Freedom is a democracy’s biggest asset that sets it apart from a dictatorship and other similar forms of authoritarian government. A democratic setup that does not guarantee freedom to its citizens is a democracy in name only.

In the Indian constitution, the right to freedom encompasses a number of other rights, such as that of speech and expression, to assemble peacefully and, among others, the right to move to and settle in any part of the country.

**Q. What rights are included in the right to freedom?**

The right to freedom is sweeping in its scope and includes the right to:

- Freedom of speech and expression

- Assemble peacefully and without arms

- Form associations and unions

- Move freely through the territory of India

- To reside and settle down in any part of India

- To practise any trade or profession

**Q. These rights are very wide in their scope. Are they restricted?**

No rights are ever unrestricted. The right to freedom can be restricted by laws that impose “reasonable restrictions” on the exercise of this right. Generally, the State can pass laws imposing reasonable restrictions on the exercise of these rights under the following conditions:

- Security of the State

- Relations with other States

- Incitement to an offence

- Maintaining public order

- Contempt of court

- Defamation

- Sovereignty and integrity of the nation

**Q. What body decides on the constitutionality of “reasonable restrictions”?**

Only the legislature can pass laws that restrict a citizen’s right to freedom. Laws passed can be reviewed by the Supreme Court through the process of “judicial review”. Laws that impose restrictions that are “unreasonable” can be repealed by the apex court.

**Q. Is this right available to all citizens? What about foreigners and companies?**

This right is available to Indian citizens only. Indians can exercise their right to freedom of speech and expression even when they travel abroad. This right also extends to shareholders of companies when they associate to form a company. It does not extend to companies as they are regarded as persons in a legal sense only and not a natural sense.

**Q. What about freedom of the press? Are there reasonable restrictions on that too?**

Freedom of the press falls within the ambit of freedom of speech and expression. Freedom to express oneself freely has no meaning if one’s thoughts cannot be put down on paper and published. However, the same restrictions that are applicable to speech apply to any printed material as well.

**Q. What is contempt of court?**

Contempt of court falls under two categories - civil and criminal.

Contempt of court is civil in nature when a person willfully disobeys any judgement, decree, order or writ issued by a court. Any breach of an undertaking given to the court also falls under this category.

Criminal contempt of court is an act which scandalizes, lowers or tends to lower the authority of a court; prejudices or interferes with proceedings or obstructs justice in any manner.

--Ends