



Charlie Hebdo: The French Right to Freedom of Expression

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ABSTRAK

Penelitian ini bertujuan untuk mendeskripsikan respons informan terhadap kebebasan media oleh Charlie Hebdo di Perancis. Tabloid satir Charlie Hebdo memicu gelombang protes yang meningkat setelah Presiden Emanuel Macron menolak untuk memenuhi tuntutan sanksi dan menutup majalah tersebut. Keputusan untuk mempertahankan operasional majalah tersebut menjadi polemik di kalangan umat Islam, dan menjadi fokus diskusi untuk memahami bagaimana media menjalankan fungsinya dan melindungi hak-haknya sebagai bagian dari negara. Penelitian ini menggunakan pendekatan konstruktivis dengan teknik pengumpulan data melalui wawancara sebagai data primer dengan informan yang telah bekerja sebagai jurnalis selama lebih dari 5 tahun dan memiliki pengalaman di beberapa negara dengan ideologi yang berbeda untuk memberikan pemahaman yang menyeluruh, mahasiswa yang sudah lulus maupun yang masih menempuh pendidikan di Perancis. Hasil kajian menunjukkan bahwa kebebasan berekspresi yang dipraktikkan Charlie Hebdo sebagai hal yang wajar dilakukan di Perancis. Kebebasan ini merupakan salah satu bentuk hak asasi manusia yang paling dilindungi dan juga cerminan dari kondisi politik, sosial dan ekonomi di Perancis.

BACKGROUND

Secularism has become a basic aspect of French political and social life. Secularism is not a threat to anyone. Secularism is freedom for all and a must for everyone. On the official website of the political movement La République En Marche (LaRem), Emmanuel Macron, president of France, states that France embraces a secularism that protects the freedom of French citizens (Firmonasari, Udasmoro, & Mastoyo, 2020). The term secularism first appeared in 1846 by George Jacob Holyoake, who stated, "Secularism is an ethical system based on natural moral

principles and apart from religion, revelation, or supernaturalism." In addition, the notion of secularism was echoed as a new system of government. The French Revolution substitutes the legitimacy of the sovereign people for the monarchy of divine right. The Declaration of the Rights of Man and of the Citizen affirms that "men are free and equal in rights" and that they can neither be privileged nor discriminated by religious affiliation. From this thought, secularism became understood and developed until now. Laws that oblige all citizens to eliminate religious symbols in public education institutions have been drafted in the

government system because they are considered triggers of conflict (conflict) in society (Thoyyibah, 2022).

This secularism has also become one of the guidelines for expressing opinions and expressions by the French media or society (Doomen, 2022). In democratic countries, the role of the media is very visible because the media has the freedom of the press to disseminate news or information related to policies taking place within a country. The media is also a vehicle for expressing criticism of the government of the country concerned (Mahdi, 2019).

According to the 2021 Press Freedom Index released by a Paris-based NGO, 14 out of 20 countries in Europe have high press freedom (Republika News, 2021). Press freedom in France is high, and the ideology of the French media causes this. French media ideology adheres to the principles of *liberté, égalité, and fraternité* (freedom, justice and fraternity). This principle originates from the official motto of the French government. French media has the principle of *liberté* (freedom) in reporting on various events or actual issues and the principle of *égalité* (justice) in reporting on a policy or issues related to justice and human rights (Saputra, Hasyim, & Junus, 2020).

In line with the development of information and communication technology, as it is today, access to delivering responses is also increasingly open, including through mass media and social media (new media).

Mass media is those means of communication that reach and influence large numbers of people. These include newspapers, magazines, radio and television. These are also referred to as the 'traditional media.' Social media are those means of communication that are primarily hosted by the Internet. They include popular networking sites like Facebook, Twitter, WhatsApp, and Instagram. They also include blogs, wikis, and chat websites that allow individuals to engage in conversations

(Vancell, 2019). This is because the two media are considered to have an influence on the process of forming a community reaction because, subjectively, it is very dependent on the users themselves (Satwika, 2019).

One of the mass media coverages that has attracted international attention is the news about the Charlie Hebdo phenomenon. Charlie Hebdo is a French weekly magazine known for its provocative and anti-religious stance, featuring cartoons, reports, polemics, and presentations. The secular magazine ridicules all kinds of religious beliefs and declarations of women's rights and satirizes public figures, from politicians to judges, bankers, and religious founders (Thoyyibah, 2022).

Charlie Hebdo was introduced in 1970 after another publication, *Hara-Kiri*, was banned for mocking the death of former French President Charles de Gaulle. Most of the *Hara-Kiri* staff simply migrated to the new publication, which was named in reference to the comic strip *Charlie Brown*. Hebdo is short for *hebdomadaire*, which means weekly in French. In 1981, Charlie Hebdo ceased publication due to a lack of funds, although it was republished in 1992. In 2006, the publication caused widespread controversy when it republished controversial cartoons of the Prophet Muhammad that were first printed in the Denmark newspaper *Jyllands-Posten* and sparked protests from Muslims around the world (Lloyd, 2017).

In September 2020, this magazine released its new edition by reprinting caricatures of the Prophet Muhammad. The magazine featured dozens of caricatures mocking the Prophet Muhammad. Within a day, the magazine with this edition sold out in France. It is even said that Charlie Hebdo managed to reprint and distribute the magazine three times more than usual (CNN Indonesia, 2020).



Source : www.merdeka.com/dunia/harlie-hebdo-terbit-lagi-5-juta-kopi-ludes-dalam-satu-jam-saja.html

Figure 1. Interpretive Controversy Caricature of the Prophet Muhammad

The polemic about the emergence of cartoons of the Prophet Muhammad caused uproar and protests from various countries in the world because they were considered insulting to Islam. For society, the information conveyed in a news story will be assessed for what it is. The news will be considered as sacred goods that are full of objectivity and according to existing facts. It's different with certain circles who will see news from a press company and which direction will be constructed with what agenda because in every news writing, the ideology/ background of a journalist is stored.

Based on constructionism, news is the result of a social construction involving values, ideology, and points of view by the media or journalists. Then, how reality is made into news always depends on facts that can be understood by the public (Goodzardi & Daryani, 2021).

Any information will basically always cause many different receptions and interpretations, which are influenced by the way and style of language in its delivery. The content of Charlie Hebdo reporting in France itself reaps many pros and cons among people who live in France. In 2006, Charlie Hebdo caused widespread controversy when it

republished controversial cartoons of the Prophet Muhammad that were first printed in the Denmark newspaper Jyllands-Posten and sparked protests from Muslims around the world.

In France, there is a tradition of satire, namely satirical satire, both in the political and religious fields. As a nation born of rebellion against church and monarchy, the French have long been accustomed to provocation and satirical humor as part of their revolutionary identity, and so have the freedom to make fun of them (France 24, 2020). French media Charlie Hebdo's decision to publish cartoons of the Prophet Muhammad was based on the principles of press freedom and satirical traditions.

The character of French society, which likes to argue in matters of intellectuality and is apathetic towards absolute monarchy, which King Louis XIV inherited, can also be the reason why freedom of expression is high in France. Based on this description, the author wants to examine how the French public responded to Charlie Hebdo's content, which has led to various protests within and outside France.

LITERATURE REVIEW AND METHOD

Freedom of Expression and Freedom of Media

Freedom of expression is a practical reflection of individual freedom of thought and is fundamental to human rights. This is regulated universally by the constitutions of countries in the world, in accordance with the political systems they adhere to (when studying laws governing public information, it is by definition impossible to ignore the political factors which, in effect, shape them) (Ariyanti, 2010).

Freedom of expression – that is, the freedom of everyone to seek, receive, and share information and ideas in all its forms – is a

basic prerequisite for creating diverse cultural expressions, creativity, and innovation. Therefore, it is vital for the right to freely participate in the cultural life of the people who enjoy the arts and share the scientific advances and benefits that copyright seeks to promote. The Internet has brought major changes in the way information and ideas are exchanged (Article 19, 2013).

Freedom of expression is one of the foundations of a democratic society, as well as one of the fundamental prerequisites for the progress of such a society and for ensuring the enjoyment of human rights and other fundamental freedoms. Freedom of expression protects information, opinions, and ideas in all their forms that are disseminated through any media, regardless of territorial boundaries; the right to freedom of expression includes not only the right to share but also to seek and receive information (Article 19, 2013).

Freedom of expression in Europe is higher than in others, and that is because the European Convention on Human Rights was adopted under the auspices of the Council of Europe in 1950 to protect human rights and fundamental freedoms. All members of the Council of Europe declaring parties to the Convention and new members are expected to ratify that convention as soon as possible (Article 19, 2013). Freedom of expression is one part of civil rights where people can freely express their thoughts, and the state must respect it.

Human Rights

Security research has since undergone a transformation, and if at first the security design was intended as a conventional observation of national security with a militaristic character, then in its progress, security research has also begun to include non-conventional issues such as populist, human rights, areas, and social clashes (Sudiar, 2019). Individual security is a serious concern in advancing issues in global ties. In contrast to conventional articles, which emphasize the security of the state, area, or special authority, the design of human security focuses on the security of people and citizens within a country.

The design of people's security puts people as the subject of analysis in an issue of global ties (Susetyo, 2008). The people safety plan is a reaction to the major changes that have occurred in the mainstream area in recent years.

Civil Rights

Civil rights are rights that originate from the degree of individual people whose existence is ensured by a state. In accordance with the General Information on Human Rights, civil rights are useful for ensuring everyone's independence in civil and political matters (United Nations Human Rights, 1976). Civil and political rights in the Global Covenant on Public and Political Rights include the right to life, the right to freedom from persecution and inhumane treatment, the right to freedom from slavery and prosecution, the right to individual independence and security, the right to freedom of movement and transfer, the right to freedom of thought, intention, and belief, the right to freedom of thought, the right to collect, and so on (United Nations High Commissioner for Refugees, 2016).

Human rights protection in the universal era has become an interesting concern for countries around the world, especially civil rights. Each country is obliged to guarantee and protect the civil rights of every citizen of its country in a good and balanced manner. Basically, every democratic country contains collateral for basic rights, including the civil and political rights of each person or society in the state constitution, but this is related to the politics of the rulers in a country in guaranteeing people's civil rights.

Methodology

This study uses the constructivist research paradigm. This paradigm has several characteristics that explain a social phenomenon. First, the basis for explaining life, social, and human events is not from science in a positivistic framework but rather in the sense of common sense. Second, the approach used is inductive, running from the specific to the general, from the concrete to the abstract. Third,

science is ideographic, not nomothetic, because science reveals that reality is displayed in symbols through descriptive forms. Fourth, knowledge is not only obtained from the senses because understanding of meaning and interpretation is far more important. Fifth, science is not value-free; the value-free condition is not considered important (Poerwandari, 2007, pp. 22-23).

The constructivist paradigm is the basis for researchers to understand the phenomenon of showing the prophet cartoon by Charlie Hebdo magazine, which raises pros and cons in the international world. The main purpose of using the constructivist paradigm is first to look more deeply into the freedom of speech as the basis of the principle of individual freedom in France and to understand the truth about a phenomenon so that we can describe the background of the problem. Data collection techniques are interviews and literature study. For interview sources, the author uses two key informants, and one informant as follows:

Key informant 1 is Mrs. Lucy. She is a journalist who has worked in Russia, France, and other European countries and is currently serving in Jakarta, Indonesia, at the AFP (L'Agence France-Presse or France-Presse Agency) office.

Key informant 2 is Mr. Andar Nobowo. He graduated in social sciences from the Ecole des Hautes Études Sciences Sociales (EHESS) Paris in France in 2008. He is also a lecturer at the Muhammadiyah University of Surakarta in Indonesia. From 2017-2019, he was an Associate Research Fellow at S Rajaratnam School of International Studies (RSIS), Nanyang Technological University, Singapore. Advisor to PCIM France, PCIM is a special branch of the Muhammadiyah in France, and it is already being lived in France. However, he is also active in various social activities in Germany.

Informant 3, Melanie Rey is a student at Sorbonne University Paris.

RESULT AND DISCUSSION

The Freedom Principle in France

France is famous for its motto, which reads *liberté, égalité, fraternité*. This motto, which is also contained in the Constitution of the Republic of V, was born and uttered for the first time in the French Revolution of 1789 (La devise de la République et 14 juillet, *Liberté, Égalité, Fraternité*). This motto describes France as a free and open country, guaranteeing equality among all its citizens and promoting brotherhood. The practice of *Laïcité* is carried out on the principles of state neutrality, freedom of religion, and freedom of thought, opinion, and expression of citizens in order to protect a national ideology based on freedom, equality, and brotherhood (*liberté, égalité, fraternité*). Constitutionally, the practice of *laïcité* is protected by Article 1 of the French Constitution, which avoids the involvement of religion in the administration of the state and government, especially in public policy making (Nainggolan, 2020).

Key informant 2, in the interview, explained that *laïcité* is not only a slogan in France; *Laïcité* can be interpreted as a value or norm that the French people freely implement because the constitution of the French government has recognized the principle. Based on this *laïcité* principle, public spaces, such as classrooms and workplaces, must uphold and respect each individual and group's freedom (Detik News, 2020)

The principle of *laïcité* above, in the end, also affects the freedom of a media in expressing its opinion. The media has the right to freely express their work in the form of writings or caricatures, expressing opinions, criticisms, and satire to individuals, groups, and governments. Some countries, especially those

that adhere to a democratic system, also value the media so much that the media is treated as the fourth estate after the legislative, executive, and judicial bodies. This shows that the media has a big role in determining a country's political policies (Ferarto, 2017).

Freedom of Expression and Media

In a democratic country such as France, the role of the mass media is very visible because the media has the freedom of the press to disseminate news or information related to social, political, or economic conditions at home and abroad. The mass media has become a forum for a society where public opinion is formed and expressed through print media, films, videos, caricatures, and so on. The media is currently growing into a new actor who has an influence on various aspects of life. In the interview, key informant 1 revealed that as a French citizen and journalist, she thinks that freedom of speech and freedom of the press are pillars of democracy in France. She thinks that democracy cannot function without it, and Lucy realizes that this principle is different in every country because laws are very different from country to country, and usually, laws reflect the cultural background of those countries.

Informant 3 also explains that freedom of speech is the hallmark of France. This freedom can also unite French citizens to carry out demonstrations such as what is known as 'Gilets Jaune' or 'Yellow Vests' when the government does not comply with existing norms or harms its citizens. French citizens can criticize and debate all things, be it politics, religion, or justice. This will not be sanctioned if it does not damage state security or damage public facilities.

Freedom of Media as a Form of Civil Rights

Lately, issues related to the enforcement of human rights have been felt to be increasingly serious and urgent to be realized. It is not only an urgency of a nation's objective needs, but at the same time, it is also an international objective need. The essence of upholding civil and political rights is to protect

individuals from abuse of power from the authorities. In accordance with the Universal Declaration of Human Rights, civil rights are useful for guaranteeing the freedom of every human being in civil and political matters (United Nations Human Rights, March 23, 1976).

In principle, every democratic country has guaranteed civil rights for every person or resident in the state constitution (Sahide, 2018). Civil and political rights in the International Covenant on Civil and Political Rights include the right to life, the right to be free from torture and inhumane treatment, the right to be free from slavery and forced labor, the right to liberty and personal security, the right to freedom of movement and movement. The right to freedom of thought, belief, and religion, the right to freedom of opinion, and the right to assemble (Institute for Criminal Justice Reform, 2012).

The phenomenon of showing cartoons of the Prophet by Charlie Hebdo Magazine caused various impacts and protests from various Islamic countries around the world. This protest turned serious with a speech from the French president, Emmanuel Macron, stating that Charlie Hebdo is a product of press freedom in France and is not a form of Islam phobia as is considered by many countries. Media freedom is also a forum for the public or the media to voice their opinions against the government. Civil rights are rights derived from the dignity of the human person whose existence is guaranteed by a state. Media freedom in France reflects individuals' civil right to express their opinions about a phenomenon. Media freedom in France is not only protected by law and the principle of *laïcité*, but it is also a form that France upholds individual civil rights. Regarding the various impacts and protests against media freedom, the author concludes that it is a natural reaction to the friction of various understandings from one country to another.

Regarding the case of the Prophet's cartoon by Charlie Hebdo Magazine and the impact it has, the author sees differences in views regarding freedom of expression between France and Islamic countries. For most Islamic

countries, what Charlie Hebdo has done is an implementation of insulting Islam by publishing cartoons of the Prophet Muhammad and must be dealt with firmly, but for Charlie Hebdo, what they have done is a manifestation of the freedom of expression that exists in France based on the principle of *laïcité* as a democratic country, the role of mass media is very visible in France because the media has the freedom of the press to spread news or information related to social, political, or economic conditions at home and abroad. Charlie Hebdo and other media use this freedom in voicing their expression in the public sphere, and the state has an obligation to protect these freedoms because they fall within the scope of individual civil rights.

This is also in line with study by Thoyyibah (2022) entitled “Axiological Analysis of Freedom of Expression of Charlie Hebdo Magazine in Publishing Cartoons of the Prophet.” Based on the research, it can be concluded that the act of freedom of expression shown by the French Charlie Hebdo magazine related to the axiological visualization of the cartoons of the Prophet Muhammad is the influence of Secular Humanism. Secular Humanism is a school that upholds freedom of expression based on human authority.

Another research that aligns with this can also be seen from Miranda (2019) entitled “Charlie Hebdo Cover Pictures as a Critique of Religious Fanaticism.” In the study, the author concluded that by promoting freedom of expression and rejecting all kinds of fanaticism, Charlie Hebdo, as a satirical weekly, often criticizes events that occur both in France and outside France. Their cover images depict current events and are used as an external display for this week to attract attention and represent the weekly ideology of certain events/characters/ideas. Charlie Hebdo is one of the critical media in France which often criticizes religious fanaticism in France.

As a country that upholds secularism, France frees every citizen to express their opinion or frees its citizens to express themselves. One form of freedom of opinion is the freedom to voice responses for the public

regarding various phenomena or events that occur both in political and non-political aspects.

For French people who adhere to the ideology of freedom, news that appears in the public space is considered one of the media outlets for expressing opinions in the public space, and the state is obliged to respect it. Media such as Charlie Hebdo are seen as press companies with their own social constructs, namely their satirical characteristics. In general, the generated community response can be in the form of feelings of like or dislike, as well as acceptance or rejection of these phenomena or events resulting from their understanding.

CONCLUSION

Based on the author’s interview with two European journalists and a student at one of the universities in France, the authors conclude that the polemic of the publication of the cartoon of the Prophet Muhammad by the satirical magazine Charlie Hebdo, which shocked international politics where many Muslim countries protested against it was one of the principles of freedom of expression or freedom of expression which is inherent in France.

Freedom of expression is a form of practical reflection on individual freedom of thought and is one of the most fundamental forms of human rights. This is the reason why President Emmanuel Macron remains steadfast in defending the freedom of expression carried out by Charlie Hebdo even though countries in the world, especially Muslim countries, strongly condemn the action because it is considered an insult to religion.

In addition, the authors also see that Charlie Hebdo’s content reflects the political, social, and economic conditions in France, where Charlie Hebdo’s broadcasting of cartoons of the Prophet reflects the secularism adopted by France. The authors see that the French government cannot stop or punish Charlie Hebdo because what Charlie Hebdo did is part of the freedom of expression in France.

In addition, referring to the history of French humanism and secularism above, it can be said that the idea of freedom of expression promoted by Charlie Hebdo magazine regarding the cartoon depiction of the Prophet

Muhammad axiologically originates from the value of secular humanism, namely the value that upholds human authority by distancing oneself from authority religion. Humans are seen as entitled to regulate themselves and the environment through the freedom of ratios. Humans are positioned as autonomous beings according to their human characteristics, which separate themselves from religious norms and replace them with anthropocentric and atheistic norms of rationality.

The character of French society, which likes to debate intellectual matters, also underlies the public's response to any ongoing news in France. French society finally responded to the Charlie Hebdo news controversy as a natural thing because, at this time, Charlie Hebdo was identified with representatives of the anti-compromise left wing. This magazine indeed displays various anecdotes, jokes, and polemics from the perspective of pluralist groups, including white groups.

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