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Special Article

Witch-Hunting and Intersectionality of Gender

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Abstract

Witch-hunting is a practice that dates back centuries and has been used as a tool of oppression and violence against women. The intersectionality of gender violence in witch-hunting refers to how gender-based violence is compounded by other forms of discrimination, such as race, class, or religion. The research paper aims to understand witch-hunting through a gendered lens and recognize how women have been disproportionately targeted and oppressed through accusations of witchcraft and how other forms of discrimination compound gender-based violence. In this research, a critical analysis of the reported incidents and cases from Assam was studied to understand the practice of witch-hunting and its adverse effect on women. This paper examines the accounts of violence among women in districts of Assam through the same lens by reviewing relevant literature. Through the findings of the literature, the research paper aims to propose policy recommendations. By understanding this intersectionality, we can work towards creating a more just and equitable society where all people are treated with dignity and respect.

Keywords: *witch-hunting, women, gender-based, intersectionality, violence, Assam*

1. Introduction

Gender violence, a deeply concerning issue, has persisted across time and societies, with women bearing the brunt of this form of violence. The World Health Organization (WHO) identifies physical, mental, and psychological violence against women as a significant aspect of gender-based violence (WHO, 2017). Tragically, violence against women has reached epidemic proportions in many countries worldwide, presenting a grave violation of women's rights and severely impacting their health and well-being (Shakti, 2017). Disturbingly, women and adlescent girls have been coerced into initiation rites in several countries between 1997 and 2005,

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further reinforcing the economic consequences of such violence. The resulting reduction in women's labor participation and productivity translates to lower earnings, savings, and investment, hindering overall economic development (Horrell & Humphries, 1995).

Violence against women takes various forms, including control, emotional, physical, and sexual violence (Krantz & Garcia-Moreno, 2005). Particularly, South Asia faces significant challenges in addressing gender-based violence and often labeled as the most gender-insensitive region in the world. For instance, women residing in India have faced multiple forms of violence like domestic violence, marital rape, dowry-related violence, sexual harassment, and witch-hunting, among others (Yogesh & Kosambi, 1993). Despite scientific progress and technological advancements in human civilization, superstitions like witchcraft and witch-hunting still persist. In rural and tribal societies, women are often unjustly branded as "DAINI," which means the woman is practicing black magic with an intend to harm the society (Medhi, 2016). Assam, in particular, has seen numerous cases of witch-hunting, targeting vulnerable groups of women, such as those from lower socioeconomic backgrounds, elderly women, and those living alone or owning property (Mahanta, 2017).

2. Rationale

The rationale of my study is that Witch-Hunting as an academic genre has not been explored extensively by scholars and academicians. Despite affecting men and children, women bear the brunt of this phenomenon, as evidenced by the disproportionate accusations of witchcraft against them (NCRB, 2016). This gender-based violence has a long history of persecuting women for alleged black magic practices. Recently, the incidences of witch-hunting and related killings have increased, particularly impacting women from marginalized communities like the tribal community and Dalits (Kamble, 2022). Witch-hunting in Assam persists as a grave issue linked to the universal devaluation of women, impeding their freedom and autonomy, even over their own sexuality. There are significant deficiencies and inadequacies in mitigating the problem of witch-hunting. This research will help discover the traditions, the perpetrators (individuals and communities), and their selfish interests that have been major hurdles in eliminating the practice from society. It will also highlight the potential drivers of solutions to the problem.

3. Literature Review

3.1 History and Comparative Literature on Witch-Hunting in England and America

Existing literature on colonial hunts in America, particularly in Salem, has largely focused on religious rebellion, ideal female behavior, and inheritance conflicts. These explanations often refer to the concept of the "scapegoat," where the accused

"female witch" becomes the victim of conflicts over property, religion, social status, or societal stresses caused by epidemics or wars (Beau, 2016). The studies on the New England witch-hunts in the late 17th century and the pre-modern witch craze in Europe attribute the occurrence of witch-hunts to various factors. Some scholars, like (Bailey, 2006), point to economic considerations, especially New England's inheritance system, which created unique positions for most accused witches concerning the transfer of wealth from one generation to another. Many of the accused women lacked legitimate male heirs and stood to inherit or had already inherited property, which deviated from the societal norms designed to keep property in the hands of men (Scott & Nash, 2009).

In the context of pre-modern Europe, (Barstow, 1994) associates witch-hunts with competition between men and women during changing economic and political conditions. According to Karlsen, the New England settlers perceived witches as threats not only to their neighbors' physical and economic well-being but also as heretics. (Reed, 2007) suggests that the Salem witch-hunts were influenced by a proto-modern state that sponsored legitimate violence during a period of economic transition, making it a valuable case study in social power. These hunts reflected a crisis in gender and social order, with the Puritan culture reacting to "meddlesome" women challenging societal norms. The witches served as convenient scapegoats, deflecting blame for problems arising from economic disruptions and religious chaos.

3.2 Witch-Hunting in India

The contemporary practice, which originated in the 19th century, continues to prevail in the 21st century. India, with its diverse cultural milieu, witnesses traditional beliefs in witchcraft persisting in many societies. While witch-hunting is not widespread, it is prominently practiced in rural areas inhabited by tribal communities in states like Rajasthan, Bihar, Jharkhand, Odisha, West Bengal, and Assam (Chaudhuri, 2012). Particulary women from the poor and backward caste, were disproportionately victimized in witch-hunting, which went largely unreported as compared to other traditional practices like sati. Structural conditions of women's subordination were deeply entrenched throughout history and reinforced by patriarchal norms (Kumar, 2022).

Witch-hunting was fueled by male-dominated officialdom seeking to eliminate female influence in matters related to caste, gender, and social behavior among the Mundas and Santhals in Jharkhand (Kumari & Alam, 2021). Similarly in West Bengal, labeling of women as witches served as a tool for maintaining social order by punishing perceived transgressions related to caste, gender, and sexuality (Ghosh & Bandyopadhyay, 2015). Witch-hunting in India cuts across class, caste, and religion, affecting both rural and suburban areas. It is often rooted in beliefs and superstitions but should be analyzed through a gendered lens and considered a policy problem. Literature from Rajasthan suggests that witch-hunts are frequently perpetrated by vigilantes who take the law into their own hands to eliminate

individuals believed to bring misfortune or harm (Iqbal, 2015). The literature primarily focuses on Dalit women as victims of witch-hunting, facing the challenges of double patriarchy and poverty. Economic factors, particularly property disputes between families, are identified as leading causes of witch-hunts (Sacha, 2021).

However, when examining witch-hunts in rural Assam, the typical analyses of micro (family disputes) and macro factors (poor living conditions) do not fully apply. Instead, the prevalence of witch-hunting among different aboriginal communities in Assam can be traced back to their cultural beliefs and traditional values (Borah & Das, 2019). Witch-hunting in Assam, like in other parts of the country, leads to deaths, injuries, and suffering. While research on states like Jharkhand and Bihar focuses on agricultural land struggles as a cause, such an analysis doesn't align with the situation in rural Assam, where land ownership is not a significant factor (Sadual, 2015).

3.3 Witch-Hunting in Assam

The phenomenon of witch-hunting within the diverse indigenous societies of Assam finds its origins intertwined with deeply entrenched cultural tenets and customary principles. It is very much prevalent among the Rabhas, Misings, Bodo, Adivasis, Ahom, Deuris, and Garo communities (Chhetri, 2021). In the context of the civil society discourse on witch-hunting in Assam, there are some frequently articulated assumptions (Nath, 2014). Witch-hunting is viewed as targeting women who are widows or single, making women without a male guardian most vulnerable to targeting, particularly if they own or possess land or property (Islam & Ahmed, 2017).

The material motive is seen as an important trigger as widows do not attract stigma within tribal communities, with whom witch-hunting has traditionally been associated. The emphasis on superstition is integral to all narratives on witch-hunting. However, witch-hunting in Assam roots of indifference lies a combination of worrying factors: a lack of education and awareness, but also an insidious use of regressive customs to accuse women of witchcraft to oust them from valuable land and failure of the administrative machinery to provide accessibility and the direct fall out of poor health and medical facility in remote areas. Although the practice of witch-hunting is not evenly distributed in all the areas of the state but has gripping roots in the customary beliefs of many tribal communities residing in the state (Kashyap & Saikia, 2017).

While one is hesitant to suggest that previous studies on witch-hunts in India are of no use, one may argue that, given the unique positions of the tribal communities of Assam, it is difficult to generalize from these studies on India to the tribal community. A study focusing on the phenomenon in the rural areas of Assam, among the indigenous tribal population, promises to contribute to a deeper understanding of witch-hunts in that region.

4. Methodology

4.1 Research Question

1. Why are women considered as the prime targets of witch-hunting?
2. What are the conventional beliefs among the people of Assam with regards to witchcraft and witch hunting practices?
3. What legal interventions have been initiated to curtail witch-hunting and associated violence?

4.2 Objective of the Study

1. To understand the prevalence of witch-hunt in Assam.
2. To study the reasons for the perpetuation of such practices.
3. To analyze the policies taken by the government to address the issue of witch-hunting

4.3 Methods

A thorough literature review is performed to collect literature on witch hunts. The latest articles on witch-hunting in Assam date till 2022. A thorough Scopus and Google Scholar search was conducted using the search string: [Title/Abstract] OR “Witch-Hunt” [TITTLE/ABSTRACT] OR “WITCH” “HUNT” “WOMEN” “GENDER” AND “VIOLENCE” [TITTLE/ABSTRACT]. This is called the Boolean search (Beal, 2020). A total of 14,000 papers were available on witch-hunting in the Indian context, and 520 research papers were available in the Assam context. A qualitative review of the secondary data was analyzed using an intersectional theoretical framework.

5. Discussion

5.1 Intersectionality of women and witch-hunting

Violence is a social ailment that poses a threat to society's well-being. But the rate of violence against women is significantly higher than against men. Gender-based violence is becoming increasingly prevalent in society. Men, children, and women have all been victims of this practice. However, women are the primary victims of witch-hunting (Mehra, 2013). As a result, it is known as witch-hunting rather than wizard-hunting. The term 'witch', itself has a negative connotation for women.

5.2 Women as witches

Persecuting women based on the assumptions that they are practicing black magic is as old as the belief in witchcraft itself. But, off late there has been a sharp rise in

the number of women being denounced as witches and sentenced to deaths. It is even more concerning that women from lower social strata, such as the tribal community, are being targeted (Merriam et al., 2003). Cultural conventions and cultural regulations deny women equal access to power and wealth, making them a vulnerable segment of society. Patriarchal culture has subjugated and repressed women, which assigns them a subordinate role in society. Women continue to play a minor role in family and societal decision-making. In reality, male members of society make decisions about women's lives throughout their life (Mishra & Anindya, 2021). Gender stereotypes identify specific areas as women centric, limiting their limitations and assigning a secondary rank. This secondary position also empowers male members of society to dominate women's lives as personal property, justifying any act of violence done against them (Baruah & Thakur, 2019)

5.3 Impacts on Women's Lives

Witch-hunting can have severe and even lethal consequences. However, the two most typical repercussions of witch-hunting are immediate and long-term. Physical assault, name-calling, and verbal abuse directly affect the victim. There is evidence, even in police reports, that witch-hunting violence is commonly gendered and sexual. The perpetrators breaks into the victims' homes, followed by humiliation like blackening of the face, breaking of teeth, and forced drinking of unclean water (Koning, 2013). Physical aggression is evident in nature, and it may be exceedingly devastating. The long-term repercussions are more psychological in character and are subtle. The most common types of long-term repercussions are social deprivation and ostracism. Victims may be expelled from their communities or denied their rights to life (Soman, 1978).

5.4 Factors of witch-hunting

One of the common factors of witch-hunting is patriarchy. However, there are other factors which are often less discussed like the deprivation of women of traditional property rights, diseases and illness, village-level politics, and mass hysteria and fear among the community people.

5.5 Women and their rights to property

An anthropologists, (Barman, 2002), examined the reports of witch-hunting in modern-day Assam. It describes them as a sort of "persecution" that primarily targets women. In Dhemaji and Baksha districts of Assam widows are primary target. The property conflicts between widows and their husbands' families are the significant causes of witch hunts in these districts. (Mishra & Shukla, 2018). Most of those accused of practicing witchcraft are widow who are childless and the asset would transfer to her closest relative if she passes away. The women are deprived of their privileges after being accused of witchcraft, while the men have direct access to

the property. This persecution not only maintains conventional gender norms but also helps to discredit women who have power over home spirits (Kashyap & Saikia, 2017).

5.6 Diseases and Illness

In many instances women is accused of spreading diseases like cholera and small pox in the village. Hence, the deaths of family members and livestock may all be attributed to witchcraft. In Udalguri district of Assam, the accusation of witchcraft was based on the death or illness of an individual (Boro, 2019). Victims were blamed for diseases (ranging from wounds and infections to mental illness, stomachaches, diarrhea, fever, TB, jaundice, and others), inability to conceive, or the delivery of stillborn babies. The allegations are substantially more credible when the victims and perpetrators share close proximity to one another (Borthakur, 2022). It should be emphasized that if a woman is implicated in a single unpleasant occurrence, numerous further complaints about her questionable behavior may be hurled against her to corroborate and buttress prior assertions about her dubious behavior. Extreme religiosity, deviant religious practices, and one-of-a-kind ritual behaviors are widely seen as signs of witchcraft and may be used to substantiate the categorization (Federici, 2018)

5.7 Village Level Politics

In Indian culture, women are considered symbols or representations of their castes, communities, families, and other social spheres. However, they are both worshiped as Goddesses and burned at the stake for being witches. A woman might be accused of witchcraft for a variety of reasons. It might be a simple explanation when there are no simple solutions. The dominant member of the community needs a scapegoat to put the blame on. When people are in an uncomfortable position over which they have no control, it may provide them with a sense of control and the opportunity to cast blame. To keep women responsible, males who refer to them as jokhini (the Assamese term for female witch) rely on deeply ingrained beliefs and patriarchal and sexist norms. Accusations of black magic and witchcraft against women are not commonplace, particularly against women from disadvantaged castes, minority populations, and other groups (Nath, 2014). Therefore in Kokrajhar district, women from the Bodo community are targeted because of village level politics (Xaxa, 2004).

5.8. Conflict with Authority

Conflict with authority is a significant aspect of witch-hunting, reflecting the complex dynamics between traditional beliefs and modern governance. In Chirang district, local authorities and traditional leaders often hold immense influence, and their actions can exacerbate the witch-hunting problem. In some instances, authorities may endorse or turn a blind eye to witch-hunting, either due to their

own superstitious beliefs or to maintain control over the community. This collusion perpetuates injustice and allows perpetrators to act with impunity, further endangering innocent lives. On the other hand, there are cases where authorities genuinely oppose witch-hunting, seeking to uphold the rule of law and protect human rights. However, their efforts may be hindered by deeply ingrained customs and the reluctance of the community to cooperate with outside intervention. Resolving the conflict with authority requires a multi-pronged approach (Rai, 2020).

Multiple factors contribute to an elaborate knowledge of witch-hunting and combine to target and victimize specific individuals and their close relatives. Cases of witch-hunting may look like plain backwardness and superstitious belief to outsiders, but the impact on the victim's life is well beyond an outsider's conception. The victim's and family's true mental and emotional upheavals have far-reaching and profound impacts on their lives (Sinha, 2015)

5.9 Legal dimension of witch-hunting

The process of labeling someone as a witch and subsequently causing her damage, is a long-standing issue in India that frequently leads to the dispossession, brutalization, and murder of women (and men). According to National Crime Records Bureau Between 2001 and 2021, 220 women were killed on the grounds of witch-hunting (NCRB, 2021). Witch hunting is an unusual situation that needs specialize legislation. Certain states have laws that specifically criminalize witch hunts, such as Bihar (The Prevention of Witch (Daain) Practices Act 1999), Jharkhand (The Prevention of Witch-hunting (Dayan Pratha) Act 2001), Chhattisgarh (Tonahi Pratadna Act 2005), Odisha (Prevention of Witch-hunting Act 2013), Rajasthan (Prevention of Witch-hunting Act 2015), and Assam (Prohibition, Prevention and Protection, 2015) (Islam & Ahmed, 2017b). According to the regulation above, the significant causes of witch hunts are interpersonal jealousies, disagreements, and tensions. The high percentages of lack of formal education among victims and perpetrators and the wide range of health conditions are viewed as justifications for labeling women as witches. The victim of witch hunts suffers both quick and long-term effects. Stigma, segregation, verbal abuse, ostracism, relocation, expulsions from families and villages, and a lack of access to common village resources are some of the most prevalent and persistent types of violence (Borah & Das, 2019).

5.10 Assam Anti Witch-Hunting Bill: The Assam Witch Hunting (Prohibition, Prevention and Protection) Act, 2015

President Ram Nath Kovind signed the Assam Witch Hunting Act into law in August 2018. The law's primary goal is to prevent witch-hunt in Assam. The legislation was drafted following the Universal Declaration of Human Rights, which states that witch-hunting offenses constitute a severe human rights violation. The primary goal of this legislation is to eliminate superstitions from society by making such offenses

non-bailable and non-compoundable. The legislation forbids anybody from referring to, labeling, or defaming another person as a witch by words, signs, actions, or signals. If someone is proven guilty, the law calls for harsh punishment. It imposes up to 7 years in prison and a fine of up to 5 lakh rupees. If someone is killed after being labeled a witch, this clause falls under Section 302 of the Indian Penal Code (IPC). It also recommends a three-year prison sentence for anybody who blames another person for natural calamities in a specific area, such as floods, droughts, disease, or death. Witch-hunting cases are heard in special courts under the Gauhati High Court (A, 2018).

5.11 Limitation of the Assam anti witch-hunt bill

It is interesting to note that most incidents are never reported to the police. Even with the state legislation and modifications, the legal vacuum regarding witch hunts remains. The criminal law fails to address the victims' long-term repercussions and compensation requests. There is an urgent need to conceptualize and design justice from the victims' point of view (Neogi, 2020).

Corruption, human rights violations, and abuses of authority have all harmed the professionalism of the police. The culprit is often from an influential family or has money and muscular power, which allows them to influence the police. Therefore, the perpetrators walk free, leaving the victim helpless (Development et al., 2015).

The police consider witch-hunting to be a type of general crime. The police officers' hands and legs are bound. It fluctuates with each political regime transition. The police are given responsibility and accountability because they play an essential role in administering the points of contact between citizens and the state. It is critical to include the involvement of the police, who have the authority, privilege, and prerogative to use their discretion in dealing with social media and acts related to witchcraft or witch-hunt charges (Daimary, 2017).

6. Policy Recommendation

Assam's new witch-hunting legislation was eventually approved by the President in 2018. However, it is important that we make policy which can help the woman in cases of witch-hunting. Also, it will require grassroots awareness and a combination of women's self-help groups, local organizations, and the Assam Police to mitigate. Some of the policy recommendations are:

6.1 Incorporating women into rural police forces

The new Act is a significant step forward for society in combating the witch-hunting problem. However, the solution to the witch-hunting problem depends on the active engagement of all the stakeholders. The police force is one of the most significant stakeholders. The victims are afraid of being abandoned by the community. The

situation is so awful that the victims' families have refused to come forward to report it. In Witch-hunt incidents, 95% of the victims are women. In many situations, the victim has refused to approach the police because the officers are male, and the victim is uncomfortable discussing their physical attack in front of a male police officer. As a result, this is one of the numerous reasons why witch-hunt cases are rarely reported. To address the issue, a Special Woman Police Task Force might be established under the Assam Police Act of 2007. Once a complaint is filed, the police force may be given the authority to act immediately. Also, the government's deployment of Women's Police patrol vehicles and a hotline number will be beneficial.

6.2 Need for centralized legislation

Before the state-level legislation on witch-hunting prevention was enacted, there were no strict laws on the subject. The accused were tried under Indian Penal Code Sections 323, 354, and 509, and the brutal acts of stoning were treated as superficial injuries. The Prevention of Witch-Hunting Bill was never passed in Lok Sabha. Currently, there is no effective mechanism to assist victims of witch-hunting in recovering from the consequences of these acts, including forced displacement, expulsion from villages, and economic boycotts. Hence, there is a dire need for national-level legislation to eradicate this evil.

6.3 Proper implementation of existing the state legislation

As we have previously said, a few states still lack a particular statute to address the issue of witch-hunting, even though the rate is high there. Moreover, the states that have implemented laws are ineffective because they lack legal support owing to a lack of national legislation. The growing incidence of witch-hunting following the establishment of state legislation demonstrates the ineffectiveness of state legislation. Furthermore, the degree of punishment imposed on the accused is less than the seriousness of the crime they have done since the sentence extends up to 1 year with a fee of Rs.1000, which fails to create a deterrent in society. As a result, this contributes to the inadequate enforcement of current laws.

6.4 Creating awareness at the grassroot level

It is critical to raise grassroots level knowledge among women about the Anti-Witch-Hunting Law to defend their rights and safety. Witch-hunting is still a troubling issue in many communities, frequently resulting in violence, abuse, and prejudice against defenseless women. Community-led programs to educate women about their rights under the Anti-Witch-Hunting Law must be formed to counteract this issue. Workshops, seminars, and awareness campaigns should be held to educate people about the legal safeguards available to them and the severe implications of partaking

in witch-hunting practices. Furthermore, the Anti-Witch-Hunting Law can be introduced as a chapter or sub chapter into the school curriculum to create awareness about this menace from a very young age. This can create long-term behavioral changes and challenge the deeply ingrained myths that keep witch-hunting alive. We can make our society safer and more just by empowering women with knowledge.

7. Conclusion

Witch-hunting is prevalent in our society even in this 21st century. Witches are accepted as reality and so the practice of witch-hunting. Being labeled a witch is as absurd as being assessed based on appearance. Every year, hundreds of women, men, and children are tortured to death, and the growth in cases shows that the application of laws and the work of associated NGOs are insufficient unless people alter their thinking. The more such examples each year, the more backward society becomes. Therefore, it is important to understand that adopting a law against witch-hunting will not suffice. Along with the legal order and law, it is education that can achieve success in eliminating both the belief in witchcraft and the practice of witch-hunting in contemporary period. We have to eliminate the practice not only from the society but also from the mindset of the people.

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