

## Tackling the Period of Taboo

### Why in news?

Recently Gujarat High Court proposed guidelines that prohibit menstruating women from entering the public, religious and educational places.

### What is the history behind the guidelines?

- In February 2020, college authorities of the Shree Sahajanand Girls Institute (SSGI) in Gujarat allegedly forced over 60 girls to remove their undergarments to check if they were menstruating.
- The college authorities said that menstruating women entering the temple and kitchen is against the institute's rules.
- This led to outrage and four persons were later arrested.

### What is the intention behind the action of SSGI?

- The stigma finds its roots in the notion of purity and pollution attached historically to menstruating women in India.
- It is drawn from the notion that menstruating women are impure and this targets the physiological feature of being women.
- Women are treated differently because they have distinct physiological features than men.
- This perpetuates and exacerbates regressive patriarchal notions of our society.

### What did Supreme Court said about this issue?

- In Indian **Young Lawyers Association v. The State of Kerala (2018)**, known as the Sabarimala case, the court explained the following.
- It said that any social practice which excludes women from participation in public life due to menstruation is discrimination on the ground of sex.
- It is impermissible under Article 14 of the Constitution and against the notion of substantive equality adopted by the Constitution.
- It supports a more formal notion of equality of separate but equal treatment and impacts deeply personal and an intrinsic part of their privacy-menstrual status.
- This type of restrictions imposed on menstruating students is an attempt by

state and non-state actors to take control of their person.

- It is an outrageous exercise of power to prevent them from leading a dignified life during their period and an excessive invasion of a biological feature that makes them women.
- This goes against the intent of our Constitutional values and this practice needs to be changed.

### **What does Gujarat High Court say now?**

- The Gujarat High Court proposed to introduce a set of guidelines that prohibit the social exclusion of menstruating women from private, public, religious and educational places.
- It emphasised on the negative impact created by such practices on a woman's emotional state, lifestyle and most significantly her health.
- But the effect of court intervention is yet to be seen in society as the previous verdict on this have failed to change societal notions surrounding it.
- Previously court held that menstruation is a part of the fundamental right to (private) life.

### **What can we infer from this?**

- The hope for women is that slowly society will consider the norm of menstruation as taboo and abhorrent practices of discriminating as abnormal.
- This will turn into a society where no exclusion will be practiced and tolerated and no discrimination will be perpetrated.
- It will be a society where women can freely live a dignified life, nurturing all facets of their womanhood.
- It will be a society where women will be considered neither polluted nor impure during their menstruation, but will be treated with respect.

**Source: The Hindu**