



Jallikattu

For Prelims: Jallikattu, Article 29, Animal Welfare Board of India vs A. Nagaraja case, Pongal, Kambala,

For Mains: Traditional and Cultural significance of Jallikattu, Issues related to Jallikattu

Why in News?

A [Constitution Bench](#) of the [Supreme Court](#) reserved for judgment a batch of petitions seeking to strike down a **Tamil Nadu law** which protects [Jallikattu](#) by claiming that the [bull-taming sport](#) is a **cultural heritage of the State** and is protected under [Article 29 \(1\) of the Constitution](#).

- While these practices may be **deeply rooted** in the **culture and traditions of certain communities**, they are **often controversial** and have been criticized by animal welfare advocates.

What is Jallikattu?

- **Jallikattu** is a traditional sport that is popular in the Indian state of **Tamil Nadu**.
- The sport involves **releasing a wild bull** into a **crowd of people**, and the participants attempt to **grab the bull's hump and ride it** for as long as possible, or **attempt to bring it under control**.
- It is celebrated in the month of **January**, during the [Tamil harvest festival, Pongal](#).

What are the Associated Concerns?

- The primary question involved was whether **Jallikattu** should be granted constitutional protection as a collective **cultural right under Article 29 (1)**.
 - **Article 29 (1)** is a [fundamental right](#) guaranteed under **Part III** of the Constitution to protect the **educational and cultural rights** of citizens.
- The court examined if the laws **“perpetuate cruelty to animals”** or were actually a means to ensure **“the survival and well-being of the native breed of bulls”**.
- The **five-judge Bench** heard parties on whether the new **Jallikattu laws** were **“relatable”** to **Article 48 of the Constitution**, which urged the state to endeavor to organize agriculture and animal husbandry on modern and scientific lines.
- The Constitution Bench also looked into whether **Jallikattu** and **bullock-cart** races laws of **Karnataka and Maharashtra** would actually **sub-serve the objective of “prevention” of cruelty to animals under the Prevention of Cruelty to Animals Act of 1960**.

What are the Associated Legal Interventions?

- In **2011**, the **Centre** added **bulls** to the **list of animals** whose **training and exhibition is prohibited**.
- The **Supreme Court** banned **Jallikattu** through a judgment in **May 2014** in the **Animal Welfare Board of India vs A. Nagaraja case** on the grounds of cruelty to animals.

- In **2018**, the **Supreme Court** referred the **Jallikattu case** to a **Constitution Bench**, where it is pending now.
- The bone of contention is the [Prevention of Cruelty to Animals \(Tamil Nadu Amendment\) Act of 2017](#) and [Prevention of Cruelty to Animals \(Conduct of Jallikattu\) Rules of 2017](#), which had **re-opened** the gates for the conduct of the popular **bull-taming sport** in the name of **culture and tradition despite a 2014 ban** by the **Supreme Court**.

What were the Arguments adduced for and against Jallikattu?

▪ Argument in Favour:

- In Tamil Nadu, jallikattu is **both a religious and cultural event celebrated by the people of the State** and its influence extends beyond the confines of caste and creed.
- “A practice which is centuries-old and symbolic of a community’s identity can be regulated and reformed as the human race evolves rather than being completely obliterated,” the State government submitted.
- It added that any ban on such a practice would be viewed as “hostile to culture and against the sensitivities of the community”.
- Describing jallikattu as “a tool for conserving this precious indigenous breed of livestock,” the government argued that the traditional event **did not violate principles of compassion and humanity**.
- It contended that the traditional and cultural significance of the event and its intertwining with **the sociocultural milieu was being taught in high school curriculum** so that “the significance is maintained beyond generations.”

▪ Arguments in Opposition:

- The **petitioners’ line of argument** was that animal life was inextricably connected to the lives of humans. Liberty was “inherent in every living being, whether it be in any form of life,” an aspect that had been recognized by the **Constitution**.
- The **Tamil Nadu** law was brought to circumvent the ban on **jallikattu** imposed by the **Supreme Court**.
- **Deaths and injuries** have been caused to humans as well as bulls which had taken place in several districts of the State while conducting **jallikattu**.
- The petitioners contended that contrary to the arguments advanced by **Tamil Nadu**, several tamers pounced on bulls.
- According to them, “**extreme cruelty**” was inflicted on the animals.
- There was no material to justify **jallikattu** as a part of culture.
- The critics had equated the event with practices such as **sati and dowry**, which were also once recognized as part of culture and stopped through legislation.

What is the Position in Other States for Similar Sports?

- **Karnataka** too passed a law to save a similar sport, called [Kambala](#).
- Except in **Tamil Nadu** and **Karnataka**, where **bull-taming** and **racing continue** to be organized, these sports remain **banned** in all other states including **Andhra Pradesh, Punjab** and **Maharashtra** due to the **2014 ban order** from the **Supreme Court**.

UPSC Civil Services Examination, Previous Year Questions (PYQs)

Q. What are the challenges to our cultural practices in the name of Secularism? **(2019)**

[Source: TH](#)

