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Kansaye Bourema
University of Law – Bamako (Mali)

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Occult Practices Against Crime In Mali

BY

KANSAYE BOURÉMA. Ph. D.

UNIVERSITY OF LAW – BAMAKO (MALI)

ABSTRACT

In this paper, we examine the intrusion of sustainable local occultism in the fight against crime based on surveys conducted in Bamako and elsewhere in the country. Belief in occult local practices is still enduring among both offenders and police forces. Our field research permitted to identify some of its often incompatible manifestations with the principles of the Criminal Procedures Code of Mali, on which people place their trust. Almost the majority of the Malian people resort to them to settle some conflict situations in a context of crisis of confidence between populations and the official squads of crime repression. These local practices often interfere with police investigations in various forms (personal protection, search for possible leads for investigation, success in the profession, and more). Despite the risks, police officers and local occultists often work together informally though in the field of police investigations for the fight against criminality.

INTRODUCTION

Some traditional practices, which determine the relation of man, the nature and the unnatural, with the visible and the invisible still, remain enduring in Mali although an important part of the people is either Muslim or Christian. Occult consultation on antisocial and delinquent behaviors is very widespread to the surprise of the external observer. In traditional Africa, the sacred and the profane are intermingled all the time; it is not possible to study justice forgetting the religious belief that influenced it.

Pre-colonial Africa possessed well-grounded social control systems, which prevented antisocial acts or repressed them in cases where the individuals happened to offend established social norms. Some pre-colonial African political entities possessed their own penal justice systems (Dalglish D, 2005: 56). In certain cases, the colonizer has preserved this system. To cope with the traditional power and build up its own reputation, the administration decided to do with the respect for “indigenous customs” the linchpin of its domination policy. Doing so, the colonial power searched to “fix” the supposed pre-colonial right called “customary” to better make use of it.

In other cases, the colonizer, whose interest did not coincide at all with the application of certain indigenous rules in the management of questions that belonged to it, gave a rough ride to the indigenous customs (Rodet, 2007:4). This is why in French colonies one could remark the coexistence of a penal system dominated by African customs with a justified system dominated by customary justice and French penal judicial system. During and after the colonial period, some traditional practices of the social control subsisted.

It is in this frame that parents worrying about petty thefts by their offspring would not hesitate to go and consult a ‘marabout’ – *mori* – or a traditherapist – *farafin furabola* – for the necessary treatment medicine in order to decondition these latter from their antisocial behavior. In an Islamized rural area, it is common place that people organize the reading of “yachin,” a well-known ‘surat’ from the Quran, to stagger the presumed thief, whereas on the side of the Bambara, they often resort to the pestle referred to as “kolonkalannin” (a pestle, to which the supra power is conferred to guide two young stout men carrying it to search a thief after the reading of the surat ‘yachin.’) to single out the robber. Still nowadays, such practices are alive, and whoever is pinned as being the thief by the pestle is taken to the gendarmerie, said a suspect.

The security forces in charge of the protection of the people and their possessions make use of the same services of well-known marabouts or traditional healers to “resolve” certain difficulties met during their investigations. It is also frequent to find several objects believed to confer corporal protection, taken from suspects after body search in some police station of the town. Some policemen, who did not want their identity to be disclosed, sustain that, “These things are sometimes objects of decontamination after treatment by occultists invited by the judicial police officer so that he may continue to carry out his investigations without worrying.”

Such practices are not amazing anybody as far as the Malian penal law recognizes their existence. In fact, we can find a measure that penalizes witchcraft practices or charlatanism. The article 281 of this law reads: “Whoever will have given himself over to open witchcraft practices, black magic or charlatanism to cause a breach in public order or threaten people or their possessions will be punished with six months to one year of jail without prejudice, if be, with swindling sentences.” Does such measure unveil the conscience or the conviction of the Malian legislator of the existence or survival of these practices in the Malian society? In any case, in certain places in litigation cases people prefer to turn to them rather than to long complicated legal procedures of positive right, which in the viewpoint of many people take too long a time and cost lots of money to the victim, and are not comprehensible. Contrary to these complicated modern procedures, traditional practices are so much preferred only due to their accessibility and comprehensibility by common Malian users. Therefore the functions of the sanction in such context are different from those prescribed by the modern penal ones. The one guilty individual, for just being recognized as such not only pays

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heavily for his foolishness, mainly by putting shame on himself, but also discrediting his family and his kin. However, he will be able to amend himself and be reinserted in the society as opposed to the delinquent who would go through the modern judicial proceedings, and who, by this only fact, is perceived as an outcast and is rejected. Modern justice is viewed as a last recourse; and it is common place to hear, “Things are all worse between those who respond before the judge.”

The research questions

How do occult practices work in the domain of the prevention and suppression of criminality in Mali? What close connections does the modern system of fight against delinquency perceived as rational maintain with the holders of local occult knowledge?

The methodology

The present communication will address the above two questions from data gathered through field surveys conducted by some researchers in Bamako and rural Malian environment on the one hand. On the other hand, we talked to judicial police officers and agents, traditherapists, imams, people having had to use ‘kolonkalannin,’ and a number of elder people in Bandiagara.

1. Current practices of prevention and suppression criminal offences in traditional Malian environment

A. Some practices of prevention in the Dogon and Bambara worlds

To prevent adultery, which is considered as a great offence and dishonor (Kassibo, 1992: 564) in the Bambara world the woman’s body is an object for a specific treatment which will confer it a unique receptivity for the body of her sole legal husband in case of sexual intercourses. Such practice will therefore prevent anyone else to venture in any such relation with that woman; the trespasser will be stricken by a sickness (= danan) that can be cured only by the deceived husband. Only so can this insult be cleaned. Such belief is strong in the culture – a section of a film made by ORTM, the Mali TV broadcasting house, ‘The Kings of Ségou’ dealt with such belief. A case in point, the eating of the ‘faden to’ benefits of a particular treatment. The woman is even unaware of such way of body treatment, therefore without her consent. This practice is frequent with the traditional hunters, who used to be away from their counterpart for long hunting journeys. A traditional therapist, in the Nouveau Marché de Médina Coura, used to address on some private radio and propose products that fight against both husband and wife’s adultery.

Therapists and marabouts are active in the domain of disinfluencing victims of some of the above related stances. They propose disinfluencing from robbery, sexual wondering, after they have explained these deviances and other undesirable behaviors. The therapist sustains that this is more than often provoked by the mother when breastfeeding her baby – a single drop of breast milk on/in the sex of

the poor baby would condition him/her for sexual delinquency. He underlines many other undesirable behaviors, which people suffer from. To cure such deviances, he notes that all one needs to do is to wear talismans on one's body, bathe with some 'nassi' and drink some of it, with specially prepared decoctions by the therapist that one's has to drink, too.

B. Local practices to establish proofs and repression

In different regions of Mali, one would recognize customary practices for proofs establishments. These practices are still surviving nowadays in the prevention and repression methods against delinquency. Consider the following example. 'Binu no' (roughly translated: drink the sacred potion) is a current practice in the Dogon area to in the seek for assistance by the ancients' in an offence pertaining to possessions, in one's physical integrity or any other protected social value, and also in case of scarcity of rain due to someone, (which I roughly refer to here as 'tie up' the rain and drink the hemlock). This test takes place when an issue has not had any favorable way out at the *toguna* where the *Ogon* dispenses justice in the name of the living people and those who departed. Then, the suspects and oftentimes their accusers are invited to drink a sacred potion secretly prepared in a sacred house of rites. It is in the interest of he who knows himself to have done wrong to even avoid seeping it with the high risk of passing away on the spot due to severe stomachaches or in the opposite case face future curses that could strike him and the members of his family. The suspect may choose not to take the 'binu;' therefore he is sentenced and has to repair the prejudice. In certain cases, when someone is suspected to have prevented the rainfall, he may refuse to take *binu*, in which case he is physically constrained to drink 'binu.'

In the Sangha area, they use a specific necklace to confound the stubborn suspect who refuses to confess. Both the accuser and the accused take it in turn to walk around the *toguna* wearing the necklace. Consequently, the liar will get troubles in lots of forms of misfortunes. In many cases, the latter avoids accomplishing the rite, and subsequently recognizes the wrong deed he is rebuked for. A tangible case of the use of local knowledge preferred to modern practice took place in Kati, a settlement 15 kilometers northwest of Bamako. To find a lump of CFA francs 500,000 that disappeared in his family in Kati, M. X. turned to a 'kolonkalannin tigi' from Kolokani. Actually, the *kolonkalannin* is a pestle, as can be seen used in almost every house in Mali to pound millet. It is carried by two young initiated stout men. These latter two are led away by the force of the pestle after the owner has read the surat called *yachin*. The pestle always tends to follow the track of the thief. The owner follows continuously reciting the surat. He asks the pestle to catch *the guilty and the guilty only*. When *kolonkalannin* identifies the guilty or the hide place, it can beat the guilty person till he confesses or even breaks into the house if closed, where the stolen object is hidden.

According to Y. K. from Kangaba, years ago, a press article had been the main topic of conversation. A sacred treasure of the village, transmitted from generation to

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generation, was stolen and neither the object nor the robber was found. The news took a national even an international importance to such an extent that the village council sent a messenger to a '*komotigi*' from Guinea Conakry for help. The investigation succeeded to confound the robbers, who confessed and were compelled to bring back the totem. In this situation the traditional leaders did not go to any administration or police station because no word of it must get out. Again, during my research, the people whom I addressed to did not want to talk about the event, because they did not want to take any risks. It was highly dangerous to talk about it. The above is a perfect illustration of the use of local occultism in both the administration as evidence in the suppression of offences in traditional Malian rural world.

Concerning the recitation of the '*yachin surat*,' which reads as – “By the Quran filled with wisdom“ Praise to He who holds royalty in His hands in each and every situation. And to Him we shall return.” To perform the rite, two young innocent children sit facing each other. They maintain pressed two straight stalks parallel at breast level. While the marabout recites '*yachin*', he presents each one suspect's stick calling his/her name. At the name of the one who did the act, the stalks curved inwards as to touch each other.

The Imam we approached as an informant explained that such power attributed to the surat '*yachin*' is not found either in the Quran or any hadith. He went on underlining that the actual effect is 'but psychological.' 'He/she who actually committed the act is emotionally subjugated and let himself/herself be tricked by the sole conscience that a marabout is reciting a surat from the Quran.' Likewise, we can therefore equate it with the lie detector, which is based on physiological and psychological effects, too, and created by the context and the impossibility of the suspect to control the procedure. In the search for the truth, a whole science of evidence based on local occultism seems to have its source in Malian societies. We find the same characteristics in the lie collar of the Dogons

One finds those practices pertaining to history all over Mali. Thus, in case of theft or robbery, the parties swear in the name of the Béréte and Nama in Déguéla in the Manden, in front of Cheick Ould Mohamed in the Moors' part of the world, in the name of Waténi and Mamourou in the Peulhs' area of Ganadougou/Blendio, and more.

2. The Use of Knowledge by Forces of Law and Order in the Prevention and Repression of Offences

In this part of the research, section A has to do with local occultism used to carry out an investigation and protect oneself. Section B describes how the investigators collaborate with local knowledge holders.

A. Local knowledge and police investigations

The use of local occultism is in esteem for the individual protection of the investigators who hold it for true that they work in dangerous environments. In most cases, delinquents are “washed.” The investigator runs several dangerous risks. A “washed” body is something one has to avoid physical contacts with. Police

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agents also fear, apart from the arms delinquents possess, any objects of protection they have on them, of which certain can even be ‘under skin’. The case in point for the search of occult protection in order to commit an offence is well illustrated by the robbery of BDM by an individual, who was convinced to be invisible. Once arrested, he was wearing a white blouse all sewn with amulets. He even had many others as belts. He was ripped off all these objects after his arrest, of course.



Sample amulets found on an offender taken in a police station for questioning
Police station of the IV Arrondissement of Bamako Photo by Bouréma Kansaye

Some investigators are even initiated, and they do their own occult consultation in each case or raid to take offenders in for questioning (Kassibo, 1992: 575). More than often, they strongly believe in these practices than in the theoretical knowledge acquired during their training for service. For example, there are some given nicknames that eloquently support such fact – the Mande Eagle, the Lynx and more.

B. Interaction between investigators and occultist

Such collaboration can be considered as a necessity for personal protection of security agents and be seen as an elucidation for an intricate case. Policemen individually solicit the intervention of local occultists' favor for personal protection in their raids. In most cases it is question to seek body invulnerability. For policemen and gendarmes, it is a matter to find a way to guarantee body integrity in diverse work circumstances. Apart from this individual approach, there are also cases which can be viewed as ensuring a certain protection for a whole personnel, class of graduates, institution, or social group and so on and so forth.

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According to certain subjects, even the colonizer called the ‘kolokalannin tigi’ officially if an investigation could not elucidate a given case of robbery. Such attitude of the colonizer to resolve indigenous cases of robbery by custom rites was common place. Nowadays, these kinds of practices cannot officially occur considering their presupposed incompatibility with the rules of modern procedures. Nonetheless, isolated individual initiatives to resort to local occultists’ knowledge still exist among policemen. Moreover, there are victims, or presumed offenders who turn to this kind of consultation for several reasons.

During some investigations carried by the police, mainly in robberies, the investigators call local knowledge holders to arrest the suspect. That was the case of “Wo tigi” (the owner of the hole) in Sotuba, Commune 1 of the District of Bamako and the police officer in charge of judicial investigations, reported by Diarra. (Newspaper *Aurore*, April 9th 2000). This police officer asked ‘*Wotigi*’ to show them by which miracle he unmasks suspects and have them confess. ‘*Wotigi*’ just pointed to the hole some distance away in front of them. Then the inspector, asked for a demonstration. ‘*Wotigi*’ agreed without discussion. The investigator took off his watch and gave it to the agent right next to him. This latter was asked to put his hand in the hole. He did it. The master started reciting the words for the rite of the genre as follows:

“Ô Unfailing Spirits of the darkness I beg you to manifest the powers you are endowed with and take hold of this one if you find him either guilty of robbery or detainer of the lost object!”

Surprisingly enough, the policeman could not pull out his hand off the hole. He tried hard moving from side to side, but alas, he could not get his hand off. Did the spirits give proof of their powers? Anyway, the actual situation took back more than one.

There is obviously a knack, but what? The inspector asked himself. He invited the magician to go with him to the police station, where they had made a hole to redo the test. A prosecutor was invited there, too. Now, the investigator put his cell phone on his desk and walked out in the veranda. He told his agents that one slip in unnoticed to ‘rob’ his phone. They all went then to the site where the hole was. The inspector made all the policemen take it in turn to pass the test of the hole. But, a miracle! The one policeman who had the phone was collared. All the inspectors suggested not removing the trick leaving it in sight where it posed. They redid the session. And curiously enough, the hole retained the hand of a suspect. That was a first error. However, *Wotigi* explained that the agent’s hand was taken because he might have robbed a similar object in the past, which explained why the ‘spirits’ retained his hand. “Could be”, everybody admitted. Why would *Wotigi* himself not take the test? Just to make sure what the spirits would do. He was, therefore invited to undergo the test. He shoved his hand into the hole. Alas! As for common suspects, he could not pull his hand off. Maybe he himself robbed in the past.

The above example eloquently illustrates all the difficulty and maybe danger to integrate facts of occult nature into a regular penal procedure along with the

reliability of the evidence obtained by those means despite a still strong belief that confers to them a central place in Malian societies.

Law n° 01-080 of August the 20, 2001 of the Criminal Procedures Code of Mali is clear enough. In its article 412, it stipulates that: "Except otherwise, offences can be established by any modes for evidence and the judge decides according to his utter conviction." Again, article 413 precisely states that: "Any statement of offence or report is duly certified only but regular in its form, and if its author has acted while carrying out his functions, and has reported on a matter relevant to his competence what he has seen, heard or observed personally."

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