



Preserving Tradition: The Landmark Ruling on Jallikattu

This editorial is based on [Supreme Court upholds Tamil Nadu law allowing jallikattu: What is this decade-old case?](#) which was published in The Hindu Business line on 19/05/2023. It talks about the case concerning animal rights and cultural traditions with reference to Jallikattu and similar sports.

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

For centuries, the southern Indian state of Tamil Nadu has been steeped in rich cultural traditions, with one event in particular captivating the imagination of both locals and visitors alike: Jallikattu. This ancient bull taming sport, which dates back over 2,000 years, has long been a **symbol of pride and heritage for the people of Tamil Nadu.**

Recently, A **five-judge constitution Bench of the Supreme Court upheld the amendments** made by the legislatures of Tamil Nadu, Maharashtra, and Karnataka to the Prevention of Cruelty to Animals (PCA) Act, 1960, **allowing bull-taming sports like jallikattu, kambala, and bullock-cart races.**

What is Jallikattu?

- Jallikattu, also known as **eruthazhuvuthal**, is a bull taming sport in which **contestants attempt to tame a bull for a prize, if they fail, the bull owner wins the prize.**
- The term "Jallikattu" combines the words "**Calli**" (**coins**) and "**Kattu**" (**tie**), representing the practice of attaching a bundle of coins to the bull's horns.
- It is **celebrated in the second week of January** at the time of the [Pongal \(harvest\) festival](#), and also represents a **celebration of nature, and thanksgiving for a bountiful harvest**, of which **cattle-worship** is a part.
- It is revered across **Madurai, Tiruchirappalli, Theni, Pudukkottai and Dindigul districts** of Tamil Nadu, known as the **Jallikattu belt.**

What is Historical Significance of Jallikattu?

- Jallikattu has been a longstanding tradition spanning centuries, with its **origins traced back to an ancient seal found at Mohenjodaro**, estimated to be between 2,500 BC and 1,800 BC.
- **References to Jallikattu** can also be found in **Silappadikaram**, an influential Tamil epic from the Sangam age.

What is there in the Verdict?

- The judgment holds that the 2017 Amendment Act and **Rules on Jallikattu are in line with**

Entry 17 (prevention of cruelty to animals) of the Concurrent List, Article 51A(g) (compassion to loving creatures) of the Constitution.

- The court said the **Amendment Act “substantially reduced pain and cruelty”** to the participating animals.
 - The court said **any violation of the statutory law**, in this case, the 2017 law, in the name of “cultural tradition”, **would attract the penal law.**
- Further, the **State law does not violate Articles 14 and 21 of the Constitution.** Petitioners had even argued that animals to have the right to live with dignity,”.
- Highlighting that Jallikattu has been going on in Tamil Nadu for the last few centuries and forms a **part of its cultural heritage, as found by the “legislative exercise”** conducted by the legislature, the **court clarified that it did not want to disrupt the legislature’s view.**
- **Timeline of Events:**
 - **Animal welfare Board of India** submitted a report to Supreme court stating that Jallikattu is **antithetical to a compassionate treatment for animals** as per provisions of the Prevention of Cruelty to Animals Act, 1960.
 - In 2006, **the Madras High Court instituted a state-wide ban** on Jallikattu. Soon, **The Tamil Nadu Regulation of Jallikattu Act of 2009** was introduced by the state government **to bypass the ban.**
 - The central government in 2011 moved to include **bulls in the list of animals whose training and exhibition was prohibited**, thereby shutting the door on the practice.
 - **In 2014, the Supreme Court** upheld that Jallikattu amounted to cruelty to bulls and **banned all similar bull taming and bull racing sports in the country.**
 - **In 2016, the Union Environment ministry revoked its 2011 notification**, based on which the top court had ordered the ban.
 - The Tamil Nadu state government passed the [Prevention of Cruelty to Animals \(Tamil Nadu Amendment\) Act of 2017](#) and [Prevention of Cruelty to Animals \(Conduct of Jallikattu\) Rules of 2017](#), **once again opening the gates for the conduct of the sport.**
 - In February 2018, **the Animal Welfare Board of India (AWBI) and PETA approached the Supreme Court**, challenging the 2017 legislations passed by the Tamil Nadu government.

What was the Conflict About?

- **About:**
 - **The battle has been contested by Animal rights activists** to press for a state-wide ban on Jallikattu since the early 2000s.
 - Parties in the current case are the **Animal Welfare Board, People for the Ethical Treatment of Animals (PETA), Compassion Unlimited Plus Action (CUPA), Federation of Indian Animal Protection Organisations and Animal Equality**, Union of India and the State of Tamil Nadu.
 - They filed some petitions, challenging the amendment to the Prevention of Cruelty to Animal Act passed by the TN Assembly in 2017.
- **Arguments in favour of Jallikattu:**
 - The Tamil Nadu government has argued that jallikattu, **a centuries-old practice, is an important religious and cultural event that should not be banned outright.**
 - Rather, the **practice can be regulated and reformed** as society evolves. Its cultural significance is being taught in high school curriculum to ensure that it is preserved for future generations.
 - The practice is protected under [Article 29 \(1\) of the Constitution.](#)
 - 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.
 - **A ban on Jallikattu** would be seen as **hostile to Tamil Nadu's culture and community.**
- **Arguments in Opposition:**
 - Opponents of Jallikattu argue that animal life is connected to human life, and **every living being has inherent liberty that should be respected.**
 - They claim that the **Tamil Nadu law was created to bypass the Supreme Court's ban**

on Jallikattu, and that the practice has resulted in **deaths and injuries to both humans and bulls.**

- Critics contend that tamers have been seen pouncing on bulls, causing **'extreme cruelty to the animals.'**
- They argue that there **is no justification for Jallikattu as part of culture** and **equate it with practices such as sati and dowry**, which were also once recognized as part of culture but have since been abolished through legislation.

Conclusion:

- The recent verdict by the Supreme Court allowing bull-taming sports like Jallikattu, Kambala, and bullock-cart races, is a **significant milestone** in this ongoing debate.
- While the **court's decision recognizes the cultural significance** of Jallikattu, it also **emphasizes the importance of preventing cruelty** to animals and upholding statutory law.
- **Striking a balance between the cultural practice and animal welfare** is the right approach in this case, as also implied by Supreme court.

Drishti Mains Question

What is the significance of the Supreme Court's reversal of its previous verdict on Jallikattu, which deemed it cruel to bulls and resulted in the banning of all similar bull taming and bull racing sports in the country? Analyze the judgment in this context.

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