

French Court Convicts 11 People of Harassing Teenager Over Anti-Islam Rant

In a case that fueled a fierce debate about free speech and blasphemy, the court found 10 people guilty of harassment and one of making death threats.



By Aurelien Breeden

July 7, 2021

PARIS — Eleven men and women from around France were found guilty on Wednesday of using the internet to harass a teenager who became the focus of heated debates about free speech and blasphemy after she posted an anti-Islam rant that went viral.

Thirteen defendants, ages 18 to 29, went on trial in Paris last month on charges of online harassment and, in some cases, issuing death threats. The court found 10 guilty of harassment and one of making death threats and sentenced them to suspended prison sentences of four to six months.

A 12th defendant was found not guilty; the reason given was lack of proof that his message, which was more ambiguous than others, constituted a threat. The last defendant's case was thrown out because of a procedural error.

The teenager, Mila, 18, has endured insults, and threats of death and rape — more than 100,000 hateful messages, according to her lawyer — since January 2020, when she angrily responded to social media commenters who were insulting her and calling her an affront to Islam because of her sexual orientation.

“I hate religion,” Mila, then 16, shot back in a video. “The Quran is a religion of hatred.” She also used profanity to describe Islam and crude imagery in referring to God.

The flood of messages that followed upended Mila's life. She was pulled out of school over fears for her safety and still lives under police protection. The New York Times is withholding her last name because she has been subjected to harassment.

“We won and we will win again,” Mila told reporters outside the courtroom after the verdict. “I don't want victims to be made to feel guilty ever again.”

Michaël Humbert, the presiding judge, spoke plainly to the defendants on Wednesday, telling them that social media was a public space like any other, where no one should expect insults or threats to go unheard. Some of the defendants had said during the trial that they didn't think Mila would read their messages and that they didn't really mean what they had written.

“Social networks are the street,” he said. “What you wouldn't do in the street — don't do it on social networks.”

In explaining his ruling, Judge Humbert said that almost all the defendants' messages were clear instances of harassment and death threats. But he said the court had to abide by French law, which, similarly to the double jeopardy rule in the United States, prevents a person from being convicted twice for the same action.

The court chose to convict on the harassment charges for all of the defendants except one, whose death threats were particularly violent, Judge Humbert said.

The vitriol against Mila fueled fierce debates in France over free speech and religion, especially after the terrorist attacks at Charlie Hebdo, the satirical newspaper that published cartoons of the Prophet Muhammad, and the decapitation last year of a teacher who showed similar cartoons during a class discussion on freedom of expression.

The case was a major test for French legislation passed in 2018 that broadens what could be considered online harassment. The accused were all on trial for messages that they had sent or posted on social media last November, when Mila briefly repeated some of her crude comments in another video, prompting a new wave of harassment.

Most of the defendants had posted a single tweet or had sent Mila only one message. But the 2018 law empowers prosecutors to seek convictions against harassers who knew they were contributing to a broader wave of abuse, even if they did not coordinate with each other and even if they did not transmit a flurry of messages.

Marlène Schiappa, the minister in charge of citizenship who had spearheaded the 2018 law, hailed Wednesday's ruling as proof that the law was “showing its worth.” In a statement, her office said the number of online harassment offenses recorded by French police were “constantly increasing,” from 659 in 2018 to over 2,800 last year.

The trial unfolded over two days last month in a courtroom packed with journalists, onlookers and Mila's supporters.

The audience gasped and murmured when the defendants' vulgar, violent messages were read out loud. Mila and her mother testified at length about the emotional and social toll of the harassment, while the accused mumbled into their masks and stared at their shoes; others clashed verbally with Mila's lawyer.

The defendants — a mix of Muslims, Christians and atheists with no criminal records — struggled to explain why they had posted vicious messages. (A court official has refused to fully identify the defendants. It is common in France, especially in cases involving the young, not to publish the names of defendants if they are not public figures.)

Enzo, 22, a soccer fan training as a luggage handler, had written: “You deserve to have your throat slit.” Lauren, 21, a university student, had implored someone to “crush her skull.”

Most expressed regret for the tone of their messages, and almost all denied that they had meant to harass or threaten Mila, telling the court they had no clue they were contributing to a much larger wave of abuse.

The court was unconvinced by those explanations, and it said that Wednesday’s convictions would set an example for social media users at large, to the dismay of some defense lawyers.

“These young, ordinary people are not destined to serve as examples for thousands of others,” Florent Hennequin, Lauren’s lawyer, said after the verdict.

But Judge Humbert also said that those who were convicted could not be held responsible for all of the harmful consequences Mila had suffered in a much larger wave of abuse.

The court ruled that each defendant had to pay Mila 1,500 euros in damages and 1,000 euros for her lawyer fees, or nearly \$3,000 — less than the 5,000 to 10,000 euros in damages that Mila’s lawyer had sought from each of the accused.

Several defendants, fearing for their professional prospects, had asked that their convictions not appear on their criminal records. But the court afforded that exemption to a single defendant: Enzo, the only one who acknowledged that he had harassed Mila, pleaded guilty, and appeared most remorseful during the trial.

In addition to the new law, the trial was also an important test for a newly created prosecutor’s office that handles online hate speech and harassment cases from around France, where President Emmanuel Macron has made the regulation of online spaces a priority.

Mr. Macron recently lamented that the internet was “becoming a space for the worse” where people who insult or threaten others anonymously face few consequences.

“We have abandoned the basic rules of public order when it comes to the internet,” he said last month. “We are at a moment in our history where we need to regulate this space.”

This week, a French court ordered Twitter to be more transparent about its efforts to eliminate online hate speech by ruling that it had two months to give activists full access to documents that detail the resources the company dedicates to fighting homophobic, racist and sexist discourse.

In Mila’s case, all parties agreed that social media had amplified the harassment, which appeared to flare up whenever she became a trending topic on Twitter.

“Internet platforms like Instagram and Twitter should also have been held responsible,” Arnaud Dilloard, Enzo’s lawyer, told reporters after the verdict.