Polity & Governance · GS - II

How should constitutional courts balance individual religious freedom, denominational rights and the State's responsibility to maintain public order in disputes over religious practices?

EXAM YEAR	PAPER	SUBJECT
DAILY PRACTICE 24/11/2026	GS - II	Polity & Governance

MARKS	WORD LIMIT
10	~150 words

BECOME IAS
AI POWERED UPSC PREP

Answer Hint

Articles 25 and 26, freedom of conscience, religious denominations, public order, secular activities, judicial review, constitutional morality

Model Answer

Introduction

Religious freedom is a constitutional guarantee under Articles 25 and 26. However, it operates within a framework that also protects public order, individual rights and the secular character of the State.

Constitutional Framework

1. **Individual freedom:** Article 25 protects freedom of conscience and the right to profess, practise and propagate religion, subject to public order, morality and health.
2. **Denominational autonomy:** Article 26 allows religious denominations to manage their religious affairs and administer religious institutions, subject to constitutional limitations.
3. **State regulation:** Article 25(2) permits regulation of secular activities associated with religious practices and legislation for social welfare and reform.

Role of Constitutional Courts

1. **Constitutional interpretation:** Courts examine whether restrictions on religious practices are supported by constitutional provisions and legitimate public interests.
2. **Protection against discrimination:** Religious freedom cannot be used to justify violations of other constitutional guarantees, including equality and dignity.
3. **Institutional balance:** Courts must respect religious autonomy while ensuring that public authorities do not impose arbitrary restrictions.
4. **Proportionality:** Restrictions should have a legitimate objective and should not exceed what is necessary to achieve it.

Way Forward

1. Encourage dialogue among religious groups, local communities and public authorities.
2. Ensure that administrative decisions are evidence-based and non-discriminatory.
3. Use judicial intervention to protect constitutional rights while avoiding unnecessary interference in religious affairs.

Conclusion

Religious disputes require a rights-based constitutional approach rather than political or majoritarian considerations. A balanced interpretation of Articles 25 and 26 can protect religious freedom while upholding equality, public order and the rule of law.

BECOME IAS
AI POWERED UPSC PREP