



SUPERNATURAL BELIEFS AND THE LAW IN INDIA: BALANCING FREEDOM OF BELIEF AND PROTECTION FROM HARM

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ABSTRACT

This article examines the relationship between supernatural beliefs and the legal framework in India. The Constitution provides freedom of religion to individuals; however, various supernatural beliefs and practices continue to exist in Indian society, including beliefs associated with witch-hunting and other forms of superstition. The article discusses the legal measures adopted by the government to protect individuals from harmful practices arising from such beliefs. It also examines how certain beliefs and practices may affect the physical and mental well-being of individuals and how people may be exploited in the name of supernatural powers for personal or commercial gain. The article further examines the constitutional protection of freedom of belief and religious practices, the regulation of misleading claims relating to magic remedies, and legal measures addressing witch-hunting. It highlights the importance of balancing freedom of belief with the protection of individuals from harm. Although legal provisions have been introduced to address harmful practices, their effectiveness also depends upon public awareness, social understanding, and cooperation with the authorities. The article therefore emphasises the need for greater awareness and responsible implementation of the existing legal framework to address harmful practices associated with supernatural beliefs.

Keywords: Supernatural Beliefs, Freedom of Religion, Witch-Hunting, Indian Legal Framework.

INTRODUCTION

In India, different religions have different customs, traditions, and beliefs. While respecting

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the beliefs of all these religions, the Indian Constitution has provided all Indian citizens with the Freedom of Religion under Article 25. It states that every person has the freedom of conscience and the right to profess, practise and propagate their religion.

Among the beliefs of all these religions, supernatural beliefs also exist, and people profess, practise or propagate them in their own ways. Supernatural beliefs are deeply rooted in Indian traditions, and in the name of such beliefs, some people engage in different kinds of offences. Therefore, Article 25 provides provisions to limit these beliefs. If these beliefs affect public order, morality, or health, Indian law has the power to intervene in such matters.

UNDERSTANDING SUPERNATURAL BELIEFS

Supernatural beliefs involve convictions in entities or realms that are believed to exist and operate beyond the observable physical laws of nature. In ancient times, people often did not clearly distinguish between natural and supernatural explanations of certain phenomena.

Even today, people may interpret experiences that seem unnatural, such as seeing ghosts, through supernatural beliefs. Scientifically, experiences such as illusions, hallucinations, and sleep paralysis may sometimes have natural or medical explanations. Such conditions can be addressed with appropriate medical assistance. However, instead of consulting a doctor, some people may approach individuals who claim to possess supernatural knowledge or powers. In reality, such individuals may exploit the vulnerability of the affected person.¹

CONSTITUTIONAL PROTECTION OF BELIEFS AND RELIGIOUS PRACTICES

The Constitution of India protects the freedom of conscience and religious practices of all persons. Article 25 provides every person with the right to profess, practise and propagate their religion according to their conscience. However, this freedom is not absolute and is subject to public order, morality and health.

Articles 25 to 28 of the Constitution provide the constitutional framework for freedom of religion while also placing certain limitations on its exercise. The Supreme Court of India has also developed the Essential Religious Practices doctrine to examine whether a particular practice forms an essential part of a religion before granting it constitutional protection, as

¹ Britannica, "Supernaturalism | Beliefs, Practices & History" <<https://www.britannica.com>> accessed 26 September 2026

discussed in *Commissioner, Hindu Religious Endowments, Madras v Sri Lakshmindra Thirtha Swamiar of Sri Shirur Mutt* (1954).²

REGULATION OF MAGIC REMEDIES AND MISLEADING SUPERNATURAL CLAIMS

A magic remedy is legally defined under Indian jurisprudence as any talisman, mantra, kavacha (amulet), or other charm claimed to possess miraculous powers. On the other hand, misleading supernatural claims are assertions made without scientific evidence or a rational basis, often involving ghosts, witchcraft, superstition, or divine powers, which may be used to influence or mislead people. Such claims may be exploited by individuals for their own benefit and to run their businesses.

The Government of India enacted the Drugs and Magic Remedies (Objectionable Advertisements) Act, 1954, to regulate such practices. The Act places restrictions on advertisements relating to certain drugs and magic remedies and seeks to prevent misleading claims regarding the treatment or cure of diseases and disorders.

Where such claims are made to influence people or cause them to rely upon unsubstantiated remedies, legal regulation becomes relevant. The purpose of such regulation is not necessarily to interfere with a person's private beliefs, but to prevent deceptive or harmful claims, particularly where they concern health and the treatment of diseases.³

WITCH HUNTING AND LEGAL PROTECTION OF INDIVIDUALS

Witch-hunting refers to the practice of accusing an individual or a group of people of being witches or possessing supernatural powers and subsequently subjecting them to harassment, violence, punishment, or social exclusion without any valid basis.

Historically, witch-hunting was prevalent in parts of Europe, particularly between the fourteenth and eighteenth centuries. During this period, women who possessed knowledge of herbs or held beliefs different from those accepted by society were sometimes accused of witchcraft and persecuted. Such practices were associated with a lack of knowledge, superstition, and social fear. Even in the present day, similar beliefs continue to exist in some

² Constitution of India, 1950, art. 25. *The Commissioner, Hindu Religious Endowments, Madras v Sri Lakshmindra Thirtha Swamiar of Sri Shirur Mutt*, AIR [1954] 1 SCR 1005.

³ Drugs and Magic Remedies (Objectionable Advertisements) Act 1954.

parts of India, particularly in certain rural areas. The victims are predominantly women, who may face social discrimination, humiliation, physical violence, and other forms of persecution.

To address such practices, various Indian states have enacted specific laws against witch-hunting and related forms of superstition. Eight Indian states, including Bihar, Jharkhand, Chhattisgarh, Odisha, Assam, Rajasthan, Maharashtra, and Karnataka, have enacted specific legislation to address and penalise witch-hunting and related superstitious practices. However, India does not have a single central legislation exclusively dealing with witch-hunting across the entire country. Instead, specific state-level laws operate in several states.⁴

CONCLUSION

From the information discussed above, it can be understood that supernatural beliefs are quite prevalent in many societies alongside natural or religious beliefs. In relation to such beliefs and practices, the government has enacted various laws. However, the existence of laws alone may not be sufficient to address beliefs and practices that can adversely affect the mental and physical well-being of individuals.

At the same time, maintaining a balance between freedom of religion and the protection of individuals from harm can be difficult. Freedom of religion is constitutionally protected, but such freedom cannot be used to justify practices that cause harm to individuals or society. Where a belief or practice results in harm, exploitation, or other unlawful consequences, legal intervention may become necessary.

Therefore, along with legal measures, people need to develop greater awareness, understanding and cooperation with the government so that harmful practices and customs associated with superstition and supernatural beliefs can gradually be eradicated from society.

⁴ Drishti IAS, “Anti-Superstition Laws in India - Drishti IAS