

Freedom of expression is a citizen's Inalienable Right



When most of us think of “rights,” we imagine things we are free to do, like speak our minds, or practice a religion, or sell something that we have made. We assume, when we imagine these actions, that there is nobody stopping us from doing them. When we study history, however, we realize that many people in the past lacked and a great many around the world today still lack the freedom to exercise many of the rights we take for granted. In other words, a right is one thing, but the freedom to exercise it is something else. While the rights listed in the Declaration of Independence -life, liberty, and pursuit of happiness were inalienable, the Founders understood that individuals are often stopped from exercising them. The way to secure inalienable rights was to consent to giving up a small amount of our freedom so that government has the authority and finances to protect our rights. Ultimately, however, freedom would depend on citizens remembering that government derives its authority from people who consent to give it that authority, and that it therefore must work to serve the common good, treating every citizen equally. Freedom depends on citizens who care enough about preserving it to really evaluate the people who run for office, and to elect those who demonstrate wisdom, restraint, and personal virtue. Most of all, freedom depends on citizens having the wisdom, courage, and sense of justice necessary to take action when they see government overstepping its bounds.

The freedom of speech and expression is regarded as first condition of liberty. It occupies a preferred and important position in the hierarchy of the liberty, it is truly said about the freedom of expression that it is the mother of all the other liberties. In modern time it is widely accepted that the right to freedom of expression is the essence in the society and it must be safeguarded all the time. The first principle of a free society is an untrammelled flow of words in an open forum. Liberty to express opinions and ideas without hindrance, and especially without fear of punishment plays significant role in the development of the particular society and ultimately for the state. It is one of the most important fundamental liberties guaranteed against state suppression or regulation. The freedom of expression is a very important fundamental right under the Constitution. It is indispensable for the development of one's own individuality and for the success of parliamentary to democracy. It is said that in a democracy the right to free expression is not only the right of an individual but rather a right of the community to hear and be informed. The freedom of expression is not only guaranteed by the Constitution or statutes of various states but also by various international conventions like Universal Declaration of Human Rights, European Convention on Human Rights and fundamental freedoms, International Covenant on Civil and Political Rights etc. These declarations expressly talks about freedom of speech and expression.

Freedom of expression refers to the right to express one's opinions or thoughts freely by utilizing any of the different modes of communication available. The ideas aired should, however, not cause any intentional harm to other personality or status through false or ambiguous statements. Communication of ideas can be achieved through speech, writing or art. Freedom of expression, unlike freedom of thought, may be regulated by the appropriate authorities in any society in order to avoid controversies between different individuals. The extent to which this limitation or censorship is done varies from nation to nation and is dependent on the government of the day. According to the Universal Declaration of Human Rights, every individual has the right to search for information, access and impart variety of ideas irrespective of the frontiers.

The subject of freedom of expression has always been controversial, especially when considering political aspects. A state is perceived to have the mandate to impede people from convening groups in which they air their opinions if those views can result in direct harm to other people. However, the interference would only be an exception if doing so results in more beneficial outcomes than standing aside. For one to be in a position to gauge the eventuality of a gain or a loss, then there should be absolute freedom of expression on all matters irrespective of the nature of the sentiments made. Arguments for absolute freedom of expression can be made by evaluating the purpose for which the ideas are expressed and the manner in which we evaluate what is true or false.

Speech is God's gift to mankind. Through speech a human being conveys his thoughts, sentiments and feeling to others. Freedom of speech and expression is thus a natural right, which a human being acquires on birth. It is, therefore, a basic right. "Everyone has the right to freedom of opinion and expression; the right includes freedom to hold opinions without interference and to seek and receive and impart information and ideas through any media and regardless of frontiers" proclaims the Universal Declaration of Human Rights (1948). The people of India declared in the Preamble of the Constitution, which they gave unto themselves their resolve to secure to all the citizens liberty of thought and expression. This resolve is reflected in Article 19(1) (a) which is one of the Articles found in Part III of the Constitution, which enumerates the Fundamental Rights.

Man as rational being desires to do many things, but in a civil society his desires have to be controlled, regulated and reconciled with the exercise of similar desires by other individuals. The guarantee of each of the above right is, therefore, restricted by the Constitution in the larger interest of the community. The right to freedom of speech and expression is subject to limitations imposed under Article 19(2).

Public order as a ground of imposing restrictions was added by the Constitution (First Amendment) Act, 1951. Public order is something more than ordinary maintenance of law and order. Public order in the present context is synonymous with public peace, safety and tranquility.

Meaning and Scope

Article 19(1) (a) of Indian Constitution says that all citizens have the right to freedom of expression. Freedom of Speech and expression means the right to express one's own convictions and opinions freely by words of mouth, writing, printing, pictures or any other mode. It thus includes the expression of one's idea through any communicable medium or visible representation, such as gesture, signs, and the like. This expression connotes also publication and thus the freedom of press is included in this category. Free propagation of ideas is the necessary objective and this may be done on the platform or through the press. This propagation of ideas is secured by freedom of circulation. Liberty of circulation is essential to that freedom as the liberty of publication. Indeed, without circulation the publication would be of little value. The freedom of speech and expression includes liberty to propagate not one's views only. It also includes the right to propagate or publish the views of other people; otherwise this freedom would not include the freedom of press.

Freedom of expression has four broad special purposes to serve:

- 1) It helps an individual to attain self-fulfillment.
- 2) It assists in the discovery of truth.
- 3) It strengthens the capacity of an individual in participating in decision-making.
- 4) It provides a mechanism by which it would be possible to establish a reasonable balance between stability and social change.
- 5) All members of society would be able to form their own beliefs and communicate them freely to others.

In sum, the fundamental principle involved here is the people's right to know. Freedom of speech and expression should, therefore, receive generous support from all those who believe in the participation of people in the administration. It is on account of this special interest which society has in the freedom of expression that the approach of the Government should be more cautious while levying taxes on matters of concerning newspaper industry than while levying taxes on other matters.

Explaining the scope of freedom of expression Supreme Court has said that the words "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 audiovisual instrumentalities. It therefore includes the right to propagate one's views through the print media or through any other communication channel e.g. the radio and the television. Every citizen of this country therefore has the right to air his or their views through the printing and or the electronic media subject of course to permissible restrictions imposed under Article 19(2) of the Constitution.

Freedom to air one's view is the lifeline of any democratic institution and any attempt to stifle, suffocate or gag this right would sound a death knell to democracy and would help usher in autocracy or dictatorship. The modern communication mediums advance public interest by informing the public of the events and development that have taken place and thereby educating the voters, a role considered significant for the vivacious functioning of a democracy. Therefore, in any setup more so in a democratic setup like ours, broadcasting of news and views for popular consumption is a must and any attempt to deny the same must be frowned upon unless it falls within the mischief of Article 19(2) of the Constitution.

The various communication channels are great spreaders of news and views and make considerable impact on the minds of readers and viewers and are known to mould public opinion on vital issues of national importance. The freedom of speech and expression includes freedom of circulation and propagation of ideas and therefore the right extends to the citizen to use the media to answer the criticism leveled against the views propagated by him. Every free citizen has undoubted right to lay what sentiments he pleases. This freedom must, however, be exercised with circumspection and care must be taken not to trench on the rights of other citizens or to jeopardize public interest.

"If we don't believe in free expression for people we despise, we don't believe in it at all."

~ Noam Chomsky

Article 10 of the Human Rights Act: Freedom of expression

Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. This Article shall not prevent States from requiring the licensing of broadcasting, television or cinema enterprises. The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.

Example case - Observer and the Guardian v United Kingdom [1991]

The Guardian and The Observer newspapers published excerpts from Peter Wright's book Spycatcher, which included allegations that MI5 had acted unlawfully. The government obtained a court order preventing the newspapers from printing further material until proceedings relating to a breach of confidence had finished. But when the book was published, The Guardian complained that the continuation of the court order infringed the right to freedom of expression. The European Court of Human Rights said that the court order was lawful because it was in the interests of national security. However, it also said that that wasn't enough reason to continue the newspaper publication ban once the book had been published, because the information was no longer confidential anyway.

Article 10 protects your right to hold your own opinions and to express them freely without government interference.

This includes the right to express your views aloud (for example through public protest and demonstrations) or through:

- published articles, books or leaflets
- television or radio broadcasting
- works of art
- the internet and social media

The law also protects your freedom to receive information from other people by, for example, being part of an audience or reading a magazine.

Although you have freedom of expression, you also have a duty to behave responsibly and to respect other people's rights.

Public authorities may restrict this right if they can show that their action is lawful, necessary and proportionate in order to:

- protect national security, territorial integrity (the borders of the state) or public safety
- prevent disorder or crime
- protect health or morals
- protect the rights and reputations of other people
- prevent the disclosure of information received in confidence
- maintain the authority and impartiality of judges

An authority may be allowed to restrict your freedom of expression if, for example, you express views that encourage racial or religious hatred.

However, the relevant public authority must show that the restriction is 'proportionate', in other words that it is appropriate and no more than necessary to address the issue concerned.

New Dimensions of Freedom Expression:

Government has no monopoly on electronic media: The Supreme Court 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) a right to telecast and broadcast to the viewers/listeners through electronic media television and radio any important event. The government can impose restrictions on such a right 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.

Commercial Advertisements: The court held that commercial speech (advertisement) is a part of the freedom of expression. The court however made it clear that the government could regulate the commercial advertisements, which are deceptive, unfair, misleading and untruthful. Examined from another angle the Court said that the public at large has a right to receive the “Commercial Speech”. Article 19(1) (a) of the constitution not only guaranteed freedom of speech and expression, it also protects the right of an individual to listen, read, and receive the said speech.

Telephone Tapping: Invasion on right to privacy: Telephone tapping violates Article 19(1) (a) unless it comes within grounds of restriction under Article 19(2) under the guidelines laid down by the Court, the Home Secretary of the center and state governments can only issue an order for telephone tapping. The order is subject to review by a higher power review committee and the period for telephone tapping cannot exceed two months unless approved by the review authority.

Freedom of Press: The fundamental rights of the freedom of press implicit in the right the freedom of expression, is essential for the political liberty and proper functioning of democracy. The Indian Press Commission says that “Democracy can thrive not only under the vigilant eye of legislature, but also under the care and guidance of public opinion and the press is par excellence, the vehicle through which opinion can become articulate.” Unlike the American Constitution, Art. 19(1) (a) of the Indian Constitution does not expressly mention the liberty of the press but it has been held that liberty of the press is included in the freedom of speech and expression. The editor of a press for the manager is merely exercising the right of the expression, and therefore, no special mention is necessary of the freedom of the press. Freedom of press is the heart of social and political intercourse. It is the primary duty of the courts to uphold the freedom of press and invalidate all laws or administrative actions, which interfere with it contrary to the constitutional mandate.

Right to Information: The right to know, 'receive and impart information has been recognized within the right to freedom of expression. A citizen has a fundamental right to use the best means of imparting and receiving information and as such to have an access to telecasting for the purpose. The right to know has, however, not yet extended to the extent of invalidating Section 5 of the Official Secrets Act, 1923 which prohibits disclosure of certain official documents. One can conclude that 'right to information is nothing but one small limb of right of expression.

Grounds of Restrictions

Clause (2) of Article 19 contains the grounds on which restrictions on the freedom expression can be imposed-

1) **Security of State:** Under Article 19(2) reasonable restrictions can be imposed on freedom of expression in the interest of security of State. The term "security of 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 public order and public safety, e.g. unlawful assembly, riot, affray. Thus speeches or expression on the part of an individual, which incite to or encourage the commission of violent crimes, such as, murder are matters, which would undermine the security of State.

2) **Friendly relations with foreign states:** This 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 jeopardize the maintenance of good relations between India, and that state. No similar provision is present in any other Constitution of the world. In India, the Foreign Relations Act, (XII of 1932) provides punishment for libel by Indian citizens against foreign dignitaries. Interest of friendly relations with foreign States, would not justify the suppression of fair criticism of foreign policy of the Government. It is to be noted that member of the common wealth including Pakistan is not a "foreign state" for the purposes of this Constitution. The result is that freedom of expression cannot be restricted on the ground that the matter is adverse to Pakistan.

3) **Public Order:** This ground was added by the Constitution (First Amendment) Act. 'Public order' is an expression of wide connotation and signifies "that state of tranquility which prevails among the members of political society as a result of internal regulations enforced by the Government which they have established." Public order is something more than ordinary maintenance of law and order. 'Public order' is synonymous with public peace, safety and tranquility. The test for determining whether an act affects law and order or public order is to see

whether the act leads to the disturbances of the current of life of the community so as to amount to a disturbance of the public order or whether it affects merely an individual being the tranquility of the society undisturbed.

Anything that disturbs public tranquility or public peace disturbs public order. Thus communal disturbances and strikes promoted with the sole object of accusing unrest among workmen are offences against public order. Public order thus implies absence of violence and an orderly state of affairs in which citizens can peacefully pursue their normal avocation of life. Public order also includes public safety. Thus creating internal disorder or rebellion would affect public order and public safety. But mere criticism of government does not necessarily disturb public order. In its external aspect 'public safety' means protection of the country from foreign aggression. Under public order the State would be entitled to prevent propaganda for a state of war with India. 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. Thus a law punishing utterances made with the deliberate intention to hurt the religious feelings of any class of persons is valid because it imposes a restriction on the right of free speech in the interest of public order since such speech or writing has the tendency to create public disorder even if in some case those activities may not actually lead to a breach of peace. But there must be reasonable and proper nexus or relationship between the restrictions and the achievements of public order.

4) Decency or morality: The words 'morality or decency' are words of wide meaning. Sections 292 to 294 of the Indian Penal Code provide instances of restrictions on the freedom of speech and expression in the interest of decency or morality. These sections prohibit the sale or distribution or exhibition of obscene words, etc. in public places. No fix standard is laid down till now as to what is moral and indecent. The standard of morality varies from time to time and from place to place.

5) Contempt of Court: Restriction on the freedom of expression can be imposed if it exceeds the reasonable and fair limit and amounts to contempt of court. According to the Section 2 'Contempt of court' may be either 'civil contempt' or 'criminal contempt.'

6) 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 uncoded in India and subject to certain exceptions.

7) Incitement to an offence: This ground was also added by the constitution (First Amendment) Act, 1951. Obviously, freedom of speech and expression cannot confer a right to incite people to commit offence. The word 'offence' is defined as any act or omission made punishable by law for the time being in force.

8) Sedition: As understood by English law, sedition embraces all those practices whether by words, or writing which are calculated to disturb the tranquility of the State and lead ignorant person to subvert the government. It should be noted that the sedition is not mentioned in clause (2) of Article 19 as one of the grounds on which restrictions on freedom of speech and expression may be imposed.

Case Study:



I have a right to say this, who will stop me?’ ‘India is getting very intolerant!’

‘You should be in Pakistan– leave India!’

- These phrases keep flashing in newspapers and on social media platforms, and every time they are uttered, the limits of the freedom of expression are debated upon with more zealousness than perhaps the makers of our Constitution had when they first included this freedom as a fundamental right. Today however, instead of defending every form of free expression, it has become more important to understand the limits of our freedom of speech– where does one draw the line? Should the people shouting “*Bharat tere tukde honge*”, “*Afzal hum sharminda hai, tere qaatil zinda hain*” be allowed to abuse this right in the name of ‘exercising’ it?
- While Article 19 of the Constitution gives us the right to freedom of speech and expression, it also impresses certain reasonable restriction on the extent to which we can exercise it. Therefore, while one can disagree not only with the Kashmir policy but with anything that the centre believes, this right cannot be used against the security and interests of India; what was said on the JNU campus was not anti-establishment– it wasn’t merely a difference of opinion or dissatisfaction with the current government, but part of a strategic game played by some forces in India who want to destroy it. There is a trend in Indian politics where people claim that glorifying terrorists is freedom of expression, where speaking against India is freedom of expression– where people create pseudo-crisis in the country, spread fake news, make false

promise of loan-waivers in election campaigns, and make movies that distort India's history, all in the name of freedom of speech and expression. Let us recall what happened in the JNU campus in 2016: some students shouted anti-national slogans at an event protesting the hanging of Afzal Guru, and were arrested under charges of sedition. Protests burst all over the capital in response to this, and on January 14, the Delhi Police finally charged their leader Kanhaiya Kumar and nine others with sedition, three years after they allegedly raised "anti-India" slogans. The police submitted a 1,200-page charge sheet in the Patiala House Court. The sedition law that they are being charged with states *"Whoever, by 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 in India shall be punished with life imprisonment."*

- Many people called what happened at JNU an act of dissent, and the action taken against the protesters as a violation of their right to freedom of expression. To answer them, the Constitution clearly states that the charging someone with the act of sedition is not a violation of their right, especially if the speech being used to incite violence. One may disagree with Kashmir policy of the government, but glorifying and justifying a terrorist who was involved in killing innocent lives, and encouraging students to think that it's okay to take up arms against one's country and government to achieve one's own political goals is simply unacceptable. It is wrong to lead a student into thinking that there is no political, administrative or judicial discourse to be followed in this country, that the only way to bring a revolution is through violence. The fact that some of the major organizers of such a program have now joined political parties forces one to think about the strategy behind such acts, and how these things can negatively affect the youth of a country. There are rights conferred to each one of us by the Constitution, along with the limits under which we exercise them. It is our political obligation as citizens of this country, to understand the thin line between using and abusing of our rights. We need to realize that while being in the opposition is okay, while differing with government is okay, being anti-national isn't okay, and we need to know the difference between them.

- The supreme court of India has held that hosting the National Flag by citizens is a form of freedom of speech and expression in *Union of India v. Naveen Jindal and Anr.*

- In 1927, in *Whitney v. California*, Louis Brandies J, made a classic statement on the freedom of speech in the context of the U.S Constitution: Those who won our independence believed that the final end of the state was to make men free to develop their faculties. They believed liberty to be the secret of happiness and courage to be the secret of liberty. They believed that the freedom to think as you will and to speak and assembly discussion would be futile... that public discussion is a political duty; and that this should be a fundamental principle of the American government. The Right to freedom of expression as per as Indian Constitution mean the right to express one's own convictions and opinions freely. The word freely means including by words of mouth, writing, printing, banners, signs, and even by way of silence.
- The Right to Information (RTI) emerges as a fundamental right under Article 19(1) (a), as a freedom of expression is meaningless without access to information.
- Under freedom of speech and expression, there is no separate grantee of freedom of press and the same is included in the freedom of expression, which is conferred on all the citizens in *Virender v. State of Punjab* and *Sakal Papers v. Union of India*. It has also been by this judgment that freedom of press under the Indian Constitution is not higher than the freedom of an ordinary citizen.
- Landmark case in the digital era,

The Supreme Court, in *Shreya Singhal Vs Union of India*, has stepped to the fore with a delightful affirmation of the value of free speech and expression, quashing, as unconstitutional, Section 66A of the Information Technology Act, 2000 (IT Act). Section 66A had attained particular infamy after the arrests by the Mumbai police in November 2012 of two women who had expressed their displeasure at a bandh called in the wake of Shiv Sena chief Bal Thackeray's death. Since then, several arrests have been made by different State police, of various individuals, for the most benign dissemination of online content. The court concluded that Section 66A of the Information Technology Act, 2000 is struck down in its entirety being violative of Article 19(1) (a) and not saved under Article 19(2).

Conclusion:

From this Essay it can be easily concluded that right to freedom of expression is one of the most important fundamental right. It includes circulating one's views by words or in writing or through audiovisual instrumentalities, through advertisements and through any other communication channel. It also comprises of right to information, freedom of press etc. Thus this fundamental right has a vast scope. From the above case law analysis it is evident that the Court has always placed a broad interpretation on the value and content of Article 19(1) (a), making it subjective only to the restrictions permissible under Article 19(2). Efforts by intolerant authorities to curb or suffocate this freedom have always been firmly repelled, more so when public authorities have betrayed autocratic tendencies.

It can also be comprehended that public order holds a lot of significance as a ground of restriction on this fundamental right. But there should be reasonable and proper nexus or relationship between the restriction and achievement of public order. The words 'in the interest of public order' include not only utterances as are directly intended to lead to disorder but also those that have the tendency to lead to disorder.

In the case of *Brij Bhushan v. State of Delhi* (AIR 1950 SC 129), the validity of censorship previous to the publication of an English Weekly of Delhi, the *Organiser* was questioned. The court struck down the Section 7 of the East Punjab Safety Act, 1949, which directed the editor and publisher of a newspaper "to submit for scrutiny, in duplicate, before the publication, till the further orders, all communal matters all the matters and news and views about Pakistan, including photographs, and cartoons", on the ground that it was a restriction on the liberty of the press. Similarly, prohibiting newspaper from publishing its own views or views of correspondents about a topic has been held to be a serious encroachment on the freedom of speech and expression.

In India, the press has not been able to exercise its freedom to express the popular views. In *Sakal Papers Ltd. v. Union of India*, the Daily Newspapers (Price and Page) Order, 1960, which fixed the number of pages and size which a newspaper could publish at a price, was held to be violative of freedom of press and not a reasonable restriction under the Article 19(2). Similarly, in *Bennett Coleman and Co. v. Union of India*, the validity of the Newsprint Control Order, which fixed the maximum number of pages, was struck down by the Court holding it to be violative of provision of Article 19(1) (a) and not to be reasonable restriction under Article 19(2). The Court struck down the plea of the Government that it would help small newspapers to grow.

Democracy lies in the hands of the people and the right to freedom of expressions plays a vital key role in the proper smooth functioning of the state. If the state does not function properly and is distracted from what it is obliged to do, it is the duty of the common people to make them remember. Freedom of expression is a medium given to us to live with dignity than merely existence. “Democracy is no democracy without free speech and expression”. Many times this freedom of expression has been used by the corrupted people to lure the poor people and bring communal tensions. It has been seen that politicians have been using provocative speeches against other communities for the sake of their vote banks. So it is a necessity to maintain the balance. Freedom of speech is the expression where one conveys other what their views on a topic are.

Freedom of Expression



“If freedom of Expression is taken away, then dumb and silent we may be led, like sheep to the slaughter.”

~ George Washington

Bibliography:

1. Cases

- ✚ *Chahal v UK* (1997) 23 EHRR 413
- ✚ *Chahal v United Kingdom* (22414/93) European Court of Human Rights 15 November 1996, Case Analysis
- ✚ *Connors v UK* (2005) 40 EHRR 9
- ✚ *Firth v United Kingdom* (47784/09) (ECHR)
- ✚ *Greens and MT v the United Kingdom*, App No 60041/08 and 60054/08, Judgment of 23 November 2010
- ✚ *Harrow LBC v Qazi* [2003] UKHL 43, [2004] 1 AC 983
- ✚ *Hirst v the United Kingdom (No 2)*, App No 74025/01, Judgment of 6 October 2005
- ✚ *Leeds City Council v Price, Kay and Lambeth LBC* [2005] EWCA Civ 289, [2005] 1 WLR 1825
- ✚ *Leeds City Council v Price, Kay and Lambeth LBC* [2006] UKHL 10, [2006] 2 AC 465
- ✚ *McCann v UK* No. 18984/91 [GC], 27.09.1995.
- ✚ *Osman v UK* No. 23452/94 [GC], 28.10.1998.
- ✚ *Soering v. the United Kingdom* judgment of 7 July 1989, Series A no. 161
- ✚ *Saadi v Italy* (37201/06) (2009) 49 E.H.R.R. 30;

2. Legislation

- Draft Voting Eligibility (Prisoners) Bill
- Indian Constitution
- European Convention on Human Rights 1998
- Human Rights Act 1998
- Immigration Act 1971

3. Books/Journal Articles/Reports

- ✚ Donald, A., Gordon, J. and Leach, P. *The UK and the European Court of Human Rights, Equality and Human Rights Commission*, Research report 83, (Equality and Human Rights Commission, 2012)
- ✚ Donald, A., Mottershaw, E., Leach, P. and Watson, J. *Evaluating the Impact of Selected Cases under the Human Rights Act on Public Service Provision* (Equality and Human Rights Commission, 2009)
- ✚ Draft Voting Eligibility (Prisoners) Bill: Report: Session 2013-14: Report, together with formal minutes, Joint Committee, 18 December 2013
- ✚ Foster, S., Prisoners' rights - right to vote - European Court of Human Rights - just satisfaction (2014) 19(2) Coventry Law Journal, 78-81,
- ✚ Foster, S., 'Prisoners' voting rights: still not joy for the right to vote, but a light at the end of a very long tunnel?' (2013) 18(2) Coventry Law Journal, 51-55,
- ✚ Hoffman, D., and Rowe, J. *Human Rights in the UK: An Introduction to the Human Rights Act 1998* (3rd Edition, Pearson, 2010)
- ✚ Joint Committee on the Draft Voting Eligibility (Prisoners) Bill Report, Cm 8499
- ✚ Moeckli, D., *Saadi v Italy*: The Rules of the Game Have *Not* Changed (2008) 3 Human Rights Law Review, 534-548,
- ✚ Mowbray, A. *Cases and Materials on Human Rights* (3rd Edition, Oxford University Press, 2012)
- ✚ Stone, R. *Textbook on Civil Liberties and Human Rights* (9th Edition, Oxford University Press, 2012)
- ✚ Wadham, J., Mountfield, H., Prochaska, E., and Desai, R. *Blackstone's Guide to the Human rights Act 1998* (7th Edition, Oxford University Press, 2015)
- ✚ Wilson Jackson, D. *The United Kingdom Confronts the European Convention on Human Rights* (University of Florida Press, 1997)

4. Online

- Association of Chief Police Officers and National Policing Improvement Agency, Manual of Guidance on the Management, Command and Deployment of Armed Officers, 2009 [online]
- Sweet, A.S. and Keller, H. "Assessing the Impact of the ECHR on National Legal Systems" (2008). Faculty Scholarship Series. Paper 88[online].

5. References

- ✚ Bhargava, H. (2008). *Political Theory: An Introduction*. Delhi: Pearson Education
- ✚ Eisenach, E. (2004). *Mill and Moral Character*. New York: Penn State Press.
- ✚ Jones, T. (2001). *Modern Political Thinkers and Ideas: An Historical Introduction*. New York: Routledge

6. Pictures

- <https://www.voxpol.eu/>
- <https://www.indianfolk.com/>
- <https://www.developmentnews.in/india-wants-know-freedom-expression-limit/>