

Witch Hunting – a social problem in India

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India is a land where the women are considered as a token of their community, family, caste and all other diverse divisions. In some places people worship women as goddess but somewhere else they are killed considering them witch. Though many state laws are in place the problem has not been uprooted from the society.

In news: Recently cases of witch hunting were reported in the Northeast.

Placing it in syllabus: Society

Static dimensions

1. Regional spread of the practice in India
2. Reasons for prevalence of this practice in India
3. Does it exist in Western Societies?

Current dimensions

1. In news
2. Laws against it
3. What needs to be done to solve the problem?

Content:

In news:

A woman and a man were killed on suspicion of being witches in Karbi Anglong district of Assam. Both belonged to the Adivasi community and a kangaroo court in the village had decided that the two were involved in practicing “black magic”. The attackers burnt the bodies. After they were arrested they confessed that they believed the two deceased spread disease in the village and brought misfortune to the village.

Laws against it:

- Witch-hunting violates **Articles 14, 15(3), 15(4), 21, 51, 51A** of the Indian Constitution and other national legislations including **Protection of Human Rights Act, 1993, Scheduled castes and Scheduled Tribes (prevention of atrocities) Act, 1989** and involves acts punishable under the **Indian Penal Code, 1860**.
- In 1999, **Bihar enacted the Prevention of Witch (DAAIN) Practices Act** which was eventually adopted by Jharkhand as well in 2001.
- **Jharkhand established "Anti Witchcraft Act" in 2001** to protect women from inhuman treatment as well as to provide victims legal recourse to abuse.
- In 2001, **Assam police had introduced Project Prahari**, a community project by the police against killing of women after branding them as witches.
- Chhattisgarh effected the **Chhattisgarh Tonahi Pratadna Nivaran Act in 2005**.
- **Rajasthan** government passed "Rajasthan Women (Prevention and Protection from Atrocities)" Bill, 2006, which makes it illegal as well punishable for calling any woman as "dayan" or to accuse a woman for practicing witchcraft.
- **Assam Witch Hunting (Prohibition, Prevention and Protection) Bill**, was approved by the president in 2015.

Assam Witch Hunting (Prohibition, Prevention and Protection) Act, 2015:

- The Act would be imposed, along with **Section 302 of the Indian Penal Code (IPC)**, if someone is killed after being branded as a witch.
- It makes any offence under the Act as **non-bailable, cognizable and non-compoundable**.
- It imposes imprisonment of up to seven years.
- The punishment for leading a person to commit suicide after intimidating, stigmatizing, defaming and accusing her as witch, may be **extended to life imprisonment**,

along with Rs 5 lakh fine.

- It talks about various measures that the administration and police should initiate, along with NGOs and civil society, to educate people about witch-hunting.
- It also entails that the **fine realized as punishment for an offence shall be paid to the victim or his/her next of kin as compensation.**

There is **no specific and particular national level legislation that penalises witch hunting.** Hence the provisions under the Indian Penal Code 1860 (Sec.302 which charge for murder, Sec307 attempt for murder, Sec 323 hurt, Sec 376 which penalises for rape and Sec. 354 which deals with outraging a woman's modesty) are used as an alternative for the victim.

Partner for Law in Development (PLD) and many other NGOs are working for preventing and protecting women from the social evil of witch-hunting. **Rural Litigation and Entitlement Kendra**, had also filed a PIL in Supreme Court relating to the abuse of women in name of witch-hunting on behalf of 1000 rural women in Jharkhand who were victimised of witch-hunting.

What needs to be done to solve the problem?

India has signed **Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) on 1993** and had agreed to eliminate discrimination and social cruelty against women. In addition to it Section 5(a) of the concerned convention explicitly provides that the states should take appropriate measures to modify the social and cultural patterns of conduct of men and women.

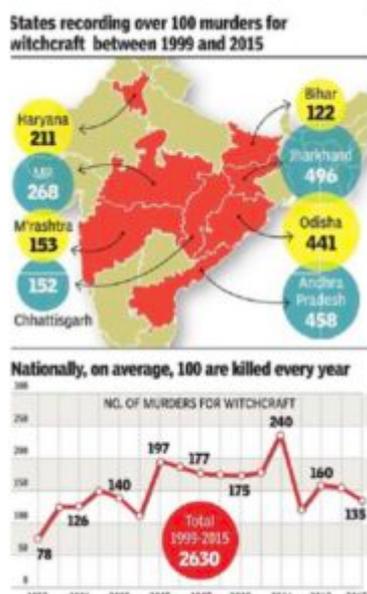
- Hence a national legislation criminalizing witch-hunting is the need of the hour.
- Affirmative measures must be taken to ensure appropriate investigation into a complaint by the police and other officials.
- Setting up special cells in states where this offence is

rather prevalent will protect women from unwarranted brutality and violence.

- The victims must be provided with compensation and rehabilitation facilities.

Regional spread of the practice in India:

- Witch hunting is **stigmatization of specific groups of people, which mostly contains widowed women, women who are childless, old couples, women of lower caste.**
- It has been witnessed in tribal and rural areas that if wild spread diseases occur or famine occurs which causes death of animals as well as humans the allegation develops on the most vulnerable people of the society for witch craft and then violence.



- Witch hunting is more prevalent in 12 states of India which are situated in like **Jharkhand, Bihar, Haryana, West Bengal, Madhya Pradesh, Maharashtra, Gujarat, Orissa, Chhattisgarh, Assam, Rajasthan and U.P.**
- **More than 2,500 Indians have been chased, tortured and killed in such hunts between 2000 and 2016**, according to India's National Crime Records Bureau.
- Most states don't list witchcraft as a motive of murder.
- Till now there are no specific laws enacted in

Maharashtra against witch-hunting and the sole reason behind it is opposition from some religious groups who believe that the enacted law might take away their ancient rites.

Reasons for prevalence of this practice in India:

- People who brand women as dakan capitalize on **deeply rooted superstitions and systems built on misogyny and patriarchy** to lay blame on females.
- Lack of education, awareness, literacy and the prevalence of caste system have exacerbated the violence.
- Witches are also **convenient explanations for rising infant mortality rates and deaths from malaria, typhoid and cholera.**
- Lack of national legislation, lack of evidence and issuing of report, ineffective implementation of established rules are other reasons.
- Witch hunts and beatings provide an **outlet for men living in poverty to vent frustrations over their own lack of power**, especially in rural communities who are so marginalized and oppressed with no avenues of protest.
- Women who are alone and own land are at risk of randomly being accused especially if someone wants to covet that land.
- There are people known as **witch doctors** or alternative healers of sorts in rural India to whom people come with any problem. These 'doctors' often label women as witches to be the explanation of something that they don't understand.

Does it exist in Western Societies?

- The existence of witch-hunting can be traced as far back as the ancient period.
- 331 B.C. saw the mass execution of 170 women after being

labelled witches in Rome.

- This practice rampantly continued until late 4th century A.D. and did not wane until the introduction of Christianity in the Roman State.
- During the middle ages, the inhumane rituals of witch-hunting spread across other **European countries** as well.
- During the early Modern period witch trials took place which generally involved burning people alive (80% being women) for the alleged offence of witchcraft.
- The 17th century saw the spread of witch-hunting like wildfire, with people associating women to satanic and diabolical practices and persecuting them.
- During the 18th century the last known cases of witch-hunting in Europe were seen.
- The archaic practice propagated to other parts of the world including Africa and Asia after the 18th century.
- Sub-Saharan Africa has not just witnessed women but also children as victims of witch-hunts.
- Today, Saudi Arabia is the only Asian country where witch-hunting is an offence punishable by death.

Mould your thought:

1. What are the reasons for the prevalence of witch hunting in India? What needs to be done to tackle this menace?

Approach to the answer:

- Give details of NCRB data about prevalence of witch hunting in India
- Write the reasons for its prevalence
- Write briefly about Assam Witch Hunting (Prohibition, Prevention and Protection) Act, 2015 and other measures to tackle the problem
- Conclusion