A blank in Black Magic Law

Why in news?

The suspected case of human sacrifices in Kerala has brought into focus the absence of a comprehensive law to counter such superstitious practices.

What is the issue?

- Two women were killed in two separate 'ritualistic human sacrifices' at Elanthoor in Pathanamthitta district of Kerala.
- It is not the first such case in Kerala and the majority of incidents took place in the countryside.
- These incidents have raised serious concerns over the growing fascination for superstitious beliefs and occult ceremonies.

What does the NCRB data shows?

- According to the National Crime Records Bureau (NCRB), 6 deaths were linked to human sacrifices, while witchcraft was the motive for 68 killings in 2021.
- The maximum number of witchcraft cases were reported from Chhattisgarh, followed by Madhya Pradesh and Telangana.
- Notably, the NCRB doesn't provide details of occult-related crimes in the country.
- A private study by an NGO in 2021 found that 2,300 murders of so-called 'witches' were committed between 1999 and 2013 across the country.

What are the laws regulating black magic in India?

- In India, there is no central law that exclusively deals with crimes related to witchcraft, superstition, or occult-inspired activities.
- There is also no established definition of what black magic is due to a lack of nationalised legislation for the same.
- In 2016, MP Raghav Lakhanpal introduced the Prevention of Witch-Hunting Bill in the Lok Sabha, but it wasn't passed.
- The Indian Penal Code (IPC) prescribes punishment for related crimes like abduction and murder, but not for harming others via furthering superstitious and outdated beliefs.

What State governments are doing?

- In the absence of a nationwide legislation, a few States have enacted laws to counter witchcraft and protect women from deadly 'witch-hunting'.
- **Bihar (1999)** - It was the first State to enact a law to prevent witchcraft.
- The act describes a witch as a "woman who has been identified as a witch by someone

else, having the power or intention of harming any person through the art of black magic, evil eyes, or mantras.

- **Chhattisgarh (2005)** - Chhattisgarh is one of the worst-affected States and in 2005 the State enacted the Chhattisgarh Tonahi Pratadna Nivaran Act.
- Other states that legislate against such practices are Jharkhand (2001), Odisha (2013), Maharashtra (2013), Rajasthan (2015), Assam (2015), Karnataka (2020).

What are the challenges?

- **Religious incursion** – Inclusion and exclusion of a practice as superstition is difficult because most of the superstitious practices are religious oriented.
- **Ethnicity** – Superstition entrenched in the cultural practice of a society is hard to change.
- **Illiteracy** – An illiterate person becomes an easy target for such supernatural and Blackmagic acts.

What are the future aspirations?

- There is an urgent need for a comprehensive nationwide Anti-superstition and Black Magic Act.
- However, bringing a legislation to deal with such social issue will only be a half way progress.
- Increase in awareness among the masses through information campaigns, and by roping in religious leaders to debunk the myths surrounding such practices will be a game changer.

References

1. The Hindu | Laws against black magic and superstition in India
2. The Hindu | Shocking cases of human sacrifice in Kerala

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