

WITCH HUNTING: AN ABHORRENT MENACE AGAINST WOMEN IN INDIA AND ABROAD

DR SHIVANI GOSWAMI

Abstract: The practice of witchcraft is usually named as 'Dayan Pratha'. It is prevalent and widespread not only in India but also abroad. In India, it is prevalent in Jharkhand, Haryana, Chhattisgarh, Orissa, West Bengal, Madhya Pradesh, Rajasthan, Andhra Pradesh, Gujarat, Maharashtra, Assam and Bihar. Besides India, it can also be seen in sub-Saharan Africa, Papua New Guinea etc, to name a few. Even in Papua New Guinea, where 96% population is Christian, witch persecutions have mounted up, escalated and have swelled. After a woman is alleged of such a practice, her life becomes very wretched and she lives in despondent conditions. She is hunted down, forced to become hairless, spanked up, tormented, compelled to eat human excreta, stripped bared and naked and forced to parade in front of whole village. Sometimes, these women are even killed by fuming mob. Gullible, conservative and education less society, denial and rebuffed to have sex, property dispute is considered as the major reasons for such an obnoxious and loathsome practice. It is not that no legislation is passed on this staid and somber issue. In India, Dayan Pratha (Prevention of Witch Practices) Act, 2001 in Jharkhand, Rajasthan Prevention of Witch Hunting Bill, 2015 introduced in Rajasthan, Prevention of Witch (Dayan) Practices Act in Bihar, 1999 etc have been passed to curb this practice. Similarly legal succor is also available abroad. It is a pity and a matter of ignominy and disgrace that there are so many women comrade legislations that have been passed to deal with issues relating to violence against women but there is no national legislation to deal with this staid and somber issue. Even in those couple of states where legislations have been passed in India and abroad these legislations are proving to be ineffective and futile and are not providing any kind of redressal to such ill-fated women. The need of the hour is to address and ponder over such a reprehensible and appalling issue and pass national law which can address and attend to all women. The author would be dealing with the concept, various issues relating to witch hunting, causal factors, legislations not only in India but also abroad, the remedies that can be looked into to help such defenseless, oppressed and downtrodden women etc.

Key words: Violence, Witch, Witch hunting, Women

Introduction: Women and committing brutality or violence on her are considered as two sides of the same coin and are thus inseparable. The term violence could be physically hitting a person and inflicting injury or the act of striking a person with full intention of causing harm to a person but not actually causing it or it could even be the act which will not cause any corporal torture but only vocal mistreatment or psychosomatic stress. Every woman has during her life time suffered violence in her life. The life of the woman lies between pleasure and bliss at one end, and danger and peril at another end. From the cradle to her grave, during her life time, women are subjected to violence like Female feticide, female infanticide, child marriage, rape, dowry death, bride burning, marital rape etc, to name a few... of all kinds of tortures committed on her witch hunting is considered to be the most appalling, most abysmal, most horrendous and most horrific violence on her. It is not a national phenomenon. It is an iniquity which is prevalent and widespread globally at an alarming and startling proportion. After a woman is labeled and branded as a witch, there is no end to her melancholies and misfortunes. Her life becomes very wretched and she lives in despondent conditions. She is hunted down, forced to become hairless, spanked

up, tormented, compelled to eat human excreta, stripped bared and naked, raped and forced to parade in front of whole village. Sometimes sharp objects are also inserted in her private parts. In some cases, her body parts are sliced and chopped, she and her family are socially boycotted and shunned by the society and sometimes she is also being killed by fuming, enraged and seething mob. In spite of the fact that condition of woman is very desolate, very bleak, the worst part is, it is not taken seriously as is evident from the fact that till date there is no national law to address this solemn issue. The conditions of women labeled as witches are not only dismal, feeble and wretched in India but the fate of her sisters abroad is more or less the same. Witch hunting is a communicable and transmittable disease which is bit by bit and gradually spreading to new areas and succor will have to be provided to exterminate from this vice practice. It is time to cure it well in time and if not treated, it is going to affect the entire society as it is mounting up every day and night.

Reasons Associated: As already said that in the modern scenario the practice of witch hunting is enhancing everyday, one of the main reasons is the patriarchal society in which we live in where the word "he" plays a very pivotal role. Our society is

essentially male dictated. The society is so male domineering that, Krishna Iyer J. has rightly stated that "All resolutions and declarations and platforms of action, such as in the great Beijing UN meet, express in high rhetoric notwithstanding, the victimization of the sister section of Indian community is chronic. Women form the womb to the tomb, from the time of sex determination to the Sati leap into the funeral flames are still suffering from the male domination syndrome. Welfare legislation, dowry and rape laws and others of their ilk slumber in the statute books and one man is more than one woman in value or power". Male dominion and supremacy is so embedded and entrenched into the minds of the people that the moment woman tries to raise her head or voice or even if resist and defy the system, she is immediately being snubbed and affronted and then methods like witch hunting are considered to be the easiest tools in the hands of men to subjugate and overpower her. Gullible and education less society is another factor for escalating witch hunting cases. Taking advantage of this, the ojha or witch doctors make the most of it and exploit people. If any calamity and adversity like floods, drought, crop less etc occur in the village, the belief and credence is that this is due to these so called witches, courtesy ojha or witch doctors. Personal reasons like rivalry, antagonism, enviousness, settling personal scores etc are another causal factors for this vicious, ferocious and nasty crime. Then, denial to have sex is also considered as the reason for increase in the practice of witch hunting. A woman who refuses sexual advances to a person, this person in collusion and complicity with the ojha label her as a 'witch' and then afterwards she has to bear the brunt of the society. Another major reason for witch hunting is the yearn and hanker after property by the people. The woman is asked to renounce and relinquish the property of the husband by other family members of the husband and once she denies, she faces the consequences and music thereafter. These persons along with ojha label her as 'witch' and then her grim and dour story begins. However Gladson Dungdung in her article "Hunting Witch or Hunting Women" says "the greed for property and depriving women of traditional property rights is a sidelined fact. Illiteracy, poor educational levels and superstitious beliefs are reasons fit enough to be icing on the cake"

Also, Smt. Ranjana Kumari says that witch hunting is the result of poverty and education less society. She says , "The problem is because of illiteracy and ignorance and also the accessibility of the health services in that area, and of course, extreme poverty, because.....it is traditionally very poor area," says Kumari.... "Women are targeted because they are most vulnerable and also they can be easily driven

out of the family, of the home, even to the extreme extent can be killed. And then, also of course, whatever property is there.....So the core of the whole thing is the economic issue. Whatever belongs to them can be taken and shared"

Why witch hunting continued: One of the main reasons for continuation of witch hunting is non reporting of such cases. As the cases are extensive and unbridled in villages, people are not aware of their rights or even if they are aware, the circumstances are such that they are not able to report them. As a result, breeding and proliferation of such cases take place. Then, absence of National Legislation is another causal factor. It is a matter of shame and ignominy that even though such cases are escalating everyday, we do not have a national legislation on the subject. Due to absence of national legislation people are taking advantage of the position and hence it is not taken gravely. Even in those states where laws are there, they are not taken solemnly and its implementation is niggardly and measly. As a result such incidents keep on swelling and inflaming. Last but not the least, procuring of evidence in such cases is a herculean task. People remain tight lipped and do not come out due to pressure of influential people (usually people who commit witch hunting are influential people). Their silence becomes a stumbling block and hence no evidence can be collected. These are some of the points as to why witch hunting is being perpetrated in our society and is being continued.

Such cases are not only heightening and boosting up in India but the scenario is same and matching abroad. Let us have a look at the position abroad.

Witch hunting abroad:

Kenya: Witch hunting is very much and in large proportion prevalent in Kenya especially against old people who are vulnerable, susceptible, poor who do not have access to justice etc. the Witchcraft Act, 1925, is applicable which makes pretending to protect witchcraft, claim knowledge of such things, to possess charms etc punishable. Violence dealing with accusations of witchcraft not dealt by witchcraft Act but was dealt under Penal code. Although the Act is there but is rarely and sparingly used. Six witchcraft related killings within the span from 1983-2010 were dealt with murder and manslaughter.

Tanzania: Some of the most intense and extreme cases on witch hunting have occurred in Tanzania. The targets were again elderly women. Poverty, vulnerability, non education, etc were the main contributing factors. The Witchcraft Act, 2002 is applicable in Tanzania. The Act criminalizes accusation of witchcraft not made to correct and appropriate authorities. It also criminalizes practice of witchcraft and also who is in possession and supply of instruments used for witchcraft. Although the act

is there but it is not providing any succor to the victim of witch hunting. There is no proper enforcement as witnesses do not cooperate and are unwilling to testify and come out with the names of the perpetrators, Lack of resources to the poor, vulnerable people and corruption are other factors which hampers dealing of justice to the poor.

South Africa: Witch hunting is very much prevalent in rural areas of South Africa. Mostly older women are subjected to violence and torture from neighbours, family members or it could be even members of immediate community and it could result in their injury or death. The methods used could be hanging, spanking, stoning, etc. These women could also face banishment from their community, loss of property, arrest, imprisonment and physical violence. It seems that women, who are powerful, more potent could be fiscal power or otherwise are more vulnerable, more defenseless to such attacks. Witch hunting are more found in rural communities. It is believed that all misfortunes which could be disease, death, divorce, failure in business etc are caused by witches.

Witch Hunting In India: India is one of those countries where witch hunting is practiced in so many states at a disturbing and upsetting rate. Till date we do not possess any national law to deal with the issue which has made the life of the woman labelled as a witch a hell. In absence of national legislation the provisions of Indian Penal code are looked into and even the provisions that are used are sparingly applied due to want of evidence in such cases. As a result nothing much happens and it hardly has any deterrent effect. The sections that are generally cited and invoked are: sections 302,307,354,323,376 Indian Penal Code which deals with murder, attempt to murder, outraging the modesty of woman, hurt, rape respectively. The punishment that is provided to the accused is niggardly because of want of evidence as already mentioned. Apart from this, few states like Chattisgarh, Odisha, Rajasthan, Bihar, etc have also come up with the state legislations but it has been taken as a futile exercise as nothing concrete has come out of it.

Conclusion: We are living in 21st century and it is a matter of pity and shame that even today people

believe in practices of witchcrafts etc. It is not a matter of history but is very much a situation today. This deplorable and contemptible condition is not applicable in India but also in countries abroad. Woman is a human being and like man she also has feelings, she also has brains, she also feels pain, soreness etc. To call her a witch and to practice such barbaric, brutal methods on her isn't it something nasty? Isn't it something spiteful? Isn't it something horrendous? Why do people forget that she being a human being, she also feels pain if you apply such atrocious acts on her for no reasons or to say to fulfil your own selfish and egotistical goals. Is it something justified and vindicated? For no fault of hers, she is made to suffer ignoble hardships. We boast of equality clauses, where is the equality when it seems in some cases she is being rebuked and reprimanded if she tries to raise her head or her voice? Not only this why property is not given to her or when she refuses to give property, she is being labelled as a witch to get rid of her and to grab and seize her property. These and many other non-sensible reasons are there for prevalence of such a menace in the society. The worst and the most awful part is that it has not been taken acutely till date as no national legislation on this endorses the fact. Few provisions of Indian Penal Code are invoked into which do not suffice. For example applying provisions of hurt on a person who has committed fierceful act of identifying a witch and tormenting her in a most gruesome, ghastly and grisly manner, how far it is justified? Is it as good as whacking a person, that you are applying provisions of hurt on him? This needs to be pondered over. The need of the hour is to immediately strictly enforce anti witchcraft law to have deterrent effect, sensitization of police and other functionaries involved, counselling of this browbeaten woman, her treatment and rehabilitation, create awareness amongst people so that they can comprehend on this issue, course curriculum in schools to be modified etc. These are some of the ways by which we can curb and rein in this social malevolence in our society. It is high time now. One must seriously deliberate and contemplate on this issue because every woman on this earth has a right to live with dignity, decorum and pride.

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Dr Shivani Goswami/ Associate Professor/ GGS IP University/ Delhi, India/