# Witch-hunting as a Form of Violence against Women in the Tea Estates of West Bengal

A Dissertation Submitted

To

## Sikkim University

In Partial Fulfillment of the Requirement for

## Degree of Master of Philosophy

By
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## DECLARATION

I, Priya Sharma, hereby declare that the research work embodied in the dissertation titled **"Witch-Hunting as a Form of Violence against Women in the Tea Estates of West Bengal"** submitted to the Sikkim University in partial fulfilment of the requirement for the award of the **Degree of Master of Philosophy**, is my original work. Any content or any part of this dissertation has not been submitted for any degree of this university or any other university.

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**This Dissertation is recommended to be placed before the examiners for evaluation.**

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This is to certify that the dissertation titled **"Witch-Hunting as a Form of Violence against Women in the Tea Estates of West Bengal"** submitted to Sikkim University for partial fulfilment of the degree of **Master of Philosophy** in the Department of Peace and Conflict Studies and Management embodies the result of bonafide research work carried out **Priya Sharma** under my guidance and supervision. No part of this dissertation has been submitted for any other Degree, Diploma, Association and Fellowship.

All the assistance and help received during the course of investigation has been duly acknowledged by her.

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**"Witch-Hunting as a Form of Violence against Women in the Tea Estates of**

**West Bengal"**

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# GLOSSARY

| | |
|---|---|
| Ojha/Jhakri | Witch Doctor |
| Purusha | Male |
| Prakriti | Female |
| Stridhan | Property of women |
| Patrivrata | Faithfull and loyal to husband |
| Daayan/Tohni/Chudail/Bhootni/Bokxi | Female witch |
| Chinta | Shamanism |
| Doko | Basket made from bamboo |
| Aithan | Nightmare |
| Didi | Sister |
| Bokxi/Daayan Bidhya | Witch knowledge |
| Boksa | Male witch |
| Masan | Demon |
| Jhadphook or Totka | Exorcism |
| Sisno | Nettle plant |

**ACRONYMS**

| | | |
|---|---|---|
| CADAM | : | Centre for Alternative Dalit Media Research |
| CEDAW | : | Convention on the Elimination of all Forms of Discrimination against Women |
| CAT | : | Convention against Torture |
| CAWC | : | Crime against Women Cells |
| CRC | : | Convention on the Rights of the Child |
| FGM | : | Female Genital Mutilation |
| ICCPR | : | International Covenant on Civil and Political Rights |
| ICERD | : | International Convention on the Elimination of all forms of Racial Discrimination |
| ICESCR | : | International Covenant on Economic, Social and Cultural Rights |
| NCRB | : | National Crime Records Bureau |
| NCW | : | National Commission for Women |
| NHRC | : | National Human Rights Commission |
| UDHR | : | Universal Declaration on Human Rights |
| UN | : | United Nations |

# Chapter 1

# Introduction

## 1.1 Introduction

Societies being predominantly patriarchal in nature, violence against women has become one of its facets under the androcentric institutions. Evidently, National Crime Records Bureau (NCRB) 2017 report highlighted that in the year 2015 there were a total of 3,29,243 cases related to 'crime against women', which has increased to 3,38,954 in 2016 and there was 3,59,849 cases reported in 2017 with highest reported cases in Uttar Pradesh with 5,60,11 contributing 15.6 per cent of the total reported cases all over India followed by Maharashtra with 3,19,79 (8.9 per cent) and West Bengal with 3,09,92 cases (8.6 per cent). One of the important dimensions of crime against women which has been neglected is the practice of witch-hunting, an atypical characteristic practice of pre-modern society still prevalent in so called modern age. In 2016, as per the report, there were a total of 27 cases reported from Jharkhand, followed by Odisha with 24 cases, Madhya Pradesh 19 cases, Chhattisgarh 17 cases, Gujarat 14 cases, and Telangana 11 cases. Most of the cases of witch-hunting is prevalent in the tribal-dominated regions of India, with Jharkhand being the state where such cases have occurred most, since 2001 to 2016 a total of 523 cases have been registered where women have been tortured and persecuted related to witch-hunting cases (NCRB, 2016).

At least 12 states of India, namely, Andhra Pradesh, Assam, Bihar, Chhattisgarh, Gujarat, Haryana, Jharkhand, Madhya Pradesh, Maharashtra, Orissa, Rajasthan, and West Bengal has been identified as those states where witch hunts are

still prevalent and rampant in the draft of the Prevention and Protection of Witch Hunting Bill, 2013. Therefore, in order to gain an in depth insight into the proposestudy, it is important to conceptually familiarise with the ontological and epistemological questions and problems in the very definition of witch, what constitute witchcraft, and who define and brand a person to be a witch and their action or act as witchcraft? To begin with, Cambridge Advanced Learner's Dictionary defined a witch as "a woman who is believed to have magical powers and who uses them to harm or help other people".

Further, as per the Prevention of Witch-Hunting Bill, 2016, witch is "any woman who has been branded as witch by person or persons in belief that such women has the power to harm anyone or that she allegedly have such intention or having the belief that she has bad eyes or evil eyes or could do black magic or that she, by *Mantras* can harm people or society at large, in any manner". Relatively, those activities performed by such "supposed power of a person to harm the other by - (a) occult or supernatural means secret use of *Tabij* or any water or water mixture pretending it to be sacred; or (b) any other substance or things like spell, spirits or magic power with the purpose of causing harm, damage or sickness to other person or harm or damage to the properties" is being referred as witchcraft.

The Bill further categorically defined 'witch-hunting' to be inclusive of "branding of a woman as witch, mostly after an 'ojha' confirms that a woman is a witch the process of prosecution and execution of that woman, often involving mass hysteria and lynching". However, the preceding 2013 Bill pointed out that there are greedy *ojhas* (witch doctor) who are ready to declare a woman as a witch for a price through the insistence of an instigator, particularly when women reject the sexual advances of their male neighbours, it is another cause on the list leading to allegations

of witchcraft. The bill further pointed that widows who refused to relinquish claim over their husband's property can similarly be threatened and charged with being a witch; an act that often succeeds to compel them to let go of their claim on their husband's land.

A clear linkage between practice of witch-hunting and prevalence of patriarchal attitudes can be found, such as opposition to women's rights over property, general suspicion onwomen's sexuality, as well as a lack of education and health services have contributed to the continuation of the antiquated practice of branding women witches. Therefore, real reasons why women are branded witches are economic gain or sexual vengeance. Women who are subjected to the branding as witch for witchcraft are often tortured in severely various inhuman forms of exploitation and humiliation such as "beatings, burns, being paraded naked through the village, being forced to eat human excrement, raped, having wooden or sharp objects inserted in her private parts. In some cases her hair is cut off, her teeth are pulled out (she is supposedly 'defanged'), in some instances her nose or other body-parts are cut off, she and her children are socially ostracized, her land and property is seized, and sometimes women are even put to death and their limbs hacked off" (NCRB, 2016).

It is important to understand, as stated in the Canadian Panel on Violence Against Women that"Women will not be free from violence until there is equality, and equality cannot be achieved until the violence and threat of violence are eliminated from women's lives" (NCRB, 2016).

## 1.2 Reviewof Literature

Among the available literature related to witch-hunting as a form of violence against women, some of the important books and articles have been thematically reviewed

and presented under three broad sectors: (a) Witch-Hunt(b) Beliefs and Practices of Witchcraft, and(c) Witch Trials.

## 1.2.1 Witch-Hunt

A witch hunt is a basically defined as a hunt for witches or to find out the evidence of witchcraft that involves moral panic and hysteria. In the historical evidences of witch hunt in modern European as well as in Salem witch trials shows the large number of prosecutions. Many people were accused and arrested of witchcraft. Witchcraft sees in the kingdom of Great Britain as an act of unlawful and criminal by law. It was estimated 40, 000 to 10,000 executions. Throughout the history it has been shown a same kind of pictures or realities of witchcraft belief including misfortunes, sickness, death, crop failure etc. Belief in witchcraft and practices occupied a central position in history and have also continue in many cultures today as well.  In the western world the idea of witchcraft obtains from Old Testament that describes certain rules against witchcraft. In the Bible Exod 22:18 instructs people "Thou shalt not Suffer Witch to Live". This definition of witchcraft continued and spread in churches and all European nations. The practice of witchcraft generally seen as evil and worship of Satan instead of god Witch-hunt became massive in the $15^{th}$ and the $16^{th}$ centuries after as church gained its legal authorities to control behaviour.

European people perceived witches as an evil in Halloween figure which have different forms like wart-nosed with pointy hat and flying through the sky on broom with winning smile.  Earlier times witches practice witchcraft using magic and calling the demons for help to benefit themselves or to harm others. Magic is a system of beliefs and practices or supernatural power which is used for curing anxieties and insecurities by manipulating the nature powers in order to ward off tragedies and

misfortunes. Religion began with the practice of magic. Like magic religion also deals with supernatural power or superior being in order to meet its goal (Levack, 2006).

In the book Malleus Maleficarum describes witchcraft existence and prosecutions. In the Germany nearly about 100,000 people were killed. The most prevalent practices were 'Sin-eaters' and 'Whipping boy' in that period. Witches were blame for the misfortunes or the any undesirable consequences in the village or the community. They were the prime target of any misdeeds. Tragedy such as shortcomings of farmer's crop production, damaging of brewers' beer, wives getting imperfect or wrong husband and babies weeping constantly and so on which surely indicates that witches are involved in Devils work (Douglas, 1995).

### 1.2.2 Beliefs and Practices of Witchcraft

Alam and Raj (2018) pointed that the term witchcraft comprises of two words 'wicce' which is basically originated from the old English word 'wicca' meaning witch and craft signifying 'skill or ability'. The scholars further pointed that witchcraft is being considered as an immoral and socially unacceptable practice as it mostly constitutes of causing harm to the people. However, Sarma (2014) contradicted arguing that it is hard to explain witchcraft in all the broad ways because it treats different definitions and implications with the changes of places, traditions and customs. Nonetheless, it is generally considered that witch (es) is those who use magical powers or non-physical means in order to influence or harm people. Further, Banerjee (2017) brings in the notion of 'power relation' with witch and those who identifies them, pointing that women who are unmarried, widow, poor, and physically challenged are branded as witch.

The existence of witchcraft has been described throughout the history in different cultures and religions across the world. The idea of witchcraft came from

Old Testament of bible against who practice witchcraft and became popular in beginning of modern period when the church-imposed punishment for such practice. "Witches are regarded as individuals who possess some sort of extraordinary or mysterious power to perform evil deeds. The essential characteristics of these deeds are that they are magical rather than religious, and harmful rather than beneficial" (Levack, 2006).

The word witchcraft was used in the early European history which refers to the practice of black magic by using supernatural powers and "some sort of extraordinary, mysterious, occult, preternatural or supernatural power. This type of magic would include the killing of a person by piercing a doll made in his or her image, inflicting sickness on a child by reciting a spell, bringing down hail on crops by burning enchanted substances, starting a fire by leaving a hexed sword in a room, and causing impotence in a bridegroom by tying knots in a piece of leather and leaving it in his proximity" (Levack, 2006).

Dipesh Chakraborty (2008) in his article "*The Power of Superstition in Public Life in India*" made an important argument that the notion of witch beliefs and witch hunt practices is not only particular to tribes. He argues that in spite of advancement of science and technology superstition appear to be human universal. Most of the people living in metropolitan cities believe in superstition to some extent which involve by simply stopping when a cat passes over the roadway considering it as a misfortune, putting on black thread on the left foot in order to keep away from the bad evils and so on. It needs to be considered that the beliefs and practices of witch hunt in this situation is not specific to the tribes only. Large number of common people also do believe in witchcraft practices along with there are many legends and mythology on it but if that belief is publicly approve or accept in the form of witch

hunt it becomes an offence or an illegal act which leads to violence and this is often seen among the members of tribal communities.

To make the understanding of witchcraft easy, which is in dense, Ally (2015) has classified it in three types. The first being in reference to the one who has the ability to cast spell and injure people by manipulating the nature and bringing bad luck among them. Factors like jealousy, success, beauty are mainly associated with witchcraft which motivates them to injure or hurt other people. Secondly, it is believed that witches gain their occultic power by engaging themselves in sexual relationship with corrupted and depraved souls or supernatural beings particularly, 'the devil', and lastly the third categories of witches learn the magic and power through the religion ritual ceremony and they transmit to their children.

Similarly, Evans-Pritchard in his work on *Witchcraft* delineated the differences between 'bad magic' which he termed as sorcery with that of witchcraft through his twenty months long ethnographic accounts of the Zande culture (ethnic group of North Central Africa) of Azande nation. He sees that "a witch cannot do what he is supposed to do and has in fact no real existence. A sorcerer, on the other hand, may make magic to kill his neighbours. The magic will not kill them, but he can, and no doubt often does, make it with that intention" (1935: 418). Interestingly, Evans-Pritchard pointed out that there is an elaborate network of interrelations which shapes the political and power structure of Azande society emanating from the interdependent relations between witchcraft, magic, witchdoctors, and oracles. Sometimes witches are in the form of animals such as bats, black panthers and other animals. They can even kill babies by having sexual intercourse with menstruating mother (Singh, 2019). Magic or supernatural forces are basically use to harm or damage other which is referred to as practitioners of mystical harm that includes

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werewolf, odious witches, people who passes illness by gazing and who uses voodoo dolls in private. Magic includes spells, religious ritual in order to generate justifiable outcome like curing people and reducing illness (Singh, 2019)

Witch hunting has been existed since very long time and most of the women are accused for the practicing of witchcraft rather than men considering them as *Dayan* (derived and equivalent to Sanskrit word *dakini* referring to female paranormal entity) and *Chudail* (female demon) and so on. It is believed that Dayan is controlled by special souls and in particular directs the behaviour of humans or animals which are mostly to help them or serve. They also have power to cure people from illness as well as to harm others (Moniraj, n.d.). In India such as Odisha, Maharashtra, Gujarat, Jharkhand and Andhra Pradesh has the highest belief and practices of witchcraft among the backward communities as per the report published by Centre for Alternative Dalit Media and mostly the lower caste people (men and women) are branded as a witch by the upper caste people just because to preserve their high social ranking and to fulfil their sexual urges (CADAM).

**1.2.3 Witch Trials**

Yavuz and Arsal (2014) pointed that the ineffective social and economic conditions of the 14th century, the Middle Age, created many unforeseen situations connected to the beginning of witch-hunt and the witch trials. In the book "Malleus Maleficarum" men are considered to be mentally as well as morally weaker than women, whereas women, who exercise the witchcraft are regarded as the central cause for many tragedies such as such as plague, poor climate conditions failures of crops etc. At the beginning of the witch hunting, the victims were selected from the old women with physical disability. Nonetheless, the very notion of witchcraft completely changed

during the trial of witches in the sense that the most wise or experienced women were first changed into 'wizard' and then to a 'witch', which are an ally of Satan or Devil.

Witches are often being a Scapegoat (mostly women).They are often torture (especially old women having reddish eyes), killed, beaten and sometimes burned alive in the broad burning fire (Kahurananga and Kileo, 2003).While, it is believed that witches keep some symbol or sign of Devil in their body parts. Hence, during the witch trials, these traces were thoroughly investigated to see if they had a foot injury or lump (horn) on their forehead. This kind of symbol will be evidence for their cooperation with the devil as horn is considered as one of the essential character or symbols of the Devil. In doing so, all the hair of branded witches is cut off and their skins are pierced with needles or pins. If such processes do not work, the officer will start torturing them by peeling off their nails or toes and placing a hot red iron on their chest (Yavuz and Arsal, 2014).

Douglas (1995) in his book *Scapegoats: Transferring blame* pointed out that in the primeval Greece, scapegoat was considered as a person instead of an animal who are generally killed or harshly beaten with an aim to avoid or prevent famine or plague from the society. Selected persons are mostly from poor marginalised group or criminals. Further, sometimes they are often beaten to death due to the crop failure and impossibility of production by themselves. Therefore, sacrifice is mainly intended to supplement the strength of the natural vegetation.

The accusation of women as a witch mainly caused by the mystical belief which is unproven facts. The factors such as death, illness, property loss, antagonist behaviour among the people in the community are the main reason behind the suspected women (Shrestha, 2004). The witch doctor (*Ojhas*) identify the witches thereafter witches are tortured badly forcing them to eat human doo-doo, hitting,

burning and also coercively raped which ultimately leads to a death of an accused person (Khan, 2017). So called greedy witch doctor i.e. '*Ojhas*' tries to create misunderstanding among the villagers and lay the blame to somebody as a witch in order to enhance their profit by taking large amount of bribe from the people (CADAM).

## 1.3 Theoretical Framework

Scapegoating is a pervasive event, existing in all groups and societies at all times whether it is large or small. Douglas (1995) defined Scapegoating as a process of transferring of evil. Physical object whether it can be an animal, bird or any person on whom dispose symbolically the bad luck, any kind of diseases, misfortunes and sins of an individual or group with the belief that it will holds all the bad evils with it. Such practices most prevalent in the ancient times since human beings evolved with the belief that human beings are under the control of deity and deities (Douglas, 1995). Women are mostly being scapegoat and they were blame for the misfortunes or the any undesirable consequences in the village or the community. They were the prime target of any misdeeds. Tragedy such as shortcomings of farmer's crop production, damaging of brewers' beer, wives getting imperfect or wrong husband and babies weeping constantly and so on which surely indicates that witches are involved in Devils work.

Hugles has described that women are being used as a scapegoat those who go against societal rules. Puritan women living involved only "the work of a wife" such as tying a knot with puritan guy and taking care of children and home at the same time.Women who challenge the usual roles had to go through pitiful consequences. Therefore, they were compelled to maintain their societal boundary. "The majority of accusations in colonial New England were against women because of the threat to the

hierarchical structure that women posed" (Hugles, 2016, p 7). Beside the fact that accusations of witchcraft also imposed on them. Women didn't have any control over their accusations as it was highly influenced by the local authorities who had the power to direct people's behaviour (Hugles, 2016).

## 1.4 Rationale and Scope of the Study

According to India Brand Equity Foundation, West Bengal is the second largest tea producing state of India after Assam with 140.44 thousand hectares of land under tea plantation as on 31 December 2015 data.This requires a large number of labourers for the proper functioning of these tea gardens, in fact, tea industry is the second largest employer in India with over 3.5 million people across some 1,686 estates and 1, 57,504 small holdings. As a result, major chunk of the labourers in the numerous tea estates in West Bengal particularly in the Darjeeling hills and the plain regions of Darjeeling district and the Dooars areas of the Jalpaiguri district are migrants from neighbouring states in Central India who belongs to multi-ethnic tribal communities and various other Nepali castes.

Further, most of the plantation work being labour intensive, time consuming and requiring unskilled to semi-skilled workers, women becomes the preferential choice for employment of estate managers, in fact, "their loyalty and paternalistic attitude towards tea plantation management are valued more than their efficiency" (Bhadra, 2004: 66). The Tea Statistics, 2000-2001 report highlight that at all India level the total number of male tea plantation labourer constitute 5,70,267 and 5,93,571 females. In West Bengal also the number of female (1,28,399) plantation workers are more as compared to male (1,18,177), as per the report. These plantation areas being predominantly settled by migrant labourers belonging to various tribal communities of

India, and they carry and still retained their aged old practices of which witchcraft is one of the integral parts of the tribal communities.

Relatively, West Bengal also has high record of crime against women, just second to Uttar Pradesh as per NCRB 2016 report, a total of 32,513 cases were registered to cases related to crime against women.Cases of witch-hunting and trial has been in constant report in the state, for instance, as recent as 2018, a 65-year-old tribal woman along with her younger brother have been hacked to death by her own nephew with the help of local villagers on accused of witchcraft which led to prolonged illness of perpetrator's wife. In 2012, three women belonging to Munda community were humiliated, disrobed, dragged, killed and buried at the bank of Kangsabati river located in West Midnapore by villagers for failing to pay fine of Rs. 60,000 which was fined against them for witchcraft practice (Jain, 7oct 2018).

There is paucity of scholarly literatures related to witch hunting in the state. However, in the neighbouring states like Assam it has been reported that between 2001 and 2017, 193 people have been killed related to witch hunting cases of which 114 were women (India Today, 2018). Nonetheless, during preliminary investigation, it was found that the practice of witchcraft and witch hunting, even though not openly discussed, still remains an integral part of many tribal communities of tea garden areas.

Therefore, this research work seeks to analyse the common beliefs and practices of witch hunting in the tea garden estates of West Bengal and try to investigate explanations provide by the community (Men and Women). The study also identifies the socio-economic status of braded women as a witch and also to examine witch hunting related to violence against women.

**1.5 Research Objectives**

1. To understand and conceptualise witch hunting as a form of violence against women in the contemporary era.

2. To explore the common beliefs and practices of witchcraft in West Bengal.

3. To find out the benefits that people get from such beliefs and practices.

4. To explore the socio-economic status of women who have been branded as a witch or subjected to witch-hunting.

5. To understand legal parametersin tackling such violence against women.

**1.6 Research Questions**

1. What are the causes and factors associated with witch-hunting?

2. What are the common belief and practices of witch-hunting in West Bengal?

3. Why women are the primary targets for witch hunt?

4. Who benefits from such practices? What type of benefits they get?

5. What legal interventions have been initiated to curtail witch hunt and violence?

**1.7 Research Methodology**

**Area**: The study was conducted in the Dooars area of Jalpaiguri District, West Bengal, particularly among the Adivasi dominated area. Dooars is well known for its Tea Gardens and Teesta River with its flawless scenery.The actual meaning of Dooars is "Door" which came from the word "Duar" because this particular region connects the path between India and Bhutan with 18 routes.

Information were collected from the five tea gardens of Dooars regions namely: (1) Bagrakote tea garden, located between the border of Darjeeling and

Jalpaiguri District with population 9,971 according to 2011 census. (2) Washabari Tea Garden comprising 4101 population, (3) Leesh River Tea Garden consist of 1,493 population. (4) Manabari Tea Garden with 2147 population and (5) Ellenbury Tea Garden comprise of 2,470 population as per the 2011 census.

**Sources of Data Collection**: Information collected from both the primary and secondary data. For primary data various sources such as personal interviews, surveys, questionnaires and observations were used in order to get first-hand information. For the secondary data the information was gathered from which is already available such as journals, books, various articles, newspapers report etc.

**Research Design**: Exploratory and Narrative research was used for the study. Exploratory research was used to investigate and to explore the phenomena, the existing problem and answer the research questions. Narratives research was used to bring out peoples past experiences and stories heard by an individual. The term basically deals with perspective of individuals and their lives through stories.

**Research Methods**: Interview method and Observation methods were used for the study. Former is for those individuals (witch), Ojha, and the villagers/Panchayat members and the later were used on certain ritualistic practices pertinent to witchcraft, witch-hunting, and also the rituals employed by the witchdoctors in the process of identification of the witches.

**Population**: The data of the study collected from three groups of target populations using interview method. Firstly, from those individuals who have been branded and identified by the witch doctor (Ojha), Ojhas himself, and villagers/panchayat members.

**Sampling Method and Sample Size**: Snowball or network sampling method is used in this both qualitative and quantitative research for in-depth interviews and to bring

out some of the socio-economic profile of the respondent. In terms of sample size, 53 sample units were taken in the study due to the sensitivity of research topic. A total nine ojha, three witches and forty-one villagers were interviewed located in four tea estates of West Bengal villages, namely-Ellenbari, Bagrakote, Leesh River and Washabari.

## 1.8 Limitation of the Study

The study of witch hunt is very much essential because it is one of the major issues in relation with violence against women which has been often unnoticed. However, in the current study some of the limitations that have come across during the study are as follows.

1. Due to the sensitivity of the research topic some of the local people in Dooars areas were very reluctant to express their ideas and thoughts with the stranger that made my research sample size very small than expected.

2. Most of the respondents (general people, Ojha or Jhakri) were unwilling to tell who the witches are, their name and rituals performed during the witch hunt which further led to difficulties during investigation.

3. Similarly, at the time of conducting research villagers were often assemble around the interview which made respondent afraid and refuse to tell the truth as gathered people were their neighbours. There could be possibilities to cause dispute and disagreement among the people.

4. At the same time, I was unable to get statistical cases of witch hunt from the police station as well as from the Panchayat office as there is no any specific laws against witch hunt in West Bengal and none of the cases were reported till now except one case.

5. Finally, due to the time constraints in the research the in-depth interview was not possible and was unable to build a proper repo with the respondents.

**1.9 Chapterisation**

**Chapter 1: Introduction**

This chapter has discussed the background, rationale, scope, objective, and methodology of the study which provides overall framework of research study.

**Chapter 2: Patriarchal Discourse and Violence against Women**

This chapter has analysed how witch-hunting is coming out from patriarchal understanding of society. Patriarchy which gives power to men, so even the witch hunting is the part of patriarchal suppression of women.

**Chapter 3: The Dynamics of Witch-Hunting**

This chapter has examined the various issues and problems related to witch hunting which rises social tension among the community or the society. Who identified a witch? What are the reasons behind branding a witch and how they identify it?

**Chapter 4: Legal Provision against Witch-Hunting and Violence in West Bengal**

This chapter mainly focuses on the beliefs and practices of witch hunt particularly in the West Bengal and the legal provisions made by the government in addressing the issues associated with witch hunting. From the legal perspective it has been accepted that witch hunting is violence and trying to kill people without doing any justice. Therefore, what are the legal parameter that has been framed in order to address those issues and problems related to witch hunt.

**Chapter 5: Conclusion**

The chapter summarises the findings of the study.

# Chapter 2

# Patriarchal Discourse and Violence against Women

## 2.1 Introduction

In contemporary social sciences discourse, study of violence against women/female occupies important cross disciplinarian study, particularly in sociology and women studies. In India, major themes of women studies in relation to violence concerns with domestic violence, medico-legal issues, health, rape (including marital), inappropriate sexual conducts, eve-teasing, molestation, and other forms of atrocities carried out toward female. To understand these multiple forms of violence, one need to comprehend the underlying structure that have contributed and acted as causality of such misogynistic approach toward women. For which inquiring to the patriarchal ethos of the society is the key element in understanding it. Therefore, to begin, patriarchal discourse must begin with a conceptualisation of patriarchy itself. What patriarchy means and what it is all about? According to *Oxford Advanced Learner's Dictionary,* patriarchy is being defined as a society which is controlled or governed by men. *Oxford Dictionary of Sociology* defined it as a "rule of the father", elaborating further that initially the concept was used to characterise social systems where the authority of household lies with the male heads in decision making. However, with the development of sociological and feminist research and theories it occupies a general term particularly referring to male dominated institutions/structure in social system.

Conceptualisation of patriarchy in feminist writings embodies multi-variant narrative accounts, thus, there is no common agreement to what patriarchy is about. Nonetheless, the most common usage of concept is in term of male domination and

power relations by which men dominate women (Beechey, 1979). In patriarchal societies, not just the domination in matters related to economic and social life but there is also an effort to control women's sexuality and their subjugation have become a common feature at all phases of history (Bharadwaj, 1999). Feminist writers such as Kate Millett in second wave feminism described patriarchy as a domination of men upon women and this dominion is more of social experience rather than biological experience. Similarly, Sylvia Walby states patriarchy as "a system of social structures and practices in which men dominate, oppress, and exploit women" (Chowdhury, 2009, p 602). It has also been further discussed that in most patriarchal societies' women are socially conditioned from involving in crime and violation of any heteronormativity. Therefore, socialisation process involves educating girls to stay away from danger and threat whereas men are educated to take risk without any fear, socialisation influence women more rather than men (Ritzer and Ryan, 2011).

Patriarchy has embodied traditionally in the sphere of social, religious, political, and economic institutions of a variety of distinct cultures. Even though it has not been clearly described in their own laws and principles but, most of the modern societies are patriarchal in nature (Douglas, 2007). Differences in gender in many male dominated societies has been explained as a gap in inborn characters and abilities of an individuals. Men and women have been seen as different and as an interdependent to each other. Men's have been identified as a powerful, knowledgeable, rational thinking and bold whereas women's who have been regarded as frail, non-rational and stupid than men (Douglas, 2007). Shrestha has talks about two important forms of patriarchy i.e. private and public. Private includes women's oppression within the household and the public which includes employment and the state. In the patriarchal dominated societies, various forms of crime against women

can be based on to control women and that may be practice culturally (Shrestha, 2004). Patriarchy is one of the cultural characteristics that cause domestic violence. Men, in one hand, build their identities and provide them power to win. On the other hand, women role is to behave good, obedient and respectful that have been assigned culturally and has viewed as a part of women's innate nature and duty to look in the domestic sector. These kind of social stereotypes and discrimination obstruct women's overall growth making them dependent on their husbands and children are economically (Kahurananga and Kileo, 2003).

It has always been assumed that "the existence of male dominance as a given and considered any evidence to the contrary merely an exception to the rule or a failed alternative" (Lerner, 1986,p 15-16). For the reason, it is important to bring about and discuss the various theoretical conjectures on the socio-cultural origination of patriarchy.

## 2.2 Socio-Cultural Origin of Patriarchy

Practically, the subordination of women seems to be prevalent almost in all known societies. Therefore, the question that raises is, is the condition prevalent since the beginning of human society? To have a better understanding of the condition, it is important to comprehend some of the theories related to the origin of patriarchy.

Biologically attuned roles specific to sexes which later were appropriated/institutionalised are closely related to the origin of Patriarchy. For century's European writers and thinkers hold on the patriarchal theory of the origin of society, the theory made its exposition through Henry Maine's work *Ancient Law*. Maine pointed that the 'primaeval condition of human race' gave birth to the patriarchal theory of social development. He further directed that the theory is "originally based on the Scriptural history of the Hebrew patriarchs of Lower Asia",

and all known societies conform and organised on the same principle (1861: 122). The treatise expounded what history tells us about the nature of human society is

> The eldest male parent – the eldest ascendant – is absolutely supreme in his household. His dominion extends to life and death, and is as unqualified over his children and their houses as over his slaves; indeed, the relations of son ship and serfdom appear to differ in little beyond the higher capacity which the child in blood possesses of becoming one day the head of a family himself. The flocks and herds of the children are the flocks and herds of the father, and the possessions of the parent, which he holds in a representative rather than in a proprietary character, are equally divided at his death among his descendants in the first degree, the eldest son sometimes receiving a double share under the name of birthright, but more generally endowed with no hereditary advantage beyond an honorary precedence (ibid: 123-24).

The concentric and dominion power of the elder or patriarchy theory has subscribed by many androcentric anthropologists and sociologists arguing that the male-dominated family is coextensive in all human society. Even in the earliest form of society when man use to hunt, women were confined to tending fire at home looking after the children and old while men engaged in the social world instituting co-operation and productive relations. Goldberg work on *The Inevitability of Patriarchy* (1973) gave a biological interpretation of male dominance. Further, Bateman's principle, which is an evolutionary socio-biological theory view that females invest much of their energy in reproduction and raising their offspring, therefore, while selecting mate they prefer to select those males who control more resources. This creates a pressure and competitive environment among the males to succeed and accumulate more resources to be a prospective mate.

In *Ancient Society* (1877), Lewis Henry Morgan, critiquing the western scholars about the fundamental difference between western society and rest argued that the progress and development of all societies are uniform in all time. In relation to patriarchy, Morgan pointed that patriarchal family are founded based on polygamous marriage, specifically polygyny variant, where a man engaged in marrying several wives, some of whom are held by servitude, other as employed servants living under one roof with the patriarch as their chief, formed patriarchal family. The essential characteristic of this family is "the organisation of a number of persons, bond and free, into a family, under paternal power, or the purpose of holding lands, and for the care of flocks and herds". He further argued that the incorporation of all members and property under an authority of patriarch were the origin and original institution which were not known at the time. Emergence of the paternal power flagged the advancement of individual supremacy over group which later became the object sought after. In relation to which, Morgan further pointed out that this was the peculiar period in human progress when

> … individuality of the person began to rise above the gens, in which it had previously been merged, craving an independent life, and a wider field of individual action. Its general influence tended powerfully to the establishment of the monogamies family, which was essential to the realization of the objects sought. These striking features of the patriarchal families, so unlike any form previously known, have given to it a commanding position… In the patriarchal family of the Roman type, paternal authority passed beyond the bounds of reason into an excess of domination. (ibid: 465-467).

In the nineteenth century, using cues from the work of Marx and Morgan, Friedrich Engels asserted that the inferiority of women is a main feature of class

exploitation. For him the cause of patriarchy is due to the emergence of private property that has been run or ruled since from the historical period by men. Therefore, dissension was to end of private property under communism where the women oppression no longer exists *(*Bryson, 2000).

However, these androcentric theories have been criticised and the fallacies of socio-biological theory has been exposed. For instance, Marxist-feminist anthropologist, Eleanor Leacock highlighted that "the Iroquois were equalitarian and even to a large degree female-dominant in the 18th century, while male domination gradually emerged by the 19th under the impact of European fur trading and Jesuit teachings even while they remained matrilineal and matrilocal" (Omvedt, 1987: W70).

Lerner's work *The Creation of Patriarchy* deals with the very question of origin of patriarchy in relation to the processes of class and state formation. Here, she argued how biological differences between the sexes proved to be the basic premise of early gender division of labour. The very division of labour based on gender paved the way for men to seize the opportunity in controlling both the reproduction and productive life of women with the development of agrarian society. Among the men, the difference between the 'elder' and 'young' also created for the elders to subsume the authority and power in controlling the surplus agricultural yield and the labour of the subordinates. This in turn paved the way for the society to orient itself to a patriarchal structure by institutionalising a patrilineal and patrilocal lineage system. According to Lerner's theorisation, patriarchy is not just about rule over women by men but also over the younger men by the elders.

German (2006) argued that patriarchal theorisation generally falls under two categorisation, first those who see patriarchy purely in ideological terms and the other

in terms of economic. However, she argued that such separation between economic and ideological cannot be, as both are interdependent to one another. Quoting Marx, she highlighted, if we see history just a dialectical process of ideas and ideology then we cannot explain anything about its origin and development of society, as to why some ideas are preferable over the other and how does the change in the dominion idea happens?

## 2.3 Women's Status under Patriarchy

Historical evidence shows that during the early Vedic period women used to enjoy higher position as compared to men. Evidence also shows the worship of mother goddess in the ancient times of Indus valley civilisation. Women also used to enjoy religious status and had the ability to obtain higher knowledge. Women could enjoy rights in terms of religious, education and movement. Though man and woman are biologically different but regarded as complementary to each other such as 'purusha' and 'prakriti'. 'Manusmriti' also imposed the guidelines for widow remarriage in the form of 'Niyoga' and had a full right over 'Stridhan'. Women status was good and occupied a respected position in that period (Devadasan, 2018).

During the medieval period the status of women became worse. Gradually the status of women started decreasing and women occupied subordinate position. They were not allowed to enjoy equal rights and denied in every family decision and religious activities. Many social evils like sati system, domestic violence, female infanticide, child marriages etc. prevalent at that point of time. The famous social reformers such as Ishwar Chandra Vidyasagar, Raja Ram Mohan Roy and Joytiba Phule made an effort to uplift the status of women in Indian society. In the 15th century also the founder of Bhakti movement Guru Nanak talked about equality and challenged the hierarchical system of society (Halli and Mullal, 2016).

In this period marriage system were mostly polygamous and sati system was consider as a societal norm. Women were not allowed to move freely without the permission of their husbands. Women were under the control of men. Purdah system (covering of body parts with cloths) were established against women by Muslims. There were no any liberty for women. They were restricted in all the religious rituals and education[1]. In the modern period brought some sort of orderliness with the equality of women but cultural practices of social system remained unchanged. Indian economy distorted by the colonisation and replaced the entire segment of skilled worker or artisans into the cities for employment. Tribal women in the rural areas who used to depend primarily on forest resources were deposed by the land revenue system. Till now in the 21st century, women being a same society and culture they are tortured and excluded from all their rights and privileges. Still women are in the degraded position. They are considered as inferior to men and are facing different kind of violence even today[2].

Equal social status and right has been enshrined in the constitution to all its citizens regardless of caste, class, creed or sex based on principle of equality. However, Indian women are still striving for long period of time in order to attain this equality (Singh, n.d.). Traditionally in tribal societies the status of women was eminent, even though inequality remains in the area of property rights and political participation. However, in present days, patriarchal system has become more dominant feature thus traditional rights relish by tribal women were eroded and the condition remaining similar to the Hindu society (Singh, n.d.).

In society, the status of women is not that satisfactory as it should be. They have lacked their place or status in social and cultural areas. Though women perform

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[1]http://www.yourarticlelibrary.com/women/status-of-women-in-ancient-india/47636

[2]http://www.sociologydiscussion.com/status-of-women/status-of-women-in-india-ancient-medieval-and-modern-sociology/13526

a significant role in the economic sector, but their participation is not even acknowledged and continues to engage in subordinate position (Sen, 2012). In-depth knowledge of the real position of women in society can be achieve simply if we examine the position women hold and power they exercise in the productive process (Tharakan and Tharakan, 1975). The status of women has been mentioned in the various stages of historical evolution. As a mother, women play pivotal role in society with polyandry form of marriage system in the initial phase. There is equal division of role between man and women. From the second phase women position is negatively shaped by the development of slavery and private property. Men occupy the superior position and become the controller of means of production (Tharakan and Tharakan, 1975).

As we all know the fact that about 50 per cent of the world population is formed by women. But in our country like India the sex ratio of women is decreasing on the basis of abortion or many other inhuman tortures against women. The condition of declining sex ratio of female is due to unequal social position of men and women (Singh, n.d). On the other hand, women in western countries are actually equal to men. But the situation in India is not such, in fact, it is only on paper that we have given equal status to women in our country too (Singh,n.d).

Half of the nation's women are still suffering from the subjugation and have experienced a lot of violence in Indian history. They have also deprived from social freedom and have faced many forms of social evils for example sati, child marriage, accusations of witchcraft etc. In the post-Vedic period, the position of women was very less. Women were not permitted to go out openly and they were confined within the house. Women were not even included in any share of property rights. It was outline in code of conduct of *Manusmriti* that 'a wife, a Sudra and a slave' are

consider having no any rights on property. Husbands were treated as god and women were asked to retain their *pativrata* (Sen, 2012).

In the prehistoric of Israel male dominated culture, mostly women were the wife's, daughters and mothers of a single men and did not have any rights on property. In a particular case, where women who are not married and had no any brothers in their family compel to marry father's siblings or relatives in order to succeed their property rights and to avoid the spread of ancestral property among other peoples from outside (Douglas, 2007).

Various movement began in the history for equal rights for women. Feminist movement denotes a movement that challenge the misuse of power and look for equity. It focuses on the transformation of views, opinion and way of thinking towards men and women. Feminist belief that the discrimination against men and women have been influenced in a negative way by stereotype and gender roles construct in the institutions of patriarchal societies, and actual transformation or change will only occur when people clear their stereotype ideas about gender and deconstruct their views against discrimination (Sen, 2012).

## 2.4 Violence against Women as Manifestation of Underlying Patriarchal Structure

### 2.4.1 Violence against Women

Violence against women is an illegal act which often includes direct or indirect crimes such as rape, dowry, child marriage, trafficking of girl child, physical harassment, deceit etc. which hampers in their physical, social, psychological well-being (Kahurananga and Kileo, 2003). The Declaration on the Elimination of violence against women defines as "Any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women,

including threats of such acts, coercion or arbitrary deprivations of liberty, whether occurring in public or private."

The notion of violence against women is deeply rooted in the social, economic and political spheres due to the difference in power relations between men and women (Shrestha, 2004). Violence against women is now universal phenomena and a serious human rights violation (Varma, 2017). Traditional and cultural norms or roles encourage women to comply the violence upon them. Several types of violence against women associated with the specific characteristics such as culture, language, poverty, race, sexual identity and health related to HIV/AIDS (Amnesty International, 2004).

In present days, gender violence is a disturbing phenomenon prevalent in every society irrespective of political boundaries. Despite human civilization having progressed in scientific temper, there are people who believe in witchcraft in different lands and culture. Certain superstitions are so heinous and inhuman that life of a woman becomes trivial so much that murdering her is regarded as the universal remedy. Life and liberty are two such basic rights of each person in a civilized society that needs to be protected.

Violence against women is very common phenomena in the contemporary era. Some practices are very offensive and inhuman like killing and burning of witches are considered as a relief from the universal sufferings (Sengupta, 2017). The root cause of violence against women is the patriarchal system (Banerjee, 2017). Patriarchy is a social institution in which men control all the powers and property rights and women are dominated and subjugated in the fields of such privileges (Shrestha, 2004). In patriarchal societies men regulates social boundaries by imposing norms and values

upon women and women are first targeted during the state of war and terror (Chaudhuri, 2012).

Gender-based violence involves a violation and abuse that varies from intimate partner abuse to rape. Gender based violence originated from various cultural practices such as sati, purdah system, restrictions on women character, brutal traditional practices which includes dowry, early marriage, smuggling of girls and women from one place to another. One prominent noticeable fact in many of cases is that women struggle wordlessly and if they question against patriarchal structure and their exploitation, they are subjected to torture more than expected. Institutions and norms of the society often encourages harassment and violence (Nieder, Muck, and Nieder, 2019).

**2.4.1.1 Forms of Violence**

Violence against women occurs all over the world and is extremely rooted in our social structure and traditional patriarchal norms. With the prevalence of mass media, it has now become more established and well informed. Apart from causing mental and physical injury, violence opposes a woman self-esteem and terribly influence the society. Violence against women can be describe into under five broad categories (Dutton, 2000).

**Sexual violence**: Every women or girl whether being poor or rich, young or old and traditional or modern becomes the victims of violence. Sexual violence is any sexual activity without any consent of the partner. It includes violence and harassment using force to attain sexual desire. Women face sexual abuse in the domestic as well as public and feel humiliation and isolation as society suspects her character. To consult sexual violence publicly is considered as a taboo in a society which results into loss of self-confidence, self-esteem and dignity of women. As per the 2013 annual report of

National Crime Records Bureau (NCRB), 24,923 rape cases were reported all parts of India in 2012.

**Physical violence**: Physical violence consists of beating, slapping and any act related to physical. It ranges from simple slapping, kicking to serious violence such as murder. Marriage has become big issues where women face a lot of domestic violence and torture by her husband's and in-law's family members. Women's suffers violence in silence due to certain patriarchal norms and cultural practices in the society such as demanding dowry. She has to think of her parents and society rather than herself and accept the violence by considering it as her fate.

**Emotional violence**: Emotional violence mostly occurs by using any abusive word verbally. It is also referred as a psychological violence which consists of name-calling, yelling, bullying and, causing fear which may have psychological effect such as depression, isolation, anxiety and many other mental health issues.

**Economic violence**: Economic violence includes discrimination against women in terms of ownership of property rights. In most of the families of India women does not hold any property in their names and makes women fully depend on men. Half of the women in the country like India still facing problems of economic adjustment. From decade's women (mostly widows, unmarried and divorced), due to various reasons, have been deprived of share of property which may cause dispute and violence within the family. They have been denied for land and equal property rights (mostly in the middle-class family) and have been struggling for justice over land and property rights over the years.

**Harmful traditional practices**: The violence which is based on tradition, religion and cultural beliefs of some communities are often referred to as Harmful Traditional Practices. Superstitious beliefs have become the part of some human culture which

has lead numerous forms of torture and humiliation against women such as rape, Female genital mutilation (FGM), dowry deaths, preferences of male child and off course witch-hunting. Due to the ignorance of scientific knowledge, large number of people becomes the victims of such practices which violate human rights and dignity.

United Nations General Assembly resolution 48/104 known as The Declaration on the Elimination of Violence against Women (DEVAW)[3] in its Article 1 defined 'violence against women' as "any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life". In its subsequent Article 2 clause (a), (b) and (c) it further defined the perpetrator or the domain where the violence takes place in relation to household, public and State machineries.

> ( a ) Physical, sexual and psychological violence occurring in the family, including battering, sexual abuse of female children in the household, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation; ( b ) Physical, sexual and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women and forced prostitution; ( c ) Physical, sexual and psychological violence perpetrated or condoned by the State, wherever it occurs.

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[3]DEVAW document accessed on 12/11/2019 from
https://www.un.org/en/genocideprevention/documents/atrocity-crimes/Doc.21_declaration%20elimination%20vaw.pdf

Violence against women not only as physical violence but also as oppression, ill treatment, uneven economic and social structures, setting up terror environment such as threats and retaliation and other forms of violence which includes religion, cultural and political violence against women (Shrestha, 2004).

As per the World Health Organisation (WHO) report, the global estimation suggests that one in three women consisting 35 per cent of women worldwide have experienced either physical and/or sexual partner violence, or sexual violence from non-partner in their lifetime, this presents a severe public health problem and violation of women's human rights. Violence against women hampers them from full participation in socio-economic life and at the same time severely affect their overall reproductive health, as it induces both physical and psychological pressure.

In 1979, UN adopted a CEDAW (Convention on the Elimination of All forms of Discrimination against women) which explains the rights of women. Survey conducted all over the country issue related to women. In 1975 report 'Towards Equality' of the committee realised the un-fulfilment of state politics to eliminate the challenges or unequal treatment met by the women in the field of shelter and property rights, health, employment education etc. (Burte, 2008). In 1998 to 99, NFHS (National Family Health Survey) report, in our country 21 percent of women have faced violence and 19 percent of women have ill-treated and abused by their husbands. Many other types of violence against women are even unreported (Burte, 2008).

## 2.5 Patriarchal Institutionalisation of Religion

Karl Marx in his critical analysis of the 19th century European political economy pointed out that "Religion is the opium of the people" reflecting how the institution of

religion is being used as a tool for exploitation and oppression by the ruling elites of society.

Yilmaz (2018) argued that although Marx's metaphorical adage is not comprehensible due to its complexity and ambivalent nature, however, his analysis of religion, nevertheless short, is at the very core of his "critique of modern political and economic relations, and of the dominant form of political community in modern society". Yilmaz further pointed that "Marx believed that the secret of this power of religion lies in the constitution of political relations, suppression of human freedom, and organizations of capitalist social relations", and its given birth due to

> affective and imaginary dimension of religion in the organization of communitarian social relations, and from its ability to mobilize conventional beliefs and opinions in order to structure mass psychology… Religion structures the emotional dispositions of its believers as a system of belief, imagination and meaning… to understand why religion functions as an opium, we should look more carefully into the political field, which conditions religion's function in modern society. Hence, we should change "theological questions into secular ones," as Marx did.

Politt (2014) argued that religion is the original rule book of patriarchy as most of the patriarchal norms and values, and the legitimacy is largely derived from the religious books pointing to be words of God. For instance, if we read the biblical text, certain do's and don'ts are prescribed in the Bible, such as in Genesis 3:16, after God came to know that the woman has eaten the forbidden fruit and also have offered to the male, God announced that he will make the labour of childbearing severe and painful, and all her desire will be of her husband only and has all the rights to rule over her. Ephesians 5:22-24 declares the wives to be submissive to their husbands in

every way, as the husband is the head of the wife, as Christ is the head of the church. Corinthians I 14:34-35 pointed that women should observe silence in the church as it will bring shame to the family, community and society for them to speak up in the church, however, if she finds some teaching that need to ponder upon then she should only ask to her husband at home.

The same goes with other religious scriptures and accounts, such as Islam, Hinduism. In different verses of Quran, men's superiority over women has been inscribed. In chapter 2, verse 228, it is noted that men are a degree above women. Using the same principle, mathematically, a man's testimony in the court of law is worth twice as much as that of female's (2:282), same rationality is also observed in inheritance rights, a man's worth is two times that of female (4:11). It has been further noted that a man has full right of whom and how many to marry (4:3) and has his dominion over his wives' body and can approach anytime when he deemed right, so as he does with his land (2:223). Men are also permitted to take women as sex slaves outside of marriage (4:24 and 33.50). Chapter 5, verse 6, highlighted that men casual contact with women pollutes them, therefore, they have to wash their hand and feet with water, and if water is not available, they have to rub dirt.

In Bhagavad Gita chapter 1, verse 40, it has been put forward that Peace, prosperity and spiritual progress of human society requires virtuous men, and in turn they depend on the chastity and faithfulness of its womanhood; therefore, when womanhood degrade and become polluted it will bring unwanted progeny sowing the seeds for destruction of society. In subsequent chapters, such as in chapter 9, verse 32 Krishna preached to Arjuna saying:

*māṁ hi pārthavyapāśrityaye'pisyuḥpāpa-yonayaḥ |*

*striyovaiśyās-tathāśūdrās-te'piyāntiparāṁgatim ||*

The given *śloka* translated as those who are born in the lower birth such as women, vaiśyas and śūdras can attain the supreme state of consciousness if they take their refuge under Krishna. In other Hindu scriptures such as *Manusmriti* which is also referred as *Manav Dharam Shastra*, is earliest work on Brahminical Hinduism. It contains numerous comments about women which according to present day morale standard can be considered derogatory. For instance, chapter 2, verse 213 and 214 pointed that general nature of women is to seduce men, therefore, women of its true nature can even seduce a learned and wise man becoming a slave of desire. In third chapter of *Manusmriti*, morale guidelines are provided to men for whom to marry and whom not to. A man is advised not to marry those women who have reddish eyes and hair, redundant bodily parts, who often gets sick, those without hair or excessive hair, whose name inspires terror, those who do not have brother and whose parents are socially not known. Chapter 4, verse 217, advised people to not accept food from a woman who is known to have engaged in adultery and also from those who belong to matriarchal family.

Chapter five, instructs females that when they are girl child they should be under the custody of father, when married under the authority of husband, and under son's custody if widow, and one (women) should not be assertive and articulated at all. It further pointed, even if one's husband may be a sexual pervert, immoral or lacks good virtue or quality, nonetheless, her only sole duty is to obey, please, serve and worship her husband, and those who disobey their husband will have leprosy. Women due to their lower birth status do not have divine right to perform religious rites and rituals and neither should make vows. Chapter 9, verse 18, pointed that while performing rite of passage such as *namkarm* (naming ceremony) and *jatkarm* (natal rites), the Vedic hymns are not to be recited by women as they are impure thus

represent falsehood, and lacks both strength and the faculty to comprehend Vedic texts. In the same chapter, verse 80, its mentioned that a barren wife or a woman who is not able to bear a son or whose child died may be superseded, even including an assertive and quarrelsome wife.

These religious scriptures clearly depict how the institution of religion has been used to insert patriarchal ideologies to strengthen the male domination pointing toward divine origin of male superiority. In all these texts, women are generally portrayed as weak, untrustworthy, thoughtless, emotionally manipulative, seductive, impure and so forth. Such portrayal of women was a necessity to assert and propagate the superiority ideology of male over women. In fact, it is being presented in such a manner that the domination of women by men is beneficial for the women themselves. Literature from the women's movement tends to assert that religion has historically encouraged a traditional role for women (Daly, 1968; DeBeauvoir, 1953:624).

## 2.6 Witch-Hunt and Patriarchy

In the early period of modern European history, many people (especially women) accused for witchcraft. In the several Christian courts of Europe, many witch trials occurred and half of them were killed or hanged. Such European institutions considered as a one of the great powers of the judicial that engaged in controlling and modulating the behaviour of right and wrong of an individual. Some of the cases of witch trial was so massive and their fear was so deep that whole community came to panic. Due to the major changes in the productive forces, created a serious cause of witch trials or witch-hunt in the early modern European period. Undoubtedly, extreme witch-hunting took place during the period when poverty became dreadful. The key factor for this unpleasant growth was a sudden rise in the population of European

people which effected the poorest helpless people, then rich people, who were the main targets of witchcraft and suffered mostly of witch accusations (Levack, 1988).

Miguel (2005) work on *Poverty and Witch Killing* also tries to establish a relationship between how the certain natural calamities are being linked with witchcraft by studying the Sukuma ethnic group in the rural areas of Tanzania who maintains a strong religious belief system on witchcraft and consequent witch-hunting practices. The study basically seeks to establish and examine the proportionate relationship between variations in rainfall pattern causing either drought or flood and cases of murder and death of witches. Most people of the Tanzanian villages primarily dependent on agriculture, therefore, rainfall plays a pivotal role in the agricultural cycle of the area. Miguel successfully established that whenever high rainfall occurs resulting to crop failures it leads to extreme killing of witches by their own relatives and neighbours of which most of the victims were of elderly women's. The study primarily focused on the economic motives behind such crimes committed toward the victims in explanation of the income shocks in causing violent crime, and religious violence in particular.

Deriving from the historical records and document of the Duchy Wallenberg and a current analysis of the recurrent structure of wicked supernatural forces related with witchcraft, Bever (2002) tried to look into relationship between women and witchcraft in the early modern community. He has highlighted that women allegations as witch was not from marginal group, nor poor or single but married and members of the particular group or communities. Some allegations of witch are caused by disagreement between deprived elderly widows and rich well-off women of the nearest communities. Others included, in spite of this, rich or well-off women accused by the poor neighbours or community or may be majority group who are in similar

position. Usually dispute was economical, but they might be emerging from large-scale of mutual dispute. In fact, human being bond or interrelation that has gone wrong could also be the cause of accusation of witch. "Most of the New England women named as witches had either inherited property or stood to inherit it." Therefore, property played an important role in accusations of witch-hunt (Levack, 1988, p 159).

Both women and children are equally targeted as witch because generally women and children are socially and economically weak when food comes in difficulty, then relatives and community people cannot be ready to support them. This problem is mostly important if the women are separated from the relationship of her birth and when the child is weak due to demise of the parents (one or both). Those people who are comparatively richer or prosperous in an environment of acute poverty are mostly anxious about their own fate and destiny in spite of social and religious norms of mutual aid and there is less chance of helping the poor. In such kind of situation accusations of witchcraft can be more of difficult or troublesome relationship (Snow and College, 2017).

In many African countries, thousands of children are defendant of witchery. Children's are physically abused or killed and thrown out of their villages and homes. It gives the understanding of McVeigh's reporting problem from Nigeria. For instance, Mary's mother put poison in the throat of the little girl. Her mother gave her warning that if she didn't die with that poison then it would be hanging barbed wire. At last her mother threw hot boiling water and caustic soda on her head and body and her father threw his daughter into a field (Snow and College, 2017).

Through patriarchal power of domination men were legalised to suppress women's deep-rooted unruly behaviour. Fischer (2002) described an event in North

Carolina 1697 when colonist women were beaten up for violating property rights of her husband. He further found that women who prohibited societal gender roles subjected to special kind of public violence and embarrassment. Anyone who questioned publicly against the patriarchal rights are characterised as a threat to the social system or structure.

Therefore, Violence against women by men is a widespread phenomenon that present in all religious and cultural groups of social life. Beliefs and values of religious holy texts, their practices and connotations are often associated with the indication of violence against women (Sen, 2012).There are many more cases of domestic as well as public violence against women which has been unreported. It is clear that it affects all categories of women in spite of their social, economic and cultural background (Burte, 2008).

As we already discuss that patriarchy is a male domination and oppression against women in the domain of political, economic and social institutions. "The practice of witch-hunting is also connected to the prevalence of patriarchal attitudes and an opposition to women's right to property. The emerging patterns suggest that independent, strong willed women, who might have challenged the status quo, have been targeted, and subjected to suspicion and violence" (Khan, 2017, p 3). Witch hunting is a systematic violation of the rights and it is an atrocious act of violence against women whereby the entire community/village sanctions punishment to the accused (Iqbal, 2015).

"Violence against women is rooted in structural trends that are constitutive of capitalist development and state power in all times" (Federici, 2018, p 47). Establishment of capitalism let out the crime against women. Thousands of innocent people killed and burned alive in an accusation of witchcraft during sixteenth to

seventeenth centuries in Europe. Such kind of incident which was never happen in the history before, was a predominant facet which Marx described as primitive accumulation. In other words, due to some element which was already there in Feudal society give birth to capitalist society and violence against women. Basic requisites of capitalist system such as immense labour force paved the way of identifying women as a witch and imprisonment of women into domestic labour without payment which authorised men to subordinate women within the household as well as outside it (Federici, 2018).

Capitalist development also led to the control of state over women reproductive capacity for the production of new creative labour force. Hence, the capitalist built patriarchal system and violence against women by branding them as a witch. Because of various inhuman punishment and persecutions, women understood that they should be compliant, quiet and accept the societal norms without any argument (Federici, 2018).

MacLeitch, (2011) stated that under British law, men had the right to use physical power to direct women's offensive and stubborn behaviour. Men authoritative power was considered necessary to maintain the social and political steadiness of the society. Khan (2017) argues that the very idea of witchcraft is a superstitious belief where women are being used as a weapon in order to keep away from their rights and privileges and the factors like illiteracy, lack of health facilities, illness, property rights, lack of education etc. can be the main reasons for believing in witchcraft.

Witch hunting is seen as targeting women who are widowed or alone, are the most vulnerable to targeting women without any male guardian, especially if they are occupying ownership or land or property. Additionally, women with an absent

husband were in the grip of allegations of witchcraft. The risk of such a label increases, especially if it has suddenly increased in the economic situation and such threat generates from neighbours or kin (Mehra, 2014). Witch hunting is a type of violence against women that destroys women's rights and reduces their dignity. It is true that men are victims of witchcraft and witch hunting practices, but their count is less than women (Shrestha, 2004). According to the report of the ministry of home affairs Tanzania has been estimated 1,551 deaths related to the crime against women in the year 1996 to 1998 September and 500 victims reported to death of the elderly women related to the practice of witchcraft (Kahurananga and Kileo, 2003).

In male dominated societies women have been subjected to several types of violence and oppression. Men, in order to preserve their supremacy and controlling power try to enforce violence and ill-treatment to their wife. There are no any remarkable findings in research related to this area of violence against women and has been largely overlooked and unrecognised. Such violence and subordinate status of women is mainly because of patriarchal institutions where women had to comply the commands of husbands (Sen, 2012).

Issues related to gender in the communities of protestant colonial were intrinsically religious problems, where the Christians ideology was connected with protecting the patriarchal structure. Christianity (Jewish and Greco-Roman) was originated in patriarchal societies where woman was known as wife and mother and give more prestige who reproduced male child but was prohibit from political authority and engagement in any superior customs and duties. Women have been responsible for all the bad things happening in the society or the community. Augustine accepted that god made women just to be under men's domination. In the biblical Garden of Eden (garden created by god) women (Eve) had spoiled that power

of domination by encouraging the man (Adam) to eat the fruit from the "knowledge of tree" and break the command given by God (Douglas, 2007).

Traditionally in the patriarchal dominated societies of Christianity and Judaism, men used to fear of women's period blood as it was believed that women menstrual blood is impure and evil. In the Old Testament of Christian Bible mentioned that, Leviticus 18:19, "You shall not come near a woman while she is impure by her uncleanliness to uncover her nakedness." Women's were prohibited from entering into the church and restricted to join or take part in any community activity such as religious rituals and ceremonies. Intercourse and touching with women having menstrual period was regarded as vulnerable and malignant. It is believed that women's menstrual blood pollutes the house and earth as well as harm or injures people. At the time of menstrual period it is believed that women develop some psychic power and effective magic which destroys human lives. Therefore, during her monthly cycle of period women are ignored or secluded from their house and it is still practiced in some of the cultures (Guiley, 2008).

Women were considered as the root cause of all sufferings and transferred the sin in the world. Therefore, women should be under the control of men. Men have the authority to punish women and subjugate them in the domain of family as well as in the church. After their demise only the domination of men over women will vanish (Douglas, 2007).

Fischer (2002) has also explained two types of penalties for disobedient women i.e., 'ducking' and 'carting'. In 'ducking', women were lock up in a chair or a beam and after that dropped into the huge tub or pond constantly leaving her voiceless. On the other hand, 'carting' specially used to punish women for irreverent behaviour which involved raising objection to the male power or domination. He

further asserted that these kind of terrifying humiliation and punishment were powerful patriarchal instrument to control women and make them realise their actual position by differentiating the power of men and women.

In generating then analysis of harassment of women, radical feminism has been prominent among other streams of feminist theory for instance, Marxist and revolutionary feminism. Radical feminism has been predominantly related to the fight against male authority and social institutions which includes marriage, family, religion etc. from which it reproduces. Radical feminism also discusses about the struggle of women position in the process of reproduction (Beechey, 1979).

# Chapter 3

# Dynamics of Witch-Hunting Practices in West Bengal

## 3.1 Introduction

'Witch' is referred to those individuals who is believed to have occult ability to control and manipulate people or event, and the exercise of such occultic power through sorcery either to cause or avoid/divert harm is known as 'witchcraft'. According to Encyclopaedia Britannica, it is being argued that modern English use of the word witchcraft has three principal connotations, which are firstly associated with "practice of magic or sorcery worldwide", secondly it has to do with "the beliefs associated with the Western with hunts of the 14th to the 18th century", and finally it has to do with the modern development of Wicca movement[4] (Lewis and Russell, 2016), which refers to the practice of "witchcraft and nature worship and who see it as a religion based on pre-Christian traditions of northern and western Europe[5]" (Melton, 2018). However, the prevalent historically located connotation of witchcraft lies in reference to the first and second implication. Common parlance refers witchcraft as involving invoking spirits through performance of certain rituals and rites and acting through them using their miraculous powers. It is also believed that witches have power not only to harm others but also to heal people from sickness or disease. However, mostly, the belief around witch and witchcraft is concern with causing harm to others through invocation of maleficent spirits. It is believed that witches obtain specific animals' spirit such as black cats, newts and snakes and involves in

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[4] https://www.britannica.com/topic/witchcraft
[5] https://www.britannica.com/topic/Wicca

obstructive actions. It is also allegedly believed that they often spend time in the graves and makes magical potion by mixing compound of dead body ashes and other sorcery elements.

Although witch is a gender-neutral concept, nonetheless, most societies being patriarchal in nature and significant number of violence being carried out toward women, as discussed in second chapter, issues related to witch and witchcraft has always been associated with women. Women are blamed for bringing misfortunes and alleged for cause of disasters both social and natural, many relatable anecdotes are laid all over our mythologies. For instance, in Greek mythology, Helen is blamed to be the cause of fall of Troy. In the play *The Lost Women of Troy* written by Israeli playwright Hanoch Levin which is a loose adaptation of Euripides made Hecuba (Paris' mother) to spit out the following abhorrence to Helen:

> *My son Paris was a heart-stopping boy,*
>
> *And you, adulterous witch, wanted him.*
>
> *And he was rich. Your heart flew at that.*
>
> *Your husband here, King Menelaus, had a nice, modest castle;*
>
> *You'd heard about our palaces – luxurious,*
>
> *lofty –*
>
> *So-long Menelaus, Paris – come on in!* (Hughes, 2018).

Similar cases are scattered all over other mythologies of the world, even in Hindu mythology both in *Ramayana* and *Mahabharata*, the cause of war and destruction are blamed to Sita and Draupadi respectively. For which, women are alleged to have in possession of magical power and knowledge of sorcery to harm people. In Indian society, for such reason, women are called out, particularly those who are believed to be witch, as *Daayan*, *Tohni*, *Chudail*, *Bhootni* etc. In the Dooars

region, particularly among the Nepali communities inhabiting in Darjeeling hills and Sikkim such women are named as *Bokxi*. Therefore, in many cases, generally these women are socially ostracised or in extreme cases they are often hunt down, tortured, beaten up or even burn alive at stake. Such kind of brutal practices and accusations of witch is called as witch hunting (Swargiari, 2017). Merriam Webster defined witch-hunt as searching out for persecution of persons accused of witchcraft. In the ancient and medieval Europe, accusations of witches were very common. Many innocent people were killed by branding them as witch. However, men are also victims of witch hunt but mostly women are accused as a witch in every society. Even in present-day, though the spirit of technological advancement is very high but there are societies and cultures which are still surround by such superstitious beliefs and practices and some of the practices are so horrifying and shameless (Iqbal, 2015). Alam and Raj (2018) argued that such belief and practices of witchcraft is mostly prevalent in the rural areas of indigenous isolated tribal people.

CADAM report on violence against Dalit women to National Commission of Women (NCW) pointed that Dalit women being belonging to marginalised sections of society, both socially and economically and also being mostly landless labourers their rights are often prone to violation and subjugation in all aren as of social, political and economic life. Most of the Dalits women, who are widow and who own some land or property, are often subjugated to allegation of being a witch and witchcraft and subjected to torture and punishment. It is also pointed that since such belief and practice are rooted in traditional cultural belief system therefore it posed severe challenge in its elimination.

Nathan, Kelkar and Satija (2013) argues that witch-hunting is an interior or intra-tribe affair rather than exterior inter-tribal affair which mostly includes fight

between one social groups to another. Further, Schnoebelen explained that "belief in witchcraft is not necessarily problematic; the actions taken in consequence of belief, however, may violate human rights standards. Witch hunts and persecutory movements can be understood as the plans of action that evolve from demonologies" (2009, p 2). Therefore, accusation of witches can greatly influence those prosecuted by using force to oppress them, inhumanity, cruelty etc. and sometimes even to death (Nathan, Kelkar and Satija, 2013).

Konwar and Swargiari (2015) made an interesting conflicting argument between the idea of 'Victim and Perpetrator'. Both perception of 'Victim and Perpetrators' is totally different from the insider (people who in the community or village where the event of witch-hunt cases occurred) viewpoint to that of outsider (people who are far from the community and are unaware of accused witch) viewpoint. From insider perspective the 'Perpetrator' (Witch) is the culprit who hurt or injures the members of the community. On the other 'Victim' is the person who is sick and suffering from magic and curse of the witch. When someone is recognised as a witch people organise a village meeting take a pledge to eliminate her from the society through killing or murder of the culprit. The hunter accepts without any regret for killing or hunting the identified witch and it is acceptable. They feel that they are perfectly justified of their behaviour because they believe that they are establishing a normal situation by killing witches who brings all misfortunes and sickness to the members of the community or society. But such belief is hard to accept from outsider's perspective. Here, the idea of 'Victim' is similar to the case of accusations of witches and other forms of violence such as killing, torturing, murdering etc. The family members, communities are the 'Perpetrator' who killed the accused witch.

Cases of witch hunting and deep superstitious belief of witchcraft are widespread in socially and economically underdeveloped areas where any kind of misfortune or devastation occurs or happens alike failure of crops, plague, and unexpected death are some source that believes to be the activity of witch. Usually widows, grey-haired old women, unmarried and who are isolated or alone due to demise of her children or husband are more likely to be suspect of witchcraft. Behind suspecting a woman as a witch a local Ojha plays a pivotal role in the village. Therefore, to understand the dynamics of witch hunting in the Dooars tea garden areas, where it is inhabited mostly by Adivasi and Nepali communities belonging to socio-economically weaker sections of the society, we need to first look into their socio-economic profile.

## 3.2 Profiling Socio-Economic Status of Respondents

As stated, comprehending the various dynamics of witch hunting in the Dooars region spread across five tea garden village requires first profiling the socio-economic status of the respondents. It is very essential to comprehend the socio-economic background of respondent in social science research because it is based on empirical and perceptions of the respondent which is highly determine by the socio-economic factors. The factors incorporate religion, age, education, marital status, occupation, community etc. which helps us to study and understand the aims and objectives of the subject concern. Therefore, in order to analyse people's different socio-economic background it has become necessary to know details fact of the respondent and analysis of collected data.

**3.2.1** *Socio-Economic Profile of Ojhas*

Table 3.1 represents the Age, Sex and marital status of four different tea gardens. Nine Ojha have been interviewed. All the Ojha which I have found from these areas were only male and there was no single female Ojha. The average age between 35 to 80 of nine respondent is 63 and are all married. Since all of them are male Ojha, most of the witches they have identified are female only and they have not said even single male witch. In relation to patriarchal society women being weaker section can easily target as a witch. In terms of marriage out of nine Ojha, 66.67 per cent had first marriage while 33.33 per cent were married for the second time. 44.44 per cent belong to Adivasi community, whereas 55.56 per cent belong to Nepali community.

**Table 3.1: Age, sex and marital status of Ojha from four villages**

| Name of the Tea Garden | Sex | Age | Marital Status |
|---|---|---|---|
| Ellenbari Tea Garden | M | 80 | Married |
| | M | 46 | Married |
| Washabari Tea Garden | M | 63 | Married |
| | M | 75 | Married |
| Bagrakote Tea Garden | M | 55 | Married |
| | M | 35 | Married |
| | M | 68 | Married |
| Leesh River Tea Garden | M | 75 | Married |
| | M | 70 | Married |

Source: Fieldwork, September-October 2019, Dooars, West Bengal.

**Figure 3.1: Monthly income of the Ojha**
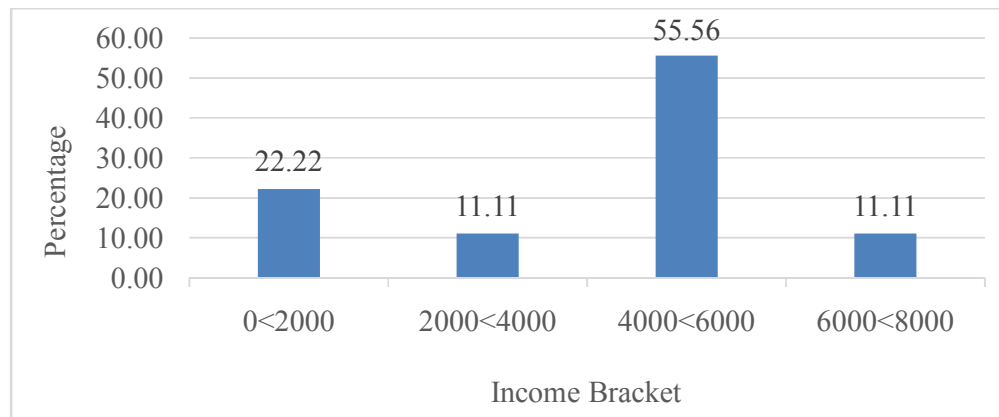


Source: Fieldwork, September-October 2019, Dooars, West Bengal.

Figure 3.1 shows the highest income of Ojha is 55.56 per cent that belong to the income group of 4000<6000 per year. Since there is no any other source of income of Ojhas, they depend primarily on identifying witches and curing illness. It has been found from the data that 100 per cent of Ojha said that people come to them for curing various kind of illness such as fever, cough and cold, mental illness, delivery cases, diarrhoea, anxiety, low feeling, infertility etc.

**Figure 3.2: Occupation of the spouse**
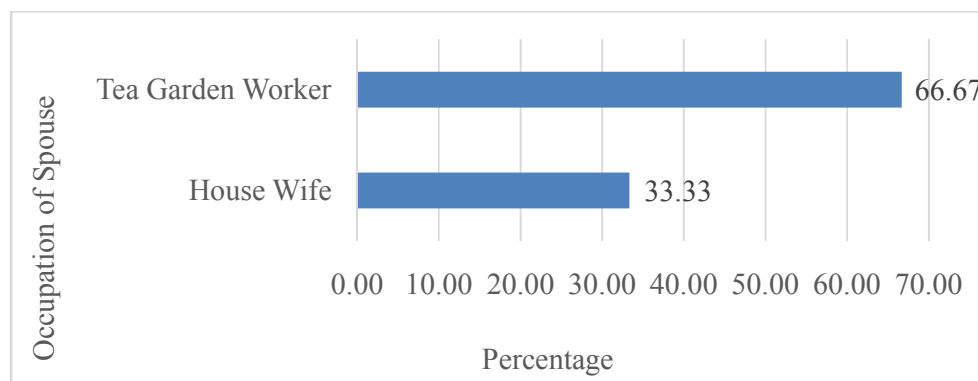


Source: Fieldwork, September-October 2019, Dooars, West Bengal.

Figure 3.2 revealed that about 66.67 per cent of spouse primarily engaged in Tea Gardens and 33.33 per cent are housewife. It has been found that average income Tea Gardens workers fall in the range between 2000-4000 per month. Thus, from this

study it can summarise that people have low wages and poor economic condition of the family which shows that Ojhas (owner of the family) managing other source of income by identifying witches and curing common diseases.

**Figure 3.3: Religion of the Ojha**
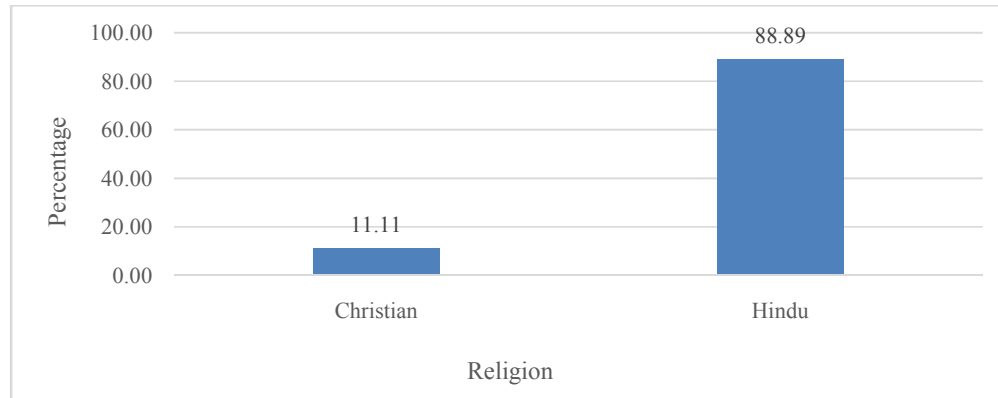


Source: Fieldwork, September-October 2019, Dooars, West Bengal.

Figure 3.3 represents the religion of the Ojha. The study illustrates that majority of Ojha belong to Hindu religion comprising 88.89 per cent and a smaller number of Christian i.e. 11.11 per cent. Hindu Ojha is observed in engaging more in identifying witches and Christian Ojha are rarely observed. When enquired about whether people from their locality or other villages come for curing any kind treatment, all the nine respondents responded positively. Further enquiry was made in relation to any kind of witch hunting cases in their village, in which 66.67 per cent of the respondents affirmed to the enquiry made, whereas 33.33 per cent of the Ojha pointed out that they have not come to any kind of witch hunting cases in their village.

### 3.1.2 *Socio-Economic Profile of Villagers*

A total of 42 respondents spread across five tea garden villages were interviewed. Out of which 23.81 per cent are from Bagrakote, 19.05 per cent from Ellenbari, 16.67 per cent from Leesh River, 21.43 per cent from Manabari, whereas 19.05 per cent from Washabari, as given in Table 3.2. Out of these 42 respondents, 13 are male (30.95 per

cent) whereas remaining 29 respondents or 69.05 per cent are female. As shown in Table 3.3, among these 29 female respondents 72.41 per cent are married while the remaining 27.59 per cent are not yet married. The age group of the respondents ranges from 18 to 88 years old with approximate average mean age being 38.

**Table 3.2: Distribution of respondents according to Tea Garden**

| Name of Tea Garden | Absolute No. | Percentage |
|---|---|---|
| Bagrakote | 10 | 23.81 |
| Ellenbari | 8 | 19.05 |
| Leesh River | 7 | 16.67 |
| Manabari | 9 | 21.43 |
| Washabari | 8 | 19.05 |
| **Total** | **42** | **100.00** |

Source: Fieldwork, September-October 2019, Dooars, West Bengal.

**Table 3.3: Sex and marital status of respondents**

| Sex | Marital Status | Total No. of Respondent | | | |
|---|---|---|---|---|---|
| | | Absolute No. | Percentage | Absolute No. | Percentage |
| Male | Married | 12 | 92.31 | 13 | 30.95 |
| | Unmarried | 1 | 7.69 | | |
| Female | Married | 21 | 72.41 | 29 | 69.05 |
| | Unmarried | 8 | 27.59 | | |

Source: Fieldwork, September-October 2019, Dooars, West Bengal.

**Figure 3.4: Income range of respondents**
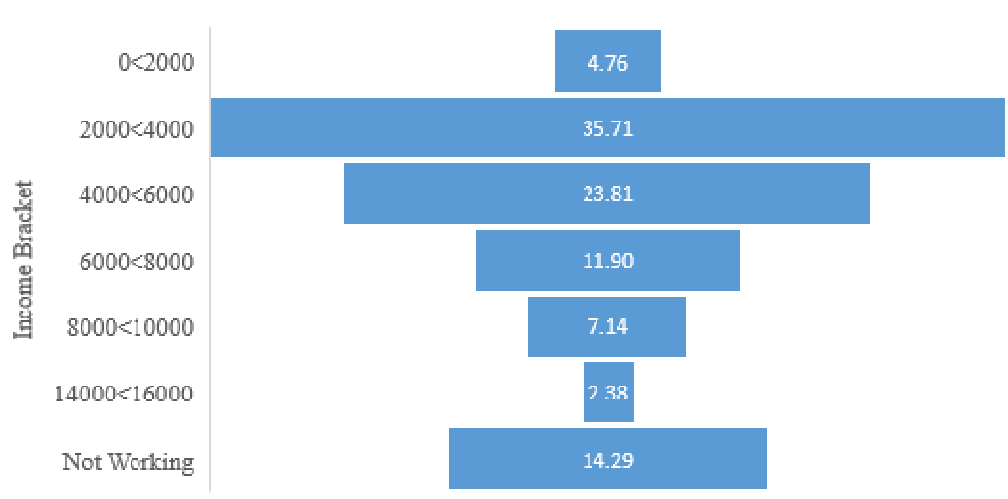
The figure shows that majority of the respondents (35.71 per cent) fall in the income group of 2000<4000 per month. However, 23.81 per cent belonged to the income group of 4000<6000, 14.29 per cent were non-working and 11.90 per cent were from 6000<8000 income group. Above all only 2.38 per cent respondent belonged to the income group of 14000<16000 per month. Due to the problems of Dooars Tea Garden the condition of people is not seems to be good since maximum number of respondent income belong to the range of 2000<4000 per month.

**Table 3.4: Community and religion of respondents**

| Community | Religion | No. of Respondents | | | |
| --- | --- | --- | --- | --- | --- |
| | | Absolute No. | In % | Absolute No. | In % |
| Adivasi | Hindu | 13 | 68.42 | 19 | 45.24 |
| | Christian | 6 | 31.58 | | |
| Lepcha | Christian | 1 | 100.00 | 1 | 2.38 |
| Muslim | Islam | 2 | 100.00 | 2 | 4.76 |
| Nepali | Hindu | 18 | 90.00 | 20 | 47.62 |
| | Christian | 2 | 10.00 | | |
| Total | | | | 42 | 100.00 |

As regards to the Community and Religion of the respondent, in the research covered area found that out of total (47.62 per cent) of Nepali community, the majority were Hindus (90 per cent) and 10 per cent were Christian. Likewise, Adivasi community were 45.24 per cent comprising of 68.42 per cent Hindus and 31.58 percent Christian. Whereas, Muslim (4.76 percent) and Lepcha (2.38 per cent) community consist of 100 per cent Islam and Christian.

**Figure 3.5: Religion of the respondents**
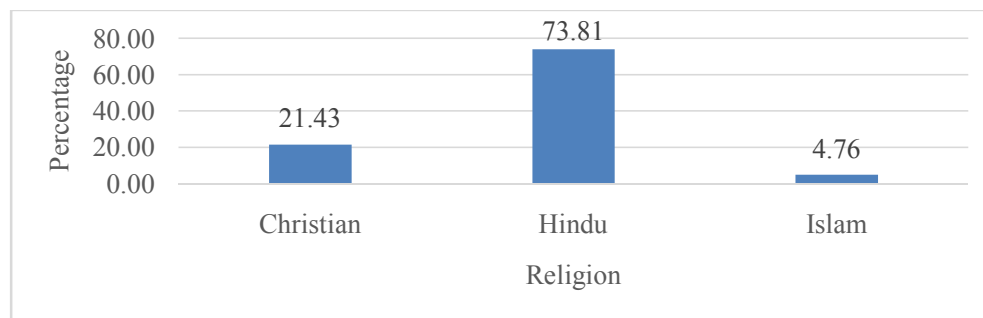


Source: Fieldwork, September-October 2019, Dooars, West Bengal.

The religion of the respondents in the study outlines that the majority of them were from Hindu with 73.81 per cent followed by religion of Christian with 21.43 per cent. Nonetheless, less per cent i.e. 4.76 of respondent also belong to the Islam religion. From the study, Hindus (45.24 per cent), Christian (19.05) and Islam (4.76) were found to be believe in witchcraft respectively. Whereas, 28.57 per cent Hindu and 2.38 percent Christian were non-believers.

**Table 3.5: Occupational distribution of respondents**

| Sex | Percentage (%) | Occupation | Distribution | Percentage (%) |
|---|---|---|---|---|
| Female | 69.05 | Farmer | 1 | 3.45 |
| | | Housewife | 4 | 13.79 |
| | | Panchayat Member | 3 | 10.34 |
| | | Student | 5 | 17.24 |
| | | Tea Garden Worker | 16 | 55.17 |
| | | Total | 29 | 100.00 |
| Male | 30.95 | Auto Driver | 1 | 7.69 |
| | | NGO | 1 | 7.69 |
| | | Tea Garden Worker | 8 | 61.54 |
| | | Panchayat Member | 2 | 15.38 |
| | | Retried | 1 | 7.69 |
| | | **Total** | **13** | **100.00** |

Source: Fieldwork, September-October 2019, Dooars, West Bengal.

**Figure 3.6: Overall respondent's occupation**
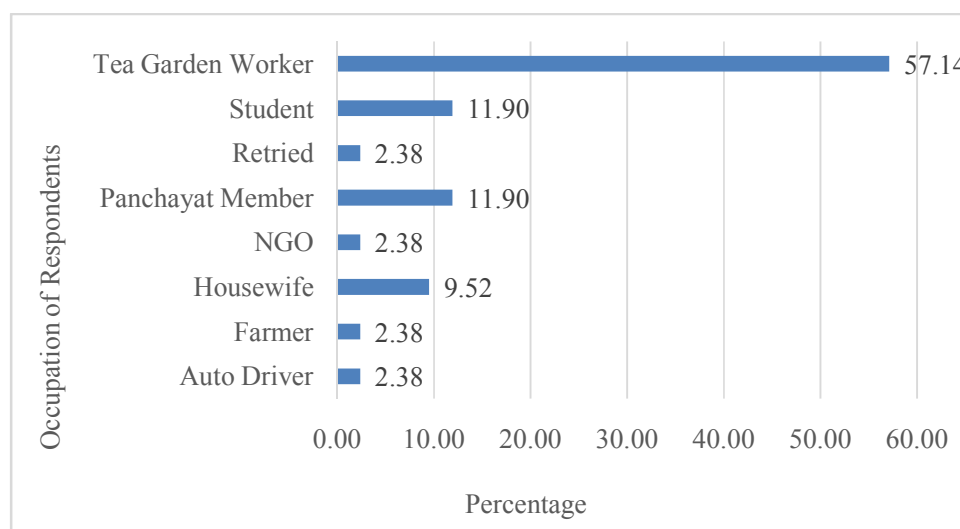


Source: Fieldwork, September-October 2019, Dooars, West Bengal.

The above table illustrates that majority of the villagers i.e. 57% are employed in Tea Garden. Many parts of Dooars regions facing lot of problem regarding wages and suffering from hunger, poverty and various chronic diseases due to the closure of Tea Gardens which ultimately initiate social evils like witch-hunting and other forms of gender violence. Hence occupation plays a major role in such kind of believes and practices.

**Table 3.6: Percentage distribution of religion and consulted ojha and medical doctors during illness**

| Religion | Whom they visit when sick | No. of Respondents | | | |
|---|---|---|---|---|---|
| | | Absolute No. | In % | Absolute No. | In % |
| Christian | Doctor | 6 | 66.67 | 9 | 21.43 |
| | Jhakri/Ojha/Pastor | 0 | 0.00 | | |
| | Both | 3 | 933.33 | | |
| Hindu | Doctor | 17 | 54.84 | 31 | 73.81 |
| | Jhakri/Ojha/Pastor | 0 | 0.00 | | |
| | Both | 14 | 45.16 | | |
| Islam | Doctor | 0 | 0.00 | 2 | 4.76 |
| | Jhakri/Ojha/Pastor | 0 | 0.00 | | |
| | Both | 2 | 100.00 | | |
| **Total** | | | | **42** | **100.00** |

Source: Fieldwork, September-October 2019, Dooars, West Bengal.

Table 3.7 shows the religion and number of respondents whom they consult during sickness. The study revealed that among the Hindus total maximum per cent (73.81) sought advice from doctor, Jhakri/Ojha/Pastor or both out of which respondents 54.84 per cent visited only doctor and 45.16 per cent visited both Ojha and medical doctor. Similarly, in Christians total 21.43 per cent visited to doctor, Jhakri/Ojha/Pastor or both, out of them 66.67 per cent respondent consulted only medical doctor and 33.33 per cent respondents consulted both. Additionally, from the study, those Christians who converted from Hindu have been found visiting both medical doctor as well as Ojha. However, 100 per cent respondent visited both (medical doctors and Ojhas) in Islam out of total 4.76 per cent as shown in the Table 3.5. Further investigation of whether they have faith in Ojha or not, 64.29 per cent respondent found having faith and 35.71 per cent having no any faith.

## 3.3 Process of Witch Identification by Ojha

Several trials have also been made in identifying witch in the European history. Thousands of witches, mostly women, hanged and killed. The reasons behind such prosecutions were failure of crops and spread of plague and diseases as discussed earlier. The causes like illness, death, rainstorms etc. generate the feeling of scepticism to the neighbours and circulate the information one person to another (Singh, 2019). It can easily identify that in the early period of modern history the practice of witchcraft was mostly fictitious. Excluding, for example, mental disorder or mad person, until and unless if somebody from the community claim or blame he/she is a witch, very rarely people perceived that she/he practised witchcraft (Nathan, et al., 2013).

There are various technique and procedure in identifying witches however during the field work, the interview with the Ojha revealed different perspectives in the process of identification of witch. In many cases Ojha (locally called 'Jhakri' or 'priest') engage in the activity of detecting and locating witches through the help of reading rice grain (in hand or in any plate) making pair of each rice grain and chanting some mantras. If there any single grain left, then it is believed that some witch has possessed him and done something wrong. Ojha does not pinpoint directly somebody as a witch but the direction given by rice grain is the actual location of witch. Any person must offer something in return to Ojha. It can be rice, money, liquor, local hen or goat and fruits. From the study it has been found that 66.67 per cent Ojha said there is possibilities for curing witchcraft by offering her demands. Thus it is believed that these offerings are not for the Ojha but for witches. Scholars also have mentioned in many studies of witch hunt that the Ojha or Jhakri or priest plays a vital role in identifying witch and holds a good reputation in the society.

Some process is also done in other way for instance, if somebody is unwell in the village, Ojhas declares that some death evil spirit or witch has done something bad on him/her and sacrifice must be done of local chicken to get rid out of spell of witches and should provide whatever she demands. Majority of Ojha (88.88 per cent) talked about possibilities of getting rid out of witch spell. In such case Ojha first ask them to bring one or two local chicken and performs some religious rituals like chanting mantras and offer some flower and put some red vermilion over it and kill it. By doing so, it is believed that people get free from her spell and get cured from diseases as well.

Since Dooars regions are mostly dominated by Nepali and Adivasi people therefore beliefs and practices of witchcraft can see in both communities. In the village called Ellenbari, mostly Adivasi dominated area, due to poor transportation and afar situated hospital, many pregnant women come to Ojha in delivery cases. It is believed that during delivery women are attacked by witches and try to kill a baby. Ojha from this particular village said "*During delivery witch tries to kill a baby in the mother's womb. Some baby died due to attack of witch*". According to him while delivering a child mother can really see a witch if the baby is going to die by witch attack.

Although local Ojha who plays a very essential character in identifying witch they are treated as the son of god. To identify someone as a witch ojha, by holding persons hand, touch the pulse whether it is beating faster or normal. If the pulse rate is high, then she is not a witch but if it is slow then it is believed she is definitely a witch. One a very old person (around 68 to 73 years) was interviewed in the Bagrakote village. *He said "I am one of the renowned Ojha in the village. Many people have cured from my mantras. Many people come to me and call from outside*

*of the village*". He was trying to glorify himself. As he said many people comes to him then surely, he must be identifying witches too.

In every religious text and different cultural belief system it has been mention about evil or demon's possession. It is said that some people actions are regulated by such spirits and in order to remove or throw out evil spirits or demons the process of exorcism is "performed by many different types of religious practitioners ranging from ordinary people and Ojhas to Catholic priests" (Fagge, n.d, p 1). The idea of evil spirit possession is also prevalent in some parts of Dooars regions. When somebody is going through serious health problem or have some kind mental illness in which person act differently from other normal human being. In such case Ojha confirms that some evil spirit has possessed his/her body. One Panchayat member (women) from the same village (Ellenbari) narrated that "*people who are possessed by witch or evil spirit we call Ojha from the village and he puts hot oil from nose, mouth and ear in possessed person and he/she started revealing everything*". From the study 33.33 per cent Ojha also affirmed that there are some techniques to cure a witch also such as chanting mantras and sometimes beating with nettle plant *Urtica dioica* locally called *Sisno*.

Behind every witch hunt there is some intension or purpose of the "accusers" such as individual aim, take revenge on, to resolve conflict regarding land or property and strong jealously and hatred towards somebody. "In cases in which witch hunts serve the purpose of revenge over personal conflicts, disease or ailments play a major role in instigating the hunt" (Chaudhuri, 2012: 1219). Land and property are the major weapon in identifying witch very easily. It is believed that people do black magic to benefit themselves or in jealousy when people have some kind land boundary dispute with neighbour. During study 88.89 per cent Ojha also confirms that witch hunting is

always associated with witchcraft due to the factors like jealousy, hatred, weakness etc. In order to get rid out of black magic people seek help from local Ojha. Ojha ask them to take some amount of soil from their neighbour and perform some religious rituals by burning incense sticks (agarbatti) and chanting religious mantras. It is believed that by doing so the landowner might get serious health problem or might have bad luck.

Social and religious customs views menstruation as a taboo and impure. It used to believe in the historic cultures that menstrual women have some kind of power which increases psychic abilities to heal the person from sickness and as well as to destroy their enemies. It was considered as a "source of feminine strength" (Sturm, 2002, p 34). Many women suffer during the time of menstruation when they have severe pain or over bleeding. In Nepalis and other societies, it is believed that witches suck blood during menstruation. Menstrual pain is considered as an act of a witch which makes them powerful. Many women rush to "Jhakri" (local Ojha) during severe pain. "Jhakri" diagnose the person's pain through religious rituals which is locally called *chinta*. During that process Jhakri has the vision of witch (skin colour, hair structure and moles). He also suggests being careful in drying menstrual cloth and give some rice grain to eat.

It is believed that cats possessed the power of the evil spirit and have the ability to bring misfortunes and death to human beings. In many rural areas of Dooars regions still have such kind of belief that witches' roams at night in the form of cat. In order to identify witch in the form of cat Ojha first cover the cat with bamboo basket (locally called *Doko*) and beat with hot iron rod and make some kind of symbol on it. Next morning in the same village if they found person having mark in their face or body then she will be considered as a witch and the victims were subjected to

numerous forms of violence and torture. In the study Ojhas (33.33 per cent) also confirms that witches have some kind of mark such as hairy moles in private parts and black patches in their tongue.

## 3.4 People Identification of Witch

"Superstitious speak of some perennial and primitive condition of the human being, our deep sense of vulnerability in this world and our hope that miracles can happen at any time that we might in small ways even help in bringing them about" (Chakrabarty, 2008, p 16). Superstitious belief is rooted and widespread in almost all societies. It is believed that something bad will happen when cat crosses road, winking of right eye, drinking water from broken glasses, looking broken mirror, consuming curd for good luck and many more. Even the educated people are seen following such beliefs.

In most of the Dooars areas among the Nepali community there is belief that witches often come in their dream at night to attack people. Sometimes people feel breathless and suffocating with lot of sweat and fears which is locally called '*Aithan*'. Next morning the villagers tell that they were attacked by a witch last night. It is said that witches do not harm people directly so they change their face during night-time either in the form of their relatives or other person so that they cannot caught. Some people have visible blue patches on their body and it's painful when it touches. Such kind of mark is considered as a witch bite. It is believed that witches suck people's blood when they are in deep sleep. Scientifically it is said that such patches are mostly due to the low circulation of blood in the body but due to high superstitious belief and lack of education people believe mostly on magic and supernatural forces.

Björkqvist and Niemelä (1992), talked about indirect aggression of Zapotec women such as "malicious gossip and witchcraft" in which identity behind attack

never know to the injured person and such kind aggression is related to each other. "It is interesting that while nearly everyone fears witchcraft, hardly anyone views themselves as a witch, although others may" (1992, p 195).

Women (mostly old women) having ugly teeth which is broken or missing. Having big eyes and nose, ugly face, curled and uncombed hair are all imaginary signs of a witch. It is also believed that some inherent mark in human body, especially in private parts which cannot see easily such as black hairy moles and some light small spot in the tongue is also one of the signs of a witch. They believe that whoever has a black patch in their tongue, if they curse or spell on somebody in anger it will come true. During witch trials in the 17 century of European early history, witch-hunters used to check up thoroughly in women body parts pricking with needle or knife in order to check whether there is any witch mark (moles and lump) or not and such kind of believe still we can find in some parts of Dooars region.

As discussed above that in the witch hunt the victims are mostly poor old women. In old age, due to diseases and health problems, mostly old women irritate her son or daughter in law. Therefore in order to get rid out of this family responsibilities sometimes her own son and daughter-in-law claims her as a witch. Johann Weyer in his book De "praestigiis daemonum" explained that old women were "by reason of their sex inconstant and uncertain faith, and by their age not sufficiently settled in their mind's, and were thus much more subject to the devil's deceits, who, insinuating himself into their imagination . . . introduces all sorts shapes, cleverly stirring up the humours and the spirits in trickery" (Rowlands, 2001, p. 52).

Gender inequality is a common phenomenon between men and women in every society. Traditionally women have been ignored and excluded being involved in any decision-making process. In the traditional society, there was belief that women

who acquire knowledge and read and write can become witch because it may threaten the patriarchal norms of the society.  Such traditional beliefs still found in some parts of Dooars areas that providing education to women is not good. If she is educated, then she will become a witch. Therefore education of women was considered as a tragedy for the society.

Power plays a crucial role in patriarchal societies like India. Women who is weak and poor are the victims of witchcraft. Laxmi Bara 32 years old women accused as a witch in the village called Bagrakote. This is not very recent case but still people avoid her. People don't allow her to enter into the church also.  She stays alone with her only son. The reason was that. 'One day one of her (laxmi bara) own friend (Ribika lama) father died due to failure of both kidneys. After one week four Buddhist lamas came and they blamed laxmi bara for death. One of the pastor from nearby church asked her also why did do this? People are planning to send you out of this village'.  This incident narrated by one of my own relatives. She also believes that she is a witch she further said "*if she is not a witch then why didn't she defend herself and why she leaved the village. She is guilty of her work that's why she leaved*".  Being a women society expect her to be quite, tolerant at the same time and her quietness makes people more believe that she is surely a witch because she is guilty being silent.

One of the cases also found in the Ellenbari village, one old man around 85-95 years old, accused as a witch. According to the narratives of one girl from the village '*One Guy (Rajen Subba) got naked nearby the river. He was immediately taken to Tea Garden hospital. In the hospital he was saying' "one old man is trying to kill me. Please help! Please help! And he died. Villagers believe that it is done by that old man. Then that old man complains to police. Police came and arrest some of the*

*family members"*. That young girl further narrated *"Didi every people in the village believes about witches but since that incident occur people are afraid, and they are not going to tell you everything. They keep secret as they are afraid of police. My mother gets sick frequently and maternal uncle died suddenly without any disease and mother believes it was done by Dayan. Even doctor suggest us to take to Ojha first."*

One woman was also murdered of practicing witchcraft in the village called Rungamuutee Tea Garden. 'One day Budhmunia Nagesia (wife of Magra Nagesia) along with her sister were returning home from their farm that time her brother-in-law was also working at nearby field. On seeing Budhmunia Nagesia, the accuser started to quarrel and pushed her and started assaulting her with sharp cutting weapon. In the meantime Budhmunia Nagesia husband saw the matter and came there to resist the accuser but accuser also threatened him. Later on it was found the accused women was brutally murdered by the accuser' as per the police report.

Violence related to witchcraft is gender injustice to the innocent people who are economically poor or belong to lower caste, widow and unmarried. Such violence is due to the reasons of patrilineal inheritance of property rights. Similarly women with physical disability and mental illness are easy targets of witch. It is also believed that they have evil eyes with confident gaze and worship devil secretly and gain secret knowledge and power.

When people started reaching old age, it becomes some kind of burden to their families. There is a belief in the Ellenbari Tea Garden village believe that when old women lives up to 90 above then she is a witch because witches does not die easily until and unless their all desires has not fulfilled or they have to struggle a lot to die as she has not done good deeds in her entire life. It is also believed that witches have the power of attraction. If a woman marries a young man, then she is known to be a

witch. Similar kind of incident happened in the village called Washabari where women married to a young guy around 10 years difference in between them and neighbours believed her as a witch. Some people also believe that witches looks fat as she sucks the blood of a person and looks healthy.

It is said by many people that goddess kali was a witch. The divine nature of goddesses describes in many Hindu traditional religious texts who holds the supreme power. "Kali is typically accompanied by four types of female associate: terrifying sprits, flesh-eating demons, fiends and witches" (McDermott, 2001, p 156). Witch knowledge that is known from since the time of goddesses is locally called *Bokxi Bidhya* or *Daayan Bidhya* that can be transmitted. If a mother is a witch, then her daughter will become witch obviously and further transmit to their daughters. The detailed narrative given by the villagers in Washabari was that 'one old woman was accused as a witch. She was threatened by the villagers to leave the village. She came to stay with her daughter who lives in Bagrakote village. According to the villagers that old women disappear from the home itself and never came back. Nobody knows either people have killed or she leaved that village too. Villagers now suspect to that old women daughter also since it is believed that mother passes their witch power to their children'.

Some educated people also found to be believing in witches and its existence. One graduated old man whom I interacted. He was the panchayat member in the Washabari village said "*I cannot say that beliefs in witches and evil possession is all superstitious because I have a fact incident that I will tell you. One day one of my friends was going to school. On the way he got one dirty page regarding witchcraft. There it was written how to control a snake. One day he did experiment, and it worked. The snake was there for 2-3 days and it didn't move at all*".

Therefore, in our society legends, myths and folklore is associated with, so it has become very easy for people to call somebody as a witch in general. Nathan et al (2013) argues that Legends are not history, but they play a very crucial character in creating a cultural description of how the historical events was made. And, once it is constructed a myth, these belief or conception proceed to play an important part in people's understanding of present-days happenings or incident.

**3.5 Reasons behind Witch Hunt**

However, some of the reasons behind witch hunting are summarised below.

*Misfortunes, Sickness and Death:* Diseases, illness and Death is a part of human beings' life. People face daily some kind of problem in their health such as headaches, leg pain, dizziness, vomiting and many more and its affect the human psychology as well. When such diseases and illness become serious or frequent people starts thinking of misfortunes and try to settle or resolve the causes. Witch hunting is mostly associated with all these three factors (Misfortunes, Sickness and Death) and victim becomes the responsible for all pain and sorrow. Not from outside the village but people who stay close together in the village or community are often have the chances of victimised as a witch and local Ojha is the one who is respected person in the village, examine and alter the circumstances and declare someone as a witch. When any one is declared as a witch and blame for all the misfortunes happening within the village, number of other allegations can be built which further support another allegation of witch.

*Poverty:* There is a connection between poverty and witch hunt and poverty plays a major role in witch-hunt. Victims are mostly from poor marginalised group of the society. Currently, many problems are related with tea gardens in Dooars regions of West Bengal. According to 2012 state-government survey, since 2002, above 1,000

people died due to deprivation of food in the tea estates of West Bengal. Due to low wages of workers and extreme poverty and death lead to the suspicion of witches. In early European history of witch hunt poverty and epidemic were the main reasons in accusations of witch. Therefore, poverty and witch allegations go hand in hand.

*Superstitious belief and Traditions*: Superstitious are predominant factors of witch hunt. It is widespread phenomena. Superstitious mostly comes due to lack of education or illiteracy, ignorance of scientific knowledge, practice of cultural traditional beliefs. Since they have been following traditional beliefs of supernatural power and existence of witches from the religious text or from the various scriptures, they believe more in magic, miracles, Ojhas etc. and have more faith in mantras and rituals practices performed by Ojhas (local Ojha) who is also an illiterate person. Such types of believes and practices sometimes leads to intense violence and social tension.

*Insufficient Healthcare*: Due to humid climate and poor medical facilities, people get sick easily. In the remote villages where medical facilities are not enough, and financially deprived people cannot afford to check up thoroughly and properly their health issues which takes huge amount of money. Most of the families depend on Tea Garden, since due to the close of Tea Garden as well as tea Garden hospitals, which use to provide some health facilities to poor people, people cannot afford to go good hospitals rather they prefer to go to Ojha than doctor. As a result, feeling of suspicion and belief of witches generates.

*Poor Harvest and Crop Failure*: Due to high rainfall and storms during the monsoon season results in poor production of crops and vegetables and people whose income is mostly from agriculture and who are poor starts blaming all misfortunes and tragedies due to spells of witches and evil spirits rather than finding out underlying causes.

*Jealousy and Hatred:* Feeling of jealousy and hatred often lead the way of witch allegation. Sometimes due to jealousy and Hatred, very few men are also accused as a witch i.e. "*Boksa*" in Nepali. When somebody suddenly started becoming rich in the village or high growth of crop production, peoples think about witchcraft and black magic. There is a belief in that people (mostly men) play "*Masan*" (demons) as a tool at night to increase to crop productivity and that Masan works at night when everybody is in deep sleep. Beauty of women also plays major role in witch accusations. It is said that women having magical power can attract many men with her beauty. Therefore, jealousy and hatred is closely associated witch branding and naming as a witch.

### 3.6 Observed Consequences

Victims of witch hunts are subjected to various forms of exploitation and humiliation such as beating, killing, torture, raped, excluded from society and lastly death of the accused. Such kind of beliefs leads to negative consequences. Some of the major social consequences are as follows:-

*Violation of Human Rights:* Violation of human rights is the consequence witch hunt. Accusations of witch's cause violation of every human right. There are various forms of violence such as rape, murder, domestic violence, witch killing etc. which degrade women rights in the society. Witch hunt is a type of gender-based violence and exist both private and public sphere. Especially lower caste women's, poor economically deprived women (mostly tribal women) are the victims of witch hunt. However, beside the enhancement of scientific knowledge and development still belief and practices of witch hunt is deeply rooted in the Dooars areas of West Bengal. Though the witch hunting regulated under legislation but some of the innocent people have killed silently which has not even reported to the police.

Therefore, witch hunting is a dominant feature of violence against human rights. Such kind of practices should really eliminate from the society which hampers human lives and every person in the world should have liberty, personal security and freedom from humiliation and torture without discrimination.

***Degradation of Women Status:*** In every society, in the country like India, the status of women is degraded in terms of respect and position. Gender and power play an important role in accusations of witches and violence. In the patriarchal societies, since from the history, women are under the control of men and those who refuse to abide patriarchal norms are subjected to various forms of violence and punishments in the society. Women are the prime targets of witch hunt than men because it is said that women are weak socially, politically and physically and it very easy to blame women as a witch. If we see the history of Salim witch trials during 1692, accusations were mostly women and very few were men. Such kind of beliefs and branding women as a witch will always hinders gender equality. As a result, women will be always in the degraded position in the society which can also affect coming generation people. Just providing right to vote for women is not enough but there are other aspects in the society which really need to look into it.

***Social Conflict:*** Superstitious beliefs and practices of witch hunt breaks down relationships, harmony and peace among the community or society which further leads to mistrust and suspicion among the neighbours. Due to the fear of accusations of witch hunt results into conflict and hatred among them. Feeling of suspicion of witch towards each other's, people tries to always maintain social distance and prefer to live separately.

***Isolation, Social exclusion and Psychological affect:*** Allegations of witch and torture leads to depression, disappointment and isolation of an individual. Victims are

often rejected and excluded from the society and threaten them to keep distance from the villagers. Witch hunt is considered as an emotional and mental abuse which highly affect psyche of the accused person. Branding and naming women as a witch not only have psychological affect but also influence in their physical health and their social position as well.

***Dispute over Property and loss of Livelihood****:* Property dispute is considered as a major cause of witch hunts which leads to loss of livelihood of accused women. Family plays an important politics in naming witch and in seizing property rights. Unmarried women and widows are mostly target of witch when they demand property rights of husbands or half shares of brother's property. Since due to the patrilineal society and subordinate position of women in the society, women are denied sharing half property of their husbands or brothers. As a result, emotional and mental torture to women by their brothers and husband's family and threaten her to leave their house and render her helpless.

***Death of the Victims****:* Due to allegations and torture that results in Psychological and emotional trauma of the victims which ultimately leads to death of the victims. Taking the chance of the age of old women, some of the old women were also killed in silence and that incident hid by everyone in the village at the time of police investigation.

## 3.7 Role of Ojha/Jhakri/Priest

Ojha is a traditional healer who treats people from evils possession and witchcraft. Witches are mostly identified by Ojha. Villagers seek treatment mostly from Ojha where there is Physical illness like fever, cough and cold, mental illness, delivery cases, diarrhoea, crop failure, long term diseases and some other psychological diseases such as mental problem, anxiety, heavy or low feeling sometimes, body ache etc. these are the situations which usually Ojha takes advantage of it and declare somebody as a witch in the village.

Beliefs are so deeply rooted in their minds that they first rush to Ojha or Jhakri or Lama. There is a saying that some diseases cannot be cure by the medical doctors also, for that people need to go to Ojha first. Due to insufficiency of proper medical knowledge of Ojha, he assumes of evil spirits and supernatural forces for underlying causes and tragedies without any proof. Some people treat them as a god and gives him so much respect and money as well.

There is a belief that Ojha or Jhakri and witches work together. They are husband and wife. In the particular village called Washabari there I met an old Nepali Jhakri as I heard that he is one of the most renowned Jhakri in that particular village. During interaction suddenly One woman came from of the village and give him a warning that "*What did you do to my Husband? Don't ever try to possess by husband otherwise it won't be good for you*" It is said that witches are wise and knows everything regarding healing, curing and even destroying people. So, even the healer is considered as a witch. Tracing back to the witch trials in the Salim village of Massachusetts, the women nurse Rebecca was accused as a witch for killing babies with her spells. Many people who are possessed by witch have received extreme forms of violence such as beating with stinging nettle locally called *sisno* to make

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people free from witch possession. Such brutal treatment may have many psychological problems in the victims.

One of the most popular Ojha I met in the Phulbari Tea Garden estate. Mostly, women who does not have baby (infertility) they come to this particular Ojha. According to other people viewpoint many has got baby after curing by this Ojha. He makes Ayurvedic medicine himself. "*People call me from different parts such as Delhi, kolkatta and other parts of Dooars regions. Nowadays just making a baby Doctor charges 1 lakh but I don't charge anything just some fruits, milk and some amount of money according to people choices. How much they want to give*"

Ojha can declare anybody as a witch, one who has not good relations with him and does not respect and believe him. Due to lack of education and insufficient healthcare, people have blind faith in Ojhas. It is the Ojha who introduce the idea of witch and gives directions of a witch. When people come to know about their misfortunes and tragedies is due to spell of witch then they will start blaming people who is not good in relation with them also. The method of identifying witch is almost irrational. In the "Centre for Alternative Dalit Media Research study on violence against Dalit women" clearly mentioned that 'Ojhas' attempt to declare somebody as a witch just to take money and gain some profit out of it (CADAM).

**3.8 Case Study of Witches**

**3.8.1 Case 1**

Age: Female

Sex: 52

Income: 3000

Occupation: Tea Garden worker

Bishnu Chhetri 52 year's old women who work in tea garden accused for practicing witchcraft. She was blamed for black magic in menstrual period and other common diseases such as severe headache, low feeling, anxiety etc. It is believed that during menstrual cycle if witch suck blood they will become powerful. Whenever they have severe pain during menstrual cycle villagers believe that it is done by her only. Her neighbours' ties chilli and lemon in a tread and hang in Doors and some people even hang shoes in gates to avoid bad luck and evil eyes from her. Culturally hanging chilli and lemon outside home is basically to ward off evil spirits that is something consider as inauspicious that might bring misfortunes. As per the villager's stories, an old woman (nearly about 68 years old) use to have severe headache sometimes and the accuser and the accused person had some land boundary dispute since many years. Their fight is continuing till now. Since they are not in good relationship as a close neighbour, she blamed her as a witch and fought with her and threaten her to stay away from her and her families.

**3.8.2 Case 2**

Age: Female

Sex: 32

Income: 2000

Occupation: Tea Garden worker

Laxmi Bara an Adivasi woman who was around 32 years old accused for practicing witchcraft. Her husband went to Kerala to earn some money as they were economically poor and never come back from Kerala. Now she is with her only son. She was branded by three Buddhist lama who came in the funeral of a death person in the village called Bagrakote. As per the narratives, Laxmi had a friend called Ribika Lama (a Nepali girl) and they were very close to each other. She used to go there always and shares many things. After 1 or 2 years Ribika's father got sick. He was in bed for long and after that he died due to failure of both kidneys. In funeral three Buddhist lamas came and discussed to Ribika's family relatives about a powerful witch who is living in the same colony. Even accused best friend (Ribika Lama) came to know about her. After that incident the villagers and families started ignoring her. Being a Christian she was not even allowed to enter the church as she is considered as an evil. Pastor also declare her as a witch. Laxmi was poor woman who works in Tea Garden and hardly earns 2000 per month. Later on villagers decided to throw her away from the village as they think that because of her other people will also die. Finally they sent her out of the village. She left that village and went far from that area. Now she is staying with her only son and managing her daily lives.

**3.8.3 Case 3**

Age: Female

Sex: 56

Income: 35000

Occupation: Housewife

Chandra Maya Sharma 56 year's old women belong from Nepali community, accused as a witch in the village called Bagrakote. She has been living there since 20 years after getting married. Her husband works as a teacher in government school and earns a good amount of money. When inquired about whether somebody has blamed her as a witch or not, she said yes. That particular incident happened when she went to fetch water nearby river and had some kind of water dispute between her and her neighbour. They quarrel so much each other. One day one neighbour came suddenly and challenged Chandra Maya that 'what did you do to my daughter. She is sick since many days. Please leave her alone and don't try to kill her'. Well off family who are rich and occupied a good reputation in the society often blame as witch. The accused women got angry of blame on her and also challenged her back that 'if you blame me again, I will inform to the police'. The villagers could not take any of the side as they were also too confused who is right or who is wrong.

**3.9 Conclusion**

Beliefs and practices may vary from one culture to another, but superstitions beliefs can be found all over the country in the world. It is a worldwide phenomenon. Belief may have positive as well as negative consequences. Sometimes such beliefs can lead extreme forms of violence such as killing, murdering, beating etc. Witchcraft is also one of the superstitious beliefs which we see some cases every year in almost all regions. In remote rural areas we see all these beliefs and practices where medical facilities are not there. Sudden death, long term diseases, frequent illness can easily cause feeling of scepticism. In most of the cases the victims of witch hunt are female as people thing that female is weak and evil spirit possessed the body of weak people easily. Old women who are helpless due to the demise of her husband or who even live long between 90-100 years people consider them as a witch as she has some power to control their death.

In some parts of remote areas of West Bengal, beliefs and practices are still there. Due to poor education, health facilities, poor roads etc. people have deep faith on Ojha and witch magical spells. People get only certain medical facilities of Tea Garden health centre but since Tea Garden is closed people whose family exclusively rely on it have so many problems to cure long term diseases. They don't have any other options. Many problems associated with health people rush to Ojha such as delivery cases, mental illness, old age health issues and many other diseases but Ojha just assumes the supernatural forces since he lacks medical knowledge. One of the shocking answers I got from the 18 years old girl that even the doctors suggest them to take to Ojha first then only they can do medical check-up. Superstitious are so much ingrained in their mind even the educated person believes in such superstitious belief which does have no any logical sense to believe. Though some are aware of

police but belief and practices is still there. They are reluctant to discuss the matter, but they have silent faith and practices.

Belief of supernatural power arises from religious or cultural texts and folk tales which passed through the generations. Therefore it is important to find out its origins because various cultures and religions includes superstitious belief such as possession of evil, Devil, witches etc. Social isolation, social exclusion, emotional and psychological trauma are the main consequences of witch hunt. It is very difficult to take out such beliefs as it embodied in people cultures and traditions and lack modern scientific knowledge. Immediate actions need to be taken by bringing Education and medical health care in the tea gardens of Dooars in order to end witch-hunting and its belief. Legislations and massive awareness are needed to control such beliefs and practices.

## Chapter 4

## Legal Provision against Witch-Hunting and Violence against Women in West Bengal

**4.1 Introduction**

Legal is something which is imposed by law. Hence, in order to regard something as legal, a set of regulations and laws directing the existing or relevant act is needed. Law is a social and government organisation or institution of rules and regulations that are establish and implement to control the individual actions. Thus the institution of law is comprising of standard norms, lawful action for justice or enforce the legal statement (Johnson. 1977).

"The term law refers to two types of phenomena: 1) a body of statements (written or constituting the rules, norms, and prescriptions (i.e., "which have either been explicitly formulated, or which have to be accepted as authoritative and legitimate; and 2) actions which express or implement these statements of the rules, which are of two kinds: a) those which formulate, codify, refine, elaborate on, supplement, and explain the rule statements; b) those which use the rules as the basis for sanctioning violators, or as a basis for adjudicating conflicts" (Johnson, 1977, p 49).

The idea of gender justice is preserving in the Indian constitution. The state has implemented several bodies of laws and taken initiative to establish equal human rights, investigating various forms of social discrimination and violence against women. Perhaps women can be victims of common crimes such as robbery, cheating, killing and so on but only the crimes which are gender specific are classified as

violence against women. Hence, several laws have been initiated in order to tackle or handle such violence and crimes in the society conclusively (Chaudhuri, 2008).

## 4.2 Human Rights

Human rights have been stated in the preamble to the Universal Declaration on Human Rights (UDHR) as the "inalienable rights of all members of the human family" that form the foundation of freedom, justice and peace in the world[6]".

Human rights protection deals with both global as well as national. All the international treaties, declarations, conventions have been discussed about human rights. In the country like India people face number of human rights violations. Human rights are considered as a fundamental rights that every human being should have the same rights and dignity. Being a human the constitution has provided certain rights to every citizen and every individual have the right against the state as well as public authorities by the reason of being member of any social institution (Singh and Ahuja, 2012).

Ancient philosophers and thinkers of Vedic period of India proposed the idea of higher moral law associated with certain values based on universal truth such as Dharma (righteousness), Artha (wealth), Kama (desires) and Mokha (salvation) in regard to develop peaceful order of the society by maintaining balance between inner and outer or spiritual and material aspect of life.[7]

The world Convention on Human Rights was held in Vienna in the year 1993, "reaffirmed, the solemn commitment of all states to fulfil their obligations to promote universal respect for, and observance and protection of, all human rights and fundamental freedom for all accordance with charter of the UN, other instrument

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[6] International Human Rights Day – Letter, http://www.humanrightsconsortium.org/international-human-rights-day-letter/

[7] http://shodhganga.inflibnet.ac.in/bitstream/10603/8112/11/11_chapter%202.pdf.

relating to human rights, and international law" (Robertson and Merrills, 2005, p 1). The main focus of this conference was to provide international protection for worldwide violations and promoting fundamental freedom and respect. Human rights perceive as an inherent right and growth of an individual. It is considered as an important right for overall development and in order to attain and security they must maintain and protect.

Without security and peace in the country, it is worthless for the human advancement and development. Both the internal and external security is necessary for the vicious crimes and threat against people. The democratic government has the main role in this matter to a great extent with some basic fundamental human rights such as to promote peace and security and to obtain human rights for men and women throughout the world. Therefore, in order to maintain peace and security, such system is only possible when people of citizen follow it strictly all over the world.

**4.2.1 Human Rights Council Resolution 7/24**

The human rights council establish a remarkable rapporteur on violence against women and promote women rights. The main concentration of this resolution is to prevent all inhuman act of violence against women as well as girls and to provide effective medical assistance to the victims. Human Rights council is "greatly concerned to eliminate all forms of discrimination such as racial discrimination, xenophobia and related intolerance and many other forms of discrimination against women and girls. Women who belong to minority groups, indigenous women, refugee and internally displaced women, women in institution or in detention, women with disabilities, elderly women, widows and women in situations of armed conflict,

women who are otherwise discriminated against, including on the basis of HIV status, and victims of commercial sexual exploitation." [8]

## 4.3 International Gender Specific Laws

Gender-based inequality encourages violations of human rights which effect men as well as women physically, socially and mentally. Realising the immediate action on discrimination of women and violence against them, the general assembly provides a human rights declaration with respect to the justice, safety, freedom, morality and dignity of all human beings and eliminate all forms of discrimination and other forms of violence.

The UN General Assembly has adopted various conventions throughout the history with some charter of these conventions which includes: Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) was adopted in 1979, Universal Declaration of Human Rights (UDHR) in 1948, Convention on the Rights of Child (CRC) in 1989, International Covenant on Civil and Political rights (ICCPR) in 1966, International Covenant on the Elimination of all forms of Racial Discrimination (ICERD) in 1969, Convention against Torture (CAT) in 1984 and Convention on the Political Rights of Women 1953.

The main of these treaties was "to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women. As an international treaty, the convention accomplishes two major objectives. First, it establishes an international bill of rights for women and specifies a set of actions to be taken by the nations of the world to ensure that these rights are enjoyed. Second, it mandates the establishment of the committee on the Elimination of Discrimination against Women" (Penn and Nardos, 2003, p 7).

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[8] Human Rights Council Resolution 7/24. Elimination of violence against women
https://spinternet.ohchr.org/SP/Resolutions/Shared%20Documents/RES/A_HRC_RES_7_24_E.pdf.

### 4.3.1 The Universal Declaration of Human Rights

"With a view to the creation of condition of stability and well-being which are necessary for peaceful and friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, the UN shall promote the development of social and economic conditions of living, resolve the socio-economic and health related problems, develop international integration of human rights, universal freedom and respect to all sex, religion and language without any discrimination" [Article 55 (1)].

The laws of human rights have always been holding a central position. Human rights are the fundamental rights that possess the equal rights for every human being. The Universal Declaration of Human Rights was adopted by the UN general Assembly on 10th December 1948. The Declaration concentrate on to promote human rights all over the world. The declaration promotes common attitude against human rights in all over the country and equal dignity and rights of all human beings including freedom, peace and justice. "The declaration not only legally binding instrument per se. however, some of its provisions constitute general principle of law. The Universal Declaration created a link between the rule of law and the doctrine of human rights by asserting that human rights should be protected by the rule of law".[9]

### 4.3.2 Article under Universal Declaration of Human Rights

Some of the important Article under Universal Declaration of Human Rights as explained as follows:

- **Article 1**: Free and equal- All human beings are born free and equal and should be treated the same way. All human being in the world has the same

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[9] http://shodhganga.inflibnet.ac.in/bitstream/10603/8112/11/11_chapter%202.pdf.

dignity and rights. They hold inherent freedom by birth and should act towards one another in a spirit of brotherhood.

- **Article 2**: Freedom from discrimination- Everyone can claim their rights regardless of sex, race, language, religion, social standing etc. Everyone in the country have the right to freedom and peace without any discrimination in terms of race, sex, religion and language.

- **Article 3**: Right to life- Everyone has the right to life and to live in freedom and safety. Every people have right to liberty and security of a person.

- **Article 5**: Freedom from torture- No one has the right to torture any human being. No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

- **Article 12**: Right to privacy- No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

- **Article 22**: Right to social security- Everyone, as a member of society, has the right to social security and is entitled or realisation, through national effort and international co-operation and in accordance with the organisation and resources of each state, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.[10]

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[10] https://www.un.org/en/universal-declaration-human-rights/

### 4.3.3 The Convention on the Elimination of all Forms of Discrimination against Women

In 1979, the UN General Assembly adopted the international conventions on the Elimination of all forms of violence against women. It is the first international treaty which deals with the rights of women and problems related to discrimination against women. International human rights treaties play an essential role in providing legal action for discrimination by focussing more on human rights and dignity. CEDAW is an international treaty that focusses on human rights and address all forms of discrimination against women. Discrimination against women can happen in any political, social and economic sphere. Discrimination refers to the unequal treatment between men and women. Discrimination against Women can be define as "Any distinction, exclusion or restriction made on the basis of sex which has the effect of purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on the basis of equality of men and women, of human rights and fundamental freedoms in the political, social, cultural, civil or any other field[11]"

CEDAW is necessary in all over the countries in order to eradicate any kind of violence and discrimination against women in the sphere domestic as well as public. Gender roles and stereotypes should be eradicating from the society in order to achieve equal rights, equal opportunities and equal treatment for both men and women without any discrimination. CEDAW takes a very essential place in promoting women rights. Discrimination against women violates the equality and human freedom. The position of women receives a major attention and affirms

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[11] Convention on the Elimination of All Forms of Discrimination against Women,
https://www.ohchr.org/documents/professionalinterest/cedaw.pdf

women right to reproductive choice making them independent (Ahuja and Singh, 2012).

### 4.3.4 International Covenant on Civil and Political Rights (ICCPR)

The International Covenant on Civil and Political Rights was adopted by the United Nations in the year 1966. The ICCPR realises the inherent rights and dignity of every individual and attempt to promote Civil and Political Rights in order to preserve basic rights of each individuals. Out of fifty articles some of the articles are explained below which violates human rights.

**Article 6**: "Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life."

**Article 7**: "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment".

**Article 9**: "No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law."

**Article 19**: Everyone shall have the right to hold opinions without interference." [12]

### 4.3.5 Convention against Torture

The UN and General Assembly adopted the Convention against torture and inhuman treatment against women in the year 1984. The main purpose of this international treaty is to eliminate torture, inhuman practices and ill treatment all over the world.

Under CAT, Article 1 defines torture "any action, whether physical or mental, through which harsh torture or pain, is purposely cause on a person for such purpose as obtaining from him or a third person information or a confession, punishing him

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[12] International Covenant on Civil and Political Rights.
https://www.ohchr.org/Documents/ProfessionalInterest/ccpr.pdf.

for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or the person acting in an official capacity. It does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions.[13]"

**Article 2**: This article talks about prevention of torture. To prevent any act of torture in any territory the state has the responsibility to take an initiative action. Article 2(2) affirms that "no exceptional circumstances whatsoever."

**Article 3**: "A state party cannot expel, return or extradite a person to another state where there are substantial grounds for believing that the person would be at risk of being subjected to torture".

**Article 4**: "The criminalisation of torture. A state party is required to ensure that all acts of torture are offences under their criminal law, including attempts to commit torture and acts by any person which constitute complicity or participation in torture. The committee against torture requires that states use, as a minimum, the definition of torture included in the Article of the Convention."

**Article 5**: "Universal jurisdiction over torture. A state party must establish its jurisdiction over any persons found in its territory who are alleged to have committed torture, regardless of where the alleged act was committed or the nationality or residence of the alleged perpetrator."[14]

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[13] Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) https://www.ohchr.org/en/professionalinterest/pages/cat.aspx

[14] https://redress.org/wp-content/uploads/2018/10/REDRESS-Guide-to-UNCAT-2018.pdf.

## 4.4 National Laws on Domestic Violence

Domestic violence is a gender-based violence related to physical, psychological, emotional and sexual harassment within the household such as rape, child marriage, dowry, molestation, beating, torture, isolation and many other forms of violence which leads to the degradation of basic human rights. Under the section 3 Act defines domestic violence:

(a) Harms or injure or endangers the health, safety, life limb or well-being, whether mental or physical, of the aggrieved person or tends to do so includes physical abuse, sexual abuse, verbal and emotional abuse and economic abuse; or

(b) Harasses, harms, injures or endangers the aggrieved person with a view to coerce her or any other person related to her to meet any unlawful demand for any dowry; or other property or valuable security; or

(c) Threatens the aggrieved persons or any persons related to her any conduct mentioned in clauses (a) and (b); or

(d) Otherwise injures or causes harm, whether physical or mental, to the aggrieved person.[15]

The National Commission for Women (NCW) establish in 1992 in order "to review the constitutional and legal safeguards for women, recommend remedial legislative measures, facilitate redressal of grievance and to advise the government on all policy matters affecting women.[16]" the protection of women from Domestic Violence Act 2005 enacted by the parliament of India in order to protect women from various forms of violence within the household by their family members. This Act

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[15]The Protection of Women from Domestic Violence, 2005

[16]The National Commission for Women

https://odishapolice.gov.in/sites/default/files/PDF/Nationalcommissionforwomen.pdf.

provides an effective measure to protect the victims who are injured by kind of violence within the family.

Domestic violence is violation of Human Rights. The National Human Rights Commission (NHRC) of India seeks to protect Human Rights violation concern with equality and dignity of an individual (Jaising, 2008). Under the Indian penal code 498-A states that "cruelty and harassment by husband and their relatives of husband against women shall be punished with imprisonment for a term extending up to three years and shall also be liable to fine" (Bhattacharya, 2007). In some of the police stations including Delhi have also set up CAWC (Crime against Women Cells). These particular cells involve all types of crimes and violence against women (Jaising, 2008). Beside this there are various Non-governmental Organisations that provided services such as shelter, medical assistance, legal aid, conciliation, counselling etc. which deals with the stages of violence against women.

**4.5 Existing Laws of Women Violence**

Violence against women emerges from the patriarchal control over women sexuality, reproduction, flexibility, human rights etc. Violence against women can be emotional, mental, physical and domestic as well as private violence. In male patriarchal society, men have right to use their power freely. Men use legitimised power as a tool to control women lives which obstruct women to participate in various fields.

The concept of gender equality represents in the Indian Constitution. The Constitution provides equal rights for women as well as enable states to take positive initiative in oppression and discrimination against women in the social, economic and political sphere. Under the body of democratic laws, various plans and strategy have direct women's growth and development in various field.

Violence against women and inequality is manifested since from the history itself which resulted into the domination and discrimination against women in various fields. Certain category of women including who lives in the rural areas, who are physically challenged, who are poor and marginalised, women who are old and helpless, who are bold and straight forward are mostly subject to violence.

Violence Against women is the primary reason for their economic exploitations. Upper caste and middle caste women feel sheltered from external violence. Lower caste women may have independence that their upper caste counterparts lack, but they are more prone to social violence as they are taken to be sexually available. Eve teasing with a criminal connotation is a violation of the right to bodily integrity. A third kind of violence that may be identified as cultural is systematic. It weaves together religion and patriarchy into the stronghold of tradition which has to be obeyed. Cases of honour killing, and witchcraft are also bringing reported.

The various types of offences are mentioned in much women-specific legislation to protect women against social discrimination, violence and atrocities and also to prevent social evils like child marriages, rape, dowry, witch hunting etc. certain offences are general against all women and certain offences are applicable in respect of married women:

- Section 294-Obscene acts and songs
- Section 304B-dowry death
- Section 306-abatement of suicide
- Section 323, 324-voluntary causing act
- Section 325, 326-grievous hurt
- Section 354-assault or criminal force to women/outrage of modesty

- Section 361-kidnapping from lawful guardianship

- Section 366-kidnapping, abducting or inducing a woman

- Section 376-selling minor for purpose of prostitution

- Section 376A-intercourse by a man with his wife during separation

- Section 376B, 376D-sexual abuse of women in custody "Custodial Rape"

- Section 498A-crueltySection 509-word.

- Gesture or act intended to insult the modesty of a women

## 4.6 Specific Laws on Witch Hunting in India

Naming and branding as a witch are one of the social problems in the country like India which results into murder, cruelty and violence. Belief of witches and witch hunting is a different phenomenon that requires an essential system of laws to solve the problem associated with witch hunting which prevails in some parts of West Bengal and other states.

According to prevention of witch hunting bill introduced by Lok Sabha, states that "whoever accuses women as a witch naming *Dayan*, *Chudail*, *Bhootni* etc. and blame for any misfortunes and tragedies in the village shall be punished with imprisonment upto three years and with fine between one thousand to five thousand rupees" (Lok Shaba Bill, 2016).

Similarly if any '*ojha*', declaring to possess spiritual and/or magical powers, declares any woman as a witch and does any act of healing allegedly or purportedly to cure her or performs any ritual by doing any act of '*jhadphook*' or '*totka*' to free the woman from the evil spirit or entices a woman or any person on her behalf with a promise to bless the woman with a child or performs any ritual on behalf of any person with intention to harm the woman, and whoever promotes or helps organizing and performing of such rituals or associate oneself with such rituals, shall be punished

with imprisonment for a term which shall not be less than one year but which may extend upto three years and with a fine of upto fifty thousand rupees" (Lok Shaba Bill, 2016).

Several laws have also made in Assam such as punishment for causing death and leading the person to commit suicide by branding as a witch (Assam act, 2018). Other states have also legalised laws on witch hunting like "Bihar (The Prevention of Witch Practices Act 1999), Jharkhand (The Prevention of the Witch-hunting Act 2001), Chhattisgarh (Tonahi Pratadna Act 2005), Odisha (Prevention of Witch-hunting Act 2013), Rajasthan (Prevention of Witch hunting Act 2015)" etc. (Banerjee, 2017).

## 4.7 Gaps in the Existing Laws

Beliefs and practices of witch hunting is deeply rooted in some parts of West Bengal. Though the Government of India enacted several laws to tackle the violence and crime related to witch hunting but in some parts of Dooars regions still lacking and unnoticed such beliefs and practices. Like earlier times we don't see public violence regarding witch hunt but still some beliefs is there that means branding and naming must be there too but most of the people does not want to talk it openly.

When visited two panchayat Offices of Dooars areas to collect some data regarding witch hunting but none of the data or report recorded in the office till now. Since I found some of the cases regarding witch hunt in some parts of Dooars while conducting field study, the women (pradhan) and the men whom I interacted in the Panchayat office said till now no such kind of cases has come. They only focus on maintenance and construction of roads and building. Further they asserted that earlier conflict and violence related to witchcraft was discus and solve in the public domain

but now though people believe in such practices they settle themselves their issues and conflict within the village itself.

Therefore, it's really sad to say that development of villages and society does not always associate with construction of roads and building but to eradicate such kind of beliefs and practices from mind of an individual and the society as a whole. It's the Ojha who introduce the idea of witch and supernatural power of a witch which not only affect the psyche of victims (witch) but the other villagers who believe in witch and their magical spells. Therefore, there should be provisions for free counselling for the victims as well as accusers in each and every part of Dooars regions.

After going through various literatures I didn't find any of the literature regarding West Bengal laws on Witch Hunting, but other states have made laws against witch hunt. In Mal Bazar police station, police in charge who was interviewed points out that regarding cases of witch hunting only one case of Rungumatee village of 2017 has reported till now. He said there are many cases of killing and murdering of people but none of the report are recorded specific to witch hunt in that case they consider witch hunting as a general crime. NGOs also work on other social welfare such as vocational training for handicappers and human trafficking but not specific to witch hunting. They have failed to address other aspect problems related to witch hunting such as isolation, emotional trauma, psychological affects etc. which needs both government and non-government organization to address the problems.

Therefore to prevent women being accused of witchcraft the government should establish a policy to tackle different forms of violence against women. Government should make a strong law to eradicate deep rooted belief and practices which encourages several types of violence and discrimination. There should be equal

rights and opportunities for both the sexes. Witch hunting practices we see mostly among the uneducated people where health facilities and transportation are very weak in such case government should also promote free education facilities and provide health facilities in rural remote areas where large number of people primarily depend on traditional healers for curing diseases. The government should also formulate strategies in order to address the root cause of witch hunting and also should expand reservations for the marginalised groups so that people can come out from such beliefs system.

## 4.8 Conclusion

Human rights are very essential to maintain dignity and freedom of an individual at present. Every citizen should have right to freedom and dignity. There should be no any discrimination against women and men which blocks the development of a human being and creates a hurdle for the peace environment. Witch hunting and violence against women is very common phenomenon. Since from the history it has been seen the status of women and their discrimination within the political social and economic life. Women have been denied for any decision-making process and participation in any consensus. Additionally they have also been denied for justice in any inhuman practices such as sati, dowry, child marriages, witch hunting and many more.

Under the patriarchal system women faces several types of violence such as rape, murder, intimate partner violence, beating, burning, witch-hunting etc. which causes negative impact of the victims. In some parts of developing country like India many of the women are not conscious about basic human rights and continue facing several types of violence due to the ignorance. Because of patriarchal traditional system of the society some women still feel vulnerable and weak in some parts of rural India to fight against gender discrimination. Although various convections of

discrimination against women have set up by the UN General Assembly but still lacking in eradicating the stereotypes gender-based violence.

Violence against women is deeply rooted in our cultural and traditional system. Branding and naming of witches and numerous forms of violence are still practiced in some parts of India. Due to lack of education they have not realised their rights and every time women are torture, beaten, killed, starved or other inhuman treatment. They are suffering in silence. Thought several parts of states has enacted the specific laws on witch hunting but in West Bengal there is no any specific laws to eliminate such type of crime against women. They consider violence related to witch hunt as a general crime. Therefore, both government and non-government effort is needed to understand the underlying causes of witch hunt and other forms of violence against women. They should provide proper education facilities, health care facilities and counselling so each and every person can come out from such practices and belief.

# Chapter 5

## Conclusion

It is believed that witches have the ability to fly at night and convert themselves into animals. They behave terribly and ferociously and are capable of bringing misfortune, unpleasant consequences to others. Religious belief was very much popular in the 15$^{th}$ century in every part of western world. Beliefs in witches are prevalent since ancient times. Even today many cultures continue to have such beliefs and it differs from region to region. In such kind of beliefs mostly women are the victims of witch-hunt than men.

The concept of witchcraft is mainly originated from the European witch trials where thousands of innocent people were killed and hanged. In the 21$^{st}$ century in some parts of country is still following such practices. Witch doctors plays a major role in branding of witches and giving the idea of supernatural forces. The circumstances such as illness, anxiety, feeling low and other common diseases like fever diarrhoea, malaria etc. which witch doctor assumes of evil possession without any medical proof. The poor villagers who stay in the remote areas where medical facilities is not sufficient for medical check keeps blind faith in Ojha.

Witch hunting is a gender-based violence. It is highly destructive which affecting women across the world. Due to the men dominant position in the society they often they excuse their violent behaviour. Naming and branding of witch are social threat and prevalent in some parts of Dooars areas even today. Witches are known by various names such as *Daayan, Chudail, Bhutni, Bokxi* and so on. Witch hunting practices continue due to the traditional believes of people that is attached since from the beginning. It is the traditional patriarchal system of belief where

women become the prime target which led to the numerous forms of violence. It is believed that witches have magical powers with which they can harm people and even changes their faces and structure in the form of cat and their relatives. Physical appearances of persons, like disabilities, emaciated bodies, missing tooth, grey hair with ugly face, reddish eyes, can easily become the victims of witchcraft.

Unequal power distribution between men and women are often seen as the root cause of witch hunt and violence that leads to the physical and psychological effect. Bible also shows original sin of human beings. The Sabbath means the rest and worship of lord. It's a great delightful celebrations of truthfulness of god creation. But human beings broke the relationship with god as they fail to obey god command and that is the main reason of starting of suffering and violence. Therefore violence is regarded as sin and separation from god connection. Human being itself is main cause of suffering and violence due to disobedience with God. Violence against women is deeply rooted in the sin of human beings and disobedience against God command.

Violence against women is deeply rooted in the patriarchal society's as men has the control over female bodies and their reproductive capacity which denies equality of women with the men as a result woman face several types of violence. The practice of witch hunt varies from societies to societies where in some culture old women are given respect and love but, in some culture, various forms of humiliation and torture are seen who are helpless and poor. Witch hunting is a form of violence against women which hampers their physical, psychological and mental well-being.

Therefore, witch hunting is gender violence where women are torture, beaten up, force them to eat human excreta, paraded necked and killed. They are threatened to leave the village. Such kind of inhuman action results into the psychological trauma of an individual. Behind this branding witches' Ojha has big hand. They assume the

supernatural forces and evil spirit for sickness. As Ojha occupy a dominant position in the society people blindly believe him which results social cohesion and disharmony. Older women, women who are helpless, widow, does not have any male child, are targets of witch. In some culture we see older women are respected and love and care are given similarly in some culture older women are treated badly. Women who lives long are also consider as witch as family members does not want to take any responsibilities.

Such kind of practices we still found in some parts of Dooars areas especially backward areas where health facility rarely gets. Lack of education, backwardness, ignorance of scientific knowledge, poor economic conditions are the major causes of witch hunt. Political and economic will is very much essential to eliminate such harmful traditional practices which leads to violation of human rights. In every parts of the country people have freedom to live.

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**Interview Schedule**

Questions for those individuals who have been identified as witch by a Ojha

<u>Section A: Socio-Economic Profile</u>

Name: …………………………………     Sex: Male/Female     Age: ……..............

Community: ………………………….     Religion: ……………………..............

Occupation: …………………………..     Monthly Income: …………….............

Village Name: …………………….…....     Name of the Tea Garden: ………………

Marital Status: ………………………....     No. of Marriage: ………………………

Occupation of Spouse: ………………….     No. of Children: …………………........

List of family member(s): …………………….......................................................

…………………………………………………………………………………………………………………………….

…………………………………………………………………………………………………

<u>Section B: Questions related to views on Witchcraft and Witch Hunting</u>

1. How long have you been living here?

   .....................................................................................................................

2. Who takes the decision in your family?

   .....................................................................................................................

3. Have you ever heard about witch and their magical spells during your childhood days?

                                                                                  YES/NO

4. Can you share something about your personal belief in witches?

   .....................................................................................................................

5. What do you think why people practice witchcraft?

   .....................................................................................................................

6. Are there any magical spells which are performed for good purpose?

                                                                                  YES/NO

7. Can you elaborate it?

   ................................................................................................................... Has anybody blamed you as witch?

                                                                                  YES/NO

8. Who has identified you as a witch?

   .....................................................................................................................

9.  Do you have any kind of dispute with the accuser or his/her family members?

    ....................................................................................................................

10. What could be the reason for such blame in your opinion?

    ....................................................................................................................

11. How did your relatives orneighbours reacted?

    ....................................................................................................................

12. Did you go to the police for help?

                                                                                      YES/NO

13. If YES, what was the reaction from the police?

    ....................................................................................................................

14. What was the response of the villagers?

    ………………………………………………………………………………

15. Did the villagers stand by your side?

                                                                                      YES/NO

16. Kindly elaborate.

    ………………………………………………………………….................

17. Can you share that particular incident how did it happen?

    ....................................................................................................................

18. How is your relations with your neighbours? How they treat you after that incident?

    ....................................................................................................................

19. Regarding the branding of witches do you think that village politics plays an
    important role in provoking an attack?

    ....................................................................................................................

    Any other comments:

    ....................................................................................................................

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**Interview Scheduled for Ojha**

<u>Section A: Socio-Economic Profile</u>

Name: …………………………………… Sex: Male/Female Age: ……..............

Community: ……………………………. Religion: …..………………….............

Occupation: …………………………….. Monthly Income: ………………............

Village Name: ……………………….... Name of the Tea Garden: ………………

Marital Status: …………………….…... No. of Marriage: ………………………

Occupation of Spouse: …………………. No. of Children: ………………........

List of family member(s): ………………….…......................................................

<u>Section B: View of Witchcraft and Witch Hunting</u>

1. How long have you been living here?
   …………………………………………………….

2. Do people come to you for curing their illness?

   YES/NO

3. If YES, for what kind of illness they usually come for your
   help?………………..................................................................................

4. What do you charge in return for your service, and how much?
   ……………………………………………………………………………

5. What are the common diseases that happens in your village?
   ……………………………………………………………………………What do
   you think what is the main reason for illness?
   ……………………………………………………………………………

6. Have you ever come across of witch hunting cases in your village?

   YES/NO

7. Has anyone come for your help for curing witchcraft?

   YES/NO

8. Did you help them?

   YES/NO

9. How do you usually help them?
   ………………………………………………….……………………

10. What can be the main causes of witchcraft according to your opinion?
    ...........................................................................................................

11. How do you recognise a person as witch, and are there any rituals involved in identification?

...................................................................................................................

12. Do witches have some mark or symbol in their body parts?

YES/NO

13. If YES, what kind of?

…………………………………………………….......................

14. How does a witch harm people or individuals?

...................................................................................................................

15. How does a witch work and what are the devices they use?

...................................................................................................................

16. Is there any procedure to get rid of witch's spell?

YES/NO

17. If YES, elaborate.

………………………………………………………….................

18. Is there any way to cure a witch?

YES/NO

19. Kindly elaborate.

…………………………………………………………………..

20. According to your knowledge what is the frequency of witch hunting in your village?...................................................................................................

21. What is your view on witch and witch hunting?

……………………………….................................................................

22. Who practices witchcraft mostly in your experience?

MEN/WOMEN

23. Generally, why women are prime targets of practicing witchcraft?

...................................................................................................................

24. In your experience does witch hunting is always associated with witchcraft?

YES/NO

25. Can you elaborate?

…………………………………………………….......................

26. Would you like to share some event about witchcraft in your village?

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Any other comments or suggestions: …………………………………………………

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**Interview Scheduled for Panchayat Members and Villagers**

<u>Section A: Socio-Economic Profile</u>

Name: …………………………………… Sex: Male/Female    Age: ……..............

Community: ………………………….     Religion: …………………….............

Occupation: ……………………………..    Monthly Income: ……………….............

Village Name: ……………………….....    Name of the Tea Garden: ………………

Marital Status: …………………….…....    No. of Marriage: ………………………

Occupation of Spouse: ……………………    No. of Children: …………………........

List of family member(s): …………………….............................................

…………………………………………………………………………………………….

…………………………………………………………………………………

<u>Section B: View of Witchcraft and Witch Hunting</u>

1. When anyone in your family gets sick, whom usually you consult to?
   …………………………………………………………………………………

2. Have you ever visited to a witch doctor at all?
                                                         YES/NO

3. Elaborate.
   ………………………………………………………………………………….

4. Do you have faith in them?
                                                         YES/NO

5. How they usually cure it?
   …………………………………………………………………………………

6. What they usually charge for their service and how much?
   …………………………………………………………………………………

7. Do you believe in witch and witchcraft?
                                                         YES/NO

8. Elaborate.
   ………………………………………………………………………………….....

9. Can you share something about your personal belief of witches?
   ...........................................................................................................

10. Did you ever go to the witch doctor or Ojha to identify the witches?

...................................................................................................................

11. What are the cases of witch hunt which made you belief that the accused person is a witch?

...................................................................................................................

12. Can you share some of the incident took place in your village regarding witch hunt?

...................................................................................................................

13. Who is considered to be a witch in the village?

...................................................................................................................

14. Who identified the witches and what kind of punishment was given to the branded witch?

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15. Who decided the punishment for the witch?

...................................................................................................................

16. Do all the villagers get involved in the attack?

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17. What happens to the accused person? Does he/she leaves the village?

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18. What is the response of the village authorities when there is a witchcraft accusation?

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19. What is the main role of police/NGO in this milieu?

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