

**DE JURE NEXUS LAW JOURNAL**

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3<sup>rd</sup> Year, BA LL.B.**FREEDOM OF SPEECH AND EXPRESSION – A STUDY ON IMPORTANCE TO PRESERVE AND PROTECT OUR FREEDOM OF SPEECH AND EXPRESSION**

***“IF LIBERTY MEANS ANYTHING AT ALL, IT MEANS THE RIGHT TO TELL PEOPLE WHAT THEY DO NOT WANT TO HEAR.”***

**-GEORGE ORWELL**

**Abstract:**

*Speech is the gift of God to the mankind. Speech is the medium through which the mankind community expresses its sentiments to the outer world. This article is an effort to reflect the concept of freedom of speech and focus on the detailed analysis of Article 19(1)(a) of the Indian Constitution with special emphasis on the case laws. The right of freedom of speech is considered to be one of the basic freedom rights by most of the philosophical thinkers. It is one of the basic elements of healthy, open-minded democracy. It allows people to freely participate in the social and political happenings of a country. Freedom of speech is considered as first condition of liberty and occupies one of the important positions in the hierarchy of liberty. Although, judiciary has upheld the restrictions that can be imposed to curb the right to freedom of speech by the power given under article 19(2) of the Indian constitution.*

*The researches discuss the scope of what constitutes speech, what speech ought to be protected, the weight or the value attributed to the protection of right. Also, the controversies associated with political and legal implications reflected in the different protections granted to speech in different jurisdictions. And also, there is an emphasis on various debatable issues in the current scenario. This article's content is an open-end discussion of the right of freedom of speech.*

**Introduction:**

*“Give me the liberty to know, to utter, and to argue freely according to conscience, above all liberties”.*

**-John Milton**

Freedom of speech and expression means the right to express one's own feelings and opinions freely by the words of mouth, writing, printing, pictures or any other mode. The freedom of speech is one of the most admired constitutional rights in liberal democracies. It is ingrained in the most contemporary constitutions as well as in the human right treaties. The birth of the freedom of speech and expression took place for the population of a democratic country to let people speak freely and to obtain information through the public discourses and public publications without any fear of restriction or suppression from the government. In the modern world, the expression freedom of speech in itself is a very impressive phase in the constitution describing the basic element of an independent democratic country.

**Meaning and Scope:**

Article 19(1)(a) of the Constitution of Republic of India guarantees to all its citizens the right to freedom of speech and expression. The law states that, *“All citizens shall have the right to freedom of speech and expression.”* Whereas Article 19(2) provides that *“ Nothing in sub-clause (a) of clause (1) shall affect the operation of any existing law or prevent the State from making any law, in so far as such law imposes reasonable restrictions on the exercise of the right conferred by the said sub clause in the interests of sovereignty and integrity of India, the security of the State, friendly relations with foreign States, public order, decency or morality or in relation to contempt of court, defamation or incitement to an offence.”*<sup>1</sup> A combined reading of both the provisions derives the conclusion that the citizens are entitled to freedom of speech and expression but only to the extent it is not backed up by any wrong action.

Therefore, the freedom of speech underneath Article 19(1)(a) integrates the liberty of communication and therefore the right to propagate or publish opinion. However, this right is subject to some restrictions being obligatory under Article 19(2). Free expression can't be equated or confused with a license to create unsupported and unaccountable allegations against the judiciary or to defame the country's dignity. Thus, failure on a part of the State to ensure to any or all its voters regardless of their circumstances and therefore the category to that they belong, the elemental right to freedom of speech and expression would represent a violation of Article 19(1)(a). If any individual during the exercise of his freedom of speech and expression steps upon personal right of any other person, such an exercise will be violation under Article 19(2). Thus, Constitution by the suitable provisions has taken care that nobody can overuse his/her freedom at the cost of over-stepping on the rights of another citizen.

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<sup>1</sup> <https://indiankanoon.org/doc/1218090/>  
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Further, stepping upon the scope of the Freedom of Speech and Expression, so as the freedom to inhale air is the universal right of all citizens similarly Freedom to air one's thoughts is one of the lifelines to democracy and to suffocate or suppress this right is not more than giving a death knell to the democracy. Elucidating the scope of freedom to speech the Supreme Court stated, "freedom of speech and expression must be broadly constructed to include the freedom to circulate one's views by words of mouth or in writing or through audio-visual instrumentalities."<sup>2</sup> Now-a-days various communication channels are great spreaders of news and the views and are known to make considerable impact on mind of viewers and the readers as well as are very well known to mould the public opinion in the vital issues known for the national importance. This medium of communication and flow of thoughts has provided rights to the individuals to lay down what judgement individuals please.

### **Importance of the freedom of speech:**

Freedom of speech and expression is the bulwark of democratic government and occupies preferred position in the hierarchy of freedoms provided in the constitution. In a democracy, freedom to speech opens up the channels of free discussion of the economic, social, political matters. Freedom of expression is a human right and forms Article 19 of Universal Declaration of Human Rights.

Freedom of speech subsumes some broad special purposes to serve:

- **It supports the discovery of the true facts:** Knowledge is power. In print, online, or on the electronic media without a free exchange of information, people can't be fully aware of what is going on around them and so can't they be able to meaningfully participate in the major decision making of communities or democracies. Local and national reporters, bloggers and news outlets keep people informed about what is happening in the world.
- **It strengthens the capacity of an individual to participate in a free and fair democracy:** Freedom of expression is a core value in the democratic process. It ensures that people are able to discuss, exchange, and debate their ideas and thoughts. It's important that people are able to ask tough questions of the government in power and find out about decisions which affect them and their fellow citizens. It also helps an individual to attain self-respect in the society.
- **It provides a good mechanism for establishment of a reasonable relationship between the social change, social issues and the stability:** Marginalised and minority voices are more likely to be left out of mainstream discussions. Freedom of expression guarantees individuals and groups of individuals the right to tell their own stories, without censorship or fear of attacks. Improved/Unbiased representation of facts and problems can help improved understanding and parallelly opens door to create better discourse and a more connected society. It also underpins a wide variety of human rights both directly and indirectly and brings them in the limelight. It helps to highlight human rights abuses such as torture on women, LGBTQ persecution and interference with indigenous peoples' land rights. Without accurate reporting of

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<sup>2</sup> <https://www.lawteacher.net/Dejurenexus.com>

facts to the people of nation many human rights abuses would not be known about, and might continue with impunity. Freedom of expression in a nut shell allows people to reveal their stories, and holds government accountable to international human rights standards.

- **It helps precise one's views and opinions at any issue through online mediums, e.g., by words of mouth, writing, printing, picture, film, movie etc.:** Due to increase in the mediums of technology and data transmission - to transmit one's own thoughts is not anymore, a nail bed crossing task. The social media platforms like Twitter, Facebook are in itself the great online newspapers providing a platform to people to come upon with their opinions and help them express their views.

### **Interpretation of Freedom of Speech and Expression:**

- Freedom of press-** The fundamental right of the liberty of press is not implicit in the liberty of speech and expression and is crucial for the freedom and correct functioning of democracy. Although, the right does not express provision for freedom of press but the fundamental right of the freedom of press is implicit in the right the freedom of speech and expression itself. The Indian Press Commission says that "Democracy will thrive not solely beneath the alert eye of law-makers, however conjointly beneath the care and steering of vox populi and also the press is par excellence, the vehicle through that opinion will become articulate." In the famous case *Express Newspapers (Bombay) (P) Ltd. v. Union of India*<sup>3</sup> court observed the importance of press very aptly. Court held in this case that "In today's free world freedom of press is the heart of social and political intercourse. The press has now assumed the role of the public educator making formal and non-formal education possible in a large scale particularly in the developing world, where television and other kinds of modern communication are not still available for all sections of society. The purpose of the press is to advance the public interest by publishing facts and opinions without which a democratic electorate [Government] cannot make responsible judgments. Newspapers being purveyors of news and views having a bearing on public administration very often carry material which would not be palatable to Governments and other authorities." <sup>4</sup>Freedom of press is that the heart of social and political intercourse. it's the first duty of the courts to uphold the liberty of press and invalidate all laws or body actions, that interfere with it contrary to the constitutional mandate. It can be similarly observed in the case of *Romesh Thappar vs State of Madras*<sup>5</sup> and *Bennett Coleman and co. vs Union of India*<sup>6</sup> which gave birth to the right to freedom of press.
- Freedom of Commercial Speech** - A liberal democracy is characterized by governance by the self (in Republic of India through a choice-based representation) and affording the individual to promote its modulating opinion across all hues. In such a society, a conflict between the State and also the individual's

<sup>3</sup> 1986 AIR 872, 1985 SCR Supl. (3) 382

<sup>4</sup> <http://www.legalservicesindia.com/>

<sup>5</sup> 1950 AIR 124, 1950 SCR 594

<sup>6</sup> 1973 AIR 106, 1973 SCR (2) 757

opinion is guaranteed to exist. Gruelling or curtailing a personal for depreciative the authority of the scheme or State contradicts the abstract theory of the promotion of a right to free speech and expression. Section 124A of the Indian Penal Code defines sedition as words, either spoken or written, or by signs, or by visible representation, or otherwise, brings or attempts to bring into hatred or contempt, or excites or attempts to excite disaffection towards the Government established by law and provides for punishment to the offender with an imprisonment for life, to which fine may be added, or with imprisonment which may extend to three years, to which fine may be added, or with fine. One of the most important characteristics of a democracy is freedom of speech. A democratic country is one where the citizens have a choice, and the right to voice their choices. Denying them their right to express would take away the essence of democracy. In the case of *Kedar Nath Singh vs State of Bihar*<sup>7</sup> Kedarnath Singh, a member of the Forward party, was prosecuted for offense associated with a speech that he created criticising the government for its capitalist policies. Singh challenged the constitutionality of the offense law. The Supreme Court bunched Singh's case with alternative similar incidents wherever persons were prosecuted beneath the offense law. It was held that the law is constitutional and lined written or spoken words that had the implicit plan of subverting the govt. by violent suggests that. However, this section wouldn't cowl words that were used as condemnation of measures of the govt. that were meant to boost or alter the policies of the govt. through lawful suggests that. voters will criticize the govt. as long as they're not inciting folks to violence against the govt. with associate degree intention to make public disorder.

Also, in the recent case of *Kanhaiya Kumar v. State of NCT of Delhi*<sup>8</sup> students of Jawaharlal Nehru University organized an event on the Parliament attack convict Afzal Guru, who was hanged in 2013. The event was a protest through the medium of poetry, art, and music against the judicial killing of Afzal Guru. Allegations were made that the students in the protest were heard shouting anti-National slogans. A case was therefore filed against several students on charges of offence under Sections [124-A, 120-B, and 34]<sup>9</sup>. The University's Students Union president Kanhaiya Kumar was arrested after allegations of 'anti-national' sloganeering were made against him. Kanhaiya Kumar was released on bail by the Delhi High Court as the police investigation was still at nascent stage, and Kumar's exact role in the protest was not clear.

- iii. **Right to broadcast-** Media is the most effective and important source of knowledge to the people, and hence we call it as a fourth pillar of the democratic nation. Most instant and effective way of publication and distribution of news are TV channels, which now a days overcome by competitive market in the field of media broadcasting. In the case of *Odyssey Communications (P) Ltd. v/s Lokvidayan Sanghatana*<sup>10</sup>, the petitioners challenged the exhibition on Doordarshan of a serial titled – 'Honi Anthoni the ground that it

<sup>7</sup> 1995 IVAD Delhi 83, 1995 CriLJ 4121, 1995 (3) Crimes 648

<sup>8</sup> MANU/DE/0498/2016

<sup>9</sup> Section 124- A: Sedition; Section 120- B: Criminal Conspiracy; Section 34: Common Intention

<sup>10</sup> 1988 AIR 1642, 1988 SCR Supl. (1) 486

encouraged superstitious and blind faith amongst viewers. The Supreme Court held that Doordarshan is part of the fundamental right guaranteed under Article 19(1)(a) and this right was similar to the right of a citizen to publish their own views through any other media such as newspapers, magazines, advertisements, hoardings and so on. The petition was dismissed as the petitioner failed to show evidence of prejudice to the public.

Similarly, considering the example in today's scenario about the latest series '**Tandav**' launched on Amazon Prime which has emerged to be biggest and the most controversial web-series of the year so far - on the controversy of which people are filing FIRs with similar content at scattered locations and sitting on *Dharnas* which represents how people tend to misuse the power of law for political reasons and it states that due to some people who feel their sentiments are hurt but actually there was no intention of the series makers to hurt the religious sentiments of the people the courts are stepping back from their constitutional promises of letting people express their thoughts. Meanwhile, Ali Abbas Zafar has tendered an unconditional apology and tweeted, "We have utmost respects for the sentiments of people of our country. We did not intend to hurt or offend the sentiments of any individual, caste, community, race, religion or religious beliefs or insult or outrage any institution, political party or persons living or dead. The cast and crew of Tandav have made the decision to implement the changes to the web series to address the concerns raised towards the same. We thank the Ministry of Information and Broadcasting for the guidance and support in the matter. We once again apologise if the series has unintentionally hurt anybody's sentiments."<sup>11</sup>

- iv. **Right to information**- The freedom of 'speech and expression' comprises not only the right to express, publish and propagate information its circulation but also to receive information. This was held by the Supreme Court in a series of judgement which have discussed the right to information in varied contexts from advertisements enabling the citizens to get vital information about life-saving drugs, to the right of sports lovers to watch cricket and the right of voters to know the antecedents of electoral candidates. It can be observed under the case of **Govt. of India v. Cricket Association of Bengal**<sup>12</sup> that the airwaves or frequencies are a public property. Their use has to be controlled and regulated by a public authority in the interests of the public and to prevent the invasion of their rights. Since, the electronic media involves the use of the airwaves, this factor creates an in-built restriction on its use as in the case of any other public property.

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<sup>11</sup> <https://www.businesstoday.in/trending/entertainment/tandav-makers-remove-contentious-scene-after-spate-of-firs/story/428607.html>

<sup>12</sup> 1995 AIR 1236, 1995 SCC (2) 161

- v. **Right to criticise-** Fair criticism of judgement is permissible in law but a person cannot exceed the right of freedom of speech and expression guaranteed under the Constitution to “scandalize the institution”.<sup>13</sup> The question of civil liberty arises not once the individuals of a rustic yielding do follow the orders of the government but arises only when there is a conflict between the individuals and also the government authorities. On the opposite hand, for a public man, press is an important tool that formulates popular opinion. The Supreme Court of India initiated a *Suo Moto* contempt proceeding against public interest professional and activist Prashant Bhushan and supported 2 tweets announce by him on social media platform Twitter. The tweets, one in every of that was a treat the magistrate of Republic of India riding a chic Harley-Davidson motorbike happiness to a ruling party leader, and also the different, a critique on the Supreme Court’s role in destroying democracy in Republic of India, were viewed by the Court as a ‘malicious, scurrilous, calculated attack’ on the establishment of administration of justice. The Supreme Court declared that the tweets had the ‘effect of destabilizing the terribly foundation of vital pillar of Indian democracy’ and control Prashant Bhushan guilty of contempt of court. In response to a nationwide criticism of the judiciary’s decide to thwart free speech, the Court bimanual down a symbolic penalisation sentencing him with a nominal fine of Re. one (rupee 1).
- vi. **Right of express beyond the national boundaries-** The right to expression transcends national boundaries. The upcoming revolutions in communication technology and the electronic media has broken down all transnational barriers and there is a very thin gap between all countries. It has made possible the transmission of information to any part of the world in a matter of seconds through the presence of internet and phones. The expansion of scope of right to expression can be understood by the case study of *Maneka Gandhi vs Union of India*<sup>14</sup> - The petitioner Maneka Gandhi’s who was a journalist got her passport issued on 1<sup>st</sup> June 1976 as per the Passport Act of 1967. On 2<sup>nd</sup> July 1977, the Regional Passport Office (New Delhi) ordered her to surrender her passport. The petitioner was also not given any reason for this arbitrary and unilateral decision of the External Affairs Ministry, citing public interest. The petitioner approached the Supreme Court by invoking its writ jurisdiction and contending that the State’s act of impounding her passport was a direct assault on her Right of Personal Liberty as guaranteed by Article 21. This judgment widened Article 21’s scope immensely and it realized the goal of making India a welfare state, as assured in the Preamble. The unanimous judgement was given by a 7-judge bench.

### **New dimensions of freedom of speech and expression:**

<sup>13</sup> [https://economictimes.indiatimes.com/news/politics-and-nation/person-cant-exceed-right-of-freedom-of-speech-and-expression-to-scandalize-institution-says-sc/articleshow/77855117.cms?utm\\_source=contentofinterest&utm\\_medium=text&utm\\_campaign=cppst](https://economictimes.indiatimes.com/news/politics-and-nation/person-cant-exceed-right-of-freedom-of-speech-and-expression-to-scandalize-institution-says-sc/articleshow/77855117.cms?utm_source=contentofinterest&utm_medium=text&utm_campaign=cppst)

<sup>14</sup> 1978 AIR 597, 1978 SCR (2) 621

The society is changing now-a-days into a dynamic structure and so is the need to expand the scope of freedom of speech and expression. In the last few years rapid changes have taken place due to evolution of internet, mobile communication independent media through DTH platforms, social media etc has blurred the geographic boundaries between nations and concept of Communities across nations has developed. Law needs to keep pace with this kind of scenario and so are some of the changes implemented by the government.

- **Government should not have monopoly on media:** The Supreme court has now widened the scope and extent of the right to freedom of speech and expression and held that the government has no monopoly on electronic media and a citizen has under Article 19(1)(a) of the Indian constitution. The government can only impose restrictions on such a right wherever required only on grounds specified in clause (2) of Article 19 and not on any other ground. A citizen has fundamental right to use the best means of imparting and receiving communication and as such have an access to telecasting for the purpose. Now the Press Council of India regulates the flow of information through media.
- **Commercial advertisement:** A product or a service may be advertised through a variety of methods such as hand bills, circulars, direct mail, billboards, signboards, sky signs, roof signs, loudspeakers, mechanical or electric devices, newspapers and magazines, radio, television, the internet and so on. Advertising is no more than a commercial transaction nonetheless dissemination of information regarding the product-advertised. Public at large are benefited by the information made available through the advertisements. In a democratic economy, free flow of commercial information is indispensable.

#### **The misuse of article 19(1)(a) and the present scenario:**

In the current scenario, Free speech has been within the variety of curtailments against the right to express about what is actually wrong. As the language justifiably goes – Free speech may be a secured right however these days citizens take the total liberty to present out information that is false. A country like India where the requirement of free speech is to usher in modification for the benefits is currently seeing the modification within the wrong sense. As an example, the recent statement of Sr. Adv. Dushyant Dave relating to the opaqueness of the collegium and therefore the transfer of Justice Jayant Patel had crystal rectifier to the difficulty of contempt proceedings against him. Free speech may be a necessity to introduce changes and alter the incorrect actions or activities committed by the government. Distribution of wrong information additionally forms an area of the matter. Watching the recent scenarios, it's necessary that a limitation is critical on the distribution of such wrong and incorrect statements that ultimately influence those those who are illiterate. The reasonable restrictions imposed on the fundamental rights are meant to control the use of free speech. However, nowadays there are attempts to violate such restrictions in the form of hate speeches which can be spread by masses or by social media. The spreading of hate speeches against a particular community or caste or religion can have very bad consequences in the future.

The media too is now very much inclined towards the spreading of false news and wrong information to the masses. This goes against the very ethics of the freedom of the press which has been guaranteed to us by the Constitution makers. The instances of media shame can be observed in the Sushant Singh Rajput case where Shameful Vilification of Rhea Chakraborty took place even when she was innocent until proven guilty. Sometimes, even the media goes to the extent of defaming a person without proper proof in numerous cases. The grant of free speech as a right guarantees the right to people to speak matter about which they have no information about or no knowledge about. If truth is let out, it is denied and then silenced after a pretty long gap. The current situation of free speech in India is deteriorating as people are more inclined towards accepting what is wrong and is against what is actually right. Paid news is a very good example of this. It is important that such methods be curbed and laws passed be made stringent so that people do not get to misuse this right without substantive proof.

### Grounds of restrictions:

- i. Sovereignty and integrity of India
- ii. Decency and Morality
- iii. Public Order
- iv. Friendly relations with foreign states
- v. Defamation
- vi. Security of the state

**Sovereignty and integrity of the state:** To maintain the sovereignty and integrity of a state is the prime duty of government of the country. In 1963, the sixteenth modification bill additionally referred to as the 'Anti-Secession Bill' for the ultimate time amended Article 19(2) of the Constitution and therefore the words 'the sovereignty and integrity of India' were inserted in it, making an additional exception to the correct to free speech. The modification was created to protect the liberty of speech and expression from getting used to attack the territorial integrity and sovereignty of the Union of Republic of India. In **N.T Rama Rao vs. Telugu Desam**<sup>15</sup> (1995), it absolutely was ascertained that any legislation that is to be undertaken concerning 19(2) needs to be comprehensive and effective enough to stay a check on any style of infringement like burning of the Constitution or the refusal to require oath of loyalty or the raising of flags in any agitative approach etc. it's essential for national integrity not solely by uniting completely different communities however additionally by ontogenesis out any reasonably anti-national sentiments that square measure capable of inflicting any style of violence.

**Decency and Morality:** The way to express one's things are ought to be in a decent manner. It must not have an effect on the morality of society adversely. Our constitution has taken care of this read and inserted decency and morality as a ground. The words 'morality or decency' square measure words of wide that means. Sections 292 to 294 of the Indian legal code offer instances of restrictions on the liberty of speech and expression within

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<sup>15</sup> 1995 (3) ALT 92  
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the interest of decency or morality. These sections veto the sale or distribution or exhibition of obscene words, etc. publicly places. A well-known test, known as Hicklins Test was laid down in the famous case of **R vs. Hicklin**<sup>16</sup> which stated that “whether the tendency of the matter charged as obscene tends to deprave and corrupt the minds which are open to such immoral influences”. In the case of **Ajay Goswami v. Union of India (2007)**

**Public Order:** ‘Public order’ is an expression of wide connotation and signifies “that state of tranquillity which prevails among the members of political society as a result of internal regulations enforced by the Government which they have established.” This ground was added by the Constitution (First Amendment) Act. It is something more than the ordinary maintenance of law and order. The words ‘in the interest of public order’ includes not only such utterances as are directly intended to lead to disorder but also those that have the tendency to lead to disorder.

**Friendly relations with foreign states:** In the present global world, a country mandatorily needs to maintain a good and friendly relationship with other countries. Something which has the potential to affect such relationship should be checked upon by the government. Keeping this in the view the ground was added by the constitution (First Amendment) Act, 1951. The object behind the provision is to prohibit unrestrained malicious propaganda against a foreign friendly state, which may jeopardise the maintenance of good relations between India and that country.

**Defamation:** A statement, which injures a man’s reputation, amounts to defamation. Defamation consists in exposing a man to hatred, ridicule, or contempt. The civil law in relating to defamation is still uncodified in India and subject to certain exceptions. Reasonable Restrictions may also be imposed on the ground of defamation. Defamation basically in a layman’s language refers to the tarnishing or injuring the reputation of a person. A matter which is defamatory in nature exposes the affected person to hatred, ridicule or contempt or causes him to be avoided by the society. Such matter can be either in libel (writing, printing or some other permanent medium) or slander (words spoken or imitated by gestures). The law of defamation is contained in section 499 (Definition) and 500 (Punishment up to 2 years in jail) of the Indian Penal Code, 1860. Interestingly several petitions have been filed in the Supreme Court challenging the constitutional validity of sections 499 and 500 of IPC. Also, out of all reasonable restrictions on the freedom of speech, only defamation protects a private individual’s interest and all others are public interests.

**Security of the state:** Security is the vital element and the government must have power to impose restriction on adverse activities affecting it. However, the term “security of the state” refers only to serious and aggravated forms of public order e.g., rebellion, waging war against the State, insurrection and not ordinary breaches of

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<sup>16</sup> [1868] LR 3 QB 360  
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public order and public safety, e.g., unlawful assembly, riot, affray. In the Constitution of India, the 7th Schedule contains the entries regarding Security of State in the Union List (List I Entry 9) and the Concurrent List (List III Entry 3) respectively. The term has a very wide meaning and it covers security of the economy as well.

**Conclusion:**

Expression through speech is one of the basic guarantees provided by the civil society. The fundamental right of freedom of speech and expression lays the foundation of all democratic organisation and has truly been stated as mother of all the liberties. It is undoubtedly mandatory for any civilised democracy to survive. While it is important for each one of us to exercise our fundamental rights within reasonable limits laid down by law, there is a greater obligation to ensure that the laws are not twisted, misused or abused in such a manner that citizens are deprived of fundamental rights that impact the liberty of an individual.

*“Freedom of speech means freedom for those who you despise, and freedom to express the most despicable views. It also means that the government cannot pick and choose which expressions to authorize and which to prevent.”*

***-Alan Dershowitz***

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