



WITCH KILLING: A MYTH AND REALITY

Mr. Amit Kumar Mohanty

Lect. P.G. Dept. of Social Work, U.N. Autonomous college of Science and Technology, Cuttack

Dr. Lina Rani Pradhan *

Lect. P.G. Dept. of Political Science, Shailabala Women's Autonomous College, Cuttack *Corresponding Author

ABSTRACT

The concept of witch hunting has its traces in past, may it be primitive age, medieval age, modern age and now industrial age, the concept of witchcraft and the incidence of witch-hunting has been witnessed. Witch hunting is considered as an infectious disease which is slowly spreading to newer areas. This paper trying to focuses upon this evil practices in India with valid data base and critically explained the witch hunting act of the country it aimed to generate consciousness among the readers on this matter it may help to different social activist for working in this thematic area.

KEYWORDS : Witch, Witch Killing, Witchcraft

Witch killing or witch hunting is very uncommon to hear in this 21st century where man reached at mars and moon, but it's bitter truth that still this barbarous and heinous practice found in our sacred country like India and also in our state Odisha. In India, a person accused of being a "dayan" or witch can be tortured, raped, hacked to death, or burned alive. Victims are often single older women, usually widows, but they can also be males or children.

This witch killing is mostly an elusive concept related to human psychology which leads this criminal mentality. Many mysterious stories associated with this evil practice like black magic, hypnotism and so on. Sometimes it cannot be believed easily that a man or woman turned into witch how its true and cause of death of others still this concept scientifically not recognised its only due to ignorance and superstition of primitive people. As per the report of National Crime Record Bureau (NCRB) 2008, in Jharkhand there were 52 witchcraft related murders, in Haryana around 26 cases of witch-hunting was reported, whereas in Andhra Pradesh and Odisha 23 cases were reported, in Madhya Pradesh 17, in Chhattisgarh 15, in Maharashtra 11 and in West Bengal and Meghalaya 4 and 3 respectively. According to NCRB, government of India the instances of witch-hunting has increased when compared to previous years data.

As per Human Right Committee report in last 15 years approximately 2,500 women were killed in the name of witch-hunting. Previously it was seen that witch-hunting is only associated to women but in 2013 in Odisha police reported a case where a boy was killed as he was accused of practicing witchcraft. Statistics also display a case in Assam where a girl was raped in name of witch-hunting in 2011. (Rimjhim Vaishnav, (NUSRL), Ranchi) Witch hunting is more prevalent in 12 states of India which are situated in like Jharkhand, Bihar, Haryana, West Bengal, Madhya Pradesh, Maharashtra, Gujarat, Odisha, Chhattisgarh, Assam, Rajasthan and M.P. basically the cause of witch hunting as shown that the so called witch or victim accused for spread any epidemic in community, random death of animal, loss in agriculture due to different natural calamities etc and the mostly some specific group are being targets to become a witch like widow lady, low caste lady, old couple, unwed mother, barren women.

Now this practice mostly found in tribal community specially in Odisha district like Mayrubhanj, Sundargarh, Kenjhar and Ganjam as per the data of NCRB in last 14 year from (1999-2013) Odisha occupied 3rd position in number of death recorded for witch killing that was 396. This is directly threat to human rights and put a question mark upon the status of a state how state can be placed in position of human development index lists.

CONTROVERSIAL ISSUES RELATED WITH THIS PRACTICE:**1. Victimization:**

There are many case study reported in last 15 years some of these are very illogical stories and some of are very shameful from the reviewed of this case story it has been a common conclusion drawn that in most of cases it has been found that witch is by sex female but when we discuss about victim then still it confusing concept who is the victim as per the statement of community that a person who died that only killed by witch so that deceased person is victim and the witch is accused where as when we stand against it as an intellectuals we define the so called witch who killed by the community she/ he is a victim so about the victimisation still it is controversial topic which shall be discussed in more in-depth.

2. Non reporting and under reporting:

The most interesting fact is that community support this practice so it's very difficult for an external to be act as a changing agent. Only for the community support many cases are unreported because community consider this practice is good for their community and its protective measures taken by their leader to save their lives from the evil souls.

3. Over loaded - Cultural consciousness:

As our country is a cultural bound by nature so we always believe in tolerance is a best practice to maintain the integrity of country and every tribal community having their own and distinct cultural traits which provides them unique identity and many programme are now working to protect the culture of this primitive indigenous group. But some part of their culture is threat to entire human rights before tribe they all should consider as a human being first, So the evil custom like witch killing should not be treated as a sacred part of their culture by themselves.

Completely failed witch hunting prevention Act:

First of all no uniform constitutional law has been enacted to prevent witch killing in our country it is completely under the state jurisdiction so, different states having their different act and legislation and many states have no legal provision for this sinful activity yet.

• Bihar though being most backward was the first state in India to pass a law against witch hunting in the year 1999, which was named "Prevention of Witch (Dayan) Practices Act"

• Jharkhand followed it and established "Anti Witchcraft Act" in 2001 to protect women from inhuman treatment as well to provide victim legal recourse to abuse. Basically Section 3, 4, 5 and 6 of the concerned Act talks about the punishment which will be granted if any one identify someone as witch, tries to cure the witch and any

damages caused to them. Whereas Section 7 states the procedure for trial.

- Chhattisgarh government passed a bill in 2005 named “Chhattisgarh Tonhi Pratama Bill”, which was established to prevent atrocities on women in name of Tonhi.
- Rajasthan government has also passed a bill “Rajasthan Women (Prevention and Protection from Atrocities)” 2006, which makes it illegal as well punishable for calling any woman as “dayan” or to accuse a woman for practicing witchcraft, which extends to three years of imprisonment and Rs 5000 fine.
- Till now there is no specific laws enacted in Maharashtra against witch-hunting and the sole reason behind it is opposition from some religious groups who believes that the enacted law might take away their ancient rites. Now after the incidents of witch-hunting has increased the state government has planned to pass a bill to eradicate the social ills and human sacrifice.

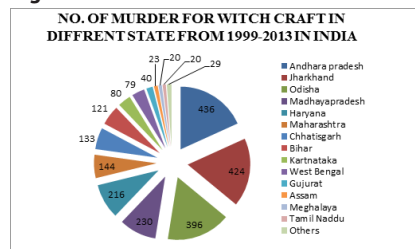
In compare to other state Odisha govt also enacted a Prevention of Witch Hunting Act 2013 having some good futures like:

- **Definition of Witch-hunting:** The Act defines that Witch-hunting means any act of omission, commission or conduct on the part of any person, (i) identifying, accusing or defaming a woman as a witch, or (ii) harassing, harming or injuring such woman whether mentally or physically or damaging her property.
- **Prohibition of witch-hunting and practising witch craft:** No person shall commit witch-hunting or exercise or practise witch craft with intent to cause harm or injury to another person
- **Penalty for witch hunting:** Witch branding is derogatory to human dignity. Committing witch hunting, or abetting, or provoking for witch hunting is punishable with imprisonment for a term that may be extended to 3 years or with fine but it is not less than Rs. 1,000/- or with both. Forcing any woman, branding her as witch, to drink or eat any inedible substance or any other obnoxious substance or parade her with painted face or body or committing any similar acts that is derogatory to human dignity or displaced from her house, is punishable with imprisonment for a term that is not less than 1 year but that may extend to 5 years and with fine
- **Penalty for witchdoctor:** Practising witch craft or other similar practices with intent to cause harm or injury to any person is punishable with imprisonment for a term that is not less than 1 year but that may extend to 3 years or with fine that is not less than Rs. 5000/- or with both
- **Enhancement of the punishment:** The existing legislation includes penalty for repeated offenders. A person who has already been convicted of an offence punishable under this Act, is convicted for the second offence or any offence subsequent to second offence, is punishable with imprisonment for a term that is not less than 3 years but that may be extended to 7 years and with fine that is not less than Rs. 10,000/-.
- **Act not in derogation of any other law:** The provisions that the Act includes is in addition to the existing laws and not in derogation of the provisions of any other law.
- **Order for compensation:** The amount of fine would be fixed by the court taking in to consideration of the physical and mental damages caused to the victims due to witch branding. This damage includes the cost of treatment and damages of property of the Victim. The fine would be recovered from the offender by the court and either partial or full amount of the recovered penalty would be provided to the victim as compensation.
- **Offence to be cognizable and non-bail able:** All kind of offences related to witch hunting has been included under this Act as cognizable and non-bail able.
- **Preventive action to be taken by the State Government:** The Act includes the provision for the State Government to develop schemes for creating awareness on blind belief and educating people about the bizarre concept of witch craft and related practices.

Among the states where witch-hunting is prevalent, some areas of

West Bengal like Purulia, Bankura and Birbhum comes under the ambit of those states. Still the state government has failed to establish a separate legislation to tackle it. Hence, there is a need of a national legislation which will have a binding effect over all the states in prohibiting it. The witch hunting prevention act may fail due to not implementing properly in any enacted states or little liberal by nature.

Witch killing in India in different states from 1999 to 2013:



Source: National Crime Record Bureau (NCRB)

Myth and the Reality:

There is a huge gap in between the myth and the reality of witch hunting the myth is that the witch has bring all negative forces and bad luck for which epidemics, health hazard, loss in cultivation occurred in the community, but never any scientifically or logically proof exist in this connection but it found in actually that the victims were always from poor, Dalit, destitute, and women categories and mostly those who first identify them as a witch they belongs to local land owner, politically sound or from other privileges section of the society they have some alternative motivation behind of this rumours may be gain the political support of the community or to occupied land of the poor lady.

CONCLUSION

Till date the practice of witch-hunting is still prevalent in India. The reasons behind it are lack of national legislation, lack of evidence and issuing of report, ineffective implementation of established rules. Hence the problem can be solved by strict enforcement as well as implementation of Anti-witchcraft law which will also prevent witch-hunting practices, also by sensitizing of police and welfare department and establishment of NGO's who will work for sensitization purpose. As witch hunting are more prevalent in backward areas to raise awareness witchcraft can be added as a subject in school as it is necessary to change the perspective of society and believe over superstition. However it is very difficult to eliminate believes prevalent from centuries in the society but we can try to eliminate by taking above mentioned steps

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