

# **The Witch is not a Witch: The Dynamics and Contestations of Witchcraft Accusations in Northern Ghana**

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## Summary

In postcolonial Africa, the continuing manifestation of witchcraft accusation has led to a renewed interest in African witchcraft and magic. In accounting for the prevalence of witchcraft accusations, some scholars advanced and defended the notion of the modernity of witchcraft. They argued that allegations of occult harm were a mechanism by which Africans made sense of the changes brought about by modernity. Against the background of the modernity of witchcraft debate, this study investigated the reactions of accused persons in the context of these changes. The research was undertaken among the Dagomba, as they are the largest ethnic group in the north of Ghana, a region which is home to five of the seven witch sanctuaries in Northern Ghana.

This study was intended to address an imbalance in the previous studies of witchcraft allegations in Ghana and Africa where there has been a limited treatment of accused persons and where the reactions of accused persons have largely been ignored. Extant research generally portrayed alleged witches as passive recipients of the witchcraft label and regarded accusations as a one directional process that was determined by witchcraft accusers and enforcers (Schauber 2007, 116; van Beek 2007, 294). Proponents of this view of the modernity of witchcraft have maintained that the changes occurring in post-colonial Africa reinforced, rather than weakened, witchcraft beliefs and accusations (Geschiere 1997, 3; Ciekawy and Geschiere 1998, 1). They situated the crises and disruptions in post-colonial Africa within the scope of the modernity of magic and the occult.

This study departed from these approaches by considering the perspective of the accused and by focusing on reactions to witchcraft accusations, not the responses to occult fears and anxieties. It argued that alleged witches were active participants in the accusation process because they accepted, rejected, challenged, protested, resisted, redefined and contested imputations of occult harm. Alleged witches mobilized a wide array of resources and took a variety of measures to overturn the witchcraft label. By examining the perspective of the accused, this study argued that accusations were a disputed bidirectional process. Imputations of witchcraft were negotiated and not determined by the accusers and enforcers of the witchcraft label alone. By taking into account the active role of the accused, this research argued that the changes in post-colonial Africa were resourceful in weakening allegations of witchcraft. Thus dispelling magical imputation was a way of asserting power. It is an exercise in postcoloniality.

As a qualitative study, various techniques were employed to collect data. Field work was carried out between December 2012 and April 2014, and during the period I lived among the Dagomba and interacted with various actors in the field. The tool of observation was used to capture the behaviours of accusers, accused and other actors including the processes at the courts, shrines and the palaces of chiefs.

Interviews (in-depth, ethnographic, and expert) were conducted so that the accused and other parties could recount their experiences of allegations and reveal their roles in processing imputations of occult harm.

The concepts of pluralism, Forum Shopping and Desire, Belief and Opportunities (DBO) informed the analysis of the collected data. The concept of legal pluralism was used to describe the setting where accusations were negotiated. This concept is based on the theoretical approach of legal pluralism. Legal pluralism assumes that more than one legal order exist in the social field. Griffiths used the approach to challenge the uniform idea of law, and to underscore the existence and operation of different legal formations in the same environment. Whilst Ludsin applied the approach to highlight how the operation of traditional courts that recognized the existence of witches and formal laws that did not recognize such spiritual entities contributed to the manifestation of witchcraft accusation in South Africa. This study took the approach of legal pluralism and widened it to include family, chief, shrine, media, medical, and CSO options.

The concept of forum shopping was applied to make sense of how accused persons employed various structures, legal and para/quasi-legal in negotiating a plurality of structures and institutions within their immediate environment. This approach maintained that litigants evaluated different options and structures and took their cases to the most advantageous venues for trial. Algero (1999, 82) used this framework to highlight the power of litigants in a litigation process to determine the place where a case was processed and where they thereby hoped to gain from the dispute. However, the present study applied the concept beyond the confines of court litigations to capture the attempts of accused persons to process their defence against witchcraft accusations at family, chief, shrine, media, medical, state and CSO venues.

To highlight the advantages which motivated accused persons who accessed these venues, the DBO approach was used. Hedstrom (2005, 39) suggested that the concepts of desire, belief and opportunities were proximate causes of human actions and behaviours. As applied in this study, the DBO model was used to capture the hopes and wishes, views and interests of accused

persons as they moved from place to place exploring varied structures and trying to contest and nullify allegations of witchcraft.

Accusations emerged in situations of remediable, irremediable and anticipatory misfortunes. In the case of reparable witchcraft ascriptions, accusers sought remedies from the accused for alleged instances of occult harm and demanded as part of the accusation process that the accused person provided a solution or, in the case of illness, a cure.

Accusers sought a remedy because the damage was ongoing; the alleged witchcraft was still active and the situation was reversible. Accused persons responded to such imputations by challenging the ascription of witchcraft to the behaviors. They advanced impersonalistic explanations to counter the personalistic definitions of the alleged witchcraft. In addition to disputing the definitions, accused persons mobilized family, chief, medical, state, civil society and media resources. Alleged witches accessed the family network to rally kinship trust and solidarity against the ascribed responsibility for the occult harm or to facilitate the successful use of other venues to overturn the label such as providing remedies for the misfortune. Accused persons reacted by lodging complaints with the chiefs. Chiefs were the heads of the communities and they used their authority to protect their people from occult forces and also from undeserved allegations. Alleged witches accessed the palaces of chiefs hoping that they would use their powers to protect them from wrongful accusations, from banishment and from the demand to provide remedies for alleged witchcraft.

In the quest to quash allegations of remediable witchcraft, accused persons also took their cases to medical and religious experts. In making accusations, accusers took their fears and anxieties of reparable cases of witchcraft to shrines and other religious and medical venues where imputed witches could be certified. In reaction, such designated witches could also appeal such ascriptions at shrines in order to try to ascertain the veracity of the claims.

Alleged witches could decide to neutralize the occult harm by taking the bewitched to a hospital in the hope that a successful treatment would make the allegation go away. Alleged witches also reacted to imputations of causing reparable occult harm by taking their complaints to state institutions such as the police, the law courts and the Commission on Human Rights and Administrative Justice.

Accused persons used these state platforms to overrule accusations, and in so doing, asserted their human rights and innocence. Furthermore, accused persons used the CSOs and media venues in response to allegations of witchcraft. They could go to the CSOs so that they would

facilitate their effective use of other venues for processing their complaints. Alleged witches made use of the media to publicize stories, and pressure the authorities to expedite action on their cases and on their behalf.

Accusations were also made in situations of irremediable misfortune. Here the accusation process precluded the dynamic of therapy or remedy because the damage was a *fait accompli*; it was irreversible. The occult harm was in the past such as in the case of a death. Accusers made allegations to identify and punish the perpetrators of such supposed occult harm.

Accused persons reacted to dispel such ascriptions and to exonerate themselves. They advanced impersonalistic definitions to contest the personalistic representation of irreparable harm. Alleged witches also responded by counter accusing the accusers. They accepted the personalistic designations but ascribed the causal agency to the accusers as a defense strategy. In addition, accused persons accessed family, chief, medical/religious venues, state, CSOs and media venues to neutralize the accusations.

Accusations were also made where misfortunes were potential and not actual, and the alleged witchcraft was in the future, not in the past or present. Accusers made allegations in anticipation of some occult injury. They imputed occult potency and intent and made accusations on that basis. Alleged witches responded by disputing the ascribed occult agency, potency or intent and rally family, chief, religious and medical resources, state, CSO and media mechanism against such attributions.

Although, the use and combination of different forums in response to allegations of witchcraft should ideally lead to the overturning of the witchcraft label, this did not happen in all the cases. The use of the family, chief, religious and medical venues were sometimes unsuccessful. The mobilization of state, CSO and media resources did not guarantee the quashing of allegations and so accused persons settled for outcomes that fell short of enabling them to return to their homes.

Thus witchcraft accusation was a contested process between the accuser and the accused: the family in support of the accuser and the family that supported the accused; the chief who enforced the label and the chief who rejected such enforcements; the shrine that found the accused guilty and the shrine that exonerated the accused. The active and unrelenting participation of the accused in determining the outcome of the accusation process was not in doubt. Although the accused were often portrayed as victims, they were not without power of negotiating and renegotiating their destinies and the varied outcomes of witchcraft accusations.

Taking the active power of the accused into consideration was important in understanding the changing landscape of witchcraft accusations in many societies in postcolonial Africa.

This dissertation is divided into six chapters. The first chapter introduced the study and provided a background to the problem and context of research. The second chapter discussed relevant literature, existing debates and the conceptual frameworks relevant to the theme of study. Chapters three, four and five highlighted the ways in which accused persons responded to remediable, irremediable and anticipatory witchcraft accusations respectively. Chapters six and seven provided the summary, concluding notes, the findings and suggested areas for further research.

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## **List of Abbreviations**

AWACC	Anti-Witchcraft Allegations Campaign Coalition.
TTH	Tamale Teaching Hospital.
DOVVSU	Domestic Violence and Victims' Support Unit
CSO	Civil Society Organisation
CHRAJ	Commission for Human Rights and Administrative Justice
DBO	Desire, Belief and Opportunities
GHC	Ghana Cedi

# **Chapter One: Introduction**

## **1.1 Statement of the Problem**

A growing consensus among scholars in the field of African witchcraft studies attributes the manifestations of witchcraft accusations in post-colonial Africa to reactions to modernity (Comaroff and Comaroff 1993; Geschiere 1997; Ciekawy and Geschiere: 1998). This consensus is based on the expected disappearance of witchcraft beliefs due to modernization which has not occurred. Instead the spread of modern phenomena such as globalization, urbanization, capitalism and state bureaucracy has led to the strengthening and not the weakening of witchcraft beliefs and magic. Thus imputation of witchcraft constitutes a way of exerting power in the light of modern changes.

Jean Comaroff and John Comaroff (1993, xvi) have argued that accusations are expressions of ‘a modernity’ within a plethora of modernities. Thus witchcraft fears and anxieties typify reactions to the impact of global cultural and economic forces on local relations and on perceptions of markets and indigenous values. Given that the occult forces are intertwined with modern sectors of politics and economy, the opposition between witchcraft and modernity is no longer tenable because imputations of occult forces signify ways in which Africans have gained some control over political and economic changes (Geschiere 1997, 3; Ciekawy and Geschiere 1998, 1). This renewed academic interest in African witchcraft is predicated on fears and anxieties over the activities of witches, particularly their capacity to kill, harm and destroy lives and property. The Second Special Assembly for Africa of the Synod of Bishops (2009) has in Proposition 13 drawn the attention of the Church Family of God in Africa to the ‘malevolent programmes of sorcery’ and the destructive effects on families and communities. The synod urged the bishops in their dioceses to take effective pastoral and disciplinary measures against those involved in witchcraft. It went further to propose that each bishop name an exorcist and take a balanced approach “to liberate Africans from this scourge” (Synod of Bishops 2009) of witchcraft and cults.

In addition, complaints about the activities of witches have led to the reviews of the Witchcraft Act in Malawi (see Malawi Law Commission 2009) and the Witchcraft Suppression Act in South Africa (see South African Law Reform Commission 2016) respectively. It is worth noting that, in its submission to the review commission, the Traditional Healers Organisation in South Africa acknowledged that harmful magic could cause illness or death to persons or damage to

property and asked that the Witchcraft Suppression Act be replaced with legislation that would identify and control witchcraft practices so that courts could protect people who have been wrongfully accused of witchcraft and punish those who had actually engaged in harmful magic (see South African Law Review Commission 2016, 5).

The treatment of persons who are accused of witchcraft has also been an issue of interest, and some scholars have pointed out the dreadful way that accused persons are dealt with by their accusers. In a UN report, Cimpric (2010, 5) noted that children who were accused of witchcraft were subjected to psychological and physical violence by family members, friends, church pastors and traditional healers. They could also be killed or abandoned by their parents. In addition, Schaubert (2007, 116) suggested that accusations of witchcraft “lead to the banishment, torturing, lynching and even killing of the accused persons”. Whilst Magesa (1997, 188-189) pointed out that the “Lamba of Zambia spear the witch to death” and the “Akamba of Kenya execute proven witches by arrows” and in other places, they “kill witches by beating or strangling them to death, or by burning them alive”. In the same vein, van Beek (2007, 294) underscored the tragic nature of witchcraft accusation:

"Throughout the world, in Africa and elsewhere, witchcraft notions, accusations and persecutions have wreaked havoc on social relations and caused suffering to untold numbers of people. It has robbed them of their dignity, separated them from their kin and disowned them of rightful possessions. Harassment, torture, banishment and death have been disguised as 'cleansing', *the individual accused standing no chance against the brutal force of the accusers*. (Emphasis mine, van Beek 2007, 294).

It is evident that alleged witches are parties to accusation process because they are at the receiving end of actions resulting from occult fears and anxieties as well as the targets of witch finders and witch cleansers. Accused persons are subjected to persecution, prosecution, trials and banishments. In fact the discourse on witchcraft belief and accusation focuses mainly on supposed acts of witchcraft and what alleged witches have suffered for perpetrating such acts. Sufficient attention has not been paid to the participation of these indispensable actors in the accusation process. In fact, the assumption of the modernity of witchcraft paradigm that the expression and manifestation of witchcraft beliefs and accusations are ways that Africans make sense of disruptions that were caused by the canons of modernity is clearly a simplistic one. Some intriguing questions arise as we consider these issues in a more complex and realistic way: Are accused persons powerless in the face of accusation?

Do they always end up as victims? Are modern changes as argued by scholars (see Geschiere 1997; Comaroff and Comaroff 1993) only impactful in the making of accusations and not in the response to imputations of occult harm? Given that accused persons are often depicted as passive recipients of the witchcraft label, it is pertinent to investigate how the accused respond to allegations of witchcraft. This study contends that though the accusation process may sometimes end tragically for the accused, or accused persons may be unable to overturn the witchcraft label and have to suffer torture, banishment or imprisonment, alleged witches are active in the accusation process because they respond to imputations of causing occult harm by protesting and resisting the enforcement of the witchcraft label. Accused persons mobilize resources and take several measures against imputations of occult harm. Thus witchcraft allegation is a contested bidirectional, and negotiated process, not a taken-for-granted procedure that is mainly determined by the accusers. This study notes that the modernity of witchcraft thesis is one sided because it focuses on the accuser and the use of modern institutions in enforcing the positions and representations of imputers of witchcraft. It argues that alleged witches have agency because they use modern state institutions to contest and challenge the positions of their accusers and to dispel allegations of witchcraft. In addition, this research draws attention to the differences in the state situation in post colonial Africa and their role in the negotiation of witchcraft accusations. While in the post colonial Cameroon, where Geschiere (1997) conducted his research, the state recognizes the reality of witchcraft and is therefore useful to those who impute witchcraft, in post colonial Ghana where this study is based, the state does not recognize the reality of witchcraft. Thus the conclusions of Geschiere (1997) and the entire modernity of witchcraft thesis need to be re-examined.

## **1.2 Context of the Problem**

Ghana is one African country where witchcraft fears and anxieties are pervasive and the treatment of alleged witches has generated intense debates (see Debrunner 1961, 2f; Dovlo 2007, 79). Ghana is often portrayed as a beacon of hope and human rights, and a model of democracy and development in the region. The nation of Ghana was the first country in sub-Saharan Africa to gain independence from colonial rule but corruption, mismanagement and political abuses, coups and counter coups marked much of the early years of its independence (see Tsikata and Seini 2004, 3f). The country achieved some economic and political stability in the late 1980s as demonstrated in the conduct of free and fair elections, in the peaceful transfer of power and in the reform of its economy. There is expectation that the recent discovery of oil would further boost Ghana's economic growth and development (Plänitz and Daniela 2015,

26). In addition, Ghana has not experienced civil conflicts on the scale that has plagued countries such as Nigeria, Liberia, Ivory Coast, and Sierra Leone.

The country's constituent ethnic groups have managed to live together despite occasional clashes and 'wars' among the ethnic communities in the North (see Jonsson 2009, 507; Brukum 2001). However, Ghana has a history of witchcraft accusation which predates colonialism and belief in witchcraft is widespread among Ghanaians of different faiths (see Debrunner 1961, 2f; Actionaid 2012, 7). Witchcraft beliefs and practices that are connected to it sometimes translate into allegations and lead to tragic consequences including death, torture, and trial by ordeal and banishment for the accused (Dovlo 2007, 79). One Civil Society Organisation claimed that alleged witches were blamed for all kinds of misfortunes:

...such as sickness, barrenness, accidents and loss/destruction of property. Some community-level misfortunes blamed on witches and wizards are drought, floods and fire outbreaks...The process by which one is found guilty of possessing witchcraft does not give the accused the opportunity to prove his/her innocence. The response over the years has been lynching or banishing from one's home village usually through mob actions (Actionaid (2008, 11).

Year	Gambaga	Gushiegu	Kpatinga	Nabuli	Gnani	Kukuo	Bonyase	Total
2008	123	52	131	75	561	362	3	1,307
2009	117	48	100	59	404	303	3	1,034
2010	105	136	107	93	580	519	3	1,543
2011	89	36	53	75	411	413	3	1,080
2012	77	87	98	86	327	615	4	1,294
2013	67	90	45	73	210	239	5	729
2014	88	122	63	59	213	218	4	785

Figure 1.1 Accused women in the different sanctuaries in northern Ghana. Source: Anti-witchcraft Campaign Coalition (AWACC).

The threatening reality of witchcraft accusation is materially exemplified in prayer camps<sup>1</sup> which exist in Southern Ghana and in witch sanctuaries<sup>2</sup> which are located in the northern region of the country (Palmer 2000, 18ff; Dovlo 2007, 73). The table (see Figure 1.1) shows the number of women who reside in these shelters and illustrates the importance of this infrastructure to the witchcraft complex in the region. In 2010, the Commission on Human Rights and Administrative Justice (CHRAJ) received ten cases of molestation of alleged

<sup>1</sup> Prayer camps are places of refuge that people go to access spiritual healing and solution. Families take members with mental health conditions to these places for treatment (see Edwards 2014, 15).

<sup>2</sup> These are places of refuge for alleged witches (see Figure 2.1).

witches (CHRAJ 2010, 61). In addition, accused persons who refuse to flee their communities face enormous risks<sup>3</sup> if they refuse to leave the community following banishment. At the same time, some documentaries have highlighted the plight of accused persons living in these settlements. They include: the Witches in Exile (Berg 2005), Ghanaian Witches (National Geographic 2008), No Country for Old Women (Whitaker Kati 2012b), The Witches of Gambaga (Badoe 2010).

In reaction to reports of exploitation, deprivation and abuse of accused persons living at these shelters, the government of Ghana organised in December 10, 2014 its first ever national conference on Witchcraft Accusations in Accra (Actionaid 2014). It announced plans to close down the witchcraft sanctuaries and reintegrate accused persons living in these places. This decision generated debates on the fate and future of accused persons especially in a region where accusations and banishment of alleged witches frequently take place.

These abovementioned issues point to the consequences of accusations, the dilemma which accused persons face, and how other actors including state and non-state agencies, shape the outcome of the accusation process. Yet despite the problems posed by witchcraft accusation and the situation of accused persons, very little is known about how accused persons respond to accusations in these contexts. This is especially so among the Dagomba in Northern Ghana. Indeed no in-depth studies have explored how the Dagomba people reject or contest accusation and how such reactions influence the outcome of the accusation process. Tait (1964, 136) explained the patterns of witch hunts among the Dagomba but the author was more interested in providing a structural explanation of witch hunts than in highlighting the measures that were taken by the accused in response to accusations. Kirby (2004, 36f) noted that witchcraft accusation happened in the Dagomba Christian communities but observed that Christians were not able to exert influence on the negotiation process because of their minority religious position. Accused persons who were banished, fled and took refuge at witch sanctuaries and studies have focused on the role of these settlements. Arnskov (2012, 8) argued accusation was a security measure to protect communities and the existence of 'witch camps' was due to the measures taken by communities to protect themselves, and which had the effect of reducing the life-value of the accused. Whilst, Musah (2013, 100f) claimed that contrary to the perception

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<sup>3</sup> An online media outfit, the Ghana web reported a clash between youths from a Dagomba community and family members of an accused person. The man was accused of witchcraft along with two other persons. The other two left the community but this man stayed back and the youths went and attacked him after a person died in the community (see Tamale Youth Attack Suspected Witch; 3 Injured. GhanaWeb September 9 2016. <http://www.ghanaweb.com/GhanaHomePage/NewsArchive/Tamale-youth-attack-suspected-witch-3-injured-468771> ( Accessed October 3 2016)

that the ‘witch camps’ were places where the rights of the accused persons were violated, that the facilities actually served as a refuge space for the accused who had been banished.

The impression that has been created in the few empirical studies on the Dagomba witchcraft suggests that the accusation process ends every time in tragedy for the accused, and that accused persons submit to the label that is applied to them. Accused persons have been represented as if their action and reaction to accusations always lead to harmful consequences. The process of witchcraft accusation has been portrayed as always resulting in the victimization of the accused. This study continues the debate on witchcraft accusation and the conceptualization of the accusers and accused persons. However this study departs from previous ones to argue that accused persons are active participants in the process because witchcraft allegations elicit reactions of rejection, contestation and non-compliance from them. By demonstrating the accused persons’ active participation, this study posits that witchcraft allegation is a contested process because accused persons dispute, challenge and attempt to overturn allegations. Thus, the issue of how accused persons respond to accusation is underexplored and based only on limited studies and perspectives. This study offers an analysis of these largely overlooked dynamics in the accusation process. This analysis is pertinent in order to correct the imbalance in the conceptualization of the accused and witchcraft accusation and the one-sidedness in the modernity of witchcraft argument.

### **1.3 Research Question**

The main research question is: How do accused persons react to accusations? This research question leads to other subordinate questions: Who are other actors in the accusation process? How do accusations emerge? Who are the accusers and who are the accused? Why do accused persons react to accusation?

### **1.4 Research Objective**

The purpose of this study is to analyze reactions to witchcraft allegations and to show that alleged witches make their interest count in the face of accusations. This research seeks to understand the changing landscape of witchcraft imputations in post-colonial Africa. It attempts to address the imbalance in the modernity of witchcraft debate and the one-sided argument that African modernity finds expression in making accusations. This investigation highlights that contesting allegations of witchcraft constitutes a way of exerting power and of making sense of modern changes. The study looks at the social, economic and political contexts and circumstances under which accusations emerge, are processed, accepted or contested by

accused persons and show how the post-colonial environment is resourceful to negotiating accusations. By so doing it provides insights into the manifestations of accusation, particularly why some accused persons stay in their communities after being accused, while others relocate to other communities or take refuge in witch sanctuaries as happens in Northern Ghana.

### **1.5 Scope of Study**

This study is limited in some respects. It is far from a comprehensive and exhaustive analysis of witchcraft accusations among the Dagomba. It does not cover all cases of response and reaction to witchcraft accusation in the Dagomba community. The focus of this work is on the accused, not on the accusers. Accusers' reactions feature in this study to the extent that they shed light on this re-conceptualization of accused persons. This study does not take a view regarding the belief<sup>4</sup> or non-belief in witchcraft by the parties to the accusation, nor does it seek to validate or invalidate allegations of witchcraft. Godbeer (2005, 8) noted in relation to the Salem witch trials that there were persons-districts, ministers who doubted court rulings not because they disbelieved in witchcraft but because they thought the courts were not competent to convict people of invisible crimes. This study is not interested in establishing the existence or non-existence of witches. It rather focuses on the response to accusation in order to unravel the ways in which the actions and reactions of the accused influence the process of witchcraft allegation. The focus on the active role of the accused in the allegation process further illustrates how the post-colonial situation has been empowering to alleged witches. It foregrounds a missing perspective in the modernity of witchcraft debate that the canons of modernity are contributive to weakening witchcraft beliefs and accusations.

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<sup>4</sup> Belief is used in this study (see section 2.5.3) to explain reactions to accusations and not necessarily a statement about the accused's outlook.

## 1.6 The Research Setting: The Dagbon Traditional Area

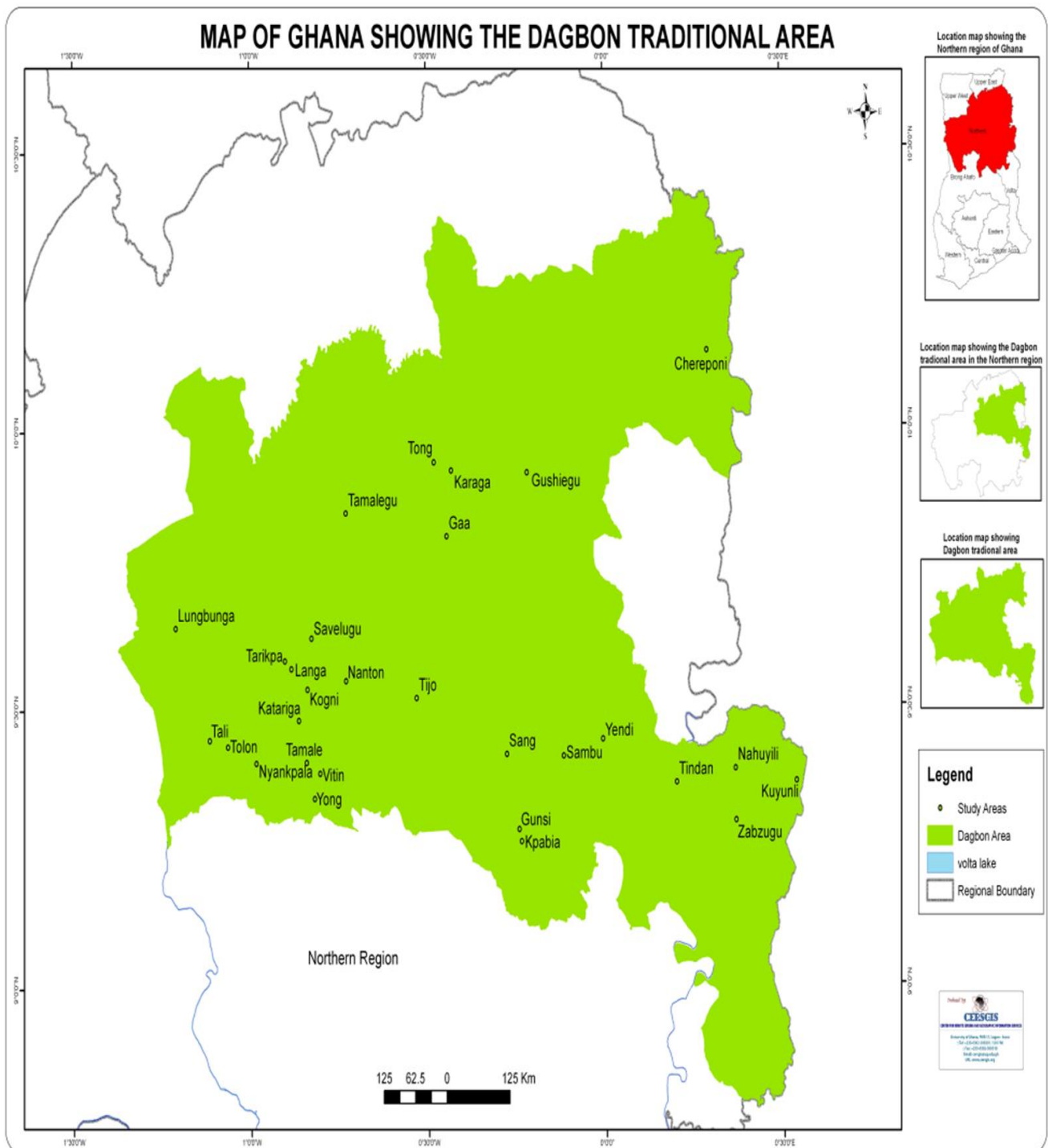


Figure 1.2: The Dagbon Traditional Area. Source: Centre for Remote Sensing and Geographic Information Service, Legon, Ghana.

This study focuses on the people who describe themselves as Dagomba in Northern Ghana. According to the literature, the Dagomba are the largest ethnic group in Northern Ghana (Mahama 2004, ii; Bierlich 2007, 3). The traditional state of the Dagomba is known as the

Dagbon and lies between latitudes 9 and 10 north. It has been noted that the people of Dagbon are called Dagbamba or Dagomba<sup>5</sup> and are estimated to be about 1.5 million (see Bierlich 2007, xiii) which constitutes more than half of the population of the Northern region. They live in many towns and communities spread across the region but mainly concentrated in the towns of Yendi, Tamale, Gushiegu, Sang, Savelugu, Nyankpala, Diari, and Tolon. These towns are not exclusively inhabited by people who describe themselves as Dagomba. People from other ethnic groups, live in the Dagbon kingdom. They include Konkomba, Chakosi (Anufo), Zantansi, Basari (Chamba), Bimoba, Kotokoli and Kabre<sup>6</sup>. These communities are important in this study because they are places where accusations happen; where the accusers and sometimes the accused live. They are also locations of five out of the seven witch sanctuaries in the region (see figure 1.2).

According to the literature, the Dagomba live in a land area of about 21,402 sq km (Berlich 2007, 1) and the Mamprusi are their neighbours to the North. In the South and West are the Gonja while their neighbours to the East, Northeast and Southeast are respectively the Konkomba, Chakosi, and Nanumba. The area experiences high temperatures particularly in March. The lowest point is reached during the rainy season which is between April and October. The rainy season is also the farming season. The dry season is between November and March. This is usually a difficult period for many people. There is scarcity of water, food as well as risks of diseases like guinea worm infection (Berlich 2007, 2). Farming is the main occupation of the people and during dry seasons, many people are idle. Some youths travel down to the South – to Kumasi or to Accra – to do some casual work in order to earn extra income while they wait for the rain. The post-harvest period is usually marked by stress and uncertainty – it is noteworthy to mention here that during these times many cases of witchcraft accusation occur.

According to the literature (Mahama 2004, Bierlich 2007), the people of Dagbon speak *Dagbani* – a language, also called Dagbanle—which belongs to the Mole-Dagbani group. The Dagbani language and its dialects are widely spoken or at least understood by people of other ethnic groups in Northern Ghana. These include, for instance, the Mossi in the neighbouring country of Burkina Faso. The Dagbani linguistic affiliation is due to shared history and descent. Existing study states that the Dagomba descended from a mythical red hunter named Tohajie.

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<sup>5</sup> The term, Dagomba, is an anglicised version of Dagbamba which has been widely used in describing the people of Dagbon (see Mahama 2009b, 1).

<sup>6</sup>There is an overlap in cultural beliefs and practices especially in processing witchcraft fears and anxieties as well as imputations of occult harm.

Tohajie came from the east about a hundred years before the Portuguese came to Elimina (Baker 1986, 120). Historically, one could trace the ancestors of the Dagomba to foreign invaders who conquered indigenous acephalous groups and founded the kingdoms in pre-colonial Northern Ghana. Yendi is the traditional capital of the Dagbon. The capital moved to its present site from Yendi Dabari following a conflict with the Gonja in which the Dagbon kingdom under Ya-Na Dariziogo was defeated (Brukum 2001, 4). Yendi is the seat of the Ya-Na<sup>7</sup>, who is the supreme chief of the Dagbon kingdom, also known as the ‘overlord’ of the Dagbon. The Dagbon Kingdom was founded by successors of Sitobu after the killing of *Tindana* and the assumption of the ownership of the land (Mahama 2004, 3). The kingdom of Dagbon was divided briefly during the colonial era. A part of the land was controlled by the Germans and the other part by the British. However, Germans lost control of their land to the British after their defeat in the First World War. The defeat of the German colonialists led to the reunification of the Dagbon Kingdom. The re-united land of the Dagbon was part of the Northern Territories of the Gold Coast and remained part of the region under British colonial rule until independence in 1957.

### **1.6.1 Social Organisation of the Dagomba Community**

According to Mahama (2004, 47), the Dagbon society is organised according to classes. These classes are important in the negotiation of witchcraft accusations. An example of the class is the *Tindamba*. The *Tindamba* is the priestly lineage that produces the *Tindana*. “The *Tindana* literally means the owner of the land. The *Tindana* lost his land and temporal power to those who conquered him”. The Dagomba conquerors, who arrived the present day Dagbon in 1416, (see Mahama 2004, 1) curtailed the powers of the *Tindana*. They invested the ownership of the land in the Dagomba chiefs and brought the institution of the *Tindana* under the authority of the chiefs. Thus the office of the chief exists separately from that of the *Tindana* hence there is a separation of political and spiritual matters. In communities where the office of the *Tindana* exists separately from that of the chief, *Tindana* retain their title as the spiritual owners of the land but operate under the chiefs who are the political heads of the communities. The *Tindana* are the custodians of the gods and shrines. They make sacrifices to local deities, perform rituals to detect and purify witches. In dealing with matters related to witchcraft accusation, both the chief and the *Tindana* cooperate in dealing with the cases. The chief takes the political decision sometimes based on the spiritual verdict provided by the *Tindana*.

There are few communities where the two offices are combined and where chiefs are the

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<sup>7</sup>Also called Yaa-Naa.

*Tindana*. The Dagomba traditional households are small, low, round huts that are built with sand that is locally sourced. The roofs are made with special local grasses called *chima*. A family compound comprises a ring of small huts connected with short fences and a main entrance. The main entrance is called *zong*, which is also used for receiving visitors. Men own the huts, but women occupy them by virtue of marriage or family relationship. The number of huts in a compound is often indicative of the number of wives a man has. The Dagbon society is patrilocal. The social life is organized around male members of the community. People live in family units led by men. The family is the unit that defines social living and interaction. The Dagomba communities are also patriarchal, that is men dominate positions of power. Social positions such as the chiefs, elders, drummers, priests, etc. are mainly occupied by male members of the society. Women play subordinate, secondary roles in the Dagbon society though some traditional roles are reserved for women. Women who come from royal or priestly families can become chiefs or priestesses. The chieftaincy offices of Gundogu, Kpatuya are exclusively meant for the daughters and other female descendants of *Ya-Na* (Mahama 2004, 20).

Islam is the dominant and, in fact, official religion of the Dagomba people. Before the coming of Islam, traditional religious belief in spirits, ancestor worship and ritual sacrifice were the mainstream religious practice. There are two accounts of how Islam came to the region. One account says Islam was introduced by one Mallam Mahama Matazu who came from the town of Matazu in Hausaland in northern Nigeria in the seventeenth century. The other account attributes the advent of Islam to “the Wangara traders” who came from Niger (see Berlich 2007, 4) earlier than the seventeenth century. People who describe themselves as the Dagomba belong to two main muslim traditions, the Tijjaniyya and the Al-Sunnah. The Tijjaniyya make up the oldest rendering of Islamic tradition in Dagbon Kingdom. Tijjaniyya Mallams use the Quran to do miracles, conduct special prayers, and perform divination and rituals. Tijjaniyya Mallams cooperate with local chiefs to provide islamic remedy to local problems like witchcraft accusation. Every chief’s palace has a Mallam and a *Bouiglana* attached to it. These religious consultants use their supernatural powers to help the chiefs in resolving cases brought before them and the elders.

According to the literature, witchcraft beliefs and practice feature prominently among the religious traditions of the Dagomba (Bierlich 2007, xivf; Tait 1963, 136). Many muslims openly profess their strong belief in witchcraft and in the tradition of witch detection and purification at shrines. Mosques and shrines exist side by side in many Dagomba communities. Christianity enjoys limited privilege and popularity among the Dagomba people as compared to Islam.

Christianity is professed by a tiny percentage of the people in the region (see Nyarko 2012, 40). Those who practice Christianity in the Dagbon Kingdom are ‘strangers’, people from other ethnic groups and they live in places such as Tamale, Yendi, and Savelugu. Missionaries from Europe have since colonial times tried to convert the Dagomba people to Christianity, but centuries of missionary work and evangelization have not been successful due to an uneasiness that characterized the relationship between the local Muslim ruling class and the colonial administrators. Mahama (2009a, 6) explains that the kings accepted the symbol of colonial authority, the British flag, but they disliked the colonialists because they were Christians. However, this antagonistic posture has diminished over the years because Christian missionaries at one stage started introducing educational and development projects such as schools and hospitals to the region. For instance, the Seventh Day Adventist Church has many schools in Tamale and Yendi<sup>8</sup> and the Catholic Church has Guest Houses both in Tamale and Yendi. In addition to the evangelization program, these church establishments educate and provide jobs to people in the Dagomba communities. Despite the influence of foreign religions and their schools, the notion of *tim* (medicine) remains fundamental to understanding the Dagomba cosmology especially in the making and processing of witchcraft accusations.

### 1.6.3 The Concept of Tim (Medicine)

The cosmology of the people that self describe as the Dagomba is dualistic and comprises the material and the immaterial realms; the visible and the invisible worlds. The material realm is the sphere of the physical, ‘visible’ entities such as trees, stones, humans, animals, and insects. It is the seen world, the realm of the visible and the tangible and of other objects or persons that are locatable in space. The objects in the physical world are divided into living and non-living objects, moving and static things. The invisible world is the realm of mysterious beings, populated by gods, ancestors and other non-empirical elements. The spirit entities exist on their own but at the same time co-exist with physical objects, and operate through material things such as stones, sticks, and cowries. The two worlds are independent and interdependent at the same time. The invisible world is distinct but maintains effective control and connection with the visible material world. Some of the spirits include *Mamiwota*, ‘*Denja*’, *Alizini*, *Puam*, and *Kukpalga*<sup>9</sup>. These spiritual entities manifest physically, or through the physical, and are

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<sup>8</sup> The Iranian government is also involved in similar project. It sponsors the construction of islamic schools and mosques in communities across the Dagbon kingdom.

<sup>9</sup>They are called ‘dwarfs’. According to my interlocutors, dwarfs are like human beings but they walk with their legs facing backwards. Some diviners and shrine priests are believed to have them and consult and communicate with them.

manipulated by local medicine men and women to protect or harm. The spirits are both good and bad, and they traverse the two worlds to cause fortune and misfortune and their operations are captured in the Dagomba notion of *tim*.

The concept of *tim* is fundamental to the Dagomba cosmology. The Dagbani word, *tim* (plural *tima*), means medicine. Depending on the context of usage, *tim* can also mean magic or powers. When the people say: *tim bia ni*<sup>10</sup>, it means “There is magic or medicine”. It can also mean “Magic is real or Medicine exists”. *Timalana* are producers and custodians – or owners – of these medicines, magics or powers. *Timalana* include the *Bouiglana*, *Tindana*, *Jinwara*, *mallam*. *Timalana* dispense medicine to persons according to their needs following a request. The Dagomba people visit *timalana* to procure medicines when they are sick<sup>11</sup> or when they want to fortify themselves against physical or spiritual threats or aggression.

The *timalana* prescribe or prepare the medicine-material or spiritual or mixed – according to the person’s sickness. People can procure from *timalana* medicines for protection and safety, success in business, love and marriage, protection from machete cuts, gun shots and accidents, victory in election or court cases. However, medicines that are used for protection could also be designated as medicines that are meant to kill or harm. They could be imputed with potential occult harm (see chapter five)

The people who describe themselves as Dagomba have three main types of *tim* – the Dagbani *tim*, the Mallam *tim* and the *Silimi tim*. The Dagbani *tim* consists of roots of plants or the bark and leaves of trees, and also rituals. Though *timalana* administer the Dagbani *tim*, family heads, chiefs and young and old members of the community have some knowledge of medicinal herbs which they use to treat illness or injuries. Unsuccessful attempts to treat such illnesses lead to suspicions of witchcraft (see the case of Abibat).

Thus medicinal knowledge is not the exclusive preserve of the *Timalana*. For instance, *sara* is prepared using guinea corn, egg, needle piece of red cloth etc. depending on the purpose of sacrifice. *Sara* is placed at spiritually signifying places such as *Sochira* (junctions or crossroads), at an anthill or at the foot of a Baobab tree. If it is placed by someone for protection at a junction, it can be interpreted by another as a form of witchcraft that is a medicine that is meant to kill or harm. Such interpretation could lead to accusations of anticipatory witchcraft

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<sup>10</sup>This is said firmly and emphatically in case anyone entertains doubt about its efficacy and power.

<sup>11</sup>Some informants told me that one does not ‘buy’ the Dagbani *tim*. If somebody says he or she wants to buy *tim* it means the person is going to a pharmacy. When one is going to obtain the Dagbani *tim* from a *Timalana*, the person says, I want to go and beg for *tim*. Buying *tim* applies only to the ‘white man’ medicine.

(see chapter five). Another form of Dagbani *tim* is *Kabre* and is used when a person wants to get money from someone or to secure somebody's consent for friendship or marriage. If someone is interested in a lady or man, the person can mention the person's name and what they wish for as he or she ties a piece of thread around some stick. This *tim* is also used when engaged in competition such as racing or a football match.

Another form of Dagbani *tim* is *Kani*. This *tim* takes the form of a ring. One wears *Kani* for protection against machete cuts and gun shots. It is the *tim* that is used in fighting wars. *Gurum* is also a form of *tim* that is used for fighting. The Dagomba people wear it on their waist for spiritual protection from gunshots. *Nintua* is another medicinal ring. They wear it for protection against witchcraft attacks. *Zuli* is a form of *tim* that is made from cow tail or horse tail and is used for healing and for expelling witches or *jinn*. *Vuwa* is used to compel somebody to give something against their will. Those who call themselves the Dagomba use it to win the heart of a girlfriend or a boyfriend. This medicine is also used in hunting, and to get the animal to run towards a hunter. *Vuwa* is a business *tim*. It is used to attract customers to a person's shop. *Pagali* is a medicine that makes a person who possesses it appear or disappear. It is used in fighting wars, and persons who possess it could disappear if shot at or attacked by enemies. It is also used for robbery or stealing in a bank or in a shopping mall. *Gbanigba tim* is used to invoke money, to double, triple or quadruple an amount of cash. Another medicine is *Barazin*. It is in form of a whip that is used to expose witches, and to get them to confess. The Dagomba people use some black medicinal powder called *chilo*. The *timalana* apply it on the eyelids to detect witches. The black powder invests someone with a third eye and enables the person to see what ordinary eyes cannot see. These medicines are not material or visible but subsist in material objects. Thus these medicines can be designated as good and bad, protective and harmful at the same time.

It is important to note that certain operational mechanisms apply to the Dagbani *tim*. For instance, imitative *tim* operates based on the principle of 'like produces like' (see Frazer 1890/1959, 35). A semblance of a thing influences that which it resembles. The Dagomba persons who want to harm somebody or magically influence the person can take the photo to a Bouiglana who prepares a special *tim* which is used to deal with the person. Resemblance in the Dagomba cosmology is literal as well symbolic. The *tim* operates based on literal resemblance such as photos or images of things or persons and symbolic resemblance which could be in form of gestures imitating the intended effect.

The people who describe themselves as the Dagomba deploy imitative *tim* to enhance intimacy

or influence the heart of a prospective lover or spouse. It could be in form of nailing a piece of iron on a Boabab tree or tying a thread firmly around a stick and nailing it to any sacred tree. The person's name is mentioned repeatedly as the piece is nailed to the tree or the thread is tied to the stick. The people have contagious magic and things exert magical influence by virtue of the fact that they were once in contact. A person can influence another by using the person's hair, fingernails, piece of cloth to prepare some *tim*. People from the Dagbon traditional area prepare incantative *tim* by chanting and chorusing wishes onto an object or into the open air. The chanting invests the process with magical significance and force. It can be money, chicken or piece of cloth. Incantative *tim* influences something or somebody based on what is chanted into the ritual, gesture or material used for the magic. The chanting can be for good or evil, protection or harm, in defence or aggression. Whatever may be the intention of a person deploying an incantative *tim*, the chanting could trigger suspicions of prospective witchcraft (see chapter five).

Mallam *tim* is obtained from Mallams and is Koran-based because it draws its magical force from the Islamic holy book. The *silimi tim* is the medicine one obtains from hospitals or pharmaceutical stores. *Sotim* is the medicine which witches use for their operations. *Sotim* can be transmitted through food or drink. In cases where *Sotim* is put in some herbal medicine, it spoils the medicine. A sick person who takes the bad medicine, gets sicker, and may die.

There are no special foods which witches use for their operations. Anything that can be eaten can serve as a means of transmitting witchcraft. It can be porridge, rice, beans or beans cake, biscuits, soft drinks or any snacks. Anyone who eats food or takes a drink that is infected with *sotim* gets sick (see chapter three for more on *sotim* and sickness) and dies (see chapter four) unless the person has stronger *tim*, a more powerful protective medicine.

*Sotim* is not visible and its presence in any food or drink is not detectable with ordinary eyes. *Sotim* is a spiritual substance – a form of poison which the witch uses to kill. *Sotim* is not discoverable in itself, but the material substance that contains *sotim* is. The material substance containing *sotim* is discoverable through confession and disclosure by the witch. The witch's *sotim* can be *pihim*. *Pihim* is the water used in bathing a corpse. Witches go to funerals to collect the water used in bathing corpses, which they put in somebody's food<sup>12</sup> and that could make the person sick. Imputation of *sotim* triggers accusations of witchcraft and in situations where

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<sup>12</sup>I was told that whenever somebody dies, family members monitor the movement of people into the room where the corpse is kept till it is buried. The belief is that witches come around during such occasions to collect *pihim* which they use for occult operations.

the accusers and the accused could not settle the matter on their own, cases are referred to other actors for resolution.

### **1.6.2 The Concept of Sotali (Witchcraft).**

The Dagbani term, *Sotali* (witchcraft) stands for a destructive use of tim (medicine).

The expressions *Sonya* (a female ‘witch’) and *Bukpaha*<sup>13</sup> (a wizard/a male witch) are used in the negative and destructive sense. Both terms, witchcraft and sorcery have been used in explaining this magical phenomenon that exists among the Dagomba. David Tait used the term sorcery hunt to describe a witch finding process among the Dagomba (see Tait 1964). While Jon Kirby (2004b, 38) used the word, ‘witchcraft’ in his study of witchcraft accusation among the Christian Dagomba population. This study uses the term witchcraft interchangeably with sorcery because the distinction between sorcery and witchcraft as explained by Evans Pritchard does not apply to the Dagomba people because sotali (witchcraft) is neither exclusively mystical nor particularly a material operation. *Sotali* is perpetrated through psychical or spiritual means which may sometimes involve material things. Defining witchcraft presents a challenge because the term witchcraft is an English word which is used to describe an African belief and practice. Thus the expression ‘witchcraft’ comes with linguistic and ideological baggage (Ter Haar and Ellis 2009, 399).

Over the centuries, many scholars have used the term witchcraft in many different ways. In early modern Europe, witchcraft stood for the belief and practice of “harmful, black, or maleficent magic, the performance of harmful deeds by means of some sort of extraordinary, mysterious, occult, preternatural or supernatural means” (Levack 1987, 4). European missionaries, scholars and colonial officers used this notion to frame religious and occult phenomenon in Africa. The term witchcraft is used to represent beliefs and practices related to African magic, occult, voodoo, charm, spiritual power. This usage conflates the notion of witchcraft with ‘indigenous’ religious practices that are not associated with witchcraft such as marriage and manhood initiation ceremonies. In such contexts, accusations of witchcraft are often presented as synonymous to allegations of voodoo or traditional religious practice. No distinction is made between witchcraft as a key religious belief and witchcraft as a definer of the African ‘indigenous’ religion. In the discourse on African witchcraft, Evans-Pritchard made a distinction between witchcraft and sorcery. Drawing on his study on witchcraft among the Azande, Evans-Pritchard defines witches as those who can injure others through psychic means. While sorcerers are those who can harm by performing magic or administering bad medicine

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<sup>13</sup> Just as in everyday usage among the Dagomba, this study uses *Sonya* for both male and female witches.

through ritual (Evans Pritchard 1976, 1). Among the Dagomba people, such distinction between witchcraft and sorcery does not apply.

For the people who describe themselves as the Dagomba, it is the witch who determines what he or she uses for the witchcraft whether it is material or immaterial. In fact accusation is a device to compel the witch to reveal the means used to perpetrate the occult harm.

For the purpose of this study witchcraft is considered in three categories: remediable, irremediable and anticipatory. Remediable witchcraft is a form of magical harm that requires, healing, cure or repair. Any instance of occult harm is an ongoing process and accusation is made to get the accused to remedy the misfortune. For instance a person who is ill, or a woman who is unable to conceive and suspects witchcraft, could make an accusation and get the alleged witch to cure the illness or restore her fertility. Irremediable witchcraft is a form of occult harm where there is no option or prospect for cure or repair.

Accusation is made to identify and sanction the causal agent. For instance if a person dies in a community and witchcraft is suspected to be the cause, accusation is made to identify and penalize the witch. Remediable and irremediable witchcraft are connected because both refer to cases of misfortune, though remediable witchcraft is in the present while the irremediable is in the past. In addition, a case of remediable magical harm can turn into an irreparable occult harm if for instance the sick person dies. Anticipatory witchcraft is a case of occult harm that is expected to happen in the future. It could be a potentially remediable or irremediable misfortune and an accusation is made to thwart the evil plan, scheme or intent of the witch. Unlike in remediable and irremediable witchcraft, occurrence of misfortune is not a necessary condition for imputation of anticipatory witchcraft. Imputation of intent or power to perpetrate occult harm is made based on some behavior or mark on the body<sup>14</sup>. For instance an elderly woman who curses a person or who collects people's pieces of cloth or hairs, could be accused of anticipatory witchcraft and in making allegations, accusers preempt and expose such evil intentions.

In summary, witchcraft beliefs and accusations are embedded in the Dagomba notions of causation, medicine (*Tim*), *Sotali* and the traditional structures. Accusations entail imputing agency and responsibility of using medicines to cause harm and deploying witchcraft

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<sup>14</sup> This can be compared to the mark which the Devil imprinted on the body of the witch in the early modern European witchcraft (see Levack 1987, 27)

recognizing structures to enforce such ascriptions. Thus reactions to accusations involve taking medical measures and actively engaging structures to validate or invalidate ascriptions.

## **1.7 Notes on Research Methodology and Data Collection Techniques**

### **1.7.1 Fieldwork and Positionality**

In this qualitative study, I did ethnographic fieldwork in order to collect the data. Hammersley and Atkinson (1995, 1) have pointed out that ethnographic research “involves the ethnographer participating, covertly or overtly, in people’s daily lives for an extended period of time”. The researcher watches what happens, listens to what is said, asks questions and collects data that would throw light on the topic of research. Witchcraft accusation is a sensitive issue and happens often in situations of suspicion and mistrust. Thus to access the field, I used the snowballing sampling technique. This is a technique which is used to find research subjects. The principle is that a “subject gives the researcher the name of another subject, who in turn provides the name of a third, and so on” (Atkinson and Flint 2001, 2). The snowballing technique is also useful because here it gave the researcher easier access to accused witches within the communities or at the witch sanctuaries without “pointing fingers at people” (see Petrus 2009, 85).

I asked the CSO contacts, whose names I got from the Internet, for contacts of other gate keepers for the Dagomba witchcraft complex particularly the managers of the witch sanctuaries. Through the managers, I was able to gain access to accused persons. I got the information about the accusers from the accused but I did not rely solely on this information to contact the accusers. With the contacts which accused persons provided, I was able to access the communities and meet with their accusers. In order to enhance trust and minimize suspicion, I contacted the accusers through their village chiefs or school heads and teachers and interviewed them wherever they felt they were most comfortable to converse with me. There were occasions where I noticed that the accusers or the accused persons - whom I interviewed within the communities - felt unease during the interview because of the presence of the chiefs, or other members of the community. On such occasions, we went to an exclusive place of his or her choice, where the person felt free to discuss the matter. Thus the issue of positionality defined as “the relational place or value one has that influences and is influenced by varying contexts” (Louis and Barton 2002, 2ff) is very important. Bourke (2014, 1) has noted that the researcher’s identity affects the research process because of how the researcher perceives others but also how others perceive the researcher. I am a Nigerian and conducted my field work on witchcraft

accusation among the Dagomba in Northern Ghana. I do not believe there are people who actually engage in witchcraft but I come from an ethnic group where such belief is pervasive and accusations are rampant. I worked with local and international groups to address the problem of witchcraft related violence in African countries such as Nigeria, Malawi, Gambia etc. and encountered cases that allowed me an insight into the profound nature of witchcraft accusation and the horrific consequences on the accused.

I spent most of my life living in Nigeria with occasional visits to Accra in Southern Ghana. Before I commenced my field study in 2012, I had very little knowledge of Ghana. Apart from it being one of the anglophone countries in West Africa, I knew virtually nothing about the peoples and the ethnic constituents. In fact I never knew that such an ethnic group called the Dagomba existed in Ghana. However, I chose to conduct my research among the Dagomba because they were the largest ethnic group in the region where five out of the seven popular witch sanctuaries in northern Ghana were located. Unfortunately, I do not speak the native language Dagbani.

However, I confronted this challenge by hiring a university graduate who is a native language speaker as my research assistant. I explained my research project to him so well that he became acquainted with the topic to the point that I ‘trusted’ his translation of the interviews. However, I did not rely solely on his translations of the interviews for my knowledge and understanding of witchcraft accusation because some of my interviewees chose to speak in English. These were mainly the state police and court officials and leaders of the civil society groups. There were also children or relatives of accusers or accused persons who spoke in English.

Thus in its ‘cultural’ state, Dagomba witchcraft speaks the native language, Dagbani as well as English. The documentation of the cases at the police stations, at the courts and at the human rights offices are done in English, which is the national language of Ghana. Sometimes patterns and insights started emerging from interviews with state and non-state officials even before the accused persons or their accusers were interviewed.

Apart from English, Dagomba witchcraft speaks other languages such as Nanumba, Kokomba, Gonja, Gambaga and others within the region because witchcraft accusers as well as accused persons consult diviners, shrine priests and medicine men and women from other ethnic and language groups. Some Dagomba accused persons who are banished from their communities flee and reside in sanctuaries in Kukuo which is a Nanumba area, or in Bonyase which is in Gonja area or in Gambaga which is in Mamprusi area. Thus the belief is characterized by

multiculturality. For instance in a case that was in court while I was in the field, a young man, a Dagomba, murdered his step mother. He had accused her of witchcraft. Before killing her, he consulted a Konkomba diviner who told him that the woman was responsible for his lack of progress in life. The police arrested this young man after the incident and charged him in court. The case is still pending at the Circuit court in Yendi. The Konkomba diviner was arrested and was later released. Some Dagomba persons take their witchcraft cases to Nanumba and Gonja shrines for adjudication. In fact people prefer taking their cases to non-Dagomba shrines to avoid foul play and manipulations. In addition, I complemented the data from the interviews with observations and field notes which I made while tracing cases of accusation.

As a non-native language speaker understanding the deeper meanings of religious traditions requires keeping an 'open mind'. However open-mindedness entails ability to access and weave into a story the different strands of meaning from different sources and actors.

For instance, I was at DOVVSU in Tamale in June 2013 to find out about a case of witchcraft accusation which was reported to the police. A police officer drew my attention to the case that was reported on that day. She said, "Mr Igwe, here is another case". She pointed at a woman, who was about 60 years old, standing in the corner. The woman had come with her son to file a complaint. She fled her home after she was accused by a man of having killed his son by witchcraft. I interviewed the woman briefly while her son was busy filing the complaint with the police. The woman spoke in Dagbani, which is the native language of the Dagomba. Her son later joined us and recounted to me a more detailed version of the story in English. I followed her son to the family compound in Choggu and he showed me the house of the accuser. I conversed briefly with the main accuser, who was the father of the deceased. He spoke in Dagbani through my translator but that was after I assured him and the family members that I was not a police officer. The father of the deceased complained that despite what the accused person had done to the son, still the woman's son went and reported him to the police. The man went on to narrate how the accused woman killed the son through witchcraft.

I sympathized with him over the death of his son. However the conversation suddenly came to an end when I asked the accuser to tell me what the woman specifically used to kill his son. He stared at me for a while and asked: "Are you a Dagomba?" I said; No. He then said: "Well you will not understand". I insisted that he should explain to me, but he declined. One of his sons quickly intervened and continued the conversation in English. He informed me that the deceased and some family members saw the accused woman in their dreams.

As a Nigerian, and a non-believer in witchcraft, such experiences underscored my cultural and religious outsidership. However as Cappai (2005, 133) has noted, there are no total outsiders because persons who are excluded from some aspects of the social life are included in other aspects: "...from the point of view of specific religious communities, so called 'unbelievers' are considered outsiders. Yet, it makes no sense to consider these people as excluded from the dimension of religiosity. Even the convinced atheist or the agnostic is in some way, albeit negatively, connected to religiosity". Though I am not a Dagomba and do not believe in witchcraft, I am not totally an outsider to the religious cultural phenomenon of witchcraft. I am from West Africa and the notion of harmful magic obtains among the Igbo ethnic group in Nigeria. My position is rather that of an Outsider-Insider (see Adogame 2005, 98) and my approach to the topic is that of 'unfamiliar familiarity'. I approach the field with lack of familiarity with what is taking place (Blumer 1969, 36) because I am an outsider to the Dagomba witchcraft complex. At the same time I relate familiarly to the issue because witchcraft belief is not culturally alien to me.

### **1.7.2 Observation**

I carried out a 6-month field work between December 2012 and April 2014 including a month survey. During the period I lived in Tamale which is the regional capital and also the location of the regional offices of DOVVSU, CHRAJ, the High and District courts, and the CSOs. I attended a court session in February 2014 where an accused person was challenging her banishment from the community. I visited several times the District court, the offices of Actionaid and AWACC, the palaces of the Dakpema (the market chief) and the paramount ruler of Tamale, and also the print and broadcast media stations. I was at the Tamale main market where I obtained some of the materials that diviners and shrine priests use to process cases of accusation. I visited the shrine of a priest who handled a case that was reported to the Dakpema (market chief) in December 2012. I spent eight days in Gnani observing the day to day life of alleged witches at the witch sanctuary.

During this period, I visited the Tindana (shrine priest) who is in charge of the sanctuary and the assemblyman in the area. I spent some time with an alleged witch who was a diviner and who had continued his divinatory work at the sanctuary. Many people were reluctant to discuss witchcraft cases openly and publicly especially with strangers. Elderly persons were often slow and measured in discussing the manifestation of the occult. They believed witchcraft was a matter of experience which people could only understand as they advanced in age. Many youths were excited to discuss the general belief in witchcraft and magic and readily narrated cases of

witchcraft encounters in their families and communities. They supplied anecdotes, stories and hearsay of bewitchment to demonstrate the reality and efficacy of witchcraft and magic. However young people suddenly started stepping back when asked to provide details of particular instances of accusation further investigation because they thought that such inquiries by strangers could revive by then the settled cases. Apart from spending some time in these communities, I overcame these obstacles by recruiting members of the community preferably teachers from local schools into my research team and their presence often enhanced trust, confidence and interaction with community members. In addition, I was switching empathy in the course of the investigation. I tried to identify with the positions of the interviewees without taking their position. I empathized with the accusers who were often pained and angry about the misfortune of witchcraft which they suffered and with the accused persons who were usually furious due to the accusation and sometimes, their subsequent banishment. It was feasible for me to switch empathy because accusers and accused persons whom I spoke to often lived apart from each other. Accusers usually lived in the communities and accused persons lived at the witch sanctuaries or at some locations outside their homes and communities. However, there were cases where both the accusers and the accused lived in the same compound and in such situations, I assured them that I was interested in understanding the whole story and in capturing the perspectives all those who were involved in the cases.

Accusations happen under circumstances of hatred, enmity, pain and grief, and this poses a challenge to researchers. Accusers and accused persons are often heart broken and reluctant to talk about their experiences to strangers. This happens especially in cases of fresh accusations. I overcame this challenge by agreeing with the interviewees that I should return on a more convenient date. Thus occasionally tempers ran high particularly in fresh accusation that involved death of family members. In such cases, there was a lot of anger, suspicion and mistrust. As a researcher I had to move carefully to access information, and often found myself in difficult and risky situations.

On two occasions the accusers vehemently refused to talk to me having discovered that I had earlier spoken to the accused persons. They maintained their silence despite my assurances. Though not explicitly stated, witchcraft accusation is against the law in Ghana and those who indulge in accusations risk being prosecuted. Thus frequently, accusers took me to be a police officer or an agent of the state coming to arrest them or to collect information which could be used to indict or prosecute them. During some of the visits to the communities, there were instances where I suspected that the accusers were present but the family members said they

had gone away and that they had no knowledge as to when they would return. It was almost impossible to interview accusers when matters had been reported to the police or had been taken to court because they feared that any information which they gave could be used against them.

### **1.7.3 Interviews**

In depth interviews were conducted to generate detailed information (Flick 2014, 199) about the accusation process. Fifty-nine persons were interviewed in all including twenty four accused persons. As a sensitive topic, detailed information is needed to capture the dynamics. Biographical interviews are conducted to allow accused persons to provide a narrative of their experiences. Given the hostile treatment they have been subjected to, unstructured interviews were cathartic because they provided accused persons a congenial atmosphere to share their life histories and experiences (see Bernard 2012, 183). Semi-structured interviews were administered to two diviners, two shrine priests, seven chiefs, two members of the Jinwara, two police officers, one state human rights officer, three civil society group officers, two state environmental health workers, and two media personnel. These interviews were used to understand how these actors had handled particular cases of witchcraft accusation. The author probed for information about how such cases were handled in the past (see Bernard 2012, 182). To deepen my knowledge of the Dagomba medicine and magic, I visited a mallam who used sea sand to perform divination, a shrine priest who doubles as a *ghanigba*, and who did a money doubling magic, and another medicine man who displayed his magical powers by boiling meat in a paper pack.

Nine accusers were interviewed and they were all male. There were accusations made by women but they could not be interviewed because they were dead or could not be reached. On one occasion, a female accuser declined to be interviewed. Both the Dakpema and the Regent could not be interviewed due to their busy schedules. However they gave permission for their secretary and the public relations officer to provide relevant information. The interviews of the accused persons were conducted in Dagbani and a native speaker who is a university graduate translated them into English. However, state, civil society and media officers preferred to be interviewed in English, which is the official language of Ghana. Notes were taken during some of the discussions. However, many people felt uncomfortable or inhibited with the taking of notes during discussions. In such cases as soon as I transcribed what had been said to me.

#### **1.7.4 Informal Conversation**

Informal conversations were held with sixty different individuals many of them were anonymous. They included taxi drivers at motor parks, and commuters in buses, managers and their customers at road side shops, internet cafes and call centers, students and teachers in schools, youths in village squares. Sometimes I casually introduced the topic and at other times some events or experiences such as road accidents, home videos, media reports, the sight of a black dog or cat at night or a chameleon that is crossing the road during the day triggers such conversations. Bernard (2012, 181) observes that informal interviewing is critical in “getting to know the lay of the land”, in building trust and “uncovering new topics of interest”. These informal conversations led me to uncover cases of witchcraft accusations.

Knowledge about witchcraft accusation takes place largely in informal settings when people sit out by the road side, in bars and restaurants. Participation in informal talks is important in capturing a general idea of the phenomenon because it provides a free arena for people to share their personal, family or community experiences of witchcraft or witchcraft accusations. The conversation was not recorded but occasionally notes of important points were made at the time and always as soon as I got home or reached a convenient place I jotted down any significant details from the conversations (see Bernard 2012, 181).

#### **1.7.5 Archival Research**

Some of the data used for this study were obtained through archival research at the state library, at the offices of Daily Graphic, AWACC, Actionaid and Songtaba, and District court in Tamale. I examined documents from courts and CSOs on witchcraft accusations. They included the rulings of the district court in Tamale, court summons and petitions from CSOs urging traditional or state authorities to take action against accusers or asking to take measures to protect the rights of accused persons. I also obtained copies of media reports of cases of witchcraft accusation (see the case of Neda in chapter three).

### **1.8 Clarification of Concepts: Accusation, Contestation and Agency**

#### **Accusation**

This study uses the term accusation to mean reaction to subjective witchcraft experience by imputing the agency and responsibility for the occult harm on a person or persons. The usage encompasses calling out, naming, identifying and cleansing alleged perpetrators of harmful

magic. In making accusations, causal and remedial responsibilities for perpetrating witchcraft are ascribed to persons who may accept, reject or contest them.

### **Contestation**

In this study, the term contestation is used to mean all efforts and actions used to oppose, challenge, and resist accusations of witchcraft or imputation of responsibility on supposed witches. This usage does not preclude instances of temporary acquiescence by accused persons who may agree to go through some rituals that form part of the accusation process. Quite often, these instances of compliance offer time and space for the accused person to mobilize resources for a course of action to challenge their accusers.

### **Agency**

Agency entails ability to act differently. As agents, accused persons are capable of behaving in ways that make a difference in the accusation process. Alleged witches have the capacity to accept and not reject or reject rather than accept the allegations. Accused persons can comply and not contest. They can challenge and resist allegations rather than act in accordance with their accusers. However, the actions of imputed witches do not always lead to the invalidation of allegations because the ability of individuals who are accused of witchcraft to act in such circumstances differ. Some accused persons have more resources than others and therefore different degrees of ability to act and react. The differential resource does not make the accused passive participants in the accusation process but rather leaves some accused persons with more options to act than others.

## **1.9 Structure of Dissertation**

This dissertation has six chapters. The first chapter provides the background and statement of the problem. The context and methods are also discussed. Chapter two explores the debates and key arguments in the discourse of witchcraft accusations as well as the framework used in re-conceptualizing the accused and the accusation process. Chapters three, four and five constitute the empirical section of the dissertation. The three chapters highlight the different patterns of reaction to witchcraft accusations. Chapter three discusses remediable witchcraft allegations and a variety of ways in which accused persons respond to such ascriptions. This chapter shows that the option of remediation provides accused persons an opportunity to demonstrate activeness in the accusation process. Chapter four analyzes accusations of perpetrating irremediable misfortune and the different ways accused persons mobilize resources against such

imputations. The chapter shows that in cases of accusation where remedy is not an option, accused persons actively engage in the process by mobilizing resources to erase the ascribed guilt. Chapter five highlights another category of accusation where misfortune is anticipated. This chapter shows that in the absence of harm, accusations are made and accused persons respond to imputed intent to harm. Chapter six summarizes and concludes the dissertation. It highlights the main findings including areas for further research.

### **1.10 Concluding Notes**

This chapter has highlighted the research problem, the significance of the topic, the rationale and context of study and the techniques that were used in collecting the data. It has also shown how scant the studies on the subject have been especially in Northern Ghana where cases of witchcraft accusation are overwhelming and how a study which focuses on analyzing the dynamics and contestations of accusation could shed light on the phenomenon. The chapter further asserts that the phenomenon of witchcraft allegation is shaped by many actors whose actions and reactions influence the outcome of the process and that the reactions of accused persons to allegations of occult harm would benefit from further exploration. In the next chapter, the limited focus on the accused and witchcraft accusation in older and contemporary debates will be discussed.

# **Chapter Two: Key Debates on Witchcraft Beliefs and Accusation Processes**

## **2.1 Introduction**

In the previous chapter, the reasons for situating the study in Northern Ghana have been provided. This chapter examines in more detail the existing literature and debates on witchcraft accusations and various arguments that scholars advanced to explain the accusation process. Given that the topic of witchcraft in Africa is very broad and has for long preoccupied anthropologists, sociologists and scholars of religion, it appears difficult to capture all that has been written on the subject in this study. Consequently, only the key arguments from these debates are explored herein. The various perspectives are discussed in two categories—the older debate and contemporary approaches—to show the limitations to the current conceptualization of accused persons and the accusation process. Subsequently an analytical dimension is proposed based on the concepts of Legal Pluralism, Forum Shopping, and Desires, Beliefs and Opportunities (DBO). These theoretical approaches are joined to emphasize the agency of accused persons and other variables that shape the dynamics of accusations. These approaches are used to show that witchcraft accusations are contested processes and not taken-for-granted procedures that are totally determined by the accusers.

## **2.2 Literature Review**

### **2.2.1 The Older Debate**

Reports and writings of 19<sup>th</sup> century missionaries, colonial administrators, and scholars on African witchcraft beliefs and accusations<sup>15</sup> shaped the image and perceptions of Africa and about Africa in the Western world.<sup>16</sup> Scholars used the core ideas of the structural functionalist approach, social order, harmony and stability in explaining the phenomenon of witchcraft accusation and in conceptualizing accused persons and other participants in the process. These scholars advanced philosophical, sociological and psychological arguments to make sense of

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<sup>15</sup> Witchcraft and witchcraft accusations are not synonymous to each other but in the literature on witchcraft studies, some scholars often conflate these two terminologies (see Moore and Sanders (2001: 7). Witchcraft is actually what the witches do, or are alleged to do and due to what the witches do, the sufferers or those affected engage in accusations in order to identify and punish the alleged witch. Thus, witchcraft accusations are what the bewitched or persons affected by witchcraft do. This clarification is pertinent to the objective of this study and to put into proper perspective the interaction between the accuser who react to witchcraft fears and anxieties and the accused persons who react to allegations of witchcraft.

<sup>16</sup> In this study, western world refers to Western Europe, North America, Australia and New Zealand.

this phenomenon. In his study of witchcraft and magic among the Azande in Southern Sudan, Evans-Pritchard (1937/1976, 18) set the tone for the anthropological debate on African witchcraft. He suggested that witchcraft constituted the natural philosophy of the Zande and a cultural ubiquity that manifested in all aspects of Zande life. The author departed from the argument of Levy-Bruhl (1910/2015, 14) who maintained that the mentality of Africans was mystical and pre-logical as compared to the speculative and logical mentality of Europeans<sup>17</sup>. He argued that the thought system of Africans as demonstrated in Zande witchcraft discourse was as rational as the European thought system and that the phenomenon of witchcraft constituted the binding principle that held together the different aspects of a culture. He further maintained that the rationality of the Zande witchcraft lay in making sense of the singularity of misfortune (Evans-Pritchard 1976, 21f; Gluckman 1956, 84).

Gluckman (1956, 81f) drew on his study of the Zulu in South Africa to further highlight the thinking that informed the logic of witchcraft. Based on an 1831 entry in the diary of an English trader of complaints by some Zulu of some “pitiful strain of sickness”, he argued that the idea that Africans thought that they alone suffered misfortune while others enjoyed good health accounted for the notion of witchcraft. Gluckman (1956, 83f) noted two pertinent questions in the occurrence of misfortune: “...the first question is ‘how’ did it occur, and the second is ‘why’ it occurred at all”. He claimed that while common-sense empirical observation answered ‘how’ misfortune occurred, witchcraft explained why particular persons suffered particular misfortunes at particular times. While Gluckman clearly articulated the reasoning that triggered imputation of witchcraft, some information was missing in the study. For example, how were the complaints eventually resolved? Did the English trader give the Zulus the cow? Did the ‘doctor’ ascertain who the witch was? In fact, is a ‘who’- question, that is ‘who is responsible for the misfortune’ not important in answering why misfortune occurred?

The religious cognate of the metaphysical explanation was captured in the arguments of scholars of religion and theology. These scholars whose explanations leaned heavily towards Christian theology maintained that witchcraft was a key element of African Traditional Religion’ and central to African understanding of evil (Parrinder 1963, 129; Idowu 1973, 173ff;

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<sup>17</sup> Scholars such as Moore and Sanders (2001, 6) have reiterated a departure from Levy-Bruhl’s arguments. However, the distinction which he made between the primitive and the civilized minds continued to reecho in the academic discourse on African witchcraft particularly in the works of western anthropologists. Anthropological studies on African witchcraft are replete with allusions to the differences between African and western forms of thinking and rationality (see Mair 1964, 336; Middleton and Winter 1963, 3). For instance, Marwick (1970, 11ff) makes a distinction between witchcraft as a myth and fairytale for the Western society witchcraft as a threatening reality for Africans.

Mbiti 1975, 166). Parrinder (1958, 17) compared European and African witchcraft and stated that though there was a widespread interest in witchcraft in Europe and America, the manifestation of witchcraft belief in Africa was a critical issue. The author listed the characteristics of European witchcraft as gathering in “Assemblies, covens and Sabbaths” and noted that European witches operated as wandering souls and engaged in night-flying and in other occult activities using animal familiars such as black cats, rat or fowl (Parrinder 1958, 37ff). Cannibalism, black mass and devil worship are other occult activities of European witches. Whilst African witches are mostly females who leave their bodies at night to assemble with co-witches, and cause people wasting diseases. The author claimed that European witchcraft beliefs were similar to African except that names such as devil, covens and Sabbath, and perverted Christian practices such as black mass and baptism were missing in African witchcraft. The comparative analysis of European and African witchcrafts provides no insight into the unique element in the African witchcraft that is responsible for its continued manifestation.

Idowu (1973, 175) located witchcraft in the structure of African Traditional Religion. He claimed that witchcraft formed part of the spirit beliefs of Africans and featured prominently in the pre-christian and islamic religion particularly in explaining and unraveling the problem of evil. Witches were people who could send their spirits to harm or destroy other persons’ bodies, minds or estate. The author suggested that these spirits left the bodies in form of birds to meet with other witches in forests or in open places before embarking on the occult operations such as attacking, extracting and devouring the bodies of their victims (Idowu 1973, 176).

Mbiti (1975, 166) agreed with Idowu that belief in witchcraft is part of African religion. He pointed out that witchcraft powers were ‘inborn’, ‘inherited’ or ‘acquired’ by a person. Mbiti suggested that witches used ‘incantations’ and various magical objects which they buried in the ground, on the gate or in the farm of the victim. The author suggests that witches use familiars such as insects or animals which they send to harm the victim. Mbiti (1975, 167) stated:

...the spirit of the witches leave them at night and goes to eat away the victim, thus causing him to weaken and eventually die. It is believed too, that a witch can cause harm by looking at a person, wishing him or speaking to him words intended to inflict harm of him.

Anthropologists of the Manchester School criticized the metaphysical approaches to witchcraft accusation for ignoring the fact that accusation had a social aspect. They suggested that

ascriptions of witchcraft were rooted in the social network and interactions. Put simply, they argued that accused persons suffered accusations due to certain social relationships.

Scholars of The Manchester School, especially Max Marwick, Clyde Mitchell and Victor Turner, claimed that, to understand witchcraft accusations, we needed to look at the social structures because accusations constituted byproducts of ways that certain individuals relate to others. They traced allegations of witchcraft to differing social conditions and environments. Marwick (1952, 215) investigated witchcraft accusation in Cewa community in today's Zambia and observed that accusations target certain persons. The accused were often people who impoverished, harmed or killed other human beings through destructive magic in material or familiar forms. Marwick explained that witchcraft suspicions and accusations took place in matrilineal relationships because these were the 'arenas' for disputes over succession, inheritance, and property.

In addition, the author argued that witchcraft beliefs and accusations served to maintain indigenous social structure, and ensure social stability. Thus accusations constituted a mechanism for releasing social tensions. According to Marwick (1952, 232) stated:

...Cewa witch beliefs afford a means of rupturing social relations when these become too cramping or too pervasive. For instance, as we have seen, witch beliefs and accusations of witchcraft are catalytic to the dissolution of social relations which become redundant as lineage segmentation proceeds. More generally they may be the only means of rupturing or fundamentally altering a social relation when it has become unbearably tense and when no socially approved way of doing this is open.

He further maintained that accusations constituted strain-gauging devices in relationships (Marwick 1970, 17) and indicated tensed social feelings and catalysts of social rupture or dissolution of relationships (see also Mitchell 1970, 389).

Wilson (1951) extended the argument by providing a comparative insight based on her fieldwork among the Nyakyusa of then Tanganyika and the Pondo in South Africa. Wilson underscored the causal link between social structure and witch beliefs among the Nyakyusa of Tanganyika and the Pondo in South Africa. She argued that differences in witchcraft beliefs were a result of variations in social structure. Wilson (1951, 308) suggested that, for the Nyakyusa, "...witches exist as pythons in the bellies of certain individuals. They are something tangible, discoverable at an autopsy, and inherited. The incentive to witchcraft is the lust for good food". For the Pondo, witchcraft involved sex because Pondo witches operated through

familiars such as baboons, wild cats and snakes and these familiars usually took the form of the opposite sex. Wilson (1951, 309f) pointed out the patterns of witchcraft accusations in the Pondo society: "The typical accusations of witchcraft in Pondoland are between mother and daughter-in-law who live in the same homestead and between fellow employees in the mines and elsewhere". Among the Nyakyusa, accusations were made against village neighbours, fellow workers in the mine, and wives. Although accusations were based on specific characteristics of different social structures, the core idea was that they emanated from tensed social relationships.

Turner (1957, 95ff) used the concept of social drama to illustrate cases of witchcraft accusation among the Ndembu people of Zambia (then Northern Rhodesia). He argued that, as social processes, accusations mirrored tendencies and structures that were in operation in the communities. Turner observed that by making accusations, these latent tensions and conflicts became manifest. The author claimed that allegations of witchcraft typified breaches of customary regularity of social relations which subsequently resulted in crisis, redressive action and then re-integration or recognition of schism (Turner 1957, 92, 113). In addition, the author noted that the accused questioned the imputed responsibility for witchcraft and urged the use of divination to ascertain the veracity of witchcraft claim (Turner 1957, 141, 119).

Douglas (1970, xxv) took the argument further by categorizing this tensed relationship into two - the individual and the community levels. At the individual level, she suggested that witchcraft accusation serves as a weapon of assault in relationships that were ambiguous. She described ambiguous relationships as 'competitive and unregulated'. Persons in such relationships were often in positions of advantage or disadvantage and that made the community to withdraw its protection. These anomalous relationships included those of beggars who solicited alms from neighbours and female money lenders who could be accused by defaulting debtors. In such relationships, accusers gained anomalous advantage that found expressions in witchcraft allegations. At the community level, Douglas observes that witchcraft accusation was a mechanism to affirm and clarify social demarcations. Thus one important feature in the accusation process was the witch finding movement, and scholars (Richards 1935; Marwick 1950; Willis 1968) advanced explanations for witch finding movements that swept through communities during the colonial period. One scholar analyzed the witch finding methods and activities of the 'medicine-vendors' in the 'Bemba country' by describing the procedure of witch finding:

Once assembled, the men and women were lined up in separate files, and passed one by one behind the back of the witch-finder, who caught their reflections in small round mirror by turn of his wrist. By his image in the glass it was claimed that a sorcerer could be immediately detected, and thus discovered, he was immediately called upon to yield up his horns, a term which included all harmful magic charms (Richards 1935, 448).

He claimed that those detected as witches were given solution to cure the witchcraft. These were usually cowives and rival heirs to the chieftaincy positions. However the author observes a key challenge to the witch finding process with the emergence of Christianity and the advent of colonialism. Richards (1935, 458) claimed that: “Missionaries all over Africa are teaching a religion which casts out fear, but economic and social changes have shattered tribal instructions and moral codes that the result of white contact is in many cases an actual increase in the dread of witchcraft”. These shattered ‘tribal’ instructions and codes created situations where accusations became rampant because people used imputations of occult harm to make sense of social disruptions<sup>18</sup>. So, the intriguing questions here are: How exactly did the white contact translate into witchcraft accusations? Did the attendant social disruptions result in misfortunes for Africa? It is not clear from the study why the experience resulted to witchcraft accusation.

In fact, some studies have faulted the social structural arguments for putting so much emphasis on social formations and ignoring individual motivations for accusations. They argued that witchcraft allegations constituted reflections of the psychological states of the accusers. These scholars used Sigmund Freud’s (1856-1939) idea of ‘displacement of affect’ in framing their positions. They suggested that accusations were projections of urges and conflicts into “standardized fantasies”. These psychological explanations of witchcraft accusations had found expressions in the works of Clyde Kluckhohn, an American anthropologist who conducted a long term ethnographic work among the Navaho in the United States. D.J Krige in his ethnographic work among the Lobedu in South Africa outlined the reasonable role that witches and sorcerers play in the fulfilment of human needs and purposes. He states:

They picture witchcraft as criminality incarnate, an intrinsically evil influence in the universe which can manifest itself only through a human being; it is independent of all the other supernatural, but it is not a capricious power; and it

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<sup>18</sup> This crisis was echoed by Berner (2016, 142) who alluded to the case of three Zulus who were accused of making their chief ill fled and took refuge at a missionary station. This led to conflict between a local politician and missionary authorities who refused to send away these persons even after a magistrate court ordered them to do so.

is thought to be set in motion only by malice, hatred and similar motives and generally only against some specific individuals” (Krige 1970, 263f).

Krige maintained that the Lobedu identified ‘witchcraft proper’ with the ‘night-witch’ whose destructive capacity went beyond ‘diseases and death’ to include barrenness, destruction of growing crops, enslavement of souls and sending of familiars and vampires on vicious errands. This rational function hinged on the notion that witches and sorcerers embodied malignant forces that aligned with the criminal impulses in human beings. These criminal impulses dwelt in the sinful souls where they lay ready to be brought into life.

In postulating a rationalization of witchcraft, Krige (1970, 272) stated that in relationships that were characterized by stress and strain, witchcraft epitomized the malice and jealousies that drive anti-social behaviors and served as a mechanism for the projection of conflicts and a vehicle for canalizing tension in a vicarious manner. Though the explanations tried to overcome the limitations in the social structural arguments by providing the psychological underpinning of accusations, it would be interesting to know: which tensions were canalized through witchcraft accusations? Despite the limitations of arguments that stress the structure and function of witchcraft accusations, the structural functionalist approaches maintained their hold on the anthropological thinking about witchcraft accusations based on the notion – by some of its proponents – of Africa as comprising ‘small scale’ societies and the failure to account for social order and stability of the accused persons. However, the structural functionalist sense of witchcraft accusation as captured in the above mentioned arguments began to lose their steam and popularity in the 1980s as scholars started to grapple with the manifestation of witchcraft accusation in post-colonial Africa (see Moore and Sanders 2001, 2) and the persistence of imputations of witchcraft despite modern changes.

The introduction of state institutions, Christianity, urbanization and media did not lead to the disappearance of witchcraft, instead accusations of witchcraft had shown resilience and continued to manifest in spite of these ‘modern goods’ (see Englund 1996, 257). In fact ‘modernity’ has reinforced witchcraft beliefs and suspicions (see Geschiere 2013, xii-xiii).

The end of colonialism brought so many changes. African societies were no longer those ‘small community units’ bound together by witchcraft and magic as portrayed by the early anthropologists. However, accusations of witchcraft continued to manifest in countries that have introduced state bureaucratic institutions including laws and human rights mechanisms.

Thus the ‘older debates’ that portrayed witchcraft accusations as processes that were associated with ‘socially-bounded’ and simple communities instead of modern institutions and structures in ‘complex societies’ seemed increasingly unsatisfactory. These institutions had implications for witchcraft accusations, particularly in post-colonial African dispensation. These concerns preoccupied a number of scholars and led to a renewed interest in African witchcraft and a conceptualization of witchcraft accusation in relation to ‘modern changes’ (see Geschiere 1997, 214). This study designates this renewed interests and theoretical twists as contemporary approaches.

### **2.2.2 Contemporary Approaches**

Renewed interest in witchcraft accusation in post-colonial Africa led some scholars to suggest that witchcraft allegation was a response to modernity (see Comaroff and Comaroff 1993; Geschiere and Fisiy 1994; Geschiere 1997, Rowlands and Warnier 1988) because the idiom of magical imputation was used to make sense of changes in relation to power, production and consumption (see Moore and Sanders 2001, 9).

Jean Comaroff and John Comaroff (1993) articulated the phenomenon of witchcraft accusation in their notion of ‘multiple modernities’. They noted that the proposal that ‘modernizing social forces and material forms’ would yield the universal effect of eroding local cultural differences and achieving cultural sameness had not materialized. While acknowledging the spread of modern and mechanical goods, the authors observed that the world had remained culturally diverse. Comaroff and Comaroff (1993, xi) stated: “There are, in short, many modernities. Nor should this surprise us. With hindsight, it is clear that the cultures of industrial capitalism have never existed in the singular, either in Europe or in their myriad transformations across the face of the earth”. The authors were of the view that the ‘incorrigible plurality’ in the world was the product of the interplay of the global and the local and a coupling process that led to the refocusing, rerouting and reversing of the march of modernity and the manifestation of witchcraft and magic.

Comaroff and Comaroff (1993, xvi) suggested: “...‘modernity’ now often objectified and commoditized, has become the subject of historical consciousness and contestation; ‘rationalization’ has begotten an efflorescence of witchcraft and magic”. They claimed that witchcraft constituted the gauge for the impact of global cultural and economic forces on local relations and on perceptions of markets and of indigenous values and thus witches were “modernity’s prototypical malcontents” (see Comaroff and Comaroff 1993, xxix). Despite their

emphasis that 'modernity' found expression in witchcraft accusations, the authors failed to highlight the interplay of local and global forces that featured in rejecting and disputing claims of witchcraft. The main idea is that this interplay of 'local and global forces' disrupted the sociocultural lives of the people who now indulged in accusations of witchcraft to make sense of these changes. What remains unexplained is whether imputations of witchcraft remained the only ways that people made sense of this interplay of local and global forces.

Geschiere (1997, 3) extended the 'modernity' debate by advancing political arguments in explaining the manifestation of witchcraft accusation. Drawing on his fieldwork among the Maka in South East Cameroon, he pointed out that the opposition between witchcraft and modernity was not applicable because rumors of the occult lurk in 'modern sectors of the society'. Witchcraft was embedded in 'modern' political relations and permeated interactions between state elite and their village counterparts. Geschiere explored these modern political relations and their link to witchcraft using the notions of ambiguity, regional variation and kinship. As an idiom of power, he argued that witchcraft was ambivalent because it constituted both a levelling force and an accumulative mechanism that fostered new forms of inequalities and wealth. Geschiere (1997, 5) observed:

...alongside such references to witchcraft as a leveling 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 sorcery/witchcraft as an accumulative force that prevails in more modern forms of politics.

The author argued that politics played out in ways that tied the witchcraft complex with the political enterprise, the urban elite and the village dwellers. Villagers insinuated that politicians, through the local healers, perpetrated witchcraft in order to acquire and exercise power and authority. Geschiere underscored the ambiguous role of healers and made a case for circularity in witchcraft discourse. In this case, the healer was both a protector and a perpetrator of witchcraft at the same time. Witchcraft was used for constructive and destructive purposes, and people could be positively and negatively accused (see Geschiere 1997, 50ff). Furthermore, Geschiere suggested that variations in witchcraft discourse applied because different institutional arrangements for dealing with witchcraft obtained in regions across Cameroon. He went further to link witchcraft and kinship by arguing that witchcraft was the flip side of kinship and the resultant cleavage had transcended the local situations and village boundaries. Modern changes have engendered new economic and political inequalities between the urban dweller and rural elite kinship and witchcraft rumors signal these new power situations. In addition,

Rowlands and Warnier (1988) claimed that witchcraft was a mode of political action that was central to state building in Cameroon because discourses on economic progress, political success and development programs were often tied to the notion of witchcraft. They suggested that:

...in a 'subsistence economy' with fairly low productivity and little available surplus, social life perceived as a zero sum game: what someone possesses must be appropriated at the expense of some else. Having many wives means taking them away from other men. If someone has many goats or a bountiful harvest of yams and groundnuts, it is believed that he or she has sucked the fertility out of the livestock or fields of someone else. This is most often expressed as a cannibalistic metaphor: someone has 'eaten' the life, the health, the crops. The wealth of his neighbor (Rowlands and Warnier 1988, 123).

The authors suggested that within this circumstance, the wealthy was suspected and accused if people experienced any misfortune and bountiful possession constitutes basis for witchcraft accusation.

In the same vein, Ogembo (2006, 2f) underscored the role of Structural Adjustment Programs (SAPs) in making sense of manifestation of witchcraft accusation and violence. With particular focus on the violence that swept through the Gusii region in Southwestern Kenya in 1992, the author attributed the episode to the 'changing socioeconomic conditions' in the region. He observed that the economic changes occasioned by 'the policies and conditionalities of the SAPs and trade liberalization' led to dislocations. Apparently, Ogembo suggested that accused persons behaved in such situations in ways that made witchcraft violence a symbolic expression of the experience (or threat of the experience) of the ensuing disadvantages.

Furthermore, scholars highlighted the role of chiefs and their impact on the management of witchcraft allegations in the light of modern changes (Geschiere 1996, 309; Niehaus, Mohlala, and Shokane 2001, 8f) especially in the treatment of witchcraft fears and anxieties.

Geschiere (1996, 309) drew attention to the challenging role of chiefs in addressing occult fears and anxieties in post-colonial Cameroon. By highlighting variations in the search for protection against the novel threats of occult forces, the author linked these variations to the authority of the chiefs because the changes led to quest in some parts of Cameroon for the state to intervene against new witchcraft threats. In parts of Cameroon where the colonial state created customary chiefs and invested them with new powers, Geschiere (1996, 315) stated: "these chiefs had no particular role to play in the containment of witchcraft. Their new means of power, provided by the state and expressed in an exaggeration of 'traditional' status-symbols, apparently did not

confer on them the moral power to intervene against the witches”. Geschiere (1996, 316) further claimed that it was in these regions that there were desperate searches for outside agencies such as the state and the churches for protection against the threats of occult forces.

In the same vein, Niehaus, Mohlala, and Shokane (2001, 8-9) discussed the changed role of the chiefs under the apartheid regime and how the process affected the phenomenon of witchcraft accusation in South Africa. They claimed that the Bantu Authorities Act of 1958 compelled the chiefs to stop intervening in cases of complaints of witchcraft. This development created a vacuum in the control and management of witchcraft accusations and led to the emergence of violent interventions because ‘Comrades’ who operated under the umbrella of liberation movements and who championed the struggle against the apartheid ‘took decisive steps to eradicate witchcraft’. The authors claimed that in post-1990 South Africa, the ANC brought the ‘Comrades’ and the actions of the witches under control.

Thus with the curtailed powers of the chiefs, the onus is on state managers to address the complaints of witchcraft and of witchcraft accusations and as Ashforth (2005, 2) pointed out, this posed a challenge. He attributed the problem of witchcraft in a democratic South Africa to inadequate colonial response to the problem because the "...indigenous judicial procedures aimed at managing the problem of witchcraft in African communities have been outlawed, leaving victims to improvise informal, ad hoc, or purely private modes of seeking justice in response". While stressing the challenge of recognizing and regulating these improvised modes of seeking justice and addressing 'spiritual insecurity' in a democratic South Africa, he (2005: 15) pointed out that African democrats found themselves in a difficult position in trying to address concerns related to witchcraft because they knew that the evil forces of witchcraft were real and posed real dangers which the government could not ignore. The author stated:

They risk alienating themselves from the everyday concerns of their citizens, citizens who find themselves living in a world with witches. Leaders who are alienated in this way may find themselves struggling to create an image of the democratic state as a regime embodying the true interests of the people they are governing (Ashforth 2005, 15).

Thus Ashforth stressed ‘the challenge’ which African democrats experience in the course of managing witchcraft claims by people who live in the world of witches. One of such structures which feature in the management of witchcraft accusation in post-colonial Africa is the human rights mechanism.

## **Human Rights and Witchcraft Accusations**

Beyond the political and economic arguments, some scholars explained the phenomenon of accusation in the context of human rights abuses and the socio-political crisis in post-colonial Africa (Ter Haar 2007a, 1; Van Beek 2007, 311) Ter Haar (2007a, 1) drew attention to the ‘neglected perspective’ that is the human rights approach to African witchcraft studies. She suggested that lynching, killing and action that deprived the accused of their rights often follow allegations of witchcraft in Africa. These violent reactions targeted mainly women. Ter Haar (2007a, 18-19) highlighted the cruel treatment that was meted out against alleged witches: “To be labeled a witch in many cases is tantamount to being declared liable to be killed with impunity. Those accused of witchcraft are likely to be deprived of their human rights, and are deemed to have brought their fate upon themselves”. Thus witchcraft accusation was a process of denying accused persons their rights and dignity, and accused persons as those at the receiving end of allegations were also at the receiving end of the associated abuses.

Van Beek (2007, 311) agreed with Ter Haar that accusation process was characterized by human rights abuses. He provided a general explanation of witchcraft accusation by highlighting the human rights deprivations that were often associated with imputations of occult harm. The author claimed that claimed witchcraft accusations started in suspicion and ended in execution. These situations followed a tragic trajectory of escalation from belief to voicing, then naming, persecution and execution. Van Beek (2007, 294) stated: “Witchcraft notions, accusations and persecutions have wreaked havoc on social relations caused suffering to untold number of people. It has robbed them of their dignity, separated them from their kin and disowned them of rightful possessions”. He pointed out that in the face of the brutal force of abuses by the accusers and enforcers of the witchcraft label, accused persons stood no chance. It is pertinent to ask: Why is it that alleged witches stood no chance in the face of occult attributions? Were there no redressive mechanisms? One aspect of human rights violation that has attracted the attention of scholars is the physical attack on accused persons.

## **Justice, Violence and Witchcraft Accusations**

A number of studies tried to explain the phenomenon of witchcraft accusation by highlighting issues related to violence and injustice (Mavhungu 2012; Hund 2000). Mavhungu (2012, 5) made a comparative study of witchcraft in Venda South Africa and in Kom in Cameroon and explored how the two communities dealt with occult fears and anxieties. He observed that manifestations of witchcraft were shaped by the social contexts arguing that while legislating

against witchcraft in South Africa led to the proliferation of violence. He noted that in Cameroon a more sympathetic policy situation accounts for the relative absence of such violence in Kom. Mavhungu saw no hope for ending witchcraft-related violence in South Africa with legislation that suppressed or sought to control witchcraft. He suggested that criminalizing witchcraft held little promise because it undermined liberal democratic principles.

Hund (2000, 388) extended the argument by examining rampant cases of witchcraft accusations and violence in South Africa and attributing these incidents to the 'breakdown of African justice'. He linked this breakdown to the enactment of the Witchcraft Suppression Act arguing that the Act denied the reality of witchcraft because the motive behind the introduction was cultural (and ontological) imperialism. The author noted the relation between the prohibition of processing witchcraft accusation cases by customary courts and the rise in witchcraft related violence. Hund clearly postulated the notion of cultural and ontological imperialisms in order to make a case that the African justice system was radically different from the Western system. However this distinction is untenable in the light of the noted commonalities between European and African witchcrafts (Parrinder 1958; Hutton 2004)

Tebbe (2007) drew attention to the connection between the sense of violence of witchcraft and the violent reaction towards the accused. He claimed that witchcraft was a form of injustice because it was believed to be "unjust in much the same way as physical violence" (Tebbe 2007, 187). He suggested that a sense of violence prompted a witchcraft accuser to avenge and retaliate, to embark on a murderous struggle by attacking, torturing or killing an alleged witch. There was a sense of violence that legitimizes violence against a witch. This sense of violence justified witch killing and cleansing as an antidote, as an act of redemption and liberation.

Though it belongs to the old debate, Melland (1935) noted in a related study which was conducted during the colonial period, how the British sense of justice informed the politics and ethics of managing witchcraft matters in Africa and thereby created a situation that was ethically unsatisfactory and demonstrably harmful to Africans. He attributed the ethical and political crisis to the autocratic imposition of penal legislations. He observed that these laws had failed the test of good legislation because they did not incorporate the interests of the governed. Melland (1935, 495) stated: "We say, in effect, to the African. 'You must not accuse people of bewitching you: it is absurd. You must not have recourse to ordeals to test such accusations: they are no test. Above of all you must not consult, or invoke the aid of diviners or witch-doctors, for they are evil charlatans'". He further argued that as opposed to these injunctions that were in accordance with British justice, accusers and accused persons were often in agreement

regarding the righteousness and efficacy of witch trials. This 'African justice' system posed a challenge to policing witchcraft accusation. As Pelgrim (2003) observed, police officers working under a system that was caught in between these two 'justices' and hence found themselves in difficult situations because the state law was in conflict with the 'tradition' and beliefs of the people. The author stated:

On the one hand, they are members of the local communities and they have to serve these local communities on a daily basis. This implies that they have to deal with the local witchcraft belief that stipulates that witchcraft is a clear manifestation of evil and that anyone suspected of using witchcraft should be punished. On the other hand, the police have to uphold official witchcraft legislation, which stipulates that witchcraft accusations are a crime and that anyone committing such a crime will be brought to justice (Pelgrim 2003, 5).

Due to this dilemma the police are unable to provide protection for those who entertain witchcraft fears and anxieties, and groups, youths or 'comrades' emerge to fulfill this role. It has been noted that in terms of population, females constitute the majority of the persons who have been accused, maltreated or killed for witchcraft globally (see Barstow 1995, 1). Thus gender is a key issue in witchcraft debates.

### **Gender and Witchcraft Accusations**

Scholars have explained witchcraft accusation in relations to gender constructions and power struggles between males and females (see Federici 2010; De Blecourt 2000) and they advanced three main strands of arguments. They postulated that witchcraft accusation was indicative of the marginal status of women and their subordination (Federici 2010, 11-13). Another perspective is that the threat of witchcraft constituted a symbol of female power and a weapon to control men (Ciekawy 1999, 225). Accusations were also conceptualized in relation to male gender, in other words, they argued that allegations of witchcraft ran along male gender lines (Colson 2000, 341). Federici (2010, 11ff) attributed the persecution of mainly women as witches to intense social crisis caused by the neo-liberal economic policies of the World Bank and other international financial institutions. She observed that these economic policies robbed the entire populations of the means to support themselves and tore communities apart, deepening "economic inequalities and forced people to compete for limited resources" (see Federici 2010, 11) such as land. Drawing examples from Saudi Arabia, Gambia, Ghana, South Africa, Kenya, India, Nepal and Malaysia, she maintained that clerical and state authorities were instigating and executing a veritable war against women and attributed the witch hunts of the 80s and 90s to the "effects of the deep crisis that globalization" which "destabilize the

social reproduction and devalue the social position of women” (Federici 2010, 22). It is not clear from the author’s explanation if globalization only orchestrated crisis and was solely a force for instability and devaluation of women.

In the same vein, De Blecourt (2000, 303) drew on the history of witch hunts in early modern Europe to explain why those who were accused of bewitchment were predominantly women. She claimed that in a patriarchal society, the making of the witch was a social process because the female space was never an autonomous space and accusations arose due to ‘crossing male-designated boundaries’. Thus women who owned land or who conducted themselves independently crossed boundaries and that corrupted their position as neighbors and givers of life and nutrition, and made them susceptible to accusations. However, the susceptibility to witchcraft accusation was not always a sign of marginality and subordination.

As Ciekawy (1999, 225) noted in rural Mijikenda communities, witchcraft was associated with men and accusations were made mainly against men. Thus women in Mijikenda communities used divination consultation and insinuations about illness caused by witchcraft to forge accusations against the menfolk. She claimed that accusations of witchcraft constituted mechanisms which women employ to alter their relationship with men and enhance their potential and personal capacities. In addition, Dolan (2002) suggested that women in Meru district in Kenya used the threat of witchcraft to alter wealth relations engendered by horticultural commodities. The author (2002, 660) observed: “...women have directly challenged men’s refusal to compensate them for their land and labour, threatening and/or deploying witchcraft to reclaim their economic autonomy and purchase freedom from male constraint”. Thus witchcraft discourses became channels for articulating and contesting ‘gendered struggles over contract’.

Based on her study of the Tonga in Southern Zambia, Colson (2000, 341) attributed such imputations to new forms of power relations that focused on adult male members of the populations: “In illness or other difficulties, suspicion and then divination usually point to an older male kinsman, to a rival for a job or other resource or to someone spited by the victim”. She argued that men, unlike women, were witches because witchcraft was acquired, not inherited and men had more purchasing power than women in Tonga society. Particularly men had strong incentive to acquire the medicine in order to advance economically and to protect themselves and their economic exploits. Colson (2000, 341) suggested that young men in Tonga society associated witchcraft with getting older’ because advancement in age made men to hate each other and to use witchcraft, and young men were foolish to flaunt the wealth because the

seniors could use their witchcraft against them. It might be interesting to know that if flaunting of wealth was the reason older men targeted the young, what about situations where older men flaunted their wealth? The author says nothing about situations where poor younger men try to acquire wealth and the use medicine to advance economically.

### **Media and Dissemination of Witchcraft Ideas**

One critical factor in the spread of witchcraft beliefs and accusations is the mass media. Rumours and imputations of witchcraft often get disseminated through the various media outlets. Scholars argued that 'modern' media give visibility to witchcraft ideas by producing and reproducing these cultural realities (Ukah and Echtler 2009). Ukah and Echtler (2009, 85) suggested that videos, movies and other media forms produce and reproduce witchcraft ideas. They noted:

Stories about witches themselves form part of local traditions and neighbourhood gossip, and witches themselves tell about their machinations when they confess. These stories reproduce the cultural reality of witchcraft. What changes with the introduction of movies is that the secret activities of the witches are no longer merely talked about, but shown on the television screen. The movies augment, influence and maybe even dominate the stories about witches, and therefore the production of the cultural reality of witchcraft (Ukah and Echtler 2009, 85).

The authors argued that such reproduction brought into the open what used to be secret and gossiped stories on witchcraft confessions and accusation. This study contains no information on how accused persons use the media and how the media brings into open the positions and perspectives of others involved in the accusation process.

In her study, Ludsin (2003, 80) identified patterns of witchcraft accusation to include women, especially those who were poor and also were in jealous relationships such as the relationships between mothers-in-law and daughters-in-law or women in polygynous marriages. Other persons who were likely to have accusations levelled against them were poorer members of the community. The author also noted that elderly persons were targeted and accused by the young. Elderly women were more likely to be accused if they lived alone or enjoyed longevity because the suspicion in such cases was that they had obtained a new soul by devouring that of a child. The author suggested that those who were targeted as witches were also persons in relationships that were characterized by conflict and friction as well as individuals that were deemed anti-social, individualistic and odd. Thus as we have seen in both the older and contemporary debates, studies conducted in different contexts were used in explaining and theorizing on

witchcraft accusations. In the next section, we shall examine how accusations of witchcraft and accused persons were conceptualized in Ghana witchcraft studies.

## **2.3 Ghana witchcraft Debate**

Scholars have tried, since the colonial times, to make sense of witchcraft beliefs and accusations in Ghana and these perspectives are captured under the following key themes-indigenous religious beliefs, witchcraft confession and anti-witchcraft shrines, colonialism, Christianity and Islam, gender and violence, and witch sanctuaries. As in the global debates, the arguments focused mainly on accusations or better, on reactions to witchcraft fears and anxieties.

### **Traditional religious beliefs, witchcraft confession and anti-witchcraft shrines**

Witchcraft beliefs and practices constituted part of the traditional religion (see Dovlo 2007, 80) and supernatural beliefs of constituent communities in pre-colonial Ghana. Scholars have noted how witchcraft formations were idioms for making sense of evil and misfortune. (Rattray 1927, 29; Debrunner 1959, 1)

Rattray (1927, 29) provided a traditional religious insight into witchcraft beliefs and accusations. He identified witchcraft as part of the Ashanti religion and the role of shrines in processing accusations of witchcraft. The author described Ashanti witches as mainly women and non-adults, who transferred their powers to their daughters by giving them a medicinal bath. Rattray claimed that witches sucked blood, caused illness or made people barren. Ashanti witches operated at night and attacked their victims by draining the blood. Part of the witches' business was to obtain some object which they could use to kill such as hair or nail-cuttings. Rattray (1927, 31) further observed that witches operated within their clans and transformed into owls, vultures, and fire-flies, into lion, elephants and snakes. Alleged witches suffered severe penalties and were subjected to trial by ordeal, which involved drinking poison to ascertain their guilt or innocence at the shrines. The author explained the tragic predicament of alleged witches from the Ashanti:

A witch's blood may not be shed; she is strangled. A self-confessed witch used to have a firebrand placed in her hand before being expelled from the village. A message was sent to the next village, from which she would also be driven and so on. This punishment therefore really amounted to the death penalty (Rattray 1927, 29).

The author suggested that shrine priests did not identify witches, instead witches came forward to confess so that their lives might be spared.

Debrunner (1959, 1) described Akan witchcraft as some form of supernatural power, which people possessed and used for purely evil and destructive purposes. He noted that witches flew out at night emitting light. They met on trees where they conspired to do damage to humans causing them swollen legs, impotence and bareness and damage to cash crops like cocoa (see Debrunner 1959, 19ff). The author observed that witchcraft was inherited only through the matrilineal clan and Akan witches could change into a bird, an owl, leopard or hyena. Witchcraft spirit could be accidentally picked up, bought or swallowed causing sterility, impotence and other diseases. In a further explanation of Akan witchcraft, the author noted that people were accused of removing the wombs of women and making them incapable of getting pregnant or removing testicles of men making them impotent. Sufferers consulted a medicine man who divined and revealed the identity of the witch responsible. The sufferer confronted the witch who revealed where the womb or testicles were buried and such disclosure spiritually cleared the way for the woman to get pregnant or restoring the man's potency as the case may be. Debrunner suggested that in processing accusation, the Akan (the sufferers) sometimes took the matter to the 'anti-witchcraft shrines' which they believed had powers to catch and destroy evil doers and witches. The shrines were capable of catching witches because they were the abode of the gods whom the people worshipped and believed could identify agents of occult harm in the communities (Debrunner 1959, 20ff).

Fortes, Steel and Ady (1947, 170) provided a structural explanation of Ashanti witchcraft complex. They observed that witchcraft constituted a dangerous feature in the Ashanti matrilineal system because it was persons who were related matrilineally who would harm each other. Given this tendency, the likelihood of harm by the matrilineal kin was a source of anxiety and instability and affected both the educated and the non-educated. The authors had noted that as a key part of the occult enterprise the popular anti-witchcraft shrines were places where people go to address their fears and anxieties. These cults and shrines pre-dated colonialism and remained a very critical part of Ghana's witchcraft complex because of their role in witchcraft confessions. In fact the phenomenon of witch confession was a later development in Ghana's occult history because confessions usually led to punitive consequences. However the colonial authorities outlawed this witch hunting process and in reaction, witchcraft confession became therapeutic, and no longer a punitive procedure (Gray 2001, 340-341). Instead of being penalized, confessed witches were healed. Some scholars tried to make sense of witchcraft confession and explained why a process that led to the killing of witches became eventually benign.

Field (1960) provided a psychological analysis of witchcraft confession. She explained that confessions to witchcraft among the Akan were expressions in the search for security. She claimed that witchcraft stemmed from psychological state of severe depression whereby patients imagined themselves as worthless, wicked and irrationally self-accuse of committing every unforgiveable offence. According to Field (1960, 36) witchcraft constituted the worst sin these patients could imagine to have committed: “A witch spontaneously declares that it is she who killed every kinsman whose death she can recall, who ate all the dead infants, who blighted the dead cocoa-trees and engineered all the lorry-accidents”. In a related work, Field (2005) argued that witchcraft constituted a primitive interpretation of mental disorder. She explained that the ideology of witchcraft in West Africa is based on a pre-Agricultural religious belief which she described as:

...companies of witches, under a group-leader, hold secret nocturnal meetings in inaccessible places and travel to these gatherings by flying through the air or by riding on antelopes, leopards and owls. These meetings are cannibalistic feasts: the bodies of the witches’ victims are cut up, cooked in a pot and eaten. The rank of a witch in the company determines whether he or she shall receive the head, the trunk, the hands and so on... (Field 2005, 826).

Field argued that those who kept the theory of witchcraft alive were those who claimed to be associated with it, the mentally disordered people. These people with neurotic conditions patronized the shrines – the native mental hospitals- as out-patients and long term voluntary in-patients. She listed four categories of patients who bring their witchcraft problem to the shrines. They included the confessed witches, those suffering from simple bewitchment, converted witches or those afflicted with malignant bewitchment and healthy people seeking immunization against evils (see Field 2005, 827f). However, she identified as neurotic mainly the accused – the confessed and converted witches. It may be pertinent to know if this category of confessed and converted witches indulged in confession or in conversion on their own accord or they were induced to confess and convert. Also what could have been the role of the priests in resolving the witchcraft problem which patients bring to these shrines.

Wyllie (1973, 74f) extended the debate by making a case for introspective witchcraft. He faulted the notion of accusation as a means of dismantling relations and facilitating periodic changes because of the supposition that accusation was extrospective, that is an initiated process from outside by the accuser “who is either the imagined victim or someone who is acting on his behalf”. He argued that among the Effutu, witchcraft was inherited and involuntary, accusation was introspective and required a self-confessing witch to be treated by the priest or prophet.

These self-accusing witches made all sorts of claim; from causing the death or illness of children though rarely of the husbands while self-accusing child witches confessed to have bewitched close relatives. The self-confession to witchcraft was often at the instance of religious cults that employed their witch finding techniques in processing people's fears and anxieties.

Ward (1956, 47ff) linked the phenomenon of anti-witchcraft cults to changes in the society. He described the main function of the religious cults as the apprehension and purification of witches and attributed their emergence to "increased European contact, an extension of social scale, rapid economic advance, political change, and the spread of Christianity and school education". In addition the author claimed that the sale of cocoa produce brought incomprehensible economic changes and made the Ashantis dependent on forces which they could not control and had to resort to supernatural assurance and explanation of failures and unpredictable occurrences. Ward (1956, 53ff) suggested that people joined these cults to seek:

protection against witchcraft and sorcery, particularly by barren women or those whose children were continually sick or dying, by impotent men, by anyone sick of an apparently incurable disease, by those who had any reason to fear economic failure or failure in examinations, all of which misfortunes, as well as most others, are ascribed to the evil intentions of others.

Witchcraft confession served as a mechanism to relieve tension in the self-accused witch and a cathartic channel to release aggressive feelings against overwhelming evil force. However it is important to note that if witchcraft confession was a means of releasing tension and aggressive sentiments, were these emotional states peculiar to self-accusers? Were these feelings always expressed through self-confessions? What kind of actions or treatment by the anti-witchcraft cults and shrines trigger self-confessions?

McCaskie (1981, 134) contributed to the debate by providing a historical overview of the anti-witchcraft cults that flourished in Asante between the late 1870s and the late 1920s. These anti-witchcraft cults included *Domankama* (The Creator), *Aberewa* (The Old Woman) and *Hwe me so* (Watch over me). He claimed that *Domankama* (The Creator) was rooted in traditional witchcraft practices and had members who were knowledgeable about witches and how to catch and cure them. The author claimed that while the witch finding techniques of *Aberewa* (The Old Woman) were well known, those of *Hwe me so* (Watch over me) were not. He suggested that *Hwe me so* which flourished in the early part of the 20<sup>th</sup> century engaged in combating the anxieties and evil effects of witchcraft. McCaskie attributed the emergence of the anti-

witchcraft cults to times when the structures of social and political relations were changing rapidly or were being questioned.

Gray (2000) discussed the politics of witchcraft control during colonial Ghana. Drawing from her research in Akyem Abuakwa, Gray argued that the conflict over the legality of the activities of the anti-witchcraft shrines led to the emergence of anti-witchcraft processes that were less punitive and that lay more emphasis on therapy. Gray (2000, 285) observes the British colonized the then Gold Coast in 1874 and accorded recognition to native customs but prohibited any aspects which were repugnant to natural justice and morality. However the outlawing of poison oracles and medicine cults led to a conflict between the British idea of justice and morality and the Akan ideas. Gray (2000, 289) underscored the usefulness of medicine oracle cults to the Akan chiefs: "Medicine oracle cults were valuable to chiefs. A weak chief could bolster his popularity by importing new medicine oracle cult into the region. Priests might add a promise to obey the chief to the list of vows". Given their social and political value of the oracle cult, the chiefs and politicians, while acknowledging the concerns of the colonial government over punitive anti-witchcraft practices, opposed the prohibition of medicine cults and made a case for a more therapeutic shrine process, and the colonial administration accepted their proposition.

Parish (1999) noted the role witchcraft accusations and anti-witchcraft shrines in the local Akan participation and consumption of modernity. She claimed that conspicuous consumption of Western goods indicated how the contradictions that were associated with modern identities were framed. Parish noted that a new business class had emerged following the loss of state power to accumulate and distribute wealth, with emphasis on economic individualism, not collective and social economy. The rise of this group of businessmen changed the dynamics of wealth consumption from a restrained and discreet display of wealth to conspicuous and ostentatious consumer lifestyles which was a characteristic of the 'big men'. This shift in the pattern of consumption generated anxieties and uncertainties in the society and the anti-witchcraft shrines flourished during the colonial period because both the impoverished and the wealthy flocked to the shrines to acquire protective medicines against evil magic and witchcraft.

The studies emphasized the role of anti-witchcraft shrines in addressing the complaints of those who fear witchcraft as well as those confess to witchcraft. This particularly shows how the emergence and operations of these cults and structures were linked to social and economic changes. A critical observation here is that both the poor and the rich went to shrines and obtained protective medicines. Poverty is a form of misfortune which some people attribute to

witchcraft. Thus if the poor went and obtained protective medicines from the shrine, were the medicines to protect or remedy the misfortune of poverty? Will the medicine counter the witchcraft and prevent these persons who flock to the shrines from making accusations.

Parish (2003) links these changes to the ability of the shrines and their priests to deal with the unfamiliar. She explained why the Akan anti-witchcraft shrines of the Asante society were in 19th and 20th centuries able to manage "... the contingency and anxiety that came with the pursuit of new forms of wealth and entrepreneurship, economic ventures seen as both alluring and fraught with dangers" (Parish 2003, 19). This study further noted that fixed knowledge of witchcraft was used in addressing the needs of a changing world because of the inherent fluidity of ritual knowledge of the shrine priests who applied that knowledge from outside in response to contemporary anxieties and uncertainties.

Parish (2003, 20) identified two categories of anti-witchcraft shrines; the witch-catching shrines whose gods were in the forest, water and stones, and another group of shrines whose gods were the forest-dwelling dwarfs. Mainly young men visited these shrine seeking medicine and 'talismans' to protect them from the affliction of witchcraft. They feared that those who were jealous of the 'popularity and material prosperity' could use occult means to assault them. These young men included international businessmen who feared witches who could because of their 'conspicuous consumption' could drain their riches or destroy their credit card accounts. Divination was conducted mainly through possession which enabled the priest to go into a trance, and summon the Supreme Being and deliver messages in line with the questions of the client. In return the god communicated through the priest what was known about the case and through the priest's explanation assured the client that the suffering would end because the perpetrator of witchcraft or evil magic had been dealt with. Parish (2003, 22) suggested that the production of knowledge between a god and the priest went through layers of mediation and this knowledge that was acquired in the bush was retrieved and updated and adapted to address economic and social changes as priests searched for solutions to the economic problems of their clients in the post-colonial landscape.

One of such changes in Ghana's religious landscape was the introduction of Christianity and Islam and both religions influenced the practice of 'traditional religion' particularly the process of witchcraft accusations. In the South, where Christianity was dominant, missionaries found themselves in a difficult situation because they denied the existence of witches. Christians were accused and forced to appear before anti-witchcraft shrines (Debrunner 1967, 319). Those who went to the shrines voluntarily were sanctioned. Missionaries and their Islamic counterparts

opposed the abuses and maltreatment of alleged witches and saw shrine practices as constituting hindrance to the propagation of the new faiths (see Palmer 2010, 98).

### **Witchcraft Accusation, Christianity and Islam**

Onyinah (2002, 385ff) noted that churches appropriated the role of shrines in addressing the occult fears and anxieties of the people. He drew on his study of the Church of Pentecost in explaining the relationship between exorcism and Akan witchcraft. He argued that the practice had its roots in divinatory consultative practices of the Akan traditional religion. The author claimed that the Akan cosmos was replete with spiritual forces and evil was principally attributed to the witches. Chiefs and families as matter of duty protected people from the threatening forces of witches. Onyinah (2002, 287) linked the quest to protect people from witchcraft to the proliferation of anti-witchcraft shrines which claimed to take away and exorcise witchcraft and to fulfil this need in the aftermath of Christian evangelization. He further maintained that the spiritual churches had risen to the challenge of their prophetic ministry addressing this need and blending Akan religious beliefs and Christian beliefs and practices in what the author termed witchdemonology.

Meyer (1995, 237f) claimed that pentecostal churches and movements in Ghana emphasized the reality of witchcraft as the dark and demonic counterpart of Christianity. Pentecostal churches demonized traditional gods and associated them with satanic riches and uninhibited consumption and preached puritan ethic as the escape route of the satanic bondage. In these churches, witchcraft stories, where witches attempted to destroy the lives of family members by causing financial loss, sickness and marriage problems abound. Prior to the emergence of pentecostal churches, anti-witchcraft movements were active and encouraged public confession by self-accused witches. In a related study, Meyer (1999) explained that the image of the devil looms large in the local appropriation of Christianity among the Ewe in Ghana. Accusation happened in these churches because they translated the devil in ways that permitted legitimate references to the potency of evil spirits.

However Dovlo (2007, 67f) claimed that Christianity and Islam in Ghana appropriated witchcraft beliefs and practices by providing preventions and cures of witchcraft attacks and neutralising the supposed witches. Dovlo explained that though the missionary Christianity treated witchcraft as a form of superstition, the African Initiated Churches and their charismatic counterpart upheld the ‘traditional belief’ in witchcraft and proffered remedies to it.

Dovlo (2007, 80) further noted the influence of Islam on witchcraft beliefs and accusations in Northern Ghana where the religion was dominant. He claimed that Muslim clerics, mallam, diagnosed witchcraft and patients were brought to them and that a chief Imam was behind the establishment of a refuge home for alleged witches in Gambaga. Ter Haar (2007b, 94f) added an international perspective to the discourse on the mix of Christianity and witchcraft beliefs among Ghanaians who were living in the Netherlands. Based on her study of True Teachings of Christ Temple which these Ghanaians attended, the author observed that Ghanaian Christians who travelled to the Netherlands went there with their occult beliefs and traditions, and witchcraft fears and anxieties constituted a reason why they attended the church and sought pastoral care and healing.

### **Witchcraft Accusation, Violence, and Media**

As noted in the global debates, one of the outcomes of colonial intervention was the prohibition of the violent treatment of witches. Due to the absence of ‘traditional’ mechanisms to address witchcraft fears and anxieties, people who were affected by witchcraft improvised means to exert revenge and penalize the witches.

Adinkrah (2015, 109) discussed witchcraft and violence in Ghana based on his research among the Akan. He argues that witchcraft beliefs were entrenched in Ghana and the ideas were transmitted through the family school, mass media, proverbs and other agencies of life long socialization. He claimed the family perpetuated witchcraft narratives because family members invoked the idiom of witchcraft to explain misfortunes and tragedies such as infertility, mental illness, death and other misfortunes. The author maintained that witchcraft phenomena constituted sources of gossip and rumor among school children. He suggested that media publications were suffused with witchcraft ideas and were places where Ghanaians learnt about witchcraft beliefs, stories and practices (Adinkrah 2015, 112f). In a related study, Felix Riedel (2016, 185) analysed Ghanaian storybooks, tabloids and films, focusing on the Sakawa-rumor<sup>19</sup> cycle in 2009. He claimed that authors employed different approaches towards witchcraft phantasies including the projective motivations behind the accusations that proliferated malicious propaganda for witch-hunting and ordeals. Films often portrayed miserable images of witches and preexisting fantasies about occult wealth.

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<sup>19</sup> Sakawa is a Ghanaian term for fraudulent practices that are linked to the internet scams and religious ritual practices.

In the same vein, Meyer (2002) drew on her study of the film industry in Ghana and showed how the popular videos depicted the operation of spiritual forces in people's lives. She noted that these films which were produced at a time the government had lost control of the industry highlighted the entanglement of Pentecostal charismatic perspective with the everyday life in Southern Ghana. Meyer (2002, 214) stated: "Occult forces, as popular films reveal, play an important part in this destructive process. These forces are usually part of the category of the 'powers of darkness', who are in league with Satan and do all they can to make life difficult for people and divert them from God". It may be interesting to know if occult forces are always powers of darkness and represented as destructive. Are there no positive and constructive representations of the occult in the films? Are there not those who are believed to use occult forces for their own protection and defence?

Furthermore, other studies have explained witchcraft in Ghana in relation to women. Adinkrah (2004, 348) drew a connection between witchcraft and gender in Ghana. He analyzed cases of witchcraft accusations that resulted to the murder of the accused and drew a link between the social, political and economic status of women in Ghana and the beliefs, values, norm and traditions. He claimed that in Ghana, the old, widowed, poor, or physically handicapped women were more vulnerable to witchcraft accusations and physical attacks because they were a socially marginalized, politically impotent, and economically disadvantaged group. The author argued that with their marginalization, it was easy for them as individuals or as a group, to be scapegoated for all manner of problems: epidemic outbreaks, physical maladies, and the failures and inadequacies of other individuals. Adinkrah's study highlighted how the local gender perceptions and subordinate status of women contributed to witchcraft accusations and female homicide and victimization.

Apart from women, elderly persons are often targets of witchcraft accusation and violent attacks. In this respect, Geest (2002, 448) discussed the ambiguous notions of growing old among the Akan in Ghana and argued that witchcraft was largely seen as a negative issue that featured in popular perception, and in the appreciation of aging. While on one hand, knowledge and wisdom were ascribed to the elderly, on the other hand, occult evil, harm or destruction was associated with them. The wisdom of the elderly was believed to invest them with spiritual power and the ability to engage in witchcraft. This spiritual power made them able to curse, and bring the downfall of others. Accusations were leveled against the elderly by youths due to frustration and desperation and because young people believed the aged achieved longevity at the expense of the young by using occult means. One mechanism that has been used to protect

and defend the elderly persons who are accused of witchcraft is the civil society organization. CSOs try to combat imputation of witchcraft by making a case for their human rights. Crampton (2013) faulted the rights approach to addressing witchcraft accusations in Ghana and proposed an approach, which valued the respect for elders as a more effective way of addressing the problem. Crampton (2013, 209) stated:

In their intervention work, Ghanaian rights advocates are keen to highlight problems not of witchcraft beliefs but of false accusation. In fact, what seems like rallying against superstition can be interpreted as a means of upholding cultural values that respect older adults. Rather than focus on witchcraft accusations as an older woman's rights problem, a more useful approach may be to address harmful accusations as a form of elder abuse that disproportionately impacts women.

These rights advocacy groups are particularly active in the Northern Ghana, which is the region in Ghana where the witch sanctuaries are located.

### **2.3.1 Witchcraft in Northern Ghana**

A number of studies have conceptualized accused persons and accusations of witchcraft in Northern Ghana (Goody 1970; Tait 1967; Tait 1963; Drucker-Brown 1993).

Goody (1970, 207) made a distinction between legitimate and illegitimate forms of aggression based on the dichotomy which the Gonja made between male witches whose standing in the community was enhanced by suspicion of witchcraft and female witches who were hated and punished severely. According to the author, the distinction was based on the definition of male and female roles in Gonja society because male witches were expected to use their powers to protect their dependants from evil attacks, while female witches were bad witches, who kill for meat, and who kill for spite or caprice. Goody (1970, 236) further suggested that it was women who were accused and punished for killing or for injuring with witchcraft medicine.

Tait (1967) explored the belief and practice of sorcery among the Konkomba. While the author identified two activities which people in Konkomba communities ascribed to malevolent persons as sorcery and transvection. He defined sorcery as 'the use of magical medicines to procure the death of a selected victim' and transvection as flying by night of a sorcerer to attack a sleeping victim (Tait 1967, 155f). The author suggested that among the Konkomba there were two ways sorcerers killed: by sending a snake to the victim and by sending the sorcerer's shadow to eat the victim's shadow. He further pointed out three ways of transmitting sorcerer's medicine "in beer, in a kola-nut, or by being placed on a path" (Tait 1967, 156). Those killed

through sorcery could be identified through rituals. The dead person was carried around the village and asked by the bearers to identify the killer. He argued that accusation of sorcery took place with the major unit of the social structure.

...anyone may be accused of sorcery. In fact, nearly all direct accusations either overt or covert, take place within the territorial unit that is a district, and they are either accusations against a man in middle life by a junior clansfellow or against a young wife of the lineage by an unmarried man of the lineage (Tait 1967, 165).

In a related study, Tait (1963, 136) described a sorcery hunt that happened among the Dagomba. This sorcery hunt was executed in Savelugu. He claimed that the chief invited the sorcery finders, mostly women to the village and they organized a ritual to identify witches. In the process, the sorcery finders separated the accused persons from the non-accused persons and danced and started pointing out the witches by falling in front of them after falling into a trance. The accused persons were made to drink the medicine that kills the sorcerer's medicine and then were allowed to continue their normal lives in the community. The author noted that unlike among the Konkomba, accusations among the Dagomba took place within the household and that the father's sister was the most feared sorcerer or the person who got the ancestors to remove the protective medicine.

Drucker-Brown (1993, 531) brings a gender perspective to witchcraft accusations by reflecting patterns of relationship among Mamprusi. She suggested: "Mamprusi women are accused of witchcraft not only because their aggressive feelings are denied legitimacy but also because they have no public role in the politico-jural domain". While acknowledging that accusations were reactions by men to their loss of control in the local economy and in the change in the gender power balance, she opined that attributions of evil magic constituted responses to the increasing autonomy of the women folk in the sexual division of labour in an attempt by men to assert control over them. Drucker-Brown (1993, 547-548) explained:

Mamprusi have always regarded women as potentially subversive... the fear of witchcraft has grown as men's dependence on women has increased and the increasing autonomy of women threatens both men's control of women and the control by senior women of their juniors. Fear of witchcraft can thus be seen as a measure of the importance of that normally hidden female hierarchy, on which the relations between men and women are precariously based.

In the same vein, Badoe (2005, 42f) pointed out based on her study of the accused persons at the witch sanctuary in Gambaga that women who refused to come under the control of men were often the target of witchcraft accusation and banishment. The author, who produced a

documentary on *The Witches of Gambaga*, discussed the cases of women who were accused and then expelled by members of their family and community to this ‘place of exile’. She noted that women who were economically successful or childless, and lack family support were likely to be branded witches.

Bierlich (2007, xivf), in his study of the relationship between the canons of African medicine and global capitalism explained how neo-liberal economic programs altered gender dynamics. He noted that reactions to the changing dynamics were expressed in form of witchcraft accusation or imputation of occult power in Dagomba communities. He argued that the “unkept promises of progress” elicited a mix of bewilderment and magic and other ambivalences which shaped modernity or constituted Afromodernity. Bierlich claimed that accusations of witchcraft and magic were modern because, among the Dagomba, magic and witchcraft shaped and were shaped by modernity. Thus changes that modernity brought about found expression in imputations of witchcraft and magic. This is exemplified in the existence of witch sanctuaries that plays a key role in the Dagomba witchcraft complex.

### **2.3.2 Witch Sanctuaries and Witchcraft Accusations**

Witch sanctuaries constitute part of the infrastructure for the management of magic and ‘medicine’ in Northern Ghana. Accused persons access these settlements for purposes of appealing witchcraft judgments, of cleansing their witchcraft or seeking refuge. Before the emergence of the first sanctuary in Gambaga in 1900, accused persons had fewer options. As noted by a civil society organization, Actionaid, witchcraft was a capital offence and persons who were convicted for engaging in harmful magic were taken to an evil forest and killed (Actionaid 2008, 24). However, Palmer (2010) is of the view that the practice of death penalty for witchcraft ended after a local imam intervened, stopping the execution of an alleged witch. She claims that the Imam established the first sanctuary at a local mosque in Gambaga, which is the capital of East Mamprusi District. The Imam made the accused woman and the son to swear by the Koran that they would no longer indulge in witchcraft (see Palmer 2010, 42).

The Imam’s local mosque turned into a sanctuary for alleged witches within the area and the number of accused persons grew in number over the years as more accused women took refuge at the shelter. According to a civil society organization, Actionaid, the Imam later handed over the sanctuary to the Gambarana – as the Chief of Gambaga was called – because he found the traditional belief in witchcraft to be incompatible with his faith (Actionaid 2008, 24). Following the establishment of the Gambaga witch sanctuary, other settlements emerged in subsequent

years among the Dagomba and other communities in the Northern region. Some of the shrines where alleged witches are tried and tested gradually turned into a shelter for alleged witches who could not return home.

Actionaid claims that a gift of magic stone from a Togolese priest, invited by the first Ya-Na to provide spiritual protection for the people of Dagbon was instrumental in the establishment of the first witch sanctuary in the Dagbon state known by the Dagomba as Gnani Tindang, which is under Yendi district (Actionaid 2008, 22). The stone was kept in Gnani under the custody of a local priest who used it in providing spiritual security to the Dagomba. The spiritual mandate of the Gnani priest extended to processing witchcraft accusations and then to providing a sanctuary<sup>20</sup> for alleged witches (Actionaid 2008, 22).

Kirby (2009, 50) attributed the social problem associated with witch camps to a development that was driven by the human rights agenda of NGOs and the media. He explained that the dawn of the culture of rights in Ghana made these agencies to portray witch settlements as 'prison camps' for impoverished and marginalized women. For Kirby, human rights agencies had ignored the fact that the camps had existed since pre-colonial times and had served as safety nets for these women who otherwise would have been killed if they returned home.

Palmer (2010, 30) described the life and predicament of women accused of witchcraft, and banished to one of Ghana's witch camps in Gambaga. She claimed that the vise grip of superstition and paranoia drove people in remote villages to accuse women of witchcraft. The women were held responsible for various misfortunes after being seen in dreams by their accusers. They were forced to leave their homes and take refuge at the witch camp in Gambaga.

Drawing on his studies of the witches' colony in Gambaga, Wiafe (2010, 87) argued that alleged witches who were mainly old women, were attacked and abused verbally and physically. The author claimed that accused women who wanted to avoid being beaten went to the colony and found solace and peace. Arnskov (2012, 8) attributed the existence of witch camps to securitisation and biopoliticisation of human lives. Witchcraft accusation was a securitising act

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<sup>20</sup> While there seems to be no historical connection of origins of the different sanctuaried shrines in northern Ghana, this shrine practice, apart from the Gambaga and Gnani accounts, could apparently be attributed to the colonial prohibition of witch hunting or a need-driven development over the years. It has been argued that shrines adopted a therapeutic approach in response to the prohibition of punitive witch finding process by the colonial authorities (see Gray 2001, 341). So some shrine priests, on account of this development, started providing accommodation for 'cured' witches who could not return to their cultural homes due to fear that they would be killed. Another viewpoint is that these shrines, that were originally non-sanctuaried and served as places of truth like other shrines-became therapeutic and then sanctuaried over the years in response to the needs of shrine users who were certified as witches and needed to go home and those who could not go home after undergoing the ritual.

and witch camps constituted consequences of a state of exception because these settlements emerged in a situation where the existing law had been suspended, and the lives of victims reduced to bare life because they embodied 'ontological fears of spiritual attacks and their absence from the communities was treated as a matter of security (see Arnskov 2012, 74). While from the author's argument, the banishment of the witch constitutes a measure to secure the community, there is no information regarding what happens after accused persons took up residency in these places. Do accused persons stay in these witch camps for the rest of their life? Do they return to their families at some point? If they return to their families after some time, what is the implication in terms of securing the communities?

Musah (2013, 100-101) was in agreement with Wiafe and argued that contrary to the perception that the 'witch camps' were places where the rights of the accused persons are violated, that the facilities actually serve as a refuge space for the accused and recommended that the witch camps be renamed in order to reflect the services they provided. However, these services which the 'witch camps' provide have been a subject of controversy because media reports and documentaries had created the image of these places were arenas where accused women were exploited and their rights violated.

The review has explored various arguments that scholars advanced to make sense of allegations of witchcraft. These arguments have highlighted the centrality of family relationships, economy and politics, media, age, human rights and gender, Pentecostal churches and shrines in the accusation processes. These arguments have shown that accusations constitute devices for the maintenance of philosophical, structural and psychological order and stability in small scale societies. Scholars have observed that accusations serve as mechanisms for making sense of modern changes including the sociopolitical crisis in post-colonial Africa. However, extant research has explained these dynamics largely in relation to imputing witchcraft and reacting to occult fears and anxieties, while ignoring how post colonial structures are resourceful in responding to allegations of causing occult harm. Attempts to conceptualize accused persons have not been theoretically satisfactory because studies have presented a one sided explanation of the accused and the modernity of witchcraft. The study of Geschiere(1997) draws from a state context that does not apply in other countries in the region. Thus adequate consideration needs to be given to the reactions of the accused in the light of modern changes and in the post colonial African setting that is different from that of Cameroon. The focus in the existing knowledge has overwhelmingly been on the accusers as active participants in the accusation process and accused persons as passive recipients of the witchcraft label.

The literature has largely ignored that accusations are made against individuals who are capable of responding and mobilizing resources such as modern institutions to counter and neutralize the ascriptions of evil magic. In fact there has been a surprising neglect of the fact that accused persons can take measures to contest and challenge witchcraft accusations. Alleged witches are capable of exerting power and making their concerns and interests count (see Giddens, Duneier, and Appelbaum 2015, 20). Hence it is important to pose the question: How do accused persons respond to allegations of witchcraft? The diverse strategies which alleged witches employ in response to imputations of occult harm are explained in the conceptual framework.

## **2.4 Conceptual Framework: Plural Forums and Their Use and Non Use**

Accusations of witchcraft occur in multiple settings in much of sub-Saharan Africa. People impute and dispute occult harm in situations where they use different structures in defining and contesting these experiences. However, the existing debates on witchcraft accusations have not robustly articulated this fact. As the above perspectives have shown, accusers are key in the formation and generation of allegations, in designating experiences as witchcraft, in interpreting certain misfortunes as forms of occult harm. Persons who believe they have been bewitched try to force the witchcraft label on the accused. Nonetheless, accused persons respond by employing the available resources to counter such ascriptions. Three concepts are helpful in articulating how persons who are accused of witchcraft respond to these allegations. They are the concepts of legal pluralism, forum shopping and Desires, Belief and Opportunities. The concept of pluralism explains the field where the accusations take place while the shopping and the DBO concepts are used to analyze the actions of the accused persons within the pluralistic setting. Although I was aware of these existing approaches, my conceptual frame work was mainly informed by my empirical data.

### **2.4.1 The Concept of Pluralism**

The concept of pluralism is based on John Griffiths' notion of legal pluralism. Griffiths (1986, 1, 5) defines legal pluralism as "the presence in a social field of more than one legal order". Griffiths challenged the legal presupposition of the modern nation state that defined the juridistic situation in colonial and post-colonial settings where the customary law was operational in terms of legal centralism. While describing as a form of myth or illusion the uniform idea of law that made other lesser normative orderings such as church, family, and voluntary organizations subordinate to the law of the state, Griffiths proposed that empirically speaking legal reality entailed inconsistent and overlapping parts that could not be uniformly designated. Thus what obtained were behaviors that were in pursuant to more than one legal order. Vanderlinden (1989, 151) noted that though these multiple and diverse regulatory orders existed, there was some interdependence because these social networks were in contact with one another. He argued that within the regulatory orders, the behaviors that were tolerated in some networks were forbidden by others and it was left to the individual who belonged to these various networks to determine which regulatory order to use in determining behaviors.

In the field of witchcraft, Ludsin (2003, 63) used this theoretical approach in explaining the treatment of witchcraft under customary and common laws in South Africa. She claimed that

legal pluralism entailed the recognition of more than one legal system for the governance of the society and the maintenance of social order. She observed that in a legal pluralistic setting, different values obtained and there were provisions and mechanisms to deal with beliefs and practices that could not be dealt with under other legal system that obtained in the society (Ludsin 2003, 65). Ludsin used South Africa where the customary and common laws applied to illustrate this point. The author argued that the government had since the colonial times given qualified recognition to customary law due to the repugnancy clause. The clause acknowledged the applicability of the law to the extent that it did not violate the principle of common humanity and natural justice. Ludsin (2003, 83) suggested that witchcraft allegations led to violence because the common law system that was introduced by the 'white government' eliminated aspects of the customary law that were used to control manifestations of witchcraft beliefs. Ludsin used the approach of legal pluralism to explain the manifestation of witchcraft at a macro level, and to make sense of how the state dealt with witchcraft beliefs. However in this study, the concept of pluralism is deemed more appropriate and used to extend the application of the theoretical approach beyond the confines of state, customary, and sharia law to include family, chief, civil society, media, medical and religious avenues which accused Dagomba employ and deploy in reaction to witchcraft accusations.



Figure 2.1 A sanctuaried shrine in Kpatinga



Figure 2.2 A non sanctuaried shrine, Nawuni

Plural family comprises the nuclear, paternal and maternal families. The plural medical and religious formations include the divinational, sanctuaried and non- sanctuaried shrines, the Mallam and Silimi tim complexes. Sanctuaried shrines are those shrines with the facility to accommodate alleged witches (see figure 2.1) and non sanctuaried shrines are shrines without such refuge facilities (see figure 2.2).

The plural chief comprises the youth, divisional, paramount, and Ya-Na chiefs. The chiefs exist in a hierarchy and they operate dependently and independently. For the state institutions, there are the police, CHRAJ, and the central state structures such as the Ministry of Gender, Children and Social Protection. The media platforms that operate side by side include the kpanalana, print and broadcast media. Whilst the CSOs comprise those that focus on reintegration and those that facilitate litigations, and both. Accused persons use these places in challenging and contesting the behavior of witchcraft accusation. Family, chief, divinatory, shrines, jinwara, mallam structures recognize the existence of witches and may also be used to nullify allegations. Silimi (biomedicine), state, media and CSO institutions do not recognize the existence of witches and thus constitute additional resources for alleged witches challenging imputations of occult harm.



Figure 2.3 A shirt with an inscription that advertises the re-integration program.

Very important to this study is the plural medical formations in the Dagbon society because ‘different representations of health and illness coexist within the geographic space’ (see Muela 2007, 105) and these representations are used in making sense of remediable misfortune (see chapter three), irremediable (see chapter four) and anticipatory misfortunes (see chapter five). As Forster (1976, 776) suggested:

A personalistic medical system is one in which disease is explained as due to the active, purposeful intervention of an agent, who may be human (a witch or sorcerer), nonhuman (a ghost, an ancestor, an evil spirit), or supernatural (a deity or other very powerful being). The sick person literally is a victim, the object of aggression or punishment directed specifically against him, for reasons that concern him alone. Personalistic causality allows little room for accident or chance; ... In contrast to personalistic systems, naturalistic systems explain illness in impersonal, systemic terms. Disease is thought to stem, not from the machinations of an angry being, but rather from such natural forces or conditions as cold, heat, winds, dampness, and, above all, by an upset in the balance of the basic body elements.

Bierlich (2007, 86f) suggested that a variety of medicines existed among the Dagomba and includes Western, local and Islamic medicines. He observed that the Dagomba were highly pragmatic and innovative because they were interested in finding cures. The author noted that the Dagomba were unsystematized in their medical cultural practices and were not necessarily committed to using one system. Bierlich used the concept of medical pluralism to highlight the Dagomba theory of causes and treatment of illnesses but in this study, the approach is used in analyzing reactions to witchcraft accusations. Furthermore, underlying the notion of plurality of social networks is the fact that they constitute forums which accused persons use in appealing witchcraft judgements. Thus the concept of forum shopping is helpful in understanding how accused persons use these avenues in contesting allegations of witchcraft.

#### **2.4.2 The Concept of Forum Shopping**

Algero (1999, 79) defined forum shopping as “the act of seeking the most advantageous venue in which to try a case”. Litigants embarked on forum shopping because they had to choose different institutions where to lodge their complaints and this choice was informed by their hope to gain from the dispute (von Benda-Bechmann 1981, 117). Algero (1999, 82) noted that forum shopping presupposed that many jurisdictions existed in the field that could adjudicate a case however it was the prerogative of the litigant, the master of the complaint, to exercise the power of determining where the matter was processed. A key assumption of this approach is that litigants engage directly or indirectly in forum shopping. In direct forum shopping the litigant accesses the forum of choice through action, by appealing directly to these jurisdictions and in indirect forum shopping, the choice of forum is made through inaction or any decisions that would affect the forum where the disputes are handled (Forum Shopping Reconsidered 1990, 1677).

Another key assumption is that litigants in their attempt to realize advantageous outcomes, embark on both horizontal and vertical forum shopping. In horizontal forum shopping, disputants seek the best venue within a court system while in vertical forum shopping, they want to have the case tried at the best venue within different court systems (see Algero 1999, 82). To decide the jurisdiction to try cases, litigants consider the convenience or costs of litigation, the inconvenience to one’s adversary, the probable or expected sympathies of the forum managers (Forum Shopping Reconsidered 1990, 1678). Another key assumption of forum shopping is that managers can remove a case from a particular court and dismiss the case on grounds of forum non conveniens. In that case, managers dismiss the case on the ground that there are more competent forums that could handle the matter. However, dismissal of cases on

grounds of *forum non conveniens* does not stop the litigants from re-filing the cases in other venues. In this study, the concept of shopping is used to extend the applicability of forum shopping beyond the legal sector to include other places such as family, chief, medical, religious, media, state, and CSOs that accused persons use and combine in the attempt to overturn the witchcraft label. These traditional and modern institutions are forums because they are venues that accused persons could take their cases for processing.

As illustrated in figure 2.4, accused persons respond to witchcraft allegations by accessing family forums. They engage in horizontal forum shopping of nuclear, paternal or maternal family outlets. The accused persons may instead choose to embark on vertical forum shopping by taking their cases to religious/medical avenues. The religious and medical forums are combined in this study because the managers, except in the case of *Silimi tim* (biomedicine) serve as both religious and medicinal experts. It is important to note that unlike the divinational, sanctuaried and non- sanctuaried forums, the *jinwara* and the *mallam*, the *silimi tim* (biomedicine) does not recognize witchcraft and uses the impersonalistic interpretation of illness (see Forster 1976, 776). Accused persons access the religious complexes seeking to get the gods to confirm or disconfirm the alleged cause of misfortune (see chapters three and four) or overturn the allegations of anticipatory witchcraft (see chapter five). Alleged witches access the biomedical forum where impersonalistic medical system is used in the treatment of misfortune (see chapter three). As earlier noted, the *Dagomba* are dominantly muslims and accused persons sometimes engage in religious horizontal forum shopping. They use indigenous religious shrines or at least threaten to take the case to the *mallam* (see the case of *Hawabu* in chapter five) in protest of allegations of witchcraft.

Sometimes prior to taking religious or medical measures or following some unfavourable outcome, the accused may lodge complaints with the chiefs and due to the existing hierarchy of chiefs, an unfavourable outcome of a lower chief process could be appealed at the court of a higher chief. Accused persons contest allegations of witchcraft by taking their cases to the state forums. However multiple state forums exist and alleged witches lodge complaints with the police. They could take court action, petition CHRAJ or the central state actors. Accused persons who take their cases to state establishments stand a better chance of achieving favourable outcome, than those who lodge complaints at the family, chief and shrine forums because state institutions do not recognize witchcraft and spiritual interpretation of misfortune. Nonetheless, accused persons choose to take their cases to ‘traditional’ forums because they are unable to access formal institutions. Thus to effectively access these state institutions, accused

persons go through the CSOs which provide them with the required expertise on how to lodge their complaints. Even when accused persons have filed complaints with the police or CHRAJ, these agencies sometimes delay in processing of cases. The CSOs lobby the state and non-state institutions to expedite litigation and re-integrational actions on these cases. In addition, accused persons could on their own or through the CSOs take their stories to the media. The media outlets inform the public about the cases and put pressure on state actors particularly those processing the complaints. All these measures are expected to yield favourable outcomes for the accused. However, the discussion on forum shopping does not explain what constitutes a favourable outcome and given that the expectation of an advantageous outcome is predicated on certain desires, beliefs and opportunities, the theoretical approach of Desire, Belief and Opportunities (DBO) is helpful in explaining these expected advantages.

#### **2.4.3 The DBO Approach and Expected Advantages**

Hedstrom (2005, 38) described Desire, Belief and Opportunities (DBO) as “the proximate causes of the actor’s action”. He suggested that desire determined the actor’s action and defined desire as was “a wish or want”, and a belief, as “a proposition about the world held to be true” (see also Hahn 1973, 208). Hedstrom (2005, 39) maintained that opportunities were “the actual set of action alternatives that exists independently of the actor’s belief about them”. He further suggested that different beliefs and desires determined the actor’s actions. For instance, Hedstrom noted the actor’s action was determined by the beliefs about the existing opportunities and the consequences of carrying out certain actions. Thus ‘a constellation of desires, beliefs and opportunities’ makes the performance of an action compellingly reasonable (see Von Wright 1989, 817).

Families provide opportunities for alleged witches who are trying to quash imputations of occult harm to rally support against the allegations or be exonerated. Thus accused persons access these places with the hope of securing such benefits. These family benefits come in various forms including providing basic needs such as feeding, shelter and clothing; supporting the accused’s chief, shrine, police, courts, CSO, media and other measures to neutralize the label. Sometimes these expected outcomes materialize, and accused persons amass a critical mass of advantage and are able to get rid of the allegations. However, on other occasions, the benefits that accrue from the family processes are insufficient and alleged witches may decide to explore other avenues. Religious and medical complexes constitute other options for accused persons who think they are innocent and are looking for ways and means to be vindicated. In using the shrines, or in inviting the Mallam, accused persons want to know the truth about the allegations

and be exonerated; they want to be cleansed of witchcraft powers and possibly secure alternative shelters. In cases of remediable witchcraft accusations, the accused access the biomedical complex with the hope that the bewitched could be healed and the basis of the allegations removed. Although the religious and medical measures are sometimes effective in nullifying allegations of witchcraft, there are occasions when they fail to totally vindicate the accused and alleged witches may resort to other options to prove their innocence.

Chiefs are also opportunities for persons who are challenging the label of witchcraft and accused persons take their cases to them with the hope of getting protection from wrongful accusations and banishment from the community. Chiefs also provide alleged witches alternative accommodation or their relocation to another community or to the witch sanctuaries.

However there is a hierarchy of chiefs, and even when chiefs are among the accusers and enforcers of the witchcraft label, alleged witches who think they are innocent explore opportunities within the hierarchy of chiefs to overturn the label. For instance, if the divisional chiefs indict them, alleged witches take their cases to the paramount chiefs or the Ya-Na with the hope that these chiefs with higher powers would overrule the allegations. Sometimes successful interventions of chiefs on the side of the accused are insufficient in erasing the imputations of occult harm and alleged witches may try to use other avenues in furtherance of their contestations.

Furthermore, state institutions are other opportunities that accused persons exploit in disputing allegations of witchcraft. Alleged witches petition the police with the hope that they could intervene either by arresting the accusers, mediating in the cases, or helping prosecute the accusing parties. Alleged witches lodge complaints with the state human rights agency, CHRAJ, expecting them to assist in the restoring their human rights. Accused also file court actions on their own to get the judges and magistrates to rule in their favour and compel the accusers to abandon the accusations.

Given that the state of Ghana does not recognize the reality of witchcraft, state institutions offer the best opportunities for accused persons to overturn the label of witchcraft. However, this is not always the case. The outcomes of the state processes are sometimes to the disadvantage of the citizens or they fall short of overturning the label. For instance, the police may try but fail to make arrests. The police may arrest the accusers and do not prosecute them. The police may try prosecuting the accusers but the case is dismissed because it lacks evidence for a crime.

Accused persons want to appropriately file their cases and approach the rightful establishments where these cases should be registered. Thus in order to make effective use of these state, and in fact other available mechanisms, alleged witches approach the CSOs hoping that these organisations would help them to appropriately file their complaints with the relevant agencies. However, there are circumstances where state institutions delay in taking action on the petitions, and alleged witches who are anxious to neutralize the allegation try to find other ways of pressuring those who are processing the cases to expedite actions. Alleged witches take their stories to the media bearing in mind that these agencies could publicize their stories (see figure 3.1), and eventually get the various agencies to take action on their cases. These various actions that are motivated by a combination of beliefs, desires and opportunities and inform the advantageous expectations from the avenues where they ascriptions of causing occult harm.

Ideally these various measures and attempts by accused persons should lead to the overturning of the witchcraft label. However this does not happen all the time. Instead there are accused persons whose actions and reactions lead to the overturning of the label and those who do not but whose reactions yield some favours and limited advantages such as alternative shelters at the sanctuaries or with family members, relocation to other villages or to the urban centers, police or CHRAJ intervention etc.

Thus the response by accused persons includes acceptance and rejection, compliance and contestation, protest, opposition and disputation and these various measures, I describe as accused-actions. Simply put, accused-actions are actions and perceptions of accused persons in response to witchcraft allegations as opposed to perceptions, ascriptions and actions of the accusers in reaction to witchcraft fears and anxieties. Thus, in the empirical chapters, we shall see how accused persons demonstrate active participation in the accusation process by using and combining forums in their attempt to overturn the witchcraft label.

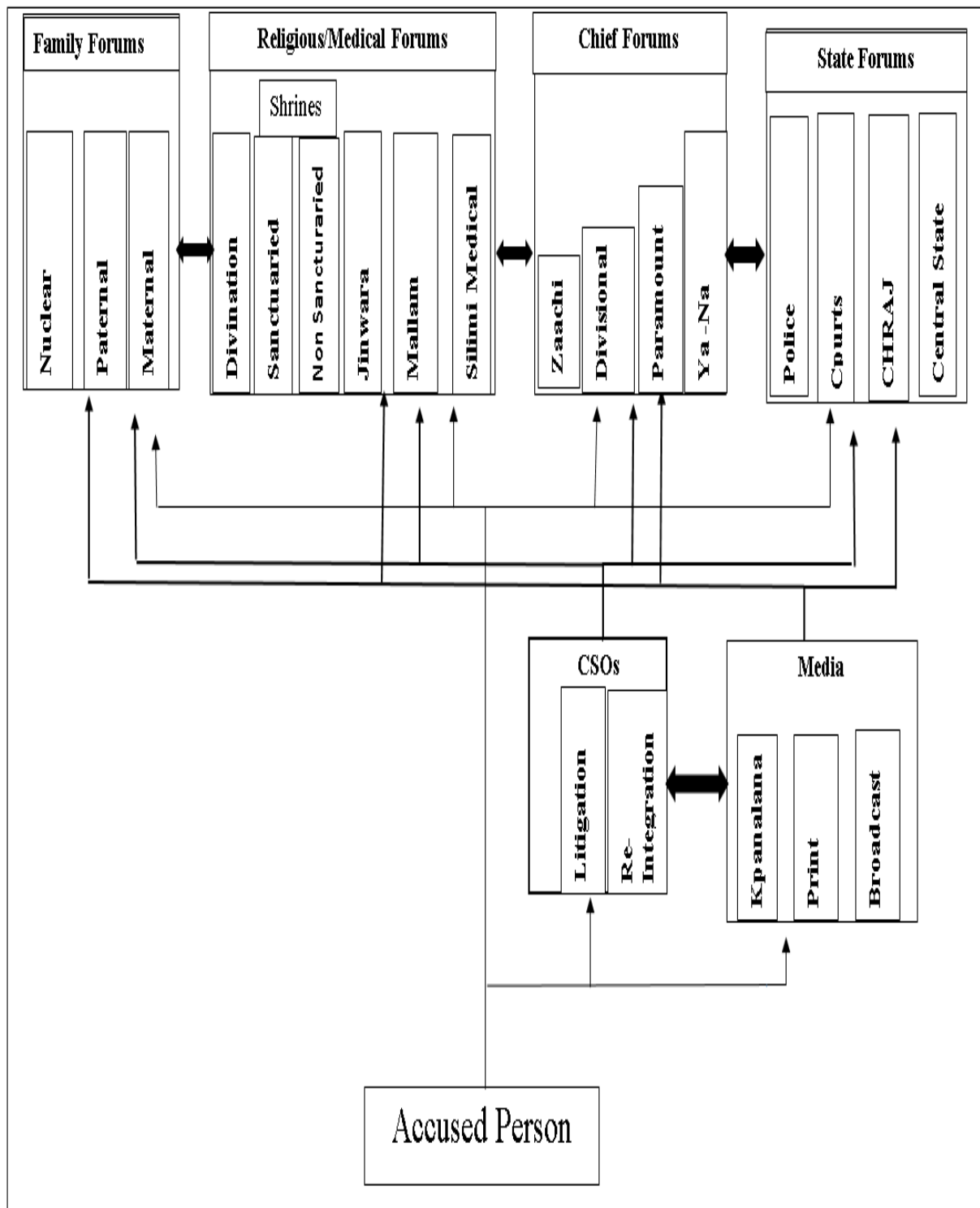


Figure 2.4 Forums which accused persons may use and combine in the accusation process.

#### **2.4.4 Actors and Witchcraft Accusation Process**

Accusation process involves different actors who use their competencies and expertise in resolving cases of allegations. These actors include the basic and referral actors. Basic actors are individuals or groups whose actions initiate the accusation process and whose reactions are fundamental to the expressions and manifestations of allegations. The referral actors are experts who are consulted or solicited to handle the cases.

##### **Basic Actors**

The basic actors are the accusers and the accused persons. The accusers are those who make the allegations of witchcraft and who take certain measures to identify or punish the witches or remedy the supposed witchcraft. Accusers can be men, women, youths, and children who are directly or indirectly affected by the occult harm. Accusers make allegations on the grounds that they – or their relatives or friends - have suffered some misfortune – sickness, death, accidents, poor harvest, or infertility. Though the action of accusation originates from accusers, the process of accusation is not solely determined by the action and reaction of accusers because the process of witchcraft allegation provokes responses from other basic actors, the accused persons. The accused persons are those who are assumed to have engaged in witchcraft and who get confronted with such allegations by their accusers or the witch finders or anybody that is authorized or commissioned to resolve the witchcraft claims. The accused can be men, women particularly elderly men and women or even children. As basic actors, allegations emerge from their interaction with the accusers but are not often resolved without the intervention of others. Accused persons sometimes react to witchcraft allegations by taking the cases to other actors and seeking to harness their specialist consultative, spiritual and medicinal competences in order to deal with accusations.

##### **Referral Actors**

These actors are the points of reference for basic participants in the accusation process. The accused persons take cases of witchcraft allegation to them because of their spiritual or medicinal expertise. The referral spiritual and medicinal actors include Husband of the House (*Yili-yidana*), Youth Chiefs (*Zaachi*), Community Chiefs, Diviners (*Baga*), Shrine Priests (*Bouiglana/Tindana*), Mallams, Jinwara (The dancers of *Jina*), *Slimi* Medical officers.

## **Yili-yidana**

*Yili-yidana* (Husbands of the House) are heads of families, both nuclear and extended families. They oversee issues pertaining to the family members. *Yili-yidana* (Husbands of the House) are usually males and the eldest persons who provide for the family members. There are two kinds of family- the nuclear family and the extended family. The nuclear family comprises the father, mother and children while the extended family includes the grandchildren, cousins and step brothers and sisters. The main difference in this family setting is that in nuclear family, members have stronger ties and obligations than in the extended family. Paternal family members are those who are related through the father's side, while maternal relationships are those who are related through the mother's side. Both the paternal and maternal families own a person and they can call on him or her to carry out some duty. Females can also become the *Yili-yidana* (Husbands of the House). However they must be those who have built their own houses and who can provide for the family.

The *Yili-yidana* (Husbands of the House) are the first port of call for family members who have any problems. For instance, if a family member has a bad dream or wants to marry or is planning to start a business, she or he takes the matter first to the *Yili-yidana* (Husbands of the House). The *Yili-yidana* (Husbands of the House) would consult the diviner and then instruct on what should be done. If a person is suspecting somebody of witchcraft in the family or in the community, or if a person is being accused of witchcraft, the person reports to the *Yili-yidana* (Husbands of the House) who would advise on the next line of action or intervene in other ways to resolve the matter (see the case of Wura in chapter five). The female *Yili-yidana* have less powers than their male counterparts because they only entertain complaints but refer the issues to some younger males within the family for resolution. In situations, where the complainants are not satisfied with the verdict of family heads, they could take their cases to the chiefs for resolution.

## **Zaachi**

The *Zaachi* are chiefs of the youths and manage issues that directly affect them. They are appointed by the chiefs in the different communities to coordinate activities and to enforce discipline among the youths. The Yendi *Zaachi* are appointed by the *Ya-Na*. The *Zaachi* mobilize the youths for events such as funerals and festivals and represent the interest of youths at meetings. If the youths in a community have any complaint, they go to the *Zaachi* who would resolve the issues or refer the cases to the chiefs. For instance if there is a menacing 'witch' in

the community, the *Zaachi* may go and inform the chief and demand that the alleged witch be sacked otherwise the youths in the village would pack and leave the community<sup>21</sup>. Sometimes the chiefs yield to the ultimatum and banish the alleged witch, at other times the chiefs would decline to act in accordance with the representation from the *Zaachi*.

## Chiefs

The Chiefs are persons from the royal families who are rightfully elected, appointed, nominated, and enskinned to represent and lead the people in a traditional way. Chiefs own the land. They are the custodian of the land estate. No one can do any land transaction in the community without consulting the chiefs. Chiefs rule the people within their jurisdictions, settle disputes, take measures to protect the communities and ensure stability and order. The chieftaincy institution is hierarchical. There are divisional chiefs and paramount chiefs, then the overlord of the Dagbon. The divisional chiefs are under the paramount chiefs. The paramount chiefs are answerable to *Ya-Na*. For instance, the *Kasulilanaa* is a paramount chief and the *Wantujulanaa* is a divisional chief under *Kasulilanaa*. Chiefs are not exclusively male because women can also be chiefs. However, women who become chiefs are those who come from the royal family. Few women with the royal blood end up becoming chiefs.

Traditionally, women are expected to be under men. Men are the natural heads and leaders. The few cases where women are chiefs are in Katarga, Kpatuya (Yendi) and Kpatuya (Savelugu). The hierarchy of chiefs is a factor in the management of issues concerning the society. If a case is handled by the divisional chief and any of the parties are not satisfied, they could go to the paramount chiefs and if they are still not satisfied, they could petition the *Ya-Na* (see the case of Neda in chapter three). The chiefs are the first port of call if one has a problem in the community; you cannot bypass them. If there is a case of accusation, it is processed through the hierarchy even if it involves another chief. For instance if a soothsayer indicts the wife of a chief as a witch, the community members can take the matter to the paramount chief. The paramount chief would give him an ultimatum to sack the wife and retain the title or to keep the wife in the community and hand back the skin that is the symbol of authority. However in making decisions, priests rely on diviners especially in cases of witchcraft allegations.

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<sup>21</sup> According to my informants, Nalongu and Paansiya are two of such Dagomba villages that the youths deserted when the chiefs refused to sack alleged witches in the communities.

## **Baga**

*Baga* are persons who are endorsed to use spiritual means and divinational objects to see what ordinary people cannot see. People are born to be *Baga*. They are usually men who are born into the *Baga* family and are later initiated. Other *Baga* attend the initiation and officially commission a new member. The Chief *Baga* in the area supervises the initiation process. At the initiation, the new *Baga* is given a bag. They mix some concoction with shea butter and give it to him to drink and he swears an oath to faithfully carry out his work of soothsaying with honour. They invoke the name of God, the ancestors, the name of other *Baga* who are alive and those who are dead to come and witness the initiation. They also give the new *Baga* a calabash containing some cowries and stones. The new *Baga* is also given a stick. These are the symbols of his office, the tools and signifiers of his trade. Divination is a three way communication process between the *Baga*, the client, and the ancestors/gods. When divining with the stick, the soothsayer holds the lower end of the stick while another person - an apprentice or a co-*Baga*- holds the top end of the stick. The *Baga* consult the gods and then hits the stick on the ground or on a stone to indicate the decision of the gods.

For instance, if someone dies, particularly if it is a case of a bad death - death through hanging, accidents, snake bites, somebody drowned in a river, a case of heart attack, hepatitis B, occurring three days after the burial (if it is a man) and in case of women, four days after the burial, the family in consultation with the chief invites a *Baga*. The *Baga* uses his calabash and cowries to find out what or who is behind the death. Families usually invite diviners from distant places, not those from the same community to do the divination because of concerns that the *Baga* from the community might manipulate the process. A typical *Baga* starts by calling on the gods, the grandparents and ancestors to come and help in the divination. For instance in trying to find out who was behind the death of a person, the diviner would inquire from the gods if it was from the maternal side or the paternal side or through friendship.

While speaking his eyes will be focused on the calabash. He picks the stones representing the paternal side, the maternal side and friendship. At the end of the consultation, he picks one of the stones which indicates the source of death. Family members then meet and decide to probe further to know the exact identity of the person behind the death. The diviner goes through the process again till he identifies the exact person. After that, the chief is briefed on the outcome of the divination and the person indicted is subsequently banished from the community. However, the chief or the parties to the accusation process may decide to consult a mallam.

## **Mallam**

The Mallam are muslim spiritual and medicinal experts who are attached to every palace to assist the chiefs in processing cases of accusations for members of the community who opt out of shrine enforcement due to their Islamic beliefs. A Mallam is believed to have vast knowledge of the Quran and could use the verses to perform miracles and resolve disputes. The Mallam collects sea sand and spreads it on a mat or on a white piece of cloth. They then write on it in Arabic and then read the writing whilst in the process telling people what is going to happen, or what their problem is.

If a person is accused of witchcraft or theft, and the accused is a muslim and refuses to go to the shrine on the grounds that he or she is a muslim, a mallam is invited and the accused person is allowed to perform an ablution. The mallam puts a Quran in his or her hand, and the person is made to swear that if he or she is the person behind the death or sickness, that the Quran should not leave him or her. This means that Allah should punish the person if he or she is guilty. The belief is that the Quran is holy and is from God and there are many ways God can punish a person. However, sometimes persons who suspect witchcraft in their communities, in particular after many cases of death invite special medicinal experts called the Jinwara.

## **Jinwara**

Jinwara is a Dagbani term for ‘the dancer of *Jina*’. *Jina* is a special spiritual dance that enables the dancers to identify witches and wizards. It is a mass dance of fifteen to twenty people or more. During the *Jina* dance, the drum is beaten and the *Jinwara* dance with their walking sticks. People believe they have ‘four eyes’ and are able to see what ordinary people cannot see. Both male and female can be part of the *Jinwara*. A male member is called *Jinwaridoo* and the female is addressed as *Jinwaripaga*. The *Jinwara* are predominantly female. The belief is that when a *jinwara* dies, another person in the family inherits the powers. As in the case of *Baga*, a new *Jinwara* is initiated. The *Jinwara* have the calabash as the symbol of office and power and they are given to the new *Jinwara* at initiation. A new *Jinwara* is also given a white bead which she wears on the left hand like a band.

They have a walking stick which is called *Jinjangbee*. When there are some troubles in a community particularly when a community is hit by multiple cases of death, sickness and other misfortunes, the *Jinwara* are invited and they make a fire with some pieces of wood on a public square and dance around and through the fire and then beat the drums. In the course of the

dance, the *Jinwara* go into a trance and proclaim the reasons behind the calamities that have befallen the community and they also announce the witches and wizards who are behind such incidents and reveal how the witches perpetrated the misfortune.

### **Bouiglana/Tindana**

Bouiglana and Tindana are shrine priests. The Dagomba regard them as custodians of the shrine. The *Bouiglana* are owners of private shrines while the *Tindana* preside over community shrines. *Tindana* are also called earth priests. As priests, their duties are to pour libations and perform sacrifices to pacify the gods. People become shrine priests by inheritance, through the family. *Tindana* have a horse tail or a walking stick as the symbol of their office. *Tindana* may have land. When a *Tindana* has land he is called *Tindangbanyerigu*. In cases where he has no land, he is just *Tindana*. If a *Tindana* has land, the community in which he stays will not have a chief. Landless *Tindana* live and operate under chiefs. The chiefs address them as *Na-Yaba* (grandfather). When there is drought, and there is delay in the arrival of the rain, or the animals are dying, the chief calls on the *Tindana* to offer some sacrifice to the gods so that the rain would fall and animals would stop dying. The *Bouiglana* inherit some objects, ritual objects like a pot, cow or horse tail. If there is a case of stealing or witchcraft, the suspects are sent to *Bouiglana* so that they could find out the truth or perform certain rituals to cleanse the accused persons (see the case of Abibat in chapter three). However, accused persons may react to a remediable witchcraft allegation by taking the sick person to a hospital or to any biomedical center where the Silimi medicine is administered.

### **Slimi Medical Officers**

These are doctors, nurses and other medical officers who manage centers where sick persons are treated using the *Slimi tim*. These experts manage private and state hospitals, clinics and dispensary centers. The *Slimi* medical establishment does not recognize the existence of witchcraft and features mainly in cases of accusation that involve illness. Accusers consult them or discount their medical expertise in forming accusation and accused persons access these medical centers in contesting and challenging the remediable witchcraft label (see the case of Neda in chapter three). Accused persons may also decide not to take a medical measure against a remediable witchcraft accusation and instead decide to challenge the allegations at any of the state institutions.

## **State Actors**

These are actors whose roles are based on formal legislation. Laws exist which specify their competencies and limitations in terms of how they deal with accusation. State agencies do not recognize the existence of witches and constitute a resource for accused persons who seek to neutralize accusations. The state actors include central state executives, police, courts and Commission on Human Rights and Administrative Justice (CHRAJ).

### **Central State Executives**

These are state personnel and politicians who have been elected or appointed to preside over the different executive organs such as the state Minister for Gender, Children and Social Protection or any of such Ministers that may intervene in their own capacity as state functionaries or on behalf of the central state government in matters regarding witchcraft accusations. Such interventions are often necessitated by media reports and publicity that highlight the predicament of accused persons. These state executives lobby or persuade the chiefs against the banishment of alleged witches. However, such interventions are sometimes ineffective and accused persons resort to other measures in their quest to overturn the allegation (see the case of Neda in chapter three).

### **Police**

The Ghana police have a special unit, DOVVSU that handles cases of witchcraft accusations. DOVVSU started in 1998 as the Women and Juvenile Unit of the Ghana Police Service. It was formerly located in Accra but later offices were established in other parts of the country. The change of name happened after the enactment of the Domestic Violence Law in 2007. DOVSSU deals with cases related to witchcraft because crimes are often committed in the course of witchcraft allegation. DOVVSU investigates complaints of witchcraft accusation to establish if a crime has been committed and then prosecute the suspects. However it is not all cases that are reported to DOVVSU that are charged to court. Though, DOVVSU is a state institution, it also work with chiefs to resolve cases of accusations through mediation. The agency compels accusers to abandon accusation, allow the accused to return to their communities or initiates prosecution. However, it is not all police interventions that lead to the neutralization of accusations (see the case of Wahab in chapter three).

## **Court**

The Ghana court structure has ‘inferior courts’ comprising the Divisional and District courts, and superior courts – the High Court, Court of Appeal and the Supreme Court. Litigants appeal cases from the High Court to the Court of Appeal and from the Court of Appeal to the Supreme Court. The court system in Ghana entertains both civil and criminal actions which can be instituted by the police or by accused persons. The police can prosecute an accuser for any crime that is committed in the course of accusation. The accused can bring civil suits against the accusers (see the case of Hilda in chapter three). An accuser cannot bring a case of witchcraft against the accused because the constitution of Ghana does not recognize spiritual matters. However alleged witches can choose to take their case to the state human rights agency, the CHRAJ.

## **CHRAJ**

CHRAJ is the state human rights institution which handles cases of witchcraft accusation particularly cases relating to banishment of alleged witches. CHRAJ was established in 1993 under the 1992 Constitution by Act 456. It has the mandate of protecting and enforcing human rights particularly those rights that are abused due to witchcraft accusations. The agency investigates complaints of human rights abuses and use various methods such as mediation and formal hearing to deal with complaints of witchcraft accusation and banishment (see the case of Wahab in chapter three). CHRAJ has the power to use court actions to enforce their resolutions on noncompliant parties. Like the police institution, CHRAJ intervenes in cases related to witchcraft accusation in cases where there are willing complainants. However, willing complaints may not immediately go to these institutions because sometimes they do not know that they exist or where their offices are located or they do not know how they operate. Accused persons contact the CSOs to assist them in filing their complaints and in taking other measures to neutralize the accusations.

## **Charitable Actors**

These are actors that assist accused persons in presenting their cases to processing agencies and institutions. They provide free advice, humanitarian support and other services for accused persons and they pressure agencies and authorities to take action on a complaint of accusation. They include Civil Society Organizations (CSOs) and media agencies.

## Civil Society Organizations

CSOs are support parties to accusation by providing free services to facilitate integration, mediation and litigations. Groups such as Actionaid and Songtaba focus on empowering sufferers of witchcraft accusations particularly those who are living at the sanctuaries. They also work with the government to shut down these places of refuge and ally with chiefs and the religious and medical experts to integrate the alleged witches into their communities. AWACC supports the litigation process by accused persons (see the case of Neda in chapter three). These organization assist the accused in filing reports with the police and CHRAJ, pressure the police to expedite action on pending petitions, hire lawyers and file civil court actions. AWACC also supports accused persons in publicizing their cases through the media.

## Media

Two main types of media exist in the Dagbon society – the *Kpanalana* media and the non *Kpanalana* media. The two media types feature in the accusation process because both the accusers and the accused persons use them in making and unmaking allegations. *Kpanalana* media are the media channels which chiefs use in publicizing issues of interest to their chiefdoms such as announcing dates of meetings, transmitting the messages of chiefs to community members and informing the public about individuals who are suspected of witchcraft or those who have been banished for perpetrating occult harm, or any other issue of significance. However, the *Kpanalana* media sometimes publicize the perspective of the accused persons because in cases where the chief opposes the accusation, the *Kpanalana* media represent the voice and perspectives of the accused persons.

Whenever the chief supports the accusation or is the enforcer of the witchcraft label, *Kpanalana* media assume the role of accuser and therefore accused persons contesting the enforcement seek out – if they can - other media outlets to get their voice and perspective out into the public domain (see the case of Neda in chapter three). The non-*Kpanalana* media comprise the print and broadcast agencies including radio and television agencies. These media agencies include the Ghana Broadcasting Corporation, the Daily Graphic, The Chronicle, Daily Dispatch, Daily Guide, The Ghanaian Times, North Star radio, Zaa Radio, Kesmi FM, Mighty FM, Justice FM, and Fiila FM stations. In order to make sense of how accused persons react to witchcraft accusations and the role that other actors play in the process, certain specific techniques were used in collecting the data.

## Chapter Three: Attributions of Remediable Witchcraft

### 3.1 Introduction

The previous chapter explored the existing literature and history of witchcraft accusation in Ghana which demonstrates how the focus has been limited to the accused in the process of accusation. Accusations follow different trajectories depending on the type of accusation. A key factor in the reaction of accused persons is whether a particular instance of harmful magic is a remediable misfortune-that is-if it is a form of witchcraft that can be repaired or healed such as “doro” which is the Dagbani term for illness. Other instances of reparable occult harm include poor performance in school or in business, delay in getting a job or in achieving promotion or any other ongoing reversible mishap. This chapter explores reactions to doro (illness) witchcraft accusations using the cases of Neda, Hilda, Abibat and Wahab and I have chosen these cases because of their richness in data.

### 3.2 The Case of Neda



Figure 3.1. A media report of Neda’s case<sup>22</sup>.

<sup>22</sup> It is important to note that the case made a front page news headline. Apparently this will help inform the attention of public.

Neda, a woman from Nyankpala in Tolon district, was doubly accused of witchcraft by members of her extended family and then also by the chief of her village. Neda reacted to the allegation of causing illness through witchcraft as well as to the allegation that she had attempted to strangle the chief in his dream by taking concurrent actions in different forums. She took the 'bewitched' to a hospital for treatment and lodged a complaint with the police. For this case, I interviewed the coordinator of a civil society organization, the Anti-Witchcraft Allegation Campaign Coalition (AWACC) who facilitated the response by the accused person as well as a media practitioner who covered the story for a national newspaper, the Daily Graphic. I tried contacting the accused woman for interview through the coordinator of AWACC but without success.

On Friday May 31 2013, one of the national newspapers in Ghana, The Finder, published a story on its front page with a bold headline: "Witch" Given Ultimatum: Cure the Sick or Face Death.

According to the report:

The Chief of Nyankpala in Tolon district, Nyankpal-naa Yakubu Neindow, has reportedly given a 45 year old trader in that community, Neda, a three day ultimatum to cure an ailing 25 year-old-woman or be banished or stoned to death. Neda was accused of being the cause of Nafisah's acute stomach ailment. Last week, the family of Nafisah dragged the accused to the chief's court. The sick person is reported to have told the chief during the hearing at the palace that the accused person on two occasions gave her fried meat to put on her food and also provided her with porridge during last year's fasting period, which she believed was the source of her sickness. Neda was however denied the chance to defend herself by the chief who ordered her to, within three days, provide a cure for the sick person or face the wrath of the traditional authority.

The 'traditional authority' of chiefs recognizes the existence and chiefs exercise their authority by resolving cases and complaints of mystical aggression and as in this case punishing the witches. The verdicts of the chiefs hold unless alleged witches deploy other mechanisms that over rule such decisions and attest that they are not witches. The accused person was tried in absentia mainly because she is a woman in a patriarchal society where her gender predisposes her to accusations (Adinkrah 2004, 248). The media account further states:

Narrating the story to The Finder, Abdulai Safik, who is a brother of the accused, said his family was summoned by Nyankpal-Naa Yakubu Neindow to the palace on a witchcraft allegation. Abdulai Sadik said they went to the palace only to

receive the shocking news that their sister has been accused of bewitching a neighbour, Osman Nafisah, putting Nafisah almost at the point of death. “We received the news with shock. Our sister has no trace of witchcraft in her nor has she ever been involved in any activity of such kind.” Sadik said. According to Sadik, to make matters worse, the chief summoned them the next morning, alleging that the woman attempted to strangle him to death in his dreams and that had it not been for his spiritual strength, the woman would have succeeded in killing him.

The accused person and members of her family denied the allegation; they rejected the definition of the illness because it implied that the woman had the power to harm by magical means. According to informants to accept the ascribed responsibility for the cause of illness implies accepting responsibility for the cure of the illness. However in the case of the Neda, she was doubly accused.

### **No Trace of Witchcraft**

The accused person took the case to her nuclear family and members rallied to her defense. Accusation is a family issue because insinuations of occult harm emanate largely from within family networks (Mbiti 1975, 166; Geschiere 2013, ix; Kgatla 2007, 269). Thus the family network is the first port of call for accused persons who are challenging the allegations. When an allegation of witchcraft is an interfamily issue, family members on both sides are involved in the process of indicting and defending the accused. However, if accusation is intrafamily, members are divided into factions; those supporting and those opposing the allegation. The outcome of an accusation is dependent on which side has the greater weight of family support.

Neda’s case was an interfamily accusation. An extending family that imputed witchcraft was pitched against a nuclear family that did not recognize such imputations. The outcome of the nuclear family process was insufficient for the dismissal of the allegation because of the unfavourable hearing at the Chief’s palace. This allegation from the chief reaffirmed the witchcraft powers of the accused person and limited her chances and options for neutralizing the allegation within the community. The accusers brought the sick person to Neda and threatened to kill Neda if she did not provide a cure. According to my informants, this practice obtains in the Dagomba communities as an enforcement process of the witchcraft label. Accusers place the sick person on the body of the accused person or in the compound. Sometimes, the accused person and the putative bewitched are brought together and the accused is ordered to effect a cure, while the rest of the community watches taunts, threatens or throws

stones at the witch. This is noteworthy because scholars have often identified African medicine men and women as witch doctors (Gelfand 1964; Mair 1969, 76ff), however in the Dagomba witchcraft complex, *Sonya* (the witch) is the witch doctor. The practice of bringing the bewitched to the accused is meant to compel the person to produce the cure because in cases of illness, witchcraft allegation is a process of assigning responsibility (see Ludsin 2003, 82) for cause and thereby for treatment of the sick. The accused person and her family took the sick person to the hospital for treatment. According to the leader of AWACC: “She took the sick person to the Tamale Teaching Hospital (TTH) where she was diagnosed of cancer. She was admitted, treated and operated upon after a month was discharged” (AWACC, Tamale, February 2 2014). Medical formations that acknowledged that reality of witchcraft operated side by side with those that did not. The hospital medical centers did not recognize the existence of witches and served the cause of alleged witchcraft who challenged and sought to erase such imputations.

Even though the accused person denied the allegation, she took the sick person for treatment because when accusers bring a sick person to the accused, the accused usually tries to secure some treatment for the sick because if the sick dies under such circumstances, the accused person could be lynched or murdered by the relatives of the bewitched. The accused person and her family embarked on horizontal medical forum shopping by taking the sick to a medical institution where they expected she could be healed (see Algero 1999, 82). TTH is among several medical institutions that exist and operate within the Dagomba community but people take their sick family members to this medical center because they stand a better chance of receiving adequate treatment. In addition, TTH has better medical equipment and more competent personnel. Apart from competence and infrastructure, distance is also a factor which determines the medical response of the accused to the allegation of witchcraft. In this case, TTH is about six kilometers from Nyankpala where the accusation took place. Thus it was convenient for the accused and the family to convey the sick person to TTH.

The case of Neda provides insights into the Dagomba medical complex and how it plays out in an accusation process. The Dagbani tim (medicine) is the healing system which the Dagomba access first, particularly by people in rural areas where hospitals are few and often very far apart and also the cost of hospital treatment is out of reach for many individuals. According to my informants, whenever a particular ailment is conceived to be beyond herbal Dagbani tim and biomedical treatments, then people are likely to attribute the ailment to witchcraft and resort to

treating it locally, which means the family members of the sick person would revert to the Dagbani healing system with a special focus on treating it as a form of witchcraft attack. Witchcraft is suspected particularly when the capacity to provide medical treatment is at its limit and medical care givers have tried various treatments and have literally exhausted available and affordable options. At this stage the sick person or the relatives begin to think that the ailment is no longer a hospital issue but instead ‘a sickness from home’ (see Wiafe 2010, 87).

Though Neda took care of the treatment of the ‘bewitched’ at the hospital, she was not allowed to go back to her community because accepting the obligation to treat the sick means accepting responsibility for the cause and cure of the illness and by implication accepting that one is a witch. For this reason, the accused person, apart from treating the sick took other measures in response to the allegation. The accused person left her village, Nyankpala. According to my informants, she sought refuge with a relative who resides in Sanzerigu which is a suburb of Tamale. The accused fled the community because of concerns that the sick person may die and the accusers would attack her as was threatened by the chief. Usually, persons who are accused of witchcraft seek out a safe place where they can stay and explore other options of how to respond to the allegations. An accused person who is banished from their homes faces the challenge of where to live and whom to live with. Families are neither for nor against witchcraft beliefs and accusations. In situations of accusation, families are often on the opposing sides. Some support the accusers, others support the accused. Some families refuse to accommodate the accused due to fear that the person would use occult forces against them. Relatives also may refuse to accommodate the accused due to fear that community members would stigmatized them for accommodating a witch. This happens especially if the accused person is a woman. Accused male persons may relocate to their own houses or to a rented apartment in other villages and communities (see the case of Wahab). Their female counterparts have fewer options; they try to secure accommodation with family relatives or relocate to witch sanctuaries (see figure 2.1). Thus accused persons seek refuge with immediate or extended family members or in some locality where they are likely to be safely accommodated, but securing an ‘asylum’ does not make the allegation disappear. It is important to note that, for the accusers and enforcers of the witchcraft label, relocation of the accused person signifies compliance with the witchcraft label. However, as in the case under discussion, relocation is a strategic measure to contest and challenge the allegation of witchcraft. It is like stooping to conquer because from

their new location, the accused person can deploy resources to challenge the accusation and banishment<sup>23</sup>.

### **Civil Society, Resistance and State Institutions**

While the sick person was at the hospital, the son of the accused person contacted AWACC in Tamale, for support. He reached out to the organisation using the telephone number on the public awareness materials which AWACC distributes in the region as part of the campaign against witchcraft allegations (see figure 3.2). The family of the accused person made contact with AWACC as they wanted her to be exonerated. As on this occasion, an alleged witch, sometimes due to lack of education requires assistance to petition the state institutions. To do so they rely on some charity organizations to file their complaints with the relevant agencies. Although the state forums could be used to overturn allegations of witchcraft, these institutions have different mandates and modes of operations. So it is important to know the requirements of each state institution one that might approach and which type of complaint should be lodged.

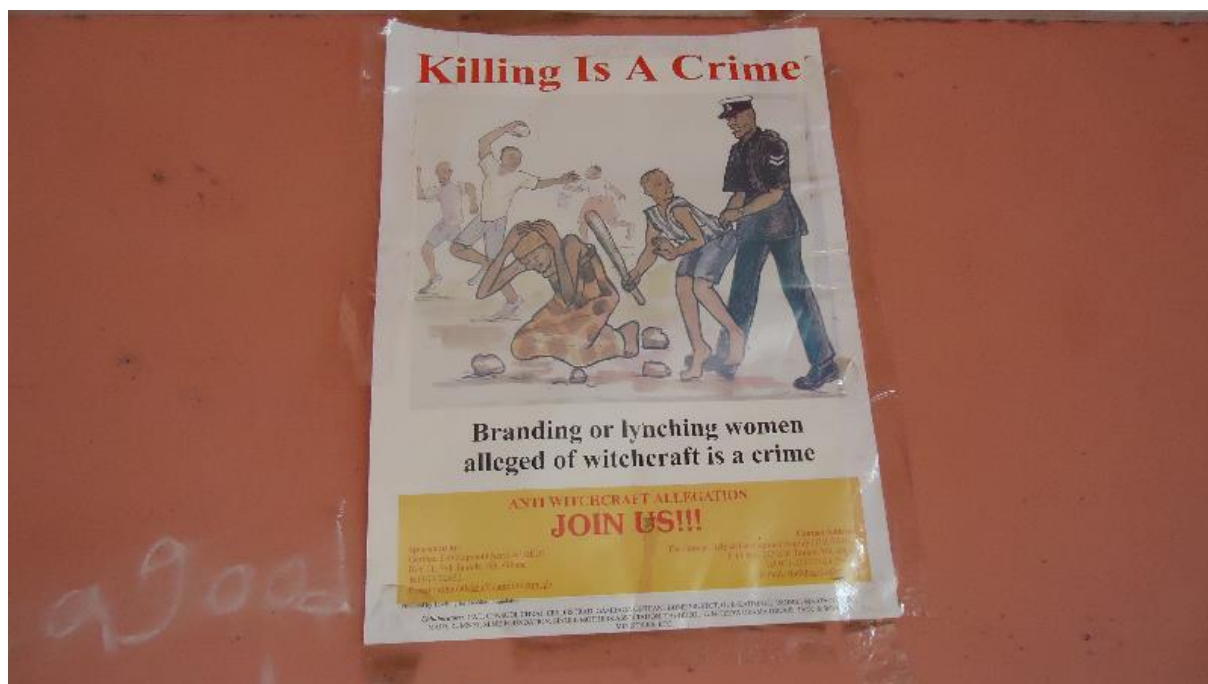


Figure 3.2 A public enlightenment poster of AWACC.

AWACC works with these institutions and provide legal, human rights and ‘values’-based services to accused persons who are contesting allegations of witchcraft (see Crampton

<sup>23</sup> I observed that accused persons who had cases that were pending in at the police stations, at the courts and CHRAJ were those who relocated to live with family members who were residing in Tamale or in its environs.

2013:209). It is among the modern state leaning organisations that work with state agencies and use formal laws in furthering community interests and the will of community members. Unlike the ‘tradition’ leaning community interest organisations such as the youth associations that recognize the existence of witches and also engage in identifying witches and getting rid of accused persons, the state leaning CSOs campaign against witchcraft allegations and work to reintegrate alleged witches (see figure 2.3).

The organization provides assistance based on the needs of the complainants including lobbying the chiefs to expedite action on a pending case or sending an appeal to a higher chief. AWACC also helps in registering complaints with the police, CHRAJ as well as publicizing the case through the media. The group may support alleged witches to file civil actions in court and hire a lawyer to help prosecute the cases. If the outcome of a particular process is unfavourable, AWACC may suggest or initiate a next course of action against the allegation. In the case under discussion, AWACC helped the accused to lodge a complaint with the police and to take the story to the media. Neda lodged a complaint with the DOVVSU because the outcome of the medical process, might not overturn the allegation.

The accused person went to the police hoping that they could, by prosecuting the accuser<sup>24</sup>, compel the accuser to abandon the accusation whether the medical treatment was successful or not. The police in Ghana support victims of witchcraft accusation, not witchcraft. The police process accusation as a form of domestic violence (see figure 3.3) because it takes place within the family and among family members. By taking the case to the police, accused persons turn the tables on their accusers because as a state institution, the police do not recognize the existence of witchcraft and the reality of spiritual or occult attack. Given this facility, accusers end up becoming the accused because people who complaint about witchcraft have no case under the law in Ghana, instead accusers have a case to answer for engaging in accusation, in witch trial or banishment. Accused persons initiate police investigations, and use them to compel accusers to abandon accusations or risk criminal prosecution and jail.

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<sup>24</sup> According to my informant, the accused person lodged a complaint against the first accuser and not the chief because petitioning the chief would have been interpreted as utterly disrespectful and would have jeopardized any chance of resolving the matter

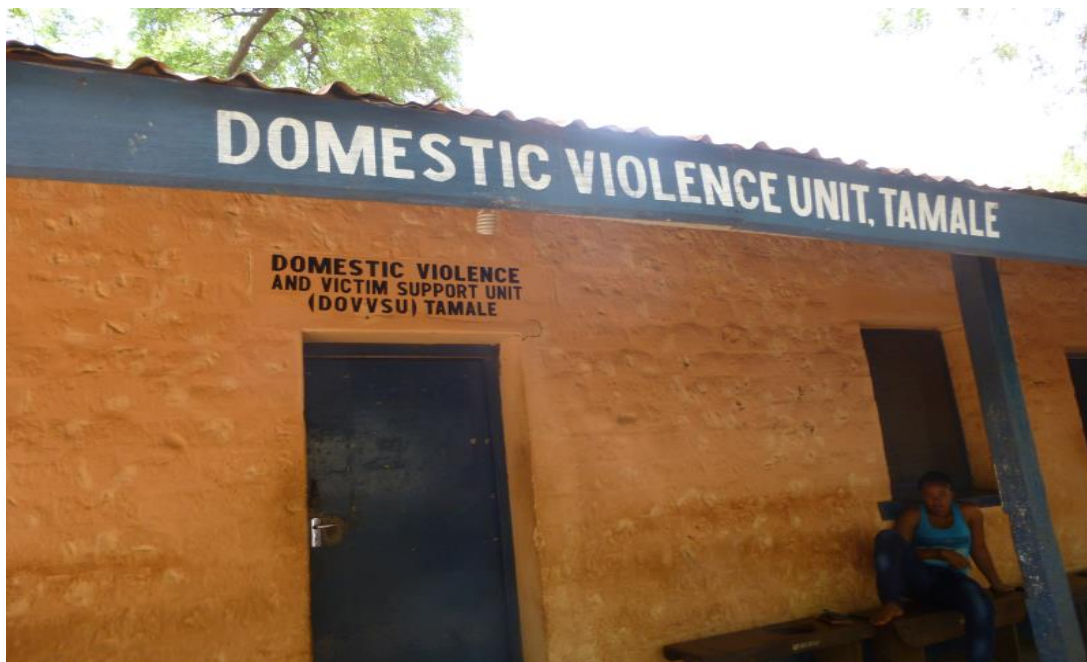


Figure 3.3 The regional headquarters of DOVVSU in Tamale.

The police unit investigated Neda's matter and subsequently brought the case to court. However, the outcome was unfavourable, the court struck out the case due to lack of evidence to substantiate a crime. The coordinator of AWACC who facilitated the police process attributed the outcome to lack of proper investigation. He noted that the police took the matter to the court due to pressure from other state authorities. The police came under pressure after the accused person took her case to the media (see section 3.2.6). However, the police encounter difficulties when they are investigating and prosecuting cases of witchcraft accusation. The regional commander of DOVSSU explains the nature of these challenges:

We have cases where accusers have escaped from the jurisdiction and we could not arrest them. So, as long as they have not been arrested the cases are pending. There is one too that was sent to court and the court found it to be more of a civil case in nature than criminal. So they advised the victim to take a civil suit" (Police, Tamale, February 6 2014).

The police make a case of transfer of complaint to a more appropriate venue when they could no longer handle it as required within their mandate. The advantageous outcome expected by the accused may fail to be delivered due to such challenges; of police delay in their investigation or the failure of a court case. In addition, police officers are hesitant to go into the communities to make arrests, especially when the accusations, as in this case, involve the chiefs. The reluctance is due to the fact that such a process sets the police on a collision course with the

chiefs who may be supporting the accuser or who may actually be the enforcer of the witchcraft label. As in this case, chiefs are sometimes among the accusers and use their authority to shield accusers from arrests and prosecution by the police:

Sometimes villagers attack police officers. On a particular occasion, a police officer who went to make an arrest in a village was overpowered by machete-wielding locals and had to release the person he had arrested and returned to the station. Police officers usually discontinue investigation on such cases or any other case where they do not have the cooperation of the chief of the community. The reason which police officers or officials at the state human rights agency often give for delays, inaction or poor handling of the complaints is that the matter has to do with 'tradition' (Field notes, Tamale, July 6 2013).

Moreover, accused persons adopt other measures to contest their ascribed responsibility for the illness. Following the delay by the police in dealing with the complaint, the accused person took the matter to the media.

### **The Person Sat Where You Are Sitting**

A local journalist explains how a person from Neda's family came and reported the case to them:

The person sat where you are sitting. He told me about the mother; how a family member woke up one morning saying that the mother was attacking him in his dreams. For that matter, the mother was a witch, so they reported the case to the chief at Nyankpala in Tolon District. The chief invited the woman to the palace. The woman went there and the chief insisted that she was a witch. The following morning the chief woke up to say that the woman attempted attacking him in his dream. And so the chief confirms the fact that the woman was actually a witch. So she was banished from the community. In this case the matter was reported to the police. So, I followed up (Media, Tamale, February 2 2014).

Accused persons take their stories to the media to mobilize public opinion and to exert pressure on social and political stakeholders to intervene. If the case has been reported to the police or CHRAJ and these institutions have suspended their investigation, media publicity could compel them to revisit the case. It is pertinent to state that in Dagbon society, two main types of media exist – the Kpanalana<sup>25</sup> media and the non Kpanalana media. The two types of media feature in the accusation process because both the accusers and the accused use them. Kpanalana media are channels which chiefs use in publicizing issues of interest to their chiefdom such as

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<sup>25</sup> Kpanalana is a Dagomba term for the Chief's Linguist or spokesperson.

announcing dates of meetings at the palace, transmitting messages from chiefs to community members and informing the public about individuals who are suspected of witchcraft, or those who have been banished for perpetrating occult harm, or any other issue of significance.

However, the Kpanalana media sometimes publicize the perspective of the accused persons because in cases where the chief opposes the accusation, the Kpanalana media represent the voice and perspectives of the accused persons. Whenever the chief supports the accusation or is the enforcer of the witchcraft label, Kpanalana media also assume the role of an enforcer. So accused persons contesting the enforcement seek out – if they can - other media outlets to get their voice and perspective out into the public domain. The non-Kpanalana media, comprises the print and broadcast agencies including radio and television. These media agencies include the Ghana Broadcasting Corporation, the Daily Graphic, The Chronicle, Daily Dispatch, Daily Guide, The Ghanaian Times, North Star radio, Zaa Radio, Kesmi FM, Mighty FM, Justice FM, and Fiila FM stations. These non Kpanalana media outlets are among the institution introduced during the colonial period. Some of the media agencies such as Ghana Broadcasting Corporation belong to the state. They are associated with state establishments that do not recognize the reality of witchcraft. So people perceive the non Kpanalana media as working in alliance with state agencies especially the police<sup>26</sup>.

A crucial factor in a person's ability to challenge the witchcraft label is the time it takes for news items to get printed. In responding to allegations of witchcraft, time is of the essence and it is a major factor influencing the choice of which media to access (see Rasmussen and Randall 1999: 1357) in challenging the witchcraft label. It takes days and sometimes weeks - for the weeklies-before stories in the print media reach the public. The reporters file their stories to the headquarters in Accra where the newspapers are printed. To avoid this time constrain, accused persons engage in horizontal forum shopping (see Algero 1999: 79-80) and take their cases to media agencies-the broadcast media agencies-that could quickly transmit to the public domain. Media publicity of witchcraft accusation informs the public and sometimes prompts state authorities to intervene.

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<sup>26</sup> According to my informants, the belief is that the journalists are spies and agents that gather information which the police would use to process the cases.

## Central State Intervention

Following the publication of the story in the media (see figure 3.1), a government minister intervened in the case. The coordinator of AWACC explains the reaction of a central state officer:

“...the Minister for Gender, Children and Social Protection also heard about it and came up North and went to the Chief of Nyankpala who was behind the banishment and intervened, requesting the community members to reintegrate the woman” (AWACC, Tamale, February 2 2014).

The village chief refused to comply with the Minister’s request to allow Neda back into the community. Actually, the media coverage embarrassed the chief and in reaction he banished the husband of the accused and the children. Conflicting perceptions of accusations exist because state agents govern using state laws that do not recognize the reality of witchcraft and the Dagomba chiefs who administer their communities based on ‘traditions’ that acknowledge witchcraft as a crime (see Briamah, Tomlinson and Amankwatia 1997, 74). As custodians of ‘traditions’, chiefs conduct trials for accused persons, and convict and banish alleged witches. These perceptions and practices often put the chiefs, shrine priests and diviners at loggerheads with state officials in the management of witchcraft accusations because the Ghanaian state officials treat accused persons as ‘victims’ of domestic violence and human rights abuses, not as murderers or criminals<sup>27</sup>. This conflict of authority in witchcraft accusation is most pronounced when the chiefs are in support of the accusation and rule in favour of the accusers. Accused persons may then react by deploying state mechanisms against the accusers and enforcers of the witchcraft label.

Accusers and accused persons leverage on these opportunities to make or contest accusations. As in this case, the accusers access the chieftaincy institutions to enforce the witchcraft label while the accused persons deploy state mechanisms to challenge the ascriptions of occult harm. However, there is a hierarchy of chiefs in Dagbon and the hierarchical structure presents accused persons with opportunities to challenge the judgments of lower chiefs at the courts of higher chiefs especially in cases like this where state agencies prove ineffective in neutralizing accusations. As figure 3.4 shows, Neda has, after failing to get the state police and the court to intervene and neutralize the accusation, decided to petition the Chief of Dagbon.

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<sup>27</sup> The tension between these two politics and two sets of politicians exists in Dagbon and often manifest during accusation processes particularly if the accused person petitions the police or the state human rights agency over a matter which the chief has ruled against the accused person

According to the officer of AWACC, based on a letter requesting “the Chief of Dagbon who is the overlord to intervene and behold he did that and today the woman with a family of 11 children has been reintegrated” (AWACC, Tamale, February 2 2014).

The accused person appealed to Ya-Na because as the ‘Overlord’ of the Dagomba kingdom, Ya-Na has the power and authority to overrule any judgement passed by lower chiefs in the Dagomba land (see Mahama 2004, 51). The police were unsuccessful in prosecuting and convicting the accuser which would have quashed the allegation and banishment. Therefore the accused person used the forum of the Ya-Na to eventually overturn the label.

However, to get the chief of Dagbon to intervene an accused person has to lodge a complaint at the ‘supreme court’ of Ya-Na<sup>28</sup> at Yendi and such appeals involve costs. The appellants travel back and forth to make the complaints, follow up the petition, and attend the hearing at Ya-Na’s palace. Distance constitute a disincentive for accused persons who live in communities that are far from Yendi (see figure 1.2). In addition, people who go to consult the chiefs present kola nut or monetary equivalent. According to my informants, petitioners pay money to file complaints at the chiefs’ courts and the cost varies according to the grade of the chief that is consulted. While it may cost an accused person ten to fifty Ghana cedis to lodge a complaint with a divisional or paramount chief, petitioners may spend up to five hundred Ghana cedis to appeal a witchcraft judgment at the court of Ya-Na.

Thus, Neda responded to the accusation by taking concurrent medical and police actions. She challenged the ruling of the lower chiefs and refused to accept the unfavorable outcome of the police and court processes. However, there are cases where accused persons react to ascribed responsibility for cause and cure of the illness by filing complaints with the police or with the state human rights agency and these institutions work with the chiefs to resolve the cases in favour of the accused persons.

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<sup>28</sup> It is not always that lower chiefs comply with the directives of Ya-Na on issues relating to witchcraft accusation. When a lower chief refuses to cooperate, the Overlord usually advises the complainant to go to the police or to the court.

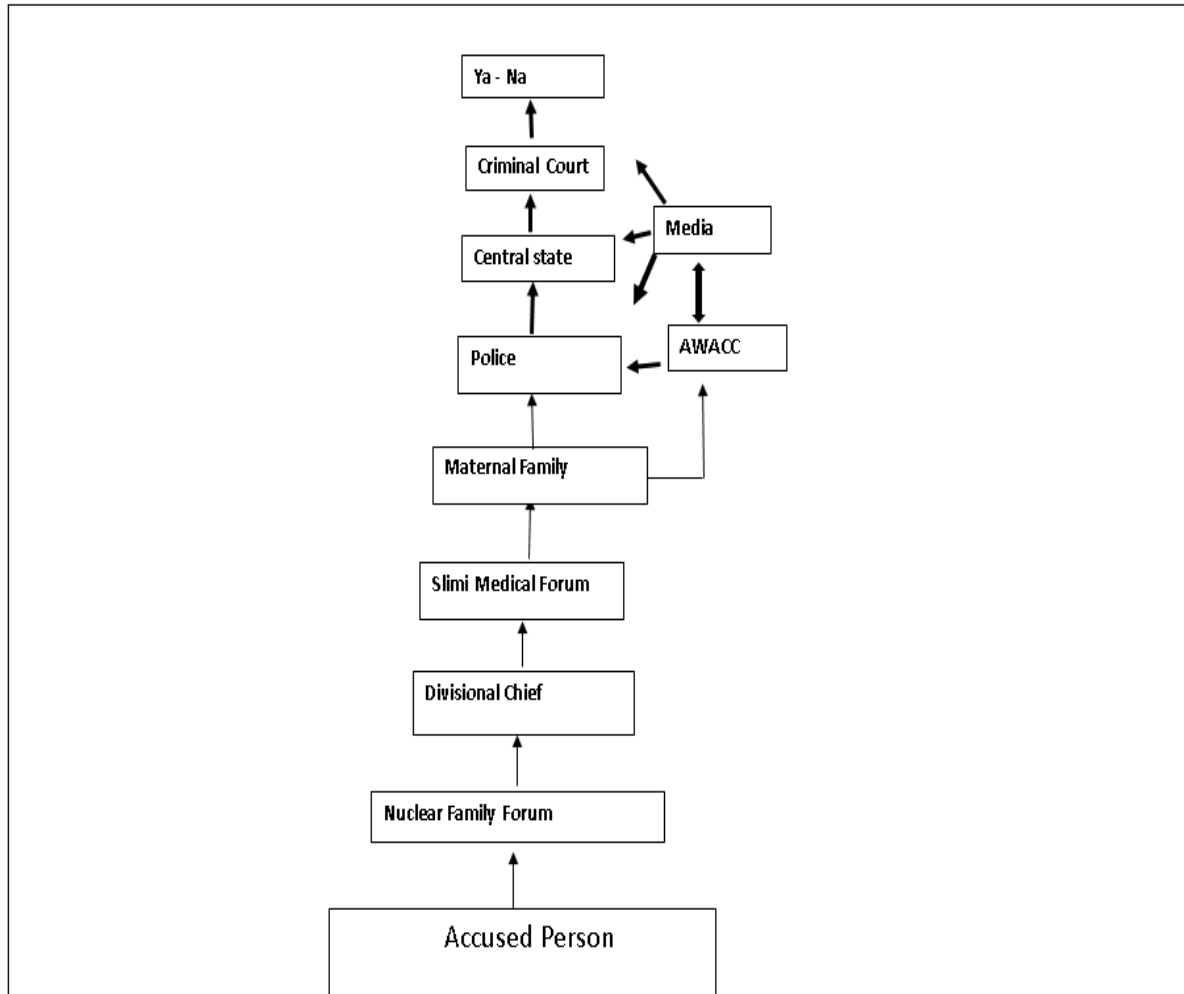


Figure 3.4. An illustration of a successful use of a higher chief forum: Neda

In the next case, the accused person rejected remedial witchcraft and instead challenged the accusation in the court of law.

### 3.3 The Case of Hilda

This is the case of Hilda who was accused of witchcraft by a community member. Hilda is a muslim, and she is 60 years old. Hilda, like Neda, had no formal education. However, but unlike Neda, Hilda did not take any medical action in response to the allegation. The sick person and his wife accused her. The accused person reacted by taking court action after all efforts to nullify the accusation at the community level failed. I was able to obtain a copy of the court proceedings. For this case, I have used information from the copy of the judgment which I obtained from the District court in Tamale and interviews with the coordinator of AWACC and a district court official. I could not interview the accused woman. All efforts I made to reach her through the district court registrar and AWACC proved unsuccessful.

## **Defamation of Character**

This case started on July 12, 2013 and ended October 12, 2013 when it was struck out following an out-of-court settlement mediated by the village chief. The court proceedings reveal different ways the accused reacted to the accusation before taking the matter to court. In June 2013, Hilda sued her accusers Aliyu and Aishat of Sanzerigu for defamation at District Court two in Tamale claiming that these persons called her a witch and she considered it damaging to her character and reputation. All the parties to the case hailed from the same community, Sanzerigu<sup>29</sup>, which is a village near the regional capital, Tamale. The court process started with issuing a ‘Writ of Summons’. The Writ of Summons contained the following claims against the defendants:

1. An order directed at defendants to prove or retract the statement they made publicly on 26<sup>th</sup> April, 2013 “that plaintiff is a witch and that [the] plaintiff was responsible for 1<sup>st</sup> defendant’s ailment” a statement which compelled plaintiff to flee the community for fear of her life.
2. A mandatory order directed at [the] defendants to announce to the community at the chief’s palace that [the] plaintiff is not a witch.
3. Compensation of GH 2,000.00 (Two Thousand) cedis for defamation of character (Appendix 1).

Court summons give the defendants some time to retract the ‘allegation’ or face trial. However the accusers did not withdraw the said accusation. On the first day of the hearing, the defendants pleaded not ‘liable’ to the claim and the matter proceeded for trial and was adjourned. At the next court sitting, the plaintiff gave evidence in court to explain how she had been accused. The accused woman was a community officer that had been selected by the Ministry of Health to mobilize children and pregnant women for immunization. The Dagomba are mostly farmers (Mahama 2004, vi) and leave for the farm very early-before 6.00am-and return later in the day. Without sending an advanced notice, anybody who goes to the villages after 8.00 am would meet mainly elderly persons or children. The health ministry has local mobilizers in the different communities who help notify people any day that officials are coming so that people would not go to the farm. In early 2013, information reached Hilda that some officials from the Ministry of Health were coming to the community to treat children and provide them with some health supplements. Hilda asked her assistant to inform the women in the community of the visit of the health officials and in the course of doing the work, her assistant injured himself. Hilda, accompanied by another woman from Sanzerigu went to his house to visit him and met

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<sup>29</sup> This is a case of interfamily accusation and the accusers are a couple and both of them were joined in the suit.

the wife who told her that the husband was asleep. Hilda explains to the court what happened as she was about to leave, the wife said:

“...a witch you are the cause of my husband’s sickness. I turned to tell D2<sup>30</sup> that I take exceptions to the word she has used on me. All of a sudden D1 also came from his room accusing me of being a witch and the cause of his sickness. I submit that as I was going D1 followed me shout (sic) “Oh a witch has come to my house to finish him and the community members should come and have a look at me” (see Appendix 2).

From the quotation, the accused person tried to establish before the court that the accusers defamed her by imputing on her the responsibility for the cause of the illness. If the accusers were to admit that they made such imputations, this would make them culpable within the ambit of the civil law. By using the court judicial process to tackle her accusers and get them to deny imputing witchcraft, Hilda ensured that she would be under no compulsion to heal the sick or ensure that the illness was treated. However, these communications took place at the district court in Tamale, not at the palace of the chief or the village square or at the compound where the allegations were made. The court proceedings also contain details of efforts that Hilda made to resolve the issue at the chief’s palace. After the encounter with D1 and D2, Hilda went to the chief of Sanzeriigu and reported the matter and the chief invited the accusers to the palace. The accusers did not honour the invitation and instead they sent an apology through a member of the community for what they had done. The chief delivered the apology to the accused. Hilda accepted the apology and forgave them. However, not long after the apology was delivered, the chief later sent an elder to inform the accused person that the accusers had withdrawn their apology and still stood by their claim that she spiritually caused the sickness. The accused was further informed that the accusers had also threatened to take the matter to the Chief of Dagbon that is Ya-Na, for adjudication.

The divisional chief was the forum choice for the accused person because as a community organizer, she wished to clear her name because the allegation could damage her role as an organizer in the community. In addition she believed that he could use his authority to prevail on the accusers to retract the accusation. Thus petitioning the chief was convenient in terms of costs because the accused person did not need to travel very far or hire any lawyer to help in prosecuting the case. Particularly, it was a good choice of forum because, the head of the

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<sup>30</sup> D2 stands for defendant 2. She is the wife of D1. Both were named in the suit. Interfamily accusations happen in such a way that members of accusing family are pitched against those of accused family.

community as the local chief was anticipated to provide favourable adjudication on the case and issue a verdict that would be respected in the community. As expected by the accused person, the process at the palace resulted in the accusers having to apologize to the accused. However, the favourable outcome from the palace process was short lived because the accusers changed their mind and decided to press ahead with the charge of witchcraft and threatened to take the matter to the palace of the Ya-Na. The accused responded by petitioning the police.

Apart from her role as a community organizer, Hilda was a leader of a women's group in Sanzerigu and through a colleague in the group, who was also the president of AWACC, she contacted this CSO for assistance. As in the case of Neda, AWACC facilitated subsequent actions which the accused person took in response to accusations including police and court actions. The accused person approached AWACC to provide support because she hoped that such assistance was necessary to ensure proper filing of her petitions to the necessary agencies. Hilda, with the support of AWACC, reported the matter to the police. As a case that involves formal institutions, proper filing of cases is critical to realizing advantageous outcomes and AWACC uses its resources and expertise to support accused persons and facilitate their contestation of allegations within the respective jurisdictions.

According to the coordinator of AWACC, at one point they noticed that the police could not take further action after the case was reported. The police officer who was in charge of the case was not showing interest and the investigation apparently stalled. AWACC went to the regional commander of DOVVSU and complained and the case was later charged to court. As in the case of Neda, the case was struck out. According to my informants, the court said the case lacked criminal substance because the accused person was not beaten and the property was not attacked, in fact no criminal offence had been committed by the accusers. The accused person was advised to seek redress through a civil suit. In this case, the accused person decided to file a civil court action.

### **Where Did I Call You a witch?**

After testifying in the court, D1 cross examined Hilda who confirmed that the accusers had called her a witch:

“Q. I put it to you that, that fateful day when you came with one other, my wife told you people not to enter and you people forced (sic) entered my house.

A. It is not true.

Q. You struggled with my wife and forced (sic) entered my room.

A. It is not true.

Q. Your friend (F) told me that I will see.

A. Not correct.

Q. You told me that I will see what I was not expecting.

A. I did not say that.....

Q. Where did I call you that you are a witch?

A. In front of your house.

Q. Did you see me outside the compound?

A Yes I did.

Q I put it to you that I was sick and could not come outside.

A. You ran and came out of your room

By Court: for clarification.

Q. When the defendants accused you of being a witch, who was there.

A There were many people present but I remember one Mal Fuseini was present”  
(see Appendix 2)

The accuser denied calling the accused person a witch or imputing that she was responsible for his illness by rendering a different account of what transpired between them. The court adjourned and on the next sitting, one of the principal witnesses gave evidence confirming Hilda’s testimony that the defendants had called her a witch and that D1 came out of the room shouting with his hands on his head and calling on the people in the community to “come and see that the plaintiff had come to finish him” (Appendix 2). When the case came up again in court, D1 cross examined the principal witness:

Q. Didn’t you come to my house?

A Yes, we came to greet you and D2 said we should not enter.

Q I put it to you that I was sick and I couldn’t have even stand (sic) up

A. Not correct, you came out from the room with your hands on your head shouting that we have come to finish you.

Q. So upon my shouting did people come around to rescue you?

A. Yes, people from the community came around

Q. Can you mention at least some of the people who came around?

A. Fuseini and Camaria came around.

Q. I put it to you that I did not tell you that you are a witch.

A. You said it first before D2 repeated it

Q. Who was present when I said you are a witch.

A Plaintiff and myself because we came to greet you (see Appendix 2).

The accuser denied that he had made any accusation although a witness testified that he had done so. In the course of the trial, the village chief appeared in court and asked that the court remit the matter to him to settle and that he would announce the outcome at a later date and the court granted his request. The chief reported back to the court stating that the matter had been settled and the case was struck out. I was informed that when accused persons take cases to the police, accusers try as much as possible to avoid being prosecuted and convicted. They take measures to avoid being arrested; they flee the community or go into hiding. Accusers lobby other community leaders to intervene so that they are not sanctioned or as in this case to avoid paying the accused persons for defamation of character. Thus they try to settle out of court and in order to achieve this settlement, accusers involve the chiefs, the imams, the assemblymen or the elders to pressure the accused to withdraw the case for settlement at the community level. The settlement is often on the condition that both parties discontinue their different actions; the action of accusation and the court action that seeks to penalize the accuser.

It is important to note that the police and court process takes considerable time. It is usually months and sometimes years before the matter is decided. So for the accused who has been banished from their community and are desperately seeking to return to their family home, this lengthy period constitutes a demotivating factor. The criminal prosecution was unsuccessful, but the accused person filed a civil action which eventually led to the resolution of the case. However, there is no guarantee as in Neda's case that the matter will be ruled in favour of the accused person at the end of the process. Given that there is no state owned shelter where accused persons could live while their cases are being processed, accused persons who are seeking redress in courts have to arrange where to live safely to attend the court sessions or they have to abandon court litigations and resign themselves to the shrine. As we shall see in chapter four, going to the shrine is sometimes a strategy to contest allegation (see the case of Dagat)

and a temporary measure following banishment from the community (see the case of Ese). In the case under discussion, the accused lived with a family relative following her banishment but Hilda remained in the cultural family home because she was not banished. She did not flee the community. However, for accused persons who are banished or who are fleeing for their safety and who do not have alternative accommodation, state forums are not the forums of choice. Also worth noting is the fact that in both cases – of Neda and Hilda – accused persons were living in communities that were close to the location of the state institutions in Tamale. However for accused persons who live in remote villages and who have no place of shelter in Tamale or Yendi, where the courts are located, and who cannot afford the costs of traveling back and forth for court sessions, distance is a key factor in forum shopping and these state institutions are usually not the forum of choice. In addition, accused persons who live outside the regional capital are unable to access the CSOs and the media whose services help to effectively utilize state forums because the offices of the CSOs are located in Tamale. Thus for accused persons who live in rural locations, determining an advantageous venue for their cases take a different dimension and yield different outcomes as in the next case.

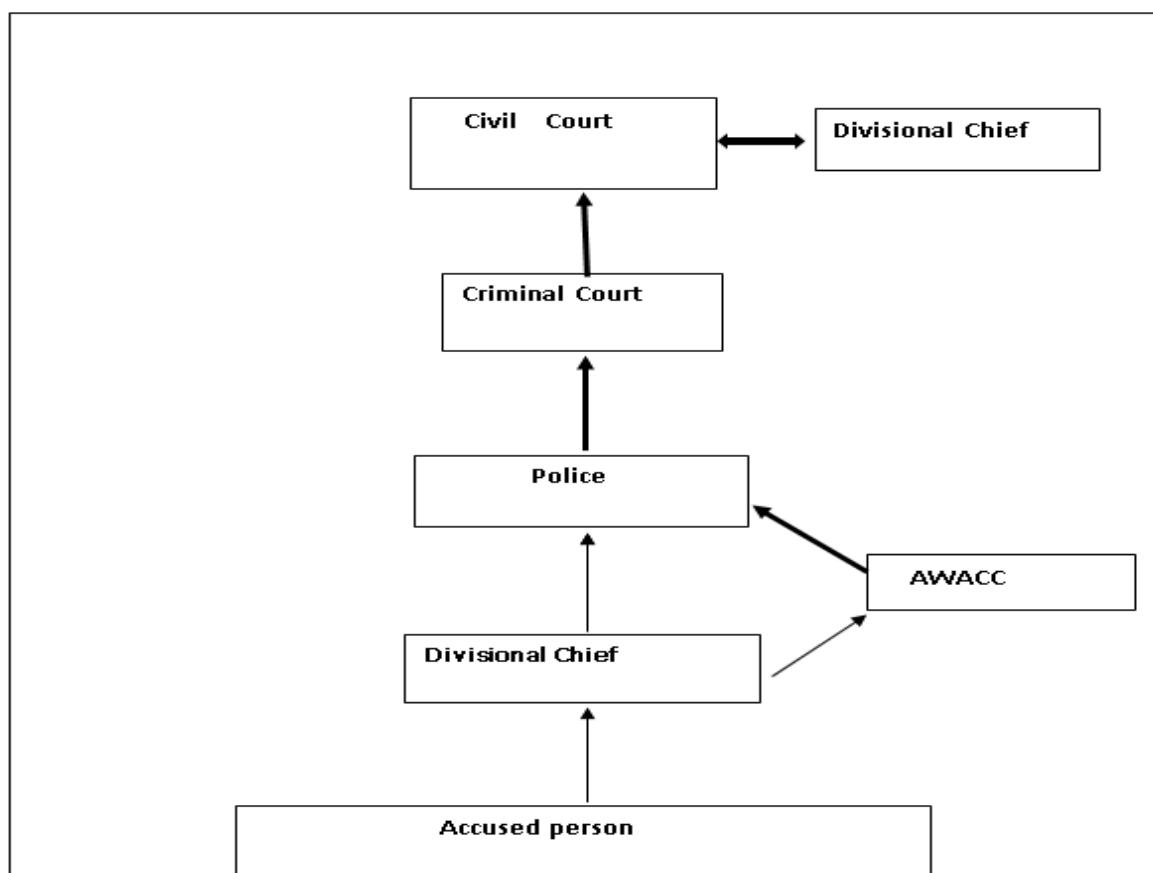


Figure 3.5 An illustration of a combined use of civil court and chief forums: Hilda

### 3.4 The Case of Abibat

Abibat was accused of causing illness through witchcraft. This case is most unusual because the accused person earlier rejected the allegation but admitted at the shrine to causing the illness. The accusers took the case to the shrine and they found Abibat guilty. She confessed to being responsible for the illness. However, on returning to her community, the accused refused to comply with the required remedial process. The Dagbani medicinal complex requires that she should provide a cure for the ailment. Sometimes accused persons agree to go to the shrine to be exonerated but end up being convicted and found guilty of causing the illness. Even though these accused persons comply with the enforcement process at the shrine, they may later decide not to act in accordance with the shrine order claiming that the ritual process was flawed (mainly because they were found guilty). Sometimes they simply refuse to go along with the shrine order because they cannot afford the required remedy. For this case, I interviewed the accuser, the accused and the chief of the village.

Abibat is a 70 year old woman, and a muslim. She comes from Adibo, a village in Yendi district but at the time of the interview she was living at the witch sanctuary in Gnani. She did not have any formal education. By virtue of her age, she is considered *pakurugu* which is the Dagbani term for an old lady. Thus Abibat is within the local gender and age bracket of persons who are likely to be accused of witchcraft. She arrived at the sanctuary in 2013 after being banished for making a family member ill through witchcraft.

I saw her at the sanctuary surrounded by other elderly women. They were sitting in the shade of the roof, chatting away and preparing ingredients they would use to cook food. One of her brothers, Iddrissu, the father of the boy whom she was accused of making sick, was instrumental to her banishment from the community. According to my informants, whenever, a child is supposedly bewitched, the father, or the mother if the father is dead, represents the child in the process. Just as parents try to protect and shield their children from physical attacks, parents also try to protect their children from mystical assault.

Abibat is a widow and lived at the late husband's family house until the 'Guinea Fowl War' that broke out in 1994 (see Brukum: 2001). The war forced her to relocate to live with her paternal family where she had been staying till she was accused of witchcraft by her nephew. Abibat had lived peacefully with her brothers and all their families till some misunderstanding started when one of the nieces was about to marry. I was told that 'tradition' demanded that

those seeking the hand of a lady in marriage must perform certain rites before taking the lady away. The in-laws complied with this tradition but Abibat was not satisfied. After the marriage ceremony, Abibat complained to one of her brothers that the in-laws had not adequately complied with the marriage traditions and demanded that they perform the marriage rites again. The in-laws agreed and conducted the marriage rites again but Abibat was still not satisfied and this time she complained about how the kola nuts had been served. She returned her Kola nuts to one of them, Iddrissu, who declined to take them and this led to a quarrel with her brothers. Tensions and disagreements over the conduct of marriage rites strained the relationship between Abibat and Iddrissu. Such social situations provide a sub soil for imputations of witchcraft (see Marwick 1952, 232).

Shortly after this incident, Abibat went to work in farm with other members of the family including one of Iddrissu's children, Hisak. Farms are usually far from people's homes so the Dagomba erect small shelters where they can rest for a short period, store some crops and keep some drinking water and food. Abibat became thirsty while they were working on the farm and went into the shelter to drink some water. Later, Iddrissu's son, Hisak drank from the same pot and months later he was taken ill. The family used the Dagbani tim (medicine) to treat him. The illness worsened and the boy started suspecting that the aunt was responsible for his illness because he claimed that the woman was appearing in his dreams.

According to my informants, those who appear in dreams are witches because witches are those who possess the tim (medicine) to perform such an extraordinary feat. Witches who appear in the dreams of those who are sick are believed to be responsible for the illness. Dreams reveal the identity of the witches and thus provide a window of opportunity for the bewitched to identify the witch and possibly counteract the witchcraft. However this is subject to the reaction of the alleged witch.

### **Why Do You Want to Flog Me with a Stick?**

When one of Abibat's neighbors informed her that her brother's son, Hisak was ill, she went to check on him. Her brother was not at home when she got there. He had gone out to get some herbs for his son's treatment. Hisak's mother was aware that the son was suspecting the aunt of being responsible for his illness. To prevent the son from confronting Abibat, she told her that Hisak was not in and she left. However, Hisak was inside the house sleeping. Since he had become ill, his father had been using Dagbani herbal tim (medicine) to treat him but he was not

responding. Hisak informed his father about the dream encounters, but the father initially ignored the implication that the sister was the witch behind the boy's illness and chose not to believe what the boy said. As Ludsin (2003, 63) has observed, fear of being accused of witchcraft or fear of annoying a witch could make individuals behave well, also, fear of making false accusations could restrain people from imputing witchcraft because such accusations could damage relationships. The mother told Hisak about Abibat's visit. He was furious and asked why she did not wake him up as he wanted to confront her. Abibat told me what happened when she returned the following day to see Hisak:

I went back to see the family and know about the boy's condition. But he attacked me with a stick. I asked him... 'Why do you want to flog me with a stick?' He was shouting 'This is the witch who wants to kill me'. He said that several times. I ran into a nearby house and he followed me. And there he continued saying that I was a witch and he continued saying he wanted to kill me. (Abibat, Gnani, February 28 2014).

According to my informants, flogging is a way people tackle and subdue witches, and their witchcraft. It is believed that in the course of flogging, a witch will confess to their crime. Chiefs also use flogging in processing accusation in their courts. The cane which chiefs use during the trial of persons who are accused of witchcraft is called Barazim:

Barazim is made from cow skin. It hangs on a hook at the chief's court. Barazim is used in the trial of persons who break the taboo of the community or violate its tradition, or an accused person who refuses to admit guilt. For instance, if somebody who has stolen an item and continues to deny it, barazim may be used to compel him or her to say the truth. The chiefs use barazim in trying persons accused of witchcraft. When an accused person is brought to the chief's court and he or she fails to say the truth following a cross examination, a close aide of the chief or one of the elders takes the barazim and whips the accused to the point that she begs to be allowed to say the truth. When the accused starts pleading to be allowed to say the truth, the whipping stops and the elders would declare: 'How dare you hide the truth' (Field notes, Tamale, July 6 2013).

In the case of Abibat, she did not confess instead she resisted her accuser and continued to question why she was being flogged. She ran into a nearby house to seek refuge and probably to get other persons in the compound to prevail on the boy to stop flogging her. People in the compound left her to her fate. Abibat was furious with the brother for not intervening. He defended himself by saying that the boy had reason to believe that she was responsible for his illness. The whipping of Abibat turned the accusation into a family issue by pitching some members, such as Iddrissu and his wife, against others who supported the accused person.

## Take me to Nawuni

Abibat denied that she was behind the sickness of her accuser and asked all those accusing her to take her to any shrine of their choice so that she could prove her innocence:

When both my brothers Goda and Abudu came back, I decided that we should go to Bouigli<sup>31</sup> but the boy's parents said their son would not go. Those who supported that the boy should not go to Bouigli included the Assemblyman, Buliya and Kokodi. But at a point they said, look Iddrissu is your family member, it will not speak well if he takes you to the shrine in Gnani (Abibat, Gnani, February 28 2014).

However after some days the accuser's family changed their mind and decided that they would go to a shrine:

For some time the issue died down, but later they started saying we should go to Bouigli. And then I told them, you can take me to wherever you want us to go. I am ever ready to follow you. I told them that if they wanted they could take me to Nawuni, but they refused and sent me to a shrine in Nanumba land.<sup>32</sup> (Abibat, Gnani, February 28 2014).

According to my informants, Nawuni is one of the most powerful shrines in the Dagomba land (see figure 2.2) and is well-known for revealing the 'truth'. Accused persons who want the accusers to know that they are categorically innocent implore the accusers to take them to the shrine in Nawuni. In this case, the accusers initially set aside the idea of going to a shrine but the boy's health continued to deteriorate and the family members eventually decided to take the matter to the Bouigli in the Nanumba land. The shrine process is believed to be a procedure where the gods determine who is guilty or innocent. So when a person is found guilty, they have no choice but to accept responsibility because continuing to insist on their innocence is lying and if they lie the gods will kill them. Abibat's accuser narrates what happened at the shrine "...she was found guilty. The Bouiglana (shrine priest) asked her: 'So are you responsible for the child's sickness?' Then she replied "Yes" (Iddrissu, Adibo, March 6 2014). The accused admitted to being responsible for the sickness which meant that she would now

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<sup>31</sup> My informants used Bougli which means private shrines and Tindang (which are community shrines) interchangeably. Sometimes, they do not mention Bougli or Tindang when referring to shrines. Instead they use the names of the villages where these shrines are located. For example: 'Take me to Nawuni' actually means take me to the shrine that is located in Nawuni.

<sup>32</sup> The Dagomba shrine are not often preferred places where the Dagomba process cases of accusation. Sometimes accusers or accused persons take matters to shrines in other ethnic communities, such as those in Konkomba, Gonja or Nanumba lands to avoid manipulation and foul play, still the Dagomba question the verdict from the shrines.

have to take over the treatment of the boy. Though, Bouiglana and Tindana are medicine men and women, their job in this case is to stage rituals and uncover the witch so that the witch could provide the remedy for the witchcraft. My informants say that the Bouiglana and the Tindana speak for the gods and spirits and therefore they cannot lie. The shrine process is taken to be sacrosanct and their verdict is final. However some people contest this claim particularly when they are at the receiving end of the oracular guilty verdict and suspect some foul play and manipulation of the shrine process. In this case, the accused person finds fault in the process. She told me that her accusers had connived with the Bouiglana (shrine priest), intimidated and then manipulated the process against her:

When we got to the shrine in Nanumba, I could not sleep that night, the people narrated the village's history and how they used to treat alleged witches. According to them, they used to kill the witches and throw them into the bush for the vultures to eat them. When we got to the shrine in Nanumba land Iddrissu left the house we were in and went and met with the Tindana and planned with him. Not knowing that J.K was lying beside them while they were talking. So, the next day we went to the shrine and they gave some concoction to my chicken, it took it and died and they said that I was a witch (Abibat Gnani February 28 2014).

This chicken ritual is called Bouiglinoo and constitutes one of the ways through which shrine priests determine the guilt or innocence of accused persons. Shrines administer some substance to a chicken belonging to the accused and to another belonging to the accuser and the person whose chicken dies is deemed to be not telling the truth. According to my informants, sometimes accusers conspire with the shrine priests and they would administer poisonous concoctions to the chicken of the accused person or would declare her chicken dead when it did not actually die.

In other shrines, the way a chicken falls down after it has been slaughtered determines if the accused is innocent or guilty. If the chicken dies face down then the accused person is guilty but if it dies facing upward the accused is innocent. Once the guilt of an accused person is revealed at the Bouigli, the person confesses and provides details of how the witchcraft was perpetrated. Though admitting to being responsible for the illness at the shrine does not automatically mean that the accused will comply with providing the treatment for the sick person.

## **I Told Him that I Did not Have Any Medicine**

So, Abibat was declared the witch and therefore expected to provide the cure for the nephew's disorder. However, on their return to their community, Abibat refused to treat him. It is important to realize that going through the shrine process, one is expected to speak the truth and to accept the verdict. To not do so is to risk the wrath of the gods. Thus people make promises at the shrine under duress and then often change their minds later on and leave the shrine because they do not want the gods to kill them. The accuser narrates what happened when they return to the village:

Even when she got back to the village, the chief asked her and she said 'yes' that she was responsible. So the chief asked her to try and ensure that the boy recovered. The chief said, 'As for me I am not driving you away from the village but try and heal the boy'. Then she agreed to do that. But later on she said there was nothing that she could use to cure the boy. And for me, how can you give sickness to someone and cannot remove it? (Iddrissu, Adibo, March 6 2014).

From this quotation, the logic of their argument is that people who caused illness in this way should know how to provide the treatment. Thus to admit that one is responsible for an illness and then later to state that one did not know the cure is a non sequitur and therefore unacceptable within the Dagbani witchcraft complex. The chief tried to compel Abibat to treat the nephew and Abibat explains to me what happened:

The next day I went there with my son and the chief insisted that if the boy had got a cutlass or a gun he should use it on me. I told him that I did not have any medicine. I told him that, may be, he (the sick person) was suffering from madness and they were accusing me. (Abibat, Gnani, February 28 2014).

Abibat had gone to the chief to appeal the verdict from the shrine because she expected that chief would use the authority to protect her. She did not want to be compelled to produce the cure to the illness. The fact that, as stated by Abibat, the son had accompanied her to the chief's palace is an indication of a degree of family support, which enhances her standing and ability to contest accusation before the chief. At the chief's palace, Abibat deployed a different interpretation of the illness to contest the witchcraft-based claim. By proposing an alternative explanation of the disorder, the accused person ascribes the cause of the illness to the natural and to not the supernatural, to the impersonal and not personal forces (see Forster 1976, 776).

Accusers hope that, in cases of illness attributed to witchcraft, it is likely that a witch could also effect a remedy. The accusers are therefore motivated to persuade the 'witch' to take action;

they beg and plead with her to release the ‘bewitched’. In a situation where the accused refuses to produce the cure or is reluctant to remedy the situation, the witch could then be subjected to violence or intimidation to extract the cure. In this instance, despite the threat from the chief, the accused person stood her ground and insisted that she had no medicine with which to heal the sick boy. Abibat’s village chief is a retired soldier who lived for many years in Accra while serving in the army. He is literate and knows about the law of the state, the human rights programs and the traditions of the people. He became the chief after retiring from the military, and has been using his knowledge of state law and tradition, of Dagbani tim (medicine) and Silimi tim (medicine) in managing cases of witchcraft accusation and other affairs of his community. The chief explains his position regarding the reality of witchcraft:

I can’t say whether witchcraft is there or is not there, but to some extent it exists you know Satan is there, Allah has employed Satan. The Christians even call them demons or whatever. So based on this I can say that witchcraft exists. Even the Holy Quran at the last chapters that is 112 and 113 up to 114 talks about witchcraft. So if you are a Muslim and you are about to sleep and you recite these verses and no witch can attack you (Chief, Adibo, March 6 2014)

The issue of whether the Christian and Islamic religions endorse belief in witchcraft is disputed among the Dagomba. Some muslim informants disassociated themselves from such an unislamic notion and practice while christian informants claimed that belief in witchcraft was incompatible with their faith. However, there is a recognition across the religious divide of the potency of the sonya (a witch) and the reality and practice of sotali (witchcraft) particularly in situations when people are on the receiving end of some uncanny misfortune. The chief is a muslim and narrates how he handles cases of witchcraft accusation:

When they come to me I do not take decision on my own. I have my subjects with whom I deliberate issues and they will come out with their ideas before decision can be made. And with the parties involved I usually ask them whether they want to go to the fetish priest<sup>33</sup> or not. At the fetish’s place, it is believed that some concoction can be prepared to kill the sotim (witchcraft medicine) in the witch stomach. If the complainant says they should go to Gnani then we refer them to Gnani but of late, since human rights agency (CHRAJ) was established,

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<sup>33</sup> This chief like many English speaking Dagomba describes shrine priests as fetish priests. This expression that is rooted in the Islamic and Christian mission representation of ‘African religion’ connotes a belittling and a derogatory designation of the Tindana and the Bouiglana enterprise. However, Dagomba medicine men and women continue to wield enormous influence in the treatment of diseases and in the overall management of misfortune.

if the children of the accused person are educated, they would forward the case to the human rights agency. And when they get there the human rights agency will serve me a letter and send copies to the persons involved. So, the work of this human rights agency has prevented so many people from reporting the cases. But what happens is that they have been attacking some alleged witches without my knowledge (Chief, Adibo, March 6 2014)

Nonetheless, the chief thinks that sometimes the accusations are baseless and made by persons who do not understand the true cause of their sickness:

Normally when such cases come to my palace I drive them away by telling them that it has no proof. I don't just take it. Sometimes I dismiss such cases. Sometimes, it could be sickness like high fever. Even we had such an instance where a similar thing happened to my brother who is in Yendi. He accused a woman by saying that the woman was trying to kill him but later on, it was revealed that it was high fever. Even the man died four months ago (Chief, Adibo, March 6 2014).

However the chief believed Abibat's was a true case of illness that was caused by witchcraft.

So concerning this, I believe in it. Just like what the woman did to the boy is witchcraft. The woman made him mad at first and the madness has not fully gone. As at now the boy is in Kariga because the grandfather invited him to come for the cure. They believe that the grandfather has the cure to such attacks (Chief, Adibo, March 6 2014)

The chief has shown that the naturalistic and supernaturalistic beliefs and explanations of illness feature within the medical and religious complex and the people and managers of the Dagomba society use these perceptions and representations in making sense of illness. The accused person could not produce the cure for the sickness and she was banished, and Abibat tried to rally the family network against the allegation.

### **I Went to One of My Brothers' House**

The news of Abibat's accusation, conviction and confession at the Bouigli had spread to other members of the family and community. Her refusal to treat the sick boy made her own *sotali* (witchcraft) a very deadly strain of occult harm. Her accuser explains how the community members reacted to Abibat's refusal to produce a cure:

When she was found guilty and they told her to treat the boy and she refused, the people of the community said that people of her type were in Gnani<sup>34</sup>. Otherwise

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<sup>34</sup> Gnani is a village where one of the witch sanctuaries is located.

she should find a different place and settle. From this place, she went to Yendi to stay with her brother. That was not possible so she left there to a different house, which a rainstorm destroyed, and then relocated to Gnani (Idrissu, Adibo, March 6 2014).

In reaction to her banishment from the community, Abibat took her case to other family members<sup>35</sup> who were living in other communities. She recounts what happened:

When it happened I went to the house of one my brothers who works as a driver in a hospital and went to Mecca this year. He told me that I was a witch and that he would not allow a witch to stay with him. So I went to our family house where my father used to stay before he died. When I got there, I met my brother's son who said he would not allow me to stay in that house because he would not allow a witch to stay with him. So I went to our family house where my father used to stay before he died. When I got there, I met my brother's son who said he would not allow me to stay in that house because he could not cater for me. From that place I went to Kuga where my biological mother came from. I stayed there for a while and the women there also said they should not accommodate me because I was sent away by my brother (Abibat, Gnani, Friday February 28 2014).

The accused went to her family members to solicit for support and assistance with the hope that they would at least accommodate her. However, these family members issued a verdict the equivalent of *forum non conveniens* and refused to accommodate her because as a confirmed witch her presence evokes betrayal of trust and the dark side of kinship (see Geschiere 2013, ix). It is pertinent to point out that the accused person deployed two family actions in this process-before the shrine ritual and after the event. The family action, prior to the process at the shrine, yielded support and solidarity from members who accompanied her to the Bougli (shrine) but after the ritual procedure certified Abibat as an enemy within the gates who could not be trusted, the family support diminished. Even with the waning of family support, Abibat did not resign herself to the situation and she went ahead to challenge the witchcraft label at a sanctuaried shrine.

After failing to secure a safe place to stay within her family network, the accused then went to Gnani witch sanctuary and the Tindana performed the ritual sacrifice and she was exonerated. None of the accusers accompanied her to the Gnani shrine. Abibat narrates what happened at this sanctuaried shrine:

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<sup>35</sup> Family support is critical for accused persons particularly those whose domain of action is constrained by lack of education, age, marital status and financial means.

The people decided again and I was brought here for the sacrifice. As I am speaking, none of them has ever come to greet me. It is only my children who come once in a while to greet me. They brought me here and performed the sacrifice two times for me to die but I did not (Abibat Gnani Friday February 28 2014).

Given that she has earlier been found guilty at a non sanctuaried shrine, and other family members apart from her children declined to entertain her case. Her use of a sanctuaried shrine demonstrates a case of horizontal forum shopping because of the added advantage a sanctuaried shrine offers (see figure 2.1). The shrine would reveal the truth about the accusation, cleanse her if she is found guilty and accommodate her if she could not return to her cultural home. The action of taking the case to the shrine crystallizes a combination of beliefs, that she is innocent and would be vindicated and wishes to be exonerated and not made responsible for the treatment that are embedded with advantages. However the cumulative advantages such as family support and exoneration at the shrine were not sufficient to overturn the witchcraft label.

The no-guilty verdict from the shrine process does not automatically translate into voiding the accusation because the verdict, although it is of some value to the accused has to be accepted. In this case, the accusers did not accompany her to the sanctuaried shrine. Shrines do not have the means of policing their verdict and to ensure they come into full effect. The outcome of the shrine process has to be accepted by the accusers and such acceptance is unlikely when accusers do not accompany the accused person to the shrine. Thus in the absence of accusers, as in this case, alleged witches who are even exonerated by the shrine still need to stay at the sanctuary for their own safety. It is important to note that even when the accused is confirmed as a witch this leads to a cleansing ritual that is administered by the shrine, which will normally be accepted by the accusers. However, since the accusers were not in attendance, the accused could still not return home.

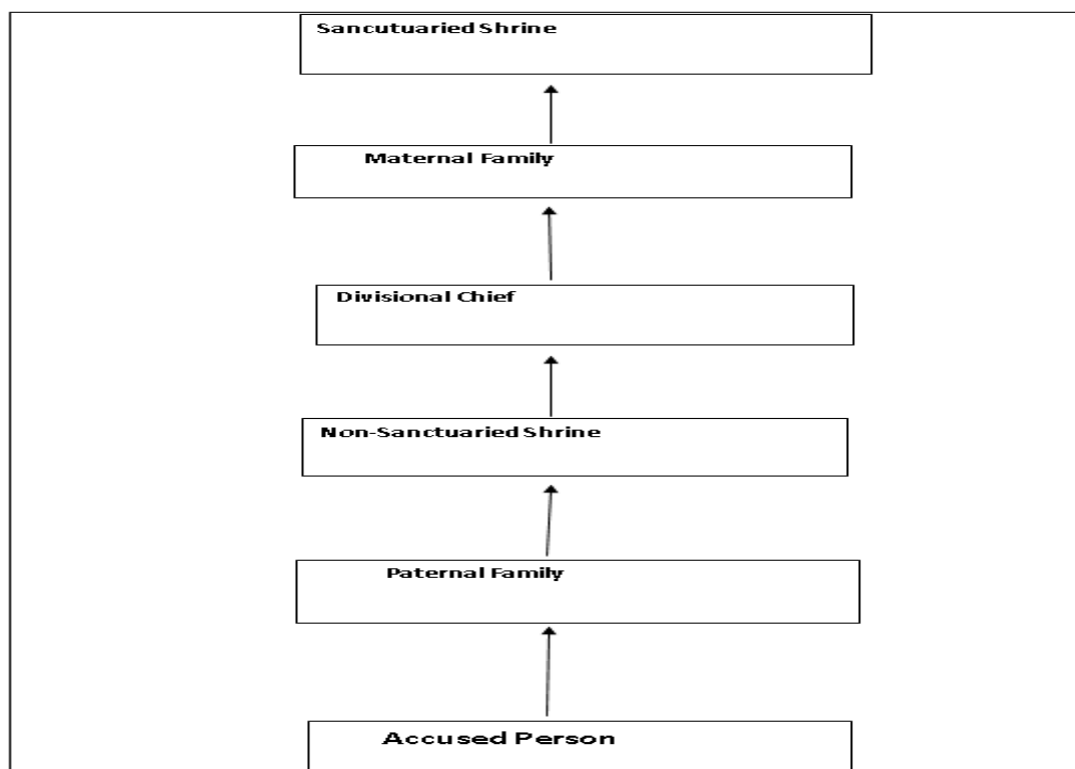


Figure 3.6 An unsuccessful use of family, chief and sanctuaried shrine forums: Abibat

### 3.5 The Case of Wahab

Wahab is a 70 year old man, and a Muslim from Kootingly which is a village near Tamale. He did not receive any formal education because his parents were poor and could not sponsor him. Wahab took to farming very early in life and was able to make enough money from his yearly harvests to cater for his two wives and 11 children. For this case, I interviewed the accused and the coordinator of AWACC who facilitated some of the actions, which the accused person took in response to the accusation. I also interviewed the regional commander of DOVVSU and a district court official. I also obtained a copy of the judgment issued at the end of the court process and a Writ of Summons. What is most unusual about this case is that the accused person is a male and the accusation started as a case of illness that was attributed to witchcraft. Wahab explains to me his status in his community:

Before I had this problem, I was someone who could solve others people's problems in the community. I was one of the village elders who advise the chief. The people consulted me as to how to go about their issues. I was a prominent member of the community. I was a farmer and could farm very well, if not for all this trouble. I could get thirty to forty bags of food a year. But for two years now I have been unable to farm, let alone collect the harvest. The accusation alone has

tarnished my image. Now my kids cannot go to school because of financial problems. I used to choose the food I like and what to eat, but now all is no more (Wahab, Tamale, February 20 2014).

The accused person has thus highlighted how the accusation of witchcraft changed his status from a person in a strong social and cultural position to a person with weak and peripheral status. These needs, challenges and deprivations capture what these accusations meant to Wahab, the impact on his life and his family and what the benefits and advantages are in seeking to overturn the label of witchcraft. Since he was accused and banished, Wahab has been living in down town Tamale in a three room apartment which he rented after he fled the community. The cost of living in a rented apartment put additional pressure on his already limited ability to cater for himself and support his family. The accused has been trying to get state and non-state agencies to facilitate his safe return to the village. His trouble began when the chief of his community fell seriously ill. As a member of the royal family, Wahab was one of those who had been expected to succeed the chief in the event of his death. Among the Dagomba, chieftaincy is a delicate issue and very often disputes and conflicts arise over succession (see MacGaffey 2006, 79; Mahama 2009b, 12). Wahab explains his close relationship with the chief and how he made way for the chief to ascend to the throne:

I was very close to him. I was one of the village elders. I was supposed to be enskinned but because of how close we were and how old he was, I made way for him to become the chief. In our community, the chieftaincy rotates. (Wahab, Tamale, February 20 2014).

Rotational chieftancy entails that when a chief dies, one of the people in the line of succession within the royal family becomes the next chief. As is the case here, the succession process breeds tension within the royal family particularly when there are many people who are interested in becoming the chief, or there are more than one family interested in producing the next chief. The tension sometimes boils over and leads to accusations of witchcraft when the incumbent dies. Often the suspicion is that those who plan to succeed the chief are trying to kill him. In the case of Wahab, the children of the chief suspected that Wahab had a hand in the sickness of their father because of his supposed ambition to become the next chief of the village.

Unfortunately the health situation of the chief worsened and one evening, a son of the chief with some other youths from the community confronted Wahab in his compound alleging that Wahab was the one who caused the sickness:

I was lying outside and they came and said that their father was sick and if he died today, I would die with him. Then suddenly I got up and went and sat on the chair, I then asked them the meaning of what they were saying. But they left in anger without saying anything more to me. The reason why I was lying outside was to rest, but now I could no longer do so. So, I stood up and took the chair inside (Wahab, Tamale, February 20 2014).

Such threats are often made to convey to alleged witches an understanding that their occult schemes have been discovered and are now in the open and they should discontinue the process of occult harm or face the consequences. Following this threat, Wahab went and lodged a complaint with the relative of one of the youths living in a neighbouring village:

One of the youths who came to me has their eldest brother staying at Changli, I walked to him that night and told him how I was resting outside when his brother approached me with that story. He told me to return home, that he would come the following morning to find out about their behavior towards me. He said ‘My brothers can't do that’ (Wahab, Tamale, February 20 2014).

The accused person took the complaint to the ‘eldest brother’ of one of the accusers because ‘eldest brothers’ are usually the head of the family (Yili-yidana). He hoped that the family head (Yili-yidana) would use his position in the family to neutralize the accusation and ensure that the accuser and his allies would not carry out the threat in the event that the chief died. This family approach is cost effective because the process does not require petitioning any special body or contracting a professional to intervene. The accused person knew the eldest brother and as a head of family himself and a respected elder in the community, the family avenue was a forum of choice. In addition, the eldest brother of the accuser knew quite well some of the persons involved in the allegations and therefore was well-placed to make informed decisions on the allegation.

In this case, Wahab secured a favourable outcome because the family process led to an apology from the accusers. However, the situation took a different complexion after the health of the chief started to deteriorate and the accusers continued to insist that Wahab was responsible for the sickness. One evening, the son of Wahab informed him that some youths were planning to attack them in the night and as a result of this threat Wahab and his other family members could not sleep. The youths came but could not break into the compound. The following day, Wahab went and reported the incident to the paramount chief of Tamale (Gulkpenaa) rather than the village chief whose state of health was the problem. Wahab recounts what happened at the palace of the paramount chief:

Early in the morning I went back to their eldest brother and narrated the story. So, he said he would report it to the chief [Gulkpenaa], but I insisted we go together to report it. The chief asked me not to return home because my life was at risk. Gulkpenaa sent for them but when they came, they refused to agree to what the chief said. That is the reason why I am here [in Tamale]. The chief invited them several times to his palace but they refused to come. Then the chief advised me to report it to the police station because they had disrespected him (Wahab, Tamale, February 20 2014).

Following the failure of the family network to prevail over the accusers and to stop the allegation, the accused person took the matter to the paramount chief. The accused reported the matter to the paramount chief so that he could use his powers to compel the accusers to abandon the accusation. However he was unable to do so. It must be noted that the outcome of the family process was not completely unfavourable because the ‘eldest brother’ of one of the accusers who is also a family head (Yili-yidana) accompanied Wahab and supported his appeal to the chief. Unlike the case Neda, in this case Wahab did not take the sick person to hospital although he told me that he facilitated the medical treatment by providing the family of the chief with the means of transport, a moto bike, which they used to convey him to TTH for treatment. Kootingly is one of the suburbs of Tamale.

As there are no good access roads, motorbikes are the principal means of getting into town. Moto bike is the main means of transport for many people. So when there are emergency health situations, as in this case, people use a moto bike to convey the sick person to the hospital for immediate medical attention. Not long after the chief died, Wahab, the accused person, fled the community and relocated to Tamale. In this case, the youths sacked the accused person not any family or clan head, not the chief of the village because in the case the chief has died. In Dagomba villages, the youth groups are very influential in the accusation process. The accused denied responsibility for the illness and eventual death of the chief and had wanted to prove his innocence but he found out after the death of the chief that he was not safe; the paramount chief of Tamale had advised him not to go back to the community for his own safety. Witch sanctuary is one of the destinations of accused persons who are banished or who flee their community to avoid being killed. The accused person decides based on his or her resources where to relocate and reside.

When an accused person flees his community, the accusers are appeased even if the accused person relocates to a nearby village. Though, in this case, fleeing into exile is a measure to secure a safe space and to position oneself to challenge the accusation and to contest the

banishment from the community. It is intended to be a temporary, not a permanent measure by the accused. Tamale metropolis is convenient for accused people because that is where the offices of state institutions such as the police, CHRAJ, media outlets, and the CSOs are located. To reside there makes it easier for accused persons to access these places. It is important for accused persons to combine forums and rally resources from the different establishments in challenging accusation of witchcraft. This facility is not readily available to accused persons who are living in rural communities or who lack the resources to relocate to Tamale metropolis following accusations.

### **Petitioned the Police**

Thus on relocating to Tamale Metropolis, the accused person heard about the activities of AWACC and approached the organisation for help in challenging the allegation against him and his banishment. As in the cases of Neda and Hilda, Wahab had no formal education. Thus after the palace action failed to resolve the case, he needed assistance to effectively access the state institutions. As in the cases of Neda and Hilda, AWACC supported the accused person sent a petition to the police and then CHRAJ.

As in this case, civil society support does not guarantee successful overturning of the witchcraft label. However some advantage accrues from using the mechanism because it helps accused persons to organize in a formal manner the presentation of their case. AWACC and Actionaid are state oriented civil society organisations that support accused persons who are disputing allegations of witchcraft. Though they are state oriented and working together with the police, courts and central state actors, these CSOs still cooperate with ‘traditional’ actors such as chiefs and shrine priests in the nullification of accusations and in the protection of alleged witches.

However other community interest organisations exist such as the youths and the elders are sometimes pitched against the state oriented CSOs particularly when they are in support of accusation and banishment of alleged witches. Wahab reported the matter at the police station in Tamale and the police invited the accusers to the station. In response to police invitation, the accusers came with an elder from their community who said the chief of Tamale, Gulkpenaa, had told them to withdraw the matter. However, it later became clear that this was not the case;

that the chief did not ask to have the matter withdrawn<sup>36</sup>. With the assistance from AWACC Wahab pursued his quest for justice by filing a civil suit.

### **An Order Directed at Defendants to Prove or Retract the Accusation.**

The court process started with a Writ of Summons, which includes the claims against the defendants jointly and severally:

“1. An order directed at defendants to rescind their decision and to recall plaintiff, after plaintiff was being banished from his village by defendants with the accusation that plaintiff was behind the ailment and death of the late village chief. 2. An order directed at defendants to prove or retract the accusation they made that he was the brain behind the ailment and death of the late village chief through the local FM stations in Tamale and at the Chief’s palace. 3. A compensation of GH5,000 for defamation of character. 4. Cost (See Appendix 3).

Wahab sought a court injunction to compel the accusers to withdraw their accusations. When the case came up for hearing, the defendants pleaded not liable to the claim and the trial of the matter proceeded. On February 15, 2014, the court issued a judgment in accordance with Section 72 of the Courts ACT, ACT 459 as amended by 620. This section provides for the promotion of reconciliation in civil cases. It states:

(1) Any court with civil jurisdiction and its officers shall promote reconciliation, encourage and facilitate the settlement of disputes in an amicable manner between and among persons over whom the court has jurisdiction. (2) When a civil suit or proceeding is pending, any court with jurisdiction in that suit may promote reconciliation among the parties, and encourage and facilitate the amicable settlement of the suit or proceeding (Appendix 4).

The reconciliation clause means formal proceeding are sometimes discontinued and then follows an attempt to resolve the issue through mediation by court officials or by chiefs. The mediation option makes it possible for defendants to avoid being penalized by the courts. On this occasion, the accused person and the accusers took the reconciliation approach and the court accepted the amicable resolution of the matter on the following terms:

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36 When accused persons report a matter to the police or to the state human rights agency, the accusers lobby and get the elders and chiefs to withdraw the matter so that it could be resolved within the community. But in this case, there was nothing like that, the case of withdrawal was a ploy to frustrate police investigation of the matter.

After lengthy discussions, much education and deliberation all parties agreed they have to live in peace to avoid any confusion, anarchy and chaos in the community. That the Defendants in particular have agreed to the Court's direction that they have no such powers to banish the plaintiff, a Ghanaian from the Community. That the accusation of (sic) the plaintiff that he caused the death and sickness of late village chief is far-fetched since it cannot be substantiated. Therefore to banish anyone from any community and accuse one of killing somebody spiritually is baseless since the law has no respect for spiritual matters. That henceforth, all parties have learnt that no one has the power to banish anyone from any community (see Appendix 4).

The accused person used the court process to exonerate himself from the allegation and the ascribed responsibility for the illness and death of the chief. Specifically, the court rejected the idea of killing somebody spiritually and the use of the idiom of witchcraft to define instances of misfortune because spiritual processes are not recognized under the law. In addition, the court voided the banishment of the accused and the assumed power of anyone to expel a person for witchcraft. Though, the court ruled in favour of the accused, it asked the accused person to wait until after the funeral of the chief before he could return to the community<sup>37</sup>. The court judgement states:

That the entire community and the youth especially should be educated on this. That the Defendants have pledged to be peaceful and therefore respect the rights and liberty of the Plaintiff to live peacefully in the community of Kootingly. That Plaintiff should exercise a little restraint and come back to the community to live his normal life after the funeral of the late chief. That the Plaintiff is to integrate freely with his family in the community. That Plaintiff should back down on claim 2 and 3 Plaintiff accepted that wholly without any reservation. Accordingly agreed by all parties (see Appendix 4).

The coordinator of AWACC informed me that the accusers had, while the case was going on in court, gone to the paramount chief, the Gulkpenaa and urged him to intervene and it was through the intervention that the accused person was able to 'back down on claim 2 and 3'. However, before taking this court action, the accused person reported the matter to the state human rights institution, CHRAJ.

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<sup>37</sup> Funerals are ceremonies which bereaved people use to grieve for their loved ones who died. The ceremonies are often characterized by expressions of pain and anger by those who are mourning because they feature divinations that reveal the identity of the person(s) responsible for the death. The court asked the accused person to wait till after the funeral of chief because by that time the mourning period is over and the bereaved must have come to terms with the death.

## **Lodged a Complaint with CHRAJ**

The coordinator of AWACC recounts how the group helped Wahab to petition the state human rights institution:

We further went to CHRAJ and lodged a complaint and 2 to 3 weeks later we realized there was no response. So, after consulting other members of the coalition, we went to court and instituted civil legal action against the six perpetrators and further secured the services of a lawyer named Musa to defend him (AWACC, Tamale, February 2 2014).

With the assistance of AWACC, the accused person had gone to CHRAJ because the institution has the mandate under the law to exonerate accused persons by quashing the banishment. The agency can achieve this through direct persuasion or through a court process. However, it takes time for CHRAJ to process and act on the petition. According to my informants, the delay is often due to some procedural issues. First the petition is sent to the CHRAJ officer who is in charge of the district where the petition originated so that the officer could intervene in the matter. The officer invites the parties who are involved in the case and tries to resolve it. However, very often the accusers do not honour such invitations. After attempts to resolve the matter at the district level fail, the officer reports back to the CHRAJ office in Tamale, which may decide to institute a court action against the accusers.

This process sometimes takes too long and the complainant (the accused person) has to seek other avenues to address the issue. Accused persons are often anxious to secure a favourable outcome that could nullify the accusation and their banishment from the community. To this end, they take some ad hoc measures to cater for their basic needs including shelter in anticipation of their eventual return to their cultural homes. It follows therefore that time is of the essence in processing petitions against witchcraft accusations.

In this particular case, while the matter was pending in court, CHRAJ was about to act on the petition that was sent to the agency. However they realized that the accused person had filed an action in court. So, CHRAJ decided to discontinue their investigation:

The Commission went into the matter by conducting preliminary investigations on the complaint which revealed that it had enough basis to investigate the complaint. At the time that the Commission was about inviting the parties to look into the matter. You informed us on 23<sup>rd</sup> July, 2013 that you have sent the same matter to the law court which has already invited the parties for hearing. In view of this development the Commission has decided to cease investigations into the

matter pursuant to Section 8(2)(a) of the Commission on Human Rights and Administrative Justice Act (1993, Act 456) which among other provisions states: 8(2) The Commission shall not investigate (a) A matter which is pending before a court or Judicial Tribunal (See Appendix 4).

Accused persons have the option of using the CHRAJ forum to process the case or file a civil court action for defamation of character against the accusers. In this case, the accused used a civil court process to overrule the allegation because he believed a civil court action could achieve the goal of invalidating the accusation and banishment. It is important to note that the assistance of AWACC was critical in the accused person's combined use of the forums to overturn the witchcraft label because the organization helped the accused person in accessing other forums to appeal the witchcraft judgment. According to my informants, after the funeral of the late chief, a new chief, not Wahab, was enskinned for Kootingly. Wahab returned to his village along with his family members. Prior to his return, Wahab contacted the paramount chief of Tamale, Gulkpenaa, who liased with the new chief of Kootingly to ensure his safe return to the community.

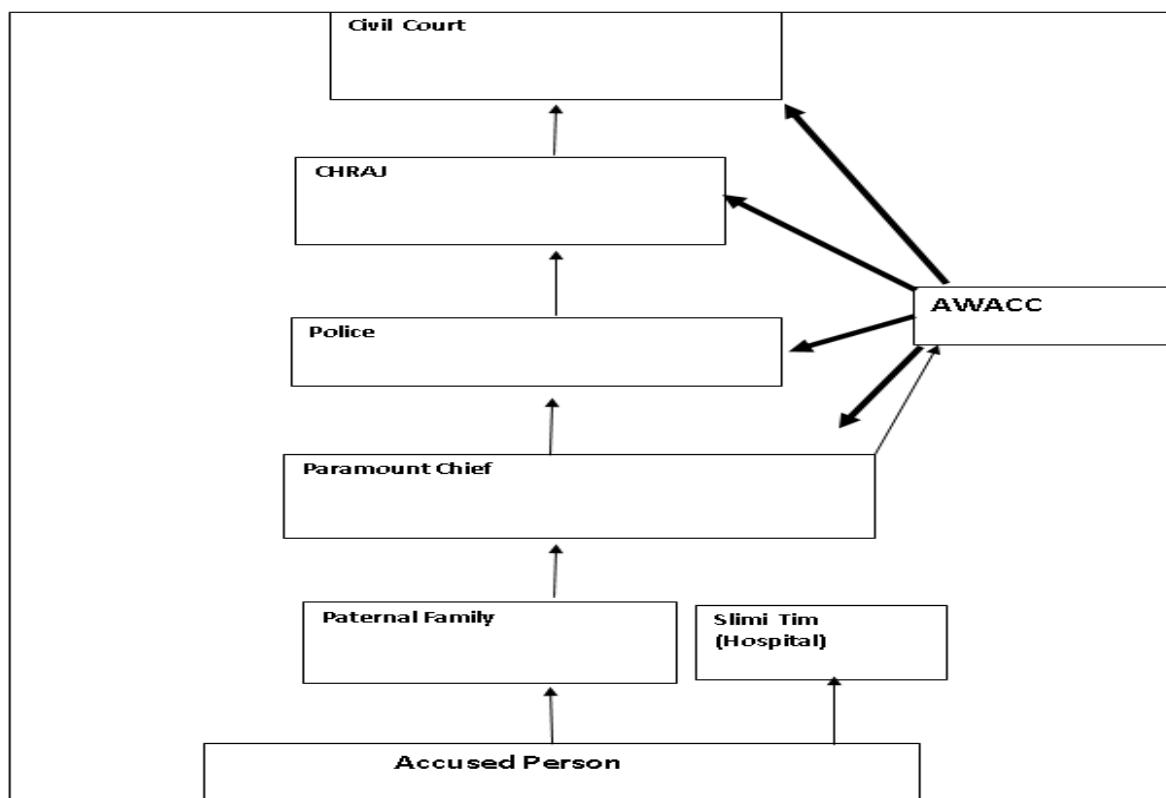


Figure 3.7 An illustration of a successful use of a civil court: Wahab.

### **3.6 Discussion**

It can be clearly seen in the preceding cases that persons accused of witchcraft recognized the need to respond to allegations of having caused misfortune and thereby accepted a responsibility for remedying the situation. The process of accusation relied on a cultural consensus in respect of defining the phenomenon experienced. In the event of misfortune where the cause was determined as unnatural, it was defined as caused by witchcraft or other supernatural forces. We had seen that accusers engage in a variety of processes to enforce the remediable witchcraft label (see figures 3.4, 3.5, 3.6 and 3.7). Within the paradigm of witchcraft accusation, the response options were limited to the following-family, medical, chief, state and CSO institutions. By carefully selecting the appropriate options as listed above the accused robustly challenged the witchcraft label. Embedded in these processes were the responses of accused persons to the representations, definitions of the remediable misfortune and the enforcement process of the witchcraft label. It would be argued that the choices made by accused persons in contesting witchcraft allegation could be captured at two levels – at the level of definition and at the level of enforcement.

#### **3.6.1 Witchcraft Behaviour and Sickness**

One of the characteristics of the accusation process was the acceptance or rejection by the accused that misfortune had been caused by witchcraft. What made an instance of remediable misfortune, such as illness, attributable to witchcraft was a question of definition. In the accusation process, the accuser's definition of misfortune was presented to the accused who responded by accepting or rejecting the designation. Accusers and the accused were engaged in a contest to determine whose definition won out. As Forster (1976, 776) noted, accusations were informed by definitions of illness based on supernatural personalistic medical formations. However, accused persons responded by rejecting such designations and arguing that the illness was based within the impersonal medical system. In the case of Abibat, the accused proffered a naturalistic explanation of the illness by attributing it to a psychiatric disorder. Whereas in the cases of Neda and Wahab, such impersonal medical interpretations of illness were implied in the facilitation by the accused of the hospital medical intervention.

However, definitions and counter definitions of the causes of misfortune were insufficient to resolve matters in a witchcraft accusation process because beyond designating some misfortune as personalistic or impersonalistic, both the accusers and the accused were motivated to enforce their interpretations and explanations.

### **3.6.2 Shopping for Remediation of Misfortune**

As highlighted in the cases of Neda and Wahab, accused persons took measures to remedy the misfortune ascribed to witchcraft in the attempt to overturn the label. They used medical forums to try and eliminate the misfortune believing the accusations would thereby be nullified and they would be exonerated. In the bid to provide medical solutions to the illness that was attributed to witchcraft, accused persons embarked on horizontal forum shopping (see Algero 1999, 82) and they took the cases to medical centers where they expected the best outcome, that is, they expected the sick person to recover. As the diagrams (see figures 3.4, 3.6 and 3.7) had shown, accused persons used different medical forums, the silimi tim and shrine medicinal complexes, in furtherance of these remedial measures. The accusation process provided an arena for the deployment of medical procedures intended to cure the misfortune and to thereby challenge successfully the ascribed causal responsibility. Whilst, it had been argued that accusers mobilized culturally embedded witchcraft narratives to “make sense of, and respond to illness within more familiar cognitive and epistemological frameworks of understanding” (Thomas 2007, 4), accused persons also mobilize other cultural embedments, cognitive frameworks and epistemologies to counteract accusations. In addition, although Bierlich (2000: 704, 711) rightfully observed, that different medicinal formations existed and were operational among the Dagomba and certain illnesses were attributed to witchcraft, such attributions apply in situations where the alleged witches accepted such designations and refused to challenge and contest them. It is noteworthy that the remedial measures did not always yield favourable outcomes and even when the outcome of such measures were favourable, the advantage that accrued from getting rid of the misfortune, did not necessarily constitute a critical mass benefit that could overturn the allegation. Thus accused persons were compelled to adopt additional measures to erase the imputed guilt.

### **3.6.3 Accusation and the Question of Justice**

As highlighted in the cases studied, the medical approach even when successful was insufficient to address the accused’s sense of injustice. Scholars noted the gap in the prevailing justice system arguing that the manifestations of witchcraft accusation in several African countries were attributable to the inability of the ‘western’ oriented state institutions to address and satiate the ‘African sense of justice’ (see Hund 2000, 366f; Ashforth 2005, 11). However, the ‘African sense of justice’ here applied mainly to the accusers not to the accused. The legitimate grievances of accused persons when faced with witchcraft accusation also needed to be

addressed. In order to achieve this, accused persons had a number of options and opportunities open to them. As all the diagrams (see figures 3.4, 3.5, 3.6 and 3.7) had shown, the accused persons used and combined family, shrine, palace, police, court, media and human rights forums in this quest for justice. As in the cases discussed, the quest for justice by the accused person was fraught with difficulties because the deployment of the state justice system did not automatically yield an advantageous outcome. In fact, sometimes justice was achieved by using the non-state forums or by combining state and non-state forums. For instance, in the case of Neda, the police action proved ineffective and an approach to the palace was used to resolve the matter. In the case of Hilda, the court action led to the intervention of the chief who amicably settled the matter whereas in the case of Abibat, a sanctuaried shrine action was taken when the first non sanctuaried shrine action yielded a guilty verdict.

For Wahab, the civil court action ended with a judgement that rescinded his banishment and overturned the accusation of causing illness and death. It has been noted that police found themselves in a social and legislative dilemma when dealing with allegations of witchcraft because of the conflict of witchcraft belief with national legislation (see Pelgrim 2003, 4). However given their own belief about the allegation and their desire to be exonerated, accused persons engaged the police mechanism in contesting imputations of witchcraft, in furtherance of their demand for justice. A senior police officer explained the grounds for prosecuting cases of witchcraft accusation:

Witchcraft accusation always comes with issues bordering on crime that involve our law, we have offensive conducts. If you try to provoke somebody in a manner that the person engages you in a fight that will disturb the public - the peace of the public. If it is reported here, we call it offensive conduct. So we have to get you to show reason why you are taunting the person, calling the person names that will provoke<sup>38</sup> the person to pick a fight with you. Other cases also involve assault because some go to the extent of physically abusing the people. They use objects on them either whip them or hit them with other implements. When it comes here we file it as assault. If the assault is grievous and has caused bodily harm, the person can be charged for causing unlawful harm. Beyond that, some may even kill the one they are accusing. If it results into a death or homicide, the perpetrators can be held for a murder. In addition, others attack people's property. They damage the property. They set it ablaze and do all manner of things just to

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38 Section 207 of Ghana's Criminal Code outlaws 'Offensive conduct conducive to breaches of the peace' states that "Any person who in any public place or at any public meeting uses threatening, abusive or insulting words or behavior with intent to provoke a breach of the peace or where-by a breach of the peace is likely to be occasioned, shall be guilty of a misdemeanor"(see Criminal Code 1960, 91)

facilitate the people's expulsion from the community. So when it gets here, depending on the circumstances surrounding it, the appropriate offences will be attached to the cases and then investigated. If evidence is gathered we put the people before court on the particular offences they have committed (DOVVSU, Tamale, February 6 2014).

Often the police took action against an accuser on grounds of criminality; however, as this did not address the accusation of witchcraft the accused was left dissatisfied. The possibility of a criminal prosecution, which encompassed the witchcraft label, did exist. Sections 315 and 316 of Ghana's Criminal Code, which prohibited trial by ordeal, stipulated grounds that could make the witchcraft accusation process grounds for a criminal prosecution. The Sections stated:

The trial by ordeal of sasswood, eserepbean, or other poison, boiling oil, immersion in water, or exposure to the attacks of crocodile or other wild animals, or by any ordeal which is likely to result in the death of or bodily injury to any party to the proceeding is unlawful. Any person who directs or controls or presides at any trial by ordeal which is unlawful shall be guilty of second degree felony.<sup>316</sup> Any person who – (a) is present at or takes part in any trial by ordeal which is unlawful; (b) makes, sells, or assists or takes part in making or selling, or has in his possession for sale or use, any poison or thing which is intended to be used for the purpose of any trial by ordeal which is lawful, shall be guilty of misdemeanour (Ghana n.d., 120-121).

For the police, dealing with witchcraft accusations was fraught with challenges. One such challenge was the willingness of the complainant to pursue the issue. An accused person had to go to the police station to lodge a complaint before the police could launch an investigation. According to the police, a willing complainant was important to help in the investigation, particularly in identifying suspects. A police commander explained some other challenges, which police officers encountered when dealing with cases of witchcraft accusation:

We have cases where ehh accusers have escaped from the jurisdiction and we could not arrest them. So as long as they have not been arrested the cases are pending. There is one too that was sent to court and the court found it to be more civil in nature than criminal. So they advised the victim to take a civil suit” (DOVVSU, Tamale, February 6 2014).

According to my informants, another challenge was that police officers were sometimes hesitant to go into the communities to make arrests especially when the accusation involves a chief:

The police usually abandoned such complaints unless the accused person applied pressures by highlighting police inaction in the media. Though there might be grounds for criminal prosecution of accusers, to establish these grounds and mount a criminal prosecution was often a long and complicated process characterized by delays and inaction<sup>39</sup>. Accused persons had an option of seeking justice through a civil action by charging the accusers with defamation of character as in the cases of Hilda and Wahab. Alternatively accused person could adopt a human rights approach.

### **3.6.4 Human Rights and Witchcraft Accusation**

Another point of interest in the reaction of accused persons was the infringement of the human rights. Scholars had argued that the witchcraft accusation process was characterized by violations of human rights because accused persons were subjected to torture, abuse and banishment (Ter Haar 2007a, 18f; Van Beek 2007, 294). As the case of Wahab exemplified, accused persons could react to accusations by deploying state and non-state human rights mechanisms against the allegations. However the human rights approach was fraught with challenges that sometimes limited the chances of success of the accused persons. It is important to note that the 1992 Constitution of Ghana provided for the protection of ‘Fundamental Human Rights and Freedoms’ of persons in Ghana which included the protection of their right to life, of personal liberty and respect for human dignity and within the section on respect for human dignity, it prohibited torture, cruel, inhuman and degrading treatment (Republic of Ghana 1992, 12ff). In a further demonstration of commitment to human rights in Ghana, the government established CHRAJ in 1993, which had the mandate to investigate complaints of human rights violations. Persons who were accused of witchcraft lodged complaints with this human rights agency. They petitioned this organization to facilitate the protection of their human right to live where they wished to live and to do so safely.

The agency started with a mediation approach and if that failed, it would take court action. In the mediation approach, the agency invited the accusers to discuss the matter and explains to them that the threat of banishment was against the law of Ghana, and that they must abandon this threat. However in situations where the accusers did not honour the invitation to participate or the mediation failed to persuade them to respect the human rights of the accused persons, CHRAJ instituted court action to enforce the human rights of the accused persons. However,

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39 Accused persons often abandon the case or explore other options of nullifying the accusation and accessing justice.

CHRAJ officials, just as with their counterparts in the police and in the court establishment, came under pressure from the chiefs whenever accused person lodged complaints against their accusers. A CHRAJ officer explained:

When people report cases to us, there is always pressure from the community and that usually makes people withdraw their cases. Most times there are interventions from traditional authorities whenever these cases come up and you know our people are very fast at sending the cases (to shrines) especially when it has to do with this witchcraft issue, it is a very complex thing and people attach much spirituality to it (CHRAJ, Tamale, February 12 2014).

Traditional authorities, such as the chiefs predated CHRAJ and other state institutions and approaching them used to be the procedure for negotiating accusations of witchcraft. However since the establishment of CHRAJ, the situation had changed because this agency served as an additional mechanism for accused persons. The complex thing in the affairs of CHRAJ was that traditional authorities such as chiefs and family heads (Yili-yidana) at the behest of accusers interfered in the business of the state human rights agency. Nonetheless, the accusation process provided an opportunity for these authorities to exercise their power; they intervened and pressured the state institutions such as the police or CHRAJ to discontinue the process and allowed them to settle the cases at the community level and in ways that were acceptable to the disputing parties. A CHRAJ officer further noted how the intervention of chiefs influence the processing of witchcraft accusation:

So some of them when they come with their cases, not long afterward withdraw them because they actually see that there is a need to resolve at those levels in order to ensure certain cohesiveness or whatever. But what I can say is that personally to my knowledge, there was only one case we have ever handled that has come up to this (High court) level. Most of the cases, once somebody brings the case, the following day the person follows up to tell you: 'Look I do not actually want the case to continue, we have found solution to it' and you have to discontinue your intervention (CHRAJ, Tamale, February 12 2014).

The case referred to in the above quotation was that of an elderly woman who was banished by the chief of her community after she was accused of causing the sickness and subsequent death of a female relative. The accused person fled the community and was living with a relative in Tamale. Her family members petitioned CHRAJ and when attempts to resolve the case through mediation failed, the agency took the matter to court. The court sought an injunction to rescind the banishment and to enforce the fundamental rights of the accused person. However, while the case was being processed in court, the chief sent a delegation to the family of the accused

person and urged them to bring her back to the community, and the woman returned to the community. Apart from using the state human rights forum, accused persons went to non-state human rights organisations because they provided support and facilitated the human rights based actions and measures which accused persons took in response to the allegations and abuses. These organisations provided accused persons with information on where and whom to send petitions. Contrary to the view of Crampton (2013, 209) that a values-based approach by civil society groups was more effective in resolving cases of witchcraft accusation, we had seen that state and non-state human rights mechanisms constituted effective critical resources for accused persons in challenging allegations of witchcraft. As noted by the CHRAJ official, chiefs were not only accusers and enforcers of the witchcraft label; they also intervened to resolve cases to the benefit of the accused. Alleged witches use the chiefly institutions in exerting power and in dispelling allegations of witchcraft.

### **3.6.5 Chiefs, Remediation and Attributions of Witchcraft**

Chiefs were not only the political heads, but also acted as health ministers of their communities. They used their powers and authority to protect members of their communities from sickness and diseases, and to procure remedies for maladies that afflict the people. The chiefs were also expected to use their authority to protect the members of their community from wrongful accusations. However as illustrated in the cases of Neda, Hilda, Abibat, and Wahab (see figures 3.4, 3.5, 3.6 and 3.7) the actions of chiefs often played out in a very complex and sometimes seemingly contradictory fashion. For instance, in the case of Neda, chiefs were involved in the making and unmaking of the accusation. A divisional chief was among the accusers, but the accused person used the forum of a higher chief, the Ya-Na, to overrule the imputation of occult harm. In the case of Hilda, the divisional chief forum yielded mixed outcomes because both the accusers and the accused used it to both enforce and contest the witchcraft label. However, the chief eventually intervened to void the allegation.

In the case of Wahab, the chief tried to protect the accused from false allegations of witchcraft but did not succeed due to lack of cooperation from the accusers. In fact the chief was instrumental in the accused person taking the case to the police forum. The institution of the chief and that of the police are not diametrically opposed to each other in these matter. Although, the chiefs sometimes found themselves in opposing camps regarding an accusation, particularly when they were among the accusers or the enforcers of the witchcraft label (as the divisional chief was in Neda's case). Chiefs also facilitated the use of the police forums by

accused persons challenging allegations of magical harm. However, despite its potential advantage, accused persons, if they or their family members were sufficiently educated might not choose to use the chief's forum to contest allegations of witchcraft.

### **3.6.6 Education, Forum Use and Non Use**

As we have seen in all the cases discussed, none of the accused persons had formal education<sup>40</sup> and, as noted in the case of Abibat, this could enhance the chances of accused persons contesting allegations of witchcraft. According to the chief of her village, accused persons, whose children were educated, usually responded by reporting the cases to the state human rights agency. Having said that, it is important to note that since colonial times, Northern Ghana had suffered educational disadvantages compared to the southern part of the country (see Thomas 1974, 427). Christian missionaries introduced the western style of education into the South as far back as 1765 (Berry 1995, 117). However, the missionary program was resisted in many parts of the then Northern Territories. The predominantly muslim population viewed the mission school system with suspicion and the disparity in perception and receptiveness contributed to the educational gap in post-independence Ghana. The government had tried to bridge this gap through provision of basic education programs, however the process was still fraught with challenges (see Akyeampong 2004, 44).

Educational disadvantage had affected how the people tackled local problems including witchcraft accusations. Particularly, it constrained the capacity of accused persons to use existing formal mechanisms to contest allegations of witchcraft. It is worth noting that some scholars have suggested that accusations of magic and witchcraft had been taking place despite the spread of education; that the schooling system had not led to a decrease or disappearance of beliefs and allegations of witchcraft among Africans (see Kohnert 1996, 1; Parrinder 1963, 128f). This suggestion reechoes the argument in the modernity of witchcraft debate that the introduction of modern goods has led to reinforcement instead of the weakening of witchcraft beliefs and accusations. However formal education was a valuable resource for accused persons and their families in resisting and contesting the application of the witchcraft label. It furnished them with the knowledge of friendly forums and jurisdictions where they could lodge

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<sup>40</sup> Formal education equips persons with knowledge of existing opportunities and how to utilize them to their own advantage. It strengthens sociocultural positions because it enables people to secure better paying jobs, skills and competences and the necessary financial means to challenge allegations. The CSOs are particularly useful for alleged witches who are unschooled because they help in fill out the information gap occasioned by their lack of education. They provide the accused information which they need to effectively contest allegations of witchcraft.

complaints and achieve advantageous outcomes, as well as awareness of a possible menu of actions, which could be taken to counter imputations of occult harm. However, education might be of little benefit to accused persons contesting ascriptions of causing illness or in responding to the concomitant requirement to produce a cure, particularly if they did not have access to the media.

### **3.6.7 Media Uptake and Response to Witchcraft Label**

The media was a further critical element in the reaction of accused persons to allegations of witchcraft. They used media outlets to enhance their chances of overturning the label by getting these channels to publicize their stories. Very often accused persons contacted the media when they lodged complaints with the police or any of the agencies and they seemed not to be taking action in the matter. The belief was that media publicity would get the institutions to expedite action on the complaints. Publicizing the stories of accused persons put pressure on other forums that were handling the cases because it swayed public opinion, elicited sympathy and evoked compassion for the accused. Particularly in the case of Neda, media publicity led to the intervention of a central state agent and made the police take the case to court. A media practitioner noted how the media featured in the process of accusation:

The accusers would not come to the media because the awareness has been created. So, they know they cannot simply accuse somebody of witchcraft and then banish the person from the community. They know it is against the law. That is what I suspect is the reason why they do not come to us. So they most of the time do not come because they feel when they do that they will be arrested. So they hide in the communities. People in the communities even warn the accusers not to go to the media or to the police else they would not come back to those communities. So, they do not come to us, because of the fear of being arrested or being victimized (Media, Tamale, February 2 2014).

Publicity influenced the accusation process if correspondents contacted the institutions that were directly involved in processing the cases. These inquiries often goaded the agencies into taking action on the matters that had been reported to them. Thus contrary to the suggestion in the modernity of witchcraft debate that the media institutions are bolstering allegations of witchcraft, media agencies are actually useful and resourceful in dispelling imputations of harmful magic.

However as in the case of Neda media usage required the guidance and expertise of CSOs to ensure their stories were properly packaged for media use. A synergy of the media and the

CSOs led to a more effective use of the forums because it enhanced the chances of getting the message effectively across to the public and scaled up the pressure on these institutions to take action or intervene.

### **3.6.8 Civil Society Utilization and Contestation of Ascribed Guilt**

In the communities, the interests and will of the people were often divided between those who were in support of the accusations and who demanded that the accused person be sanctioned and expelled and those who support the accused and oppose the allegations and banishment. Witchcraft accusation was often a contest between the will and interest of the accusing and the accused community. The cases of Neda, Hilda and Wahab had shown the significance of CSOs in the accusation process where they assisted the accused to file complaints. Accused persons particularly used the CSO forums to facilitate their access to formal institutions such as the police, the court or CHRAJ. The CSOs used or combined their expertise in litigation and reintegration<sup>41</sup> to enhance the chances of accused persons who were contesting allegations of witchcraft. As the case of Neda has shown, the accused person used the legal support from the CSO to enforce their human rights by contesting the allegation with the police and in the courts. However, following the unfavourable outcome, the accused person used the integrational services of the CSO to get the Ya-Na to intervene and resolve the case. In the cases of Hilda and Wahab, the accused persons deployed the litigational competencies of the CSO to contest the allegations.

It is important to point out that in these cases (Neda, Hilda and Wahab), where the accused persons used the CSO services, they were able to overturn the witchcraft label whereas in the case of Abibat where no CSO mechanism was used, the accused person was unable to nullify the accusation. Thus contrary to the suggestion that the values-based approach, rather than the human rights based services of CSOs, was more effective in addressing cases of witchcraft accusation in Ghana (see Crampton 2013:209), in fact accused persons utilized the two approaches: they deployed the values based approach if the human rights strategy proved ineffective, or they deployed the human rights based procedure if the values based technique

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41 The CSOs that are working to support alleged witches such as Actionaid, Songtaba and AWACC use more of their reintegration services in the contestation by accused persons of witchcraft accusations, because police and court actions often fuel tension in the communities so that very few accused person take litigational measures against the accusers. For instance, I noticed that during my field work that there were only three cases related to witchcraft accusation pending in the three courts I visited; one at the Circuit court in Yendi, another at the High Court in Tamale and one at the District Court in Tamale.

was unable to invalidate the allegation. Accessing CSOs and other ‘modern facilities’ may be hampered if the accused persons were living in rural areas.

### **3.6.9 Urbanness and Access to ‘Modern’ Forums**

Accused persons who were living in urban areas could easily use the Silimi (biomedicine), CSO, media and state services because these were the places where their offices were mainly located. To live in an urban area such as Tamale provided the accused access to more medical opportunities. For instance, the Dagbani, Silimi and Mallam *tim* centers existed in urban areas and provided an array of healing options which persons suffering from various ailments used to address their health needs. Particularly, as Twumasi (1979, 352) suggested, the (biomedicinal) services in Ghana were ‘urban-oriented’ because the growing urban population had led to the establishment of hospitals and clinics with their availability of scientific ‘medical personnel’ and ‘support services and facilities’. These were lacking in the rural areas. The Dagomba who lived in rural areas therefore did not have many medical options. In the rural areas, Dagbani *tim* was the main medical orientation. In addition, accused persons living in urban communities could conveniently access media and state resources to challenge and void ascribed responsibility for causing and curing illness. Findings by Meyer (1995, 237f) suggested that in Ghana’s urban capital Accra, production of witchcraft stories proliferates and preachings in pentecostal churches were suffused with phantasies of evil and the devil. However from the cases examined, urban settlements were also places where there were modern structures and mechanisms such as the police and courts, which accused persons used to dispel and neutralize imputations of occult harm, and which could be conveniently accessed.

### **3.7 Conclusion**

This chapter discussed the different family, shrines, chiefs, religious/medical, state, CSO forums and how accused persons used these opportunities in response to remediable witchcraft imputations. While accusers imputed witchcraft in order to procure remedy or cure from the accused and used chiefly and shrine structures to enforce their positions, this chapter highlighted that accused persons were not passive in the face of such attributions. In the quest to exonerate themselves, the accused contested personalistic definitions of misfortunes and challenged the ascriptions at witchcraft-recognizing venues such as family, chiefs and shrines. Even in situations where they were indicted at these venues, the accused in pursuant of the belief that they were innocent or their desire to be vindicated sought out other personalistic venues to appeal the verdict.

In addition, accused persons exercised their agency by advancing impersonalistic representations of misfortunes and using impersonalistic processing venues such as the biomedical centers to eliminate the misfortune. Alleged witches also used venues that do not recognize the reality of witchcraft such as the police, court and human rights centers. to quash ascribed remedial responsibility for occult harm. While the existing modernity of witchcraft debate suggested that modernization had led to the reinforcement of witchcraft beliefs, this chapter has shown that modern formations and institutions were useful and resourceful in challenging allegations of remediable witchcraft.

However, absence of remediation did not foreclose the making of witchcraft accusation and the active participation of the accused. In situations where misfortunes were irreparable, accusations of witchcraft were made to identify and eliminate the human causal agent. How the accused reacted under such circumstances will be the focus of the next chapter.

# Chapter Four: Imputations of Irremediable Witchcraft

## 4.1 Introduction

In the previous chapter, we discussed cases of remediable misfortune that are attributed to witchcraft and the variety of ways in which accused persons respond to such imputations. Accusations of witchcraft are also made on occasions of irremediable damage, for instance in the case of *kpibu* (death). Other instances irreparable damages include loss of job, electoral defeat, crop failure, the collapse of building, flooding, accidents or any other case of irreversible harm. The lack of a remedy to misfortune changes the interaction between the accuser, the accused and other social actors especially in the way accused persons respond to the allegation. This chapter highlights cases that illustrate how accused persons react on such occasions. These cases were selected because they are data rich instances of reactions to witchcraft accusations.

## 4.2 The Case of Ayishetu

Ayishetu is 70 years old. She is a muslim and a widow. Ayishetu never had any formal education. I chose her case because it demonstrates that accused persons can react to allegations of witchcraft by making counteraccusations of witchcraft and use non state mechanisms such as shrines to overturn the witchcraft label. Here, I interviewed the accuser<sup>42</sup> and the accused<sup>43</sup>, and had interviews with the sub chief and an official at the palace of the Ya-Na. This case has to do with the two late sons of Ayishetu. People in the Dagomba community value highly their male children because the society is patrilineal and male children are needed for the continuity of family lineage. A situation where the only two sons of a woman die within one year of each could make people, including the mother of the children, begin to ask questions and to suspect that some hideous forces might be at work (see Gluckman 1956, 84). Ayishetu's travails started after the death of her husband. Her sons invited her to come and live with them at the new apartment which they had started constructing shortly after their father died, but they were unable to complete it before they had both died. Ayishetu was sitting under the shade inside her compound the day I met her. One of the sons owned a store at Yendi market and had been successful in overseeing the father's cattle business. His death angered many in the community because they saw him as promising and enterprising individual. Shortly after his death, Hassan, who had lived with the family of Ayishetu since childhood, started spreading the rumor that she

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<sup>42</sup> Interview with Ayishetu, Yendi, March 2 2014. Language: Dagbani. Translator: Alhassan Baako Yakubu

<sup>43</sup> Interview with Ayishetu, Yendi, March 2 2014. Language: Dagbani. Translator: Alhassan Baako Yakubu

was behind the deaths of her children. Ayishetu noted how this rumor affected her: 'I could not sit in front of my own house. If anybody was passing by, the fellow says 'Look, she killed her sons' (Ayishetu, Yendi, March 2 2014). The finger pointing continued even in the mosque:

Even during the Edul-Adha (Festival of the Sacrifice) I went to the mosque and people were pointing at me and saying that this woman had given birth to handsome children and killed both of them. So, that was the main reason why I went to report the case at the chief's palace. My other daughters came to me and were hiding things from me. So I asked them why they were behaving that way and they said that whenever people saw them outside, they called them the witch's daughters. I could not leave it like that when I heard all this. Even in this particular house, I had my grandchildren and whenever they sat outside at that time the people used to say: 'Look! Look at them, witch's grandchildren' and they would shout and tell them to go inside (Ayishetu, Yendi, March 2 2014).

Accusations affect accused persons directly and their relatives indirectly. Suspicion of witchcraft shapes the way the alleged witch is treated within the family and also at the mosques. It also affects the way the children are treated. Accused persons want to exonerate themselves from accusations. This is not only to erase the stain on their own character, but also to remove the stigma which inevitably falls on other family members such as the children.

When a person is accused of causing the illness of somebody by witchcraft, often it is a person who suffers the misfortune that makes the accusation. In the case when the person dies, it is others who make the accusation and in so doing they leave themselves open to counter accusation. For without the presence of the deceased, counteraccusation is a defense option because the sufferer of the witchcraft who usually identifies the witch is absent. When a person dies in circumstances which cause relatives or friends to suspect witchcraft, the person whom they accuse may also have their suspicions, one of which is that the person or persons accusing them might themselves be guilty and trying to shift blame. This dramatic scenario gives rise to accusations and counter accusations. Clearly the accused may just counter accuse as a ploy or as in this case believing their accusation to be well founded.

### **Why Didn't You Tell Nakohagu Fong people?**

Ayishetu and her sons had had a tensed relationship with Hassan particularly since the death of her husband. Hassan was a cousin to the husband of Ayishetu and had lived with Ayishetu's family since he was a child. He was overseeing the husband's cattle business, but following the death of Ayishetu's husband, Hassan assumed the control of the family estate. Conflict arose in

relation to the control and management of the husband's cattle and wealth. The accuser, Hassan, recounted to me an exchange with the accused person:

“As I was about to leave them, the wife of the deceased called me and said that I had abandoned them because they had neither set eyes on me nor heard from me. In response, I said to her: ‘But I informed you people that I was traveling to Chereponi. I have been there for a number of days. Now that I have arrived, have you not seen me in your house?’ At this point, her mother-in-law interrupted and blamed her for starting such a conversation. According to her she was waiting to confront me and wondered why her daughter-in-law started a conversation with me. Then she continued ‘I know your purpose of traveling, you are seeking powers to kill me that is why you are roaming around’. Then I said, oh! Did I not inform you that I was travelling to Chereponi? Then she replied, ‘For how long do you have to stay at Chereponi? You went there to kill me but not for any business, and I want to tell you that it is not going to be possible for you, I mean you cannot kill me’ (Hassan, Yendi, March 3 2014).

The death of Ayishetu's husband made way for Hassan to gain control of the estate of Ayishetu's late husband particularly his cattle business. The struggle over the control of the estate strained Ayishetu's relationship with Hassan. According to Hassan, occasionally, he travelled in respect of the business, and from the above quotation, Ayishetu had been suspicious of Hassan's 'business' travels. She suspected that Hassan might want to get rid of her and the children in order to take over completely the late husband's estate. Hassan explains how he replied Ayishetu:

Then I told her that she had missed the point that if I had the intention of killing her, I could easily do so without anybody noticing it. ‘I could shoot you to death, stab you to death or even wait till everyone is asleep then I strangle you. I had the opportunity because I used to sit with you in the house until everyone was asleep. So why would I go around seeking to kill you? There is no problem, I now understand what you are up to, you rather want to kill me, but just as you said I cannot kill you, you cannot kill me too. If you were me, (*looking directly to my face*) would you visit the house again? So, I stopped visiting them (Hassan, Yendi, March 3 2014).

Apart from these heated exchange with the accused, Hassan had issues especially with the children of Ayishetu. The disagreement was over the management of his father's business and proceeds from the sale of cattle. Ayishetu recounts an encounter, which Hassan had with one of her sons:

They went and removed four cattle from the pen and sold them. My son asked Hassan that he should give him the money so that he could add some more and

use it to finish building the house. Then Hassan said: ‘Why are you asking me such a thing? You don’t respect me?’ He then said: ‘If you talked to me in that manner, I would throw you far away’. Now imagine if somebody should tell you this, how will you feel? So my son came home and told me that he had a problem with his Uncle who told him he would throw him far away but my son said if he threw him far away that Allah would accept him. Then I said to him; ‘Why didn’t you tell the Nakohagu Fong people instead just only telling me?’ Then he said that Hassan was just like his father to me. Surely, Allah would not allow him to throw him far away (Ayishetu, Yendi, March 2 2014).

Clearly the relationship between the accused and her accuser had been tensed. Both had lived in a situation of mutual fear and suspicion which can breed occult fear and anxieties (Marwick 1952, 215). The first son had died and now Ayishetu was informing me the circumstances leading up to the death the second son:

When my second went back to Accra, after a month he too became sick. His friends in Accra spent a lot of money taking care of him and trying to treat the sickness. When the doctors could do no more for him they finally brought him home. However, there was a local medicine man that they took him to for treatment. My son was holding a Quran in one hand and in the other holding a phone through he was speaking to me and he said to Hassan: ‘Uncle if it is because I asked for the money and you said you will throw me far away that has made you to do this to me, I beg you in the name of Allah forgive me’. Then the boy said: ‘Hajia my mother I am begging my uncle...’ Before he could complete saying my uncle the phone fell down. And the next day he died and they went and buried him. But even at that I said it was the will of Allah<sup>44</sup> (Ayishetu, Yendi, March 2 2014).

It is evident that the accused as a muslim, employed the personalistic medical system to interpret the death of the son. She initially used the idiom of the will of Allah to make sense of the misfortune. It is important to note that she wanted the son to bring the Uncle’s threat to the attention of her community harm. Threats such as to kill or deal with a person triggers fears of anticipatory witchcraft. That is a case of occult harm that is expected to happen in future (see Chapter Five). When such utterances are made, there are expectations of some mysterious harm (see Mair 1969, 16). According to my informants, expressions such as “Wait you will see” could get somebody to start an expectation of imminent witchcraft assault. If a person who is threatened in this way experiences some harm, illness, death and accidents, not too long after

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<sup>44</sup> Many informants told me that they made sense of death by ascribing it to the will of Allah not to witchcraft. However I noticed that people made an explanatory switch when confronted with misfortune from attributing a case of harm to witches to ascribing it to the will of Allah.

the threat was made, witchcraft is suspected and the person who issued the threat could well be branded a witch (see Turner 1957, 95). I was told that that if a younger person hits an elderly fellow and the elderly person is not strong enough to retaliate, he could say to the younger person, 'I have left the river to deal with you'. A phrase such as this is seen as an open-ended threat that engenders fears of magical attacks.

In this case, although Ayishetu suspected Hassan of having malicious intent, she attributed the death of her sons to Allah but had to invoke the idiom of witchcraft to counter the allegation against her. Hassan started spreading rumors that Ayishetu was the one responsible for the deaths of her sons and this increased to the point that she could no longer bear the taunting, and the finger pointing which she and her children suffered and so she decided to take the case to the chief of her community. Ayishetu took the case to the village chief, but unfortunately she lodged the complaint with the wrong chief:

When it happened, I could not eat nor sit at one particular place. I suffered a lot. Particularly I told myself: 'May be someone gave me the medicine [empowered me to be a witch] and if so, then God will show us the right direction'. I never knew Belonaa chief's palace so I mistakenly went to Botinaa palace only to be told that our area was not ruled by the chief of Botinnaa but it was under the jurisdiction of Belonaa. So, I quickly went there (Ayishetu, Yendi, March 2 2014).

Both Belonaa and Botinaa are divisional chiefs within the Yendi district and they report directly to the Ya-Na. The cases that they are unable to resolve are referred to the palace of Ya-Na. Here though, Botinaa dismissed the complaint that was brought by the accused person on the ground of 'non conveniens' because his jurisdiction was unable to handle the case and so he referred the matter to the appropriate division. The accused narrates what happened at the Belonaa<sup>45</sup> palace:

I told them all that took place and that I did not want them to invite any person apart from him (Hassan). The chief then sent for him and when he came he said yes he had 'medicine' but he was not the one who killed the children. Then the case was further referred to the regent of Dagbon. The regent also asked 'you said you possess medicine but did not kill the children?' Then he said: 'yes'. The regent then said 'Ok now you said you have the medicine but did not kill. I know

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45 An informant said the chieftaincy dispute between the Andani and the Abudu played a role in the management of accusation by the Belonaa. Hassan belongs to the Abudu faction which is contesting to produce the successor to late Ya-Na while Belonaa is of the Andani faction which produced the regent and also wants to produce the successor to Ya-Na. Tension remains between the Dagomba who belong to the two factions.

where I will take you to so that we can get the truth. The regent then asked me 'Will you go? I also said 'yes'. I will because that is the main reason why I am here'. They then asked him and he said yes too (Ayishetu, Yendi, March 2 2014).

From the above cited quotation, the accused person had a say on how she wanted the accuser to be tried. She wanted him to not be accompanied by anyone else. The Regent sought the consent of the different parties to know if they would prefer to have the verdict of the shrine and both agreed to go to Tindang (shrine).

Though the verdict of the shrine is taken to be almost beyond challenge, it may be disputed because according to my informants the shrine priests sometimes manipulate the process in favour of one party<sup>46</sup>. On the day that the palace officials agreed that Ayishetu and Hassan would be taken to the shrine, the palace hired a taxi that conveyed people. When they were about to depart for the shrine, Hassan told me that he noticed that there was not enough space in the taxi for everyone. He informed others that he would come to the Tindang (shrine) on a motorbike but the palace delegates and Ayishetu's supporters refused and insisted that he should go with them in the taxi. One of the persons who accompanied them to the shrine told me that they suspected that if they allowed him to travel by different means to the shrine, he might throw away his 'medicine' before reaching the place. Since there was no space in the car, they forced him into the booth of the vehicle.

### **The Tindana Performed the Ritual Three Times and Nothing Happened**

The case was taken to a shrine known as Piang Tindang and is located along Gushiegu road in Yendi. The family members of Aiyshetu chose the shrine for the adjudication of the case. Piang Tindang is a non sanctuaried shrine and processes cases of witchcraft accusation to reveal the truth but not necessarily to rehabilitate those who have been found guilty. Accused persons who bring their cases to this shrine desire to know that truth. In this instance accused person are not requesting shelter because such facility does not apply in this case. The shrine uses the broom ritual to detect a witch. The accused person narrates what happened at the shrine:

When we got to the place he [the accuser] insisted that I should be the one to sit first because he claimed I was the one that brought him there. I initially refused but my brothers shouted that I should go and sit first which I did. The Tindana performed the ritual three times and nothing happened. They later called him to come and sit down, which he did, but he refused to remove his shirt for some

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<sup>46</sup> In addition, founding a party guilty is important for the survival of the shrine. To process a complaint both parties have to deposit some money, and the guilty party forfeits money to the shrine.

time. The people at the shrine insisted he must remove it and when they manage to persuade him to remove the shirt, we saw a lot of charms on his body, even to the extent that he had one under his foot. When they knew he had the medicine they asked him to swear many times and he was caught by the Bougli. For me I could not keep watching the swearing process after I saw the first one and I cried. Then my children sent me to sit under a tree (Ayishetu, Yendi, March 2 2014).

The shrine caught Ayishetu's accuser and he confessed to being a spiritual son of a deity and who had been raised under the deity's protection. This means that the deity can harm somebody on his behalf without his knowledge. The accuser admitted to having witchcraft powers though only as involuntary witchcraft and not a willful act of harmful magic.

### **I Spent Twenty Ghana cedis**

Ayishetu recounted to me some of the expenses, which she incurred in the course of the accusation process:

At the Belonaa's palace, I spent twenty Ghana Cedis (GHc 20.00) and at the Regent's palace we also spent forty Ghana Cedis (GHc 40.00). At the Bougli we spent one hundred Ghana Cedis (GHc 100.00). At the Bougli if you are found guilty, your money remains there, but if you are innocent, your money will be refunded. If you are found innocent, you still do not bring the money home, for you will then share it with the elders at the chief's palace (Ayishetu, Yendi, March 2 2014).

Thus money is a determinant factor in processing accusations because those who handle such complaints ask for money in exchange for their services. As Gelfand (1964, 87f) has observed among the Shona in Zimbabwe, people who suspect witchcraft as the cause of illness or death pay consultation fees to diviners for their services and the fees may vary according to the scale of consultation<sup>47</sup>. As the case of Aiyshetu illustrates, contesting accusation involves costs so it is not only the accusers but the accused who incur costs for these services. Accused persons pay to lodge complaints or to secure the services of shrine priests. Cost is a factor in deciding which forums to use whether to petition divisional, paramount chiefs or the Ya Na, the police or CHRAJ. Accused persons with financial means are able to combine forums to challenge and overturn the witchcraft label.

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<sup>47</sup> In South Africa, parties to accusation deposit cattle with the court that is handling the case. The cattle would be used to compensate the alleged witch or the victim of witchcraft depending on the outcome of the process. The person who is proved guilty forfeits the cattle (see Ludsin 2003, 85)

A considerable amount of money is required by accused persons to access different state jurisdictions and challenge the accusations that are brought against them. Accused persons have to pay to hire lawyers and institute civil actions against their accusers, shrine priests and sometimes the chiefs. However, alleged witches who live in rural areas encounter additional inconveniences because they travel long distances to register complaints with the police and CHRAJ. Though these state agencies do not charge any fees per se for handling cases, persons who report cases incur costs travelling back and forth to make and process complaints. For instance, there is only one high court in the Northern region and the Dagomba who live in different parts of the region (see figure 1.2) who have cases at the high court in Tamale travel hours to attend court sessions and sometimes the cases are adjourned a number of times. In one case before the circuit court in Yendi, an accuser is standing trial for murdering the person he accused. According to the police, the incident happened in 2010, but the trial is still going on and the accuser is on remand at Yendi prison. According to my informants, the court process is stalled, the witnesses had stopped attending the court sessions.

The state does not pay accused persons for any litigations that they instigate and that means accused persons have to consider the costs in deciding which forums to use. There are no state owned shelters where accused persons could be accommodated while their cases are being processed. Thus the desire for shelter following witchcraft accusation and banishment is a critical factor in deciding which forum to use and in weighing up expected advantages and outcomes as highlighted in the next case.

In summary, Ayishetu's case showed that counteraction was a way alleged witches responded to allegations of irremediable witchcraft. In such situations, remedy as in cases considered in the previous chapters was not an option and alleged witches exerted power by counterimputing the causal agency and counter ascribing the causal responsibility. As the case of Ayishetu has shown, the accused used venues that recognized the reality of witchcraft to process these counter imputations.

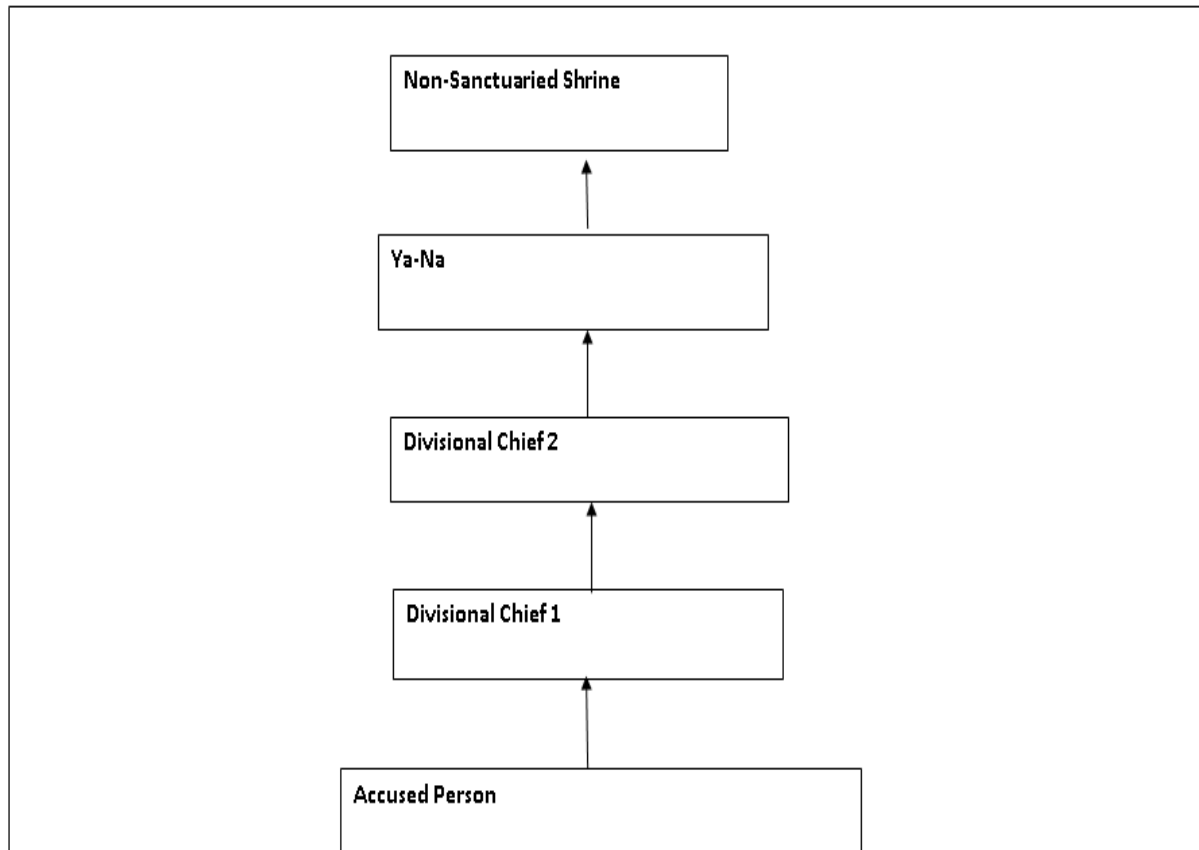


Figure 4.1 A successful use of a non sanctuaried shrine: Ayishetu.

### 4.3 The Case of Ese

Ese is a 50 year old woman and a muslim from Kpenjamba within Yendi district. This case highlights the measures that are taken by accused persons in reactions to allegations of causing death through witchcraft. This case is unusual because the chief was in support of the allegation and banishment of the accused person. Ese arrived at Gnani Tindang (shrine) in February 2014, after she was banished from her community after being accused of killing another woman through witchcraft. She was sharing a room with another woman at the witch sanctuary when I met her. Ese's case is a nuclear polyandric family accusation because she is the second wife of the husband and was accused by the stepson of killing his wife.

I interviewed only the accused person and the chief and some of the community members at the palace. I met the chief at his palace and he spoke to me while surrounded by some of the elders of the community. The chief is over a hundred years old and looked very frail. After introducing myself and told him the reason for my visit he paused for a while then cleared his throat and confirmed the case of accusation. He added that if the accused woman returned to

the community other members would pack and leave and as the chief he would not allow that to happen. The accusation originated from within family and Ese narrates the background to the whole issue particularly her relationship with the late woman:

My husband married two wives and I am the second one. The first wife had her first born, a boy. The boy was the eldest son of my husband's children. The boy brought a lady to the house and told me to take good care of her, which I did until they could rent their own house. While in that house my stepson son after making various arrangements, and finally got married. In her own house she got pregnant and gave birth. After she gave birth, she fell sick and was taken to hospital then they referred her to Tamale Teaching Hospital (Ese, Gnani, February 28 2014).

The accused person noted that the woman was diagnosed of a 'pregnancy related ailment'. She was treated and later was discharged. The woman, shortly after the child's naming ceremony became pregnant again and the ailment returned:

The husband and others sent her to the Yendi Hospital where she was treated and discharged. When she arrived from the hospital, within a week, the family came back and said they wanted to take her and treat her. Then she went with them. She spent about six years with the family. Even to the extent that her husband married another woman and the woman spent not less than two years in our house and also got pregnant and left for her hometown (Bimbilla). And as I am telling you she spent more than three years in Bimbilla too. It happened at a time that I was in Gnani here because my younger sister gave birth and I came to help her (Ese, Gnani, February 28 2014).

The accused person informed me that the bewitched woman had several health challenges which had nothing to do with her. She recounts the circumstances that led to her death:

When I came back from Gnani she had left to do Kayayo (casual jobs) in Accra. It was from her family house that she left to do Kayayo. I was not in the house when she left. While she was in Accra fire broke out in Agbegbeloshie market. I learnt she was in the same room with someone when the fire outbreak occurred and they were trying to run out of that room and an electric wire fell on the ground into a pool of water just near to their door and she stepped into the water and had a severe shock. One of her neighbours came to rescue her and was also shocked but those who came around were able to rescue the friend. People around came and managed to take both of them to the hospital. At the hospital, the friend survived but she died. They went and buried her at the Accra cemetery. Those who went for the burial came back to Kpanjemba and the funeral was performed. After the funeral, her family members said that I was responsible for her death. They said that I quarreled with her before she became sick and finally got electrocuted (Ese, Gnani, February 28 2014).

As in the case of Ayishetu, quarrels create tension and the expression of anger that nurture suspicion of witchcraft due to fears that the parties to the quarrel could use mystical means to harm. The situation of tension translates into accusations of witchcraft if any of the parties suddenly suffers some misfortune even when these parties are living very far from each other. According to my informants, distance or other physical obstacles do not limit witchcraft attacks. Witches target and harm their victims wherever they may be even if they live overseas (see Geschiere 2013, 59ff).

Witches turn into anything to kill or harm their victims-they turn into rats or cats, snakes or insects. Witches use any means to eliminate a person – it could be through thunder and storms, landslide, flood or as in this case electric current. A witch is feared and is perceived as wicked and dangerous because they use any means to harm a person. According to my informants, if a witch is caught, tried and exposed, he or she confesses and discloses what was used to perpetrate the harm. Certain deaths in families are associated with witchcraft such as deaths that happen without giving the family the time to treat the person, or the sudden death of a rich and enterprising person, or the sudden death caused by heart attack or hepatitis B. These people are believed to have been strangled to death spiritually. Funerals, as rituals which are used to mourn the dead are also used to reveal those who caused the death. Before the funeral is held, family members who suspect witchcraft as the cause of death consult a diviner (Baga) to ascertain the identity of the witch or witches behind the death. As soon as the funeral is performed or in the course of the ceremony, the witch is identified and banished. However, the witch identification process is subject to the reaction of accused persons who may accept, reject or contest the procedure. In the case under discussion, the matter was reported to the chief.

### **I said I did not know anything about her death**

Ese was invited to appear before the chief and to respond to the accusation. The accused person narrates what happened at the palace:

“I was called to the chief's palace. At the palace I said I did not know anything about her death. Then the chief insisted that I was the one who killed her. ...The Chief of Kpanjemba even went in saying that, he will never use one person to exchange for many human beings. He said this because he sent a delegate to a shrine to find out who was really responsible for the death of the woman. And the person he sent was Alhassan Tamalgu. The shrine said I was the one who killed her. The chief said I should leave the village (Ese, Gnani, February 28 2014).

Contrary to the expectation of the accused person, the outcome of the chief's forum was to her disadvantage because the chief based on the verdict from the shrine accepted the allegation. In addition, the chief banished her. From the point of the view of the accused she was disadvantaged by not being at the shrine because it would have given her the opportunity to be aware if the process had been manipulated. Nonetheless, Ese the accused person continued to deny the allegation, challenge the accusation and protest her banishment.

### **I swore but did not fall victim**

The accused person complied with the decision of the chief by leaving the community though she rejected the allegation and continued to insist on her innocence. Ese sought refuge in a neighbouring village, Gnani, where there is a shrine that provides sanctuary to alleged witches. In addition, this shrine is a place where one can go through a ritual and in so doing a person is found guilty or exonerated. Accused persons go to swear before the shrine that they are innocent of the allegations that were brought against them and then ask the shrine to reveal the truth. Ese narrates what happened at the shrine:

At Gnani, the Tindana (shrine priest) sent someone to Kpanjemba to tell the accusers that when you accuse a person and the case reaches the shrine it is not only the accused who is supposed to be there for the sacrifice but also the accusers<sup>48</sup>. So they attended. And in their presence, I swore the oath but was not guilty. He (Tamalgu) insisted I should swear again which I did, but then there was some confusion between him (Tamalgu) and some of the boys at the shrine. The boys at the shrine asked: 'Now that you have falsely accused her, is it because you do not want her to stay in the village anymore or what?' I wanted to reveal their lies against me at the shrine but people advised me that I should not do that because my children were still staying in that village with their father (Ese, Gnani, February 28 2014).

Ese appealed the ruling of the chief at this shrine because she believed it to be a friendly shrine. The Gnani shrine has the facility to rehabilitate the accused persons. Ese continued:

So I said now, Gnani would be the best place to bring me, to really confirm whether I was responsible for her death or not. I went and consulted my uncle and they took me to the Bougli. But the people told me that even if I am not found guilty of killing her that I should not come back to the village again. When I got to the Bougli my uncle sent for them (the accusers) and when they also got here they realized that I was innocent, because the fowl laid on its back but they said

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<sup>48</sup> Parties to accusations are supposed to be present during oath swearing in order to bear witness to the vindication or indictment of the accused persons. However this is not always the case particularly when the shrine action is at the instance of the accused person not the accuser.

I should not come back to the village any more. I also did not go back to the village because if I go and something else happens again I will be held responsible. So that is the main reason why I did not go back and decided to stay here in Gnani (Ese, Gnani, February 28 2014).

Apart from the fact that the accused person could be re-accused if they returned to the community, there is the possibility that they could be killed. People who are certified as witches can take advantage of the ritual facility for cleansing and removing the *sotim* (witchcraft empowering medicine). In situations, as in here where the accused is exonerated or indicted but cannot return to their families because the shrine verdict cannot be enforced, the shrine makes alternative arrangements for shelter. Ese made an interesting point when she said that she refrained from repeating at the shrine some of the lies of her accusers, as she did not want to jeopardize the safety of her children. Thus embedded in the desire of accused persons who are contesting allegations of witchcraft is not only the wish to be exonerated but also to obtain safety of their family members who are still living in their communities. I also asked Ese why she did not go to the police to report the case and she said:

A person needs to have some support before one can go and report to the police, but I don't have any support. If I should go to the police station and finally they tell me to pay some money what will I do? So that is why I did not go to the police station (Ese, Gnani, February 28 2014).

The police do not charge an official fee to lodge petitions, however petitioners incur if they have to travel long distances to get to the police stations. For instance the closest police station in this case is at Yendi, which is about 16 kilometers from Kpanjemba. Given that there is no accessible road that directly links the two communities, Ese's village and Yendi. The accused person has to go on foot or hire a moto bike. In the process of filing a complaint at the police station, the accused person needs to make several visits to the police and each time incurring additional travelling expenses. According to my informants, complainants sometimes give the investigating police officers money before they would be prepared to make arrests. Clearly as the case of Ese illustrates, the fear of potential costs can cause the accused not to go to the police.

### **They Said I Turned into Electricity**

Ese contested the witchcraft-based interpretation of death. She rejected the idea that she turned into electricity and killed the late woman as alleged:

They said I turned into electricity and went to Accra and killed her. But for me I don't even know where Accra is located. If you put me in a car and take me to

Yendi and asked me to show you the road to Accra I will not be able to tell you. I don't even know Tamale not to talk of Accra. The village where I was living had no electricity; it is in Gnani that I came to see electricity for the first time (Ese, Gnani, February 28 2014).

The accused used an impersonal naturalistic explanation to contest personalistic interpretation of the death (see Forster 1976, 776; Turner 1957, 98). She maintained that the death was not caused by occult means but to something else, in this case electricity, which upset the body elements in ways that extinguished her life. The accused goes further to add that witchcraft is not in her family blood:

“In our family no one has ever been accused. All my mother's sisters and brothers died and none of them have ever been accused of any witchcraft. For the only thing I can remember is that there was a time my aunt's daughter accused my mother while she was staying at the same house with her. When that happened, my mother was brought to this same shrine to confirm whether she was really a witch or not. And when she got here and the sacrifice was made, she did not found guilty ... I can't say I am old because I am not the eldest child of my mother. I have an elder brother and an elder sister. And none of them has ever been accused (Ese, Gnani, February 28 2014).

Accused persons make such clarifications to dispel the notion of inherited witchcraft and that they may unintentionally be engaging in it. However these notions are of no significance to accusers who have obtained a guilty verdict from the shrine unless the accused person deploys a mechanism to overrule that verdict. In this case even the husband of the accused person could not put up a significant resistance against the accusation:

My husband did not say anything because he is not a chief and he is not the owner of the village. He could not react because he did not want to say something so that they will drive him away as well. My husband has been paying me visit in Gnani since I came here. My children sometime also come to greet me (Ese, Gnani, February 28 2014).

Though witchcraft accusation and banishment of a witch severe the ties between accused persons and accusing family and community members, many families maintain their relationship with the accused particularly when the accusations emanate from outside the nuclear family settings. Family support<sup>49</sup> usually comes from those who think that accusation

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<sup>49</sup> On my second visit the witch sanctuary in Gnani, the accused person had left the place. According to my informants, she did not return to her village. Instead she went to live with another family member who was living in another community. For some accused persons, the sanctuaries are transitory places of refuge where they stay and plan their safe return to their community or their relocation to other communities.

is unjustified<sup>50</sup>. Family and community members who oppose accusations support the accused by paying them visits where ever they are relocated whether in another village or at the witch sanctuary. As in the case under discussion, accusations sometimes pitch accused persons against the chief, sometimes accusations pitch chiefs against each other, particularly when one chief is supporting an accuser and another chief is supporting an accused<sup>51</sup>. In this case, the outcome of the shrine process failed to overturn the witchcraft label.

However some advantage accrued from the use of the shrine forum because the accused was able to secure an alternative accommodation. At the same time the use of the family forum also yielded some advantage because the husband and the children have been visiting her. However the combined advantages fall short of nullifying the accusation. I discovered when I returned to the witch sanctuary in Gnani some weeks later that Ese was no longer at the sanctuary. I was informed that she went to live with some of her relatives in another village and did not return to her village, Kpanjemba. It may seem that witch sanctuaries are places of refuge for accused persons and where they go to find 'peace and solace' and avoid being murdered by their accusers or other witch cleaning agents in the society (see Baba 2013, 100f; Wiafe 2010, 89). In addition, they are forums where accused persons contest allegations of witchcraft. Sanctuaried shrines also serve as transitory places and shelters where alleged witches who fled their communities settle temporarily to reorganise their lives after banishment. Although, accused persons may decide to spend the rest of their lives; they may just wait for a while to allow the tension to abate before trying to return to their communities. Alleged witches may also decide in consultation with their family to relocate from sanctuaries and re-start their lives in other communities. However, after being accused and consequently banished, accused persons do not always go into exile to a sanctuaried shrine. The proposal to take a case to a shrine is sometimes a strategy by the accused to contest immediate banishment as is recounted in the next case.

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<sup>50</sup> Family members who think that the accusation is justified and that the accused might actually be a witch may decide to support and to keep interacting with the imputed witch because they believe that they possess a powerful *tim* (medicine) that could counteract the witchcraft schemes of the accused.

<sup>51</sup> This happens a chief who is supporting an accused person, who may be the relative, fails in persuading another chief that is handling a case of accusation to dismiss the accusation. Sometimes, an accused person whose relative is a chief in another village invites him to intervene during the negotiation process and such interventions may not be acceptable to the presiding chief. The intervening chief is seen as interfering in the affairs of the village and as trying to get the village to take a decision that is inimical to peace and order

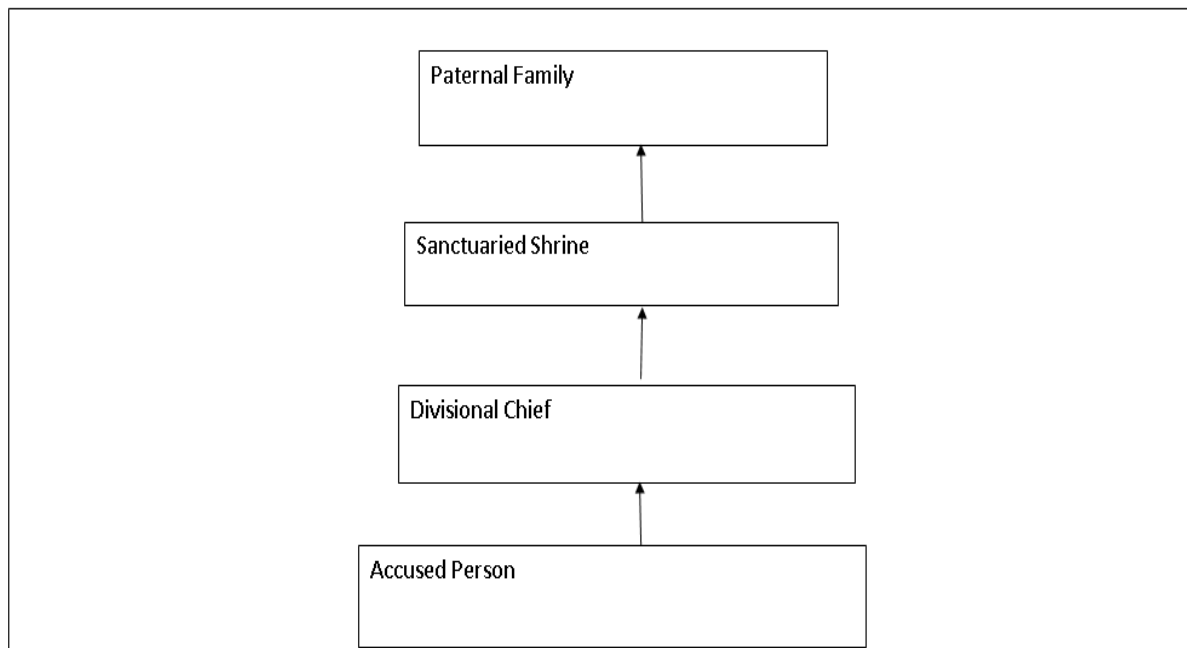


Figure 4.2 An illustration of a non-successful use of non-state forums: Ese.

#### **4.4 The Case of Dagat**

Dagat is a 50-year old woman and a muslim. She is married with 6 children and lives with her family in Kakpayili which is within the Tamale metropolis. Dagat is a farmer and also fries and sells bean cakes. After she was accused of witchcraft, she no longer sold bean cakes because people would not buy them her longer. Imputations of witchcraft puts a strain on family and business relationships. I interviewed the accuser, the accused and the chief of the village of Kakpayili. I chose this case because it highlights the reactions of accused persons in situations where the youth in a community support an accusation of causing death by witchcraft and the chief rules in favour of the accused.

##### **If you wouldn't take me to the Bougli, you can't take me anywhere**

The day I arrived at the village of Kakpayili, it took some time before I could locate and eventually meet the accused person. Due to a threat to her life, the family decided that Dagat should relocate secretly to an apartment within the community where family members were able to keep an eye on her to ensure that she was not harmed. I noted that:

There was much tension in the community. The police had made some arrests and some of the suspects were still at large. The chief was meeting with the elders at the palace and discussing the situation when I arrived. After meeting with the chief, I asked to see the accused woman and the chief told me to wait a while and

then he sent his assistant to go and inform the family that I wanted to see the accused. This was a form of security clearance to reassure the family that my visit would not undermine her safety. After about 30 minutes the assistant returned and asked me to follow him. We passed by residential houses and family apartments until we came to a particular compound. Two men came out of a house and then a woman-the accused person- followed and sat on a bench. Three men stood guard around her. They were all staring at me and curious to know the reason for my visit. Some persons were looking out through window while others were watching from elsewhere within the compound (Field notes, June 6 2013).

The family members took security measures to ensure that the accused was not harmed because due to the irremediable nature of the misfortune in question, accusers often seek to avenge the death by killing the accused person. Thus the accused person desires a safe accommodation and often relies on their family, nuclear, maternal or paternal for such assistance. The family objected to her banishment arguing that it was not appropriate without her going through a ritual procedure at a shrine. The accused person recounts what happened:

When my family members heard about the accusation, they said we have to go the Bougli (shrine) but the young men said they did not agree; that I should just leave the community. I told them that if they wouldn't take me to the Bougli that I would not go anywhere because my mother is from here and my father is from this village too (Dagat, Kakpayili, June 6 2013).

Paternal and maternal families are very critical in the accusation process because these social structures provide support mechanisms for accused persons. In this case, there is an advantage, because the accused's families all live in the same community. This provides her an additional advantage because she can easily mobilize and get their families to rally against the accusers.

Dagat recounts how her visit to sympathize with a family member who lost her daughter was misconstrued:

In our Dagomba tradition, what we do is that if somebody's son or daughter dies you would have to go and extend condolence by saying 'God should use a stone to press the heart'. So I went with other women to condole with the parents of the deceased but we only met the mother because the father was away. After we left there, the father returned and the wife told him that I had come to apologize for killing their child (Dagat, Kakpayili, June 6 2013).

The family members of the deceased interpreted the visit of Dagat as a way to appease them for the occult harm she had done to them. According to my informants, witches inflict harm in secret while appearing innocent and guileless in the open. The lady who died was a seamstress

and sewed the wedding clothes for Dagat's daughter who had married in December 2012. Both the late seamstress and the accused are related because Dagat is the wife of the seamstress' uncle and the families had enjoyed a cordial relationship until the accusation happened. The seamstress charged Dagat 100 Ghana Cedis for sewing the clothes. Dagat did not pay her the money immediately and the lady accosted her on several occasions to pay the debt but Dagat urged her to be patient. Later on the accused woman was able to raise the amount and paid the seamstress. The father of the deceased noted that the daughter was worried even after Dagat paid her because she feared that the woman was angry with her. The father explains how the delayed payment of the debt led to the daughter's assumed death:

For some time she asked Dagat, 'Look, after sewing the clothes you have not sent anything yet'. So, she said 'Please wait for a while'. After some months she called my daughter and informed her that the money had been sent to her. She called my daughter to come for the money. After she took it, she complained that she was afraid and the colleagues advised her to spend it because she suffered for it. She gave part of the money to me and told me to use it for farming during this season. She used 50 pesewas to buy porridge and after three days she died. After her death I did not accuse anyone of killing her but I said 'God gave her to me and has collected her back' (Mustapha, Kakpayili, June 6 2013).

The belief is that debtors could, out of anger, put sotim (witchcraft empowering medicine) in the money and this could lead to the death of the person who was repaid. So, for the family of the deceased, the repayment of the debt led to the death of their daughter. The accusing family did not communicate this allegation directly to the accused. Dagat narrates how the mother of the deceased implied during the condolence visit that the daughter's death was not a natural occurrence but a case of occult murder:

Upon our arrival, we greeted her and she said this was the main reason they advised her family not to allow their daughter to marry into that (Dagat's) house and people even said they do not have food to eat. The mother of the deceased also said that she wanted the men in my husband's house to come so that she would insult them to their faces for letting her daughter be slaughtered like a fowl. So, I told her that what she had just said made me to feel bad because she was not there to see the kind of prayers people offered for her daughter to rest in peace. I told her, 'Look your absence from there is making you speak like this. So you have to be patient and never repeat what you have just said anywhere again' (Dagat, Kakpayili, June 6 2013).

The accuser advanced the idiom of witchcraft in interpreting the death of the daughter. Thus she equated the way she died to 'slaughtering her like a fowl'. However the accused person

reacted directly to the implied accusations. Witchcraft is vaguely imputed (see Geschiere 2000: 219) and also vaguely refuted. Covert insinuation of magical harm is covertly addressed. In making such vague ascriptions, accusers point fingers not at the witch but at the family of the witch or at someone or something that is linked to them. Idioms, proverbs and metaphors are deployed to send the message and to let the witch know that their hideous schemes had been uncovered. The parents of the deceased accused Dagat of putting some witchcraft medicine in the money she had paid the seamstress. They alleged that the ‘witchcraft medicine’ was transferred into the porridge she bought with that money. Hence she took ill and died after taking the porridge<sup>52</sup>. The father informed that the deceased was not taken to any hospital. She had no health insurance. He informed me that the daughter’s health problem was ‘a form of poisoning’, and ‘not something they could take to hospital’. The father ‘used the traditional way’ to know that it was a form of ‘witchcraft poison’.

### **Youth Enforcement of Witchcraft Label and Community Interest**

Rumors went round the community that Dagat was the one who killed the seamstress and some of the youths mobilized and pressed for her banishment from the community. Dagat said:

...they followed up and said they are going to kill me and burn down our house. Can’t you see? (*pointing at an apartment block*). This is where I was living but because they threatened to kill me, so they had to relocate me. If someone wants to kill you it is good to change location and hide (Dagat, Kakpayili, June 6 2013).

The youths in the community tried to enforce the label of witchcraft on Dagat. They demanded that she be banished from Kakpayili. Youths are interest groups and try to protect the community from occult forces and witchcraft attacks. As a case of irremediable witchcraft, the allegation evokes feelings of anger and revenge in the accusers. Accusers often seek to get rid of the alleged witches through banishment and if they resist and refuse to comply, they could be killed. In the same vein, witchcraft allegations evoke feelings of anger on the part of the accused because of the penalties of banishment, beating and murder that are often visited on them. However, Dagat insisted on being taken to a shrine and confirmed as a witch before she would

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<sup>52</sup> This is a form of witchcraft allegation that is used to destroy the business of food sellers in the Dagomba communities. But in this case, the allegation was made not against the person who sold the porridge to the deceased but the person who gave her the money which she used to buy it. In accusation cases, it is the bewitched who determines the witch and the mode of bewitchment.

agree leave the community. The accused person and her family did not yield to the demands and the youths decided to take the matter to the chief of the village. Dagat continued:

They went and reported to the chief and the chief told us to come so that we could all go to the Bougli (shrine). But the youth refused to go to the Bougli and instead they went and attacked the chief's palace and destroyed some items. They then went to the Dakpema's palace so that he could pressure the chief on their behalf. But after they came back, the chief insisted that he wanted to resolve the problem but they refused (Dagat, Kakpayili, June 6 2013).

As a chief with paramount powers, Dakpema (the market chief) has other divisional chiefdoms, such as Changli and Kakpayili, under his jurisdiction. He has the power to overrule the decisions of the divisional chiefs but in this case he referred the youths back to the chief of Kakpayili<sup>53</sup>.

### **I Cannot Expel Her from the Community**

The accused person went first to her family members and they supported her opposition to banishment without going through the shrine process. Dagat's husband is one of the elders in the community and the elders constitute the decision making body. The chief explains the process of handling cases of accusation:

This is not the first time someone is accused here and I made them send her to the Bouigli. When the first woman who was accused of witchcraft was brought here, I told them to go to the Bouigli and when she was found guilty, I made her to go somewhere to settle and I provided the accommodation (Kukpie-naa, Kakpayili, June 6 2013).

From what the chief said, sending accused persons to the Bouigli is apparently the standard procedure of treating witchcraft accusation. However, in the case of Dagat, the chief encountered stiff opposition from the youths in the community who differed with the chief on how to handle this case. The chief narrates how he was able to contain the situation:

I was sitting down in my palace when they came with the accusation case. They said that the death of the lady was caused by Dagat. Then I asked them 'is it true?' And they said yes! So I pleaded with them to exercise patience for us to look deeper into the matter. I asked them to let us use the Bougli, which is the shrine of the gods to confirm this. For me Dagat is my daughter. I cannot expel her from

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<sup>53</sup> Higher chiefs refer cases back to the divisional chiefs if such cases are inconclusive or if the higher chiefs subscribe to the positions and rulings of the lower chiefs.

the community just like that. If she is found guilty, we would all know what to do (Kukpie-naa, Kakpayili, June 6 2013).

Chiefs and the elders process cases that are reported to them by their subjects and if a chief cannot resolve the allegation, the case is referred to the shrine and based on the verdict of the shrine, the chief rules on the case. However as this case shows, the youths can stop the chief from following this usual process. The chief further continued:

The young men said they would not listen to that and that they would not go there (to the Bougli) either today and tomorrow. Then they said she will not live in the same community with them. There was a suggestion by Kukuo naa that we should take her to the father's house in Zohi which I complied with by taking her there. Then in the evening of the same day, the youths went to the father's house at Zohi. They threw stones and damaged the roof. On that same night, I called Kakpegu dohinnaa and told him that they should allow us to go to the Bougli but the youth said they would not go. I then sent for Kukpegu naa and Belpela naa and when they came I told them that we should look into the case. Look, a car was brought here for the woman to be taken to the Bougli but the youths said they would not go. The youths went to the extent of chasing both chiefs away. I sent for Dohinnaa and told him that if they would not go back to their homes, the accused woman should be allowed to go spend the night at Kukpegu. The woman went there and stayed and in the night the youth went to Dakpema's palace and said that they came all the way to report the case and they could not just go home without it being settled. The next day Dakpema sent them back to me (Kukpie-naa, Kakpayili, June 6 2013).

As we can see, chiefs can be put under considerable pressure during the accusation process, and some chiefs as politicians, actually give in to this for the sake of peace and order<sup>54</sup>; they banish accused persons without ascertaining their guilt or innocence from a shrine. However, as in this case, chiefs sometimes resist the pressure. The Dakpema did not overrule the decision of the divisional chief. The chief narrates what happened when the youths returned from Dakpema's palace:

I told them that three chiefs were not here to settle the case. So they should go back home until tomorrow. None of them complied with what I said. So they went back to Dakpema's palace and he drove them away. Upon their return, they then started throwing stones on my roof and threatening to burn down the palace.

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<sup>54</sup> Berner ( 2016 , 143) noted this expediency informed position in the case of Theophile Shepstone (1817-1893) who as the secretary for Native Affairs under the colonial government in South Africa supported the expulsion of three Zulus who took refuge at local mission state after they were accused of witchcraft.

They even broke a pot and removed some of the thatch from the roof of the palace and broke a window (Kukpie-naa, Kakpayili, June 6 2013).

The youths felt betrayed by the chiefs for refusing to banish the accused person. According to my informants, when there are cases of misfortune in the communities, youths sometimes consult diviners and shrine priests and communicate the verdict to the Zaachi (Youth Chief) who then informs the chief of the community. In cases where the outcome of the shrine process is a guilty verdict, the Zaachi recommend that the alleged witch be expelled. The chiefs sometimes take decisions based on these verdicts. On other occasions, the chief orders that a fresh divinational or shrine process be carried out to ascertain the guilt of the accused person because they question the verdict or the manner in which it was reached (see Ludsin 2003: 84).

### **I Said They Should Get Me the Police**

The divisional chief on his part felt threatened by the behaviour of the youths. He recounts the measures which he took to bring the situation under control:

I said they should fetch the police when I could no longer handle things and before the police arrived, they all ran away. Then I presented the case to the police officers and told them that they should arrest all of them and correct them for me. I did this because if you have a child and the child does something wrong, what you need to do is to correct him. The police arrested some of the youths and took them away, after that they went and they were given bail (Kukpie-naa, Kakpayili, June 6 2013).

The prompt police intervention happened because Kakpayili is one of the communities within the Tamale metropolis where the regional headquarters of the Ghana Police force is located. Thus it was easy to access the police and also convenient for the police to intervene. Chiefs in rural Dagomba communities do not enjoy this facility because the police stations are usually several kilometers away. Even when the police are called in, it takes several hours before they can arrive at the scene. Thus chiefs who find themselves in situations where they have to contend with opposition from the youths, banish accused persons without obtaining any verdict from the shrine.

At the police station, Dagat made a statement and was asked to provide witnesses, which she did. According to my informants, different police units were involved in investigating the case. DOVVSU handled the accusation aspect of the case while the Criminal Investigation Department looked into the attempted arson and threat to life. Following the intervention of the police, many of the accusing youths fled the community to avoid being arrested. Dagat and

other family and community members who opposed the allegation remained in the village and assisted the police in their investigation. It is important to note that the intervention of the police changed the dynamics of the process because at police stations, accused persons would not need to defend themselves against the specific allegation of causing death by witchcraft. It is in fact the accusers and the enforcers of the witchcraft label who are liable to be prosecuted if they have committed in the course of making accusations. According to my informants, none of the cases investigated by the police were taken to court<sup>55</sup> because there was no further attempt or attack on the accused person or on the chief of the community. Nonetheless, the police were able to prevail on the youths and restored order in the community. The accused person did not go to the shrine and remained in the village though under the constant watch of relatives.

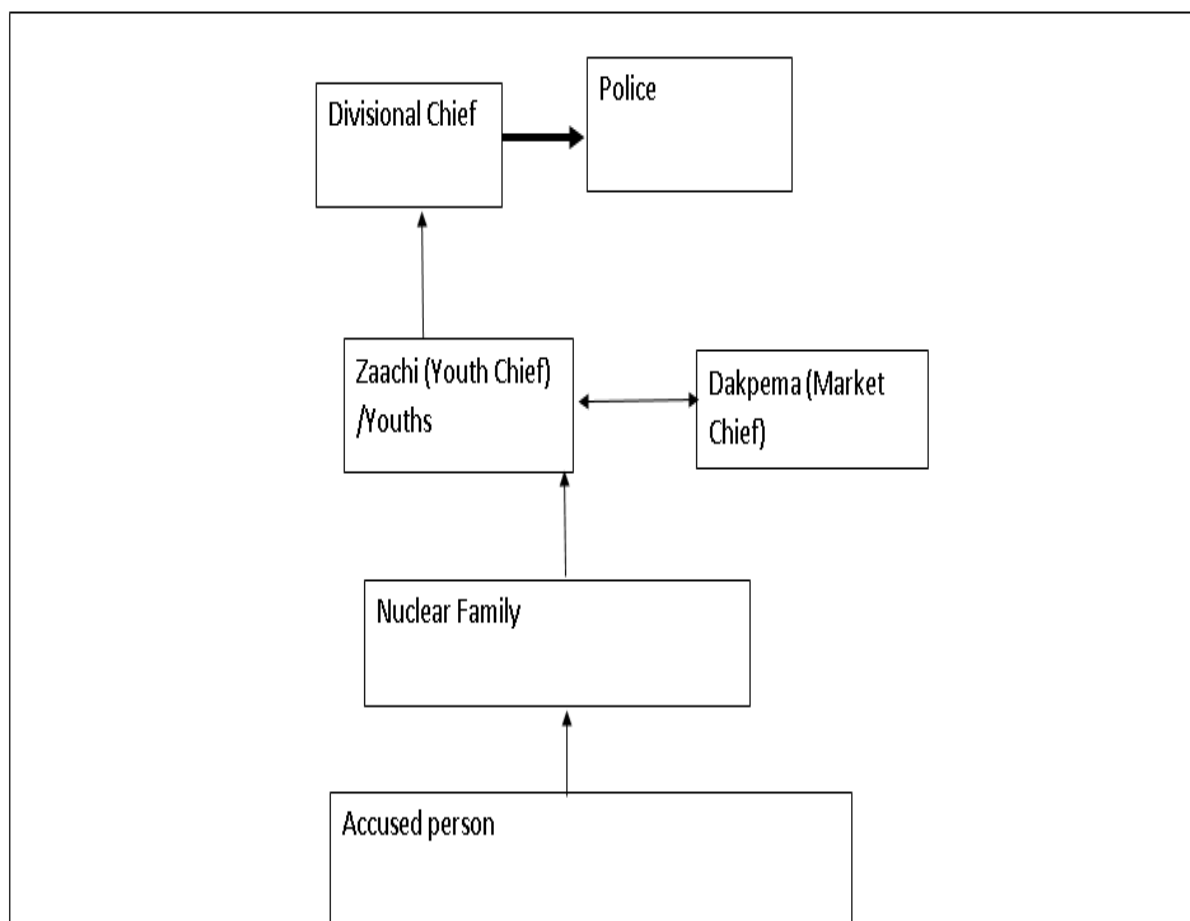


Figure 4.3 A combined use of state and non-state forums: Dagat.

<sup>55</sup> Many cases that are reported to the police are usually not charged to court because the police, apart from investigating and trying to establish that crime has been committed also try to settle the matter and get the accusers to abandon the accusations and commit to being law abiding. It is only in cases where the accusers refuse to cooperate with the police that cases are charged to court.

## **4.5 Discussion**

### **4.5.1 Causation and Death**

As shown in the cases of Ayishetu, Ese and Dagat, accusations of causing death by witchcraft or of allegations of causing illness (as we saw in chapter four) were characterized by a plurality in their representation and interpretation (see Forster 1976, 775). The process involved a contest of perceptions and explanations of death. One of such definitions was that death was supernaturally caused and the accusation was a way of ascribing supernatural agency and causal responsibility to accused persons. Unlike in the remediable cases of misfortune where the accused persons were expected to provide cures or other solutions, death was an example of an irremediable witchcraft. Accusation here was intended to identify and penalize the witch as there was no option for remediation. Accusations were made in pursuit of causation, not to procure healing. Due to absence of a remedial approach, accused persons were limited options and desperately mobilized resources to stave off accusations or neutralize them. As illustrated in the case of Ayishetu, accused persons responded by counter accusing and advancing personalistic definitions to reject and contest personalistic designations of death offered by the accusers (see Forster 1976, 775). Advancing of personalistic designation did not necessarily mean that the accused was in agreement with the allegation. However disputing parties were in agreement that a witch agent was responsible for this instance of misfortune. Since while the accuser imputed the occult agency on the accused person, the accused person responded by imputing the agency on the accuser. It is interesting to note that the accused person initially handed the responsibility for the death of her sons over to Allah, but she invoked the idiom of witchcraft to counter the allegation. The accused person advanced a witchcraft explanation because it was convenient and give her some advantage in overturning the witchcraft label.

Similarly in the case of Ese and Dagat, the accused rejected the ‘witch agent’ interpretations of death by the accusers and proffered alternatives ways of perceiving and making sense of the misfortune. Particularly in the case of Ese, the accused person attributed the death to an impersonal cause – electrocution: “For me, how can a person be sick for above six years and finally die through an electric shock and then you say I am responsible for her death” (Ese, Gnani, February 28 2014). Beyond advancing counter definitions and explanations of the misfortune, accused persons questioned why they should be accused.

#### 4.5.2 Why Accuse Me?

Another feature in the reactions of accused persons was feeling shocked due to being particularly targeted by imputers of occult harm. Scholars (Evans-Pritchard 1976, 21f; Gluckman 1956, 84) noted that belief in witchcraft accounted for the mystical causation of misfortune as well as the fact that a particular person suffers a particular misfortune at a particular time and place. This manner of thinking was not peculiar to those who suspected that they had been bewitched. As seen in the cases of Ayishetu and Ese, a variant was observed among those on the receiving end of imputations of causing occult harm. In cases of irremediable misfortune such as death, where the occult deed was a *fait accompli* and the sufferer of the witchcraft was absent as evidently was the case, accused persons were shocked and reacted by questioning why they were even accused.

Accused persons wonder why they should be identified as the perpetrators of occult deeds and not other members in the family. Often because the evidence for accusation emanated from third party accusers who might use verdicts from shrine priests or dream encounters to forge their allegations the accused was puzzled as to why they should be singled out.

For instance, in the case of Ese, the accused person wondered why she should be accused particularly in a situation where nobody in her family had been accused before of indulging in such occult activities. Also accused persons wondered why they were accused of doing evil to somebody with whom they were in good relations or, in the case of Ese, to a woman which she had taken good care of. A son of an accused woman told me that the mother's accusers went to a diviner who told them that a black woman in the family compound was responsible for the death of a young man. So they came and attacked the mother. My informant wondered why the mother was accused since she was not the only black woman in the compound.

In the same vein, a woman who was accused of bewitching her daughter queried why anybody would think that she could magically harm her own child. She stated that if she did not kill the daughter when she was still a baby and she was breast-feeding her, why would anyone believe that she could kill her as an adult when she was expecting the daughter to support her. Simply put, shocked by thinking it singular that they alone should be assaulted by occult forces, sufferers of occult harm made allegations of witchcraft, and astonished that they were unjustifiably accused, imputed witches reacted challenging such ascriptions.

Apart from proposing alternative explanations for the misfortune, accused persons attempt to use the forums to overturn the witchcraft label.

#### **4.5.3 Legitimacy of Chiefs and Ascribed Responsibility for Death**

As noted in the previous chapter, chiefs acted as health ministers for their communities. They also acted as the security officers for their chiefdoms and were expected to use their power to stop or prevent anything or person that could irremediably destroy the community including those who murdered through physical or metaphysical means. Chiefs were expected to use their authority to prevent anything that could represent an existential threat to their community. At the same time, chiefs were expected to use their power to prevent wrongful accusations of causing death and to ensure justice for those who were wrongfully accused. The three cases (Ayishetu, Ese and Dagat) discussed highlight issues regarding the legitimacy of chiefs and their use of authority. The accused used chief forums to protect themselves from wrongful allegations and banishment from their communities (see figure 4.3). As in the case of Ayishetu, there were situations where the lower chiefs were unable to overturn the allegation or could not quash the banishment of the accused. Sometimes the decision fell beyond their competence or the chiefs decided to support the allegation as in the case of Ese. If this happens, the accused persons might take their cases to a higher chief for adjudication. This created situations whereby a lower chief might act to protect an accuser (see Geschiere 1996, 319) but a higher chief on an appeal might act in protection of the accused and exonerate them.

As the cases of Ayishetu and Dagat have shown, chiefs did not rely solely on their ‘traditional’ powers to process allegations of witchcraft because other enforcement mechanisms existed which they used. Thus in situations where chiefs were unable to resolve the cases on their own, they used existing mechanisms such as the shrines or the police to extend their powers assert their authority. It is important to add that the mechanism, which the chief deployed in the case of Ayishetu to resolve the allegation, was different from the mechanism that the chief used to settle the accusation in the case of Dagat. While the chief used the shrine process to settle Ayishetu’s case, Dagat’s chief used the police to neutralize the accusation. It must be noted that in the case of Dagat, the youths rejected the chief’s suggestion to use the shrine for the resolution of the case, hence, he invited in the police. Given that there were ‘traditional’ structures that recognize the existence of witchcraft and other formal structures that did not recognize the existence of witches and they operate side by side in the society (see Ludsin 2003,

83) chiefs tried to resolve cases of accusation by first of all using the traditional mechanisms and if that failed they employed formal institutions.

#### **4.5.4 Death, Accuser-catching and Accused-exonerating Shrines**

In addition the cases discussed in this chapter have revealed the role of shrines in processing accusations. Like in the previous chapter, the accused persons went to the shrine to contest ascribed causes of misfortune, but unlike in the previous chapter, the shrine process in these cases precluded a remedial option. Accused persons accessed the shrine to certify the cause of death and possibly overturn the label. In the case of Ayishetu (see figure 4.1), the shrine action led to the exoneration of the accused and the indictment of the accuser. However, in this case of Ese (see figure 4.2), the shrine action exonerated the accused although the outcome of the shrine process could not be enforced and the accused person was unable to return to her cultural home. Shrine actions led to the indictment as well as to the exoneration of accused persons. However the kind of shrine action that an accused person took was influenced by their situation or circumstance. For instance the accused person in the case of Ayishetu took the case to a non sanctuaried shrine because she was not banished and she desired only to know the truth about the allegation. Whereas in the case of Ese, she was banished and thus she went for a shrine that not only revealed the truth about the allegation but also rehabilitated her, and provided her with accommodation. Shrines have been designated as places for ‘catching witches’ because persons who believed that they were victims of witchcraft or those who think they have been ‘caught in the glare of the witch’ get priests at these shrines to conduct rituals to catch and punish perpetrators of bad magic (Parish 2003 21f). However as these cases had illustrated, shrines also fulfilled an anti-witchcraft accusation function because they revealed the truth about the cause of occult harm. In addition, shrines perform witch-catching as well as accuser-catching and accused-exonerating functions. Shrine mechanisms were deployed against witchcraft but were also used to protect people from wrongful accusations.

#### **4.5.5 Gendered Response to Irremediable Witchcraft**

Another factor in all the cases that have been examined in this chapter was gender. All the accused were female and the accusers were mostly male. Even in the case of Dagat, where one of the accusers was female, male youths of the community were the enforcers of the witchcraft label. Scholars argued that women were targets of witchcraft accusations because of the notion that daughters inherited witchcraft powers from their mothers. They claimed that allegations of witchcraft targeted women within jealous relationships as in relationships between mothers-in-

law and daughters-in-law or among women in polygynous marriages or women who were aggressive, independent or social misfits (Ludsin 2003, 80; Drucker-Brown Susan 1993, 531).

However, the case of Ayishetu shows accused persons responded to the allegation by making counter allegations of witchcraft, and by using the palace and shrine forums. While it has been argued that male members of the society made accusations against women due to friction, envy and quest to control women,(see Federici 2010, 11-13; De Blecourt 2000, 303) the accused women responded by deploying social networks characterized by trust, and solidarity in response to such imputations. Though in the case of Ese, the accused was unsuccessful and was unable to return to her cultural home, her protest and resistance yielded some advantage because she left the witch sanctuary but relocated to live with a family member. Although, witchcraft accusation constituted a mechanism to exclude women and compel them to conform to assigned gender roles (See Akrong 2007, 61f), the female accused persons resisted these allegations by mobilizing resources against the accusers and the accusation.

#### **4.6 Conclusion**

This chapter has discussed the different forums which accused persons accessed in dispelling witchcraft imputations. Unlike in the previous chapter, negotiations revolved around causation, and determining the agency behind the misfortunes. The accusers ascribed the agency on the accused and the accused are subsequently banished. This chapter has shown that alleged witches did not readily accept the allegations or complied with their banishment without resistance. Accused persons used the different forums to challenge the causal, not the remedial- (as in the previous chapter) agency and responsibility. In furtherance of their wish to be exonerated, alleged witches counterimputed occult agency and responsibility and used forums that recognized the reality of witchcraft to enforce their counter accusations. In addition, alleged witches made their interest count by denying the allegations and using the chief and state institutions to invalidate the ascribed causation of occult harm. While the modernity of witchcraft debate suggested that new forms of wealth, economic program and state craft strengthened witchcraft beliefs and accusations, this chapter showed that these modern mechanisms were useful in challenging the positions of alleged witches and in nullifying ascriptions of witchcraft. Contrary to the thesis of the modernity of witchcraft, state institutions are resourceful in weakening imputations of witchcraft. In fact the chapter highlighted that traditional authorities provided opportunities for dispelling allegations of occult harm.

Remedy and causation were not the only central features and differences in the making and negotiation of witchcraft accusations. In terms of temporality, imputations of magic were not always made focusing on the present or looking to the past.

Accusations were not limited to imputations of remediable and irremediable witchcraft formations because allegations of witchcraft were made even when there were no actual misfortunes involved. People imputed witchcraft looking to the future and in anticipation of occult harm. Witchcraft accusation constituted a form of prophetic exercise. The next chapter examines such cases and the different ways accused persons responded to such attributions.

# Chapter Five: Ascriptions of Anticipatory Witchcraft

## 5.1 Introduction

The two previous chapters have focused on reactions to accusations of causing remediable and irreducible misfortune. Cases have been presented of causing death and illness through witchcraft and there has been an analysis of the various ways in which accused persons respond to such ascriptions. However, there are other instances where accusations are made without any actual occurrence of harm. Accusers make ascriptions of witchcraft based on impending witchcraft<sup>56</sup>. The supposition to harm through occult means is imputed to accused persons by virtue of their age, some other characteristic or an assumed capacity to transform themselves into animals or insects. Under such circumstances, the harm of witchcraft is deemed as potential in nature and allegations are made looking to the future and not to the past, although the signs of potential witchcraft may sometimes be linked to past events.



Figure 5.1 A chameleon that is crossing the road in Yendi

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<sup>56</sup> Fisiy (1998, 147) has observed that statements such as: 'You shall see' could be interpreted as an ominous sign of impending witchcraft.

Behaviours and experiences which are associated with occult intent include collecting sand from somebody's footprint, encountering a chameleon that is crossing<sup>57</sup> the road (see figure 5.1), taking a person's clothing items, placing a ritual sacrifice on the crossroad, and collecting water used in bathing a corpse. The potential witch could also be persons with certain bodily features (Rattray 1927, 29) or who curse and makes threatening remarks. The activities trigger suspicion of imminent harm and on that basis people make accusations. Given the nature of these ascriptions<sup>58</sup>, the reactions take on different characteristics because the central feature is not the fact of harm but rather an assumed intent to cause damage, or an alleged power to harm which the accuser supposedly uncovers and identifies.

This chapter illustrates how accused persons react on such occasions and two cases are examined. The case of Hawabu illustrates how accused persons react when imputations of intent to harm through witchcraft are made because of certain individual behaviours. In this case, prospective witchcraft is alleged by virtue of what people have done in the past. Whilst the second case shows how accused persons react to insinuations of intent to harm based on a person's age or gender. In this case, people are accused of having the intention and potency to harm based on who they are. This case also highlights the role of the witch-finding cult, the *Jinwara* (dancer of Jina), in the accusation process and the resistance this process engenders from accused persons.

## 5.2 The Case of Hawabu

This is the case of Hawabu who was accused by a family member of intending to harm through magical means. The accuser claimed that she put sotim (witchcraft medicine) in the cassava flour. Sotim is invisible to the eye and is believed to subsist in another material – food or drink. By virtue of this imputation, the food or drink is deemed potentially poisonous and harmful. This case is unique because the accused person is a woman and she resisted the enforcement of the witchcraft label. Details of this case come from information derived from those directly embroiled in it: the accused and her accuser<sup>59</sup>, as well as a relative to the accused person.

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<sup>57</sup> According to my informants, when people encounter a chameleon crossing the road they try and make sure they pass in front of it even if it means going through the bush to do so. This is because to do so behind the chameleon is regarded as a bad omen and so when people quickly pass in front of the chameleon, they say to it: "Tell them you did not find me". The belief is that somebody has sent it or is using it for some magical scheme. People say this to fend off whatever is the planned occult harm.

<sup>58</sup> Accusers preempt the witchcraft and by making accusations, they seek to thwart the evil schemes.

<sup>59</sup> This interview was conducted in Dagbani. Translator: Alhassan Baako Yakubu. Yendi April 20, 2014

Hawabu is a 70-year-old widow and a Muslim. She relocated to a village, Gukpegu, following the death of her husband. She was living with her paternal relatives when they accused her of witchcraft. Hawabu was sitting under the shade of a tree in her compound on the day I interviewed her. It was during the hot season of the year when many Dagomba sit outside sometimes till late into the night to avoid the scorching heat in the rooms. Her face lightened up with a smile as soon as she saw us walking towards her apartment because one of the few family relatives that used to visit her was in our company. Since the accusation started, Hawabu told me that the daughter had not visited though some extended family members have been supporting her<sup>60</sup>.

The family member who accompanied us has been supporting Hawabu and helped raise some money and built a room-apartment at the compound of the late husband where she has been staying. After exchanging greetings, we all went into her room. Hawabu's room had a window but no shutters. She covered the window with a piece of cloth to stop the rain dropping into the apartment during the season and dust from pouring in. At one end of the room, Hawabu had her bed, which is a small mattress that was placed on the floor and at another end of the room, she had her clothes, foot wears, baskets, brooms, plastics, and other items. These were all she could take along with her when she was last accused and forced to flee. Hawabu told me about her professional and family background:

I do not have any particular job that I do to take care of myself. Each day, very early in the morning, I go to the market where they sell grains. I use my broom to sweep and collect the grains on the ground with the sand and stones. I take that home and sieve, separating the stones from the grain. Any time I get a bowl, I will sell it. This is what I use to support myself (Hawabu, Yendi, April 20 2014).

Due to her lack of gainful job, Hawabu is in a weak social and cultural position. She lives on the margins of the society and as a poor beggarly 'old lady', she fits into the stereotype<sup>61</sup> of those who are likely to be accused (see Ludsin 2003, 80). In addition, the accused person has experienced so many deaths in her marriage and family life. Hawabu's accusation originated from within the family network. A paternal family relative made the allegation against her

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<sup>60</sup> The daughter may be avoiding visiting her because such interaction could fuel rumors that witchcraft is in the family blood and that could lead to her own accusation and banishment.

<sup>61</sup> De Blecourt (2000, 301) notes regarding early modern European witch hunt that women were accused not only because they were in their post menopausal stage but also because they had less limited means to defend themselves.

following the death of her husband, Hawabu then went to live with some of her relatives. Hawabu explains the nature of her limited family support:

Look I gave birth to three children at the house of my husband - two daughters and one son. My son passed away. I went to a village in Nakpali, and there I gave birth to 3 children and all of them died. It is only my two daughters who are left. My second daughter is not around. She is in Accra and my first daughter is married with children. She is living with her husband. I cannot get them to take care of all my problems. That is why I am here. Any time I get some work, I do it (Hawabu, Yendi, April 20 2014).

In addition to Hawabu being a poor beggarly woman, the deaths of her children and husbands also give rise to suspicions. The misfortune of this nature often raise questions in peoples' minds. According to my informants, people ask: Why her? Why are only her children dying? People ask such questions because the death of one's children is often believed to be a means of acquiring witchcraft powers. The notion is that 'witches' donate their children or other relatives in order to acquire *sotim*. Thus when children die in quick succession, some people in the community suspect that she must have sacrificed them in exchange for witchcraft powers. However, Hawabu's real ordeal only started after the death of her second husband. A family member, Folu<sup>62</sup>, alleged that she had poisoned<sup>63</sup> the cassava flour in his wife's room. Folu narrates the circumstances that led to the accusation:

There was a time I went to the bush and brought some bush meat. While I was sitting outside my compound roasting the meat, she suddenly came into the premises. She requested some cassava flour but I told her that my wife was not around. That she had gone to Yendi. She still went straight to my wife's room. She stayed in the room for a while before coming out with some cassava flour. When she came out, she told me that she had gotten the flour and that she had fetched the quantity she needed. When she said that to me I just ignored her and she left. At about 4:00 pm I said to myself, 'Oh I shouldn't have allowed my auntie to enter into the room to fetch the cassava flour just like that. She should have waited for my wife to come back'. I thought about the issue for quite some time and then I said to myself, that what my auntie came and did here could cause a problem for us' (Folu, Gukpegu, April 20 2015).

From the above quotation, we can surmise that the accuser suspected that Hawabu did not simply collect the cassava flour as she spent more time than was necessary in the room. Thus,

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<sup>62</sup> This interview was conducted in Dagbani. Translator: Alhassan Baako Yakubu. Gukpegu, April 20 2014

<sup>63</sup> Whenever, it has to do with food or drinks, my informants describe witchcraft as a form of poison. The killer substance which the witch adds to the food or drink is the '*sotim*'.

the accuser thought she must have done something that could cause the flour to become harmful. He explains to me why he became suspicious after the woman left:

...it was the first day that she personally went into the room and searched before she got to know where it was hidden. So, she fetched the quantity that she needed and left the rest and as I said it earlier on it took her some time before she came out of the room. It was because of that delay which made me to have the feeling that she might have put something poisonous into the cassava flour (Folu, Gukpegu, April 20 2015).

Folu decided to confront the auntie and tried to compel her to taste the flour:

The next day I went to her house to meet her but they told me that she was not around. I went back and still they insisted that she was not there, but I did not know that she was inside the room for the whole day. Fortunately, I saw my auntie and then I asked her what she did in the room before fetching the flour because after she left I sensed some danger. That ‘when you came I told you that my wife wasn’t there but still you insisted and went into the room to fetch the flour. So, I suspect that you might have put something in the cassava flour’ (Folu, Gukpegu, April 20 2015).

The accuser told me that this ‘something’, which Hawabu allegedly put in the flour was not visible to the eye but it could kill a person who eats a meal that was prepared with the flour. He goes on to narrate what happened when he confronted the accused:

Then I said to her if you think you did not put anything into the cassava flour then you and I will have to taste it here because I had brought a sample of it. When I said that, she replied that she was not ready to taste anything. I became very angry and she started insulting me. So, I flogged her and left for my house. Many people blamed me for going to flog her in her own house. Later I went with some elderly people and apologized to her and the case was settled (Folu, Gukpegu, April 20 2015).

The accuser asked the accused to taste the flour to ensure that the flour was innocuous and did not contain sotim but Hawabu refused to taste the flour. This confirmation process was important in order to ascertain that the flour was safe for human – and in particular family–consumption and also to avoid wasting this food item which is a staple food for the Dagomba.

### **Why Should I Taste the Flour: Am I a Goat?**

Hawabu narrates how she resisted the accuser when he tried to compel her to taste the cassava flour:

I was lying down on the bed when he came into my room. He started questioning me about what happened when I came to his house and I explained everything to him once again. He denied ever asking me to go into the wife's room to collect the flour. He said I had poisoned the flour. When he said this I was confused I asked him "How did I poison the flour? He said if I did not believe him that he would go and get some of the flour for me to taste. I asked him 'Why should I taste the flour? Am I a goat or sheep?'.

The accused person rejected the accuser's personalistic definition of the behaviour of 'collecting the flour'. Hawabu narrates how she resisted the accuser:

Look, I would have tasted the flour. But I did not know if he had poisoned it and wanted to implicate me. I was lying down as this was going on but I did not know that he hid a stick at the side of the wall. Suddenly he started saying 'How dare you talk to me like that?' I said 'Why shouldn't I talk to you that way? Were you not the one who allowed me to collect the flour?' He started shouting, 'Be careful or I will kill you in this room!' I asked: 'For what? What did I do?' He rushed out and returned with a stick and tried hitting me on the head but I used my hand to block it. So he hit me on my arm and I started crying. I was shouting 'What have I done? You are here to kill me?' (Hawabu, Yendi, April 20 2015).

Hawabu countered the imputation of poisoning the flour and resisted the enforcement of the label by making a similar insinuation to her accuser that he had poisoned the flour.

### **Family, Solidarity and Imputed Occult Harm**

As noted earlier, Hawabu is a widow living alone. So she had neither children nor any relative who could immediately come to her defence. The accuser capitalized on this. He knew there would be nobody to defend her. However, the accused was living close to extended family members and she drew their attention to her situation:

Chamani came out of his room and asked what was going on. And one of the wives told him that Folu came and attacked me. He ran out of the compound as if he wanted to pursue Folu but later came back. He was angry that Folu did not consult him before coming to confront me. While he was talking I was raining down curses on Fulo and even threatened to report him to the police (Hawabu, Yendi, April 20 2015).

The accused person appealed to her extended family network primarily because they were close by and easy to access but also because doing so involved almost no cost. Hawabu knew the family head (Yili-yidana) and expected the family to rally to her support in tackling her accuser. Besides helping to rebuff the accuser, the family (Yili-yidana) head reported the case to the

chief on behalf of the accused person and Hawabu recounts what then transpired at the chief's palace:

When I got to the palace some elders and Chamani were there. The chief started with a joke. He asked if Folu wanted to befriend me and I refused. I said, 'What will I do with such a man?' I narrated the whole story to him and he was very angry. He asked why I didn't report the case to the police. But the elders pleaded with the chief to accept the apology from Chamani on behalf of Folu. They said the chief should know that the issue was like a fight between husband and wife and should not be taken further. Some of them said that something might be wrong with Folu and actually they were correct. On that day while he was talking, I could perceive the smell of Akpeteshie (local gin) oozing out of his mouth. Some of the elders opposed the idea of going to the police and suggested we go to Gnani. I told them I would take the case to a Mallam for resolution. (Hawabu, Yendi, April 20 2015).

Though the accused person is a poor beggarly woman, she was able to use and combine the paternal family and the chief forums in overturning the label of witchcraft. It should be noted that the accused threatened to take police action and also to report the accused person to the mallam.



Figure 5.2 A mallam's advertisement of spiritual protection against witchcraft.

The mallam have powers to protect people from witchcraft but also to exonerate persons from witchcraft accusation (see figure 5.2). In the end she did not report her accuser to a mallam because the village chief resolved the problem. As I have noted earlier, the Dagomba are mostly muslims and the mallam are highly respected within the community due to their vast knowledge of the Quran and Islamic medicine. People go to them to conduct special prayers and to get them to resolve disputes. Accused persons have the option of deploying the mallam mechanism against witchcraft accusation. According to my informants, accused persons who are muslims prefer taking their cases to the shrines because they have more faith in the shrines than in the Islamic ritual<sup>64</sup>. Though, the family head (Yili-yidana) and the chief got the accuser to apologize, the accused person still relocated to the house of another extended family member, ‘Alhaji’ in another village: “After the incident, I left Gukpegu and relocated to Alhaji’s house because the news went round the community that I had medicine” (Hawabu, Yendi, April 20 2015).

The accused person knew that she did not put witchcraft medicine in the cassava flour as alleged so she took family and palace actions which resulted in the accused person apologizing for attacking her and attempting to enforce the witchcraft label on her, but she had additional requirements; she wanted to live without the risk of being accused again and to live in a community where the witch stigma was not associated with her. Therefore she relocated. However the relocation did not stop her from being accused of witchcraft. The accused lived with both Alhaji and the wife until both of them passed away. Then Hawabu was accused again at her new residence:

I was first accused of bewitching children. They said I was using witchcraft to attack the children at night and I do not know anything about this. I was not accused by Alhaji Shuaibu when I was staying there. I heard from the neighbours that I used to attack the children in the night. On the day of the wife’s funeral, some youths wanted to attack us. But some elders asked them to stop that. They said it would disrupt the peace in the family. The brother of the deceased was among those behind the accusation. He asked them to expel us from the community. It was because of this accusation that my sister left for Tamale. She said she preferred to face whatever poverty or hardship that was out there in Tamale to being subjected to this disgraceful and humiliating treatment. Due to the accusation, I left Alhaji Shuaibu's house and went to live in another place (Hawabu, Yendi, April 20 2015).

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<sup>64</sup> An informant told me that when there are cases of accusation and people are deliberating where to take the accused persons, that even some Imams would say, “Take them to the shrine”.

In the previous chapter, the reaction to accusations of causing death was discussed. Here Hawabu with the support of some extended family members, was able to rent an apartment in a neighbouring village where another case of intent to harm through occult means was brought against her.

### **I Use It for Drinking or Fetching Water**

There is no gainsaying the fact that suspicion of witchcraft has followed the accused person and her relocation to new settings did not stop people from associating her with witchcraft. Though suspicion of a particular act of intentional witchcraft may be nullified or abandoned, some people will still entertain the belief that the accused have witchcraft powers and this impression follows them and is transmitted through rumour and gossip (see Ashforth 2005, 65). At her new residence, another accusation of intending harm through witchcraft occurred as Hawabu narrates:

I arrived from Tusaani, which was during the month of Ramadan. So, I went to the market to buy something to break my Fast about 4.00 pm. On my way from the market. I met Aiyshetu the wife of Kallibillanaa-the Chief of Kallibilla. She told me what they said since I arrived from Tusaani. But I did not say anything. She said the co-tenants were going to have me evicted because people from Alhaji Shuaibu's house had told them that I was a witch and that they should not allow me to live with them for their own safety and that of their children (Hawabu, Yendi, April 20 2015).

Accusation is made in reaction to a perceived instance of occult harm and also in reaction to a previous allegation. When accusation is made in reaction to a previous allegation, it often becomes a preventive mechanism to stop the accused from unleashing misfortune in a new environment. Thus the co-tenants passed the information to the landlord whom they expected, as the owner of the house, to take action against Hawabu. Meanwhile the rumour that Hawabu was a witch had gone round the community and the youths started mobilizing to expel her. Hawabu recounts what happened:

I went home and while I was preparing my meals, the wife of the landlord arrived from her workplace and we greeted each other perfectly. So after dinner, I was just lying down when I heard a knock on the door. I got up and inquired who it was and realized it was Bonsu. I asked whether all was well. He told me that he received a call asking me not to sleep at the house again, that it was not safe. I was so confused and could not take any of my belongings but I managed to take a torch. I left for Gaazia's place. On getting there, they asked me why I stayed so long. I asked if they were waiting for me and they said: 'Yes', that they got a call

asking them not to allow me to spend a night at that apartment (Hawabu, Yendi, April 20 2015).

To communicate suspicions of witchcraft and to believe in such imputations are acts of social trust and inclusion (see Selby 1974, 93). At the same time to alert accused persons of such allegations and to disbelieve attributions of causing occult harm constitute acts of solidarity. In fact to notify accused persons of imminent plans of witch hunting by any persons or groups are the basis for affirming the boundaries between trusted insiders, who reject the allegation and distrusted outsiders who are in agreement with the supposed intent to harm through mystical means. In the entire process, rumour and gossip play an important but often ambiguous role because it serves both as a medium for the nourishment of accusations (see Bleek 1976, 527), but also transmit insinuations of witchcraft to those who take actions to protect the accused person (see Ashforth 2005, 65).

Thus while the accusing party is mobilizing an effort to thwart the supposed intent of the witch to harm through metaphysical means, the information also reaches those who are in support of the accused witch and they strategized to defend her. Hawabu narrates what happened next:

I locked up my apartment but not knowing that the landlord and the wife had mobilized the youths to attack me. Immediately I left, they came to the compound to inquire about me but they did not find me. They tried opening the door but could not. The following day, some family members went and enquired why they wanted to attack me and they said that I came in with a small calabash and later kept it on the crossroad, which was a lie and that I placed something spiritual at the back of the house which was a lie. Although I arrived from Tusaani with a calabash, which is still in the house (*points at the calabash at the corner of the house*) but I use it for drinking or fetching water (Hawabu, Yendi, April 20 2015).

According to my informants, a junction or crossroad (*Sochira*) has spiritual significance because it is where people place their sacrifices following an instruction from the Timalana (medicine men/women). However sacrifices of this nature are open to different interpretation no matter the intention behind them. Sacrifices are spiritual foods for the gods and people may place their sacrifice in a calabash as a way of presenting the food to the gods and spirits. A sacrifice that is intended to protect a person can however be interpreted as a form of spiritual attack and the occult intent is ascribed to some enemy within. As in the case under discussion, accused persons reject such attributions and the imputed intent to do harm. They provide a non-witchcraft based explanation of the activity or object which has been invested with this intent to do harm by occult means. Besides, the provision of counter explanations is not a sufficient

measure to overturn allegations because accusers take action on the basis of their perception and ascription. Interestingly in this case, the family of the accused and the accused person took a shrine action to ascertain the truth regarding the imputed possession of sotim.

### **I Cannot Remember Going in for such Powers**

Following this incident, the extended family members built a house at the compound of the late husband of Hawabu where she has since been living. A relative of the accused person told me that they feared that if they rented another apartment for her, she would more than likely be accused again. Thus Hawabu has repeatedly been accused of witchcraft and some of the family members have begun to suspect that she might actually be a witch and have wanted to confirm if she has such powers. Family relatives took Hawabu to a local sanctuaried shrine at Gnani. Hawabu states what happened at the shrine:

Ayishietu came one evening and asked me to get ready so that we could embark on a journey to Gnani and I asked: Gnani? Why? She said we were to go with her sister but her sister could not make it and asked Fatimata's daughter who was living in Zugu to accompany us there. The next morning we left for Gnani and later the child joined us about 3 pm. Then we left for the shrine. At the shrine I told them my own story. I said: 'I have come in front of you my grandfather, the gods of the land and shrine here to wash me clean internally and externally from all dirt regarding witchcraft and its kind. I have been accused of witchcraft many times and I cannot remember going in for such powers or the power being given to me by any person, family, friends or neighbours, only you, the gods, know the best'. They cautioned me to speak the truth on my way to the shrine, that if I told lies the gods would punish me by disgracing me or killing me. Well I told the shrine that I might have witchcraft in me, that I could not have denied a gift from a relative. That when my husband died and I moved on with life. I could not say where I got the witchcraft from, only god could tell. That was what I said at the shrine.

As noted in previous chapters, shrines have the power to reveal who has sotim and therefore can indict or exonerate accused persons. Given the fact that witchcraft medicine is acquired and also inherited and makes accusation an open contest whereby the outcome depends on the action and reaction of the parties involved. Though Hawabu denied having any medicine, she came to the shrine to find out if by some accident of gift or inheritance, that she had acquired some mystical powers. She narrates what happened at the shrine:

Then a boy who was in charge of the shrine went into the shrine and returned later with a small calabash and gave me something which I drank. They

slaughtered the fowl and it flapped its wings and later fell to the ground. The shrine priest caught the fowl and said, 'My grandmother, have you seen? A relative did that to you. This is due to the hatred she has for you'. Then another fowl was slaughtered to please the gods. We took the fowls back to the house of the Tindana. The other fowl was roasted and the meat was shared. They gave me only the liver to eat. They said, after eating the liver that it will start cleaning the witchcraft in my body. The Tindana said I might vomit or have diarrhoea and a few minutes later I started vomiting and stooling. I vomited a lot and then told the priest I wanted to go to the toilet and he showed me some bush at the corner which I used. The priest asked us to go home and warned me to be careful with the people I related with otherwise, they could transfer their witchcraft to me. I stooped three times on our way and by the time, we got home. I was exhausted. Since then I have restricted my movement and interaction with people in the community (Hawabu, Yendi, April 20 2015).

The shrine confirmed that Hawabu had inherited the witchcraft medicine from 'a relative' and gave her the cleansing potion to drink and after drinking the potion she went home. The accused person returned to her community after the ritual process though the shrine had confirmed her witchcraft powers and then cleansed her. Apparently, Hawabu returned to her community because the shrine action was at the request of the supporting family, not the accusing party. The accused person reacting by utilizing the family forums in countering and contesting allegations of witchcraft. She challenged the imputed anticipated witchcraft behaviour by advancing counter definitions and by accessing the paternal family and chiefly networks to dispute the witchcraft label. Even when she was reaccused she did not give up. Though the process at the paternal and the maternal family forums yielded some advantageous outcome, the accused did not relent in contesting any ascribed intent to commit witchcraft.

Furthermore, suspicion of intending to harm is often ascribed due to a person's age or gender. In some cases it is the witch finding cult, the Jinwara that make these allegations. The cult members are invited to come and cleanse the community and to 'smell out' witches. As part of the cleansing ritual, these witch finders often impute occult harm based on the age or gender of persons and how the accused persons can respond is demonstrated in the next case.

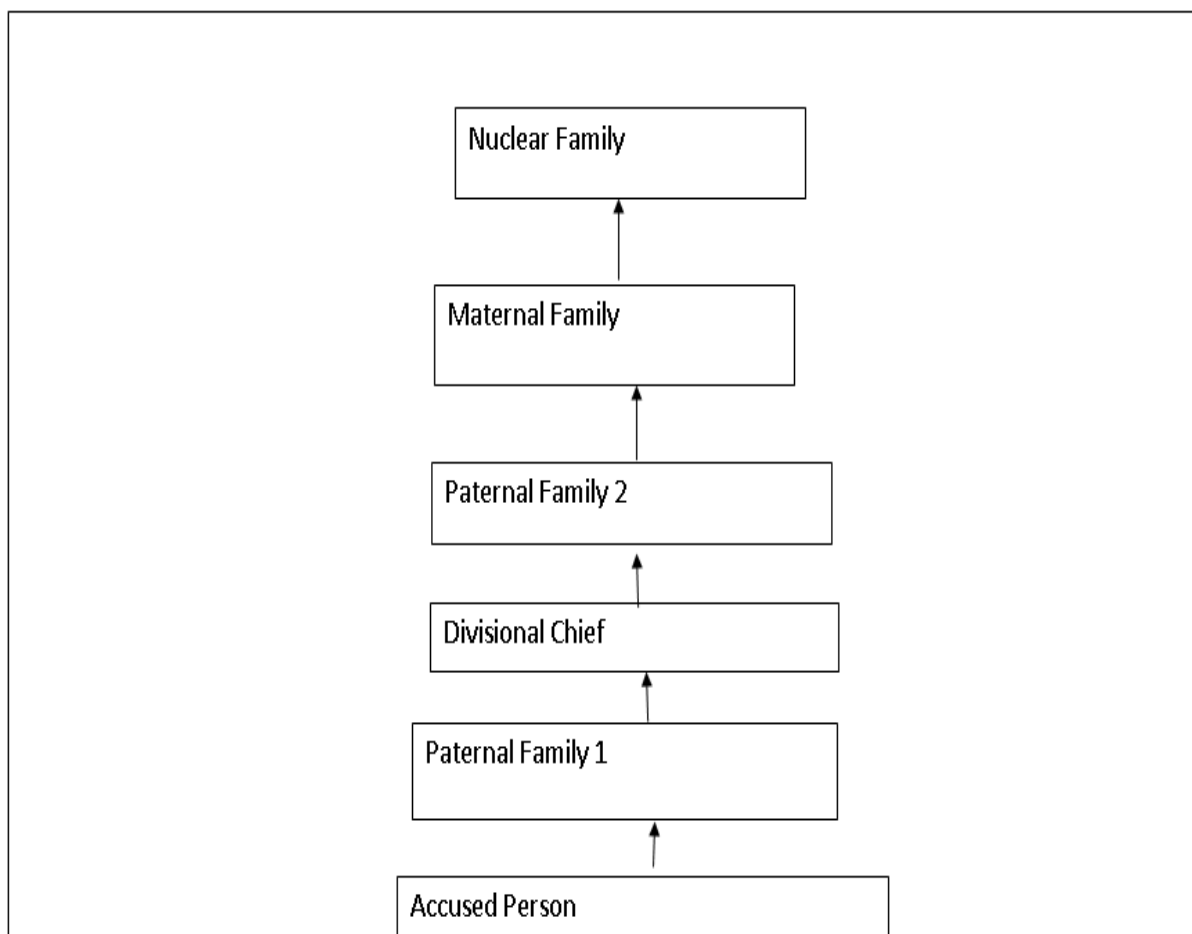


Figure 5.3 A successful use of family and chief forums: Hawabu.

### 5.3 The Case of Wura

This is the case of Wura from Kpachiyilli which is a village under Yendi district. Wura is 75 years old and a Muslim. She had spent ten years at the witch sanctuary in Gnani. She told me that she had no plan of returning home because she feared that the accusers could kill her if they see her in the village. Wura was sitting under a tree shade with other alleged witches on the day I met her<sup>65</sup>. For this case, I interviewed only the accused person<sup>66</sup> at the witch sanctuary in Gnani. I chose this case because it highlights the reaction of accused persons to allegations of potential witchcraft by the witch finding cult, the Jinwara. Wura told me the circumstances that led to her accusation:

<sup>65</sup> This interview was conducted in Dagbani. Translator: Alhassan Baako Yakubu. Yendi April 20, 2014

<sup>66</sup> This interview was conducted in Dagbani. Translator: Alhassan Baako Yakubu. Gnani February 28 2014

In my first husband's house I gave birth to five children, two of them died leaving three. After that I left there, and came to my grandfather's house. While I was in my grandfather's house, one Makayili man met me and we got married. With him I gave birth to two children - a female and a male. My husband had another jealous wife. She used to send my name to the mallam's place for them to kill me so that was why I left his house. From there I went to Kpalugugbena and finally got married to another man from Makayili. This Makayili man died before the war between the Dagomba and the Konkomba started. After that, I said I would not get married again so I went and settled in my brother's house. One day they said they wanted to cleanse the land because there were witches in the village. They told me that I was old and had medicine too. So, that was why I came to this place. I have never killed anybody. They only said I was old and that I could have some medicine (Wura, Gnani February 28 2014).

As a woman who has experienced and survived so many tragedies and misfortune, Wura is already a suspect because of the notion that deaths are seldom natural or physical (see Westerlund 2006, 169). According to my informants, the belief is that the accused woman has survived at the expense of others. She has used the dead members of the family to acquire the medicine that ensures her longevity. However instead of associating the occult powers with particular instances of misfortune as discussed in the previous chapters, the magical powers are believed to be in her nature as a post-menopausal woman (see De Blecourt 2000, 301) and is expected to inflict harm in the future. According to my informants, cleansing the land is a ritual which people organize to get rid of witches and a measure to forestall future cases of witchcraft and to prevent those who are intending to perpetrate occult harm from realizing their evil schemes. On witch cleansing occasions, witch finders display their medicinal and divinational skills. Wura narrates what happened during their Jina dance:

The leader of the Jinwara asked all the women who were more than the age of giving birth to stay on one side. She was moving round the fire while mentioning names. It was the youths who went to Bouiglana and asked that the Jinwara be invited to the community because witches were killing them. So, they mentioned all those who had some medicine in the community. And it was my brother's child who said the auntie too had medicine. Then when the woman called my name in the course of the dance, she asked me "Who brought you here?" Then my brother's child said he did. Then the Jinwara woman said I had some medicine and so I would be going to Gnani (Wura, Gnani, February 28 2014).

The ritual of separating women based on their 'age of giving birth' is a device to set aside those to be accused and banished from the community. The ritual process is believed to be directed by the gods and spirits but the above cited quotation indicates that the witch finding process is

a procedure that is manipulated by accusing family or community members who submit the names of suspected witches to the witch finders. Given the notion that the Jinwara have spiritual powers to identify witches in the communities and their pronouncements and declarations are taken to be the directives from the gods and spirits without any form of human manipulation, people are expected to cooperate and comply with them because their rituals are for healing and cleansing the communities of witchcraft. The Jinwara engage in cleansing the community at the invitation the Zaachi (youth chiefs) or chiefs (see Tait 1963, 136). Cleansing the community of witchcraft is part of the measures to restore security, life, health and order. Nonetheless, persons who are implicated in the course of their healing and cleansing the community respond to imputation by the witch finders.

### **I Do Not Have Any Medicine**

Wura narrates how she reacted to the declaration by the leader of the Jinwara:

I told her, 'I do not have any medicine'. She told me that what I said meant that she was lying and because of that she would allow me to be beaten by some young men who were with her. They made me to go and sit down and when I did, a young Jinwara lady danced and finally came and fell on me. So, the people there started beating me and after a while some people said they should help me if not they would kill me because I said that I had no medicine (Wura, Gnani, February 28 2014).

The accused person rejected the ascribed witchcraft potential and resisted the enforcement of the potential witchcraft label by the Jinwara. Wura denied that she had sotim because she believed that the allegation was at the behest of the family member who sent her name to the witch finders and not as a result of the exercise of the divinational powers. However, the accused person was beaten into submission and compliance:

They really beat me for some time but it was later that some people came to my rescue. My clothes were brought to me at home including the stool I sat on at the scene. I came home and cried for a long time but my brother never cared. Even up to date whenever they asked after me he would say that he thought I had died. But I am the first born. He was born after me. Since that day, it is only my own children who usually brought food for me here (Wura, Gnani, February 28 2014).

The ritual of Jina dance and then falling on a person is a confirmation process that certifies a person as a witch. The spirit guides those who are dancing to any person who has 'medicine'. According to my informants, during the Jina dance, the witch finders used to sing songs such

as “The pepper that is on the forehead, will soon get into the eye” as they move round to fish out the witches to condition the people for the witch finding process, and sometimes to provoke voluntary confessions. The ‘pepper’ refers to the ‘witches’ and the Jinwara use the song to warn the communities of the pain and danger they would suffer and endure if they continued to allow the ‘witches’ to be living in their midst. Particularly, the song is meant to make the people compliant and submissive to the authority of the Jinwara. Anybody who resists this process is beaten to submission by the cult members while others watch. She explains the nature of her relationship with the accuser:

When I was in his house it was lovely because his children’s wives used to play with me in the house. When I lived with them, I used to do most of the work in the farm and at home. I can’t remember any problem I had with him to deserve hatred from him. I had no problem with anybody there. All I used to do was to go to the farm and then return home because I did not want to visit them. I did not want to make them think I was the one killing their children (Wura, Gnani, February 28 2014).

Such preventive measures fuel suspicion of witchcraft because such persons would be seen as anti-social, deviant and odd (see Ludsin 2003, 81) and such attitudes predispose her to accusation. The accused person further rejects some of the witchcraft stereotypes and formations that were often deployed to impute potential harm on her:

They believe an old woman can enter into newly born babies in Kpachiyili and then kill them. I have not killed anybody before; I have never caused sickness to anybody at all. They accused me because I am old. ‘Oh how do you expect someone to be young forever, it is impossible’. As I am sitting here, my great grandchildren are twelve in number. So I cannot say I am a young woman (Wura, Gnani, February 28 2014).

In addition to contesting the perceptions and designation, the accused persons took measures to challenge and contest the allegation.

### **Palace Action**

Wura took her case to the chief of her community because as the head of the community, the chief has the power to nullify the label and stop her banishment. However the chief upheld the verdict by the Jinwara: “Yes, he supported the youths, the chief said he would not allow witches to kill all the young people in the village” (Wura, Gnani February 28 2014). People in the communities expect the chiefs to protect them from occult attacks and when persons with sotim

are identified, community members expect their chiefs to expel such persons. At the same time those who think that they have been wrongfully accused as in the case of Wura, also look to the chiefs to use the powers to overrule the allegation. Though, no matter how an accused person may think that he or she might have been unjustly indicted by the witch finders, it is difficult for chiefs to overrule the findings of the Jinwara because their witch finding is an open and public exercise and is conducted with the permission of the chiefs and elders. The authority of chiefs comes under serious threat when their communities experience strange calamities, fears and anxieties that are linked to occult forces. The capacity of chiefs to govern their people comes into question if the chiefs cannot contain the occult forces. The chiefs invite the Jinwara or they give their blessing to the Zaachi (youth chief) to hire some witch finders and get them to use their divinatory skills to fish out those who possess witchcraft medicine so that they could regain control of their chiefdoms. Thus the outcome of the process at the chief's palace was unfavourable and the accused person had to explore other avenues to void the allegation.

### **If I Had Medicine, The Shrine Should Not Let Me to Reach Home Alive**

Wura took her case to the shrine in Gnani and she narrates what happened:

It was the following day after I arrived Gnani that my son took two fowls to the shrine. So I swore that if I did not have medicine and they said I did, that the shrine should reveal it. But if I had medicine, the shrine should not let me to reach home alive, it should kill me on my way. The priest also swore to the gods before slaughtering the fowls. The priest asked them whether they would take me back home after I finished drinking the shrine water, but they said they would not take me home again. So, that was how I remained here (Wura, Gnani February 28 2014).

From this quotation, the accused person took her case to the shrine so that the shrine could reveal the truth and exonerate her. She also thought that the shrine might also reveal that she was guilty. Thus the shrine is accused-friendly and has facilities that make it a choice avenue for accused persons seeking to overturn the label that is applied on them. The shrine has the ritual device to ascertain if one has witchcraft powers and to cleanse those who are confirmed to possess such powers. Particularly the shrine has the facility to accommodate accused persons who have been exonerated or cleansed but who are unable to return to their communities. For instance, the oath which was administered on the accused was to ensure that she would suffer death if she engaged in witchcraft and such rituals are used to assuage the fears and anxieties of the accusers and to assure them that the supposed witchcraft powers have been disabled. The

potion she took cleansed and disabled any witchcraft powers that could be in her. The ritual certifies her as clean and qualified her to live in the society again. Wura accessed this sanctuaried shrine ideally expecting the outcome of the process to overturn the accusation and thus be able to return to her community. However, the shrine process yielded some advantageous outcome. The shrine vindicated the accused and provided her with a shelter when she could not return to her community. Relatives and the chiefs oppose the return of accused persons back in the community as a precautionary measure against potential witchcraft. Even at that, accused persons can choose to return to their cultural home but may decide to stay back at the witch sanctuary due to fear of being re-accused or probably due to lack of guarantee for a safe return and a normal life. It is interesting to note that the son of the accused person accompanied the mother to the shrine which shows that the accusation did not sever and darken completely the family ties. Though the allegation originated from extended (paternal) family the nuclear family gave favourable consideration to the case though the family solidarity was not enough to enforce the verdict from the shrine and overrule the Jinwara and the chief. The case of Wura highlights different dimensions of active participation of accused persons in cases of prospective witchcraft accusations.

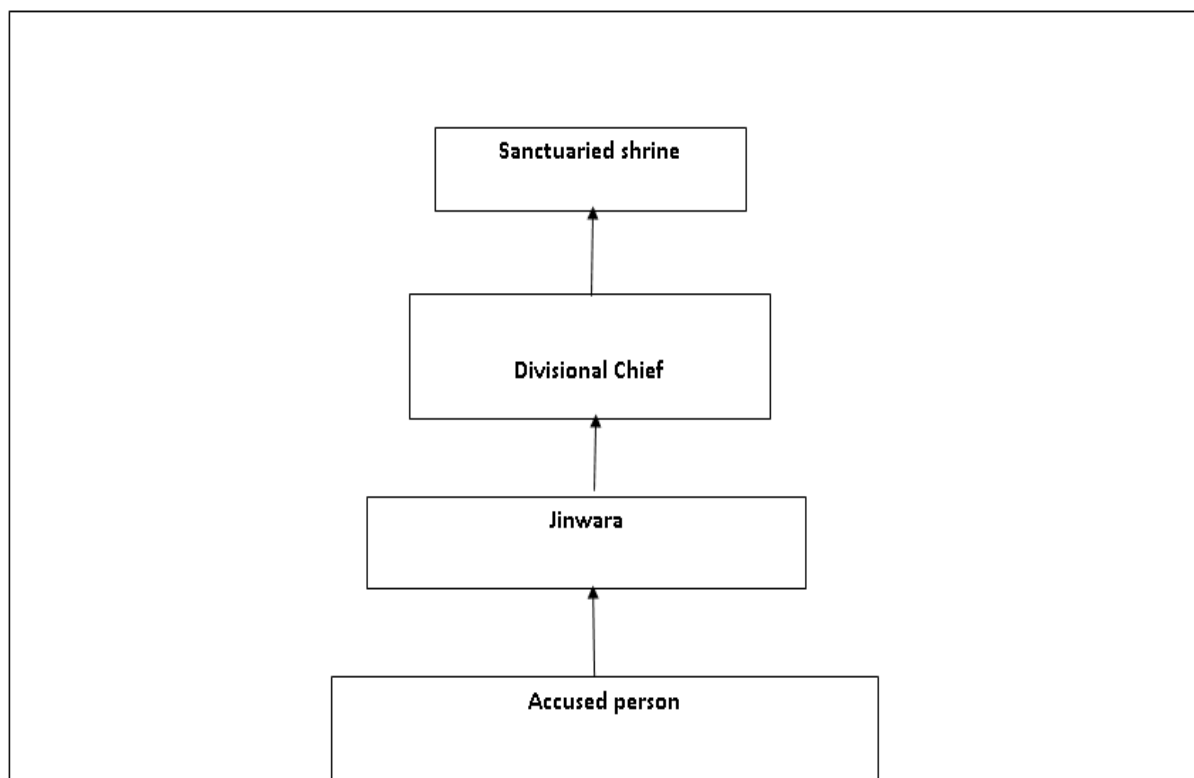


Figure 5.4. An unsuccessful use of chief and sanctuaried shrine forums: Wura.

## 5.4 Discussion

### 5.4.1 Challenging the Witchcraft Behaviour

The cases of Hawabu and Wura have illustrated that accused persons actively challenged allegations of prospective witchcraft. Whereas accusers made allegations by deploying personalistic beliefs (see Forster 1976, 775) and invested such acts and characteristics with magical agency, accused persons responded by challenging the ascribed purposeful intent or potency to harm. Alleged witches deployed naturalistic rules in challenging actions, such as collecting the cassava flour (the case of Hawabu) or the status of being an elderly woman (the case of Wura) which accusers invested with magical significance and imputed witchcraft on account of that investment. Accused persons tendered alternative explanations to show that suspected witchcraft behaviours or traits were devoid of the alleged intent or potency to harm through occult means. Beyond contesting the assumed witchcraft behaviours, accused persons resisted efforts to apply the witchcraft label on them. While the accused person successfully contested the application of the label in the case of Hawabu, the accused person, in the case of Wura resisted but was eventually overpowered by the witch finders.

Interestingly, the case of Hawabu highlighted the role of alcohol in the enforcement of the witchcraft label. The accused person noted that the mouth of the accuser smelt of a local gin (akpateshi) during the encounter with her which suggested that witch finding might have been a process that was executed by those who could be under the influence of some intoxicating fluids<sup>67</sup>. It is important to note the ‘alcohol content’ of the witch identification procedure because of the existing knowledge that witch finders used to go into a trance to access occult knowledge and then revealed the names of witches (Parrinder 1963, 173f). The reaction of the accused in the case of Hawabu hinted that these divinatory displays and practices might actually be behaviours induced by alcohol which the witch finders exhibited in the course of conducting the witch detecting procedures. In fact, in the case of Wura, the accused person attributed her identification as a witch to the family members who gave her name to the witch finders not to the witch detection and divinatory skills of the Jinwara. Alleged witches demonstrate activeness

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<sup>67</sup> The local brew called akpeteshi or another brand called pito is consumed in the Dagomba communities. Two diviners whom I visited took some alcoholic drink before meeting with me. One of the diviners specifically asked me to buy some alcoholic drink or provide the financial equivalent before he could perform some divination for me. One diviner started making incantations and occasionally shook the head uncontrollably after taking some alcohol while the other was role the eyes from one end to the other in what seemed to be the result of the influence of the alcohol.

in the allegation process by faulting the divinational and detection processes of the accusers and enforcers of the witchcraft label.

### **5.4.2 Ambivalence of Family and Occult Intent**

The reactions of accused persons have also highlighted the family role in the interactions related suspicions of intent to harm (see figure 5.3). As noted in previous chapters, alleged witches accessed family jurisdictions to explore or contest a remedial option (see chapter three), or to contest the ascribed causal responsibility for an irremediable misfortune (see chapter four). In addition, accused persons took their cases to different family networks to nullify ascribed intent or potency to perpetrate occult harm. Though allegations of witchcraft emanated from homes, families and kinsmen, fear of occult forces fostered feelings of hatred and aggression (see Kgatla 2007, 269), alleged witches mobilized family resources to challenge such insinuations. Even when the outcome of the family process did not lead to overturning of the witchcraft label, the use of family forum yielded some advantage – in terms of support, trust and solidarity-that enhanced the chances of accused persons in accessing other forums. The outcome of the family process often accorded with the belief by accused persons that they were innocent or their desire to be exonerated or to live safely.

As the two cases have shown the use of the family forum might be a factor of the nature of accusation. While in the case of Hawabu, the reaction of the accused person galvanized different levels of extended family response which eventually resulted in neutralizing the allegation, in the case of Wura, a robust family appeal and advantageous outcome was missing (see figure 5.4) probably because the enforcement of the witchcraft label was a public exercise that made the family networks unnecessary or inconvenient for appealing the witchcraft judgement.

### **5.4.3 Age and Occult Potency**

This chapter has revealed the place of age in witchcraft accusation process and the fact that the way people are perceived as they grow old predisposed them to being accused of witchcraft. As shown in the case of Wura, people suffer accusation because they fall into certain age-old age-brackets. In fact both Hawabu and Wura had passed the child bearing age. Scholars linked witchcraft with old age because growing old was associated with acquisition of occult powers and medicine (Colson 2000, 341; Geest 2002, 448). In addition, elderly persons were considered weak and vulnerable people who had limited means to resist ascriptions of occult harm (Adinkrah 2004, 348).

However this chapter has shown that old age was completely a liability and did not divest the accused of the means and strategies to resist their accusers and to defend themselves. Elderly persons were not powerless, and made their interest count in the face of accusations. Alleged witches contested the personalistic belief and definition of their age and behaviour. Actually, growing old had attendant benefits and advantages which enhanced the chances and opportunities of the accused. As elderly persons, the accused had children and/or other relatives. These relatives were members and managers of forums. They also facilitated the use of forums in challenging occultic definitions of behaviours and in dispelling the ascribed occult potency. In a post-colonial setting that provided extra options and opportunities for the negotiation of allegations of witchcraft such as state, media and CSO institutions, family relatives constituted a vital resource in responding to witchcraft accusations

#### **5.4.4 Accused and the Ambiguous Role of Chiefs**

One more dynamic with an ambiguous dimension was the role of chiefs in the accusation process because accused persons accessed the chief forums in their quest to void the accusation. In the previous chapters, accused persons used the chief resources to challenge the ascribed cause or remedial responsibility or the imputed agency for irremediable misfortune. In addition, accused person deployed the chief mechanism in contesting the prospective witchcraft label. In the case (Hawabu) the chief forum yielded a favourable outcome whereas in the case of Wura, the chief's ruling was not to the advantage of the accused person. Chiefs were the governors of the communities and made decisions to maintain peace and order. However chiefs were often in a dilemma when dealing with cases of witchcraft accusations because they were expected to rule either in favour of the accused or in favour of their accusers.

Chiefs had the duty to protect the community from potential occult forces (Geschiere 1996, 319). However, they were also expected to use their authority to ensure justice and protect accused persons from false allegations. Thus in situations where chiefs ruled to protect the subjects from false accusations of intending occult harm, the accusers thought the chiefs were compromising the future and survival of the community and threatened to leave the community because of fear of occult forces<sup>68</sup>. When the chiefs ruled in support of accusations, accused persons regarded the chiefs as failing in their duty to uphold the truth and to ensure justice in

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<sup>68</sup> The notion is that it is the accused who are banished from the communities. However according to my interlocutors, both accusers and the accused go into exile due to witchcraft accusation. The accusers sometimes go into self-exile in protest of a ruling by the chief that is in support of the accused or if the community members refuse to take action against the alleged witch.

the community. It is interesting to note that though the chief forums yielded both favourable and unfavourable outcomes, the accused persons took additional measures in furtherance of their desires and interests (see Figures 5.1 and 5.2). Particularly in the case of Wura, the outcome of the chief process did not fully address her concerns. Alleged witches were often worried after being accused about being re-accused. They feared that people in the family or community could point accusing fingers at them again if anything went wrong. Thus, even when a case of accusation was resolved in their favour, accused persons might relocate or take certain measures to prevent a re-accusation. Just as accusers suspected witchcraft and made accusations in anticipation of occult harm, accused persons did, even after voiding an allegation, take further steps to protect themselves and thwart the chances of reaccusation.

#### **5.4.5 Mallam and Accusations**

From the cases examined, it can be noted that accused persons, although they were muslims took their cases to the shrines. As traditional religious worship centers (Mbiti 1975, 65f), recourse to these religious venues for resolution of issues by the Dagomba who were muslims was a demonstration of religious forum shopping. As earlier noted, the Dagomba community was religiously plural. Despite the dominance of Islam among the Dagomba, shrines play significant role in the everyday life of the people particularly in the resolution of disputes and problems such as complaints witchcraft and witchcraft accusations.

As seen in all the cases examined, muslim Dagomba also believe in the power of the shrine and reckoned with shrine rituals and processes. They opted to go there to resolve cases of witchcraft accusations because they believed in the power of the shrine gods to reveal the cause of the misfortune and perhaps the remedy. Shrines had elaborate ritual processes for resolving cases of witchcraft accusations which predated Islam. Apart from the mainly chicken and broom rituals for dictating the witches, there were procedures to get identified witches to confess the details of the witchcraft and the remedies. These witch finding rituals were often not obtained in other religious forums. According to my informants, the mallam option entailed only administering an oath to the accused person who subsequently would return back to the cultural home after swearing the oath.

So the different religions were options and channels which accused persons used to resolve their cases. However in resolving these disputes, accused persons go to religious centers where they hoped to get the truth, particularly where they felt that the outcome of the ritual process would be acceptable to them and to other parties to the accusation.

## **5.5 Conclusion**

This chapter has highlighted how accused persons resisted allegations of having intent or potency to bewitch persons. In response to the imputation of malicious magical schemes, accused persons deployed naturalistic and personalistic explanations to contest assumed witchcraft behaviours, traits and characteristics.

Unlike in chapters three and four where the central features in the negotiation of witchcraft accusations were remediation and causation agencies, such basis for exerting power did not apply in the category of cases that were the focus in this chapter. Instead the key element was definition of behaviour. Definition was central to witchcraft accusation process because there were no actual misfortunes. The accused were not expected to produce the remedy or admit to causing any injury. Accusers made witchcraft accusations expecting certain unfortunate events to happen in the future. Witchcraft imputers linked the expected harm to certain behaviours or age brackets. This chapter has shown that in the face such designations accused persons were not passive, alleged witches exercised agency in witchcraft accusation processes by contesting the magical definitions of their behaviours and attributes. Alleged witches advanced counter definitions not counter imputation of causal agency and responsibility as in chapter four.

In furtherance of their notion of the behaviour and trait, and their wish to be exonerated, alleged witches used forums such as families and chiefs to enforce their opposition and counter definitions.

## **Chapter Six: Summary and Analysis of Cases**

### **Summary**

This chapter provides an overview of the preceding chapters that captured the context and complexities in the way people responded to accusations of witchcraft. It highlights major findings and proposes further areas of research. As set out in chapter one, the objective of this study is to investigate reactions to witchcraft accusations referencing the social, economic and political contexts under which accusations are made and are then accepted, rejected or contested by accused persons. Exploring these reactions is pertinent in order to understand the changing landscape of witchcraft accusations in post-colonial Africa.

To realize this objective, the study was designed to answer the key question: How do accused persons react to witchcraft accusations? To fully answer this question, the following subordinate questions were posed: Who in terms of social cultural position and relationship are the accusers and who in terms of the sociocultural relationship are the accused? Who are the other actors in the accusation process? Why do accused persons react to the accusation?

This study used qualitative case studies to gain a contextually nuanced, in-depth knowledge and insight into the manifestations of accusation and in particular how accused persons reacted. Data gathering techniques including observation, unstructured and semi-structured interviews and archival materials were used for the research. In chapter two, the key debates on witchcraft were examined which showed in the existing literature the overwhelming focus on the accusers. This research extended the debate on witchcraft accusations but departed from previous studies by focusing on the agency of accused persons. The chapter discussed the analytical models of legal pluralism, forum shopping, and the Desire, Belief and Opportunity (DBO) that were used in re-conceptualizing the accused and the accusation process.

Chapters three, four and five examined varieties of accused-action, that is, reactions to imputations of causing remediable, irremediable and anticipatory misfortunes. I chose these categories because they were helpful in highlighting key features in the negotiation of accusations and in the designation of occult harm such as cure, cause, intent or potency. These chapters explore the different measures which accused persons adopt on such occasions. Chapter three argued that alleged witches were active participants in the accusation processes because they challenged the attributions of remediable misfortunes and tried to neutralize such ascriptions. This chapter discussed four cases of witchcraft accusation that highlighted the

various measures, which accused persons took in response to imputations of remediable witchcraft. In the first case, some neighbors accused Neda of making somebody sick through witchcraft. The chief also accused her of appearing in his dream. The accused responded by taking the case to the police, court, media and the chief of Dagbon. In the second case, the alleged witch lodged complaints with the chief, police and the court. The third accused person took her case the family, a non sanctuaried and later a sanctuaried shrine. In the fourth case, the accused reported the accusers to the family head (Yili-yidana), then to the chief, the police, and the state human rights agency. It emerged from the discussion that alleged witches, rather than being passive in the face of allegations, challenged attributions of remedial responsibility and adopted several measures to invalidate the attributions.

Alleged witches employed various strategies to dispute the ascribed remedial role and subsequent rectification of occult harm. They accessed family networks to seek support to remedy the witchcraft and to exonerate themselves from the allegations. Alleged witches used the medicinal venues to ascertain the veracity of witchcraft claims, and secured treatments for the sufferers of alleged witchcraft harm. In addition, accused persons responded by taking the cases to the chiefs, the police and courts, the human rights agency, the Civil Society Organisations (CSOs) and the media. It further emerged that the use and combination of forums did not translate into neutralizing allegations, and on such occasions alleged witches settled for some desired advantage. Even in situations where the outcomes fell short of the ideal expectation, the limited benefits that accrued to the accused were outcomes of their agency, opposition, and resistance to the witchcraft label.

Chapter four examined three cases of Ayishetu, Ese, and Dagat. It highlighted how accused persons reacted to irremediable misfortune. This chapter argued that in cases of witchcraft imputations that precluded remedy, cure or healing, accused persons did not readily submit to the label. The absence of repair or option to reverse the assumed witchcraft did not foreclose efforts to neutralize allegations. Alleged witches were not supine and instead they demonstrated activeness by contesting the ascribed causal agency and refusing to comply with the enforcement of the witchcraft label. In the first case, Ayishetu responded by counter-accusing and accessed the chief and shrines venues to stave off these allegations. In the second case, the accused reacted by going to the chiefs and the shrine and in the third case, the alleged witch went to the chief and the police, though she threatened to go to the shrine. It emerged from this chapter that counteraccusation is a way alleged witches demonstrate their agency.

Accused persons also deployed family support to neutralize the accusation and quash their banishment. They used the shrine ritual and divinatory means to ascertain the agent behind the misfortune, and lodged complaints with the chiefs, the police, and human rights institutions in order to exonerate themselves. Accused persons secured the assistance of the CSOs that helped them to adequately and effectively file their complaints and used the media to publicize their stories. While in some cases, these efforts and attempts led to the overturning of the allegations, on some other occasions they did not yield the desired outcome.

Chapter five discussed anticipatory witchcraft imputations and the different measures that were taken by accused persons in response to such allegations. Unlike the witchcraft imputations that were examined in chapters three and four, the misfortune that was central to accusations in this category was in the future and was yet to be actualized. In this situation, evil deeds or misfortunes imagined by the accusers were potential scenarios and only expected occurrences of occult harm, not a *fait accompli* of injuries and damages. The chapter argued that alleged witches were active in situations where there was no actual misfortune to challenge the imputed cause or to remedy. Alleged witches made a difference in the accusation process by contesting the occult definition of behavior or attribute. Two cases were analyzed. In the first case, the alleged witch responded by taking the case of the family and chief venues and in the second case the accused appealed the verdict of the witch finders at the palace of the chief and at the shrine. From the cases explored in this chapter, it emerged that in the face of such ascriptions and projections of intent to perpetrate potential harmful magic, alleged witches were seldom docile but instead they actively engaged and disputed ascribed potency or intent to harm. Accused persons resisted the enforcement of the label and deployed family resources against the imputations, and the imputers. In cases where the family support could not nullify the allegations, accused persons petitioned the chiefs who used their powers to protect them or they used ritual processes to void and erase the label.

## **Findings**

### **Patterns of Accusations**

This investigation highlighted the changing landscape of witchcraft accusation in post colonial Africa by showing the setting was useful to accused persons. It examined cases of witchcraft accusation where alleged witches used modern institutions to challenge and contest imputations of causing occult harm. As shown in chapters three, four and five, accusations happened within the family environment. There were also strong connections to gender. Eight of the nine alleged

witches were women, elderly women, and widows because they were persons on whom the label of witchcraft could easily be applied. These were women with the limited family support base and means to defend themselves. In addition, accusations happened among persons in tensed family relationships; people who quarreled threatened or cursed each other. Imputations of witchcraft were also made by persons who were embroiled in disputes over property or positions of authority such as the chief, family or community head (see the cases Abibat, Wahab, Ayishetu, and Hawabu). Although accusations happened under these social circumstances, such relationships did not suffice for the occurrence of witchcraft allegations. A party to the strained social connection had to experience some misfortune that was attributed to harmful magic in the immediate or in retrospect before an accusation was made. Persons imputed witchcraft also when some behavior or gesture was imbued with potential occult harm. Whether in actual or prospective form, misfortune was designated as the work of an enemy who operated in hideous ways to inflict so much damage.

Accusations featured also in situations where people suffered incurable illness. Under such circumstances, lack of cure or treatment was taken to be an ominous sign and a possible indication of some magical connection. Witchcraft was imputed in particular when the sick person encountered the accused in dreams (see the cases of Neda and Abibat), or a divination revealed the identity of those behind the ailment, who were subsequently designated as witches. In addition, accusations happened when people experienced premature and accidental deaths. The sudden demise of persons was considered unnatural or a signal of the involvement of occult forces. These occult signals translated into imputations after divinatory processes certified the identities of human agents behind the occult attack. These patterns of accusation were often influenced and altered in the process because alleged witches responded to these imputations and their reactions shaped the outcomes of the procedures. The responses of the accused attested to the changing landscape of witchcraft accusation because alleged witches used the existing structures in exerting power and in resisting their accusers.

### **Legal Pluralism and Witchcraft Accusations**

This investigation has highlighted the resourcefulness of a pluralistic setting in the negotiation of witchcraft accusations. Alleged witches used the existing legal, paralegal orders, informal rules and frameworks to exert power and to make their interest felt in the accusation process. Some of the literature noted how the traditional/chief courts that recognized the existence of witches and the formal/state law that did not recognize the reality of witchcraft contributed to

the escalation of witchcraft accusations in post-colonial Africa (Ludsin 2003; Pelgrim 2003; Petrus 2009). They argued that this legal circumstance created a situation where there were no effective mechanisms to deal with witchcraft fears and suspicions. In the absence of such mechanisms, vigilante groups emerged and improvised means to protect communities from occult forces and attacks.

This study found that in such situations, it was not only people who feared or suffered witchcraft attacks who sought protection. Alleged witches who feared or suffered persecution and assaults mobilized resources to secure and free themselves and the legal mechanisms were an asset in this respect. Interestingly, this research foregrounded the strategic importance of the different legal and paralegal frameworks, including those that recognized the reality of witchcraft to persons and parties disputing the witchcraft label and seeking to erase occult ascriptions.

It emphasized the options and opportunities within the traditional mechanisms such as the families, chiefs, and shrines for those trying to neutralize allegations. Chiefs used the powers within their jurisdiction to protect their communities from occult fears and anxieties but also from imputations of occult harm. In fact, the legal pluralistic setting constituted a vital resource to the chiefs because they used these other mechanisms such as the police or shrine in situations where their authority was threatened. Contrary to the notion that shrines were witch finding and identifying places, shrines served as witch-exoneration structures where accusations were neutralized. This illustrates a change in the landscape of witchcraft accusation because alleged witches used these structures to contest imputations of witchcraft and made their interest count. While the modernity of witchcraft thesis explained shrines in relation to protection from occult forces (Parish 2003, 20), this study showed that alleged witches used shrines for protections and in challenging the positions and representations of their accusers.

### **Reflecting on the Use and Non-Use of Forums**

Accused persons reacted by using and combining forums, and the more forums accused persons accessed and were able to use or combine the higher the chances of overturning the label because each forum was an opportunity and additional resource to dispel imputations of magic. Though the usage of forums should ideally have led to the erasure of allegations that did not always happen due to gender, sociocultural positions, rural and urban dynamics. Thus two outcomes of using and combining forums could be identified: 1) successful usage or activeness that led to the overturning of the witchcraft label, and 2) non-successful usage or activeness that was unable to quash allegations of witchcraft.

## **Successful Use of Forum in Overturning the Witchcraft Label**

As this study has illustrated, accused persons were able to nullify allegations by combining family, chief and CSO forums (see figures 3.4), using state court and chief venues (see figure 3.5), accessing state court (see figure 3.7), combining chief and shrine platforms (see figure 4.1), utilizing both chief and police mechanisms (see figure 4.3), and using family and chief structures (see figure 5.3). Alleged witches deployed ‘modern’ mechanisms such as state police, courts, and human rights agency when ‘traditional’ structures such as the family, chief, and shrine failed in resolving the cases. In fact, the reactions of alleged witches highlighted that the line demarcating ‘tradition’ and ‘modernity’ was blurred. The distinction that contrasted ‘traditional’ forums that recognized the existence of witches and ‘modern’ state or formal sectors that did not recognize the existence of these magical entities did not strictly apply. The canons of ‘tradition’ and ‘modernity’ were resourceful and were deployed by alleged witches in challenging witchcraft attributions.

Accused persons resort to traditional processes of settlement such as the chiefs when efforts to resolve the cases at ‘modern’ venues, for example, the police, proved unsuccessful. In fact, though traditional formations such as the chiefs or the shrines, recognized the existence of witches and the reality of witchcraft, these structures of authority did not always serve to reinforce and valorize witchcraft and magical imputations. They did, however, provide some options and resources for accused persons to dispel and void allegations. Of significance, modern mechanisms such as the police or courts were an asset to those who wanted to dispel and void allegations. Although modern institutions and formal laws broadened the scope of opportunity, advantage, and resource for the accused because these venues did not recognize the existence of witches, their use and application did not always lead to a reprieve for the accused. On such occasions, alleged witches fell back on the ‘traditional’ channels such as chiefs and shrines for exoneration from the imputed occult guilt.

In addition, economy shaped the process of accusation. The use of the ‘traditional’ and ‘modern’ options such as chiefs, shrines, and the police or courts was dependent on the social and cultural positions of individuals. To process witchcraft accusations involved money; individuals who could afford the expenses stood a better chance of overturning the label because they were able to take their cases to all the available venues. Though it was argued that the capitalist economy triggered occult fears and anxieties, and motivated people to seek protection

from occult forces (Parish 2003, 20ff), this study noted that it constituted a resource to those challenging the enforcement of the witchcraft label.

Following accusations, alleged witches had fears and anxieties over being killed, disgraced or banished from their families and communities and they took measures to prevent or counter such treatments. Neoliberal economic programs such as business and entrepreneurial schemes enhanced the sociocultural positions of such persons. They put at their disposal monetary resources to defray the expenses that were incurred in challenging witchcraft allegations<sup>69</sup>. These monetary resources did not necessarily belong directly to the accused. As individuals, alleged witches were mostly poor, uneducated, or elderly but they belonged to the family and other social networks. They had children, paternal or maternal relatives who were rich or were in stronger social standing. In response to allegations of witchcraft, accused persons tapped into these social networks and resources. The successful outcomes were often dependent on the favourable dispositions of these resourceful networks to the appeals of the accused.

Mobilizing traditional and modern resources against allegations of witchcraft posed a serious challenge to those in weak sociocultural positions or persons with very limited income, and who could not afford the expenses involved in exploiting layers of appeal against imputations of witchcraft.

### **Non-Successful Use of Forums in Quashing the Allegations**

As the study has further illustrated, accused persons who used shrine forums (see figure 3.6), combined shrine and family forums (see figure 4.2) or accessed chief and sanctuaried shrine forum (see figure 5.4) failed to void imputations of witchcraft when there were unexplored available options. Their failure to nullify accusation could be attributed to their partial use of the venues, which yielded limited favorable outcomes. The accused persons failed to access other existing opportunities and the benefits that accrued from their usage were insufficient to overturn the witchcraft label.

From the unsuccessful use of the forums, it could be seen that alleged witches deployed ‘traditional’ mechanisms such as families and shrines that recognized the existence of witches. In accessing such venues, the accused had limited chances of exonerating themselves from

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<sup>69</sup> While witchcraft accusations are rampant in African societies, whether in rural or urban settings, explicit accusations target the very poor in rural areas because these are the persons on whom the label can most easily be applied. The rich and powerful are seldom openly or explicitly accused of witchcraft because they have the resources to resist and neutralize such imputations (see Geschiere 1997, 219).

imputations of causing occult harm. They could not use ‘modern’ state and medical venues that do not recognize the existence of witchcraft. The non-utilization of all available options and opportunities to neutralize allegations could be as a result of the weak socio-cultural positions of the imputed witches including their lack of knowledge that such forums exist or lack of means to defray the costs of accessing these venues. The rural dynamic is also a critical factor because of the offices of the police, the courts and CHRAJ include those of the CSOs and the media are located in the urban areas and not easily accessible to alleged witches in villages and rural communities.

Also, the accused persons who were unable to overturn the label were females which underscored the gendered nature of accusation especially the inability to mobilize the required resources to neutralize the label. It is pertinent to note that the alleged witches who were unsuccessful in overturning the label ended up in the witch sanctuary. The sanctuaries served as temporary places of refuge as shown in the case where one of the female accused persons later relocated, or places where the alleged witches spend the rest of their lives. This points to a connection between the unsuccessful use of these shrines and failure to use other opportunities to quash the imputation of witchcraft.

### **DBO Approach and Witchcraft Accusations**

The DBO approach highlighted the advantages that motivated the choices and decisions of alleged witches in the negotiation of accusations. It showed how those who were confronted with allegations of causing occult harm regained partial or full control of the situations, and gained from the process. In response to allegations of witchcraft, accused persons took their cases to the families, shrines, chiefs’ palaces, and courts in pursuant of their desires to know the truth and secure alternative accommodations, their quest for support and solidarity of relatives, and their yearning to be exonerated and enabled to return to their cultural homes. Far from the impression that accused persons were victims and sufferers of accusations without recourse (see van Beek 2007, 294) the DBO approach showed that motivated by the belief that they were innocent, alleged witches ceased family, chief, shrine, state and media opportunities. They mobilized whatever resources they could get, tried to influence the processes and ensured that accusations did not end in total tragedy for them.

As seen in the cases of Hilda, Wahab, Ayishetu, Ese, Abibat, Hawabu, and Wura, alleged witches challenged the veracity of witchcraft imputations and compelled their accusers to validate their claims. By implication, the accused did not readily accept the witchcraft claims

of the accusers. They took their cases to venues such as the families, the chiefs and the shrines that recognized the existence of witches and at the same time had the capacity to exonerate those wrongfully accused. Accused persons hoped that these structures would invalidate the allegations so that they could return safely to their cultural homes.

As seen in the cases of Abibat, Ese, and Wura, these yearnings did not always materialize. These structures occasionally confirmed the allegations or they invalidated the ascriptions but could not enforce them because the accusers rejected the verdicts. The DBO approach helped highlight the fact that, accused persons who were unable to return to their communities were not completely doomed but took measures and secured temporary shelters at the shrines or with family members or at rented apartments. While living in these places, accused persons did not relent in their efforts to get rid of the label. Based on the belief that they were innocent, they faulted the family, chief and divinatory processes and took their cases to other families, chiefs or shrines. Accused persons further tried to exonerate themselves by taking their matters to the police or they instituted court actions and hoped to finally quash occult imputations.

The DBO approach had, in highlighting the proximate causes of the actions and reactions of the accused, been useful in hinting the fact that, far from being passive recipients of the witchcraft label or docile participants in accusation processes, imputed witches exerted power and made their interests felt even when their accusers resisted or their efforts did not yield the ideal outcome or the desired end of returning to their cultural homes did not materialize.

### **The Power of Definition and Imputation of Witch Agency**

Accused persons responded to allegations by contesting the definitions of misfortune by the accusers. The definitions of unfortunate events informed imputations of occult. Occult representations of misfortune were predicated on personalistic, rather than impersonalistic beliefs (see Forster 1976, 776) because they attributed these behaviours to some agents. Thus, accusers imputed witchcraft by designating certain harmful experiences as being caused magically or mystically and attributing the witch agency to the accused. Put in other words, accusers explained instances of harm by using the second spear<sup>70</sup> (Evans-Pritchard 1976, 25) or why-it-occurred explanation (see Gluckman 1956, 83f) because the how-common sense and observation based answers and explanations did not suffice. As seen in the cases of Ese and Abibat, accused persons responded by rejecting the personalistic definitions or the ascribed

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<sup>70</sup> Evans-Pritchard used the metaphors of first and second spears to highlight the observational and mystical representations that feature in the explanations of misfortune.

causal responsibility by advancing how-it-occurred answers and interpretations. In doing so, they disavowed the interpretation of harm that implied some personal agency. Alleged witches advanced impersonalistic definitions and by implication deployed the first spear – in making sense of the misfortune – in reaction to allegations of using the second spear. Accusation process was characterized by a competition of reasons and a contest of spears-the reason why witchcraft was imputed and the reason for the response of the accused.

The outcome of the accusation process was a factor of which reason and whose reason overruled; which and who spear superseded—the spear of the accuser or the spear of the accused. In addition, accused persons sometimes accepted personalistic interpretations of misfortune but rejected the witch agency and responsibility that was ascribed to them. Thus as the case of Ayishetu has shown, the accused counter imputed occult agency on the accusers or on some other entities that were capable of mystical causation. Put differently, accused persons responded by attributing the origin of the second spear to their accusers or to other mystical sources. The accusation was marked by imputation and counter imputation of agencies, and the outcome was predicated on which imputed agency prevailed, the imputed agency on the accuser or on the accused.

### **Singularity of Misfortune and witchcraft accusations**

This investigation has shown that alleged witches responded to allegations by questioning their being singled<sup>71</sup> out by their accusers and the thinking that informed such processes. As seen in the cases of Neda, Abibat, Wahab, and Wura, alleged witches expressed shock and were puzzled by the allegations that were brought against them. Frequently, according to many of those spoken to, this mode of response was generated from a sense of unmerited and unwarranted victimization, and the idea that the allegation was misplaced and undeserved. The existing literature highlighted the reactions of those who thought they suffered sickness or death alone while others enjoyed good health using the notion of ‘singularity of misfortune’. It noted that in circumstances where Africans thought that they experienced particular unfortunate events, at particular times and particular places that witchcraft provided an explanation and a theory of causation (Evans-Pritchard 1976, 21f; Gluckman 1956, 84).

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<sup>71</sup> Studies on witch finding (see Richards 1935; Marwick 1950; Tait 1964; Willis 1968) have amply highlighted this predicament of the accused showing that accusation processes involved the expulsion and removal of the accused whose presence disrupted social stability and harmony.

This study argued that the notion of the singularity of misfortune did not account for the agency of alleged witches and the thinkings involved in situations where accused persons rejected, opposed or challenged imputations of causing occult harm. As the cases examined in this study had shown, sufferers of evil magic responded to their shock, anger, and surprise by making accusations-in pursuant of the 'who' or the identity of the witches-based on their dreams and divinations. They commissioned witch finders and shrine priests to reveal the identity of the witches in their families or communities (see the case of Wura).

Alleged witches responded to witchcraft allegations with feelings of shock, anger, and surprise as well. Claiming to have been unjustly accused, alleged witches challenged the 'logic' of their accusations and took measures to redress and neutralize the imputations of occult harm. As the cases of Neda, Hilda, Wahab illustrated, alleged witches challenged and rejected the why-it-occurred (witchcraft) thinking that was used in defining the misfortunes. In other cases of Ese, Ayishetu, and Dagat where the accused apparently concurred to why-it-occurred-thinking and personalistic interpretation of the misfortune, they used the who- the agentive causal reasoning to counter-accuse and challenge the allegations. To enforce their interpretations of the said misfortunes, alleged witches took their cases to forums that recognized the how, why or who thinking patterns and answers for exoneration. Neda, Hilda, and Wahab took their cases to the state institutions that did not recognize the why-it-occurred thought. Although a chief who recognized both how-and why-it-occurred explanations eventually resolved the case of Neda. Accusation process was a contest between accusers who were perplexed and thought it singular that they suffered misfortunes and reacted by invoking witchcraft, and the accused who were bemused and thought it unjustified that they be designated as perpetrators of occult harm and took measures to overturn the label.

### **Medicines, Remedy and Witchcraft**

It is apparent that beyond being a contest of definitions of misfortune, the accusation process was characterized by a contest of medicines. Medical formations featured in the interactions (see Ashforth 2005, 133f) because accusers imputed medicinal powers on the accused and those so imputed attempted to unmake the imputations by remedying the alleged witchcraft. Scholars explained that accusations emerged in the process of making sense of illnesses particularly those ailments that defied everyday medical treatment and reasoning (see Gluckman 1956, 84; Van Dyk 2008, 201f; Ashforth 2001, 6). They argued that those who suffered undeserved illness such as mental disorder, HIV/AIDs, and infertility externalized the cause and placed the locus

of responsibility on the witch. Accusation became a device for ascribing responsibility for providing a cure on the accused.

This study has argued that accused persons sometimes accepted such designations (see the case of Abibat) or at least responded by taking medical measures to remedy the alleged witchcraft (see the cases of Neda and Wahab). They do so even though taking medical responsibility could be seen as confirming the accusations, for the accused, such a measure is used as a strategy to get rid of the alleged witchcraft, and by implications, the allegations. In the face of accusations of remediable witchcraft, accused persons have few options and a probable strategy for them is to accept and contribute to the treatment process (see the cases of Neda and Wahab) to avoid being killed by the accusers. Alleged witches responded by deploying the Dagbani and biomedical formations, and accusation processes featured contesting medical complexes-the medical formation that imputed witchcraft and the medical measures that aimed to erase or nullify such attributions.

### **Families, Trust and Solidarity**

This study has further shown that those who are accused of witchcraft react to allegations by accessing family networks and using these resources to challenge imputations of occult harm. The family is a critical structure in making and unmaking allegations of witchcraft and the accusation process is characterized by a contest of family trusts and solidarities. Scholars have noted that imputations of occult harm take place among family members. In fact, they claim that accusations express the flip side of kinship because accused persons are considered enemies and betrayers from within (see Geschiere 2013, ix; Kgatla 2007, 269). As an enemy within the family, the accused person is sometimes rejected, abandoned, exiled, subjected to trial by ordeal and sometimes killed. Due to witchcraft, mistrust, hate and suspicion lurk in the relationships where intimacy, trust, and solidarity normally reign.

Distrusted by the accusers, accused persons as in the cases of Neda, Dagat, and Hawabu explored other family networks-nuclear, extended paternal and maternal sides in search of support and means to halt, reverse and eventually regain eroded trust and confidence. In brief, the accused tapped into other family relationships and deployed their solidarity against allegations. An accusation that originated from the paternal family side was taken to the maternal family for resolution and settlement. Trusts, intimacies, and solidarities in some family formations were rallied and used to neutralize the imputations of occult harm that occurred in

other family networks and relationships. Thus accusations were characterized by a contest of families; family trust for the accusers was pitched against family solidarity for the accused.

### **Chiefs, Authority and Protection**

The study demonstrated the strategic role and function of traditional authority, for example, that of the chief in the processing of witchcraft accusation. Often, the palace of the chief served as the first port of call for the accused. Researchers have noted that people who fear and suspect witchcraft in communities expect their chiefs to use their authority to protect them from occult forces. They argued that when the chiefs failed to do so, such persons looked to the state for protection or they improvised ways of securing themselves and their communities against witchcraft attacks (Geschiere 1996, 319, Niehaus, Mohlala, and Shokane 2001, 8f). As the heads of their communities, chiefs owed it as a duty to protect all the members of their communities. Accused persons approached chiefs for protection and expected them to use their authorities to shield them from wrongful accusation and banishment. In particular, this study highlighted that a hierarchy of chiefs and authorities that existed in communities constituted a strategic resource because it provided options for accused persons to use one chief forum to overrule verdict from another chief forum. In the cases of Neda (see figure 3.4) and Ese, chiefs were on the accusing side and the imputed witches explored chiefly and non-chiefly ways to overrule them. Chiefs exercised their powers dependently and independently in protecting accusers as well as accused persons. They provide another window of opportunity for alleged witches because the chief complex recognized the existence of witches and neutralized accusations at the same time.

Alleged witches reacted by contesting accusations at the courts of chiefs, they, in addition, challenged or appealed unfavorable rulings of lower chiefs at the courts of higher chiefs demanding that the higher chiefs used their authority to overrule the lower chiefs and protect them from unjust witchcraft judgments. Due to the reaction of alleged witches, accusation process was often a contest of the authority of one chief set against the authority of another, as chiefs insisted on their position for or against the accused. The outcome of an accusation process was determined by which chief prevailed, the chief that was in support of the accuser and accusation—and used his powers to protect the community from occult powers - or the chief who was in support of the accused and who used the authority to protect the accused from wrongful accusation and banishment. Furthermore, the literature has further attributed the manifestation of witchcraft accusations to the introduction of ‘modern state laws’ because these

legislations prohibited witch-hunting and limited the powers of the chiefs to manage witchcraft fears and anxieties in their communities (Ludsin 2003, 83). Although the introduction of state institutions curtailed the powers of the chiefs to process claims of witchcraft, these same state establishments such as the police and the state courts also constituted additional mechanisms and resource for chiefs, who sometimes used these institutions to assert their authority either in protecting the members of their communities from occult fears and anxieties or in managing the complaints of witchcraft accusations (see the cases of Hilda and Dagat).

### **Shrines, Revelation of Truth, Challenging the Witchcraft Label**

This study has further observed that alleged witches responded to accusations by accessing shrines and the divination venues and using these mechanisms to challenge the veracity of the allegations. Previous studies had noted that shrines were facilities where persons who entertained witchcraft fears and anxieties could go to have revealed the truth about their claims and suspicions, and secured protection from witchcraft attacks (Parish 2003, 20).

This study noted that shrines were also used to protect accused persons from attacks and from wrongful accusations. The accusation process was marked by a contest of shrines, of shrine revelations, truths, and verdicts. The accusation process was a competition of which truth or shrine verdict would succeed—the truth claim by the accuser or the truth claim by the accused, the shrine verdict from those who imputed occult harm or the verdict from those who rejected and challenged the ascribed harmful magic. Furthermore, the study has shown that alleged witches responded by choosing or determining which shrine to use in challenging accusations of witchcraft; the sanctuaried or non-sanctuaried shrines. While previous studies noted that sanctuaried shrines were places of refuge, solace, and peace for the accused (Kirby 2009, 50; Wiafe 2010, 87), this investigation noted that sanctuaried shrines were a resource for accused persons who were contesting accusations because these shelters were often strategic in processing accusations. Accused persons temporarily lodged there in the process of exploring the avenues or other measures to take against the allegations. Thus sanctuaried shrines were more than a place of safety for accused persons. Furthermore, it could be said that the variation in the number of accused persons in the witch sanctuaries in the past years as earlier noted-in chapter one-could be attributed to the fact that these settlements did not constitute permanent residences for accused persons but were critical transient facilities for alleged witches disputing ascribed responsibility for occult harm.

## **Indigenous Religion, Islam and Witchcraft Accusations**

This study demonstrated the resilience<sup>72</sup> of accused persons within traditional religious formations. Although alleged witches identified as Muslims they used non-Islamic religious venues to resolve their cases. Some literature noted the mixture of Islam and traditional religious beliefs among the people of Northern Ghana (Goody 1970, 208; Iddrissu 2013, 7). This mix could be attributed to the use of religious formations in the resolution of cases such as witchcraft accusations. People who suspected witchcraft took several measures, despite their religious affiliations to resolve cases of witchcraft. They used the traditional shrines to identify the witches. As the cases of Abibat, Ayishetu, Ese and Wura had shown, alleged witches employed these mechanisms to exonerate themselves.

Traditional religious shrines were in active operation and constituted venues which persons who, although they professed other religious beliefs nonetheless used and combined with other forums to resolve cases of witchcraft accusation. In fact, the use of shrines in these instances by Muslim accused persons emphasized strong component of religious forum shopping in processing accusations. Instead of substituting the indigenous religion, this study found that Islam constituted forum and provided an alternative option that parties to accusations used and combined. Thus the accusation process was characterized by a contest of religious forums and formations. The outcome of the process was determined, not by which religion the parties involved professed or identified with but rather which religious forum overruled; the religious forum used by the accuser or the forum used by the accused.

## **Police and Law Enforcement**

Investigating reactions to witchcraft accusation has shown that accused persons filed complaints with the police which often resulted in the law and order enforcement agency prosecuting people for various crimes related to having made accusations of witchcraft. The role of the police in processing accusations was noted in existing studies (Pelgrim 2003; Petrus 2009). Some of these studies have suggested that law enforcement agencies were in a dilemma when dealing with witchcraft accusations because formal legislation that stipulated the functions of the police did not recognize the existence of witchcraft, and this, therefore, resulted

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<sup>72</sup> Accused persons tried to explore and exploit any opportunity within the traditional setting to riggle out of the accusations even though the traditional setting recognizes the reality of witchcraft and therefore has limited options for the accused to exonerate themselves.

in a conflicts with the beliefs of the people (Pelgrim 2003, 5) and the police institution encountered problems in prosecuting accusers (Petrus 2009, 94).

Accused persons were often engaged in a tug of war with their accusers. Reporting cases to the police was a way alleged witches tried to overwhelm the accusers and enforcers of the witchcraft label. Usually, in response to allegations of witchcraft, law enforcement agencies targeted accusation-related crimes such as assault, murder, attempted murder, arson, trial by ordeal etc. They arrested accusing parties and investigated and prosecuted them for these crimes. Nonetheless, the law enforcement process was still fraught with challenges and difficulties, and for accused persons who were trying to demonstrate their innocence, the state law enforcement mechanism remained an important resource. However, the inability of police to influence the accusers to abandon their accusations of witchcraft when the police could not establish that crime had been committed did nothing to assuage the accused who believed that they were innocent and should be exonerated.

Simply put, policing interventions did not guarantee nullification of accusations because the police institution encountered difficulties establishing that crimes had been committed. In the absence of substantial evidence of a crime, the police were unable to prosecute the accusers. In such situations, the police mechanism proved impotent and ineffective and even if successful were rarely sufficient in dealing with imputations of occult harm unless the accused decided to use other avenues to overturn the label.

Furthermore, as a result of the reaction to witchcraft accusation, it was evident that state police sometimes encountered resistance in the course of enforcing the laws because of informal enforcement groups-comprising of, for example, the elders or groups of youths who operated within the communities. These informal formations comprised of people who did recognize the existence of witches and the crime of witchcraft. They enforced the 'tradition' of witchcraft and often resisted the arrest of accusers or any other form of intervention by the state police or politicians. Thus, due to the response of accused persons, the accusation process was not merely a contest of families, of chiefs and of shrines but also a competition of policing units' both formal and informal. The outcome of an accusation process was often therefore determined by which police prevailed, the accusing police or the accused police, the 'traditional' police or the 'modern' state police.

## **Courts and African Justice**

This study has shown that alleged witches actively, even aggressively, challenged the injustices that were associated with the accusations at state courts. Although Hund (2000, 388) attributed rampant cases of witchcraft accusations and violence to the “breakdown of African justice”, this study has revealed another sense of African justice, that is, justice for the accused. Contrary to the view of Melland (1935, 495) that within the African judicial system, the accusers and the accused were often in agreement regarding the efficacy of witch trials, this investigation highlighted that accusers and the accused were often in disagreement and were embroiled in a dispute in their quest for justice. Thus the accusation process was often characterized by perceived injustices-injustice due to supposed witchcraft and injustice due to witchcraft accusation. The outcome was a factor of which sense of justice prevailed-justice for the accuser or justice for the accused. In the pursuit of justice, accused persons used state courts to try and overrule the verdicts of the accusers, the unfavorable decisions of ‘traditional’ courts/chiefs, and shrine priests. The state court was strategically important because, like the police, the court did not recognize the existence of witches and the reality of witchcraft. Thus court actions provided additional opportunities to overturn some of the effects of the witchcraft label because in situations where the criminal prosecution was unsuccessful, the accused resorted to the civil court process. Though courts did not deal with witchcraft beliefs, they could be useful tools for the accused to redress the accusations and give them some reprieve and satisfaction. However, it was the civil court that came closer to overturning the label because they accepted that witchcraft accusation was a slander on a person’s reputation.

## **Civil Society and Community Interest**

This research further observed that alleged witches responded to allegations by utilizing state-leaning civil society platforms. Accused persons accessed these organizations because as state-leaning agencies that did not recognize witchcraft, they were nonetheless a useful resource-particularly to those who were seeking to exonerate themselves from such accusations. The interest of CSOs was predicated on protecting the community from witchcraft accusation and in enhancing the will of community members who sought to exonerate themselves from imputations of causing occult harm.

These state leaning CSOs had to contend with other community interest organizations that recognized the existence of witches. Thus alleged witches accessed these CSOs to be able to resist and overwhelm other community tradition-leaning interest organizations that supported

accusations, and the banishment of imputed witches, and who sought to protect the community from occult attack and harm. Thus the accusation process was characterized by a contest of community interests and the outcome of the process was determined by which community concern overrules the other – the concern of those who imputed occult agency and work to cleanse communities of such forces or the interest of those who challenged ascriptions of occult harm and campaigned to realize communities that were free from witchcraft allegations and the persecution of witches.

### **Media and Dissemination of Witchcraft Imputation Ideas**

Alleged witches engaged in the witchcraft accusation process by using the media to publicize their stories, and pressured state authorities to intervene in their cases. Though existing notions suggested that witchcraft beliefs are reinforced by media stories and that the media give visibility to witchcraft ideas and conceptions (Adinkrah 2015, 112f; Riedel 2016, 185) by producing and bringing into the open ideas that used to be secret (Ukah and Echtler 2009, 85), this investigation noted the role of the media in weakening witchcraft accusations.

The media provided platforms and channels that were used to disseminate and publicize accounts of those who rejected ascribed witchcraft behaviours. Accused persons used the media to regain the voice which allegations of perpetrating harmful magic denied them by making a case for their innocence through these channels. The media put in the public domain the accused's version of stories including perspectives and information, which would not ordinarily have been captured or known. The information included details of other likely explanations of the assumed witchcraft or why the accusation was misplaced or mistaken. Media publicity served the cause of drawing the attention of the relevant authorities and asking for their intervention or letting the public know that complaints had been lodged but were not receiving adequate attention. As seen in the case of Neda, such deployment of the media yielded advantageous outcome because it led to the intervention of the state. Although the intervention of the state did not result in the neutralization of the allegation, the media coverage contributed in the use of a higher chief forum.

### **Gender and Accusation Process**

Furthermore, this research has, in examining the response of accused persons to imputations of occult harm, highlighted a dimension to the gendered notion of witchcraft. Contrary to the suggestion in the existing literature that accusations took place along gender lines and that

imputations of occult harm were devices for the control and subordination of the other gender (Federici 2010, 11ff; Colson 2000, 341), it had emerged from this study that such expressions of accusation hardly go uncontested. The male or female gender at the receiving end exerted power and tried to ensure that their concerns and interests counted (see Giddens, Duneier, and Appelbaum 2015, 20) even when accusers resisted or insisted that they were witches.

In eight of the nine cases that were investigated in this study, the accused persons were females. In these cases the accusers were male or there were male parties to the allegations. Five of the eight accused women succeeded in neutralizing the allegations brought against them. In three of the five successful cases, the accused women used state and 'modern' state-leaning institutions. Whilst the accused females who were unsuccessful only lodged their complaints at 'traditional' structures such as families, shrines, and chiefs. Thus accused women who negotiated accusations stood better chances if they used state structures than if they appealed their cases at shrines or at the palaces of chiefs because these venues recognize the existence of witches. However, the use of state mechanism depended on the accused's social cultural positions and resources. In the same vein, Adinkrah (2004, 336) had noted that a greater proportion of indigent widows in Ghana who had little formal education were often accused of witchcraft and comprised most of those suspected as witches. The study argued that widows were active on such occasions because they deployed other social networks in resisting and counteracting the witchcraft label. Accused females who were widows had other relatives who supported to challenge to allegations. Widows who had children or family members who came to their rescue and facilitated their use of different forums in negotiating accusations.

### **Enforcement of Human Rights**

This investigation showed that alleged witches responded to witchcraft allegations by taking measures to address associated human rights abuses. Violations of human rights took place in the course of accusation as frequently accused persons were assaulted, banished, and tortured. Contrary to existing perspectives that these abuses were suffered passively without any attempt to fight back, or that accused persons stand no chance in the face of such imputations, this study observed that these human rights abuses did elicit responses and that alleged witches used redressive mechanisms and various strategies to assert and enforce their human rights.

In fact, accused persons stood some chance because they complained to human rights agencies, secured court injunctions that restrained their accusers and overruled the allegations. Given the notion that accusation was motivated by concerns over 'human rights violations' by the witches

(see Ashforth 2015, 10) this led to the accusation process becoming a contest of human rights concerns and enforcements-the enforcement by persons who feel their 'rights' have been violated by those who engaged in witchcraft violence, and the assertion of rights by those who felt that their right to dignity and safety had been denied through allegation, trial, and subsequent banishment.

In summary, this chapter has highlighted several findings and how the cases illustrated the agency of alleged witches in the accusations process. This chapter has noted how these findings contributed to knowledge in specific areas such as medicine, chief, police, courts, gender, civil society and media. Some concluding remarks and insights in the light of these findings will be the focus of the last chapter.

## **Chapter Seven: Conclusion and Perspectives**

### **Conclusion**

This study has explored witchcraft accusation with emphasis on the accused and their reactions to the allegation of witchcraft. By investigating the responses of accused persons to witchcraft accusations in Northern Ghana, this study has highlighted that accused persons are active participants in the accusation process and that witchcraft accusation is a bidirectional process shaped by the action and reaction of both the accusers and the accused. It has been noted that allegations of witchcraft emerge under varying circumstances. First of all, witchcraft accusations arise from cases of remediable misfortune such as illness especially when such ailments have defied known and affordable treatments or the illness has involved dream encounters with some person or persons. Imputations of harmful magic manifest in situations of irremediable misfortune such as death, and in particular when such tragic experiences happen suddenly and inexplicably through accident or mishap and even more significantly if they are preceded by quarrels, curses, and threats. Allegations are also made in anticipation of occult harm especially on occasions where certain behaviours and traits are interpreted and invested with occult potency, intent, and significance.

It has been argued that accused persons demonstrate their agency by using the pluralistic environment to their advantage. In their quest for the truth and exoneration, alleged witches take their cases to different venues expecting support and solidarity, protection and vindication and other benefits that could singly or cumulatively lead to the overturning of the witchcraft label. This study departs from previous examinations of the topic which focus overwhelmingly on accusers and their reactions to alleged witchcraft and instead focuses on showing that supposed witches are also active in the face of accusations and that accusation is a contested process, not a procedure to be taken as a given that is determined only by accusers.

In the light of this surprising perspective that accused persons are active, engaged participants in the accusation process, there is a need to rethink the implied idea that witchcraft is an undisputable idiom which Africans use to make sense of misfortune and of modernity. Also to be reviewed is the notion that accusation is a unidirectional undertaking that is determined only by the accusers. This research has further called into question the idea of contrasting the western sense of medicine, justice, human rights and politics and the African approach in explaining witchcraft accusations.

Embroiled in accusations, alleged witches deploy formations of medicine, justice, human rights and politics that were usually associated with the West in challenging imputations of occult harm. It takes issues with what scholars have hitherto imagined being their key task, which is to provide reasons for the occurrence of witchcraft imputations. In so doing they fail to robustly capture the full dynamics of the process because they leave out critical elements; the reactions and defense strategies of the accused.

In fact, the whole notion that accused persons are passive recipients, victims and sufferers of imputations of occult harm without any capacity to react should be revisited. More significantly, this study poses a fundamental challenge to the idea that often associates 'traditional' institutions such as families, chiefs or shrines were reinforcing, not weakening witchcraft and magic. In particular, the study takes exception to the paradigm of a 'modernity of witchcraft' and one which suggests that accusations are a valid means to an end and effective mechanisms which Africans use to make sense of modernity. In fact, it is strongly argued here that 'modernity' finds a more meaningful expression of the accused person's agency and efforts in dispelling witchcraft suspicion and accusation. The study's focus on the agency of the accused puts into question the tradition-modernity dichotomy that identifies tradition with superstition, magic and irrationality, and modernity with rationality and science. Also in question is the notion that counter poses the two dynamics claiming that the appearance of one would lead to the weakening of another. In negotiating accusations, this distinction has been untenable because accused persons used traditional institutions such as chiefs and shrines as well as modern mechanisms such as the police and courts to dispel accusations.

Finally, this study builds on previous research findings that advance reasons for witchcraft accusations such as envy, jealousy, hatred and struggle over property. Studies advanced these reasons in relation to the actions and behaviours of accusers not in relation to responses of the accused. These earlier investigations in failing to capture the responses and reactions of imputed witches have missed an important dynamic in the witch accusation process and in so doing incorrectly presented as passive the people who are accused of witchcraft. The studies failed to highlight the fact that alleged witches bearing in mind that the allegations were informed by hatred, envy or malice not because they were responsible for the misfortune-potential or actual-took several measures to get rid of the allegations. Put simply, scholars overlooked the fact while envy, jealousy and hatred justified not only witchcraft accusations but also witchcraft accused-actions. Thus by focusing on the accused and highlighting their reactions and active

participation in the accusation process, this study has foregrounded a critical approach to the conceptualization of accused persons and witchcraft allegations.

### **Contribution**

This research actually combined the approaches of legal pluralism, forum shopping and the DBO in conceptualizing accused persons and in highlighting an often-neglected perspective: that witchcraft allegation was a contested phenomenon. In this investigation, the analytical model of legal pluralism was used to explain the terrain where witchcraft accusation processes happen, but the research went beyond the existing usage of this approach to highlight the fact that, in this pluralistic setting, witchcraft accused-actions and not merely witchcraft accusations took place. It was clear that existing studies had mainly paid attention to just the legal as well as the medical pluralistic settings and had investigated how these frameworks facilitated imputations of occult harm. Actually, the emphasis had overwhelmingly been on how the existence of laws to suppress witchcraft and the formal courts along with medical formations - that did not recognize the existence of witches-had been of no avail in mitigating allegations of witchcraft. However, this study had noted the resourcefulness of the pluralistic environment and the opportunities they provided for accused persons who were challenging imputations of occult harm. However, the focus on legal pluralism described the field where accusations took place but did not tell us how accused persons made use of these structures. Therefore, this study combined a consideration of legal pluralism with the approach of forum shopping to show that alleged witches took a proactive stance and a masterful ability to utilize these multiple structures to their own advantage by taking their cases to the appropriate venues.

However, accused persons did not always succeed in neutralizing allegations of witchcraft despite their employment of protest and resistance. Thus to capture the activeness of the accused persons in such situations, the concept of DBO was used to make sense of the advantages which alleged witches achieved through such actions as relocating to live in another community or with a family member, or going to live at the witch sanctuary, or leaving rural for urban areas. Together these concepts had helped capture the processes which were often overlooked but which counted in shaping the accusation process.

## **Modernity of Witchcraft Debate**

This study has contributed to the modernity of witchcraft debate by drawing attention to the one-sidedness in the conceptualization of modernity in relation to witchcraft accusation. The argument by scholars that modern phenomena such as the state, economy, politics, and the media strengthened witchcraft beliefs and allegations (Comaroff and Comaroff 1993; Geschiere 1997; Ciekawy and Geschiere: 1998) articulated only are only aspects of how modernity related to the manifestation of witchcraft beliefs in post-colonial Africa . The idea that, in response to the malcontents of modernity (Comaroff and Comaroff 1993), Africans imputed witchcraft and exerted power by making attributions of occult harm only presented one side of how Africans exerted power under such situations and circumstances. Thus the explanation that witchcraft as a signifier of the crisis and efforts of Africans to make sense of modernity is incomplete.

As this research has demonstrated, attributions of witchcraft elicited reactions from alleged witches and accused persons had agency in witchcraft allegation process. This study suggested that the exertion of power in the light of modern changes included dispelling magical imputations because they used modern institutions to challenge the positions and attributions from their accusers. Modern institutions such as the state and the media were resourceful in weakening witchcraft accusations and beliefs. The study has therefore foregrounded reactions and responses in post colonial Africa where the state is used in weakening witchcraft accusations.

## **Modernities and Witchcraft in Africa**

This research has observed the inadequacy of the notion of modernity of witchcraft as noted by Geschiere (1997). It has highlighted the imbalance in the conceptualizing of modernity in relation to witchcraft. This study has so far argued that modernity of witchcraft thesis overlooked a very critical aspect in the witchcraft accusation process, which is the agency of the accused and their use of modern institutions in dispelling allegations of witchcraft.

Indeed, the modernity of witchcraft debate largely ignored that modern institutions did not relate to participants in the accusation process in the same way. Modernity did not manifest in the actions of those who imputed occult harm in the same form as in the behaviors of those who disputed witchcraft and occult imputations.

With the integration of the actions and reaction of the accused, this study has broadened the idea of modernity in the context of witchcraft accusation. In addition to the conceptualization

of modernity in relation to accusers, this research has shown another way modernity manifests in relation to the accused. To this end, the notion of ‘modernities and witchcraft in Africa’, not the ‘modernity of witchcraft in Africa’ is proposed. This proposal is meant to articulate a more balanced approach to understanding the variety of ways modernity manifested and related to witchcraft accusation process and in particular to show the changing landscape in post-colonial Africa.

### **Research Context and Political Economy of Witchcraft Accusations**

Northern Ghana was chosen as a suitable site for this study because it was a region where allegations of witchcraft were rampant. Witchcraft processes were exemplified in the presence there of witch sanctuaries which were a critical infrastructure in the negotiation of imputations of occult harm and their varied consequences. So called for want of a better designation, witch sanctuaries provided ready access and ample opportunities to interact with alleged witches and to capture their stories in an environment of relative calm compared to the hostility back in the places where they had been accused. While the continued existence of these shelters indicated the prevalence of witchcraft accusations and the belief system(s) underpinning them. It also demonstrated the intriguing and complex political and economic interplay that had characterized and sustained the accusation processes in the region.

As a micro-political mechanism, witchcraft allegations provided the arena for traditional authorities such as chiefs and shrine priests to exercise their powers, either by protecting accusers and their communities from occult forces or by exonerating the accused and providing them a refuge and rehabilitating space. In a region where poverty was pervasive and where limited economic opportunities existed, cases of accusation were a means of generating income for shrine priests, chiefs, and elders.

In addition, accusation processes were arenas for chiefs, shrine priests, and other actors, who recognized the existence of witches, to legitimize their powers in their dealings with state institutions, which did not explicitly recognize the existence of witches. Accusations also serve as mechanisms to maintain control over those whose levies and free labours sustain the chieftaincy and shrine institutions.

Although colonial and post-colonial state recognized chieftaincy institutions as custodians of tradition, they curtailed their powers by outlawing witch-finding activities as a harmful tradition. This political arrangement has been a subject of contestation in the relationship

between the chiefs and the state managers especially in the management of witchcraft allegations.

So, accusations processes often serve as opportunities for assertion and re-assertion of authority by chiefs and state actors. Institutions that recognized witchcraft and the reality of occult harm and those that were active in Northern Ghana. Accusers and accused both seized the opportunity of these factors in the making and contesting of allegations of witchcraft.

Consequently, with the limited presence of state structures, such as hospitals and the police, and with the reins of managing these misfortunes still in the hands of ‘traditional’ actors such as the chiefs and shrine priests, especially in rural areas, Northern Ghana provided a rich research resource. The prevailing socio-economic and political circumstances could be seen to enable witchcraft allegations to thrive. It is also a place where the lively negotiation and renegotiation of imputations of occult harm in the 21st century could be vividly captured and a better insight into the changing landscape of witchcraft accusation in post-colonial Africa could be gained.

### **Areas for further research**

As noted in this study, active participation in the accusation process is often predicated on the ability of the accused to use and combine family, chief, medical, religious, state, media and CSO avenues to overturn the witchcraft label. While we know that alleged witches actively engage in the accusation processes and do so by using various measures and strategies that were discussed in this dissertation, we do not know the elements that shape how these mechanisms, such as the police, the courts, the state human rights agency, operate.

It is important to understand how the various institutions (including the shrines) manage accusations and the factors that influence this management. For instance, further research is necessary to gain better insight into what has changed over time regarding how the shrines, the chiefs, the police, the courts, the state human rights agencies and the CSOs process accusations of witchcraft. Such studies could be helpful in knowing what has influenced the way these institutions deal with witchcraft accusations over the years.

Further research is needed to understand, in the light of this study if witchcraft belief is increasing or decreasing and also to understand witchcraft belief in the context of religious diversity in West Africa.

In addition, we need studies that are focused on understanding the role and significance of Islam, Christianity, and indigenous religion in the accusation processes. For instance, why do accused persons take their cases to the indigenous religious shrine though they are Muslims? How does Islam influence the accusation process? How has Christianity shaped witch imputations and how have such imputations affected Christianity?

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## Glossary of Dagomba Terms

The local terms used in this dissertation are Dagomba words as transcribed by my research assistant who is a native speaker. A standard formation of transliteration was not used.

Baga	Diviner
Barazim	Cane made from cowskin
Bouiglana	Owner of a god/private shrine
Bouiglinoo	Chicken ritual
Bukpaha	Wizard
Chilo	Medicinal power that witch finders use
Chima	Grass used in constructing roofs
Dagbani tim	Dagomba medicine
Dagbani	The language of the Dagomba
Doro	Illness
Gbanigba tim	Medicine which those who invoke money use.
Gurum	Medicine used for fighting
Jina	A witch finding dance
Jinjangbee	Walking stick for dancers of Jina
Jinwara	The dancer of Jina
Jinwaridoo	Male member of Jinwara
Jinwaripaga	Female member of Jinwara
Kabre	Medicine used in competitions
Kani	Anti bullet/gunshots medicine (ring)
Kpanalana	Chief's linguist/spokes person

Kpibu	Death
Kukpalga	Dwarfs
Na-Yaba	Grand father
Nintua	Medicine against witchcraft
Pagali	Medicine used for fighting
Pakurugu	Old woman
Pihim	Water used to wash a corpse
Sara	Sacrifice
Slimi	Western/white
Slimi tim	Western medicine/biomedicine
Sochira	Crossroads
Sonya	Witch
Sotali	Witchcraft
Sotim	Medicine or powers used by witches to kill or harm
Tim	Medicine
Timalana	Medicine men/women
Tindamba	Priestly class
Tindana	Earth priest/owner of a community shrine/god
Tindang	Community shrine
Tindangbanyerigu	Shrine priests that have land
Vuwa	Medicine to enhance one's business

Ya-Na	The King of the Dagomba/The Chief of Dagbon
Yili-yidana	Family/the Husband of the House
Zaachi	The Chief of Youths
Zong	Main entrance to a family compound
Zuli	Medicine used to expel witches (cow tail)

## Appendices

### Appendix 1: Hilda's Writ of Summons

Court 2  
**IN THE DISTRICT COURT TAMALE**

**BETWEEN:** ~~\_\_\_\_\_~~ : **PLAINTIFF** 27/6/13  
FRIDAY **SANZERIGU VILLAGE** 3:30pm  
12/07/13 **TAMALE** REGISTRAR  
AF **VRS.** REGISTERED CLERK  
8:20am 1. ~~\_\_\_\_\_~~ : **DEFENDANTS.**  
2. ~~\_\_\_\_\_~~  
**ALL OF SANZERIGU VILLAGE - TAMALE**

APPLICATION FOR THE ISSUED OF WRIT OF SUMMONS.


PLEASE CAUSE a Writ of Summons to be issued at the instance of the plaintiff herein and directed against the defendant herein and make same returnable to this Honourable court at an earlier date convenience.

PARTICULARS OF CLAIM

Plaintiff's claim against the defendant is for:

1. An order directed at defendants to prove or retract the statement they made publicly on 26<sup>th</sup> April, 2013 "that plaintiff is a witch and that plaintiff was responsible for 1<sup>st</sup> defendant's ailment", a statement which compelled plaintiff to flee the community for fear of her life.
2. A mandatory order directed at defendants to announce to the community at the chief's palace that plaintiff is not a witch.
3. Compensation of GH¢2,000.00 (Two Thousand Ghana Cedis) for defamation of character.
4. Cost.

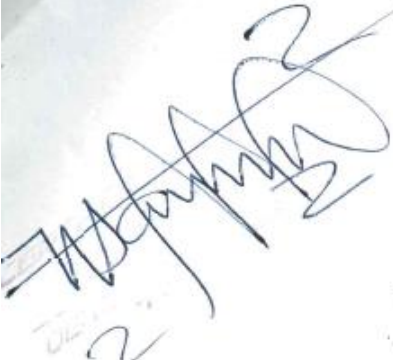
DATED AT TAMALE THIS 25TH DAY OF JUNE, 2013.

  
(PLAINTIFF HEREIN)

THE REGISTRAR  
DISTRICT COURT  
TAMALE.

## Appendix 2. Hilda's Court Judgement

IN THE DISTRICT MAGISTRATE COURT TWO TAMALE HELD ON FRIDAY 12<sup>TH</sup> JULY 2013 BEFORE HIS WORSHIP AUGUSTINE ESSAH-MAGISTRATE.

 SUIT NO. A4/4/13

~~MUMINATU OLUSSAN~~

VRS.

1. ~~ABDUL LATIF YAKUBU~~

2. ~~ANNA KENNEDY LATIF~~

PLAINTIFF ..... PRESENT.

D1 ..... PRESENT.

D2 ..... PRESENT.

CLAIM READ AND EXPLAINED IN TWI

PLEA: D1 - NOT LIABLE

D2 - NOT LIABLE

BY COURT: Defendants have pleaded not liable to the claim. The matter will therefore proceed to trial.

Suit adjourned to 2/08/13.

(SGD) AUGUSTINE ESSAH-MAG.

IN THE DISTRICT MAGISTRATE COURT TAMALE HELD ON FRIDAY 2<sup>ND</sup> AUGUST, 2013 BEFORE HIS WORSHIP AUGUSTINE ESSAH – ESQ.

PLAINTIFF - PRESENT

D1 - PRESENT

D2 - PRESENT

Evidence – in-chief of plaintiff.

SOK in Dagbani. My name is ~~Meluduwa Alhassan~~ I live at Sanzerigu. I am a farmer. I know the defendants.

I was chosen by MOH as a leader in the community to mobilise and announce immunization of children and pregnant women in the community – Sanzeriigu.

One day I had information from the MOH to announce to the community the coming of Health Personnel in the community to treat children and that children who are not healthy will be given some food supplement while the healthy ones will be discharged outright.

I chose D1 to assist me – Secretary. I remember I passed information with the secretary to pass on to the women in another community. On his way D1 hurt himself. I therefore went to his house to visit him. I met D2 who told me that D1 was asleep. I therefore told D2 to extend my greeting to him and wish him well for me.

As I turned to go back D2 said to me a witch you are the cause of my husband's sickness. I turned to tell D2 that I take exceptions to the word she has used on me.

All of a sudden D1 also came from her room accusing me of being a witch and the cause of his sickness.

I submit that as I was going D1 followed me shout "oh a witch has come to my house to finish him and the community members should come and have a look at me.

Upon these I quickly went to the palace of the chief and made a complaint to him.

I was at the chief palace when the defendants sent one ~~to the~~ to the chief to apologise on their behalf to me for what they have caused me.

The chief referred the apology to me. I replied the chief that I have accepted the apology and forgiven them.

I went to the house. The chief later sent one Elder to come and tell me that, the defendants have come to him that they have withdrawn their apology rendered to me and that they still stand by their accusation that I caused the sickness of D1 spiritually and that they were sending the matter to the chief of Yendi for redress.

I also became alarmed and reported the matter to the police. The police could not settle it and I therefore took civil action against the defendants in court here.

End of evidence.

Cross-examination of plaintiff by defendant.

Q. Can you remember the day I was organising the children and pregnant ladies for you for MOH.

A. It was on one Monday.

Q. I put it to you that it is not true.

A. It is on one Monday I insist.

Q. I put it to you that, that fateful day when you came with one other my wife told you people not to enter and you people forced entered my house.

A. It is not true

Q. You struggled with my wife and forced entered my room.

A. It is not correct.

Q. Your friend (P.O.) told me that I will see.

A. Not correct

Q. You told me that I will see what I am not expecting.

A. I did not say that

Q. I told you that even if you report me to the police I will also give my side of the story.

A. You did not say that

Q. Where did I call you that you are a witch

A. In front of your house.

Q. Did you see me outside the compound?

A. Yes, I did

Q. I put it to you that I was sick and could not come outside

A. You ran and came out of your room

Q. Who sent Fuseini to the chief according to what you told the court.

A. I ~~thought~~ said you people sent him.

End of Cross-examination.

By Court: for clarification.

Q. when the defendants accused you of being a witch, who was there.

A. There were many people present but I remember one ~~man~~ was present.

End of clarification.

By court: You are discharged

Suit adjourned to 16/08/13.

(SGD) AUGUSTINE ESSAH-ESQ.

**IN THE DISTRICT MAGISTRATE COURT TWO TAMALE HELD ON FRIDAY 16<sup>TH</sup> AUGUST, 2013 BEFORE HIS WORSHIP AUGUSTINE ESSAH – ESQ.**

PLAINTIFF - ABSENT

D1 - PRESENT

D2 - PRESENT

BY COURT: Costs of GH50.00 awarded for the defendants against the plaintiff.  
Suit adjourned to 30/08/13.

(SGD) AUGUSTINE ESSAH-ESQ.

**IN THE DISTRICT MAGISTRATE COURT TWO TAMALE HELD ON FRIDAY 30<sup>TH</sup>  
AUGUST, 2013 BEFORE HIS WORSHIP AUGUSTINE ESSAH – ESQ.**

PLAINTIFF - PRESENT

D1 - PRESENT

D2 - PRESENT

BY COURT: Plaintiff has paid the GH50.00 awarded against her to the defendants in open court.

Evidence – in- chief of PW1.

SOK in dagbani. My name is ~~Kambon Paga~~. I live at Sanzerigu. I am a trader. I know the plaintiff. She is my senior sister. I know the defendants.

One day morning as usual I went to greet my sister (plaintiff).

My sister (plaintiff) said I should accompany her to go and greet D1 for she has not seen him for some time.

As we were getting closer to D1's house, D2, the wife asked us to go back as D1 was asleep.

Plaintiff therefore told D2 to tell D1 that we came over to greet him. There and then D2 responded and replied plaintiff that she is a witch and that she has come to finish plaintiff. D1 then and there came out of the room shouting with the hands on the head. That the town folks should come over to see that plaintiff has come to her house to finish him.

D1 further told us to take the matter up to the court or the chief's palace. We went to report the matter to the chief.

At the palace D1 sent one Nayime to the chief to apologise for what she said to plaintiff. Upon this, the chief told plaintiff to forgive him and the plaintiff also obliged.

We went home. Not quite long the chief called us back that D1 has again sent to tell him that he the chief has not got the capacity to settle the matter so he is sending the matter to the chief of Yendi.

End of evidence.

Cross-examination of PW1 by D1.

Q. Didn't you come to my house?

A. Yes, we came to greet you and D2 said we should not enter.

Q. I put it to you that I was sick and I couldn't have even stand up.

A. Not correct, you came out from the room with your hands on your head shouting that we have come to finish you.

Q. So upon my shouting did people come around to rescue you.

A. Yes, people from the community came around.

Q. Can you mention at least some of the people who came around.

A. Fuseini and Camaria came around.

Q. I put it to you that I did not tell you that you are a witch.

A. You said it first before D2 repeated it.

Q. Who was present when I said you are a witch.

A. Plaintiff and myself because we came to greet you.

Q. Did you enter our room.

A. I didn't.

Q. I put it to you that you entered the room.

A. I never entered the room.

Q. I put it to you that you entered there and asked D1 whether he was asleep.

A. Not correct.

Q. I put it to you that you entered the room and tapped me whether I was asleep.

A. Not correct we told your wife to extend our greetings to you when she told us that you were asleep.

Q. I put it to you that even plaintiff asked me whether I was feeling dizzy as she also stood by the door.

A. Not correct.

Q. Were you at the compound with the plaintiff.

A. Not at the compound but outside the compound.

Q. Plaintiff was holding the hand of a child on the compound.

A. Not correct.

Q. Did you hear me say that plaintiff was a witch.

A. Yes, you said that.

Q. Who did I send to the chief to apologise.

A. Nayime

Q. Did you see me there at the palace

A. I did not see you but your messenger came there.

Q. Who did I send to the chief that I was sending the matter to Yendi.

A. Well, I cannot tell, the chief sent someone to tell us that he the chief cannot settle the matter and you were sending it to Yendi.

Q. Who was the person the chief sent to you.

A. Kunkundana.

End of cross-examination.

By Court: Any re-examination

By Plaintiff: No – re-examination

By court: You are discharged

Suit adjourned to 13/09/13.

(SGD)AUGUSTINE ESSAH-MAG.

**IN THE DISTRICT MAGISTRATE COURT TWO TAMALE HELD ON FRIDAY 1<sup>ST</sup>**  
**SEPTEMBER BEFORE HIS WORSHIP AUGUSTINE ESSAH – ESQ.**

Plaintiff - present

D1 - present

D2 - present

Evidence –in-chief of PW2.

SOK in Dagbani. My name is ~~Awol Yanku~~. I live at Sanzerigu – Tamale. I am a steel burner. I know the plaintiff as well as the defendants.

At the time the incident took place I was not around. I came later when I was invited by the chief of Sansherigu to his palace.

The chief told me that I should go and tell the plaintiff that he has settled the matter between her and the defendants –quarrel. I went and told the plaintiff accordingly.

End of evidence.

Cross-examination of PW2 by D1.

Q. When the chief called you and sent you to plaintiff, did the chief said I called the plaintiff a witch.

A. The chief never said that.

Q. Did the chief told you where the incident took place.

A. No, he didn't.

End of cross-examination of PW2 by D2.

Q. I have no question for the witness.

By Court: Any re-examination

By Plaintiff: No re-examination

By court: You are discharged.

Suit adjourned to 27/09/13.

(SGD) AUGUSTINE ESSAH-MAG.

**IN THE DISTRICT MAGISTRATE COURT TWO TAMALE HELD ON FRIDAY 27<sup>TH</sup>  
SEPTEMBER 2013 BEFORE HIS WORSHIP AUGUSTINE ESSAH-MAGISTRATE.**

PLAINTIFF - PRESENT

1<sup>ST</sup> DEFENDANT - PRESENT

2<sup>ND</sup> DEFENDANT - PRESENT

BY COURT: One chief of Zanzerigu is praying the court to remit the matter to him to settle and announce the outcome of it to the court since both parties are his subject. He prays conscientiously.

By Court: prayer granted let the chief settle the matter and announce outcome since all the parties are his subjects and have also agree to the amicable settlement.

Case adjourned to 14/10/13 for announcement to the outcome.

(SGD) AUGUSTINE ESSAH – ESQ.

**IN THE DISTRICT MAGISTRATE COURT TWO TAMALE HELD ON MONDAY 14<sup>TH</sup>  
OCTOBER 2013 BEFORE HIS WORSHIP AUGUSTINE ESSAH – ESQ.**

PLAINTIFF - ABSENT

D1 - PRESENT

D2 - PRESENT

BY COURT: The Registrar of this court should write to the chief of Sanzerigu-  
[redacted] to order him to appear in court at the next adjourned date  
(21/10/13), with both parties to tell the court the outcome of his settlement or  
he will be sanctioned by this court.

Suit adjourned to 21/10/13.

(SGD) AUGUSTINE ESSAH - ESQ.

**IN THE DISTRICT MAGISTRATE COURT TWO TAMALE HELD ON MONDAY 21<sup>ST</sup>**  
**OCTOBER 2013 BEFORE HIS WORSHIP AUGUSTINE ESSAH -ESQ.**

PLAINTIFF - PRESENT

D1 - PRESENT

D2 - PRESENT.

BY CHIEF: My lord, I am very sorry not to appear in court at the last adjourned  
date.

I was indisposed. Meanwhile I have resolved the matter amicably and both  
parties are satisfied. This has been confirmed by both parties.

By court: Matter is hereby struck out as settled.

(SGD) AUGUSTINE ESSAH-ESQ.

### Appendix 3: Writ of Summons

**IN THE DISTRICT COURT – TAMALE**

BETWEEN: ~~DOMINIA MANASSA BARBA~~ : : : PLAINTIFF  
OF KOOTINGLI-TAMALE  
VRS.

1. : : : DEFENDANTS  
2. : : :  
3. : : :  
4. : : :  
5. : : :  
6. : : :

FILED ON 16-7-13  
AT 11:15 AM  
REGISTRAR  
DISTRICT COURT  
TAMALE

ALL OF KOOTINGLI - TAMALE

**APPLICATION FOR THE ISSUE OF WRIT OF SUMMONS**


PLEASE CAUSE a Writ of summons to be issued at the instance of the plaintiffs and be directed against the defendant herein and make same returnable to this Honourable Court.

**PARTICULARS OF CLAIM**

Plaintiff's claim against the defendant jointly and severally is for:

1. An order directed at defendants to rescind their decision and to recall plaintiff, after plaintiff was being banished from his village by defendants with the accusation that plaintiff was behind the ailment and death of the late village chief.
2. An order directed at defendants to prove or retract the accusation they made that he was the brain behind the ailment and death of the late village chief through the local FM stations in Tamale and at the chief's palace.
3. A compensation of GH5, 000(Five Thousand Ghana Cedis) for defamation of character.
4. Cost.

DATED AT TAMALE THIS 16<sup>th</sup> DAY JULY, 2013.

  
(PLAINTIFF HEREIN)

THE REGISTRAR  
DISTRICT COURT  
TAMALE.

Court Date: Friday 26<sup>th</sup> July, 2013

#### Appendix 4: Court Judgement

**IN THE DISTRICT MAGISTRATE COURT TWO(2) TAMALE**  
**HELD ON WEDNESDAY 15<sup>TH</sup> FEBRUARY, 2014 BEFORE HIS**  
**WORSHIP AUGUSTINE ESSAH ESQ.**

FILE NO. A44/6/13

VRS.

**JUDGMENT**

PLAINTIFF	-	PRESENT
D1	-	PRESENT
D2	-	PRESENT
D3	-	PRESENT
D4	-	PRESENT
D5	-	PRESENT
D6	-	PRESENT

That this Court in accordance with Section 72 of the Courts ACT, ACT 459 as amended by 620, settled the matter amicable between the parties as follows;

**BY COURT:**

1. After lengthy discussions, much education and deliberation all parties agreed that they have to live in peace to avoid any confusion, anarchy and chaos in the community.
2. That the Defendants in particular have agreed to the Court's direction that they have no such powers to banish the Plaintiff, a Ghanaian from the Community.

3. That the accusation of the Plaintiff that he caused the death and sickness of the late village chief is far fetched since it cannot be substantiated.
4. Therefore to banish any one from any community and accused one of killing somebody spiritually is baseless since the law has no respect for spiritual matters.
5. That henceforth, all parties have learnt that no one has the power to banish anyone from any Community.
6. That the entire community and the youth especially should be educated on this.
7. That the Defendants have pledged to be peaceful and therefore respect the rights and liberty of the Plaintiff to live peacefully in the community of Kootingly.
8. That Plaintiff should exercise a little restraint and come back to the community to live his normal life after the funeral of the late chief.
9. That Plaintiff is to integrate freely with his family in the community.
10. That Plaintiff should back down on claim 2 and 3 and Plaintiff accepted that wholly without any reservation.

11. Accordingly agreed by all parties.

D1	-	ZIBGAI DAIKAI	(SGD)
D2	-	IDRISU YIPULAI	(SGD)
D3	-	HAIUNA CHOK	(SGD)
D4	-	MAHADU KUKUCI	(SGD)
D5	-	ABDUL ALI KHAN	(SGD)
D6	-	ALHASEAN ZECH	(SGD)

**(SGD)**  
**ISSAHAQ YAKUBU**  
**(REGISTRAR)**

**(SGD)**  
**HIS WORSHIP AUGUSTINE ESSAH**  
**(MAGISTRATE)**

## Appendix 5: Letter from CHRAJ

OUR REF: CHRAJ/NR/022/13/11  
TEL: 0372022035



P. O. BOX 637  
TAMALE, N/R

24<sup>TH</sup> JULY, 2013

### COMMISSION FOR HUMAN RIGHTS AND ADMINISTRATIVE JUSTICE

HSE. NO. GAB 06  
KOOTINGLI - VIA TAMALE

Dear Sir,

#### IN THE MATTER BETWEEN:

HOUSE NO. GAB 06  
KOOTINGLI - VIA TAMALE

COMPLAINANT

AND

KOOTINGLI - VIA TAMALE

RESPONDENTS

**NATURE OF COMPLAINT: POLICE INACTION ON WITCHCRAFT ALLEGATION CASE**

#### CEASING TO INVESTIGATE COMPLAINT

We refer to your complaint on Police inaction on a witchcraft allegation case you reported to them which was received by the Commission on 27<sup>th</sup> June, 2013.

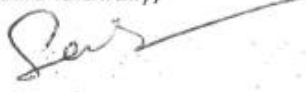
The Commission went into the matter by conducting preliminary investigations on the complaint which revealed that it had enough basis to investigate the complaint.

At the time that the Commission was about inviting the parties to look into the matter, you informed us on 23<sup>rd</sup> July, 2013 that you have sent the same matter to the law court which has already invited the parties for hearing.

In view of this development the Commission has decided to cease investigations into the matter pursuant to Section 8(2)(a) of the Commission on Human Rights and Administrative Justice Act (1993, Act 455) which among other provisions states:

- 6(2) The Commission shall not investigate  
(a) A matter which is pending before a court or Judicial Tribunal.

Yours faithfully,

  
ALHASSAN SEIDU  
(SNR. PRIN. INVESTIGATOR)

FOR: REGIONAL DIRECTOR

## Appendix 6: Letter of Permission from AWACC



Februray 20 2014

Dear Mr Leo Igwe

### Permission to Use materials of our cases

In respect of your request for a letter of permission, I hereby certify that AWACC has permitted you to use our public enlightenment materials, CHRAJ letter, court notifications, summons and judgements of the cases of [REDACTED] and [REDACTED] which we facilitated at the district court in Tamale for your study.

Please do not forget to mention the name of AWACC in your thesis and send us a copy of your work when it is published.

Yours faithfully

Ken. K. Addae

## Appendix 7: List of Individual Interviewees

Name	Gender	Place of Interview	Biographical Data
Sugulo <sup>73</sup>	Female	Gnani	Accused
Abibat	Female	Gnani	Accused
Wahab	Male	Tamale	Accused
Muhana	Male	Gnani	Accused
Ayishetu	Female	Yendi	Accused
Ese	Female	Gnani	Accused
Dagat	Female	Kakpayili	Accused
Hawabu	Female	Yendi	Accused
Wura	Female	Gnani	Accused
Mariya	Female	Gushiegu	Accused
Sara	Female	Gushiegu	Accused
Fati	Female	Gushiegu	Accused
Tani	Female	Gushiegu	Accused
Sanatu	Female	Kpatinga	Accused
Lamisi	Female	Kpatinga	Accused
Salma	Female	Kpatinga	Accused
Napari	Female	Choggu	Accused
Tamata	Female	Tamale	Accused
Suhuyini	Female	Gnani	Accused
Yakubu	Male	Gnani	Accused
Adamu	Male	Gnani	Accused
Adisa	Male	Gnani	Accused
Azeez	Male	Gnani	Accused
Abdul	Male	Gnani	Accused
Mustapha	Male	Kakpayili	Accuser
Hassan	Male	Yendi	Accuser
Kadiri	Male	Kpanjemba	Accuser
Folu	Male	Gukpegu	Accuser
Sali	Male	Adibo	Accuser
Abas	Male	Kulkpana	Accuser
Deen	Male	Sakpiegu	Accuser
Nuru	Male	Sakpiegu	Accuser
Seni	Male	Yendi	Accuser
Emma Hurlatsu	Male	Tamale	DOVSSU Coordinator
Nash Noah	Male	Tamale	Reporter Fiila Fm
Nurudeen Salifu	Male	Tamale	Media/Daily Graphic
Esther Boateng	Female	Tamale	Program Officer, Actionaid
Ken Addae	Male	Tamale	Coordinator, AWACC

<sup>73</sup> Names of accusers and accused persons are anonymized to protect their identities. Other names are as given by the different individuals or their contact persons.

Phoenix	Male	Yendi	Ya-Na Palace Secretary
Abbas Salifu	Male	Tamale	The Dakpema's Secretary
Mohammed	Male	Tamale	Mallam
Changnaa	Male	Changli/Tamale	Chief
Ziblim	Male	Kpanjemba	Chief
Alhassan Gbungbal-na	Male	Adibo	Chief
Sakpegu-naa	Male	Sakpiegu	Chief
Kukpie-naa	Male	Kakpayili	Chief
Abre	Male	Kpatinga	Shrine priest
Salam Laa	Male	Tamale	Environmental Officer
Mahama Atiru	Male	Tamale	Environmental Officer
Abdulrauf Ganiyu	Male	Tamale	CHRAJ
Abbas	Male	Yendi	CHRAJ
Aliya	Female	Tamale	Jinwara Member
Abiba	Female	Yendi	Jinwara Member
Lamnatu Adam	Female	Tamale	Songtaba
Alhassan Sein	Male	Gnani	Shrine priest
Alhassan Gbanzab-wabgu	Male	Tamale	Diviner
Yaako	Male	Gnani	Diviner
Sulaiman Wumbei	Male	Zoggu	Medicine man
Haruna Iddi	Male	Tamale	Shrine priest/Money Magician