicting interests and rights. However, given the ‘utilitarian’ or ‘collective interest’ approach to fundamental rights that exist within ‘balancing’, there is a possibility that because *Vlaams Belang's* speech is a matter of public interest in the political or (social) media context, there may be less space for restrictions and often such a conflict of interests is avoided within Belgian jurisdiction (Brems 2005, 324).

However, if unavoidable, there is a conflict of human rights. Comparing the weight of each right, the seriousness of intrusion of that right in favour of another and, vis-versa, repercussions that may have on other rights and its incremental impact through time that may have for these rights can be an approach to this problem of ‘indivisibility of rights’ (Brems 2005, 326). In this case, *Vlaams Belang's* freedom of speech against Turkish communities' religious freedom and right to dignity; when comparing the seriousness of the intrusion of one right over another, a restriction in political speech concerns not only an individual right but also the value of democracy. Nevertheless, respecting *Vlaams Belang's* right to freedom of speech would mean restricting an additional right, these minority groups' religious freedom and right to dignity, which may also extrapolate to other values in a democracy, such as equality and being free from discrimination. Nevertheless, given the value placed on dignity as a basis for other fundamental rights, protecting Turkish and Moroccan Belgians' rights would probably have more weight in receiving protection.

However, even if the repercussions of not protecting *Vlaams Belang's* right to other rights seem less weighty than those of not protecting Turkish and Moroccan communities' rights since in protecting *Vlaams Belang's* right to freedom of speech, we would be violating these communities' right to religious freedom and dignity and as shown by the research, it may exist an incremental impact through time that may worsen Turkish and Moroccan aforementioned rights, or it may extrapolate to unequal treatment and discrimination which already exist in Belgian society. Therefore, opening the possibility that even when trying to approach this conflict of rights in an equal manner (by balancing) power inequalities can still exist.

5. Conclusion

The thesis explored the extent to which Belgian society, with its liberal-democratic values, should allow the provocative speech of *Vlaams Belang* to be uttered. In addition, the thesis

considered the relation of *Vlaams Belang*'s speech to current Belgian legislation. In the first part, the theoretical framework, three core arguments for justifying freedom of speech were presented. These arguments all concerned the relation between freedom of speech and the functioning of a liberal democracy. In addition, arguments were discussed for justifying a limitation on this freedom of speech when this speech is relevant for public or political debate. The arguments of 'truth', 'autonomy', and 'democracy' were connected in this section to freedom of speech's intrinsic, consequentialist and epistemic values as vital for truth discovery, knowledge, individual autonomy and the functioning of democracy. Given freedom of speech's importance for these things, considerations for limiting this freedom must be accepted values by society as equals.

In 'harm' and 'offence' arguments, Feinberg's principle of harm based on 'mediating maxims', and his principle of offence based on 'balancing', apart from offering a moral consideration that can warrant a speech restriction, also demonstrated that dignity presupposes the 'claiming' of rights. This is because, without having the recognition of others as equals (and without being recognized by others as equals), and without the assurance of our dignity (as right holders), the exercise of 'claiming' our rights becomes difficult. This is particularly problematic for minorities. In this regard, aside from establishing that the respect and recognition of others and the institutional relationship that the individual has to the state are important for dignity, we also established that social hierarchies and social status are important for determining the harm of an act of speech. Therefore, the speaker is not the only one playing a role in harming the dignity of others. Rather, the broader social structures also shape how speech acts affect the dignity of social groups, which is important to consider when analysing *Vlaams Belang*.

In this thesis, two important factors make the case of *Vlaams Belang* in Belgium special. First of all, the context of social media is important, which can amplify the harmful consequences of speech acts. Secondly, the cultural-historical context of Turkish and Moroccan communities in Belgium is important, because it determines the social position of these communities and therefore mediates how damaging *Vlaams Belang* utterances are to these communities. In Chapter 2.1, it was determined that online speech is valuable for liberal democracy and that social media can function as an important place for public and political debate. Therefore, social media is positive for freedom of speech in allowing this debate to happen with minimal restrictions, entitling minority opinions to be heard and, hence, encouraging equality. Social media, however, also amplify what has more engagement from the user, and hence content that

provokes an emotional response leads to more discussion and the creation of more truth value propositions. ‘Information bubbles’ and ‘algorithmic amplification’ are a concern for truth discovery and affect the user's autonomy. Nonetheless, the responsibility rests on social media platforms and EU regulations to safeguard how information is disseminated. The EU and its member states should provide a regulative framework and should educate social media users about these matters. Thus, this situation did not play a role in determining if *Vlaams Belang* utterances should be protected or restricted.

In Chapter 3, which considered Turkish and Moroccan migration in Belgium from the 1960s to today, we established that public policies had been haphazardly and largely unsuccessfully introduced, creating a structural inequalities which are reflected in the lack of opportunities and discrimination against subsequent Turkish- and Moroccan-Belgian generations. In the 1980s, Islamic religious practices became more public in Belgium, creating tension between ethnic Belgians and Islamic-Belgian communities around the ‘integration issue’. During the 90s, the link between Muslims of Moroccan and Turkish descent, especially young men, to crime affected how the legal system and the police responded to these communities now seen as a ‘security issue’. The migration crisis and the 2015 Paris terrorist attacks, as well as the 2016 Brussels terrorist attacks, which were linked to Islam extremism within Belgium, led to a more pronounced anti-Islamic sentiment within society. This was reflected in the popularity of the extreme right in Flanders. This made Turkish- and Moroccan-Belgian more vulnerable in Belgian society.

In Chapter 4.1, it was explained that ideologically *Vlaams Belang* comes from the political representative of the extreme separatist wing of the Flemish movement that, in the 70s, split from the *Volkspartij* and formed *Vlaams Blok*. During the mid-80s, the *Vlaams Blok* diverted to a modern far-right party that focused on immigration by those individuals that have a non-European background. This made *Vlaams Belang* gain media attention and popularity, especially among the Flemish population. From 1989 to 2004, a cordon sanitaire was imposed by other political parties to avoid collaboration with *Vlaams Blok*. In April 2004, three associations related to *Vlaams Blok* were convicted of sustained discrimination and segregation under the Belgian anti-racism law of 1981. The party appealed this conviction in the same year, arguing that the sentence violated freedom of speech and association. However, their appeal was rejected. On November 2004, *Vlaams Blok* changed its name to *Vlaams Belang* because of the conviction as it wanted to continue to receive government subsidies. Hence, the party

reinvented itself because of legal reasons, adopting a more populist discourse in portraying themselves as martyrs while criticising the liberal democratic establishment. The party also adopted feminist rhetoric as a means to criticize Moroccan- and Turkish-Belgian social groups.

In Chapter 4.2, the analysis, three statements were presented from Twitter and two from Facebook, and one video transcription was discussed from YouTube. All utterances came from *Vlaams Belang's* official accounts and were posted in the period between 2016 to 2023. During the analysis, the context of social media and the cultural-historical context of Turkish and Moroccan communities in Belgium were considered. The statements of *Vlaams Belang* were linked to the theoretical framework to see if there was a conflict between arguments that justify speech restrictions and arguments against such restrictions.

Feinberg's offence test demonstrated *Vlaams Belang's* 'unreasonable' conduct in using derogatory vocabulary and negative generalisations of Turkish- and Moroccan-Belgian communities by equating Islam with radicalism and misogyny. This was supported by Bonnoti and Seglow's argument of offense towards religious speech. Subsequently, Feinberg's harm argument of 'mediating maxims' proved that there was a 'wrongful setback of interests', considering the Moroccan- and Turkish-Belgian social groups' fragile positions in society. Hence, these comments diminished their credibility and capacity to defend themselves, their ability to conduct counter-speech or their ability participate in society, which is their right as Belgian citizens. Heyman 'right to recognition' and Waldron's 'dignity assurance' also proved that *Vlaams Belang's* speech denied these groups recognition and harmed their dignity and their right as Belgian citizens to be free from discrimination. Subsequently, Dworkin's 'conception of democracy' and 'right to moral independence' supported the claim that the Belgian government has relied on moralistic and paternalistic rationales that also harm these communities' dignity. Hence, reinforcing the existing negative social attitudes against Moroccan- and Turkish-Belgian citizens. It is a possibility that *Vlaams Belang's* speech may partly be a by-product or have a decreased level of responsibility for diminishing the dignity of Moroccan- and Turkish-Belgian citizens.

In chapter 4.3, we establish that the 'political incorrectness' of *Vlaams Belang* on social media could result, directly or indirectly, in harmful consequences for the communities they critique. Their utterances can be harmful both for containing misinformation and for outsizedly shaping the opinion of the public, since *Vlaams Belang's* statements hold greater exposure than the statements of a regular citizen and are provocative in their content. Using Scanlon's Millian

principle (Scanlon 1972), it was concluded that under these circumstances, where the harm was not produced directly by *Vlaams Belang* to others, restricting *Vlaams Belang*'s speech would undermine their autonomy as well as the wider public's autonomy, making such a restriction 'unlawful'. Nevertheless, considering that *Vlaams Belang* has never publicly shown any guilt or regret in their (discriminatory and marginalizing) comments or actions in the past, this legally serves as direct evidence against them for warranting a speech restriction and demonstrates that they intentionally do not see Turkish and Moroccan communities as equals deserving of respect.

In the legal sense, the applicability of these findings to Belgian legislation shows that *Vlaams Belang* could be liable for their opinions as regular citizens in statements 2, 5 and 6 under Moureaux law, article 3 (Moniteur Belge 1981, 2) and Article 19 of the Belgian constitution (De Belgische Kamer 2017, 9), in which Articles 10 and 11 of the ECHR (European Court of Human Rights 1950,12) are embedded, *allowing Vlaams Belang* to be liable when committing offences while using this freedom. Statements 3 and 4 could also make them liable after parliamentary immunity is lifted. Morally, we concluded that, in a liberal democracy, *Vlaams Belang* has the right to express their opinion and the party should be able to participate in public debate. However, a limit is reached when *Vlaams Belang* acts counter to these communities' religious freedom and their right as Belgian citizens to be treated with dignity as free and equal individuals. Harming communities in these ways would mean acting against the liberal democratic values that Belgium subscribe to, such as dignity, equality, religious freedom, freedom of thought and democracy. So, *Should Vlaams Belang's right to utter provocative and incendiary statements on social media be protected or restricted?*

This central question of the thesis can be answered in two ways: Morally, *Vlaams Belang's* speech should not be protected. Thus, in the absence of a legal restriction, social disapproval or condemnation can be a way to bring justice to these communities and to encourage *Vlaams Belang* to change their behaviour. After all, popularity with Belgian electorate is important to get re-elected. Undermining this popularity could be an effective mechanism to keep *Vlaams Belang* from harming marginalized social groups. Legally, the research showed why and how *Vlaams Belang* can be liable, at least in the first instance, for their provocative and incendiary comments either as politicians or regular citizens based on the evidence shown throughout this analysis and their history of convictions as *Vlaams Blok* and now as *Vlaams Belang*.

Clearly, a tension exists between protecting Turkish and Moroccan Belgians religious freedom and right to dignity while simultaneously respecting *Vlaams Belang's* right to freedom of speech and thought. In this regard, the power to warrant content-based speech restrictions is in the hands of the courts to interpret Belgian law and execute a 'balancing' of conflicting interests and rights. However, given the 'utilitarian' approach to fundamental rights that exist within 'balancing', because *Vlaams Belang's* speech is a matter of public interest in the political or (social) media context, less space can exist for restrictions and often conflicting interests are avoided within Belgian jurisdiction (Brems 2005, 324).

Nevertheless, respecting *Vlaams Belang's* right to freedom of speech also means restricting additional rights for these minority groups, which may also extrapolate to other values in a democracy, such as equality and being free from discrimination. In this position, given the value placed on dignity as a basis for other fundamental rights, protecting Turkish and Moroccan Belgians' rights would probably hold more weight or importance in receiving protection, especially considering that within Belgian society they already experience inequalities.

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7. Annexes





Vlaams Belang 

16 mei om 10:22 · 

In geen enkel Europees land stemmen zoveel Turken op de islamistische dictator Erdogan, hoewel de meesten hier al hun leven lang wonen. Welk bewijs is er nog nodig om in te zien dat integratie bij massamigratie een leugen is? Niet alleen onze identiteit, maar ook onze democratie komt in gevaar. Hoog tijd dus om het migratiebeleid aan te scherpen, onze sociale zekerheid af te schermen en onze grenzen te beschermen!