

Does Judiciary Strikes Balancing Between Right To Freedom Of Religion Practice And States' Initiatives Of Social Justice In Southern India

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India is the land of religion; besides Hinduism, Jainism and Buddhism were born in the sub-continent. Religion is the core of the country ideology. After 1857, the First War of Independence or sepoy mutiny, the British learned not to interfere in the country's religious affairs. Post-Independence, the founding father of the Indian Constitution consciously framed Articles 25 through 28 that dealt with rights to freedom of religion. To some extent, the Indian Constitution is not rooted in the indigenous legal system of the Country, it was borrowed from the many alien countries like England, America and Canada, and it lacks historical roots (Fuller, 1988)

Indian Constitution guaranteed the freedom to practice any religion as the individual's wish than compulsion from any other sources; this indicated the Indian Constitution taking the position of secularism, treating all the religions as equal before the law. The objective of rights is to treat and similarly sustain all religions. Every citizen has free to follow or preach or propagate any religion of citizen wishes; However constitution never defined the term "Religion", this is the duty assigned to the Court on a case basis and discretion of top court judges. Court witnessed many cases, which is a tussle between Religious Institutions and State Intervention, and interpretation of judgement gave different flavour and dimensions to the societal problem. This research aims to analyse the significant causes entangled among the religious practice, state intervention, and role of the judiciary. Besides the doctrine research, the researcher attempted to understand the public opinion on Tamil Nadu government G.O. on "All Caste become Priest" through empirical research (non-doctrinal research). On non-doctrinal research, the study used quantitative models on collected survey data and triangulating from both case interpretation and people opinion on a particular case historically complicated by a religious representative and the State of Tamil Nadu. The study has its limitation; it revolves around critical cases that connect the right to freedom of religion and social justice dimension than other concerns of society, and most of the research revolves around the state of Tamil Nadu.

2 Review of Literature

This section dealt with various major cases between religious practice and state role; At first, it explained the case's background and the "noteworthiness" of the case to discuss—followed by facts of the cases which controlled the critical issues in the state activities. How some of case judgment became a landmark for subsequent case reference has been changed over the period on demand of society dynamisms. Further, how Court gave his judgement and what is the basis is taken from the Constitution. In the early 1970s, in southern India, especially Tamil Nadu, Kerala and Andhra Pradesh, there was a lot of social and political movement that challenged the hegemony of society's established norms and practices. Emerged regional parties tried to get the people's attention by delivering social justice for the marginalised section of the society; in turn, it converted into electoral gains. The Country's founding members of the Indian Constitution created social value to promote citizens' Equality, freedom of speech, life, and liberty manifested in Article 14, Article 19, and Article 21.

However, all these laws are not static, and it has been evolving throughout the years. These changes brought a lot of debate and discussion among the various actors, which included judiciary, legislative, executive, and activities, etc.,

2.1 Salience feature of the Indian Constitution

Indian Constitution is a living document, unlike religious text, which has never been changed and challenged in social dynamism. However, the core and the basic structure of the Constitution remains intact. Amendment to alter the basic structure of the Constitution is invalid. Constitution consented the parliament and state legislature to make law within its jurisdiction; Only parliament has the power to amend the Constitution. The founding fathers of the Constitution did not clearly define the "Basic Structure of the constitution"; however, the concept evolved over the period. The landmark cases such as the Golaknath case (1967), Kesavananda Bharati case (1973) and Minerva Mills case (1980). In the landmark case Kesavananda Bharati case vs Union of India, judgement brought back "basic structure doctrine" into the limelight among the legal experts and commoners. Some of the basic structures of the Constitution are Supremacy of the Constitution, Federal and Secular character of the Constitution, Separation of power, Individual freedom etc., apart from this, Rule of Equality, power of the Supreme Court and High Court, parliamentary system, and balance between fundamental rights and DPSP all have added been over years.

Since the study restricted to the right to freedom of religion and state role in social justice, this section dealt with various critical cases that pertain to the study's objective.

2.2. Doctrinal study on Key cases

2.2.1 Seshammal vs State of Tamil Nadu 1972

In 1971, the Tamil Nadu government passed G.O. to make All Caste become Priest (ACbP) in the state legislature. All MLAs supported the G.O. Further TN government decided to appoint all caste persons in the priesthood. In 1972, Seshammal vs State of Tamil Nadu, petitioner questioned the validity of the department of Hindu Religious and Charitable Endowments (Amendment) Act, 1970 appoints, and it challenged the validity on the principle of violating the freedom of religion comes through Article 25 and 26 of the Constitution (*SESHAMMAL Vs. STATE OF TAMIL NADU*, 1972)

The Court gave the judgment that the state move is constitutionally valid, and the purpose of the act was to bring secular elements in the function of temple management and administration, which included the appointment of the priest. However, the Court directed the state to follow the appointment of priest under "Agamas" that was firmly rooted in the Hindu religion. The judgement is very tricky; on the one hand, Court supported the state move to bring secularism and discipline in the temple management and on the other hand, it indirectly supported the petitioner based on Article 25.

The outcome of this case made the State of Tamil Nadu not implement the G.O. passed in the state assembly. This case indicated the tangle between Religion representatives, the State and the constitutional interpretation of Article 25 and 26. The Court clarified the state's power in the religious affairs of the citizen; however, in this case, the Court accepted the expert view "that appointment of a priest from outside denomination would necessarily defile the image of the god". Indirectly Court endorsed the "untouchability" or the concept of "impurity" if not from the denomination, which raised the question of fundamental rights of the citizen which secured under Article 17 and Article 18. The local Tamil magazine's reaction to the court judgment, commented the judgment as "Surgery successful; patient dead."

2.2.2. A.S. Narayana Deekshitulu v. State Of A.P. And Others (1996)

"The outcome of the case is, law separated essential religious and non-essential religious, which is not unlawful but visionary" (Padhy, 2004). further author added that in India, religion and secularism are dichotomous; it is up to Court to decide what religion is and not a religion and, in some way, secularism and not secularism based on personal discretion of the court holders. The state can make laws in temple matters to bring secularism, and it was held that the appointment of the priest is not an essential part of secularism. Petitioner is the chief priest of Tirupati, against the abolition of the hereditary position of priest and citing the requirement of appointment based on Agmas rule. The Court has "upheld the constitutionality thereof"; however, Court recommends the state government constitutes the committee to determine the remuneration part on a hereditary basis before abolition.

2.2.3. N. Adithayan vs The Travancore Devaswom Board (2002)

The main grievance of the case is the appointment of non-brahmin Malayalam as "santhikaran" priest by the Thiruvanthapuram Devasthanam Board (TDB). Traditionally they follow "Brahmin Malayali" for performing the poojas, this violating Articles 25 and 26 of the Constitution. The appellant argued that only Namboodiri Brahmins are alone to perform prayer inside the sanctum sanctorum. The Kerala government argument established that Article 25 should not be seen in an isolated manner. It needs to be viewed and appreciated in the light of Article 15,16,17 of the Constitution of India. The Court holds the appointment. However, TDB opened the training school for santhikaran, irrespective of the caste and creed, every citizen gets training to become a priest in the temple, through this school, all were trained to become a priest as per the Vedic purview, so there is no infringement of Article 25 and 26, in this way state took the issue for next level. In 2002, the top Court ordered the appointment of the priest by the board as the secular act, and it held up as constitutionally unacceptable and a violation of fundamental rights.

2.2.4. Adi Saiva Sivachariyargal Nala Sangam & Others vs The Government of Tamil Nadu (2015)

Quoting the verdict of N. Adithayan vs The Travancore Devaswom Board (2002) judgement, the Tamil Nadu government passed an ordinance in 2006; it explained that,

"Archakas of the temples are to be appointed without any discrimination of caste and creed. Custom or usage cannot be a hindrance to this. It is considered that the position is clarified in the act itself, and accordingly, it has been decided to amend Section 55 of the said Act suitably."

To oppose this ordinance writ petition was submitted by the association of Archakas, shortly called "Adi Saiva", and individual archakas of Madurai temple. Petitioner counsel citing Articles 25 and 26 and judgement of the Seshammal case vs the state of Madras, asked the Court to argue further that A person who belongs to the denomination of either Shaiva or Vaishnava alone can be appointed as Archakas in the temple. In this case, judgement is not so clear where the line between social and religious practice is unclear, and interpretation is legally and logically inconsistent validity of government action is circumstantial than constitutional (Banerjee, Arpan, 2016). The Court allowed continue the status quo, and the Tamil Nadu government did not put down their ordinance; and Court insisted the implementation depends upon case to case basis, this major open litigation for every specific case. This judgement brought much criticism from the leaders of the marginalised community, one of the significant English dailies quoted that "upholding the agama sastras through Article 16(5), the Supreme Court has given a backdoor entry for caste-based practices to exist in the name of denominations" (Ramanathan S, 2015)

In all the above cases, the judgment of Seshammal vs the state of Madras used as a reference for many cases where state intervention and freedom practice religion were in fix. The judgement of the Adi Saiva case conflict with the own Constitution fundamental rights under the articles Article 14 (guarantees Equality), Article 15 (non-discrimination by state on the grounds of religion, race, caste, sex and place of birth) and Article 16 (reservations for backward class citizen)

2.3. Balance between social justice and religious practice

The top court balance two contrary positions of social and political impulse. In the cases mentioned above, especially Adi Shaiva vs State of Tamil Nadu, the Court played a vital role in the constitutional interpretation of fundamental rights and rights to freedom of religion very carefully. Though it does not strike down the Tamil Nadu G.O., and the same time, it draws the boundary of the state exercising power on religious affairs of the citizens. The Court reemphasised that violating the Agamas is

not enforceable; at the same, Court tried to safeguard the Right to Equality of the citizen and rights of the state to provide equal employment opportunity without discrimination. However, the Court is aware that both the parties are satisfied with the outcome of the judgement. However, Court strikes a balance between the right to religion and social reforms (Prasanna, 2015). In all the critical cases such as Seshammal vs State of Tamil Nadu 1972, N. Adithayan vs The Travancore Devaswom Board (2002) and Adi Saiva Sivachariyargal Nala Sangam & Others vs The Government of Tamil Nadu (2015), the court interpretation made the state government to reform the temple administration and management which essentially brought benefit to the society. Key contention between religious entity and state is following the violation of "religious practices" mentioned by the "Agmas" to address this gap, State governments like Kerala and Tamil Nadu formed various committees and commissions under the retired judges. Committee studied the gap thoroughly and provided their report on how to fill the gap and all the steps to be taken to bring both extremes position in the common ground.

2.3.1. 1982 Maharajan Commission to reform temple practices

In 1982, the Tamil Nadu government appointed the Justice Maharajan Commission to look into the reforms of temple practices. These steps were taken to counter the argument of the Seshammal vs State of Tamil Nadu 1972 judgement, where Court interpreted following the Agmas in appointing the priest as the principal criteria for the priest recruitment in the temple. Expectedly, the Maharajan committee recommended the appointment of a priest from all caste who was undergoing proper training. However, then the government would not implement the committee recommendation. Historical facts showed that the Maharajan committee was not the first to set up to reform temple practices; prior to this, In 1969 Government of India appointed a committee headed by Elayaperumal, a known Congress leader. The committee submitted the report in the Lok sabha, and it suggested that, abolition of hereditary priesthood and replacing it with an "ecclesiastical organisation of men possessing the requisite educational qualification" as priests, further it suggested to open the priesthood to anybody irrespective of caste and creed, the appointment of underprivileged as priest considered is a move to attain the social justice (Ganesh & B.a, 2018)

2.3.2 Trivandrum Devasthanam training school in Vedic study

The judgement of N. Adithayan vs The Travancore Devaswom Board (2002), TDB manages 1,248 shrines across Kerala, including the Ayyappa Temple in Sabarimala. It was initiation by TDB to establish The Veda-Vedanta-Tantric centre to justify a path-breaking step to appoint non-Brahmin priests, including Dalits, in the temples managed by them (Outlook Web Bureau, 2017) TDB ensured that curriculum design and training is as per "tantric satadhar agama sastra" so people will not question the credibility of potential candidates who passed from the institute and applied for the priest position.

2.3.3. AK Rajan Committee on temple reforms

In 2006, the Tamil Nadu government set up a seven-member committee under the retired judge of the Madras High Court Justice A K Rajan. This is initiated to fill the gap between religious practices of Agamas and social reforms drive by the states. Tamil Nadu followed the Kerala TDB, where the committee was formed to design the curriculum for training and the guidelines to implement priests' appointment to the temple. Besides this, the committee also asked to look into educational qualification and Age of the potential (*Panel in Tamil Nadu to Set Guidelines for Appointing Hindu Priests*, 2006)

3. 1. Limitation of the Research

No research was completed without limitations. This study dealt only major cases which tussled between the right to freedom of religious practices and state intervention in religious practices. Numerous cases are available from various religions. However, this study dealt only with the Hindu religion. One justification is that more than 80% of the country population is Hindu, and proportionately Indian legal system dealt with the Hindu religion case compared with other religions. Another limitation is that this whole study focuses on the Southern part of India than whole India. Within the South, it focuses more on the two-state Tamil Nadu and Kerala related issues, and critical cases like Seshammal vs State of Madras and Shaiva Adi vs State of Tamil Nadu all are a south concern. Though the study used both "Doctrine" and "Non-doctrine" the number of cases and number of samples is used in both doctrine and non-doctrine (empirical work) is less than usual research (Iyer, 2020)

3.2 Research Gap

Based on prior studies and cases related to freedom to religious practices and state intervention to religious reforms to attain social justice, various judgements showed the Top court balance between the right to religion and social reforms (Prasanna, 2015)

In a democratic society, law, politics, and social system are all governed by the people; the opinion of the people is paramount; sometimes, people's perceptions change the fact. The case started from Seshammal vs the State of Madras, and till Adi Shaiva vs Tamil Nadu Government, the connecting point is a balance between freedom to practice religion and social justice drive the state authorities, ample case has seen from Tamil Nadu, Andhra Pradesh, Karnataka and Kerala. However, none of the previous studies attempted to understand what is the people opinion on these cases. To the knowledge of the researcher, most of the studies follow doctrine approach, even this study also followed it and analysed all the cases from the doctrinal research purview mentioned above; however, the doctrinal research has its own demerits (Ali et al., 2017) highly theoretical, technical and without consideration of the social, economic and political importance of the legal process. Further authors advised to conduct social issue-based legal research not only from doctrinal but also from empirical, and they expected post-graduate well to equip themselves by using alternative research methodologies. Following the suggestion of previous literature, the current study finds the gap in people's opinion on the trade-off between the right to freedom of religion to practice and attainment of social justice. This study formulated the problem statement that fundamentally addressed this gap.

3.3 Research questions

1. Does the Indian court balance between the right to freedom of practice and attainment of social justice in the selected four cases?
2. Exploring the people opinion on the trade-off between the constructs related to religious freedom to practice and social justice attainment
3. Examine the various demographic factors, namely gender, caste, and education, that can make a difference in the people's opinion concerning the construct of Social justice attainment and the right of religious freedom to practice?
4. What is the relationship between the right of religious practice, social justice attainment and ultimate legal supremacy.

3.4 Study Hypothesis

The hypothesis is the tentative statement derived from theoretical constructs and research questions, and it contains a set of the independent and dependent variables; between variables, the researcher is to prove or disprove the relationship or difference. The study hypotheses shown below:

H1a: There is a negative relationship between people perceived as superior about religious practices and ultimate legal supremacy.

H2a: There is a positive relationship between people perceived on social justice attainment and ultimate legal supremacy.

H3a: There is a positive relationship between people perceived as against traditional religious practices and perceived ultimate legal supremacy

H4a: Different caste, religion, Age, Education profile makes to perceive the law, and it is an implication differently.

3.5 Research Methodology

The study objective determines the research approach, whether qualitative or quantitative, in real life; a combination of both methods is needed (Ranjit kumar, 2011, p. 19) This study adopted both doctrinal research and non-doctrinal (quantitative empirical) research approach. The former to understand the problem of the study from a legal angle than social aspects; a primarily emphasised how and to what degree people ingrain the ideas from the state law and utilising them in their actions , the empirical study focused on what people think what law is, and their implication in their daily life. In social science, empirical research revolves around social values and people, a legal entity is part of the social system, and it aims to govern the society in an ordered and peaceful way (Chakraborty, 2015). The law and society in Canada defined "themselves more explicitly as programmes for the interdisciplinary study of law - through interdisciplinarity is far from a settled concept", this indicated role of socio-legal research in legal scholarship, 22% of the presence of socio-legal research in the four leading social science journals, for the period of 1983-2012 (Arthurs & Bunting, 2014). Prior research and researchers from the legal arena indicated the justification of doing both doctrinal and non-doctrinal (empirical) work to understand the legal and social in a better manner. In doctrinal work, study considering selected cases which dealt with the right to freedom of religious practice and social justice and analysed from

the legal perspectives, In empirical work-study used survey research method to examine the people opinion on the issues selected by the researcher.

3.6 Data Collection

On doctrinal paper, the researcher used case law available in secondary sources such as legal documents, journals, web site, gazetted and other reports. Primary case law pertains to the study problem is discussed in the above section. In empirical research, data is collected through a self-administrated questionnaire. The questionnaire section is discussed in the next paragraph. The questionnaire is sent through the google form (Epstein & Martin. D, 2010) ; this link is posted in various social media groups includes WhatsApp and Facebook groups. The total filled and the used sample is 102, covering 31 districts out of total 38 districts in Tamil Nadu. 50% of data from major districts like Chennai, Coimbatore, Cuddalore, Salem, Tiruppur, and Trichy. This study used non-probability of convenience sampling.

3.6.1 Questionnaire Design

To the researcher's knowledge, researching socio-legal based research is very little in the Indian context, especially in the Southern state's interest; this is the major reason would not find out the standard instrument to measure concepts like social justice attainment and religious practices and ultimate law Supreme. The researcher constructed the own questionnaires following the guidelines of a psychometric theory suggested by (Saris & Irmtraud, 2014) the first study defined concepts-by-postulation through concepts-by-intuition and subsequently the link between concepts-by-postulation concepts-by-intuition and questions. The Mapping of a questionnaire given in the Annexure A. Broadly questionnaire contains two sections: section 1 demographic profile and section 2 is items or statements which measures various constructs like social justice attainment and religious practices and ultimate law Supreme.

4. Data analysis

4.1 Doctrinal Research

Based on above mentioned doctrinal research, four major cases are analysed through the lens of legal dimensions. Case judgement revealed that Top Court balanced between Article 25 and 26 and Article 14 through 18, Court always citing the past

landmark cases judgements to solve the present scenario it may not fit all the time for instance: Seshammal vs the State of Madras. Further, in all four cases, the Court does not want to alter the basic core structure of the Constitution. In the Adi Shaiva case, though, the Court struck down G.O. passed by the state legislature, but it never stopped them from implementing a case-by-case basis than broad umbrella execution. Further, Court instructed the state government to overcome the technical difficulties in implementing the G.O. by forming various committees and commissions. The Court played a vital role in promoting harmony between both various religious institutions and state powers. In all the cases, Court never favoured binary elements; it always kept the window open for both the parties to reconcile their standpoints.

4.2.Quantitative Empirical Research Analysis

On data analysis, various statistical techniques are applied, including descriptive statistics, bivariate analysis and multivariate analysis such as Exploratory factor analysis and multiple linear regression suggested by (Hair et al., 2019).

On software, the researcher used Jamovi and R for the entire analysis (*Jamovi Project*, 2021) and (R Core Team, 2020)

4.2.1. Demographic composition of the total sample is 102 respondents; the gender distribution is skewed towards male as 92%, Below Age of 40 years composed of 50%, as expectedly close to 80% respondents belong to Hinduism, 85% of caste composition belongs to OBC and S.C./STs. Only 13%, a small portion of respondents' education is below 12th grade, 15% of respondents possessed a law background in their education.

4.2.2. Exploratory factor analysis is used to find the dimensions among the selected 14 items collected through the questionnaire; the outcome showed three factors. Factor 1 contains seven items; the loadings are ranged between .86 to .43, Factor 2 contains four items, loadings are ranged between .90 to .61, and Factor 3 contains three items, ranging between .73 to .43. Loadings showed the strength of the relationship between constructs and their items. Based on items that fall in the factor, names of the factors are kept. Factor 1 is Superior on Religious practice, factor 2 is Social justice attainment, and factor 3 is Against traditional religious practices.

Table 1: Exploratory Factor Analysis: All Caste become Priest (ACbP)

items		Superior on Religious practice	Social justice attainment	Against Traditional Religious practices
v7	TN govt interferes in Hindu religion and rituals which is not necessary	0.86		
v2	ACbP Government Order (GO) is political stunt of DMK	0.83		
v4	ACbP is violating Hindu Agamam	0.79		
v3	ACbP GO is to against Hindu Dharma	0.78		
v9	TN GO on ACbP may not continue in the near future	0.67		
v16	Temple should be privatized than government holding it	0.64		
v13	Religion is above Law	0.46		
v8	Long battle won for oppressed society through ACbP GO		0.9	
v10	ACbP GO should provide more opportunity to women equality in the priest job		0.84	
v1	Social Justice is attained through ACbP by passing GO in TN state assembly		0.64	
v6	ACbP GO is to make non brahmins is equal to brahmins in the priest position		0.61	
v11	Priest job cannot be inherited succession			0.73
v15	state should give equal job opportunity for all the caste			0.54
v12	I would like to hear all pooja in the my mother tongue			0.46
	Total variance explained (58%)	29.2	20.25	9.44
	Eigen value	6.01	1.03	.60
	Alpha	.90	.86	.64
	Mean	2.24	3.95	4.33
	Stdev.	1.25	1.28	1.02

4.2.3 Regression analysis establishes the causal link or explanatory power between set of predictors and dependent variable. In this model, Factor 1 is Superior on Religious practice, factor 2 is Social justice attainment, and factor 3 is Against traditional religious practices considered as predictors and outcome variable is Ultimate law of Supreme. The outcome has shown below: regression is reported as per the recommendation of (Epstein & Martin, 2014) There are two regression model, model 1 “preferred language to respondents Tamil / English” independent variable, and dependent variable is Ultimate law of Supreme, -.613 is beta coefficient and figures given inside parenthesis is standard error. Three asterisk showed the relationship between variable is statistically significant. In the model 2, all the predictors are added, R square is .377 or 37.7%, which is relatively good compared with model1, R square

explains the variation between set of predictors and dependent variables and F value = 14.6 it is significant. Out of three predictors, first one is not statically significant, however other two are statistically significant, beta of Social justice attainment is .174 and Against traditional religion practices beta is .358 both are statistically significant with Ultimate law of Supreme at least 5% level. One unit increase in superior religion practices decreases the opinion on Ultimate Law of Supreme .016 same with other two predictors, but other two predictors with outcome variable is positive. Hypotheses 1 is do not reject null, but H2 and H3, rejected null hypothesis. Used stargazer package of R to report the regression analysis. (Hlavac, 2018).

Table 2: Regression analysis

Dependent variable:		
	Ultimate law of Supreme	
	(1)	(2)
Constant	4.367*** (0.105)	2.090*** (0.513)
Language chosen Eng.	-0.613*** (0.195)	-0.352** (0.177)
Superior of religion practices		-0.016 (0.078)
Social Justice Attainment		0.174** (0.078)
Against traditional religion practices		0.358*** (0.086)
Observations	102	102
R2	0.090	0.377
Adjusted R2	0.081	0.352
Residual S.E.	0.895 (df = 100)	0.752 (df = 97)
F Statistic	9.941*** (df = 1; 100)	14.697*** (df = 4; 97)
Note *p<0.1; **p<0.05; ***p<0.01		

On Hypothesis 4, not all are significant, Social justice attainment is significant across age and caste category, Superior on Religious practice is significant across Education, out of 4 variables, all are significant across voted for the party, except, Against Religious practices. For detailed output refer Annexure B.

5 Findings, Conclusion and Implications

The study findings revealed many interesting things, from doctrine research, it is clear cut that, courts striking balance between religion to practice and social justice. Court never over ride the decision of legislature at the same time, it always check the powers of states when it is exceeding the limit from the constitutional perspectives. Over the period, court changing their stand towards social justice and court does not want to interfere all the matters of either religion or states. There was time, court not allowed to appoint a backward classes people to become priest but now in the current scenario with the recommendation of commission and committee government opened the priest position to non-brahmins in the state of Tamil Nadu and Kerala. On 14th August 2021, The Tamil Nadu government executed the Government order of “Archakas of all castes” or “All castes become Priest”, 208 person got their appointment which included 24 trained Archakas or Priest for all caste under Department of Hindu Religious and Charitable Endowments (DHR&CE) of Tamil Nadu (“Archakas of All Castes Get Appointed,” 2021), prior to this, in 2017, the Kerala Devaswom Recruitment Board appointed Mr. Yedu Krishnan the first Dalit priest in the sanctum sanctorum of the temple (“Appointment of Non-Brahmin Priests in Kerala ‘a Silent Revolution,’” 2017)

From the empirical research perspective, 3 factors are obtained, there are clear cut demarcation on people opinion one is supporting religion practice and other two factors are supporting social justice attainment. The regression outcome ensured that, when people are more rigid in religious practice, the ultimate law Supreme is going down but in another two factors, i.e. Social justice they are positively related with outcome variable. Significant different across the demographic variables cannot established well except for the few variables. This indicated that, across the demographics opinions are very similar except social justice is vary based on Caste and education. However there is no difference between male and female; and people holds law degree or not.

Both doctrine and non-doctrine complementing each other in their outcomes. How court balance strikes right balance between both ideology, same manner, quantitative research output showed people preferred both, however in Tamil Nadu context, social justice established statistically significant relationship with outcome variable of people opinion on ultimate law Supreme. In terms of contribution, this is sort of first study in South India focusing on religious practice and social justice which combine both

doctrine and non-doctrine research. In legal most of the research is doctrine and very few non-doctrine but to the researcher's knowledge, there is no this kind of study combining both. In terms of implications, policy makers should not see things in a dichotomous way like clear cut black or white, strike balance both ends, and encourage the pluralism in society. Court cannot follow umbrella judgement across the India, based on state culture, linguistic and historical development of the issues should be considered while delivering the judgement.

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ANNEXURE Questionnaire A

English version - All the items are measured using 5 point likert scale 1 is strongly disagree and 5 is strongly agree

SN	Identified Factors	Statements
v1	Social justice attainment	Social Justice(SJ) is attained through ACAP by passing GO in TN state assembly
v2	Superior on Religious practice	ACAP Government Order (GO) is political stunt of DMK
v3	Superior on Religious practice	ACAP GO is to against Hindu Dharma
v4	Superior on Religious practice	ACAP is violating Hindu Agamam
v6	Social justice attainment	ACAP GO is to make non brahmins is equal to brahmins in the priest position
v7	Superior on Religious practice	TN govt interferes in Hindu religion and rituals which is not necessary
v8	Social justice attainment	Long battle won for oppressed society through ACAP GO
v9	Superior on Religious practice	TN GO on ACAP may not continue in the near future
v10	Social justice attainment	ACAP GO should provide more opportunity to women equality in the priest job
v11	Against Traditional Religious practices	Priest job cannot be inherited succession
v12	Against Traditional Religious practices	I would like to hear all pooja in the my mother tongue
v13	Superior on Religious practice	Religion is above Law
v14	Ultimate Law Supreme	Whether religion or caste all can governed by law
v15	Against Traditional Religious practices	state should give equal job opportunity for all the caste
v16	Superior on Religious practice	Temple should be privatized than government holding it
v17	Ultimate Law Supreme	Providing training and become priest is much better than without training for Priest job
v18	Ultimate Law Supreme	Indian Laws can regulate the religion practices as per the today requirements
v19	Ultimate Law Supreme	State should form committee and commission to bridge the gap between religion in practice and in the scriptures
v20	Ultimate Law Supreme	Courts should voluntarily come out to bridge the religion inequality among the people

Annexure B Data analysis output – Tables and Charts

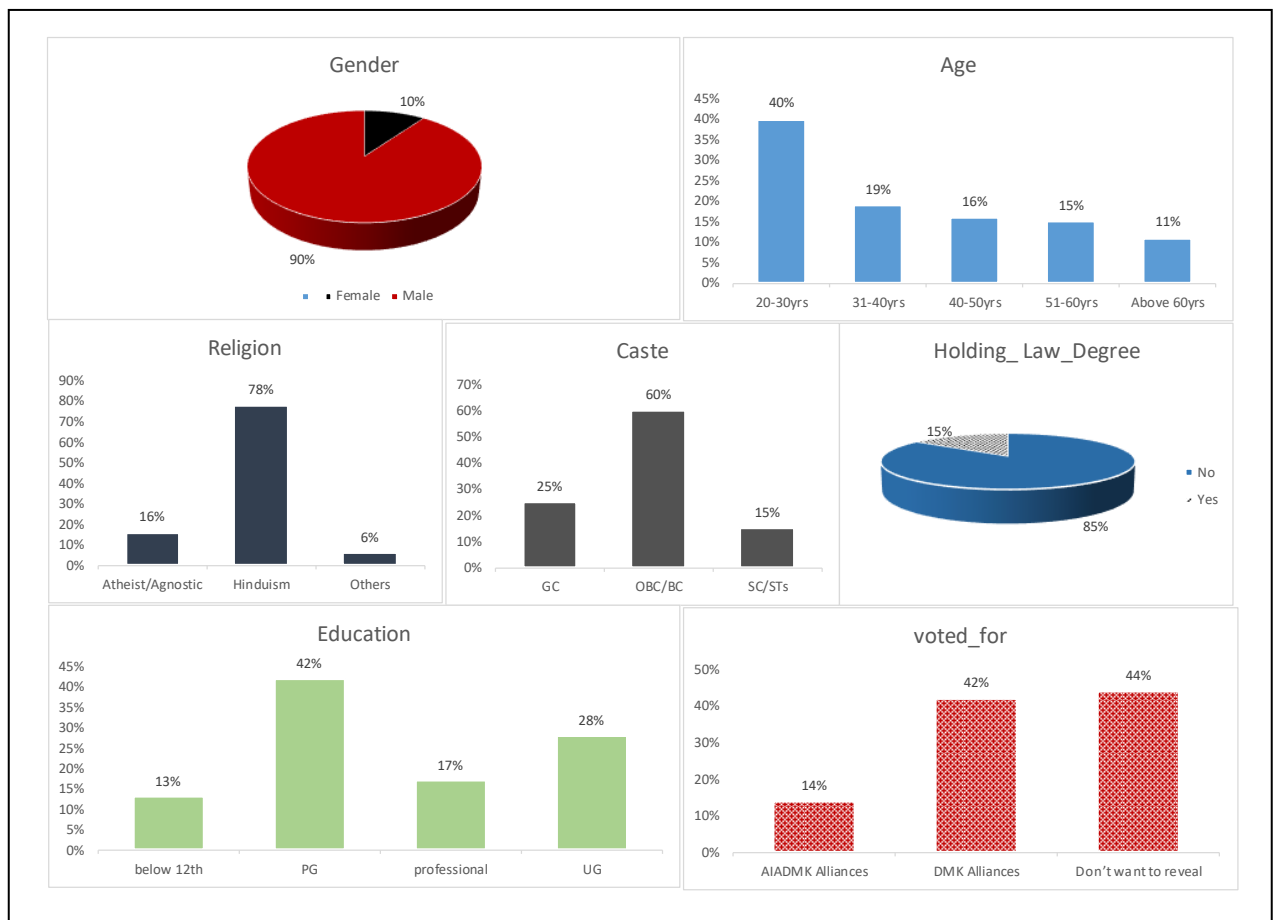
Table 1: Frequencies of demographic profile of the respondents

Frequencies of Gender	Levels	Counts	% of Total	Cumulative %
	Female	10	10 %	10 %
	Male	92	90 %	100 %
Frequencies of Age	20 to 30 yrs	41	40 %	40 %
	31 to 40 yrs	19	19 %	59 %
	40 to 50 yrs	16	16 %	75 %
	51 to 60 yrs	15	15 %	89 %
	Above 60 yrs	11	11 %	100 %
Frequencies of Religion	Atheist/Agnostic	16	16 %	16 %
	Hinduism	80	78 %	94 %
	Others	6	6 %	100 %
Frequencies of Caste	GC	26	25 %	25 %
	OBC/BC	61	60 %	85 %
	SC/STs	15	15 %	100 %
Frequencies of Education	Below 12th	13	13 %	13 %
	PG	43	42 %	55 %
	Professional	17	17 %	72 %
	UG	29	28 %	100 %
Frequencies of Holding_Law_degree	No	87	85 %	85 %
	Yes	15	15 %	100 %
Frequencies of voted_for	AIADMK	14	14 %	14 %
	Alliances			
	DMK Alliances	43	42 %	56 %
	Don't want to reveal	45	44 %	100 %

Graph1

demographic

profile



Graph 2: Scree plot

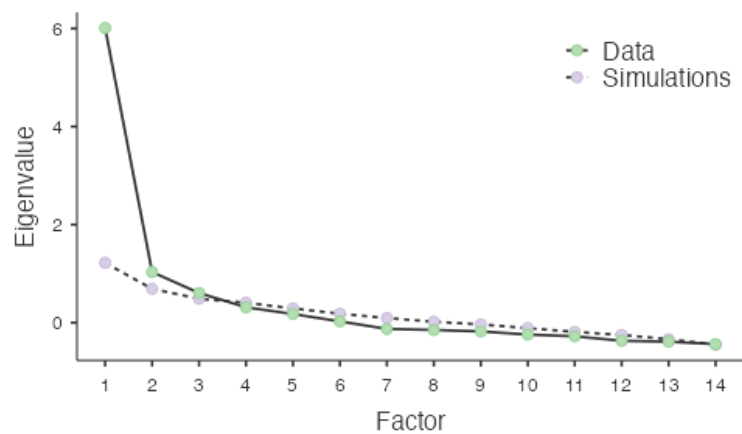


Table 3: Bartlett's Test of Sphericity & KMO

χ^2	df	p	KMO
877.92	91	< .001	0.86

Table 4: Correlation Matrix

Correlation Matrix						
	Superior on Religious practice	Social justice attainment	Against Religious practices			
Superior on Religious practice	—	-0.64***	-0.35**			
Social justice attainment		—	0.42**			
Against Religious practices			—			

**1% significant *5% significant

Table 5: Independent Samples T-Test

Group Descriptives						
	Group	N	Mean	SD	t value	P value
Superior on Religious practice	Female	10	2.23	0.79	-0.04	0.97
	Male	92	2.25	1.29		
Social justice attainment	Female	10	3.88	0.68	-0.20	0.84
	Male	92	3.96	1.33		
Against traditional Religious practices	Female	10	4.2	1.25	-0.41	0.68
	Male	92	4.34	0.99		
Ultimate Law Supreme	Female	10	4.08	0.74	-0.38	0.71
	Male	92	4.2	0.96		

Table 6: Independent Samples T-Test – Holding law degree

Group Descriptives							
	Group	N	Mean	SD	t value	p value	
Superior on Religious practice	No	87	2.22	1.21	-0.49	0.63	
	Yes	15	2.39	1.51			
Social justice attainment	No	87	4	1.17	0.99	0.33	
	Yes	15	3.65	1.81			
Against traditional Religious practices	No	87	4.36	1.01	0.89	0.38	
	Yes	15	4.11	1.04			
Ultimate Law Supreme	No	87	4.21	0.9	0.71	0.48	

Yes	15	4.03	1.15
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Table 7: One-Way ANOVA – Age

Group Descriptive						
	Age	N	Mean	SD	F value	P value
Superior on Religious practice	20 to 30 yrs	41	2.32	1.09	0.95	0.40
	31 to 40 yrs	19	2.08	1.28		
	40 to 50 yrs	16	2.15	1.21		
	51 to 60 yrs	15	1.88	1.2		
	Above 60 yrs	11	2.87	1.8		
Social justice attainment	20 to 30 yrs	41	3.99	1.07	6.73	0.00
	31 to 40 yrs	19	3.95	1.41		
	40 to 50 yrs	16	3.8	1.51		
	51 to 60 yrs	15	4.48	1.12		
	Above 60 yrs	11	3.32	1.5		
Against traditional Religious practices	20 to 30 yrs	41	4.2	1.03	1.44	0.25
	31 to 40 yrs	19	4.44	1.04		
	40 to 50 yrs	16	4.58	0.65		
	51 to 60 yrs	15	4.56	0.86		
	Above 60 yrs	11	3.91	1.44		
Ultimate Law Supreme	20 to 30 yrs	41	4.11	0.9	1.56	0.23
	31 to 40 yrs	19	4.16	1.12		
	40 to 50 yrs	16	4.41	0.64		
	51 to 60 yrs	15	4.11	1.1		
	Above 60 yrs	11	4.31	0.95		

Table 8: One-Way ANOVA – Caste

Group Descriptives						
	Caste	N	Mean	SD	F value	P value
Superior on Religious practice	GC	26	2.58	1.57	0.95	0.40
	OBC/BC	61	2.16	1.01		
	SC/STs	15	1.98	1.48		
Social justice attainment	GC	26	3.46	1.39	6.73	0.00
	OBC/BC	61	3.98	1.25		
	SC/STs	15	4.67	0.79		
Against traditional Religious practices	GC	26	4	1.19	1.44	0.25
	OBC/BC	61	4.44	0.97		
	SC/STs	15	4.44	0.81		
Ultimate Law Supreme	GC	26	3.88	1.11	1.56	0.23
	OBC/BC	61	4.31	0.78		
	SC/STs	15	4.2	1.13		

Table 9: One-Way ANOVA – Education

Group Descriptives						
	Education	N	Mean	SD	F value	P value
Superior on Religious practice	Below 12th	13	1.95	1.16	3.10	0.04
	PG	43	2.37	1.3		
	Professional	17	1.61	1.02		
	UG	29	2.56	1.22		
Social justice attainment	Below 12th	13	3.5	1.3	2.55	0.07
	PG	43	4.15	1.2		
	Professional	17	4.46	1.32		
	UG	29	3.57	1.25		
Against Religious practices	Below 12th	13	4.26	1.13	1.77	0.17
	PG	43	4.5	0.93		
	Professional	17	4.55	0.79		
	UG	29	3.97	1.15		

Ultimate Law Supreme	Below 12th	13	4.02	1.11	1.02	0.39
	PG	43	4.23	0.92		
	Professional	17	4.46	0.77		
	UG	29	4.03	0.96		

Table 10: One-Way ANOVA - Voted for party last election

Group Descriptives							
		voted_for	N	Mean	SD	F value	P value
Superior on Religious practice		AIADMK Alliances	14	2.69	1.53	4.03	0.03
		DMK Alliances	43	1.85	1.09		
		Don't want to reveal	45	2.48	1.23		
Social justice attainment		AIADMK Alliances	14	3.91	1.34	6.07	0.01
		DMK Alliances	43	4.41	0.9		
		Don't want to reveal	45	3.53	1.44		
Against Religious practices		AIADMK Alliances	14	4.24	0.94	1.03	0.37
		DMK Alliances	43	4.5	0.99		
		Don't want to reveal	45	4.19	1.06		
Ultimate Law Supreme		AIADMK Alliances	14	3.6	0.99	4.55	0.02
		DMK Alliances	43	4.44	0.8		
		Don't want to reveal	45	4.12	0.97		

