



Republic of Namibia
Annotated Statutes

Witchcraft Suppression Proclamation 27 of 1933

(OG 538)

came into force on date of publication: 1 December 1933;
extended to Rehoboth Gebiet by Proc. 12/1936 (OG 668),
which came into force on its date of publication: 15 April 1936

The reference to whipping in section 1 is invalidated by *Ex Parte Attorney-General, Namibia: Re: Corporal Punishment by Organs of the State* 1991 NR 178 (SC), even though this Proclamation is not specifically mentioned.

PROCLAMATION

By HIS HONOUR DAVID GIDEON CONRADIE,
ADMINISTRATOR OF SOUTH WEST AFRICA

[This Proclamation has no long title.
The date of signature appears at the bottom of the Proclamation.]

ARRANGEMENT OF SECTIONS

[The provisions in this Proclamation have no headings.]

WHEREAS it is expedient to provide for the suppression of the imputation or practice of pretended witchcraft in this Territory;

NOW THEREFORE, under and by virtue of the powers in me vested, I do hereby proclaim, declare and make known as follows:-

1. A person shall be guilty of an offence and liable on conviction to imprisonment with or without hard labour for a period not exceeding five years, or to a fine, ~~or to whipping~~, or to any two or more of such punishments if he:-

[The reference to whipping in section 1 is invalidated by *Ex Parte Attorney-General, Namibia: Re: Corporal Punishment by Organs of the State* 1991 NR 178 (SC), even though this Proclamation is not specifically mentioned. That case made the following order: "It is declared that the imposition of any sentence by any judicial or quasi-judicial authority, authorising or directing any corporal punishment upon any person is unlawful and in conflict with Article 8 of the Namibian Constitution."]

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- (a) imputes to another the use of non-natural means in causing any disease in any person or property or in causing injury to any person or property or names or indicates another as a wizard or witch;
- or
- (b) having named or indicated another as a wizard or witch is proved to be by habit or repute a witchdoctor or witch-finder;
- or
- (c) employs or solicits any witchdoctor or witch-finder to name or indicate another as a wizard or witch;
- or
- (d) prepares or supplies any poisonous drink or substance, which is injurious to health or dangerous to life, or who administers to any person or who induces any person to drink or take such drink or substance for the purpose of testing any person who is accused of witchcraft;
- or
- (e) while professing a knowledge of so-called witchcraft or the use of charms advises any person applying to him how to bewitch or injure persons, animals or other property or supplies any person with the pretended means of witchcraft;
- or
- (f) on the advice of a witchdoctor or by means of his pretended knowledge of so-called witchcraft with intent to injure uses or causes to be put into operation such means or processes as he believes to be calculated to injure any person or property;
- or
- (g) for purposes of gain pretends to exercise or use any kind of supernatural power witchcraft, sorcery, enchantment or conjuration or undertakes to tell fortunes or pretends from his skill or knowledge in any occult science to discover where or in what manner anything supposed to have been stolen or lost may be found.

[There is a comma missing after the phrase “supernatural power”.]

2. This Proclamation may be cited as The Witchcraft Suppression Proclamation, 1933.

[The word “the” should not be capitalised unless it is part of the name of the Proclamation. The *Official Gazette* is ambiguous, as it seems to make “The” part of the name of the Proclamation in the English version (with the index listing it as “The Witchcraft Suppression Proclamation, 1933”), but not in the Afrikaans version (with the index listing it as “Onderdrukking van Towery Proklamasie, 1933”). The *Official Gazette* does not indicate which language version was signed by the Administrator. The word “The” has been omitted from the short title here for consistency with other laws.]

GOD SAVE THE KING.

Given under my hand and seal at Windhoek this 24th day of November, 1933.

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D. G. CONRADIE,
Administrator.