



## Mains Practice Question

**Q.** Socio-religious practices like Jallikattu are in conflict with animal rights. Critically analyze in light of recent judgement by supreme court. (250 words)

30 May, 2023 GS Paper 2 Polity & Governance

### Approach:

- Start your answer with a reference of Supreme court's judgement on Jallikattu.
- In the body section, mention the details of Judgement and arguments in favour and argument against.
- Conclude with a positive note.

### Introduction:

In a recent judgment, **Supreme Court has upheld the amendments made by Tamil Nadu** to the Prevention of Cruelty to Animals Act, 1960, **to allow traditional practices like Jallikattu**. The issue has been contested for long between wildlife activists and supporters of the practice. This verdict also allowed other bull-taming sports like Kambala, and bullock-cart races.

### Body

#### Supreme Court's Judgment:

- **Constitutionality of the Amendments:**
  - The Supreme Court held that the state amendments **did not violate the Constitution** and the Court's earlier ruling banning Jallikattu.
  - The court recognized that the Amendment Act and Rules had substantially reduced pain and cruelty to participating animals.
- **Compatibility with Constitutional Provisions:**
  - The judgment affirmed that the 2017 Amendment Act and Rules were **in line with Entry 17** (prevention of cruelty to animals) of the Concurrent List and **Article 51A(g)** (compassion to loving creatures) of the Constitution.
  - However, it clarified that any violation of the law in the name of cultural tradition would be punishable.
- **Legislative Assembly vs. Court:**
  - The Court decided that **determining the cultural heritage status of Jallikattu should be the responsibility of the State's legislative assembly**, rather than a court of law.
  - This approach suggests that the **court recognizes the need to balance cultural practices and animal welfare** through democratic deliberation.

#### Arguments in Favor of Jallikattu:

- **Cultural and Religious Significance:**
  - Jallikattu is **deeply rooted in Tamil Nadu's culture** and is celebrated by people of all backgrounds.
  - Proponents argue that it plays a significant role in preserving cultural heritage and

community sentiments.

▪ **Regulation and Reform:**

- **Rather than imposing a complete ban**, proponents suggest **regulating and reforming Jallikattu** to ensure the welfare of both humans and animals.
- They highlight the importance of **preserving indigenous livestock breeds** and assert that the event itself promotes compassion and humanity.

**Arguments Against Jallikattu:**

▪ **Inherent Rights of Animals:**

- Opponents argue that **all living beings, including animals, possess inherent liberty**, as recognized by the **Constitution**.
- They contend that subjecting animals to cruelty for entertainment purposes is ethically wrong and incompatible with animal rights.

▪ **Safety Concerns:**

- Jallikattu has witnessed instances of deaths and **injuries to both humans and bulls**.
- Critics claim that the **aggressive behavior of tamers** towards the bulls causes extreme cruelty and poses risks to participants and animals alike.

▪ **Comparisons with Abolished Practices:**

- Critics draw **parallels between Jallikattu and abolished practices like sati and dowry**, highlighting the need for legislation to eliminate cultural practices that perpetuate cruelty and harm.

**Conclusion:**

The Supreme Court's recent judgment on Jallikattu reflects a nuanced approach to the conflict between socio-religious practices and animal rights. **While upholding the amendments, the court emphasizes the importance of preventing cruelty to animals** and discourages any violation of the law in the name of cultural tradition.

The debate surrounding Jallikattu underscores the **need to strike a balance between cultural preservation and the welfare of sentient beings**, highlighting the role of **democratic deliberation and ethical considerations** in resolving such conflicts.

PDF Reference URL: <https://www.drishtiias.com/mains-practice-question/question-7865/pnt>