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WITCH HUNTING-PRACTICES AND ITS ABOLITION

(A critical analysis in the light of Rajasthan Prevention of Witch hunting Act)

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In India the subject of women empowerment is not new and has become burning issue all over the world from past few decades. As class women have suffered a lot because of diminution of respect and status in relationship between men and women, it is no longer same as it used to be. The family which was corner stone of civilised society is breaking up. The sense of responsibility towards the society as a whole and towards the community of men immediately close to one in particular is being rapidly diluted.¹

I read about ancient India, in that period (Vedic period) women enjoyed equal status with men in all aspect of life. Works by ancient Indian grammarians such as Patanjali and Katyayana suggest that women were educated in the early Vedic period.²Rigvedic verses suggest that women married at a mature age and were probably free to select their own husbands in a practice called swayamyar or live-in relationship called Gandharva marriage.³ In medieval period further position of women deteriorated. when child marriages and a ban on remarriage by widows became part of social life in some communities in India. The Muslim conquest in the Indian subcontinent brought purdah to Indian society. Among the Rajputs of Rajasthan, the Jauhar was practised. In some parts of India, some of Devadasis were sexually exploited.⁴

The most wretched aspect of the developing situation is that women have not only been left helpless but at every step society have strived hard to make them feel inferior in every aspect physically as well as mentally. As consequences they become object of exploitation in many ways like dowry, rape, sexual harassment, domestic violence and witch hunting etc. No

¹Atray J P Crimes against Women

²Varttika by [Katyayana](#), 125, 2477

³[Majumdar, R.C.](#); Pusalker, A.D. (1951). "Chapter XX: Language and literature". In [Majumdar, R.C.](#); Pusalker, A.D. *The history and culture of the Indian people, volume I, the Vedic age*. Bombay: Bharatiya Vidya Bhavan. p. 394. [OCLC 500545168](#).

⁴https://en.wikipedia.org/wiki/Women_in_India

wonder, therefore, these practices made women life miserable in many ways and they found easy to put their life to an end rather living with these kind of situation.

In many countries still these type of practices are being followed. In many part of our country widows live in fear of being killed as Witches when a neighbour becomes ill or livestock die unexpectedly. The exploitation of women takes numerous other forms like physical assault, mental abuse, criminal assault, economic deprivation, rape, work place harassment, and the most heinous is WITCH HUNTING.

What is witch hunting?

Witch hunting involves stamping of women as witch, Dakan,Dayan; it's either after an observation of Ojha, Aghori or stamped by society as jinxed. The victim who has stamped as witches is subjected to numerous forms of torture, beating, burns, and parade naked through village, forced to eat human excrement and sometime raped too. In some cases their hair is chopped off and the children of victim are socially abandoned.

History of witch hunting

The wide distribution of the practice of witch-hunts in geographically and culturally separated societies (Europe, Africa, India, New Guinea) since the 1960s has triggered interest in the anthropological background of this behaviour. The belief in magic and divination, and attempts to use magic to influence personal well-being (to increase life, win love, etc.) are human cultural universals.⁵

Belief in witchcraft has been shown to have similarities in societies throughout the world. It presents a framework to explain the occurrence of otherwise random misfortunes such as sickness or death, and the witch sorcerer provides an image of evil. Reports on indigenous practices in the Americas, Asia and Africa collected during the early modern age of exploration have been taken to suggest that not just the belief in witchcraft but also the periodic outbreak of witch-hunts are a human cultural universal.⁶

⁵ Info available at wikipedia, <https://en.wikipedia.org/wiki/Witch-hunt>

⁶*Ibid*

One study finds that witchcraft beliefs are associated with antisocial attitudes: lower levels of trust, charitable giving and group participation. Another study finds that income shocks (caused by extreme rainfall) lead to a large increase in the murder of "witches" in Tanzania.⁷ The 6th century AD *Getica* of Jordanes records a persecution and expulsion of witches among the Goths in a mythical account of the origin of the Huns. The ancient fabled King Filimer is said to have "found among his people certain witches, whom he called in his native tongue *Haliurunnae*. Suspecting these women, he expelled them from the midst of his race and compelled them to wander in solitary exile afar from his army. There the unclean spirits, who beheld them as they wandered through the wilderness, bestowed their embraces upon them and begat this savage race, which dwelt at first in the swamps, a stunted, foul and puny tribe, scarcely human, and having no language save one which bore but slight resemblance to human speech"⁸

These type of practices have been followed by many countries for many years and still occur in our society where belief in magic and ill practices are prevalent. Witch hunts in modern times are continuously reported by the UNHCR of the UNO as a massive violation of human rights.⁹ Most of the accused are women and children but can also be elderly people or marginalized groups of the community such as albinos and the HIV-infected. These victims are often treated as burden to society and are kept in inhuman situation till the time they die.

Witch Hunting in India

The practice of witch hunting in India has numerous brutal ways, which include violence against the victim and raptly involve to make them live in mercyble condition. State government in many states have been trying to address the issue but couldn't come up with strict law which can prevent these practices. These practices are being carried in remote areas where level of education is almost zero and where people are living in terrible circumstances where they find easy to blame human for their misfortune and ill health and poor crop. In many state movements has taken the initiative to curb this condition by making strict laws.

Kartar Singh vs State Of Punjab on 11 March, 1994 Delhi, Haryana, Uttar Pradesh and Rajasthan as a result of which several innocent lives have been lost ... doing a 'witch-

⁷*Ibid*

⁸*Ibid*

⁹*Ibid*

hunt' against the innocent people and suspects stigmatizing them as potential criminals and hunt them.¹⁰The Prevention of Witch (Daain) Practices Act 1999 was enacted in Bihar and adopted subsequently by Jharkhand as the Prevention of Witch-hunting (Dayan Pratha) Act 2001 and by Chhattisgarh as the Tonahi Pratadna Nivaran Act 2005 (also called the Witchcraft Atrocities Prevention Act 2005).¹¹ Maharashtra passed the Prevention and Eradication of Human Sacrifice and Other Inhuman, Evil and Aghori Practices and Black Magic Bill 2013¹² in response to the long-standing demand by the Maharashtra Andhashraddha Nirmoolan Samitid dedicated to eradication of superstition, after its founding member, Narendra Dabholkar was killed.¹²

Unknown vs State Of West Bengal And Others on 2 August, 2016, It appears that the guidelines were laid down by the Orissa High Court in the authority of *Sashiprava Bindhani Vs. State of Orissa* reported in 2012 (117) AIC 883 with regard to the witch hunting. The State Government shall form a Committee comprising of experts from the field of public administration, sociologists, etc. to look into the prevalence of the practice of witch hunting in various districts in the State of West Bengal with special emphasis in tribal areas and the Committee shall submit its report to the State Government within six months from date of the order.

What are the motives of witch hunting?

In many cases which were reported the fact that witch killing is an act of Bhu Mafia (Land Mafiya),superstitions of family, property dispute, personal bone of contention etc. Even in manycases police have claimed that witch killing were nothing more than murders.

Historical superstitious tradition:

The belief in witch craft has deeper relation with spirituality and closely attached with Assam's spiritual history. All disease and mental disorder were treated as caused by uncanny super natural power and the person affected by treated as "WITCH". Mayong, Known as land of witchery and Mayongees belived to worship the planet Of Maya or Byadhi.

¹⁰<https://indiankanoon.org/doc/1813801/>

¹¹Madhu Mehra, Anuja Agrawal http://pldindia.org/wp-content/uploads/2013/03/Witch-hunting_in_India.pdf

¹²Ironically, Dabholkar's efforts at getting the law yielded little, but within days of his death, the Maharashtra state government passed the Anti Superstition and Black Magic Ordinance in August 2013, enacting the law in December to replace the ordinance

Lack of education:

Illiteracy is the main root cause of these type of practices which make the condition hideous. It causes many problems and halt the growth of any community. It makes people believe in black magic, folklore, and super natural power etc. So practical knowledge of things and primary education programme can help curb the situation.

Health care services:

Every year many people due to lack of proper health care services in tribal area for their disease approach to Witch Doctors, Ojhas and mislead by them, put their life in danger.

Property disputes:

There are cases where it has been seen that widow ladies were killed by their families to just get their property.

Poverty :

Poverty and violence go hand in hand.¹³ It has been seen that extreme change in weather which causes harm to crop increases that belief in witch murder .”Manager, Icici Bank Ltd vs Prakash Kaur& Ors on 26 February, 2007”The first mistake here is most definitely on the part of the bank who does not believe in educating the masses regarding the promises. Once the credit card or loan is taken and there appears a default, then the witch-hunt begins.¹⁴

Conspiracy :

In many cases this has been confirmed by police that witch hunting and murders are just mere conspiracy of the villagers or family members.

Sexual assault:

In Assam Jun 24, 2011 , a mother and a daughter were conveniently labeled witches in order to be raped and killed .

Witch hunting in Rural Rajasthan:

Rajasthan is a unique and largest state(by area) in India , which is known as Land of king or land of kingdom, the state located on northwest part of country and is a home of cultural

¹⁴<https://indiankanoon.org/search/?formInput=witch%20hunting>

diversity.¹⁵ In twenty first century still a woman continues to be labelled as witch in some areas of Rajasthan and still the condition of women is pitiable that is the question on our human being and society. In (Mohan Singh vs State of Rajasthan) few cases they are being ostracized by their family, and torture them and force them to leave the village or in some incident they have been beaten brutally. Most affected areas of Rajasthan are Dungarpur, Nandeshwar, Bhilwara.

Witch hunting act 2015:

Rajasthan government has introduced a bill to prevent witch-hunting and practice of witchcraft in the State. The Rajasthan Prevention of Witch-Hunting Bill was passed on 24 April 2015, which extends to whole state. In this act definition of witch, witch doctors, witchcraft have been explained. Further the act explains that any such person who shall commit or promote these types of activities will be liable for rigorous punishment which may extend to one year to five years.

Where the death of a woman is caused by any burns or bodily injury or occurs otherwise than under normal circumstances and it is proved that soon before her death she was subjected to witch-hunting, every person who was involved in the commission of such witch-hunting shall be punishable with rigorous imprisonment for a term which shall not be less than seven years but which may extend to imprisonment for life or with fine which shall not be less than one lakh rupees or with both.¹⁶

Problems in Act:

There is no penal provision in law to prohibit or punish the accused. The bill helps in prevention and prohibition of these types of practices. Thus, the Bill helps in tackling the evil consequences and curbing crimes related or resulting from the practice of witch-hunting.¹⁷ But the implementation of laws is badly needed. The proper knowledge and information of the bill should be given to villagers and seminar should be organised in villages time to time. Witness should also be held liable for not informing nearest police. In the light of the fact, it is imperative that the agencies responsible be accountable. Administrations implement the decision of court.

¹⁵<http://rajasthan.gov.in/AboutRajasthan/Pages/default.aspx>

¹⁶<http://www.lawsofindia.org/pdf/rajasthan/2015/2015Rajasthan14.pdf>

¹⁷<http://www.thehindu.com/news/national/other-states/rajasthan-introduces-bill-against-witchhunting/article7061645.ece>

Conclusion:

In view of the situation it is imperative that all concerned raise to the handle this menace.

The atrocities on women are shocking even after the independence and it appears little has been achieved despite all efforts on the part of Government, judiciary, Police, NGOS and Society.