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Historical Evolution and Cultural Perceptions of Black Magic Law

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Origin of Black Magic

The notion of black magic, commonly referred to as dark magic or malicious magic, has a deep and diverse history that stretches across numerous cultures and civilizations. While the phrase “black magic” itself may not have been used in ancient times, the notion of harnessing supernatural or occult abilities for ill ends has been evident throughout human history¹.

Ancient people and their Beliefs and Practices: Black magic’s origins can be traced to earlier civilizations where people held extraordinary powers to exist and sought methods to use these forces for their profit or to do damage to others. In cultures such as Mesopotamia, ancient Egypt, Greece, and Rome, rituals, spells, and incantations were performed to conjure deities, spirits, or supernatural creatures to attain personal objectives or inflict retribution².

Medieval Period and Witchcraft: The medieval period saw the growth of witchcraft as a fundamental part of black magic. Accusations of practicing black magic frequently led to witch hunts, trials, and death. The witch trials of the 16th and 17th centuries, such as the iconic Salem witch trials in colonial America, illustrate the dread and persecution of persons perceived to be involved in malicious magical activities³.

Contemporary Occultism and Cultural Influence: The late 19th and early

20th centuries witnessed the birth of contemporary occult groups and secret societies, such as the Hermetic Order of the Golden Dawn. These societies delved into diverse magical techniques, frequently taking from old traditions, and adapting them to current ideas. The iconography and rituals of these groups continue to influence occult activities today⁴.

Contemporary Beliefs and Behaviour: In the contemporary day, different cultural and subcultural groups engage in behaviours that may be considered types of black magic. These activities might vary from ceremonial magic and spellcasting to contemporary witchcraft and neopaganism. Contemporary literature, cinema, and media have also maintained the image of black magic, often romanticizing, or sensationalizing its components⁵.

Important to keep in mind is that people's perceptions may vary considerably based on cultural, religious, and socioeconomic factors. What one society deems black magic could be perceived differently in another one. Additionally, the phrase itself might be weighted with subjective and moral judgments. While some could regard it as evil or detrimental, others may consider it as a way of empowerment or personal growth. Throughout history, black magic has been a topic of both interest and dread, reflecting humanity's unending attempt to comprehend and harness the enigmatic powers of the cosmos⁶. The study of its origins and historical expressions gives insights into how human civilizations have interacted with supernatural beliefs and rituals across time.

Black magic has roots in ancient societies and cultures, where it was frequently connected to witchcraft, shamanism, and other types of spiritual or paranormal practices. Black magic was frequently associated with the worship of evil spirits or deities and was frequently used for malevolent ends, such as harming or causing bad luck to other people. The idea of black magic may be understood differently in various societies based on their cultural and historical backgrounds and that its application and interpretation may differ significantly. Remember that these customs and beliefs lack any scientific foundation and are frequently rooted in Superstition⁸.

Throughout History, Black Magic or its equivalents have been practiced in Various Civilizations

Ancient Mesopotamia

Even two thousand years after the fall of the Neo-Assyrian and Neo-Babylonian empires (about 883-539 B.C.), it might be difficult to understand Mesopotamian magic as a cultural concept. Due to the conceptual traditions of Western dualism, magic and religion are often seen as having a binary connection. However, in Mesopotamia, there was no such distinction. Throughout the first millennium B.C., those who lived in ancient Iraq and the imperial outposts of Syria, Anatolia, and Iran were heavily reliant on magic⁹.

Mesopotamians were aware of a wide range of natural occurrences and both their advantages and disadvantages. For instance, celestial omens may portend good military outcomes or warn that the Assyrian monarch is in impending danger. Magic might also be used to prevent a curse (Akkadian *mamitu*) that occurred from unwittingly committing a sin and therefore losing the Favour of one's god or goddess. It can also be used to stop the evil deeds of ghosts, demons, and human sorcerers. Mesopotamian magicians performed tasks in a number of professions, including magic, science, medicine, literature, and religion.

It was the guiding concept Mesopotamians used to comprehend many natural phenomena and both their positive and bad effects, therefore it was far from being thought to be unreasonable. Consequently, it may be stated that Mesopotamia was aware of black magic in antiquity.

Expert magicians performed rituals and practiced various aspects of black magic creation during the first millennium B.C. in both private and public settings. Comprehensive cuneiform texts that describe these professionals, their technical proficiency, the spells they recited, the medicines they manufactured, and the knowledge needed to interpret signs in the natural world that are the source of our understanding of these procedures¹⁰.

Because it was believed that demons and other evil forces may harm the human body, several adornments were created as a defense against such occurrences. Small items like necklaces of the cruel wind demon Pazuzu (1993.181) and amulets depicting the demonic goddess Lamashtu (1984.348), who attacked expectant mothers and young children, would have been worn as a form of portable defense¹¹.

Ancient Egypt

In ancient Egypt, Black magic played a central role in daily life. Heka, Shed, Tutu, Wadjet, Isis, and Bes were just a few of the Egyptian deities who invoked magic for protection and healing.

A snake bite, a life-threatening illness, or an invading army were among the most common threats that magic was used to ward off, in Ancient Egypt. However, magic may also be detrimental as a curse or through black magic. Magic was closely related to medicine and healing. Additionally, items like amulets and wands were thought to be infused with magic. While Shed, Tutu, Wadjet, Isis, and Bes were among the Egyptian gods who used protective magic to aid humanity, Heka was the deity of magic.

Medieval Europe

Magic was closely associated with paganism when Europe was being converted to Christianity (about 300–1050), and Christian missionaries utilized this

association to condemn the religious practices of the Celtic, Germanic, and Scandinavian peoples. The church simultaneously captured and Christianized aboriginal people's traditions and beliefs. For instance, healing methods found in monastic books combined Germanic folk rituals with Christian formulas and ceremonies to fortify natural substances and alleviate ailments caused on by poisons, elf attacks, demonic possession, or other occult forces. An additional custom that was Christianized, bibliomancy involves divining by selecting a chapter from the Bible at random. It was formalized in the Orthodox Slavs' Divinatory Psalter from the 11th century. Despite being appropriated and demonized by Christian authorities of the time, magic persisted in a complicated relationship with the prevailing faith. Acculturation processes were comparable to the practice of Black magic in the area of Medieval Europe.

Africa

From the time of enslavement until well into the 20th century, Black Magic explores the evolution of Conjure—the African American practice of healing and inflicting harm—from African, European, and American perspectives².

Cultural, religious, and social factors that led to the development of Black Magic Practices

The development of black magic practices is influenced by a complex interplay of cultural, religious, and social factors. It's vital to understand that "black magic" is frequently used to describe actions that are seen as malicious, harmful, or unethical within a particular cultural religious context. These practices can vary widely across different societies, but some common factors that contribute to their development include ¹³:

● *Cultural Beliefs and Traditions*

Cultural beliefs play a significant role in shaping perceptions of magic and its purpose. In many cultures, there is a belief in supernatural forces and the ability to harness them for various purposes, including harm. In some cases, these beliefs may stem from animistic or folk traditions that attribute power to certain objects, rituals, or individuals. Cultural narratives that involve revenge, jealousy, or competition can also contribute to the development of harmful magic practices ¹⁴.

● *Religious Influences*

Religious beliefs can both condemn and encourage magical practices. In some religious traditions, magic is seen as a way to connect with spiritual entities or manipulate the natural world. However, many mainstream religions also have

prohibitions against magic that seeks to harm others, considering it morally wrong or even sinful. Despite these prohibitions, there are instances where individuals or groups adopt “black magic” practices, often as a form of rebellion or to gain power¹⁵.

● *Social Inequities and Power Dynamics*

Social factors, including power imbalances and inequalities, can contribute to the use of black magic. When certain groups face marginalization, discrimination, or oppression, they might turn to magical practices as a means of asserting control or seeking revenge. Black magic can sometimes be used by individuals who feel powerless or marginalized in society to level the playing field, even if temporarily¹⁶.

● *Economic Conditions*

Economic factors can influence the development of black magic practices. In societies with limited access to resources, individuals might resort to magical means to improve their financial situation, harm competitors, or gain an advantage in business or employment.

● *Psychological and Emotional Needs*

Black magic practices can also be driven by psychological and emotional factors. Individuals experiencing intense emotions such as anger, jealousy, or fear might turn to these practices as a way to cope or gain a sense of control over their circumstances. Magical rituals may provide a psychological outlet for emotions that are difficult to manage through conventional means¹⁷.

● *Transmission of Knowledge*

The spread of black magic practices often involves the transmission of knowledge within secretive or closed groups. This knowledge might be passed down through generations, creating a sense of tradition and legitimacy. The exclusivity of these practices can contribute to their allure and mystique.

● *Popular Culture and Media*

Media, including books, movies, and online content, can romanticize or sensationalize black magic practices. This can lead to the popularization of certain rituals or beliefs, which in turn can attract individuals seeking to experiment with or adopt these practices.

It is crucial to understand that the definition of “black magic” is arbitrary and varies considerably across many cultures and religious traditions. Practices considered “black magic” in one context might be seen as benign or positive in another. Additionally, attributing negative outcomes solely to black magic

oversimplifies complex social and cultural dynamics that contribute to such practices¹⁸.

Comparing and comparing the beliefs, practices, and objectives of black magic across various civilizations shows both similar themes and substantial variances. It is vital to understand that the phrase “black magic” may not be used universally in all cultures, but the notion of harnessing supernatural abilities for bad or wicked goals can be found throughout diverse nations¹⁹.

Examine and contrast the beliefs, practices, and objectives of black magic throughout civilizations²⁰

Ancient Mesopotamia

- Beliefs: Mesopotamian societies believed in the potential of magic to harness supernatural powers. Magic was considered a weapon to attain personal ambitions, punish adversaries, or defend oneself.
- Rituals: Rituals involve petitioning deities and employing incantations to execute curses or benefits. Clay tablets containing magical writings have been uncovered, demonstrating the practice of magic.
- Purposes: Magic was utilized to manipulate circumstances, seek retribution, or gain an edge in numerous parts of life²¹.

Ancient Egypt

- Beliefs: Ancient Egyptians included magic in their religious ceremonies. Magic was viewed as a method to obtain favor from deities or to alter natural forces.
- Rituals: Magic rituals included spells, amulets, and talismans. Rituals were done for protection, healing, love, and damage²².
- Purposes: Magic serves both defensive and destructive functions. It was used to fend off bad spirits, assure fruitful harvests, and injure foes²³.

Ancient Greece and Rome

- Beliefs: Magic was linked with the polytheistic beliefs of ancient Greece and Rome. Supernatural creatures were conjured to confer blessings or create harm.
- Rituals: Rituals comprised sacrifices, offerings, and verbal or written incantations. Magical rituals were employed to affect love, fertility, success, and damage to foes.
- Purposes: Magic served different functions, including love spells, curses, healing, divination, and protection²⁴.

Medieval Europe

- Beliefs: In medieval Europe, magic was typically connected with witchcraft and was considered as a contract with evil powers. Beliefs varied, but many saw magic as an evil activity.
- Rituals: Witchcraft rituals included curses, potions, and deals with spirits. Rituals were typically covert and concealed from authorities.
- Purposes: Magic and witchcraft were supposed to cause damage, disease, and disaster. Accusations of witchcraft frequently led to persecution and trials²⁵.

Indigenous Beliefs (Various Cultures)

- Beliefs: Many indigenous societies have their types of magic, frequently related to shamanic activities and spirit connection.
- Rituals: Rituals comprised spirit invocations, medicinal mixtures, and divination. Magic was utilized for healing, manipulating nature, and protection.
- Purposes: Magic in indigenous cultures generally focuses on preserving balance with nature, guaranteeing communal well-being, and seeking direction from ancestors.

Modern Occultism

- Beliefs: Modern occult movements draw from historical practices and esoteric knowledge. Magic is generally considered a tool for personal growth, empowerment, and spiritual development.
- Rituals: Rituals comprise spellcasting, meditation, and ceremonial magic. Magic is practiced for self-improvement, attaining objectives, and connecting with the divine.
- Purposes: Magic is performed to actualize goals, promote spirituality, develop psychic talents, and investigate the secrets of life.

Comparing different cultural viewpoints on black magic shows both related themes, such as the usage of rituals and invocations, and major variations, such as the conception of magic as malicious or beneficial. While techniques differ, the fundamental human urge to harness supernatural powers for personal reasons is a constant thread throughout societies.

Type of Black Magic

Magic is of many different kinds in society. Society does magic in their way of doing magic, as they believe their unique way of doing magic, as they learn from

grandparents or somewhere. Every magician has their unique way of doing magic, some for the help of society. And some for gaining economic activity like business, agriculture, hunting, health, and other healing. And some people, it is used for love life, increasing their attractiveness in society, or any other field. And other uses for spiritual cleansing²⁶.

- Curses and Hexes: These entail the use of magical rites, spells, or incantations to cause illness, misfortune, or misery to a person or group. Curses may take different forms, such as inflicting disease, poor luck, or even death.
- Necromancy: Necromancy includes contact with the departed, sometimes for the goal of obtaining counsel, divination, or other types of supernatural knowledge. It may also entail efforts to influence or control spirits.
- Dark Rituals: These are rituals that entail calling malicious spirits or supernatural forces to fulfill one's purposes. These rituals might vary from conjuring demons for personal benefit to executing sacrifices.
- Voodoo and Hoodoo: These are Afro-Caribbean and African-American magical traditions that include the use of charms, spells, and rituals to affect events, heal, or hurt people. While not fundamentally "black magic," these practices have long been connected with it owing to their perceived mystery and supernatural character.
- Malevolent Spellcasting: This involves the employment of spells to inflict damage, manipulate emotions, or influence the behavior of others. Love spells, for example, could be used to control someone's sentiments without their agreement.
- Witchcraft: In certain situations, witchcraft is considered a sort of black magic. Historically, those accused of practicing witchcraft were considered to be utilizing their skills for malevolent ends.
- Cult Practices: Certain cults and secret organizations may engage in rituals and practices that entail manipulation, control, and damage, typically coming under the category of black magic.

Symptoms of Black Magic

Belief in the effects of black magic and its attendant symptoms is typically founded in cultural and spiritual viewpoints. Different cultures and traditions have their views of what defines signs of black magic. It is crucial to remember that these views are not widely accepted or scientifically established. Following are the frequent symptoms that people and societies could link with the effects of black magic²⁷:

- Inexplicable Physical Ailments: Sudden and inexplicable health difficulties, persistent pain, and diseases that do not respond to medical care may be ascribed to the effects of black magic.

- Emotional and Mental Distress: Sudden changes in behavior, mood swings, sadness, anxiety, and other psychological disorders might be thought of as being produced by black magic.
- Sleep Disturbances: Nightmares, sleeplessness, and sleep disturbances that are exceptional and continue without obvious explanation could be regarded as symptomatic of hostile spiritual influence.
- Financial and Material Loss: Sudden and inexplicable financial troubles, loss of riches, or unanticipated material losses could be linked to the operation of black magic.
- Relationship Problems: Strained relationships, disagreements, and unexpected breakdowns in interpersonal ties might be interpreted as symptoms of black magic, especially if they appear to have no apparent explanation.
- Unusual Behaviour: Drastic and rapid personality changes, as well as unexplainable outbreaks of wrath or violence, could be connected to belief in black magic.
- Unexplained Accidents: Experiencing a sequence of mishaps or catastrophes that appear to occur without reason might be viewed as evidence of black magic.
- Feeling of Being Watched or Followed: Individuals who think they are under the influence of black magic could describe feeling a continual presence, being watched, or having a sensation of being followed.
- Strange Sensations: Sensations of being touched, hearing inexplicable voices, or meeting peculiar scents could be ascribed to supernatural involvement.
- Inexplicable Fear: Sudden and overwhelming fears, phobias, or thoughts of impending doom that occur without a clear explanation could be interpreted as the consequence of black magic.

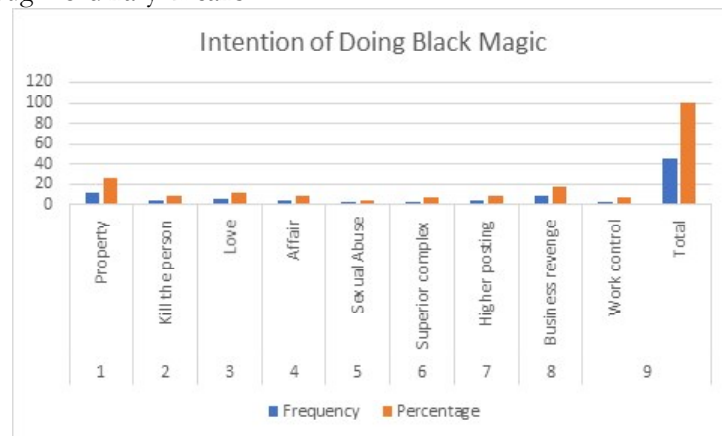
Purpose of doing Black Magic

Based on individual beliefs, societal circumstances, and personal purposes, the reason for using black magic might vary greatly. Black magic is often associated with using supernatural or occult practices to influence events, people, or situations in a harmful way. However, it is important to recognize that the concept of black magic can be multifaceted and may not always align with a singular purpose. Here are some common reasons that individuals might engage in black magic²⁸.

- Inflicting Harm: Some people do black magic intending to cause harm, suffering, or misfortune to other people because some people think why he/she is happier than with me or some other motive for doing this work. This

harm could be physical, emotional, or psychological. Through doing this they gain various types of happiness or monetary benefits.

- Seeking Revenge: Black magic is done for revenge purposes. Most women have conflict with each other. They take this step to get revenge on that person or influence by watching a TV show, or any known person who does such an activity. The intent could be to make the target experience negative consequences.
- Gaining Power or Control: Practitioners or we say baba who due to under greedy might use black magic to gain a sense of power, control, or dominance over people, situations, or forces beyond their natural abilities, to cause harm to humanity but at some time its use for the benefit for human might attack from black magic to do neutral from effect.
- Manipulating Relationships: Black magic might be used to manipulate the feelings, thoughts, or actions of others, particularly in the realm of romantic or interpersonal relationships. Mostly this practice is done at a high rate because if any people going through such, they step to do this for them they think it is one of the best steps to attract people towards him /her.
- Acquiring Material Gain: Some people do this black magic with the thought of getting a short period of acquiring material gain in an attempt to achieve wealth, success, or material possessions beyond what they believe is attainable through ordinary means.²⁹



- Protection from Enemies: Black magic could be used to protect oneself or one's loved ones from perceived threats, negative energies, or malevolent forces
- Exploring the Occult: For some, practicing black magic might be a way to explore the mysteries of the occult, tap into hidden knowledge, or communicate with supernatural entities.

- Cultural and Traditional Practices: In certain cultures, or belief systems, what is considered black magic by some might be regarded as an integral part of cultural or traditional practices that connect individuals with their heritage and spirituality.
- Personal Fulfillment: Practitioners might engage in black magic in the pursuit of personal fulfillment, whether that involves achieving personal goals, satisfying desires, or seeking a sense of purpose.
- Emotional Expression: In some cases, individuals might turn to black magic as a way to express intense emotions, such as anger, frustration, or despair.
- Curiosity and Experimentation: Some people may be drawn to black magic out of curiosity or a desire to experiment with the supernatural and the unknown.

Law and Regulations

Before we go to the law and rule part let's understand the story of how they commit crime through black magic /witchcraft. The story starts in the state of Kerala of Pathanamthitta District where a brutal murder of two women happened because of ritualistic human sacrifice. According to the investigation's first findings, the victims said that they had experienced severe sexual harassment and torture. After that, they revealed that their body was dismembered before being buried in a pit. Humans were terrified by the details of the killing, which led to discussions among the peoples about how brutally they attempted to kill the people. That Kerala is a state where superstition, black magic, and other bad practices are widely prevalent and actively practiced³⁰.

The Elanthor case³¹

Mostly, we have seen crime happen due to revenge or any other such matter related to this. But in this case, it happens, so brutally that society has fear in the case of Elanthor, where two ladies namely Raslin and Padma both were lottery vendors sacrifice their lives due to the influence of black magics. Soundly strange but this case happened and marked huge impact on the society. How two women sacrificed their lives due to lured promise of easy money. After a police inquiry, it came to light that Raslin and Padma were from different parts of the Ernakulam district of Kerala, They were both murdered by a couple named Bhagaval and his wife Laile. Both women were going through financial difficulties and wanted to become wealthy quickly, so they chose this method to do so. The police assert that Raslin and Padma's chopped-up body parts were discovered on the couple's property in the Pathanamthitta hamlet of Elanthoor. The police have concluded that Mohammed Shafi, also known as Rasheed, is the prime perpetrator of the murders.

He set the trap by creating a fictitious Sreedevi profile on Facebook and adding Bhagaval Singh as a friend.

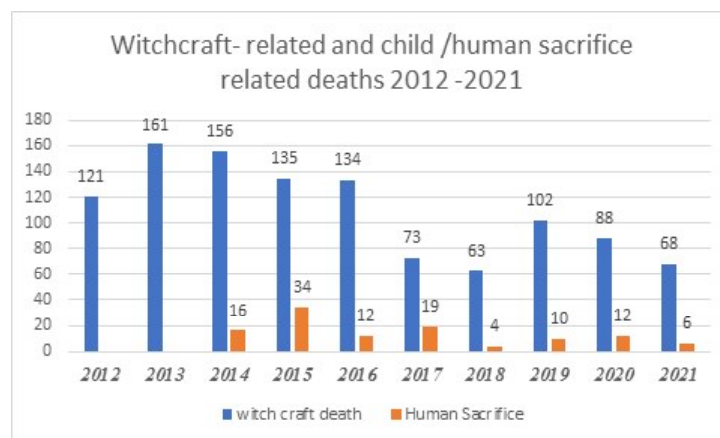
Doctors from the area, Bhagaval Singh and his wife Laila ran an Ayurvedic massage clinic in the community. Bhagaval gained some notoriety on Facebook for posting haikus, and some people thought he was a supporter of the CPI(M), which occasionally posted statements and banners endorsing the ideology. According to Mathew, who lived next to the couple, “We have known these people for years.” They resided in the 13th ward of Elanthoor village. Singh’s father was a well-known massage therapist in his time, and when he died, Singh took over the company and has been performing the same with his wife for years. ³²

According to investigations, Shafi, who pretended to be Sreedevi, convinced the couple that human sacrifice may help them succeed financially. He promised to bring a woman who might be offered as a sacrifice ³³.

Police also noted that Padma’s sister Palaniyamma’s missing person report is how the entire revolting deed came to light. The last signals from her phone, which were intercepted by officials, identified the Elanthoor region and directed them to Shafi. Shafi broke down during questioning and admitted abducting the two women.

“During our investigation regarding the missing woman from Kadavanthara (Ernakulam), we came to know that she was killed in that couple’s house in Thiruvalla and her body was buried after being cut into pieces there. It was a ceremonial human sacrifice for the financial gain of the couple,” Nagaraju Chakilam, the commissioner of the Kochi City Police, stated³⁴.

When Bhagaval Singh and his wife were questioned, they acknowledged the “sacrifice” of another woman in the same house in June. She was named Roslin.

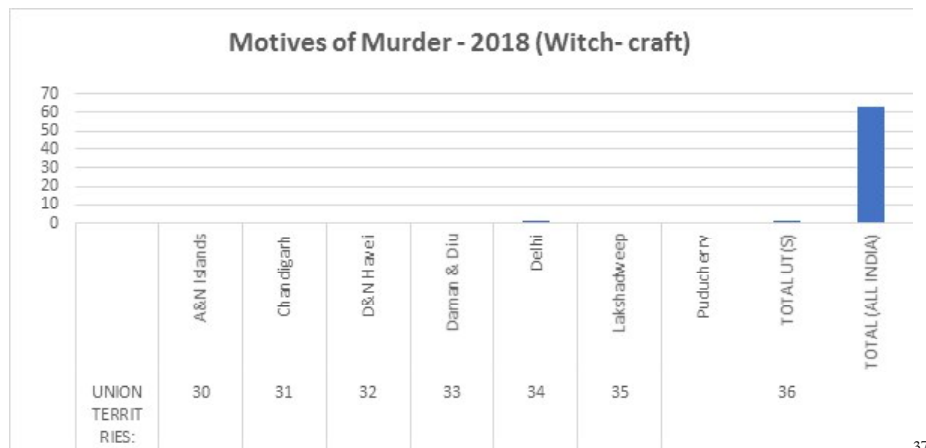


State and Union territory-wise data on witchcraft and human

sacrifice from 2018 to 2022



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Burari Case³⁹

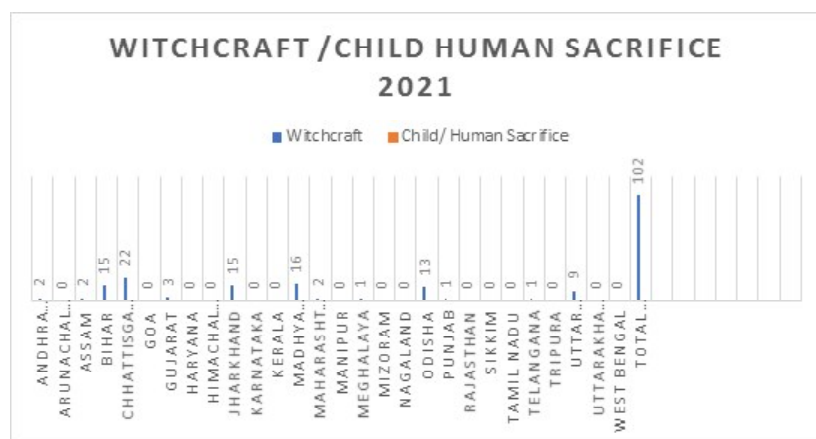
As we know in India, people blindly believe in magic and superstitious things and come easily under the influence of Baba and all. And same here in the Burari case is also based upon Tutka and superstitious magic-related stuff. The Burari case was one of the most Horrifying cases ever in a society where 11 people were killed by hanging themselves under the influence of superstitious magic.

It was 1st July 2018 when 11 members of a family in Burari, Delhi committed ritual mass suicide in their home. In the morning, Lalit Chundawat's friend and neighbor, Gurcharan Singh went inside the house because Lalit had not come for the morning walk. At 7:15 am, Gurcharan Singh went inside and saw 9 people hanging in the middle of the house, 1 person hanging with the wall, and the eldest member Narayani Devi lying strangled in the room.

Their hands were tied from the back, their mouth was taped, cotton balls were in their ears and their legs were also tied. There was no evidence of struggle due to hanging. Only their the dog was a survivor and was tied to the terrace.

Members include: - (1) Narayani Devi (age 80), mother of Bhuvnesh, Lalit, and Pratibha, (2) Pratibha Bhatia (age 57), widowed daughter of Narayani Devi, (3) Bhuvnesh (age 50, also spelled as Bhuvnesh), elder son of Narayani Devi, (4) Lalit (age 45), younger son of Narayani Devi, (5) Savita (age 48), elder daughter-in-law of Narayani Devi, wife of Bhuvnesh, (6) Tina (age 42, also spelled as Teena), younger daughter-in-law of Narayani Devi, wife of Lalit, (7) Priyanka (age 33), only daughter of Pratibha, (8) Nitu (age 25, also spelled as Neetu), elder daughter of Bhuvnesh, (9) Monu (called "Menaka") (age 23), younger daughter of Bhuvnesh, (10) Dhruv (called "Dushyant") (age 15), the only son and youngest child of Bhuvnesh, (11) Shivam (age 15), son and only child of Lalit.

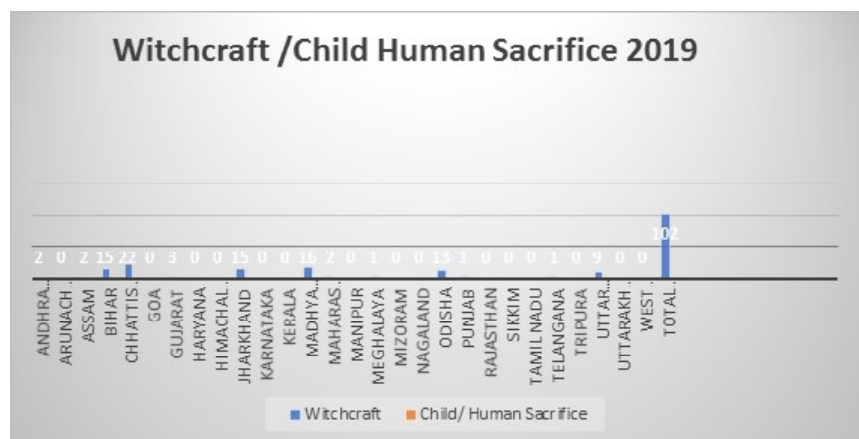
In this family, Shivam was the youngest and Narayani Devi was the oldest in this mass ritual suicide. This story starts with Bhopal Singh's death in 2007. He was the most senior member and head of the family. He died a natural death leaving behind two sons namely Bhuvnesh (50) and Lalit (45). After the death, Lalit took the charge of head of the family and he became very introverted because of the death of his father. They had two shops i.e., a grocery shop and a plywood business in the area. Once Lalit told his family that he was possessed by his father and he directed all the affairs of the family. Since 2007, Lalit has written a diary as well as narrated every day to Nitu and Priyanka for writing a diary which was instructed by Bhopal Singh in his dream. This has continued for 11 years and every member has to follow the instructions which also help them. There were 11 windows in the house, 11 Pipes, 11 written dairies, and 11 members who committed suicide. Some psychologist says that these incidents happened due to a "shared psychological disorder" by Lalit. Lalit had two unfortunate incidents in the past which led to PTSD.



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What are the laws available to curb this activity?

We live in the 21st century, Where everything is now possible from one of the

toughest missions to land on the moon or to an indigenous nuclear power plant or adding on India's first solar mission, Aditya L-1 Web development is at its peak level, but we still see that many Indians from either urban or rural region, they still prefer to do stuff like black magic Superstitious or visit Tantrik place as well as Esther Roger Then a doctor who is trained to treat their condition, but they didn't believe in doctor, rather than believing superstitious thing. Astrologer or Tantrik We have seen that in India, still, people still have deep thought concerning superstitious belief and conservative thought in their mind from the Kerala human sacrifice case to the Burari case, which happened in Delhi, say that legislation need light on anti-superstitious and black magic law to curb from the crime. Recent killings committed in the name of superstition reflect the perverse side of Indian civilization today. While raising awareness is essential for ending these practices, there is also a legal requirement to address the pervasive use of black magic. Since some people believe that these customs and rituals undertaken in the name of God may be viewed as a manifestation of religion, there is a narrow line between faith and superstition that needs to be defined in legislation.

Constitutional Position Concerning Black Magic and Superstitions

India's Constitution includes several provisions that indirectly address superstition and promote scientific temper, secularism, and rationality. Although there may not be particular constitutional provisions that specifically address superstition, these clauses help to create a framework that forbids harmful and unreasonable superstitious activities. The following are a few pertinent constitutional clauses ⁴³:

Preamble of Indian Constitution: The Indian Constitution's preamble emphasizes the significance of justice, liberty, equality, and brotherhood. These values encourage Rational thinking of individuals Equality before the law & and a strong rejection of superstitious⁴⁴.

Article 51A(h): This part is mentioned in fundamental duties which are enshrined in the Constitution of India. It demonstrates that each Indian citizen must cultivate the scientific temperament of Hinduism as well as the spirit of inquiry and reform. Through this text, we vehemently urge people to adopt a scientific outlook and oppose superstition.⁴⁵.

Articles 25-28: These Articles uphold the right to religious freedom and exercise. They are subject to reasonable limits to preserve public order, morality, and health while protecting their views and practices. The dangerous superstitious behaviors may be reduced with the help of these limitation⁴⁶.

Article 46: The Scheduled Castes, Scheduled Tribes, and other socially excluded groups are encouraged to pursue their economic and educational aspirations in this article. It subtly deters superstition by enhancing access to knowledge and advancing social well-being⁴⁷.

Anti-superstition laws: have been passed in a few Indian states to fight superstition and other activities that prey on people's beliefs. Dangerous superstitious practices are prohibited and outlawed under the 2013 Maharashtra Prevention and Eradication of Human Sacrifice and other Inhuman, Evil and Aghori practices and Black Magic Act.

State-made Law against the Superstitious and Black Magic

There is no one single rule that governs all offences in India that are connected to superstitious beliefs or practices. However, the anti-witch-hunting law was introduced in the Lok Sabha by MP Raghav Lakhpalan in 2016, but for some reason the session did not result in its passage. The draft's punishment for labelling someone as a witch, using force against a woman, torturing or humiliating them under the presence of practicing witchcraft will seek severe punishment to put an end to such crimes in the future. Mention harsh prison conditions as well. The Indian Penal Code included punishments for crimes including kidnapping, rape, and murder but left out any mention of harming someone out of superstition or for any other reason linked to this issue. Observing that the center has not passed any legislation regarding superstitious or black magic, some states took strict action related to this and made laws against superstitious and black magic to curb crime against this act⁴⁸.

Bihar 1999: The Prevention of Witch Practices Act went into effect in October 1999 and was the first law against black magic in India. It said that if any woman was labelled as a witch or under the excuse of engaging in activities like torturing or killing human beings, it was illegal. This act defined women as witches if they were found to have the capacity or intent to harm anyone through the practice of black magic or by reciting mantras that will ultimately damage someone else. The punishment of this act is that Any person who identifies as a witch or acts in such activity or helps in doing such activity will directly face jail for up to three months or a fine of 1000 or both. This will be extended up to six months or a fine of Rs. 2,000 ⁴⁹.

Jharkhand 2001: The state started looking into the matter of black magic and Bihar similarly, made a law on this Jharkhand also enacted the same law enacted by Bihar i.e., the Prevention of Witch Practice Act State found that this law, was Ineffective, Jharkhand police website claim that Passage of Act Didn't minimize via enacted this law.

A village council in Gumla had condemned five members of a family to death because they were "witches" Justice Sujit Narayan Prasad, the Jharkhand High Court's then Chief Justice, took *suo moto* note of the incident in 2021. The Prevention of Witch (Daain) Practices Act, 1999, which the State of Jharkhand has ratified, has been in effect since the year 1999, but the Chief Justice remarked

in the order from March 2021 that “unfortunately, bold moves couldn’t be taken to achieve the object and intent of the Act, 1999.”

Chhattisgarh 2005: We have seen that Chhattisgarh is one of the worst impacted states in terms of witchcraft. Several crimes occur there as a result of witchcraft, with violence against women being the primary focus of these crimes. A specific name is also given which is known as “Tonahi” in the state. Chhattisgarh 2005 enacted Tonahi Partadna Nivarnan Act 2005 along the same line as Bihar and Jharkhand. Anyone found guilty under this law faces a fine, a prison term of up to five years, as well as a regressive sentence of up to three years. The legislation stipulates that when a fine is imposed, the court shall evaluate the physical and mental damage incurred to the victim if the victim is physically and mentally disturbed by such action⁵⁰.

Odisha 2013: In 2013, the Assembly enacted the Odisha Prevention of Witch-Hunting Bill after the Odisha High Court requested that legislation be drafted to address the state’s mounting witch-hunting issue. The law includes provisions for fines and penalties for infractions, including up to seven years in prison. The law also specifies a penalty for anyone pretending to be a black magician or witch doctor.

Earlier this year, the Odisha State Commission for Women (SCW) asked for stronger measures to be added to the present Act because it found them to be insufficient. The panel ordered that anybody found guilty of offenses linked to magic receive both incarceration and monetary punishment⁵¹.

Maharashtra 2013: Following the 2013 assassination of anti-superstition campaigner Dr. Narendra Dabholkar. This group, Maharashtra Andhashraddha Nirmoolan Samiti (MANS) was led by Dr. Dabholkar. To “bring social awakening and awareness in the society and to create a healthy and safe social environment to protect the common people in the society against the evil and sinister practices,” the legislation was adopted.

It includes guidelines for the avoidance and prohibition of human sacrifice and other cruel customs. A fine of no less than Rs 5,000 and up to Rs. 50,000 and a jail sentence of no less than six months or no more than seven years are the penalties under the legislation⁵².

Suggestions and Recommendation

“The strange thing about superstitions is that we frequently hold them in high regard even if we intuitively understand their impossibility⁵³.”

The ever-evolving universe occasionally presents us with situations that reinforce the existence of superstition in our thoughts. Black magic practice is one of the traditional results of such superstitious beliefs. Black magic and superstitious practices are still used by many people in India as a kind of solace and cure. The

so-called curators, who practice occult and black magic, are referred to as “Tantric” or “Baba” and claim to solve difficulties with health, finances, and marital conflict. Ancient magical techniques were carried out and permitted only in higher classes. However, because of societal injustice in India, black magic is widely used and practiced by lower castes.

Black magic indirectly affects people’s mental and physical health and causes subtle medical issues. To maintain economic and social progress, it is crucial to promote and protect people’s health. Sometimes, magic belief seems innocent, but it can have devastating repercussions, such as witch-hunting and murder. Thus, the acceptance of black magic in society is a hindrance that needs to be removed.

Unawareness and a lack of education are degrading innocent people’s minds. People who lack any kind of information about black magic end up being victims of black magic. Most often women visit magicians to discuss their concerns and pay them so they can use black magic to solve them. The majority of those engaging in these kinds of activities are ignorant, but black magic is now so prevalent that even educated people are doing it. Religious priests, the media, and specific seminars must be organized to spread awareness.

The human body is exposed to a lot of bad energy through black magic. People must employ positive energy items and frequently attend positive energy locations, such as temples, mosques, and churches, to drive away this bad energy. The experts offer charms, amulets, medications, or other protection items that are placed in secret areas of the home, the fields, etc.

To provide people a sense of security, protection, and assurance, protective gear may be visible or invisible, secretive, or open. This is a trait of all traditional communities. Most voodoo practitioners are herbalists and wise men who employ plants and tree bark as medicines. To ward off the evil eye and to bring luck and fortune to the business, people can also use Quranic verses, sprinkle holy water, wear spiritual goods on the body, and hang artifacts like charms.

The phrase “Health is Wealth” applies to both this nation and the human race⁵⁴. People will be more productive when they are in good health, which increases the country’s income. Black Magic has an impact on a person’s mind and body. It causes unnoticeable health issues, which is also one of the factors that lowers workers’ productivity in their fields.

Better health is the secret to human happiness and wellbeing. It also contributes significantly to economic development since healthier populations live longer, are more productive, and save more money (WHO). Therefore, it is crucial to promote and protect people’s health to maintain economic and social progress.

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