

## **Jallikattu - Beyond a Heroism Sport for SKCRF**

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### **Case Study**

On 12 January 2016, Mr. Karthikeya Sivasenapathy, Head of Senaapathy Kangayam Cattle Research Foundation (SKCRF) in Tamil Nadu, was looking worried due to the unexpected stay imposed by the Supreme Court on organizing Jallikattu sport. *Jallikattu/Eru Thazhuvuthal* (bull baiting) is an ancient Tamil sport played in the rural regions of Tamil Nadu state in India. Considered as a sport depicting valour and strength in the youth, this sport is played during Pongal, a Tamil harvest festival celebrated in the month of January every year. According to villagers and breed saviour groups, *Jallikattu* plays a very important role in providing an incentive for saving the indigenous breeds of the country, which are on the verge of extinction. A ban on this sport imposes a huge drop in the motivation behind rearing these sought after native bulls. As the Convention on Biological Diversity states to support traditional practices, which can conserve traditional breeds, breed saviours like Mr. Karthikeya Sivasenapathy, on one hand, take a stand to remove the unjustified blanket ban on the sport. On the other hand, animal lover groups are against *Jallikattu* as they feel that the sport harms the bulls.

In May 2014, Supreme Court of India banned Jallikattu on the grounds that bulls cannot be allowed as performing animals. In 2015, Chief Minister of Tamil Nadu appealed to Indian Prime Minister to denotify bulls from the list of performing animals and lift the ban on Jallikattu stating it to be an ancient Tamil sport. However, the ban continued to stay and Jallikattu was not organized in 2015. The recent stay on 12 January 2016 was completely unexpected and shocking. It was just five days before, on 7 January 2016, the environment ministry, at the behest of the central government, issued a new notification on the grounds of tradition that the bulls can be exhibited or trained as a performing animal at events such as Jallikattu in Tamil Nadu and bullock cart races in Maharashtra, Karnataka, Punjab, Haryana, Kerala and Gujarat. Continuous effort of breed saviours like Mr. Karthikeya and other likeminded people to lift the ban on Jallikattu for past few years went for a toss when Supreme Court imposed the stay. After this stay, Mr. Karthikeya was left without any directions on how to address the decline in Tamil Nadu's indigenous cattle numbers. Due to the involvement of various stakeholders (government supreme court, animal welfare boards, and breed saviour groups) with conflicting objectives, the dynamics of decision making to settle this issue were very complicated, confusing, and time consuming for Mr. Karthikeya.

Even after a year of unexpected stay imposed on the ban, farmers and several breed saviour groups were unsuccessful in lifting the ban on Jallikattu. Even though Mr. Karthikeya along with other supporting groups have made progress in creating awareness among different stakeholders on the importance of Jallikattu,

they felt helpless in achieving their objective of playing the traditional sport. On 12 January 2017 with Pongal festival approaching in next couple of days, Mr. Karthikeya was reflecting on the entire journey they have travelled to lift the ban and was questioning if they would succeed in organizing Jallikattu at least for the year 2017.

### **History of Jallikattu**

*Jallikattu/Eru Thazhuvuthal* (hugging the bull) is an ancient Indian sport played in the rural regions of Tamil Nadu state in India and it roughly translates to a prize of coins the winner of the sport collects (Jalli/Salli refers to coins while kattu refers to a bag) (Hindustan Times, 2017). Firstly, a bull is released into a crowd within an enclosure and a participant tries to catch hold of the bulls hump on its back and hold on to it while the bull tries to break free. Participants are required to hang on to the bulls hump for one minute or upto a marked area, trying to bring the bull to a stop. In some variants of game, they are required to remove the flags attached to the horns or cloth pouch with coins tied to the horns of the bull (The Hindu, 2008).

Many explanations exist about the origin of Jallikattu. One such theory mentions that before the advent of technology and tractors, bulls were used to plough the land. Before the ploughing and seeding season started, bulls were allowed to mate with cows. This would make the bulls docile and thereby work better in the field. Once the ploughing is done, farming begins and there would be no need for cattle to be present in the farm. So the farmers would let them loose in graze lands away from village. This is good for farmers too, as bulls and cows won't enter the farm fields and cattle would give birth to their young ones. But once the harvest is finished, bulls would be needed to graze the leftovers in the farms, excrete manure which serves as a natural fertilizer for the soil and also to transport the harvest. But the bulls now would be hard to control as they got used to the freedom for past few months. So all the youngsters in the village get together and go on a mission to bring back the bulls. Since these bulls have no ropes or rings tied to them, the only way to get them under control is by holding their hump. Since this is a highly risky and takes lots of guts, the owner of the bulls generally offer prize money to those who capture the bull. Hence this explanation suggests that in order to save the bulls as well as the tradition, Jallikattu was introduced (The News Minute, 2016). Another explanation states that this sport was played to win the bull owners' daughter's hand. Whenever a girl child was born in a family, the father bought a cow and a male calf. As the child grew up into a damsel the calf was nurtured to become a ferocious bull. The man who tames it in Jallikattu won the woman as bride. (The Hindu, 2015)

The seals of the Indus Valley civilisation depict this sport and thereby confirms with evidence that the sport has been in existence for more than 5,000 years (The Hindu, 2017). Ancient Tamil poetry, i.e. Sangam literature which dated back to 2 CE – 2 BC also had many detailed references of this sport (Hindustan Times, 2017). In a note, one of the British officers, J.H. Nelson, said “this is a game worthy of a bold and free people, and it is to be regretted that certain district collectors should have discouraged it under the idea that it was somewhat dangerous” (Thurston, 1909).

### **History of Banning Jallikattu**

In 2006, Nagarajan of Madurai moved a petition for ban on Jallikattu events. This was in response to an incident where his son was killed during a Jallikattu event in 2004. His son was sketching a picture of a Jallikattu event at Alanganallur from the gallery where one of the bulls pounced on him and caused serious injuries which lead to death subsequently (The Times of India, 2017). On 27<sup>th</sup> November 2010, Supreme Court allowed the sport to be played for a period of 5 months in a year and also directed district collectors to make sure that the bulls are registered with Animal Welfare Board of India (AWBI). The AWBI in turn had to send its representatives to monitor the event (Sify News, 2011). Then in 2011, Ministry of Environment and Forests issued a notification indicating the ban of use of bulls as performing animals, which lead to the banning Jallikattu. However, it was still being conducted in accordance to the rules mentioned in the Tamil Nadu Regulation of the Jallikattu act, 2009 (**Exhibit 1**). Subsequently, in May 2014, Supreme Court of India banned Jallikattu on the grounds that bulls cannot be allowed as performing animals (PETA India, 2014). In 2015, Chief Minister of Tamil Nadu appealed to Indian Prime Minister to denotify bulls from the list of performing animals and lift the ban on Jallikattu stating it is an ancient Indian sport. However, the ban continued to stay and there were no Jallikattu sport organized in 2015.

On 7<sup>th</sup> January 2016, the environment ministry, at the behest of the central government, issued a new notification on the grounds of tradition that the bulls can be exhibited or trained as performing animals, at events such as Jallikattu in Tamil Nadu. This decision to allow Jallikattu, days before traditional harvest festival Pongal, had come through a government notification despite strong objections by animal rights groups (The Daily Excelsior, 2016).

In an unexpected turn of events, 5 days later, i.e. on 12<sup>th</sup> January 2016 the Supreme Court issued a stay order. It had directed that there shall be stay of notification dated 7<sup>th</sup> January, 2016 issued by the Ministry of Environment and Forest (MoEF) (Deccan Chronicle, 2016). This meant that the continuous effort of Mr. Karthikeya and other likeminded people to lift the ban on Jallikattu for past few years went for a toss.

The issue of Jallikattu had a far reaching impact on other Indian states too. Inspired by the movement, several other states upped their ante in reviving outlawed traditional animal sports. In Maharashtra, the legislators made demands to lift the ban on the traditional bullock cart racing. In Karnataka, the chief minister announced that he was in favour of holding “Kambala”, the traditional cart racing sport. Further, in Assam, the call for revival of a bird fight at an annual festival also got the push following the Jallikattu protests (India Today, 2017).

### **Arguments Supporting the Ban of Jallikattu**

Animal lover groups such as Animal Welfare Board of India (AWBI), Federation of Indian Animal Protection Organization (FIAPO) and People for Ethical Treatment of Animals (PETA) battle for the protection of animals and prevention of cruelty towards them. They opine that the government’s note to amend a legislation which is likely to allow use of bulls for Jallikattu will make India appear “backward and archaic” in the eyes of the world (The Indian Express, 2016). Maneka Gandhi led People for Animals (PFA) had strongly condemned the lifting of ban on Jallikattu saying it was against the ideology of the Bharatiya Janata Party (BJP) led government (NDTV India, 2016). Niranjan Shanmuganathan, a volunteer of PETA, mentioned that “Jallikattu takes advantage of bulls’ natural nervousness as prey animals by deliberately placing them in a terrifying situation in which they are forced to run away from those they

rightly perceive as dangerous”. Inspectors authorized by the statutory body – the Animal Welfare Board of India, documented that bulls become very frightened by the menacing mob. As a result, they fall, slip, run into barriers and traffic, and even jump off cliffs in desperate attempts to escape, which often leads to severe injuries and death of the animal. (Huffington Post, 2017). PETA India has also claimed that bulls run during races because people hurt them with everything from bare hands to nail-studded sticks, and their tailbones are broken at each joint (PETA India blog, 2016). A slew of actors and cricketers including Vidya Balan and Virat Kohli have joined the bandwagon by signing a petition which seeks to uphold the ban against the bull-taming sport of Jallikattu in Tamil Nadu. (The Hindu, 2016).

### **Arguments against the Ban on Jallikattu**

According to villagers and breed saviour groups, Jallikattu plays a very important role in saving the indigenous breeds of the country which are on the verge of extinction. The reasoning behind this statement is two-fold. First, Jallikattu becomes an incentive for the farmers to rear a native breed. Second, the offspring of the bull winning the Jallikattu will be decidedly stronger and used as breeding bull. (The Wire, 2017). They argue that ban would worsen this situation because raising the cattle would be less profitable to the farmers leading to reduction in the actual motivation. Also, raising of indigenous breeds and managing the herds by poor farmers for supporting community livelihoods helps in maintaining diversity. According to the Convention on Biological Diversity, direct human involvement in cultivating agricultural biodiversity is “inherently linked to sustainable use” (Imperial Valley News, 2017). If the ban on Jallikattu remains, livestock keepers will be demotivated and be forced to abandon the raising of native livestock. This is a bad news as the rearing of native breeds is already threatened due to onset on new agriculture technology like use of motor pumps, tractors etc. (The Wire, 2017).

Saviors of native breeds and organizations supporting Jallikattu are alarmed by the decreasing population of native breed. Pulikulam cattle, for instance, an indigenous breed with distinct characteristics and known for its valor in Jallikattu sport is on the verge of extinction (The Hindu, 2013). The population of Kangayam bull, which is said to be among the world’s most beautiful in terms of form and temperament and one of the six native breeds used to take part in Jallikattu, dropped from 11.7 lakhs in 1990’s to 1 lakh in 2016.

Mr. Karthikeya Sivasenapathy invited a group of members and formed the Biodiversity Conservation Council of India to work against the ban on Jallikattu. This council has also come forward in vehement support of this sport. It mentions in its report that “during Jallikattu, the bulls are not harmed or tormented”. Unlike the Spanish sport, there is no fighting the bull at all. In fact one of the main rules of Jallikattu strictly followed by the organizers is that a single drop of the bull’s blood cannot be spilt on the ground (Biodiversity Conservation Council of India, 2017). Supporters also believe that Jallikattu not only provides scope for fighters to showcase their bravery but also signifies honor.

Mr. Rohatgi, the former Attorney-General of India (arguing for the central government), said that “In Jallikattu, if anyone dies, it is always the man and never the bull. Certain species of bulls are trained, fed, nourished for Jallikattu alone. Certain breeds are meant to do certain things. If they don't, they will die.” (The Hindu, 2016). According to Mr. Karthikeya Sivasenapathy, Jallikattu dates back thousands of years to the ancient Indus Valley civilization and has been till date seen as a breeding activity to support small and landless farmers who cannot afford to have breeding bulls (PRI, 2016).

Many supporters of the ban feel sorry for the animals which are subjected to alleged cruelty. But others have found this argument to be untenable and baseless. Out of tens of thousands of events in the past many years, only very few bulls have got injured and much few have died. Environmentalist and Journalist, Nityanand Jayaraman reported,

*“I witnessed Jallikattu during the Pongal festival of 1995, when I visited the Alanganallur Jallikattu and the home of a bull-rearer. The bull was tied in the front yard, and was seemingly contented. It looked well-fed, healthy and far better cared for than many of the agricultural laborers who lived in the colony behind the village. The farmer told me that she tended to the bull with great care and love “like the eldest son in the household”.”* (scroll.in, 2017)

Actor and social activist, Kamal Hassan, expressed his grief and said *that “for thousands of years it has been known as a sport where we embrace the bull. It is not to be confused with what happens in Spain”* (The Hindu, 2017). Actor Rajanikanth said *“bring in whatever rules but Jallikattu must be held to keep up the traditions of our Tamil culture”* (Hindustan Times, 2017). Another well-known Indian actor and founder of Agaram Foundation, Surya mentioned that *“several of our bulls are becoming extinct. Introduce a few regulations, but do not abolish the sport. We need to protect our native breed and the animals are part of our identity and culture. I hope the Supreme Court doesn’t ban this sport”* (The Times of India, 2017). Many others have resorted to social media to support for this issue (**Exhibit 2**).

Although there is alleged incitement of the bulls by biting and twisting the tails, poking with sticks and using irritants, supporters argue that it happens in very few cases and it doesn’t cause much harm. As far as the deaths of bulls are considered, only two cases have been reported to have had injuries and that too not through the sport but by falling into the agricultural well. Further there is only one documented incident of death of bull, which they claim is not integral to the event itself (Sportskeeda, 2017)

### **Senaapathy Kangayam Cattle Research Foundation**

Senaapathy Kangayam Cattle Research Foundation (SKCRF) is situated in Kuttapalayam village, Tirupur District, Tamil Nadu, India. The foundation’s vision is to act as an “in-situ” conservation and breeding centre for the Kangayam Breed. The foundation is pro-active in raising awareness about the Kangayam breed and the social, cultural and heritage value of Korangadu, a unique silvi pasture grazing system found in western Tamil Nadu (Ganesan, Nambi & Sivasenapathy, 2012). The Foundation aimed to raise awareness about native breeds, explore ways to protect Kangayam breed, contribute to debate on animal genetic resources and influence state policies. Currently it is headed by its chairman Mr. K. Saminathan Sivasenapathy and managed by its managing Trustee Mr. Karthikeya Sivasenapathy who belongs to the eighth generation breeders of Kangayam cattle in his family. Due to the emergence of Jallikattu issue, this organization and its managing trustee, Karthikeya Sivasenapathy was actively involved in protesting against the ban on Jallikattu.

The Foundation has worked immensely to popularize the importance of native breeds. Recognizing his efforts, during a recent meeting in Kenya, Mr. Karthikeya Sivasenapathy was nominated to the newly-constituted World Pastoral Parliament (WPP) (The Hindu, 2016).

## **Stand of Different Stakeholders**

*Animal welfare organizations* – Organizations like PETA and AWBI are in favor of banning this event. Their primary objective is to protect animal rights. As they believe that Jallikattu is a menace that is violent in nature, they are making continuous efforts in ensuring that the bulls are not tortured.

*Farmers & cattle breeders*- These are people who will be the most affected by implementation of the ban. They are heavily dependent on cattle which will result in short-term and long-term implications. Both their personal as well as farming lives are interwoven to the bulls in question. They don't see ban as a favorable outcome.

*Other villagers* - For all these people, Jallikattu is a matter of pride as it represents ancient tradition, culture and the way of life in rural India. They are also major participants against the ban and are likely to be affected in long term due to this ban.

*Saviors of native breeds and affiliated organizations* – People who are concerned about the dwindling population of the native cattle population. They believe that age old practices like Jallikattu, Kambala, Rekala, etc are indeed social institutions established to safeguard the bulls. They extend their support against the ban. By belonging to this group of stakeholders, Karthikeya Sivasenapathy played a crucial role with other like-minded people to spread the awareness on the importance of Jallikattu for saving native breeds.

*Urban youth and celebrities* – Even though they have very little firsthand experience of participating or witnessing this sport, they played a crucial role in attracting the attention of media (both domestic and foreign) and government towards this sport and the imposed ban. Several of them clearly expressed their support for Jallikattu in different media platforms.

*Government* – Central government has been caught up in Jallikattu turmoil. It's in a fix as it has to satisfy the concerns of state government and also of the people of Tamil Nadu. In this regard, it has passed notifications allowing the continuance of this event but it's at continuous loggerheads with the judicial system. On the other hand the state government of Tamil Nadu is determined to echo the sentiments of the general public, i.e. opposing the ban. It is trying to persuade central government to resolve this issue once and for all.

*Judiciary* – Judicial system, independent of government is responsible in taking decisions considering the moral, legal and ethical norms. Most of the times, it has been opposed to the idea of Jallikattu and it has given rulings in line with the same. It had initially tried to regulate the sport by prescribing elaborate safeguards. It became apparent in later years that those safeguards were not being followed. The court struck down the law passed by the state, i.e. the Tamil Nadu Regulation of Jallikattu Act, as unconstitutional and also opined that tradition cannot be used as a means to justify every act happening in the society. (Hindustan Times, 2016)

*Media* – Media has played a key role in bringing this issue to the light. They have comprehensively brought into open the various arguments revolving Jallikattu. They have taken this movement to the masses and one cannot discount the role it played in propagating this event from state to international level.

## Way forward

Due to the Supreme Court stay issued on 12<sup>th</sup> January 2016, Mr. Karthikeya was left without any directions on how to address the decline in Tamil Nadu's indigenous cattle numbers. Villagers of many rural regions in Tamil Nadu and breed saviour groups including SKCRF were against the stay issued by the Supreme Court on lifting the ban on "Jallikattu". On 12 January 2017, even after a year from the imposition of unexpected stay on the ban, nothing has changed and several breed saviour groups were unsuccessful in lifting the ban on Jallikattu. Mr. Karthikeya actively participated to create awareness on the importance of Jallikattu in Tamil Nadu by joining hands with other supporting groups (Deccan Chronicle, 2017). As the parties involved were government, judiciary and animal lover groups, the contribution of a single entity (i.e. the foundation) was not sufficient to solve the issue. The Foundation was making attempts to reach the significance of this issue to the ultimate powerful stakeholder group in a democracy – the common people. The foundation was also reluctant as their bargaining power in the whole Jallikattu effort has been very minimal. On 12 January 2017 with Pongal festival approaching in next couple of days, Mr. Karthikeya was thinking on what he with his team should do for achieving a solution to save the sport and thereby save the indigenous breeds of the region.

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## Exhibits

### Exhibit 1 - Rules mentioned under the 2009 Tamil Nadu Regulation of the Jallikattu act

“No permission under sub-section shall be granted to any person, to conduct the event, unless the Collector satisfies himself that -

- The event is conducted during the months from January to May of a year;
- The place selected is suitable for orderly conduct of the event;
- The event should have been conducted during the past five years continuously;
- The event shall be held at a place notified by the Collector in the District Gazette”

**Source:** Tamil Nadu Government Gazette Extraordinary, “Section 3(2) of Tamil Nadu Regulation of Jallikattu Act, 2009”, August 5<sup>th</sup>, 2009, accessed 18<sup>th</sup> February, 2019, [http://www.lawsofindia.org/pdf/tamil\\_nadu/2009/2009TN27.pdf](http://www.lawsofindia.org/pdf/tamil_nadu/2009/2009TN27.pdf)

### Exhibit 2 - Twitter Posts of Few Celebrities on Jallikattu

S. No.	Tweeted by	Tweet	Date
1	Viswanathan Anand	Jallikattu is a cultural symbol. Respect it. I'm all for animal rights but here that is not the point. Tradition and livelihood are.	19 Jan 2017
	Source: Tweet available at <a href="https://twitter.com/vishy64theking/status/821930810509033472?lang=en">https://twitter.com/vishy64theking/status/821930810509033472?lang=en</a> (last accessed on 1 October 2019)		
2	Ashwin Ramachandran	Scenes of peaceful protest all around TN. Unity, peace and resolve will show our plea in the right light.	18 Jan 2017
	Source: Tweet available at <a href="https://twitter.com/ashwinravi99/status/821638717764960258?lang=en">https://twitter.com/ashwinravi99/status/821638717764960258?lang=en</a> (last accessed on 1 October 2019)		
3	A. R. Rahman	I'm fasting tomorrow to support the spirit of Tamilnadu!	19 Jan 2017
	Source: Tweet available at <a href="https://twitter.com/arahman/status/822044036823326720?lang=en">https://twitter.com/arahman/status/822044036823326720?lang=en</a> (last accessed on 1 October 2019)		
4	G. V. Prakash Kumar	Please give our rights back. We want Jallikattu every Tamil citizen wants it. You cannot ignore for sure @narendramodi ji	18 Jan 2017
	Source: Tweet available at <a href="https://twitter.com/gvprakash/status/821628605226749953">https://twitter.com/gvprakash/status/821628605226749953</a> (last accessed on 1 October 2019)		