



Published Date: 02 Dec 2015

## Are 'Sardar jokes' tantamount to racial abuse that need to be banned?

**Public Interest Litigation filed by a Supreme Court advocate seeks to forbid jokes on the community; earlier in 2007 a similar complaint was filed in Mumbai**



[Enlarge Image](#)

The origin of Santa-Banta Jokes dates back to the Raj during the British rule in India. The British started cracking jokes about them as a psychological weapon because they were taken aback by the strong Sikh resistance

Aditya Gor

Author is Student of Gujarat National Law University

adityagor282@gmail.com

—Pic for representation

The issue of Santa-Banta jokes on Sardars or Sikhs is under Supreme Court's scanner. This was after recent filing of case on the same by advocate Harvinder Chowdhury. She has argued that such jokes portray Sikhs as 'unintelligent', 'foolish' and 'naïve', making them an easy target for ridicule and racial abuse.

Earlier such a complaint was filed in the year 2007 in Mumbai Police station and the author of the book on the Santa Banta jokes was arrested for publishing it. The current PIL filed by the learned advocate of the Supreme Court seeks to ban jokes on the Community of 'Sardar or Sikhs' alleging that the jokes tend to mar their reputation in society. The advocate also requested the telecom authorities to apply filters so that these jokes do not find their way to public domain.

The actual question before Supreme Court, however, is - Whether such jokes actually cause harm to the community or group, and if 'yes', then to what extent?"

The origin of Santa-Banta Jokes dates back to the Raj during the British rule in India. Noted comedian Gurpreet Gughri in one of his interviews said, "When British came to India they waged many wars against the Sardars. The British started passing jokes on them as psychological weapon because they were taken aback by strong Sikh resistance."

These jokes may have been continued with the intention of amusement but ultimately takes the shape of insult to the group. This is being increasingly realised by the common man and sometimes it becomes quite irritating for the community.

The most common questions asked in the case of Santa-Banta Jokes are as follows:• Is it justice for the community to treat them as a fool who form almost about 65% of population in the defence forces?• Is it morally right to disrespect a community which produces nearly 80% of wheat and rice?

Another branch of thought finds its argument in Portuguese saying 'toda brincadeira tem um fundo de verdade' which literally means that there is a grain of truth in every joke.

The jokes on Santa-Banta are taken seriously by the generations of both Sikhs and non-sikhs community. There has been a recorded incident where the children have refused to accept Kaur and other such Sikh surnames. Rather than being proud of their community, the children are ashamed of their Sikh identity.

This is because the jokes have propagated the perception in popular imagination that the Sikhs have low intellect. Just like portraying all Muslims as terrorist is wrong, portraying all Sikhs as foolish is also wrong.

Defaming the Sikhs must be considered as an infringement of right to live a dignified life guaranteed under article 21 of the Indian Constitution.

**Copyright restricted. For reprint rights [click here](#)**