

Witchcraft accusations and the Media

A consideration of the ethical responsibility of journalists when reporting on accusations of witchcraft in South Africa.

Accusations of witchcraft are not protected under the constitutional rights to freedom of religion, belief and opinion, or expression.

An accusation of witchcraft, in South Africa, almost always results in the victims of such accusations being shunned, harassed and assaulted by their accusers and members of their own community.

Accusations of witchcraft that lead to witch-hunts result in the commission, by the accuser/s, of a series of clearly identified crimes, including criminal defamation, harassment, assault with and without intention to do grievous bodily harm, attempted murder, murder, and arson.

An accusation of witchcraft is therefore an incitement of imminent violence. Incitement to cause harm is not protected under South African law.

When reporting on accusations of witchcraft, or on crimes perpetrated by accusers as a result of accusations of witchcraft, journalists should be mindful that in reporting in the public interest, they too may be vicariously, albeit unintentionally, giving credence to the very accusations which cause harm.

Reporting certain details of an accusation, or of a crime perpetrated as a result of the accusation, might result in further harm for the victim, interfere with an ongoing police investigation, or complicate the prosecution of the perpetrator of the crime.

The Code of ethics and conduct for South African print and online media (herein referred to as the Press Code), provides the following guidance.

Journalists must report news truthfully, accurately and fairly, in context and in a balanced manner, without any intentional or negligent departure from the facts. (Chapter 1 sections 1.1. to 1.2. Press Code)

When writing about other people's beliefs or opinions about witchcraft, only what may reasonably be true, may be presented as fact. Opinions, allegations and rumours do not constitute facts. (Chapter 1 section 1.3. Press Code)

While the right to privacy may be waived in the public interest, where appropriate, journalists must remember that victims who have been accused of witchcraft, have a right to privacy and dignity. The law will presume that they have the right to maintain a good reputation, and will be presumed innocent of the accusations made against them. (Chapter 3. sections 3.1. to 3.3. Press Code) When reporting on accusations of witchcraft, care must be taken to obtain the victim's permission before reporting his or her name.

Journalists must avoid discriminatory or denigratory references to people's religion, conscience, belief, or opinion, but must also take care not to report an accusation of witchcraft in a way that will be prejudicial to the victim of accusation. (Chapter 5 section 5.1. Press Code)

Above all, a journalist should never publish a story involving an accusation of witchcraft in such a way that the report would amount to incitement of imminent violence against the victim of accusation. (Chapter 5 section 5.2. Press Code) When reporting on witch-hunts, journalists should avoid glamorising violence and unlawful conduct. (Chapter 9. section 1. Press Code)

Incitement to imminent violence and the advocacy of hatred is prohibited content. This is a Constitutional restriction to freedom of speech and expression (Chapter 2, Section 16(2) of the Bill of Rights). Journalists are not exempted from this prohibition. (Chapter 14. section 14.2.3. Press Code).

In serving the public interest, journalists must ensure that they are acting always in the interests of the victims of crime, and not promoting the cause of the accuser or perpetrator of a crime.

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References

Code of ethics and conduct for South African print and online media
(Effective from January 1, 2016)

Source: <http://www.presscouncil.org.za/ContentPage?code=PRESSCODE>

Press Council of South Africa

[Accessed on 15 August 2019]

Witch-hunts in South Africa

Advocacy against human rights abuses committed as a result of accusations of witchcraft and violent witch-hunts

Source: <http://www.paganrightsalliance.org/advocacy/>

South African Pagan Rights Alliance (SAPRA)

[Accessed on 15 August 2018]

Further Reading

REMEMBER THEIR NAMES – Victims of witch-hunts in South Africa 2000 to 2018

The following represents available published news reports of witch-hunts in South Africa for the periods 2000 to 2018.

Source: <http://www.paganrightsalliance.org/remember-their-names/>

South African Pagan Rights Alliance (SAPRA) - Touchstone Advocacy against witchcraft accusations and witch-hunts

[Accessed 15 August 2018]

SALRC finds Witchcraft Suppression Act unconstitutional

The new Issue Paper released by the South African Law Reform Commission has confirmed the following: a) the Witchcraft Suppression Act's prohibition of identifying as a witch and professing knowledge of witchcraft is unconstitutional, and b) the Act's prohibition of engaging in divination's is unconstitutional.

Source: <http://www.paganrightsalliance.org/salrc-finds-witchcraft-suppression-act-unconstitutional/>

South African Pagan Rights Alliance (SAPRA)

[Accessed: 15 August 2018]

SAPRA comment on SA Law Reform Commission Discussion Paper 139, Project 135.

Comment by The South African Pagan Rights Alliance (SAPRA) on Discussion Paper 139, Review of the Witchcraft Suppression Act 3 of 1957, Project 135.

Objection to proposed draft Prohibition of Harmful Practices Associated with Witchcraft Beliefs Bill.

Source: <http://www.paganrightsalliance.org/sapra-comment-on-sa-law-reform-commission-discussion-paper-139-project-135/>

South African Pagan Rights Alliance (SAPRA)

[Accessed: 15 August 2018]