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Dichotomy in Animal Sacrifice: SC

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Why in News

Recently, the **Supreme Court** has issued a notice to the Kerala government on a plea challenging the **Kerala Animals and Birds Sacrifices Prohibition Act, 1968**.

- The Act **prohibits sacrifice** of animals and birds in temples to **'please' the deity**.
- It also **criminalises the intent behind the animal sacrifice** and **not animal sacrifice** per se.

If the sacrifice is not for pleasing any deity but for personal consumption even in the precincts of the temple, it is not forbidden.

Key Points

- **Background:**
 - The plea **challenged the 16th June 2020 Kerala High Court order** upholding the 1968 Act.
 - **Essential Practice:** The petitioners, who are **Shakthi worshippers**, appealed that animal sacrifice is an integral part of the worship and an essential religious practice.
 - They are **unable to perform “Bali” rituals** after the ban which they believe is diminishing the family deity’s power.
 - Shaktism or Shakthi tantric practice is a major tradition of Hinduism and as per its scriptures and practices, animal sacrifice is essential and unavoidable.
 - **Discriminatory:** It was also argued that the **Act applies only to Hindus but does not stop other religions from practising** it which is **arbitrary and violative of Article 14 (Right to Equality before the Law)** of the Constitution.
 - Petitioners referred to **bird sacrifice at a Church in Kochi and the festival of Bakrid** which have not been banned.
 - According to the state assembly, killing animals in **other religious practices cannot be considered as a sacrifice because the animals are later cooked and consumed.**
 - **Enforce Blanket Prohibition:** They held that if the killing of animals and birds was to be prohibited, it **should be for all purposes, religious or otherwise.**
- **Supreme Court’s Reaction:**
 - The SC **highlighted the dichotomy in animal protection law** which allows the killing of animals for food but does not permit the killing of animals as an offering to a deity.
 - The court raised an important question of **“Is killing, not cruelty?”** and highlighted the **Prevention of Cruelty to Animals Act, 1960** which **allows the killing of animals but prohibits cruelty to animals.**

According to the SC, there may be a point in saying that taking lives is permissible in certain circumstances but cruelty is not.

Source: TH