

LAW, FAITH, UNREASON: ON ERADICATING SUPERSTITION FROM SOCIETY

Relevant for: Indian Polity | Topic: Judiciary in India: its Structure, Organization & Functioning, Judges of SC & High Courts, Judgments and related Issues

Mere legislation is not enough to eradicate superstition from society, but laws do have the utility value of curbing the prevalence of inhuman rituals and practices. Seen in this light, the proposed Karnataka law targeting black magic and inhuman practices may be regarded as social reform. The Karnataka Prevention and Eradication of Inhuman Evil Practices and Black Magic Bill, 2017 has been approved by the State Cabinet and is likely to be introduced soon in the Assembly. It is not accurate to characterise this as just an 'anti-superstition bill', as what it seeks to prohibit are actions that offend human dignity, result in the exploitation of gullible and vulnerable people or cause harm to them. Organising macabre rituals, offering magical cures and threatening people, under peril of incurring divine or supernatural displeasure, are covered by this law, even though these can be treated as offences under the Indian Penal Code too. Perhaps ironically, it exempts established religious practices and the propagation of spiritual learning and arts, besides astrology and *vaastu*. Overall, it tries to heed the line between religious traditions and superstitious practices. Maharashtra already has a law against black magic and other 'evil' practices. It is not clear if it has made much headway in eliminating blind faith, but it must strengthen the hands of people willing to take on social practices steeped in ignorance and unreason. The proposed law ought to be seen as a reasonable restriction on the right to practise and propagate one's religion under Article 25 of the Constitution. As long as these restrictions are in the interest of public order, morality and health, the law may withstand the test of constitutionality.

It is not uncommon to read reports of disturbing rituals. Among the rituals the Bill outlaws is the *urulu seve*, also known as *made snana*, in which devotees roll over food leftovers, the practice of walking on fire, branding children, and piercing one's tongue or cheeks. It is hard to make a case for retaining these practices. However, it is possible that some may ask whether everything that appears irrational to the less believing should be prohibited by law. When the state ventures to identify some practices — mostly prevailing among groups in the social periphery — as incompatible with 'civilised' norms, it must demonstrate that these are wholly inhuman, or exploitative. One must denounce acts that harm women in the name of exorcism, but is it possible to decry the very idea of devotees claiming to be "possessed" by god or the devil, except from the perspective of a rationalist? Ultimately, it is education and awareness that can truly liberate a society from superstition, blind faith and abominable practices in the name of faith. Until then, the law will have to continue to identify and punish acts that violate the people's right to life, health and dignity.

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