



About ANANDI

ANANDI in Gujarati signifies *Joyfulness* and it is our endeavour that all our struggles and work help make this world a joyful place for all especially the most vulnerable women.

ANANDI which also stands for Area Networking and Development Initiatives, has been working with over 10000 rural poor women of Panchamahaals, Dahod, Bhavnagar and Morbi/Rajkot districts of Gujarat since 1995. Forming women's collectives and working towards changing the nature and direction of systemic forces which marginalise women has been an integral component of ANANDI's work in Gujarat.

ANANDI maintains a strong process orientation in organising women, especially the most vulnerable among them and has developed a methodological approach of inter-sectionality. The methodology of inter-sectionality is founded on the principle that organizing and empowering rural poor marginalised women involves addressing their immediate survival needs along with the need for dignity and security both physical and emotional. ANANDI's role is to create and build partnerships with local women's federations known as *sangathans* to create sustainable mechanisms to challenge patriarchy and offer alternatives. One such mechanism is the *Nyay Samities* - 'justice committees' comprising of women leaders who arbitrate and negotiate in cases of domestic violence between women survivors and perpetrators. They use feminist analysis and undertake the task of embedding gender justice in local cultural contexts - constantly pushing boundaries that patriarchy creates. At the personal level the key is to ignite a hope among women for change. The desire for change develops and transforms the self perception. The perception helps them develop an understanding of their own rights as full citizens and participants in the development of their communities. They develop into active agents of change and then bring about gender equality and a society that is just, and peaceful.

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Witch Branding and Police Response: Case Study from ANANDI Gujarat

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ANANDI, which also stands for *Area Networking and Development Initiatives*, has been working for the rights of women from marginalized communities, forming women's collectives and working towards changing the nature and direction of systemic forces which marginalise women.

In the Districts of Panchmahaals and Dahod, in Gujarat, ANANDI works in partnership with the Devgadhi Mahila Sangathan (DMS) and the Panam Mahila Sangathan (PMS), which are federations of women's collectives of the area.

The journey of ANANDI's work over a period of 15 years on the issue of witch branding has been through the following phases:

- Getting women to speak up about the phenomenon of witch branding in their own women's groups
- Recognizing the pattern by which women are targeted as witches
- Understanding and highlighting the violence element as against the superstition element and building the confidence of the Nyay Samiti to deal with cases of witch branding.
- Registering the cases with the police
- Working with the police to deal sensitively with the cases and ensuring that they record the incidents whenever they occurred.

For this study, ANANDI team was given access to the police records of the past two and a half years at the police stations where awareness shows were conducted by the folk media team of Devgadhi Mahila Sangathan. The study seeks to capture the women's perception of police response – its adequacy to ensure justice and provide ground police personnel's responses and perception to the phenomenon of witch branding.

The highlights of this study are as follows:

- Women are approaching the police to seek justice and not only relying on the traditional '*panch*' system.
- Very few complaints are taken seriously by the police as the number of FIRs filed is very few.
- Women who seek justice expect the police to take due steps such as arresting the accused and that their complaint be taken seriously.
- There is some evidence emerging that witch branding is being used as a tool to discredit not just women but to settle old scores between families and the accusation is added as an afterthought. Yet the impact of this on women is devastating and needs to be curbed.
- Awareness programs that bring out the negative impact of witch branding on women and exposing the severe form of injustice, using local folk media have a positive impact in curbing the practice.

Witch Branding and Police Response: A Case Study from ANANDI Gujarat

I. Background

ANANDI in Gujarati signifies *Joyfulness* and at ANANDI it is our endeavor that all our struggles and work help make this world a joyful place for all, especially the most vulnerable women.

ANANDI, which also stands for *Area Networking and Development Initiatives*, has been working for the rights of women from marginalized communities, forming women's collectives. Working towards changing the nature and direction of systemic forces which marginalise women has been an integral component of ANANDI's work. ANANDI engages with women from low income groups including women from tribal communities, migrant families, salt pan workers, marginal farmers, farm and construction labour and fishing community. ANANDI has been organising these women in collectives to become active agents of change to improve their living conditions and develop sustainable livelihoods.

The organization lays a strong emphasis on collective processes, through the empowerment approach. In the last few years ANANDI has seeded and developed seven local women led organizations with a collective membership strength of over 10,000 women and each of these organisations address different needs of its women members.

ANANDI has actively engaged in advocacy at the state, national and international level for women's safety and security by promoting women's concerns in the Campaign to End Violence Against Women, the Right to Food Campaign, Right to Health Campaign, Rights of Single Women Campaign, through revisions of the Mahatma Gandhi National Rural Employment Guarantee Act, through petitions to improve the access of social security schemes, housing rights, forest rights etc.

ANANDI's work on the issue of witch branding

In the Districts of Panchmahaals and Dahod, in Gujarat, ANANDI works in partnership with the Devgad Mahila Sangathan (DMS) and the Panam Mahila Sangathan (PMS), which are federations of women's collectives of the area. These collectives specifically work on the principle of gender justice and solidarity action. Both these federations have formed Nyay Samities, which are Justice Committees from among its leaders to define the strategy and undertake action on cases of violence against women. These have evolved as Alternative Dispute Resolution Mechanisms that use the rule of law and the women's human rights framework to ensure justice to women.

In this endeavour ANANDI's role has been to

- build the capacity of the PMS and DMS through perspective building,
- training of paralegal workers and
- advocacy at the local, state and national level with the state machinery, other NGOs and networks.

The journey of ANANDI's work on the issue of witch branding has been through the following phases:

- getting women to speak up about the phenomenon of witch branding in their own women's groups
- recognizing the pattern by which women are targeted as witches
- Understanding and highlighting the violence element as against the superstition element and building the confidence of the Nyay Samiti to deal with cases of witch branding.
- registering the cases with the police
- working with the police to deal sensitively with the cases and ensuring that they record the incidents whenever they occurred

Previously some of this work was put out in the form of print and audio-visual documents and studies by ANANDI. In the year 2004, after 9 years of community based work in the Panchmahaals and Dahod district, case narratives were documented to bring out the local contextual details of the phenomenon. In 2005, a film titled 'Aal' (Blame) was produced along with the Centre for Social Justice recording the testimonies of women from tribal communities, branded as witch, across several districts of Gujarat.

In 2007 ANANDI carried out a study based on the cases recorded in Gujarat and select case studies from amongst those women who had approached the Nyay Samiti's for support to draw out the characteristics of women who are branded as witch. A paper on this study was presented at the Eastern Region conference of the Indian Association of Women's Studies in 2009 held at Kolkata.¹ There were several vulnerability and power factors associated with women who were branded as witches. Among the cases reported from the study area it was found that very few had accessed the police and legal system. This indicated that the reporting to the police was mainly due to the presence of the Mahiti Kendra supported by ANANDI.

In 2010, three years after the earlier study the police records of 4 blocks were examined to understand if there was a change in the reporting of cases of witch branding to the police. We learnt that there are several women who are going to the police to record their complaints and this informed our strategy thereafter, of ensuring that the police record the incident as it has occurred with the woman and to support women to register cases with the police station.

Through 2011 to 2013 Nyay Samiti's and ANANDI's interventions were focused on ensuring that of all the cases that came to them, FIRs were filed in most of the cases. This led to regular dialogues with the police on how to record the case details and making sure that the police don't

¹ "The Practice of Witch Hunting: Recording the Voices and Oral Testimonies of Adivasi Women" at the Eastern Regional Conference of IAWS (2007) on the theme 'Feminism and the Production of Knowledge' in Kolkata (West Bengal), India. by Subhalakshmi Nandi and Sejal Dand

dismiss it as just mere superstition. Alongside this intervention to ensure that the police registered such cases ANANDI continued to work on creating awareness among the communities that witch branding is a form of gender based violence and not a matter of superstition.

Around June 2013 the District Police authorities approached ANANDI to undertake joint programs to create awareness around local women's issues and ANANDI proposed that the awareness campaign should focus on witch branding. It was agreed that the Folk Media unit of Devgadh Mahila Sangathan would develop a special play on the issue and perform it in public places on market days as part of this campaign. News spread to the neighbouring districts and the Devgadh Mahila sangathan conducted shows in collaboration with the police Department in Panchmahal, Dahod, Chhota Udepur and Mahisagar districts and the performances were conducted through early 2014 with a total of 43 shows.

ANANDI sought permission to access to the police records of the past three years at the police stations where the shows were conducted and the ANANDI team noted down all the cases where the term 'witch branding' appeared on the records. This data formed the basis of this study on witch branding.

II. Rationale for the Current Study

The police tend to document mostly the physical violence and the brutality for purposes of adhering to the law and the law does not recognize mental hurt or stigma as a crime. Thus this element of stigma and the significant impact of being accused as a witch tend to be subsumed and remain outside the formal state mechanisms. In such a scenario as elucidated above feminists need to find ways to document the experiences of indirect violence such as forced exorcism, fining, banishment and social ostracism so that this documentation can become available while defining the graded violence women face when branded as a witch.



With over a decade and half's engagement with the issue of witch-hunting, ANANDI was well placed to draw out nuances of the phenomenon from the point of view of women and local police.

II.1 Specific objectives of the study:

1. To document representative case studies and analyze other secondary data to understand the extent and nature of the problem of witch-hunting

2. To analyze potential cases of witch-hunting from police records to understand the response of the police to the crime.
3. To analyze provisions of the law including sections of the Indian Penal Code currently used to respond to the problem by the police and /or the judiciary
4. To come out with recommendations to deal with witch hunting based on findings of the study

III. Review of Literature on State Response to Witch branding

Literature review points to the dubious and uncertain definitions of witchcraft and witch hunting. The ambiguous status of state response is because of lack of clarity on whether the accusation has been based on actual real belief or whether it is being used for any other strategic purposes. The State's response however, has been divided in three approaches. The first approach outlines the sympathetic attitude of the governments towards the 'real' beliefs, which has been explained through an example from Brazil where witches have been prosecuted in proxy ways. Through another example of Zimbabwe, the approach of how a state supports the witchcraft related practices has been explained where government supports federations to identify witch finders and witch healers. The second approach which is considered to be most common is to outlaw the practice of witch hunting, usually found in places with a history of colonial rule. The implementation of the same has been on different levels; however, it has led to witchcraft practices being pushed underground in many places. The third approach is a mixed approach where gaps exist between the documentation and practice, because of the constant engagement of communities with the state representatives through negotiations and resistance.³

Among the cases reported from Gujarat, very few have accessed the police and the legal system. Puja Roy's⁴ paper indicates that the Bihar cases have been able to get police assistance, but only with the help of groups working on women's rights. This indicates that there is a need for the police system to be more sensitive and responsive to this issue and as stated above as well legislations need to be put in place for protecting the rights of women from this form of violence. Most importantly, it is only when women have access to the knowledge about the redressal mechanisms available to them and when they are mobilized for action around these issues, will there be an improvement in the situation.

IV. Methodology

The study is located in the intervention districts of ANANDI- Panchmahaals and Dahod⁵. The office of the District Superintendent of Police (DSP) collaborated with ANANDI and Devgadh Mahila Sangathan in the second half of 2013 to conduct joint awareness programmes and at the time of these performances, ANANDI team was given access to the police records of the past two

3. Piecing Together Perspectives on Witch Hunting – A review of Literature; Partners For Law in Development; Delhi, 2013.

4. Sanctioned Violence: Development and Persecution of women as witches in South Bihar. Development in Practice, 8 (2): 136-147, May – Puja Roy

5. In August 2013 a new district Mahisagar has been carved out of Panchmahaals and Kheda and hence Santrampur, Kadana blocks mentioned in this study are now part of Mahisagar district.

and a half years at the police stations where the shows were conducted. All the complaints in which there was mention of witch branding were noted down. All records accessed were for the period January 2011 to July 2013. The data mentioned here was collected in December 2013.

Identification of Cases

Given the short time period for the study we limited the selection of cases as follows:

- In Panchmahaals we shortlisted the two blocks where ANANDI has been working i.e. Shehera and Ghogamba and one other block, Morva was selected as this block had the highest number of cases recorded in the police stations.
- In Dahod two blocks were selected - Devgadhi Baria and Dhanpur both of which are ANANDI's intervention blocks.
- Since Mahisagar - a new district - was carved out of Panchmahaals and Kheda we included the two blocks which were earlier part of Panchmahaals but are now part of the new district i.e. Santrampur and Kadana

Thus in all, cases were identified from 7 blocks across three districts in Gujarat and in each of the blocks three cases were identified based on the type of case listing with the police station;

- i. Cases listed under A register** - cases that are referred to the police station by their superior office
- ii. Case listed under B register** - cases that are registered directly at the police station
- iii. A case in which an FIR has been lodged.**

In some of the blocks like in Shahera and Ghogamba there were no cases where an FIR was filed and hence the final number of the case studies came to 18.

Next the research involved taking the address of the complainant from these police records and the research team met the women to understand from each of them in detail the cause of the complaint and their views on how the case was handled and the outcome of their complaint.

For the research consent was taken from all the women regarding their participation but it was not always easy to get this consent as several of the women did not know the research team and in some cases they did not want to recount the painful experiences they had gone through.

Limitations of the Study

This study was done in a very short period of time and thus the number of visits the team could make to secure the qualitative information from the selected cases was only one or in a few cases maximum of two visits. In almost all the cases the woman and research team did not know each other. There was no time to verify or cross check with other family or community members in all the cases, in cases where they were not available during the visit made.

V. Findings

V.1 District wise Police Response

V.1.1 Panchmahaals

Police Station	Block	2011		2012			2013			Total
		A Reg.	B. Reg.	A Reg	B Reg	FIR	A Reg	B Reg	FIR	
Shahera	Shahera	4	32	3	26	0	0	5	3	73
Ghogamba	Ghogamba	1	15	5	24	2	0	7	0	54
Pavagadh	Halol	0	1	1	0	1	0	0	0	3
Jambughoda	Jambughoda	0	0	0	0	0	0	0	2	2
Morva	Morva	3	27	0	31	0	1	7	2	71
Total		8	75	9	81	3	1	19	7	203

Police response in Panchmahaals:

Five police stations of five blocks were covered under the study in Panchmahaals district and in all 203 cases were registered since 2011. In this district in the year 2011 there were no FIRs filed, but we see that from the year 2012 the number of FIRs being filed has increased, but at the same time the overall complaints registered has decreased. In this district 86% of the women who came to the police station were able to record their complaints and in less than 9% of the cases the women had to approach the higher authorities to get their complaints lodged. Only in 5% of the cases the FIRs have been lodged. Going by the usual trend, it is most likely that in those cases where the FIR has been file or when registered under A register, investigation procedures have been taken up more systematically than when filed in the B register.

V.1.2 Mahisagar

Police Station	Block	2011		2012			2013			Total
		A Reg.	B. Reg.	A Reg	B Reg	FI R	A Reg	B Reg	FI R	
Santarampur	Santrampur	0	3	1	4	0	0	3	0	11
Kadana	Kadana	0	3	0	24	0	0	5	0	32
Ditvas	Kadana	0	0	0	2	0	0	0	0	2
Total		0	6	1	30	0	0	8	0	45

Police response in Mahisagar:

Mahisagar was carved out as a district as recently as of 15th August 2013 and has some of the blocks previously under the district of Panchmahaals. Three police stations 3 blocks were covered under the study. While there have been no FIRs in the year 2011, as in Panchmahaals district, there have been no FIRs in the past two years on the matter of witch branding in Mahisagar district. Nearly all the cases have been registered at the police station without the intervention of the higher authorities.

V.1.3 Dahod

Police Station	Block	2011			2012			2013			Total
		A Reg	B Reg	FIR	A Reg	B Reg	FIR	A Reg	B Reg	FIR	
Sukhsar	Fatehpura	0	1	0	0	8	0	0	3	3	15
Fatehpura	Fatehpura	0	1	0	0	4	0	0	0	0	5
Limkheda	Limkheda	7	5	0		1		3	10		26
Zalod	Zalod	0	5	0	1	2			2		10
Limdi	Zalod	3	5	0	3	6	0	4	2	0	23
Sanjeli	Sanjeli	0	2			1		1	5		9
Garbada	Garbada	1	7			6			5		19
Dahod Rural	Dahod	5	2	0	8	5	0	3	21	1	45
Dhanpur	Dhanpur	8	3		4	7	1	0	10	1	34
Devgadh Baria	Devgadh Baria	7	18	2	6	9	2	3	12	1	60
Total		31	49	2	22	49	3	14	70	6	246

Police response in Dahod:

The maximum number of police stations covered under the study fall in Dahod district and consequently the number of cases is also the highest. It is only in Devgad Baria block where ANANDI has worked for over a decade that we find that in 2011 two FIRs have been filed with the police station. In none of the other blocks in the year 2011 did we find any FIRs registered by the police. The total number of cases i.e. 60, recorded at Devgad Baria is also the highest which can be attributed to the long standing work on the issue being done by ANANDI and Devgad Mahila Sangathan.

Overall police response:

During the period from January 2011 to July 2013 of all the three Districts covered under the study the research team was able to identify 494 cases out of which

- the total number of cases listed under A-register are 86;
- the total number of cases listed under B register are 387 and
- the total number of cases where a FIR was lodged is 21.

Of the total number of cases 78% have been registered when the women have approached the local police stations. *This points to the fact that women are reaching out the police stations to record the violence they face and are no longer accepting it as mere superstition.*

The three year data indicates that only 4% of the complaints are registered as FIRs, pointing to the extremely low importance that the police accords to the violence that these women face when branded as a witch.

Going by the numbers, women have approached higher authorities to get their complaint registered but not all of the A-register cases have been converted into FIRs. One can therefore infer that women survivors of violence have stepped out of their homes and villages and gone

right up to a district police office to bring to notice the violence they are facing when branded as a witch. However, the police seem to have fallen short in taking adequate steps to bring justice to these women. In cases of complaints noted as A register, the local police staff would make a visit to the home, or call the accused and the complainant to the police station and file a report that is sent to the higher authority. To that limited extent one can say that A register cases get better attention than the B register cases.

V.2 Profile of the Sample

As stated in the methodology section about 21 cases were identified, out of which, the research team could meet 18 women. The subsequent sections covers information derived from the cases with whom researchers carried out a detailed interaction.

V.2.1 Caste

While 50% of the sample is predictably from the ST community, it is noteworthy that 39% of the sample is from the OBC community and 11% are from the SC community. This trend validates earlier studies that have shown that the practice is not limited just to tribal communities that still follow traditional healing and are therefore significantly influenced by the belief systems of the local healers - the 'badva-bhuva'.⁶ It indicates a more serious phenomenon, where in patriarchal forces absorb different culturally rooted practices to commit violence against women. The SC and OBC community in non tribal areas are less likely to name women as witch as there are no other communities that validate this practice in that geographical location.

Caste	No
ST	9
OBC	7
SC	2
Total	18

V.2.2 Marital Status

Of the 18 cases that the team got to interact with, 17 were married and living with their families.

It is noteworthy that this data was not easily available from the records made available to us and the status had to be inferred from the description given in the registers. In some cases they mentioned the complainant as widow of the deceased husband, in some cases they mentioned her name as 'wife of' and or 'daughter of' and in some cases this was simply not mentioned. Even where it was recorded there was a mismatch between the police records of the marital status and the actual status of the women when we met them.

Marital Status	No
Married	17
Widow	1
Total	18

Earlier studies have shown strong linkages between single women who have inheritance rights and the use of witch branding to disinherit them. Therefore there is a need to record this clearly as a vulnerability factor while recording the case details.

⁶ Studies and articles (e.g. Adivasilok - Gujarati periodical) and our own field experience indicate that there is a difference between "Bhagats" the traditional healers who possess knowledge of the various natural forms of healing and treat the local communities with this knowledge and the 'Badva Bhuva' who exploit the ignorance of the communities regarding illnesses and their causes to extract money and material for personal gains and promote superstitious, illogical and sometimes harmful actions as "treatment".

In the sample there are a large number of married women, 17 out of 18 cases, who have reported that they had the support of the family in registering the case. In many cases, the husbands had accompanied the women. This is likely due to the fact that these are derived from the police records and single women are more likely to be afraid of going to the police station to register a case on their own. The high number of married women filing cases implies that actually these women were able to draw upon the family support to go and report to the police station which is otherwise perceived as a hostile place.

V.2.3. Age

Majority of the women are above the age of 35 and needs to be understood in the local context, where, marriages take place as early as 13 -14 years of age. Thus this data, when seen along with the marital status data, points to the fact that women who have been branded as witches have had a considerable number of years of family life.

Age	No
19 to 35	4
36 to 50	8
more than 50	6
Total	18

V.2.4 No. of children

The sample cases fall within the normal pattern of children per family for the region and therefore can be considered representative.

Earlier studies have indicated that not having a child or a male child or heir is linked to women being branded as a witch. We found that in one of the cases the woman was branded as a witch by her husband's uncle as they wanted to get her husband discredited and make him ineligible to inherit the land that her father-in-law owned. In this case the husband was an adopted son and hence his uncles used the 'tool' of witch branding to ostracize him.

No of Children	No
Childless	2
2 children	5
more than 2 children	11
Total	18

V.2.5 Occupation

Here too one finds that occupations that the sample cases follow are similar to that of the population of women in the tribal districts. Most tribal families own some piece of land which provides for subsistence living for a few months in the year and several tribal families of this region migrate out for work. In this sample of women only one woman has reported migrating out for work and hence on this parameter the sample may not be fully representative of the population as we know through experience that there is substantial migration taking place in these districts.

Occupation	No
Farming	10
Wage worker	3
Migrant labour	1
Others	5
Total	18

V.2.6 Impact on Livelihoods

Impact	No	%
Forced to migrate out to work	2	14.3
Unable to work due to physical violence causing disability	3	21.4
Unable to cultivate in own land- farming affected	4	28.6
Lost control over property	1	7.14
No response	4	28.6
Total responses	14	100

All studies on the subject prove that labeling of women as a witch and the violence faced by them and male members of their families affects the livelihood of the entire household. In this sample, however it is significant to note that almost 30% of the respondents did not give details of their experience of violence and the negative impact on their livelihoods and survival. Our understanding is that this could be due to several factors - fear of further setbacks, persistent inaction of the police leading, delay in access to justice, not wanting to relive the painful situation of the past, all of which lead to a sense of hopelessness. An equal number of respondents mentioned that they were displaced from their own land as they were seen as causing threat for the family members and their ability to cultivate their own land. 21% of the respondents said that due to the physical abuse and other forms of violence which was meted out to her and other male members of family, they were unable to undertake agricultural work.

V.3 Police Response

In this section we look at what has been the police response right from registering the complaint to handling of the case through the court procedures.

V.3.1 Type of Complaints

Of the 18 cases, the maximum numbers of complaints have been listed under the B register i.e. 8 out of which 2 are registered under both A and B register and 5 are listed under the A register and 3 out of the 18 were complaints registered as FIRs.

During the interactions with the women and the police it has emerged that an FIR is lodged when there are external visible injury marks on the complainant or when there has been an attack on the property or a case of violence on the relatives of the women who has been branded as a witch.

A case that gets referred to the police station from the District Superintendent of Police gets registered under the A register. This can imply two possibilities - firstly that the woman and her family were not satisfied with the response at the local police station and therefore went to the District office or secondly it could mean that the complainant simultaneously sent the application to the DSP's Office as well as the local police station and hence we have 2 cases that are listed under both A and B register. In the present study, we know that 4 women went to the district officials when they saw that the local police station was taking no action on their complaint.

V.3.2 Cross Complaints

It was found in 4 cases that the accused had filed a cross complaint against the woman complainant or someone close in her family. In cases where such a situation arises the police call both the parties and take bail applications from both the parties. When there have been cross complaints it usually leads to the police calling both the parties and they do play a role in arbitration process and to some extent the women feel that there is a hearing given to her case and have appreciated the same. But in such cases we see that the outcomes need not be favourable for the woman who has been branded as a witch. It has meant that the women or her family members have had to apply for bail although it was the woman who had been a victim of witch branding.

V.3.3 Bail Applications

Of those 18 cases there were 3 bail applications, 2 were filed in court, 1 with the Magistrate at the block level. In 15 cases there are no records of whether there were any bail applications and even the women we met were unable to say for sure whether the accused had applied for bail or not.

V.3.4 Description in the complaint

We learnt during the course of this study that the common causes for being branded as a witch in these the 18 cases was related to illness, death of family members or livestock, a land dispute, to settle old family feuds, in cases of refusal of sexual advances, and to filing of cross complaints.

However, none of these details were recorded in the police complaints; and we learnt of these reasons from the women. This again indicates that there is a disconnect between the violence that women are experiencing and the limited way in which it is being captured in the police records. This has implications on the subsequent action that police would take and whether the women are satisfied with the action taken.

We will also see in the subsequent sections that witch branding continues despite filing police complaints and the women get no respite.

V.3.5 Complainants satisfaction with the police procedures

Only in 16% of the cases have women reported that they are satisfied with the police procedures and only in these cases has the police even called the accused or arrested them. In 50% of the cases women expressed dissatisfaction as the police either took no action, or asked for bribes and the violence continued unabated. Some women reported that they had to go to the higher authorities at the district level or approach the court to get their complaint registered.

V.3.6 Police and Panch Process

Out of the 18 cases 8 women had either approached the *panch* – (the traditional dispute resolution mechanism of their community prevalent among both the tribal and non tribal community) or were engaged in the panch simultaneously. In 7 cases there was no definite response about the role of the panch and in 2 cases there was clearly no involvement of the *panch*.

Of the 8 cases where the panch was involved in 4 instances the accused did not follow the ruling and continued to harass the women; in 2 cases no decision was arrived at and in 2 cases they were able to arrive at a solution that was acceptable to both the woman and the accused.

This points to the shift that seems to be taking place where in there is an increasing effort to use the rule of law. One could also consider this to be a kind of 'tipping point' towards a decisive shift in the use of the formal legal procedures to deal with witch branding. One could say that there is a growing understanding among the women that relying only on the traditional redressal system leaves them with few chances of survival and support.

V.3.7 Satisfaction with the Police Response

Out of the total 18 cases, in 3 cases women reported that they were satisfied with the police action as the police had either arrested the accused or because the police action had forced the accused to come to the arbitration process of the panch.

In the instances where the women were not satisfied with the police the reasons they listed were as follows

- They did not file an FIR and instead only registered a general complaint.
- There was no cognizance of the loss of dignity being faced by the women on account of witch branding
- The police unable to provide her any protection when she goes back to the same circumstances
- The woman was coerced into giving her thumb impression on a piece of paper, which she was unable to read
- No action was taken on the complaint filed by the woman
- The accused got bail and is free and she fears further harassment.
- Police took money from the complainant and did not take any action in the case
- Had to approach the court to get her complaint registered.

V.3.8 No of visits to the Police Station

In order to understand how responsive the police are in each of the cases, the question about number of visits to the police station was posed to the women. Each time these women go to the police station it is most likely that they would have to forgo a full day's wage and if she is accompanied by a family member then that person's wage is also lost; and they would also have to incur the additional travel cost from their village to the police station.

In 8 of the cases the women have reported going twice to the police station in connection with their complaint and in three cases the women reported having to go ten times, five times and four times respectively. In other cases they had to go about three times atleast.

As can be inferred from the previous section, the police also engage in arbitration to get the matter settled and this is one of the reasons for the high number of visits to the police station that the

women have had to make. Some women reported going to the police station to follow up on the progress of action taken in their cases as well.

The number of visits to the police station needs to be weighed against the number of times the women called the 'panch' – one in 4 cases; three to four times in 2 cases and more than five times in 2 cases. Further probing would be required to understand how the women perceive the repeated visits that need to be made to police and the 'panch' to seek justice.

The number of visits undertaken by the women and the expenses incurred also become significant as an indicator of women's persistence to secure justice.

V.3.9 Mediation of Complainant's access to the Police station

In sixteen cases, the women were accompanied by the family members, mostly her son, or husband or brother. In one of the cases the village elders went with the woman to get her complaint filed as the accused was paying no heed to the decision of the elders/'panch'.

The finding among the sample, that most of the women are married is divergent from earlier studies where being single is a strong reason for witch branding. We believe this needs to be probed further, as one of the trends we are noticing is that witch branding is used not just to discredit the women, but also to discredit her immediate family or to save oneself from being accused of a crime. For instance in one case, in this study the accused had actually committed a theft at the place of the woman and when he realized that they have found out that he committed the theft and were going to report him to the police, he started accusing the woman of being a witch. He thought by doing so he will be able to arbitrate that only if the woman agrees to ignore the theft would he stop calling her witch.

V.3.10 Perception of Justice

Perception	No	%
Police action and Justice with dignity	7	50%
Panch to intervene and demand for perpetrator to seek forgiveness for the indignity towards women	5	36%
No response	2	14%
Total	14	100%

As we compare the data from all police stations, the number of applications registered in register B are more than the number of FIRs filed, implying that many more women and their families approached the police to seek respite from violence, trauma and justice. When asked, 'what is justice according to you?', 50% of the respondents said that punitive actions on the part of police are crucial for restoration of peace and livelihoods and 36% of the respondents said that the Panch should put social pressure on the perpetrator to admit and stand guilty.

V.4 Other characteristics of the phenomenon

In this section we look at the other factors reported during the study, which are not directly linked to the police response but provide valuable insights into other aspects of the witch branding phenomenon in the area.

V.4.1 Relation with accused

In an overwhelming 13 times out of the 18 cases, the accused belonged to the same family as the woman, in two cases it was a neighbor and in yet another 2 cases it was the family and the neighbor who got together to name the woman as a witch. In one case the accused was neither family nor a neighbor.

This finding corroborates earlier findings on the phenomenon, where in witch branding is used to curb the woman's right to live with dignity which is linked to either denying her property or they find that she is a strong woman who can live independently and that does not go down well with them.

V.4.1 Expenses incurred during the case

The women reported the following types and amount of expenses they had to incur with regard to the cases file.

- ★ Up to Rs. 1000 on travel expenses
- ★ Medical expenses ranging from Rs. 600 to Rs. 1 lakh.
- ★ Payment to the police
- ★ Advocate fees and expenses
- ★ Expenses when they call the 'panch'

These findings indicate that the women have to bear several expenses when they seek justice and for poor women dependent on wage work it is most likely that they would have to either borrow at high rates or mortgage some of her assets to raise the money. This only points to the economic hardships faced by women over and above the social and cultural ostracism they face on being branded as a witch.

V.4.2 Response of the Court

None of the cases had come up for hearing in the cases selected for detailed interaction. The only experiences of the courts were related to seeking bail when there were cross complaints filed and the woman had to apply for bail, and in one instance when the police was registering her complaint.

V.4.3 Impact on social relations

For a woman, being branded as witch implies a loss in social status and dignity. The other members of her community dissociate themselves from her either because they are afraid or because the customary norms demand it. The following are the changes listed by the women in their social relations as perceived by them:

- ★ Unable to go the part of the village where she earlier resided for festivals or even to pay her respects during the death of any community members.

- ★ Husband has decided to marry again as the first wife is accused of being a witch.
- ★ Cannot attend the marriage functions of her immediate family members.
- ★ Have found it difficult to find a suitable match for their children's marriage.

V.4.5 Residence after the incidence

Three women out of 18 had who were branded had to leave their homes after the incidence as it was too much for them to stay in the same locality.

VI. Responses of the Police Staff

As part of the study the research team met with at least one police staff in each of the three districts at the police stations from where the data was collected. It turned out that in all the three districts the interviewed staff were either the Police Sub Inspector or Assistant Police Sub Inspector that gave the responses. There was an interview schedule that they all filled out and later they also spoke about their experiences. It was found that in many cases the police inspectors had been transferred since the data collection from the registers.



VI.1 Duration of Service in the tribal area

The years of experience of working in tribal area ranged from 3 years to 20 years and in that specific police station from two months to 15 years. Thus one can assume that most of the police staff interviewed had a fair to considerable amount of experience of working in tribal areas, thus giving a certain amount of credence to their responses.

VI.2 Police perception of causes of witch branding

All the police official respondents replied in the affirmative for all of the following causes of prevalence of witch branding

- ★ Tribals are illiterate and are generally a backward community
- ★ Tribals believe in traditional healing systems and the “*badva-bhuva*” (shamans)
- ★ It is a form of injustice to women
- ★ It is a means to remove women from their land and property inheritance claim
- ★ When two families quarrel, witch branding is used as a means to settle scores

None of them ticked the option – “To settle old family feuds.”

Thus one sees that the police are able to see the links between the violence perpetrated on women

due to the practice of witch branding, however as stated earlier these reasons are not cited in the register. Based on these findings there is an urgent need to foreground these issues so that they get the due attention.

VI.3 Factors that promote the prevalence of witch branding

According to the police the practices that are responsible for keeping the witch branding practice alive are several and include the following:

- ★ High rates of alcoholism
- ★ Village elders propagating the same
- ★ Lack of a legal proviso nor a strong law against witch hunting

One of them agreed that women are afraid to approach the police station, but the other two officials felt that women are actually coming to the police station and they have nothing to fear. However it is not borne out by the fact that 17 out of 18 women came to the police station with either family members or village elders.

During the discussion, the police staff elaborated on a common practice in the area - when there is quarrel or conflict the aggrieved parties approach the 'complaint writers' usually found in the larger villages and towns. These complaint writers take fee to write up the complaint with which they approach the police station. The police shared that often the 'complaint writers' suggest on their own to the party 'adding of words, events' which they believe will are likely to get better attention from the police. Thus the police find that witch branding is sometimes just added and may not have really taken place.

VI.4 Steps that can effectively address the problem of witch branding

Five options were presented in the questionnaire and the police were asked to rank the steps to effectively deal with witch branding. The options included Legal remedies such as widespread awareness about laws that protect women; a strong law against witch branding and the presence of a women constable in all police stations, were among the top options suggested by the police. The fourth and fifth options were to promote women's collectives to support women survivors of violence and the improvement in health services.

The police sub inspector of Morva stated that after the shows have been put up by the Devgadh Mahila Sangathan, there has been a change in the nature of detail being reported in cases where women are branded as witches. According to him there is a reduction in the number of false cases of witch hunting as well.

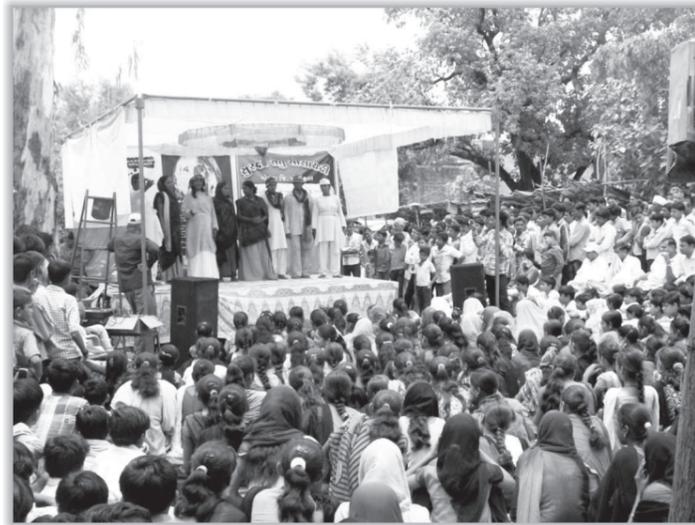
VI.5 Other observations of the Police

The Assistant Police Sub inspector of Santrampur stated that while there is a need to improve the laws and support systems for women who are branded as witches **there is a need to look inside the police system itself**. Even the constables posted in the area belong to the same communities and share the same belief systems that promote the witch phenomenon and **there is a need to create awareness and sensitivity around the issue of women's violence and witch branding among the police staff too**.

VII. Conclusions

This study was conducted in a very short period of time to specifically bring out the police response to the problem of witch branding. The highlights of this study are as follows:

- ★ Women are approaching the police to seek justice and not only relying on the traditional 'panch' system.
- ★ Very few complaints are taken seriously by the police as the number of FIRs filed is very few.
- ★ Women who seek justice expect the police take due steps such as arresting the accused and that their complaint be taken seriously.
- ★ There is some evidence emerging that witch branding is being used as a tool to discredit not just women but to settle old scores between families and the accusation is added as an afterthought. Yet the impact of this on women is devastating and needs to be curbed.
- ★ Awareness programs that bring out the negative impact of witch branding on women and exposing the severe form of injustice, using local folk media have a positive impact in curbing the practice.



VIII. Recommendations

The key recommendations emerging from this study are

- ★ There is an urgent need to improve the police response when women approach the police station with complaints of being branded as witch.
- ★ A strong message needs to be sent across all levels in the police, from the top levels to the lowest level at the police stations that witch branding is not a matter of superstition but a severe form of violence against women and hence needs urgent and effective action.
- ★ Legal provisions need to be in place - more specifically there is the need for a special law to deal with the practice of witch branding, with specific sections that can effectively deal with and lay down procedures to stop the problem of witch branding and aim at strengthening the demand for better police action.
- ★ Continuous awareness programs in areas where witch branding is common, and the same needs to be supported by the police and the government.
- ★ More in-depth studies need to be undertaken to strengthen evidence based advocacy against witch branding.
- ★ Supporting women's collectives to reach out to women survivors of witch branding is an important role that cannot be replaced by police and legal action alone. These women need visible support on the ground to counter the accusations and harassment they face.

Annexure I

Questionnaire guide for women

Name of Interviewer:

1. Name :
2. Age (in years) :
3. Marital Status : Never Married/Married/Divorced/ Widow
4. Education : Illiterate/Less than Class X/Less than Class XII/
Graduate/Post Graduate/Other (Specify)
5. Occupation : Self Employed /Home Maker /Unemployed /
Farmer/Other (Specify)
6. Caste/Tribe :
7. Village :
8. Block :
9. District :
10. Police Station :
11. Change in Place of Residence: Did you have to shift your place of residence after branding as a witch?
12. Land Ownership : Yes / No
13. Area of Land owned :

Type	Kheti	Kharabo	Jungle		
Amount					
Ownership					
Control					
Dispute					

14. 12. 1 If land under dispute: (Explore what is the nature of the dispute - it could be do with ownership, control, structure built on it, livestock, trees - fruits, fuel and so on) In whose name is the land currently - Husband; Father in Law, Self, Others- How much land will you inherit? Etc)

Kheti Jamin under Dispute:

(Describe if the dispute is over ownership, sharing of yield, control)

Reported to Panch	Reported to Mamlatdar Kacheri	Reported to Prant Kacheri	Reported to Collector	Reported to Court

12.2

Kharabo Jamin under Dispute:

(Describe if the dispute is over ownership, sharing of yield, control)

Reported to Panch	Reported to Mamlatdar Kacheri	Reported to Prant Kacheri	Reported to Collector	Reported to Court

12.3

Jungle Jamin under Dispute: (Describe if the dispute is over ownership, sharing of yield, control)

Reported to Panch	Reported to Mamlatdar Kacheri	Reported to Prant Kacheri	Reported to Collector	Reported to Court

15. Have you been approached for sexual favours by any of the attackers?: Yes/No

16. Relationship with attackers : Neighbours/Family/Others (Specify)

17. Is there a history of being attacked by the same attackers? : Yes/No

Detailed Interview

Detailed Information on the case

On Police complaint

1. Did the police accept the complaint in the first instance? : Yes/No
2. Whom did you approach when the police refused to file the complaint?
Senior Official/NGO/Parents/Nobody/ any other
3. What kind of complaint was filed with the police? :
a. General Diary/FIR/Verbal Complaint / unable to explain
4. Did the police act on the complaint?: Yes/No
5. Were the attackers chargesheeted and produced in court? : Yes/No
6. What IPC sections were the attackers charged with? :
Section _____ / Don't know
7. Did the police ask for money? For what?
8. Are you satisfied with the procedures followed by the police?

On the Court related Response (If the case was registered under FIR)

9. Did the matter come up in court?
10. Did you receive any summons?
11. Did you have to pay any money to the court officials?
12. Have you hired a lawyer?
13. What are the fees paid?
14. Please state the outcome of the case if a verdict has been announced?
15. Are you satisfied with the court order?

Causes of branding

1. Why do you think you were branded a witch? (land/ unexplained illness/ unexplained deaths etc – probe any other)

2. When did the branding begin? (month/Year)
3. What was your immediate family's reaction to your being branded as a witch? Did they support you?
4. What was your neighbourhood's reaction to your being branded as a witch?
5. What was the outcome of you being branded as a witch?
6. Which government institutions did you approach for help?
7. What was the attitude of the government institutions?
16. How many times have you been to the
 - a. Police
 - b. Panch
 - c. Sanstha
 - d. Court
17. What is the nature of justice you seek?



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