

## Cinematic (Documentary) Portrayal of Witchcraft in Assam

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North-East India has always been the favourite subject for documentary filmmakers, bloggers, vloggers to create content. The general themes are chosen by artists always encompass the diversity, ethnicity and culture of these regions. Discussions and researches are generally about their economic issues, climate, music, insurgency or heritage, and hence, such films/ articles etc. are customarily produced independently or through government aids etc. Though filmmaking is not a very successful endeavour in North East India due to many issues, still films are made and their exhibition in some sections of the audiences is received very well. Some of them have even received international/ national acclaims and awards (*Kothanodi*, 2015, *Onaatah*, 2015, *The Head Hunter*, 2016 etc.). The bitter reality is that the filmmakers from these states struggle with varied obstacles and constraints such as lack of finances, limited audience, poor patronage, low- ticket pricing, entertainment taxes and the supremacy of English and Hindi films [1]. But there are still some untouched issues that filmmakers have attempted to address, one of which is 'Witchcraft', which is very common in Assam.

'Witchcraft', as defined by Gerald B. Gardner (1954) refers to *'the art of getting results'*. *Magic is the use of special power/ knowledge to affect the physical world and like all forms of magic, witchcraft is based on the belief that there are always ways to influence situations that go beyond experience and known laws of the science and physical world* [2].

This paper aims at studying the legal disparities and documentary films that have been made/ developed on this very sensitive and sensational issue in Assam.

### North Eastern Film Industry

The 'North-East Film Industry' commenced in 1935 with an Assamese film '*Jyotiprasad Agarwalla* that released four years post the first Indian talkie '*Alamara*' [3]. But, North-Eastern Cinema remained limited within the Indian Cinema due to various reasons such as improper exhibition, distribution, limited theatres, poor funding, varied dialects and scarce audience. Post the first film in this industry, films started being made, but not in a majority as their cinematic value was not that rich. If we consider the past few years then, many documentaries and fictional films have been made on North – Eastern states, based on various issues, events and people, such as *AFSPA 58*, 2007 (about Thangjam Manorama, a 32-year-old woman from Manipur who was arrested, raped and killed in police custody [4]), *Pahuna*, 2017 (about three children separated from their parents finding their home in Sikkim) etc. But the issues of poor exhibition etc. exist and even local distribution is a difficult task. Many North-Eastern states started getting involved with regular filmmaking, but amongst all the states, only Assam and Manipur have a legitimate filmmaking culture. Assam, in present consideration, has a considerable market (recent box office success of '*Mission China*'). Jahnu Barua, Gautam Bora, Dr Santwana Bordoloi and Dr Bhabendra Nath Saikia have strengthened this small region by delivering some great films which have done immense international business and attained national and international honours as well [5]. This has inspired many filmmakers to present their work through different channels of media. Easy access to digital platforms, cameras and exhibition has led to more content from independent filmmakers in forms of short films and documentaries.

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In this paper, I am going to articulate how documentaries made on a social issue like 'Witchcraft culture' in Assam have showcased the real picture, by comparing their narratives with legal disparities.

Documentary films engage with the world by representing it by offering us a likeness/ depiction of the world bearing a recognizable familiarity, representing the interests of others by taking the role of public representatives and by representing the world by giving a particular view/ interpretation of evidence[6]. There are different subjects on which many states in the North East have made some tremendous documentaries which have been critically acclaimed for the choice of subject and filmmaking techniques, such as 'Bhojpujari'[7]. The filmmaker attempted at making a film for the present generation so they understand how much their people suffered. Following the performative mode of documentary filmmaking, many filmmakers make docu-dramas which are a kind of re-enactment of a true event to evoke emotions in their audiences and leave questions of values and principles in the minds of the audience.

### Witchcraft in India

Witchcraft has been existent in India as a belief from the very beginning and was prevalent even during the colonial period. Thousands of women were killed in the faith or mere superstition. Many documentaries have been made on this issue which is very extensive in central and northeast India, particularly Assam. The attacks made on them have always been unpredictable and eventually many reasons have come into picture apart from mere superstition after various researches. Pritchard in his book, 'Witchcraft, Oracles and Magic among the Azande' has elaborated how witchcraft accusations have always centred on old aged, widowed, poor and physically handicapped women,[8] which defines the argument made in almost all the documentary films made on witchcraft which examine how in the name of superstition, personal revenges or anguish is taken off. 'Witch Hunt Diaries' is documentary made on Kawe Ronghanpi, a 48-year-old widow from Assam who was killed by an enraged troop in her village who accused her of being a witch and being responsible for a number of unnatural deaths in the village in 2015[9].

As per the researches are done by the Ministry of Home Affairs, around 2257 witchcraft murders have taken place since 2000. The people who attacked her had their own vested interests and used this accusation to murder the woman. The documentary has also followed the actual period of rehabilitation of a

witch hunt survivor Ms Raneshwari Rabha who also lives in Assam.

Mayurica Biswas, the Creative Director of the film has spoken extensively about how in these remote regions of the country, science collides with the supernatural and how the socioeconomic reasons are hidden behind the superstition and such brutal acts of violence are justified. Witch hunting is illegal in only five out of the 29 states of the country and hence committing this heinous crime becomes more convenient for villagers in the name of belief and superstition. With hurdles of language, political interference and other social issues like insurgency, research and investigation was a tedious task for the filmmakers.

The strong conviction in the supernatural powers and participating in such rituals was essential for them to bring out the real story behind this strong custom being followed in such a region [10]. Many other documentaries have been made in Assam and nearby regions which are based on socio-economic issues such as deforestation, face tattooing [11], Mizo National Front (*M.N.F: The Mizo Uprising*), cultural (*Rabhas of the North East India: A Cultural Study*)[12]. There are many approaches followed in documentary filmmaking and for such sensitive issues like Witch Hunting, observational and participative approaches are generally followed. In this 'field of aesthetics, many ideologies, political postures, creative preferences, subjectivities of actors/non-actors, dialogues etc. construct the negotiations between the 'real' and the constructed, visible and the invisible'. [13]

Witch hunting was very prevalent in Assam. Purni Orang, a 63-year-old woman was beaten up, stripped and be-headed by a mob for their belief of her being a witch in 2015 in Bhimajuli, a village in Assam [14]. As per the Home Commission of Assam, 35 women were killed, while 46 were injured in similar attacks between 2010 and 2015. A human rights activist with NGO Brothers, Dibyajyoti Saikia referred witch hunting to be not any less than an 'organized crime' as it is not just about superstition anymore but more about personal grudges, rivalry and jealousy.

Many other states have passed laws against witch hunting many years ago, but there are no federal laws to deal with witch hunting. It is like a vicious circle that begins even if one person starts the rumour of a woman being a witch and gradually two persons lead to a mob eventually attack a woman without any legitimate assurance or proof. They hold such women responsible for the most unreasonable issues like low rainfall, series of deaths, infertility in women, property loss or even natural calamities. The real issues are illiteracy, superstitious beliefs

and poor health care. Due to a low percentage of literate individuals, they are unaware of their legal rights and duties, which lead the victims to accept the exploitation and discrimination that they are put through. The low rate of literacy also leads to a higher level of superstitious beliefs which enables crowds and influential people/ general villagers to influence others for such violent acts of witch hunting etc. Finally, poor health care, bad sanitation and unawareness of importance of cleanliness and hygiene leads to diseases, deaths and infections. But all these three reasons are inter-related.

People blame such health issues over weak, old, widowed women as it is easy to establish for them by influencing people that they are unlucky and bad for the village. The illness of patients is due to unavailability of well-trained medical officers and poor sanitation, but it is completely blamed on innocent people and associated with black magic. The people of the villages get easily influenced as they are poor, illiterate and unaware of the benefits of maintaining good health. There are many organizations (Birubala Mission, Accredited Social Health Activist-ASHA) and people (Dr Natyabir Das – co-ordinator of an anti-witch organization, Dr Nazrul Islam – Health Minister, Assam etc.) who have initiated awareness drives for such villages. Creating awareness about unqualified people who establish themselves as trained doctors, the importance of proper healthcare etc. for this prevalent issue is very essential until every individual gets proper knowledge about at least his/her basic rights.

### **Witch Hunting and Legal Implications**

The Prevention of Witch Hunting Bill, (Bill No. 66 of 2016) given by Shri Raghav Lakhanpal, Member Parliament, Lok Sabha, has defined the bill through detailed clauses. While the first clause defines it, the second defines the punishment for offences. These punishments are for accusing/identifying/labelling a woman as a witch, intimidating a woman to practice witchcraft, criminal force against a woman, torturous/ humiliating acts, removal of evidence, community involvement, abetment of offence, attempt to commit the offence and for a person claiming to be an 'Ojha'. The third clause defines the trails of the offences, fourth defines the measures of prevention and protection of women, fifth defines special provisions and finally the sixth defines the miscellaneous. Witch hunting is most common in Jharkhand and Assam. The National Crime Records Bureau reported around 2,097 witch – hunting murders [15] between 2000 and 2012. Earlier, witch-hunting was just common with respect to tribal communities, but

now many cases have been reported amongst minority communities and Dalits as well. The initial reasons were superstitions and old rituals (crop destruction, evil eye possession, etc.), which have now transformed into various other reasons being gender conflicts, family disputes etc. which are more personal in nature. The people in such tribal areas do not let women exercise their basic rights of managing the land, deciding the production share etc. Few influential people from a village/ tribal area (Munda-Political leader, Devri-Religious leader and Ojha-who uses his powers to get rid of a witch or identify a witch) decide and identify a witch based on their superstitious assumptions.

The idea of 'witchcraft' has developed over the years. Earlier it was about women born as witches and eventually, their families were killed or boycotted. As time passed, it got accepted as art that needs development and training [16]. The women who are identified as witches are held responsible for the most unrelated and unreasonable things occurring in the village such as diseases (diarrhoea, tuberculosis, anaemia etc.), sudden deaths, crop destruction etc.

Prevailing from Rajasthan (Rajputana), this practice began in 1840s-50s and Jharkhand (Chota Nagpur) with issues of gender and anti-colonial pressures. At the end of the 19<sup>th</sup> century and beginning of the 20<sup>th</sup> century, women were stigmatized as witches from their communities and were dismissed from their villages and in worse cases, even killed. During the 1930s and 1970s, there was a sudden decline in these practices, which again revived during the 1980s. Women branded as witches were exploited absurdly (gang – raped, made to walk naked, had their breasts cut – off, forced to swallow urine/ human faeces, banished from the village etc.)

The Assam Witch Hunting Bill was passed on Aug 13' 2015 by the State Assembly. The punishment as per the bill was imprisonment up to seven years and a fine up to Rs. 5 lakh, for the same; but it didn't benefit the victims much as the accused were released on bail and it was considered a compensatory offence. It sounded to be a laudable achievement but eradication of witch hunting is still a battle in its own. But after the bill was passed, the authorities became more responsible and started taking actions against such acts. Sub Inspector Harish Chandra Borah arrested the accused as Lakhyamati Daimari filed a complaint against the people who ill-treated her and eliminated her from the village after accusing her of being a witch [17]. But as I mentioned above, the battle wasn't over as the accused were released on bail just after a few days. Later it was revealed that the reason was their jealousy against

Daimari who was the president of a local community, member of a self-help group, and an assistant to a priest. But eventually, the village people accepted her and her family on the condition of withdrawal of the case, for which she settled for the future of her children. Currently, the new law has made witch hunting a non-bailable offence and an arrest on without even a court warrant.

If we observe the incidents, reports and locations of Witch – hunting, we can clearly conclude that mostly they occur in remote areas mostly with majority of tribal people [18]. But, there are few cases which have been recorded due to similar reasons of illiteracy, low awareness and availability of legal aids. Many victims don't approach the police or other authorities due to reasons of protectiveness for their family, difficult access, under-confidence/ insecurities, etc. but in the recent times, the police are taking care of such cases and taking quick action against the accused.

The 14<sup>th</sup> President of India, Mr Ram Nath Kovind approved the Assam Witch Hunting (Prohibition, Prevention and Protection) Bill, 2015 on June 13, 2018 by converting into an Act [19]. This Act addresses the exclusion of the problematic superstition of witch-hunting from the society by establishing a strict punishment of up to Rs. 5 lakh fine and seven years imprisonment. The offence is now non-bailable, non-compoundable and cognizable, which would finally end the practice of labelling women as witches and further exploitation. As per Additional Director General of Police (CID) Anil Kumar Jha's statement, 193 people (114 women, 79 men) were branded as witches and killed, and 202 cases were registered with the police. The act falls under Section 302 of the Indian Penal Code and witch hunting (branding someone as a witch, leading/influencing/intimidating/stigmatizing a person to commit suicide) would be considered an offence as serious as murder. The fine imposed on the accused shall be paid to the victim or his/her next kin as compensation [20]. The administration and police would now have to initiate proceedings against such heinous acts [21]. Also, informing, educating and spreading awareness about the issue is a part of their duties. There were no laws defined at the national level against Witch-hunting.

In 1991, the Supreme Court ordered the Bihar Government to formulate special cells to accord with this issue and also evoke a census of properties owned by widows. Jharkhand (Witchcraft Prevention Act, 2001), Bihar (Bihar's Prevention of Witch (Daain)

Practices Act of 1999) and Chattisgarh (Chhattisgarh's Tonahi Pratadna Nivaran Act of 2005) were the only three states to define distinct laws against this crime. But when analyzed deeply, it was observed that only physical violence was taken into account, whereas mental trauma was completely ignored. Currently Witch – hunting cases are registered under the Indian Penal Code (IPC) under sections 302 (Murder), section 320 (grievous hurt), 351 (assault), 354 (assault/ criminal force to woman with intent to outrage her modesty), 364A (kidnapping for ransom) and 503 (criminal intimidation).

Three states (Rajasthan, Karnataka, Maharashtra) have drafted their respective legislations with respect to this social issue which defines some rigid punishments and penalties for the accused of harassment/ assault of a woman by branding her as a witch. Maharashtra was the first state to introduce a law to prosecute such people who were involved with such heinous acts. There is still no national legislation for this issue despite the fact that it is extensively common in so many states (Orissa, Bihar, Jharkhand, Chattisgarh etc.). Meenakshi Arora, a Supreme court senior advocate filed a petition in 2010 against this tradition to control these acts, but this petition was rebuffed.

Similarly, Rural Litigation and Entitlement Kendra (RLEK), an NGO reported more than 5500 cases of women who were killed under this belief in the past 15 years, while the remaining cases were of mental/ physical torture, gang rapes, sexual abuse, etc. No matter what the legislation was passed, but the maximum punishment is three months for such criminals, which is almost nothing as when they are released, their actions are repetitive. RLEK also has approached the Supreme Court for the passing of a national bill for the country [22].

### Documentary Films on Witch-Hunting

As per the government reports, almost 66 women were killed in the name of witch hunting between the years 2005-13. It is a serious issue in Assam which is under consideration not just for many researchers, lawyers, media journalists, but also artists such as playwrights, filmmakers, writers etc. which have led to the government officials taking some tough decisions and actions to eradicate this practice. In 2013, around two Assamese films (*Adhyay* – the film was an outcome of a five years research, *Mrityur Upatyaka* – Documentary film) and a play (*Daini*) were released in Assam which spread a lot of awareness about witch-hunting and encouraged other artists to work over this issue.

Dipak Barua [23], director of *Mritiyur Upatyaka* actually met witch hunting victims for his research and recorded the repercussions of this brutal practice on their families. He even showcased the basic history of this practice in the world and in Assam. Due to more cases being reported in the police, there is more expansion of this issue in the form of art, especially by filmmakers. The first film made on witch-hunting was *Jangfai Jonak* in 2011 but as there was a poor exhibition, low level of cinema halls and other issues, the message wasn't put across correctly.

Internationally there have been few films made on this subject such as 'The Witch Hunt' [24] which encapsulates the history of witchcraft through interviews and statements by renowned historians (Natalie Zemon Davis, Norman Kohn, Ronald Hutton), authors (Margot Adler) and witches themselves (Doreen Valiente). The documentary talks about how witchcraft is a form of art which is misunderstood and misinterpreted by different sects of people. Under this study, Assam is the region under our consideration, which also has recently implemented this new bill against the practice of witch-hunting. Many news channels have covered the issue extensively in Assam and taken statements from the local people, protestors and activists. Dr Birubala Rabha [25], the founder of Mission Birubala, an organization to fight against this practice, was once a believer of witchcraft. This organization, since 2011, is aimed at eliminating this superstitious tradition. The reasons that they have discovered through their work have majorly been socio-economic in nature as the people in these villages are backward with respect to health, education and modern facilities. When we read about some social issue or anything related to people around us is perceived in a different manner, while when we visually experience the same through films or news, it has more effect on us and our minds.

Hence, it is very distinct to absorb as an audience when we listen to women who have been witch-hunting victims or researchers talking about their experiences with people involved with this issue. In various footages covered by Al Jazeera English [26], The New York Times [27] and Vocativ [28], they have recorded interviews of witch hunt survivors who are telling about how they have been tortured and how they survived, social activists, government officials etc. Also, there are interesting interviews of women [29] who have claimed themselves as witches and spoken about their art/craft and again, how it is misunderstood by illiterate and backward people.

The latest bill passed for Assam has made it a crime, but many lives, families, work have been affected due to this superstitious tradition. Al Jazeera English [30], a digital platform channel has covered interviews of witch hunting survivors who have shared their stories. The short film has showcased two stories of Anjali Hajong and Bundeli Raba who were tortured in the suspicion of witchcraft. They have shared how people of their respective villages accused them of witchcraft for their own vested interests such as taking the place of a woman's husband after his death or accusing them of killing their husband etc. The accusation doesn't end there as it was followed by beating them, stripping them naked, and whatnot, resulting in no punishment. The people in these regions do not understand the concept of approaching doctors but only believe in 'Ojhas' who are believed to be witch doctors without realizing that they are not killing witches, but unarmed women.

**Global Journalist: India's Witch Hunts** [31] is a very detailed documentary in which there are interviews and statements given by newspaper journalists, activists etc. Ashwaq Masoodi, a newspaper journalist from New India stated in the same that around 2500 women were killed in witch hunt practices between 2000-2016. These women were tortured, publically humiliated, burnt/ beaten/ stabbed to death, forced to walk naked, gang-raped, ostracized from the village and even forced to swallow urine and eat human flesh. These women were held liable for inadequate monsoon rains, famine, sudden deaths, etc. and different states have different ways of identifying witches.

These superstitious people with such backward mentality believe that such women can be identified through the way they walk or talk. But, the real story is different from reality, as mentioned before, these women are weak in some of the other aspect (single/unmarried/ widowed women) or there is not enough knowledge about their land rights, economic jealousies amongst peers/ extended relatives/neighbours/ stepmothers and lack of medical facilities. Per year almost 150 women are killed in the name of witchcraft. On the other hand, Madhu Mehra, a lawyer and executive director of Partners for Law Development, New Delhi elaborated about how mob attacks lead to poor conviction and judgments. The larger chunk is about everyday violence. Drop out from an inability to get legal redress and almost half of the convictions turn into acquittals until they reach the Supreme Court. In general, there is a drop out of witnesses due to poor investigations which in many ways legitimizes violence and superstition is the easy vocabulary.

Following which, Seema Yasmin, a medical doctor and a fellow at Stanford, California have spoken about how witchcraft differs from region to region, for e.g. how it differs in Assam to Gujarat to Jharkhand to Maharashtra. She talks about how in Gujarat the reasons are patriarchy, misogyny etc. And finally, Shashank Sinha, a very renowned historian, author and publishing director of Routledge India, New Delhi established the practice of witch hunting in four different phases.

The first being 18<sup>th</sup> – 19<sup>th</sup> century when witchcraft was constructed as a form/ practice and witches were believed to be born as witches and this art was considered hereditary. The entire families of such women were killed. In the second phase, i.e. the 20<sup>th</sup> century was all about a colonial rule where ethnographers documented definitions of witchcraft and unconsciously institutionalized the concept.

The concept of a born witch changed to a trained witch and there was detailed construction of the craft, exorcism and monetization. In the third phase, the mid-20<sup>th</sup> century witnessed a decline of witchcraft as the dynamics changed. And eventually, in the fourth phase, post 20<sup>th</sup> century, the motivations for witch hunting changed from superstition to ulterior motives encircling village tensions, gender clashes, patriarchy, land grabbing, power politics, caste politics etc. which started targeting tribal groups, Muslims, Dalits etc. These documentaries through such interactions aimed at educating people about this social issue so that people create awareness about the same in whichever capacity possible.

‘Ishu’, an Assamese feature film by Utpal Barpujari is a very strong film based on the theme of ‘witch hunting’ based on Rabha village in Goalpara. The film is made in documentary style and showcased the village in the most real form as it was shot in the village itself. The lead character is a kid whose aunt is a practitioner of home remedies with medicinal plants to cure ill people. The film is about how the wrong information or spreading myths leads to misunderstood conclusions. One person spreads a rumour and how it affects the lives of so many when

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one mishap or issue is connected to a person and the real reasons are ignored [32].

India has witnessed numerous cases of witch hunting where not just women, but even their children have been murdered/ killed mercilessly. The prime causes being illiteracy and superstitions. Many organizations (Assam Mahila Samata Society – AMSS, National Mahila Samakhya Programme – NMSP etc.) have been active in creating awareness about the ill-effects of this practice and helping the victims who have been affected by the same [33]. **Conclusion** The North-East region of the country is considered as a social space for national imagination [34]. Along with issues of insurgency, varied dialects, economic/ industrial backwardness etc. there are also positive things such as beautiful flora and fauna, liberal people and matriarchal society. Witch-hunting is a practice that is very common amongst many ethnic communities. Patricia Mukhim has quoted this practice as the ‘grossest violation of human rights’ in Assam,[35] which very soon would be eradicated from the state post the latest legal reforms.

Assam’s new witch hunting law after receiving the President’s approval [36] has encouraged self-help groups, local council members and organizations to a great extent. In 2015, Poorni Orang, a 63-year-old woman from Sonitpur district (Bhimajuli village) was paraded naked, beaten up and subsequently beheaded by a crowd of around a hundred people, including her own distant relatives and neighbours. This incident became an international issue [37]. Orang was labelled as a ‘witch’ by a self-proclaimed goddess of that village who held her responsible for frequent deaths and other calamities in the village. During that period, the Assam Witch Hunting (Prohibition, Prevention and Protection) was introduced in the state assembly but didn’t turn out to be much effective. Currently, after the law has been passed, witch-hunting is a non-bailable, non-compoundable and cognizable offence. As per DGP Saikia, the legislation must be coupled and supported with social involvement of people in order to function effectively [38]

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