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| Transformative Constitutionalism and Constitutional Morality with respect to Religion and Gender Justice | |
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| **Abstract** | |
| *Our Constitution is a transformative document which seeks to transform the society for better i.e. progressive and inclusive and this objective is a fundamental pillar of transformative constitutionalism but the essence of Constitution will never change as it may evolve with passage of time. It represents a break from a history marked by the indignation and discrimination attached to certain identities and serves as a bridge to a vision of just and equal citizenship. The Constitution protects the equal entitlement of all persons to freedom of conscience and to freely profess, protect and propagate religion. But this right is subjected to the overriding constitutional postulates of equality, liberty and personal freedom in Part III of the Constitution. The dignity of a woman which emanates from Article 15 which is a reflection of the Article 21 cannot be disassociated from the exercise of religious freedom under Article 26 and the existing structures of social discrimination must be evaluated through the prism of constitutional morality. Thus, the constitution seeks to achieve a transformed society based on equality and justice to those who are victims of traditional belief systems founded in gender inequality. The main purpose of this article is to discuss the conflict between religious practices and claim of dignity for the women and role of judiciary in promoting gender equality.* | |
| **Keywords** | |
| **Transformative constitutionalism, constitutionality morality, freedom of religion, dignity of women, gender justice.** | |
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