

“Thou shalt not suffer a witch to live”: Human rights implications of witch-hunts in South Africa and Zimbabwe.

By

KUGARA STEWART LEE

STUDENT NUMBER: 11585397

Submitted in fulfillment of the requirements for the degree of

MASTER OF LAWS (LLM)

In the

SCHOOL OF LAW



University of Venda

At the

UNIVERSITY OF VENDA

SUPERVISOR: PROF G.N.K VUKOR-QUARSHIE

CO-SUPERVISOR: MS ANNETTE LANSINK

2015

UNIVEN LIBRARY

Library Item :

20150940



Abstract

This research examines the human rights implications of witch-hunts in selected areas of South Africa and Zimbabwe. Although the incidence of witchcraft-related crime is patently high, the fact that such cases are largely unreported poses serious enforcement problems to the police and society at large. Considering the brutal torture and killings that are frequently perpetrated by witch-hunters, the efficacy of the legal mechanisms that regulate the rights of alleged witches and witch-hunters is critically assessed. Selected court cases and newspaper reports are examined to present a clear picture of witch-hunts. Historically, witch-hunts have been gender based with large numbers of victims being women. Thus the gender dimension of the problem is carefully explored. The study also explores the best methods for effecting change in long-standing belief systems and values of a distinct population. The primary motivation for the study was the need to address the lack of updated laws and scholarly legal writing on witch-hunting related crimes. Literature review, fieldwork, semi-structured interviews and case studies form the basis of the research methodology employed. This study does not purport to be exhaustive as there is still scope for further interdisciplinary research. The human rights dimensions of the problem can also be further researched. Recommendations and suggestions based on the data gathered during the study are advanced. It is acknowledged that the issue of witch-hunting requires a holistic approach involving stakeholders from relevant disciplines to make contributions in addressing this multi-dimensional phenomenon.

Key words:

Witch, witchcraft, wizard, witchcraft-related violence, witch-hunts, witch-doctors, victims, traditional leaders, African value systems, ethical ideas