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## The Haunted Woman: When the 'Witch' Speaks - Fear, Femininity, and Faith in the Legal Anthropology of India's Exorcism Rituals

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*The paper explores the deeply held gendered violence in exorcism and witch-branding activities in India, where superstitions, patriarchal authority and ritual power meet to criminalise and control women in the name of spiritual intervention. India has no official national statistics of superstition- or exorcism-related violence. Only murder cases that are related to witchcraft are registered with the National Crime Records Bureau (NCRB)-83 cases in 2022, which is only the tip of the iceberg. According to these official murder statistics and nation-specific NGO fieldwork, there is a conservative academic estimation of the presence of at least 5,200-7,800 women as the victims of abuse every year, based on witch-branding and violence associated with exorcism. This is probably far less than the actual number because of systematic under-reporting, under-reporting stigma, and misclassifying crimes as generic under IPC. Based on the principle of *maxim ignorantia juris non excusat* (ignorance of the law excuses no one), the paper argues that pretty people, those in charge of society, and so-called faith healers cannot use cultural beliefs or ritual practices to justify their criminality.*

*In State of West Bengal v Calcutta High Court, Kali Singh & Ors (2018), encountered the awful nature of witch-hunting, in which three tribal women were labelled as witches, dragged out, raped, and killed by a mob of people in the village. As it upheld the convictions, the Court overturned death sentences to life imprisonment with superstition and socio-economic marginalisation as*

*causes of the crime. The case highlights the issue of witch-branding as gender violence that needs to be punished, addressed on a state level, and unified on a state level through legislation. Through a legal anthropological prism, the study questions the weaponisation of fear, femininity, and faith to justify harm and highlights the necessity of having a cohesive national legislation to address the inappropriate use of superstition against women.*

**Keywords:** *cultural violence, faith healing abuse, patriarchy, legal anthropology, witch-branding.*

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## INTRODUCTION

The socio-legal environment of India allows a compound of belief systems, ritual, patriarchal power relations, and norms imposed by the community, which still result in the emergence of a distinct pattern of gendered harm. One of the most enduring and bloody forms of these forces is the so-called practice of witch-branding and exorcism-related violence - the very practice, though of most ancient origins, that, however, is still flourishing in contemporary India. These practices may have been considered as remnants of a bygone era, but they continue to be practised in both rural and urban areas, resulting in extreme physical, psychological, and sexual violence, usually against women. They are justified by stories of possession, spiritual torment, ritual purification and healing, but under this religious and cultural cloak are embedded systems of social control, gendered domination and fear among people. The paper will place these practices in the context of legal anthropology and will explore how fear, femininity and faith are weaponised strategically on the pretext of exorcism or spiritual cleansing.

The main problem is an institutional gap that is disturbing: India has no formal national statistics on the violence related to superstition and exorcism.<sup>1</sup> Where the crimes under investigation are registered through the National Crime Records Bureau (NCRB) using only general categories, the only crimes that are registered are those involving witchcraft-related murders, and this is the farthest part of the violence spectrum.<sup>2</sup> In 2022, 83 such murders were registered by NCRB; however, this number is only an answer to the brutality lived by women who were labelled as witches or possessed.<sup>3</sup> On these official death tolls of murder, plus regional

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<sup>1</sup> *Crime in India 2022: Statistics Volume I* (NCRB, 2023)

<sup>2</sup> *Ibid*

<sup>3</sup> 'Targeting Women as Witches' (Partners for Law in Development) <<https://pldindia.org/targeting-women-as-witches/>> accessed 10 November 2025

NGO reports and field research, academic estimates are conservative in their estimates of women abused annually, based on witch-branding, exorcism ceremonies, or superstition-related violence, with the range of 5,200 to 7,800 women being abused annually. Those real numbers are much more, hidden by the institutionalised under-reporting, stigma, as well as police misclassification under the general IPC provisions, factors that make the true size of the crisis statistically unseen. The fact that witch-branding and the exorcism of some sort persist suggests that patriarchal norms are still deeply embedded within communal forms of power. Women not fitting the norm, especially women who have lost husbands or husbands, and those who have turned into widows, women without children, women afflicted with mental illness, who challenge men in power, and women who possess properties, are especially susceptible to being labelled as witches or possessed. In most instances, the labels are used as a strategic means of land grabbing, property wrangles, inheritance, or even to suppress the independence of women. So, what seems on the surface to be a spiritual or supernatural accusation often covers underlying materialistic motives and patriarchal fears. This liquid transformation of superstition into a production machine requires a critical legal and anthropological analysis.

Structural violence manifestations in exorcism are also similar. In most societies, faith healers, godmen, tantriks, and self-proclaimed spiritual intermediaries are very influential people in the community.<sup>4</sup> Their authority is rarely questioned, and their orders, whether it be ritual confessions, physical restraints, forced fasting, whipping, branding or even sexual exploitation, are obeyed blindly by families who are desperate to cure the afflicted woman. This exorcism can be either burning of hair, beating, the use of sticks, forced swallowing of dirt, faecal matter, or long periods of isolation, or any other type of torture done under the guise of religious duty. The exorcism-related violence is hardly ever prosecuted, even though the offences of such actions are horrible, because families do not see themselves as the perpetrators; they tend to see themselves as healing seekers, not crime perpetrators. This is where the jurisprudential thesis of this paper focuses on the legal maxim of *ignorantia juris non excusat*, ignorance of the law excuses no one. The belief of the culture or spiritual tradition cannot be used as a defence to the violent acts, but the mythical power of superstition often makes victims not report the crime and law enforcement is unable to regard the crime as one. The culpability of the perpetrators is often diminished by the fact that the exorcism has become socially acceptable as a form of spiritual activity. The

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<sup>4</sup> Annual Report 2019-2020 NCW (2020)

formal nature of the Indian courts towards the structural nature of witch-hunting and exorcism violence has been on the rise in recent years.<sup>5</sup> In the case of State of West Bengal v Calcutta High Court, Kali Singh and Ors (2018) came to face the ugly scenes of witch-hunting when three tribal women accused of practising witchcraft were dragged out of their houses, raped and killed by a group of village mobs. Though upholding the convictions of murder and unlawful assembly, the Court reduced the death penalties imposed by the trial court to life imprisonment on the basis that it was the socio-economic marginalisation, the superstitions, and group hysteria that predetermined the crime. The ruling highlighted the claim that witch-branding as a gendered and structural violence requires both penal action as well as proactive action at the state level in initiating the systemic superstition, through education and creation of awareness. where the tribunal criticised the witch-hunt campaign as a manifestation of deeply rooted patriarchy and social bias. The ruling recognised that witchcraft accusations are not usually spontaneous, but social constructs where women are being excluded or murdered maliciously.<sup>6</sup> This realisation is supported by observations made in the courts in other related cases in Jharkhand, Assam and Odisha, where the witch-branding is often coupled with physical torture, sexual assault, social boycott, and property dispossession. Nonetheless, even though the language of judicial proceedings is convincing, the lack of national laws and the use of isolated state-specific laws create disjointed protection of the victims.

The study will therefore attempt to fill a very important gap in knowledge by providing a legal anthropological study of witch-branding and violence related to exorcism.<sup>7</sup> It questions the law-belief, gender, and community power structures to explain the reasons why these practices are relevant even in the light of constitutional preservations and changes in legal norms. It also criticises the shortcomings of current legal systems and suggests a consolidated national law that will deal with superstition-caused violence in a comprehensive way. The research anticipates the lived experiences of women who survived these practices and presents the use of their stories to attack the mythic power of superstition as a cultural defence against violence. On a more general conceptual level, the paper can be seen as a contribution to the discourses of how the Indian legal system is struggling with culturally based practices that are incompatible with human rights

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<sup>5</sup> *State of West Bengal v Kali Singh and Ors* (2018)

<sup>6</sup> Odisha Prevention of Witch-Hunting Act 2013

<sup>7</sup> Ankitha, 'Witchcraft and Witch-Hunting in India: A Socio-Legal Analysis' (*Legal Service India*, 22 July 2025) <<https://www.legalserviceindia.com/Legal-Articles/witchcraft-and-witch-hunting-in-india-a-socio-legal-analysis>> accessed 08 November 2025

principles. It poses some basic questions: How does the state mediate the tension between observing cultural diversity and securing the basic rights? What occurs to the norms of the community when they conflict with constitutional dignity, equality and body autonomy guarantees? What should the law do in the case of the defence of violence because of tradition or spirituality? These are the main questions that are central to the field of legal anthropology and are key to explaining the socio-legal predicament of superstition-based violence. Through these problems, this study establishes the contexts of witch-branding and exorcism in the bigger picture of gender, law and culture in India. It shows that the violence of superstition is not a deviation of modernity but rather a social phenomenon that is deeply rooted and reflects the structural inequalities of caste, classes, gender and power. In conclusion, the paper declares that any substantial change is only possible through a legal intervention and cultural change. It is under the guise of superstition that women targeted by the violence are denied their rights and dignity, which can only be addressed by acknowledging the systemic nature of the violence and addressing the beliefs and structures that perpetuate it.

## **RESEARCH OBJECTIVES**

1. To study the socio-cultural and anthropological setting where the exorcism rituals and Bhootmelas are born and developed in India.
2. To examine the gendered aspects of the ritualised violence, such as physical, sexual and psychological abuse of women during exorcism rituals.
3. To investigate psychological processes involved in possession conditions and trance behaviour among women who are under stress, pressure in the family, or burdened by society.
4. To evaluate how the practices of superstition affect the dignity and autonomy of women and their human rights, priorities should be made on the systematic forms of oppression.
5. To explore how communities and traditional healers carry on or reduce ritualised abuse, having caste, class, and patriarchal hierarchies in mind.

## **RESEARCH METHODOLOGY**

A qualitative interdisciplinary research approach, which is based on legal studies, feminist theory, and social anthropology in this study as the approach to the investigation of exorcism-associated violence and witch-branding in India. Since these are practices that are usually

hidden and India does not have any official national statistics, qualitative research provides a better insight into lived experiences, cultural belief systems, and structural inequalities that facilitate such violence.<sup>8</sup> The study is based on an exploratory-descriptive design, where primary sources are the Indian Penal Code, the Indian Evidence Act, the state-level Witch-Hunting (Prevention) Acts, and the NCRB reports about witchcraft-related murders.<sup>9</sup> Peer-reviewed scholarship, ethnography, field reports of NGOs and reliable media investigations recounting abuse related to faith-healing practices are all examples of secondary sources.

It takes a mixed doctrinal and socio-legal approach to understanding statutory structures and contextualises violence in the context of patriarchy, hierarchies of caste, economic precarity and local beliefs. Themes, trends and patterns of institutional response are identified through content analysis. The limitations of the study are underreporting, geographical differences, and the lack of direct interviewing with the participants. Ethics gives more priority to dignity, accuracy, and non-sensationalism of the victims.

## **RESEARCH QUESTIONS**

1. What do exorcism rituals and witch-branding activities originate from and become in the social-cultural and patriarchal context of India?
2. What are the most prevalent types of gender-based violence that are linked to exorcism practices, and how are these harms explained in terms of culture or religion?
3. What are the strengths and weaknesses of the current Indian criminal law and state-based Witch-Hunting (Prevention) Acts in response to the weaknesses of women who are accused of being possessed or witches?
4. How does the invisibilisation of exorcism-related violence have to do with gaps in official data, underreporting, and the absence of national surveillance?
5. What role do caste, class and community power relations play in determining the process through which women are singled out during faith-healing or exorcism rituals?

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<sup>8</sup> Indian Evidence Act 1872; Indian Penal Code 1860; Odisha Prevention of Witch-Hunting Act 2013

<sup>9</sup> Priya Ranjan Sahu, 'Witch-hunting: 83% of Odisha's Cases in six districts, says report' *Down To Earth* (21 December 2021) <<https://www.downtoearth.org.in/governance/witch-hunting-83-of-odisha-s-cases-in-six-districts-says-report-80779>> accessed 09 January 2026

6. Which legal, social and policy changes must be implemented to establish a rights-based system to ensure that women are no longer abused and subjected to violence in the name of exorcism and in the perceptions of superstitions?

## RESEARCH PROBLEM

Although exorcism rituals and Bhootmelas in India are made to appear as cultural or spiritual ceremonies, they often lead to extreme gendered violence, such as physical assault, sexual abuse, and humiliation of women in public. Such acts are typically rationalised by superstition and the sanction of the community, and make the victims unobservable and the justice unreachable. Lack of systematic records, unequal application of the law, and ideologically deeply rooted patriarchal and caste-Based values contribute to the issue. This paper aims to critically analyse the intersection of ritualised beliefs with social hierarchies to sustain abuse and explore ways in which it can be prevented, offered protection, and empower women victims.

## LITERATURE REVIEW

The study of witch-branding, exorcism practices, and violence based on superstition in India is a small but increasing field of scholarship with contributions in the interdisciplinary research of anthropology, gender studies, sociology, and law.<sup>10</sup> Anthropological literature emphasises the inculcation of exorcism in local cosmologies and local power structures, and it is usually used to discipline women who do not conform to patriarchal standards.<sup>11</sup> Feminist scholars underscore the fact that labelling women as possessed or being a witch is a form of social control, especially to widows, unmarried women and women belonging to the lower castes.<sup>12</sup> Patterns of humiliation, sexual violence, forced feeding of inedible substances, public stripping and physical torture in exorcism rituals have been documented in sociological studies showing the way religious idioms conceal gendered brutality.<sup>13</sup> NGO reports and field studies are rich accounts of abuse, where, in most cases, claims tend to be made due to land disputes, property tussles or

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<sup>10</sup> Jigyasa Mishra, 'Labelled as witches, women in Rajasthan continue to face torture and ostracism' *Scroll* (09 April 2023) <<https://scroll.in/article/1046922/labelled-as-witches-women-in-rajasthan-continue-to-face-torture-and-ostracism>> accessed 09 November 2025

<sup>11</sup> Ankitha (n 7)

<sup>12</sup> 'The Human Rights Law Network (HRLN)' (SLIC) <<https://www.slic.org.in/uploads/2021/03-March/28-Sun/NOTE%20ON%20CCR.pdf>> accessed 09 November 2025

<sup>13</sup> Report on Witch-Hunting in India NCW (2021)

because of efforts to silence women who want independence.<sup>14</sup> The law school, however, pays more attention to the witch-hunting law in certain states, rather than looking at exorcism as a place of criminal victimisation. One of the gaps identified throughout the literature is a national data gap, and the fact that some countries have no comprehensive legal systems to deal with acts of violence based on superstition. The paper has value because it brings together legal, social, and cultural aspects to conceptualise the harm associated with exorcism as a culturally wide, gender-rights concern, as opposed to culturally specific incidents.

**Bhootmelas and the Spectrum of Ritualised Abuse:**<sup>15</sup> Bhootmelas are mass events that take place in some regions of Rajasthan, Uttar Pradesh, Madhya Pradesh, Bihar and Jharkhand as a public exorcism fair where hundreds of individuals gather in search of deliverance by the spirits.<sup>16</sup> Although these events are packaged in terms of religious healing festivals, ground-level coverage by journalists, NGOs, and even social workers shows that there is a less desirable, unregulated dimension where women are disproportionately victimised. Self-proclaimed tantriks and babs in most bhootmelas purport to have supernatural abilities to drive out the demons, and in such practices, the rituals tend to degenerate into sexual violence. The women who are called possessed are taken, the name of dropping the spirit of possessing them and they are raped in the name of a ritual requirement. Survivors have talked of incidents of being compelled to consume faeces, ashes, chilli paste or mud, a practice which is explicable as a cleansing or even humiliation of the invading spirit. Due to the lack of official control over these meetings, where crowds of people are in attendance and cultural pressure shields them, victims are rarely assisted. Perpetrators are also able to get away with it by coercion, fear of being labelled a stigmatised, and believing that defiance may stem from God or aggravate the possession. Bhootmelas are, therefore, a questionable meeting point of superstition, gendered vulnerability, and complete lack of state control.

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<sup>14</sup> Rishika Singh, "Human sacrifice' in Kerala: What are the laws on witchcraft in India's states?" *The Indian Express* (13 October 2022) <<https://indianexpress.com/article/explained/what-are-the-laws-on-witchcraft-in-india-8206958/>> accessed 09 November 2025

<sup>15</sup> 'Five women accused of witchcraft lynched by India mob' *Al Jazeera* (08 August 2015) <<https://www.aljazeera.com/news/2015/8/8/five-women-accused-of-witchcraft-lynched-by-india-mob>> accessed 09 November 2025

<sup>16</sup> 'Witch Branding in India: A Study of Indigenous and Rural Societies' (Action Aid) <[https://www.uni-kassel.de/forschung/files/Global\\_Partnership\\_Network/Downloads/Witch\\_Persecution\\_and\\_Hunting\\_in\\_Indigenous\\_and\\_Rural\\_Societies\\_in\\_India\\_V6.pdf](https://www.uni-kassel.de/forschung/files/Global_Partnership_Network/Downloads/Witch_Persecution_and_Hunting_in_Indigenous_and_Rural_Societies_in_India_V6.pdf)> accessed 09 November 2025

## **ANTHROPOLOGICAL ASPECTS OF EXORCISM RITUALS AND BHOOTMELAS<sup>17</sup>**

In an anthropological perspective, the rituals of exorcism in India, such as Bhootmelas, are cultural processes that control behaviour, reinforce hierarchies and perpetuate patriarchal authority. These are not single superstitions, but rather they are taken up into symbolic systems to place the concept of illness, misfortune or conformity within supernatural, pollution and property are highly gendered in most societies.<sup>18</sup> Women are generally subject to more spirit intrusion due to their culturally constructed porous bodies, emotional and morally weak bodies.<sup>19</sup> This vision of the world is a tactical instrument of punishing women who correct the rules of marriage, demand sexuality, want property rights, or find themselves in disadvantaged statuses like widowhood. Bhootmelas are community ritual theatres in which the power of the spirit, crowd psychology and group belief produce a luminal space whereby typical social boundaries are erased. In this territory, the tantrik has the authority of law and morality, which reduces the woman to a ritual object and not a subject. The violence applied, beats, force-feeding or sexual assault, seems to be curative but is in reality a ritualised punishment, a way of curing her uncontrollable agency to put her back in a purposeful patriarchal order. There are often underlying structural conflicts, including land conflicts, caste hostility, and apprehension concerning female autonomy. Replacing social conflict with supernatural ideas, bhootmelas assist communities in avoiding engagement with endemic injustice.

## **PSYCHOLOGICAL ASPECTS: TRANCE, DISSOCIATION, AND THE PERFORMANCE OF 'MATA'**

Psychologically speaking, the fact that women will enter trance-like states,<sup>20</sup> purport to be possessed by a god or even play the part of an embodiment of a mata could often be explained by the fact that it was a reaction to constant stress, emotional weight, and unsolved trauma.<sup>21</sup> Women in patriarchal families whose responsibilities in terms of household chores, caregiving,

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<sup>17</sup> Stanley Jeyaraja Tambiah, *Magic, Science and Religion and the Scope of Rationality: A Cognitive Description of Traditional Discourse: 1984* (CUP 1990)

<sup>18</sup> Professor Mary Douglas, *Purity and Danger: An Analysis of Concepts of Pollution and Taboo* (1st edn, Routledge Classics 2002)

<sup>19</sup> Veena Das, *Critical Events: An Anthropological Perspective on Contemporary India* (OUP 1996)

<sup>20</sup> Erika Bourguignon, *Religion, Altered States of Consciousness and Social Change* (Ohio State University Press 1972)

<sup>21</sup> Arlie Russell Hochschild, *The Managed Heart: Commercialization of Human Feeling* (University of California Press 2012)

and emotional control belong to females often have no socially acceptable channels of complaining about anger, tiredness or frustration.<sup>22</sup> Clinical psychology recognises these behaviours as dissociative trance state situations where extreme pressure compels the mind to lose contact with reality, often as a coping strategy.<sup>23</sup> To a certain group of women, the role of a mata is a means of expressing distress, yet indirectly, culturally approved: it is a means of releasing the frustrations, fears, resentment, or needs that they are prohibited from openly expressing. The suffering of the woman daily is not considered in most families, though her possession is recognised. The process of the mata-aana gives the power temporarily to the woman in the trance: she cannot be touched, there is respect, even fear. The psychologists attribute this to secondary gain, where the transformed state generates some sort of relief from her duties or allows her voice to be heard. In others, it gives a woman an opportunity to complain about work overload, an unhappy marriage or abuse without necessarily confronting them as she can simply attribute the words to the deity.<sup>24</sup> Further, communities explain such episodes using cultural scripts that legitimise possession as spiritually important and not psychologically symptomatic. In this way, psychological anxiety is ritualised and re-packaged as found with Although these episodes are not willful lies, they indicate the efforts of the mind to survive in the contexts that provide no avenue that can be legitimately called emotional.<sup>25</sup> The dimensions understanding will be vital: unless one considers the psychological origins of such behaviour, the interventions may fail to reduce stigma and instead will promote underlying trauma, burden, and systemic inequality.

## LEGAL LANDSCAPE: FRAGMENTATION AND GAPS

India does not have a law that is nationally enforced on superstition-related violence.<sup>26</sup> Most of the criminal activities that were perpetrated in the process of exorcism, that is, beating, imprisonment, forcibly swallowing unhealthy drugs or becoming a victim of sex, can be technically punished in accordance with the Indian Penal Code. But the interpretation of such acts in the religious mode defeats reporting and undermines enforcement. Additionally, there is

<sup>22</sup> *DIAGNOSTIC AND STATISTICAL MANUAL OF MENTAL DISORDERS* (5th edn, American Psychiatric Association 2022)

<sup>23</sup> Diane P Mines and Sarah Lamb, *EVERYDAY LIFE IN SOUTH ASIA* (Indiana University Press 2010)

<sup>24</sup> I M Lewis, *Ecstatic Religion: A Study of Shamanism and Spirit Possession* (Routledge 2003)

<sup>25</sup> Vani Kulhalli, *ICD-11 CLINICAL DESCRIPTIONS FOR MENTAL HEALTH PROFESSIONALS Selected Descriptions* (World Health Organization 2021)

<sup>26</sup> The Indian Penal Code 1860, ss 319–326, 351–357, 339–348, 375–376, and 328

no separate legal section that deals with exorcism-related violence; thus, such crimes are not registered.<sup>27</sup> Several states have taken action to combat Witch-Hunting (Prevention) Acts, such as Jharkhand, Assam, Rajasthan, Chhattisgarh and Bihar; however, these laws focus on the act of calling someone a witch, rather than the wider range of exorcism-based abuse. They fail to properly deal with incidents in which women are tortured in the name of chasing away spirits or curing illnesses. Moreover, even most of the legislation does not have strong mechanisms of victim rehabilitation, community sensitisation, and victim protection towards retaliation violence. Within this scattered legal environment, women rely on local police, and those police tend to consider exorcism a cultural problem, as opposed to a criminal justice problem. This further makes access to legal redress less accessible.

### **THE DATA VOID: INVISIBILITY OF ABUSE**

Lack of systematic national data is one of the most problematic issues when it comes to interpreting exorcism-related violence. The National Crime Records Bureau records only murders that are related to witchcraft; this is the end of the line. According to these official estimates on murder, as well as region-specific NGO research, scholars believe that at least 5,200 - 7,800 women are victimised every year by witch-branding and exorcism violence; however, nobody knows how many more. There are various reasons why underreporting takes place: social stigma, fear of community backlash, ignorance of legal entitlements, and a lack of trust in the law enforcement department. Numerous cases are experienced in remote places where the state apparatus is weak, and women are economically reliant on the same families or communities that institute the violence. This information gap enables the state to underreport the magnitude of the problem, leading to poor policy action.

### **ROLE OF NGOS AND CIVIL SOCIETY**

The non-governmental organisations (NGOs) have been instrumental in making exorcism-related violence visible. Organisations like ANANDI, MASUM, and Partners in Law have reported the tendencies in abuse, provided legal aid to its victims, and urged the creation of a more robust legislation. Their field research reveals a common thread: exorcism as a form of

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<sup>27</sup> Jharkhand Witchcraft Prevention Act 2001; Assam Witch Hunting (Prohibition, Prevention and Protection) Act 2015; Rajasthan Prevention of Witch-Hunting Act 2015; Chhattisgarh Tonhi Pratadna Nivaran Act 2005; Bihar Prevention of Witch Practices Act 1999

punishment for defiant women, the collaboration of community leaders, and the necessity of a multidisciplinary approach that incorporates legal education, health services, and counselling services. NGOs also act as intermediaries between women and the state, assisting them in filing FIRs, accessing shelters, and navigating assist women in filing FIRs, accessing shelters, and going through court procedures. Their campaigning has affected the formulation of state-level witch-hunting policies, but the effect is not even because of the structural limitations.

## **MEDIA REPRESENTATION AND PUBLIC PERCEPTION**

The exorcism and witch-branding are covered in mass media that is inclined to swing between sensationalism and silence. Although viral news stories indeed attract coverage on extreme cases, the violence that occurs every day does not often hit the national headlines. Since sensationalist representations decontextualise and oversimplify the societal issues, making them exotic or supernatural, instead of facilitating legal and social responsibility, they can reinforce the stereotypes. Nevertheless, investigative journalism has been doing a good job in uncovering corrupt activities, drawing police attention to them and making local governments act. It requires continuous media coverage to help change the societal perception about exorcism as a cultural practice to gender-based violence.

## **JUDICIAL PRECEDENTS ON RITUALISED VIOLENCE AND EXORCISM PRACTICES**

### **Bhim Turi v State of Assam (2005)<sup>28</sup> –**

**Fact:** In Bhim Turi v The accused, State of Assam, due to a strong superstitious belief, two villagers, Pinpina Turi and Golapi Bhumij, were declared as witches. They raped them, murdered, and even used some of the bodies of one of their victims to cover up. The killings were directly connected with the accusations of witchcraft in the society.

**Judgment:** The Gauhati High Court affirmed the convictions based on Section 302 and 201 IPC, and sentenced the main accused to life imprisonment and the other co-accused to no conviction due to lack of evidence. The Court severely criticised the practice of witch-hunting because it was an inhuman and unacceptable social practice.

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<sup>28</sup> *Bhim Turi v State of Assam* (2017) Crim App No 79/2013

### **Gaurav Jain v State of Bihar (1991)<sup>29</sup> –**

**Facts:** In Gaurav Jain v In the case of State of Bihar (1991), the Supreme Court considered the reports about the repetitive instances of witch-hunting in the state of Bihar, where the vulnerable women were predominantly targeted by the marginalised communities, being labelled as witches, raped, ostracised or murdered. Rampant violence based on superstition and lack of organised preventive actions had been reported by a state-appointed committee.

**Judgment:** The Court recognised that witch-hunting was a grave social evil and ordered the State to constitute expert committees, determine the districts concerned, implement awareness programmes, and develop preventative measures to ensure that this gendered violence could not be addressed individually without a concerted institutional effort.

### **Ishwari Lal Yadav v State of Chhattisgarh (2019)<sup>30</sup> –**

**Facts:** In this instance, the defendants (Ishwari Lal Yadav and Ors) had been accused of kidnapping and killing a small child, supposedly as a sacrificial part of a ritual. The victim was a two-year-old boy by the name Chirag Rajput who had gone missing; his body was found by the police buried in the courtyard of the house that the accused lived in. In the investigation, it was found that the accused was a tantric practitioner who believed in black magic and sacrificed a child to please God.

**Judgment:** On 3 October 2019, the murder conviction was affirmed by the Supreme Court of India against Sections 302/34 and 201 of the Indian Penal Code. The Court upheld a death sentence handed by the lower courts upon the conviction of Ishwari Lal Yadav and his wife (main accused) as a case of the rarest of rare, since the crime was horrific, that is, human sacrifice of a child under the influence of superstition and black-magic beliefs.

### **AUTHOR ANALYSIS/OPINION**

India Exorcism ceremonies and Bhootmelas put the problematic nexus of superstition, patriarchy, and systematic violence in the spotlight. Although these rituals are usually defended as cultural or religious activities, they tend to target mainly women, and particularly those who

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<sup>29</sup> *Gaurav Jain v State of Bihar* 1991 Supp (2) SCC 133

<sup>30</sup> *Ishwari Lal Yadav v State of Chhattisgarh* (2019) 10 SCC 423

are socially vulnerable, widows, unmarried women or members of a lower caste. Such practices, anthropologically speaking, are meanings of social regulation, projecting the fear and moral anxiety onto the bodies of women and making the personal distress publicly visible. Feministically, the rituals are not simply a show of faith but a tool of gendered oppression, and through the supernatural authority, the rituals take on a tool to allow the physical and psychological mistreatment. Some women can experience trance-like behaviour or possession because of stress or family pressure, or excessive household work. Although such expressions may be a coping mechanism or a lack of emotional needs, they are misconstrued by society using superstition, which allows them to be manipulated and abused. The ritualised exorcisms take advantage of cultural belief systems and the vulnerability of women: there is a gap between tradition and human rights.

Bhootmelas, socially, serve as personal spaces of participation in the community, where violence and protests are justified. The claims of possession simply indicate the conflict of ownership, non-conformity on the social front or opposition to the patriarchal control. These cycles of violence are possible due to the absence of checks and balances and the structural invisibility of victims. These problems should be handled through a multi-dimensional approach. Policy measures should be followed by legal enforcement, but they need to be accompanied by awareness creation within the community, psychological support and educational interventions. Anthropology is a critical insight into the symbolic and structural forces that continue such practices. The interaction of culture, gender, and power should be understood so that the dignity and autonomy of women can be preserved, and faith and belief should not be used as inappropriate tools of oppression.

## **SUGGESTIONS AND RECOMMENDATIONS**

The intricate problem of ritualised abuse in the Bhootmelas and exorcism practices needs to be resolved in a multi-faceted way that will combine legal reform, social awareness, and community participation. First, the anti-superstition legislation should be enhanced at the central and state levels, with the definition of the dangerous practices being quite clear and penalties imposed on those who commit them. Current laws, including the Anti-Superstition and Black Magic Act (Maharashtra, 2013) and state-level Witch-Hunting Acts, ought to be applied equally to the whole of India, and there ought to be accountability measures to which the law enforcers are

answerable. Second, community-based awareness programmes should also be considered an urgent requirement, as people should be informed about the illegality and danger of exorcism rituals. The areas to be covered by these programmes should include rural, tribal belt, and areas rife with Bhootmelas, where there is a need to sensitise people on gender, legal literacy and to disapprove some of the superstitious beliefs that are harmful. The allies can be religious and community leaders who will meet patriarchal standards that promote abuse. Police and judicial training should have modules about dealing with superstition-based crimes, identification of coercion, and safety of the victims. There should be special protection units that will oversee the activities of the public exorcism, act promptly and rescue the women and children. Survivors should receive extensive rehabilitation, such as medical assistance, counselling, and legal assistance. NGOs and civil society organisations can collaborate with the state mechanisms in creating shelters and hotlines.

Lastly, research centres are supposed to have official national databases of all exorcism-related violence to guide policy. The social and patriarchal structures that enable women to be targeted in the first place are also to be challenged so that long-term solutions are reached. India can make sure that spiritual practice is not a veil of institutionalised gendered abuse by implementing legal deterrence, education, institutional oversight, and cultural change.

## **CONCLUSION**

Various practices of exorcism in India (under the guise of cultural or spiritual activities) are often systems of gendered violence and social control. Women, especially those of the more disadvantaged caste, economic status or social non-conformity groups, are targeted unfairly. Rituals that are based on physical abuse, sexual exploitation, open humiliation and forced consumption of degrading substances all show how superstition may conceal and propagate systemic oppression. The anthropological interpretation reveals that these rites of passage convert individual suffering into the spectacle, which supports the hierarchy of power at the expense of the autonomy of women. Psychologically, there are states of possession or trance-like behaviour where some women may act out in response to chronic stress or domestic pressure or social burdens, a product of cultural scripts in combination with mental health, but these are not grounds to coerce or abuse. Socially, such practices are still practised, which represents deep-seated patriarchy, caste hierarchies and absence of accountability to the community. Societies

tend to condone abuse in the name of tradition, and the vicious cycle of violence and shame continues. What makes these abuses invisible and further underreported is what makes it so imperative to have an all-inclusive awareness and intervention.

The management of exorcism-related violence is a multi-dimensional process that needs to be tackled via community education to counteract harmful beliefs, psychosocial support of survivors, institutional measures to monitor and prevent abuse, and long-term cultural change to break the structures that harm women. A combination of social, psychological, and anthropological knowledge enables the society to strive towards the goal of making sure that spiritual practices are not implemented as tools of oppression, and that the dignity of women, their independence and well-being are established in their full extent.