**Responses to and Issues Arising from Recent Cases of Sorcery Accusation Related Violence in PNG**

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This paper details a number of recent networked actions that have led to positive directions in the fight against sorcery accusation related violence in PNG. It also identifies some common themes and issues arising from these responses to analyse current responses and identify potential future directions. There is a common narrative in PNG that cases of sorcery related violence are rising, and that this is despite hard work by a range of actors. Most recently, in October 2016 the general-secretary of PNG's Conference of Catholic Bishops stated that such cases appear to be on the increase in the Highlands region. He said "In spite of all the efforts by the churches and by the government, the cases are not going down, the killings are not going down. And the churches are doing their best because recently we had seminars, awareness workshops and still the grassroots have not reached these kinds of awareness.”[[1]](#footnote-1) There is currently no reliable data about whether or not the cases are actually on the rise overall or are just more visible today (as a result of Facebook, newspaper reports etc). Regardless of whether there is in fact an upwards trend in the numbers of cases, sorcery accusation related violence is currently a major problem in many parts of the country, particularly the Highlands and Bougainville. This makes it crucial to uncover and to monitor and evaluate the effectiveness (or non-effectiveness) of the mechanisms that are being used to combat this type of violence.

As background, the Sorcery National Action Plan (“SNAP”) was passed by the National Executive Council in July 2015, together with funding of three million kina. Although the funding has not as yet been formally allocated, the SNAP is being actively implemented under the leadership of the Department of Justice and Attorney General (DJAG). An eighteen month implementation plan was developed and approved by the SNAP core committee in April 2016. Part of that plan involves the establishment of SNAP committees at Provincial levels in core hot spot provinces, in order to better develop the channels of communication and support between the districts and the central government. A major part of the theory underlying the SNAP is that the best chance of success is in finding multiple ways to connect together the different sets of actors involved in combatting sorcery accusation related violence. The diverse champions in this fight include relatives and neighbours of victims, police officers, church and community leaders, community activists and so on. Many of these people are extremely courageous and determined, but they are often isolated. It is imperative to find ways that such people can act with support from a broader network, comprised of both state and non-state, and local and national actors.

There have been four incidents in the past few months that have demonstrated the benefits of the network building approach that underlies the SNAP. The accounts below are based mainly on newspaper reports, interviews conducted by Father Philip Gibbs, and preliminary fieldwork pending major fieldwork starting next year.

***Port Moresby July 2016***

The first is a case that occurred in Port Moresby in July 2016. It involved two men who were badly beaten and tortured following an accusation that they had used sorcery to kill the young daughter of a man from the Eastern Highlands. The father had apparently sought the assistance of another sorcerer to identify who had done the sorcery to kill his daughter, such people are often termed *glasman* or *glasmeri* (which can be roughly translated as a diviner) and are further discussed below.[[2]](#footnote-2) Although the men were rescued by the police by chance (the police happened across the crime by accident) and taken to the hospital, there was initial reluctance on the part of the police to make any arrests or lay any charges. Eventually a relative of the two accused was able to contact the SNAP network through using contacts on the stopsorceryviolence.org.png website. This led to him being put in touch with a SNAP police committee member who was able to follow through with investigation. Charges were laid against one man, and investigations are continuing against several others. The case went before the committal court in October and the court ordered the accused to remain in custody pending his trial for attempted murder.[[3]](#footnote-3)

***Southern Highlands October 2016***

This case occurred in the Southern Highlands province and involved several men accused of having caused the death of a former MP through sorcery. The men were imprisoned for several weeks and regularly tortured and questioned in the centre of the village in front of the whole community. The men were asked to reveal the names of fellow sorcerers; and from an initial two suspects eventually nine men were held in captivity, although some managed to escape. One journalist reported a villager stating that “they believe there is a network of this evil practice in the area that has caused the death of several prominent people lately.”[[4]](#footnote-4) There was a degree of complicity in these events by local leaders; it was reported that some of the people behind the desire to kill the men were local government councillors.[[5]](#footnote-5) Local police were also present during the torture, but their lack of preventative action may be due to being outnumbered and overpowered.[[6]](#footnote-6) Papua New Guinea has approximately 4,500 national police charged with law enforcement; it is one of the lowest police-to-population ratios in the world.[[7]](#footnote-7)

The men were eventually rescued from this situation by a combination of the actions of religious brothers and sisters, the police, and some local leaders. The local Bishop stated “what usually happens is that the accused are killed and they never make it out of the situation, but this time, working together we were able to secure their release, but unfortunately not before the men were tortured.”[[8]](#footnote-8) He added “a religious sister and a brother took the initiative to go in and show that that this thing is being looked at from beyond Kagua, and then there was a visit from Deputy Governor. Shortly after this the men were released.” The Catholic church played an important networking role on the ground and was able to connect with the central SNAP committee and seek the assistance of police leadership in rescuing the men. The actual release was a result of mediation and negotiation by police with local leaders.[[9]](#footnote-9) This final initiative was led by the Police commander Chief Superintendent who personally travelled to the area to receive the six men released. The police Commander stated that the release was made possible by “some educated elites and some community leaders behind the scenes,”[[10]](#footnote-10) highlighting that although some community leaders had supported the violence, there were those who were opposed and able to act once they had support from outside agencies. This is a common theme in the cases and brings into question the common narrative that “the whole community” is supportive of the violence. The rescue was negotiated on the basis that the men were required to leave the province and never come back; police are currently taking statements and investigating.

***Return of a survivor of sorcery related violence in Enga in October 2016***

Enga province has seen a rash of sorcery accusation related cases in the past few years, although (or perhaps because)[[11]](#footnote-11) sorcery beliefs are widely reported to be imported and recent, rather than a long standing part of Engan cultural traditions. The Superintendent of Enga Province recently stated ““Sorcery is not part of Enga’s culture, it’s adopted from outside people and their belief on sorcery is slowly growing roots in the province.”[[12]](#footnote-12)

One recent victim, Mary, (a pseudonym) was tortured after having been accused of causing a young boy to faint.[[13]](#footnote-13) She was finally rescued by some members of the Catholic church and an expatriate Lutheran Missionary. After recovering in the hospital (she had burns covering 70% of her body) the question arose as to where Mary should go to live; in particular was it necessary for her to be permanently located in a faraway place to ensure her safety? In this case the Catholic church organised her return to her village, mobilising a wide enough group of male leaders and groups to be able to generate a welcome back into the community.  They include the local Catholic community (through an instruction by the Bishop of the area to say sorry to Mary and welcome her back), a local Magistrate and the local men’s group. The brother of the “victim” said sorry to Mary for what had been done to her. He joined with the others declaring that “sanguma” is a false belief. He gave her one pig, and the local Christian community gave her some money to support their apology. The church leader gave her some cash along with the apology. He said that “if anything happens to you (Mary) we will die with you. Those who are sanguma believers can kill us all. “

In accepting their apology Mary said that she had nothing to do with sanguma and said “What you did you did it to your own sister. In the eyes of God and the people of God I forgive you for what you did to me your own sister. I forgive you and I pray that God will forgive you for what you did to me.” After that she accepted the pig and the money. It is too early to know the long term outcome of this resettlement and the extent to which Mary will be safe, especially if there are unusual sicknesses or deaths in the community. It is also unclear to what extent her re-settlement in the community will impact upon any complaint she pursues through the state justice system. As discussed below, it is by no means clear what “justice” looks like in a context where family and social relationships are so essential to all aspects of people’s lives, security and wellbeing.

***Establishment of a provincial anti-sorcery unit in Enga police department and arrest of a fugitive***

The final development to note is the establishment of an anti-sorcery unit in Enga in August 2016.[[14]](#footnote-14) This move was taken by the Provincial police commander due to the high levels of sorcery related violence in the Province. The police have been supported by the Tribal Foundation, a NGO, which has donated funding for a computer for the unit to assist in data collection. The unit and the NGO and other actors in Enga have started to network together and with the central SNAP committee to address the numerous cases that are arising, and have reported some successes. One example is the police saving a woman who was accused of having caused the death of a mother during childbirth and was attacked by knives when she was sleeping. The police were alerted by an anonymous phone call.[[15]](#footnote-15) A more prominent example is the arrest in Port Moresby of a man who is accused of having tortured a woman accused with sorcery in Enga, and having filmed it and uploaded the images onto Facebook.[[16]](#footnote-16) Commander of the Police anti sorcery violence unit in Enga, Epenes Nili, says this arrest shows that suspects can no longer simply move somewhere else to avoid police.[[17]](#footnote-17)

Although the actions detailed in this section are promising, the cases involved are just the tip of the iceberg, and much torture, killing and mutilation of innocent people continues. As mentioned above, the number of cases remains unclear due to poor data collection, a deficiency the SNAP committee is actively addressing with new data collection mechanisms being instituted.

***Common themes and questions emerging***

This section highlights a number of common themes from the cases described above and also other incidents in the past few years.

The first is that it is common for quite large groups of victims to be involved in the violence as a result of the initial people accused being tortured and forced to name others. There is a common conspiratorial narrative that witches or sorcerers form secret groups to do evil together. A frequent trope is that they are hiding the heart of a (sick) person and passing it from one to the other. A female victim interviewed by Father Gibbs explained that she was involved in the accusations because she was named by someone else. She said she was dragged to where the accused women were being tortured and “When we arrived there, I saw that wires and iron rods were on the fire ready to be used. I saw a woman lying there bounded and a young man was lying there too. Look at that. You go and sit between the two bodies. I do not know this. Why will I sit there? I asked. When I said that they insisted me to sit there. Then the woman lying there said, “I took the heart out and gave it to you.”[[18]](#footnote-18) This in-group accusation seems to be gendered in that groups of men only name other men and vice-versa for women. It has the unfortunate effect of creating a vicious circle whereby the naming of someone else is seen as further proof that there is an evil network at play. This phenomenon suggests that one of the key types of public education required should concern the unreliability of confessional “evidence” obtained under conditions of torture. The problem of lack of proof in these cases was also highlighted by a national court judge in sentencing three men to 23 years imprisonment for sorcery accusation related murder, who stated “The general trend for adult and young men of Papua New Guinea in villages and towns in this day and age is simply to condemn and carry out execution on victim who are suspected of sorcery without prove.”[[19]](#footnote-19)

The second theme is the strong link between sorcery accusations and displacement of people. If a person survives from a sorcery accusation then they and their family may face a lifetime of banishment from their community, either voluntarily or as a result of a community decision. We see this in the Southern Highlands case above and it is very common in other cases, raising the question of what policy to adopt in dealing with such cases. There are NGOs (such as Oxfam and Femili PNG) that have repatriation programs, but these have limited capacity, especially for anything more than short term solutions. Similar issues arise with regard to the suitability of temporary safe houses, given that a person’s future lifetime is often involved. Moving may also not be enough to escape persecution. This was demonstrated most vividly in the case of a Bougainvillian man who was granted refugee status in Australia in September this year. His mother had been accused and publicly beheaded in Bougainville in 2013 and the family was given protection and support in another part of PNG, but eventually he was forced to flee to Australia to guarantee his safety.[[20]](#footnote-20) The issue of displacement of survivors of sorcery accusation is a significant issue in other countries and has in some instances resulted in the formation of “camps” where in some cases thousands of survivors of sorcery accusation related violence live together removed from the rest of society.[[21]](#footnote-21) One question that arises is whether PNG should find a safe place for such survivors to live together, or whether this would create a ghettoization of the issue and further impede attempts to address it. It certainly means that investing consideration into how survivors can be returned to communities, such as was done in Mary’s case, is a very worthwhile investment.

The third theme is that many of these sorcery accusations are associated with unexpected deaths or sickness. This suggests that an important part of overcoming this violence is through improvements in primary healthcare and education about disease, although this in itself is unlikely to be enough. A recent article on the role that post-mortems can play in alleviating sorcery accusations concluded “there is evidence, albeit limited, to suggest that a part of the population in Telefomin and across PNG believe that post-mortems have a role to play in preventing sorcery-related killings.” [[22]](#footnote-22) The article also noted that there had been a rise in community’s requesting post-mortems, raising the issue of government support for the provision of such a service.

A final theme is the mixed motivations of the perpetrators of sorcery related violence. Many actors contribute to the violence - those who physically carry it out; those who lead or direct it; and those who encourage and support it. It appears that a range of motivations is often present, ranging from true fear, to a misplaced desire to remedy an injustice, to more personal motivations of potential financial gain (compensation payments), a wish to be a hero or a desire for revenge. Bishop Lippert observed that such accusations are a mixture of “a way of settling past scores, jealousy, taking revenge, getting money, and people believing these things.” This variation in motivations is important to bear in mind in awareness campaigns and policy responses; it means that different messages and regulatory responses are needed to address different groups in the community. One particular group that may need targeted actions are the *glasman* and *glasmeri* who are often associated with, and support sorcery accusations, often for financial gain.

***Some issues to navigate moving forward illustrated by these developments***

The overall conclusion to be reached from these developments, which supports much of the previous scholarship,[[23]](#footnote-23) is that sorcery accusation related violence is a complex issue that belies a straightforward solution. Although there is a strong focus on the state justice system response, this is not sufficient in and of itself. This was illustrated in preliminary fieldwork in discussions with a survivor of sorcery related violence who had - most unusually - managed to have her case heard and determined by the District court. She had an order against her assailant, but she was unable to proceed with any enforcement as he was a member of her family and living in the same premises. The way forward seems to require state and non-state actors – police, local leaders, church leaders, NGOs, civil society activists, village courts and the justice department – to all work together, and commit to a long timeframe. In doing so, however, a number of difficult issues related to the criminal justice system will need to be navigated, four of which I discuss in more detail below.

**The place of arrests and its impact upon the immediate and ongoing safety of survivors**

Impunity is currently a major problem in dealing with sorcery accusation related violence, with many cases of violence not advancing through the criminal justice system.[[24]](#footnote-24) As a result, ensuring that cases do go through the state justice system is a major part of SNAP. However, an issue that does need to be carefully navigated is whether the perpetrators should *always* be pursued through the state criminal justice system (if possible), or whether in some circumstances this should not occur due to concerns about the ongoing safety of the survivor, and their impact upon the ongoing relationships of the survivor and the community. In some cases, the laying of charges against assailants will result in retaliation against the survivor or his or her family, and may permanently impact upon the ability of the survivor to live in his or her community. Whilst many survivors are adamant about their desire to see their assailants prosecuted, some express a preference for “peace” over pursuit through the state justice system. One survivor said “I forgive them. I won’t take them to court, I forgive them . . . I wish I live again life before. I want to live again that normal life and walk around freely.”[[25]](#footnote-25)

This raises the question of *who* should make the final decision about whether or not to make an example of a particular assailant and to seek justice against them. Usually all criminal matters are brought by the state, as the crime is said to be against the state as a breach of the criminal law. It is for this reason that even if a complainant does not wish to give evidence in a case, they can be compelled to testify. This issue has arisen in the context of the introduction of “no drop” policies for domestic violence, where the state in some countries prosecutes cases of domestic violence regardless of the cooperation of the victim in order to send a strong message about the non-acceptability of this type of violence. In its most extreme form, this has led to the arrest of victims of domestic violence who subsequently change their minds about pursuing the charges. However, there is evidence that such an approach disempowers women, and in some circumstances results in reduced amounts of reporting of crime.[[26]](#footnote-26) Even stronger considerations may apply in the case of sorcery accusation related violence cases where there are elevated levels of violence and fear, although of course the bargain of not pursuing charges in exchange for reintegration back into the community may not be kept. A further complicating factor is the frustration felt by the police in the face of what is perceived as a lack of community cooperation, and even a mocking of the futility of police responses. This risks leading to a punitive approach in which the needs of the victim come second (or are not even considered) to the desire to be seen to be actively stopping these crimes.[[27]](#footnote-27) It may be useful to develop standard operating procedures to assist police in determining whether or not to proceed in making arrests or charges that may result in personal harm to survivors or their families. It may also be useful to factor into such a process consideration of how to ensure the immediate and ongoing safety of the victim and also the possibility of reintegration of the victim into their community.

**Who best placed to deal with these issues?**

A difficult issue is which institutional level is the best placed to deal with sorcery issues. The reforms in 2013 identified the village courts as being the best place and left their jurisdiction over sorcery related matters intact, whilst repealing the jurisdiction of higher courts. There is certainly a valid argument to be made that these matters can often best be negotiated by those with an in-depth understanding of the community issues involved. However, the cases discussed above suggest that it is not satisfactory to rely entirely on the local level of the state justice system, particularly when the levels of violence and fear rise. In many instances, local leaders, village court justices and local police are at least perceived as being complicit in the violence (and in one recent case in Enga have found themselves amongst the accused). The reality is also that local actors in particular jeopardise their own safety by protecting those accused, as they are faced with ongoing threats that if the witch or sorcerer causes someone else’s death then the person who protected him or her is also responsible. This suggests that at least some level of external support is required to deal with these cases, such as occurred in the end with the rescue of the men in the Southern Highlands.

**The re-introduction of the Sorcery Act?**

The last issue is to note that there have been a number of recent calls for the reintroduction of the Sorcery Act 1971 that was repealed in 2013. For example the Northern Province police commander stated in September 2016 “It is high time the government reintroduced the repealed Sorcery Act. This will allow police to act upon sorcery related cases which will in turn save innocent lives and stop unnecessary sorcery killings.”[[28]](#footnote-28) Police Commander Papato also stated that when negotiating the release of the men from Southern Highlands in the case discussed above that the villagers had “called on the government to revisit the Sorcery Act which was abolished in 2013 and re-enacted it.”[[29]](#footnote-29) It is unclear from these statements what is behind this desire, particularly given that the Sorcery Act itself was very rarely used. It would be useful to investigate further exactly what people are asking the government to do when they ask for the re-enactment of the Sorcery Act. It is also important to determine whether what they want (which is likely to be a forum for trying those accused of sorcery or witchcraft) is possible to achieve within a state justice system, and if not what alternative mechanisms can be developed.

**Conclusion**

The course of action set out in SNAP is showing results through networked actions of state and non-state actors, although the problem of sorcery accusation related violence is still significant. Despite the lack of core funding, there are a range of activities planned to further broaden and deepen the work and the networking in this area. Two promising initiatives are the National Conference on the Churches’ Role and Response to Sorcery and Sorcery Related Killings being convened by the Constitutional Law Reform Commission in November in Lae, and the annual Police Commissioner’s Conference in December that has included a space for DJAG to discuss SNAP.

1. Radio New Zealand, 14 October 2016, PNG struggling to stop sorcery-related killings [↑](#footnote-ref-1)
2. Tabitha Nero, Court: Many still believe in sorcery’ October 17, 2016, the National (PNG) [↑](#footnote-ref-2)
3. Ibid. [↑](#footnote-ref-3)
4. Andrew Alphonse, Six men held captive and allegedly tortured over sorcery claims’ October 11, 2016. [↑](#footnote-ref-4)
5. http://www.abc.net.au/news/2016-10-26/five-png-men-accused-of-sorcery-and-tortured/7965792?pfmredir=sm [↑](#footnote-ref-5)
6. Andrew Alphonse, Six men held captive and allegedly tortured over sorcery claims’ October 11, 2016. Note one account of an interview with one of the men who escaped and fled stated that “police came in 10 truckloads last Saturday to the village but did not even make any attempts to rescue them.” Andrew Alphonse, Victim of Sorcery related torture escapes from captors’ [↑](#footnote-ref-6)
7. OSAC Papua New Guinea 2016 Crime and Safety Report p.4 [↑](#footnote-ref-7)
8. http://www.abc.net.au/news/2016-10-26/five-png-men-accused-of-sorcery-and-tortured/7965792?pfmredir=sm [↑](#footnote-ref-8)
9. James Gumuno, The National, October 25 2016 [↑](#footnote-ref-9)
10. James Gumuno, The National, October 25 2016 [↑](#footnote-ref-10)
11. One hypothesis is that areas that have a long tradition of sorcery and witchcraft (such as Milne Bay) deal with concerns about it in less violent ways than those areas where it is new and foreign. This hypothesis still needs to be tested. [↑](#footnote-ref-11)
12. JAMES GUMUNO , Man charged, detained for alleged sorcery killing, November 9, 2016 The National [↑](#footnote-ref-12)
13. The following account is all taken from an interview done by Father Gibbs in Enga in 2016. [↑](#footnote-ref-13)
14. James Gumuno, ‘No More Killing says Kakas’ August 15 2016, the National [↑](#footnote-ref-14)
15. Ibid. [↑](#footnote-ref-15)
16. Ellen Tiamu,Sorcery worries Enga police, November 9, 2016 The National [↑](#footnote-ref-16)
17. http://www.abc.net.au/news/2016-10-31/png-policed-arrest-main-suspect-in-alleged-murder/7981144 [↑](#footnote-ref-17)
18. Interview with survivor by Father Gibbs in Enga in 2016 [↑](#footnote-ref-18)
19. State v Nohuta [2016] PGNC 268 [↑](#footnote-ref-19)
20. Rick Wallace, Asylum granted to PNG ‘sorcerer’, The Australian, 5 September 2016. P.3 [↑](#footnote-ref-20)
21. Human Rights Commission (HRC). 2009. *Promotion And Protection of All Human Rights, Civil, Political, Economic, Social And Cultural Rights, Including the Right to Development: Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, Philip Alston*. New York: United Nations General Assembly, p.16 [↑](#footnote-ref-21)
22. http://www.rrh.org.au/publishedarticles/article\_print\_2861.pdf [↑](#footnote-ref-22)
23. A recent summary is available: Miranda Forsyth, The Regulation of Witchcraft and Sorcery Practices and Beliefs, (2016) *Annual Review of Law and Social Science*, Vol 12, <http://www.annualreviews.org/doi/abs/10.1146/annurev-lawsocsci-110615-084600> (contact author for access) [↑](#footnote-ref-23)
24. The data is still being collected and so it is hard to measure the exact number of cases that do proceed. However, we can say that in 2016 so far there have ONLY been three cases reported on paclii where the defendants were charged in relation to sorcery accusation related violence and the case proceeded to sentence: State v Sangai [2016] PGNC 65; and State v Nohuta [2016] PGNC 268; State v Poni [2016] PGNC 62. This is far below the numbers of incidents that are reported upon in the newspapers, which carry stories of such attacks at least monthly and often weekly. [↑](#footnote-ref-24)
25. Interview by Father Gibbs, Enga, 2016. [↑](#footnote-ref-25)
26. Leigh Goodmark, ‘Should domestic violence be decriminalized?’ (forthcoming); M. Joan McDermott & James Garofalo, *When Advocacy for Domestic Violence Victims Backfires: Types and Sources of Victim Disempowerment*, 10 Violence Against Women 1245, 1251 (2004); Meghan A. Novisky & Robert L. Peralta, *When Women Tell: Intimate Partner Violence and the Factors Related to Police Notification*, 21 Violence Against Women 65 (2015). [↑](#footnote-ref-26)
27. This is evident in the newspaper report of an interview with the superintendent in Enga who reports that “the whole community was involved in the killing and torturing of the deceased woman accused of practising sorcery. He said that they had done it several times so not one member of the community was willing to report the matter to the police in fear of retaliation.” The police officer also alluded to the shame the public exposure of such willful flouting of the law brings onto police officers, stating “pictures of the tortured woman on Facebook went viral and painted a bad picture of the province.” JAMES GUMUNO , Man charged, detained for alleged sorcery killing, November 9, 2016 The National [↑](#footnote-ref-27)
28. http://www.pireport.org/articles/2016/09/19/provincial-police-commander-calls-png-government-do-something-about-sorcery [↑](#footnote-ref-28)
29. James Gumuno, The National, October 25 2016 [↑](#footnote-ref-29)