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EDITORIAL ANALYSIS

One Standard or None: Religious Freedom as a Universal Test in South Asia

 THE STATESMAN

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GS2

GS1



INTERVIEW ANGLE

"India argues that minority protection should be assessed by institutional capacity and budgetary commitment rather than by constitutional text alone. Applied consistently, that same standard would be turned on India's own record. Is that a standard India should want applied universally?"

✓ Every fact web-verified against primary sources

THE LIFT LINE

A guarantee of religious freedom sitting in the same document as a rule that the head of government must belong to one faith is not a contradiction the text notices. It is a contradiction the citizen lives.

WHY THIS EDITORIAL MATTERS FOR YOUR EXAM

Comparative constitutional analysis is among the highest-value GS2 skills and among the least practised. This piece supplies the specific article numbers across three constitutions, which lets a candidate move beyond generalities about secularism into precise comparison, and its self-limiting move, insisting the standard be applied to India too, models the intellectual honesty examiners reward.

GS Paper 2: Comparison of the Indian constitutional scheme with that of other countries; Indian Constitution, features; welfare schemes and mechanisms for the protection of vulnerable sections; India and its neighbourhood.

GS Paper 1: Social empowerment, communalism, secularism.

For **Prelims**, the Indian articles are core syllabus and the comparative provisions are increasingly tested.

PROVISION	CONTENT
India, Article 25	Freedom of conscience and free profession, practice and propagation of religion, subject to public order, morality and health
India, Article 26	Freedom to manage religious affairs
India, Article 27	No compulsion to pay taxes for promotion of any particular religion
India, Article 28	Freedom from religious instruction in wholly state-funded educational institutions
India, Article 29	Protection of the interests of minorities in conserving distinct language, script or culture
India, Article 30	Right of minorities to establish and administer educational institutions of their choice

PAKISTAN	CONTENT
Article 2	Islam is the state religion
Article 2A	The Objectives Resolution made a substantive part of the Constitution
Article 20	Right to profess, practise and propagate religion, subject to law, public order and morality
Articles 26 and 27	Non-discrimination in access to public places and in services
Article 41(2)	The President must be a Muslim
Article 91(3)	The Prime Minister must be a Muslim
Article 227	All laws to conform to the injunctions of Islam as laid down in the Quran and Sunnah
Article 260(3)	Constitutional definition of “Muslim” and “non-Muslim”
Articles 51(4) and 106	Reserved seats for non-Muslims: 10 in the National Assembly, 24 across the four Provincial Assemblies, 4 in the Senate, filled from party priority lists rather than by direct minority vote

BANGLADESH	CONTENT
Article 2A	“The state religion of the Republic is Islam, but the State shall ensure equal status and equal right in the practice of the Hindu, Buddhist, Christian and other religions” (inserted by the Fifteenth Amendment, 2011)
Article 8	Secularism retained among the fundamental principles of state policy, alongside Article 2A
Article 12	Elimination of communalism
Article 41	Freedom of religion

Currency note: Article 2A remains in force, but Bangladesh is mid-reform. A referendum held alongside the February 2026 general election carried a [mandate](#) to recast the fundamental principles of the Constitution, and the resulting amendments had not been enacted at the time of writing.

BACKGROUND AND CONTEXT

The occasion for the argument is a set of reported incidents involving Hindu religious sites and minority citizens in Bangladesh, alongside the long-documented physical decline of temple properties in Pakistani cities such as Rawalpindi, once a significant centre of Hindu religious and social life before Partition. The columnist’s contention is that comparable incidents in India attract substantially greater international attention than those elsewhere in the region, and that a universal human-rights standard cannot be applied selectively by the identity of the victim.

Note on figures: the source op-ed cites specific counts of religious institutions and community population shares in India. Several differ materially from the 2011 Census of India, which recorded Hindus at 79.8 per cent, Muslims at 14.2 per cent and Christians at 2.3 per cent. The 2011 Census remains the latest religion data available; [Census 2027](#), with a reference date of 1 March 2027, will supply the next. Readers should rely on Census and official figures rather than the illustrative numbers quoted in the column.

THE CORE ARGUMENT / ISSUE

Where the constitutional difference actually lies

All three constitutions guarantee religious practice in comparable declaratory language, and reading only those clauses would suggest broad equivalence. The divergence appears in three specific structural features: whether the state has an established religion, whether the highest offices are confessionally restricted, and whether ordinary legislation is subject to a religious conformity test. Pakistan answers yes on all three. Bangladesh answers yes on the first. India answers no on all three, and adds affirmative minority protections in Articles 29 and 30 that have no counterpart in the same affirmative form in the other two frameworks, though Pakistan’s Article 22(2) and 22(4) provide partial analogues on religious instruction and admission to publicly aided institutions.

Why the office restriction is the sharpest point

A guarantee that a citizen may practise their religion coexists uneasily with a rule that the same citizen may never hold the office of head of state or head of government because of that religion. This is not an implementation gap or an enforcement failure; it is the constitutional text operating exactly as written. Whatever the merits of the surrounding debate, this feature is objectively verifiable and is the clearest structural difference between the frameworks.

The blasphemy-law dimension

Where a legal system criminalises blasphemy, as sections 295-A to 298-C of the Pakistan Penal Code do, and social conditions permit accusation to trigger mob action before any forensic or evidentiary verification, the practical effect falls disproportionately on those least able to contest an accusation, which in practice means religious minorities. The relevant analytical point for an exam answer is that the harm arises from the interaction of three things, a criminal provision, a low evidentiary threshold in practice, and a social environment in which accusation itself is punitive, rather than from the statute alone.

Applying the standard to India

The editorial's own test is institutional capacity rather than constitutional text, and applied honestly that test cuts both ways. India's National Commission for Minorities, a statutory body under the NCM Act 1992, was without a Chairperson from April 2025 until July 2026, a vacancy over which the Delhi High Court sought the government's response, with appointments notified only in mid-July 2026. A piece that measures neighbours by whether their minority-protection machinery actually functions has to record that India's own apex body sat headless for well over a year.

Why the argument must accept its own standard

The editorial's strongest move, and the one a candidate should adopt, is that a demand for consistency is only coherent if it applies to the person making it. India's own record on communal violence, on the functioning of minority educational institutions, and on the enforcement of its anti-discrimination guarantees is domestically contested and internationally scrutinised. An argument that measures neighbours by outcomes while measuring India by constitutional text would replicate exactly the selectivity it objects to. The defensible position is a single outcome-based standard applied to everyone, including oneself.

HOW TO THINK ABOUT THIS (ANALYTICAL FRAME)

Distinguish a constitution's declaratory provisions from its structural provisions, because outcomes track the second more reliably than the first. Declaratory clauses state what citizens are entitled to; structural clauses determine who may hold power, what legislation must conform to, and whether the state itself is confessionally aligned. Two constitutions can carry near-identical declaratory guarantees and

produce very different outcomes because their structural provisions differ. Apply this declaratory-versus-structural distinction to any comparative constitutional question, including **federalism**, judicial independence and emergency powers.

THE DIAGRAM IN WORDS

Picture three houses, each with the same welcome sign at the door reading “all faiths may live here.” In the first house, that sign is the whole rule, and the house has no owner’s faith attached to it; there are also two extra rooms, marked Articles 29 and 30, built specifically so that minority families can keep their own kitchen and run their own school. In the second house, the same welcome sign hangs at the door, but the deed names one faith as the owner, the master bedroom may only be occupied by a member of that faith, and every house rule must be checked against that faith’s text before it takes effect. In the third house, the deed names an owner’s faith but the internal rules are otherwise closer to the first. The welcome signs are identical. The deeds are not, and it is the deed that decides what happens when there is a dispute.

WAY FORWARD

- ❶ **Adopt a single outcome-based assessment standard** for religious freedom across the region, measuring the security of all places of worship, not the identity of the community affected.
- ❷ **Assess institutional capacity, not only constitutional text**, including whether independent minority commissions exist, whether they have investigative powers, and whether dedicated budgetary provision is made.
- ❸ **Focus specifically on procedures where accusation precedes verification**, since blasphemy-type provisions cause harm principally through the gap between allegation and due process.
- ❹ **Support documentation and preservation of endangered religious heritage** across the region as a cultural-property question distinct from the political dispute.
- ❺ **Accept the standard reciprocally**, since a demand for consistent assessment is only credible from a state willing to be assessed on the same terms.

PYQ LINKAGE AND PRACTICE

UPSC has tested secularism, Articles 25 to 30, minority rights and comparative constitutional provisions across multiple GS2 cycles, and India’s neighbourhood relations are a standing theme. This piece connects all three, which is unusual and makes it high-value revision material.

Practice question: “Identical declaratory guarantees of religious freedom can produce divergent outcomes because constitutions differ structurally rather than declaratorily.” Examine this claim with reference to the constitutional frameworks of India, Pakistan and Bangladesh. (250 words, 15 marks)

Interview angle: India argues that minority protection should be assessed by institutional capacity and budgetary commitment rather than by constitutional text alone. Applied consistently, that same standard would be turned on India's own record. Is that a standard India should want applied universally?

Sources: The Statesman, Ministry of Minority Affairs, National Commission for Minorities

Source: One Standard or None: Religious Freedom as a Universal Test in South Asia — Ujiyari.com | Free UPSC & State PCS Editorial Analysis

• KEY ARGUMENTS AT A GLANCE

Constitutions across South Asia contain broadly similar declaratory guarantees of religious freedom, but they differ structurally on whether the state itself has an established religion and whether eligibility for the highest offices is confessionally restricted, and it is that structural difference, together with the presence or absence of institutional and budgetary machinery for minority protection, that determines outcomes rather than the guarantee text itself.



SUPPORTING

- Pakistan's Constitution simultaneously guarantees the right to profess religion under Article 20 and prohibits discrimination under Articles 26 and 27, while declaring Islam the state religion under Article 2, restricting the offices of President and Prime Minister to Muslims under Articles 41(2) and 91(3), and requiring under Article 227 that all laws conform to the Quran and Sunnah, a combination that places religious minorities outside the highest constitutional offices as a matter of text.
- Bangladesh's Article 2A similarly declares Islam the state religion while providing that followers of other religions may practise theirs, producing a constitutional duality between formal equality of civil rights and an established state faith.
- India's Constitution declares no state religion; Articles 25 to 28 guarantee freedom of conscience and the free profession, practice and propagation of religion, and Article 29 protects any section of citizens having a distinct language, script or culture, while Article 30 gives religious and linguistic minorities the right to establish and administer educational institutions of their choice, with dedicated institutional machinery in the statutory National Commission for Minorities and state-level counterparts.



COUNTER

Constitutional architecture is a necessary but insufficient explanation: India's own record on communal violence, on the practical functioning of minority institutions and on the enforcement of anti-discrimination guarantees is itself contested domestically and internationally, and a comparison that measures other states by their outcomes while measuring India by its constitutional text would be exactly the selective standard the argument sets out to criticise.



WAY FORWARD

Apply a single, outcome-based standard consistently: assess every state in the region on the security of places of worship of every faith, on the presence of independent institutional machinery and dedicated budgetary provision for minorities, and on the treatment of accusations such as blasphemy where mob action can precede verification, and accept that a standard worth demanding of neighbours must also be accepted for oneself.


MAINS ANSWER FRAMEWORK
QUESTION

Compare the constitutional treatment of religious freedom in India, Pakistan and Bangladesh, and examine why identical declaratory guarantees can produce divergent outcomes for religious minorities. (250 words)

INTRODUCTION

Religious freedom is guaranteed in broadly similar declaratory language across South Asian constitutions, yet outcomes for religious minorities diverge sharply, and the explanation lies less in the guarantee text than in two structural questions: whether the state itself has an established religion, and whether independent institutional and budgetary machinery exists to give the guarantee practical effect.

BODY

Pakistan's Constitution illustrates the tension internally. Article 20 guarantees every citizen the right to profess, practise and propagate religion, Article 22 addresses religious education, and Articles 26 and 27 prohibit discrimination in access to public places and services.

Simultaneously, Article 2 declares Islam the state religion, Article 2A incorporates the Objectives Resolution as a substantive constitutional basis, Articles 41(2) and 91(3) restrict the offices of President and Prime Minister to Muslims, and Article 227 requires all laws to conform to the Quran and Sunnah. A minority citizen therefore holds a guarantee of religious practice alongside a constitutional bar on the highest offices.

Bangladesh presents a similar duality through Article 2A, which declares Islam the state religion while providing that other faiths may be practised. India's framework differs structurally at exactly this point: it declares no state religion, and no constitutional office is confessionally restricted.

Articles 25 to 28 guarantee freedom of conscience and religion subject to public order, morality and health; Article 29 protects any section of citizens having a distinct language, script or culture, and Article 30 gives religious and linguistic minorities the right to establish and administer educational institutions of their choice. This is reinforced institutionally through the statutory National Commission for Minorities, state minority commissions and dedicated departmental machinery with budgetary provision, though that machinery is only as good as its functioning: the National Commission for Minorities was without a Chairperson from April 2025 until appointments were notified in July 2026.

The necessary qualification is that constitutional design does not by itself determine lived experience, and India's own communal record is contested, so the argument only holds if the assessment standard is applied to India as rigorously as to its neighbours.

CONCLUSION

The defensible position is therefore procedural rather than comparative point-scoring: religious freedom should be assessed against a single outcome-based standard covering the security of all places of worship, the independence of minority-protection institutions, and the treatment of accusations where mob action

can precede due process, and a state that demands that standard of its neighbours must be willing to be measured by it.

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