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FREEDOM OF RELIGION FOR WOMEN IN INDIA: A CRITICAL STUDY

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ABSTRACT

Virtually all countries in the world guarantee religious freedom in one form or another. All of these events are particularly important in a multi-faith country like India, largely due to the religious diversity of its history, past, and current market trends. Is the best religion in India, and the demand for religious affairs, and there are many reasons to add to the totality of issues is that the governments of the member states should have the right to prevent any problems that may be caused by pressure or impact. These provisions are strongly criticized and can be regarded as a violation of the right to freedom of religion. The article is devoted to the problem of religious conversion in the light of existing constitutional provisions, judicial decisions and the process of political decision-making, and vice versa, through the prism of modern political philosophy.

The position of women in society and in the world is very diverse. Below are the main characteristics that can be connected with water, differentiation and problems of religion, which in itself cannot be regarded as a fluid concept-with embedded reading and practice, as, for example, in the context of historical and cultural relations. At the same time, it points to the complexity of these issues, because there are many religious norms and traditions that can contribute to the development of equality between women and men, as well as the subordinate role of women in society. Quantitative studies have examined the impact of religion on gender inequality in social, cultural, economic, and political domains. As a result of the analysis, three groups of countries were identified: a) Member States where the majority of the population is expected to have low levels of inequality between men and women; and b) Christian and Buddhist communities and the degree of inequality between men and women; and i) Member States where there is a high level of inequality between men and women in the observed variables in the population of Islam and Hinduism.

INTRODUCTION

"Religion is a matter of faith or belief (forb). The Constitution of India recognizes the importance of religion in the life of the people of India, and in this regard, you have the right to freedom of opinion and expression, to religion and in accordance with the provisions of articles 25 and 28. The Constitution of India provides for the protection of human rights and guarantees the right of everyone to choose and practice their religion freely. However, in some cases, the Court of Appeal. This is the basic structure of the Constitution, which is most appropriate in the case of Keshavananda Bharati. People in India are mainly for practicing Islam, Hinduism, Jainism, Buddhism, Sikhism and Christianity. India is governed by a particular religion, and it is the only state that has a uniform Civil Code (also known as the Goa Civil Code). The Constitution preserves the harmony of all religions, and what it means to the people of India is the manifestation of love and devotion in all the provinces of the country. India is well known to people from various cultures from all over the world. It is a great honor for his rich cultural heritage and one of the women in the country. And so, you will need to remember that the power of women in the country, and during this time! However, there are many Instagram stories that definitely can't be ignored. Here are a few quotes, as well as a number of them that are of great importance in government.¹

In some cases, a religious ceremony was held in India, where women had limited access to monuments and places of worship. Part 1 of this article focuses on managing a woman who does not need to be granted access to the Parsi Fire Temple (Gulrukh) to be able to understand it. The Constitutional Chamber of the Supreme Court, has made a decision, and this is what Gulrukh, in a Court of Law or an international criminal court in the case of *Sabarimala*.

Habits that do not allow a woman to be in a place of worship and must be challenged in court or must be confirmed in the appropriate form of law because they were forbidden to women are regressive practices that are clearly unconstitutional. In the case of the Lineage Temple, in Kerala, India, the Supreme Court also affirmed that young women would not worship him as a god in the temple, he is a Brahmachari, possibly that the woman should be a source of prejudice.¹

¹J. Patrocínio de Souza, "The Freedom of Religion Under the Indian Constitution," *The Indian Journal of Political Science* 13, no. 3/4 (1952).

And, of course, there is an assumption that women should have the faith of the people, which means that women do not have their own religion and religious experience of the world.

A great idea, which will be a continuation of the last two cases, including the Supreme court, it means that we have to talk about the proper use of the right to religion and religious traditions", "the right to education and the right to equality and non-discrimination, women's right to dignified and humane treatment and equal rights for all members of our society."

The equality and dignity of women, and, as a consequence, the implementation of the law on religious organizations, which is based on the assumption that great importance is attached to Law, a list of the key practices of a particular religion. Instead, you should try to get all the traditions that are discriminatory. The dignity of a human being compared to a woman, which may not fit the data, and the protection of human rights were laid down in the Constitution. This can be achieved by means of a declaration on the rights and needs of customs authorities and, by the way, definitions of the term "rights" as defined in paragraph (3) (a) (a) of Article 13 of the Constitution, which means that it does not matter, for the reasons specified in paragraph 1 of Article 13, and if it turns out that this contradicts fundamental rights and freedoms (hereinafter - "verification of current legislation").²

There are two statements that are related to the discussion of the question: "is there a test in the world that can pass you? Indeed, Noor Jehan Maharashtra. The Supreme Court, which is subject to demolition on the day of this decision, prohibits women from visiting the holy chambers of Haji Ali Darga, and says that women should have access to the famous holy temple. The Supreme Court held that the provisions of articles 14, 15 and 25 of the Constitution are in the public domain and can be linked to a place of worship and have no impact on women's employment, in particular on the management of religious affairs under article 26.3, but the Supreme Court recognized that such practices are necessary under article 13 (3) (a), for the simple reason that),

Even the Supreme Court, and on December 5, "Triple Talaq" decided not to test the law in such a way as to recognize that the practice of "triple talaq", under the provisions of Section 13(3)(a), is not a decision that was made under Section 13 (1). In California, it is, in fact, a test that meets the

²Rajeev Bhargava, "The Distinctiveness of Indian Secularism," in *The Future of Secularism*, ed. T.N. Srinivasan (Delhi, Oxford University Press, 2006), 2; Partha Chatterjee, "Secularism and Toleration," *Economic and Political Weekly* 29, no. 28 (July 1994): 1772.

requirements of the law and the practice of "Triple Talaq", as specified in Section 13(3)(a), is not a decision that was made under Section 13 (1). This is unconstitutional because it is based on the fact that the practice of "Triple Talaq" is contrary to the provisions of article 13 (3) (a). This is, of course, free of charge, as provided for in article 14.

The judge Kurian, on the other hand, not all studies, as well as violations of women's rights on the grounds specified in articles 14 and 15 of the Constitution adopted in practice, as well as in the triple Talake, was unconstitutional because it conflicted with the teachings of the Qur'an, which is one of the most important decisions of the Supreme court in the Ear Shamimu, from the point of view of " V. R.

Most of the decisions-about three times more of the decisions adopted by the Council, Talaka, it is a symbolic victory for women, and it's a little funny, but it's still a question of dispute.

The same applies to delaying the reform, but in the absence of a strong, consistent effort on the part of the courts to both say that it is a discriminatory practice and a religious practice. For example, at a time when there is growing awareness of the role of female priestesses, and the Supreme Court decision confirms that if the clitoris, a woman has the right to use the pujari position, this is only a small part of the tasks and positions.³

The court ruled that this is a law that leaves no doubt about the unconstitutionality of discrimination and the regressive nature of religious traditions in the region. In article 26 (2) and article 25, it is sent in accordance with article 13 (3) (a), i.e., generally refer to decisions, statutes, laws, rules, orders, notices or changes to the definition of applicable law. Although the recognition of religious traditions and customs, as well as their right to exist for the purpose of realization, is a violation of the fundamental human rights and freedoms referred to in paragraph 1 of article 13 of the Constitution.

Two separate constitutional panels of the Supreme Court will soon decide whether: Women's and religious rights of Gwalruh and women in Ayyap Swami Church. This should be seen as an opportunity for consistent use of the criteria of law, in the activities of religious traditions, as well as current legislation and regulations, in accordance with article 13 (3) (a), and for clearing

³Chatterjee, P. "Secularism and Toleration," Economic and Political Weekly (July 9th, 1993)

the land of practices that are discriminatory, violate the dignity of women and violate the fundamental rights and freedoms of the human person.

Religious women and the struggle for human rights in India

India's struggle for freedom, it was influenced by religious sovereignty on a large scale, with groups of people from different religious traditions to take part in the national struggle for independence. Indeed, religion can be considered a non-negotiable element, both for it and for India. An independent state, it should be based on the state, socialism and democracy. However, in India, this is not a lack of faith, but a political flaw. Instead, it focuses on promoting religious freedom, and avoiding it should be in the best interests of one religion over another.

Religious people are a huge category, ranging from class, ethnicity, and nationality. However, the issue of women's freedom and religious rights is still controversial. Women are oppressed and discriminated against by religion and its conservative norms against religious women in their true nature as a result of the practices of their culture.

In India, it is one of the most contested fundamental rights of women and the equality of all people in the practice of their religion—one who opposes equality between men and women.⁴

There have been two major events in India that give us an opportunity to explore these differences. In the case of the Temple and in the case of Talak-i-biddat, which contradict each other and are crucial for understanding the relationship between women and women's rights and freedom of religion in India.

In 1993, India ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). Initiated by the United Nations Commission on the Status of Women in 1979, CEDAW is an international treaty promising to end discrimination faced by women from all walks of life.

⁴Cosman B. and R. Kapur, "Communitarianising Gender/Engendering Community: Women, Legal Discourse and Saffron Agenda," in *Economic & Political Weekly* (April 24, 1993): WS-39

CEDAW contains thirty articles on various aspects of women's lives. However, one of the most important factors affecting a woman's personality is religion, because it is forgotten. In India, as in other countries, religious values control most, if not all, aspects of your life, marriage, and the children who will serve as your guardians, inheritance rights, and the right to do so.

Considering that CEDAW promotes gender equality and protection from conflict, and this is done in the name of religious freedom. The Indian judicial system faces this dilemma again and again. An example of this is the case of one of the churches in the Indian state of Kerala before the end of 2018.

This temple is an important pilgrimage site for Hindus and is visited by millions of people every year. In the early 1990s, in Kerala, India, there was also a Supreme Court decision that the ban on women visiting the Temple during this time period was allowed, but was overturned by the Supreme Court of India in 2018. The Supreme Court stressed that its main task is to create a sense of purpose and right" to do so, and therefore there is a need for a general assessment of the right to religious practice in the country as a whole."

This decision was made as a result of a lawsuit filed by a young Indian "Lawyers violating the human rights and fundamental Rights and Fundamental Freedoms of Women" (ECHR) in 2006. But what makes this case even more interesting is that it's too late to do anything, it's for those of you who are at the facility to change the woman's mind. On religious women with their traditions to protect them, and they are anti-feminists?

What does it mean for Indian women to deal with the Church, Muslims, and the principles and rules regarding the admission of women to their places of worship, and for that you need to make changes? Here are some questions that arise women's rights movements, and after you place an order. In our secular society, and the fact that all religions must be close to each other in order to develop it," says writer Sumitra Nair.⁵

It was also revealed that religious rights were the basis for creating a nation-state, and the argument was made that this was the best way to do things, i.e. achieving women's emancipation was not a sufficient reason to restrict religion. The practice of Indian women is strong in its own

⁵ Hassan, Z., ed. Forging Identities: Gender, Communities and the State. New Delhi: Kali for Women, 1994

way, and women believers are entitled to their own freedom of religion. In the case of Temple, this was not the only violation in India.

The same conflict that took place when making major decisions, in the top three best Talaks in the world in 2017. The Supreme Court of India is to destroy the age-defying Islamic practice of Talak-i-biddat, which is a form of divorce. Yes, many times, but it's only a matter of a few months.

This method of separation has a negative impact on married women, and as such, on them and their children. In addition to the social stigma associated with marriage, Muslim women face a lack of child support, care and support.

After the Supreme Court ruled that under the Divorce Act, it is unconstitutional, and that the Bharatiya Janata Party (BJP) is on the right and left. together with the adoption of the law on criminalization of Talaq-e-biddat. This bill was introduced and passed in the lower house of the Indian Lok Sabha (equivalent to the House of Representatives in 2017) and was passed by the Rajya Sabha (equivalent to the Senate) in 2019. However, this is only one of the reasons for delaying the final determination of the political opposition and raising questions about the work of the administration, about party policy, focused on violating the law. Discussions will continue.

In a society where institutions such as Jawaharlal Nehru University, as well as other women's human rights organizations, were well aware of the limitations of the so-called "arbitrary and unfair application of restrictions that should be imposed on them". "This decision is seen as anti-women's and anti-children's. This may seem like a bad decision, especially in light of the lack of dialogue with Muslim religious scholars and leaders.⁶

There are 1.4 billion people in the country, and the church has had a huge impact on their work. As we have seen in the past few months, the corona virus pandemic threatens not only the global economy, but also societies and social practices around the world. This growing sense of insecurity has meant that many religions have been and still are a shoulder to rely on and a source of comfort. And women are the main coordinators of all religious practices of the family.

⁶Sangari, K. "Politics of Diversity: Religious Communities and Multiple Patriarchies," in Economic & Political Weekly, December 23, 1995,p.3298

Religious communities have the ability to interact with the majority of the population in a way that the State does not. As a religion, it needs to be a global pandemic, and for women to be heard, to be seen. While it wasn't weird or complicated, it can be used for both gender equality and women's rights, religion and a lot, both locally and around the world.

Freedom of religion in India under article 25

Article 25 of the Constitution guarantees freedom of religion for all immigrants from India. The point, of course, is that all the people in India were subject to public order, morals, health and other conditions:

They also have the right to freedom of conscience and religion.

- The right to profess and spread religion, near you.
- In addition, it was found that none of the existing laws and other legal acts, as well as the adoption of norms established by the State, in relation to:
- Make sure that restrictions on economic, financial, political, or other secular activities are related to religious practices.
- Ensure social and economic development.
- Opening up Hindu religious institutions of a public nature to all classes and strata of the Indian people.

The Supreme Court ruled in the case of *Tilkayat Shri Govindlalji Maharaj, V., Rajasthan*, then it is a behavioral research, decision-making process that is an integral part of a religion that is fully funded by the religious community, or not.

The rights of Muslim women in India

to equality and justice are constantly being questioned, and peace, politics and law must be upheld. In Merni, a woman should be the leader of a cell, and since 3000 BC, and even today, men and women, all of them, and many people, but this is not the case, this is a normal phenomenon in the entire network, in the world. Compares the amount of data that was obtained, the subject of the 2011 Census, of Muslims in India and, unlike what was found in Indian

culture, but also in countries with a high level of Muslim participation in the United States, with the Indian law of the Islamic Personal Data Protection Act.⁷

The "right to life" in this case is that it has the right to life. Every person in the world who is faced with a set of tasks chooses their own life path, and this prevents them from living to the fullest and connects with their free will and gives them work and goals to be the best of others, because this is part of, as well as a lot of joy and respect for the lives of others.

India is a secular and independent nation; for people from all over the world, it is history and religion. The reality is that they will treat everyone with equal dignity and respect, and yes, India is a diverse country. There are one hundred and eighty-two million Muslims in the world. In 2017, the third largest Muslim minority in the world began in India and Islamic society. Out of the total number. In the world of Islam, India is home to 10.3% of the Muslim population.

According to the 2011 Census report, India has more than 84 million Muslim women compared to more than 88 million Muslim men, which means that the fertility rate of women was 5% lower than that of men in the world.⁸

If we look at demographics and statistics, in 2011 there were approximately 1.7 million women who have a higher level of education and the population of the country is 84 million Muslim women, and in this case we can say that at the moment there are more than 3 million people who do not attend school, and in the future, when we look at the model and study the Bible, we will see that now more than 3 million women have a higher level of education.,

We can see this as a gross violation of the rights of Muslim women not only in India, but all over the world. If you have made a comparative analysis of the basic principles of Islamic law, that is, in a foreign country, it should be noted that in India, one of the most fun things is that you have access to your personal information, as it is written in the law, as well as in Indian law. Muslim women are allowed to marry with Indian food and physical activity levels in India, and they have the right to have their own unique identity. This is just one more thing, it is available in your

⁷Ashis Nandy, "An Anti-Secularist Manifesto," *India International Centre Quarterly* 22, no. 1 (April 1995); T. N. Madan, "Secularism in its Place," *The Journal of Asian Studies* 46, no. 4 (1987); Chatterjee, "Secularism and Toleration"

⁸Aditya Nigam, *The Insurrection of Little Selves: The Crisis of Secular-Nationalism in India* (Delhi, Oxford University Press, 2006), 153

country, as for example in article 2 of the Egyptian Constitution, which was almost, almost, in the country of origin, and how it can only be used with the basic principles of Islamic law, and as a result, in Egypt there are many restrictions for women in the service of the law, and in order to have a wedding in the early 16th century, and to practice polygamy is allowed for a person, however, combined with underwear for you. The same goes for many other Muslim countries.

Muslim Women (Protection under Divorce Legislation) Act, 1986

Section 3 (1) (a) of the Insolvency Act 1986. protection of a Muslim woman from divorce) states: "During the Iddah period, you will need to pay a reasonable fee for the upkeep and care of your man. If we are talking about women, this is life, not family, your needs, desires and needs, so do not have the means to get money to make them work, or in another way to earn some money, otherwise they will be deducted from the money owed to you by the waqf. Thus, the main reason for this is that for the purposes of this law, one of the disadvantages is that according to the law, a minor receives a salary, but he has been in the service of a human person and the United Nations, for a certain period of time, as well as from the person or family, or the leadership of the Waqf), at a later time (for example, in the case of the United NationsD. Amina Begam, in this case, the court agrees with the provisions of article 3 (1) (a), that is, the person will receive an annual salary for the period between the Iddah and the time period of the Iddah, but in practice this means that you will be responsible for the payment to women in the United Nations, as well as for the possibility of redemption. So if the woman doesn't marry him, it's her life, and the man gave it to her, and he paid for her to come into his life.⁹

In the Hindu religion

"The Hindu religion," he told Edwin Bryant, a professor of Indian religions, " has a strong presence of a female deity among the great world religions of the ancient world to this day. Goddess of the city center, in Hindu tradition, Shakti and Shiva. In Hinduism, women are just as much, if not more, than their male counterparts. For example, Kali (Dark Mother) is the Hindu goddess of creation, maintenance and destruction."The effect should be included in the price of life, which is the source of all creation, life and everything else in your life. Because of their

⁹Tahir Mahmood, "Religion, Law, and Judiciary in Modern India," Brigham Young University Law Review 2006, no. 6 (2006): 775

power over life and death, the dark Goddess loves her so much that she fears her. This, in turn, leads to a higher status for women than for men, because they are in perfect condition, as well as smooth, durable and long service life. The goddess is worshipped in many forms, such as Lakshmi, the Goddess of wealth, fortune, and well-being, and Saraswati, the Hindu goddess of knowledge, arts, culture, education, and lifelong learning.

In the history of the Hindu religion, the state and religious messages, to students and others, are ritual regulatory bodies involved. In this religion and society, there are many, many, many, many, many, many female rulers like Rudramadevi, Rani Abbakka, Rani Instagram, Rani Instagram Holkar, Rani Chennamma, S, Keladi, many female saints like andalus, philosophers like Maitreya and religious reformers. Because the world of women, as well as characters who play an important role in understanding how the world works and women in this religion are often marginalized in society, and their value decreases, as a result, women can feel less and less, and this is not as important as boys.¹⁰

Devdutt Pattnaik suggests that most of them were set in Hindu and Buddhist mythology and are based on basic principles and concepts of male superiority over women, and there is believed to have been a social shift of power between women and men, and sometimes even to the point where women are at a disadvantage compared to men. When we talk about social justice, it is worth noting that most of the Hindu texts that have changed women's social status and equality of chance and modern Hindu society have seen an increase in the number of women in decision-making positions in various modern settings.

In India, Women Have The Right To Worship God

Reasons for this practice

In the patriarchal life of India, there were traditions and customs associated with the violation of women's rights.

Women are expected to take part in it, but in the end, they want to have or not have their constitutional and legal rights.

¹⁰Chatterjee, "Secularism and Toleration," 1773-4; Gautam Bhatia, "Freedom from Community: Individual Rights, Group Life, State Authority and Religious Freedom under the Indian Constitution," *Global Constitutionalism* 5, no. 3 (2016).

Social reformers fighting for a just cause were killed or were forced to stay in the world, and as usual, were forced to stay in the world for a long period of time.

Politicians don't want to make decisions by majority vote.

* Traditions in a more hierarchical position of protection of human rights and fundamental freedoms (ECHR) and their social significance, and now outdated and still used. It is believed that both women followed them to the altar, because this is the holiest place in the temple, and this would be a violation of the vow of celibacy before God.

* In general, in the game, for example, the physical features of women are associated with the purity of the image, but also with the church, and, indeed, even to this day.

Dispute resolution mechanisms in India and places of worship,

The dispute arose in 2000. Narendra Instagram, a well-known rationalist, he said: "A woman's right to have the honor

of the most popular Shani Shignapur Maharashtra temple, which has been in the headlines for a month, and it doesn't matter which women are in the church of the holiest place. The temple is a holy place and you can use it to draw the image you want to install. Some reformers criticized this practice. This, however, caused controversy in January 2016 for a woman who accidentally, while in a holy place, and for medical treatment, taking a fee, took it in a sediment in milk. This right was violated, due to the fact that, as a women, Trupti Desai (society) is an organization, Bhumat is a team, under the leadership of 1000 men, but with the majority the church is strong, and where it was used as a gesture of goodwill, towards the existing one, there are a number of rules, laws and rights.¹¹

In 2011, discrimination was so severe that women were not allowed on the church grounds.

The sad truth is that when the women activists marched towards the temple, about 4,000 people (including women) were covered up and the women in it were on Instagram, and they thought that if they went to the altar, it would also be a disaster. Maharashtra has a Temple Entrance Act

¹¹Rajeev Dhavan and Fali S. Nariman, "The Supreme Court and Group Life: Religious Freedom, Minority Groups, and Disadvantaged Communities," in Supreme But Not Infallible: Essays in Honour of the Supreme Court of India, ed. B. N. Kirpal (New York, Oxford University Press, 2000), 263

of 1956, which does not allow women to enter the temple premises, as may be prescribed by law for Dalits.

Bombay High Court Verdict, 2016

The struggle for women's rights, and the supreme court, which paved the way for women to enter the Shani Temple, in his opinion, is that the law does not prohibit women from leaving the temple grounds, and that it should be, it is the law for everyone, regardless of the reason.

This particular decision has had far-reaching consequences, and more than once. The plaintiffs argue that the ban is unnecessary and may be illegal. The Court referred to the Religion and Worship of God (Entry Permit) Act, 1956 (Section 3), which clearly states that no person can be excluded from a church that has been built for every person, and every habit, custom or ritual must be considered less than the law, and any person who, under section 3, must be imprisoned for a period of 6 months and fined Rs 500.

Dispute about the temple

The temple is located in the heart of the Western Ghats Mountains in Kerala; these are prominent temples that have been taken over by the Court of Appeal, a petition challenging the practice of loving women in the church is in motion. Here is a practice based on a centuries-old tradition, and does not accept any arguments.¹²

Young Indian Lawyers, Barristers, Lawyers, etc. In India, the Supreme Court, following the Supreme Court, ruled in the Shani Shignapur Temple and ruled that neither law nor practice should be able to justify a ban on women in the church. The court criticized the Kerala State Board in 1991, it was the decision of the Court of Appeal, S Mahendran, v. the Secretary, Travancore Devaswom Board, Thiruvananthapuram, in which the Kerala Supreme Court upheld in Article 3(b) of Hindu Places of public worship, Kerala, India (admission), a rule that does not allow entry of a woman who is quite justified, it is the same thing.

National legislation

¹²Ronojoy Sen, *Articles of Faith: Religion, Secularism, and the Indian Supreme Court* (New Delhi: Oxford University Press, 2010), 46

The Constitution of India, which is considered the most sacred part of it, is a legal document containing a number of provisions on equality and non-discrimination.

Equality before the Law: Article 14 of the Constitution of India states that every citizen of India has the right to equal treatment, and that there is a reasonable classification of those permitted by the license. Trust is a centuries-old tradition that goes back 400 years, and you can see if there are mistakes and misconceptions. Because of this, women who should be covered by the provisions of this section are entitled to equal rights with men.¹³

The provisions of articles 25, 26 and this was a great demand from the Government for action, in accordance with paragraph 1 of article 25, which provides for the right of all people to exercise, disseminate and lead a religious life, and on the other hand, in accordance with article 26 (b), the right to demand from the Administration of religion, participation in religious matters. Article 25 (2), the transfer of any of the above conditions, interference by the State with religious rites and social status or throwing them into the mouths of institutions for all classes of the people, which enables women to be in a place of worship, may be implemented by the Government.

CONCLUSIONS

While some of the practices that have been around since the beginning of May and cannot be destroyed, because one of them, and many times, you confirm that you have a sense of morality and religion, and that human behavior over a long period of time and is still true today, is to be a woman in a way that is right.

The judiciary has an important role to play, as it is more or less an independent body.

The judiciary plays an important role, and it is more or less an independent institution, and it depends on the government, and it has nothing to do with the vote bank. Women should also be aware of their rights and traditions, so that the people do not feel that they are "vultures".

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