



The Customary Practices of Virginity Testing in India: Mental Trauma to Women

Madhuri Tulshiram Gangurde, Dr. Adv Harita Shinde Bangali

Research Student, Law School, Sandip University Nashik, Maharashtra, India

Research Guide, Sandip University Nashik, Maharashtra, India

Abstract

Virginity testing, a deeply engrained and debated practice in India, comprises the physical examination of women to evaluate their virgin status, often leading to severe psychological and emotional trauma. This paper explores the historical, cultural, and societal factors that prolong virginity testing, highlighting its implications on women's mental health. Despite being widely criticized for its lack of scientific validity and ethical concerns, the practice continues to be normalized in certain communities under the guise of preserving social honor and tradition. The paper examines the mental trauma women endure as a result of these invasive tests, including feelings of disgrace, anxiety. Additionally, it discusses the broader gender disparities and patriarchal structures that sustain such practices, while emphasizing the need for legal reform, societal awareness, and education to eradicate these harmful customs. The research underlines the urgent need for a shift in societal attitudes toward women's autonomy and the rejection of harmful, old-fashioned rituals that violate their dignity and well-being.

1. Introduction

Virginity testing is a widely debated and firmly rooted practice across various parts of the globe, with India being no exception to this troubling tradition. This practice, often framed as a way to assess a woman's sexual history and purity, is based on out-dated patriarchal views of women's bodies. It is historically rooted in societal and cultural principles that place substantial value on women's chastity, particularly before marriage, and often links a woman's moral worth to her perceived virginity. Virginity is often not viewed as a personal or private matter but as a commodity that can effect family honor, marital projections, and social status within the community. Consequently, this creates immense pressure on women to conform to these out-dated standards.

In India, the practice of virginity testing is more than just a private or medical issue; it is mingled into the very fabric of societal norms and legal frameworks. In many parts of the country, the importance of virginity is often emphasized in the context of marriage, where



women are expected to be "untainted" or "unblemished" by prior sexual experience. This cultural obsession with female purity manifests in several ways, including the use of offensive physical exams intended to determine whether a woman is a virgin. Among these, the "two-finger test" has become dishonourable for its violation of bodily autonomy and human rights. The test involves inserting two fingers into the woman's vagina to check for the "tightness" of the hymen or the presence of any physical symbols that might suggest prior sexual activity.

The significance of the practice extends far elsewhere its immediate impact on the body. It is deeply tied to the social value assigned to a woman's sexual history and can serve as a tool for controlling women's conduct. In some cases, the test is conducted before marriage, sometimes by medical professionals or family members, with the goal of ensuring that a woman is considered "pure" enough to marry. In others, it may be part of a larger societal practice where women's worth is assessed in relation to their adherence to these rigid gender norms. This makes the practice of virginity testing a broader social issue, deeply entrenched in patriarchal control, gender inequality, and often linked to the expectations of a woman's role as a wife and mother.

The implications of this practice are perceptive; especially for women's mental and emotional well-being. The psychological consequences of virginity testing can be severe and long-lasting. Women who undergo these tests may experience trauma, feelings of shame, guilt, and insignificance, as they are subject to invasive procedures without their informed consent. The trauma can manifest as anxiety, depression, and post-traumatic stress disorder (PTSD), and body image issues. Women may also be left with the belief that their worth is based solely on their physical integrity, leading to distorted self-esteem and unhealthy relationships with their bodies.

The continual occurrence of virginity testing in India also reflects the on-going struggle for gender equality. Despite legal frameworks that prohibit such practices, implementation is weak, and the practice remains widespread, particularly in rural areas or in communities with limited access to healthcare or legal awareness. This demonstrates a gap between legal prohibitions and actual practice, with social norms and resistance to change often being more powerful forces in rural and conservative regions of India.



Therefore, this article explores the history, cultural foundations, and psychological effects of virginity testing, emphasizing the significant harm it causes to women. In addition, it delves into the legal and social challenges that persist in combating this practice. Despite legal and medical guidelines issued to control the practice, societal and cultural attitudes toward female virginity continue to pose significant barriers to change

2. Historical Context and Cultural Significance.

Virginity testing in India is linked to deeply root patriarchal norms that value women primarily in terms of their sexual purity. Historically, the concept of virginity has been closely tied to notions of family honor, marital success, and social status. Women who are deemed to have "lost" their virginity outside of marriage are often stigmatized and excluded from social life. In certain communities, the concept of virginity is so significant that it dictates women's behavior, particularly regarding sexual activity and relationships.

The "two-finger test," one of the most infamous methods of virginity testing, involves a gynaecologist injecting two fingers into a woman's vagina to check whether her hymen is intact or whether it has been stretched. Supporters of this test claim that it can confirm whether a woman is a virgin, although it is not a scientifically valid or reliable and consistent method for determining virginity. Moreover, it is vital to note that the physical state of the hymen has no correlation with a woman's sexual history or purity.

3. Mental Trauma and Psychological Impact on Women.

Virginity testing, in addition to being a obvious violation of a woman's privacy, causes profound mental trauma that can have long-lasting psychological effects. It creates an environment in which women are continually judged by societal standards of sexual purity, which can result in emotional distress, anxiety, and depression. The stigma associated with virginity tests places significant pressure on women, leading them to feel worthless or alienated if they fail the test or fear that they might.

3.1 Loss of Autonomy and Dignity:

Virginity testing is not only an invasion of a woman's privacy but also a direct assault on her bodily autonomy and dignity. The practice, especially when it involves invasive procedures



like the infamous "two-finger test," places women in a susceptible position, where their physical integrity is scrutinized under the guise of social or cultural expectations. It is essential to understand that bodily autonomy is a fundamental human right, which asserts that individuals should have the elite authority over their bodies and the choices they make regarding their sexual and reproductive health. Virginity testing, however, strips women of this autonomy, often reducing them to objects that must conform to societal and familial expectations.

3.2 Informed Consent and Coercion:

One of the core issues with virginity testing is the lack of cognizant consent. The "two-finger test" is often conducted without the woman's clear consent, and when consent is obtained, it is often coerced or given under extreme pressure. For example, the practice may be forced upon young women by their families or communities in an attempt to preserve or validate their honour before marriage. In many cases, women undergoing these tests feel they have little agency in the decision-making process, either because of societal expectations or the manipulation of those in positions of authority. These tests, conducted by medical professionals, often lack proper explanation or consent protocols, rendering them an ethical violation.

Research highlights that women often report feeling pressured into these tests and often agree to them only to avoid social banishment or familial conflict. This raises ethical concerns about the integrity of consent in these situations. Without the ability to freely choose, these women are deprived of the power to make decisions about their own bodies, reinforcing the lack of autonomy that defines many gendered involvements in patriarchal societies.

4. Virginity Testing and the Objectification of Women

The act of virginity testing, particularly when carried out using invasive methods, is inherently brutalizing. It reduces a woman's body to an object of scrutiny, where the focus is placed solely on her sexual history and purity. The process reinforces the objectification of women, where their bodies are viewed not as autonomous objects but as vessels whose value is reliant upon their devotion to societal standards of chastity.



Such practices promote the harmful notion that women's worth is tied to their apparent sexual purity, leaving them susceptible to judgment and stigmatization. Virginity testing is a blunt appearance of the patriarchal idea that women must be "unspoiled" for marriage and that their sexual choices must be continually controlled and validated by male authority figures, whether within the family or the wider society. This objectification is not limited to the individual experience but is part of a broader cultural tendency to treat women's bodies as commodities valued for their perceived purity, but stripped of their agency and individuality. This places women at the pity of cultural standards that deny them the opportunity to define their identities beyond their sexual history.

5. Violation of Dignity and Psychological Harm

The psychological impact of virginity testing is insightful, as it severely damages a woman's sense of dignity. Dignity, in the context of bodily autonomy, involves a person's sense of self-worth and the respect they receive for making personal decisions about their own body. The disturbing nature of virginity testing, combined with the social judgment that often accompanies it, can deeply harm a woman's self-respect. Women subjected to these tests often experience feelings of humiliation and helplessness, as their bodies are violated without their full consent. Many report a deep sense of shame after undergoing the procedure, as they are made to feel as though their bodies do not belong to them, but rather to society, family, and patriarchal norms.

In some cases, the harm goes beyond the immediate emotional trauma. The stigma attached to the concept of virginity in many parts of India means that women who "fail" the test may experience long-term psychological effects such as anxiety, depression, and a lasting sense of irrelevance. This is particularly problematic for women who have grown up in environments where their value is tied to their professed sexual purity. The loss of dignity in these cases may lead to a lifelong struggle with body image issues and a distorted sense of self-worth.

6. Reinforcement of Gender Inequality

Virginity testing also reinforces the broader issue of gender disparity. By treating a woman's body as a site for cultural validation and control, this practice makes worse the power imbalance between genders. In societies where virginity is considered synonymous with purity and moral character, women are expected to uphold strict principles of sexual modesty,



while men often face little to no scrutiny regarding their sexual behaviours. This reinforces the notion that women's sexual agency must be firmly controlled, leading to a cycle where women are constantly scrutinized, judged, and diminished in their ability to make choices about their own lives.

Virginity testing is one of the most obvious displays of gendered expectations, where women are deprived of the freedom to express their sexuality without fear of being shamed, disliked, or violated. This inequity reflects broader patriarchal structures that seek to control women's bodies, particularly their sexual autonomy, through practices that objectify them and strip away their human dignity. These societal norms prevent women from enjoying the same freedoms and rights as men, reinforcing their subjugation and banishment.

7. Long-Term Impact

The long-term psychological and emotional consequences of virginity testing can be very harmful. Women who undergo such invasive tests often report lasting feelings of distrust in their own bodies, self-esteem issues, and anxiety about their future relationships. Many also experience post-traumatic stress, as they are left to process the violation of their autonomy without adequate psychosomatic support. The trauma of being subjected to such a degrading process often manifests in anxiety, depression, and even sexual dysfunction, as women internalize the message that their sexual agency is something to be embarrassed of or hidden from others.

In a broader sense, the continuing practice of virginity testing in India reflects the deep-seated patriarchal values that govern many aspects of women's lives. The perpetuation of this practice not only trespasses upon women's rights but also strengthens a societal structure that views women as subordinate to men, with their value tied to their adherence to out-dated moral codes regarding purity and sexual behaviours.

8. Implications for the Relationships

The influence of virginity testing extends to women's personal relationships as well. The intense societal focus on a woman's virginity can place undue strain on her matrimonial relationships. Women may feel inadequate or "unworthy" of love and affection if their virginity is questioned or if they fail the test. This pressure can distort their self-image and



disrupt their ability to form healthy connections. Even after marriage, women may experience marital discord if their virginity is later called into question, leading to emotional distress and strained relationships. The inescapable culture of virginity testing contributes to unhealthy dynamics in relationships, where a woman's value is tied to her sexual history rather than her emotional and relational qualities.

9. Legal and Social Challenges

Despite the damaging effects of virginity testing, the practice continues to be pervasive in India, particularly in rural and conservative regions. The legal framework in India has made some progress in addressing this issue, but substantial gaps remain.

9.1 Legal Framework on Virginity Testing in India

The legal framework surrounding virginity testing in India has undergone significant shifts in recent years, though the practice remains prevalent despite legal prohibitions. This legal discourse primarily involves the **Medical Council of India's (MCI) 2013 guidelines**, as well as broader human rights laws and constitutional provisions related to women's dignity, bodily autonomy, and equality. The legal status of virginity testing raises key questions about **privacy, bodily integrity, and gender discrimination** within the context of Indian society.

9.2 MCI Guidelines and Their Prohibition of Virginity Testing

In 2013, the **Medical Council of India (MCI)** issued **guidelines prohibiting virginity testing**, specifically the **"two-finger test"**, which has been widely criticized for its lack of scientific validity and its harmful psychological effect on women. The MCI guidelines recognize that these tests **violate women's rights and bodily integrity**. The Council emphasized that such procedures are both **unscientific and degrading**, and they stress that virginity testing has no clinical or medical value. The guidelines specifically state:

"The two-finger test, in particular, has no scientific basis and is degrading to women. It is a violation of a woman's human rights and bodily integrity, and the test should not be showed in any medical or clinical setting."

This directive was allied with the growing body of international human rights law which seeks to protect women from invasive and embarrassing medical procedures that serve no



valid medical purpose and are often used as a tool to enforce gendered norms of sexual purity.

Despite this clear prohibition, **enforcement** remains problematic. The guidelines have had limited success in curbing the practice due to gaps in awareness, predominantly in rural or conservative areas where the practice is most common. Furthermore, the **lack of legal literacy** and the **absence of institutional accountability** for healthcare providers allow the persistence of such practices even when they contradict national guidelines.

9.3 The Constitutional and Human Rights Context

India's **Constitution** provides several protections that support the prohibition of virginity testing, including **Article 21**, which guarantees the right to **life and personal liberty**, including the **right to privacy**. The constitutional right to privacy has been recognized in landmark cases, such as the **K.S. Puttaswamy v. Union of India** case in 2017, where the Supreme Court held that **individual privacy** is a fundamental right. The Court noted that any invasion of privacy must be backed by justifiable grounds, and practices such as virginity testing are basically invasive and degrading.

Moreover, the **Right to Equality** under **Article 14** of the Indian Constitution prohibits discrimination on the grounds of sex. Virginity testing practices, which disproportionately affect women, uphold a **patriarchal view** of women's worth based on their sexual history. This strengthens **gender-based discrimination**, and the constant practice of virginity testing contributes to the continued oppression and subjugation of women in Indian society.

9.4 International Human Rights Law

India is a signatory to various international human rights agreements, such as the **Universal Declaration of Human Rights (UDHR)** and the **Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)**, both of which enshrine the rights of women to **bodily autonomy**, **privacy**, and **freedom from degrading treatment**. Virginity testing, which is widely regarded as a form of **gender-based violence**, directly contravenes the principles outlined in these international instruments.



CEDAW, in particular, mandates the elimination of practices that harm women's physical and mental well-being, together with any medical or social practices that violate their dignity. Article 5(a) of CEDAW urges states to take steps to **modify social and cultural patterns** to eliminate harmful practices such as virginity testing, which are deeply rooted in gender discrimination and control over women's sexuality.

In 2016, the **World Health Organization (WHO)** and **United Nations (UN)** also issued statements condemning virginity testing as a **violation of human rights** and calling for its immediate end worldwide. This international stance has further pressured governments, including India's, to take stronger actions to eradicate the practice.

9.5 The Role of the Indian Judiciary in Addressing Virginity Testing

Indian courts have taken **some steps** to address the practice of virginity testing, although these steps have not been comprehensive enough to fully eradicate the problem. In the **case of Laxmi v. Union of India (2014)**, the Delhi High Court ruled on issues related to **bodily autonomy and dignity** in a context where medical tests were performed on women without consent. Nevertheless the court did not specifically rule on virginity testing, the judgment reinforced the principles of **consent** and **respect for women's bodily rights**, which are crucial in the context of medical procedures like virginity tests.

The judiciary has also addressed issues related to the **legal status of women's bodies** in cases related to sexual assault, harassment, and marital rights. Courts in these cases have recognized that a woman's body is not a subject for social control or measurement based on traditional norms of **purity** or **modesty**. These cases help to create a framework where the protection of women's rights and dignity is prioritized over social expectations and patriarchal practices like virginity testing.

9.6 Gaps in Legal Enforcement and Continuing Practices

Despite these securities, the effectiveness of the legal framework is often undermined by **cultural resistance** and **lack of awareness**. In many regions, traditional practices such as virginity testing are profoundly deep-seated, and **social pressure** continues to encourage the practice. **Healthcare professionals** in such areas may either lack awareness of the legal



prohibitions or may continue to conduct these tests due to **social pressures** or the perceived importance of female chastity within marriageable backgrounds.

The **lack of strong enforcement mechanisms** also vestiges a key issue. There have been **very few prosecutions** or disciplinary actions against medical professionals who perform virginity tests, largely because the practice frequently occurs in the **private sphere**, and victims are either unaware of their legal rights or unwilling to report these violations due to **fear of stigma** or **social ostracism**

10. Rehabilitation Efforts: India and Africa

Rehabilitation for women who experience virginity testing focuses on addressing the physical, psychological, and societal consequences of this practice. Efforts to rehabilitate women comprise medical, psychological, and legal interventions, along with education programs that challenge the cultural myths surrounding virginity.

In India, various non-governmental organizations (NGOs) and women's rights activists have been working to end virginity testing practices. These organizations aim to provide education and support to women, helping them comprehend their rights and empowering them to reject harmful traditions. Legal reforms and advocacy campaigns have also been contributory in challenging virginity testing as a medical practice. In 2014, the Indian government issued guidelines for doctors, warning against the practice of virginity testing, but enforcement remains a challenge, particularly in rural areas.

In some African countries, women's rehabilitation from virginity testing is being facilitated through community education programs. In South Africa, for example, various feminist and human rights organizations have been instrumental in raising awareness about the harmful effects of virginity testing. They aim to provide counselling services for women who have undergone such tests and encourage the cessation of this practice concluded both legal measures and societal awareness campaigns. Efforts also include working with traditional leaders to influence a shift in cultural practices regarding virginity and sexual health.

Another aspect of rehabilitation involves providing women with counselling and psychological support to help them heal from the emotional trauma of virginity testing. This is often done through therapy, group counseling, and support groups, where women are



encouraged to share their experiences and learn how to reclaim their dignity and self-worth. This approach has been particularly effective in Africa, where communal living and support systems are integral to overwhelming trauma.

While rehabilitation efforts are crucial, addressing the root cause of virginity testing through legal and policy reforms is equally important. In both India and Africa, the absence of strong legal frameworks that criminalize virginity testing allows it to continue unabated in many areas. In India, the government has made some steps in creating awareness about the practice, but there is still a lack of strong enforcement of laws prohibiting virginity testing. There is a need for comprehensive legal reforms that explicitly prohibit the practice and punish those who carry out such tests.

In Africa, while some countries have criminalized the practice, there is still a widespread cultural acceptance of virginity testing in rural areas. Greater legal intervention, along with education for both men and women, is needed to protect women's rights and eliminate such harmful practices.

Virginity testing is a harmful practice that continues to affect women in India and Africa, violating their bodily autonomy and reinforcing harmful patriarchal norms. Rehabilitation for women subjected to virginity testing is essential for helping them overcome the trauma associated with such practices. However, long-term change requires not only rehabilitation efforts but also vigorous legal reforms and cultural shifts. Education campaigns, psychological support, and community awareness are key fundamentals in aiding women heal from the psychological scars of virginity testing, while advocacy for legal reform is crucial to protecting women's rights and ending the repetition. Ultimately, the end of virginity testing will require a concerted effort from governments, activists, and communities to change deeply ingrained cultural norms and empower women to take control of their own bodies and destinies.

11. Conclusion

Virginity testing in India remains a deeply concerning issue that inflicts considerable emotional and psychological harm on women. The cultural fixation on female virginity sustains damaging gender stereotypes and strengthens patriarchal systems, further marginalizing women in society. Despite some legal attempts to prohibit the practice,



virginity testing persists in many regions of India, fueled by entrenched cultural beliefs and resistance to change.

To effectively address the harmful consequences of virginity testing, a multifaceted approach is needed. This includes robust legal reforms, enhanced public education, and the empowerment of women. India must challenge the harmful traditions surrounding virginity, champion women's bodily autonomy, and ensure that women are no longer subjected to invasive practices that undermine their dignity and well-being.

References

1. Dube, S. (2017). "Virginity Testing in India: Cultural Traditions and Psychological Impacts." *Journal of Gender Studies*, 25(3), 129-142.
2. Chandra, R. (2016). "Virginity and Sexuality in Rural India: A Cultural and Psychological Perspective." *Indian Journal of Social Psychology*, 41(2), 55-67.
3. Bhan, G. (2019). "The Politics of Virginity Testing: Social and Legal Dimensions in Contemporary India." *Asian Journal of Law and Society*, 6(1), 71-88.
4. Medical Council of India. (2013). "Guidelines on Virginity Testing." MCI Official Website.
5. Khan, M. H. (2018). "Virginity Testing and Mental Health: Impact on Women's Psychological Well-being in South Asia." *South Asian Journal of Psychology*, 9(4), 220-234.
6. **Medical Council of India (MCI)**. (2013). Guidelines on the practice of virginity testing. <https://www.mciindia.org>.
7. **The Constitution of India**, Article 21 (Right to Life and Personal Liberty), Article 14 (Right to Equality).
8. **CEDAW** (Convention on the Elimination of All Forms of Discrimination Against Women). (1979). United Nations. <https://www.un.org/womenwatch/daw/cedaw/>
9. **WHO** (World Health Organization). (2016). *Elimination of virginity testing as a harmful practice*. <https://www.who.int>.
10. **K.S. Puttaswamy v. Union of India**, 2017. Supreme Court of India.
11. Mthembu, L. (2016). "Virginity Testing in South Africa: A Socio-cultural Perspective." *African Journal of Reproductive Health*, 20(1), 45-50.



12. Shankar, V. (2017). "Feminist Movements and Virginity Testing in India." *Journal of Women's Studies*, 25(2), 134-148.
13. United Nations Population Fund (UNFPA). (2018). "Ending Virginity Testing: A Call for Action."