Polity & Governance · GS - II

Evaluate the role of constitutional courts in resolving conflicts between religious practices, competing claims over public religious spaces and the maintenance of public order.

EXAM YEAR	PAPER	SUBJECT
DAILY PRACTICE 25/11/2026	GS - II	Polity & Governance

MARKS	WORD LIMIT
15	~250 words

Answer Hint

Religious freedom, Articles 25 and 26, judicial review, essential religious practices, public order, constitutional balance

Model Answer

Disputes over religious practices and shared religious spaces often involve competing claims concerning faith, institutional rights, historical traditions and public order. Constitutional courts provide a framework for resolving such conflicts through the rule of law.

Constitutional foundations

1. **Article 25:** Protects individual religious freedom, subject to public order, morality, health and other fundamental rights.
2. **Article 26:** Protects the autonomy of religious denominations in managing religious affairs, subject to constitutional limitations.
3. **Article 14:** Requires non-arbitrary and equal treatment by public authorities.
4. **Article 32 and Article 226:** Enable constitutional remedies and judicial review against unlawful State action.

Role of constitutional courts

1. Courts interpret the scope of religious freedoms and examine whether restrictions are constitutionally justified.
2. They adjudicate competing claims involving religious institutions, customary practices and administrative authority.
3. Their binding directions provide legal clarity and must be implemented by executive authorities.
4. Judicial scrutiny helps prevent arbitrary restrictions and discriminatory State intervention.

Institutional limitations

Courts must distinguish genuine religious rights from claims that violate public order or other constitutional guarantees. Excessive judicial intervention in matters of faith can also raise concerns about institutional boundaries.

Ultimately, constitutional adjudication must protect religious liberty while ensuring equality, legality and peaceful coexistence. The legitimacy of such decisions depends upon impartial implementation and respect for the rule of law.

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