RIGHT OF WOMEN TO WORSHIP: ASININE TRADITION Vs. EGALITARIANISM

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Abstract
The most exquisite modeling of Almighty God manifests in His creation, men and women, who are just the same important as the two wheels of a chariot. The gravity of one cannot be snubbed at the expense of other. Both men and women are equal. A harmony is necessitated between the two for the progress and development of a society. Walking of both hand in hand is yearned to harmonise the growth of a Nation. The Constitution of India vows to its people right to freedom of religion under Article 25. At the same time, the Constitution also avers the right to equality to everyone irrespective of any caste, creed, race, religion, or gender. Periled concept of secularism is sponsored by, in addition to the Constitution, International Conventions and efforts of UN which fortifies the rights of women. Recently, the issue that confronted gender inequality came up in the case of Sabarimala Temple in the State of Kerala which denied the women aged 10-50 years access to the temple and banned their entry in the temple. Women are discerned as the victims of gender inequality in the era of patriarchal ideology. The paper examines the aloof attitude towards women’s rights of freedom of religion and also negating their right of equality. The researcher ventures to aid the community in developing a rational thinking and put a halt to utter nonsense practices.

Keyword: Exquisite, Patriarchal, Secularism, Ventures.

INTRODUCTION
Humans, being the most beautiful gift of God, crafted as male and female can be personified as the two wings of a bird, sailing and soaring through the vast sky symbolizing the flourishing and heightening nation to a standard of dignity, equality and liberty for each. Men and women both are essential in a society. Certainly, one alone could not lead a nation or even a smaller unit, a family. Can one rule out one from the other? Is it the men who is the best and most needed? Or taking it the other way, is it the women who could supersede the men? Obviously, the answer is a sure No. Both should strive to consonance a balance for the sake of the rights of the other. To reflect the indispensability of women, it would be felicitous to reproduce the following quotation:

“What would men be without women? Scarce, Sir........mighty scarce.”

-Mark Twain

In fact, clarifying the debate of the supremacy between the two, it can be put to remind that men are a part of woman. It is the indeed the woman who bears the pain to nourish the child all through the nine months of severity and austerity. The role of male is momentary and short, it only sows the seed, rather it’s an instantaneous pleasure. A woman is not simply a tool of satisfaction of man’s lust, but is the mother, the
daughter, the wife, the sister, the maker, and the leader. Our Scriptures observe, “Matro Deva Bhav”- revere your mother as Goddess. Furthermore, the people of our nation worship Goddess as Durga, Saraswati, Laxmi, and Kaali. The woman is celebrated as the most powerful and the empowering force in some Hindu Upanishads, Sastras and Puranas, particularly the Devi Upanishad, Devi Mahatmya and Devi-Bhagavata Purana. The 10th chapter of the Rigveda, for example, asserts the feminine to be the supreme principle behind all of cosmos, in the following hymn called as Devi Sukta, “I am the Queen, the gatherer up of treasures, most thoughtful, first of those who merit worship. Thus Gods have established me in many places with many homes to enter and abide in. Through me alone all eat the food that feeds them, each man who sees, breathes, hears the word outspoken. They know it not, yet I reside in the essence of the Universe. Hear, one and all, the truth as I declare it. I, verily, myself announce and utter the word that gods and men alike shall welcome. I make the man I love exceeding mighty, make him nourished, a sage, and one who knows Brahman. I bend the bow for Rudra that his arrow may strike and slay the hater of devotion. I rouse and order battle for the people, I created Earth and Heaven and reside as their inner controller.

On the world's summit I bring forth the Father: my home is in the waters, in the ocean. Thence I prevade all existing creatures, as their Inner Supreme Self, and manifest them with my body. I created all worlds at my will, without any higher being, and permeate and dwell within them. The eternal and infinite consciousness is I, it is my greatness dwelling in everything.”

Such esteemed is the status of women in the society. But all tracks its real place in spiritual books. At the standard of practicability, these views are at zero. Portraying a woman as goddess in scriptures, books, and rebuffing her right to pray and enter the shrines. Where do these two contradicting field of vision stands together? No nexus between the two could be glimpsed from the facts. Evidently, as perceived by peeping into the pages of history women are always side cornered and they need to follow the man’s orders, practices and procedures in every decision of the family and community at large. Similar is the situation even in the case of worshipping and offering prayers to God. All are equal before the law; likewise, both men and women are equal in the eyes of the Almighty. Then, why is it that women who are opposed ingress to the altar of temples and shrines on the some mere moronic basis of so-called ages old practiced rituals of some archaic peoples.

Worship is the act of the adoration and showing honour to a deity which can be

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2 The Rig Veda/ Mandala 10/ Hymn 25 translated by Ralph T.H Griffith.
performed individually or in groups and sections. It refers to a gesture of religious dedication and devotion to the omnipotent Creator. Women are tussling to secure their right to freedom of worshipping in many worship places in the country.

**HISTORICAL OVERVIEW**

This callous behavior is not new; decades ago dalits were refused entry in the temples due to untouchability. Dalits were regarded as the lowest strata of the prevailing caste system. However, gone are those days. After the independence of India, the concept of untouchability was altogether abolished through Article 17 of Constitution. The Prevention of Civil Rights Act, 1955 added a cap to the feather by strongly affirming the view contained in Article 17, making untouchability a punishable offence.

Mournfully, the condition of women has not ameliorated at all, still in this 21st century. They are still spurned entrance into temples at some places in India. Women are always regarded as weak and incapable. It is the men who are to settle and resolve every matter for the family according to their sweet will. Women stand nowhere in the figure. Men are always preferred over the women in every walk of life, which is obvious from the verity that no priests in the temples, father of the Church, or the Qazis of the mosque can be seen to be a woman. There are disparate religious places in India where entry of women to worship respective idols is banned. Few are cited hereinafter.

The most recent controversial **Lord Ayappa Temple, Sabarimala** is situated in the state of Kerala. The temple authorities disallow female of the age 10 to 50 years into the shrine on the basis of biological and hormonal issues with them. The next is the **Haji Ali Dargah Shrine, Mumbai**, where women are not permitted to come close to the grave. In **Sree Padmanabhaswamy Temple, Kerela** also the same condition prevails, women are forbiddded entrance to the holy place.

Here in Lord Kartikey Temple, Pushkar, it is well profound myth that curse befalls on women who enter the temple. Patbasi Satra, Assam also bars the women entry to maintain the purity of the temple. A large board in front of the Ranakpur Temple, Rajasthan also prohibits entry of women, even they are required to wear Indian clothes and cover their legs at least up to knees. Jalsa Masjid, Delhi does not sanction entry of women after sunset.

Women wearing western attire are stopped entrance into Jain Temples, Guna, Madhya Pradesh. Others that stand in the queue are Nizamuddin Dargah, New Delhi and Bhavani Deeksha Mandapam in Vijayawada.

**RATIONALE FOR THE BAR TO WORSHIP**

One perception behind refusing the right of entrance and offering prayers in the sanctum of the Sabarimala Temple in Kerala is related to menstruation. “Menstruation” refers to the monthly discharge of blood from the inner lining of uterus walls through vagina. Period is the most commonly used word for it, lasting usually for 5-6 days. The onset of menstruation, alluded as menarche, begins at the age of usually 12 years. Menopause is the stage when bleeding ceases, commonly at the age of 45 years. The so-called religious scholars attribute this...
menstruation as a reason behind the refusal of women to access temple. It is believed by the temple authorities that women are “unclean” and “impure” during this period. “Menstruation is God’s gift. It is natural. There is no point in banning menstruating women from places of worship. Didn’t Lord Ayyappa too come from his mother’s womb, and wasn’t menstruation an important part of his birth?” asked Sushma Sahu, member of the National Commission for Women, commenting on the debate about the entry of women to the Sabarimala Ayyappa Temple³.

There appears no logic in this holding ban of women post menarche and up to menopause.

This statement can be firmly backed by instances from the holy scriptures of some major religions prevalent in India. Gazing into the holy books Quran, the Prophet Mohammad never laid down restrictions on menstruating women in regard to their worshipping rights. To embellish the point, it would be apt to recall the verses of The Quran.

“Our Lord! We have heard someone calling us to faith - “Believe in your Lord” - and we have believed. Our Lord! Forgive us our sins, wipe out our bad deeds, and grant that we join the righteous when we die. Our Lord! Bestow upon us all that you have promised us through Your messengers - do not humiliate us on the Day of Resurrection - You never break your promise.' Their Lord has answered them: 'I will not allow the

deads of any one of you to be lost, whether you are male or female, each is like the other.'“ (Qur'an 3:193-195)⁴

The above verse is crystal clear that in the matter of opportunities to worship both men and women are equal in the eye of Allah. Allah has additionally stated all prohibitions that men and women need to observe.

“Believers, when you prepare for prayer, wash your faces, and your hands to the elbows; wipe your heads and wash your feet to the ankles. If you are in a state of ceremonial impurity, then purify yourselves. But if you are ill, or on a journey, or one of you has relieved himself, or have been in contact with women, and find no water, then take for yourselves clean sand, and rub your faces and hands with it. Allah does not wish to place you in a difficulty, but to make you clean, and to complete his favour to you, that you may be grateful.” (Qur'an 5:6)⁵

Here, emphasis should be laid on the fact that Allah specifies a list of actions that are in the zone of restriction. Thus, it could be said that menstruation is no where mentioned as a ground for dismissing the freedom of religion. For menstruation, Allah placed one restriction in following words:

[Quran 2:222] They ask you about menstruation: say, "It is harmful; you shall avoid sexual intercourse with the women during menstruation; do not approach them until they are rid of it. Once they are rid of it, you may have intercourse with them in the manner designed by God...”

[Quran 2:223] Your women are the bearers of your seed. Thus, you may enjoy this

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⁵ Ibid.
privilege however you like, so long as you maintain righteousness. You shall observe God, and know that you will meet Him. Give good news to the believers.6

Allah rejected sexual coitus during menstruation as it is harmful for both of them due to biological issues, obvious from the phrase “it is harmful”. No spiritual nexus appears to forbid worshipping in Islam. It is only the biological harm. No where it is revealed that God constrains women from praying, and fasting during menstruation. Insensible and irrational misconceptions are simply due to the cooking up of verses of the Quran by the alleged religious intellectuals with no convincing and cogent backing from the Quran.

Jesus said: "It is from within, from people's hearts, that evil intentions emerge: fornication, theft, murder, adultery, avarice, malice, deceit, indecency, envy, slander, pride, folly. All these evil things come from within (the heart). They make a person unclean" (Mark 7,14-23)7.

Marching towards Christian religion, the verse discloses that it is the internal purity which Jesus demands to be observed. "When a woman has a discharge, and the discharge in her body is blood, she shall be in her menstrual impurity for seven days, and whoever touches her shall be unclean until the evening. And everything on which she sits during her menstrual impurity shall be unclean. Everything also on which she sits shall be unclean. And whoever touches her bed shall wash his clothes and bathe himself in water and be unclean until the evening. And whoever touches anything on which she sits shall wash his clothes and bathe himself in water and be unclean until the evening. Whether it is the bed or anything on which she sits, when he touches it he shall be unclean until the evening. ..[Leviticus 15:19-33]8

“You shall not approach a woman to uncover her nakedness while she is in her menstrual uncleanness.”[ Leviticus 18:19]9

“But if she is cleansed of her discharge, she shall count for herself seven days, and after that she shall be clean. And on the eighth day she shall take two turtledoves or two pigeons and bring them to the priest, to the entrance of the tent of meeting. And the priest shall use one for a sin offering and the other for a burnt offering. And the priest shall make atonement for her before the Lord for her unclean discharge”[Leviticus 15:28-30]10

Combining the above verses, it is explicit menstruation is not impure for spiritual purposes, rather it proscribes sexual intercourse during periods. Also, even if they are unclean, it is only for seven days, after that they are clean. So, as such there is no hindrance in spiritual offerings after the expiry of seven days.

7 http://www.thebodyissacred.org/body/periods.asp accessed on August 12, 2018, 06:15 AM.
8 https://www.openbible.info/topics/menstruation accessed on August 12, 2018, 6:35 AM.
9 Ibid.
10 https://www.reddit.com/r/Christianity/comments/4r1xjc/what_does_the_bible_say_about_menstruation/ accessed on August 12, 2018, 6: 39 AM.
Buddhism stress for inner purity and sanctity and lays no bar on right to pray. Menstruation is viewed as "a natural physical excretion that women have to go through on a monthly basis, nothing more or less"\(^{11}\).

Guru Nanak also condemned the idea of impurity of a woman in the days of her menstrual cycle. Guru Nanak said there is no impurity in it. It is a natural cycle. Actual impurity is in the mouth of a person who tells lies after lies. Impurity is due to bad qualities and not due to natural bodily function. Then he condemned the idea of impurity after the woman gives birth to child. There was a system to keep woman isolated from the rest of the family for some days after the child’s birth. She was not allowed to touch anything because her touching anything would render it impure. This impurity was called Sutak. Guru Nanak raised his voice against this evil practice. He said everywhere reproduction is taking place. Even the cowdung-cakes, used to cook food, are not free from it. The insects are reproducing, then, there must be impurity in fire also. None of the things we eat or use otherwise is free from life, which is multiplying every moment. He told that actual impurity is due to evil thoughts of mind.

If impurity attaches (to life’s birth), then all, all over, are impure. In the cow-dung and the wood too is the life of worms. As many are the grains of food, not one is without life.

And, is not water life that brings all to life? How can then we believe in life’s impurity, when impurity is in our bread?

Further the Guru tells about the actual impurity:

The mind’s impurity is covetousness; the tongue’s impurity is Falsehood. The impurity of the eyes is coveting another’s woman, beauty and riches. The ear’s impurity is to hear and carry tales.

Nanak: even the purest of men, thus bound, go to the city of the Dead.\(^{12}\)

Collecting above discussion, conclusion can be affirmatively established that some religions do not regard menstruation as a hindrance to spiritual path, while others prescribe a maximum period of seven days, post this they are virtuous and clean.

Apart from the misconception about menstruation, the other thread to right to worship of women is the notion that women are extreme seductress and temptress, having the capability to distract men while they are enchanting mantras or engrossed in their prayers.

Patriarchal set up in India society hinders modernization and compels to adhere to antediluvian ritual.

LEGAL AND JUDICIAL FRAMEWORK

The Constitution of India assures the very right of equality and right to freedom of religion expressly under Part III concerning

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\(^{11}\) https://en.wikipedia.org/wiki/Culture_and_menstruation accessed on August 12, 2018, 6:54 AM.

\(^{12}\) https://www.sikhphilosophy.net/threads/sikhism-and-menstruation.1744/ accessed on August 12, 2018, 21:34 PM.
with Fundamental Rights. Article 14 states “The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India.” Women can claim equality with men as all are equal before law. When a man is allowed to worship in any age, then why discrimination towards a female? Article 25(1) promises the right to practice, profess and propagate any religion to all persons. Moreover, Article 15 of the Constitution says that the State shall not discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them.

Article 25 (2) empowers the State to make any law or restrict the operation of any existing law for regulation or restricting any economic, financial, political or other secular activity which may be associated with religious practice or for providing for social welfare and reform or throwing open the doors of many temples in the country. Instead they lend a strong hand to the anachronistic tradition. A controversy began when Jayamala, a Kannada actor, claimed in 2006 that she had entered the sanctum sanctorum and touched the idol of the presiding deity in Sabarimala. With the incident leading to a storm, the Kerala government had then ordered a crime branch probe but the case was later dropped.\(^{13}\)

Stance taken by the Kerala Government in setting up a case against a female conveys the kind and succour attitude towards maintaining the primordial illogical culture of the temple authorities. The State Government has been an utter failure with regard to its duty under Article 25(2).

Being a signatory to international conventions, India is bound to observe their provisions. One most prominent is the Universal Declaration of Human Rights [UDHR], which under Article 18 states “everyone has the right to freedom of thought, conscience and religion……". Another paramount convention, the International Covenant of Civil and Political Rights [ICCPR] under Article 18(1) says "Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice ...

1981 United Nations Declaration of the General Assembly on the Elimination of All forms of Intolerance and discrimination based on Religion or belief states under Art. 1 (1): "Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have a religion or whatever belief of his choice ….."

Reckoning the judicial take on the right to freedom of religion, the doors of judiciary have always been wide open to secure the fundamental rights of the people. In S. Mahendran vs. the Secretary, Travancore\(^{14}\), a petition treated as public interest litigation

\(^{13}\) https://www.hindustantimes.com/india-news/ban-on-entry-of-women-facts-controversies-about-keralas-sabarimala-temple/story-

\(^{14}\) AIR 1993 Ker 42.
posed the question whether the temple is open for all woman of any age to trek the hills and reach out the temple to worship Lord Ayyapa and whether it would be against the pre existing “acharas” or beliefs. The Court favoured the contention of the Board and temple authorities and upheld their right of religious denominations to maintain and manage its own affairs guaranteed under Article 26(b).

In today’s context, the Supreme Court needs to prove this Kerala High Court verdict wrong in order to assure the right of religion to woman class in Sabarimala temple controversy brought to the Supreme Court again by Indian Young Lawyers Association. Another case decided by Supreme Court, Dr. Noorjehan Safia Niaz & Another V/s State of Maharashtra & Others15 glorifies the lifting up off the ban on the entry of woman in the sanctum sanctorum of the Haji Ali Dargah, exemplifying it as a clear cut violation of Article 14, 15 and 25 of the Constitution. Sham of the Trust Authorities created on the false pretext of safety and security of women from eve-teasing in the Dargah did not stand anywhere firm. At the time the case was decided in 2016, a lot many legislation are already enacted to stop outraging the modesty of the females in the mosque. Judiciary adopted stern action in Smt.Vidya Bal & Anr. vs. The State of Maharashtra & Ors16, where a 400-year-old ban on entry of women into the shrine’s core area was lifted following the agitations of Bhoomata Brigade group against gender inequality.

CONCLUSION AND SUGGESTIONS

Reviewing the whole discussion, it could be gathered that despite the Constitutional provisions 17 and judgments of Supreme Court18 exist on establishing the right of women to offer pray at all worship places, still there prevails lots of hue and cry for their enforcement in the real practicability. Backed by Article 15(3) of the Constitution, a new contemporary legislation is desired to control the occurrences of such other incidents of discrimination against women in the premises of divinity. History signifies as the desideratum for the elevation of women from the primeval downtrodden conditions of being inferior to men knocked the doors of the State, the Government have welcomed and embraced full support to them, in the form of legislations requisite for their progress to another level of ceremoniousness and respectability. The Commission of Sati Act, 1987, The Dowry Prohibition Act, 1961, The Domestic Violence Act, 2005, The Prevention of Sexual Harassment at Workplaces Act, 2015 are some prominent in the list. Demand for terminating the clunky practices in Sabarimala Temple and other pilgrimages has struck the clock again to wide open the eyes of the Judiciary and the Legislature. Both need to play their respective roles efficiently and effectively. Judiciary, being an independent organ of the State, has the major role to play and

15 PIL NO.106 OF 2014 in Bombay High Court.
16 PIL No.55 of 2016 in Bombay High Court.

17 Article 14, 15, 25.
18 Dr. Noorjehan Safia Niaz & Another V/s State of Maharashtra & Others, PIL No.106 of 2014; Smt.Vidya Bal & Anr. vs. The State of Maharashtra & Ors, PIL No. 55 of 2016
should shoulder the maximum responsibility in creating a healthy nation with the fundamental rights of all preserved. Judiciary should act as chaperone and a real watchdog in protecting the violation of religious rights of women at the name sake of illogical custom. Furthermore, as the concept of untouchability has been disrooted completely by the Protection of Civil Rights Act, 1955 and the status of dalits improved both generally and in regard to their ingress into the temples, similarly extreme felt enhancement and upgradation in the position of women can be accomplished through a legislation to interpret truly Article 14, 15 and 25 in favour of women, dismantling orthodox brutalities.

Till the enactment of legislation, a strict administrative or executive order could sort a way out of the mess created at such temples and religious centers.

In this era of 21st century, education is the basic solution to every problem. By raising the level of education among the people might prove an answer to such issues. Awareness, about the verses and hymns in holy scriptures describing the real scene behind all religious scholars-made hogwash concocted stories about menstruation, should be spread in a manner to deroot such discriminatory practices. Women should be made aware of their rights through more campaigns like Happy to Bleed and Me too. Education is the remedy for enforcement of every right.

“Every rapist, murderer, thief or delinquent is allowed to enter a temple, but a menstruating woman cannot, this is the only crime she has committed.”

Is being a woman crime? The atrocities against her even in this century disapprove modernization, rather reflects that even today it is they who stands no position of dignity and honour in the patriarchal society. Reformation most desired.

Historically, importance of custom cannot be overlooked but merely following blindly the foolish customs and usages would hamper the growth of an egalitarian society. Such custom need not be promoted at all. Proof of their antiquity and continuity should be checked to track out the real story, blindly not to be followed as in the case of Haj Ali Dargah case 20, where earlier women were permitted in the mosque but later trust authorities denied their entry on fictitious grounds of ignorance of the Islam and seduction caused to men by woman when she bends to pray with wide-necked blouses showing her chest.

Looking into the real reason for the ban would be helpful; earlier the custom of not allowing woman in the temple was the result of hard journey of trekking hills to reach the sanctum which gave rise to this rubbish culture of barring women. After advancement of road transport, trip has been made quite easy, time has come to throw this misinterpreted custom out of the window.

Analyisising from the spiritual point of view, worship is the act of devotion and dedication

19 https://blog.ipleaders.in/womens-right-worship-india/ accessed on August 12, 2018, 8:18PM.
20 PIL NO.106 OF 2014 in Bombay High Court.
towards God, it does not require the body to be pure. To intimate a relation with the supreme power, all that works is the soul. Analogous to the revelation in the form of hymns and verses in the holy books of other religions as Islam, Christianity and Buddhism, the decision about such discriminatory practices in Sabarimala Temple should be put to halt. Menstruation is not a taboo. It is a physiological issue that need not be highlighted unnecessarily. Importance of woman can be illustrated eloquently through the following verse:

From woman, man is born; within woman, man is conceived; to woman he is engaged and married. Woman becomes his friend; through woman, the future generations come. When his woman dies, he seeks another woman; to woman he is bound. So why call her bad? From her, kings are born.

From woman, woman is born; without woman, there would be no one at all.

— Guru Nanak, Raag Aasaa Mehal 1, Panna 473.

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