

WITCH HUNT

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Paper Received On: 25 APR 2022

Peer Reviewed On: 30 APR 2022

Published On: 1 MAY 2022



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Introduction

The witch-hunting concept is traced in ancient as well as may it be medieval age, modern age and now in the modern era, the history of witchcraft and the incidence of witch-hunting has been witnessed. Witch-hunting is an infectious disease that is slowly spreading in society. In Europe, the woman who was not believed the Jesus or the church were treated as witches, was regarded as one who brings disaster, and thus to protect the society that woman was burnt. afterward on women are blamed for all the calamities let it be starvation, flood, and epidemic diseases that caused the death of domestic animals. And the only solution to coming out of this depression or sadness was by killing those who were responsible for it. If there is no reason for those incidents that time women are answerable or responsible for is an event. Gradually this thought was bedded in the society and which is still effective in the modern era.

In India

India is divine country women are treated like Goddesses and work ship her on the other hand kill them considering them a witch. This carry out of killing is not new for Indian society rather it has its deep roots in history. Initially when the concept of witch was discussed people thought of ugly women with a broom who can fly, who can disappear. Now the concept has changed a bit, witch now denotes women who acquire supernatural powers and are indulged in evil practices which are an omen. It is believed that they are associated with negative energy and for their betterment and for enhancing their power they kill innocent members of society. They may be called in different names as 'Chudail', 'Dayan', 'Tohni', etc. but the zest is that

they possess supernatural powers which they use to hamper others. Therefore, Witch Hunting is a process of killing these people to protect society from being harmed by them. In name of witch-hunting people kill innocent women, rape them, to acquire their property, and sometimes it is being used as a tool for vengeance.

Witch-hunting is the stigmatization of specific corporations of human beings, which mostly includes widowed women, ladies who're childless, antique couples, Idies of the decreased caste. Aside from this, many are centered because of neighborhood politics. It has been witnessed in tribal and rural areas that if wild unfold sicknesses arise or famine takes place which reasons loss of life of animals, as well as human the allegation, develops on the most prone human being of the society for witchcraft after which violence. Witch Looking is more regularly occurring in 12 states of India which might be located in like Jharkhand, Bihar, Haryana, West Bengal, Madhya Pradesh, Maharashtra, Gujarat, Orissa, Chhattisgarh, Assam, Rajasthan, and U.P. the Government maximum latest report shows that about 119 humans had been killed the yr 2012 in call witch searching and around 1,700 women have been murdered for witchcraft at some stage in 1991-2010. Those statistics suggest the recorded instances, many times have in no way been recorded as because of the worry.

Some Instances of Witch-Hunting in the Past Few Years

Regions which might be tribal and rural, wherein literacy rate is low and in which Humans guided through blind religion and superstition, these blind faiths invokes them to subject the victims accused of witchcraft to inhuman atrocities ranging from gang rape, mob lynching, bare parades, blackening of face, shaving of the head, beheading and burning alive and coercing to eat human excreta. It is ironic on one hand our united states being democratic country talks about equality, the right to existence, and liberty but alternatively, it takes away the same rights of others.

As consistent with the document of countrywide Crime document Bureau (NCRB) 2008, in Jharkhand there were 52 witchcraft associated murders, in Haryana round 26 cases of witch-hunting turned into reported, while in Andhra Pradesh and Orissa 23 instances have been reported, in Madhya Pradesh 17, in Chhattisgarh 15, in Maharashtra eleven and West Bengal and Meghalaya four and three respectively. According to NCRB, the government of India the instances of witch-hunting have increased whilst in comparison to preceding years data.

Additionally, as per the Human Rights Committee, record in the ultimate 15 years about 2,500 ladies was killed in name of witch-hunting. previously it turned into seen that witch-looking is most effective related to ladies however in 2013 in Orissa police stated a case where a boy changed into killed as he changed into accused of working towards witchcraft. Records also display a case in Assam has been a lady turned into raped in name of witch-hunting in 2011.

Legislative Approach to Witch-Hunting

There is no unique and particular national stage law that penalizes Witch looking hence the provisions beneath the Indian Penal Code 1860 may be used as an alternative for the victim. The distinctive sections invoked in such cases are Sec.302 which fee for murder, Sec307 try for homicide, Sec 323 harm, Sec 376 which penalizes for rape and Sec. 354 which offers with outraging lady's modesty. Apart from the provisions under the Indian Penal Code one-of-a-kind states have come up with distinctive rules to tackle the trouble of witch looking

Also as per the Human Rights Committee report in the last 15 years, approximately 2,500 women were killed in name of witch-hunting. Previously it was seen that witch-hunting is only associated with women but in 2013 in Orissa police reported a case where a boy was killed as he was accused of practicing witchcraft. Statistics also display a case in Assam where a girl was raped in name of witch-hunting in 2011.

- Bihar though being maximum backward turned into the primary state in India to skip a law against witch-hunting within the yr 1999, which was named "Prevention of Witch (Dayan) Practice Act."
- Jharkhand accompanied it and established the "Anti Witchcraft Act" in 2001 to protect women from inhuman treatment as well as to offer victims felony recourse to abuse. essentially segment three, 4, 5, and 6 of the concerned Act talks about the punishment so one can be granted if anyone becomes aware of someone as a witch, tries to cure the witch, and any damages prompted to them. whereas segment 7 states the manner for trial.
- Chhattisgarh government passed an invoice in 2005 named "Chhattisgarh Tonhi Pratama invoice", which become hooked up to save you atrocities on girls in name of Tonhi.
- Rajasthan authorities has also exceeded a bill "Rajasthan women (Prevention and safety from Atrocities)" 2006, which makes it illegal as well punishable for calling any female as "Dayan"

or to accuse a girl of practicing witchcraft, which extends to three years of imprisonment and Rs 5000 high-quality.

- until now there are no precise laws enacted in Maharashtra against witch-hunting and the only motive at the back of its far competition from some religious companies who believes that the enacted law might remove their ancient rites Now after the incidents of witch-hunting has improved the national government has planned to skip a bill to eradicate the social ills and human sacrifice.

- a number of the states wherein witch-looking is customary, some areas of West Bengal like Purulia, Bankura, and Birbhum come underneath the ambit of those states. Nonetheless, the state government has did not establish a separate rule to address it. For this reason, there's a need for country-wide regulation so that you can have a binding effect over all the states in prohibiting it.

all these acts no longer best prohibit one from at once hampering a girl but also punish the only one who instigates different to damage them, to displace her from the residence area and belongings. At the identical time, it's far punishable if due to torture a lady commits suicide aside from those state rules there are other bodies set up to prevent witch-looking and sell protection to girls and to ensure those rights vital for them to live a peaceful life with dignity.

- accomplice for law in improvement (PLD)1998, which is aset of criminal resources running for social justice and women's rights in India. It considers women's rights as a critical part of society and hence protects women's rights from getting violated thru households, on the foundation of sexuality, tradition, caste, and many others.

- other than this many NGO's are working for stopping and protective ladies from the social evil of witch-searching. One in every one of the ones in Rural Litigation and Entitlement Kendra, which had also filed a PIL in supreme court docket referring to the abuse of girls in call of witch-hunting on behalf of 1000 rural girls in Jharkhand who had been victimized of witch-looking.

- other than those NGOs and some nearby bodies running in opposition to a witch looking, a bill "Prevention and Prohibition of Witch-hunting" has been drafted with the aid of participants of Human Rights Defence international, which still pending. It ambitions at establishing countrywide rules regarding witch-hunting.

The Indian government has a responsibility to defend ladies from discrimination on the premise of gender and additionally provide basic rights and protections granted by distinctive global treaties, covenants, and laws.

- The general assertion of Human Rights (UDHR) 1948, which being international law gives Safety towards any discrimination and promotes equality earlier than regulation. It additionally confirms proper existence and liberty to every person.
- worldwide Covenant on Civil and Political Rights (ICCPR), India associated with it in 1979, which is a worldwide body that promotes equality among males and females by using ensuring equal rights to ladies and men in civil in addition to the political sphere and prohibits others from subsuming absolutely everyone's primary rights. Article 7 explicitly mentions the prohibition of cruelty, inhuman or degrading remedy and with the aid of associating with the covenant, Indian authorities must put in force these rules.
- in addition to UDHR and ICCPR, India has signed a conference on the elimination of All types of Discrimination in opposition to girls (CEDAW) in 1993 and had agreed to eliminate discrimination and social cruelty towards ladies. Similarly similarly to it Sec. five (a) of the concerned convention explicitly presents that the states have to take suitable measures to alter the social and cultural styles of the behavior of women and men.

Hence not the handiest protection of women is compulsory but additionally, it's far compulsory to confirm one-of-a-kind movements that have been designed for making sure the enjoyment of rights in a fine way.

Why Witch Hunting Is Still Being Continued?

- The question of proof – so one can punish one for training witch-hunting, the courtroom wishes proof. In the case of a witch looking, it's far a criminal offense that's socially manifested subsequently out of either worry or recognition on the exercise humans stay silent, which becomes huddle in collecting evidence. Therefore because of loss of proof right justice isn't always carried out. Other than it generally it's far visible that the person who commits witch searching are influential humans and because of the concern and chance of those humans no speaks towards them. As in the case of Tula Devi & Ors. v. the kingdom of Jharkhand[1], a case of added in Jharkhand high courtroom have been the courtroom brushed off the case on the premise that the sufferer has didn't prove that the accused her of being a witch and harmed her and there has been a loss of eyewitness. Any other motive in the back of lack of evidence is postponed in reporting the incident. because of the geographical reason and societal stress only a few incidents are pronounced and that too after an extended hole, consequently it makes the witness testimony unreliable, which changed into a floor for no longer convicting the accused in Madhu Munda v. state of Bihar

- Absence of country-wide regulation – because it has been noted earlier India does not have any unique country-wide law or legal guidelines for stopping witch searching, it's far being covered underneath the sections of the Indian Penal Code and consistent with it Punishment is being granted. consequently, there is a need for proper rules to remove this heinous exercise from society.

This failure to set up a selected law referring to witch-hunting violates numerous middle rights provided via exceptional global treaties and conventions, which includes the proper to non-discrimination, the right to safety, the proper to live, the right to get admission to national tribunals, and the maximum important proper to live a respectable existence unfastened from cruel treatment.

Poor implementation of regularly occurring laws – as noted above few states nevertheless do no longer have a separate regulation to tackle the societal wrong of witch-looking, although the fee of witch-searching is high there. And the states which have enacted legal guidelines and no longer effective as it lacks prison backing due to the loss of country-wide rules. The ineffectiveness of states legislation is witnessed thru the growing incidents of witch-hunting after its implementation over states. Also because the quantum of punishment that's granted to the accused is lesser than the gravity of the crime they have devoted because the punishment simply extends up to 1 yr with a best of Rs.1000, which lack to set deterrence in society. therefore, this adds to the terrible implementation of the existing laws.

Conclusion

To date, the practice of witch-looking remains prevalent in India. The motives in the back of it are lack of country-wide regulation, lack of evidence and issuing of the file, ineffective implementation of set up policies. as a result, the trouble can be solved by way of strict enforcement as well as the implementation of Anti-witchcraft regulation to additionally prevent witch-looking practices, additionally by sensitizing of police and welfare department and status quo of NGO's who will paintings for sensitization cause. As witch looking are extra usual in backward areas to raise consciousness witchcraft can be added as a subject in school as it's far necessary to exchange the perspective of society and believe over superstition. however, its miles very difficult to take away believes common place from centuries in the society however we can try to cast off with the aid of taking above stated steps.