AN ANTHROPOLOGICAL STUDY OF WITCHCRAFT-RELATED CRIME IN THE EASTERN CAPE AND ITS IMPLICATIONS FOR LAW ENFORCEMENT POLICY AND PRACTICE

By

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DECLARATION:

In accordance with Rule G4.6.3, I hereby declare that the above-mentioned treatise/dissertation/thesis is my own work and that it has not previously been submitted for assessment to another University or for another qualification.

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This research sought to investigate the phenomenon of witchcraft-related crime in the Eastern Cape Province of South Africa, and its implications for law enforcement policy and practice. The primary motivation for a study such as this emerged from the need to address the lack of academic knowledge about witchcraft-related crime, especially in the Eastern Cape. The study is anthropological in focus, and is thus based on anthropological techniques of data gathering. Specifically, a literature study and fieldwork (semi-structured interviews and case studies) formed the basis of the research methodology employed. The geographical focus of the study was the northeastern part of the former Transkei, an area commonly referred to as Pondoland. Interview data were obtained from two categories of informants, namely community informants and informants of the South African Police Service (SAPS). Various towns and their surrounding villages were visited during fieldwork in order to gather data through interviews.

Witchcraft continues to play an integral role in the cultural interpretation of misfortune, illness and untimely or mysterious death, particularly among local Xhosa-speaking communities that are predominantly rural. Beliefs associated with witchcraft were widespread in the study area and this was linked to high frequencies of witchcraft accusations and witchcraft-related violence. Police investigations of witchcraft-related cases were, for the most part, evaluated negatively by the majority of local community informants, while the SAPS informants indicated mixed responses as to the success of their investigations of these cases. The high frequency of unreported cases suggested that witchcraft-related crime is a problem in the Eastern Cape and that the local police were struggling to deal with these cases. The traditional leadership in various communities also struggled with the problem of an ambiguity in their role regarding witchcraft cases. Traditional leaders not only had jurisdictional limitations, but also indirectly seemed to encourage witchcraft-related violence by punishing those who accused others of witchcraft. In general, the relationship between communities, traditional leaders and the police were strained by witchcraft-related cases.
In addition to providing much needed data on the topic under study, this research also aimed to provide meaningful recommendations and suggestions based on the data gathered during the study. This study is by no means conclusive as there is still much scope for further research, not only anthropological research but also, more importantly, interdisciplinary research. The issue of witchcraft-related crime is one that requires a holistic approach to address and involves a number of stakeholders who should make a contribution to further study of this topic. The essential point is that, as far as the Eastern Cape Province is concerned, witchcraft-related crime must be taken seriously enough to invest in further research so that violence reaching crisis levels could be avoided.

**Key words:**

Witchcraft;
Witchcraft-related crime;
Ralushai Commission;
Pondoland;
Law enforcement;
South African Police Service;
Religious terrorism
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CHAPTER ONE:

BACKGROUND TO THE STUDY AND METHODOLOGY

1.Introduction

Within the criminal justice system of the South African state, the definition of crime is reasonably clear. Within the framework of existing legislation, acts such as murder or child abuse are clearly defined which makes it possible for the justice system to investigate and prosecute these crimes accordingly. However, when an act such as murder becomes linked to a religious or supernatural belief, the existing legislation becomes less adequate and consequently hampers the success of law enforcement structures in investigating such acts. In the multicultural context of the post-apartheid state, respect for the religious beliefs and freedoms of various cultural groups is strongly encouraged and supported by the South African Constitution (Constitution of South Africa, Act 108 of 1996). Thus, the justice system itself needs to be sensitive to these beliefs. Consequently, acts of violence that can be categorised as “witchcraft-related” cannot be investigated or prosecuted necessarily with the same level of certainty as could be found with other more “conventional” crimes. The problem in the justice system generally, and in law enforcement in particular, is the lack of a framework or criteria to assist in investigating “witchcraft-related crimes”.

During the apartheid regime in South Africa, the government introduced the Witchcraft Suppression Act (No. 3 of 1957), as a legislative framework to address “witchcraft-related crime”. The purpose of this legislation was to ‘Provide for the suppression of witchcraft and similar practices’. Consequently, it became illegal for anyone either to practise, or to be associated with anyone practising witchcraft and related practices. However, despite the existence of this legislation, witchcraft-related crimes are still occurring. Hund (2003) argues that there has been an escalation in witchcraft-related violence, one of the reasons for which is, ironically, the Witchcraft Suppression Act (No. 3 of 1957). This legislation fails to recognise the ontological status of witchcraft and thus ‘…any policy…which does not consider this ontological status of witchcraft…is destined to fail.’ (Mavhungu, 2000: 121). Regarding apartheid legislation concerning witchcraft, Holland (2001) states that ‘Few countries in Africa have legislatively challenged the assumption of colonial lawmakers that
witchcraft does not exist and the way to deal with witchcraft belief is...to suppress it.’ (Holland, 2001: 49). This, as the very title of the Witchcraft Suppression Act (No. 3 of 1957) suggests, was the purpose of the legislation, namely to suppress the belief in witchcraft. Another problem with the said Act is that it simply associated all types of African traditional healers with the practise of witchcraft: ‘...most colonial laws did not...make a distinction between a witch, a diviner, a witch doctor, and a medicine man...these distinctions were deliberately ignored in the Witchcraft Suppression Act (No.3 of 1957)...’ (Mavhungu, 2000: 128). Consequently, these factors have seemingly contributed to the occurrence of witchcraft-related violence, but the South African state has never really taken this phenomenon seriously, at least not until the brutal violence of the 1980s and 1990s. The events in the former Northern Province of South Africa during this period, in a sense, forced the state to respond. But to what effect?

This study aims to explore the phenomenon of witchcraft-related crime in the Eastern Cape Province of the Republic of South Africa and its implications for law enforcement policy and practice. It is argued that witchcraft-related crime in the Eastern Cape is an under-researched area of study and thus, the current study represents an exploratory investigation into the topic. Both during and in the aftermath of the violence in the former Northern Province of South Africa, the region received much attention from the government and scholars, although somewhat belatedly, regarding the issue of witchcraft-related crime in the 1990s (see, for example, Ralushai et al, 1996; Niehaus, 1997a; Mavhungu, 2000). However, Kohnert (2003) has argued that the Eastern Cape did not receive the same kind of attention: ‘Witchcraft-related violence, although hidden, was considerable here [in the former Transkei] as in Limpopo Province. But it did not draw the sympathetic attention of external actors as in Limpopo Province...The “case” of Tsolo and Qumbu [two districts in the Eastern Cape that were marked by widespread violence, most of which was witchcraft-related, in the 1990s] was therefore handled by the post-apartheid authorities by the conventional means which most democratic governments use for outbreaks of domestic violence in disfavoured regions: policing, awareness campaigns and development programmes, as usual hampered by the constraints of inadequate resources and ineffective projects’ (Kohnert, 2003: 234). This, in essence, represents the point of departure for the current study. Kohnert (2003) has echoed the
sentiments of the historian Peires (1999) in his argument that the conflicts in the Eastern Cape, such as those in Tsolo and Qumbu during the 1990s, were ‘covered by a longstanding culture of silence and untruth’ (Kohnert, 2003: 235; see also Peires, 1999: 1-2). Even the establishment of the Kroon Commission (see Chapter Seven, p.219), the Human Rights Committee and the Truth and Reconciliation Commission in the 1990s to investigate the nature of the violence in Tsolo and Qumbu, which included the influence of witchcraft, proved to have little effect, mainly because these initiatives ‘were not followed up with the necessary vigour and backing’ (Kohnert, 2003: 235, 237), either by the local provincial government of the Eastern Cape or the national government. Consequently, violence against alleged witches continues, not only in places such as Tsolo and Qumbu, but throughout Mpondoland and other parts of the Eastern Cape, as this study will show (see, for example, Chapters Three and Seven).

This chapter introduces the context and the problems inherent in witchcraft-related crime. A general context is described in which the South African state has attempted to address the issue. Within this context the motivation for a study such as this is discussed. A literature review is provided that indicates the significance of witchcraft studies in anthropological literature in both colonial and postcolonial Africa and South Africa. Also, the works of anthropological scholars who conducted studies on witchcraft in the Eastern Cape specifically are also outlined. Finally the chapter provides a description of the area of study upon which the current study is based, the research methodology employed and the methodological limitations.

2. An Overview of the Efforts of the South African State to Curb Witchcraft-related Crimes

Concerning witchcraft specifically, Ashforth (2005) has noted that ‘Witchcraft tends to surface in public discourse in South Africa only when reports of witch killings arise…’ (Ashforth, 2005: 10; cf. Kohnert, 2002: 174). Since these reports often stimulate debates around issues pertaining to human rights and gender equity, it is no surprise that the government would intervene in its capacity as the political power of the country (see Kohnert, 2002: 170). Hence, during the violent witchcraft-related
turmoil in communities in the Limpopo (Northern) Province during the 1980s and 1990s, the government was compelled to intervene and established the Ralushai Commission of Inquiry into Witchcraft Violence and Ritual Murders which published its report to the Ministry of Safety and Security in 1996 (Ralushai et al., 1996; Niehaus, 1997a; Mavhungu, 2000; Kohnert, 2002; Hund, 2003; Ashforth, 2005). Among some of the recommendations of the Ralushai Commission was that the Witchcraft Suppression Act (No.3 of 1957), be repealed and replaced by ‘…an appropriate Act that prevents people from using their beliefs to cause harm to others.’ (Mavhungu, 2000: 119; see also Ralushai, 2003: 130 and Chapter Two). Subsequent to the Ralushai Commission’s findings, the Limpopo Province held a National Conference on Witchcraft Violence. One of the aims of this conference was to ‘Review and make recommendations regarding the legislation governing witchcraft-related violence, and the handling of such cases by the police and the courts.’ (Mavhungu, 2000: 120). Following the adoption of a National Plan of Action for the Eradication of Witchcraft Violence, the conference called on the government to introduce several reformative measures to address the inadequacies of the Witchcraft Suppression Act (No.3 of 1957). These reformative measures were:

1) Legislation that would clearly distinguish between those engaged in harmful practices of witchcraft and those who are falsely accused.
2) A paradigm shift from the current Witchcraft Suppression Act (No.3 of 1957), which operates from a premise denying belief in witchcraft.
3) Clear definitions for concepts such as “witch” and “witchcraft”.
4) Introduction of structures to deal with certain witchcraft-related complaints by means of mediation.
5) Legislation to control the practice of traditional healing, which should be accompanied by a code of conduct to separate the practice of traditional medicine from sinister practices (Mavhungu, 2000: 120).

As an offshoot of this government initiative, the Commission on Gender Equality published its own report on witchcraft violence and gender equity in 1998, after having its own national conference on the issue of witchcraft violence (Ashforth, 2005; see also Kohnert, 2002: 170, 174). These examples show that contemporary South African politics cannot be separated from the nationally relevant issue of
witchcraft-related crimes and the implications that these have for political legitimacy (Niehaus, 1993; Ashforth, 2005; see also Chapter Six).

In addition to the political implications of witchcraft-related crimes, there are also economic aspects to consider. For example, according to the Daily Dispatch (an Eastern Cape newspaper) in 2004, in an Eastern Cape rural community in Centane, four elderly women were killed after being accused of witchcraft. Upon investigating the motive for the murders, it was discovered that there was division in the community concerning the size of plots of land designated for the people. The local headman reportedly told police how the killers rushed into his house and said: ‘We’ve killed the witches who have been dividing our community.’ (Daily Dispatch, 12 November 2004). It seems that witchcraft was used as a justification for the killing of the women because of unhappiness about the size of the plots that they were allocated. In another case reported in 2001, the Daily Dispatch reported on the suspected muti murder of a woman in Mount Frere, who was seemingly killed so that her body parts could be used in a ‘get-rich-quick spell called ukutwalela ubutyebi…’ (Daily Dispatch, 30 October 2001). These two examples illustrate the link between economic insecurity and witchcraft-related crimes (see Chapter Six for a discussion on this issue).

The examples above show that despite the South African state’s efforts to curb the problem of witchcraft-related crimes, many of the recommendations outlined above cannot be successfully implemented without a reliable framework on African witchcraft beliefs and practices. The lack of this framework is particularly problematic within the context of law enforcement as police officials are unable to successfully investigate witchcraft-related crimes. The issue of witchcraft-related crime is not clear-cut, in the sense that people rarely know what to make of it. This is perhaps a reason why law enforcement officials may find it difficult to investigate cases of this nature.
3. Objectives of the Study

It seems that one of the central problems regarding witchcraft-related crime is the lack of reliable knowledge about the subject (Faure, 2003). Within the context of anthropology as a discipline, witchcraft-related crime is an under-researched area of study: ‘…contemporary South African literature makes a technical distinction between witchcraft murders and muti murders. Yet, only…a handful of mainly anthropological academic projects have been set up to study these phenomena.’ (Faure, 2003: 144). Anthropologists have contributed a great deal to the study of African religion and witchcraft beliefs in general (see, for example, Evans-Pritchard, 1937; Leslie, 1960; Scobie, 1965; Middleton and Winter, 1963; Leymann and Myers, 1985; Mbiti, 1970). However, these studies have tended to be conventional ethnographic accounts of witchcraft beliefs in African societies. Witchcraft-related crime, as an area of study, requires a non-conventional approach and also represents an opportunity for the application of anthropological knowledge about African witchcraft beliefs and practices to assist law enforcement officers in the practical investigations of witchcraft-related cases. It is within this applied context that much scope for anthropological study has emerged. Witchcraft-related crime should be regarded as a valid area of study for anthropologists because it involves questions of contextualising witchcraft beliefs, cross-cultural differences in definitions of law and justice, and the use of applied anthropological knowledge to generate recommendations on how to better equip law enforcement officials to investigate witchcraft-related cases successfully (see the Recommendations in Chapter Eight). Furthermore, anthropological research into the phenomenon of witchcraft-related crime has implications for discourses on African development and modernity within the wider context of globalisation (Mavhungu, 2000; Moore and Sanders, 2001).

In view of the above, this study has one major aim or objective, within which a number of specific objectives can be identified. The main objective of the study is to provide insights into the nature of witchcraft-related crime in the Eastern Cape region, and to indicate how this could impact on law enforcement policy and practice. In order to address this main objective, the following specific objectives are addressed in the study:
1) To determine the role of cultural beliefs in conceptualising witchcraft-related crime and to suggest a possible conceptualisation of witchcraft-related crime for law enforcement officers (Chapters Three and Four).

2) To analyse current state law enforcement methods of investigating witchcraft-related crimes to determine their sensitivity to the cultural/religious beliefs of the communities where investigations may occur (Chapter Seven).

3) To determine the level of confidence communities have in state law enforcement structures to adequately address witchcraft-related crimes (Chapter Three).

4) To analyse state legislation on witchcraft-related crime to determine their effectiveness in aiding the investigation of such crimes by law enforcement officials (Chapter Four).

5) To provide recommendations for law enforcement practitioners in the Eastern Cape to effectively address witchcraft-related crime (Chapter Eight).

4. Literature Review

According to Petrus (2006a), the anthropological study of witchcraft has long been associated with the anthropological study of religion. Thus, ethnographic accounts of the witchcraft beliefs and practices of African societies have tended to locate these beliefs and practices within the wider framework of “traditional” African religious beliefs (see, for example, Evans-Pritchard, 1937; Leslie, 1960; Middleton and Winter, 1963; Mbiti, 1970; Pauw, 1975). Although an abundant literature exists on the ethnographic study of African witchcraft within the context of African “traditional” religion, the study of witchcraft-related crime is an under-researched area of study, which means that not much literature exists on this topic.

The literature outlining the anthropological study of African witchcraft can be divided into two major “schools” or “camps”. In the first school, there are the studies that have followed the conventional ethnographic approach to the study of witchcraft, where the theoretical focus was on the structure and function of witchcraft beliefs and practices within the social structures of communities. The pioneer of this approach
and the scholar credited with the creation of African witchcraft studies in anthropology was Evans-Pritchard, whose work among the Azande of the Sudan (1937) became the foundation upon which successive scholars of African witchcraft based their studies. The conventional structural-functionalist ethnographic approach was the dominant theoretical approach to African witchcraft studies in colonial Africa. In the second school, which emerged as a means of understanding the postcolonial context of Africa, the theoretical focus was shifted to the role of African witchcraft in adaptation to political, economic and social change. In this approach, the emphasis was placed on how witchcraft can impact on power relations, both political and economic, and how it is used and adapted as African communities struggle to cope with the postcolonial demands and stresses of modernity (see, for example, Comaroff and Comaroff, 1993; Geschiere, 1997; Bond and Ciekawy, 2001; Niehaus, 1997a).

Although little literature exists on the issue of witchcraft-related crime, many of the postcolonial studies of African witchcraft may provide a useful basis upon which studies of witchcraft-related crime could be based. This argument is based on the fact that witchcraft-related crime has emerged as a political issue in the postcolonial context, particularly in South Africa (Ralushai et al., 1996; Niehaus, 1997; 2003a; 2003b; Hund, 2003; Mavhungu, 2000; Ashforth, 2005). Issues related to the legitimacy of the South African state and the success with which it is able to protect its people from both visible and invisible threats, are all interpreted within the context of access to occult power, in this case, witchcraft (Ashforth, 2005; see also Chapter Six). Based upon the postcolonial literature on witchcraft in South Africa, several questions can be asked regarding witchcraft-related crime in South Africa, and, for the purposes of this study, in the Eastern Cape, namely:

1) How can witchcraft-related crime be conceptualised or defined within the context of the Eastern Cape? (Chapter Four)

2) What is the position or relevance of witchcraft beliefs in the cosmological framework of the Xhosa-speaking peoples? (Chapter Three)

3) How significant is the historical and contemporary impact of the political and economic context of Xhosa-speaking communities on incidences of witchcraft-related crime? (Chapters Five and Six)
4) What has been the success of state intervention strategies, such as the Ralushai Commission, in curbing witchcraft-related crime? (Chapter Two)

5) How have local Xhosa-speaking communities and local law enforcement structures, specifically the South African Police Service (SAPS), responded to witchcraft-related crimes? (Chapters Three and Seven)

Since insufficient studies have been conducted on witchcraft-related crime to answer the above questions, especially in the Eastern Cape, this study seeks to add much needed data to the sparse knowledge and literature base on this topic.

The current problem of insufficient knowledge about witchcraft-related crime has meant that there is, as yet, no recognised theoretical approach to the study of witchcraft-related crime. Any theory on witchcraft-related crime must have value in an applied context, in order to be practically useful for law enforcement officers who may investigate crimes of this nature. This implies that simply relying on old conventional theories of witchcraft will not be sufficient. Petrus (2006a) has argued that ‘…we should move away from highly static, earlier anthropological approaches but use their valid ideas to create approaches that could be more practically relevant – especially to law enforcement – to assist in dealing with the problem of witchcraft-related crime.’ (Petrus, 2006a: 142). The question that needs to be addressed is: what theoretical issues would a theory on witchcraft-related crime need to address?

One important theoretical issue that would need attention would be whether or not a distinction should be drawn between the concepts “witchcraft” and “sorcery”. The most useful attempt at this distinction was made by Evans-Pritchard (1937), which was summarised by Middleton and Winter (1963) as follows: ‘A sorcerer is one who is thought to practise evil magic against others. The acts…can be performed by anyone…In Africa, the most common belief is that sorcerers use medicines to harm those against whom they bear ill will…By contrast, witchcraft is a mystical and innate power, which can be used by its possessor to harm other people…the witch need merely wish to harm his victim and his witchcraft then does this…’ (Middleton and Winter, 1963: 3). While this distinction may have been true for the Azande, in other African societies the distinction may not be as clear. Pauw (1975) regarded the
distinction between witchcraft and sorcery as ‘systematising knowledge’ (Pauw, 1975: 13), that is, the distinction is simply a theoretical system of classification that may have scientific value, but that may not be a true reflection of reality in practice. The theoretical distinction between witchcraft and sorcery may not exist in some African societies because they may be regarded as one and the same, since both practices are associated with evil, as it is defined by such societies (cf. Chapter Three). This problem is acknowledged by Middleton and Winter (1963): ‘…an attempt to adhere consistently to this distinction faces certain difficulties…in some societies the distinction may not be clear-cut in the minds of the people themselves…even where the distinction is sharply defined, it is often possible for the same person to be thought to practise sorcery as well as witchcraft.’ (Middleton and Winter, 1963: 2; see also Chapter Three, pp.58-59).

In the South African context, it is possible to find communities where although one term is used to refer to evil magic, a distinction can also be made between witchcraft and sorcery. For example, Hammond-Tooke (1989) states that ‘…in South Africa…while one basic term is used for both these activities [ubuthakathi in the Nguni languages and boloyi in the Sotho] the Nguni, if pushed, can distinguish between “ubuthakathi with little animals” [that is, witchcraft] and “ubuthakathi with medicines” [that is, sorcery] and the Sotho between “night boloyi [witchcraft] and “day boloyi” [sorcery].’ (Hammond-Tooke, 1989: 73). What further complicates the distinction is the possibility that the same person thought to be involved in witchcraft or sorcery may also be a practitioner of “white” or good magic, for example, in the case of the traditional healer (inyanga/igqirha), herbalist (ixhwele) or diviner (isangoma) among the Xhosa-speaking peoples of the Eastern Cape (see Chapter Three). Some scholars attribute this problem to the ambivalent nature of occult knowledge. The same occult knowledge used by witches and sorcerers for evil is also used by diviners and herbalists to “smell out” and counter the effects of evil magic (Hund, 2003; Harnischfeger, 2003).

Another issue of theoretical concern is the role of rationalism and belief in the context of witchcraft-related crime. It could be argued that witchcraft-related crime represents the clash of two radically different approaches, namely the predominantly
Western, rational approach of law enforcement structures and the policies informing them, and the non-Western, belief-based approach of African communities (see Chapter Seven). The belief versus rationalism dichotomy lies at the root of the controversial nature of witchcraft-related crime. It is assumed in this study that belief and rationalism influence perceptions and approaches of law enforcement officers, as well as communities, to the issue of witchcraft-related crime. From the law enforcement perspective, methods of investigation may be based on rationalism, where the investigation of the crime, with the associated importance of tangible and verifiable evidence, is the most important consideration, and not the investigation of belief, which transcends the borders of rationalism and verifiable evidence (Petrus, 2007; Hund, 2003; Chapter Seven). From the perspective of an African community, the viewpoint may be the exact opposite where religious and supernatural beliefs become the overarching focus of investigation. Consequently, problems could arise if Western methods of police investigation are applied in the investigation of witchcraft-related crimes largely because of the opposition between Western objective rationalism and the non-Western subjective rationalism of African communities (see Chapter Seven, pp.226-227).

While there may be a tendency to judge African communities as irrational, there does seem to be an inherent rationalism in the attitudes of African communities to the reality of witchcraft and sorcery. Attempts to understand this logic through Western rational means may provide an inaccurate picture. Niehaus (1997b) took an opposite view to the idea that witchcraft exists as a ‘social strain-gauge’ (Marwick, 1970) and that witchcraft accusations will only be found in situations where social conflict and tensions exist. Niehaus’ (1997b) critique of the strain-gauge theory is based on his argument that proponents of the idea that social and structural tensions are the primary determinants of witchcraft accusations usually employ a reductionist and instrumentalist approach, which are too unidimensional to understand the multidimensional nature of witchcraft beliefs (Niehaus, 1997b: 252-3). In addition, some scholars have suggested that witchcraft accusations serve a rational function of maintaining social control in communities (Douglas, 1963; Chavunduka, 2003). Witchcraft beliefs operate and make sense in an alternative reality. Within the transcendental reality of witchcraft, evidence is defined differently to the “normal”
definition of evidence. In this context, the occurrence of mysterious events, circumstantial evidence, revelations, divination, dreams and confessions, all testify to the reality of witchcraft and become acceptable methods of getting to the “truth” of who is the cause of misfortune, illness or death (Niehaus, 1997b: 253; see also Chapter Three).

Related to the problem of contrasting views of reality between the Western and African mind-sets is the problem of the implications of witchcraft beliefs for notions of modernity, development and progress. Within African states, including South Africa, witchcraft beliefs have been explained within a political and economic framework based upon the idea of the ‘occult economy’ (Comaroff and Comaroff, 1999). In the South African context, it has been argued that witchcraft-related crimes would be ‘…counter-productive to modernity and development… [evoking] …the failure of civilisation and progress…’ (Faure, 2003: 144-5). The same has been said for the rest of Africa (see Moore and Sanders, 2001). Despite modernisation and education, many African states are still characterised by communities where beliefs in witchcraft and sorcery are still strongly held. Not only has witchcraft remained, but ‘…it has evolved and changed markedly over time and is specifically tied to African forms of modernity.’ (Moore and Sanders, 2001: 6). This study shows that the Eastern Cape is no exception as witchcraft still plays an instrumental role in cultural interpretations of the postcolonial African context. In Chapter Six, it is argued that both the historical and contemporary political and economic context of the Eastern Cape had, and continues to have, a marked influence on the endurance of witchcraft beliefs and practices, and influences the continuation of witchcraft-related crimes in the region.

One example where the dynamic and adaptive nature of witchcraft beliefs has been studied is within the context of the political transition from apartheid to democracy in South Africa. Niehaus (2003) focused on the resurgence of witchcraft violence after the mid-1990s as an example of millenarianism, where witch hunts in the Lowveld represented an attempt by African youths (Comrades) to create a utopian society by eliminating witches (cf. Chapter Five). Witchcraft beliefs have thus not died out despite the political and economic changes that have occurred. On the contrary,
witchcraft beliefs have formed an integral part of African attempts to make sense of the political, economic and social changes that development and modernity have necessitated. This view is supported by Faure (2003): ‘…the meaning and purpose of…occult practices move away from a cultural specificity to a more pragmatic dimension, one that is meant to adapt to the new economic and material concerns of modernity and the anxieties they produce.’ (Faure, 2003: 148). Thus, if witchcraft beliefs still persist, it can be assumed that witchcraft-related crime will persist as well, necessitating the importance of further research into this issue and the creation of a valid theoretical framework within which to approach it. Thus the question remains: what kind of theoretical approach could be useful for the study of witchcraft-related crime?

There are several theoretical approaches that could be useful for a study on witchcraft-related crime. One approach that could be used is ritual symbolism. In this approach, the emphasis is placed on symbols, rituals and their meanings in specific societies. According to Kertzer (1988: 4), rituals, or symbol systems, are the primary means through which people give meaning to their world. According to Petrus (2006a), ‘The witch killings of the 1980s and 1990s were ritualised, that is, they took on different symbolic meanings for different people. Despite the changes that occurred in communities during this period, some symbolic forms, such as the belief in witchcraft, persisted.’ (Petrus, 2006a: 145). Thus the witch represents an unchanging symbol that ‘…may continue to exist, not only as a means of helping people to cope with the possibly incomprehensible external forces responsible for…changes [and anxieties in communities], but also as a symbol that instigates social action, allowing people a sense of control and the ability to do something about their situation.’ (Petrus, 2006a: 146; see also Kertzer, 1988: 6; cf. Chapter Five).

Ritual symbolism theory thus allows for an awareness of the many different symbolic meanings that could be attached to witchcraft. In this regard, Turner’s (1985) theory of the ‘polarisation of significata’ (Turner, 1985: 56), is a useful framework. In his analysis of ritual among the Ndembu of Zambia, Turner argued that the Ndembu have two contrasting poles of reference for symbols, the sensory and the ideological. The sensory pole composed the clustered meanings that referred to physiological processes. The ideological pole composed the clustered meanings attached to social
values (Turner, 1985: 53). If this idea is applied to witch killings, for example, then it could be argued, as Petrus (2006a) has done, that ‘...by physically destroying the physical body of a witch, it is hoped to symbolically restore affirmation and confirmation of the social values of conformity and collectivity.' (Petrus, 2006a: 147; cf. Chapter Five). Ritual symbolism theory allows for an interpretation of witchcraft-related crime that not only focuses on the act of the crime but also on the cultural or symbolic meanings attached to the act.

A second theoretical framework that can be used in the study of witchcraft-related crime is the psychological framework. In this framework there are two approaches that could be of value, namely the approach of schematic thinking (Douglas, 1966) and the approach of paranormal modes of cognition (Niehaus, 1997b). In the schematic thinking approach, people use schemas to make their world appear more predictable and thereby make ambiguous perceptions conform to their schematic pattern while rejecting those that do not (Douglas, 1966; Kertzer, 1988: 84; Petrus, 2006a: 147). Through applying specific symbolic meanings to specific aspects of social life, people may create schemas through which they are able to control situations that seem uncontrollable. In this way, communities struggling to cope with the uncertainties of life may attempt to schematically locate the incomprehensible forces responsible for those uncertainties within a comprehensible symbol, namely the witch (Petrus, 2006a: 148). This idea could also apply to law enforcement structures where ‘Western methods of police investigation are based on a rationalist schematic pattern, making them incapable of generating sensitivity towards an alternative schematic pattern, such as one that makes allowance for the reality of witchcraft. This creates a biased definition of reality and restricts [police] investigators from gaining the necessary insights into the symbolism of witchcraft, insights that could assist in investigations.’ (Petrus, 2006a: 148; cf. Chapter Seven).

The second psychological approach, Niehaus’ (1997b: 272) theory on ‘paranormal modes of cognition’, has important implications for an emic or insider’s perspective on witchcraft-related crime. If any attempt to understand the schematic pattern of the African is to succeed, ‘It is essential to recognise the emic status of witchcraft as a reality...’ (Niehaus, 1997b: 272). The argument is for a psychological shift away
from a Western-rationalist mode of cognition to a belief-based, paranormal mode of
scholars, such as Stace, James, Bergson and Price, who have considered the
implications of paranormal cognition (Hund, 2003: 17). Each of these scholars has
argued that in order to understand the psychic powers of a diviner or witch, and, for
that matter, the reactions of African communities to these powers, ‘…a more
developed map of consciousness [is needed]…’ (Hund, 2003: 18). This implies that a
Western-rationalist map of consciousness is too limited to grasp the full range of
symbolic interpretations that could be attached to the symbol of the witch. In view of
this, Petrus (2006a) argues that ‘…some symbolic interpretations, such as those
pertaining to the symbol of the witch, are only accessible via a sensitivity towards,

Both the ritual symbolism and the psychological approaches have some value in their
own right. Given the complexity of witchcraft-related crime and the need for a
theoretical framework that has practical value, either one of these theories on its own
will be insufficient. This study therefore proposes, in agreement with Niehaus (2001:
7) and Petrus (2006a: 150), that an eclectic theoretical framework be used. In such a
framework, a combination of the insights from ritual symbolism theory and the
psychological approaches will provide a more holistic theoretical framework that will
be more suitable to address the complexities of witchcraft-related crime.

In view of the above, this study suggests a theoretical framework that seeks to
understand witchcraft-related violence as a form of religious terrorism. In this
context, acts such as witch killings and muti murders acquire the characteristics of
fundamentalist terrorist violence. In Chapter Five of this study, a detailed discussion
is provided on the similarities between terrorism, as it is generally understood, and
witchcraft-related violence. As is the case with terrorist violence in general,
witchcraft-related violence is also a “ritualisation of terror”, where organisations may
use this ritualised violence to deal with suspected witches or to commit muti murders
in order to intimidate or terrorise communities into supporting a particular political or
moral ideology. The history of such ritualised terror in the Eastern Cape could well
have had an impact on the nature of witchcraft-related violence in the contemporary context (see Chapter Five).

Within the context of the Eastern Cape, although some anthropological scholars have written about witchcraft, these studies have tended to be parts of larger, more conventional ethnographies of African groups in the Eastern Cape (see, for example, Wilson, 1952; Hammond-Tooke, 1958; Hunter, 1961; Hammond-Tooke, 1962; Pauw, 1975; Olivier, 1981; Pauw, 1994; Osei, 2003). Also, none of these scholars have focused on witchcraft-related crime in the region as a topic of study in its own right.

However, earlier conventional ethnographic analyses of witchcraft in the Eastern Cape continue to be relevant as they laid the foundation for the anthropological study of witchcraft among Xhosa-speaking peoples in the Eastern Cape. As early as 1931, Soga’s (1931) ethnographic study of witchcraft and sorcery among the amaXhosa provided the first real anthropological engagement with the topic of witchcraft in the Eastern Cape. He was followed by Hunter (1936), whose influential work on witchcraft and sorcery among the amaMpondo could be described as having the same impact on the study of witchcraft in South Africa that Evans-Pritchard’s (1937) study of witchcraft among the Nuer of Sudan had on studies of Africa in general. Under the influence of Hunter’s study, subsequent ethnographic studies of witchcraft followed similar detailed analyses and descriptions of witchcraft beliefs and practices among various Xhosa-speaking peoples. Wilson (1952), for example, provided an ethnographic account of the relationship between the amathongo (ancestral spirits) and witchcraft beliefs among the Xhosa-speaking peoples of the Keiskammahoek District. Hammond-Tooke (1962), writing ten years later, provided a detailed ethnography of witchcraft beliefs and practices among the amaBhaca, a Xhosa-speaking people that, like the amaMpondo, occupied the northern parts of the former Transkei, but, unlike the amaMpondo, were located more westward, in an area formerly known as East Griqualand. In addition, while working for the former Department of Native Affairs of the former Union of South Africa, Hammond-Tooke also wrote brief ethnographic monographs, describing the various groups of the Eastern Cape, that served as important sources of information for the Department. One such monograph describing the tribes of the King William’s Town District, also reflected a broad outline of witchcraft beliefs among these groups (Hammond-Tooke,
A year later, B.A. Pauw (1975) provided an impressive detailed ethnography of the impact of Christianity on the “traditional” beliefs of Xhosa Christians. In this account Pauw described the traditional beliefs in, and practices associated with, witchcraft and how these were influenced by Christianity. Almost ten years previously, Pauw (1963) had also published an ethnographic study of the impact of urbanisation on the Xhosa of East London. In this publication, Pauw also provided an ethnographic analysis of the influence of witchcraft beliefs on urbanised Xhosa living in East London.

Six years after Pauw’s 1975 publication, Olivier (1981) published his manuscript on the amaGcaleka, a Xhosa-speaking people situated in the southeastern part of the Eastern Cape. Specifically, Olivier’s focus was on an analysis of the religion of the amaGcaleka, and included an ethnographic account of witchcraft beliefs among this Xhosa-speaking group. Just more than ten years later, H.C. Pauw (1994) published his ethnographic outline of the Xhosa in the former Ciskei area, which also included a brief analysis of witchcraft beliefs among the Xhosa.

The most recent study of witchcraft in the Eastern Cape was conducted by Osei (2003), whose work among the amaHlubi of Qumbu in the former Transkei represents the first real postcolonial study of witchcraft in the Eastern Cape. Although himself not an anthropologist, Osei employed the anthropological method of a detailed ethnographic analysis of witchcraft beliefs and practices among the Hlubi as a basis for his argument for the use of what he referred to as ‘African social therapy’ (Osei, 2003) as a means of promoting holistic health and wellbeing in communities.

It should thus be mentioned that the current study in no way detracts from or dismisses the importance of these previous studies on the topic of witchcraft. However, as significant as these studies were, none of them specifically investigated witchcraft-related crime. Consequently, the current study does differ from those mentioned in an important aspect, namely that this study is intended not to be merely

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1 Postcolonial here refers to the study of witchcraft as a cultural adaptation of African communities to the political, economic and social changes brought about by the transition to African-majority governments following colonial rule. It implies a shift in focus from the conventional structural-functionalist view of witchcraft to the adaptive nature of witchcraft within a particular political and social context.
an ethnographic description of witchcraft beliefs and practices, but has an applied relevance in that it addresses witchcraft-related crime as a social issue, through investigating how anthropological data on witchcraft beliefs and practices can be used to assist law enforcement structures, such as the South African Police Service (SAPS) and communities, to positively address witchcraft-related crime. Again, previous studies cannot be disregarded as they serve as a basis upon which to further explore the topic of witchcraft. The current study is thus viewed as a next step, from a more conventional ethnographic account to an applied context that aims to address a real social issue. This is significant as it relates to the often heard criticism of academic researchers as being “stuck in ivory towers”, where their research has no bearing on the real everyday problems experienced by those at grassroots level. This study aims to take the anthropological study of witchcraft out of the ivory tower of conventional ethnographic analysis to the context of the everyday realities of both law enforcement officers and communities, who grapple with the very real, sometimes life-threatening consequences of witchcraft beliefs and practices. In this aspect, the current study is pioneering, especially within the context of anthropology in the Eastern Cape.

5. Research Methodology

A literature study was carried out both pre- and post-fieldwork in order to complement the fieldwork data. Conventional or classical anthropological literature detailing with ethnographic accounts of witchcraft in various societies, specifically in Africa, were studied to provide a background to the research topic. Postcolonial literature on African witchcraft was also studied to gain a broad understanding of the dynamics of witchcraft beliefs and practices in the changed context of African societies in the postcolonial era. Literature on law enforcement in South Africa, and specifically in the Eastern Cape, both during and post-apartheid was necessary to draw the link between witchcraft, crime and the role of the police. This literature also provided much needed data on the functioning of police structures and methods of investigation, which were necessary for an applied anthropological study such as the current study.

In addition to the literature study, the analysis of newsmedia articles on reported witchcraft-related cases also proved helpful. News reports of witch killings and muti
murders in Eastern Cape newspapers provided valuable information to the researcher regarding places in the Eastern Cape where witchcraft-related cases seemed to be occurring most frequently. Not only did this indicate areas for fieldwork where much data could be collected on the topic, but it also provided the researcher with the names of possible SAPS informants and at which police stations they could be located, as most news reports mentioned the names of police officials who were involved in investigating cases that were reported.

This study is based on a qualitative research design. A qualitative approach was required, given the topic of this study, to obtain as much detailed data as possible from a variety of sources and informants. Since this study is anthropological in its focus, the researcher referred to earlier studies on witchcraft, such as those by Niehaus (1997a) and Hammond-Tooke (1989), and found that the qualitative approach was the most suitable to obtain detailed descriptions and interpretations of the topic under study. According to Niewenhuys (2007), qualitative research aims ‘to engage in research that probes for a deeper understanding of a phenomenon…[and]…to penetrate the human understandings and constructions about it’ (Niewenhuys, 2007: 81). The purpose of this study is to gain a deeper understanding of witchcraft-related crime and how it is perceived and understood in communities where it occurs. Thus, the qualitative approach was suitable. Consequently, fieldwork was a critical part of data gathering as a means of obtaining the qualitative data needed for the research study. The researcher spent a total of three months continuously in the study area doing fieldwork and gathering the data.

In order to facilitate the gathering of qualitative data during the fieldwork phase of the research, two research methods were employed:

1) Semi-structured interviews (formal interviews and informal discussions)
2) Situation/case analyses (personal accounts of actual cases from informants)

Semi-structured interviews were employed in order to obtain both general and specific data relating to witchcraft beliefs and witchcraft-related crime, and included both formal interviews and informal discussions with informants. According to Pelto
and Pelto (1978), ‘Reliance on a single structured interview procedure is likely to produce inadequate and distorted information…’ (Pelto and Pelto, 1978: 214). Specifically within the context of qualitative research, Niewenhuis (2007) states that the semi-structured interview is a commonly used data gathering tool (Niewenhuis, 2007: 87). This interview technique could allow for follow-up questions to be asked to test the researcher’s understanding of informants’ responses, that is, to allow for the probing and clarification of answers (Niewenhuis, 2007: 87). Furthermore, it was a useful tool to encourage what Geertz (1975) referred to as ‘thick description’, that is, the continual process of the description and interpretation of ethnographic data. Semi-structured interviews made it possible for informants to “speak their minds” on the topic under research which encouraged them to provide more descriptive data from which interpretations could be made. Niewenhuis (2007) views the semi-structured interview as a qualitative interviewing technique because it allows the researcher ‘to see the world through the eyes of the participant [or informant]’ and helps the researcher to gain an understanding of the participant’s construction of knowledge and social reality (Niewenhuis, 2007: 87).

Two categories of informants were used for semi-structured interviews, namely community members of various villages in the study area, as well as representatives of the South African Police Service (SAPS). In the former category, traditional leaders, traditional healers and ordinary village residents were selected for interviews and informal discussions. In the latter category, only senior SAPS officials were interviewed, as they were the only police informants authorised to provide data to the researcher. It was decided to group informants into these two broad categories in order to facilitate a comparative analysis of responses both between and within categories of informants, as well as between categories of informants in different towns and villages in the study area.

Table 1 reflects a broad outline or summary of various aspects of the study area, informants and data on witchcraft-related cases. This outline is presented numerically and illustrates the number of interviews that were held in each locale visited by the researcher, the percentage breakdown of male and female informants interviewed, as well as the number of reported witchcraft-related cases, as given by informants. The numerical data of the informants interviewed included both the community and SAPS
categories of informants. In total, 210 interviews were conducted with informants. However, it should also be mentioned that the total number of interviews does not reflect the total number of informants who participated in interviews and discussions, as there were instances where groups of individuals engaged with the researcher in interviews and discussions.
Table 1

<table>
<thead>
<tr>
<th>Areas in Mpondoland where interviews were conducted</th>
<th>Number of interviews (community and SAPS)</th>
<th>Percentage of male and female informants</th>
<th>Number of witchcraft-related cases mentioned by informants</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Libode</td>
<td>5</td>
<td>40% - male 60% - female</td>
<td>Many cases of witchcraft accusation but few were reported; 2 reported cases mentioned</td>
</tr>
<tr>
<td>2. Ngqeleni</td>
<td>9</td>
<td>22% - male 77% - female</td>
<td>Many unreported cases of witchcraft accusations; 6 reported cases mentioned</td>
</tr>
<tr>
<td>3. Port St Johns</td>
<td>71</td>
<td>44% - male 56% - female</td>
<td>Many unreported cases of witchcraft accusations; 44 reported cases mentioned</td>
</tr>
<tr>
<td>4. Flagstaff</td>
<td>21</td>
<td>42% - male 57% - female</td>
<td>Many unreported cases of witchcraft accusations; 28 reported cases mentioned</td>
</tr>
<tr>
<td>5. Lusikisiki</td>
<td>26</td>
<td>53% - male 47% - female</td>
<td>Many unreported cases of witchcraft accusations; 25 reported cases mentioned</td>
</tr>
<tr>
<td>6. Bizana (Mzamba)</td>
<td>43</td>
<td>48% - male 52% - female</td>
<td>Many unreported cases of witchcraft accusations; 11 reported cases mentioned</td>
</tr>
<tr>
<td>7. Mqanduli</td>
<td>25</td>
<td>49% - male 51% - female</td>
<td>Many unreported cases of witchcraft accusations; 15 reported cases mentioned</td>
</tr>
<tr>
<td>8. Tabankulu</td>
<td>10</td>
<td>1% - male 99% - female</td>
<td>1 reported case mentioned (interviews focused specifically on this one case)</td>
</tr>
</tbody>
</table>

Total number of interviews: 210
As two separate categories of informants were identified, two separate interview schedules were used, especially for the purpose of gaining specific data that were unique to both categories of informants. For the category of informants in the villages, the interview questions were broadly centred on the following themes:

i) cultural beliefs regarding witchcraft;
ii) the frequency of witchcraft accusations and how they were dealt with in the village/community;
iii) examples of witchcraft cases in the village (case studies);
iv) the most likely witchcraft suspects and perpetrators of violence, and;
v) perceptions of the effectiveness of the police in handling witchcraft-related cases.

It should be noted, however, that while the above themes generally informed the interview questions for the majority of informants, there were some interviews that were aimed at gathering data for case analyses for specific cases that the researcher deemed to be of interest [see iii) above]. These interviews deviated significantly from the more general interviews as the questions focused specifically on the particular case or cases that the analyses were based on. In total, there were five such case analyses that were identified in the study (see Chapter Three, pp.96-115). These cases were identified in the areas of Port St Johns (three cases); Bizana (one case) and Tabankulu (one case).

For the SAPS category of informants, the following themes were broadly investigated:

i) the frequency of witchcraft-related cases over the last ten years in the area;
ii) methods of police investigations of witchcraft cases;
iii) perceptions of existing legislation on witchcraft-related crimes;
iv) personal involvement in and description of actual witchcraft-related cases; and
v) perceptions of the interaction and co-operation between the SAPS and communities in witchcraft-related cases.
The analysis and interpretation of interview data from the communities (see Chapter Three, pp. 77-116) and SAPS (see Chapter Seven, pp. 222-234) are provided in relation to the above themes for each category of informants.

In addition to the semi-structured interviews, the method of situation or case analysis was also used. This technique of data gathering involved the analysis and interpretation of actual or documented cases of harming through witchcraft, witchcraft accusations, witch killings or other forms of violence, including *muti* murders, as recalled by informants during interviews. Pelto and Pelto (1978) described the ‘case method’ as ‘applied to the study of some delimited class of social events of which the fieldworker can observe a large number of instances’ (Pelto and Pelto, 1978: 208). However, in the current study, although the researcher analysed certain witchcraft-related cases, the important difference between this method and that described by Pelto and Pelto (1978) is that in the current study there was no direct observation of cases as they unfolded. All of the cases analysed in this study had already occurred. Consequently, as many actual cases as possible, that could be obtained through the recollection of informants by memory, were analysed and interpreted, for the purpose of establishing whether or not there was a link between the data given by informants and what occurred in actual cases. The purpose of this particular method of case analysis was to determine whether there were consistencies or not in different cases, and whether the data from the informants were reflected in the cases themselves.

Given the fact that no other study on the topic of witchcraft-related crime has been conducted in the Eastern Cape to date, the researcher had to depend on as wide a variety of qualitative techniques as possible to obtain quality data, and had to show creativity in how to employ those techniques, as there were no previous similar studies to refer to. The data gathering techniques referred to above all contributed in a valuable manner to obtain the data that are presented in this study.

6. **Area of Study**

Fieldwork for this study was conducted in the northeastern part of the Eastern Cape Province. This area is located in the northeastern part of the former Transkei and is commonly referred to as Mpondoland, due to the predominantly amaMpondo
population in the area. However, the population in this region consists of representatives from the various Xhosa-speaking peoples, although they constitute a small minority in comparison to the majority of amaMpondo (also Xhosa-speaking) inhabitants. For this reason, the researcher does not distinguish specific groups in the study, but refers generally to the research subjects as the Xhosa-speaking peoples (see, for example, Chapter Three of this study).

The Mpondoland region of the Eastern Cape is a relatively large area, populated by numerous rural and semi-rural villages scattered throughout the region. While it would have been valuable to conduct fieldwork in all of these villages, given the topic of this study, this approach would not have been practically achievable. Thus, for the purposes of this study, the following towns and surrounding villages in the Mpondoland area of the Eastern Cape were selected for fieldwork:

1) Libode (Tyara Village; Mamfengwini Village)
2) Ngqeleni (Mabhetshe Village; Mbangi Village; Zixholosini Village)
3) Port St Johns (Poenskop Village; Sihlanjeni Village; Mpothotsho Village; Swazini Village; Qhubuswayi Village; Majola Village; Mevana Village; Cibeni Village; Mangcwangu Village; Caguba Village; Sicambeni Village; Zipunzana Village; Tsweleni Village; Njela Village; Magcikini Village; Mawotsheni Village)
4) Lusikisiki (Taleni Village; Mantusini Village; Gwexintaba Village; Eskulu Village; Bukazi Village; Mfinizweni Village; Mgugwana Village; Qambata Village)
5) Flagstaff (Mhlanga Village; Ngqwabeni Village; Fama Village; Qhoqhweni Village; Mtshayelo Village; Ramzi Village)
6) Bizana (Mzamba area – Mfuneli Village; Ebenezer Village; Mathwebu Village).
7) Mqanduli (Kwaaiman Village; Ngcwaguba Village; Manangeni Village; Cawu Village; Dobe Village; Ndinja Village; Willo Village; Zithenjini Village; Nkwalini Village; Gotyibeni Village; Gengqe Village)
8) Ntabankulu (Cibeni Village)
7. Methodological Limitations

The primary methodological limitation during the fieldwork phase of this study was the unavoidable use of an interpreter during the semi-structured interviews and informal discussions with informants. The researcher’s grasp of the isiXhosa language was not effective enough to negate the need for an interpreter. Also, the dialect of isiXhosa spoken in Mpondoland differed to a certain extent from that spoken in the southern parts of the Eastern Cape that the researcher was more familiar with. Consequently, an interpreter was acquired but, as is the problem with translations, much valuable data may have been lost. The researcher attempted to overcome this linguistic challenge by asking additional questions for clarification during the interviews. This was also a reason why the interviews were semi-structured, to allow the researcher to ask follow-up questions as a way of attempting to avoid linguistic misunderstandings in the translation process. Unfortunately, linguistic misunderstandings can never be totally avoided and therefore it is difficult to gauge how successful the researcher was in addressing this methodological issue. In addition, the unavailability of the interpreter for interviews at certain times during the fieldwork process also created significant challenges in terms of obtaining a significant number of interviews. Although the researcher, in consultation with the interpreter, had stipulated a target number of interviews that had to be reached within a given time-frame, the success of reaching this target number was largely dependent on the availability of the interpreter on those days when interviews were planned. On several days when interviews were planned, the interpreter was unavailable, and this affected the number of interviews that could be conducted, especially in the villages. Consequently, the researcher was forced to suspend interviewing for a period of time and sought to enlist the aid of another interpreter to replace the first. Fortunately, the second interpreter hired by the researcher proved to be a more dependable field assistant.
A second methodological limitation was the initial difficulty in obtaining data from informants regarding issues related to witchcraft. It was a particular challenge to obtain data from female informants, especially considering that the researcher intentionally selected more female informants during the interview process (see Table 1 above). This was not surprising, however, since, in most cases, it was found that women were usually targeted as witches, hence the gender-biased selection in favour of female informants. Thus, if female informants could be seen to know about witchcraft and how it works, which was part of the data that was required from the interviews, then they themselves could become suspects of practising witchcraft. Consequently, the researcher had to be sensitive to these fears and attempted, as far as possible, to reassure female informants that they were not obliged to answer questions that they were uncomfortable with. In addition, access to data in some villages was also dependent on the researcher following the established channels of protocol. Before any interviews could be conducted with local residents in a village, the researcher had to begin with the traditional leadership in a specific village to inform them of his (the researcher’s) purpose for being in their village and to obtain their permission to speak to the residents. This proved to be very time consuming as it was often difficult to meet with traditional leaders. Sometimes they did not honour appointments, while other times the researcher had to wait until the weekly official meeting time of the traditional leadership in a specific village to speak to the local chief (inkosi) or headman (isibonda). An added problem was that traditional leaders, specifically headmen, as a matter of protocol, were obliged to accompany the researcher to the homes (amakhaya) of informants. Particularly with female informants, it became clear that the presence of the headmen during interviews made these informants quite anxious and hesitant to participate in answering questions posed to them. Fortunately, this was not a challenge in all cases.

A third methodological challenge was obtaining data of actual cases from SAPS dockets for case analyses of documented witchcraft-related cases. The researcher was required to undergo an administrative process to obtain written approval from the SAPS Eastern Cape Office of the Provincial Commissioner before access to data in SAPS dockets in local police stations in the study area could be granted. Although the researcher did undergo the required process of applying for authorisation to obtain access to the data in the SAPS dockets, the application proved unsuccessful as the
researcher received no response from the Office of the Provincial Commissioner. Consequently, data for the study could not be acquired through the study and analysis of witchcraft-related cases in the SAPS dockets, and the researcher was obliged to rely exclusively on interviews for data on actual cases.

8. Ethical Considerations

As indicated in the preceding paragraphs, there were several methodological challenges that the researcher had to overcome in the gathering of data from informants. The primary reason for these challenges was the sensitive nature of the topic under investigation. Witchcraft represented an issue that few people were comfortable discussing, especially if they were women. As is shown in this study, the majority of persons accused of witchcraft were women and hence their hesitation to participate in interviews was understandable. This situation, however, did present the researcher with certain ethical challenges that had to be addressed. Consequently, throughout the fieldwork and writing-up phases of this research study, the anonymity and confidentiality of informants were guaranteed. Informants were not coerced in any way to participate in interviews. Where necessary, the researcher also obtained the necessary permission from the traditional authorities in an area to interview residents. Full disclosure of the topic, aims and purpose of the research study were provided to informants in order to obtain informed consent to conduct the interviews.

There were also ethical considerations regarding the SAPS informants. As indicated, the researcher was not granted access to the SAPS dockets that involved witchcraft-related cases despite having followed the recommended procedure. The researcher was ethically obliged to accept the denial of access. Also, those SAPS informants who participated in interviews were not coerced and were given full disclosure of the nature and purpose of the research study. In addition, the researcher provided these informants with a letter of verification from his promoter that specified the details of his institutional affiliation and the research project. As was the case with the community informants, the anonymity and confidentiality of SAPS informants were guaranteed in the reporting of the research findings.
9. Conclusion

As the introductory chapter to this study, a broad overview of the context of witchcraft-related crime was given as a means of providing some background to the issues that are addressed in the following chapters of the current study. The chapter aimed to relate the significance of anthropological studies of witchcraft in Africa and South Africa to the need for a regionally-specific study of witchcraft-related crime in the Eastern Cape. It was stressed that this study represents a significant shift away from the conventional ethnographic study of witchcraft that has been reflected in numerous colonial and postcolonial works to a study that has applied relevance, in other words, one that aims to address witchcraft as a social issue. Consequently, this is an exploratory study, and thus employs a methodology that favours an exploratory, qualitative investigation. A description of this methodology, the study area and the methodological limitations was given. The subsequent chapters of this thesis will explore in more detail many of the issues that have been raised in this chapter. However, it should be stressed that it is not the researcher’s intention to address all of the issues that have emerged during this study. Rather, it is hoped that this study will encourage and inspire further research into an issue that, as far as the Eastern Cape is concerned, still remains under-researched.

As this chapter has indicated, the Ralushai Commission represented the first real attempt to deal with witchcraft-related crimes in South Africa. But how effective was this Commission and how relevant was it for the Eastern Cape region? The following chapter will focus on a critical analysis and discussion of the report of the Ralushai Commission in an effort to establish its relevance and significance for witchcraft-related crimes in the Eastern Cape.
CHAPTER TWO:
A CRITICAL ANALYSIS OF THE RALUSHAI COMMISSION’S REPORT ON WITCHCRAFT VIOLENCE AND “RITUAL” (MUTI) MURDERS

1. Introduction

The 1996 Report of the Commission of Inquiry into Witchcraft Violence and Ritual Murders in the then Northern Province of South Africa, represents the only real attempt by the post-apartheid government to curb witchcraft-related violence. Ashforth (2005) has noted, with some concern, that activities such as witch killings have only become important enough to be placed on the government’s national agenda after reports of witch killings have arisen. It was in a context such as this, in the former Northern Province, when incidences of witch killings and muti murders reached alarming proportions, that the government made a decision to intervene (Niehaus, 1997; 2001; 2003; Mavhungu, 2000). During the 1980s and 1990s, there was a dramatic increase in witchcraft-related killings in the former Northern Province. Niehaus (2003) speculates that, ‘According to an informed estimate, more than 389 witchcraft-related killings occurred between 1985 and 1995’ (Niehaus, 2003: 93). This situation prompted the government to take action and it subsequently responded by establishing the Commission of Inquiry into Witchcraft Violence and Ritual Murders in the Northern Province in 1995. The Commission consisted of several members representing various fields of expertise and was headed by Prof. N.V. Ralushai. For this reason, the Commission was also referred to as the Ralushai Commission (Ralushai, 2003: 124). After a year of investigations, the Commission compiled and published its Report in 1996.

This chapter provides a critical analysis of the Ralushai Report, in order to establish its significance within the context of witchcraft-related crime. Various aspects of the Report are analysed. In particular, the following aspects are addressed as they relate to the Report: a general critical overview of the Report; an analysis of the definitions of key concepts in the Report relating to witchcraft-related crime; a critical analysis of the recommendations of the Report; and finally, a critical look at the
recommendations and implications of the Report specifically for law enforcement structures and communities of the Eastern Cape Province.

2. A General Critical Overview of the Ralushai Report

The 1996 Report of the Ralushai Commission is a 288-page document outlining the investigations, findings and recommendations of the Commission, following its investigation into witchcraft killings and muti murders in the then Northern Province. The Report itself is divided into two main sections. The first section comprises the introductory information regarding the purpose of the Commission, as well as who the members were of the Commission. Also in the first section of the Report is information related to the methodology used by the Commission to obtain its data, the findings of the Commission, and, lastly, the recommendations made by the Commission based upon its findings. The second section of the Report comprises four appendices or addenda to the Report which outline the literature consulted before and during the investigation, the court cases that were analysed, graphic photographs of victims of witchcraft and muti killings, and lastly, maps of the areas covered by the Commission during its investigation.

As a scientific document, various criticisms have been levelled at the Ralushai Report for failing to adequately meet the detailed scientific requirements that would have made the document more convincing and effective. In the terms of reference or objectives of the Ralushai Commission, the Report states that one of the objectives of the Commission was ‘To investigate deeply the causes of witchcraft violence and ritual murders in the Northern Province’ (Ralushai et al, 1996: 1). The use of the phrase “investigate deeply” is problematic because it is open to question just how deep the Commission’s investigation was, particularly if the Report is subjected to scrutiny for its scientific merits. Dederen (1996) has criticised the Report’s scientific basis as it ‘fails to probe beyond the veil of mystery created by accounts of witches, witch familiars and zombies’ (Dederen, 1996: 3). This implies that the Report fails to ‘…meet the requirements of rigorous academic research and writing’ (Niehaus, 2003: 94). This criticism can be supported by the fact that the first section of the Report,
where the detailed academic research is supposed to be reflected, consists of only 87 pages. The part of the first section of the Report outlining the methods of research, which is only 29 pages in length, fails to provide any kind of theoretical basis upon which the investigation was conducted. Although it is mentioned that fieldwork and unstructured interviews were used as methods of data collection (Ralushai et al, 1996: 4,6), it is not clearly stated why this particular methodology was felt to be the most useful for the Commission’s investigation. Furthermore, the Report mentions that ‘…unstructured interviews were used and depending on the circumstances, people were interviewed in groups or as individuals’ (Ralushai et al, 1996: 6). However, no information is given as to what circumstances are referred to that were used to decide whether group or individual interviews were appropriate. Also, the Report provides a list of structures from which representatives were identified by the members of the Commission for interviews (Ralushai et al, 1996: 6). However, it is not stated why representatives from these particular structures were selected for interviews, specifically in terms of their contributions to the type of data that was required by the Commission. The Report also mentions that the Commission attended peace rallies and rallies of traditional healers (Ralushai et al, 1996: 12), but fails to indicate the methodological significance of attending these rallies.

The last part of the methodology section in the Report outlines the questions and answers on the various themes or aspects that the Commission regarded as necessary to investigate. The five most important aspects were the witchcraft theme; the ritual murder theme; the role of traditional healers; the relationship between witchcraft and ritual murder; and the role and responsibility of traditional authorities (Ralushai et al, 1996: 12-30). The unstructured interviews were based on questions related to these aspects. In the Report, generalised answers were given to the questions relating to each of these key aspects of the investigation. The reason why the answers can be described as generalised is that there is a definite sense that the answers were based on the interpretations of the Commission. For example, regarding the witchcraft theme, in response to the question ‘Does witchcraft exist?’, the documented response was ‘The overwhelming majority of the people interviewed…still believe in witchcraft’ (Ralushai et al, 1996: 12). Similar interpretative responses are given in relation to questions concerning the other aspects investigated. From a structural
point of view, it would have made more sense if these responses were included in the section relating to the findings of the Commission, since these responses were an interpretation of the responses that were received from respondents during the interviews.

As a consequence of the structural flaw outlined above, the section of the Report dealing with the findings of the Commission, is left without sufficient details. There is almost no correlation between the data gathered from the interviews and the findings, particularly regarding the witchcraft theme and the ritual murder theme. This is indicated in the section on the findings of the Commission, where the starting point of the findings is ‘The Role of Traditional Healers’ (Ralushai et al, 1996: 47). A further problem is that the findings of the Commission, and, for that matter, the entire Report, is devoid of any meaningful critical analysis of the data. There is an impression that the data is simply presented in the Report as is, in its raw form, without any real critical engagement with either the literature reviewed or the data gathered from respondents. This is also particularly noticeable in the second part of the Report dealing with the presentation of actual case material. Of the over 100 pages of court case material, an analysis of the court cases, numbering only 6 pages, is provided (Ralushai et al, 1996: 268-273). One of the few efforts at a critical analysis, is found in the section on the findings of the Commission, where it attempts to critically analyse the Witchcraft Suppression Act (No. 3 of 1957) (Ralushai et al, 1996: 56). However, on closer inspection, it becomes clear that rather than providing a critical analysis of the said legislation, the Report merely provides a superficial commentary on some aspects of the legislation.

In addition to the above problems, the Report also possesses a number of editorial problems and what Dederen (1996) regards as unresolved contradictions. There are several examples of spelling errors in the Report (see, for example, Ralushai et al, 1996: 6; 13; 14; 52). One serious contradiction in the Report concerns one of the terms of reference of the Report, which states ‘To review all criminal cases related to witchcraft and ritual murder for the past ten years’ (Ralushai et al, 1996: 1). This statement seems to be in contradiction to a statement made in the section on the findings of the Commission, which says that ‘There is grave doubt whether all the
police dockets concerning witchcraft and ritual murders were submitted to the Commission’ (Ralushai et al, 1996: 57). If it did happen that not all police records of witchcraft-related cases were submitted to the Commission, then there is an unresolved contradiction between this and the objective of the Commission as outlined earlier. This contradiction has implications for the validity of the findings of the Commission. These general problems in the Report tend to weaken its effectiveness and recognition as an academically sound and scientifically valid document.

3. The Conceptualisation of Witchcraft-related Crime in the Ralushai Report

In the investigations of the Ralushai Commission, it was deemed important that a clear understanding be obtained about key concepts related to witchcraft in the former Northern Province. For this reason, early in the Report, there is a section included that deals with the definition of terms that the Commission regarded as key concepts in its investigation (Ralushai et al, 1996: 4). In the Report, the Commission does warn, however, that ‘Before giving a definition of terms, it is important to note that the people visited might attach different connotations to the same words due to linguistic, cultural and regional differences’ (Ralushai et al, 1996: 4). However, this statement seems to contradict the fact that in the definitions of terms, some terms are used with their Northern Sotho, Venda and Tsonga variations, but each of these variant terms is given the same general definition. For example, the Northern Sotho term moloi is also given as muloyi (TshiVenda) and noyi (XiTsonga), indicating three variants of the same term. Only one general definition is given for each of these terms, but in the definition itself, only the SePedi moloi is referred to: ‘The word moloi comes from the verb loya which means “to bewitch”, and is attributed to those people who, through sheer malignancy, either consciously or subconsciously, employ magical means to inflict all manner of evil on their fellow human beings. They destroy property, bring disease or misfortunes, and cause death, often entirely without provocation’ (Ralushai et al, 1996: 4). With reference to the warning about definitions that was given earlier, it is open to question whether a general definition, such as that given above, is an accurate meaning for all three variant terms.
The most concerning problem in the definition of terms of the Report is that the two most crucial concepts that should have been included in the definition of terms, are conspicuously absent. As has been mentioned, the Ralushai Commission was appointed to investigate witchcraft-related killings and *muti* murders in the former Northern Province. It is thus logical to argue that the terms “witchcraft-related killings” and “*muti* murders” should have been included as key concepts that required defining. However, there are no clear definitions for either of these concepts in the Report. The term “witchcraft-related killing” is entirely absent from the list of definable terms. The term “*muti* murder” is not mentioned specifically as a key concept, but is only referred to in passing in a general definition of the term *muti*: ‘*Muti* generally means a tree or plant, but for our interpretation it means medicine. Although *muti* is a Zulu word meaning medicine it is not generally used amongst the Northern Province people, but because it is commonly used in the media and in courts, we have therefore used it for ritual murder cases which is usually referred to as *muti* killings or *muti* murders’ (Ralushai et al, 1996: 5).

Despite the statement made above, throughout the Report, the Commission mostly uses the term “ritual murder” instead of “*muti* murder”. The term “ritual murder” was the preferred term for the Commission, as it is used in the title of the Report which reads *Report of the Commission of Inquiry into Witchcraft Violence and Ritual Murders in the Northern Province of the Republic of South Africa* (Ralushai et al, 1996). However, the accuracy of the term “ritual murder” is open to question. Minnaar (2003) has argued that ‘The use of the term “ritual murder” in connection with the acquisition of *muti/mushonga* [Venda] is misleading. The killing of the victim is not in itself ritualised...In this sense the use of the term “ritual murder” would be incorrect’ (Minnaar, 2003: 87; see also Chapter Three in this regard). This view is supports that of Prinsloo and Du Plessis (1989) who argued for a distinction between “ritual murder”, when a victim is sacrificed for the benefit of the whole community, and “medicine or *muti* murder”, where a victim’s body parts are harvested to make magic potions that are used by individuals for selfish reasons (Prinsloo and Du Plessis, 1989: 617; see also Chapter Three of this study).
In terms of conceptualising witchcraft, the Report also makes no distinction between the concepts “witch” and “sorcerer”. As indicated earlier, the concept *moloi* corresponds most closely to the idea of the witch who, through magical means, can destroy property, inflict illness or death. However, the other practitioner of black magic, the sorcerer, who uses medicines to cause harm instead of familiars or other psychic powers, is not mentioned at all in the Report. What is interesting to note is that while no mention is made of the sorcerer, reference is made to *tshiganame* (Venda) which is defined as ‘Deadly poison prepared from crocodile brain or liver and so-called because the victim falls on his back forthwith and dies [presumably after ingesting this poison]’ (Ralushai *et al*, 1996: 5). Since the use of poisons is usually associated with sorcery, the absence of the term “sorcerer” suggests that the term *moloi* can be used as a general category for both psychic witchcraft and sorcery. However, again with reference to the definition of *moloi* mentioned earlier, there is no indication in the definition that the *moloi* can cause harm through the use of medicines. Even within the context of *muti* killings, there is no indication whether those who kill for *muti* are believed to be sorcerers, since it is believed that *muti* made from human parts is used for evil or selfish purposes (Ralushai *et al*, 1996). The lack of clarity and the absence of some key concepts in the Ralushai Report are serious shortcomings that hamper its effectiveness.


As indicated in the terms of reference of the Ralushai Report, one of the main objectives of the Commission was to provide recommendations on how the national government could curb witchcraft-related violence and *muti* murders in the former Northern Province (Ralushai *et al*, 1996: 1). Consequently, following its investigations, the Commission included a section on its recommendations in the Report.

One of the recommendations of the Commission was that the Witchcraft Suppression Act (No. 3 of 1957) be repealed and replaced by a Witchcraft Control Act (Ralushai *et al*, 1996: 54; see also Minnaar, 2003: 84-5; Niehaus, 2003: 108). In terms of the latter
Act, the Commission stipulated that the purpose of the Act would be ‘To provide for the control of the practice of witchcraft and similar practices’ (Ralushai et al., 1996: 54). In addition, it is also stated that ‘Any person who (d) does any act which creates a reasonable suspicion that he is engaged in the practice of witchcraft; shall be guilty of an offense...’ (Ralushai et al., 1996: 54-5). Furthermore, the proposed Witchcraft Control Act also uses the terms ‘witch-doctor’ and ‘witch-finder’ several times (Ralushai et al., 1996: 55). An analysis of just these aspects of the proposed Act reveals a lack of clarity that has the potential to produce similar problems as those inherent in the Witchcraft Suppression Act (No. 3 of 1957). If the purpose of the Witchcraft Control Act is to provide for the control of witchcraft and related practices, does this mean that the Commission advocates a condoning of witchcraft beliefs and practices, as long as they are “controlled”? If this is the case, how then would such an Act effectively curb witchcraft-related violence. Dederen (1996) argues this point, as he cannot see how a Witchcraft Control Act would successfully counter witchcraft-related violence while encouraging the very ideologies of spirit worlds in which they are based. Furthermore, if it is only a person who creates a reasonable suspicion of practising witchcraft who can be prosecuted in terms of the proposed Act, how is “reasonable suspicion” to be defined? In its findings, the Commission reported that ‘The most vexing problem surrounding witchcraft is that the activities of a witch cannot be witnessed by naked eyes’ (Ralushai et al., 1996: 57). If this is the case, how is a reasonable suspicion of witchcraft to be determined? In addition, the use of the terms “witch-doctor” and “witch-finder” are problematic because of their ambiguity. Both terms refer to the activities of traditional healers, such as diviners or herbalists, since they are regarded as possessing the powers or medicines that can be used to counter or cure the effects of witchcraft. However, the activities of traditional healers are not restricted to witchcraft-related affairs only. Thus, to use the terms “witch-doctor” or “witch-finder” is misleading.

A further problem in the proposed Witchcraft Control Act is that there is no stipulation regarding muti murder. The emphasis is placed exclusively on psychic witchcraft-related activities. This is problematic because if muti murder is included as a witchcraft-related crime, as is clear from the Report, then any proposed legislation to combat witchcraft-related crime should have stipulations specifically regarding
*muti* murder. Minnaar (2003) has clearly suggested this when he states that ‘…provision should be made in any new Act [regarding witchcraft-related violence] to address related issues such as the murder for *muti* (which is presently not covered by the Act)’ (Minnaar, 2003: 86).

A second recommendation of the Commission is that the government should launch a serious education campaign. This education initiative is required in order to ‘…liberate people mentally to refrain from participating in the killing [of witches] and causing harm resulting from their belief in witchcraft. This can be done, for example, by way of organising workshops, rallies, media programmes [and] TV films…’ (Ralushai *et al*., 1996: 60). Education is vital but, bearing in mind that most of these incidences occur in the rural areas, it is open to question whether the educational media that are suggested will be effective, as people may not have access to electronic media such as TV or may not have a high level of formal education to participate in workshops.

The Commission has also recommended that the role of the traditional leadership needs to be clarified. The Commission states in the Report that ‘The democratisation of the role of chiefs should be scientifically investigated as a matter of urgency. We are also aware that the question of the role of chiefs is still as complicated as ever…We therefore recommend that the government should tread very carefully on the question of the role of chiefs in witchcraft-related practices as well as ritual killings’ (Ralushai *et al*., 1996: 60). In Chapter Six of this study, the historical factors surrounding the role of chiefs in administering areas under their jurisdiction in general, and in witchcraft cases in particular, are outlined. Quite rightly the Report states that the position of chiefs in the present situation in South Africa has not been finalised. The government has attempted to regulate traditional authorities through the establishment of traditional leadership bodies such as CONTRALESA, but despite these efforts, chiefs still, strictly speaking, do not have the authority to hear witchcraft cases. Furthermore, within the context of *muti* murders, traditionally it was believed that chiefs were the main instigators of *muti* killings, especially in Venda (Minnaar, 2003: 88). Added to this is the fact that chiefs, whether directly or indirectly, were often instrumental in using witch killings and *muti* murders as political weapons to
eliminate rivals or legitimate their own authority (Ralushai et al, 1996; Niehaus, 1993; Mihalik and Cassim, 1992). While the Report states that the government should exercise caution in how it deals with traditional leadership, it fails to recommend any clear proposals as to how the government should handle this issue.

The Commission has also made recommendations concerning the role of traditional healers. Firstly, the Commission recommends that ‘Traditional healers should be apolitical. By apolitical we mean that the traditional healers can be involved as individuals in party politics, but they should not tie their associations with any political party’ (Ralushai et al, 1996: 61). The motive for this recommendation is similar to that outlined earlier regarding the chiefs, namely the use of witchcraft as an excuse to eliminate political rivals. However, the use of the term “apolitical”, as it is used by the Commission, appears contradictory. How can traditional healers be involved as individuals in party politics, but not be associated with any political party? Secondly, it is recommended that ‘To avoid destructive actions, traditional healers should emphasise the curative and preventative aspects of medicine, instead of pointing out so-called witches’ (Ralushai et al, 1996: 61). While it can be agreed that curative and preventative aspects should be the focus, traditional healers are often consulted because patients want to know what the causes are of their ailments. Cases of witchcraft are no different than any other ailment, therefore, even here, victims may insist on wanting to know what, or who, is the cause of their affliction as part of the process towards finding a cure or counteraction. Thirdly, the Commission recommends the regulation of traditional healers by means of having them registered as part of an official structure. To this effect, the Commission has proposed a ‘Traditional Medical Practitioners Act [in order to]…establish a Traditional Medical Practitioners Council, to provide for the registration and regulation of the practice of traditional medical practitioners…’ (Ralushai et al, 1996: 64). Furthermore, the Report states that ‘For the purposes of this [Traditional Medical Practitioners] Act “practices of traditional medical practitioners” means every act, the object of which is to treat, identify, analyse or diagnose, without the application of operative surgery, any illness or body or mind by traditional methods’ (Ralushai et al, 1996: 66). Once again, it is questionable how this will prevent traditional healers from identifying witchcraft as a cause of illness or death. Witchcraft is not singled out as an illness or
cause of illness that cannot be treated, identified, analysed or diagnosed by a 
traditional healer. As this provision currently stands in the proposed Act, witchcraft 
can be identified and treated along with other ailments, which defeats the purpose of 
this Act as it relates to curbing witchcraft-related offences. Also, the concept of 
“traditional medical practitioner” is problematic. Are faith healers and prophets, such 
as those commonly found in the African Independent Churches, to be included in this 
category? If they are, being Christian orientated, will they want to belong to an 
association such as that which is proposed? Are those who are involved in the 
practice of “alternative therapies”, as is common in many New Age movements, also 
to be included? From the draft proposal, these issues are not made clear.

The Commission also recommends taking seriously the role of research into the issue 
of witchcraft-related crime. The Report states that ‘Because of the seriousness of 
witchcraft killings and ritual murders it would be in the interest of the people and of 
the country to have the above-mentioned phenomena researched on a more permanent 
basis’ (Ralushai et al, 1996: 62). This is one recommendation where there is little to 
critique. One of the central departure points for this study is that insufficient 
knowledge about witchcraft-related crimes has seriously affected the ability of law 
enforcement officers to investigate these crimes effectively. This study is thus one of 
the few responses to the Commission’s recommendation for further research into the 
issue of witchcraft-related crime.

5. The Recommendations of the Ralushai Report for Law Enforcement and 
their Implications

For the purposes of this study, the most important recommendations in the Ralushai 
Report have to be those affecting law enforcement within the context of witchcraft-
related crime. However, what is interesting to note, is that in the Report’s terms of 
reference, which set out the objectives of the Commission’s investigation, the 
provision of recommendations specifically for law enforcement is not mentioned at all 
as an objective of the Commission (see Ralushai et al, 1996: 1). This is strange 
considering that one of the members of the Commission, Brigadier M.W. Mokwena, 
was, at the time of the investigation, a member of the South African Police Service
(SAPS) (Ralushai et al, 1996: 2). It makes sense that the Commission should have had, as one of its objectives, the provision of recommendations that could improve law enforcement investigations of witchcraft-related crimes, seeing that one of its members was a member of the SAPS. It is also strange because the SAPS in the former Northern Province formed an important part of the Commission’s investigation. Police officers were included in the list of selected respondents for the Commission’s unstructured interviews (Ralushai et al, 1996: 6). In addition, the interviews conducted with the local communities often involved questions relating to the police and their handling of witch killings and muti murder cases (Ralushai et al, 1996: 16, 17).

During the investigation of the Commission, it was found that one problem facing law enforcement was that not all witchcraft-related cases were reported to the police. According to the Report, the Commission found that ‘In all incidents of witchcraft killings which occurred in the past ten years, not all the cases were reported to the police for fear of victimisation’ (Ralushai et al, 1996: 16). In addition, the investigations of police were often hampered by problems such as lack of transport, where officers did not have vehicles to get to the crime scene; vast distances, resulting from many police stations being out of reach and a lack of adequate means of communication; apartheid, where people were discouraged from reporting cases at some police stations because of the perception that these stations were only there to serve mainly white populated areas; the problem of police who seemed hesitant to investigate cases where members of local ruling families were involved; the frustration of serious offenders being granted bail; and the imposition of light sentences by the courts, as well as high numbers of case withdrawals, especially cases involving witchcraft, and instances where a prosecutor declined to prosecute an alleged offender in a witchcraft-related case (Ralushai et al, 1996: 16-17). All of the above reasons were cited to explain the under-reporting of witchcraft-related cases to the local police.

The ineffectiveness of the police was also exposed in the answers given to the Commission regarding the question of whether the courts deal with witchcraft killings and muti murders. It was mainly agreed that the courts do deal with such cases but
there are several problems, namely: witnesses are often reluctant to testify; traditional healers who sniffed out witches are rarely prosecuted; police incompetence during the investigation often jeopardises the prosecution of cases; judicial officials are not exposed enough to cases of this nature; and, there is often disparity in the method of sentencing (Ralushai et al, 1996: 30; cf. Chapter Seven of this study). While police incompetence is cited as a problem, the Report fails to indicate how this manifests itself in investigations. Is the problem a lack of background knowledge about witchcraft beliefs and practices? Is the problem a lack of sensitivity to the cultural context of the people? Is the problem the investigation of the crime scene where police may not know what to look for? Is the problem the lack of evidence? Or is the problem in the interviewing of witnesses or suspects, where police either ask the wrong questions, or do not accept the answers that they are given because they appear to be irrational (see Chapter Seven). What exactly police incompetence means is not made clear in the Report.

Although the provision of recommendations for law enforcement is not indicated in the terms of reference of the Report, the Commission did provide at least some recommendations for the police in the section of the Report dealing with its recommendations. The recommendations, however, are very superficial, at best, but point in the right direction of what perhaps needs to be done in law enforcement. Firstly, the Commission suggests that ‘Investigations of cases involving belief in witchcraft should be intensified so as to gather enough and convincing evidence that would lead to the successful prosecution of diviners and traditional healers who have committed criminal offences’ (Ralushai et al, 1996: 62). This suggestion is quite vague as there is no indication as to what would constitute “enough and convincing evidence”. Secondly, it is suggested that ‘…most of our black policemen also believe in witchcraft and as a result…the police are sometimes reluctant to be of any assistance to people having been accused of practising witchcraft. Police need to be taught that it is their duty to protect the public’ (Ralushai et al, 1996: 63). This problem of police being afraid to investigate certain cases because of their supernatural beliefs was also noted by Coplan (2003) at a Basuto religious shrine at Badimong, along the Lesotho-Free State border: ‘…[W]hile local veteran white police do their best to investigate, their black colleagues are afraid of the healers, diviners
and prophets in these hills and will not assist’ (Coplan, 2003: 991). This, therefore, appears to be a significant problem highlighted by the Commission. However, no suggestion is made regarding how police should reconcile their cultural beliefs with their duty to protect and serve the public. A third recommendation of the Commission was that ‘…the language efficiency of police with specific reference to English be improved. Alternatively, statements should be taken by police who are conversant in the English language’ (Ralushai et al, 1996: 63). This suggestion is based on the Commission’s observation that, due to language inefficiency, ‘…the manner in which the police took statements from witnesses leaves much to be desired’ (Ralushai et al, 1996: 63). This is a critical problem since the taking of incorrect statements could negatively impact on how police would investigate a particular case. Especially in cases involving witchcraft-related crimes, it is vital that statements from witnesses be recorded as accurately as possible. It is interesting to note that, while the Commission mentions language differences as a problem, it does not include cultural differences as a problem that could impact on the accuracy of recorded statements. It is possible that certain culturally relevant information pertaining to witchcraft beliefs and practices may be overlooked or ignored by police taking statements, due to their lack of understanding of the significance of that cultural information in the broader context of the investigation. Inaccurate reflections of what witnesses may say, as well as the distortion of facts, which would result from taking inaccurate statements, could not only jeopardise an investigation but could also, potentially, hamper courts of law from arriving at the correct verdict. The final recommendation for police involves the logistical issue of the availability and distribution of police stations. According to the Commission’s Report, ‘We have also identified the problem of the limited number of police stations in the [former Northern] Province. This problem affects mainly people who are living in the remote areas where justice becomes very expensive and almost impossible to administer…We…recommend that the Government should try to spread its police stations evenly and where it is impossible, satellite Police Stations should be set up’ (Ralushai et al, 1996: 63). This is a useful suggestion that could prevent future cases such as that mentioned in the Report, where nine people were killed in one night, in seven separate incidences, within a period of six hours, mainly because the police were not easily accessible (Ralushai et al, 1996: 63).
6. A Critical Interpretation of the Significance of the Ralushai Report for the Eastern Cape

Notwithstanding the shortcomings of the Ralushai Commission’s Report on witch killings and muti murders in the former Northern Province of South Africa, there are certain positive factors that should be mentioned about the Report. Firstly, the Report represented the first real attempt by the national government to address the issue of witchcraft-related crime. Before the appointment of the Ralushai Commission, no attempts had been made to facilitate a serious investigation into witchcraft-related crime in the country. Secondly, the Ralushai Report attempted to provide as comprehensive a perspective as possible on the nature and extent of witch killings and muti murders in the former Northern Province. This is illustrated in the numerous data on actual cases that are included in the Report. A third positive factor is that the Ralushai Commission itself was composed of a number of persons representing various fields that were all relevant to the issue that was under investigation. This diversity of expertise in the Commission facilitated a holistic approach to the problem of witchcraft-related crime. The diversity of expertise in the Commission was illustrated by the inclusion of an historian as Chairperson of the Commission (Prof. Ralushai), a retired magistrate (Pastor Masingi), a theologian (Ms Madiba), a professor in criminal law and procedure (Prof. Van den Heever), a traditional healer (Mr Mathiba), a traditional leader (Mr Mphaphuli), a senior member of the SAPS (Brig. Mokwena), an attorney and former advocate of the South African Supreme Court (Mr Ndou) and a lawyer (Mr Matabane).

Although the above suggests some of the positive aspects of the Ralushai Commission and its Report, the question that is relevant for the current study is this: what is the significance of the Ralushai Commission and its Report for witchcraft-related crime in the Eastern Cape? As indicated above, broadly speaking the Ralushai Commission was significant in addressing witchcraft-related crime in general because it represented the first real effort to investigate the nature and extent of witchcraft-related crime. However, as has been shown, the Ralushai Commission was exclusively a provincial task team that was appointed to investigate what was going on in a specific province of South Africa. Thus, the work of the Commission was restricted to the areas of the former Northern Province, meaning that the Eastern Cape
was totally excluded from the Commission’s area of investigation. This implies that the findings and recommendations generated by the Commission’s investigations were relevant mostly for the former Northern Province. However, some aspects of the Ralushai Commission’s investigation did reveal certain insights that could be as relevant for the Eastern Cape as they were for the former Northern Province.

The above suggests that the Ralushai Report is ambiguous regarding its significance for the Eastern Cape. The Report is both relevant and not relevant to the Eastern Cape, depending on how the Report is interpreted. It has already been mentioned that the entire investigation of the Ralushai Commission was based in the former Northern Province, which could lead to the argument that the Report is of no real significance to the Eastern Cape. Further, being based in the former Northern Province, the investigation focused on African groups that occupied the area under study. These groups were mainly the TsiVenda- and XiTsonga-speaking groups, who do possess certain cultural differences when compared to the Xhosa-speaking peoples of the Eastern Cape. This may suggest that since no Xhosa-speaking peoples were part of the investigation the Ralushai Report may not have any relevant findings or recommendations for the Eastern Cape.

However, there are aspects of the Report that are relevant for the Eastern Cape context. First, there is the recognition of witchcraft as a reality in South Africa. Although the investigation was based in the former Northern Province, the Commission showed in its Report that among the groups of the former Northern Province witchcraft was a reality. By implication, it could then be argued that if witchcraft was considered a reality in one part of South Africa, surely among other African groups in other provinces there could be similar beliefs. Data gathered from informants in Mpondoland revealed that for the vast majority of people witchcraft was considered a reality that had a real impact and real consequences for communities (see Chapter Three of this study). Furthermore, if, as was the case among the groups of the former Northern Province, there was widespread belief in witchcraft that could lead to witchcraft-related violence, surely the same could happen in other provinces where belief in witchcraft was widespread. Again, in Mpondoland, data from informants revealed that in areas where belief in witchcraft was widespread, there were also high frequencies of witchcraft accusations and incidences of witchcraft-
related violence (see Chapter Three of this study). Thirdly, if the recommendations made by the Commission were applicable to state institutions such as the SAPS in the former Northern Province, then it was likely that those recommendations could also be applicable to the same state institutions in other provinces. What these three points suggest is that although the Ralushai Report was based on a particular province, there are aspects of it that may have a more general applicability, that is, aspects that are relevant to the Eastern Cape. For example, the Commission found that there was a belief in the existence of zombies (Ralushai et al., 1996: 5) which is a similar belief found among the Xhosa-speaking peoples (see Chapter Two and Chapter Nine of this study). Also, in both the former Northern Province and the Eastern Cape, zombies were associated with witchcraft. Furthermore, the Commission found that among the groups of the former Northern Province, there was a conceptualisation of witchcraft as involving the use of substances or medicines to cause harm, illness or death (Ralushai et al., 1996: 4), similar to understandings of witchcraft among the Xhosa-speaking peoples of Mpondoland (see, for example, Hunter, 1936; Chapter Three of this study). Violence against suspected witches and the killing of people for their body parts were also similar practices found in both the former Northern Province and the Eastern Cape. These similarities suggest that the Ralushai Report should be considered relevant to the Eastern Cape context, even if only to a certain extent.

It is argued here that despite the shortcomings of the Ralushai Commission and its Report, any investigation into witchcraft-related crime would benefit from a consideration of the positive aspects of the Report. Although a National Commission would have been more valuable in addressing witchcraft-related violence across various provinces, the Ralushai Commission represents a step in the right direction and should be seen, in a province such as the Eastern Cape, as an example to be emulated. In other words, serious consideration should be given by the Eastern Cape provincial government to establish a similar Commission of Inquiry to investigate witchcraft-related crime in the province (see Chapter Eight of this study). The Ralushai Commission, in spite of its shortcomings, has provided an example and a precedent of how such a Commission should work and the value that it could have for investigating a complex problem.
7. Conclusion

This chapter has provided a critical analysis of the Report of the Ralushai Commission. As has been shown, the Report contains many flaws that arouse questions about its validity, not only as a scientific document but also as the foundation upon which policies specifically for law enforcement could be built, in their efforts to investigate witchcraft-related crimes more effectively. Perhaps the biggest flaw in the Report is its lack of detail, specifically regarding the practical recommendations for law enforcement. The lack of detail is accounted for by the Commission when it states that ‘Interviewing people on such complex subjects as witchcraft and ritual murders is no easy task, more especially when you have limited time at your disposal’ (Ralushai et al, 1996: i). It was mentioned that the Commission only had a period of one year within which to complete its investigation. In retrospect it seems clear that one year was certainly not enough time for this investigation, especially considering the importance of it as the first real attempt by the State to intervene in the high incidences of witchcraft-related crimes in the former Northern Province. The fact that the Commission was only given a year within which to complete its task arouses a question as to how seriously the government actually took this issue. Was the Commission appointed as a genuine attempt by the government to try to curb the killings, or was it merely a smokescreen to make it seem as if the State was doing something about the problem, because of the pressure exerted on the government to intervene. The latter seems to be suggested, given the almost rushed fashion within which the Commission was expected to conduct its investigation, and the resultant flimsy and superficial Report. A critical analysis of the Ralushai Report exposes the inherent weaknesses in the document, and provides an indication of where and why further research into witchcraft-related crimes is necessary, in order to give these unique types of crimes the attention they deserve, and to equip law enforcement officers with the necessary knowledge to make their investigations more successful.

However, despite the shortcomings of the Ralushai Report, there are aspects of it that are of significance for the investigation of witchcraft-related crime in the Eastern Cape. This chapter has shown that there are certain similarities between what the
Commission found in its investigation in the former Northern Province, and what has been found in the Eastern Cape. It is argued that the Report as a whole should not be disregarded as being totally irrelevant to the Eastern Cape, but that the positive aspects of the Report should be taken seriously. It is the researcher’s opinion that the most important factor that the Eastern Cape provincial government could learn from the Ralushai Commission, is the necessity to establish such a Commission of Inquiry as the first step towards addressing the complex problem of witchcraft-related crime in the province.

As mentioned, the Ralushai Commission did not focus on the Xhosa-speaking communities of the Eastern Cape in its study. Thus, there are no data in its Report that provide a detailed analysis and interpretation of the cosmological beliefs, perceptions and responses of local Xhosa-speaking peoples regarding witchcraft and witchcraft-related crimes. Consequently, the next chapter aims to provide insights into the position of witchcraft beliefs in the overall cosmology of the Xhosa-speaking peoples. Within this context, ethnographic data based on the researcher’s fieldwork in Mpondoland are analysed and interpreted in an effort to indicate the perceptions of local communities regarding both witchcraft-related crimes and the effectiveness of the police in addressing these crimes.
CHAPTER THREE:

WITCHCRAFT AND SORCERY BELIEFS IN THE COSMOLOGY OF THE XHOSA-SPEAKING PEOPLES AND THEIR INFLUENCE ON WITCHCRAFT-RELATED CRIME

1. Introduction

The earliest studies of witchcraft and sorcery beliefs in African societies, such as Evans-Pritchard’s study among the Azande (1937), consistently show that a relationship exists between witchcraft and sorcery beliefs and the prevailing cosmological system inherent in the society (see also Forde, 1954; Crawford, 1967; Pauw, 1975; Packard, 1980; Minnaar, 1992; Osei, 2003). African cosmologies are also related to the religious organisations of African societies. If it is accepted that, as Mbiti (1969) suggests, ‘Africans are notoriously religious…[and] Religion permeates into all departments of life so fully that it is not easy or possible always to isolate it.’ (Mbiti, 1969: 1), then it must also be accepted that the dominant cosmological beliefs held by the African will have special meaning and significance for him/her.

In this chapter, witchcraft and sorcery beliefs among the Xhosa-speaking peoples in general are discussed in relation to their prevailing cosmological system. Witchcraft and sorcery beliefs form an integral part of the cosmology of the Xhosa-speaking peoples, especially as explanations for misfortune, illness and even death. In the context of witchcraft-related crime and efforts to control it, it must be realised by law enforcement officials that witchcraft and sorcery beliefs are not merely irrational superstitions, but that they fulfil an important function in the overall cosmological scheme of the Xhosa-speaking peoples. The nature of a cosmology is looked into with a focus on the various categories of cosmological classification. The focus is also on contextualising or locating witchcraft and sorcery beliefs within this system, to illustrate the relationship of these beliefs to the wider system and the significance that they hold for the Xhosa-speaking peoples of the Eastern Cape. A brief outline is given of the impact of missionary Christianity on traditional beliefs in witchcraft, as held by the Xhosa-speaking peoples. Using this context as a basis, the influence of witchcraft beliefs on perceptions of witchcraft-related crime in the communities of Mpondoland is discussed with reference to data gathered during the fieldwork phase of this study.
2. Defining Cosmology

Most, if not all, human societies are aware of the three-dimensional nature of human beings, that is, humans as biological, social and spiritual beings. According to Bowie (2000), ‘As biological and social beings we are all dependent upon our physical and social environment in order to live.’ (Bowie, 2000: 118). African societies are specifically aware of this three-dimensional state of human beings, and, as such, attempt to understand this state by understanding the relationship of humans to the natural, social and spiritual environments within which they exist. It is within this context that religion and cosmology become significant aspects of African cultures, as a way of explaining the place of humans in relation to the wider natural and supernatural world. As Mbiti (1969) points out, for the African, religion permeates his/her entire life, and beyond: ‘Wherever the African is, there is his religion…Although many African languages do not have a word for religion as such, it nevertheless accompanies the individual from long before his birth to long after his physical death.’ (Mbiti, 1969: 2). Given this sensitivity to the relationship between human, natural and supernatural world, most African religions tend to be cosmic religions, defined by Scupin and DeCorse (2004) as ‘…concepts, beliefs and rituals…[that]…are integrated with the natural environment, seasonal cycles and all living organisms.’ (Scupin and DeCorse, 2004: 399; see also Crafford, 1996). Within this religious conception, African societies create cosmologies as an attempt to understand the place of human beings in relation to the natural and supernatural worlds.

There are various ways of defining cosmology. According to Karp (1980), ‘Cosmology embodies the systemic aspects of belief; its description leads to an understanding of world view and the more speculative aspects of the conceptual systems of a culture.’ (Karp, 1980: 1). In his study of cosmology among the Kgaga, Hammond-Tooke (1981) defined cosmology as ‘…the picture they [the Kgaga] have developed about the world they live in and the way they conceptualize the existential problems of their daily life.’ (Hammond-Tooke, 1981: xii). Hammond-Tooke (1981) adds to this view by stating that ‘There has been a tendency…for both concepts [“world view” and “cosmology”] to be equated with “religion”, the latter term usually
including belief in witchcraft as an essential theodicy…but the concept of a world view (cosmology) could well be considered wider than this…’ (Hammond-Tooke, 1981: xiii; see also Kiernan, 1981: 3 and Hammond-Tooke, 1989: 32). Crafford (1996) defines African cosmology as a unity, harmony and totality made up of the supreme being, the spirits, people, animals, vegetation and inanimate objects. The supreme being is the origin of life-force, and the spiritual realm its mediators, making it available in a limited way to people, animals, plants and objects. Life-force can be enhanced or diminished by magical activities (Crafford, 1996: 9). Bowie (2000) defines cosmology as a theory or conception of the nature of the universe and its workings, and of the place of human beings and other creatures within that order (Bowie, 2000: 119). For Bowie, cosmology should be distinguished from cosmogony which she defines as ‘stories, myths and theories relating to the origin of the universe, and of human beings.’ (Bowie, 2000: 119).

Despite the various definitions of cosmology, most, if not all, African societies have a cosmology for the specific purpose of establishing order in their societies. Cosmologies thus have a function in African communities. It should also be pointed out that a cosmology does not exist in a vacuum, that is, it is not separate from a social and cultural context. According to Mathews (1994), cosmologies are conditioned by historical, environmental, technological, psychological and social factors (Mathews, 1994: 13).

Although a cosmology, as a means of establishing order in the world, is comparable to the Western scientific view of a mechanistic world, also as a means of creating order, these two views of how the world may be ordered are based on opposing philosophies. Concerning the description, functioning and interpretation of nature, a cosmology stands in contrast to what Bowie (2000) calls an ‘operational model’, which she defines as ‘a scientific description of an ecosystem.’ (Bowie, 2000: 121). As Rappaport (1979) suggests, in a cosmological setting, nature is experienced or observed by humans through a filter of beliefs, knowledge and purposes, and it is in terms of the images of nature, rather than of the actual structure of nature, that human beings act (Rappaport, 1979: 97). This implies an inherently subjective view of nature, which is interpreted by means of the actions of spirits and other supernatural forces, and how these impact on the lives of humans. This view contrasts with the
operational perspective of nature, which sees it merely as a mechanistic system with no higher value or significance over and above itself. This view implies an inherently rational, objective, scientific view of nature. The essential point here is that while the cosmological model acknowledges the interaction between natural and supernatural, the Western operational model does not. As a result, the beliefs of some non-Western societies in the supernatural seem “irrational” to most Westerners, but to non-Western societies, belief in the supernatural is entirely rational, since it conforms to the cosmological paradigm that underlies their beliefs, interpretations and world view.

3. Rationality and Cosmological Belief

The Western scientific view of non-Western peoples as irrational, because they subscribe to a cosmological paradigm rather than a scientific one, is not only highly inaccurate, but is also highly ethnocentric. Many non-Western peoples have shown the ability to think rationally in the sense of creating systems of classification. As Levi-Strauss (1966) showed, there are numerous examples of non-Western peoples worldwide, who have shown the capacity to use systems of taxonomical classification that correspond, to a large degree, to classification systems used by botanists or biologists. For the tribal inhabitant, classifying objects becomes the rational foundation of maintaining order in the world. It is through this classification process that various objects could acquire “sacred” status: ‘All sacred things must have their place…if they were taken out of their place…the entire order of the universe would be destroyed. Sacred objects therefore contribute to the maintenance of order in the universe by occupying the places allocated to them.’ (Levi-Strauss, 1966: 10). This view suggests that tribal thinking is markedly more holistic in comparison to Western scientific thought. Western thought is inherently uni-dimensional, while tribal or traditional thought is multi-dimensional. This makes sense within the context of cosmological thinking which encompasses not only one natural world, but many worlds, including the supernatural world. As a result, the traditional thinker sees ‘…all things as part of and influencing each other and being influenced by forces beyond themselves.’ (Crafford, 1996: 4).

Non-Western peoples have also shown the ability to think rationally not only in their capacity to establish causal relationships between events, but also in their capacity to
show a comprehension of mechanical and organic processes. According to Forde (1954), ‘Africans, in the same way as Europeans, have appreciated and successfully based their routines of living on principles of causation linking events, on the logical implications of ideas, and on an understanding of mechanical and organic process.’ (Forde, 1954: x-xi). This suggests that Africans do have a sense of natural causes for certain events, but, unlike Westerners, their theory of causation incorporates a much wider field than a scientific theory of causation. In the African context, theories of causation can unproblematically fall within the realm of magic, which contrasts with the very specific types of causational theories allowed in science. Levi-Strauss (1966) clearly draws the distinction between these categories of causation: ‘…magic postulates a complete and all-embracing determinism. Science…is based on a distinction between levels: only some of these admit forms of determinism; on others the same form of determinism are held not to apply.’ (Levi-Strauss, 1966: 11).

As a theory of causation, magic becomes a significant factor in African theories of causation, constituting an alternative theory to the causes of evil, illness and misfortune (Hammond-Tooke, 1974: 335; see also Osei, 2003: 84). This is due to the holistic approach to the worlds within which human beings are believed to exist. The supernatural world is seen as interacting to a large extent with the natural and human world. As a result, it does not seem strange to the African that magic, belonging to the realm of the supernatural, can cause certain events to occur in the natural or social world of humans, and is, in fact, used by humans in various ways. Magic generally falls into two categories, depending on how it is used. According to Mbiti (1969), ‘…good magic is accepted…by society. It is chiefly the specialists, the medicine-man, diviner and rainmaker, who use their knowledge and manipulation of this mystical power for the welfare of their community.’ (Mbiti, 1969: 198). This form of magic is used mainly by specialists for protection of the community, counteracting misfortunes and the diagnosis and curing of diseases. In addition, Africans may possess charms and observe certain taboos also for protection from harmful supernatural forces. These harmful forces usually manifest in the second category of magic, namely black or evil magic, that ‘…involves the belief in and practice of tapping and using this [mystical] power to do harm to human beings or their property.’ (Mbiti, 1969: 199). This form of magic specifically involves witchcraft, which consists of both psychic witchcraft, which is the ability to manipulate spiritual
or invisible agents (familiars) to harm others, and sorcery, which involves the use of medicines to cause harm. Evans-Pritchard (1937) found that, among the Azande, witchcraft forms a very rational theory of causation, and is seen as operating in conjunction with natural forces to cause misfortune, all of which interact on a cosmological level to produce a specific outcome: ‘As a natural philosophy it (witchcraft) reveals a theory of causation. Misfortune is due to witchcraft cooperating with natural forces. If a buffalo goes a man, or the supports of a granary are undermined by termites so that it falls on his head, or he is infected with cerebrospinal meningitis, Azande say that the buffalo, the granary, and the disease, are causes which combine with witchcraft to kill a man. Witchcraft does not create the buffalo and the granary and the disease for these exist in their own right, but it is responsible for the particular situation in which they are brought into lethal relations with a particular man…Of these causes, the only one which permits intervention is witchcraft…The buffalo and the granary do not allow of intervention and are, therefore, whilst recognized as causes, not considered the socially relevant ones.’ (Evans-Pritchard, 1937: 418-419; see also Osei, 2003: 84). This kind of rationality is prevalent in many African societies as part of their cosmological conception of their environment, and therefore, for them, ‘Witchcraft is an accepted reality…’ (Osei, 2003: 112).

4. Cosmological Classifications among Xhosa-speaking Peoples

As one example of the many African societies prevalent in South Africa, the Xhosa-speaking peoples of the Eastern Cape possess a cosmological system that conforms to many of the characteristic traits of African cosmology outlined above. Most African cosmologies are conceptualised in terms of a hierarchical framework that represents the “cosmic totality” which, according to Crafford (1996), ‘…is expressed in human community [author’s italics], and especially in…family ties…Within both the extended and nuclear family there is the same sense of harmony, protection, community and prosperity…Everything which threatens the harmony is evil.’ (Crafford, 1996; see also Van Niekerk, 1987; 1990). This view was also held by Hammond-Tooke (1981) who stressed the importance of social organisation, specifically kinship structures, as paramount in the cosmological scheme of the Kgaga people. In addition, most African groups in South Africa share a common idea of a limited amount of cosmic good or life-force. Depending on a person’s place in the
social hierarchy, he/she receives a limited amount of cosmic good or life-force (Minnaar, 1992; Crafford, 1996). Life-force is important for the wellbeing of a person because ‘Sufficient life-force brings happiness, health and prosperity, while a deficiency brings unhappiness, sickness and trouble.’ (Crafford, 1996: 10). Within the hierarchy, some individuals may attempt to increase their life-force, but this can only be done at the expense of others, and this is where the use of magic, usually the evil variety, comes into play and upsets the existing order or balance of the community as a whole (Mbiti, 1969; Minnaar, 1992; Crafford, 1996). The idea of a cosmological order based on balance is also relevant among the Xhosa-speaking peoples. For example, according to Osei (2003), in his study of a Xhosa-speaking group known as the amaHlubi of the Qumbu area in the Eastern Cape, ‘The world of the Hlubi is that of a dynamic equilibrium, which demands that the cosmological order must be sustained in balance when natural disasters or anti-social forces threaten it.’ (Osei, 2003: 83).

In the “traditional” cosmology of the Xhosa-speaking peoples, life-force originates from the Supreme Being (uThixo), who corresponds most closely to the Christian concept of God (Wilson, 1952; Hunter, 1961; Hammond-Tooke, 1962; Pauw, 1975: 63; Olivier, 1981; Pauw, 1994: 118; Hammond-Tooke, 1989: 46; Osei, 2003: 87). However, unlike the Christian God, uThixo is conceptualised as aloof and uninvolved in the everyday affairs of human beings on Earth (Olivier, 1981: 11; Osei, 2003: 203). As such, the Xhosa-speaking peoples define and experience the Supreme Being as what Crafford (1996) calls ‘deus otiosus- uninvolved divinity which is not directly concerned with everyday life. God is also deus absconditus- the concealed, remote God who is approached mainly through mediators.’ (Crafford, 1996: 13). The Supreme Being is not only acknowledged as the creator of the cosmos (Olivier, 1981: 10-12), but he is also regarded as the being responsible for maintaining the cosmos since, it is believed, ‘...he is responsible for the social order and the habits and customs of the Xhosa.’ (Pauw, 1994: 118). This view suggests that, to the Xhosa-speaking peoples, the Supreme Being is the creator of the existing order and balance in the natural, social and supernatural worlds. Every effort should thus be taken not to interfere in the established order as this would arouse the anger of the Supreme Being (Pauw, 1994; Crafford, 1996). Some Xhosa-speaking peoples, such as the Gcaleka, regard the Supreme Being as wholly benevolent, and that he is not responsible for
misfortunes or evil that can afflict human beings, livestock or crops. This understanding of the Supreme Being stems from the belief that everything that he has created is good and can therefore not be tainted by his hand (Olivier, 1981: 11). As a result, culpability for misfortune or evil is attributed to witchcraft, which, in the context of the amaHlubi, ‘...is perceived as an anti-social force used by human beings to disrupt social order.’ (Osei, 2003: 83). This view suggests that in the greater cosmological scheme, humans are responsible for misfortunes that can befall them. Due to the belief in the Supreme Being as the origin of life-force and cosmic power, he occupies the highest position in the cosmological scheme of the Xhosa-speaking peoples.

Following the Supreme Being in importance and rank are the ancestral spirits (amathongo/izinyanya), who can be regarded as the most important beings in “traditional” cosmology, since, for a group such as the amaXhosa, ‘The belief in and the worship of the ancestor spirits form the central part of the religion of the Xhosa.’ (Pauw, 1994: 119; see also Wilson, 1952). According to Crafford (1996), ‘Ancestors are the mediators between the deity and the tribe, allowing the vitality of the supreme being to flow to them.’ (Crafford, 1996: 14; see also Osei, 2003: 87). This idea corresponds with that of Olivier (1981) who suggested that the ancestral spirits cannot exist independently of the Supreme Being, since they are dependent on him for their power to help the living (Olivier, 1981: 13). Most, if not all, of the rituals and customs (amasiko) practised in Xhosa-speaking communities are held to honour and acknowledge the role of the ancestors who, in comparison to the Supreme Being, are more directly involved in the affairs of human beings (Wilson, 1952; Hammond-Tooke, 1962; Hammond-Tooke, 1974; Hammond-Tooke, 1994). The involvement of the ancestral spirits in human affairs can be seen in the manner in which they are believed to manifest themselves. It is believed that the ancestral spirits can communicate and manifest themselves to the living in four ways: dreams, animals, natural disasters and through divination (Olivier, 1981: 22-25). The worship of the ancestors provides the rationale behind the importance of kinship and the family in traditional cosmology. As indicated elsewhere, kinship represents the central focus of social structure which, in turn, forms the basis of the social order, crucial to the functioning of traditional cosmology. For this reason, almost invariably, ancestral spirits are connected to specific kinship or descent groups such as lineages or families
Crafford (1996) notes the importance of the kinship group for the recognition of ancestral spirits: ‘Only people who have left descendants are honoured as ancestral spirits, giving rise to the importance of large families in traditional communities.’ (Crafford, 1996: 14). As a result, the most important rituals that could be performed in Xhosa-speaking communities are those associated with the death and burial of individuals. These rituals are significant for the successful transition of the soul of the deceased from life on Earth to the ranks of the ancestral spirits. Within this context, two rituals are the most important, namely the sending away ritual (ukukapha) and the bringing back ritual (ukubuyisa) of the deceased’s soul. According to Pauw (1994), ‘In the first-mentioned instance [ukukapha] the spirit of the deceased...is sent on his way to the ancestor spirits and in the last-named instance [ukubuyisa] he is brought back to the cattle kraal [or homestead] to live there...It is important that the deceased’s eldest son performs these rituals...and in both instances a beast must be slaughtered.’ (Pauw, 1994: 120).

Among the Xhosa-speaking peoples, as in other African groups, the role of the ancestors is most noticeable during the \textit{rites de passage} (Van Gennep, 1960) or rites of passage ceremonies carried out at specific times for individuals. Rites of passage exist as a response to the recognition of the various stages that humans move through during their life-cycle. It is believed that humans move through at least four different stages as they develop: birth, maturation (transition to adulthood), reproduction (marriage and procreation) and death (Hunter, 1961; Pauw, 1994: 10). The transition from one life-stage to the next is marked by rituals, referred to as rites of passage, to ensure the safe transition of an individual from one stage to the next. These transitional periods are regarded as crisis points in the lives of humans, periods when people are exposed to all manner of supernatural harm (Hammond-Tooke, 1989: 47). As a result, rites of passage are carried out in order to invoke the protection of the ancestors to aid individuals undergoing these transitions. Since these life-stages span the entire lives of individuals, it is necessary that they ensure that they have good relations with their ancestral spirits, not only for themselves as individuals, but more importantly, for their family groups, as entire families are affected by these rites of passage and thus require the protection of their family ancestors (Hunter, 1961; Olivier, 1981: 31).
Although the ancestral spirits may be credited as being the source of good fortune for their descendents, they are also recognised as a possible cause of misfortune, in addition to what is commonly referred to as witchcraft (ukuthakatha ngezilwana) and sorcery (ukuthakatha ngobuthi), as well as ritual impurity (Hunter, 1961: 275; Pauw, 1975: 60). In cases such as these, certain human beings, the traditional healers, are identified who are believed to have special magical powers that are linked to the ancestral spirits and the Supreme Being, to help ordinary people who are afflicted by misfortunes (West, 1975; Ngubane, 1977; Cheetham and Griffiths, 1986). It is in this context that the concept of magic becomes significant. As indicated elsewhere, magic is conceptualised as existing in two forms, namely, white magic which is beneficial, and black magic, which seeks to harm. When misfortune strikes, the traditional healer or diviner (igqirha or isangoma) is consulted to help the afflicted through the use of supernatural or magical means. Since they use their powers for the benefit of the community, healers are regarded as practitioners of white magic. According to Pauw (1994), these healers can be identified as either traditional doctors (iinyanga), or diviners (amagqirha) or herbalists (amaxhwele). In some cases, a healer may possess skills attributed to all three categories of healer. It is believed that the diviner’s powers stem from the ancestors, who allow him/her access to special information that is not available to ordinary persons: ‘In divining, the diviner is guided by the ancestors; his divination reveals whether misfortune is due to their anger and he often indicates that ancestor rituals have to be performed.’ (Pauw, 1975: 60). In contrast, the herbalist uses a specialised knowledge of medicines (imithi or amayeza) to cure individuals suffering from illness-related misfortunes. Pauw (1994) makes the distinction between the diviner and herbalist clear: ‘Unlike the diviner, the herbalist (ixhwele) is not dependent on the ancestor spirits for the execution of his duties. The herbalist applies his knowledge of particular medicine mainly to manipulate magical powers…’ (Pauw, 1994: 126). This distinction was also made by Olivier (1981: 54). Since these healers are believed to use their powers for good, they are the specialists usually consulted when misfortune strikes, specifically if the misfortune is caused by witchcraft or sorcery. The herbalist, however, seems to occupy an ambiguous position in Xhosa-speaking society as he/she is regarded as being able to use the specialised knowledge of medicines not only for benevolent purposes, but also to cause harm (Olivier, 1981: 84). According to Olivier (1981), the herbalist can use medicines to manipulate supernatural powers either for the benefit or detriment of a
person or the community (Olivier, 1981: 54). This view is supported by Pauw (1994) who states that ‘A herbalist (*ixhwele*) may also apply black magic in that he may provide medicine to people to harm others.’ (Pauw, 1994: 128). In this case, the herbalist would then be associated with the use of sorcery, which is defined as the use of medicines to cause harm, illness or death. This belief was also found to be true among most of the Xhosa-speaking informants in Mpondoland (see below). Due to his/her ambiguous position, the herbalist is viewed both with great respect, as a crusader against witchcraft and sorcery, as well as with great fear, as a potential sorcerer (Olivier, 1981: 84).

As in the cosmological systems of most other African groups, among the Xhosa-speaking peoples, witchcraft and sorcery exist in the supernatural realm of black magic. According to Pauw (1994), ‘Black magic is basically used in two ways, namely, the use of medicine and the keeping of familiars or associates to use them detrimentally.’ (Pauw, 1994: 128). In the realm of black magic, there are two types of practitioners, namely the witch (*igqwirha*) and the sorcerer (*umthakathi*). These black magic practitioners are ‘...supposed to be evil living humans who harm others through familiars they keep or through the use of substances, actions or words, most of which could be described as magic.’ (Pauw, 1975: 59; see also Hunter, 1961: 275; Wilson, 1982: 127-128; Hammond-Tooke, 1962: 278; Olivier, 1981: 86; Hammond-Tooke, 1989: 48; Pauw, 1994: 128). Witches and sorcerers are perhaps the most greatly feared individuals in their communities since they are believed to cause misfortune, grief, illness and even death (Pauw, 1994: 115; 124).

5. The Witch and the Sorcerer in the Cosmology of the Xhosa-speaking People

Although much has already been discussed about the general conceptualisation of witchcraft and sorcery in African communities, it is necessary to refer to some of these ideas when trying to understand the place of the witch or sorcerer in the cosmology of the Xhosa-speaking peoples. As has been indicated (see preceding paragraph), the witch (*igqwirha*) and sorcerer (*umthakathi*) are practitioners of black magic, and use their supernatural powers for evil or harm, a belief that is common to various Xhosa-speaking peoples in the Eastern Cape (see for example Wilson, 1952; Hammond-Tooke, 1958; Hammond-Tooke, 1962). They thus stand in direct
opposition to the diviner (igqirha) and herbalist (ixhwele), who use their powers for
the benefit of the community. Although it may appear that there is a clear distinction
between the use of supernatural powers for good or evil, in many cases the distinction
is not as clear. This is due to the ambiguous nature of the supernatural realm. As a
result, diviners and herbalists, who are the specialists when it comes to the
counteracting of witchcraft and sorcery, use the same supernatural powers employed
by the witch and sorcerer. Thus diviners and herbalists also occupy an ambiguous
position, as they are believed to possess ‘…many attributes of witches. This is
because diviners [and herbalists] are endowed with mystical powers and special
knowledge, which help them to achieve their goals. No wonder religious leaders were
formerly called “witch-doctors”.’ (Osei, 2003: 205). This argument was supported
by the opinions expressed by informants in Mpondoland. Most of the ordinary
villagers interviewed stated that traditional healers may also be involved in witchcraft
because their knowledge and powers could also be used to harm or kill others (see
below). Even those informants who were traditional healers admitted that some
healers are involved in witchcraft. They specifically mentioned muti murder that
could involve some traditional healers. What lent credence to this argument was the
fact that some of the healers interviewed seemed to subtly condone the killing of
people for muti. Although they admitted that killing people was wrong, they did state
that muti made from human parts was indeed powerful and that it worked. Though
these informants were not asked directly whether they openly supported muti murder,
their responses suggested that they did not regard it as entirely problematic either.

It is particularly the herbalist who can use his powers to cause harm. In this case, the
herbalist may provide medicine to clients who wish to harm others (Pauw, 1994: 128),
or he may himself use medicines to cause injury to someone else. However, some
scholars, such as Olivier (1981) and Pauw (1994), point out that a herbalist who does
use his medicines to harm, will only do so if provoked (Olivier, 1981: 81), or to get
rid of an enemy (Pauw, 1994: 128). In addition, the herbalist must work in secret so
that he is not found out and possibly punished. These views were supported by
informants in Mpondoland. They not only claimed that the herbalist could possibly
use his/her knowledge of medicines to cause harm directly or indirectly, but also
seemed convinced that the herbalist and the sorcerer were one and the same, that is, informants made no distinction between the two (see below).

Some of the methods used by the herbalist to cause harm are very similar to those of the witch or sorcerer, but there are three methods in particular that conform to those of witchcraft and sorcery. Firstly, the herbalist can send lightning, through the use of the lightning bird (*impundulu*) to harm property or people. In this case, the herbalist may take any object from the kraal (*umzi*) or person of the victim, mixes it with the egg of the lightning bird, believed to be found where lightning strikes, and calls out the name of the victim (Olivier, 1981: 81-82). This idea is supported by Pauw (1994) who states that the herbalist may ‘…direct lightning onto somebody’s property…’ (Pauw, 1994: 128). Secondly, a herbalist may cause illness to someone by mixing the roots and bark of various trees and plants in a tin of water. Following this, he may take his *assegai* (short, stabbing spear) and dip its point in the mixture while calling out the name of the victim, who will then fall ill (Olivier, 1981: 82). Pauw (1994) supports this view as well: ‘A herbalist…may cause diseases…’ (Pauw, 1994: 128). Thirdly, a herbalist may also place evil spirits (*amafufunyana*) into a person. This is done by smearing the fat of a slaughtered black sheep on grass stalks and placing these in a new grave at night. The following day, the grass stalks and the root of *amangwe* (Terminalia sericea Burch ex D.C.) are mixed together and given to the victim in some way or another to ingest. Once the victim has ingested the medicine, he will begin writhing in pain, a sign that the evil spirits are beginning to talk (Olivier, 1981: 82). Again, this idea is substantiated by Pauw (1994) who states that ‘A herbalist may…place evil spirits into a person’s body…’ (Pauw, 1994: 128). Since the herbalist can use his medicines to manipulate supernatural forces for good or evil, he is both a benefit to the community, but also greatly feared (Olivier, 1981: 84).

While it is accepted that the herbalist may use his medicines to harm, he is usually not regarded as a witch because he does not possess an inherent inclination for evil (Pauw, 1994: 128). It appears that among the Xhosa-speaking peoples, a similar view of the witch exists as that found among the Azande. According to Evans-Pritchard’s (1937) study of the Azande, the witch has an inherent inclination for evil. Some of the Xhosa-speaking peoples believe that the witch can be distinguished from the
sorcerer by virtue of this inherent desire to harm others. The witch is defined by his/her use of familiars, invisible spiritual agents kept by the witch that can be sent to a victim and can cause illness or death (Wilson, 1952; Hunter, 1961; Hammond-Tooke, 1962; Pauw, 1975: 228; see also Olivier, 1981: 86; Hammond-Tooke, 1989: 73; Osei, 2003: 125). The sorcerer, on the other hand, does not possess an inherent desire to intentionally harm others, but may resort to the use of harmful medicines for personal reasons, such as to deal with a personal enemy (Olivier, 1981: 92; see also Pauw, 1994: 128). This distinction suggests that while almost anyone with even a basic knowledge of medicines can be a sorcerer, it is only a certain type of person who qualifies to be a witch. It is perhaps for this reason that the Xhosa-speaking peoples possess two separate terms to refer to a witch (referred to as *igqwirha*) or a sorcerer (referred to as *umthakathi*). Since witchcraft stems from an inherent quality, it is believed that witches, who can be either male or female, inherit their witchcraft powers and familiars from their mothers or fathers (Pauw, 1975: 233; Olivier, 1981: 87). While it is generally accepted that witches may be male or female, the term *igqwirha* is usually applied to women, while *umthakathi* is usually applied to men (Olivier, 1981: 98, 131; Hammond-Tooke, 1989: 48). However, it must also be pointed out that witches can resort to sorcery, that is, the use of medicines, to cause harm, and may use their familiars to produce the poison or give it to the victim (Pauw, 1975: 234; Hirst, 2005). Informants in Mpondoland made no distinction between witch and sorcerer as they regarded both as one and the same. Witchcraft was defined in terms of the using of supernatural forces or medicines to harm and thus, any person who uses either familiars or medicines to harm or kill, was considered a witch. There was a view that the majority of witches are women, but some informants did mention that men may also be involved in witchcraft. However, male witches were not involved in harming or killing people, but their activities mainly involved ‘riding the *imfene* [baboon familiar]’. It was also generally agreed that witchcraft is inherited by particularly female children from their mothers, but that their powers only emerge after they become older. Although informants did support the view that the herbalist is a healer who uses his/her knowledge of medicines to cure illness or to help people, the majority of informants felt that herbalists are involved in witchcraft activities, particularly those linked to *muti* murder (see below, p. 78).
In general, however, some scholars have found that the Xhosa-speaking peoples distinguish between two types of witchcraft: witchcraft with familiars or animals, that is, *ukuthakatha ngezilwana*, and witchcraft with medicines (sorcery), that is *ukuthakatha ngobuthi* (Wilson, 1952; Hammond-Tooke, 1962; Hunter, 1961; Pauw, 1975: 60). In her ethnographic analysis of witchcraft in Mpondoland, Hunter (1961) illustrated the influence of Evans-Pritchard (1937) in drawing a distinction between witchcraft and sorcery: ‘*Ukuthakatha* includes what I propose to call, following the terminology used by Dr Evans-Pritchard, witchcraft and sorcery’ (Hunter, 1961: 275). However, Hunter (1961) at the same time realised that this scientific distinction was not relevant to the people of Mpondoland. But despite this realisation, Hunter insisted that the distinction be made and provided a reason for this: ‘The distinction [between witchcraft and sorcery] is often not made by the Pondo who speak generally of *ukuthakatha*, and of *umthakathi* or *igqwirha*, but the distinction does exist, and it is necessary to make it because the one technique is in itself illegal, while the other may be put to legal or illegal ends. Also sorcery is probably practised while witchcraft is not’ (Hunter, 1961: 275, 309). Hunter’s distinction between witchcraft and sorcery, as it applies to the amaMpondo, is problematic because, by her own admission, the distinction seems to be an imposition that forces a technical distinction that does not exist in practice. She acknowledges the influence of Evans-Pritchard, but assumes that the same technical distinction that was applicable to the Azande would also be relevant for the amaMpondo. Even after admitting that the amaMpondo make no distinction between witchcraft and sorcery, Hunter insisted that there should be a distinction because witchcraft is wholly illegal while sorcery may be legal or illegal. However, this statement is also problematic because sorcery, like witchcraft, is defined in terms of an evil intention to harm another. In other words, one cannot speak of “good/legal sorcery”. Hunter also claims that sorcery is practised while witchcraft is not. This is also problematic because it implies that witchcraft, that is, the use of familiars to harm others, cannot be practised. Witches are believed to intentionally use and send their familiars to specifically chosen victims. This suggests that witchcraft is an activity that can be carried out, and is thus something that can be practised. Perhaps Hunter’s argument relates to the inherent problems in proving witchcraft. A practising sorcerer may provide evidence of his/her craft in the form of medicines that can be seen and touched. The activities of the witch, however, may
not be proven in the same way as he/she may work with spiritual agents that are invisible to humans.

In Mpondoland, however, the current study revealed that the terms *igqwilha* and *umthakathi* were used interchangeably by some to refer to the practitioner of black magic. Furthermore, some of the informants interviewed mostly used the term *igqwilha* when referring to someone who uses either familiars or medicines to cause harm. Very few informants used the term *umthakathi*. This suggests that even within specific groups among the Xhosa-speaking peoples there may be variations in terms of how people may interpret the perceived distinction between a witch and sorcerer. Even Hunter (1961) battled to apply her distinction consistently because it did not apply to the everyday lived experiences that the amaMpondo people had of witchcraft (see, for example, Hunter, 1961: 272, 277, 295).

There was, however, general agreement among the informants in Mpondoland with other Xhosa-speaking peoples elsewhere that the witch, who uses familiars, uses these as spiritual agents that he/she can summon and send to an intended victim. These familiars are usually conceptualised as animals, though it is not always clear whether they are real animals or not. Whether real or not, the following are regarded as the most common familiars used by the witch:

a) The Lightning Bird (*impundulu*/*izulu*)

This familiar is believed to be the most commonly found among female witches (Hunter, 1961: 282; Hammond-Tooke, 1962; Olivier, 1981: 86; Pauw, 1994: 128). The most common method through which it operates is to visit the victim at night and while he/she is asleep, it kicks the victim between the shoulders, causing the person to cough up blood (Olivier, 1981: 87; Pauw, 1994: 129). The lightning bird can also cause nightmares, asthma and other lung disorders by sitting on the chest of the victim (Pauw, 1975: 230; 234). In addition, if a woman dreams of *impundulu* it is interpreted as a possibility that a witch is trying to pass this familiar on to her. It is also believed that lightning is caused by this familiar (Pauw, 1975: 234). This it accomplishes by
setting its own fat on fire as it streaks through the sky (Osei, 2003: 88). *Impundulu* is also believed to have the ability to duplicate a dead person whose corpse may be used to create *isithunzela* (see below). When a witch steals a corpse, he/she may use *impundulu* to assume the identity of the dead person in order to fool the living relatives (Osei, 2003: 126). This familiar may also turn on its owner if she refuses to allow it to ‘...suck the blood of her relatives’ (Hunter, 1961: 282; Hammond-Tooke, 1962: 282).

b) Thikoloshe (*uThikoloshe/uHili*)

This familiar is believed to be in the form of a hybrid between a human being and an animal. It is a short, dwarf-like creature with an exceptionally large penis. In addition, half of its body is covered with hair while the other half is hairless (Osei, 2003: 88). This familiar is also owned by a female witch who is believed to have sexual relations with it (Olivier, 1981: 88). It is believed that Thikoloshe causes infertility in women and is sent by the witch to rape female victims, thereby causing them to become barren (Pauw, 1994: 129). Unlike *impundulu*, Thikoloshe is not regarded as a greatly dangerous familiar and is used usually to steal from others, or to put harmful medicines in the food or drink of a victim (Pauw, 1975: 234; Olivier, 1981: 88; see also Hunter, 1961: 276-282; Hammond-Tooke, 1962: 281-282).

c) The Snake of Women (*inyoka yabafazi*) and Snake of Men (*inyoka yamadoda*)

The snake of women is also known as *ichanti* and is sent to bite the victim so that he/she will become ill and eventually die (Hunter, 1961; Hammond-Tooke, 1962: 286; Olivier, 1981: 88; Pauw, 1994: 129; Osei, 2003: 128-129). The familiar is owned by a female witch. The snake of men is also known as *umamlambo* and is used specifically by men. It is usually acquired in the form of a charm (Olivier, 1981: 90; Pauw, 1994: 130; Hunter, 1961: 285-6; Hammond-Tooke, 1962: 285) and can change into anything, usually a beautiful young woman with whom the owner can have sexual relations. This familiar is used mainly to acquire wealth, but in exchange the owner must provide a blood sacrifice as the fee (Olivier, 1981: 90; Pauw, 1994: 
Sometimes a man may be required to sacrifice his own kin to satisfy umamlambo. If he does not, the familiar may turn on him and kill him instead. Interestingly, the snake occupies an ambiguous position in the cosmology of the Xhosa-speaking peoples as it is not only associated with witchcraft, but may also be regarded as a manifestation of the ancestral spirits, who are believed to sometimes appear to their descendents in the form of animals (Osei, 2003: 129; Pauw, 1994: 112).

d) The Baboon (imfene)

This familiar is believed to be kept especially by male witches. It is used to pester an enemy’s livestock through, for example, sucking out the cows so that the calves die. It is believed that a man may inherit the baboon familiar from his father, and that it may be used as a means of transportation for its owner who may ride on it back to front (Hunter, 1961: 287; Hammond-Tooke, 1962: 284; Olivier, 1981: 89; Pauw, 1994: 130; Osei, 2003: 126).

e) The Cat (impaka)

This familiar is used by both male and female witches and can be inherited from either parent. It is used specifically to destroy crops or livestock of the intended victim. It is believed that the cat is hidden in a hole close to the cattle kraal (umzi) of the victim at night, and upon instruction it will bite people and livestock to death. If left in a victim’s fields, it can prevent the growth of crops (Olivier, 1981: 91; Pauw, 1994: 131). Among some groups, such as the amaBhaca, it is believed that impaka specifically kills infants (Hammond-Tooke, 1962: 287). Interestingly, Hunter (1961) did not find any mention of impaka as a familiar among the amaMpondo.

f) The Living Dead (isithunzela)
This agent is a deceased person who has been removed from his/her grave and treated with medicines by the witch or sorcerer and brought back to life (Osei, 2003: 135). However, the person is not “alive” in the normal sense. It is believed that the living dead have no soul or will of their own. This is achieved by the witch when he/she drives a wooden peg into the deceased’s head. The *isithunzela* is used mainly as a slave to do manual labour such as collecting firewood, ploughing the fields or building a hut (Hunter, 1961: 289; Hammond-Tooke, 1962: 287; Olivier, 1981: 91; Pauw, 1994: 131). In the Mpondoland area, most of the informants claimed that the existence of *izithunzela* was enough reason to justify the widespread belief in witchcraft (see below, p. 77). In addition to acknowledging the *isithunzela* as a witch familiar, some informants also mentioned a supernatural place called *Bejolo*. According to the informants, there were cases of mysterious disappearances of people who were never found. The belief in most cases was that these victims who had disappeared were taken to the forest of *Bejolo*, the place where those believed to have been abducted or killed by witches are turned into *izithunzela*.

The research conducted in Mpondoland also revealed that all of the above familiars were recognised by the Xhosa-speaking inhabitants of the region. However, in addition to the above familiars of witchcraft, informants in Mpondoland mentioned two other methods of witchcraft that the researcher had not come across in other studies of witchcraft in the Eastern Cape. In the first instance, some informants mentioned a witchcraft familiar known as *impundulwana*. This familiar was defined as a small black ant taken from the grave of a deceased. Once this ant is ingested by an unsuspecting victim it begins to take effect. Informants’ descriptions of the effect of this familiar resonated with that of spirit or demonic possession, as the person affected by the *impundulwana* was believed to be “possessed” by the familiar. In this state, the victim was believed to display characteristics and behaviours similar to a person who had been possessed by demonic forces. The victim becomes largely unconscious of what is happening to him/her and begins to speak in a different voice. Informants believed that the *impundulwana* ant was able to speak through the victim. Another effect of the *impundulwana* was that it caused hysterical crying in victims who had been affected by it. Some informants mentioned that a person who cried uncontrollably for no apparent reason was believed to be a victim of *impundulwana*. In some cases, while in such a hysterical state, a victim may even call out the name of
the alleged witch who had afflicted him/her with *impundulwana*, thereby reinforcing the notion that witchcraft is involved.

A second method of witchcraft that seemed to be unique to the peoples of Mpondoland was the practice of witchcraft referred to as *ukuthwebula*. This practice involved the ability to use witchcraft to extract the life-force of a person, both physically and spiritually. Although Hammond-Tooke (1962) also came across the use of this method of witchcraft among the amaBhaca, there is an important difference. Among the amaBhaca, *ukuthwebula* was associated with *Thikoloshe*, as ‘It is said that *Thikoloshe* can also whisk a person away (*ukuthwebula*) in a whirlwind so that he will find himself in a different place altogether’ (Hammond-Tooke, 1962: 282). In Mpondoland, *ukuthwebula* not only referred to the removal of a victim’s life-force, but it could also be directly performed by a witch, without the use of *Thikoloshe* or any other familiar. The researcher had come across a particular case that occurred in a village in the Port St Johns area, where a woman had confessed to using *ukuthwebula* to extract HIV infected blood from a HIV positive woman, and then using this blood to infect others with HIV and ultimately killing them (see below, Case 2, pp. 100-103).

The sorcerer may use medicines against another person for personal reasons. These reasons may involve envy or jealousy (Pauw, 1994: 131). Much that has already been discussed about the herbalist’s use of medicines for harmful intentions will apply to the sorcerer. Like the herbalist, the sorcerer obtains his/her medicines (*imithi*) from plants. However, unlike the herbalist who uses his medicines for good, medicines used for evil, as in the case of the sorcerer, are called *ubuthi*.

The sorcerer’s *modus operandi* may involve one or all of the following: *idliso* or *ukudliswa* (lit. to give something to drink); *ukuthathela* (lit. to take for); *ukuphosela* (lit. to throw at); and *umeqo* (lit. placing medicine along a path where someone will walk) (Pauw, 1975: 233-235; Olivier, 1981: 92). The use of *idliso* occurs when the sorcerer wishes to place harmful medicines in the food or drink of the victim. This medicine depends on ingestion in order to work and thus refers to the ‘…oral administration of medicine of sorcery…’ (Pauw, 1975: 233). *Idliso* can manifest in
various ways, ranging from stomach aches and vomiting to a small creature lodged in the chest of the victim (Pauw, 1975: 234). *Ukuthathela* is a sorcery technique that relies on using materials that a victim has been in contact with. This may include bodily exuviae such as hair, nails or excreta, as well as clothing or even soil from the footprint of the victim (Hunter, 1961: 290; Hammond-Tooke, 1962: 289; Pauw, 1975: 235; Olivier, 1981: 93). The use of this method is based on the notion of sympathetic magic, that is, the idea that objects sharing a cosmic causal interactive relationship can affect and be affected by each other. As such, a sorcerer can, for example, use an object belonging to a victim and through the medicinal treatment of this object, may pronounce a curse or ill fortune on the object. It is believed that due to the cosmic relationship between the object and the victim, the medicines applied to the object will magically affect the victim as well (Olivier, 1981: 93). *Ukuphosela* refers to medicines used from a distance, without direct contact and refers specifically to medicines used in ‘love-magic’ (Hunter, 1961: 311; Pauw, 1975: 235). In this case, medicines may be used by a man to increase his favour with a woman. While this may seem to be beneficial, it could be regarded as a form of manipulation and will thus have a negative, and hence, harmful impact on the female victim. These harmful effects include nervousness, hysteria and mental derangement which can be interpreted as some form of demonic possession (Pauw, 1975: 235; Olivier, 1981: 93; Osei, 2003: 139). *Umeqo* refers to the use of medicines that are buried along a path used by the victim. If he/she steps over the medicine, the victim will become ill, first in the legs and gradually in the whole body. In some cases, medicines may also be buried in the field of a victim while a curse is pronounced over it. In time, the victim’s crops will wilt and die (Olivier, 1981: 94). In her study of sorcery among the Pondo, Hunter (1961) also found a technique of sorcery referred to as *ukulumba*, which she described as ‘…selective sorcery in which the harm is directed to a particular person by calling his (or her) name…’ (Hunter, 1961: 292). Once again, within the context of the villagers of Pondoland, these techniques that may be referred to as sorcery among other groups, were not distinguished from witchcraft, and were regarded as being practised by witches in general.

In the wider cosmological system of the Xhosa-speaking peoples, the witch and the sorcerer can be regarded as the antagonists of the harmonious, balanced relationship
between the community, the natural world and the supernatural world. While the Supreme Being, the ancestral spirits, the diviner and herbalist are viewed as the guardians of the natural, social and supernatural order, the witch and sorcerer seek to destroy that order (Wilson, 1952; Hunter, 1961; Hammond-Tooke, 1962; Hammond-Tooke, 1974). They are regarded as antisocial beings, highly individualistic and willing to harm their fellow human beings to further their own interests. Thus, witches and sorcerers represent ‘…the negative powers of human agency…’ (Osei, 2003: 203). These antisocial characteristics, or ‘social inversions’ are in direct contradiction to the values and norms of the community, which emphasise ubuntu or community harmony and solidarity, where the interests of the group outweigh those of the individual (Olivier, 1981: 117; Hammond-Tooke, 1989: 48; Osei. 2003: 85). Furthermore, witches are also thought to possess physical inversions, and thus, ‘People who are…ugly and have strange or unusual features and particularly old women are accused of witchcraft practices.’ (Osei, 2003: 112; see also comments below from informants in Mpondoland). Since the world of the Xhosa-speaking peoples depends on this harmonious and balanced existence, the witch and sorcerer are greatly despised as the primary threats to this harmony. It is for this reason that witches and sorcerers were tortured and killed in the past (Hunter, 1961: 309; Olivier, 1981: 98; Pauw, 1994: 131), as their punishment for threatening the wellbeing of the community. Among some groups, such as the amaMpondo, the killing of witches even carried the consent of the chief: ‘Informants state that formerly persons accused of witchcraft or sorcery were killed, if the chief consented’ (Hunter, 1961: 312). The belief that witches and sorcerers are particularly active against their own kin reinforces their opposition to the natural order. As has been shown, the kinship group forms the central point of the cosmological system of the Xhosa-speaking peoples, especially as it relates to the ancestral spirits. Thus, when one attempts to harm one’s own kin through the use of black magic, it is interpreted as an attack against the ancestral spirits, and thus ultimately as an attack against the Supreme Being and the order that he has created. For these reasons, people suspected of practising witchcraft and sorcery are greatly feared and hated by their neighbours. This fear is what may drive people to seek out and punish suspected witches and sorcerers, even with death, as has been documented in reports on witch killings in the Eastern Cape (Osei, 2003: 86).
6. The Impact of Christianity on Beliefs in Witchcraft and Sorcery among the Xhosa-speaking Peoples

In the preceding sections, an attempt was made to describe the main features of what could be considered “traditional” cosmological beliefs as they pertain to the Xhosa-speaking peoples of the Eastern Cape. However, it would certainly be erroneous to suggest that these beliefs have remained unchanged despite the widespread impact of both colonialism and Christianity. The effects of Christianity on indigenous groups in South Africa have been well documented, as shown, for example, in the writings of Sundkler (1948) in which he described the impact of Christianity on the Zulu people of Natal (now KwaZulu-Natal). Ashforth (2005) has summarised the history of African populations in South Africa as being “…shaped in recent centuries by, among other things, European colonization and market capitalism,…Christian evangelization,…and the spread of indigenous religious movements. It is impossible to do justice to the full complexity of the ways in which these processes have transformed both human and spiritual populations…” (Ashforth, 2005: 174). The Xhosa-speaking peoples of the Eastern Cape are no exception, as they too represent an indigenous African group that was greatly influenced by colonialism and missionary Christianity. The consequences of this influence have contributed to the shaping of the contemporary cosmological beliefs of contemporary Xhosa-speaking peoples. The colonial history of the Eastern Cape was marked by at least two inter-related factors that greatly affected traditional beliefs of Xhosa-speaking peoples: the frontier wars, also referred to as South Africa’s Hundred Years War, fought between the amaXhosa and the Dutch, and later British colonists between the years 1778 and 1878, and the Great Xhosa Cattle Killing movement of 1856-1857 (Peires, 1989; Osei, 2003; Ashforth, 2005; Wilson, 1982: 260). Both of these factors contributed to greater exposure to Western culture and Christianity for the Xhosa-speaking peoples, an exposure which, in turn, had a marked influence on the existing cosmological beliefs of the Xhosa-speaking peoples, especially as they related to beliefs in a Supreme Being, beliefs in the ancestors and beliefs in witchcraft and sorcery (see
Wilson, 1982: 256-257). In order to understand how contemporary beliefs in witchcraft and sorcery relate to the contemporary problem of witchcraft-related crime in the Eastern Cape region, it is important to understand how Christianity influenced traditional ideas about the causes of misfortune.

In general, the widespread political, economic and social changes that were brought upon African groups during the colonial period cannot be understood as having occurred separately from the religious changes introduced through Christianity. It can be argued that it was largely through the introduction of Christianity that political, economic and social changes could be effected. The missionaries’ conversions of African tribal leaders in various groups throughout colonial Africa opened up the possibilities for political, economic and social change in these communities. The missionaries were also instrumental in promoting Western education through the establishment of schools, in an effort to discourage what they considered to be heathen or pagan beliefs, inconsistent with Christian values and principles (Scupin and DeCorse, 2004: 520-521). Missionary efforts to convert Africans to Christianity essentially paved the way for the introduction of Western culture and “civilisation” as the only acceptable way of life for African people. Success in changing African traditional religious beliefs was thus crucial to instilling Western values and culture within African groups, and effectively dismantling “primitive” and “demonic” customs and beliefs.

In South Africa, missionary Christianity arrived in the Eastern Cape as early as 1820, when a Methodist (or Wesleyan, named after the founder of the Methodist movement in England, Rev. John Wesley) minister, the Rev. William Shaw, accompanied the 1820 British Settlers who arrived in the Eastern Cape (Pauw, 1975; Osei, 2003). As the first pioneering missionary endeavour in the Eastern Cape, “…the vigour and vision with which Wesleyan or Methodist missions were started among the Xhosa…had a tremendous influence on the whole development of churches among the Xhosa.’ (Osei, 2003: 97). The influence of Methodism was profound since it took only a decade after the arrival of the 1820 Settlers for a chain of Methodist mission stations, stretching from the Eastern Cape to the southern part of Natal, to be established: ‘Since the 1830s, the Methodist mission stations, strung out in a chain
between the Cape and Natal, had provided foci around which Christian Xhosa families could settle with those converted from local chiefdoms.’ (Osei, 2003: 97).

Despite the success of the Methodist missionary effort, it was apparent to local Xhosa-speaking populations that the church, influenced by its European background, had little tolerance for traditional beliefs and practices, and, like other European mainline missionary churches, attempted to discourage traditional beliefs and customs by either demonising them, or presenting them as impediments to salvation and a “better life” for Xhosa-speaking peoples. Consequently, the Order of Ethiopia, an African Initiated Church (AIC) was established, as an offshoot of the Methodist Church, under the leadership of James Dwane in 1900 (Osei, 2003: 98). This was the first attempt at Africanising Christianity in an effort to make it more meaningful to the Xhosa-speaking African.

Missionary Christianity also aimed at actively changing traditional Africans’ beliefs concerning the causes of misfortune, especially as they relate to witchcraft and sorcery. Most mainline missionaries viewed beliefs in witchcraft in a negative manner and attempted to eliminate these beliefs among African communities by presenting them as the antithesis of the Christian way to salvation. As Ashforth (2005) explained, ‘Among…missionaries, opinions about the place of “witchcraft” in African social life seem to have been determined by more general perceptions of what they took to be “African religion”…[W]itchcraft as such was treated as a secondary…matter. When missionaries viewed African ritual practices as demonic, witchcraft and the procedures associated with its management were demonized as anathema to the Christian way.’ (Ashforth, 2005: 179). The Eastern Cape was no exception (Wilson, 1982: 269-270). This negative view of witchcraft beliefs was also extended, in some cases, to the belief in the ancestral spirits. Both of these categories of beliefs about the causes of misfortune were viewed by the missionaries as hampering development and progress among African people: ‘[M]issionaries…tended to see the influence of witchcraft and the related ancestor cult as a demonic, pervasive and dominating phenomenon in social life and as the principal factor retarding progress and upliftment in the present world as well as precluding salvation in the next.’ (Ashforth, 2005: 180). A Transkeian missionary in the twentieth century, J.R.
Kingon (1919), stated this view explicitly when he argued that tribalism and witchcraft, as the ‘binding force of tribalism’ (1919: 123), presented an obstacle to the civilising mission. The belief in witchcraft, and the manner in which fears of witchcraft permeated the political, economic and social lives of African people, kept the people in a permanent ‘state of disturbance’ (Kingon, 1919: 129).

Another way in which the missionaries attempted to eliminate beliefs in witchcraft as a cause of misfortune was to attempt to persuade African peoples that witchcraft did not exist. According to Ashforth (2005), ‘…all European missionaries and the churches they founded sought to convince their followers that the powers they feared as “witchcraft” had no basis in reality.’ (Ashforth, 2005: 180-181). Consequently, witchcraft was treated as mere superstition that could only be eliminated through education and the imposition of Christian values. Despite missionary efforts to suppress witchcraft beliefs among African congregants, many continued to believe in witchcraft and attempted to deal with it in one of two ways: either by seeking recourse to traditional healers outside of the church context while still remaining active church members (Setiloane, 1976) or by leaving the missionary churches and starting new African initiated churches that could incorporate traditional beliefs in witchcraft in a Christian framework (Makhubu, 1988; cf. Kohnert, 2002: 171-172).

Among the Christian Xhosa-speaking peoples, Pauw (1975) found that both Christian and traditional beliefs existed side by side. He described this syncretism as the ‘Great Tradition and Little Tradition’ (Pauw, 1975: 56), through which the Xhosa-speaking Christian was related to both the wider Western civilisation (Great Tradition) and the tribal society (Little Tradition) (Pauw, 1975: 58). While Xhosa-speaking Christians adhered to a biblical world-view, when they faced crises or misfortunes, another dimension to this world-view emerged. According to Pauw (1975), ‘A rural Methodist Preacher…whom I often heard preaching and praying…in terms of the Biblical world-view, ascribed some instances of illness and other misfortune in his home to witchcraft and sorcery.’ (Pauw, 1975: 57). Thus, while the world-view of the Xhosa-speaking Christian was based, on the one hand, on biblical principles and Christian beliefs, on the other hand, ‘…his world is also inhabited by dead ancestors…[as well as]…witches and sorcerers, ordinary human beings like himself,
some of them fellow church members, but people of evil purpose.’ (Pauw, 1975: 57). Thus, instead of replacing existing traditional beliefs concerning witchcraft as a cause of misfortune, Christianity reinforced these beliefs among the Xhosa-speaking peoples. The practices of witchcraft and sorcery became linked to the Christian belief in Satan as the major cause of misfortune and evil in the world. According to Osei (2003), ‘…the primary function of traditional religion had been to give protection to the individual and community from evil. With the introduction of Christianity, the fight against the forces of evil involved the same approach, which meant that the “new faith” retained the functions of African traditional religion.’ (Osei, 2003: 101).

There were many elements in Christianity that resonated with the traditional beliefs of the Xhosa-speaking peoples, especially as they related to witchcraft. As Osei (2003) observed, ‘The Christian features of exorcisms, the use of holy water and the wearing of rosaries…have parallels in the use of charms, medicines and amulets in African traditional religion…’ (Osei, 2003: 101). For this reason, despite being Christianised, many Xhosa-speaking Christians still continue to believe in witchcraft and sorcery, and therefore still find recourse in traditional rituals and practices in efforts to address these problems. As Pauw (1975) stated, ‘…in the context of homestead, family and kin, many Christians continue to act in terms of certain aspects of Xhosa tradition, combining ritual slaughtering connected with the ancestors with Christian devotions, and seeking protection from witchcraft and sorcery through prayer in Christian terms.’ (Pauw, 1975: 66).

Research in Mpondoland revealed that while the majority of people still followed the “traditional” beliefs and practices of the Xhosa-speaking peoples, there were some who claimed to be Christians who did not believe in witchcraft. However, one elderly female informant who made such a claim also recounted a story about a baboon that was pestering her home. At certain times the baboon would come into her home looking for food. However, according to the informant, one day when the baboon arrived, she ‘said a prayer to God and, suddenly, the baboon fled away’. Although the informant did not openly admit it, there was a suspicion that the baboon was someone’s imfene familiar. This suggests that even those who profess to be Christians may also believe, whether directly or indirectly, in the existence of witchcraft. Also, people who had been influenced by Christianity may also use Christian beliefs to justify or reinforce beliefs in witchcraft. For example, some
informants in Mpondoland justified witchcraft accusations against predominantly women by referring to the role of Eve in the Fall of Humankind, as portrayed in the biblical legend of Adam and Eve in the Garden of Eden (see below, p. 87).

From the preceding outline, it can be argued that contemporary beliefs in witchcraft and sorcery, as held by the Xhosa-speaking peoples, have survived in postcolonial and post-apartheid South Africa as a consequence of missionary activity. While it was the intention of the missionaries to eliminate witchcraft beliefs through the establishment of churches and schools, as well as through the demonisation of traditional African beliefs in ancestral spirits, witches and sorcerers and the powers of traditional healers, these efforts not only facilitated the survival of these beliefs, but also facilitated more extreme reactions to especially those suspected of practising witchcraft or sorcery. By preventing Xhosa-speaking Christians from following traditional channels in dealing with witchcraft cases, the missionaries inadvertently forced the people to pursue self-help methods of dealing with witchcraft suspects which, in many cases, culminated in witchcraft-related violence. This was also a result of the influential role of missionaries and colonial law-makers to outlaw customary courts to try witchcraft cases.

7. Ethnographic Analysis and Interpretation of Data from Pondoland

Although some reference was made in the preceding sections to the perceptions and views of the people of Mpondoland of witchcraft and sorcery beliefs in general, very little was discussed regarding how these beliefs relate to perceptions of witchcraft-related crime. The following section represents a more detailed ethnographic analysis and interpretation of the relationship between witchcraft beliefs and perceptions of witchcraft-related crime, as held by the people of Mpondoland. The analysis and interpretation are based on data gathered from informants in Mpondoland during fieldwork, and are discussed in relation to the semi-structured interview themes for the community informants as outlined in Chapter One.
Cultural Beliefs Regarding Witchcraft

Witchcraft beliefs were widespread in all of the areas visited by the researcher. The vast majority of informants in the communities confirmed that witchcraft was indeed regarded as a reality in their communities. Various reasons were provided to justify these beliefs. The most common reasons why people believed in witchcraft were related to the belief in the existence of the *isithunzela* (zombie), which was the most cited reason why people believed in witchcraft. Most of the informants indicated that they had either personally witnessed an *isithunzela* or had heard the testimonies of others in their communities who had personally witnessed *izithunzela*. It was widely reported that the *izithunzela* were often seen roaming around the villages at night, sometimes begging for food. The *izithunzela* were associated with witchcraft because they were believed to be deceased persons who had been raised from the dead by witches. This corresponds to what was found by scholars such as Hunter (1936), Hammond-Tooke (1962) and Pauw (1994) who also found a strong belief in the *isithunzela* as a familiar of witches among the amaMpondo, amaBhaca and amaXhosa groups respectively.

In addition to the belief in the *isithunzela*, other reasons why people believed in witchcraft concerned the occurrence of illness, misfortune and unnatural death. In many of the communities where interviews were conducted, informants referred to the occurrence of sudden illness and death, specifically among children or youth, as an indication that witchcraft was at work. Often informants made a link between sudden illness and unnatural death as, in many cases, when a victim of witchcraft suddenly became ill, the death of such a person was just as sudden. If the victim happened to be a child or young person, witchcraft was immediately suspected to be the underlying cause. Also, people who were killed by natural phenomena such as lightning were also thought to be the victims of witchcraft.

A third reason for the widespread belief in witchcraft was the enculturation of beliefs and practices associated with witchcraft that were still taking place in various communities. Enculturation involves the process whereby cultural knowledge regarding, among other things, beliefs and practices, is transferred from older
generations to younger generations (see Scupin and DeCorse, 2008: 265; Kottak, 2008; 279). Most informants indicated that from a young age they were taken by their parents to visit izangoma (diviners) or amaxhwele (herbalists) to obtain ikhubalo (protective medicine) to protect them from witchcraft. Since then they were taught the meaning of these practices and consequently grew up with the belief that it was necessary to obtain protective medicines from traditional healers because witchcraft was a reality. In addition, consultations with traditional healers mostly revealed witchcraft as the cause of illness or death, thereby reinforcing both the belief in witchcraft and the belief in the power of the traditional healer. Interestingly and ironically, the majority of informants also believed that traditional healers, specifically the amaxhwele, were also involved in witchcraft, specifically the killing of people for muti purposes. This belief supports the views expressed by Mbiti (1969) that African traditional healers occupy an ambiguous position in African communities because the same occult knowledge that is used by witches to harm others is used by healers to combat the effects of witchcraft, which implies that these healers may well also use their knowledge to cause harm.

Another reason that was given for the widespread belief in witchcraft concerned the occurrence of certain strange events. For example, in one particular village in Ngqeleni, informants mentioned a situation where a woman was found walking around the village naked in broad daylight. Soon a group of villagers surrounded her and asked her what she was doing. The woman allegedly replied that ‘My colleagues have pushed me out of our cage as we were flying over this village’. The cage being referred to is iketshi, mentioned by Pauw (1963), and involves a belief that witches often ride together in an airborne cage. Consequently, the woman’s explanation was interpreted as proof that she was a witch. In another example, this time from Flagstaff, an informant mentioned how on a particular morning she awoke to find a number of large frogs (amasele) moving in a straight line past her ikhaya (hut) to that of her female neighbour. According to the informant, the elderly woman allegedly asked her ‘What are you doing to my children?’ This led the informant to suspect that the woman may have been a witch.

There was also a widespread belief that witchcraft involved both the use of spiritual agents or familiars, and medicines to cause harm or to kill others (cf. Hunter, 1936;
Hammond-Tooke, 1962; Pauw, 1975; Olivier, 1981; Pauw, 1994). In Ngqeleni, for example, informants defined witchcraft as anyone who uses evil forces to harm others. Witches can use evil spirits such as uThikoloshe (small, dwarf-like creature), or muti in such a way that they cannot be seen. Even if people can see who the witch is, they will not be able to ‘catch’ the person. In another example, informants recalled a specific case in the 1990s where a man had died. A woman claimed that she had sent an impundulu (the lightning bird witch familiar) to attack the man and cause him to ‘cough up blood until he died’. Consequently, the woman was chased out of the village. Strangely, immediately after she left, the ikhaya she stayed in collapsed. There were also examples of the use of muti to harm others. In Port St Johns, an informant recounted the death of his father a few years ago. When describing the circumstances that led to his father’s death, the informant mentioned that his father was given umqombothi (traditional African beer) to drink, while he was attending a social gathering. A few days later, the man developed a discomfort in his throat. The informant described the discomfort as something that ‘seemed stuck’ in his father’s throat. When his father’s condition did not improve, the informant took him to Mthatha General Hospital for examination. A surgeon performed an operation on the man’s throat to determine what the cause was of the discomfort. The surgeon, however, had found nothing and the man was released. According to the informant, a few days after his father was discharged from hospital, he died. There was an almost immediate suspicion of witchcraft as the cause of the man’s death.

There was also a difference of opinion among informants regarding beliefs of the relationship between muti murder and witchcraft. For example, in Mzamba, Bizana, two informants, an elderly male-female couple, could not agree on whether muti murder should be seen as witchcraft. The female informant stated that muti murder and witchcraft were the same, while the elderly male informant stated that there was a difference. According to the male informant, ‘You can’t see impundulu (lightning bird familiar) but it will continue to kill you. It will kick you, after which you will vomit blood and die. In muti murder, you can see the killers when they are coming with their knives and machines [that] they use to pull out body parts like your brains. They knock you unconscious with a hammer and use a machine to cut open your skull and remove your brain.’ The majority of informants in the study area, however, regarded witchcraft and muti murder as the same.
The widespread belief in witchcraft suggests that it is understood in communities as a real threat that is experienced by people. It also suggests that in the Eastern Cape witchcraft beliefs still exist on a large scale. This was supported by the fact that the traditional healers interviewed indicated that most of the complaints that are brought to them by their clients were witchcraft-related (see below). However, although the belief in witchcraft was widespread, informants differed regarding reasons as to why they believed in witchcraft. For some, their belief was based on what they had been taught by their parents while growing up. For others, their belief was based on what they had been told by traditional healers after consulting them. There were also those who believed in witchcraft because they had either heard from others who had personally seen witchcraft familiars, or who had personally seen these familiars themselves. Also, there were some who believed in witchcraft because of the deaths of relatives that could not be explained as natural. The various reasons that were given by informants for why they believed in witchcraft suggest that although people generally believe in witchcraft, what they regard as proof of witchcraft and how they experience it differ from person to person and from situation to situation. There is also a suggestion that enculturation, that is the transfer of cultural knowledge from generation to generation, plays an important role in the perpetuation of witchcraft beliefs. These beliefs were not held by a specific age-group but were found across various age-groups, among both young and elderly people. Related to enculturation was also the cultural interpretation of certain incidences or events as being caused by witchcraft. Sudden illnesses or deaths in a village or within a single family were culturally interpreted as evidence of witchcraft, and were often linked to apparent sightings of deceased persons as undead zombies or izithunzela. The existence of izithunzela was most often cited by informants as evidence of witchcraft. Furthermore, the importance of traditional healers is also emphasised as people place much trust in what they are told by traditional healers when consulting them. There is also the cultural role of hearsay and rumour, that is, exposure to the stories and personal accounts of others who claim to have witnessed or experienced the effects of witchcraft first-hand, that also serve to perpetuate beliefs in witchcraft. These reasons for why people believe in witchcraft suggest that cultural practices, beliefs and institutions do have an effect on the existence of beliefs in witchcraft.
It should also be noted that although they were in the minority, there were those informants who claimed that they did not believe in witchcraft. Most of these informants cited their Christianity as the main reason why they did not believe in the existence of witches. Others cited the lack of proof of witchcraft as the reason why they did not believe in witchcraft. What is interesting is that these informants came from the same communities as those who held beliefs in witchcraft. This suggests that it should not be assumed that witchcraft belief is a homogeneous cultural trait that is shared by all members of a community, as there could be those who do not share similar beliefs. It is, however, possible that some people may follow a syncretic belief system, where aspects of Christianity and “traditional” beliefs are combined, whether directly or indirectly. Also, in view of how some may interpret Christian teachings on the belief in witchcraft (for example the negative interpretations of missionaries), some may not believe in witchcraft as a means of “saving face” to avoid being judged as “uncivilised” or “backward”.

Most of the informants who believed in witchcraft found it difficult to define exactly what witchcraft is. Again, there were differing responses from informants as to what they understood witchcraft to be. Essentially there were three ways in which witchcraft was understood. Firstly, it was regarded as the use of evil forces to cause harm or death to someone. Secondly, witchcraft was seen as the use of substances or medicines to cause harm or death to someone. Thirdly, witchcraft was seen as both the use of evil forces and substances to cause harm or death. Although informants drew a linguistic distinction between igqwirha (one who uses evil forces or familiars to cause harm) and umthakathi (one who uses substances or medicines to harm), in practice they referred to the igqwirha exclusively as the one who uses either familiars or medicines or both to cause harm to others. This suggests that both the use of evil forces and the use of medicines were understood as being witchcraft. Thus, witchcraft was defined not in terms of the method but in terms of the intention of the perpetrator. Since both the use of familiars and the use of medicines were seen as being the result of an evil intention or purpose, they were both categorised as witchcraft. Also, witchcraft was understood as being the result of ill feeling or animosity that one person may have towards another. Jealousy was frequently cited by many informants as a motivating factor that would lead a person to harm another by means of witchcraft.
Frequency of Witchcraft Accusations and Community Responses

The majority of informants in the study area indicated that witchcraft accusations were widespread in the various communities, although they could not provide exact figures indicating the frequency of accusations. Although accusations were often unreported to official authorities, such as the traditional leadership or the police, people continued to make accusations of witchcraft against others. Witchcraft accusations tended to be made against people living in close proximity to the accuser(s), and often followed the occurrence of a sudden illness, death or some other misfortune (cf. Wilson, 1952). In all of the areas visited by the researcher, where there were accusations of witchcraft there were also incidences of witchcraft-related violence. Unlike what scholars such as Hunter (1936) and Wilson (1952) had found, namely that witchcraft accusations were related to social strains within certain kinship relationships, accusations of witchcraft tended to involve people who were not necessarily related to each other, whether by blood or marriage. What seemed to be the determining factor was the proximity of the accused to the accuser (cf. Wilson, 1952: 172). All of the informants agreed that witchcraft accusations mainly occurred between people who lived in the same village or community, rather than in neighbouring villages.

As suggested above, many informants claimed that witchcraft accusations often went unreported. However, informants did mention that those cases that were reported were dealt with in two ways in communities. First, a person who had been accused of witchcraft followed the traditional procedure of laying a complaint against the accuser with the sub-headman or the headman (isibonda) of the community or village. Following this, the sub-headman or headman would attempt to deal with the issue by calling both parties (accuser and accused) together to discuss the issue. In most reported cases, the complaint would be forwarded to the local chief (inkosi) to mediate. Almost all of the informants indicated that most cases of witchcraft accusation that had been reported to the chief favoured the accused. The reason for this was that the chief would request the accuser to provide evidence or proof that the
accused had indeed been involved in witchcraft. In almost all cases the accuser failed to produce such evidence which resulted in him/her being fined by the chief and ordered to pay compensation to the accused for defaming his/her name. Pauw (1987) found a similar pattern in his study of the law of persons and property law among the Bhele and Dushane of the former Ciskei, where it was regarded as defamation if a person was falsely accused of consulting an *igqwilha* (witch), falsely accused of being an *igqwilha*, or falsely accused of using witchcraft to kill someone (Pauw, 1987: 369).

The second manner in which witchcraft accusations were dealt with in communities was for the accused to lay a formal charge against the accuser with the police. Sometimes an accused person would open a case of “imputing witchcraft” against the accuser. Almost all such cases, however, failed to make it to the Magistrate’s Court as the police officers involved in such cases often either mediated between the disputing parties, or sent them back to their villages to sort out the issue through discussion and dialogue. In cases such as these, the procedure ended at the charge office of the police station and went no further. Informants mentioned that it was also possible for people to use both the traditional and police authorities. In some cases, accused persons by-passed the traditional leadership and took their cases straight to the police for investigation. In other cases, after reporting incidences of witchcraft accusation to the police, the accused persons would often be referred to their traditional leadership to deal with the issue, even if they had already followed this process before going to the police with their case.

However, given the high frequency of witchcraft accusations, and the under-reporting of cases, many cases were not dealt with either by the traditional leadership or the police. In cases such as these it appeared that people then took the law into their own hands and dealt with alleged witches themselves, often in a violent manner (cf. Ralushai *et al.*, 1996; Kohnert, 2002: 175; Mavhungu, 2000; Ashforth, 2005). After conducting interviews in several areas, where the researcher obtained data regarding actual cases of witchcraft-related violence that informants could recall, in total 132 cases of witchcraft-related violence were mentioned by informants. These cases had occurred between the 1990s and 2008. Most informants, particularly ordinary community members, suggested that there could well be many more cases of
witchcraft-related violence other than those that they could recall during interviews. This suggestion applied not only to violence towards suspected witches, but also specifically applied to *muti* murders. With the exception of the Mzamba *muti* murder case in 2007/2008, and two cases that were under investigation by the police in Lusikisiki, these cases were often unreported. Informants indicated that knowledge of these cases is scarce mainly because they are often done in secret.

Most of the cases of witchcraft-related violence involved cases where alleged witches were killed. Several informants mentioned cases where suspected witches were shot to death. For example, in the Port St Johns area, a female chief mentioned a case in 2008 where an elderly woman from Njela Village had been shot to death after she was accused of cursing someone. In other cases, informants mentioned that suspected witches were also hacked or stabbed to death, often by mobs of youths. Also in the Port St Johns area, informants mentioned a case that occurred in Mlengana Village in 1998, where a mob of youths abducted an elderly woman from her home after a bus accident had occurred in which fifteen people died. The youths took the woman up a mountain where they interrogated her about the accident. Following this, the youths proceeded to hack her to death with bush knives.

Another method that was used as a response to witchcraft was burning, either of the homes of suspected witches or the witches themselves (cf. Crais, 2002; Redding, 1996; Wilson, 1952: 176). In the Port St Johns area, informants recalled a case in Bukweni Village in 2007 where a mob of youths burnt three elderly women to death after accusing them of ‘bewitching the youth in the village’. Approximately thirty-five people participated in this ritualised execution. In another case from the same area, this time in Cwebeni Village, informants mentioned a case where, in the 1990s, a woman’s *ikhaya* (hut) was burnt down by a mob of young men after she was accused of witchcraft. In Mhlanga Village, Flagstaff, in the 2000s an elderly woman was burnt to death in her hut, along with her seven grandchildren, after she was accused of using witchcraft to kill several people in her village. Similar examples were mentioned by informants from the other areas as well, suggesting that, as was the case in the past (see Crais, 2002; Redding, 1996; Kohnert, 2001), burning was still used as a method to eradicate witches.
Although informants indicated that accusations of witchcraft were common, certain kinds of informants differed in terms of the frequency of accusations. Ordinary community informants and traditional healers indicated that witchcraft accusations were numerous in their communities. Many of the traditional leaders, on the other hand, tended to downplay the frequency of accusations. This was interesting because most of the informants stated that witchcraft accusations were usually referred to the traditional leaders for mediation. Even in cases where people went directly to the police, they were often referred to the traditional leadership in their respective areas to resolve cases of witchcraft accusation. This suggests that most cases of witchcraft accusation are dealt with by the traditional leaders, a fact that was substantiated by many of the traditional leaders who were interviewed. However, the question remains as to why traditional leaders would downplay the frequency of witchcraft accusations. One reason could be that some traditional leaders do not want to disclose information that could suggest that witchcraft is a serious problem in the areas under their jurisdiction. A second reason could be that traditional leaders may regard cases of witchcraft as an internal matter, and therefore choose not to divulge much information regarding the frequency of accusations. Thirdly, there appears to still be uncertainty regarding the role of traditional leaders in witchcraft cases. The Witchcraft Suppression Act (No. 3 of 1957) prohibits the hearing of witchcraft cases by tribal authorities. However, as indicated earlier, in many cases when people report witchcraft accusations to the police, they are told to take the matter to their tribal authorities to resolve. Fourthly, especially in areas where acts of violence linked to witchcraft have been committed, traditional leaders may not want to disclose information about the frequency of accusations as they may fear that it would be a poor reflection on their ability to maintain law and order in their areas of jurisdiction. Though there are still many uncertainties and ambiguities regarding the roles of traditional leaders in relation to the state, they do have a perception that they are accountable to other state structures. This was well illustrated by many traditional leaders who were interviewed who indicated that they attempt, as far as possible, to co-operate with the local police in their areas, especially in cases of witchcraft violence, as they recognise that their powers are limited in terms of the kinds of cases that they are able to hear. However, it should also be mentioned that notwithstanding their recognition of their limited powers, many traditional leaders were not convinced that the police were handling witchcraft cases effectively. In some cases, traditional
leaders may also not have given accurate information about the frequency of witchcraft accusations because they feared reprisals from their communities. This perception came through strongly, for example, in a village in Lusikisiki where a headman (isibonda) blatantly refused to assist the researcher with information regarding witchcraft in his village, citing that he would be accused of ‘pointing fingers at people’ if he accompanied the researcher to visit the homes of informants for interviews.

Ordinary community informants may perhaps have been open about the apparently high frequency of witchcraft accusations because, in all of the data on witchcraft cases that the researcher obtained from community informants, the victims of witchcraft accusations and, for that matter, witchcraft-related violence, were ordinary community members. It is possible that there could be a link between the extent of witchcraft beliefs in a community and the frequency of witchcraft accusations. In communities where the majority of informants professed belief in witchcraft, the frequency of witchcraft accusations tended to be high. These communities also tended to have higher incidences of witchcraft-related violence, specifically violence towards suspected witches.

What was interesting to note, however, was that there were differing opinions among informants in these communities as to how the problem of witchcraft should be dealt with. Many informants felt that suspected witches should not be harmed but that alternative ways, such as education, community discussions and dialogue, should be sought to deal with them. Other informants blatantly stated that witches should be killed. It appears that most of the informants who indicated that witches should not be harmed were older people, in terms of age, while it was representatives from the younger generations that favoured the violent treatment of witches in their communities. These differing views on how witches should be treated tended to be age-based, which suggests that there is a link between witchcraft and intergenerational conflict.
The Most Likely Witchcraft Suspects and Perpetrators of Witchcraft-related Violence

Informants were unanimous in their statements that the vast majority of witchcraft suspects were regarded to be elderly women (cf. Wilson, 1952), while the perpetrators of witchcraft-related violence were mostly male youths. This view was common in all of the areas visited by the researcher. Various reasons were provided by informants to substantiate their view. Elderly women were mostly accused of witchcraft because they tended to become ‘ugly’ as they became older. Also, elderly women were more prone to emotional outbursts and consequently ‘do not watch what they say’, implying that they were more likely to say things that could be interpreted as curses. Some informants even used the Bible as a means of justifying the view that elderly women should be regarded as witchcraft suspects by citing the biblical legend of the Fall of Humankind in the Garden of Eden. Specifically, those informants who used this justification indicated that since Eve was the one who facilitated the downfall of Adam, since that time women were responsible for bringing evil into the world. Elderly women were also accused of harbouring jealousy towards the youth, hence the other common perception that the youth were mostly the victims of witchcraft. Women who were widowed or whose children had died were also suspected of using witchcraft to kill their husbands and children. Although elderly women were mostly regarded as witchcraft suspects, some informants did indicate that there were instances where men were also suspected of witchcraft (cf. Stadler, 1996: 88). For example, in the Port St Johns area, a male informant who owned his own business mentioned that he himself had been rumoured to have used witchcraft to prosper in his business venture: ‘When I started my shops, people said that I’m prospering because I had a snake (inyoka) [the umamlambo familiar], but I ignored those accusations’. In cases where men were accused of witchcraft, they were rarely killed or even punished in any way.

All of the informants interviewed confirmed that in cases of witchcraft accusation or the imputation of witchcraft, adults as well as youths could be involved in accusing others of witchcraft. However, when it came to the violent treatment of witches, mainly through shooting, assault, stabbing or burning, male youths played a leading role in these acts of violence. Two main reasons were provided by informants as to
why the youths were involved in attacks against witches. First, the youths were regarded as the main victims of witchcraft because they were the members of the community who had ‘much to live for’. The untimely deaths of young people, and even children, were culturally interpreted as being the result of witchcraft. The HIV/AIDS pandemic, which affected mostly the youths in communities, was also associated with witchcraft specifically because of, among other things, its impact on the young members of communities. This was illustrated in the case of the HIV/AIDS witch of Magcikini Village in Port St Johns (see Case 2 below), where it was young people who apparently were being targeted by the witch who claimed to be able to ‘send HIV/AIDS to young victims by magically injecting them with HIV-infected blood’. The second reason why youths were involved in witchcraft violence was that their parents instigated them to attack their enemies. According to several informants, parents who had quarrels with their neighbours or others in the community would tell their children that these people were witches and should be dealt with. Consequently, some youths took these statements to heart and engaged in violent attacks on these individuals. Some informants also mentioned that parents may instigate their children to attack others because of the perception that ‘because they are children, they will not go to jail for attacking people’. In this way parents are able to use the youth to eliminate enemies or to carry out hidden agendas against others.

There were discrepancies in the views of young informants interviewed as to whether suspected witches should be killed or not. The majority of young informants stated that witches should not be killed but there were some who emphatically stated that witches should be killed. Of the latter group, many argued that even if it was their own mothers or grandmothers who were accused and attacked, they would ‘support any action that would be taken [against their mothers or grandmothers]’. It was interesting to note that it was particularly young female informants who supported this view. Some young informants blamed their unemployment on witches who did not want them to succeed in life, while others maintained that illnesses and deaths that befall the youth are the result of witchcraft and this is why witches must be dealt with.

In the context of muti murder, the lack of information from informants about such cases made it difficult for them to indicate who the perpetrators were of such
violence. However, most informants suggested that traditional healers, specifically the *amakhwele* (herbalists), were involved in the killing of people for their body parts. The 2007/2008 case in Mzamba, Bizana, suggested that youths may well be involved in the actual killing and removal of organs from victims, under instruction allegedly from traditional healers. All of the informants in Mzamba, who were interviewed regarding this case, indicated that the killers were male youths from the village of Ebenezer, where the killings took place (see Case 4 below). Ironically, informants also indicated that most of the eighteen victims in the Mzamba case were also youths, that is, below thirty years of age.

The perception that witches were elderly women and that the perpetrators of witchcraft violence were youths was substantiated by both elderly and young informants. Both elderly and young informants indicated that elderly women were most often accused of witchcraft because they were physically ugly, widowed, often spoke ‘without thinking’ (that is, cursing others), and were often prone towards harbouring jealousy towards the youth. However, in some instances, there were informants who could not say why mostly elderly women were accused of witchcraft. The young informants perceived themselves to be the targets or victims of witchcraft in most cases because it was usually young people who died under strange circumstances or who could not find employment. The tendency that particularly young females support the killing of witches, even if they were their own mothers, suggests that not only does witchcraft expose an intergender conflict, but there may also be an intragender conflict within communities. This could be because in many of the accounts of witchcraft cases told by informants, young women were often the victims of witchcraft perpetrated by elderly women.

In addition to the intergenerational, intragender and intergender conflicts exposed by witchcraft violence, there was also a suggestion of an intragenerational conflict. Informants from both the elderly and youth categories also indicated that, in some cases, parents influence their children to believe that other adults or neighbours are practising witchcraft. In most cases, informants attributed this behaviour to jealousies that occurred among adults, who then instigated their children against other adults by accusing them of witchcraft. In other words, witchcraft accusations and even violence were also the result of parental influence. Rivalries and jealousies among adults of
the same generation point towards intragenerational conflict, where witchcraft is used as a means of expressing this conflict. Furthermore, informants also mentioned that parents may instigate their children against other adults in the community, through the incitement of witchcraft, because of the perception that if the youth behave violently against the accused persons, they will not be as harshly dealt with by the law. This may be an accurate perception because in many of the witchcraft cases told by the informants, in cases of violence that involved youth mobs, most, if not all of those involved in such violence, were eventually released from police custody before the case was heard in a court of law.

_The Role of Traditional Leaders in Witchcraft Cases_

Based on the data gathered from ordinary community informants on the one hand, and those representing the traditional leadership on the other, there were differing perceptions about the role of traditional leaders in addressing witchcraft-related cases. A large number of community informants mentioned that witchcraft accusations were often dealt with by traditional leaders, either the sub-headman or headman, or the chief. In most cases, the complainants were those accused of witchcraft. Sometimes the complainants were the accusers, but this was rare. The main reason for this was that traditional leaders often required proof from accusers that those whom they accused were in fact practising witchcraft. Often such proof was lacking which meant that traditional leaders often ruled in favour of the accused. This was one reason why some accusers by-passed the traditional leadership and took their complaints directly to the police.

The informants representing the traditional leadership expressed views that suggested an ambiguity in their role of dealing with witchcraft cases. Most of these informants indicated that their authority in witchcraft cases was limited to certain types of cases. Traditional leaders could only hear cases of witchcraft accusation, but had no jurisdiction when such cases involved violence such as assault or murder. Traditional leaders were obliged to co-operate with the local police in cases involving violence by providing information to the police regarding such cases. A chief who was interviewed in Port St Johns mentioned two cases that he was involved in that illustrated this ambiguous jurisdictional problem encountered by traditional leaders:
‘I once had a case where someone complained about witchcraft. The complainant was a staunch Christian woman. She had quarrelled with a traditional healer who then told her that he will place *muti* on her gate, and once she passes through the gate, she will get a stroke and die. A few days later, the healer was seen walking around the woman’s gate but nobody saw him use any *muti*. After hearing this, the woman came to me and laid a complaint of witchcraft. She had no evidence, only what the healer had said to her. Without any evidence I could not punish the healer. I could only request that he take back what he had said, and apologise to the woman.’

However, in another case, murder was involved and the chief was obliged to assist the police rather than deal with the matter personally:

‘In the late 1990s I was involved in a case where a twenty-eight-year-old boy killed a seventy-year-old woman because he believed she was killing him and his family through witchcraft. He had mentioned the names of people she had apparently killed. I, as the traditional leader in that village, followed the case and saw to it that evidence was provided to arrest the perpetrator. There was co-operation from the community and the murderer was arrested for killing the old woman. He was given a life sentence.’

Some informants had no problem with co-operating with the police while others were not happy about it. Those who were not happy about co-operating with the police in witchcraft cases stated explicitly that the police do not deal with such cases effectively. Although all of the informants from the traditional leadership stated that suspected witches should not be killed, they also insisted that witchcraft was a serious problem that had to be addressed. In addition, there was a suggestion that traditional leaders could play a more meaningful role in addressing witchcraft issues in communities than they are currently able to do.

Regarding *muti* murder, there were discrepancies among informants as to whether *muti* murder should be seen as witchcraft. Most felt that *muti* murder was the same as witchcraft mainly because it involved the killing of others whose body parts were needed to make *muti* that could be used to harm others. However, although there
were those informants who did not regard *muti* murder as witchcraft, they nevertheless condemned the practice as ‘it was wrong to kill others’. It should be mentioned that the informants did not have much information about such cases as most of them argued that these cases were rare. Also, *muti* murders were often done in secret. The informants did, however, agree that in most cases the perpetrators of these murders were traditional healers, whether they were involved directly or indirectly.

Based on the fieldwork data, although violence was suggested as a community response to persons accused of witchcraft, traditional leaders also seemed to play an important role as an alternative response to dealing with witchcraft accusations. Most of the traditional leaders indicated that cases of witchcraft accusation were referred to them for adjudication. Almost always, traditional leaders made decisions on these cases that favoured the accused. Accusations of witchcraft were viewed by traditional leaders as being virtually the same as the defamation of a person’s name or character. Thus, the accusers were almost invariably instructed to pay compensation to the accused. What is important to note is that traditional leaders based their decisions on the availability of evidence or proof of witchcraft. If an accuser could not verify or prove that the accused was in any way involved in witchcraft, such an accuser was judged to be guilty of ‘tarnishing the name’ of the accused. However, although the decisions of traditional leaders mostly favoured the accused, this did not mean that traditional leaders themselves did not believe in witchcraft. All of the traditional leaders interviewed indicated that they believed in witchcraft, but could not take action against persons accused of witchcraft if there was no evidence.

The traditional leaders also indicated that they co-operated with the police in witchcraft cases that were beyond their jurisdiction. These cases usually involved violence or murder, as well as arson. What is also interesting to note, is that while traditional leaders indicated that they co-operated with the police in witchcraft cases, the majority of them expressed little confidence in the police’s effectiveness in dealing with witchcraft cases. This suggests that there are traditional leaders who seem to have an uneasy relationship with the police. A further complicating factor is that some traditional leaders expressed dissatisfaction with the fact that sometimes people in their areas of authority by-passed them and went directly to the police to
report cases of witchcraft accusation. In most of these cases, those who reported accusations were simply referred to their traditional leaders by the police. The hearing of witchcraft cases by traditional authorities is, in itself, a confusing issue because traditional leaders were prohibited by law from hearing such cases. The suggestion is that there does not appear to be clarity on the roles of traditional leaders regarding witchcraft cases.

**The Role of Traditional Healers in Witchcraft Cases**

Informants who were traditional healers, that is, *izangoma* (diviners) and *amaxwhele* (herbalists), substantiated what other informants had indicated, namely that the belief in witchcraft was widespread. All of the traditional healers interviewed stated that the majority of their consultations with clients involved cases of witchcraft. All of the diviners who were interviewed maintained that they did not identify persons suspected of witchcraft, but provided information about such suspects to clients who consulted them on such issues. The diviners claimed that their ancestral spirits (*amathongo*) guided them, through dreams and visions, as to the cause(s) of a particular client’s affliction. Witchcraft was divined in this way. All of the traditional healers stated that it was not their responsibility to point out witches or to dictate to clients how witches should be dealt with. Their main responsibility was to provide protective medicines (*amakhubalo*) to their clients. As one *isangoma* mentioned, ‘Once the client leaves, how he decides to deal with a witch is his decision. I can only give *ikhubalo*. We don’t tell people to go and kill witches’. Only one traditional healer indicated that she would be willing to testify in a court of law in a case involving witchcraft, if the courts could allow this. The majority of traditional healers interviewed expressed hesitation if they were allowed to testify in witchcraft cases in a court of law. One traditional healer argued that ‘We deal with spiritual matters, therefore we can’t testify in courts. The courts want proof’.

The traditional healers interviewed also substantiated the views of other informants that witchcraft involves both the use of spirits or familiars, and medicines to cause harm or to kill. However, there were differences of opinion between *izangoma* and *amaxhwele* about whether or not witchcraft and *muti* murder were the same thing. Those who argued that witchcraft and *muti* murder were not the same argued that
people involved in muti murder do so for their own success, for example in business, while witchcraft specifically involves intentionally harming others through secret means. Those who argued that witchcraft and muti murder were one and the same did so on the basis that those who killed others for muti were themselves involved in witchcraft because not only is the killing of others considered evil, but the muti made from a victim’s body parts could be used for evil purposes as well. Both categories of healers, however, did agree that most muti murder cases involved both izangoma and amaxhwele, although they could not provide information about any such cases. However, one healer indicated that traditional healers may become involved in muti murders not only because of money but also, as far as she believed, ‘because muti made from human parts works’. The other informants did not share this view.

There was also consensus among the majority of informants that the police were ineffective in their handling of witchcraft-related cases. The main reason cited was that the police did not understand the significance of witchcraft in communities and did not believe in witchcraft. A few healers did indicate that the police were effective because they were able to arrest the perpetrators of violence. The problem was mainly with the courts as they required proof of witchcraft. The other problem was that when suspects were arrested, in many cases they were either not given heavy sentences or they were released soon after being arrested.

The fieldwork data also revealed some interesting aspects regarding the role of traditional healers in witchcraft cases. Traditional healers still occupied a significant role in their communities which was a testament to the widespread faith that local people still had in their traditional healers. It appears from the data that it was specifically this authority of traditional healers that encouraged the continued belief in witchcraft. Most of the traditional healers interviewed indicated that most of their clients suffered from misfortunes, illnesses and even death that were related to witchcraft. Consequently, witchcraft was often diagnosed as the cause of an illness, misfortune or death. However, the traditional healers who were interviewed made it clear that they were not in the business of pointing fingers at witchcraft suspects. Their only role was to diagnose the cause of illness, misfortune or death. If witchcraft was discovered to be the cause, the healer provided protective medicine (ikhubalo) to the client and then sent him/her on their way. At no point during the consultation did
a healer mention the name(s) of anyone who could be responsible for causing illness, misfortune or death. The traditional healers stated that their knowledge for a diagnosis comes to them in various ways, especially if it involves witchcraft. Sometimes, a healer may receive a message from the ancestral spirits (amathongo) while consulting with a client. On other occasions, the healer may experience dreams of witch familiars before consulting with a client. After diagnosing the cause of illness, misfortune or death, the client is given protective medicine and advice on how to avoid being affected by someone else’s witchcraft. All of the healers interviewed expressed clearly that at no point do they encourage their clients to seek revenge in any way on those who may have bewitched them. Of interest, however, is that contrary to the statements made by traditional healers that they did not ‘point fingers’ at witchcraft suspects, some community informants indicated that some healers do provide accurate descriptions of possible witchcraft suspects. Thus, it appears that although traditional healers may not mention witchcraft suspects by name, if they do provide such descriptions then their clients may use that information to draw their own conclusions about who the witchcraft suspects may be. This raises the question: if a client takes violent action against another on suspicion of witchcraft, based on descriptions given to him by a traditional healer, should such a healer then be held partly responsible for the violent actions of his/her client? This is a question that could perhaps only be addressed through dialogue among traditional healers where a consensus is required to establish whether healers should be held responsible for the actions of their clients in cases of witchcraft.

The role of traditional healers in cases involving muti murder also elicited differing responses from informants. Most traditional healers indicated that there are some healers who are involved in muti murders. Such healers were not regarded as healers at all but were described as being no different to witches. Although, other traditional healers were of the opinion that muti made from human parts does work, and that this is the reason why some healers may resort to muti murder. In addition, muti made from human parts is expensive and is most sought after by people who are wealthy. The differing opinions among healers about the efficacy of muti made from human parts suggests that there is no consensus among healers concerning this issue, although it appears that the majority of healers are against the killing of people for muti. This implies that traditional healers need to again engage in dialogue to resolve
this issue. If there is no consensus, even if the majority of healers disagree with muti murder, there will still be those healers who will continue this practice.

An Analysis of Selected Examples of Witchcraft-related Cases

Case 1: The Njela Village Witch Assassination List (Port St Johns)

According to the data that were given by some informants in other villages in the Port St Johns area, mention was made of a list of witchcraft suspects that emanated from Njela Village. Informants had speculated that this list contained the names of people who had been accused of witchcraft and, as such, had to be killed. The researcher went to Njela Village to conduct interviews with the local residents in an effort to acquire data for a case analysis of the so-called “Njela witch assassination list”. The aim of this analysis was to determine whether there was, in fact, such a list and, if so, whether there had been any victims of witchcraft violence who could be linked to the list. The following data were obtained from the Njela villagers, and focused specifically on data about the alleged witch list.

Informants stated that there had been many accusations of witchcraft in the village, and mentioned two cases, one in 2001 and the other in 2008, where people suspected of witchcraft had been killed. In the 2001 case, two elderly women had been killed. The women had been accused of causing the death of an infant in the village through witchcraft. Although the case was reported to the police, no arrests were made. In 2008, an elderly woman who had been suspected of witchcraft by the community, and who had been openly accused of being a witch, was shot in the mouth and killed. This case was still being investigated.

Informants mentioned that the three elderly women who had been killed were allegedly on a list of suspects who had been accused of witchcraft. The community had met with the traditional authority of the village to enquire about this list, specifically whose names were on the list and who had the list. The community, however, did not get much information from the traditional authority on the issue. Instead there was increasing speculation among the villagers that there was a possibility that there could be more victims, especially if this list was still circulating
in the community. According to informants, the list had apparently been in the village since 2001. At the meeting with the traditional authority, a woman from the village had provided some information about the list. Apparently, someone had told the woman that her name was on the list, but the woman refused to divulge information to the meeting about who the person was that gave her this information. The police were unaware of the list as a resolution had been taken at the meeting that the list would not be reported to the police. Also, the traditional authority had apparently refused to report the matter to the chief. No one knew why this decision was made.

The traditional authority of Njela Village confirmed that there were cases in 2001 and 2008 where three elderly women were killed on suspicion of witchcraft. It was also confirmed that he had heard much about this list of suspected witches but that it was spoken about mainly at social gatherings ‘when people were intoxicated’. No formal report or meeting had been held where he had been given information from the community about who exactly had the list in his/her possession and whose names appeared on the list.

The traditional authority had first become aware of the list in 2008 after the 2008 killing, during a meeting between the community and an African National Congress (ANC) ward councillor from the area. When the people reported the list to the councillor, this was the first time that the traditional authority had heard of the list. After hearing about the list of witchcraft suspects, the ANC councillor apparently told the community that ‘He [the councillor] did not come to deal with this issue and that people must solve their own problems.’ Although the community insisted that he should report the matter to the police, the traditional authority did not do so as he did not know what he was going to report as he had no information.

Instead, the traditional authority introduced a community task team, composed of committee members from the village, to investigate the issue of the list. Although the committee had attempted to investigate the issue, it struggled to obtain information as no one wanted to openly provide information or indicate if he/she had seen the list.

One elderly female informant, who claimed to also have been on the list of witchcraft suspects, confirmed that the names of the apparent witchcraft suspects were placed on
the list after the death of an infant in the village. There were many accusations of witchcraft as people were looking for someone to blame for the death. Eventually, eight names were selected at random as possible suspects and placed on a list that, according to the informant, was drawn up by the relatives of the dead child.

At the time of the interviews, the community had not yet resolved the matter of the witch assassination list, and there were fears that there could be more killings.

The Njela Village case involved two seemingly interrelated elements. First, there was the execution of three elderly women, two in 2001/2002 and one in 2008. Informants agreed that the executions were witchcraft-related. The second element in this case was the apparent existence of a hit list of witchcraft suspects. From the data obtained from informants, the three victims were on this assassination list. It appeared that most of the informants who knew about the list had only become aware of it after the 2008 execution. There seems to have been a relationship between the witch killings and the assassination list.

An informant who claimed to have been on the list herself, had received this information from her sister who had, in turn, received the information from another woman, who had come across the list by accident, while it was ‘lying on the ground’. The informant indicated that the origins of the list related to the death of an infant in the village in the early 2000s, where the names of eight elderly women, who were suspects in the death of the infant, were placed on a list by the relatives of the deceased child.

What becomes clear from this case are several factors relating to witchcraft beliefs and community responses to them. A child had died under mysterious circumstances and witchcraft was seen to be the cause. As such, human agency was ultimately responsible for the death. A cultural profile of possible suspects was created and placed on a list. The cultural profile of the witch is similar to a criminal profile that may be used by law enforcement agencies. Certain crimes are attributed to certain types of individuals who possess certain characteristics that are commonly associated with those particular crimes. In this way a criminal profile is constructed whereby possible suspects who fit that profile can be identified. In the Njela case, the cultural
profile of the witch made it possible for eight elderly women, who could be associated with witchcraft, to be identified. Of the eight suspects, only three were eventually killed.

In addition, the assassination list itself had acquired a supernatural or mysterious character, as no definitive answer could be given as to whether this list did in fact exist and, if so, where did it come from, who had it and whose names were on it. This situation of uncertainty provided a fertile breeding ground for rumour, speculation and fear, where almost anyone in the village could have been regarded as a suspect in the case. This becomes evident if one considers the lack of information that people had about the list, and also the hesitance by people who seemed to have some information to disclose what they knew.

The case also reveals the somewhat dubious role of political and traditional leadership. The traditional authority’s lack of knowledge about the case suggests that traditional leaders may not always be aware of what is going on in their communities. A question can also be asked as to why residents who knew about the list did not report it to their traditional authority. The answer could perhaps lie in a lack of trust that residents had in their traditional authority. It could also be that they feared that he would report the matter to the police and they would have to provide the information they had to the police, in which case there was the fear of being branded police informants. The response of the ANC ward councillor is also significant because it reveals the attitude that higher government officials have of certain issues, such as witchcraft, that they do not take seriously. This suggests that government officials may be out of touch with issues that are of significant concern in local contexts, which further implies that the lack of government attention to these issues may create complex problems in the future if they are not dealt with adequately.

The role of the police in this case is also significant because it is an example of what lies at the heart of the problem of witchcraft-related crime. The police seemingly showed little interest in investigating this case, even after three deaths in the same community, because it involved witchcraft. There was also no assistance from them to aid the activities of the community task team to investigate the witch list. The
inaction of the police could have the effect of encouraging community perceptions of the police as ineffective.

Case 2: The HIV/AIDS Witch of Mageikini Village (Port St Johns)

On Monday 14 July 2008, an elderly woman was stabbed to death in Mageikini Village. The researcher had heard from his field assistant that there were rumours in the village that the incident was witchcraft-related. Consequently, the researcher went to the village on 16 July 2008 to acquire data about the death of the victim. The data obtained from informants suggested that the death may well have been witchcraft-related, as most informants indicated that the woman had claimed to be a witch who had the power to infect others with HIV/AIDS. Using the data gathered from informants, the researcher compiled the following case analysis of the HIV/AIDS “witch” of Mageikini Village.

Informants indicated that in 2003/2004, there was a young woman in the village who was infected with HIV and eventually died. After the woman’s death, an elderly woman had confessed to taking the deceased’s blood and using it to infect others with HIV. The woman had claimed that those whom she had infected would not live past three months. After the three month period, several people died after showing similar HIV/AIDS-related symptoms. Informants speculated that the woman had used witchcraft to cause the deaths. Specifically, the woman had used a form of witchcraft called ukuthwebula, which refers to the using of evil forces to extract the original life-force of a person, both physical and spiritual. The witch had thus been able to extract the dead woman’s blood using this method. Subsequently, she also used a magical syringe to infect others with the blood in an ‘invisible way’. According to the informants, the witch had claimed to have killed many people in this way, especially the youth. There were other women who were her accomplices but the community did not take any action against them. The woman had apparently confessed in 2007. Informants could not say why the woman confessed but stated that she simply ‘just decided to confess’. The woman had apparently been confessing to the HIV/AIDS-related deaths since 2002 up to 2007. Thus, she claimed responsibility for most of the deaths since they began early in the 2000s. The community, however, had done
nothing, even after it was also confessed that other women were involved in the deaths.

Informants did, however, mention that the woman was prone to strange behaviour. The woman apparently used to walk around the village talking to herself. Even when she was in her maize fields, she would often talk to herself in such a way that it seemed as if she was speaking to a real person.

The informants confirmed that it was the same woman who had been killed on 14 July 2008. She had been stabbed eight times. According to the informants, the community believed that the cause of the killing was due to witchcraft accusations. They mentioned that, in cases of witchcraft, it may take a long time, even years, for the relatives of a victim to take action against the alleged witch. Thus, the killing of the woman could have been done by (a) relative(s) of someone who the witch had claimed to have killed with HIV. The informants mentioned that the community did not openly show that they supported the murder and there were as yet no rumours or speculations about possible suspects. However, the police were investigating the case.

What makes this case interesting is that it was not just about witchcraft but it had another dimension to it, namely, HIV/AIDS. The woman who was killed had claimed to have been responsible for causing HIV/AIDS-related deaths among several young people in the village since 2003. Furthermore, she had also been confessing about the deaths since they began in 2003. Informants who were interviewed about the case were in agreement that the woman had claimed that, along with several other female accomplices, she had used a witchcraft technique called *ukuthwebula* to extract HIV infected blood from a young female sufferer, and then used this blood by magically injecting it into unsuspecting victims. What lent credence to this story was that the woman had accurately predicted that those who had died in the village from HIV/AIDS-related illnesses, would not live past three months after contracting the disease. None of the informants could say why the woman decided to confess. One of the informants, who was not aware of the HIV/AIDS witchcraft case, but who knew the woman, indicated that she was prone to strange behaviour that involved her walking around the village talking to herself.
This case is significant as it echoes the idea of Ashforth (2001) that African communities in Soweto, Gauteng, draw a parallel between HIV/AIDS and witchcraft. In his paper, Ashforth mentions that various similarities exist between African perceptions of HIV/AIDS and its effects on sufferers, and notions of witchcraft and its effects on victims. The Magcikini case illustrates that the perceived interrelationship between HIV/AIDS and witchcraft is also noticeable in rural African communities of the Eastern Cape. In this case a woman admitted to using witchcraft to infect others with HIV/AIDS and, thereby, caused their deaths.

Also of interest was the response of the community. Since the confessions began in 2003, no one from the community had taken action against the woman in any way. The issue was not reported to the traditional leadership, nor were there any indications of violent behaviours towards the woman. However, the fact that the woman was killed in 2008 suggests that, given the context of the murder, namely that it was witchcraft-related, as most of the informants indicated, it could well have been relatives of a person who had died from HIV/AIDS since 2003. A case such as this, where a perceived relationship exists between HIV/AIDS and witchcraft, could have the consequence of reinforcing perceptions that HIV/AIDS is caused by witchcraft and that, by implication, someone is behind the disease. Such perceptions reveal the importance of the role of health officials to educate people in rural communities, especially regarding HIV/AIDS.

Perhaps the most interesting aspect of this case was the multiple confessions of the woman that she had caused HIV/AIDS-related deaths in her village through witchcraft. The most obvious question is why she confessed to being a witch. In communities where witchcraft is taken seriously and where people know what is likely to happen to those suspected of witchcraft, why would a person who fits the cultural profile of the witch, willingly claim to have been involved in using witchcraft to cause the deaths of others? One possible explanation could be that the woman was mentally disturbed. As indicated earlier, at least one informant mentioned that the woman often spoke to herself, which some would argue was an indication of mental disturbance. However, the informant also mentioned that, to the other villagers, the woman’s behaviour (that is, her talking to herself) was also associated with witchcraft.
as people would speculate that she was talking to a familiar such as *thikoloshe*. Thus, in the minds of the villagers, her strange behaviour, along with the confessions, served to reinforce the already existing cultural interpretations of her behaviour, namely that she was involved in witchcraft.

**Case 3: The Witch Killing in Nkwilini Village in 2005 (Port St Johns)**

In Mawotsheni Village, the researcher had heard through casual conversations with some of the local residents that there had been a witchcraft-related case that occurred in 2005. In the neighbouring Nkwilini Village, an elderly woman had been shot dead on suspicion of witchcraft. What was interesting about this case was that the victim had originally been a resident of Mawotsheni, but because of witchcraft accusations and previous attempts on her life, she eventually left the village for Nkwilini, only to be killed. The following case analysis focuses on the Nkwilini witch killing and, based on the data gathered from informants, traces the events that led to the killing, specifically the victim’s experiences in Mawotsheni.

According to informants in the village, the incidents started when the elderly woman was invited by her neighbour to attend a social gathering. While the woman was lying on her bed before deciding to leave, someone holding a stick had put his/her hand through the window above her bed and beat her on her head and hand. She spent five days in hospital after the attack but returned home. Approximately one month later, again while the woman was lying on her bed, a gunshot was fired through another window of her *ikhaya*. The bullet missed the woman but left a large hole in the headboard of her bed. The incident was reported and both the community and the police investigated the incident but found nothing. The woman was attacked a third time, again at night while she was lying in bed. She heard the sound of water spilling on her thatched roof, and suddenly the house was on fire. Some of the family members rushed outside to call members from the community to help put out the flames. Eventually they succeeded in putting out the flames. There was a police investigation, but no suspects were found. After the third attack, the woman decided to leave the village and fled to Nkwilini. In Nkwilini, she was killed in 2005.
According to informants, there were indications that the attacks were witchcraft-related. A young man from the village had accused the woman of killing his father with witchcraft. The person who was involved in the first attack, that is, the beating of the woman, was identified. However, both the first shooter and the one who succeeded in killing the woman were never identified or arrested. According to informants, there was an investigation launched after the killing, but no arrests had been made. They also did not know if the case was still open or was still being investigated.

What this case illustrates is that once someone is accused of witchcraft then such a person is unable to escape the stigma of being branded a witch. Other than the death of her own relative, for which the woman was blamed, informants could not say why subsequent accusations of witchcraft were made against the woman. It appears that once a person has been labelled a witch, then subsequent deaths or misfortunes that occur will immediately be blamed on the accused person. A further point is that the woman chose not to report the accusations to the traditional leadership, but chose rather to move away. This may well have contributed to suspicions that she was a witch because why would she have chosen to move if the accusations were false? It seems that once a case of witchcraft accusation is reported to the traditional leader, and the accused is exonerated, which happens most of the time, then the stigma and possible further accusations against the accused disappear.

Another contributing factor that perhaps exacerbated perceptions in the community that the woman was a witch was the several unsuccessful attempts on her life. As mentioned, the woman was a victim of a beating, shooting and arson, but survived all three attempts on her life. This could have reinforced the belief that she was a witch because how else could she have survived all of these attempts on her life? The woman was elderly and was not as fit or as healthy as a younger person, yet she survived several attempts on her life. This could have been interpreted as an almost superhuman feat for an elderly person, but a feat that was not impossible for someone involved in witchcraft. The fact that she chose to stay could also have been interpreted as a challenge to those who sought to kill her to see if they could succeed in overcoming her power to protect herself. This could be a means of explaining the repeated attempts on the woman’s life. What was not clear from the data given by
informants regarding this case was whether the attempts on the woman’s life were perpetrated by the same suspect/s.

All of the informants mentioned that there was a police investigation not only into the murder in 2005, but also into the prior attacks that were made on the woman. However, all of the informants also indicated that the police had not succeeded in apprehending any suspects. Some informants could not even say if the case was still open to investigation or if it had been closed. This suggests that the role of the police in this case has been uncertain from the perspective of the community as no one can really be sure what the status is of the case. One of the informants, who was the daughter of the deceased, also indicated uncertainty about the progress of the case. This suggests that the police have not been in contact even with the relatives of the deceased to keep them informed of what was happening in the investigations.

**Case 4: The 2008 Ebenezer Village *Muti* Murder Case (Mzamba, Bizana)**

The following data were obtained from informants in Ebenezer Village. The data focus specifically on the 2007/2008 high-profile *muti* murder case that occurred in the area. This case was highly publicised in both the regional, local and national newsmedia.

Informants commenting on the case stated that the killings began late 2007/early 2008 when a woman was killed and had her womb removed. According to the informants, it seemed that at the start of the killings the killers used bush knives to cut out the body parts of the victims as the wounds were ‘very bad’. However, as the number of victims increased, it seemed as if the killers were using more sophisticated equipment as the victims’ wounds ‘looked different from the others’. The informants speculated that about seventeen or eighteen people were killed. Although there had been some arrests, the case was still continuing.

According to the informants, those who were accused of the killings had said that they were hired by adults in the village. Those who hired the killers had allegedly paid them to murder and wanted the victims’ body parts to sell for money. The informants stated that those who hired the killers were from the community.
Informants stated that the response from the community to the killings was that people were waiting to see what will happen. There were expectations that there would be more killings. There was an incident where a man had admitted that he was involved in the killings and told how he had killed some of the victims. Consequently, a mob from the village took the man to a sugar cane field where he was killed. Afterwards, the police were called. No arrests were made.

The victims in the *muti* murder case were mainly those who were employed at the nearby Wild Coast Casino, but there were some victims from the village itself. According to informants, the suspects hid in a secluded area where they knew the victims would pass, either on their way to work or from work. The suspects then ambushed the victims, using a hammer to knock the victims unconscious. Subsequently, the suspects used ‘machines’ to remove the wombs and genitals of the victims. The suspects who had been arrested were from the Ebenezer community, as they were positively identified as some of the youths from the village. According to informants, the suspects had admitted that they were paid or hired to kill the victims. The informants speculated that those who hired the suspects were from the community, but also from outside.

Informants stated that the community had taken a stand that if they apprehended any of the suspects themselves, they would take the law into their own hands. There was a general discontent among community members with the police as the people felt that ‘The police feed criminals nice food, and allow them time to exercise and watch TV.’ The informants also mentioned that they had heard about a Community Policing Forum (CPF) in the area, but did not know what exactly it was doing regarding the case. They also stated that the Mzamba SAPS were not reliable as there had been suspicions that some of the police officers were involved in the killings. Informants further stated that the police needed to be changed as some of them were alleged to be friends with the suspects and others believed to be involved in the killings. A special task team had taken over the investigation of the case from the local Mzamba police. This was confirmed by a senior SAPS informant from the local Mzamba SAPS branch. The informants also stated that while the police did hold meetings with the community, the atmosphere was very tense. The police did not give much
information about the progress of their investigations, and consequently the people relied more on the CPF for more detailed information.

In addition, a senior SAPS officer had allegedly convened a meeting with the community to discuss details regarding the progress of the investigations, but he did not show up for the meeting. The community had heard rumours that the intention of this meeting was to disband the community-elected CPF with one appointed by the SAPS. Another problem raised by informants was that previously the police used to arrange transport for the families of the victims to take them to the Magistrate’s Court when the suspects were due to appear, but this service was no longer being provided by the police.

Most informants were not convinced that the killings had stopped, and openly stated that they expected to hear of more killings. The case had affected social relationships in the village as people no longer trusted each other. Previously people used to visit each other often, but after the killings people ‘feared to open their doors when someone knocked’.

The muti murder case in Ebenezer Village, in the Mzamba area of Bizana, represents the most significant witchcraft-related case in the Eastern Cape in the last ten years. What makes this case so significant is that, firstly, it was the first high-profile witchcraft-related case in the Eastern Cape. The case received extensive media attention, both locally and nationally, and was also afforded personal interest by the Eastern Cape Provincial Police Commissioner, as well as the Minister of Safety and Security. Secondly, the number of victims who had been killed was more than had been found in any known muti murder case in the Eastern Cape. In no other reported witchcraft-related case had there been a total of almost twenty victims in one case. Thirdly, the Ebenezer case brought witchcraft-related crime, specifically muti murder in the Eastern Cape, into the spotlight. While doing fieldwork in Pondoland, the researcher was asked to participate in an interview for a popular investigative journalism television programme called Special Assignment, screened on SABC 3, where a special edition of the programme focused on the muti murder case in Mzamba. In short, the significance of the Mzamba case cannot be underestimated as
an interpretation of this case reveals certain important insights into understanding witchcraft-related crime in the Eastern Cape.

One interesting aspect that this case revealed is that it exposed a type of witchcraft-related crime, namely muti murder, that the majority of informants in all of the areas visited by the researcher, claimed was not widespread. In general, both community and police informants indicated that muti murder was not as widespread as the killing of people on suspicion of witchcraft. However, the Mzamba case showed that, although it may not be widespread, muti murder has the potential to become a serious problem in the Eastern Cape.

Another interesting aspect of the Mzamba case is how differently people in Ebenezer perceived muti murder, compared to some others in other areas. In general, in most of the other study areas, most of the informants regarded muti murder as witchcraft, although they could not clearly indicate why. Some informants did not equate muti murder with witchcraft but indicated that it was wrong to kill people for their body parts. In Ebenezer, not only did most of the informants agree that muti murder is witchcraft, but they also clearly indicated why they believed this. Firstly, killing another person for his/her organs is considered evil, and it is this evil intention that can be associated with witchcraft. Secondly, the Ebenezer informants believed that muti made from human parts can only be used for evil. The researcher is inclined to agree that muti murder should be regarded as witchcraft because of the evil intention that serves as a motive. Intentionally harming someone else for selfish reasons illustrates an evil intention, and it is this evil intention that is used to define witchcraft.

The Mzamba case also reveals the ambiguous role that the youth can play in witchcraft-related crimes. The alleged killers, those who performed the physical acts of killing the victims and removing their organs, were mostly male youths from Ebenezer Village. In cases of violence against alleged witches, it is also male youths who tend to be the most involved. This illustrates that male youths occupy an ambiguous role because, on the one hand, they may willingly assist those involved in witchcraft, such as in muti murder, but, on the other hand, they also may take it upon themselves to be the punishers of those involved in witchcraft. In the Mzamba case,
Informants indicated that the youths who had been arrested by the police were all residents from the Ebenezer community. The informants also indicated that, as far as they knew, the youths were paid by businesspeople from the community to commit the murders. This reveals the broader problem of poverty and unemployment in communities, where particularly the youth are susceptible to engaging in criminal acts in order to obtain some kind of income.

The Mzamba case also revealed that muti murder may involve a complex network of stakeholders that functions in an organised manner, similar to a crime syndicate. Based upon data obtained from both the police and community informants, it appears that there were at least three levels of organisation in the Mzamba muti murders. First, there is the client, represented by the businesspeople who paid the killers to obtain the necessary body parts of the victims. Second, there are the traditional healers who may have been involved in instructing the clients of the parts that were needed for the muti, or even to sell. One informant, for example, mentioned that he had heard some people claim that the body parts of the victims may have been sold to clients in other provinces such as KwaZulu-Natal and Mpumalanga. The third level of organisation is the killers, those who are paid to do the actual killing of the victims and harvesting their organs. This complex organisation suggests that it is not only the killers who should be focused on in police investigations, but the clients and the traditional healers involved should also be apprehended.

Regarding the investigation of the case, and the interaction between the police and the community, the Mzamba case illustrates the kind of tensions that witchcraft-related crimes can expose between the police and the community. During the investigation of the murders, despite the arrests of some alleged suspects, relations between the community and the police deteriorated to the extent that the community began to make certain accusations, that were publicised in local newspapers, against the local Mzamba police. The police were accused of having corrupt relationships with certain members in the community who were suspected of being involved in the murders. The police were also accused of not investigating the case properly. Given the high-profile status of the case, the Provincial Police Commissioner decided to appoint a special investigative task team to assist the Mzamba police in their investigation, and to address the concerns of the community to restore their confidence in the police.
Some informants also mentioned that one of the alleged suspects had been killed by a mob of community members rather than being handed over to the police, specifically because the people did not trust the police. However, with the introduction of the task team, many informants felt that the effectiveness of the police had improved, although there were some who were unhappy that police from outside of the community were brought in to investigate ‘an internal matter’.

The social dynamics within the community itself were also affected by the murders. Since it was already known that the killers were from the community, the notion that the killers were hired by unknown members of the community seemingly led to suspicions and mistrust among community members. Some informants indicated that relations between people were no longer as close as they had been before the murders occurred. People were living in fear, with many believing that the killings had not yet ended as not all of those involved had been apprehended. Those persons who had businesses in the area were the most anxious as many of them were prime suspects, in the eyes of the community. One informant indicated that a woman who owned her own business in the community had fled, as there was evidence that linked her to at least some of the murders.

Interestingly, there were two Community Policing Fora (CPF)s in operation in the Mzamba area at the time of the muti murder case. One CPF was operational in Mfuneli Village, the other in the neighbouring Ebenezer Village, where the murders occurred. There were various conflicting perceptions from informants regarding the role of the CPFs during the investigation. Some informants mentioned that members of the Ebenezer CPF had been involved in the mob attack on an alleged suspect, while others denied this and stated that the CPF was doing ‘a good job’ with the investigation. These conflicting perceptions suggest that the CPF may have been involved in mob activities, especially considering the perceptions of the ineffectiveness of the police. There is also the broader context of rising crime levels in general and the apparent inability of the police to control crime in communities that may lead to mob attacks on alleged criminals. One informant from Mfuneli Village, who was the chairperson of the CPF in Mzamba, indicated that she tried, by all means, to discourage community members from killing others involved in witchcraft. However, when it came to muti murderers, the informant indicated that ‘People
believe in killing them to pay revenge'. This suggests that even if the CPF is not involved in mob attacks, there may be little that it can do to prevent such attacks if alleged suspects are caught by community members. Regarding the CPF in Ebenezer Village, the informant indicated that mob justice may have occurred despite the existence of the CPF because it was still a new structure. There had not been a CPF in the community until the first murders occurred. This suggests that the Ebenezer CPF may not have been effective because it was still new and perhaps because the people were not used to such a structure. Furthermore, the CPF chairperson also mentioned that because the CPF was still a new structure, the members of the CPF were not clear about what their roles and responsibilities were. This suggests that the CPF could easily have been overruled if community members did not agree with its decisions and that it could not have been effective in representing community interests and grievances to the police. These factors could also have encouraged vigilantism in the Ebenezer community.

As indicated earlier, the Ebenezer muti murder case was a high-profile case that received widespread media attention. It should be questioned, however, whether the case would have received the attention it did from the Provincial Police Commissioner had it not been widely publicised in the media. The response from the Provincial Police Commissioner reminds one of the statement made by Ashforth (2005) that ‘Witchcraft tends to surface in public discourse in South Africa only when reports of witch killings [and muti murders] arise...’ (Ashforth, 2005: 10). Thus, in the Eastern Cape context, witchcraft-related crime may only become relevant or important enough to address at provincial and local government level after large numbers of people have been killed. This scenario is also what eventually led to the hastily appointed Ralushai Commission (see Chapter Two), which, by its own admission, was a decision taken by the government that was long overdue, mainly because of ‘...the obvious government’s neglect in handling witchcraft violence and ritual [muti] murders.’ (Ralushai et al, 1996: i). Thus, if anything is to be learnt from the Ebenezer case, it is that the Eastern Cape provincial government needs to act now to address witchcraft-related crimes in the province.
Case 5: The 1995 Cibeni Village Witch Hunt (Ntabankulu)

The researcher had obtained data from informants in other areas visited that highlighted a witch hunting incident that occurred in Cibeni Village, Ntabankulu, in the mid-1990s. Consequently, the researcher went to the area of Ntabankulu to acquire data on the witch hunt for a case analysis. Upon arrival in Cibeni Village, the first few interviews revealed a definite tension that existed among residents of the village. Particularly the first three or four informants interviewed were very hesitant to answer questions posed to them by the researcher. However, as the interviews continued, the researcher would discover the reason behind this hesitation. Also significant was that the researcher was able to track down one survivor of the 1995 witch hunt who was able to provide a first-hand account about what happened during this incident. The following analysis is based on data acquired from the informants of Cibeni Village.

A witch hunting case in Ntabankulu illustrated that a community still lived in fear as a consequence of events that occurred more than ten years ago. In 1995, in a village called Cibeni, mobs of youths went on the rampage hunting out and killing witches. Several elderly women were targeted in the attacks, which, according to the informants interviewed, lasted only a day. Of interest in this case was that most of the youths who participated were coerced to do so, as the leaders of the mobs visited the local school and forced pupils out of their classes to participate in the ritual of witch killing. Many of these pupils were told that they were ‘doing something good for the community’. All of the informants who were interviewed stated, firstly, that when the attacks happened, many people were not in favour of the killings but, out of fear for their own lives, supported the attacks. Secondly, the informants mentioned that even though those who were involved in the attacks were arrested, many of them were released and were freely roaming around the village. Consequently, the villagers still lived in fear of those who participated in the violence who are still among them and, perhaps more importantly, still feared a repeat of the events of 1995, as some of the women who were attacked are still alive in the village.

Particularly the testimony of one informant, an elderly woman who admitted to being a victim of the Cibeni Village witch hunt, was crucial to unravelling the events of the
1995 incident. It was indeed possible that she could well have been a victim of the attacks as she not only recalled exact dates and details of what happened, but she also had a physical scar on her head and face that suggested a wound of some kind that had been made with a sharp object.

According to the informant, on 14 November 1995 at 9pm, a mob of youths gathered outside her home and attempted to force their way inside. The informant was struck on her left temple with a bush knife as she tried to keep the mob outside by struggling to close the door to her house. The mob, however, was too strong and they broke into her house and continuously struck her on the head. The mob apparently never said a word while they were attacking the informant. After she had fallen down while bleeding profusely, the mob believed her to be dead and left.

On 7 December 1995, the same mob that had attacked the informant killed four elderly women. According to the informant, the wife of a traditional authority had apparently given the youths a list of witchcraft suspects. At that point, the informant did not know how or why this list had come about. She used to hear about a group of youths gathering at a certain location and ‘discussing things’ but she did not know what these meetings were about. However, when the youths began their attacks, it became clear to the informant that she and others were pointed out as witches and the youths had discussed a campaign to eliminate them.

The informant stated that those who were part of the mob were youths who were at school and also those who were out of school. Some of those who were part of the mob were arrested but others were at large. During the court hearings, one of the youths testified in court that the reason why the victims, specifically the informant, were attacked, was that they were blamed for causing several mysterious deaths in the village. The traditional authority’s wife had apparently fled the village when the police investigations into the witch hunt started, and went to stay in the town of Mount Frere. The chief, upon hearing of his wife’s part in the killings, apparently also left the area. The chief’s wife was never arrested for her part in the campaign.

The informant stated that even more than ten years after this incident, she still carried the label of being a witch. This was especially apparent during quarrels between her
and her son, when he was in a drunken state, as he would constantly remind her that she was once accused of witchcraft and could be again.

The apparent existence of a list of witchcraft suspects, as was the case in Njela Village (see Case 1 above), suggests that those involved in violent anti-witchcraft campaigns have a certain degree of organisation. A list of suspected witches implies that the youths must have held meetings to discuss possible suspects and to agree on the most likely suspects and also what course of action to take against them. Also worth noting is that the youths did not first take the matter to the chief or, for that matter, to the police. This could have been because they knew about the alleged involvement of the traditional authority’s wife and that he himself may have known about the situation. It could also be that the youths had already planned how they were going to deal with the suspected witches. This is indicated by the fact that most informants indicated that the youths moved from house to house, targeting very specific houses and looking for specific people. The possibility that a traditional leader and his wife may have been involved suggests that there may be traditional leaders who support and encourage witchcraft-related violence.

Another interesting aspect of this case is that the youths who were involved in the killings were not only those who were out of school. Some informants mentioned that the mob leaders went to the local school and instructed specifically the male learners to leave their classrooms and to accompany the mob. The involvement of young children in campaigns of witchcraft violence such as this suggests that youngsters are ritually and symbolically being taught how to address witchcraft in their community. The danger of this practice is that it may perpetuate the belief among young people that the only way to deal with witchcraft is to violently eliminate those believed to be witchcraft suspects.

Earlier it was mentioned that many of the youths who were involved in the 1995 witch hunt were released from jail and were back in the community. This had a definite impact on the community. When the researcher interviewed informants on the 1995 case, it became clear that all of them were hesitant to respond. One informant indicated that the reason for their fear was that those who were involved in the case were still in the community. More than ten years after the incident in Cibeni
Village, many of the residents still live in fear of what happened. This suggests that even after a violent anti-witchcraft campaign has taken place and the perpetrators arrested, if they are released back into their communities people may live in fear of another such incident. A similar kind of tension that existed in Ebenezer Village existed in Cibeni Village. This suggests that witchcraft-related crimes continue to have a long-lasting impact on communities, sometimes even long after the crimes have been committed.

Community Perceptions of the Effectiveness of the Police in Witchcraft cases

In general, the data provided by informants from the communities visited by the researcher revealed that the majority of informants were not convinced that the police were effective in dealing with witchcraft-related cases. Various reasons were given to support this assertion. Some informants argued that the police did not understand the seriousness of witchcraft because ‘the government has said that there is no such thing as witchcraft’. There were also complaints that it was mostly those who accused others of witchcraft who were punished. Consequently, according to the informants, witches were able to exploit the police and the courts for protection and were thus able to escape accountability for their actions.

There were also speculations that the police officers themselves were involved in corruption and could be bribed by either suspected witches or perpetrators of witchcraft-related violence not to investigate cases. This view was reflected by the perceptions of the Mzamba informants of the handling of the 2007/2008 muti murder case by the local police. Most of the Mzamba informants indicated that the police investigators were in league with those who were involved in the killings.

Also, many community informants were unhappy about instances where perpetrators of witchcraft-related violence were released from police custody shortly after being arrested because their cases were dismissed by the courts. Some informants were also critical of some instances where the police officers sent people back to their communities after they had attempted to open criminal cases against those who had accused them of witchcraft.
The data obtained from community informants representing traditional leaders, traditional healers and the ordinary community members all revealed that the majority of community residents were not convinced that the police were effective in dealing with witchcraft-related cases. Various reasons were given for this perception. One reason that was often cited by informants was that the police, because they were an institution of the government (of South Africa) that did not believe in witchcraft, they too, as law enforcers, did not believe that witchcraft exists. This suggests that communities do not have confidence that the police can investigate witchcraft cases from a perspective that views witchcraft as a reality. Consequently, in most cases, those who perpetrate witchcraft violence are arrested as the criminals while suspected witches escape punishment by the legal system. In addition, informants indicated that the police do not even consider dealing with accusations of witchcraft because there is no proof.

Another reason for the lack of confidence in the police was that in those cases where the community supported the arrest of perpetrators of witchcraft violence, many of them were released from police custody without their cases having gone to court. Thus, the communities viewed the police as encouraging criminal activity because criminals were being released from custody without being sentenced for their crimes.

A third reason for the lack of confidence in the police had to do with allegations of corruption. Especially in the Ebenezer case in Mzamba, this criticism of the police came through strongly from community informants. This suggests that perceptions of police corruption in general crime investigations also influence perceptions of police corruption in witchcraft-related cases. Many informants indicated that they were not aware if the police were investigating witchcraft-related cases that had occurred in their communities. In those instances where there was a level of certainty that the police were investigating cases, some informants indicated an uncertainty as to whether investigations had been closed successfully or whether they were still ongoing, apparently because there had been no communication between the police and the community regarding the progress of investigations. Except for the Mzamba area in Bizana, no mention had been made by informants in other areas that community policing structures were in place to facilitate interaction, co-operation and communication between the police and local communities.
8. Conclusion

In this chapter the researcher attempted to locate the position of witchcraft and sorcery beliefs in the cosmological scheme of the Xhosa-speaking peoples of the Eastern Cape, with specific reference to the Xhosa-speaking peoples of Mpondoland. The chapter outlined the cosmological hierarchy used by the Xhosa-speaking peoples in general and how the various parts of that hierarchy link together. Similarly to the diviner, and to a lesser extent the herbalist, the witch and sorcerer operate in both the natural and supernatural world. This is due to their abilities to manipulate magical powers. It has been shown that the witch and sorcerer use their talents wholly for evil and, because of this, are seen in their communities as the opponents to the natural order of existence. However, while a distinction between witch and sorcerer can be made in other groups, the people of Mpondoland made no such distinction, and regarded both witches and sorcerers as one and the same, as was indicated by their use of the term *igwirha* to refer to both witch and sorcerer. The role of witchcraft practitioners in the cosmological scheme of the Xhosa-speaking peoples is to be the scapegoats for misfortunes, illness or untimely death that may befall people in the community. According to Osei (2003), within this context, ‘…witchcraft fulfils an important social function. It is an avenue through which people can deal with hatred, hostility, frustration, jealousy and guilt.’ (Osei, 2003: 110). Any inexplicable harmful event that occurs, ranging from the failure of someone’s crops or the illness and death of livestock, to the illness and death of a person, is attributed to witchcraft. Singleton (1980: 31) argued that, due to the role of witchcraft beliefs in society, these beliefs cannot simply be removed, since any effort to do this could jeopardise the whole society. This view was supported by Olivier (1981) in his study of the Gcaleka: ‘Witchcraft is an everyday phenomenon in Gcaleka society and is accepted as an integral part of that society.’ (Olivier, 1981: 98). Their ambiguous position in the natural order, coupled with the inherent inclination for evil, as in the case of the witch, makes both the witch and the sorcerer powerful enemies of the community in which they reside.
In addition, it has also been pointed out that Christianity has had a definite impact on the survival of witchcraft beliefs throughout South Africa and that the Xhosa-speaking peoples are no exception. Even among Xhosa-speaking Christians, traditional beliefs, including beliefs in witchcraft, still continue and co-exist with Christian beliefs. It has been argued that one of the important consequences of the introduction of Christianity among the Xhosa-speaking peoples was that it reinforced traditional beliefs in witchcraft and contributed to an escalation in witchcraft-related violence.

Finally, the chapter provided an ethnographic analysis and interpretation of the perceptions of the Xhosa-speaking peoples of Mpondoland of the relationship between their beliefs in witchcraft and the occurrence of witchcraft-related crimes. Data gathered from ordinary community informants, as well as informants from the ranks of traditional leaders and traditional healers, all revealed interesting similarities and contradictions regarding the perceptions of these categories of informants of witchcraft-related crimes. The five case studies that were analysed also revealed interpretations that seemed to support the views expressed by the informants, especially regarding the ineffectiveness of the police in their investigations of witchcraft-related cases (cf. Chapter Seven).

Given the important part attributed to witchcraft beliefs in the cosmological hierarchy of the Xhosa-speaking peoples, this chapter has shown that it is crucial for law enforcement officers investigating witchcraft-related crimes to give due consideration to the cosmological context of the beliefs of Xhosa-speaking peoples (see Chapter Seven). These beliefs, and their place in the wider framework of Xhosa-speaking society, should thus not be dismissed as irrational superstition, as this chapter has shown that these beliefs do have a rational motive informing them. For investigators to ignore this cosmological context, the investigation of witchcraft-related crimes will be hampered since investigators will lack the necessary framework within which to understand why witchcraft beliefs exist in the society in the first place. This information could prove valuable in investigations of this nature.
If it is accepted, as this chapter has shown, that understandings of witchcraft are based on the specific cosmological context of a group, and that this context informs the beliefs and practices associated with local understandings of witchcraft, then it could be argued that this cosmological context could also influence understandings of witchcraft-related crime. This raises the question of how witchcraft-related crime should be conceptualised. This is a question that is of specific relevance to law enforcement. In the following chapter the researcher discusses exactly why this question is relevant for law enforcement and shows, with reference to his findings in Mpondoland, how local perceptions of witchcraft influence conceptualisations of witchcraft-related crime.
CHAPTER FOUR: CONCEPTUALISING WITCHCRAFT-RELATED CRIME

1. Introduction

In 2001, a mother from Mount Frere in the Eastern Cape Province was found by police murdered and mutilated. She had had her facial skin removed, as well as her genitalia, breasts, hands and feet hacked off (Daily Dispatch, 30 October 2001). She was a suspected victim of a muti murder. In 2005, in Grahamstown, Eastern Cape, a thirty-seven-year-old woman, under suspicion of being a witch, and her family, were forced to flee their home after being attacked by seven armed men (Daily Dispatch, 7 June 2005). Also in 2005, a Port Elizabeth man was handed a seven-year jail sentence for killing a two-year old boy whom he thought was a witch familiar known as impundulu (The Herald, 31 October 2005). In January 2006, two elderly women were killed in Gengqe village, Eastern Cape, following the deaths of four initiates who were killed by lightning the previous month (December 2005). The women were targeted because of suspicions and rumours in the community that they had sent the lightning to kill the boys (Daily Dispatch, 9 January 2006). Also in 2006, a woman from Mount Ayliff in the Eastern Cape was killed by a mob after she was accused of witchcraft (Daily Dispatch, 4 November 2006). In 2007, three women, who were members of the same family, were killed by a mob that accused them of practising witchcraft. The incident occurred in Lusikisiki, Eastern Cape (News24.com, 23 April 2007). Also in 2007, in the same area, two men were killed by a group of three men who accused them of using witchcraft to kill their parents (News24.com, 7 September 2007). These incidences are examples of normal “punishable” criminal offences where witchcraft was a motive. However, there are also examples of incidences where witchcraft itself was allegedly used to harm or kill people. In June 2008, in a village near Port St Johns, three people died after drinking traditional beer at a social gathering. Although the same beer was drunk by most of those who attended the gathering, these three victims were the only ones affected by the beer. This led to suspicions that they were killed by witchcraft. Also in 2008, in a village in Mqanduli, a young woman committed suicide for no apparent reason. Again, witchcraft was suspected to be the cause.
The above references are a few examples of specific forms of criminal activity that have one central idea linking them: the belief in ideas and practices that have generally become known collectively as “witchcraft”. The kinds of criminal activities outlined in the preceding paragraph can be grouped together under the general concept of “witchcraft-related crime”. The mentioned examples span roughly a seven year period from 2001 to 2008. However, this in no way suggests that these crimes are a recent, that is, post-twentieth century phenomenon. Criminal activities, such as the killing of suspected witches, linked to the belief in witchcraft, have existed in Western society at least since the Medieval period in Europe, from where they spread to the North American continent (Osei, 2003: 6). In non-Western indigenous communities, most notably in Africa, they may have existed far earlier (Parrinder, 1963). Within the African context, the issue of witchcraft-related crime has become a key feature in most, if not all, postcolonial African states, of which South Africa is no exception (Delius, 1996; Osei, 2001; Hund, 2003; Niehaus, 1997; 2001; 2003a; 2003b; Jensen and Buur, 2004; Comaroff and Comaroff, 2004).

Within the post-apartheid South African state, the law enforcement system is faced with numerous challenges. One of the major challenges facing law enforcement is developing effective means of handling witchcraft-related crimes (Hund, 2003; Petrus, 2006b; 2007). The examples mentioned above were drawn from reports only within one region or province in South Africa, namely the Eastern Cape, the region that this study focuses on. The fact is that witchcraft-related crimes have been occurring at an alarming rate over the past few decades across various regions in the country. However, it was not until the transition of the country to a democratic government in the mid-1990s that the seriousness of the witchcraft-related crime phenomenon became a matter of national interest. The witch-hunts and killings that occurred in the country’s Northern Province (now Limpopo Province) during the 1990s exposed the South African state’s inability to deal with the tremendous upsurge in witchcraft-related crime and violence (Mavhungu, 2000; Hund, 2003; Petrus, 2006). Although the state had made an attempt to address the problem, such as the appointment of the Commission of Inquiry into Witchcraft Violence and Ritual Murders in the (former) Northern Province (the Ralushai Commission) in the 1990s, and the subsequent publishing of the Report of the Commission (Ralushai Report), that outlined certain recommendations to address the issue (Ralushai, 2003), very
little progress has been made (see Chapter Two). A possible reason for this lack of progress is given by Ashforth (2005) who states that ‘Witchcraft tends to surface in public discourse in South Africa only when reports of witch killings arise…’ ‘Witchcraft’ is then taken to be a “problem” insofar as it pertains to the killing of innocents- a “human rights abuse” in the current parlance.’ (Ashforth, 2005: 10-11).

This chapter argues that one of the problems hampering efforts to effectively deal with witchcraft-related crime is a lack of a clear conceptualisation of witchcraft-related crime. Difficulties in understanding this unique manifestation of crime are the result of a lack of understanding of witchcraft, in terms of both beliefs and practices. Though the terms “witchcraft” and “witchcraft-related crime” will refer to these phenomena within the South African context, this chapter examines different conceptualisations of witchcraft by tracing the history of European and American conceptualisations of witchcraft and comparing them with African conceptualisations. The chapter also provides a critical analysis of the legal conceptualisation of witchcraft as outlined in the South African Witchcraft Suppression Act (No. 3 of 1957). Finally, the chapter concludes with a suggestion for a workable conceptualisation of witchcraft-related crime, relevant for a law enforcement perspective. This suggested conceptualisation is based on the research carried out in Pondoland and thus reference is made to some of the research findings.

2. Early European and North American Conceptualisations of Witchcraft

There are numerous historical accounts of the role of witchcraft beliefs in the societies of Europe and North America (Parrinder, 1963; Trevor-Roper, 1970; Macfarlane, 1970; Sebald, 1978; Clark, 1997; Osei, 2003), from the Medieval period through the Renaissance to the eighteenth century. As Osei (2003) pointed out, ‘Although Africa has been singled out as the proverbial abode of witchcraft, it is interesting to note that witchcraft beliefs were prevalent in Europe and [North] America in the past centuries.’ (Osei, 2003: 6). Early European and North American conceptualisations of witchcraft often sought to define it within the context of Puritan Christianity with its associated fundamentalism and fanaticism. Within this conceptualisation, witchcraft was viewed as a ‘diabolical power’ (Parrinder, 1963: 11), invariably associated with Judaeo-Christian beliefs concerning good and evil.
Thus, to practise witchcraft was to enter into a pact with Satan in which he would bestow upon the practitioner supernatural powers in exchange for his/her soul. Witchcraft in Europe and North America thus became equated with Satanism as witches were often accused of engaging in activities that inverted the Christian moral order: ‘Christians accused witches of making pacts, bringing misfortune, engaging in illicit sex, eating the flesh of infants and observing “black Sabbaths”.’ (Osei, 2003: 6-7; see also Sebald, 1978 and Macfarlane, 1970). This view of witchcraft had various consequences, the most devastating of which was the creation of moral panics that culminated in the well-known and documented witch hunts and persecutions of the sixteenth, seventeenth and eighteenth centuries in both Europe and North America (Parrinder, 1963; Trevor-Roper, 1970; Osei, 2003). Although there were some, particularly scholars, who attempted to view the witchcraft phenomenon seriously and objectively, they drew heavy criticism from the clerical and political leaders of the day (Parrinder, 1963: 29).

With the dawning of the Renaissance and the Enlightenment, European ideas about witchcraft gradually started to change. Witchcraft came to be conceptualised as backward superstition, opposed to the emerging goals of modernisation, namely scientific rationality and progress. With the beginning of colonialism, the societies of Europe became exposed to the “other”, indigenous societies in the colonies where, most notably in Africa, beliefs in witchcraft still existed. Since Europe had relegated supernatural beliefs, such as those pertaining to witchcraft, as being the mark of irrationality and cultural backwardness, the societies of Africa were viewed as inferior and irrational in comparison to those of Europe (Petrus, 2006a). Nevertheless, exposure to the exotic “other” in Africa specifically, stimulated the first serious scholarly studies of witchcraft, especially in Anthropology, and hence the first scholarly conceptualisations of witchcraft.

3. Early Scholarly Conceptualisations of Witchcraft in Africa

The scholar who is regarded as the pioneer of scholarly conceptualisations of witchcraft in Africa was Evans-Pritchard, whose classic study of witchcraft among the Azande (1937) has become a work often referred to by serious scholars of witchcraft (Parrinder, 1963; Middleton and Winter, 1963; Marwick, 1970; Bond and Ciekawy,
Various efforts were made by early scholars to conceptualise witchcraft. In many cases, scholarly conceptualisations often contradicted each other, perhaps because these ethnographic conceptualisations tended to be based upon the unique beliefs of the societies within which they were found. In his classic study, Evans-Pritchard found that Azande conceptualisations of witchcraft fell into two categories, namely inherent witchcraft and sorcery. Although both formed part of witchcraft in general, the Azande distinguished clearly between them with reference to certain differences (see Chapter Three). Witchcraft that is inherent was regarded as emanating from inside the bowels of an individual as a ‘witchcraft substance’, that which gave the witch his/her power, and could be passed on from one generation to the next. This power was mainly psychic and involved the ‘eating of the soul’ of the victim (Evans-Pritchard, 1937; see also Parrinder, 1963: 133). Sorcery, on the other hand, was a more practical and more conscious act that involved the use of medicines or poisons, associated with the use of rites and spells: ‘Azande believe that some people are witches and can injure them in virtue of an inherent quality. A witch performs no rite, utters no spell, and possesses no medicines. An act of witchcraft is a psychic act. They [the Azande] believe also that sorcerers may do them ill by performing magic rites with bad medicines. Azande distinguish clearly between witches and sorcerers.’ (Evans-Pritchard, 1937: 21). In either case, the intent was to harm another either through the use of inherent witchcraft, or through sorcery to cause illness, misfortune or, in extreme cases, death (Evans-Pritchard, 1937).

A similar conceptualisation of witchcraft was found among the Barotse of the then Northern Rhodesia (now Zambia), as indicated by Reynolds (1963): ‘The term muloi [pl. baloi] is commonly translated by both African and European as “witch”. This is misleading, for the vernacular term includes both “witch” and “sorcerer”. Both are believed capable of harming others by magical means but, whereas the former has an inherent power for evil…the latter uses acquired powers, spells, rites or medicines…’ (Reynolds, 1963: 14). Also in the former Southern Rhodesia (now Zimbabwe), Crawford (1967) found a slightly different conceptualisation of witchcraft among the Shona. He stated that, generally, ‘Belief in witchcraft is an attempt by man to
rationalise and understand the malevolent forces of nature and the misfortunes of life.’ (Crawford, 1967: 73). Of the Shona specifically, he stated ‘At first sight this distinction between witchcraft and sorcery is not applicable to Shona belief…’ (Crawford, 1967: 73). The Shona conceptualise witches as being able to perform both psychic witchcraft as well as witchcraft with medicines. The Shona distinguish, however, between a “real” witch and a variety of other witches: ‘Only a “real” witch is capable of psychic acts…[and is defined as]…a person possessed by an evil ancestral spirit (mudzimu) or an evil spirit…derived from outside the family circle (shave spirit).’ (Crawford, 1967: 74). In Crawford’s view, the Shona conceptualisation of witchcraft contrasted with that of Middleton and Winter (1963) who argued that while witchcraft explains generalized misfortunes, sorcery is used to explain more specific misfortunes. For Crawford, ‘Shona regard witchcraft as causing both generalized and particular misfortunes…witchcraft and not sorcery is the most likely explanation a Shona would offer for a generalized misfortune or series of misfortunes. Whether a misfortune is generalized or particular depends on the standpoint of the observer.’ (Crawford, 1967: 75). The Ibo of Nigeria share a similar conceptualisation of witchcraft though interpreted slightly differently: ‘The Ibo…hold to belief in witchcraft with great tenacity. Witches consort with one another, flying as balls of fire or night-birds to their meetings…They infect other people with witchcraft by putting a special spiritual substance into food so that the person gets a craving for human flesh.’ (Meek, 1937; see also Parrinder, 1963: 134). This also suggests a conceptualisation of the Ibo witch as possessing both inherent qualities and abilities, as well as making use of medicines to commit evil. Staying in Nigeria, the Nupe conceptualisation of witchcraft is that it is not hereditary (cf. Evans-Pritchard, 1937), but ‘…must be acquired from someone who already has the power.’ (Nadel, 1954; see also Parrinder, 1963: 135).

In southern Africa, researchers of witchcraft also found various conceptualisations of the phenomenon among various groups. In former Bechuanaland, a distinction was drawn between ‘night-witches’ and ‘day-sorcerers’ (Schapera, 1937), a similar distinction to that found among the Azande by Evans-Pritchard (1937). The Basuto also conceptualised a distinction between witches and sorcerers, but for them, witches held specific terror due to the belief that they could capture the souls of the dead and turn them into ghosts (Ashton, 1952). The Lovedu of the Limpopo Province were
known to conceptualise witches and sorcerers by referring to them by the same term (*vuloi*) but attempted to qualify the term with specific words or phrases to indicate whether they were referring to night-witchcraft, which corresponded most closely with the psychic variety, and day-witchcraft, which corresponded with sorcery, that is the use of medicines with harmful intent. Night-witches inherited their abilities from their mothers while day-witches acquired knowledge of their witchcraft. Lovedu witches differed from the Azande conceptualisation in that Lovedu witches were not thought of as having any witchcraft-substance (Krige and Krige, 1943; cf. Evans-Pritchard, 1937).

In South Africa, the Xhosa-speaking peoples of the former Transkei in the Eastern Cape, who are the focus of this study, also conceptualised witchcraft as warranting a distinction between ‘witchcraft to indicate the illegal destruction of life and property by means of “familiars”…and sorcery to indicate the use of material (i.e. medicines), rites and spells for illegal ends.’ (Hunter, 1961: 275, 290; Pauw, 1975: 228). Various scholars who have done ethnographic studies on the Xhosa, for example, have found this distinction to be the case (Olivier, 1981; Pauw, 1994; Hammond-Tooke, 1962; Hirst, 2005). Hunter (1961), who also conducted ethnographic studies among the amaMpondolo in Mpondoland in the Eastern Cape, found that while there was a technical distinction between witchcraft and sorcery, in practice people regarded both as one and the same, a view that endures into the contemporary context of the people of Mpondoland (see Chapter Three).

4. Modern Scholarly Conceptualisations of Witchcraft in Africa

In the postcolonial context of Africa, scholarly studies of witchcraft have shifted from the ethnographic/descriptive accounts of witchcraft beliefs, typical of the colonial period, to analyses of the more dynamic and adaptive nature of witchcraft beliefs and practices within the lived experiences of societies struggling to adapt to modernisation and globalisation. Modern scholars have attempted to use postcolonial conceptualisations of African witchcraft to critique earlier, ethnographic studies of witchcraft (Bongmba, 2001: 39), arguing that scholarship of the colonial era contributed to the stereotyped view of Africans as backward and barbaric (Bond and Ciekawy, 2001; Hallen, 2001). As a result of the stereotyped colonial view of witchcraft, ‘In this post-European colonial era, “witchcraft” and “sorcery” have
become emotive and provocative terms, shunned by many Africanist scholars.’ (Bond and Ciekawy, 2001: 1). Many African scholars have conceptualised witchcraft as evoking ‘…the period of colonial domination, their subjugation, and that of their beliefs and practices…[viewing it]…as fitting into the repertory of negative images of Africans…’ (Bond and Ciekawy, 2001: 2). Ashforth (2005) agrees with this statement: ‘In the present colonial era, to suggest that matters spoken of as witchcraft are still relevant in African life risks exciting the prejudice…that people who believe in witches are irrational and “backward”’…’ (Ashforth, 2005: 112-113). Modern scholars argue for a reframing and reconceptualising of witchcraft as a critique of the limitations of classical theories of witchcraft, such as functionalism. In this new conceptualisation it must be recognised that ‘Witchcraft is more than a mere social construction; it is about power and inequality, individual and collective interests, the parameters of belief and action, the conditions of knowing, and the criteria of knowledge.’ (Bond and Ciekawy, 2001: 25). If this interpretation is followed, it will be recognised that witchcraft is still an integral part of the social process of many African communities, that it has not disappeared but has manifested itself in new forms as a tool used by postcolonial African communities to adapt to the rapid social, political and economic changes brought on by modernisation. Ashforth (2005) has stated that postcolonial scholars argue that ‘…witchcraft should be interpreted metaphorically as an idiom through which other matters of pressing social reality are expressed, particularly those relating to the marginalizing of Africa in the era of globalization.’ (Ashforth, 2005: 116-117). In his own critique of this “modernity of witchcraft school” (Comaroff and Comaroff, 1993; Geschiere, 1997; Moore and Sanders, 2001), Ashforth (2005) argues that their focus on the concept of “modernity” makes their position somewhat ambiguous, since, on the one hand, they critique the fallacy of distinguishing between tradition and modernity, yet, on the other hand, they argue that African societies can progress following different paths to arrive at multiple “modernities”. (Ashforth, 2005: 117).

Modern interpretations of African witchcraft beliefs have resulted in new definitions and conceptualisations of witchcraft that are believed to suit the postcolonial conditions of various communities. Hallen (2001) questions the seemingly universal Western conceptualisation of witchcraft as being a superstition everywhere. With reference to the Nigerian Yoruba concept of *aje*, translated in English as “witch”, with
its association with superstition, Hallen argues that the use of the English word “witch” as a translation of *aje* creates distortions of the *aje* as a personality type, and is informed by misguided stereotypes of *aje*, that is, that they are always supernaturally evil, always immoral and always women, thereby being identified with ‘Halloweenish trappings of Western witchcraft (pacts with the Devil, flying off at night to meet with their coven, etc.)’ (Hallen, 2001: 85). For Hallen, Yoruba conceptualisations of the *aje* can refer to any person with a superior intellect and can include those members of the society who possess knowledge above and beyond that of ordinary people, for example herbalists and diviners. To simply label these persons as witches can lead to an inaccurate conceptualisation of *aje*. Among the Yaka of Congo, Devisch (2001) found another conceptualisation of witchcraft which the Yaka call “sorcery”. There is no concept of “witchcraft” among the Yaka, only sorcery, although they do distinguish between various forms of sorcery such as life-seeking sorcery, predatory sorcery, the use of defensive fetishes and power objects and sorcerous discourse as a way of comprehending the impact of global forces on the state (Devisch, 2001: 101-102). Among the Yombe of Northern Zambia, Bond (2001) has found a conceptualisation of witchcraft that focuses on the ambivalence of witchcraft. For the Yombe, witchcraft is neither past nor present, it does not follow the academic dichotomy of tradition and modernity and it tends to preserve that which it seeks to destroy. This suggests for Bond that witches as ideational constructs of the individual, are well-suited to modernity, democratisation and the capitalist transformations initiated by Zambia’s policies of privatisation (Bond, 2001: 155), since their ambivalent nature allows them the ability to exist in between the traditional and the modern.

In postcolonial South Africa, the study of witchcraft is relatively under-developed and thus little information exists on conceptualisations of witchcraft in contemporary South Africa. Niehaus (2001) notes that in early anthropological studies, witchcraft became established as a ‘staple topic in anthropology’ (Niehaus, 2001: 1) throughout Africa. In South Africa, however, the anthropological study of witchcraft was sidelined in favour of ‘…the analysis of politics, economics and the predicaments engendered by apartheid…Witchcraft was deemed to be a component of religion, somehow removed from these concerns and unworthy of serious scholarly investigation.’ (Niehaus, 2001: 1-2). As a result, Niehaus states that ‘Anthropologists
have remained remarkably silent about witchcraft in contemporary South Africa.’ (Niehaus, 2001: 1). This notion is echoed by Osei (2003) who states that ‘...while very little work has been done in South Africa on the subject, there is a substantial body of work on witchcraft in East and West Africa.’ (Osei, 2003: 36). With the exception of a few scholars, some focusing on political conceptualisations of witchcraft as a discourse of power (Ashforth, 2000; Niehaus, 1997; Mavhungu, 2000; Comaroff and Comaroff, 2004) and another focusing on a conceptualisation of witchcraft in its relation to health and healing (Osei, 2003), little information exists on postcolonial conceptualisations of witchcraft in South Africa. It is for this reason that, like the study of witchcraft, the study of postcolonial conceptualisations of witchcraft-related crime, is still a new field of study (Petrus, 2007; Hund, 2003).

5. **A Brief Comparison of European and American, and African Witchcraft Beliefs and Practices**

Thus far it has been shown that witchcraft beliefs and practices were not unique to the societies of Africa but that they were also found in early European and colonial American societies. It is necessary to briefly compare European-American and African conceptualisations of witchcraft to determine whether there are any similarities or differences in conceptualisation. This may assist efforts to understand contemporary conceptualisations of witchcraft on both sides.

In the analysis of witchcraft conceptualisations of early Europe and North America, as well as those of Africa, outlined in preceding sections of this chapter, a comparative analysis has already been outlined. It must, however, be pointed out that one key similarity between the societies of Europe and North America and those of Africa is that, even in the modern, post-twentieth century context, beliefs in witchcraft still exist. Despite the European and American effort to sideline witchcraft beliefs as irrational, culturally backward and opposed to the ideals of modernisation and progress, these beliefs still exist. In the European and American contexts, witchcraft beliefs have manifested themselves in a new form, namely as one example of a range of non-mainstream pagan religions collectively referred to as New Age Religion. This New Age witchcraft is known as Wicca, which was the original Anglo-Saxon spelling of the modern English word “witch” (Adler, 1979: 1). One of the major goals of this religion is to remove what practitioners of the religion regard as the same
stereotypical, negative association of Wiccans (practising witches) with Satanism that was done in sixteenth and seventeenth century Europe and America: ‘Wiccans state that they are not Satan worshippers and try to disavow themselves from Satanism, at least not deliberately practising Satanic worship.’ (Osei, 2003: 9). The major focus of Wicca is to re-create the mostly European pagan form of Nature Worship that was a feature of pre-Christian religious beliefs in Europe, and to adapt these beliefs to suit the contemporary, modern context (Osei, 2003: 9; cf. Kohnert, 2002: 176). Wicca is thus not a religion representative of the beliefs of the majority of European and American society but appeals to only a minority section of these societies.

There are very important differences between the modern Western version of witchcraft (Wicca) and the African version. While Wicca is a belief held only by a minority group in Europe and North America, in Africa, witchcraft beliefs form part of the cosmological and religious beliefs of entire communities, societies and ethnic groups (Evans-Pritchard, 1937; Parrinder, 1963; Middleton and Winter, 1963; Crawford, 1967; Marwick, 1970; Pauw, 1975; Niehaus, 1997; Ashforth, 2000; Bond and Ciekawy, 2001; Osei, 2003). In these African communities, witchcraft is an inescapable reality and individuals and families take conscious steps to avoid becoming the targets of witchcraft. Witchcraft is not regarded as a fringe-religion or superstition, but is a real threat and a cause of inexplicable misfortune, illness or death. As was the case in sixteenth-century Europe (Macfarlane, 1970; Sebald, 1978), African societies believe that witches and sorcerers harm others through the use of evil or “black” magic, which exists either in the form of familiars, that is, animals or spirits that the witch can control and “send” to a victim to cause harm (psychic witchcraft), or in the form of medicines (sorcery) which can be used to poison food or drinks (Osei, 2003: 9-10). As Bannerman-Richter (1982) argues, the common thread linking the witchcraft of pre-Industrial Europe and that of modern Africa is the belief that witches can transcend their bodies through astral projection that allows them to perform conscious activities.

It was not until the arrival of Christianity in Africa that the belief in witchcraft became contextualised within a Judaeo-Christian dichotomy of good and evil. With the rise of the African Independent Churches (AICs) in Africa, witches became associated with Satan in a similar way to the witches of Europe and America. The
difference is that while the mainstream European churches in Africa attempted to eliminate witchcraft beliefs as superstition, the AICs encouraged these beliefs by adapting them to the Christian context and by providing Christian methods of dealing with the supernatural forces of evil represented by witchcraft (Ashforth, 2000; Osei, 2003). The mainstream missionary churches followed an approach that was influenced by the colonial European view of African witchcraft as the mark of pagan, uncivilised, backward “natives”. As such, this view of African witchcraft was echoed in colonial legislation in many African colonies, and in some cases, such as South Africa, this kind of legislation has contributed to witchcraft-related crime.


During the colonial period in Africa, various problems were created for indigenous communities due to the attempts of the colonial rulers to impose European conceptualisations of witchcraft beliefs and practices on these communities. In various colonies throughout Africa, these attempts culminated in the creation of colonial legislation that suppressed and outlawed beliefs and practices that the colonial lawmakers deemed as witchcraft. As pointed out earlier in this chapter, during the Enlightenment, European ideas concerning the supernatural in general, and belief in witchcraft specifically, started to change. The advent of modernisation, science and rationality created an intellectual culture that attached negative stereotypes to beliefs in witchcraft. As Reynolds (1963) pointed out, ‘By Europeans, witchcraft is generally regarded as mere superstition…[and]…is not respectable.’ (Reynolds, 1963: xi). The movement away from such ideas was viewed favourably as a mark of progress and any societies where these beliefs were still held were judged as irrational and culturally inferior (Petrus, 2006a). As a result, when the colonists were confronted with communities where witchcraft was believed in as a reality, and when they witnessed the steps that people in these communities were willing to take to protect themselves from this supernatural threat, the colonial authorities took it upon themselves to suppress these beliefs and practices (Holland, 2001). The colonists created various laws whose main purpose was to suppress beliefs and practices associated with witchcraft. For the colonists, if the indigenous communities were going to develop in the mould of Europe, they had to be discouraged from
holding these “irrational” beliefs. Colonial legislation outlawing beliefs and practices linked to witchcraft were thus inspired by Eurocentric values and conceptualisations of rationality and witchcraft.

The witchcraft legislation of South Africa and that of the former Northern Rhodesia show marked similarities in European conceptualisations of witchcraft and witchcraft-related crime. In Section 1 of the South African Witchcraft Suppression Act (No. 3 of 1957) it is stipulated that ‘Any person who…professes a knowledge of witchcraft, or the use of charms…shall be guilty of an offence and liable on conviction…where the accused has been proved to be by habit or repute a witchdoctor or witch-finder…’ (Statutes of the Republic of South Africa: 601). This clause is similar to that found in the Northern Rhodesian Witchcraft Ordinance (No. 31 of 1952) which stipulates ‘Whoever shall be proved to be by habit or profession a witch doctor or witch finder shall be liable upon conviction to a fine…’ (Reynolds, 1963: 166). In both cases, there is no distinction in conceptualisation between practitioners of “good or white magic”, such as diviners and herbalists, and those thought to practise “bad or black magic” such as witches and sorcerers (Mavhungu, 2000: 128). For the colonial lawmakers, all those who professed knowledge of the supernatural were grouped together as practitioners of witchcraft. This is particularly well illustrated by the Witchcraft Ordinance (No. 31 of 1952) of Northern Rhodesia, which defined witchcraft as ‘…the throwing of bones, the use of charms and any other means, process or device adopted in the practice of witchcraft or sorcery…’ (Reynolds, 1963: 166). The throwing of bones is an activity associated with divination, not witchcraft, but this distinction was ignored in this definition of witchcraft. In addition, both forms of witchcraft legislation also outlaw the practice of consulting diviners and herbalists. In Section 1 of the Witchcraft Suppression Act (No. 3 of 1957) it is stipulated that ‘Any person who employs or solicits any witchdoctor, witch-finder or any other person to name or indicate any person as a wizard…shall be guilty of an offence…’ (Statutes of the Republic of South Africa: 601). Similarly, the Witchcraft Ordinance (No. 31 of 1952) of Northern Rhodesia, states ‘Whoever employs or solicits any person to name or indicate any person as being a wizard or witch…[or]…to advise him on any matter…by means of witchcraft or non-natural means shall be [held] liable…’ (Reynolds, 1963: 167). These clauses made it a criminal offence for African people to seek conventional methods of dealing with or
explaining misfortune. This brief comparison of the witchcraft laws of South Africa and Northern Rhodesia was meant to illustrate the similarities in European conceptualisations of witchcraft and witchcraft-related crime.

A critical analysis of the South African Witchcraft Suppression Act (No. 3 of 1957) shows that the Act contributed to the rise in witchcraft-related crime in the country. As has already been shown, the Act criminalised diviners and herbalists, as well as the practice of consulting them. Consequently, African people were denied the right to use conventional African means of dealing with the effects of witchcraft (Hund, 2003). The Act also uses the term “witchdoctor” which is misleading (Minnaar, 2003). Diviners and herbalists did not only advise and treat patients afflicted by witchcraft but also treated them for other causes of illness or misfortune and provided them with protection from witchcraft or sorcery. The Witchcraft Suppression Act (No. 3 of 1957) failed to conceptualise the positive role of diviners and herbalists, not only as protectors of their communities, but also as the mediators between the world of the spirits and ancestors and the world of humans. Since Africans were denied the right to follow “traditional” methods of sanctioning witches and sorcerers, they interpreted the Act as protecting witches and sorcerers. They also regarded the Act as being applied inconsistently as it seemed to favour the suspected witches but not the witch-hunters, who were not seen as criminals by their communities but as heroes (Harnischfeger, 2003).

Some scholars have also criticised the Witchcraft Suppression Act (No. 3 of 1957) for failing to recognise the ontological status of witchcraft in the African world-view (Mavhungu, 2000; Kohnert, 2002; Harnischfeger, 2003; Minnaar, 2003; Niehaus, 2003). The Act frequently uses the word “pretends” when referring to practices associated with control of supernatural forces (Statutes of the Republic of South Africa: 601). This suggests that the Act does not recognise the African conceptualisation of witchcraft as a reality, but is founded on the European colonial view of witchcraft as an irrational superstition. As a result of the predominantly European colonial conceptualisation of witchcraft illustrated in the Witchcraft Suppression Act (No. 3 of 1957) some scholars, such as Hund (2003), have argued that the increase in witchcraft-related violence is directly due to the Act. Since the Act prohibited people from consulting diviners and also barred them from having
witchcraft cases tried in customary courts, many African people set up their own informal or “kangaroo courts” (Mavhungu, 2000) to deal with witchcraft cases. In most cases, the result is people’s justice which culminates in the execution of alleged witches.

One important factor that could have contributed to the conceptualisation problems inherent in the Witchcraft Suppression Act (No. 3 of 1957) is the perceived ambivalence of witchcraft powers. While the isangoma (diviner) and ixhwele (herbalist) are regarded in their communities as the antithesis to the witch and sorcerer, it is also recognised that diviners and herbalists can control the same occult powers and knowledge used by the witch and sorcerer. The popular perception among the Xhosa-speaking peoples is that if a person has knowledge of occult powers then such a person may well be part of it. After all, diviners and herbalists can only combat the effects of witchcraft and sorcery if they themselves have an extensive knowledge of witchcraft and sorcery practices. This view became particularly apparent during the researcher’s fieldwork among the Xhosa-speaking inhabitants of Mpondoland. The majority of community informants indicated that traditional healers were consulted in cases of suspected witchcraft. If the diviner or the herbalist diagnosed witchcraft as the cause of an illness or death, then this diagnosis was taken seriously by the client. Many informants stated that from a young age they were given protective medicines (amakhubalo) from traditional healers, particularly the herbalist, to combat the effects of witchcraft. However, most informants also stated that traditional healers, particularly the herbalist, may be involved in practising witchcraft (see Chapter Three, p. 78). This makes the abilities of the diviner and herbalist highly ambivalent which not only confused the colonial lawmakers but can also confuse the people in the communities (Hund, 2003; Harnischfeger, 2003; Mavhungu, 2000). Consequently, it is possible, therefore, that the practitioners of good magic, the diviner and the herbalist, could also be labelled as a witch or sorcerer, if they use their knowledge and powers for evil. The distinction is governed by the intent of the practitioner, whether to help or heal, or whether to harm or kill.

A further conceptual problem also arises in the following scenario. In some cases, a client who considers himself/herself to be the victim of someone else’s witchcraft may ask a diviner or herbalist to perform protective magic to counter the witch’s
power. If the alleged witch falls ill or dies as a result, it is possible that the witch’s kin may accuse the diviner or herbalist, as well as the client, of witchcraft. The result is the possibility of retaliation by the alleged witch’s kin who may consult their own diviner or herbalist to counter the “witchcraft” of the original client. This was a usual occurrence amongst the Shona of the then Southern Rhodesia (Crawford, 1967). Even among the Xhosa-speaking peoples of Mpondoland, retaliatory violence linked to witchcraft accusations and killings was a common occurrence in the mid-1990s. According to an informant from the Port St Johns area, especially during the 1990s, communities in places such as Tsolo were ravaged by factional violence that was the result of not only accusations of stock theft, but particularly also accusations and counter-accusations of witchcraft (cf. Kohnert, 2001). In cases such as these it becomes very difficult to conceptualise or define “witchcraft” and to determine who exactly the “witch” is. It is possibly as a result of these ambiguities that European colonial legislation tended to generalise concerning issues related to witchcraft. However, as has been shown, generalising caused more problems than solutions.

In March 2007, police from Nelspruit, in the South African province of Mpumalanga, were faced with the problem of defining who the “criminal” was in a witchcraft-related case. In the report, a sixty-year-old woman was accused of bewitching a teenager who had committed suicide. Police arrested two women and charged them under the Witchcraft Suppression Act (No. 3 of 1957) for accusing the old woman of being a witch. However, the police had their investigation complicated when the old woman admitted to bewitching the teenager. The response of one of the investigating officers sums up the frustration that police have to deal with when becoming involved in cases such as this: ‘…[W]e arrest[ed] two women for making unfounded accusations. Then it turns out that the arrested women were not wrong, after all. How are we going to prosecute the 60-year-old woman? What do we charge her with? The police are bound to protect the 60-year-old woman. We cannot allow anybody to take the law into their own hands.’ (News 24.com, 22 March 2007).

In the Eastern Cape, a similar situation occurred in the Port St Johns area, in a village called Magcikini where an elderly woman was killed in July 2008, allegedly because she had confessed to practising witchcraft (see Chapter Three, Case 2, pp. 100-103). According to informants in the area, the woman had been confessing since 2001 that
she was responsible for causing the deaths of several young people in the village. All of these claims were publicly made by the woman herself, claims which quite possibly led to her death. As was the case in the Mpumalanga example, those responsible for killing the alleged witch would have regarded her as being the real “criminal” in this case as she had confessed to killing several people, some of whom could have been relatives of the killer(s). The police, however, were investigating a case of murder where the deceased woman was regarded as the victim and not the culprit. This example shows that the same complication that law enforcement officers face in other parts of South Africa where witchcraft is an issue is also a complication for police officers in the Eastern Cape.

Since the Witchcraft Suppression Act (No. 3 of 1957) was part of the legislation of the apartheid state, during the transitional period of the mid-1990s, the increase in witchcraft-related violence suggested a way for African communities to contest the colonial, and for that matter, the apartheid conceptualisation of witchcraft. The increase in witch killings during this period was an attempt to re-establish the conceptualisation of witchcraft as an important marker of African identity (Harnischfeger, 2003; Niehaus, 2003). Since this period, even after the African National Congress (ANC) government came to power, violence against alleged witches has not abated. It is for this reason that a conceptualisation of witchcraft-related crime is necessary.

In recognition of the need for new witchcraft legislation, in 2007 the Mpumalanga provincial government proposed the Mpumalanga Witchcraft Suppression Bill in an effort to curb witchcraft-related violence in the province. In terms of the proposed legislation, prosecutors would be able to impose fines of up to R5000 or prison terms of up to five years for persons found guilty of committing witchcraft-related violence (News24.com, 7 May 2007). However, the problem of conceptualising witchcraft-related crime still remains. The South African Pagan Rights Alliance (Sapra) expressed its dissatisfaction with the Bill, criticising it as discriminatory in that it ‘…criminalises men and women who practise witchcraft or who claim to be witches.’ (News24.com, 20 July 2007). In a letter to The Herald (1 August 2007), Sapra chairperson Damon Leff stated that ‘The [Mpumalanga Witchcraft] Bill seeks to suppress witchcraft and will imprison self-defined witches on the assumption of
automatic inference of criminality.’ In this context, the witchcraft referred to by Leff is Wicca, the so-called white witchcraft. In a response to Leff, also in a letter to *The Herald* (14 August 2007), T.S. Petrus stated that the views of Sapra illustrated that ‘…the term “witchcraft” means different things to different people.’ In addition, Petrus stated that ‘Differences in the perception of witchcraft are largely based on differences in context. In the context of Wicca, witchcraft is viewed as something positive as witches are practitioners of “white” or good magic…In the African context, witchcraft is viewed negatively as witches are seen as practitioners of “black” or evil magic…’ (*The Herald Online*, 14 August 2007). In view of these understandings of what constitutes witchcraft, the essential problem remains how to define witchcraft-related crime.

### 7. Defining Witchcraft-related Crime

Given the many and varied conceptualisations of witchcraft that have been indicated earlier in the chapter, the emergence of criminal acts associated with witchcraft beliefs and practices adds to the difficulties in conceptualising witchcraft. The problem of defining witchcraft as a crime was one alluded to by various informants of the SAPS during interviews in Mpondoland. These informants argued that the SAPS could only charge someone who had accused another person of practising witchcraft. They referred to this charge as ‘imputing witchcraft’, which, under the Witchcraft Suppression Act (No. 3 of 1957) stipulated that it is an offence to call someone a witch. However, when people came to the police to complain that they are being bewitched, the SAPS informants stated that they could do nothing about such cases since they do not investigate witchcraft *per se* but only criminal acts as defined by the law (see Chapter Seven). Consequently, it was mostly those who accused others of witchcraft who were arrested and prosecuted, and, in extreme cases, those who resorted to assaulting or killing people on suspicion of practising witchcraft. In addition, the SAPS informants stated that there was no specific classification of crimes as “witchcraft-related” in their criminal code list. Thus, assaults or murders that were witchcraft-related were classified as “assault” or “murder” with witchcraft only mentioned (if at all) as a motive of the crimes. Most of the informants from the villages also stated that the police did not deal with witchcraft-related cases effectively because, as they saw it, the police did not believe in witchcraft and therefore, by arresting the accusers, were, in fact, protecting witches. This view is the
result of a perception by people in the villages that witchcraft, in itself, is a crime but is not recognised as such by the police and, for that matter, the government of South Africa. Some informants even complained about their traditional leaders who fine people who accuse others of witchcraft and may even take them to the police to be charged because they had no proof, as defined in Western legal terms, that the person accused was a witch. This was also cited by some informants as a reason why people took the law into their own hands (see Chapter Three).

The combination of witchcraft beliefs and practices with criminal acts has created the phenomenon of what can generally be called “witchcraft-related crime”. Crimes that can be labelled as witchcraft-related could possibly involve only two kinds of activities: witch assaults or killings (which include accusations of witchcraft) and muti (medicine) murders. But there is a third activity, namely the act of bewitching another person. At present, this third witchcraft-related crime is not recognised by the police or the state since witchcraft cannot be proven in a court of law.

However, referring to muti murders as “witchcraft-related” may appear to be misleading since muti murders may be more closely associated with sorcery than with witchcraft. Muti murders involve the killing of persons for the purpose of harvesting body parts to make magic potions for various purposes (Minnaar, 2003; Petrus, 2007), and therefore, as indicated earlier, it involves sorcery practices. There was a discrepancy among informants in Mpondoland as to whether muti murder should be considered as witchcraft. Some informants felt that it was not the same as witchcraft because an individual needed the muti made from human parts for his/her own purpose, which, in most cases, was to become wealthy. Other informants felt that muti murder should be considered as witchcraft as it involved the killing of another human being to make muti that could be used against another person (see Chapter Three). The researcher tended to agree with the latter group of informants because, since muti murder involves harming or killing another person, not only is the intention of the act evil, but it is also linked to supernatural beliefs, and it could therefore be categorised generally as witchcraft, which is defined by its evil intent. In addition, almost all of the informants were of the opinion that there was no distinction between a witch and a sorcerer. The perpetrators of a muti murder may, however, not regard themselves as having committed a crime since the muti they may use may serve the
purpose, as they believe, of bringing good fortune (Scobie, 1965; Holland, 2001; Petrus, 2007). Thus, the victim does not die in vain but its life-force, encapsulated in the muti, will serve a positive purpose. What can further justify the act of muti murder is the possibility that perpetrators may be acting under the instruction of a professional sorcerer, one who either supervises the act of killing, or gives advice on how it should be done (Minnaar, 2003). This person may well be a diviner or herbalist who has the trust of his clients, as was pointed out by informants in Mpondoland (see Chapter Three).

A further problem in the conceptualisation of muti murder is that it has also acquired various synonyms that can hamper efforts to conceptualise it as a crime. Some, as indicated by Minnaar (2003), may refer to muti murder as “ritual murder” (Mihalik and Cassim, 1992; Ralushai et al, 1996). This is inaccurate since the killing of the victim and the extraction of its body parts are not ritualised (Minnaar, 2003; see also Chapter Two). The ritual involved in using the muti may occur only some time after the murder itself has occurred. Another term used to refer to muti murder is “occult-related crime”, a term frequently used by the South African Police Service (SAPS). The SAPS Objectives of the Investigation and Prevention of Occult-Related Crime by the General Detectives defines occult-related crime as “…any human conduct that constitutes any legally recognized crime, the modus operandi of which relates to or emanates primarily from any belief…in the occult, witchcraft, Satanism, mysticism, magic, esotericism and the like. Included in the scope of occult-related crime are ritual muti/medicine murders, witch purging…” (http://www.saps.gov.za/youth_desk/occult/occult.htm). However, in the same Objectives, the main type of crime dealt with is Satanism-related crime, as it focuses on factors such as behavioural changes within a child involved in Satanism and satanic memorabilia that parents should look out for in their children’s possession that could indicate satanic involvement. While the definition mentions muti murder and witch purging, Satanist crime is the predominant focus. This could also be misleading as it suggests that muti murder and witch purging are Satanism-related (Petrus, 2008).

The perhaps mistaken association of muti murder with Satanist crime could possibly be due to the similarities in the modus operandi of both crimes. In both so-called muti murder and satanic “ritualistic murder” (Garrett, 2004; Perlmutter, 2004), there is
clear evidence of victim mutilation, which mainly includes the removal of certain key organs from the victim’s body (Minnaar, 2003; cf. Perlmutter, 2004). The bodily organs that are removed seem to be the same in both cases. The murderers usually share a preference for the victim’s head, tongue, heart and genitalia. In most cases, this is where the similarities end. The differences between these two types of crimes are more important than the similarities and show a clear distinction. In satanic murder there is usually clear evidence of ritual activity, suggested by the crime scene context that may have various indicators that a ritual was performed. These indicators may be satanic symbols or markers denoting the existence of a ritual space within which to conduct the ritual. The ritual itself may take place in the form of a sacrifice where the victim is murdered sacrificially as an offering to Satan (Garrett, 2004; Perlmutter, 2004), suggested by the existence of an altar of some kind, Holy Communion wafers and a chalice thought to be used in a parody of the Catholic Mass which satanists refer to as the Black Mass, or the mutilated corpses of animals. These murders do have a highly ritualised nature where the act of killing is itself part of the ritual act. Muti murder is markedly different in that there is usually no evidence of ritual activity. There are no symbols at the murder scene nor are there any other indicators to suggest that a ritual has taken place. All that investigators are likely to find is the corpse of the victim with its organs removed. In muti murder, unlike in Satanist murder, organs are removed while the victim is still alive because of the belief that the muti produced from those organs will be more potent if they are taken from a live victim. Also, muti murders are invariably associated with an African context, while Satanist murder is predominantly found in white European contexts (Faure, 2003). These differences suggest that the interchangeable use of synonyms to refer to crimes of this nature can cause confusion and therefore a clear conceptualisation is necessary.

Based upon the research carried out in Mpondoland in the Eastern Cape, it is proposed that the term “witchcraft-related crime” be used to refer to three types of activity, namely witch killing (including accusations and assaults), muti murder and the act of bewitching others. However, while this term can be used as a general term, a distinction should be drawn between witchcraft accusations, assaults, killings and muti murder, as reactions to witchcraft on the one hand, and harming through witchcraft or bewitching on the other. For these activities to be conceptualised as
crimes, there must be evidence of evil intent. The former category of witchcraft-related crime may perhaps be easier to deal with in this regard. As shown earlier, there is clear evidence in muti murder, for example, of evil or harmful intention. The same can be said for accusing someone of witchcraft without proof or murdering a person on suspicion of witchcraft. Murder is a crime and therefore no exception can be made for killing a person, irrespective of religious belief or motive (Minnaar, 2003). In the case of witch killings, assaults and muti murders, investigators have physical evidence at their disposal. Successful investigations of these crimes, however, depend on various factors that could either hamper or assist investigations.

The primary form of evidence in witch killings and muti murders, the body of the victim, can only be helpful to forensic experts if little time has elapsed between the murder and the discovery of the body. Decomposition of the corpse is the major problem that forensic experts may have to deal with, as this could impact on the interpretation of the circumstances surrounding the death of the victim. This, however, is a difficult problem for investigators to deal with because victims of muti murder, for example, are usually missing persons whose remains may only be found after a substantial period of time has elapsed. The main reason for this, as informants in Mpondoland pointed out, is that muti murders are often carried out in secret (see Chapter Three). Furthermore, if muti murder and witch killings are used as a form of what can be called “religious terrorism”, as was done in the former homeland of Venda in the 1980s and 1990s as part of the political rebellion against apartheid (Mihalik and Cassim, 1992), then members of communities may be terrorised into withholding knowledge of such murders which can also hamper investigations (see Chapter Five for a discussion on witchcraft-related crime as religious terrorism).

Harming others through witchcraft is a more difficult crime to deal with in certain aspects. This type of witchcraft-related crime may refer specifically to the belief that certain persons have the ability to cause illness or death to others through witchcraft, and may be linked to witchcraft accusations and witch killings. In this form of crime, a suspected witch is executed because of his/her perceived use of psychic witchcraft, which involves the use of an agent or familiar, as well as spirits and natural phenomena such as lightning, and medicines to cause illness or death. One problem in this case is the difference in the conceptualisation of evidence between the believers, usually the executioners, who are also members of the village or
community, and the law enforcement officers. Unlike in *muti* murder, harming someone through witchcraft is more difficult to prove by empirical means (Holland, 2001: 49). Since the witch operates with psychic phenomena, physical evidence is lacking. In most cases, people refer to circumstantial evidence to accuse a specific individual of witchcraft. Usually, this circumstantial evidence involves perceived expressions of jealousy or anger on the part of one individual towards another, as was pointed out by informants in Mpondoland (see Chapter Three; cf. Hunter, 1961: 308). If an inexplicable misfortune or death befalls the recipient of such ill feeling, then the expressor of the hostility may well be targeted as a witch. In addition, the sudden death of a person, particularly a young person or a child, in a strange or inexplicable manner also raises suspicions of witchcraft. It is difficult for law enforcement officers, trained in Western methods of law enforcement and justice, to accept psychic witchcraft as a reality, simply because of the difficulties inherent in proving that someone does actually possess such powers. For this reason, mob justice occurs as community members recognise the inability of state law enforcement methods and structures to understand the ontological status of witchcraft (Mavhungu, 2000; Hund, 2003; Petrus, 2007). In many cases of such mob justice, the police may even be seen as part of the enemy and may thus also be attacked. This point was alluded to earlier. In a case such as this it is difficult to define who the criminal is. The police view the executioners as the criminals and the alleged witch as the victim, while the community may view the executioners as heroes and the witch as the criminal. The problem is in two contrasting conceptualisations of witchcraft: one argues for the existence of witches, the other argues against it. According to Mavhungu (2000), this dichotomy is particularly a problem in South Africa: ‘In South Africa, this difference of opinion extends to the present system of justice in the courts. Traditional courts agree that witches do exist, whilst formal courts say witches do not exist. African communities realize the inadequacy of state courts to deal with witchcraft cases and set up their own kangaroo (informal) courts to sentence witches.’ (Mavhungu, 2000: 118).

In Mpondoland, many informants from the communities expressed their dissatisfaction in the way the courts dealt with witchcraft cases. One example from a village in Flagstaff illustrated this point. Informants indicated that in 1996 there was a case where two women had confessed to having knowledge of how to bewitch
others. Instead of dealing with them violently, the community took them to the police station and laid a charge. When the case was addressed in the local Magistrate’s Court, it was stated that ‘there could be no case of witchcraft, but only the claim of how to bewitch’. However, the women were not sentenced by the court, but upon their release, they refused to return to the village as they had been threatened with death by community members. According to the informants, ‘most of the community members were not happy with the outcome of the case because both women were not sentenced despite having admitted to what they had done before the magistrate and the community’.

A further complication involved in the difficulty of proving that someone can be harmed through witchcraft may occur when the alleged witch confesses to intentionally harming a victim through witchcraft. In the same case of the HIV/AIDS witch of Magekini Village referred to earlier (see Chapter Three, Case 2, pp. 100-103), not only did the suspected woman claim to have infected the victims, but she also accurately predicted for how long they would live after becoming infected. There was no physical evidence that the woman could have used witchcraft to infect the victims with HIV, but she confessed to the crime of her own volition. Informants in the village mentioned that she was not forced or threatened into confessing, and none of them could explain why the woman suddenly decided to confess. In communities such as this where the belief in witchcraft is widespread and accepted as a reality, a confession may be enough evidence to convince people that the confessor was, indeed, involved in witchcraft. In her analysis of witchcraft among the amaMpondo, Hunter (1961) found that the confession of someone accused of witchcraft constituted valid grounds for belief in witchcraft: ‘Those who have themselves practised sorcery, or who know admissions of sorcery to be true, are therefore liable to believe that witchcraft is also practised. Witchcraft with familiars cannot occur, yet there are occasional confessions of practising of witchcraft’ (Hunter, 1961: 309). From the perspective of law enforcement, however, this kind of evidence would not be as easily accepted as proof of the guilt of the confessor, mainly because law enforcement officers and the courts do not believe in the reality of witchcraft, and therefore assume that it cannot be proven. All of the SAPS informants interviewed during this study stated explicitly that the police do not investigate witchcraft but investigate crime. A crime can be proven as there is evidence that can be used to
support an arrest and conviction if a person is guilty of committing a crime. With witchcraft, however, there is no evidence that can be used to prove that someone is a witch.

8. Conclusion

This chapter has illustrated the importance of a clear conceptualisation of witchcraft in order to conceptualise witchcraft-related crime. Early European and American witchcraft beliefs were explored and compared with African witchcraft beliefs. In the comparison, it was found that while there are certain similarities between European and American witchcraft beliefs and practices and those of Africa, there are also some important differences. One of the major differences is that contemporary European and American witchcraft beliefs are held by small segments of the population, and are part of the New Age movement. In Africa, witchcraft beliefs and practices are shared by entire communities or ethnic groups and form an integral part of the cosmological and religious organisations of such groups.

With the Enlightenment and the rise of scientific thinking in Europe, negative stereotypes were associated with witchcraft beliefs. With colonialism, these stereotypes were applied to African witchcraft beliefs and practices with little regard for the role of these beliefs in African indigenous communities. The resultant colonial legislation that was created to suppress beliefs in witchcraft did not achieve its desired goal, but rather encouraged a more extreme reaction to this legislation. The Witchcraft Suppression Act (No.3 of 1957) in South Africa is thought to have increased the frequency of criminal activities associated with witchcraft beliefs, activities that can generally be called witchcraft-related crimes.

This chapter proposed a conceptualisation of witchcraft-related crimes that distinguishes between witchcraft accusations, killings and muti murder on the one hand, and the act of harming someone through witchcraft on the other hand. It is argued that, based on the findings of this study, that the act of witchcraft by one person against another should be recognised as a crime, especially since, as is indicated in this study, the vast majority of Xhosa-speaking peoples in Mpondoland believe in witchcraft as a reality (see Chapter Three). A clear conceptualisation of these crimes is necessary in order to avoid confusion of these crimes with other
similar types of crimes such as Satanism-related crimes. Since contemporary law enforcement methods pertaining to witchcraft are still informed mainly by the Witchcraft Suppression Act (No. 3 of 1957) the need for a new conceptualisation of witchcraft-related crime that moves away from the Eurocentric conceptualisation of the Act, is crucial to assist law enforcement to develop more effective methods of handling these crimes, especially since the harming of someone through the act of witchcraft is not presently considered a crime under the said legislation, which, as has been shown through the views of informants from Mpondoland, is a contributing factor to witchcraft-related crime.

In view of the above, responses to witchcraft in communities have often been violent and, at times, have even triggered the emergence of vigilante groups or organisations that employ terrorism as a means of justifying, and forcing support for, the brutal eradication of witches. The next chapter provides a discussion on how communities have used witchcraft to justify what the researcher refers to as “religious terrorism”. This was a feature of the witchcraft violence in the former Northern Province during the 1980s and 1990s. The history of resistance to colonialism and apartheid in the Eastern Cape context also showed an overlap with the struggle against witchcraft and this struggle, as is shown in Chapter Five, was used to justify terrorism in communities. It is also shown how these terrorist methods are still being employed in the contemporary Eastern Cape context with reference to two case studies that show characteristics of terrorism in the treatment of suspected witches.
CHAPTER FIVE:

WITCHCRAFT-RELATED CRIME AS RELIGIOUS TERRORISM: AN OVERVIEW OF FUNDAMENTALISM, TERRORISM AND WITCHCRAFT VIOLENCE

1. Introduction

In the aftermath of September 11, 2001, the world at large has expressed renewed interest in the phenomenon known as terrorism, specifically as it has manifested in what has been called “religious terrorism”. At the heart of this kind of terrorism lies the idea that fundamentalist religious beliefs and attitudes can be used as a means to justify certain acts of violence based on a dualistic world-view of “good” versus “evil”, or “us” versus “them”. Religion has long been used as a potent weapon or tool of manipulation to instil “justifiable” terrorist ideologies of violence. The Crusades, wars that were fought between the Christian armies of Europe and the Muslim armies of the Middle East, fought during the Middle Ages, are perhaps the best known example of the role of religious ideology in encouraging terrorism (Kirchner, 1960). Since this period, and especially in the post-September 11 global context, Islamic fundamentalism has come under the spotlight of scrutiny as the ultimate example of religious terrorism.

In this chapter the concepts of fundamentalism, terrorism and religious terrorism are examined as part of the argument that the witch killings and muti murders in South Africa, specifically during the 1980s and 1990s, can be regarded as religious terrorism. It is argued that the concept of religious terrorism is not only applicable to the fundamentalist views of the so-called “organised religions” such as Christianity and Islam, but that the concept can also be applied to the witchcraft-related violence emanating from African “traditional” religious beliefs. One important aspect is also highlighted is the relationship of religious fundamentalism to political ideology, a relationship that is as relevant for the witchcraft violence in the South African context as it is for certain non-mainstream Islamic fundamentalist terrorist groups.

In addition, this chapter explores the similarities between Western conceptions of terrorism and African witchcraft, within the context of the social and cultural
construction of risk and risk perception. This relationship between terrorism and witchcraft is finally discussed with reference to witchcraft violence in the Eastern Cape Province of South Africa, thereby arguing for the recognition of witchcraft-related crime as a form of religious terrorism. Specifically, the examples taken from the Eastern Cape relate to the terrorist activities of four organisations that emerged in the Eastern Cape. These organisations were Makhulu Span, Congo, Poqo and Mfelandawonye. The chapter then concludes with two examples or case studies, based on data gathered in Mpondoland, to illustrate that in the contemporary context, the ritualisation of terror is still employed as a means of justifying witchcraft-related violence.

2. Conceptions of Religious Fundamentalism and Terrorism

In order to show how contemporary African witchcraft violence can be regarded as a form of religious fundamentalism and terrorism, it is necessary to briefly outline some general perceptions of fundamentalism and terrorism. While religious fundamentalism has featured throughout history, the concept itself has its origins in the American Protestant Christianity of the early 1900s. The term “fundamentalism” was first coined by the Baptist Curtis Lee Laws in 1920, and referred to certain principles or values that he called the “Fundamentals”. He referred to these as the authority of Scripture; the virgin birth of Christ; the substitutionary atonement; Christ’s bodily resurrection; and His second coming (Gifford, 1988; Sim, 2004). These principles formed the basis of Protestant belief, according to Laws, and, therefore, a fundamentalist was one who was “…willing to do battle royal for the Fundamentals.” (Sim, 2004: 13). Some scholars have presented the view that fundamentalism emerged as an aggressive reaction to modernism and liberalism as perceived threats to American Christians (Gifford, 1988; Sim, 2004). Similar fundamentalist mentalities can be found in most, if not all, other major world religions, such as Islam and Judaism (Sim, 2004). Noorani (2002) states that fundamentalism “…has afflicted almost every major religious tradition…[and it]…banishes reason from religion…” (Noorani, 2002: 65). It should also be stressed that, in the words of Armstrong (2002), “…fundamentalism is not confined to the great monotheisms.” (quoted in Noorani, 2002: 66).
For these fundamentalist tendencies to be identifiable, there are certain key characteristics that fundamentalist religions seem to possess. Firstly, there seems to be an almost invariable connection between religious fundamentalism and politics. According to Sim (2004), ‘…religious fundamentalism is inextricably implicated in politics…and, as such]…Religion and politics are natural bedfellows.’ (Sim, 2004: 4). Secondly, religious fundamentalism possesses an inherently confrontational or antagonistic character (Sim, 2004: 8). A third feature, is the idea of the creation of a “utopia”, informed by strict religious adherence (Sim, 2004: 5). Religious fundamentalism is also highly exclusivist, which suggests that there exists in it an either/or mentality: ‘Religious fundamentalism is exclusion-minded: you’re either in the charmed circle of believers or you’re the enemy…’ (Sim, 2004: 8). In addition to these identifiable traits, Noorani (2002) adds the following traits: ‘…revivalism, hostility towards minorities,…intolerance,…and moral blindness. [These traits] are reflected in a rejection of rational discourse, pluralism,…democratic governance,…and in a recourse to violence.’ (Noorani, 2002: 65). These characteristics of religious fundamentalism are by no means exhaustive, but for the purposes of this study the researcher will refer mainly to these traits with reference to African witchcraft violence in the South African context (see below).

Closely associated with the concept of fundamentalism, is the concept of terrorism which also requires a general conceptualisation to illustrate its applicability to the South African context of witchcraft violence. The concept of “terrorism” is difficult to define because it is a complicated concept, largely dependent on a specific political view. This is the view of Mathiesen (2002) who states that for certain activities to be labelled as “terrorist”, they need to have certain core activities, such as ‘Violent and arbitrary actions consciously directed towards civilians, with a political or ideological goal more or less clearly in mind…’ (quoted in Scraton, 2002: 85). Terrorism can also be defined in terms of a “terrorist purpose”. Mathiesen (2002) argued that, in the United States, post-9/11, the US Justice and Home Affairs Council provided a broad definition of a terrorist purpose, of which two key points are of relevance here: ‘i) serious intimidation of a population…and ii) seriously destabilising…fundamental political, constitutional, economic or social structures of a country…’ (quoted in Scraton, 2002: 89). In addition, Rapoport and Alexander (1982) defined terrorists as people who ‘…abandon ordinary conceptions and experiences, and they normally
avoid speaking of their victims as persons…the victims become symbols…or corrupt beings.’ (Rapoport and Alexander, 1982: xiii). These scholars also added that ‘…terror is often a particular outgrowth of…millenarian visions…’ (Rapoport and Alexander, 1982: xv).

One key feature of terrorism, generally speaking, is the use of violence. Violence seems to be a universal phenomenon, a part of the human condition from which it cannot be divorced. As Rapoport and Alexander (1982) pointed out, ‘To justify violence we usually argue that the persons we want to hurt either deserve punishment for misdeeds or that they deserve it because they can hurt us and intend to do so.’ (Rapoport and Alexander, 1982: xiii). The logic of the terrorist is slightly different in that violence is used in a greatly exaggerated fashion to draw attention to a particular moral plight and, in so doing, to gain support for terrorist activities: ‘…the terrorist…designs methods that call attention to a moral plight…Those methods always provoke outrage…but they can arouse moral support too…By using violence beyond the limits society thinks tolerable, or by consciously calculating atrocities to stir the emotions of victims and onlookers despite their will, the terrorist is distinguishable from others who seek to coerce.’ (Rapoport and Alexander, 1982: xvi-xvii).


Many of the characteristic traits of fundamentalism outlined above can be identified in African witchcraft violence as carried out in many rural communities in South Africa. In identifying these traits within the South African context, it will be necessary to refer to the period immediately prior to and after the 1994 elections, a significant period in South African history which heralded the end of the apartheid regime and the beginning of an African majority government.

The major political changes that occurred during this period were marked by an increase in witchcraft-related violence. This suggests that there was a relationship between witchcraft beliefs, a significant aspect of “traditional” African religious and cosmological belief (see Chapter Three), and the political context of the time. As
outlined earlier, the Witchcraft Suppression Act (No. 3 of 1957) severely restricted
the freedom of African communities to deal with suspected witches in the customary
manner. In premodern times, African witches were killed in cases where an alleged
victim of witchcraft died as a result of being bewitched. As Parrinder (1963)
explained, ‘...in olden days, death was often the penalty for a witch accused of killing
someone...’ (Parrinder, 1963: 169). In less serious cases, following the passing of
judgement in customary courts, witches were usually punished through the payment
of fines or compensation to alleged victims, or through ostracism from their
communities (Evans-Pritchard, 1937; Marwick, 1970; Middleton and Winter, 1963;
Crawford, 1967).

During the political violence of the 1980s and 1990s, the violence that was carried out
in the name of political liberation merged with the violence that was carried out in the
name of religious liberation. This merging of the political and the religious, in the
context of witchcraft violence, was achieved by the fundamentalist views of the
Comrades, the youths who took an active part in perpetrating and encouraging the
violence of the time (Minnaar et al, 1992; Delius, 1996; Niehaus, 2001). Through the
ritualisation of the witch hunts, the Comrades attempted to impose their symbolic
interpretation of the witch struggle as having a similar ideological basis as the
liberation struggle. This was done through the ritual of carrying political slogans and
singing freedom songs as they marched from one community to the next hunting and
killing witches (Minnaar et al, 1992; Delius, 1996; Niehaus, 2001). To the Comrades,
even those who were suspected of being “impimpis” or snitches, that is, those who
were regarded as spies for the apartheid government, were treated in the same manner
as if they were suspected witches. Both the witch and the snitch represented traitors
to the people and were thus dealt with in similar fashion.

The idea that Comrades chose to deal with witches by torturing and killing them
suggests that there was an inherently confrontational character to the witch hunts,
another trait that made these acts fundamentalist in nature. In the South African case,
this trait can be combined with the trait of exclusivism, typical of fundamentalist
mentalities. Witch killings were deliberately ritualised by Comrades in an effort to
eliminate neutrality in the witchcraft struggle. The aim was to coerce solidarity
within communities without the need for consensus. The Comrades polarised African
communities by creating an exclusivist atmosphere. Neutral members in the struggle were not tolerated: ‘…neutrality in the witchcraft struggle is unacceptable and is often interpreted as covert support for the status quo.’ (Mavhungu, 2000: 114). Those who refused to participate in the killing of witches were regarded as sympathisers and hence as siding with “the enemy”, which could be interpreted both as the witch and as the apartheid regime. As such, relatives of an alleged witch protesting his/her innocence were as likely to be killed as sympathisers as the witch himself/herself was. The polarisation of communities in this way meant that confrontation between various segments of that community was inevitable as a neutral position did not exist. As Ashforth (2001) stated, ‘With witchcraft…there is no middle ground: you are either for the witches or against them, just as in the days of apartheid one was either for “the people” or against them. There can be no compromise.’ (Ashforth, 2001: 16; see also Mavhungu, 2000).

The violence perpetrated against alleged witches was also informed and encouraged by a fundamentalist view of millenarianism. In the “traditional” African world view, the witch symbolised that which was inconsistent with the values and principles of the group or community. Witches were viewed as opponents of collective or group solidarity, only interested in elevating their own wealth or status in the community at the expense of their neighbours. The belief that they attempted to undermine these community values by using supernatural means to gain an unfair advantage made them hated, and often alienated individuals in their communities. They were blamed for misfortunes, inequality and the poverty-stricken states of many communities. By ritualising the witch killings, the Comrades attempted to restore balance in the communities via the ritual removal of the “evil” responsible for the conflict and strife plaguing many communities. This was done based on a fundamentalist belief that just as the political struggle would culminate in the dawning of a liberated South Africa, free from white domination, so too would the elimination of witches create a utopia in communities that would be free from misfortune, inequality and poverty, everything that the witch symbolised (Niehaus, 2001; 2003). This millenarian view of witchcraft-related violence resonates with the idea of a revitalisation movement, which is defined as ‘…an attempt to re-establish the traditional cultural values and beliefs of a group faced with dramatic changes.’ (Scupin and DeCorse, 2004: 499). Usually in a movement such as this, a particular cultural group that believes itself to
be threatened by change, will select a specific traditional cultural practice or aspect to revitalise in an effort to create a sense of unity and resistance among its members. One example was the revitalisation of the Ghost Dance in the 1800s among various Native American groups in response to the threat of white colonial domination (Scupin and DeCorse, 2004: 500). In the South African context of the 1980s and 1990s, the anxieties of the political transition triggered the revitalisation of the cultural symbol of the African witch, and the violent methods of dealing with witches.

4. African Witchcraft Violence as Religious Terrorism

In the previous section the researcher has attempted to show how some traits of religious fundamentalism were identifiable in the witchcraft violence in South Africa during the 1980s and 1990s. If it is accepted that a connection exists between fundamentalism and terrorism, then it could be argued that the fundamentalist tendencies that informed witchcraft violence were responsible for creating a unique form of religious terrorism. In light of the general conceptions of terrorism outlined above, witchcraft violence constitutes a form of religious terrorism, as is shown in this section.

It must be pointed out, however, that it is difficult to exactly define the concept of “religious terrorism”. According to Perlmutter (2004), ‘Definitions of religious terrorism are problematic because it is a relative concept that essentially is determined by the theological, moral, political, sociological and legal perspectives of each group…The problem can be summed up in two basic concepts: “One man’s God is another man’s devil” and “One man’s terrorist is another man’s freedom fighter.”’ (Perlmutter, 2004: 1). The implication of this statement is that the concept of religious terrorism is contextually based and thus varies from one group or context to another. This is very apparent in the opposition between African witchcraft violence and state legislation in the South African context. While the Comrades and traditional healers regarded it as their community duty to smell out and eliminate witches, and in this way protect the community, they were perceived as murderers and outlaws by the state under the Witchcraft Suppression Act (No. 3 of 1957). However, in the eyes of the communities in which they lived, they were viewed as freedom fighters. The same idea can be applied to the political struggle, where those who were involved in
the armed struggle against the apartheid state were viewed as terrorists by the apartheid government. These same “terrorists” were viewed as freedom fighters by the black African people. In view of the difficulties inherent in defining religious terrorism, Perlmutter (2004) suggested that an operational concept of religious terrorism be used: ‘religious terrorism is...any act of violence or threatened use of violence by a group or individual with the intent of intimidating individuals, citizens or governments in the furtherance of religious objectives. Religious terrorism is frequently characterized by the imposed or self-imposed infliction of physical, psychological, symbolic or spiritual assaults in order to achieve the group’s and/or individual’s objectives.’ (Perlmutter, 2004: 2-3).

Within the context of Mathiesen’s (2002) definition of terrorism, as outlined earlier, witchcraft violence can be defined as a form of terrorism. Mathiesen (2002) defines terrorism as consciously directed violence, informed by a specific political or ideological goal that targets a specific group of individuals. This definition corresponds with that posited by Perlmutter (2004), and is applicable to African witchcraft violence. The witch hunts and killings, as shown elsewhere, suggest that the Comrades carried out these acts with a specific political and ideological objective in mind. The goal was liberation, not only politically in the sense of destroying apartheid, but also culturally, in the sense of destroying those cultural symbols of anti-community values. Once this was achieved, the millenarian vision of a utopia could be realised. Furthermore, witchcraft violence also had a definite terrorist purpose, as defined by Mathiesen (2002). The brutal tactics of the witch killers inspired large-scale fear in communities and were used expressly for the purpose of intimidation. The exclusivist mentality of the witch hunters was another means of intimidating community members into joining the ritual of hunting and killing witches, thereby forcing solidarity, with or without consensus. Furthermore, in light of Mathiesen’s (2002) and Rapoport and Alexander’s (1982) views, by brutally killing witches, that is, through exaggerated violent acts such as witch burning or necklacing (Hund, 2003; Niehaus, 2001; Delius, 1996) and by forcing the victims’ relatives to watch or assist the killers in their acts (Niehaus, 2001), the Comrades aimed to seriously destabilise not only their communities, but the South African state as a whole (see Mihalik and Cassim, 1992), in an effort to draw attention to what they considered a serious moral plight. Communities were destabilised in that Comrades disrupted the natural power
structures and hierarchies in communities by removing power from the tribal chiefs, headmen and customary courts, and also from the government, in the sentencing and passing of punishment of witches (Niehaus, 2001). As a result, witches were dealt with far more harshly than they had been under the customary tribal authorities. Even traditional diviners, who were consulted by the Comrades, were intimidated into identifying specific individuals as witches (Delius, 1996). The destabilisation of tribal political and social structures became a state problem, even after the transition to the African National Congress (ANC) government in 1994 (Niehaus, 1997; Hund, 2003; Ashforth, 2001). The violence perpetrated against suspected witches reached such proportions that the government appointed a special Commission of Inquiry into Witchcraft Violence to investigate the situation and provide recommendations to address it (Mavhungu, 2000; Ralushai, 2003; see also Chapter Two). However, these steps have done little to effectively discourage witchcraft violence. This is evident in the creation of ‘Informal or communal forms of policing’ (Jensen and Buur, 2004: 193) or ‘cultural policing’ (Comaroff and Comaroff, 2004), where communities establish their own policing bodies as a response to their lack of confidence in the state to effectively deal with witchcraft-related issues.

5. Witchcraft Violence as Terrorism: Kavolis’ Resentment-Destruction Model Applied to Witchcraft Violence

Another way in which religious terrorism can be understood is to view it as rebellion which is represented through the use of appropriate mythologies. Kavolis (1982) suggested that using a mythological representation to understand rebellion is helpful because it ‘…provides…models for comprehending particular kinds of rebellion in all times and places.’ (quoted in Rapoport and Alexander, 1982: 43).

One model highlighted by Kavolis (1982) is one that he named the Satanic model which can be ‘…conceptualized psychologically as governed by the resentment-destruction mechanism.’ (quoted in Rapoport and Alexander, 1982: 45). While this term may obviously be misleading, given the negative Christian connotations of Satan as the representation of evil in Judaeo-Christian mythology, there are nonetheless some aspects of this model that are applicable to the kind of rebellion represented by witchcraft violence. According to Kavolis (1982), the resentment-destruction model ‘…contends that rebellion motivated by personal resentment, and expressed in…
attempts to create an alternative style of life and impose it on others, is destructive in its consequences.’ (quoted in Rapoport and Alexander, 1982: 45). The resentment, both political and cultural, caused by the apartheid regime in African communities, strongly motivated the youth in these communities to rebel in a particular way. The Comrades targeted individuals who symbolised everything negative in their communities, individuals whom they regarded as being at the source of their resentment. By violently eradicating these individuals from their communities they attempted to force an alternative lifestyle based on their fundamentalist notions of a utopia. The result was destruction and great loss of life.

Kavolis (1982) went further to state that ‘The Satanic theory of rebellious behaviour appears to require…a social structure built for the maximization of obedience and elimination of independence…’ (quoted in Rapoport and Alexander, 1982: 54). As indicated earlier, one significant aspect of the witch hunts in the 1980s and 1990s was the destabilisation of “traditional” forms of authority. The resentment of the youths in their communities was not only the result of apartheid, but also of their perceived disillusionment in their tribal authority structures to effectively deal with the problem of witchcraft. Hence, the existing tribal socio-political structures that had been built for obedience became sources of resentment. Ironically, since these structures also aimed to encourage strong community values of collective consciousness, the Comrades’ efforts to eliminate witches, who symbolised individualism and independence, the antithesis of community values, meant that they tried to protect the very same structures that caused their resentment in the first place.

6. The Relationship between Religious Terrorism and Sacrifice within the Context of Witchcraft Violence

Within the context of witch killing, as well as muti murder, both of which constitute witchcraft-related crime, the notion of sacrifice must be considered in relation to the concept of religious terrorism. According to Girard (1977), there is a relationship between the act of violence and sacrifice, that is, the two acts are inextricably linked: ‘If sacrifice resembles criminal violence, we may say that there is, inversely, hardly any form of violence that cannot be described in terms of sacrifice…sacrifice and murder would not lend themselves to this…reciprocal substitution if they were not in some way related.’ (Girard, 1977: 1). The view of violence against another human
being as a sacrifice implies a justifiable violence or sacred violence that can be condoned if the victim is viewed, not as a victim of murder, but as a sacrifice. The concept “sacrifice”, derived from the Latin *sacrificium*, which means, “to make holy” or “sanctify”, connotes a religious act (Perlmutter, 2004: 11). In addition, throughout the history of most human cultures, sacrifice existed for the achievement of four purposes: homage or praise, thanksgiving, supplication, and expiation, that is, requesting forgiveness or the elimination of evil and misfortune from the community (Perlmutter, 2004: 11). In most African cultures, specifically those of South Africa, animal sacrifice is still an acceptable practice, especially considering its importance for the acknowledgement and honouring of the ancestral spirits. Among the Xhosa-speaking peoples of the Eastern Cape Province, animal sacrifice is specifically important in rites of passage rituals such as *ukubuyisa* (the bringing back of a deceased’s soul), crucial for the admittance of a deceased elder into the ranks of the ancestors (Olivier, 1981; Pauw, 1994). In this context, all the purposes of the sacrifice, as outlined by Perlmutter (2004), are relevant.

In the African context, when it comes to human sacrifice, as in witch killings and *muti* murders, it appears that it is specifically the purpose of expiation that becomes the focal point of the sacrifice. Given the tensions and anxieties that were produced during the 1980s and 1990s, frustration and aggression built up in many communities. Poverty, suffering and misfortune found expression in the symbol of the witch, who represented the cause of these problems. These did not only affect individuals but entire communities (Mavhungu, 2000). As a result, feelings of violence increased, and, as Girard (1977) noted, ‘When unappeased, violence seeks and always finds a surrogate victim. The creature that excited its fury is abruptly replaced by another, chosen only because it is vulnerable and close at hand.’ (Girard, 1977: 2). The poverty and suffering caused by apartheid, led many African communities to interpret these in terms of local conceptions of witchcraft, as a cause of misfortune. Thus, the political liberation struggle on the macro-level became merged with anti-witchcraft activities on the micro-level. In this context, witch killing can be viewed as a rite of intensification, a sacrificial rite which is carried out to expiate an entire community. This was perhaps a reason why neutrality in the struggle against witches was an impossibility (Mavhungu, 2000). Witches were destroying the community, thus the community had to take the necessary action. Witches, who were mainly represented
by the marginalised and vulnerable members of the community, namely elderly women, had to be sacrificed, hence the ritual of witch killing, so that future misfortunes in the communities could be averted. In this case, the religious terrorism of witch killing is condoned as it is viewed as a sacrificial rite to rid communities of those held responsible for misfortune.

Similarly, in the context of *muti* murder, violence is also justified as a sacrificial act. In this context, ‘The significant ideology…is that blood consists of life force energy constituting the highest offering to the gods or ancestors…Additionally, the longer a victim is tortured and the pain is prolonged, the more life energy/power is emitted.’ (Perlmutter, 2004: 12). Violence in this context involves the dismembering or removal of bodily organs from a live victim in order to enhance the potency of the *muti* or medicine that will be made from those body parts (Scobie, 1965; Minnaar, 1992; 2003). The victim is thus sacrificed in order to increase the life-force of the person who will benefit from using the medicine made from the victim’s organs. Once again, as is the case in witch killings, this kind of violence is justifiable in the eyes of the perpetrator, as the victim’s sacrifice is necessary in order to increase his/her (the perpetrator’s) well-being.

In contemporary South Africa, where the transition to a new government has failed to deliver on the utopian expectations of many African communities, many of the anxieties and tensions that characterised community life in the 1980s and 1990s are still prevalent. Poverty and economic insecurity remain important causes of tension, and are exacerbated by the struggle of the country to adapt to a global capitalist political economy. The result is that misfortunes are still very much a part of African community life. It is for this reason that witch killings and *muti* murders still occur, as expressions of violence created by the frustration and anxiety of economic insecurity. Why the post-apartheid state is still struggling to deal with these forms of violence is perhaps due to the differences in perception of these acts of violence. The state views these acts as criminal, while the communities may view them as sacrificial acts, aimed at a ritual purification or purging of that considered to be evil. This is just one example of the traditional/modern contradiction that characterises many postcolonial states (Comaroff and Comaroff, 2004).
7. Terrorism, Witchcraft Violence and the Socio-cultural Construction of Risk: Examples from the Eastern Cape

Caplan (2004) has drawn parallels between the post-September 11 response of the West in the so-called ‘war on terror’, and African responses to witchcraft. This she has done through a comparative analysis of terrorism and witchcraft within the context of Douglas’ (1992) concept of ‘risk perception’. First and foremost, Caplan (2004) has argued that witchcraft is not a peculiarly African phenomenon, and agrees with Geschiere (1997) that parallels can be found between the United States and Africa regarding a metaphorical interpretation of witchcraft within the context of political processes. For example, according to Geschiere (1997), there are indeed parallels between the roles of public relations consultants or spin-doctors used by Western politicians and witch-doctors used in African politics: ‘I was often struck by the parallel with the role attributed to public relations experts in American politics (and increasingly in Europe as well). Their ability to bring success stems from their esoteric, and more or less magical, knowledge…[b]oth in Africa and in Europe, the intervention of such experts, loaded with esoteric knowledge, seems to remove power from the people.’ (Geschiere, 1997: 9). Consequently, parallels such as these have, for a long time, facilitated the metaphorical use of witchcraft to refer to Western political processes. Caplan (2004) cites the example of 1950s McCarthyism in the United States, where, at the height of the Cold War, rumours of and accusations against Communist sympathisers led to a ‘witch-hunt’ against such alleged sympathisers.

In much the same way that parallels exist between African witchcraft and Western politics, a parallel can also be drawn between African witchcraft and Western conceptions of terrorism. According to Caplan (2004), terrorism and witchcraft share certain characteristics which are similar to those already outlined earlier in this chapter. Caplan (2004) states that ‘Both witchcraft and terrorism are hidden and secret activities, both are considered immoral, indeed, the embodiment of evil, by those who use these discourses. It is widely considered that both witches and terrorists should be severely punished. Conviction for either crime is dependent upon
expert knowledge which may, however, be kept secret...[W]hat is crucial is the testimony of the witch-finder or intelligence agent.’ In this statement, Caplan points out that both terrorism and witchcraft share characteristics that are contrary to the expected values and behaviour of society. The recognition of these antisocial features of terrorism and witchcraft allows for the social construction of a moral community. Thus, any person who adheres to antisocial values or behaviour is automatically excluded from the moral community, and thus becomes an enemy. Consequently, enemies of the moral community must be dealt with, and this view is true of both Western perceptions of terrorists and African perceptions of witches. But how is the moral community constructed in order to determine who should be excluded, and, for that matter, punished?

According to Douglas (1992), risk perception is a socially and culturally constructed view of that which is regarded as a threat to an entire community or society. In the Western response to terrorism, the American and British governments, as the centres of power in their respective societies, took it upon themselves to determine what or who the threat was. Thus, a risk perception was constructed in which Islamic terrorists were represented as the enemy of the West. Much emphasis was placed on their “otherness” and their animosity towards Western values and beliefs, thereby categorising them as outsiders and excluding them from the Western moral community. In the same way, African witchcraft forms the socially and culturally constructed threat to African society. In this way, the example of the West’s response to terrorism and the African response to witchcraft indicates, as Caplan (2004) interprets Douglas (1992), that ‘societies, and categories within societies, choose their nightmares on both social and cultural criteria, and thus their nightmares are different.’ This implies that for the United States, the socially constructed nightmare is the terrorist threat, while for an African village, it may be witchcraft.

Within the context of the Eastern Cape, as in the rest of South Africa as alluded to earlier in the chapter, terrorism and witchcraft have often been combined in a manner that seems to create a dual social nightmare or risk perception in African communities. A historical perspective on the Eastern Cape, specifically the area referred to as Mpondoland, reveals that terrorism and witchcraft beliefs have played a central role in the social construction of risk in the contemporary context. For
example, Redding (1996) has argued that during the colonial and apartheid periods, various communities throughout Mpondoland used witchcraft eradication methods, including specifically the use of fire (see Crais, 2002: 130), to punish and eliminate colonial and apartheid puppets. These methods of elimination included the brutal slaughtering or burning of enemies of the community, where mobs of people would move from village to village hunting out and killing those whom they regarded as dissenters, in much the same way as witches were dealt with. Although many of these brutal acts were the outcome of political and economic frustrations with the state (see Kohnert, 2003: 224-225; Redding, 1996; Crais, 2002), many communities tended to interpret state policies and practices within the framework of witchcraft. Thus, it made sense to the people to use witchcraft eradication methods to rid themselves of this “evil”, in an attempt to deal with the social nightmare of the state that had created the desperate conditions of poverty and misfortune suffered by many people in the region. Indeed, people’s perceptions of what was happening to them were often culturally interpreted through reference to cultural notions and understandings of the relationship between evil and power. As Crais (2002) noted, ‘Belief in occult forces have…shaped people’s perceptions of whites and the state…Where there is power and all the emotions it unleashes, there is the occult’ (Crais, 2002: 4, 5). Consequently, the Eastern Cape has inherited a ‘sad history of the politics of evil in the colonial and postcolonial world’, especially in its reflection of ‘the creative imagination of people as well as their capacity to hate and to engage in terroristic violence to end a world they see as profoundly evil’ (Crais, 2002: 5). In this context, witchcraft provided the reference point around which perception became linked to action, often in a way that led to ‘unspeakable acts of violence in the name of eradicating evil from the world’ (Crais, 2002: 13; cf. Kohnert, 2002: 179).

In his historical analysis of the Eastern Cape, Crais (2002) seems to suggest that prior to the twentieth century, the killing of witches was a rare occurrence. As he states, ‘Ethnographic material from the precolonial period, for example, suggests that the persecution of witches rarely entailed murder. People typically simply burned witches out of the community. Torture (to elicit confessions and to purge the evil) and murder usually took place in instances of witchcraft accusations relating to drought, chiefship or unusual crises. In such cases, the victim might [have been]…tortured by stinging ants and hot stones’ (Crais, 2002: 129-130; cf. Wilson,
1982: 123). By contrast, ‘In the twentieth century, people accused of witchcraft have met with deaths that are as elaborate as they are violent. One method of murder…is to ram a long stick…up the anus, viewed as a location of evil, of the accused female witch…[so] that the weapon perforates the intestines and punctures various organs…In excruciating agony the victim bleeds to death’ (Crais, 2002: 130). Crais’ assertion that in precolonial times witches were not killed could be challenged on the basis of Hunter’s (1936) findings among the amaMpondo. In her ethnographic study, she found evidence to suggest that witches were violently killed even during the precolonial period. However, what cannot be disputed is that in both pre- and postcolonial times, terrorist methods have been employed in the struggle against witchcraft. Crais mentions the use of torture in the treatment of witches in precolonial times and the burning of their homes. Both of these methods may be used in terrorist violence. A similar conclusion can be drawn regarding Crais’ description of the violent killing of witches in the twentieth, and, for that matter, post-twentieth century. Crais (2002) mentions an example of a case in Qumbu in 1961 where a man who had been accused of witchcraft not only had his home burnt down but was also killed by a group of men, one of whom accused the victim of killing his children [through witchcraft] (Crais, 2002: 167).

Crais (2002) refers to several examples in his historical interpretation of the relationship between witchcraft, terrorism and political violence in the Eastern Cape. The first example he mentions is the violence during the 1980s and 1990s, the period just before and after South Africa’s transition to democracy. According to Crais, ‘Some of the worst bloodshed took place in the Eastern Cape’ (2002: 116). The terrorists favoured a method of killing known as “necklacing”, where a burning tyre was placed around the neck of a victim who had been doused with petrol. The Eastern Cape seemingly had the highest incidences of this kind of violence, so much so that one specific town in the Eastern Cape, Queenstown, became known as ‘the “Necklace Capital of the World”’ (Crais, 2002: 116). Crais (2002) speculates that ‘Some [of the victims] died because the comrades, South Africa’s “young lions”, had suspected them of being police spies. Others perished because they had become the targets of…jealousy’ (Crais, 2002: 116). Although these killings were politically motivated, the influence of witchcraft beliefs was also a contributing factor to the method of violence that was employed because ‘Death by fire very often involved
accusations of witchcraft, in the Eastern Cape and elsewhere in the country. [Those] who destroyed people accused of being witches…were, and still are, seen by others in the community as selfless heroes committed to freeing people from supernatural evils’ (Crais, 2002: 116; see also Mavhungu, 2000; Petrus, 2006; cf. Kohnert, 2002: 181). To illustrate this point, Crais (2002) refers to an eyewitness account of the triple murder of three women accused of witchcraft in East London in 1986. The women also happened to be members of the United Democratic Front. The women were abducted by a mob and were taken into a house while a fire was being built in the road nearby. During the night the women were tortured with red-hot iron rods until they eventually died. Following their deaths, their bodies were taken into the road where burning tyres were placed on top of them (Crais, 2002: 130).

A second example of the relationship between witchcraft, terrorism and political violence mentioned by Crais (2002) concerns the events leading up to the Mpondoland Revolt of the 1950s and 1960s. Increases in the number of stock thefts in various parts of the former Transkei encouraged the creation of vigilante groups or committees, one of whom was Makhulu Span, a group that emerged in the late 1950s, and composed of ‘honest people of good record who wanted to put a stop to stock theft’ (Crais, 2002: 170; Kohnert, 2003: 225). However, the methods that Makhulu Span employed to eradicate stock theft became increasingly more violent, and began to take on the features of a terrorist organisation. For example, those brought before the committee’s trials were often violently tortured into confession, even if they were innocent. Also, when Makhulu Span began burning homesteads, people were not only terrorised into participating in these acts of terror, but were also intimidated and threatened into supporting Makhulu Span, both financially and in action (Crais, 2002: 172). The perception of the Makhulu Span movement as a moral campaign against stock theft was also interpreted as an anti-witchcraft movement, especially since those involved in the movement often employed witchcraft eradication methods to deal with stock thieves. Makhulu Span’s use of fire was a crucial element that encouraged this perception because ‘…many people considered fire to be an important part of the arsenal combating witchcraft. It seems reasonable to conclude that many who participated in the activities of Makhulu Span may have perceived their struggle against thieves similar to…ongoing community attempts to control and eradicate people who used magic to do harm’ (Crais, 2002: 174). The use of fire was
significant if viewed within the context of the ritual of purification alluded to earlier. Fire has often been associated with a symbolic significance that involves purification. It was perhaps for this reason that fire was often used as a method to eliminate stock thieves and witches, as a symbolic act of purifying communities from those elements which Makhulu Span and others considered to be reasons for the misfortunes and suffering experienced by many communities. Into the early 1960s, Makhulu Span’s terrorist violence expanded to include attacks on the apartheid state, as well as those who were branded as collaborators with a ‘political order that lacked popular legitimacy’ (Crais, 2002: 175; see also Kohnert, 2003: 227). Thus, the political motivation for terrorism intertwined not only with the motivation to brutally eradicate stock theft, but was also influenced by the motivation to eradicate witchcraft which was seen to be at the root of many of the problems facing communities. Consequently, ‘Throughout the early 1960s Makhulu Span remained active. Fire consumed the nights as the organisation burned out suspected thieves, collaborators, informers and others [including witches]’ (Crais, 2002: 176). However, despite the movement’s efforts, Makhulu Span disappeared after 1962 as the government declared a state of emergency in the former Transkei as a consequence of the 1960 Mpondoland Revolt (Crais, 2002: 177; Kohnert, 2003: 226).

The third example of the interrelationship between witchcraft, terrorism and political violence mentioned by Crais (2002) was the 1960 Mpondoland Revolt itself. Following the end of Makhulu Span in the early 1960s, another organisation emerged that followed a similar philosophy and method of operation as that applied by Makhulu Span. This organisation, known as the Congo, employed the same terrorist methods against those who refused to support its activities. Incendiarism was also a central feature of Congo’s terrorist violence. Like Makhulu Span, Congo also became a movement of violent resistance against the apartheid state, but, more importantly, it also became an anti-witchcraft movement. According to Crais (2002), ‘The Congo attacked collaborators with the apartheid state, people they considered to be enemies and, in addition, witches’ (Crais, 2002: 204). Also, those who had joined the movement were obligated to become members of the ‘burning party’; failure to do so often ended in dissenters being brutally dealt with (Crais, 2002: 204). The incineration of those killed by the Congo had much ritual significance: ‘Rebels dismembered their victims’ bodies or dragged the warm corpses into burning huts
to destroy their souls’ (Crais, 2002: 205). This resonates strongly with the view of Petrus (2006), echoing the idea of Turner’s theory of the polarisation of significata, as applied to witchcraft violence. In his article, Petrus (2006) states that the killing of witches was often ritualised through the use of elaborate methods of violence which, in this case, included dismemberment and the burning of what was left of the victim, to inspire fear among witnesses. This “ritualisation of terror” was a key instrument in the arsenal of the Congo. In addition to the ritual use of elaborate terrorist violence, the perception that the struggle against the apartheid state was also a struggle against evil, as interpreted in the notion of witchcraft, was reinforced through the ‘ritual administration of medicines to strengthen rebels, [which] suggest[ed] that magic and witchcraft formed an important feature of the revolt...’ (Crais, 2002: 205).

A fourth example of the influence of witchcraft beliefs on the terrorist violence in the Eastern Cape during the Mpondoland Revolt was illustrated by another organisation that emerged in the early 1960s, the military wing of the Pan Africanist Congress (PAC) called Poqo. The political philosophy of Poqo regarding the nature of the apartheid state and how best to combat it reflected, perhaps more so than Makhulu Span and Congo, the fusion of the cultural interpretation of evil, fundamentalism and the use of purifying violence. According to Crais (2002), ‘In the imagination of Poqo insurgents it was not simply that apartheid was wrong...Apartheid was evil [author’s emphasis]...which could only be addressed by a purifying violence...Poqo elaborated a vision of violence as a purifying force, a kind of fundamentalism that fused evil with modern nationalism’ (Crais, 2002: 214-215). Thus, for Poqo, the war against apartheid was not only political, but also had supernatural undertones, that is, similar to the Islamic extremist jihad (holy war), Poqo members viewed their war also as a holy war of some kind, a crusade against evil. This was reflected in the rituals that Poqo fighters underwent to protect themselves from witchcraft as they prepared for battle: ‘A ubiquitous feature of Poqo were the rituals fighters participated in, both in the Cape and in the Transkei. These rituals usually entailed small incisions on the head and upper back, and were intended to protect them from the white man’s bullets and also from the impundulu bird, the magical animal invariably associated with witchcraft and the work of evil. Such incisions were not unusual; what was new was their inclusion in a violent social movement’ (Crais, 2002: 215).
The emergence of organisations that employed terrorist methods not only to eradicate anti-social elements in their communities such as stock thieves, but also to eliminate apartheid collaborators and witches, continued even into the 1990s. Kohnert (2003), in his historical analysis of the violence in Tsolo and Qumbu in the early 1990s mentions that a vigilante organisation called *Mfelandawonye* ‘was founded in 1993 to counteract anti-social bandits. This organisation…saw itself as maintaining the tradition of resistance of the Mpondo in general, and the *Makhuluspan* revolt…in particular’ (Kohnert, 2003: 227-228). As a result, this new vigilante group followed a similar philosophy to that of Makhulu Span, namely that its purpose was to eradicate all threats to the community, whether these be thieves, collaborators with the apartheid state or witches: ‘The major objective of the *Mfelandawonye* vigilante group was, according to its own declaration: Thieves, witches and informers must be exterminated to the last man or woman’ (Kohnert, 2003: 228; see also Peires, 1999: 12). This statement suggests that even for this vigilante group different causes of evil were virtually indistinguishable and were thus dealt with similarly. Also, those who did not support the activities of the organisation, just as was the case with the other organisations already mentioned, were also targeted. According to Kohnert (2003, ‘…*Mfelandawonye* attacked not only known or suspected thieves, but assumed witches, old people and children, in fact anybody who did not wish to associate with it (see Peires, 2000: 98), thus putting anybody who did not act for it on equal footing with its enemies’ (Kohnert, 2003: 228, 231; cf. Crais, 2002).

It seems that the terrorist violence perpetrated by *Mfelandawonye* had more far-reaching effects than any of the other organisations in the Eastern Cape. In 1995, even a visit by then President Mandela to Tsolo did little to stem the violence. Even the Transkeian branches of the SAPS could do nothing, even with a special task force that was created to stop the violence, as it was found that many of the killers involved were migrant labourers from outside the area (Kohnert, 2003: 231). Consequently, as Kohnert (2003) indicates, ‘Over the next six years or so, the situation, fuelled by increasing involvement of trans-local social and political networks with particular interests on both sides, got out of control and degenerated into a circle of increasing terror and violence’ (Kohnert, 2003: 231). Consequently, between 1995 and 1997, violence against women and children had risen from 28% to 43%. In addition, in
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1998, more than one hundred witchcraft-related attacks had occurred in Tsolo, while in 1999, on New Year’s Eve, eight people, five of whom were elderly women, were killed by assassins who were hired to eliminate mainly those who were associated with witchcraft (Kohnert, 2003: 230). The violent attacks were co-ordinated by Mfelandawonye mainly through ‘drafting hit lists and even using young unemployed youths between the ages of 16 and 20 years to execute their demands’ (Kohnert, 2003: 232; see also Human Rights Committee, 1996: 11).

The above examples, all taken from the Eastern Cape, reflect the view that witchcraft violence cannot only be interpreted as a form of religious terrorism, but that such terrorism is also a justifiable violence based on the social construction of risk. Within the context of the social construction of risk, and given the similarities between conceptions of terrorism and African witchcraft, it is argued that an understanding of witchcraft violence as a form of terrorism provides useful insights into the nature of witchcraft violence. The perception of risk, whether real or imagined, is particularly critical. The examples from the Eastern Cape illustrate that the emergence of terrorist groupings such as Makhulu Span, Congo, Poqo and Mfelandawonye would not have been possible were it not for the socially constructed perceived risk that the world would be overrun by evil if nothing was done about it. These examples also illustrate that witchcraft formed a crucial link between the perceptions that people had of their circumstances and the actions they decided to take to deal with those circumstances. The religious terrorism that Makhulu Span, Congo, Poqo and Mfelandawonye employed reflected certain millenarian features, specifically that elaborate terrorist violence, including the ritualistic use of fire as a purifying agent, would be necessary not only to cleanse their world of the scourge of apartheid, but also to eradicate the root of evil, witchcraft. The ritualisation of terror provided the necessary symbolic significance to reinforce the perceived social nightmare that was apartheid and witchcraft. Thus, whether people wanted to or not, the ritualised and public manner in which enemies and witches were dealt with, and the intimidatory tactics employed by the terrorists to coerce support for their cause, ensured that everyone shared in their efforts to end the social nightmare. By using the dual social nightmares of the apartheid state and witchcraft, Makhulu Span, Congo, Poqo and Mfelandawonye aimed to foster the legitimation of terrorism, specifically because there may have been those who did not favour the use of such extreme violence.
8. Contemporary Examples of the Relationship between Ritualised Terror and Witchcraft in the Eastern Cape

The research conducted for this study revealed that even in modern-day Mpondoland and, for that matter, the Eastern Cape, witchcraft violence still involves terrorist methods and the ritualisation of violence. To illustrate this, an analysis of two cases, based on data gathered during fieldwork in Mpondoland, is provided. In both cases, the relationship between witchcraft and ritualised terror is reflected in the public manner in which acts of exaggerated violence were carried out in order to justify the ritual elimination of evil.

Case 1: The 1995 Witch Hunt in Ntabankulu

A case in Ntabankulu (see Chapter Three, Case 5, pp. 112-115) illustrated that a community still lived in fear as a consequence of events that occurred more than ten years ago. In 1995, in a village called Ciben, mobs of youths went on the rampage hunting out and killing witches. These acts of violence were carried out in broad daylight in order to illustrate that their terrorist activities were a public ritual of violence, aimed at purifying the community of witchcraft. Given the period in which this case occurred, it is a reasonable assumption that Mfelandawonye may have influenced these attacks, whether directly or indirectly. Of interest in this case was that most of the youths who participated were coerced to do so, as the leaders of the mobs visited the local school and forced pupils out of their classes to participate in the ritual of witch killing. Many of these pupils were told that they were ‘doing something good for the community’, thereby suggesting that this was how their terrorism was being justified. The villagers still lived in fear of those who participated in the violence who were still among them and, perhaps more importantly, still feared a repetition of the events of 1995, as some of the women who were attacked were still alive in the village.
Case 2: The Case of the Missing Eye of an Infant in Lusikisiki (2008)

In another case, the ritualisation of terror was again reflected in a village in Lusikisiki. In this case, a three-month-old infant had died. When the child was about to be buried, it was discovered that one of the child’s eyes was missing. A group of community members were rounded up and they assembled all of the women in the neighbourhood of the deceased and demanded from them what had happened to the child’s eye. When the women claimed that they did not know, the mob threatened to set them alight, after accusing them of taking out the child’s eye for muti purposes. The women were placed inside a hut and doused with petrol. However, some community members intervened and prevented the mob from setting the women alight. The women were then taken to the back of the hut and instructed to dig a grave for the dead child. Following this, each of the women had to contribute some money so that the mob could hire the services of an isangoma to determine which of them had taken the child’s eye. While the mob was deliberating, the child’s mother managed to slip away and reported what was going on to the police. The police arrived on the scene and managed to calm the situation down. Those who were part of the mob were not arrested but were charged by the headman (isibonda) of the locality. Again, this case shows that those suspected of witchcraft are subjected to a ritualised spectacle of terror which is done in public. In this case, the suspected women were publicly interrogated by a mob of community members and faced a ritualised execution, significantly by means of fire. Even when the mob was prevented from burning the women alive, the ritualised terror did not end there. The fact that the women were forced to dig a grave for the dead child, in full view of other community members, illustrated that this was part of the public ritualisation of terror that the women were subjected to. It can be reasonably assumed that, were it not for the intervention of other community members and the police, the women would have been killed, publicly.

7. Conclusion

Post-9/11, global ideas about terrorism have seemingly encouraged a particular stereotype of terrorist activities and perpetrators of terrorism. Without doubt, the
concept “terrorism” has become synonymous with Islam, despite the arguments to the contrary of this view. This chapter has shown that within the South African context, terrorism has manifested itself in a form that shares some of the key features of mainstream terrorism but differs in some important aspects from mainstream definitions of terrorism. With regard to some aspects of terrorism, it has been shown that witchcraft violence constitutes a form of terrorism. The most significant characteristics of fundamentalism and terrorism were outlined, such as the existence of confrontational and millenarian characteristics. It was also shown how these characteristics can be found in an analysis of witchcraft violence, with reference to a theory of rebellion. In addition, it was shown how the notion of sacrifice relates to the issue of justifiable violence within the context of religious terrorism, where, in the context of witch killing, the killing of a witch is regarded as an acceptable sacrifice in order to save an entire community.

Of particular relevance to the Eastern Cape, the chapter illustrated the relevance of the social construction of risk in encouraging perceptions of witchcraft violence as religious terrorism. The similarities between terrorism and witchcraft were not only highlighted but were fused in popular perceptions of the apartheid state as the personification of evil and its association with witchcraft. As a consequence, the emergence of organisations such as Makhulu Span, Congo, Poqo and Mfelandawonye fulfilled a dual role as crusaders against both the evil of apartheid and the evil of witchcraft, which they perceived as intertwined. The ritualisation of terror served the purpose of not only symbolically reaffirming that their war was as much against supernatural forces of evil as it was against political evil, but also forced many people into taking sides in the struggle. The public rituals of killings and burnings symbolised that in this struggle there was no room for marginality, either people supported the terror or they did not, the latter option being perceived as an indication of association with “the enemy”. Of further significance is that data gathered during fieldwork in Pondoland suggested that even in the contemporary context, witchcraft-related violence still shows the characteristics of ritualised terror. This was reflected in the analysis of the two cases in Ntabankulu and Lusikisiki respectively.

The problem of witchcraft violence is an ongoing problem in many South African communities, so much so that it has become “…part of the national political
Existing law enforcement structures are not able to effectively investigate and handle witchcraft violence. In addition, the Witchcraft Suppression Act (No. 3 of 1957) is still the primary form of legislation that is referred to in witchcraft cases. The result is that the South African state cannot protect vulnerable individuals in their communities from becoming victims of witchcraft violence. Elderly women in rural African communities are the most vulnerable to this kind of violence (Commission on Gender Equality, 1998). Despite the state’s commitment to gender equality and the protection of women’s rights, witchcraft violence against women continues, often unreported and therefore uninvestigated. Religious terrorism of this kind indeed poses serious challenges to the post-apartheid state, challenges that will have to be addressed for the sake of both community stability and the stability and legitimacy of the democratic South African state.

This chapter has shown that the emergence of witchcraft-related violence as a form of religious terrorism cannot be understood separately from the political historical context of South Africa in general and that of the Eastern Cape in particular. In other words, historically there was a link between the colonial and apartheid regimes and the violent elimination of witches as a manifestation of the struggle against these oppressive regimes. However, after the transition to a democratic African-majority government, witchcraft-related crimes continue to occur. The next chapter examines how the political and economic context of the Eastern Cape has contributed to the continued occurrence of witchcraft-related crime. It is based on the view that in the contemporary post-apartheid political and economic context, witchcraft continues to influence the spiritual insecurity of people as they struggle to adapt to the failure of the post-apartheid government to address the political and economic injustices of the past.
CHAPTER SIX:
THE POLITICAL AND ECONOMIC CONTEXT OF WITCHCRAFT-RELATED CRIME IN THE EASTERN CAPE REGION

1. Introduction

Any attempt to make sense of witchcraft-related crimes and their effects on communities in South Africa has to be approached from a context in which the political and economic elements of contemporary South African society are examined. As Petrus (2006b) has argued, even a theoretical attempt to understand witchcraft-related crimes cannot by-pass the importance of a politico-economic context (Petrus, 2006b: 149). This is especially relevant for making sense of witchcraft-related crimes in the postcolonial or post-apartheid context of the “new South Africa”.

In a country battling to come to terms with the political and economic inequalities engendered by the apartheid system, the African National Congress (ANC) government is struggling to assuage the insecurities of local communities. As Ashforth (2005) points out, the political and economic insecurities that local communities face have culminated in a ‘spiritual insecurity’, which many African communities attempt to manage or explain through recourse to supernatural forces. Often, these explanations involve the invocation of witchcraft discourses that manifest themselves, almost invariably in the postcolonial context, in expressions of political and economic concerns.

The political and economic context of witchcraft-related crime is the focus of this chapter. It specifically focuses on why questions such as ‘Why are we poor? Why are we suffering? Why are our young people dying? Who is to blame? Why are they doing this? Who can save us?’ (Ashforth, 2005: 311) are very relevant to consider in the context of witchcraft-related crime. Notions of power, both political and economic, as well as the reality of inequality are related themes that are explored,
with a particular emphasis on their impact within the context of the Eastern Cape, both historically and in the contemporary situation.

2. Witchcraft-related Crime, Power and Politics

In postcolonial African states, it is virtually impossible to engage in discourses related to politics without referring to discourses related to beliefs in witchcraft (see, for example, Chapter Five). This connection between witchcraft beliefs and politics exists due to the one common denominator that links both politics and witchcraft together, namely the notion of power. As Geschiere (1997) has pointed out, ‘Nearly everywhere in Africa, discourses on power continue to be marked by these notions [of the occult, of sorcery and witchcraft].’ (Geschiere, 1997: 7). Postcolonial writers on Africa have stressed the transformative power of modernity, or, as some postcolonial writers have argued, modernities (Comaroff and Comaroff, 1993; Moore and Sanders, 2001) and how this power has impacted greatly on African politics, as well as local communities’ understandings of politics through reference to the control of occult powers (Comaroff and Comaroff, 1993; Geschiere, 1997; Bond and Ciekawy, 2001; Moore and Sanders, 2001; Ashforth, 2005). In most states in Africa, the struggle to adapt to the changes brought about by modernisation has resulted in the creation of more inequalities and local communities being worse off than they were before the arrival of modernity. African governments in the postcolonial era have also not delivered on their promises and their failure to ease the suffering of the communities under their power has added to the insecurities of these communities. As a result, a contestation for power emerges that often finds expression in the control of occult forces, where ‘…sorcery and witchcraft play a central role in the tensions between state and society…’ (Moore and Sanders, 2001: 17). Some postcolonial writers on Africa have argued that witchcraft occupies an ambiguous position in discourses on power in some states and possesses both a levelling and accumulative power (Geschiere, 1997; see also Niehaus, 2001: 9). This seems to be the case, for example, among the Maka of Cameroon, where ‘…alongside such references to witchcraft as a levelling force, which opposes new inequalities and relations of domination, other
interpretations emphasize the role of these forces in the accumulation of wealth and power. And it is especially this version of witchcraft as an accumulative force that prevails in more modern forms of politics.’ (Geschiere, 1997: 5). Local communities thus interpret the concentration of power in the hands of the elite as an example of their access to occult forces, such as witchcraft (in the form of umamlambo for example), to acquire this power. Conversely, it is also common to find those with political and economic power accusing local communities of using witchcraft to subvert the state’s efforts at development and modernisation (Geschiere, 1997; Bond and Ciekawy, 2001). In this case, witchcraft may be viewed as a weapon of the weak against the strong. Thus, the battle for power between the elites and the masses is contested in the realm of the occult, where occult powers, such as witchcraft, can be used by either group. This indicates that in the world of politics and economics, occult forces such as witchcraft are characterised by a marked ambivalence, not only in a moral context where they can be used for good or evil, but also within a context of power, where they can be used both by the weak and the strong for opposing purposes.

Questions of power in relation to politics and beliefs in witchcraft are important to consider especially when efforts are made to determine the legitimacy of political power. Often, power is legitimated through the demonstrated ability of a leader to protect his/her subjects from visible as well as invisible threats. Political instability and economic insecurity have become characteristic traits of many African states and have resulted in communities speculating about the legitimacy of their political leaders. In the African context, access to occult powers seems to be a prerequisite for an individual’s ability to legitimate his political power. Thus, among African leaders, it is not strange that even in the postcolonial era, or especially because of the postcolonial era, efforts are made to demonstrate control over occult forces. For example, in 2005, there was an increase in “ritual” (muti) murders in Liberia in the run-up to the nation’s first post-war elections (SABC News, 10 October 2005). It can be speculated that these murders increased in frequency due to the efforts made by election candidates to improve their chances of winning the elections by acquiring control over occult forces. In Tanzania, in the October 2005 elections, “witch-doctors” were officially employed for the purpose of ‘…concocting spells to help the
east African country’s politicians to win votes in this month’s elections.’ (Yahoo! News, 24 October 2005). Even in cases of witch-hunting, political legitimacy also features, not only for political leaders on the national level, but also for leaders on the local level. For example, in the former South African homeland of Lebowa, ‘…diverse actors found it politically convenient to involve themselves in attempts to identify and punish witches in their quest to attain legitimacy.’ (Niehaus, 1993: 498; see also Niehaus, 2001: 15). Also, in the Democratic Republic of Congo, there has been an increase in child sorcery abuse. Here, children are branded sorcerers and are punished for the misfortunes experienced by their families. In order to safeguard its legitimacy in the eyes of the local population, the Congolese government has engaged in periodic mass round-ups of street children, beating and abusing them (BBC News, 4 April 2006), thereby encouraging beliefs that these children deserve to be punished as sorcerers. The government has been criticised by Human Rights Watch as it has wilfully chosen not to enforce a provision of the new constitution that forbids accusing children of practising sorcery (BBC News, 4 April 2006). These examples illustrate that postcolonial African governments recognise the importance of demonstrating their ability to control supernatural forces in order to safeguard their political legitimacy in the eyes of local populations.

Perceptions of politics and power, and their relation to discourses on witchcraft, are as relevant in the South African context as they are elsewhere in postcolonial Africa. According to Faure (2003), ‘Despite numerous successes, South Africa remains a land of striking paradoxes.’ (Faure, 2003: 143). This statement refers to the many ambiguities and dichotomies that exist in South African society, to a large extent due to the fact that ‘…the political economy of the “new” South Africa is undergoing significant change…’ (Comaroff and Comaroff, 1999: 307). On the one hand, the country struggles to make its mark on the global stage, both politically and economically, as its contribution to the global capitalist political economy. This implies that the government seeks efforts to increase levels of development and modernisation. On the other hand, South Africa also possesses a richly multicultural society, where both Western and “traditional” cultures co-exist. Specifically within the context of diverse religious and cultural beliefs, the Constitution of the Republic of South Africa states that ‘Everyone has the right to freedom of conscience, religion,
thought, belief and opinion.’ (Constitution of the Republic of South Africa, Act 108 of 1996: 8). Furthermore, the Constitution states that ‘Persons belonging to a cultural [or] religious… community may not be denied the right ….to enjoy their culture [or] practise their religion…’ (Constitution of the Republic of South Africa, Act 108 of 1996: 15). However, despite these freedoms enshrined in the Constitution, the practical implementation of these freedoms often creates complex problems that the South African government has to contend with. One example is the problem surrounding the issue of ritual slaughtering in suburban areas. According to a report in *The Herald* (31 October 2006), steps are being taken by the Eastern Cape Provincial Department of Agriculture to regulate ritual slaughter. This follows several cases of conflict between white and black neighbours in suburban areas over ritual slaughtering. Traditional leaders are not happy about this as they claim that the representative body of traditional leaders in South Africa, namely the Congress of Traditional Leaders of South Africa (CONTRALESA), was not consulted before the step to regulate ritual slaughtering was taken (*The Herald*, 31 October 2006). This highlights a contradiction between the freedom to practise one’s cultural practices and the freedom of the state to intervene and regulate such practices. It also highlights the underlying contestation of power between traditional leaders who feel that their authority in cultural matters are being undermined (cf. Chapter Three), and the government that is attempting to display its authority and superior position in relation to the authority of local chiefs. Another example is the continuing belief in witchcraft and subsequent witchcraft-related crimes that occur mostly in African communities. Faure (2003) sums up the implications of witchcraft-related crimes for the South African modernising project: ‘…the existence of crimes of an occult nature would be counter-productive to modernity and development, perpetuating the stereotyped notions of…African barbarism that racist theories are always quick to use as a political argument…[O]ccult crimes evoke the failure of civilization and progress…and prove that the government is ineffective.’ (Faure, 2003: 144-145). Professor Thias Kgatla from the former University of the North (now University of Limpopo) echoed these ideas and added that crimes such as muti killings tended to cause an embarrassment to the South African government: ‘We have come to ten years of democracy and we want the world to see we are managing and we don’t want to go public because it [muti killings] shows our bad side. In our country we are shy to talk about this. The government must tackle muti killings…even though some
might want this problem to remain hidden.’ (News24, 17 August 2004). Thus, it becomes imperative for the government to visibly demonstrate its control over occult forces to protect its legitimacy and credibility, not only locally in the eyes of South African communities, but also globally in the eyes of the rest of the world.

The primary means through which the ANC government has attempted to deal with the problem of witchcraft-related crime has been through the use of law enforcement structures. The current government still uses the Witchcraft Suppression Act (No. 3 of 1957) as its legal framework in dealing with witchcraft-related crimes (Hund, 2003; 2004), despite recommendations that this legislation should be repealed (Ralushai et al, 1996; Mavhungu, 2003). However, another contradiction is found here. While the Witchcraft Suppression Act (No. 3 of 1957) outlaws consultation with traditional healers and forbids the practice of traditional healing (para. 1 (c)-(f)), the institution of traditional healing not only still continues despite this legislation but is flourishing (Ashforth, 2005; see also Chapter Three). Some scholars, such as Mavhungu (2003), attribute this to the leniency of the post-apartheid government in its efforts to recognise and professionalise the institution of traditional healing. The government has attempted to regulate traditional healers in order to deal with the problem of “rogue” healers who may be involved in witchcraft-related crimes, specifically muti killings, by establishing state controlled bodies to represent bona fide traditional healers in the country. One example of such a body is the KwaZulu-Natal Traditional Healers Council, which condemned healers who use human body parts as “witches” who “…deserve to be hanged.’ (News24, 26 March 2001). It appears that these rogue healers may not only be involved in killing people for muti, but may also be providing their services to help petty criminals such as thieves and hijackers. According to the Daily Sun (26 October 2005), criminals pay unscrupulous sangomas large amounts of money to perform ukuqinisa or “strengthening” rituals and to provide them with muti to protect them from being killed or arrested by police. In Mthatha in the Eastern Cape, four men were arrested at a sangoma’s house for possession of unlicensed firearms. According to one of the investigating officers, the criminals were arrested while consulting the sangoma for a cleansing ceremony which, they believed, would protect them from being arrested or convicted in court (News24.com, 25 October 2007).
Despite the use of regulatory bodies for traditional healers, the state also uses the South African Police Service (SAPS) to deal with witchcraft-related cases. In this regard, the state has not had great success as police officers involved in witchcraft cases often struggle to investigate these cases successfully (see Chapter Seven). In some cases, the inability of the police to respond effectively to cases involving witchcraft accusations has created a loss of faith in the police (see Chapter Three). For example, according to the *Daily Sun*, an Eastern Cape mother and her family were forced to flee their home after being attacked by a mob that accused the mother of being a witch. On the night of the attack, the mother tried to phone the police who only arrived to take statements the following day (*Daily Sun*, 7 June 2005). An added problem is that communities distrust the police as a result of the role that police forces played during apartheid to terrorise and even kill large numbers of African people (Ashforth, 2005; see Chapter Seven). The South African police, for example, was instrumental in the Soweto Uprisings of 1976 when they opened fire on protesting African youths, without provocation, and killed several people, an event that has become nationally remembered in contemporary South Africa. Local communities may still associate the police with the crimes that police forces perpetrated under the apartheid regime, and thus distrust them. Furthermore, police also seemingly fail to recognise customary procedures in communities when it comes to cases involving witchcraft. As Mavhungu (2003), citing remarks made by one of his respondents, has suggested, concerning relations between police and local communities in Venda, ‘These police...have decided that our chief should no longer deal with issues that involve witchcraft...[W]e are surprised by police who come, without the company of any person from the chief’s kraal, to ask us about a particular crime...So these police expect us to disclose information...about a crime that our chief is not even aware of...We do not belong to the police, we are the people of Mandiwana (the chief)...’ (Mavhungu, 2003: 182). Consequently, community members are rarely willing to participate in providing information to the police. A further problem is that police investigators are under-resourced in terms of having sufficient knowledge about witchcraft beliefs and how these relate to African cultural contexts (Petrus, 2007). Having undergone training in Western law enforcement methods, which often do not recognise the ontological status of witchcraft, the police may lack the necessary
cultural sensitivity to enable them to more effectively investigate witchcraft-related crimes without inadvertently offending the beliefs and customs of local communities, thereby hampering their own investigations (see Chapter Seven). In addition to these problems related to witchcraft specifically, there are also more general problems, such as corruption in the police force, inadequate resources and a lack of faith in the Ministry of Safety and Security to control rampant crime levels, that further decrease people’s faith in the effectiveness of the police. As the enforcing arm of the state, a negative perception of the police force implies a negative reflection on the state’s political power which has implications for its legitimacy.

Another law enforcement structure used by the state in witchcraft-related cases is the judicial authority of the state courts. However, it is especially here where the tension between “traditional” views of justice and the justice of the state is the most pronounced, specifically in relation to witchcraft. As Mavhungu (2000) has stated, ‘Traditional courts say witches do exist, whilst formal courts say that witches do not exist.’ (Mavhungu, 2000: 118). As pointed out earlier, the Witchcraft Suppression Act (No.3 of 1957) is still in force in South Africa and informs state courts of how to deal with witchcraft cases. In most cases, those who appear as the accused are community members who have been arrested for committing acts of violence or murder against alleged witches. This, in addition to the failure of state courts to acknowledge and recognise the ontological status of witchcraft (Mavhungu, 2000; Hund, 2003; Hund, 2004), has resulted in communities losing faith in state courts to effectively deal with witchcraft cases (see also Chapter Four). In other African states, such as Cameroon (Geschiere, 1997) and Tanzania (Mesaki, 1994), the state has attempted to criminalise witchcraft practices. In Cameroon, for example, state courts have employed certified witch-diviners (nkong) as expert witnesses to testify against alleged witches (Fisiy and Rowlands, 1989; Fisiy and Geschiere, 1990; Geschiere and Fisiy, 1994; Fisiy, 1998; Niehaus, 2001). However, the success of this approach in dealing with the witchcraft problem is questionable since it seems that, through the use of nkong and the subsequent implicit recognition of witchcraft as a reality, the state is ironically reinforcing the very same beliefs that it may be trying to eliminate (Geschiere, 1997).
In general, it can be argued that the political context of witchcraft-related crimes is based on a contestation for power between the macro- and micro-political levels of the state. The macro-political context involves the governmental structures and departments, as representatives of state power that are directly involved in attempting to visibly demonstrate their control over occult forces. The micro-political context involves those who hold and exercise power on the local level, that is, the authority figures of the chiefs and headmen (Niehaus, 2002). This leads to a view that local African communities can be regarded as mini-states within the broader state context (Donkers and Murray, 1997; Mavhungu, 2003). The tension between the macro- and micro-political authorities, especially in relation to witchcraft, is one major reason why witchcraft-related crime has become a serious problem in South Africa. In precolonial times, crimes and accusations involving witchcraft were readily dealt with by tribal chiefs in customary courts which functioned as the primary conflict resolution institutions in precolonial communities. As Mavhungu (2003) has indicated, traditional leaders gained their political legitimacy through their contact with supernatural powers, being the representatives of the ancestors and thus the mediators between the people and the spirits. As such, the tribal councils presided over by the chiefs, were able ‘…to regulate witchcraft and the supernatural.’ (Mavhungu, 2003: 179). Consequently, scholars such as Hund (2004) argue that due to the instrumental role of the chiefs, witch killings were kept to a minimum. With the colonial authorities and subsequently with the apartheid and post-apartheid governments, it seems that the authority of the chiefs has been severely diminished, especially concerning matters that are regarded as falling under their jurisdiction. The state has attempted to gain more control over customary affairs including the issue of witchcraft, as has been shown, for example, with the creation of the Ralushai Commission, which reported directly to the ANC Ministry of Safety and Security. Niehaus (1993) has argued that in the former homeland of Lebowa, the increase in witchcraft-related violence can be directly attributed to the diminishing role of the chiefs due to the villagisation and betterment strategies introduced by the apartheid government, not to mention legislation such as the Bantu Authorities Act of 1958 that severely curtailed the powers of chiefs (see also Niehaus, 2001: 8-9). In contemporary South Africa, despite the creation of representative bodies for traditional leaders such as CONTRALESA, there is a struggle for power between traditional leaders and the state (see Kohnert, 2002: 173).
Niehaus (2001) described several witch-hunts in Green Valley during 1990 and 1994 in which the contest for political legitimacy between various political actors was foregrounded. According to Niehaus’ (2001) account, during this period, witchcraft was a contentious political issue that created a ‘major dilemma to ANC structures, who have become representatives of the state.’ (Niehaus, 2001: 181). The main political actors during the 1990-1994 witch-hunts were the Setlhare chief, the Comrades, the ANC structures in the area and the witch-diviners (dingaka). While the chief played an increasingly important role in managing witchcraft accusations, the ANC structures came under increasing pressure concerning their stance on the witchcraft issue. On the one hand, they had to be obedient to the ANC National Executive that forbade local structures from becoming involved in witch-hunts; on the other hand, they needed to take a stance in favour of the communities in order to safeguard their political legitimacy in the communities. Also, the Comrades, who had forcefully acquired legitimacy through their active leadership in eliminating witches from the area during the late 1980s witch-hunts, found themselves being marginalised politically, and attempted to use the 1990-1994 witch-hunts as an opportunity to regain their former political legitimacy (cf. Chapter Five). The diviners also played a key role in the identification of witches. Their insistence on the use of “traditional” procedures and customs bolstered their power, along with that of the chief, in the eyes of the communities (Niehaus, 2001). This political context in Green Valley illustrates how witchcraft discourses facilitated a contest for power and legitimacy in both the macro- and micro-level political arenas. This struggle provides a major dimension to the political context within which witchcraft-related crimes occur.

While a tension does exist between the micro- and macro-political levels, competing discourses of power are also to be found within the micro- and macro-political levels themselves. During the 1980s and 1990s, there was an upsurge in muti killings in the former homeland of Venda. According to scholars such as Mihalik and Cassim (1992), muti killings in Venda increased as a means of destabilising the state authorities in the former homeland. Traditional leaders that had been appointed by the state were viewed as puppets of the apartheid regime and their authority was not regarded as legitimate by the communities under their jurisdiction. This point is
echoed by Mavhungu (2003) who states that ‘…chiefs were often accused of having been dishonest to their people and supporting the illegitimate regime. Chiefs were blamed for not defying the law that prohibited them from presiding over witchcraft cases while they knew that their people were still experiencing witchcraft-related problems.’ (Mavhungu, 2003: 180). The contestation for power in this micro-political context was expressed through the perpetration of occult violence, in the form of *muti* killings, whereby members of local communities attempted to demonstrate their access to occult powers, gained from the use of *muti* made from human body parts and therefore being more powerful. However, some people also suspected that the increase in *muti* killings was due to the political leaders’ ordering the killing of victims to boost their own power and to intimidate the local communities. Within the macro-political level of the state, witchcraft is also regarded as a weapon that can be used by political opponents against each other. During the presidency of Mr Mphephu, president of the former homeland of Venda, ‘…accusations of witchcraft were rife in his cabinet, in which ministers traded accusations against one another.’ (Mavhungu, 2003: 175-176). In Grahamstown, Eastern Cape, a local Pan African Congress (PAC) veteran was accused of using witchcraft to commit murder (*The Herald*, 15 April 2005). In another case in KwaZulu-Natal, in 2000, the former Member of the Executive Committee (MEC) for Education in the province refused to enter her office after suspecting that witchcraft had been used against her by her predecessor who had been removed from office (Mavhungu, 2003: 176). These cases suggest that even within macro-political structures of the state, such as political parties like the PAC and ANC, witchcraft exists as a context within which contests for power occur.

Within the micro-political context, power is also contested in relations of domination within the context of gender relations. A relationship exists between discourses on witchcraft, sexuality and power in local African communities. Since witchcraft is perceived as an illegitimate source of power that can be used to the detriment of community interests and social order, it presents a threat to established local patterns of power, not only in the public sphere of local politics, but also within the domestic sphere of gender relations. In the context of gender relations, the use of witchcraft to subvert established patterns of domination by men over women is regarded as a
‘perversion of power’ (Niehaus, 2002). The implications of this in African communities are quite serious as they threaten the entire basis of social order upon which communities are built. Interpretations of this perversion of power are illustrated in the use of witch familiars either for sexual relations with the witch, or to disrupt the reproductive functioning of potential victims. Among the South African Xhosa, uThikoloshe and umamlambo are examples of familiars that can be used for these purposes. In some cases, uThikoloshe can be used for sexual purposes by the witch or it can be sent to rape a victim, thereby rendering her barren or unable to bear children (Pauw, 1994; see also Chapter Three). In this case, by having unnatural sexual relations with a non-human being under her control, the witch subverts both normal patterns of sexual behaviour, as well as normal patterns of power. Similarly, a man who uses umamlambo for sexual purposes (Pauw, 1975) may be rendered incapable of creating a normal relationship with a woman, thereby diminishing his status as a man. Among the Bashu of the former eastern Zaire, the changing economic status of women due to the political and economic changes brought about by colonialism, caused Bashu men to reinterpret changing gender relations as the work of witchcraft, which facilitated an increase in witchcraft accusations against women (Packard, 1981). In addition to using familiars, muti can also be used by women to subvert established patterns of male dominance. One example is the use of a potion called korobela, whereby a woman attempts to keep her spouse interested and faithful (Ashforth, 2005). However, in this case, the morality involved in the use of this muti differs between women and men, and has implications for interpretations of power. On the one hand, women may regard their use of this muti as legitimate in order to protect their marriages. On the other hand, men regard the use of this muti as illegitimate as it robs them of their free will and, essentially, places them under the control of women, which subverts the established order (Ashforth, 2005). It is thus not surprising that in patriarchal communities established on a pattern of male domination, witchcraft accusations and violence are often perpetrated against women who represent threats to established gendered relations of power (see Chapter Three).

3. Witchcraft-related Crime and Economic Insecurity
One of the most serious challenges facing the South African government of the post-apartheid period is the problem of poverty. However, whether the government is succeeding in addressing this issue remains a question as indicated in a letter written by Mzuvukile Maya to the editor of *The Herald*: ‘The ANC professes to champion the poor, but evidence on the ground is proof of the emptiness of words. Millions still live in informal settlements…But the ANC’s chosen action plan to deal with this problem includes housing programmes riddled with allegations of corruption…Clearly, the ANC is not the champion of the poor.’ (*The Herald*, 31 October 2006). The sentiments expressed by Maya are shared by many South Africans. Economic insecurities and resultant poverty have left many communities ‘disillusioned in state power.’ (Petrus, 2006b: 146). Before the advent of the ANC regime, it was easy for African communities to find a scapegoat for their suffering. The apartheid regime, with its segregation policies, contributed largely to the poverty experienced by communities, especially through the creation of homelands or “Bantustans” (Niehaus, 1993). Consequently, the apartheid government became an illegitimate government that was the enemy of the people. However, when the ANC took power, the government was no longer seen as the enemy. African communities had millenarian expectations that the ANC government would undo all the economic suffering of the people and inaugurate a utopian South Africa free of racial discrimination and poverty (Niehaus, 2001; 2003; see also Chapter Five). When the reality set in after the ANC came to power, communities became aware that in many ways their situations had not changed for the better and new scapegoats were sought. Consequently, witchcraft was blamed and witches were sought out in communities and killed as the causes for misfortune and poverty (Niehaus, 2003). In this way, the old witchcraft beliefs were adapted to the new context in order to make sense of new relations of political and economic power and new inequalities and anxieties.

Witchcraft-related crimes, namely witch killings and *muti* murders, occur as a direct response, in some cases, to economic factors. In South Africa, witchcraft-related crimes tend to occur most often in rural communities which are the hardest hit by poverty and economic insecurity. Often, rural communities face problems related to lack of a sustainable income and fail to experience the intended benefits of government initiated rural development schemes. In postcolonial South Africa,
poverty and economic insecurity have seemingly become characteristic features of the post-apartheid state. These problems have been exacerbated by corruption, lack of housing, lack of adequate service delivery, the HIV/AIDS pandemic and high crime levels. Within a context of economic uncertainty and the accompanying spiritual insecurity, local communities tend to seek remedies for their precarious situations through recourse to occult powers (see Comaroff and Comaroff, 1999; Kohnert, 2002: 169). In terms of Geschiere’s (1997) notion of the levelling versus accumulative aspects of occult power, in economic terms, local African communities attempt to gain access to occult power to improve their own economic conditions, while those who are already economically better off attempt to accumulate more wealth through occult means.

In this context, muti killings specifically become a manifestation of efforts made by African communities to alleviate their economic insecurities. As mentioned, muti made from the body parts of humans are deemed to be more powerful than those made from herbs or animals. It is believed that muti made from human parts is especially effective in increasing chances of success in economic affairs. For this reason, particularly in Africa, an “occult economy” (Comaroff and Comaroff, 1999) has emerged whereby a “black market” of human body parts provides the necessary ingredients for medicines strong enough to increase economic prosperity. In Pondoland, informants often cited success in business or economic prosperity as not only a motive for muti murder, but also a motive for witchcraft in general. For example, in the Port St Johns area, an informant who owned a successful business in his village, recalled how he had also been the target of rumours that he had used witchcraft to facilitate the prospering of his business: ‘When I started my shops, people said that I’m prospering because I had a snake [umamlambo], but I ignored those accusations’. This suggests that in communities that are characterised by poverty, people seem to be trapped between progressing or not, as both options could lead to suspicions of witchcraft. The same informant illustrated this when he said that ‘In the villages it does not matter what a person does, the suspicion of witchcraft is always there. If you are seen to be progressing then you are suspected of keeping witchcraft familiars, however, if you are not successful, then people will say that you are bewitched’.
Within a politico-economic context, political power can often be equated with economic power, based on the idea that whoever controls access to economic resources controls access to political power. Thus, the more wealth an individual can accumulate, the more power the individual can hold in his/her community. In African communities, there are both legitimate and illegitimate forms of economic and political power. Traditional leaders, for example, are legitimated in their positions of power by virtue of their access to reproductive and economic resources in their communities. This serves to support the existing relations of power and status in the community. However, when ordinary individuals attempt to increase their status at the expense of their neighbours then political and economic power is regarded as illegitimate. It is especially when people attempt to gain this unfair advantage through the use of occult means when the illegitimacy of this power becomes most apparent. As Minnaar et al. (1992) have indicated, among the Venda, every person has a fixed or limited amount of good fortune. When an individual attempts to increase his/her fortune, it can only be done at the expense of another. When this happens, suspicions of witchcraft then arise.

The unfair access to economic resources which results in increasing inequality and illegitimate relations of domination, is expressed negatively in the discourse of witchcraft. In the postcolonial South African context, where poverty and inequality are realities for many African communities, a tension exists between those who favour the use of occult means to increase their economic prosperity and those who express their disfavour of this practice through the use of witch persecutions and killings. In many cases in South Africa, muti killings are associated with the making of powerful medicines designed to improve prosperity in business or any other economic endeavour. Those who commit these killings regard them as justifiable as they are meant to increase their wealth and prosperity (Petrus, 2006b). In some cases, traditional healers, particularly herbalists (amaxhwele) are themselves involved in these murders, as they, too, benefit economically either from clients who may pay them to make muti made from body parts, or through the selling of muti containing human parts for commercial purposes (see Chapter Three). For these reasons, in contemporary South Africa, it is common for traditional healers to also be killed by
community mobs if they are suspected of being involved in *muti* killings. In KwaZulu-Natal, for example, a traditional healer was killed by a mob after being suspected of killing two people for witchcraft purposes (*News24*, 7 September 2005). These killings are treated as witchcraft, as the intention or motive for these killings is inherently evil, being based on a selfish desire to increase one’s wealth and status at the expense of someone else’s life, a desire that is antithetical to the values of community equality and solidarity (cf. Chapter Four). In addition to being involved in *muti* killings for commercial purposes, there have also been reported cases of some (perhaps bogus) healers who have cheated clients out of money by playing on their fears and insecurities. In Nagina Township, Kwazulu-Natal, a widow was swindled out of a considerable amount of money by a “fake” *sangoma* who claimed that she (the widow) was a victim of witchcraft and needed a protection ritual (*The Post*, 26 July 2006). Cases such as this highlight the importance of regulating and certifying traditional healers. However, it should be noted that no such cases were indicated by informants from Pondoland. Although there was an acknowledgement that particularly *amaxhwele* were involved in *muti* murders, people still had great respect for their traditional healers in general. In fact, one of the reasons why there was such a widespread belief in witchcraft throughout Pondoland was attributed to the consultations that people often had with their traditional healers, whether they were *tisangoma* (diviners) or *amaxhwele* (herbalists) or *amaggirha* (traditional doctors) (see Chapter Three).

Within the context of psychic witchcraft, that is, the use of familiars to cause harm to others, a person can also use occult means to increase his/her wealth and status at the expense of others. There are a number of witch familiars or agents that people believe can be used to either prevent someone from succeeding economically, or to give an unfair advantage to the possessor of the familiars. Among the Xhosa-speaking peoples in general, and the informants of Mpondoland in particular, the most common familiar that is associated with wealth is *umamlambo*, a familiar that is conceptualised as a giant snake that can be transformed into a beautiful woman or man, depending on whether its owner is male or female. In order for the familiar to increase the wealth of its owner, it demands regular sacrifices of human blood, preferably that belonging to the kin group of the owner (Olivier, 1981; Pauw, 1994; see also Chapter Three). If
the sacrifice of blood is not forthcoming, it is believed that the snake can turn on its owner in anger and kill him/her. Thus, once again, wealth comes at the price of a human life which is then illegitimate wealth. Other familiars can also be used to prevent someone else from succeeding, for example, the impundulu (lightning bird) that can be used to destroy someone’s crops or livestock with lightning, thereby preventing their economic success, or uThikoloshe that can, upon instruction from its owner, molest the livestock of the victim, thereby preventing them from reproducing or being economically useful (Olivier, 1981).

4. The Political and Economic Context in the Eastern Cape Region (former Transkei and Ciskei areas) and its Implications for Witchcraft-related Crime

The preceding discussion provided a general outline of issues in the South African political and economic context of the post-apartheid period that have shaped the context of witchcraft-related crime. In order to understand more regionally specific political and economic contexts, it is necessary to have some understanding of the wider or more general context of the country as a whole. Many of the political and economic issues that have been raised in general are also relevant for the specific context of the Eastern Cape. In this section, the political and economic context of the Eastern Cape, with reference to the former Transkei and Ciskei areas, are addressed, in order to show how witchcraft-related crimes in this region are the products of specific political and economic factors in the region.

In many ways, the colonial and apartheid history of the Eastern Cape and the response of local African groups to colonial and apartheid oppression, reflects the role of witchcraft beliefs as a means of making sense of and controlling seemingly uncontrollable forces (Crais, 2002; Redding, 1996). According to Redding (1996), beliefs in witchcraft are still common in the former Transkei and they clearly had repercussions during the colonial and apartheid periods in the region. Crais (2002) has provided a detailed account of how the complexities of state formation during the colonial and apartheid periods impacted on local perceptions of the Xhosa-speaking peoples of the relationship between power, witchcraft, suffering and misfortune. This
perception of the ‘politics of evil’, specifically the role of witchcraft, was instrumental in encouraging perceptions among Xhosa-speaking peoples in the Eastern Cape that the oppressive South African state was somehow in league with evil forces that contributed towards their suffering (Redding, 1996; see also Chapter Five). Crais (2002) mentions that the rebellions of Xhosa-speaking peoples against the colonial and apartheid state were, in many cases, interpreted by the people as a ‘holy war’, fuelled by millenarian expectations that the survival of the Xhosa-speaking peoples would depend on the eradication of evil from the land. Thus, the eradication of political and economic evil, as represented by colonialism and apartheid, occurred simultaneously with the eradication of supernatural evil, as represented by witches and sorcerers. The social and political tensions that gave rise to jealousies, greed and hatred, as well as the consequent widespread violence and killing of people accused of witchcraft, emerged as a result of the social, political and economic changes that occurred in Xhosa-speaking “traditional” communities due to colonialism and apartheid.

As was the case for many African groups in South Africa, the Xhosa-speaking peoples of the former Transkei area found their political and economic systems changed through contact with European societies. Briefly, the precolonial or traditional political system of the Xhosa-speaking peoples was based on the institution of the Chief (inkosi), who fulfilled several roles and functions that were crucial to the existence and cohesion of the community under his jurisdiction. He was assisted in his tasks by a council of advisors and headmen (Campion, 1976; Pauw, 1994). After the annexation of the Transkei area by the British in 1894, in 1903 the Council System was imposed, which was ‘not based on the traditional Xhosa systems.’ (Campion, 1976: 78). As a result of this system, ‘...Xhosas were not afforded the opportunity of administering their own affairs. Xhosa law and custom had no place in this system.’ (Campion, 1976: 78). Approximately fifty years later, in 1951, the South African government passed the Bantu Authorities Act which gave greater responsibility to the Xhosa-speaking peoples. The Council System was replaced by the Transkeian Territorial Authority in 1956 (Pauw, 1994: 8), and in 1963, under Chief Kaizer Matanzima, self-government was granted to the Transkei (Campion, 1976; Liebenberg and Spies, 1993; Pauw, 1994). Since the Xhosa-speaking peoples
were organised around tribal lines (Labuschagne, 1976: 17; Pauw, 1994: 5-7) throughout the Transkei, each tribe had its own chief with limited powers. With the implementation of the Witchcraft Suppression Act (No. 3 of 1957) the powers of chiefs to intervene in witchcraft cases were severely curtailed and, as such, witchcraft constituted an offence which could not be tried by chiefs (Pauw, 1994: annexure 3: 155).

With the emergence of the anti-apartheid resistance movements throughout South Africa, in the Transkei, chiefs became opponents not only of the South African government, but also of each other, which resulted in competition for legitimacy both between and within the micro- and macro-political levels. According to Carter et al (1967), violence and hostilities in the rural areas of the Transkei, in many cases instigated by tribal chiefs, ‘…led to hut burning and murder [and] varied from area to area, depending on circumstances of local rivalries and grievances as well as opposition to official policies.’ (Carter et al, 1967: 20-21; see also Crais, 2002). Problems related to bribery and corruption among chiefs (Hammond-Tooke, 1975: 211; Campion, 1976: 87-88) was a major reason for some chiefs losing their legitimacy. A further problem was the role conflict caused by the Bantu Authorities Act (1951), whereby chiefs who were appointed by the government (Carter et al, 1967: 39, 89; Southall, 1982: 104; De Wet and Whisson, 1997: 324) were caught between loyalty towards their people and loyalty towards the state: ‘…the chief under the Bantu Authorities system is involved in a role-conflict situation which imposes upon him problems and tensions. On the one hand, as a government employee, he is charged with the implementation of government policy…often strenuously opposed by the conservative peasantry. On the other hand his people expect him to be the upholder of conservative tribal values…It is as if two opposed ideological systems meet in one man – the universalistic, impersonal norms of modern bureaucracy, and the particularistic, highly personalized norms of close-knit kinship, based on the traditional structure.’ (Hammond-Tooke, 1975: 212, 218; see also Labuschagne, 1976: 19 and Groenewald, 1980: 95). The same problem was faced by headmen who were restricted to the administration of laws that were unpopular with the people. Consequently, ‘…they tended to come into constant conflict with the villagers…[T]he headman ceased to carry his traditional prestige…’ (Carter et al, 1967: 90) As a
result, some chiefs and headmen gave preference to their people, thereby becoming enemies of the state, while others who upheld state policies were viewed as corrupt sell-outs to the oppressive government. Subsequently, in the Transkei, ‘Opposition to unpopular chiefs and headmen, and to unpopular…official policies, resulted in sporadic and violent protests…These protests took the form of…rioting, the burning of huts and kraals, and the murder of fellow-Africans considered to be government collaborators.’ (Carter et al, 1967: 25; see also Chapter Five). The legitimacy of chiefs and headmen was severely curtailed due to the interference of state authorities since they could no longer be trusted to maintain law and order in their communities: ‘The regulations prescribing the duties of chiefs and headmen mean that the main areas of conflict between these officers and their people could be expected…in the enforcement of rules concerning law and good order in their areas.’ (Hammond-Tooke, 1975: 217; cf. Labuschagne, 1976: 19). The destabilisation of traditional authority could well have contributed to increased fears that witchcraft was running rampant in communities. For this reason, Segar (1989) states that ‘…the fact that people have less and less faith in the local political system and are particularly sceptical about the local police force, has created a context wherein certain “traditional” practices such as ritual [muti] murder have tended to increase.’ (Segar, 1989: 113).

Even into the 1980s and up to the present, the rural areas of the Eastern Cape have been plagued by political and economic instability that has contributed to inequality and insecurity. In the former Ciskei, for example, the Sebe government’s repressive style of leadership contributed to the poverty of rural communities as a result of ‘…maladministration as well as prestige projects [which] have all had their effects, mostly negative, on development.’ (Streek, 1988: 62). In addition, control over access to land has also been a major contributing factor to rural poverty and lack of development. In this case, traditional leaders have been blamed for not being willing to give up their monopoly over land, which is already a scarce resource: ‘…it is questionable whether traditional authorities and the chiefs will be willing to give up one of their foremost, and effective, powers over rural peoples, the allocation and control of land. The power of the chiefs over people in the rural areas in terms of the allocation of land, jobs, pensions and other resources is extensive.’ (Streek, 1988: 65).
This, among other factors, contributed to the Ciskei being described as ‘…a land of extreme poverty.’ (Black, 1980: 20; see also Charton, 1980: 228). In the same area, some scholars, such as Manona (1980), have argued that inter-ethnic tensions between the Xhosa and Mfengu of the Ciskei region have in large part been due to historical power struggles, as well as competition for resources: ‘…the ethnic struggle in the Ciskei is not merely a struggle for political power…but relates…to competition for scarce resources, especially land.’ (Manona, 1980: 119).

In the post-apartheid Eastern Cape region, many communities are still suffering from the uncertainties and insecurities created by the apartheid system. Under the apartheid regime, African communities battled with political and economic insecurities due to the increasing interference of the state in their daily lives (De Wet and Whisson, 1997: 322). Post-1994, these insecurities still remain. According to De Wet and Whisson (1997), ‘…the position of more than a handful of traditional leaders has still to be clarified at the national level. Until that is done, uncertainties and problems at the local level are likely to remain.’ (De Wet and Whisson, 1997: 324; see also Peires, 2000: 113; cf. Chapter Three). The problem of the status of traditional leaders in the Eastern Cape is echoed by a report in the Daily Dispatch where thirty traditional leaders, including twelve amaXhosa princes, were at loggerheads with the Traditional Affairs Department for refusing to confirm their appointments (Daily Dispatch, 27 November 2006). The problem is also compounded by a report of two traditional leaders who were embroiled in power struggles in the region. Both of these leaders were representatives of traditional leaders’ organisations, namely the Eastern Cape House of Traditional Leaders (ECHTL) and the Congress of Traditional Leaders of South Africa (CONTRALESA). Consequently, not only are individual leaders battling each other, but their respective organisations are involved as well (Daily Dispatch, 24 November 2006).

The political and economic context of the rural Eastern Cape region, created by the apartheid regime, caused local village inhabitants to become more sensitive to the occurrence of witchcraft-related crimes, namely muti murders and witchcraft accusations. Segar (1989) recalled one of her informants who perceived a link between the increase in muti murder and independence in the former Transkei in the
1960s: ‘Since 1963...the Whites started not to have power and it became difficult to report [crimes to the police]. The ones who do get arrested are those who are trying to help themselves to pay taxes by selling jwala [home-made beer]. For the ones who make bebebe [muti murder] they get arrested and are only kept for a month and then released. It’s because people who make bebebe are rich and can bribe...people who make jwala are poor.’ (Segar, 1989: 114). In this statement, it is apparent that villagers were aware of both the political and economic motives behind witchcraft-related crimes. Those who regarded themselves as powerless, politically and economically, perceived the politically and economically powerful as the perpetrators of witchcraft-related crimes. The corruption of the police was also exposed as a contributing factor to the villagers’ fears of becoming a victim of witchcraft-related crime: ‘Fear is definitely exacerbated by the belief that the police, instead of protecting the public from murderers and punishing them...do not care about the safety of the public and are often in league with the murderers…’ (Segar, 1989: 114-115; cf. Chapter Three). In addition, the police also had to contend with the problem of the classification of such crimes (cf. Chapter Seven), but despite the uncertainty of police, many villagers insisted that there was an increase in muti murders (Segar, 1989: 115). From an observer’s point of view, Segar (1989) argued that it could well be understood why the villagers insisted that there was an increase in muti murders. She alluded to at least two factors: ‘...it makes sense to consider that ritual murders which are supposed to give the perpetrators greater wealth and power, could be on the increase in a community in which there is both a high degree of poverty, and of inefficiency in the police force...[a]s problems like impoverishment and ethnic and political tensions grow, so the scene is set for incidences...of ritual murder.’ (Segar, 1989: 115). This political and economic context also encouraged incidences of witchcraft accusations which were ‘...made in the “traditional” idiom that witchcraft and sorcery are used by local politicians as a means of jockeying for power. This they do by besmirching the name and reputation of certain of their opponents.’ (Segar, 1989: 115). This illustrates the use of witchcraft on the micro-political level where political opponents within a community contest for power and legitimacy.
5. Conclusion

This chapter has shown that witchcraft-related crimes do not occur in a vacuum but are frequently found in a political and economic context. A general political and economic context of witchcraft-related crimes was sketched, illustrating how political and economic factors related to power and inequality have shaped the context of witchcraft-related crimes in other African states, as well as in South Africa. Also, based on the general interpretations of the role of power and inequality, an outline of the political and economic context of the Eastern Cape region, specifically the former Transkei and Ciskei areas, was given. It was shown how the inequalities of power and wealth engendered by the apartheid system have contributed to the same inequalities in contemporary post-apartheid African communities in the Eastern Cape. Despite the transition to a black majority government, many of the apartheid era inequalities have not disappeared. These inequalities, combined with high unemployment and crime rates, have exacerbated anxieties, insecurities and general feelings of powerlessness in communities. This context provides a fertile breeding ground for witchcraft-related crimes as people turn to the occult in an effort to control these seemingly uncontrollable forces. This chapter suggests that witchcraft-related crime exists in a context that goes beyond law enforcement. While the response of law enforcement to witchcraft-related crimes is a focus of this study, it must be borne in mind that a much wider context, that implicates the highest structures of state power, is encouraging witchcraft-related crimes to continue.

However, despite the argument made above, it is law enforcement, specifically the police, who have to deal with the consequences of witchcraft-related crimes at grassroots level. The following chapter focuses on the role of the police in the investigation of witchcraft-related crimes. It sketches the historical context of policing in South Africa and the Eastern Cape and illustrates how, because of their historical and contemporary relationship with the state, the police are caught in an ambiguous position, one that is particularly exposed in witchcraft-related crimes. The chapter explores this ambiguity with specific reference to the perceptions of witchcraft-related crimes as held by the local police of the Eastern Cape.
1. Introduction

Since the demise of the apartheid regime and the coming to power of a democratic government, law enforcement structures in South Africa have acquired a position of prominence regarding their role in ensuring safety and security for the citizens of the country. Law enforcement structures, particularly the police, have played an instrumental role in South African society, both in the past and in the present. Some of the most significant events in the apartheid history of South Africa involved the police. For example, the Soweto Riots of 1976 were the result of the deaths and injuries of African youths at the hands of the police and security forces (Brogden and Shearing, 1993: 18). In addition, the death of the Black Consciousness Movement leader and activist, Steve Biko, was also attributed to the apartheid police, as he was alleged to have died while in police custody (Brogden and Shearing, 1993: 34, 124). Also, there was the Sharpeville massacre of 1960, where sixty-nine people, protesting against the Pass Laws, were killed by the police (Brogden and Shearing, 1993: 18; see also Maduna, 1993: 43, 44). In the post-apartheid context, the need for transformed policing was recognised by Reynecke and Fourie (2001), who state that ‘During the 1990s there was general consensus that the new political and constitutional reality in South Africa demanded fundamental reassessment of the nature of policing’ (Reynecke and Fourie, 2001: 9). Thus, the challenge is the transformation of the police to enable them to be relevant for the new South Africa.

The success of the police in meeting the challenges of the new South Africa has been consistently marred by a poor track record and a poor public image of the police, particularly regarding the issue of crime. In contemporary South Africa, it appears that crime levels have skyrocketed, not only due to the apparent inability of the police to deal with crime effectively, but also because of alleged corruption that has infiltrated the highest levels of police management. In 2007, the South African Police Service (SAPS) National Police Commissioner, Jackie Selebi, was accused of having links to a high level organised crime boss and was even threatened with arrest on
charges of corruption. This has given rise to a high profile national scandal in the highest levels of law enforcement structures in South Africa. According to *E-News Primetime*, South African law enforcement structures have become a ‘political football’, since the exposure of the Selebi scandal. Not only was the Director of the National Prosecuting Authority (NPA) dismissed following the decision of the NPA to facilitate the arrest of Selebi, but in 2008, after the arrest of Selebi became imminent, the Gauteng Director of the specialist investigating unit, the Scorpions, was also arrested and charged by the SAPS with corruption. A week after being arrested and charged, the charges against the Director were withdrawn by the SAPS. Coincidentally, the Director was the lead investigator into the alleged criminal activities of Selebi, thereby prompting speculations of a government cover-up that stretched as far as the Office of the President. Also, the scandal has deepened the rift between the Scorpions and the SAPS (*E-News Primetime*, 13 January 2008). In a radio interview, the former National Police Commissioner, George Fivaz, commented that the law enforcement scandal has undermined the South African public’s confidence in its law enforcement structures (*Monitor*, Radio Sonder Grense, 14 January 2008). Later in 2008, the ANC government took a decision to disband the Scorpions by having the unit integrated with the South African Police Service, thereby prompting further public speculation that the ANC was attempting to prevent further investigations into the activities of some of its high-profile figures. In addition, the police seem helpless in their efforts to curb the high rates of rape and murder plaguing various sectors of South African society.

It is within this context that the need arises to examine the role of law enforcement, particularly the police, in investigating the specific crimes that can be called witchcraft-related. In the absence of any meaningful recommendations for the police specifically on this issue, the Ralushai Commission’s Report leaves a gaping hole in one area that is crucial for the curbing of witchcraft-related crimes (see Chapter Two).

This chapter thus examines the meaning of law enforcement, both generally and also in the South African context. Attention is given to some of the historical factors that have contributed to the current position of formal and informal policing in South Africa. Furthermore, the chapter analyses the South African Police Service Act (No.
68 of 1995) not only to determine its role as a policy informing the operation of the police, but also to examine the implications of witchcraft-related crime for this policy. The chapter also looks at the implications of witchcraft-related crimes for formal and informal policing structures, and analyses these implications within the context of the apparent contradictions inherent in the micro-level of local communities and the macro-level of the state.

Within this general context of policing in South Africa, the chapter finally provides an analysis and interpretation of the perceptions of SAPS officials in the Eastern Cape regarding the role of the police in the investigation of witchcraft-related crimes. The analysis and interpretation are based on data gathered from SAPS informants during fieldwork in Mpondoland.

2. The Meaning of Law Enforcement

In most cases, the term “law enforcement” is used interchangeably with the term “police” which implies that these terms are synonymous. However, it can be argued that law enforcement involves much more than the police, as it could also refer to other structures such as the courts of law and legislation that are used as frameworks within which to enforce the law. If the focus is placed on the role of the police in law enforcement, it has also been argued by scholars such as Adams (1968), that the definition of the police officer, in terms of roles, is not simplistic, because ‘The police officer wears many caps and assumes many subroles when playing his part. He is a father-confessor to the youngster who has made his first mistake, a referee in a family…quarrel, an actor in the drama of a…capture of a wanted felon, an investigator at the scene of a crime or accident, and a director of pedestrians and vehicles on the streets’ (Adams, 1968: vii). Consequently, the multiplicity of roles of the police officer makes the definition of a singular role obscure: ‘The most significant characteristic of the unique role the policeman plays in the community is that very few people actually know exactly what that role is’ (Adams, 1968: vii). This has given rise to an ambiguity in defining the role of the police officer, an ambiguity that has a potential negative impact on the police officer: ‘...(L)aw enforcement officers are doubly cursed. On the one hand they are public servants, and on the other
they are forced by occupation to have contacts with the public that cannot be entirely pleasant’ (Eldefonso *et al.*, 1968: 8).

While the complexities involved in defining the law enforcement practitioner, in this case the police officer, are acknowledged, it is also acknowledged that societies and communities cannot do without law enforcement. Adams (1968) has described law enforcement as ‘a community need’ (Adams, 1968: 43) and has suggested that the impossibility of the utopian society is a major reason for the need for law enforcement: ‘A utopian society is virtually impossible…Competition and conflict are intrinsic to a society that is characterized by dynamism, materialism, individualism,…strong social pressures for prestige and affluence, and differences of opinions and moral standards. Absolute conformity to unrealistic mores of a nonexistent “perfect” society is neither desirable nor is it possible’ (Adams, 1968: 43; see also Eldefonso *et al.*, 1968: 3-5). This statement suggests that crime is intrinsic to any human society because of social, political and economic stratification. The inequalities that emerge in societies due to unequal access to resources are an inescapable reality. Consequently, conflict and competition arise that motivate criminal activity and encourage the need for law enforcement.

### 3. A Brief Outline of Law Enforcement in South Africa

In the South African context, law enforcement, as represented by the police, has a specific purpose to fulfil. According to Section 205 (3) of the South African Constitution (1996), ‘The objects of the police service are to prevent, combat and investigate crime, to maintain public order, to protect and secure the inhabitants of the Republic and their property, and to uphold and enforce the law’ (South African Constitution, Act 108 of 1996: 112). However, as has already been pointed out, the post-apartheid government, together with the police service, faces many obstacles preventing the effective implementation of the purpose of law enforcement as laid out in the Constitution. The political and economic context of the “new South Africa” has not lived up to millenarian expectations, thereby giving rise to widespread competition and conflict that have culminated in a high crime rate throughout the
country (Shaw, 2002: 59). Consequently, as Shaw (1997) has stated, ‘As the South African political transition has unfolded, the issue of crime has become one of the key challenges facing the new government’ (Shaw et al, 1997: 5, 7). Seemingly, as crime levels have skyrocketed since 1994, some scholars have observed a growing lack of public confidence in the abilities of the South African Police Service (SAPS) to deal with rising crime levels (Shaw et al, 1997: 5). This is a situation that seems to have endured into the present context. However, the contemporary position of the South African police cannot be blamed solely on the political transition, but should also be understood within a historical context that, it is argued, has contributed significantly to the current negative image of the police. According to Heymann (1993), the police force in South Africa is characterised by three main problems, all of which can be linked to specific historical factors. These problems are intercommunity relationships in a new South Africa; black community distrust of traditional policing objectives and methods; and the likely existence of uncontrolled pockets of violent resistance to change (Heymann, 1993: 59).

The relationship between the police and the apartheid regime was one that had far reaching implications for the perceptions of the police by specifically black South Africans. Historically, the oppressive nature of South African policing and the violence that it has employed, have created a sustained brutality that has been a central feature of the black South African experience. Consequently, ‘South African policing has not simply promoted an order that has devastated the lives of black South Africans but has been an essential part of that order’ (Brogden and Shearing, 1993: 16; see also Nathan, 1993: 121; Brogden and Shearing, 1993: 43). The ‘order’ referred to was the apartheid order in which the police were used as an effective tool to sustain the apartheid regime by means of ‘policing through violence’ (Brogden and Shearing, 1993: 16, 17). This view was reinforced by the perception that the South African Police (SAP), as it was known before 1994, was too militaristic in its organisational structures. This kind of violent policing firmly established the police as ‘an enemy of the people’ in the view of black South Africans (Brogden and Shearing, 1993: 23). In addition, the historically ambiguous position of the police in South Africa meant that they occupied a dual role in both white and black sections of the population. According to Mathews et al (1993), policing was ‘…identified on the
white side with the preservation of white power and interests…and on the black side with naked and illegitimate repression’ (Mathews et al, 1993: 1; see also Olivier, 1993: 23, 28; Maduna, 1993: 41; Shaw, 2002: 1). The implication is that the police were and are part of the macropolitics in an ethnically divided society, and, as the executive power of the state, the police force is the personification of the ruling group (Shaw, 2002: 11). Also, the police function in a macro-environment where factors such as globalisation, politics, economics, social and cultural norms all interact to create a dynamic environment over which the police have little or no control (Olivier, 1993: 25; see also Reynecke, 2001: 14).

The ineffectiveness of the police in gaining support from African communities in witchcraft-related crime investigations can be linked to the historical association of the police with secret or “occult” operations during the apartheid regime. According to Olivier (1993), the apartheid police employed a “dirty war” strategy, ‘…in which the police…were required to play an undercover, clandestine and unlawful role’ (Olivier, 1993: 27; see also Woods, 1993: 49; Shaw, 2002: 13). The secret or clandestine nature of these police operations resonated with the kind of secrecy associated with practitioners of witchcraft and sorcery. Not only could this have contributed to communities’ distrust of the police (Shaw, 2002: 12), but it could also have contributed to perceptions that the police are somehow in league with those accused of practising witchcraft (see Chapter Three).

The further alienation of the police from the African communities was reinforced by the application of unpopular legislation. Van Eyk (1993) has stated that ‘Policing, as the executive authority of the state, is inextricably linked to the wide network of laws that control human behaviour…The SAP [South African Police, as they were known during the apartheid regime], as the enforcer of the law, is, therefore, also the receiver of the criticism that is directed at the legislator. In the past, the SAP had to enforce laws that were unpopular with 85 percent of the community’ (Van Eyk, 1993: 37, 38). Again, within the context of witchcraft-related crimes, legislation such as the Witchcraft Suppression Act (No. 3 of 1957) was unpopular with African communities (Hund, 2003). However, the enforcement of this legislation by the police, however inconsistent, did little to curb perceptions that the police were in league with alleged
witches and sorcerers (see previous paragraph). This point is implied in a statement made by Maduna (1993) in which he says that ‘There is a popular perception among the victims [of crimes]…that the police either collude with or connive at the antics of the perpetrators of heinous crimes specifically to undermine mass-based efforts to achieve fundamental change…’ (Maduna, 1993: 42). Consequently, apartheid laws, such as the Witchcraft Suppression Act (No. 3 of 1957) have created what Shaw (2002) calls a ‘culture of violence’. These laws, as well as other factors generated by the apartheid regime, have led to a situation where ‘…most South Africans continue to have what was once a healthy disrespect for rules, and for those who enforce them’ (Shaw, 2002: 58). This may be a reason why witchcraft-related crimes are still occurring despite the existence of anti-witchcraft legislation.


Almost immediately after the African National Congress (ANC) led government came to power in South Africa in 1994, efforts were made to introduce reform within the police service of the country. These early efforts culminated in the introduction of the South African Police Service Act (No. 68 of 1995). This legislation emerged as a response to the recognition within the new ANC government that the South African Police was in need of drastic reform, in order to rid it of the negative image that it had acquired due to its role in supporting the apartheid regime.

In terms of this legislation, provision was made for ‘…the establishment, organisation, regulation and control of the South African Police Service; and to provide for matters in connection therewith’ (South African Police Service Act, No. 68 of 1995). This suggests that the aim of the South African Police Service Act (No. 68 of 1995), was to bring the police force in line with the democratic principles of the post-apartheid state and to make the police force accountable to the post-apartheid government (Hansen, 2001). The South African Constitution (Act 108 of 1996) consequently made provision for the establishment of a new police service that, unlike its apartheid predecessor, would have more political accountability and responsibility. This is set out in Section 206 (3) [a-e] of the Constitution, whereby each province is given the authority to hold the police service accountable at various levels, mainly

According to Williams (1993), ‘In democratic countries, police play the vital role of ensuring that those principles that the society has enshrined in law are actualised. Democratic principles are abstractions. It is their enforcement that determines whether a country’s government is a democracy or not’ (Williams, 1993: 80). However, what is the meaning of democracy in the context of witchcraft-related crimes? It could be argued that in this context there are two different meanings of democracy. On the one hand, there is the collective democracy of the community which has the right to be protected from harm, whether visible or invisible. On the other hand, there is the democracy of the state, where individual rights and freedoms take precedence over those of the community. These differing views of democracy come into direct conflict in witchcraft-related crime cases because communities may regard themselves as having the democratic right to protect themselves from alleged witches by any means necessary, including killing alleged perpetrators, while the state may regard alleged witches as having the democratic right to be protected. In this context, as mentioned earlier, the police, as the executive authority of the state, represent the democracy of the state, and therefore intervene as agents of the state. While the police may protect the state’s democracy by protecting alleged perpetrators of witchcraft and arresting members of the community who attempt to punish alleged witches, they are viewed as the opponents of the collective democracy of the community.

The ambiguous and contradictory nature of the police, specifically regarding witchcraft-related cases, is also reflected in the Preamble to the South African Police Service Act (No. 68 of 1995). In the Preamble, it is stated that there is a need to provide a police service to:

a) ensure the safety and security of all persons and property in the national territory;

b) uphold and safeguard the fundamental rights of every person;

c) ensure co-operation between the [South African Police] Service and the communities it serves in the combating of crime;
d) reflect respect for victims of crime and an understanding of their needs; and

e) ensure effective civilian supervision over the Service (Preamble, South African Police Service Act, No. 68 of 1995).

In terms of the above needs or functions of the police, as reflected in the Preamble to the South African Police Service Act (No. 68 of 1995), various ambiguities and complexities emerge when these functions are analysed within the context of witchcraft-related crimes. For example, how can the police safeguard the fundamental rights of both the individual accused of witchcraft and the community? As indicated earlier, both the individual and the community have the fundamental democratic right to be protected by the police. However, in cases of witchcraft, there is a perception that it is often the individuals who stand accused of practising witchcraft who enjoy greater protection from the police (see Chapter Three). Furthermore, if the police are required to reflect respect and understanding for the victims of crime and their needs, how would this be achieved in witchcraft-related cases? Who is the victim in this case? The individual who is accused of witchcraft may believe himself/herself to be the victim of violence from the community, while the community may regard itself as being the victim of occult violence from the alleged witch. Also, how would the police attempt to understand the needs of victims? Not only is it problematic to determine who the victim is in this case, but it may also be problematic to understand the context of witchcraft beliefs and practices that may have given rise to such a case, mainly because the police operate within a rationalist framework that does not encourage a sympathetic attitude towards African witchcraft beliefs (Petrus, 2007; see also this Chapter below). The police’s perceived lack of sensitivity to cultural beliefs involving witchcraft may lead communities to feel that their anxieties are not being taken seriously, which could ultimately lead not only to a lack of co-operation between the community and the police, but also increased levels of mob justice and open hostility towards the police.
Community policing and other alternative forms of policing are not a recent phenomenon in South African society. These forms of policing have existed since before the introduction of a more community-oriented approach to policing in the reformed South African Police Service after 1994. As indicated earlier, under the apartheid government local African communities could not depend on the South African Police for protection from crime. As Shaw (2002) states, ‘Black people were policed for control and not crime prevention…[T]he police spent an inordinate amount of resources on arresting people for apartheid administrative offences, such as not being in possession of a “pass” in a white area, but seldom confronted criminal violence in the townships themselves’ (Shaw, 2002: 1). Consequently, while the South African Police attempted to keep crime out of the white areas, crime in the African townships increased. As a result, crime and violence were ‘…concentrated in black areas and more often than not, remained invisible and unreported’ (Shaw, 2002: 15). African people thus had no recourse to the police to deal with crime in their communities because ‘Ordinary African citizens were harshly treated by the police and had little recourse to the law…’ (Shaw, 2002: 13).

In an environment such as this, alternative forms of policing emerged in African communities as a response to the lack of trust and legitimacy that they felt for the police. Various policing alternatives were created such as the people’s courts that were designed to provide a parallel system of justice to that on offer by the state. There were also the gangs that emerged not only as a form of politically mobilising the youth, but also served as a forum for young activists to counter crime in their communities (Shaw, 2002: 9). In addition, there were also those informal policing structures that acted as institutionalised surrogates providing the facade of black-on-black policing as part of the wider apartheid strategy (Brogden and Shearing, 1993: 89). Within this category fell the vigilantes who were ‘…politically directed in the sense that they…acted to neutralise individuals and groupings opposed to the apartheid state…’ (Brogden and Shearing, 1993: 85). Despite the existence of these surrogate policing structures that aimed to support the apartheid regime, other
informal policing structures in African communities were employed as ‘community-ordering institutions’ (Brogden and Shearing, 1993: 132).

These community-ordering institutions possessed various characteristics. Firstly, they focused on the reduction of risk of harm to persons and their property. Secondly, the activities of these institutions were approached holistically, that is, they were related to and integrated with other activities and institutions used to regulate community life. This was reflected in the activities of the Civic Associations, for example, which cut across various spheres of social ordering. Policing was thus viewed as integrated with other duties. Thirdly, policing was understood as a people’s or popular enterprise to which everyone can and should contribute. Finally, community-ordering focused on the reintegration of the criminal into the community rather than his/her stigmatisation and exclusion. Thus the emphasis was placed on the restoration and healing of relationships between the offender and the community (Brogden and Shearing, 1993: 132-134). These features of informal policing resonated with those of “traditional” African legal systems, especially regarding the reintegration of an offender into the community (Brogden and Shearing, 1993: 136). However, within the context of witchcraft-related offences, some of these aspects of informal policing may be applied in practice while others may not be. Particularly the idea of restoring relations between those accused of witchcraft and the community is open to question if the existence of the so-called “witch villages” is considered. According to Brogden and Shearing (1993), ‘…traditional African courts tended to avoid…the segregation of the offender with the…marginalisation of him or her into a sub-community of similar social rejects’ (Brogden and Shearing, 1993: 136). This implies that criminals were encouraged to reincorporate themselves within their communities without the fear of stigmatisation. However, in witchcraft cases it appears that not only are those accused of witchcraft stigmatised, but they may also be banned or exiled from their communities. The witch villages that exist in the northern parts of South Africa are examples of communities of people who have been expelled from their homes and original communities because of being accused of witchcraft. These witch villages have been documented, as seen, for example, in a 1996 South African television programme, called Special Assignment, where an investigation was made into the

In more extreme cases, people who have been accused of witchcraft may be sentenced to death by informal policing institutions such as the people’s courts. Ordinary criminals have often been violently punished by people’s courts (Shaw, 2002: 9; Brogden and Shearing, 1993: 134) in occurrences that have been labelled “mob justice”. This resonates with the idea mentioned earlier that policing is everyone’s business and thus everyone should participate in the dispensing of justice. Witch hunts and witch killings involve this kind of mass mobilisation of the community where the majority of community members may participate in hunting out and killing alleged witches (see, for example, Ralushai *et al.*, 1996; Mavhungu, 2000; Niehaus, 2003; Hund, 2003; Chapter Five). Often neutrality in these cases is unacceptable, that is, if one does not support and participate in the killing of an alleged witch then one is regarded as a possible suspect (Mavhungu, 2000). In this context, witch killing, as a community enterprise, takes on the form of a communal ritual of purification, whereby the agents of evil responsible for bringing harm or misfortune to the community are ritually eliminated (Petrus, 2006b; see also Chapter Five). By ensuring public community participation in this ritual of witch killing, the instigators and executioners not only instil fear throughout the community to deter others from engaging in witchcraft practices, but also reinforce collective consciousness and adherence to community values.

Informal policing in African communities creates its own dynamics when it occurs within the context of witchcraft-related crimes. Since crimes associated with witchcraft beliefs and practices also add a cultural dimension to such crimes, various complex issues emerge that impact on notions of “community”, “policing” and “culture”. For example, Jensen and Buur (2004) refer to ‘Informal or communal forms of policing’ as ‘everyday policing’ (Jensen and Buur, 2004: 193) while Comaroff and Comaroff (2004) refer to informal policing as the ambiguous terms ‘cultural policing [and/or] policing culture’ (Comaroff and Comaroff, 2004: 513). All of these scholars recognise that cultural beliefs, such as those pertaining to witchcraft and sorcery, not only impact on communal forms of policing, but also impact on the
nature of crime itself. Jensen and Buur (2004), for instance, state that, in relation to crime, ‘The occult can explain a range of disparate issues: why criminals are successful in avoiding detection or conviction [or] why certain, often fatal incidents occur…[S]een from the margins of society, within which another worldview operates, it is the occult that makes the detection of criminals impossible…Seen in this light, it is evident that occult powers and the demands of policing in specific localities intertwine in some instances’ (Jensen and Buur, 2004: 193-194). Petrus and Bogopa (2007) have argued that the lived experiences of African communities often occur at the intersection between nature and culture, where everyday lived realities are understood and interpreted within the context of the interaction between the natural and supernatural worlds. The natural and supernatural worlds are not bounded entities but exist in a symbiotic relationship within which they can mutually influence each other. This is how everyday realities are experienced in African communities (Petrus and Bogopa, 2007; see also Ashforth, 2005). It is thus understandable that crime, which has always been a part of the lived realities of African communities, can also be interpreted from a natural/supernatural perspective. In this context, local police formations are tasked to protect their communities from both visible and invisible crimes. However, in practice, local community policing structures are often hesitant to engage with the occult. This places local formations in a difficult position because ‘…the people they are to protect do not distinguish unequivocally between crime and the occult, and the formations have to tackle both in one way or another’ (Jensen and Buur, 2004: 194). The lack of distinction between crime and witchcraft emanates from the communal view that ‘Both [that is crime and witchcraft] relate to intentional attempts to do harm and…those who are believed to have committed these crimes are seen to forfeit their rights to belong to the moral community’ (Jensen and Buur, 2004: 207-208; Chapter Five). In other words, crime and witchcraft share certain common traits that, in terms of the moral context of the community, threaten communal values and the wellbeing of the community as a whole.

Witchcraft also exposes the complexities of defining “the community” which also impacts on the ambivalence of local justice enforcers. The legitimacy of local policing structures is based on their recognition by “the people” and, therefore, ‘To be able to claim recognition…local justice enforcers must be seen to act, even in
situations where they feel ambivalent, such as...dealing with malign forms of the occult’ (Jensen and Buur, 2004: 208). But who are “the people”? As indicated, those who are accused of crimes, specifically regarding witchcraft, are regarded as forfeiting their rights to membership of “the community”, yet they are still part of the community that local enforcers claim to protect. At the same time, efforts to protect persons accused of witchcraft may trigger another manifestation of “the people”, namely “the mob” which may undermine the authority of the local enforcers. This was reflected by informants in the Mzamba area of Bizana in the Eastern Cape where, following a spate of muti murders in the area in 2008, groups of community members apprehended some of the suspects and killed them, despite calls from the local SAPS and the local Community Policing Fora (CPF s) that the community members not take the law into their own hands (see Chapter Three). In addition, community members felt that the local police were in league with the killers and thus did not trust them to investigate the case effectively. Consequently, the local community undermined the authority of the local SAPS and CPFs.

Furthermore, within a community, there may be those groups that are either for or against the execution of witchcraft suspects. Thus, “the community” is not a homogeneous group but is composed of people representing various interests, agendas and motives. The data gathered from informants in Mpondoland revealed that the majority of people did not support the execution of suspected witches. However, there were still many cases of witchcraft accusations and the killing of witches in the same communities, despite the majority of people not supporting witch killings (see Chapter Three). Although they were few in number, there were those who did support the killing of witches. This suggests that within communities in Mpondoland there were divisions in terms of whether people were for or against the violent treatment of witches. Thus, the notion of “the community”, like witchcraft, is ambiguous (Jensen and Buur, 2004: 208), and therefore local police formations find themselves in an ambiguous position in efforts to manage and control the community, particularly in issues related to witchcraft. This ambiguity is most noticeable by the police within the context of co-operation that they receive from communities during investigations. The majority of the SAPS informants interviewed in Pondoland revealed that there were inconsistencies in community co-operation during investigations of witchcraft-related cases (see below). If communities felt that an
alleged witch who had been killed was innocent, they would support and co-operate with the police during an investigation. However, if the community at large felt that the suspected witch was in fact guilty, then community members would not co-operate with the police to apprehend the killers. According to the SAPS informants, this was one of the main factors that hampered successful investigations of witchcraft-related cases.

The ambivalence of local policing structures regarding the policing of witchcraft is not only problematic within the context of their relationship with the community, but can also be problematic in terms of their relationship with state law enforcement structures, who also have their own complexities to deal with regarding the issue of community policing. During the political transitional period of the 1990s, it was widely recognised that for the South African police structures to regain their legitimacy in the eyes of the population, they needed to be reformed towards building better relationships with specifically local African communities (Mathews et al., 1993; Brogden and Shearing, 1993; Shaw et al., 1997; Cronje et al., 1997; Shaw, 2002). For this reason, the South African Police Service Act (No. 68 of 1995), included the provision for the establishment of Community Police Fora (CPF). In Section 18 (1) of the said Act, it is stated that ‘The Service shall, in order to achieve the objects contemplated in section 215 of the Constitution, liaise with the community through community police forums…’. In addition, the functions of the CPFs are set out in Section 18 (1) [a-f] of the South African Police Service Act (No. 68 of 1995). Thus, community policing structures represented on CPFs and the SAPS are obliged to co-operate in combating crime. However, in practice, relations between community policing structures and the SAPS may be strained because of various factors. Consequently, some community responses to crime, such as vigilante groups, have become popular (Shaw, 2002). The police, however, have responded in an ambivalent manner, as, in some cases, certain members of vigilante groups have been arrested, while in other cases, particularly where the lives of police officers have been at risk, the police have been hesitant to intervene (Shaw, 2002: 101). In addition, police have also not been in favour of CPFs in all cases ‘…partly because the police…have been reluctant to allow local control of the police’ (Shaw, 2002: 144-145). Some informants from Mzamba in Bizana illustrated this point. After the Ebenezer muti murder case was opened in 2008, there were several meetings called by
the local SAPS, which wanted to meet with the community to discuss the investigation. However, some informants indicated that a senior SAPS official who was supposed to attend the meetings never turned up. Apparently, there were rumours in the community that the meetings were in fact intended to replace the existing community-elected CPF in the area with one appointed by the SAPS. This had the effect of further eroding the community’s trust in the local SAPS.

In witchcraft cases, these complexities have been significantly exposed. The SAPS, as representatives of the state, are obliged to act in accordance with state legislation regarding witchcraft. At present, the Witchcraft Suppression Act (No. 3 of 1957) is still in effect. In terms of this Act, police can only act against those who accuse others of witchcraft, meaning that, in most cases, police often arrest those involved in witch killings rather than the alleged witches. This has implications for how local African communities perceive the police. Also, local justice enforcers face the difficulty of maintaining favourable relations with the police. Witchcraft cases add to this difficulty because ‘If cases are not contained and controlled, those dealing with everyday policing will end up in confrontation with official law enforcement agencies’ (Jensen and Buur, 2004: 208). As a result, witchcraft cases illuminate the inability of both the SAPS and informal policing structures to effectively handle these cases, thereby undermining their legitimacy in the eyes of local communities and encouraging local communities to take the law into their own hands.

6. A Case of ‘Structural Contradiction’: Muti Murder and Mob Justice in Nelson Mandela Bay, Eastern Cape

The issues that have been raised in the previous section are well illustrated in an incident of mob justice that occurred in an African community in Nelson Mandela Bay, Eastern Cape, in January 2008. The incident was reported in the *Weekend Post* newspaper of 18 January 2008.

In the above-mentioned case, a man whom community residents believed to have raped, murdered and disembowelled his female 14-year-old cousin, was stoned and
set alight by a group of vigilante residents. The condition in which the murdered victim was found, as well as a statement that was made by the killer to the victim’s mother before the murder occurred, suggested that the motive for the murder was the acquisition of the victim’s body parts for *muti*. The victim was found with her intestines removed. Just before the crime was committed, the suspect apparently stated that ‘Aunty, I want to make myself rich. My *sangoma* [traditional healer] has instructed me to bring him a gall bladder of a black goat with two feet. I know this will make you cry’ (*Weekend Post*, 18 January 2008). Apparently the suspect was referring metaphorically to his cousin as ‘the black goat’. Two days later, hordes of angry community members found the suspect, pelted him with stones and set him alight.

When community members were interviewed by the reporter regarding the incident, many sentiments were expressed that echoed the issues raised in the preceding section. Firstly, it was found that the residents of the community were almost unanimous in their support for the vigilante killers. Secondly, they had a poor perception of the police’s ability to deal with crime in their community. One resident was quoted as saying ‘I don’t care what the police say, his [the suspect’s] death is justified because he would’ve been released immediately if he was caught…How do you expect people to act when such incidents occur in our neighbourhoods, knowing the police are not doing their jobs effectively?’ (*Weekend Post*, 18 January 2008). Another resident expressed a similar view when she stated that ‘It [vigilantism] goes a long way to teaching criminals that people have other means to deal with them if police are lazy to arrest them…If the government does not agree with us, then we need visible changes in the justice system, where criminals are not treated with kid gloves’ (*Weekend Post*, 18 January 2008).

A senior researcher at the Institute for Security Studies was approached to provide comment on the incidence of mob justice. Firstly, it was stated that mob justice was becoming more common in South Africa. Secondly, the primary cause for this increase in vigilantism was the frustration experienced by communities because the police often did not perform their duties swiftly. The researcher also stated that communities needed to contain their anger and hand criminals over to the police so
that the justice system could impose a fitting sentence. Furthermore, a spokesperson
for the SAPS, in a contradictory statement regarding the frequency of mob killings,
stated that vigilante incidents were isolated cases and had actually decreased during
the past five years. Also, it was stated that vigilantism is never justified and that
communities must stop taking the law into their own hands (*Weekend Post*, 18
January 2008).

In this one example, there are clear tensions between state and community policing
structures. Community residents viewed witchcraft-related crime, in this case *muti*
murder, as deadly serious and immediately went into action against the alleged
perpetrator. No mention was made of a community meeting or people’s court to first
discuss the issue and then decide on a punishment. No mention was made of a CPF
that was involved in the meting out of punishment. Involving the police was not even
considered until after justice, as defined by the people, had been done. This suggests
that local communities, such as this one, have little faith in official and, for that
matter, unofficial, police structures to effectively handle witchcraft-related crimes,
and thus feel justified in resorting to mob justice. The police, on the other hand, are
opposed to mob justice and may regard the executioners as the criminals in cases such
as this.

The tensions between local communities and the police regarding the policing of
witchcraft-related crimes can be problematised with reference to several sets of
related questions. According to Comaroff and Comaroff (2004), the following sets of
questions contextualise the dichotomy between communities and the police regarding
how to deal with witchcraft-related crimes:

1) How is witchcraft-related violence, in this case against perpetrators of
magical evil, to be understood? As vigilantism, in which communities
take the law into their own hands against those who contravene their
social norms? As the revenge of the poor against the rich, young
against old, male against female? Or as a mode of “cultural policing”
directed at those held to threaten the wellbeing of the community?

2) What is the state’s response to community policing of witchcraft?
3) What is the implication of witchcraft-related crimes for governance of the “new” South Africa? Does its appeal to cultural relativism call into question the Eurocentric ideal of the nation-state? Can cultural relativism and legal universalism coexist?

In an effort to address these questions, Comaroff and Comaroff (2004) argue that witchcraft-related crimes or, what they problematically term ‘occult-related violence’, and the forms of informal cultural policing that accompany these kinds of crimes, are the end products of a ‘structural contradiction’ which has emerged as a feature of not only post-apartheid South Africa, but also of other African postcolonial states. In essence, this structural contradiction involves the tension between traditional African beliefs and practices that are protected by the South African Constitution (Act 108 of 1996), and the modernising tendencies of the state. Official state law enforcement structures and those unofficial, informal policing structures of local communities differ markedly in their attitudes and responses to the perceived threat of witchcraft. For a significant period in South Africa’s history, attempts were made by the colonial and apartheid regimes to suppress African witchcraft beliefs and their management (see, for example, Niehaus, 1997a; Holland, 2001 and Hund, 2003; see also Chapter Four). In the post-apartheid context, these beliefs and practices have found a renewed resurgence as a response to the political, economic and social changes engendered by the transition to a post-apartheid state. However, the state’s perceived failure to make good on its fulfilment of local millenarian expectations of a “better life” (Niehaus, 2003) and to allay the fears of local communities stemming from ‘spiritual insecurity’ (Ashforth, 2005), has created a situation where local communities have chosen to resort to informal or “cultural” means of dealing with these issues. According to Comaroff and Comaroff (2004), cultural policing is not only an indictment of the state, but also reiterates the witchcraft “epidemic” as the example of the state’s dramatic failure to provide material wealth and personal security to its citizens. This is illustrated in the Witchcraft Summit of 1998, where the ANC basically admitted not only to the failure of the state to protect its people from the danger of witchcraft, but also that the state would act, not against the perpetrators of witchcraft but against the victims who took action through recourse to traditional means (Comaroff and Comaroff, 2004). Local communities thus challenge the state’s legitimacy and
authority in the realm of the management and control of witchcraft, a challenge that has given rise to the structural contradiction mentioned by the Comaroffs. Witchcraft-related crimes have thus come to symbolise the structural dichotomies inherent in the macro- and micro-levels of the state, namely, the global state versus the local community; the powerful versus the powerless; the rich versus the poor; the collective versus the individualistic. These dichotomies have given rise to the kinds of ambiguities that law enforcement structures, both formal and informal, have to face in their efforts to meet the demands of both the state and local communities, demands which are often contradictory and in direct opposition to each other.

In the middle of this structural contradiction between the “traditional” and the modern demands of the postcolonial, post-apartheid state, is the SAPS. It has already been mentioned that the SAPS finds itself in an ambiguous position. On the one hand, it represents the executive authority of the state, yet, on the other hand, it is also meant to represent, protect and serve the interests of local communities. Given the inherent structural contradiction between the state and local communities, the SAPS is plagued by ineffectiveness and confusion regarding its role. The SAPS is already fighting an up-hill battle regarding its legitimacy in the eyes of local communities, especially considering the high levels of crime and the current crisis in the highest structures of law enforcement. Witchcraft-related crimes foreground the inability of the SAPS to maintain legitimacy in local communities. As Comaroff and Comaroff (2004) have stated, ‘With most SAPS cadres unwilling or unable to intervene effectively in cases of the occult, or to provide a convincing alternative for this kind of cultural policing [that is, witch killing], it is no wonder that “mass action” against alleged malevolents continues to enjoy a large measure of populist legitimacy’ (Comaroff and Comaroff, 2004: 525). This view of the Comaroffs was illustrated by SAPS informants in the Eastern Cape. All of the informants interviewed explicitly stated that the police do not investigate witchcraft but investigate crime. Consequently, even if cases of witchcraft accusation were reported to the police, if complainants had no proof, they were sent back to their communities to deal with the issue. This point was supported by the community informants (see Chapter Three). Also, according to the community informants, most of the reported cases had not been successfully investigated by the police in various areas. Either no suspects were ever arrested or communities
received no further information from the police regarding the progress of investigations. These factors were cited by community informants as reasons why people tended to take the law into their own hands.

In the past, the SAPS had a special unit dealing with, among other things, witchcraft-related offences. This unit was known as the Occult-Related Crimes Unit (Comaroff and Comaroff, 2004). As indicated in Chapter Two of this study, this unit was mainly responsible for investigating cases linked to Satanism and, as was found in the Objectives of the Investigation and Prevention of Occult-Related Crime by the General Detectives, Satanism was the main focus and there appeared to be confusion between Satanism-related and witchcraft-related crimes (http://www.saps.gov.za/youth desk/occult/occult.htm).

However, an even more pressing issue is the ‘…question…about the constitutionality of the Occult-Related Crimes Unit’ (Comaroff and Comaroff, 2004: 524). According to the South African Constitution (Act 108 of 1996), cultural relativism and moral pluralism are values that are explicitly protected (see also Comaroff and Comaroff, 2004). This implies that African beliefs, such as the belief in witchcraft and sorcery, are protected by the Constitution. However, when people act on these beliefs, as often happens in witchcraft-related violence, the SAPS is called upon to act in terms of the Witchcraft Suppression Act (No. 3 of 1957). Thus, if it acts, is it contravening the constitutional right of people to act in accordance with their “traditional” beliefs and practices? The Comaroffs seem to have reasoned in this way regarding the existence of the Occult-Related Crimes Unit. For the Comaroffs, ‘Witch killing is the practical expression of a custom recognised under the Bill of Rights…’ (Comaroff and Comaroff, 2004: 525). As such, if the police take action against those involved in witch killing it could be interpreted as unconstitutional and contrary to the Bill of Rights. However, as has also been mentioned, the state has firmly positioned itself against witch killings and expects the SAPS, as the executive arm of the state, to support its position. As a consequence, within the context of witchcraft-related crimes, the SAPS finds itself unable to effectively investigate such crimes because, in following the demands of the state, it has become alienated from local communities. This places the SAPS in a double-bind. Not only is it unable to count on the support
of local communities to resolve witchcraft-related cases, but also, because of this alienation, it is unable to effectively rid itself of negative apartheid perceptions through the improvement of its relations with local communities. The alienation of the SAPS from local communities was well illustrated in the above-mentioned case in Nelson Mandela Bay and indicates the impact that the structural contradiction, referred to by the Comaroffs (2004), has had on the SAPS’ ability to combat witchcraft-related crimes.

7. Perceptions of and Responses to Witchcraft-related Crime by the SAPS in the Eastern Cape

The South African Police Service (SAPS) in the Eastern Cape is plagued by many of the same problems and complexities that were discussed earlier in this chapter. During the apartheid regime, as elsewhere in South Africa, the police in the Eastern Cape were actively involved in enforcing apartheid legislation, thereby contributing to their own illegitimacy in the eyes of local communities, especially during the interim phase of the former Transkei “independent” homeland. Consequently, even in the contemporary Eastern Cape of post-apartheid South Africa, the police are struggling to control rampant crime levels in the region in their efforts to regain legitimacy.

Witchcraft-related crimes seem to pose a particular challenge to the police in the Eastern Cape. Over the last ten years, there have been various reported cases of witch killings and muti murders throughout the Eastern Cape. While many of these have occurred in the rural areas of the region, some cases have also been reported in the urban areas of the region. In a 2008 report in The Herald, at least two suspected muti murders occurred in the Port Elizabeth townships of KwaZakhele and Missionvale (The Herald, 30 January 2008). Also, there was the case in Nelson Mandela Bay referred to earlier in this chapter which also involved suspected a muti murder (see p.?). These examples suggest that witchcraft-related crimes are not restricted to the rural areas only. As indicated earlier in this chapter, witchcraft-related crimes generally expose a structural contradiction that impacts on the complex relationship between the police, informal community policing structures and the communities themselves.
In addition, some police officials in the Eastern Cape have also been implicated in corrupt activities. For example, in the 2008 muti murder case in the Mzamba area of Bizana the *Daily Dispatch* newspaper reported on a possible cover-up and the protection of suspects by some local Bizana police officials. These claims were contained in a report issued by the Eastern Cape Legislature’s Safety and Security portfolio committee. According to the report, the community had lost total confidence in the local police station, not only because some officers were allegedly protecting some of the suspects, but also because of the allegation that some of the officers themselves may have been involved in the killings. As a consequence of these and other allegations against the local Mzamba police, the case had been given to police officers from a special unit, called the National Intervention Unit, who had the task of not only solving the case, but also of rebuilding community confidence in the police (*Daily Dispatch*, 20 May 2008; see also Chapter Three, Case 4).

As was the case elsewhere in South Africa, there was a relationship between the role of the police, people’s perceptions of the police and the political and economic context within which these occurred. In the context of the Eastern Cape, the police played a significant role during the most significant periods of the history of the Eastern Cape. Kohnert (2001), for example, has noted that a key feature of the violence that ravaged the districts of Tsolo and Qumbu in the 1990s was the lack of legitimacy that communities attributed to the state and the police (Kohnert, 2001: 227; see also Louw and Shaw, 1997). Many of the perceptions that local communities have of the police in the Eastern Cape in the contemporary context are rooted in a historical context. For this reason, it is necessary to briefly sketch this historical context.

### 7.1. A Brief Historical Overview of the Role of Policing in the Eastern Cape

Perhaps the first most significant event in the history of the Eastern Cape in which the police played a significant role was the so-called ‘Bulhoek massacre’ that was described by some scholars as ‘…South Africa’s first modern political massacre’ (Crais, 2002: 117). The victims of the massacre were members of a religious sect known as the Israelites, led by a prophet, Enoch Mgijima. In essence, the movement
was millenarian in its focus and its members believed that, as the chosen “black nation”, it was their God-given destiny to drive out the colonial authorities and take back their land which would eliminate the evil that had caused widespread poverty, disease and death. Consequently, on 24 May 1921, the Israelites attacked. Large numbers of them were killed by the police as a result (Crais, 2002: 118, 120-121).

The second most significant event in the history of the Eastern Cape that involved the police was the Mpondoland Revolt of the 1950s and its aftermath in the early 1960s. According to Crais (2002), ‘In November 1960, the apartheid government declared a state of emergency...Soon after the declaration, a large body of Police were concentrated in the troubled areas...[P]olice assaulted women and children and confiscated property. Some of the most violent police action was at Nqusa hill, where a number of people were shot’ (Crais, 2002: 206; see also Lamla, 2008). In addition, in 1962, the apartheid police also violently clashed with members of Poqo, the military wing of the Pan Africanist Congress (PAC), in Queenstown. The Poqo fighters, armed only with makeshift weapons, were killed in large numbers by the police (Crais, 2002: 210-211). For Poqo, the apartheid state, as well as its institutions, including the police, were viewed as evil, and, as a result, perceptions of witchcraft as the force behind apartheid encouraged Poqo fighters to seek supernatural assistance in their battles with the police (Crais, 2002: 215). From this it becomes apparent that the police were themselves seen as collaborators with evil forces, hence their association with witchcraft.

Even into the 1980s, the unpopular view that communities in the Eastern Cape had of the police remained. In this period, the apartheid state attempted new strategies in an effort to disrupt African community loyalties, particularly in areas outside of the former homelands such as Transkei and Ciskei. As a result, ‘Early in 1986...municipal policemen and the hastily-recruited black police auxiliaries known as “kitskonstabels” began to emerge. By mid-1987, reports from township residents as far afield as...Port Alfred in the Eastern Cape were alleging that municipal police were guilty of large-scale abuses of power in the townships...’ (The Black Sash, 1988: 4). The municipal police in the Eastern Cape were known as *impukane eluhlaza* or “greenflies”, *magadolos* (the opposers) and *amangundwane* (the wild rats), nicknames which reflected the negative views that communities had of them.
The municipal police were the most extensively deployed in the Eastern Cape region (The Black Sash, 1988: 7), perhaps as a means by the apartheid government to prevent a repetition of the Mpondoland Revolt alluded to earlier. One feature of the municipal police is that they were introduced in the townships at the same time that the South African Defence Force (SADF) and SAP were being partially withdrawn from the townships in areas outside of the former Transkei and Ciskei (The Black Sash, 1988: 7). This suggests that the municipal police essentially took over the roles of the SADF and SAP in brutally suppressing anti-government organisations. Another feature of the municipal police was that they were predominantly African, recruited from the very communities that they were now expected to brutally suppress. This had the effect of sowing division within communities (The Black Sash, 1988: 17, 20) and led to the alienation of many municipal police members from their communities, as many of them, who were former Comrades, came to be viewed as traitors (The Black Sash, 1988: 15; 47).

In the mid-1990s the police in the Eastern Cape were obliged to carry out the terms of the South African Police Service Act (No. 68 of 1995). Part of this obligation involved greater participation with communities in addressing crime. In 1996, in Grahamstown, Midgley and Wood (1996) conducted a survey to determine community attitudes to the effectiveness of the Grahamstown Community Safety Project. According to Midgley and Wood (1996), ‘The overall aim of the project was to assist directly the process of peaceful transition by establishing and restoring community confidence in the police’ (Midgley and Wood, 1996: 1). As discussed earlier in this chapter, throughout South Africa communities had little confidence in the police, not only due to their role in the oppression and suppression of African communities as the enforcers of the apartheid regime, but also, post-1994, due to their apparent ineffectiveness in curbing rising levels of violent crime. The Eastern Cape region was no exception, hence the effort of the Grahamstown Community Safety Project, as an example of Eastern Cape branches of the SAPS attempting to restore legitimacy in the eyes of the local communities. The survey highlighted two issues. Firstly, the success of community policing depended on the acceptability of police officials and the manner in which they interacted with members of the community. Secondly, the survey results substantiated observations regarding the effectiveness of Community Police Fora generally. According to Midgley and Wood (1996), ‘[A]fter
a period of optimism and eagerness to become involved, community members either lose interest or become disillusioned with the process. Community members might be expecting too much…or the Police are not seriously entering into a partnership with the community’ (Midgley and Wood, 1996: 18). In addition, Midgley and Wood (1996) also stated that ‘[M]any respondents feel unsafe in the region…A rising culture of lawlessness is evident in the region…In addition, there are many more respondents who have reserved judgment as to the efficacy of community policing initiatives, and who remain to be convinced of their long term value’ (Midgley and Wood, 1996: 19; see also Shaw, 1997). In this example, it seems that communities were generally not confident in the police to deal with crime, despite the introduction of transformation in the SAPS.

In the late 1990s, Louw and Shaw (1997) conducted a general study of policing in the Eastern Cape. In this study it was found that the crime statistics of the SAPS in the province, for the year of 1996, were inaccurate due to several factors. Some of these factors included the fact that the quality of the police statistics for the province was generally poorer, specifically in the former Transkei, than for the other provinces. Also, people in the former Transkei did not trust the police and were thus less likely to report crimes. People also tended to rely more on alternative policing structures than on state agencies. A further factor was the inaccessibility of the area and the lack of infrastructure. These findings, as well as those from survey data collected by Louw and Shaw (1997), suggested that insecurity among communities was linked to perceptions of ineffective policing. Respondents felt that the police were ineffective in three areas, namely, performance, corruption and infrastructure. Even community policing fora (CPFs), where they existed, were regarded as ineffective due to the perception that the police were unable to secure convictions. This was linked to the critical weakness among detectives in the SAPS. According to Louw and Shaw (1997), ‘87 per cent of all detectives have had no training at all in detective work, and in most cases detective work is nonexistent’. In addition, Louw and Shaw’s (1997) findings supported those of the Kroon Commission, established in the 1990s to investigate the violence in the districts of Tsolo and Qumbu. The poor standard of the police’s investigative work could be linked to several factors which included:
i. A failure to properly take statements and interview complainants and witnesses.

ii. A failure to communicate with neighbours of complainants or victims, and local traditional leaders.

iii. A failure to become thoroughly familiar with the contents of a docket.

iv. A failure to exploit the interrelationship between different cases and to investigate such cases jointly.

The factors and findings outlined above in Louw and Shaw’s (1997) study indicated what the situation was in the SAPS in the Eastern Cape more than ten years ago. The question that could be asked is whether there has been an improvement since then. A recent report in the *Daily Dispatch* (25 November 2008), suggested that the Eastern Cape police are the ‘worst in the country’. The report was based on a statement made by the Portfolio Committee Chairperson on Safety and Security at a public hearing on the review of the criminal justice system in Mthatha on 24 November 2008. According to the report, the chairperson stated that ‘there is no satisfactory [SAPS] service delivery in the Eastern Cape’. She even suggested that the Provincial Commissioner of the SAPS in the Eastern Cape attend the hearing to explain the poor performance of the SAPS in the province. The Commissioner, however, did not attend. The chairperson further remarked that with the restructuring process of the SAPS in 2006, the Eastern Cape was the poorest performing province, after assessing the outcome of the restructuring process. A report in 2007 indicated the following persistent problems:

- Police stations were not performing the way they should
- The capacity of station commissioners was questionable
- Stations were crippled by absenteeism
- Response times of police were poor
Some policemen refused to help members of rival political parties

Some stations had few, if any, vehicles

Some police were corrupt and accepted bribes (Daily Dispatch, 25 November 2008)

The above suggests that policing in the Eastern Cape has not improved despite the changes brought about by legislation such as the South African Police Service Act (No. 68 of 1995). As is shown in this chapter, many of the problems that could be linked to poor performance by the police and the responses of local communities, affect how witchcraft-related crimes are dealt with.

7.2. Analysis and Interpretation of Data from SAPS Informants

The above discussion has attempted to sketch a brief historical context of the relationship between the police in the Eastern Cape and local communities. Among other things, this historical context raises the question of how the police in the Eastern Cape have responded to witchcraft-related cases in the region. As has been shown, in significant periods in the history of the region, local communities have clashed with the police, and these clashes have often taken on the undertone of witchcraft beliefs, where the police themselves were associated with witchcraft, due to their relationship with the “evil” colonial and apartheid regimes (see Chapters Five and Six). In the contemporary context, and specifically in those cases that could be called witchcraft-related, how have the police perceived and responded to such cases? The following section provides an analysis and interpretation of the views of representatives from the SAPS in Mpondoland, regarding witchcraft-related crimes. The analysis and interpretation are discussed in relation to the semi-structured interview themes for the SAPS category of informants as outlined in Chapter One.
Frequency of Cases

The SAPS informants in all of the areas visited by the researcher, with the exception of Port St Johns, indicated that there were witchcraft-related cases in their respective areas of jurisdiction. Although the majority of SAPS informants confirmed that there had been cases of witchcraft-related violence and witchcraft accusations in their areas over the last ten years, the frequency of cases differed from area to area. In some areas, such as Flagstaff, informants indicated that there had been up to five witchcraft-related cases a month, while in other areas the frequency of cases was much lower. Informants, however, could not provide any numerical or statistical data on the frequency of witchcraft-related cases in their areas of jurisdiction because there was no separate category or classification for cases of this nature (see below).

Notwithstanding the areas of Ngqeleni and Ntabankulu, where the researcher did not obtain any data from SAPS officials because of their unwillingness to be interviewed, only the informant from Port St Johns claimed that there had been no witchcraft-related cases. It appears that most of the cases occurred most frequently in the Lusikisiki, Flagstaff and Bizana areas, given the data provided by the SAPS informants in these areas. In other places, such as Libode, witchcraft-related cases appear to be less frequent. However, it is possible that there may be more cases as the informants interviewed in some areas had not been stationed in their respective areas for long. Some, for example the informant from Libode, had only been in the area for a period of two years and in that time, was aware of only two cases. In those areas where there appeared to be few cases, most of them involved imputing witchcraft. These cases were apparently not taken seriously by most police officers due to lack of evidence. All of the informants defined imputing witchcraft as the accusation of witchcraft that one person may make towards another. However, responses from informants also revealed that the police do not investigate witchcraft as it cannot be proven. For this reason, complaints of imputing witchcraft rarely, if ever, received the kind of attention as a charge of murder would.

The accuracy of data regarding the number of witchcraft-related cases in various areas was questionable because of the lack of a clear definition and category for crimes that could be called witchcraft-related. None of the SAPS informants, in any of the
locations visited by the researcher, claimed that the police had a clearly defined category of crime for witchcraft-related cases. Other crimes such as assault, murder, rape and theft were all clearly defined and separately categorised as crimes. However, witchcraft-related cases had no category of their own. This suggests that witchcraft-related cases involving murder or assault may be classified in the general categories of murder or assault. Consequently, those murder or assault cases that may be witchcraft-related may disappear among all the other cases of murder or assault that do not have witchcraft as a motive. This hampers efforts to compile an accurate database of the frequency of specifically witchcraft-related cases because there is no separate crime category for witchcraft-related crime. The lack of a clear definition and category for witchcraft-related crimes suggests that the SAPS have no clear conceptualisation of witchcraft-related crime. Without this conceptualisation, the implication is that SAPS officials’ understandings of what witchcraft-related crimes entail may be limited. Anthropologically speaking, the definition of a culturally specific phenomenon such as witchcraft is necessary before a conceptualisation of witchcraft-related crime can be developed. Understandings of witchcraft are often rooted in a specific cultural context, and it is this context that provides a basis upon which to develop a law enforcement conceptualisation of witchcraft-related crime. Since the SAPS have no conceptualisation of witchcraft-related crime, the suggestion is that this may be the consequence of a limited understanding of the cultural context of witchcraft in African communities (see Chapter Four).

Based upon data gathered from SAPS informants, there also appears to be a discrepancy in terms of the types of witchcraft-related crimes that may be reported. Most informants recalled more cases of violence towards suspected witches than cases of muti murder. In fact, only in two areas, namely Lusikisiki and Bizana, did SAPS informants mention the occurrence of muti murders as well as witch killings and assaults. There is a suggestion that although it appears to be relatively infrequent, muti murder does occur. There have been various news reports of muti murder cases in the Eastern Cape, but these have largely been interpreted as isolated incidents. However, it is possible that there could be more cases of this nature than the police are aware of. Particularly in the rural areas, there may be few reports of such cases to the police, given the obvious isolation of many communities, such as some of those in Pondoland. The higher frequency of cases of witchcraft accusations, assaults and
killings may be due to the fact that these cases are more readily reported to the police. Traditional leaders are obliged to report witchcraft-related incidents to the police, especially if these involve assault or murder (see Chapter Three). However, it must be noted that even if cases are reported to the police, this does not suggest that the police are able to deal with these cases effectively. As indicated, the availability of evidence is a crucial component that largely dictates the degree of success that the police may have in dealing with any criminal case. However, the problem with witchcraft cases is that often there is no evidence of witchcraft. Assaults, murders and even arson that may have witchcraft as a motive can, in a certain sense, be more easily investigated by the police as there is the possibility of finding evidence of the crime (see Chapter Four). But, in the context of witchcraft, the definition of crime and evidence differs between the police and the communities. The police define evidence within a Western rationalist framework, and rely on evidence that can be used in a court of law. Witchcraft cannot be proven within this rationalist framework and this is why cases of imputing witchcraft are often dismissed by the courts. If assault or murder is involved, the police may be able to obtain the specific evidence that is needed for a successful prosecution in the courts. The police can apply a rationalist method of investigation as they go about gathering evidence. Evidence must be tangible and must clearly suggest the perpetration of a crime. Witchcraft involves an intangible belief in supernatural forces that cannot be seen or touched. As such, it becomes difficult for the police to obtain tangible proof of witchcraft. What this suggests then is that persons accused of witchcraft cannot be arrested or prosecuted because there is no means of “proving” that such persons are, in fact, involved in witchcraft. Subsequently, it is usually those who accuse others of witchcraft who may be arrested and prosecuted for imputing witchcraft, as this is defined as an unfounded accusation of witchcraft. This could well be a reason why people in local communities may choose to deal with witchcraft suspects themselves rather than report such cases to the police.

**Method of Police Investigations of Witchcraft Cases**

All of the SAPS informants suggested that the same method of investigation that is followed in other cases was also applied to witchcraft-related cases. There was no difference in the investigation methods applied to other cases of violent crime such as
ordinary assault or murder, and when these crimes were associated with witchcraft. A standardised method of investigation was applied that involved more or less the same procedure. In a case of witch killing, after the offence has been reported to the police, the detectives would be deployed to the crime scene to investigate. The case would be investigated as a murder case. If more than one person is involved, all the suspects would be arrested and charged. The detectives would look for evidence of murder at the crime scene and would take statements from witnesses. In the case of a muti murder, the detectives would look for any missing body parts on the victim. They would also rely heavily on the communities for cooperation, as well as the community policing structures. After arrests have been made, the case is registered and assigned to an investigating officer. Once this process has been completed, the docket is then taken to the Magistrate’s Court, and is then no longer in the hands of the police. According to informants, in some cases, more than one person may be involved in the killing. In this case, all community members who could be identified as being involved are charged for murder on common purpose.

There was discrepancy among informants as to whether or not investigating witchcraft-related cases was problematic for the police. Some informants felt that the investigation of such cases was not problematic because the police investigated the crime, not witchcraft. Thus, if there was any evidence of assault or murder, or if witnesses could be found to give statements of a possible crime, or if suspects were arrested, then the case was more or less straightforward. However, there were other informants who felt differently. They argued that investigating witchcraft-related cases is difficult because, in most cases, there is a lack of cooperation from the communities.

There was consensus among the SAPS informants interviewed that witchcraft-related crimes did not form a separate category of crime, as could be found, for example, with murder or assault, that constitute separate categories of crime. Cases, for example, may be classified as murder or assault, but would be described as witchcraft-related. Informants, however, stated that the police investigate a complaint or charge of witchcraft. In other words, if someone threatens another by saying something like “You’ll see, once I’m done with you!”, the recipient of such a threat may report the aggressor to the police, claiming that he/she was threatened with witchcraft. In this
case the police can respond by charging the aggressor with ‘imputing witchcraft’. However, informants claimed that a charge such as this is essentially useless because it is vague and cannot be proven. In the words of one SAPS informant: ‘Sometimes people may complain about someone running around their house at night and they say that it’s witchcraft. But how do you charge the person that they claim they saw running around the house? What do you charge the person with?’ The informant also stated that there was no offence called “witchcraft” in the SAPS criminal code list. However, the allegation of witchcraft was still investigated, especially if it was linked to assault or murder.

The SAPS informants also stated that they, and the police in general, had not received specific training on how to investigate witchcraft-related cases specifically. Some informants were sceptical that such training would ever be developed for police officials because, in the words of one SAPS informant, ‘The government doesn’t believe in witchcraft.’ Other informants, however, differed from this view and argued that special training on how to investigate witchcraft-related cases was crucial as many investigators struggled to deal with cases of this nature. It appeared that those informants who did not think that witchcraft cases were problematic did not see the need for investigators to undergo special training for these cases, while those informants who did regard these cases as problematic supported the need for special training.

The method of investigation used by the SAPS is designed to facilitate the gathering of information and evidence that are deemed admissible in a court of law. Since the courts deal with what could be called “hard” evidence, the SAPS investigators, as the providers of such evidence, need to follow a method of investigation that will ensure that they obtain the kind of evidence that is required. Due to the Western rationalist paradigm that influences how the court of law defines valid evidence, given the integral relationship between the court of law and the police, the SAPS is also influenced by the same rationalist paradigm in terms of its method of investigation of crimes. At present, South African courts of law do not acknowledge the existence of witchcraft as a reality because there is no valid evidence, as defined in terms of the Western rationalist paradigm, that proves the existence of witchcraft. Thus, the
SAPS, following the same rationalist paradigm in its method of investigation, also cannot accept the reality of witchcraft.

The implication of the above is that in the context of witchcraft-related crimes, SAPS investigators apply a Western rationalist method of investigation to crimes involving elements that do not conform to the Western rationalist paradigm. This suggests that SAPS investigators are constrained in terms of how they investigate witchcraft-related cases, as they may exclude the wider cultural context of beliefs and practices regarding witchcraft, and only focus on the “actual” crime that was committed. This disadvantages the SAPS investigator in two ways. Firstly, it suggests that a wider knowledge of the cultural context of beliefs and practices associated with witchcraft is not necessary or relevant in the conducting of an investigation involving witchcraft. Secondly, it suggests that those accused of witchcraft are often regarded as victims, while the accusers, or those who act violently towards the accused, are defined as the criminals. Within this Western rationalist method of investigation, there is no consideration for the communal view of the perpetration of witchcraft as a crime (cf. Chapter Four). This implies that the method of investigation followed by SAPS officials is based on an ethnocentric assumption that witchcraft cannot and does not exist because it cannot be proven in Western rationalist legal terms. Since witchcraft cannot be accepted in the rationalist framework, it is assumed that there cannot be evidence verifying the existence of witchcraft as a reality.

A further problem that is implied in the method of investigation followed by the SAPS in investigating witchcraft-related cases is that it forces African communities, who may not be familiar with the Western approach to law enforcement, to deal with what they may consider a very real threat, in culturally unfamiliar terms. If a person reports being bewitched or threatened with witchcraft, the police would subject this individual to a barrage of questions aimed at illustrating the impossibility that the complainant could be a victim of witchcraft. In this sense, the police may also adopt an ethnocentric approach because they cannot investigate cases from a perspective that seems to acknowledge the existence of witchcraft. Even in cases of witchcraft violence, when the police question witnesses or take statements, their method of investigation will intentionally focus on certain aspects of the case, such as the gathering of evidence that could lead to the arrest of the perpetrator of the violence,
and exclude other aspects, such as the possibility that there may have been indications, from the perspective of the perpetrator or the community, that the victim may have been involved in witchcraft. However, one cannot ignore the possibility that witchcraft could also be used as a cultural excuse by some to commit acts of violence against others. This is another reason why the police should be well informed of the cultural context of witchcraft as this could assist them in distinguishing legitimate fears of witchcraft from opportunists who may manipulate these fears for their own criminal agendas.

The difference of opinion among informants regarding the unproblematic investigation of witchcraft cases seemed to be defined in terms of the successful arrest and prosecution of perpetrators of witchcraft violence, and levels of co-operation from local communities during investigations. Informants who claimed that investigating witchcraft cases were not problematic tended to base their opinions on their levels of success regarding the apprehension of those who committed acts of violence against persons accused of witchcraft. They argued that where adequate evidence was available, investigating cases was not problematic. In this sense, a successful investigation was defined in terms of how well the method of investigation had been applied in obtaining the necessary evidence to arrest and prosecute a suspect. Informants who argued in these terms seemed to be unaware of the ethnocentric bias of their method of investigation, and the problems that it could create for communities. Those informants who stated that witchcraft cases were problematic mainly argued from the perspective of a lack of co-operation from communities during investigations. This suggests the problem alluded to earlier that the police follow a method of investigation that is foreign to local communities. Since the police show explicitly that they do not believe in the existence of witchcraft, this could be interpreted by communities as a lack of respect or sensitivity for local beliefs. This may be reinforced by the attitudes that investigators may adopt while questioning witnesses or taking statements. In their interactions with communities, whether consciously or unconsciously, investigators may display behaviour or a tone that suggest a negative attitude towards communities, where people may believe in witchcraft. Furthermore, those who accuse others of witchcraft are often perceived as the criminals by the police, which further damages good relations between communities and the police, especially if there is a general perception among the
majority of community members that an accused person is in fact guilty of witchcraft. A further problem is the already mentioned unfamiliarity that communities may have of police policies and procedures. There is a suggestion that there is a need for greater education among both local communities and the police of each other’s contexts in order to address the apparent lack of mutual understanding that seems to be a problem on both sides.

In view of the above, depending on whether informants regarded witchcraft cases as problematic or not, this influenced perceptions of whether or not SAPS investigators needed special training on witchcraft-related cases specifically. Some informants felt that there was no need for special training, as the general method of police investigation was adequate for any type of crime investigation, whether witchcraft-related or otherwise. Those informants who subscribed to this view tended to be the same ones who felt that investigating witchcraft-related cases was not problematic. However, those informants for whom the investigation of witchcraft cases was problematic tended to agree that police officials were in need of training on how to investigate witchcraft-related cases specifically. There is a suggestion that, firstly, police officials are not aware of the ethnocentric problems inherent in the general method of investigation, especially as these relate to witchcraft cases. Secondly, in terms of training, there seems to be a suggestion that the police investigators are not adequately trained for witchcraft cases, that they lack additional background cultural information and skills that are necessary when dealing with witchcraft cases.

**SAPS Informants’ Perceptions of existing Witchcraft Legislation**

Of specific interest to the researcher was the consensus among all of the SAPS informants that they had no knowledge of existing witchcraft legislation. None of the informants knew of the Witchcraft Suppression Act (No. 3 of 1957). However, informants were able to provide comments about what they perceived to be important considerations that any legislation on witchcraft should address. According to one informant, the greatest challenge in terms of legislation and the courts is the non-recognition of the existence of witchcraft. In the words of the informant, ‘The courts don’t recognise witchcraft, but the people do.’ He also stated that the lack of physical evidence of witchcraft also makes it difficult to deal with in the courts. Again in the
words of the informant, ‘What traditional healers say can’t be accepted as evidence in the courts, sangomas can’t testify in court. Their ways of doing things are not the same as how the courts would do things.’ The informant suggested that legislation should be put in place that allows for the registration of traditional healers. According to him, most traditional healers do not disclose the identities of possible witches, but for those in the minority who may, registering healers will resolve the problem of rogue healers. Another informant stated that he could not comment on whether changes need to be effected in existing legislation to make it easier for police officials to investigate witchcraft-related cases. He stated that the SAPS’ duty is only to investigate cases, not to comment on legislation.

Regarding the lack of knowledge of witchcraft legislation, notwithstanding the fundamental problems inherent in the legislation (see Chapter Four of this study), one would have expected law enforcement officers, such as those in the SAPS, to have at least some knowledge of the legislation. A law cannot be enforced if the enforcer has no knowledge of it. It can be suggested that if SAPS officers had been aware of the legislation governing witchcraft and its shortcomings, much could have been done by now to address the problems involved in the investigation of witchcraft cases. Some informants, specifically those who felt that investigating witchcraft cases was problematic and that the SAPS officials needed training for these cases, indicated that legislation should be developed to make it easier for investigators to deal with witchcraft cases. However, the informants were not sure of what such legislation would entail. This suggests that some informants were aware of the need for legislation on witchcraft, which further suggests that law makers should take the review of existing witchcraft legislation seriously as it directly impacts on the ability of law enforcers to deal with witchcraft cases.

**Personal Involvement in Investigation of Witchcraft Cases**

All of the informants, with the exception of the one from Port St Johns, indicated that they had been personally involved in investigating witchcraft-related cases. Some informants mentioned being involved in cases of imputing witchcraft where complainants lodged complaints against others who had allegedly accused them of witchcraft.
Other informants were involved in more violent cases that involved witchcraft. For example, an informant from Lusikisiki mentioned several cases that he had been involved in. In one case in Ntsibini locality, a man was killed and some of his body parts cut out. Specifically, the victim’s tongue and parts of his nose were removed. Upon finding the body in an open field, members of the community reported the case to the police. Apparently the victim was kidnapped from his home, taken to a deserted location and killed. According to the informant, the case was still under investigation.

The SAPS informant also mentioned a second case that he was personally involved in. This case was referred to in Chapter Five (Case 2, p. 168).

In a third case, also in 2008, the same informant recalled a case in Buhlanyana locality. A woman was threatened with death by a mob who had accused her of bewitching people. When the police intervened, they discovered that the woman was mentally disturbed. The woman had apparently confessed to bewitching people with illness and death in the community. When community members realised that the woman was referring to people in the community who were really ill, as well as some who had really died, they began to believe that the woman was indeed a witch and therefore decided to have her killed. However, the police were able to convince the community that the woman was sick.

Most of the SAPS informants had stated that they had been involved in investigating witchcraft-related cases. Most of the cases had occurred after 2000. With the exception of Lusikisiki, Flagstaff and the Mzamba area of Bizana, SAPS informants in the other areas could all recall only cases of imputing witchcraft. This could suggest, firstly, that there are no cases of witchcraft-related violence in these areas. But secondly, it could also suggest that there may be the possibility of more violent cases involving witchcraft that the police may be unaware of. This second interpretation seems more likely, because in all of the areas visited by the researcher, there was a clear indication that wherever there were documented cases of accusations of witchcraft, there were also cases of witchcraft-related violence, although cases of violence were not always reported to the police. In Lusikisiki, Flagstaff and Mzamba,
the SAPS informants provided data on cases of witchcraft-related violence that had been reported to the police. In these areas there was evidence of cases of imputing witchcraft, as well as cases of witchcraft violence that included assaults, murder and arson against alleged witches, as well as *muti* murders. The informants in these areas also expressed the difficulties involved in working with local communities in witchcraft cases. A common problem was the difficulty in obtaining information from community members, especially in cases involving violence. If the police do not receive co-operation from communities, this could have a direct impact on their success in apprehending suspects. However, the reasons for the lack of community co-operation may well be linked to those indicated earlier, namely the police’s lack of belief in witchcraft and the subsequent perception that the police do not take the beliefs of local communities seriously. Also, those accused of witchcraft tend to be protected by the police, a perception generated by the apprehension of those who either accuse others of witchcraft or who take more violent action against them.

**Perceptions of Co-operation from Local Communities**

Some SAPS informants claimed that investigating witchcraft-related cases could be made difficult for the police because of various factors, among them being the lack of co-operation from communities. Members from the communities may not co-operate with the police because of fear of reprisals from fellow community members who may be involved in the crimes. Also, the cultural beliefs of the communities may hamper investigations. As one informant stated, ‘There is a high level of ignorance in some communities’. In witchcraft-related cases, informants indicated that sometimes there is co-operation from the communities. However, if the majority of community members believe that a person is a witch, if such a person may be assaulted or killed, they will not co-operate with the police. In cases where victims who have been killed were seen as innocent by the community, the police were likely to get greater co-operation. In instances where community members did not co-operate with the police, the investigators enlisted the aid of the relatives of the deceased person(s). However, relatives of a victim of a witch killing were often threatened by community members and fled to other areas.
There were also differing levels of co-operation in cases of muti murder. In certain instances, communities would be seen as co-operative in the sense that they favoured the apprehending of muti killers. However, as indicated in the Mzamba case, communities may also become unco-operative with the police and take the law into their own hands (see Chapter Three, Case 4).

It has already been mentioned that there are problems in the levels of interaction between the police and local communities in the investigation of witchcraft cases. Some SAPS informants mentioned that they have attempted to improve co-operation between themselves and communities through the introduction of community policing structures such as the Community Police Fora (CPFs) that serve as a link between the local communities and the SAPS. In addition, the police also attempt to work closely with the traditional leadership in their respective areas. However, the existence of CPFs does not necessarily guarantee better co-operation from communities. The Mzamba area illustrates this point. The communities of Ebenezer and Mfuneli villages had CPFs, but the muti murder case of 2008 (see Chapter Three, Case 4) revealed not only the unwillingness of community members to assist the police, but also that they viewed the police as being involved in the killings. There was a high level of mistrust of the police on the part of the communities, and even suggestions of mob violence against possible suspects in the case, rather than these suspects being handed over to the police. These high levels of tensions between the communities and the police occurred despite the existence of CPFs in the area. This example illustrates that simply creating CPFs will not necessarily improve community-police co-operation as there are other factors, such as those indicated earlier, that also need to be addressed.

In addition to the above, some SAPS informants also revealed that community members may not co-operate with the police in investigations because they fear being branded as police informants (iimpimpi). During the apartheid years, iimpimpi were often harshly dealt with once they were exposed in their communities. Mobs of people would brutally assault and eventually kill them as punishment for “selling out” members of the community to the apartheid police (cf. Chapter Five). This fear of community retribution for providing information to the police still exists in communities, especially when it comes to cases of witchcraft (see, for example,
Chapter Three, Case1). Witchcraft is generally regarded as a threat to the entire community, and, therefore, especially in cases where many community members may be in agreement that someone be killed for practising witchcraft, if a community member is seen to be co-operating with the police who may investigate a case such as this, that individual may well be targeted as an informant. Being labelled a police informant is serious because such a person is viewed as a traitor to the community.

8. Conclusion

This chapter has focused on the relationship between law enforcement and witchcraft-related crimes within the general context of law enforcement in South Africa. High crime levels in general, as well as a crisis impacting on the highest structures of law enforcement in South Africa, have all contributed to a contemporary perception that the general public has lost confidence in particularly the SAPS to effectively address public safety and security. However, as has been shown, various historical factors have also played a major role in setting the tone for the current relationship between the SAPS and specifically African communities. The interaction between official state law enforcement agencies, such as the SAPS, and those at the local level, as represented, for example, by community or alternative policing structures, involves a complex set of interrelationships that are characterised by a historical tension that persists into the present context. This tension is particularly foregrounded when considering the very different approaches that these policing structures have towards witchcraft-related crimes. These specific types of crimes highlight a structural contradiction that challenges the authority and legitimacy of state law enforcement structures.

The “policing of culture”, in this case beliefs and practices associated with witchcraft, has become a major issue in not only South Africa, but also in other postcolonial states. This issue has given rise to an ambiguity where formal and informal structures of law enforcement find themselves on opposite sides regarding the definition of crime and who the perpetrators of crime really are. Witchcraft-related crimes foreground this ambiguity and reinforce the notion of a structural contradiction in law enforcement. Arising from this ambiguity is a crucial question that formal structures,
such as the SAPS, may be grappling with: Is the SAPS responsible for the policing of crime or the policing of culture? This problem is further compounded by witchcraft-related crimes, where crime and culture become intertwined.

The above complexities were illustrated in the analysis and interpretation of the perceptions of SAPS informants from Mpondoland. Their views suggested that even at the local level, SAPS officials in the Eastern Cape were hampered from investigating witchcraft-related cases effectively. As was the case with the community informants who blamed the police for poor investigations (see Chapter Three), the SAPS also blamed communities for lack of co-operation which, in turn, hampered successful investigations. However, as far as the SAPS are concerned, there were internal processes and methods that required certain adaptations especially regarding the investigation of witchcraft cases. It appears that on both sides, communities and local SAPS officials are unwilling to take accountability for the ineffective investigation of witchcraft-related cases.

All of the preceding chapters have suggested that witchcraft-related crime is indeed a problem in the Eastern Cape. However, it was particularly Chapter Three and the current chapter (Chapter Seven) that provided the evidence to support the argument that witchcraft-related crime is a serious issue, both for local communities and for the SAPS. Given the nature and the extent of the problem, which the preceding chapters have illustrated, the remaining question is: what can be done about the problem? Put differently, and with a greater emphasis on the applied nature of this study in particular, the question is: based on the data obtained in Mpondoland, what recommendations can be made regarding witchcraft-related crime in the Eastern Cape? The next and final chapter of this thesis addresses this question by providing several recommendations based upon the fieldwork data.
CHAPTER EIGHT: RECOMMENDATIONS AND CONCLUSION

1. Introduction

The preceding chapters of this study have all attempted to illustrate the complexities involved in witchcraft-related crimes. The study focused specifically on perceptions of witchcraft-related crimes in the Eastern Cape and what the implications were of such crimes for law enforcement policy and practice, specifically in the South African Police Service (SAPS). Chapters Three and Seven of this study respectively provided a detailed analysis and interpretation of data gathered from both community and SAPS informants in various locations throughout Mpondoland. From the data analysis and interpretation various issues and problems emerged that in one way or another can be linked to the phenomenon of witchcraft-related crime. This chapter suggests recommendations that could be used to assist law enforcers and communities in their efforts to address witchcraft-related crime. Since the study is based on data gathered in the Eastern Cape, the recommendations made are of specific relevance to the Eastern Cape context. This is intentional as no study of this nature has been conducted in the Eastern Cape (see Chapter One, p. 2), and the data generated from this study are much needed within the context of the Eastern Cape. The recommendations suggested in this chapter are aimed at assisting not only the SAPS, but also local communities and various other stakeholders who may benefit from these recommendations.

2. Recommendations based on the Research Data

One of the aims of the current study was to generate recommendations on how to address the issue of witchcraft-related crime based on the data gathered from the research conducted in the Eastern Cape Province of South Africa. Unlike what was the case in the former Northern Province, incorporating the Limpopo, former Venda and Mpumalanga areas, where not only extensive academic work had been done on witchcraft (see, for example, Niehaus, 1997a; 2001; 2003), but also where a government appointed Commission of Inquiry into Witchcraft Violence and Ritual
Murders had conducted a study on witchcraft violence and muti murders (Ralushai et al., 1996; see also Chapter Two), no such academic or government sponsored initiatives had been undertaken in the Eastern Cape. This has created the mistaken impression that witchcraft-related crime is not an issue of concern in the Eastern Cape. The media reports referred to in this study, as well as the data provided of actual witchcraft-related cases, illustrate the nature and extent of the phenomenon in the Eastern Cape. It is for these reasons that the study focused on the Eastern Cape and that the recommendations given are specifically meant for the Eastern Cape context. There may well be some recommendations that could be beneficial for the South African context as a whole, but the majority of the recommendations are meant to address witchcraft-related crime in the Eastern Cape specifically.

The following are the recommendations generated by the research undertaken for this study:

- More academic research into witchcraft-related crime in the Eastern Cape is required to address the lack of academically sound data on the topic. From an anthropological perspective, few scholars have studied witchcraft among various Xhosa-speaking peoples in the Eastern Cape (see, for example, Hunter, 1936; Pauw, 1975; Olivier, 1981; Pauw, 1994; Osei, 2003). However, these studies were generally ethnographic in nature, meaning that witchcraft formed only a part of a wider study of the culture of the Xhosa-speaking peoples. These studies were conventional ethnographic studies and did not deal adequately with the issue of witchcraft-related violence (see Chapter One). What is needed are more applied anthropological studies of witchcraft-related crime, specifically, so that the data from such studies could be useful not only for academic purposes, but also in an applied context, that is, data that could be used by non-academic structures and institutions, such as the South African Police Service (SAPS), to find practical ways of addressing the issue of witchcraft-related crime. This kind of applied data could only be generated if South African anthropologists take note of what Petrus (2008a) has suggested, namely that witchcraft as a topic of anthropological interest should be revisited as it has been sidelined for too long.
Furthermore, there is a need, as Petrus (2008b) has argued, for a combined anthropological and criminological approach to the issue of witchcraft-related crime. There is much scope for interdisciplinary research initiatives between these disciplines that could greatly benefit further research into the phenomenon. The research strengths of both disciplines could facilitate a more in-depth understanding of witchcraft-related crime, not only as an issue of crime, but also as a phenomenon that exists in a particular socio-cultural context, a context that is as necessary to be understood as the actual phenomenon itself.

Further research is recommended into how the justice system deals with witchcraft-related cases. The current study was limited in terms of its focus on the relationship between witchcraft-related crime and law enforcement, as represented by the SAPS. The relationship between witchcraft-related crime and the state courts of law is a topic for a full-scale research project all on its own. Given the relationship that exists between the SAPS and the courts, it is obvious that, within the context of witchcraft-related crime, further academic investigation is needed into how the courts respond to crimes of this nature. Such research could also shed light on the issue of the tension between state courts and “traditional” African courts, with reference to how both types of court deal with witchcraft.

It is recommended that the Eastern Cape provincial government seriously considers the appointment of a provincial Commission of Inquiry into Witchcraft-related Crime, similar in function to the Ralushai Commission. Despite the significance of the Ralushai Commission as being the first Commission of its kind to investigate witch killings and muti murders, it did have various shortcomings (see Chapter Two). One of the reasons perhaps for its overall ineffectiveness was that it was appointed after the situation in the former Northern Province had reached crisis levels. Consequently, it was hastily called into being and was instructed to hastily investigate the issue and provide a report. It is the opinion of the researcher that the Ralushai Report could have been of much greater value had the Commission had the time to do a proper investigation, not because they were under pressure to speedily
provide a report so that the government could be seen to be doing something about an already out of control situation. In the Eastern Cape, this study has shown that witchcraft-related crime is a problem, not only for the police but also for the communities. A provincial Commission of Inquiry should be established to investigate witchcraft-related crime in the province now. The provincial government should not wait for these crimes to spiral out of control before taking the issue seriously enough to appoint a special investigative Commission. The Mzamba muti murder case illustrates this point as it only began to receive attention from the Provincial Police Commissioner, and the Ministry of Safety and Security, after the case was nationally publicised in the media and after almost twenty people had been killed. A proactive approach is required to deal with the issue in the Eastern Cape.

- It is recommended that existing legislation on witchcraft-related crime be reviewed. This recommendation echoes the sentiments of the Ralushai Commission which also called for a revision of the Witchcraft Suppression Act (No. 3 of 1957). The review of this legislation and the creation of more appropriate legislation can only be done based on data obtained from extensive research on the phenomenon of witchcraft-related crime. It is necessary to obtain perspectives on the legislation from both the SAPS and legal experts and professionals, not to mention the insights of academics. This study showed that none of the SAPS informants who were interviewed had any knowledge of the Witchcraft Suppression Act (No. 3 of 1957) (see Chapter Seven). Thus, whatever legislation there may be, it is critical that SAPS officials have a working knowledge of such legislation in order to critically evaluate its effectiveness in the practical investigation of witchcraft cases.

- It is recommended that SAPS officials receive specific training in how to investigate witchcraft-related cases. Witchcraft-related cases cannot be investigated in the same manner as the police would investigate any other case. An understanding of the socio-cultural context of witchcraft beliefs and practices is critical if investigations are going to have any hope of success. Police officers should undergo cultural sensitisation training in order to create
an awareness of ethnocentric attitudes and prejudices that could become obstacles during investigations. Most, if not all, police investigators may not themselves believe in the reality of witchcraft, while there may be some who do. However, what must be understood is that it is not their beliefs that are relevant to the investigation but the beliefs of the people and communities in which these crimes are committed. Thus, especially when dealing with witchcraft-related cases, SAPS officers should be trained in how to adapt their investigation and questioning techniques in such a way so as to maximise cooperation from communities during investigations.

- Again echoing the recommendations of the Ralushai Commission, it is also suggested that education campaigns and initiatives be undertaken in rural communities. However, it should be noted that such education campaigns should take local cultural contexts into account. In other words, education campaigns should not be aimed at eliminating witchcraft beliefs, as this study has shown that these beliefs are an integral part of the “traditional” religious beliefs and practices of the Xhosa-speaking peoples (see Chapter Three). Also, as shown in Chapter Three (p. 75), missionary educational efforts to eliminate witchcraft beliefs merely served to reinforce these beliefs. To combat intentional or unintentional ethnocentrism or cultural insensitivity in such education programmes, it would also be advised that if such programmes are designed, that anthropologists be involved. Their contribution could be valuable in addressing the above-mentioned concerns and ensuring that education initiatives have an increased chance of success. Furthermore, such education programmes should be specifically aimed at the youth, as the study revealed that it is mostly the youth who are involved in witchcraft-related violence. Traditional leadership, traditional healers and community leaders, as well as the police and church leaders should all be involved in the design of such education initiatives. Also critical is that the provincial government should illustrate the necessary political will to support these programmes.

- Uniformity must be reached among traditional healers regarding the issue of muti murder. This study revealed that among traditional healers in the Eastern Cape there was no uniformity of whether the killing of people for their body
parts to make muti should be accepted or not (see Chapter Three, pp. 95-96). There was also no uniformity about the efficacy of such muti. As long as there is no consensus among traditional healers, there will always potentially be those who will resort to muti murder or who will influence clients to believe in the efficacy of muti made from human parts. So how is this issue to be addressed? Anthropologically speaking, it is recommended that cultural relativism, as opposed to ethical relativism, be applied. According to Scupin and DeCorse (2008), ‘to understand the values, the reasoning and logic, and worldviews of another people does not mean to accept all of their practices and standards (Scupin and DeCorse, 2008: 675). This implies that while ethnocentric judgments of witchcraft beliefs and practices should be avoided, this does not mean that specifically the negative consequences of such beliefs and practices should be condoned. In this regard, the researcher agrees with Scupin and DeCorse (2008) who state that ‘Anthropologists recommend that one should take a pragmatic approach in reducing these [that is, harmful] practices...This intervention would not proceed from the standpoint of specific Western values but from the commonly recognized universal standards of humanitarianism. Such intervention, however, must proceed cautiously and be based on a thorough knowledge of the society’ (Scupin and DeCorse, 2008: 676). In addition, it is recommended that law enforcement, traditional leaders, community leaders, church leaders and traditional healers should all engage in dialogue regarding this issue.

Traditional leaders should strengthen their mediatory role in the adjudication of witchcraft cases. The study revealed that in most cases of witchcraft accusation, traditional leaders instructed the accusers to pay compensation to those accused due to lack of evidence to prove claims that the accused were involved in witchcraft (see Chapter Three). Chiefs and headmen should encourage dialogue between the accuser and accused, as well as their respective families, as a way of avoiding potential revenge attacks and faction fights related to witchcraft. The role of traditional leaders and their limitations, specifically with regard to witchcraft cases, should be clearly acknowledged and recognised by law. There should also be mutual cooperation, respect and trust between the traditional leadership and the police.
Health professionals based in rural communities have a special role to play in addressing the perceived relationship between certain diseases such as HIV/AIDS and witchcraft. Health officials should engage with traditional leaders in their respective areas to educate communities about diseases such as HIV/AIDS. There should also be engagement with traditional healers. Such engagement could facilitate greater co-operation between traditional healers and health professionals and officials.

3. Conclusion

To refer to this final section of this study as the conclusion is somewhat misleading. What this study has revealed, and what is evident from the recommendations suggested above, is that this study is by no means conclusive. This study has merely been a step towards suggesting potential opportunities for much-needed further research. What is clear is that the issue of witchcraft-related crime is not simply a “community issue” that is the problem of local communities alone. It requires a holistic approach that involves multiple stakeholders including local communities, traditional leaders, traditional healers, church leaders, health professionals, legal professionals, provincial and local government, the SAPS and academics. This gives an indication of how wide the issue of witchcraft-related crime is and therefore this one study has in no way addressed the magnitude of scope that the issue presents. Thus, the point is that for all intents and purposes the researcher cannot regard this research study as being concluded. However, it should be clearly stated that although much scope exists for further research and further studies on the issue of witchcraft-related crime, the recommendations that have been generated by this specific study should be given serious consideration. In any applied research project, the recommendations that may be suggested are usually linked to the specific issue or problem that was under investigation. Thus, the recommendations of this study are linked to the issues that were addressed, specifically within the context of the relationship between witchcraft-related crimes, the communities in which they occur, and the SAPS officers who investigate such crimes. In order to address the specific challenges that this study has revealed, within communities and law enforcement, the recommendations made should be taken seriously. Finally, although witchcraft-
related crime presents a complex challenge to all of the stakeholders involved, it is the responsibility of all stakeholders to take up the challenge not only for the sake of those who may become potential victims of such crimes, but more importantly, for the sake of those who have fallen as victims of witchcraft-related crimes.
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