



WITCH HUNTING: A CASE OF GENDER VIOLENCE IN THE GARB OF VIGILANTISM IN INDIA

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Abstract: *In contemporary times, gender violence is a disturbing phenomenon prevalent in every society irrespective of political boundaries. Despite human civilisation having progressed in scientific temper, there are peoples who believe in witchcraft and witch hunting in different lands and cultures. Witch hunting is a form of gender violence, much ugly, yet less discussed and largely overlooked. Traditionally, in India, people practised witch hunting to ward off evil, but there have come up other socio-political motives viz. gender-based violence, vigilantism, land-grabbing and electoral gains. Having several legal deterrents in India it has acquired more eccentric dimensions and dehumanising methods under the garb of vigilante justice victimising women. More depressing is political apathy, police casualness and media underreporting, besides absence of sensitisation at school and institutional levels towards the atrocities of witch hunting and gross violations of human rights. This research paper attempts to study in the light of selective media reportages, relevant laws, the contemporary issues and challenges of witch hunting in India with special reference to Jharkhand.*

Keywords: Gender violence, witch, witchcraft, witch hunting, vigilantism, human rights.

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GENDER VIOLENCE

Gender violence is a broad concept which includes a gamut of violations ranging from intimate partner abuse to rape or gangrape in a public transport system or a brick kiln in a village. Cultural customs such as forced *purdah* system, restricting movement, and female genital mutilations, and inhuman practice of bride burning, child marriage, trafficking of minor girls and women into flesh trade in cities are forms of gender-based violence. Gender violence takes multiple forms in different situations depending on the idea of gender, personal and social relationships, economic parity and power structures. It is assumed that its prevalence in traditional societies is more than in the metropolitan cultures, which is probably a fallacious argument because the context and nature of gender violence differ not only from geographically local to regional societies, but also socially structured norms. It does not have a uniform meaning.

Violence against women is deeply entrenched in our social systems. Gender violence is now more profoundly confirmed and informed with increased frequency by mass media penetration in our life. Gender violence exists and recurs everywhere – in home, in neighbourhood, in public place or transport and even workplace. One remarkable visibility in most instances is that women suffer silently. And if they raise voice against patriarchal oppression, they are made to suffer even more. Violence denies a woman of her respect, self identity and dignity besides causing physical and mental trauma and adversely affects the society at large.¹

Though gender violence has been a historical nuisance, its drawing focal attention of an informed society has happened during the last thirty years. During the early years of 1990s, gender violence was viewed as an important human rights violation. However, over the years, it is considered as the pivotal issue of women's human rights. Forms of gender violence around the world may find commonality, but its local manifestations are very diverse which draw sustenance from specific kinship structures, gender disparities and enormity of violence prevalent in a community. Impunity for violators contributes in important ways, whether they are violent spouses, so-called 'honour' killers, or political leaders. Patterns of kinship and sexuality provide the justifications for gender violence.² An important dimension is structural violence. It impacts the everyday lives of people yet remains invisible and banal. It includes poverty, racism, displacement, and hunger *et al.*



Structural violence is intimately connected to more interpersonal forms of violence. For example, upper-caste men in parts of India use the rape of lower-caste women to maintain their dominance (e.g., Srivastava 2002: 272-275).³

WITCH HUNTING

Who is a 'witch'? It is necessary to define the concept of 'witch'. A person, especially of female gender, may be considered a witch who acquires supernatural power, is capable of performing black magic or sorcery, and of causing purported harm to human health. Terms such as *daayan*, *tohni*, *chudail*, *et al*, are used to brand a woman as a witch. The term *tohna* is used for men witches in the forest state of Chattisgarh. The term 'witch' is popularly used for women. It suggests that it is a gender attribution and practices of witchcraft are seen from gender perspective as in majority of witch killings, victims are women. Whatever the different practices and understandings of the term 'witch' may be, it shares a universal commonality, and that is of the attribution of specific supernatural powers to a person by others. An attribution of a person as a witch is nearly always negative, fearful and destructive.

In past, witchcraft has been documented as a social evil widely practised out of ignorance and aboriginal belief systems. Witchcraft is basically a practice of black magic or sorcery in which evil souls are invoked by performing rituals sanctioned as forces of devil or impure souls by religious scriptures. Witchcrafts were rampantly used in ancient and medieval civilisations of Europe and Americas. The oriental lands were not either unaccustomed by the vicious practice. Although men have been victims of witch hunting or witch killing, women have been the most ubiquitously targeted witches in every era and society. Historically, it is believed that in Europe until circa 18th century many thousands of women were tortured and killed as witches, often by burning at the altar.

Today, despite human civilisations have progressed in scientific temper, still there are societies which are steeped in ignorance and superstition. Certain superstitions are so heinous and inhuman that life of a woman becomes trivial so much so that murdering her is regarded as the panacea or antidote of misery. Life and liberty of a person are the two basic rights of a person living in a civilised society which must be protected. Witch hunting is one such crime. It is a systematic act of violence against women whereby the entire community sanctions the punishment meted out to the person being accused of witch craft.⁴ Men and



women practise witchcraft to ward off evil, achieve immortality, wealth, health and other vicarious desires. Witchcraft or witch hunting in India is rampantly practised with modus and motive changing over the time and space. Witch hunting crimes mainly occur in forest areas and hinterlands of states in central and north-eastern India because these areas are densely forested, mineral rich, but fare abysmally poor in economic development, with little or no access to primary healthcare and education. Most of these places are populated by naxalite people, forest tribes, who put up struggles for forest resources and basic human rights against police, special task forces, and corporate industries. Witchcraft is known by different names in Indian languages such as *banamati*, 'evil eye', *dayan*, *chudail*, *bhootni*, *et al.*⁵ Witch hunting practices are rampant in such economically backwards regions where people incline to strong superstitious beliefs and any tragedy or misery that might befall them like displacement, damaged crop, epidemic, sudden and unexplained death of children or kin are some causes which tend to be considered the works of evil 'witch'. Its soft targets are mostly middle-aged widows, elderly women, single women or sometimes lonely women who are left behind due to death of men. A local *ojha* (an unqualified medical practitioner who may be a woman), a *tantrik* or sorcerer, and a priest, are the main facilitators of witch hunting in backward regions where scientific temper is absolutely missing due to inefficient or little availability of healthcare and education.

RESEARCH PROBLEM

Studies reveal that the issue of witch hunting is studied mostly from either socio-economic perspective or law and order angle. A 'gender' approach to it is inadequately debated. Witch hunting is a serious issue of gender violence with silent sanction of patriarchal structure of our society. Witch hunting is essentially a legacy of gender violence because, invariably, it is especially *dalit* or *adivasi* women, who are victims of witch killing. Patriarchy in such a scenario aims to send a clear message to the miserable women that their safety and freedom depend on their remaining subordinate or subservient to the male members of their village or community or even their own family. Whenever, a woman dares to speak out or rebel against their subjugation, question male domination, discrimination or deprivation of wages, livestock, and even her ancestral property, she is apprehended by powerful men assisted by *ojha* who formally brands her a *dayan* or witch. Docility is lauded and protest is punished. The allegedly branded witches are subjected to inhuman cruelty inflicting injuries



and pain both physically and psychologically. In villages, law and order is basically monitored by a patriarchal *Panchayat* system. Men take advantage of poverty and ignorance of women, and resort to crimes against them with impunity in the garb of vigilante justice. Most of the victims who do survive the atrocities of witch hunting do not report to the local police due to fear of getting lynched. So, they suffer the pain and trauma silently. The witch is kicked out of her house, stripped naked, her head tonsured and hair burnt, face smeared with cow dung or blackened; paraded naked across the village; her nose is slit, teeth pulled out (believably she is defanged) so that she can no longer curse; she is also whipped with *chappals*, and sticks. To utter horror, sometimes, she is forced to eat human excreta before she is thrown out of the village and forced to flee to the nearby forest or lynched to death or buried alive. Surprisingly, such gut-wrenching brutalities occur in daylight and in midst of a cheering crowd. Where these women are left to live, they are considered inauspicious and malevolent, socially ostracised and forced to forego their livelihood. Where they don't end up losing their life, they are made to lose their mental balance.⁶

TRENDS IN WITCH HUNTING

Witch hunting is usually seen as a crime of rural or tribal backwardness, but perceptions are far removed from realities. In most of the cases it is discovered that those women who are killed as witches, are actually meant to disown of their land, house and livestock, and in some cases, avenged for refusal to solicitation from upper class men. The perpetrators are often neighbours, but sometimes, their own family members are involved in the crimes. Due to poverty, a married son may consider his ageing mother as an unnecessary burden, and may try to grab her property by eliminating her. Liquor also plays a vice. There are greedy land grabbers who lure such men with liquor and money, to get rid of the woman by declaring her a witch, which in popular parlance legitimises the crime with no conviction or fear of punishment. Witch-hunters are basically land grabbers from or outside the family of the target, who with the collusion of *ojhas* commit the crime. In extremely backward rural areas these *ojhas* are important public figures who in the absence of efficient government healthcare infrastructure greatly influence public health matters. Police investigations have found, in many cases, that the local *ojha* accepted a bribe to name a woman as a witch. Identifying *dalit* and *adivasi* women as witches helps preserve caste structures or maintain upper-caste hegemony.⁷ Witchcraft for long, has been a part of the tribal customs. The



Santhal theory of witchcraft attributes gender tensions as the reason for witch hunting. The *Kharia* women were excluded from ritual activities as it was believed that menstrual blood attracted evil spirits. Men folk feared the sexuality of women, which, over the course of time led to the development of this practice.⁸

VIGILANTISM

Vigilantism is the most abused gambit to carry out witch killings with impunity. A vigilante is a person who takes law into his or her hand and avenges a crime in the state when law and order machinery fails to deliver justice. Vigilantes usually operate in an organised group in order to protect their life, property, community etc. from atrocious and corrupt state or gangsters. Literally, vigilantism means taking the law into one's own hands and attempting to effect justice according to one's own understanding of right and wrong. This may be in form of a group or mob which by a voluntary association of persons who organise themselves for the purpose of protecting socio-economic and political interests. It may be a private enforcement of legal norms in the absence of an established, reliable, and effective law enforcement body. However, vigilantism, over the years, has been misused in the pretext of mob justice. On many occasions, vigilante justice has actually committed extrajudicial killings through mob lynching. The practice of witch hunting is one such example, committed in the guise of vigilante justice, thereby killers of alleged witches escape legal action or punishment. In nearly every incident of witch hunting the killers are a frenzied crowd or mob, inciting a people against a women labelled as a witch. The mob targets the alleged witch, hunts her out, strips her naked, parades her, beats her inflict bodily and mental injuries on her, lynches her, buries her alive or kills her and in rare cases lets her escape from the village or community to a forest or desolate place. All happens under the disguise of vigilantism of getting rid of the village or community of evil soul who could supposedly bring misery or cause crop loss death of livestock or a human being.

MEDIA REPORTAGES ON WITCH HUNTING

Media has done exceptionally well in reaching out to people in remote and inaccessible areas of rural and tribal India, helping them make them heard by their governments and fellow citizens living in the mainland, urban India. Issues concerning their bread and butter, health, education, and security make news in media, but not headlines. Most of the rural or tribal news which hit headlines quite often are those farmer suicides, naxal violence and



subsequent state operations against them. Media do cover issues of gross human rights violations by police, corporate thefts of forest lands and resources, but such news are far and few, reported as news items of inside pages, thus evoking little enthusiasm amongst readers so as to engage in public debate. Witch hunting is one such social evil which occur in far flung areas of backward regions of Assam, Andhra Pradesh, Bihar, Chhattisgarh, Gujarat, Haryana, Jharkhand, Madhya Pradesh, Maharashtra, Odisha, Rajasthan and West Bengal, of which Jharkhand holds the dubious distinction of having the highest numbers of witch killings during the last decade. Thanks to media, news of witch hunting has brought it to the public domain and the issue has caught the attention of both the state and intelligentsia alike. Here are excerpts of some media reports which narrate the horrors of witch hunting in different states of India, particularly in Jharkhand.

- In May 2008, Lata Sahu, a *dalit* woman in Raipur, Madhya Pradesh, contested the polls against the wishes of landowning castes. She was condemned as a witch, stripped and beaten.⁹
- In 2008, a woman was hired by a man to use magic to improve his ill wife's health. When his wife's condition worsened he began beating the woman, and five other locals joined in the abuse. She was tied to a tree, and she was slapped repeatedly and had her hair cut.¹⁰
- On August 20, 2010, Kamla Bairwa, a *dalit* woman, after being dubbed as a 'witch' by fellow villagers, was brutally thrashed by three men and two women at Jhalara village in Tonk district of Rajasthan. She was tied to a tree and thrashed mercilessly. In her complaint, lodged at the Uniar police station, she complained that the villagers, particularly women, would call her a *dayan*, insult and beat her up. She feared that she would be killed by the villagers.¹¹
- A dalit husband and wife named Saheedi Bhuiyan and Samanti Bhuiyan were murdered in Jorapur village in Palamu, Jharkhand on March 11, 2010. The villagers killed them on the suspicion of witchcraft. Three people who had their faces covered barged into their hut at night and took them away. Their bodies were found about 33 kilometres away from their home.¹²
- In 2011, a mother and daughter were accused of being witches in Assam, but police later discovered the accusations were used as a pretext for their rape.¹³



- In July 2012, an elderly man and his wife were forced to ingest human urine and excrement in Jharkhand. The two were accused of practicing witchcraft, which supposedly resulted in the death of local livestock.¹⁴
- In August, 2012 in another village in Jharkhand, a man was pulled out from his house and buried alive for allegedly practicing witchcraft.¹⁵
- In August, 2013 in rural Chhattisgarh, two women in their fifties were killed by three boys. According to police, the father of one boy was ill and the other two boys' fathers were dead. Believing the women were to blame, they "questioned those women about their involvement in witchcraft practices, but they refused to speak. This infuriated the boys who first strangled them and later slit their throats".¹⁶
- In November 2013, a mother and daughter in Jharkhand were pulled out of their home by villagers who took them to a nearby forest and slit their throats. After the mother's husband died years before, rumours began that the women were witches, and villagers blamed the women for several children becoming ill.¹⁷
- A boy was killed in the same state and police arrested two people accused of the murder for killing him "for the purpose of human sacrifice."¹⁸
- On August 7, 2015 at Mandar village near Ranchi, a mob of villagers dragged out five women from their houses and lynched them to death suspecting them to be involved in witchcraft and causing death of a sick boy.¹⁹
- On the intervening night of August 8-9, 2015, five women were lynched at Mandar village near Ranchi by a mob of nearly 100 men. Police arrested about 27 attackers, many of them were students of Mandar College. Ranchi deputy commissioner Manoj Kumar said though many women, particularly widows, are usually killed over family disputes and land grabs on the pretext of 'witch hunts', this particular incident was born out of pure superstition as the villagers accused them of using 'black magic' on children, causing illnesses and fatalities among them. The villagers were provoked by the death of an 18-year-old boy who had fallen ill. Jharkhand State Women's Commission chairperson Mahua Manjhi opined that a stringent policy was needed to end such incidents. She blamed lack of education, awareness and road connectivity to towns and cities, besides unemployment as reasons behind 'dayan bisahi' (superstition of witchcraft) in the state. According to National Crime Record Bureau,



Jharkhand accounts for 54 out of 160 cases of murders where women were killed in the name of witch hunting in 2013 and a total of 400 women have been murdered with the same motive since the state was formed in 2001.²⁰

COUNTER-WITCH HUNTING LAWS

Although there exists a host of laws in India which promise security, freedom and justice to women against gender-based crimes, the effectiveness of such laws are disappointing as convictions are abysmally low. This shortcoming with the law and order enforcing agencies like police encourages crime against women across the length and breadth of the country. In the Constitution of India there are provisions which guarantees right to life. *Article 21* of the Constitution guarantees 'protection of life and personal liberties'. It says, "No person shall be deprived of her/his life or personal liberty except according to procedure established by law." Similarly, *Article 14* guarantees 'equality before the law' meaning the State shall not deny to any person equality before the law or equal protection of the laws within the territory of India. Sections of the Indian Penal Code (IPC) and the Code of Criminal Procedure (CrPC) are commonly used for incidents of witch hunting, with cautionary note besides, the Scheduled Castes & Scheduled Tribes (SC/ST) Act and The Prevention of Witch Hunting Practices Act (Jharkhand), 2001. There are specific laws against particular gender crime, but on most occasions the crimes are dealt under sections of the IPC, which may not be relevant. If we look at national laws, most witch hunt cases are dealt with by Section 323-IPC, which prescribes one year's imprisonment and a Rupees 1,000 fine to anyone who causes harm voluntarily. However, the crime inflicts severe damages to the victim leading to the death, disability and desolation and therefore, the section of IPC under which such crimes to be registered necessarily fall under the category of culpable homicide and willful murder. Therefore, there is an immediate need for enacting an all India law on witch hunting, rather than concerned states tackling witch hunting crimes on the basis of their own laws. On the national front, the Prevention and Protection of Witch Hunting Bill, 2013 is a recent development, but is yet to see the light of the day.

The rising witch hunting crimes in some states of eastern India compelled them to draft legislation against the menace. Bihar, for all its backwardness, was the first state in India to pass such a law against witch hunting. In 1999, the Prevention of Witch (*Daayan*) Practices Act came into effect. Jharkhand followed suit. And it passed 'The Jharkhand Prevention of



Witch Hunting Practices Act, 2001'. Similarly, The Chhattisgarh *Tonhi Pratarna* Bill 2005 (Chhatisgarh Prevention of Atrocities on Women in the name of Tonhi) was formulated. Rajasthan too brought out such a law in 2006. An essential element of the anti-witchcraft laws has been: 'a crime would be considered to have been committed when any person or community intentionally or inadvertently abets, conspires, aids and instigates the identification of a woman as a witch leading to her mental and physical torture and humiliation'. Unfortunately, the existing laws have not been able to either tackle such vicious crimes or create fear in the minds of perpetrators. The threat of punishment and conviction has not been a deterrent since the perpetrators of the crime (always male, mostly upper caste Hindus who enjoy political patronage) know that they will not be brought to book for what will be seen as an incidence of vigilante justice.

CONCLUSION

From the issues and challenges discussed above causes behind witch hunting in India and particularly in forest states like Jharkhand, share common threads and ramifications. Though there are legal determiners of its prevention, other factors like socio-cultural sets of beliefs out of ignorance about witchcraft and witch hunting are deep-seated in their faith. Absence of education, proper healthcare and good governance are some essentialities, people in such hinterlands, do not get. This makes them rebellious to outside people, even government officials. The rural-urban dichotomies of socio-economic welfare and development are very strong reasons for occurrences of such ugly crimes against women. However, the practice of witch hunting has equally been abused for materialistic and nefarious reasons by anti-social elements in villages and forest areas. Personal animosity, vengeance for thwarting sexual demands, land and property grabbing, are some disturbing trends over the years as such crimes take place in the form of mob justice or vigilantism. Therefore, some urgent interventions are the need of the hour if we are really serious about mitigating witch hunting crimes. At the rudimentary level, mass awareness campaigns programs are needed to bust the existing myths around witch, witchcraft and witch hunting. The witch hunting sensitive areas should be marked out topographically and special mapping should be done for the purpose of starting any pilot drive for sensitisation against the evils of the prevalent custom. The mindset of people about witches needs to change and for this we should begin from school. Teachers in schools should be imparted teaching on



issues of witch hunting so that teachers can educate young minds about the malice. The target communities of victims of witch hunting should be made aware of existing legal provisions which are supposed to check the crimes of witch hunting. Law alone never works. Education is the best supplement to such a socio-cultural practice. The government and non-government players can bring in effective change if primary healthcare infrastructure is improved. Besides, access to food supplies in inaccessible areas, proper sanitation, and rural-urban connectivity are assured. This would deter them from blindly depositing faith in *ojhas* or unqualified doctors. Rural policing needs an overhaul and sensitisation of police personnel toward the seriousness of witch hunting crimes, not without their accountability, are urgently required. As of now, there exists no centralised system to rehabilitate the victims which is a heavy social consequence of witch-hunting. The culture of scientific temper needs to be promoted among rural citizenry. Proper guidelines for the implementation of the anti-witch laws should be in place. Confidentiality during testimony and for witnesses should be guaranteed. Special police officers or judicial officers should be appointed in every district police station. There should be proper monitoring and follow-up of reported incidences. Relief and compensation for victims of witch hunting need to be provided. Provisions of counseling, rehabilitation schemes for victims of witch hunting should be implemented.

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