SABARIMALA: A QUEST TO EQUALITY

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ABSTRACT

Menstruation is a phenomenon that only women experience. It has, however, always been surrounded by taboos and beliefs that keep women out of many sectors of society. Until now, the subject has been taboo in India. Many countries' taboos surrounding menstruation have an impact on girls' and women's emotional well-being, mindset, lifestyle, and, most importantly, health. Sabarimala has become a hot topic because of its discriminatory and untouchable attitudes toward women of a certain age bracket. With reference to the landmark case of Sabarimala Temple, also known as INDIAN YOUNG LAWYERS ASSOCIATION & ORS vs. THE STATE OF KERALA & ORS/SABRIMALA TEMPLE CASE, the current paper aims to discuss menstruation-related myths prevalent in India, their impact on women's lives, the importance of addressing these issues in primary care, and a brief description of various strategies to combat them.

KEYWORDS: Sabarimala Temple, Menstruation, Equality, Taboo, Women, Rights.

METHODOLOGY: All research is done using secondary data. The research is based on all the information available on the internet in various forms i.e. Articles, Case studies, Data representation, Case laws, etc.

PURPOSE: The paper aims to discuss menstruation-related myths prevalent in India, their impact on women's lives, the importance of addressing these issues in primary care, and a brief description of various strategies to combat them with reference to the landmark case of Sabarimala Temple, also known as INDIAN YOUNG LAWYERS ASSOCIATION & ORS vs. THE STATE OF KERALA & ORS/SABRIMALA TEMPLE CASE.

INTRODUCTION

Out of 195 countries, 143 constitutionally guarantees equality for women. In 2010, a global task force was formed by the United Nations will investigate women's legal and social rights. Despite significant progress in addressing gender inequality, India still has significant gaps. A woman is considered a manifestation of the Hindu goddess Lakshmi in India. As a child, she is worshipped as a goddess and is expected to bring wealth and success to her family but when she attains her maturity i.e. starts her menstrual cycle she is the one who is not allowed to enter temples and kitchen.

Despite the fact that religious freedom and women's equality have become increasingly intertwined, there is still a widespread misconception that the two are incompatible. For instance, the extensive reservations by states regarding the application of international treaties that restrict women's rights to equality undermines the notion that women's rights are incompatible with freedom of religion.

In our day today's life we hear someone or the other talking about stuff like feminism, gender equality and so on however, the real issue remains same, and that is if we really are worried about gender equality? India has been tackling a serious disease of patriarchy i.e. male dominating society since centuries. We are living in a society of hypocrites.
wherein everyone talks about women empowerment and women rights but never take a stand for the same.

Throughout their lives, women have been discriminated against, young Indian girls are prone to experiencing neonatal mortality rates are higher than their male counterparts. The gender inequality is also present in education only 2/3 of girls of ages 6 to 17 are sent to school, compared to 3/4 of boys of the same age. Also, they are less likely to attend school than their male counterparts.

Instead of going to school, many girls in India are forced to marry at an early age and work in order to support their families. This is a serious issue as it affects women’s health and prevents them from receiving proper medical care.

According to the UNDP India's report, the country has fallen to 127 in terms of gender equality. The report also showed that despite the efforts of the government, the situation has remained the same. Moreover, this restriction on women was declared unconstitutional by the Supreme Court in the case of Young Lawyers Association & Ors. vs. State of Kerala & Ors.

The Sabarimala case is a struggle for women's rights. It started with a group of women fighting against the patriarchal principles which prevent them from entering a hilltop temple situated in Kerala. The issue is that these women are regarded as impure by the locals and the religious authorities. It is distressing that these rules were made under a law that was meant to protect and facilitate temple entry. Such uprisings against women rights in India shows that achieving gender equality still remains a dream for the country's society. While these protests are widely considered as the beginning of the 21st century, the reality is that the society still remains patriarchal.

“The dissent is mainly based on two main grounds: first, its maintainability under Article 32 and second, its application of Article 14. Allowing PILs will lead to cases involving religious sentiments”, said Justice Malhotra.

According to me the views of Justice Malhotra are incorrect keeping in view the constitutional norms. She is compromising with the concept behind the PIL as according to her this might cause a rise in the numbers of cases against the exploitative religious norms.

India’s Constitution guarantees freedom of religion to everyone. This includes the freedom to profess, practice, and propagate any religion. Article 26 of the Universal Declaration of Human Rights guarantees the freedom to practice and manage religion. All restrictions on this right are public order, morality, health, and religion.

In the Indian environment, customs and traditions have always been a key and crucial component of any strict and social faction. Distinctive standard practices in different religions have existed in India for quite a while. A portion of these practices are thought of and considering that degree of significance that individuals even consent to forfeit their lives. The act of not allowing and permitting section to the ladies in the Sabrimala sanctuary is one more illustration of such standard practices that have been winning for quite a while.

There have been a few cases in the past that prompted the foundation of regulations that would decide the fundamentals of religions. On account of Sri Venkataramana Devaru v. Territory of Mysore the trustees of the
sanctuary of Sri Venkataramana of Moolky, tested the Madras Temple Entry Authorisation Act, 1947 which opened up the entryways of the sanctuary to the Harijans. The applicants asserted the option to bar different networks from entering their sanctuary as an issue of religion. The Court perceived that the rejection was under the state law of the Hindus, in this manner, a fundamental practice.

In one more instance of Mohd Hanif Quareshi v. Province of Bihar, the Qureshi Muslims of Bihar requested of to the Supreme Court testing the restriction on cow butcher on the ground that it encroached on their basic right to religion as they were constrained by their religion to forfeit cows on Bakrid. The Court, investigating the Islamic strict messages, there was no confirmation that the Qureshi Muslims practised cow pence on Bakrid.

Women between the ages of 10 and 50 were forbidden from accessing the Sabarimala shrine, which is located in the state of Kerala. After a petition claiming that it violated gender equality, the custom was ruled unlawful. Though other temples allow women to attend when they are not menstruating, Sabarimala temple, unlike other temples, does not allow women between the ages of 10 and 50 to enter at all.

**BRIEF ABOUT SABARIMALA TEMPLE**

- Sabarimala is one of the most prominent Hindu temples in the country. Millions of devotees from all over the world visit the temple to seek blessings.
- To enter the temple, pilgrims have to climb 18 holy steps. According to the temple's website, the act of crossing these 18 steps is so sacred that no pilgrim can climb them without undertaking a rigorous 41-day fast.
- Devotees are also supposed to follow specific rituals before they enter the shrine.
- Some of them include pilgrims wearing only black or blue and not being allowed to shave until the completion of their pilgrimage.
- As part of the ritual, they also smear sandalwood paste on their foreheads.

1 www.bbc.com
OF KERALA & ORS/ SABRIMALA
TEMPLE CASE

FACTS:

• Located in the forests of the Western Ghats in Kerala’s Pathanamthitta district, the hill shrine is dedicated to Lord Ayyappa and is managed by the Travancore Devaswom Board (TDB).

• The Sabarimala temple prohibits women aged between 10 and 50 years from entering the shrine.

• It is said that its deity, Lord Ayyappa, is a “Naisthik Brahmachari” and that allowing young women to enter the temple would affect the idol’s “celibacy” and “austerity”.

• The Travancore Devaswom Board has stated that prohibiting women of menstrual age from attending the temple is part of Lord Ayappa followers' "essential religious practise."

• The petitioners have argued that the ban enforced on menstruating women from entering the Sabarimala shrine does not constitute a core foundation of the religion.

• Preventing women’s entry to the temple with an irrational and obsolete notion of “purity” offends the equality clauses in the Constitution.

• It takes away the woman’s right against discrimination guaranteed under Article 15(1) of the Constitution.

• It also curtails the religious freedom assured by Article 25(1).

• The High Court of Kerala in 1991 upheld the prohibition on young women entry in Sabarimala Shrine. The High Court had pointed out that the ‘Naisthik Brahmachari’ nature of the deity was “a vital reason for imposing this restriction on young women”.

JUDGEMENT:

• SC decided that Rule 3(b) is ultra-vires the Constitution, Section 3 of the Kerala Hindu Places of Public Worship (Authorization of Entry) Act, 1965 just as Section 4 of the 1965 Act which says that the guidelines/rules made under this demonstration will not segregate, in any way at all, against any Hindu on the ground that he/she has a place with a specific segment or class.

• High Court censured the restriction as "domineering man-controlled society" (authoritative male centric society implies that man controlled society has become such a general thought that separation dependent on it seems, by all accounts, to be good judgment so much that not just men, even ladies become the ally and culprit of the very idea which segregates them).

• It said that avoidance on grounds of natural and physiological provisions like feminine cycle was illegal. It added up to separation dependent on an organic factor elite to sex. It was a breach of women's rights to balance and respect.

• SC said that preclusion established on the thought that discharging ladies are "contaminated and sullied" is a type of distance and the ideas of immaculateness and contamination trashed ladies.

• SC likewise held that Ayyappa lovers don't frame a different group as a result of their commitment to Lord Ayyappa, yet it is just a glimmer of Hindu love.

• SC upset the 1951 judgment of Bombay High Court in the State of Bombay versus Narasu Appa Mali which held that the individual law isn't 'law' or 'law in power' under Article 13 and held that inoculating
customs removes the supremacy of the constitution.

- No traditions or utilizations can guarantee incomparability over the Constitution and its vision of guaranteeing the sacredness of nobility, freedom, and equity and customs and individual law altogether affect the common status of people.

ARGUMENTS AGAINST THE ENTRY OF WOMEN

1. Some people are of the view that “Permitting menstruating ladies to enter the sacred premises of the temple would influence the deity's celibacy and purity which is the extraordinary nature of Swami Ayyappa”.

2. Some say “Land that is overseen by trusts, are public spots. The Sabarimala trust's delegates guarantee that it has its own practices and customs that must be regarded, very much like other public spots which have their own principles”.

3. Article 25 (2) of the constitution which gives rights of access to public Hindu religious authorities for all classes and segments of the general public that can be applied uniquely to cultural changes, not issues which are covered under Article 26 (b)² of the Constitution. Article 26 (b) gives people the right to manage their own religious affairs.

4. The Guwahati High Court in Ritu Prasad Sharma Vs State of Assam (2015), decided that the religious traditions which are ensured under Article 25 and 26 are safe from challenge under different arrangements of Part III of the constitution.

5. Rule 3(b) of the Kerala Hindu Places of Public Worship (Authorization of Entry) Rules, 1965 forbids women of specific age from entering the temple's premises.

ARGUMENTS IN FAVOUR OF ENTRY OF WOMEN

1. "At the point when ever individual is equivalent in God's eyes just as the Constitution, there is no motivation behind why ladies are just banned from entering certain sanctuaries" said a woman.

2. The Indian constitution under Article 25 gives an individual the opportunity to pick his/her religion. Henceforth supplicating in a temple or mosque or church or at home should be an individual’s decision.

3. The Constitution ensures the right to personal liberty to every person (Article 21).

4. A group of young women stated, "There are incalculable Ayyappa temples in India where such guidelines don't matter and there are no restriction on the entry of women of specific age group. The deity is likewise being loved by ladies of these ages in their homes. Why just Sabarimala temple?"

5. The taboo that feminine cycle would contaminate the sacred premises is inadmissible since there is no evidence that periods were considered "tainted".

6. Discrimination on the basis of organic factor restrictive to the female sex is illegal as it abuses crucial rights under Article 14, Article 15 and Article 17 of The Constitution of India.

7. Banning ladies from entering the sanctuary primarily because of their womanhood and the organic provisions is defamatory to ladies which the Directive

² www.lasir.net
Principles of State Policy (DPSP) under Article 51A (e) looks to repudiate.

CONSTITUTIONAL VIEW:

ARTICLE 26: FREEDOM TO MANAGE RELIGIOUS AFFAIRS

“Subject to public order, morality and health, every religious denomination or any section thereof shall have the right—

1) to establish and maintain institutions for religious and charitable purposes;
2) to manage its own affairs in matters of religion;
3) to own and acquire movable and immovable property; and
4) to administer such property in accordance with.”

Article 26 guarantees the freedom to administer religious affairs. Every religious denomination, or any segment thereof, has the right to exercise the rights set forth in this article. This right, however, must be exercised in a way that is consistent with public order, morality, and health. Article 26 clause (a) grants a religious group the right to organize and operate religious and philanthropic institutions. There is no doubt that the founding of a charitable institution falls under the definition of "charitable purpose." Article 26 can be thought of as a supplement to Article 25.

Article 26 is limited to a religious denomination and does not cover individual rights. Article 26 relates to any religious denomination, whether it is a majority or minority faith, just as Article 25 refers to all people, regardless of their religious affiliation.

ARTICLE 14: EQUALITY BEFORE LAW

“The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India”.

It’s been 75 years of independence but our country couldn't acquire real freedom. Wrongs like discrimination and gender inequality are still present in our country. Indeed, even the person who made our Constitution experienced this utter horror. Indeed, even presently there are a few places where individuals are not treated unequally and they are discriminated on various grounds like religion, race, sex, position, spot of beginning, and so on.

As we all know, our country is a democratic one, and it is the world's largest democratic democracy. Everyone is free to think about anything and do anything (within reason), and our government is there to put appropriate restrictions in place. All people on our country's territory should be considered equal in the eyes of the law.

Equality before the law essentially denotes that all the people should be treated similarly, regardless of their socioeconomic status, gender, or caste. This state is unable to grant any preferential treatment to anyone in the country. It's sometimes referred to as legal equality.

ARTICLE 25: FREEDOM OF RELIGION

1) The Article 25 states that every individual is “equally entitled to freedom of

3 www.qdoc.tips

4 Equal Moral Membership Naz Foundation and the Refashioning of Equality by Bhatia-2017
conscience” and has the right “to profess, practice and propagate religion” of one’s choice.
2) Practicing religion or the act of propagating it should not, however, affect the “public order, morality and health.”
3) The Article doesn’t put any restriction on the government when it comes to making any law to regulate “economic, financial, political or other secular” activities, which may be associated with religious practice.
4) According to Article 25, the gates of Hindu religious institutions should have been opened to every section of Hindus.
5) Here the term ‘Hindus’ also includes individuals who profess Sikh, Jain or Buddhist religion. The same holds true for the term ‘Hindu religious institutions.’

Everyone should have the freedom to freely profess, practice, and spread religion, according to Article 25. However, this right isn't unqualified. This right is subject to public order, morality, and health, according to the first lines of Article 25(1). Other provisions of Part III of the Indian Constitution are subject to the same constraint. This means that a person's right under 25(1) can be curtailed or regulated if exercising that right would violate other provisions of Part III of the Constitution, or if exercising it would be contrary to public order, morality, or health, and it cannot be violated by anyone professing his/her freedom of conscience or to exercise his/her religion. A person cannot, for example, profess his religion in a way that disparages another religion or causes people to be dissatisfied.

Although freedom of religion is a fundamental principle, it cannot be utilised to claim minority status in order to profit from Articles 29 and 30 of the Indian Constitution.

In State Of Rajasthan And Others v. Vijay Shanti Educational Trust, RLW 2003 (4) Raj 2568, the same concept was upheld.

ANNALYSIS OF THE SABRIMALA TEMPLE CASE:
The case of Sabarimala shows how religion and fundamental rights are intimately linked. While women have been fighting for equal rights, the patriarchal mindset and philosophy has prevented them from attaining them. The Supreme Court's five-judge bench, which had a majority of judges, came down with a verdict on the issue. The court noted that the practice of not allowing women to enter a temple is discriminatory and violates their fundamental rights.

All persons and groups are guaranteed the freedom of religion under Articles 25 and 26 of the Indian Constitution, and everybody is free to practise, spread, and believe in any religion of their choice. Furthermore, Article 15 of the Constitution prevents the government from discriminating against citizens based on their religion, race, caste, or gender. Interviewees, on the other hand, contended that the Constitution granted each religious sect the ability to make its own laws, and that the god Ayapan's naiathika brahmacharya nature was the fundamental reason for not allowing women to attend the temple. It is said that the presence of women will question the purity and sacredness of God, and will also distract believers. The court rejected the reasons on the grounds of equality and social stereotypes. He believes men and women are equal and that no one should be discriminated against or restricted in any way. The pure and polluting ideas of the temple authorities to prevent menstruating women from entering the temple clearly violated article 17 concerning
the abolition of any form of untouchability. The Honorable Supreme Court considered the basic practice test that the court has used consistently from time to time. Authorizes the court to determine whether religious practice is a "basic practice" based on the beliefs and beliefs of the religious community.

The Supreme Court created this standard in the Swamiyar case of the Indian Religious Foundation Commissioner, Madras v Shri Lakshmindra Thirtha, Shri Shirur Mutt in 1954. The test for determining what comprises the fundamental portion of a religion will be based on the religion's values and teachings.

The five judges of the Supreme Court ruled by a 4:1 majority. Chief Justice Deepak Mishra and Justice Khan Wilka believe that dedication cannot be subject to physical and physiological gender discrimination and exclusion, because menstruation is unconstitutional and discriminatory. Both women and men have the right to worship, and the temple authorities' practices are discriminatory and violate the Indian Constitution. Judge Chandrachud believes that any religious custom or custom that violates a woman's dignity is completely unconstitutional to deny her entry just because she is menstruating.

The sentence contains the following lines: "The shame surrounding menstruation is based on the traditional belief that menstrual women are impure. They have no place in the constitutional order. A woman's menstrual condition cannot be a denial of her dignity and personal autonomy. Constitutional foundation of the law. "Among the five judges of the Supreme Court, Judge Indu Malhotra, as the only judge, issued unexpectedly different opinions. Her judgment is based on the notion that deep religious sentiment and moral issues, even if it seems discriminatory, the court should not intervene. It is a matter of personal beliefs, India is a country of pluralistic beliefs. The judge cannot intervene and decide whether a practice violates fundamental rights. A religious sect has the freedom to believe and even practice, even if its beliefs are illogical or unreasonable. She believes that article 14 guarantees that the equal basic rights of women cannot override article 25, which guarantees everyone's right to believe, practice and spread their beliefs.

Judge Malhotra set a dangerous precedent and noted that the court should not delve into the rationality of religious activities. It should not be forgotten that if it were not for the radicalism of the judiciary, the rigid social structure would still adhere to rigid orthodoxy.

The Supreme Court's decision on Sabarimala had multiple influences. On one side of the coin, many people support this decision. On the other side, many people, including many women, criticized the decision of our Prestigious Supreme Court, believing that the court violated their religious beliefs and morals.

The impact of this Supreme Court ruling is huge. After the verdict, there will be many changes in the infrastructure of temple facilities that are mainly gender-specific. Furthermore, simply announcing the verdict does not guarantee its applicability at the grassroots level. The court must make sure that what happens at the root level and that women are not denied entry. Sabarimala is not the only temple that discriminates based on religious beliefs, but there are many other temples in the country that do not allow the entry of men. This decision opened a voice to
the Supreme Court to analyze whether the Judiciary also needs to intervene in these areas and whether these practices are also discriminatory.

**GENDER EQUALITY AS A RIGHT**

The preamble and basic principles of the Indian Constitution include the principle of gender equality. Rights, basic obligations and guiding principles. The Constitution not only grants equality to women, but also authorizes the State to adopt positive discriminatory measures in favor of women. Within the framework of democratic politics, our laws, development policies, plans and programs aim to raise the standards of women in different fields. India has also ratified a number of international conventions and a human rights instrument dedicated to ensuring equal rights for women. Among them, it ratified the 1993 Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).

The Indian Constitution not only grants women equality, but also empowers the country to take action. Positive discrimination in favor of women is offset socio-economic, educational and the political disadvantages they face.

While this 9-judge bench is tasked with determining the scope of religious freedom and how it interacts with other fundamental rights, the case is linked to several other cases, including Muslim women's right to enter mosques, Parsi women's right to enter a Fire Temple after marrying a non-Parsi, and the Dawoodi Bohra community's practise of female genital mutilation (FGM). While all of the tagged instances are related to the right to religious freedom under personal laws, they all affect women's rights, including the Sabarimala issue. Some Indian feminist scholars suggest that the relationship between secularism, national identity, and modernity has dominated personal law concerns throughout history. The conflict between personal laws and gender equality has received little attention. Furthermore, they contend that all personal laws have gender-based discriminatory features and have advocated for framing arguments about religious freedom and personal laws within a strong gender equality framework. Taking their reasoning a step further, the Supreme Court cases in Sabarimala, Mosques Entry, Fire Temple Entry, and FGM become mainly anti-discrimination and equal-rights issues.

When it comes to personal law concerns, how has the Supreme Court dealt with them in the past when they've been paired with claims of women's equality?

Ayna Kothari claims that the Supreme Court of India has "chosen picked" cases in which to issue progressive gender equality rulings. In cases where the Court does not identify a conflict between gender equality and the status quo, like in one case the Court has been willing to advance women's equality by reading down the marital rape exception in S. 377 of the Indian Penal Code, 1860. When presented with gender equality arguments against other fundamental rights, such as the right to religion, the Court, on the other hand, has refused to address the problem. In Shayara Bano v. Union of India, the Supreme Court ruled that Triple Talaq is unconstitutional as it is based on religion rather than race. We saw the same thing with the Sabarimala decision. Similar arguments have been presented by Catherine MacKinnon. She points out that the Court has identified grounds other than gender equality to favour women's claims in personal law matters. To reach progressive decisions, the
Court relies on technical reasoning and other interpretive techniques while ignoring equity concerns. MacKinnon makes an attempt to explain the pattern. Gender equality might be perceived as a "western and hegemonic idea that does not respect cultural diversity" by the Court, and it could be seen as a "western and hegemonic idea that does not respect cultural diversity."

When the 9-judge bench agrees to consider the Sabarimala Review case and other listed concerns, the Justices may have an opportunity to lend weight to the feminist framing of personal law and religious freedom problems via a gender equality perspective.

A STORY OF DARSHAN

On January 2, 2019, two ladies clothed in black, Bindu (42 years) and Kanakadurga (44 years) entered Sabarimala early in the morning, making history. They arrived in Sannidhanam with the help of police officials, some of whom were dressed in mufti.

The key issue isn't admission, but rather equality. Religious exclusion has a public dimension, and it is a matter of civil rights and practical and symbolic equality, not just a holy tradition.

Regrettably, the courts have taken on the role of deciding what constitutes authentic faith. Because the Indian state is the agent for the reform and management of Hinduism and its institutions, this situation has emerged. Devotees' beliefs and customs cannot be modified through the legal system. Reforms should come from within society. As long as that does not happen, religious questions are likely to be litigated frequently.

MENSTRUATION: A TABOO

Even the mere mention of the subject has been forbidden in India in the past, and cultural and societal influences appear to be a barrier to knowledge advancement on the subject even today. Menstruation is still regarded filthy and disgusting in many regions of India's culture. The myth's origins may be traced back to Vedic times, and it is frequently tied to Indra's slaying of Vritras. According to the Veda, the shame of slaying a brahmana-murderer manifests itself every month as menstrual flow, as women have taken on a portion of Indra's guilt. Women are also forbidden from participating in normal life when menstruating in the Hindu faith. Before she can return to her family and daily responsibilities, she must be "purified." Menstruation is caused by ovulation, which is followed by a missed chance of pregnancy, which leads in bleeding from the endometrial vessels and the preparation for the following cycle, according to science. As a result, it appears that the concept that menstruation women are "impure" continues to exist.

Because they are menstruating, many girls and women face constraints in their daily lives. The main restriction for urban females during menstruation is not visiting the "puja" chamber, whereas the main restriction for rural girls during menstruation is not entering

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5 https://www.scobserver.in/beyond-the-court/on-balancing-gender-equality-and-religious-freedom
6 Sabarimala Temple Issue – Should Women of All Ages Be Allowed To Enter? By – Alex Andrew George, 2019
8 www.moam.info
the kitchen\textsuperscript{9}. It is also forbidden for menstruating girls and women to offer prayers or handle holy texts\textsuperscript{10}. The cultural views about impurity connected with menstruation are also at the root of this misconception. It is also believed that menstruation women are filthy and unhygienic, and that the food they cook or handle may get tainted as a result. According to a 2011 study by Kumar and Srivastava\textsuperscript{11}, participating women also indicated that their bodies release a unique fragrance or ray during menstruation, which causes stored food to spoil. As a result, they are not permitted to eat sour foods such as pickles. However, no scientific research has demonstrated that menstruation is the cause of food spoiling in the manufacturing process, as long as normal hygiene precautions are followed. Traditional connotations with evil spirits, humiliation, and embarrassment surrounding sexual reproduction may exacerbate cultural norms and religious taboos on menstruation. In some regions of India, rigorous dietary restrictions are also observed during menstruation, such as the avoidance of sour foods such as curd, tamarind, and pickles by menstrual girls. The menstrual flow is said to be disrupted or stopped by such foods\textsuperscript{12}. In terms of exercise, many studies in India and elsewhere have revealed that many adolescent girls believe that exercising or engaging in physical activity during menses aggravates dysmenorrhea, whereas real exercise can help relieve premenstrual syndrome and dysmenorrhea symptoms, as well as bloating. Exercise also triggers the release of serotonin, which makes you feel considerably better\textsuperscript{13,14,15,16}.

In some parts of India, Hinduism is associated with ideas of purity and pollution. Bodily excretions, as well as the bodies that produce them, are thought to be polluting. The biological processes of menstruation and delivery pollute all women, regardless of their social station. Water is said to be the most prevalent purifying medium. As a result, protecting water supplies from pollution, which is a physical embodiment of Hindu gods, is a major priority\textsuperscript{17}. This could


\textsuperscript{10} Ten VT. Menstrual hygiene: A neglected condition for the achievement of several millennium development goals. Europe External Policy Advisors. 2007.


\textsuperscript{12} UNICEF. Bangladesh: Tackling menstrual hygiene taboos. Sanitation and Hygiene Case Study No. 10. 2008.

\textsuperscript{13} www.ncbi.nlm.nih.gov

\textsuperscript{14} Sadiq MA, Salih AA. Knowledge and practice of adolescent females about menstruation in Baghdad.

\textsuperscript{15} Morley W. Common myths about your period. 2014.

\textsuperscript{16} Poureslami M, Osati-Ashtiani F. Assessing knowledge, attitudes, and behavior of adolescent girls in suburban districts of Tehran about dysmenorrhea and menstrual hygiene.

\textsuperscript{17} SOS Childrens’ Village. Social taboos damage the health of girls and women. 2014.
be one of the reasons why menstruation women are not allowed to bathe, especially during the first few days of their period.

**IMPACT ON WOMEN ALL AROUND**

Many countries' taboos surrounding menstruation have an impact on girls' and women's emotional well-being, mindset, lifestyle, and, most importantly, health. When girls in many less developed countries start menstruation, they drop out of school in large numbers. Over 23% of Indian ladies fall into this category. In addition, female teachers face challenges due to their monthly menstrual cycle. As a result, the lack of suitable menstruation protection options and/or clean, safe, and private sanitary facilities for female teachers and girls, as well as a gender-unfriendly school culture and infrastructure, jeopardize the right to privacy. There are additional issues of health and cleanliness to consider when it comes to girls and menstruation. Inadequate washing facilities and lack of protection may increase susceptibility to infection, with the stench of menstrual blood putting girls at risk of stigmatisation. The latter could have serious consequences for their mental health.\(^{18}\) The difficulty of tackling menstrual taboos and beliefs is exacerbated by the fact that girls' knowledge and comprehension of puberty, menstruation, and reproductive health are quite limited.\(^{19}\)

**STRATEGIES TO COMBAT THESE MYTHS ABOUT MENTRUATION**

In order to enhance the reproductive health of minor girls and women, it is necessary to take a systematic approach to addressing the myths and social taboos connected with menstruation, based on the existing research. The first and most important technique in this regard is to raise knowledge about menstrual health and cleanliness among adolescent females. Young girls frequently have limited awareness of menstruation as a result of their mothers and other female relatives' aversion to discussing the subject with them. Adult women may be unaware of biological realities or basic hygiene habits, instead passing down cultural taboos and limits that must be followed.\(^{20}\) Community-based health education programmes may be beneficial in accomplishing this goal. There is also a need to raise knowledge about menstruation among school teachers. Women's empowerment through education and increased decision-making authority can also help in this direction. Because of their lower literacy levels, women and girls are frequently excluded from decision-making. Women's education has a significant role in promoting the health of the community as a whole and, in particular, in breaking down cultural taboos. With a gender viewpoint, sanitary napkins and proper sanitation and washing facilities should be made available.

Locally produced and distributed low-cost sanitary napkins are especially useful in rural and slum communities, where access to the product is limited. Since 2010, the Government of India has approved a scheme for menstrual hygiene among adolescent girls of Amritsar, Punjab, India.\(^{20}\)

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\(^{18}\) Kirk J, Sommer M. Menstruation and body awareness: linking girls’ health with girls’ education. 2006.
www.moam.info

\(^{19}\) Kaur K, Arora B, Singh GK, Neki NS. Social beliefs and practices associated with menstrual

under the National Rural Health Mission to enhance menstruation hygiene for 1.5 million teenage girls by providing low-cost sanitary napkins in rural areas. However, the programme is still in its early stages, and much more work still to be done. In order to battle deeply established societal ideas and cultural taboos, it is also necessary to increase the role of the male spouse and clear his beliefs system.

Men and boys often know even less about menstruation, but it is critical that they do so in order to help their wives, kids, moms, students, employees, and classmates. Health professionals, Accredited Social Health Activists, and Anganwadi workers must be sensitised about menstruation biology so that they may distribute this information in the community and mobilise social support to dispel menstruation-related stereotypes. Clinics that provide adolescent-friendly health services must also have trained personnel to deal with these challenges.

As a result, multi-sectoral approaches are becoming increasingly apparent. Physical infrastructure, water, and sanitation initiatives must be linked to health education and reproductive health programmes in order to address the problem holistically. Menstruation is merely a natural biological occurrence, and young girls and women should recognise that it is only because of this virtue that they have the ability to reproduce.

SPECIAL INITIATIVES FOR WOMEN

1. **National Commission For Women**: The Government established the National Commission for Women in January 1992 with the particular aim of studying and monitoring all things relevant to the constitutional and legal guarantees given for women, reviewing current legislation and suggesting revisions where necessary, and so on. The NCW's mission is to advocate for women's rights in India and to provide a voice to their issues and concerns. Dowry, politics, religion, equitable representation for women in the workplace, and the exploitation of women for labour have all been topics of their campaigns. They've also talked about police brutality towards women. Rashtra Mahila, the commission's monthly bulletin, is published in both Hindi and English.

2. **Women's Reservation in Local Self-Government**: The 73rd Constitutional Amendment Acts, voted by Parliament in 1992, guarantee one-third of all seats in all elected offices in local authorities, whether in rural or urban areas. The Panchayati Raj institutions are the self-government institutions at the grassroots level. They are the tools for grassroots decentralisation and participatory democracy. They return to the people the authority that is rightfully theirs. These institutions have tremendous potential for democratic decentralisation and power redistribution. They serve as catalysts for socioeconomic change. As a result, these bodies must be functional and effective. This necessitates the active participation of people, both men and women, in decision-making, development programme execution, monitoring and evaluation, and the equitable distribution of resources.

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of development benefits. Women have always played a vital role in influencing not only the family but also the society. Hands that can care for a child's cradle can likewise care for society.25

3. The Girl Child National Plan of Action (1991-2000): The goal of the Action Plan is to assure the female child's survival, protection, and growth, with the ultimate goal of constructing a brighter future for her. The Indian government has implemented a number of plans and policies to provide citizens with various rights and benefits. The NATIONAL PLAN OF ACTION FOR THE GIRL CHILD is one such plan of action developed by the Indian government. It is designed specifically to safeguard and promote the girl kid in a variety of sectors. Women are the backbone of our society, and whether or not they are appreciated and honestly acknowledged for it is irrelevant. However, it is vital to ensure that all children have an appropriate opportunity to grow up in an environment free of abuse, violence, poverty, exploitation, and carelessness in order to build a great nation.

4. National Policy on Women's Empowerment, 2001: In the Preamble, Fundamental Rights, Fundamental Duties, and Directive Principles of the Indian Constitution, the principle of gender equality is incorporated. The Constitution not only guarantees women's equality, but also gives the government the power to implement positive discrimination policies in their favour. Our laws, development strategies, plans, and programmes have all been targeted towards advancing women in various fields within the context of a democratic democracy. The approach to women's affairs has shifted from welfare to development since the Fifth Five Year Plan (1974-78). Women's empowerment has become a focal point in evaluating their standing in recent years. In 1990, an Act of Parliament established the National Commission for Women to protect women's legal rights and privileges. The 73rd and 74th Amendments to India's Constitution (1993) established a firm foundation for women's participation in decision-making at the local level by reserving seats in Panchayats and Municipalities. India has also ratified a number of international conventions and human rights treaties that commit to ensuring women's equality. The ratification of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in 1993 is one of the most important of these achievements.

5. Beti Bachao, Beti Padhao Aandolan27: Since 1961, the Child Sex Ratio (CSR), which is defined as the number of girls

25 Panchayati Raj, 73rd Constitutional Amendment and Women By- Bidyut Mohanty
https://www.jstor.org/stable/4403611

26 Ministry of Women and Child Development-
https://wcd.nic.in/womendevelopment/national-policy-women-empowerment

27 Ministry of Women and Child Development -
https://wcd.nic.in/bbbp-schemes
per 1000 boys aged 0 to 6, has been steadily declining. The drop from 945 in 1991 to 927 in 2001 and 918 in 2011 is concerning. Women's disempowerment is reflected in the reduction in the CSR. Pre-birth discrimination shown through gender biased sex selection is reflected in CSR, as is post-birth prejudice against girls. On the one hand, social constructs that discriminate against girls, as well as the simple availability, affordability, and subsequent misuse of diagnostic techniques, have all had a role in increasing Sex Selective Elimination of girls, resulting in a low Child Sex Ratio. The government has launched the Beti Bachao Beti Padhao project in response to the need for coordinated and convergent measures to safeguard the girl child's survival, protection, and empowerment. This is being done through a national campaign and targeted multi-sectoral action in 100 low-CSR districts across all states and territories. The Ministry of Women and Child Development, the Ministry of Health and Family Welfare, and the Ministry of Human Resource Development have collaborated on this project.

Its objectives are:
- Gender-based sex discrimination should be avoided.
- Ensure the girl child's survival and protection
- Ensure the girl child's education and participation

CONCLUSION

Sabarimala's decision is a watershed moment in the conflict between religious beliefs and rituals and concepts of equality for all citizens. In its type, the Sabarimala decision is courageous and compassionate. There are various conceptions of morality, customs, and religions, but the Supreme Court highlighted the greatest notion of morality, which is Constitutional Morality, through this case. On the one hand, we talk about progress, growth, wealth, global leader, and world power; but, we are still constrained by our deep-rooted conservative views of certain behaviours and beliefs, and as a result, we fail as a society and a nation. Women in society face discrimination based on their gender, and they are still viewed as submissive to males due to society's patriarchal worldview. Feminist movements have come a long way in protecting and providing rights for women, but there is still a long way to go. Menstruation has always been fraught with taboos and beliefs that keep women out of many sectors of society. Until now, the subject has been taboo in India. After being buried deep in the dirt by orthodox society and its beliefs, the case of Sabarimala has pushed this issue to the surface. Through its decision, the Supreme Court resolved the conflict between fundamental rights and traditional values. Traditions have long been a vital and fundamental component of our culture, and they are among the most well-known aspects of our country's identity. Traditions, on the other hand, that obstruct the fundamental substance of the constitution and the rights of a specific group of individuals in society owing to a natural biological process should be seriously questioned. The Indian Constitution ensures that all citizens have certain fundamental rights, including the right to equality and the right to worship. The Supreme Court's decision to lift the restriction on women attending the Sabarimala temple once again confirmed the supremacy of the Constitution of India above all other considerations, guaranteeing that women's rights are not
violated as a result of long-standing practises and traditions. The Supreme Court's decision has far-reaching repercussions. Following the ruling, the infrastructure of the temple premises will undergo several adjustments, most of which are gender-specific. Furthermore, simply announcing the decision does not guarantee that it will be implemented on the ground. Sabarimala isn't the only temple in the country where males are barred from entering because of their religious views. This decision has given the Supreme Court the opportunity to consider whether the judiciary should intervene in these areas as well, and whether these practises are likewise discriminatory.

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