



INTERNATIONAL LAW
JOURNAL

**WHITE BLACK
LEGAL LAW
JOURNAL
ISSN: 2581-
8503**

Peer - Reviewed & Refereed Journal

The Law Journal strives to provide a platform for discussion of International as well as National Developments in the Field of Law.

WWW.WHITEBLACKLEGAL.CO.IN

DISCLAIMER

No part of this publication may be reproduced, stored, transmitted, translated, or distributed in any form or by any means—whether electronic, mechanical, photocopying, recording, scanning, or otherwise—without the prior written permission of the Editor-in-Chief of *White Black Legal – The Law Journal*.

All copyrights in the articles published in this journal vest with *White Black Legal – The Law Journal*, unless otherwise expressly stated. Authors are solely responsible for the originality, authenticity, accuracy, and legality of the content submitted and published.

The views, opinions, interpretations, and conclusions expressed in the articles are exclusively those of the respective authors. They do not represent or reflect the views of the Editorial Board, Editors, Reviewers, Advisors, Publisher, or Management of *White Black Legal*.

While reasonable efforts are made to ensure academic quality and accuracy through editorial and peer-review processes, *White Black Legal* makes no representations or warranties, express or implied, regarding the completeness, accuracy, reliability, or suitability of the content published. The journal shall not be liable for any errors, omissions, inaccuracies, or consequences arising from the use, interpretation, or reliance upon the information contained in this publication.

The content published in this journal is intended solely for academic and informational purposes and shall not be construed as legal advice, professional advice, or legal opinion. *White Black Legal* expressly disclaims all liability for any loss, damage, claim, or legal consequence arising directly or indirectly from the use of any material published herein.

ABOUT WHITE BLACK LEGAL

White Black Legal – The Law Journal is an open-access, peer-reviewed, and refereed legal journal established to provide a scholarly platform for the examination and discussion of contemporary legal issues. The journal is dedicated to encouraging rigorous legal research, critical analysis, and informed academic discourse across diverse fields of law.

The journal invites contributions from law students, researchers, academicians, legal practitioners, and policy scholars. By facilitating engagement between emerging scholars and experienced legal professionals, *White Black Legal* seeks to bridge theoretical legal research with practical, institutional, and societal perspectives.

In a rapidly evolving social, economic, and technological environment, the journal endeavours to examine the changing role of law and its impact on governance, justice systems, and society. *White Black Legal* remains committed to academic integrity, ethical research practices, and the dissemination of accessible legal scholarship to a global readership.

AIM & SCOPE

The aim of *White Black Legal – The Law Journal* is to promote excellence in legal research and to provide a credible academic forum for the analysis, discussion, and advancement of contemporary legal issues. The journal encourages original, analytical, and well-researched contributions that add substantive value to legal scholarship.

The journal publishes scholarly works examining doctrinal, theoretical, empirical, and interdisciplinary perspectives of law. Submissions are welcomed from academicians, legal professionals, researchers, scholars, and students who demonstrate intellectual rigour, analytical clarity, and relevance to current legal and policy developments.

The scope of the journal includes, but is not limited to:

- Constitutional and Administrative Law
- Criminal Law and Criminal Justice
- Corporate, Commercial, and Business Laws
- Intellectual Property and Technology Law
- International Law and Human Rights
- Environmental and Sustainable Development Law
- Cyber Law, Artificial Intelligence, and Emerging Technologies
- Family Law, Labour Law, and Social Justice Studies

The journal accepts original research articles, case comments, legislative and policy analyses, book reviews, and interdisciplinary studies addressing legal issues at national and international levels. All submissions are subject to a rigorous double-blind peer-review process to ensure academic quality, originality, and relevance.

Through its publications, *White Black Legal – The Law Journal* seeks to foster critical legal thinking and contribute to the development of law as an instrument of justice, governance, and social progress, while expressly disclaiming responsibility for the application or misuse of published content.

AN ANALYSIS OF JUDICIAL INTERVENTION IN RELIGIOUS PRACTICES TO ASSURE JUSTICE

AUTHORED BY - SUBEENDHAR S,
LL.M, THE CENTRAL LAW COLLEGE, SALEM

ABSTRACT

India's constitutional commitment to secularism recognises religion as an important aspect of individual and collective life while simultaneously subjecting it to the overarching values of equality, dignity, and justice. Articles 25 and 26 of the Constitution guarantee freedom of religion, but this freedom is not absolute and is conditioned by public order, morality, health, and other fundamental rights. This research examines the role of the Indian judiciary in intervening in religious practices to assure justice when such practices conflict with constitutional values. It analyses the constitutional framework governing religious freedom and the judicial doctrines developed to regulate religious practices, particularly the Essential Religious Practices doctrine and the principle of constitutional morality. Through an examination of landmark decisions, the study highlights how courts have balanced religious autonomy with the protection of fundamental rights. Special emphasis is placed on gender justice and social reform, areas where judicial intervention has been most pronounced. The research concludes that while judicial intervention in religious matters has faced criticism for alleged overreach, it remains a necessary constitutional mechanism to prevent discrimination, protect vulnerable groups, and ensure that religious freedom operates in harmony with equality, dignity, and social justice in a pluralistic society.

CHAPTER I

INTRODUCTION

1.1 BACKGROUND OF THE STUDY

India is a pluralistic society with diverse religions and faiths. The Constitution guarantees freedom of religion under Articles 25 and 26, protecting the right to profess, practise, and propagate religion.¹ However, this freedom is not absolute and must be balanced with other constitutional values such as equality, dignity, and justice. Over time, some religious practices have conflicted with these values, particularly when they discriminate on the basis of gender,

caste, or social status. In such situations, courts have had to decide whether constitutional principles of justice override certain religious practices.²

The judiciary has played a key role in regulating religious practices through judicial intervention. The **Essential Religious Practices doctrine** distinguishes between essential and non-essential practices, providing constitutional protection only to the former.³ Additionally, the concept of **constitutional morality** guides courts to ensure that all laws and customs conform to the core values of the Constitution.⁴ Landmark cases such as *Shayara Bano v. Union of India* and *Indian Young Lawyers Association v. State of Kerala* highlight this evolving judicial approach. Judicial intervention, while sometimes criticised as overreach, remains essential to protect fundamental rights and promote justice in cases of discriminatory religious practices.

1.2 STATEMENT OF PROBLEM

Religious freedom is a fundamental right guaranteed under Articles 25 and 26 of the Indian Constitution. However, in practice, certain religious customs and practices conflict with constitutional values such as equality, justice, and individual dignity. The challenge lies in balancing the protection of religious autonomy with the need to ensure justice and uphold fundamental rights. This research seeks to examine the scope, legitimacy, and impact of judicial intervention in religious practices to determine whether such interventions effectively assure justice without unnecessarily infringing upon religious freedom.

1.3 RESEARCH OBJECTIVE

To examine the role of the judiciary in regulating religious practices in India.

To analyse how judicial intervention ensures justice and protects fundamental rights.

To study the doctrines and principles (like Essential Religious Practices and constitutional morality) applied by courts.

To evaluate the impact of judicial decisions on religious autonomy and social reform.

To identify challenges and limitations in judicial intervention in religious matters.

1.4 RESEARCH QUESTION

How does judicial intervention in religious practices in India balance the protection of fundamental rights and the assurance of justice while respecting religious autonomy?

1.5 RESEARCH METHODOLOGY

This study is primarily doctrinal in nature. It focuses on understanding how the judiciary intervenes in religious practices to ensure justice and protect fundamental rights. The methodology involves a detailed examination of legal texts, statutes, constitutional provisions, and landmark judicial decisions.

CHAPTER - II

CONSTITUTIONAL FRAMEWORK

2.1 FREEDOM OF RELIGION

The Constitution of India guarantees the freedom of religion as a fundamental right. This protection is primarily provided under Articles 25 to 28, which ensure that every individual has the right to freely profess, practise, and propagate their religion.¹ Article 25 applies to all persons equally and allows restrictions only on grounds of public order, morality, and health, ensuring that religious freedom does not override the safety or well-being of the society.²

Article 26 protects the rights of religious denominations, allowing them to manage their own religious affairs, establish and maintain institutions, and own property for religious purposes.³ Article 27 prohibits compulsory taxation for the promotion or maintenance of any particular religion, reinforcing the secular character of the State. The framers of the Constitution intended to maintain a balance between individual religious freedom and social welfare, ensuring that personal faith does not conflict with constitutional principles such as equality, justice, and dignity.⁴

2.2 ARTICLES 25 AND 26 SCOPE AND EXTENT

Article 25 of the Indian Constitution guarantees that all persons have the freedom of conscience and the right to freely profess, practise, and propagate their religion, subject to public order, morality, and health.⁵ This means that individuals are free to follow their faith, perform rituals, and share their beliefs with others. However, the Constitution allows reasonable restrictions if religious practices violate laws, affect social welfare, or conflict with other fundamental

¹ INDIA CONST. arts. 25–28.

² M.P. Jain, *Indian Constitutional Law* 879–882 (8th ed., LexisNexis 2021).

³ INDIA CONST. art. 26.

⁴ *Supra* note 2

⁵ INDIA CONST. art. 25.

rights.⁶Courts have held that the right to religious freedom is personal and does not permit acts that are harmful or discriminatory, such as practices that violate gender equality or exploit vulnerable groups.⁷

Article 26 protects the rights of religious denominations, allowing them to manage their own affairs, establish and maintain religious institutions, and own property for religious purposes.⁸This article recognises that religious communities, in addition to individuals, have collective rights to preserve and regulate their practices. However, these rights are also subject to public order, morality, health, and other constitutional provisions, ensuring that no community exercises its rights in a way that violates the rights of others or the principles of justice.⁹

Together, Articles 25 and 26 provide a framework that balances individual and communal religious freedom with the needs of a secular and just society. Judicial interpretation has further clarified that while these rights are broad, they cannot override the Constitution's commitment to equality, dignity, and social welfare. Landmark judgments, have explained that courts may regulate religious practices when they conflict with fundamental rights or public interest, without unduly interfering with genuine religious beliefs.

2.3 REASONABLE RESTRICTIONS

While the Constitution guarantees the freedom of religion under Articles 25 and 26, this freedom is not absolute. The Constitution allows for reasonable restrictions on religious practices to ensure that they do not conflict with public order, morality, health, or other fundamental rights.¹⁰ These restrictions are meant to balance individual and community religious freedoms with the needs of a just and secular society.

Courts have consistently held that religious freedom cannot justify actions that harm others or violate constitutional values. For example, practices that discriminate against women, children, or vulnerable groups can be restricted. Judicial interpretation also emphasises that the state has the authority to regulate religious practices when they affect social welfare or public interest,

⁶ Supra note 2

⁷ *Bijoe Emmanuel v. State of Kerala*, (1986) 3 SCC 615

⁸ INDIA CONST. art. 26.

⁹ *ibid*

¹⁰ INDIA CONST. arts. 25–26.

such as temple administration, educational institutions, or harmful superstitions.¹¹

Reasonable restrictions are thus an essential part of maintaining harmony between religious liberty and social justice. The courts have the responsibility to ensure that religious practices comply with constitutional morality and fundamental rights, while respecting the core tenets of religion.

2.4 ROLE OF THE STATE

The State in India plays an important role in ensuring that religious practices comply with constitutional principles while maintaining public order and social welfare. Although the Constitution guarantees freedom of religion under Articles 25 and 26, the State has the authority to regulate practices that may violate law, morality, health, or other fundamental rights.¹²

Legislative interventions, such as the Temple Entry Acts and laws prohibiting harmful superstitions, demonstrate the State's role in protecting individual rights without interfering with genuine religious beliefs.¹³ Courts have consistently held that the State can intervene in the management of religious institutions, regulate their finances, and ensure that practices do not discriminate or exploit vulnerable groups. This regulatory power reflects a balance between religious autonomy and constitutional morality, ensuring that individual rights and social justice are not compromised.

Furthermore, judicial commentary emphasises that State regulation should be neutral and non-intrusive, targeting only practices that are harmful, discriminatory, or unconstitutional.¹⁴ Through legislation and judicial oversight, the State ensures that religious practices do not undermine equality, justice, or public interest. By doing so, it plays a key role in maintaining harmony between religious freedom and social welfare.

2.5 RIGHT TO RELIGIOUS PRACTICES

Religious freedom under Articles 25 and 26 of the Constitution must be balanced with other

¹¹ Vaishali Gupta & Bhavna Batra, Superstitious Practices and Religious Freedom: Courts and the Essential Religious Practices Doctrine, 18 *Lex Localis* 201 (2020).

¹² INDIA CONST. arts. 25–26.

¹³ *Supra* note 2

¹⁴ *Supra* note 11

fundamental rights, such as the right to equality (Article 14), right against discrimination (Article 15), and right to life and dignity (Article 21).¹⁵ This balance is necessary because some religious practices may conflict with constitutional principles, particularly when they discriminate based on gender, caste, or social status.¹⁶

The judiciary has clarified that freedom of religion cannot be used to justify practices that violate the rights of others.¹⁷ For example, in cases like *Shayara Bano v. Union of India*, the Supreme Court struck down triple talaq as unconstitutional, stating that gender equality and dignity take precedence over certain religious practices.¹⁸ Similarly, in *Indian Young Lawyers Association v. State of Kerala (Sabarimala case)*, the Court upheld women's right to enter the temple, balancing religious autonomy with fundamental rights of equality and non-discrimination.¹⁹

Thus, religious freedom is not an isolated right; it is interconnected with other fundamental rights. Courts act as mediators to ensure that the exercise of religious liberty does not infringe upon social justice, equality, or human dignity. This interrelationship forms the basis for judicial intervention in religious practices while maintaining constitutional harmony.²⁰

CHAPTER III

JUDICIAL DOCTRINES ON RELIGIOUS PRACTICES

Courts have developed various tools to decide which religious practices are protected by the Constitution and which can be regulated or prohibited to ensure justice, equality, and fundamental rights. The chapter focuses on doctrines such as the Essential Religious Practices doctrine, constitutional morality, and the harmful/non-essential practices distinction.

3.1 ESSENTIAL RELIGIOUS PRACTICES DOCTRINE

The Essential Religious Practices (ERP) Doctrine is a judicial principle used to determine which religious practices are central to a religion and therefore entitled to constitutional

¹⁵ INDIA CONST. arts. 14, 15, 21, 25–26

¹⁶ Supra note 2

¹⁷ V.N. Shukla / G.C. Vaid, *Constitutional Law of India* 650–655 (Seervai, 4th ed., Universal Law Publishing 2020).

¹⁸ *Shayara Bano v. Union of India*, (2017) 9 SCC 1

¹⁹ *Indian Young Lawyers Ass'n v. State of Kerala*,

²⁰ Ronojoy Sen, *Articles of Faith: Religion, Secularism, and the Indian Supreme Court* (Oxford Univ. Press)

protection under Articles 25 and 26. Practices that are deemed non-essential can be regulated or prohibited by the State if they violate fundamental rights, public order, morality, or health.²¹ The doctrine originated in the landmark case *Commissioner, Hindu Religious Endowments v. Sri Lakshmindra Thirtha Swamiar of Shirur Mutt*, where the Supreme Court distinguished between essential and non-essential practices to decide which customs merited legal protection.²² Later, in *Bijoe Emmanuel v. State of Kerala*, the Court applied the doctrine to balance religious freedom with public interest and individual rights, highlighting that not all practices automatically qualify for constitutional protection.²³

Academic perspectives on the ERP doctrine have emphasized both its importance and limitations. Sumit Sonkar highlights that while the doctrine protects core religious practices, it has often been applied inconsistently, particularly in cases involving gender equality, where some traditional practices may conflict with women's fundamental rights.²⁴ Similarly, Vaishali Gupta and Bhavna Batra argue that courts must carefully distinguish harmful customs from legitimate religious practices, ensuring that judicial intervention promotes justice rather than restricting religious freedom unnecessarily.²⁵

In essence, the ERP doctrine serves as a tool for courts to navigate the complex relationship between religious freedom and constitutional morality. It allows the judiciary to protect genuine religious practices while preventing exploitation, discrimination, or harm under the guise of religion.

3.2 CONSTITUTIONAL MORALITY

Constitutional morality refers to the principles and values derived from the Constitution that guide judicial review and ensure that individual and collective actions comply with constitutional ideals.²⁶ In the context of religious practices, constitutional morality allows courts to intervene when certain practices conflict with fundamental rights, equality, and justice, even if these practices are traditionally considered part of a religion.²⁷

²¹ *Supra* note 2

²² *Commissioner, Hindu Religious Endowments v. Sri Lakshmindra Thirtha Swamiar of Shirur Mutt*, AIR 1954 SC 282

²³ (1986) 3 SCC 615

²⁴ Sumit Sonkar, *Balancing Faith and Equality: Examining the Adequacy of the Doctrine of Essential Religious Practices from Gender Perspectives in India*, 12 *Oxford J. L. & Religion* 121 (2023)

²⁵ *Supra* note 11

²⁶ *Supra* note 17

²⁷ *Supra* note 2

The Supreme Court has consistently relied on constitutional morality to balance religious freedom with other constitutional obligations. For instance, in *Shayara Bano v. Union of India*, the Court struck down triple talaq, emphasizing that gender equality and human dignity must prevail over discriminatory religious practices.²⁸ Similarly, constitutional morality has been invoked to protect children, women, and vulnerable groups from harmful or oppressive practices disguised as religion.²⁹

Academic perspectives highlight that constitutional morality is a dynamic principle that evolves with social changes. It empowers courts to uphold constitutional values even when religious practices are deeply entrenched, thereby preventing social injustice while maintaining secularism.³⁰ However, that judicial reliance on constitutional morality must be carefully balanced to avoid perceptions of overreach or interference in genuine religious matters.³¹

In summary, constitutional morality serves as a guiding framework for judicial intervention, ensuring that religious freedom is exercised in harmony with fundamental rights, social justice, and equality. It complements doctrines like the Essential Religious Practices doctrine to provide courts with a principled basis for regulating religious practices without undermining core religious freedoms.

3.3 HARMFUL AND NON ESSENTIAL PRACTICES

The judiciary has emphasized that not all religious practices are immune from scrutiny. Courts distinguish between essential practices, which are central to a religion and deserve protection, and non-essential or harmful practices, which may be regulated or prohibited to protect fundamental rights, public order, and social justice.³²

Practices considered harmful include those that exploit vulnerable groups, discriminate based on gender or caste, or endanger health and safety. For instance, superstitious rituals, discriminatory temple rules, or harmful customs have been subject to judicial intervention.³³

²⁸ Supra note 11

²⁹ Vaishali Gupta & Bhavna Batra, *Superstitious Practices and Religious Freedom: Courts and the Essential Religious Practices Doctrine*, 18 *Lex Localis* 201 (2020)

³⁰ Ronojoy Sen, *Articles of Faith: Religion, Secularism, and the Indian Supreme Court* (Oxford Univ. Press)

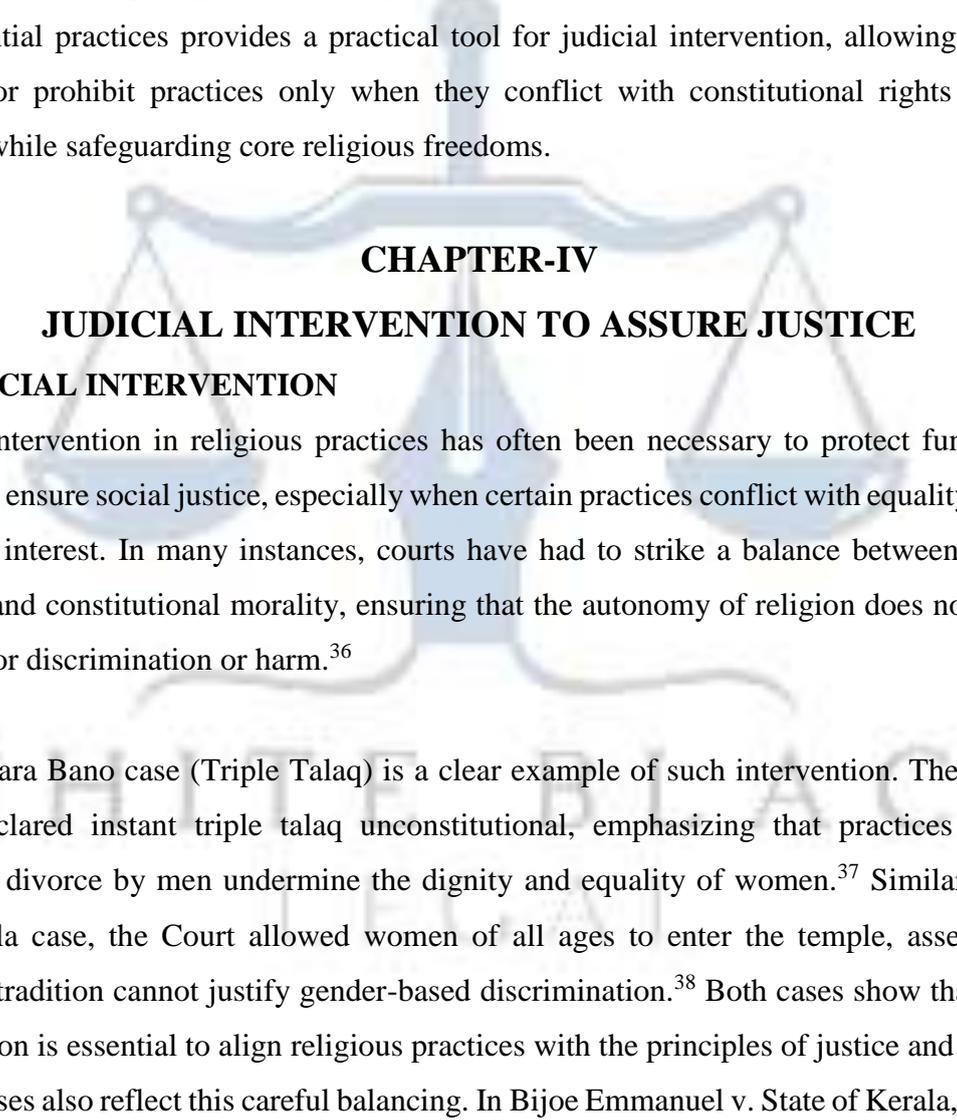
³¹ Balveer Arora & Paul R. Mehta (eds.), *Judicial Activism in India: Transgressing Borders and Enforcing Limits* (Oxford Univ. Press).

³² Supra note 2

³³ AIR 1954 SC 282

This distinction ensures that courts respect genuine religious freedoms while preventing exploitation or social harm.

But, courts must carefully evaluate whether a practice is truly essential to a religion before granting protection.³⁴ Similarly, distinguishing harmful practices allows the judiciary to balance tradition with constitutional morality and social reform, ensuring that justice is served without undermining religious autonomy.³⁵ In conclusion, the distinction between harmful and non-essential practices provides a practical tool for judicial intervention, allowing courts to regulate or prohibit practices only when they conflict with constitutional rights or social welfare, while safeguarding core religious freedoms.



CHAPTER-IV

JUDICIAL INTERVENTION TO ASSURE JUSTICE

4.1 JUDICIAL INTERVENTION

Judicial intervention in religious practices has often been necessary to protect fundamental rights and ensure social justice, especially when certain practices conflict with equality, dignity, or public interest. In many instances, courts have had to strike a balance between religious freedom and constitutional morality, ensuring that the autonomy of religion does not become a shield for discrimination or harm.³⁶

The Shayara Bano case (Triple Talaq) is a clear example of such intervention. The Supreme Court declared instant triple talaq unconstitutional, emphasizing that practices allowing unilateral divorce by men undermine the dignity and equality of women.³⁷ Similarly, in the Sabarimala case, the Court allowed women of all ages to enter the temple, asserting that religious tradition cannot justify gender-based discrimination.³⁸ Both cases show that judicial intervention is essential to align religious practices with the principles of justice and equality. Earlier cases also reflect this careful balancing. In *Bijoe Emmanuel v. State of Kerala*, the Court protected the right of children to abstain from singing a national song in school due to their religious beliefs, showing that freedom of conscience is respected while maintaining public

³⁴ Supra note 11

³⁵ Ronojoy Sen, *Articles of Faith: Religion, Secularism, and the Indian Supreme Court* (Oxford Univ. Press)

³⁶ Supra note 2

³⁷ (2017) 9 SCC 1

³⁸ *Indian Young Lawyers Ass'n v. State of Kerala*, (2019) 11 SCC 1

interest.³⁹ In the Shirur Mutt case, the Court drew a distinction between essential and non-essential religious practices, allowing state regulation over non-essential practices without infringing upon the core tenets of religion.⁴⁰ These decisions collectively establish that religious freedom is not absolute; it is interconnected with other rights and social welfare.

Judicial intervention has thus served multiple purposes: it prevents exploitation, protects vulnerable groups, and ensures that religion evolves in line with constitutional values. At the same time, courts have been careful not to overstep into theological matters, maintaining a delicate balance between regulation and autonomy. The cumulative impact of these cases shows that judicial oversight is a necessary mechanism for achieving justice in a pluralistic society where religious practices intersect with fundamental rights.

4.2 GENDER JUSTICE

Gender justice has been one of the main reasons for judicial intervention in religious practices. Courts have repeatedly had to ensure that religious freedom does not violate the rights of women or reinforce discrimination. In India, certain traditions and practices, though religiously motivated, have historically restricted women's rights, dignity, and participation.⁴¹

The Shayara Bano case is a landmark example. The Supreme Court struck down instant triple talaq, ruling that it violated women's fundamental rights, including equality and dignity.⁴² The decision reinforced the principle that religious freedom cannot justify gender-based oppression. Similarly, in the Sabarimala case, the Court held that excluding women of menstruating age from temple entry was discriminatory, emphasizing that constitutional rights take precedence over restrictive customs.⁴³

These interventions demonstrate that the judiciary does not seek to undermine religion but instead ensures that religious practices comply with constitutional morality and fundamental rights.⁴⁴ By scrutinizing practices that harm or disadvantage women, courts have set a precedent that gender equality is non-negotiable, even in religious contexts.

³⁹ (1986) 3 SCC 615

⁴⁰ AIR 1954 SC 282

⁴¹ Supra note 2

⁴² (2017) 9 SCC 1

⁴³ (2019) 11 SCC 1

⁴⁴ Supra note 17

At the same time, judicial intervention has faced criticism for being perceived as intrusive in matters of faith. Balancing religious autonomy with gender justice remains a delicate task. Courts have consistently stressed that intervention should target harmful or discriminatory practices, not the religion itself, maintaining the delicate equilibrium between faith and constitutional rights.⁴⁵

In conclusion, judicial intervention in cases involving gender shows that the courts act as guardians of constitutional values, ensuring that religious freedom does not become a tool for oppression and that women's rights are protected within the framework of justice and equality.

4.3 SOCIAL REFORM

Courts have used judicial intervention to bring social reform through regulation of religious practices. They step in when customs harm people, discriminate, or violate fundamental rights, ensuring religion aligns with constitutional values.⁴⁶

In the Shirur Mutt case, the Court allowed the state to regulate non-essential practices that affected social welfare while protecting core religious beliefs.⁴⁷ Similarly, interventions in child marriage, harmful rituals, and caste-based discrimination show that courts prioritize justice and equality over rigid traditions.

Judicial decisions also encourage progressive change within communities. By regulating practices that violate rights or social welfare, courts help religion adapt to modern constitutional principles without losing its essence. In short, judicial intervention ensures that religion promotes justice and social welfare, not oppression or harm.

CHAPTER- V

CONCLUSION

This research shows that judicial intervention plays a vital role in regulating religious practices to ensure justice, equality, and social welfare. Courts in India have consistently balanced religious freedom with constitutional morality, ensuring that religion does not become a tool for discrimination, exploitation, or harm. Landmark cases like Shayara Bano, Sabarimala,

⁴⁵ Supra note 30

⁴⁶ AIR 1954 SC 282

⁴⁷ ibid

Bijoe Emmanuel, and the Shirur Mutt case demonstrate how courts protect individual rights while respecting core religious practices. Judicial doctrines such as the Essential Religious Practices doctrine and constitutional morality provide frameworks for deciding which practices deserve protection and which can be regulated.

Judicial intervention has also contributed to gender justice and social reform, ensuring that marginalized groups and vulnerable communities are protected. At the same time, courts have avoided excessive interference in theological matters, maintaining a balance between faith and fundamental rights. In essence, the judiciary acts as a guardian of constitutional values, ensuring that religious freedom exists in harmony with equality, dignity, and justice. This research confirms that courts are not merely arbiters of law but agents of social change within a constitutional framework.

REFERENCES

BIBLIOGRAPHY

1. M.P. Jain, *Indian Constitutional Law* (8th ed., LexisNexis 2021).
2. V.N. Shukla & G.C. Vaid, *Constitutional Law of India* (Seervai, 4th ed., Universal Law Publishing 2020).
3. Ronojoy Sen, *Articles of Faith: Religion, Secularism, and the Indian Supreme Court* (Oxford Univ. Press).
4. Manisha Sethi (ed.), *Communities and Courts: Religion and Law in Modern India* (Routledge).
5. Balveer Arora & Paul R. Mehta (eds.), *Judicial Activism in India: Transgressing Borders and Enforcing Limits* (Oxford Univ. Press).
6. Sumit Sonkar, *Balancing Faith and Equality: Examining the Adequacy of the Doctrine of Essential Religious Practices from Gender Perspectives in India*, 12 *Oxford J. L. & Religion* 121 (2023).
7. Vaishali Gupta & Bhavna Batra, *Superstitious Practices and Religious Freedom: Courts and the Essential Religious Practices Doctrine*, 18 *Lex Localis* 201 (2020)