

**WORLD ELDER ABUSE AWARENESS DAY
6 June 2019.**

**“Access to Justice: Legal, Social & Economic Services for
Older Victims of Sexual, Physical and Financial Crimes”**

**Physical Assaults arising from Accusations of Witchcraft
Presentation by Ranjit Jayanti, Guild of Service, India.**

I am Ranjit Jayanti and I represent the Guild For Service of India at the United Nations . Our Chair, Dr. Mohini Giri is a recipient of the Rosalie Wolf Memorial Award from INPEA in 2014, for a life time of demonstrated dedication in the service of “elder abuse”. Dr. Giri requested me to convey her greetings to President Susan Somers and to thank INPEA and all the sponsors of this event to raise awareness of elder abuse and against older women in particular.

The Guild of Service has been focusing, inter alia, on the empowerment of underprivileged women and children with special emphasis on widows and violence against women in all its dimensions. The Guild is running 3 shelter homes, 3 family counselling centres, 5 capacity building centres, 3 production centres and 3 schools for under privileged children across 4 States. Our website: www.guild.org.in. There are 43 million widows in India. Most are from poorer homes and lack awareness of their basic rights and least of all how to seek social justice. There are some 650,000 villages in India and they constitute about 65% of India’s population. My talk will use the Indian situation as an example of the elder abuse in the South East Asia region as we share a common culture and religious affiliations/backgrounds.

I am to speak about the physical assaults arising from accusations of witchcraft. So yes there is still some witchcraft practiced in the remote tribal areas and some primitive village communities in India but please keep in mind that there are 1.3 billion people inhabiting this space and therefore a few hundred incidents of witchcraft abuse annually do not constitute the core culture. Witchcraft is just another phase of patriarchy and suppression of women, particularly empowered women.

There is a deep set culture of superstition and discrimination against older widows and single women in India and in communities in the South East Asia region. The notion that some women are “cursed” or possessed by the devil and have paranormal powers, dates back to many centuries. Women who have deformed or disabled children may be perceived as “witches” who have been punished by God. Widows and single older women may be dubbed as “ill luck” elements in the community that are responsible for any ills that befall the community. This may include, bad harvests, illness or sudden death , infertility, failed rains and conflicts. Witch hunters, usually men, make it their responsibility to identify these witches and initiate their abuse emotionally, physically and financially, taking over their properties. Oftentimes the family is involved when elderly widows have property and instigate the entire village. The witch hunters also seek out women who are healers or counsellors and empowered in their community. They brand them as witches to maintain their patriarchal supremacy.

In the case of India, known cases of witchcraft are prevalent in remote villages and tribal communities in 12 states. The witch hunters target older women and widows who are already vulnerable from a life time of gender, caste, and class discrimination, in order to take over their property. The local police are unable to prosecute cases for lack of adequate evidence as witnesses are fearful and the case is dismissed. Many cases of abuse remain unreported because of fear on the part of victims and their families from the witch hunters for fear of reprisals against them. Access to social justice becomes very difficult!

I cite two articles from BBC News dated 30 January 2019 and 19 February 2018:

“India Witch Hunters kill mother and 4 children

The woman and her children were found dead in a well near their home.

... ..On 25 January, a group of men broke into Ms. Munda’s home late at night when she and her two sons and two daughters – aged one, four, seven and 12 respectively – were asleep. They attacked them with wooden sticks and an axe before dumping their bodies inside a well.”

This occurred in Sundergarh district of Orissa.

“Indians who ‘abused witches’ arrested by police – 19 February 2018

... the 65 year old woman and her daughter, 35, were allegedly stripped naked, made to walk through the streets, and forced to eat human excreta. They had been accused of spreading an illness in the village, the daughter told BBC.”

Simply to illustrate that witchcraft has not completely died out in India as also in South East Asian countries. In countries such as Thailand and Indonesia the so called “witches” are referred to as sorcerers or magicians. In India and generally in the region, the situation has improved enormously with access to mobile phones, televisions, radio and other means of communications. The villagers are better informed and less superstitious. Education is a huge factor in eliminating the cultural superstitions and practices. Witchcraft is extinct in the States which have a highly educated population such as Kerala, Goa, Meghalaya and urban India.

In the Indian case various state governments have passed laws to punish anyone who indulges in witch hunting. Bihar, a most backward State, passed Prevention of Witch Practices Act in 1999. Jharkhand passed the Anti Witchcraft Act providing legal recourse to abuse, in 2001. Rajasthan passed a law in 2006 - Prevention and Protection from Atrocities.

These are a few examples of the access to justice but the implementation is weak. India needs a national binding legislation penalizing witch hunting. This would empower the NGOs working for Social Justice and Women’s Rights. (One such NGO is Rural Litigation Entitlement Kendra) to follow up on any cases. Sensitizing the police and welfare departments on this issue is being strengthened continuously through the Ministry of Women and Child Welfare.

It is relevant to mention that a Public Interest Litigation was launched in the Supreme Court in India to protect the rights of widows in 2017. The Supreme Court appointed an Expert Committee of six experts to look into the matter. Our Vice President, Meera Khanna, was invited to be a member of the Committee. The Committee’s recommendations were accepted by the Supreme Court in their entirety. The Supreme Court sent the recommendations to the Government with a directive to implement them.

In 2004 the Indian Parliament amended the Hindu Succession Act to give Women Equal Inheritance Rights. In 2005 The Government also passed an Act on Domestic Violence against Women (Prevention & Protection), despite the fact that there exists a criminal law to prevent violence against women. The Act is unique in that it was drafted by an NGO, The Lawyers Collective, in consultations with other women's groups, activists and lawyers.

In conclusion we reiterate, with emphasis on instances of witch hunters across the globe, that these are all dimensions of gender injustice. Some examples include reproductive rights, lack of political participation, unequal pay, unequal social security benefits, and glass ceilings. As long as the world remains gender unjust and uses insidious practices to suppress women, witchcraft is likely to continue. So let us raise our voices for 50% of the population to help them find their voices.

All this is to illustrate that the abuse of the elderly, who are mostly women, Further fortifies our advocacy for a Convention on the Rights of Older Persons.

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