

HUMANITIES INSTITUTE
Stuart Blackburn, Ph.D.

SHAHID 2013

Hansal Mehta

(Hindi Language)

Contents (Overview – Plot – Themes – Characters)

OVERVIEW

This is a biographical film of a real-life lawyer, Shahid Azmi, who was shot dead in his office in 2010 at the age of only 32. Shahid is committed to defending men accused under draconian laws passed in the wake of terrible terrorist attacks in India. He becomes the subject of a hate-campaign by some and is threatened yet refuses to drop a controversial case. The film focuses on Shahid's family life, his early influences, his marriage and the political context at the time. There is a lot of courtroom drama, with argument and counterarguments, which allows us to see justice or injustice at work. Despite the documentary feel to the film, it tells a compelling story.

CULTURAL SIGNIFICANCE

The period covered by the film (1992 to 2010) saw several major terrorist attacks in India, inflaming the pre-existing Hindu-Muslim animosity. No stories had more media coverage than those acts of carnage, plus the revenge attacks and the resulting court cases. One of the stories lost in that frenzied period was that of Shahid Azmi. By telling Shahid's story in some detail, the film-maker allows Indians to reassess their reactions to those sensational events. Was the legislation passed to stop terrorism too extreme? What are the proper limits of the police? Is the presumption of innocence dangerous in some cases? What is the role of the police and of the courts in preserving national security? As with good literature, this courageous film enables a society to re-examine itself in hindsight.

STORY

Riots As a family of Muslims get ready for bed, a young boy, Shahid, hears noise outside and investigates. He is then confronted by rampaging mobs torching his neighbourhood. He comes back terrified and says, 'They are burning everything. Killing woman and children.' It is the Bombay riots of 1992-1993, during which hundreds of both Hindus and Muslims died.

Kashmir Shahid goes to Kashmir and joins a terrorist training camp. He learns to shoot a machine gun and undergoes intensive physical training, including mountain climbing. However, when he witnesses an execution, presumably of a suspected informer or mole, he runs away.

Arrest Back home in Bombay, where only his older brother knows where he was, he buckles down to his studies. Suddenly, unexpectedly, he is arrested and charged with conspiracy to assassinate a politician. A well-known terrorist has been arrested and in his diary the police found Shahid's phone number. Shahid doesn't even remember the man's name, but he is beaten badly by the police. His brother tries and fails to have him bailed. After severe torture, Shahid confesses to knowing about the assassination plot and is sent to prison in New Delhi without trial.

Jail During his seven years in jail, he is subjected to radicalisation by another prisoner named Omar Sheikh. He convinces Shahid that he'll never get out of prison, and Shahid tells his brother, Arif, to stop visiting him. 'It's useless,' he says, 'I'll never be released.' As Shahid falls under Omar's sway, another inmate, named Gulab War, warns him to be careful. 'They'll play chess with you and then convert you to their brand of Islam,' he says. 'Omar knows Kabul has more than just horses.' Shahid asks what that means. 'It means, if you gather asses around you, you'll become their leader.'

Gulab Gulab War is in prison because he was framed by terrorists as punishment for not paying protection money to them. Now, he is planning to establish a civil service institute in Kashmir for poor people. Gulab War introduces Shahid to a Hindu professor, also a prisoner, and those two inspire Shahid to change society by getting an education. Gulab War persuades the warden to allow Shahid to take lessons from the professor. Shahid is taught many subjects, ranging from Mughal history to English poetry.

Acquittal When Shahid's case finally goes to court, he is acquitted, with a full apology from the court to his family. He is now a different person, a young man, having served seven long years in prison. After a tearful reunion with his family, he begins to study law.

Job After getting his law degree, Shahid begins to work as a lowly-paid assistant in the office of lawyer Menon. Menon is a tough task-master, and Shahid learns that the first principle is to defend your client and not to judge his guilt or innocence. When Shahid questions these tactics, he is fired.

Lawyer With help from his brother, Arif, Shahid sets up his own law office and begins to practice. In his small office, he takes on clients, including Maryam, a Muslim woman who has divorced her husband and is fighting an inheritance case with her relatives. Shahid also defends Muslims who have been charged under a new draconian anti-terrorist law. In most cases, he works pro bono and in consultation with non-profits and charities.

Zaheer A major case is that of Zaheer, an innocent man who gave his laptop to an old friend, who then used it to send out messages to a terrorist cell. Zaheer has been in detention for years, not even able to see his newly-born son. Shahid uses his skill and determination to get him acquitted. 'The law is slow, but it works,' he says to his client. Eventually, after nearly three years, Shahid wins his acquittal, which prompts media interest in the new lawyer.

Maryam Meantime, Shahid and Maryam meet outside the office, become friends and then marry, but without him telling his family. Shahid still lives with his family, while Maryam lives separately in her apartment with a son. After a tense interrogation with his brothers and mother, Shahid takes Maryam back to his family's house. She is excited, until she realises that he wants her to wear a burqa, which she has never worn in her life. The nervous meeting with Shahid's family is not a success, as Maryam says the family doesn't need to look for a larger house (to include her) since Shahid will live in her apartment, with her son.

Faheem Ansari A second high-profile case is that of Faheem Ansari, who has been accused of involvement in the Bombay riots of 2008 in which 165 people were killed. During the court hearing, the prosecution lawyer implies that Shahid has contact with terrorist organisations. She mentions that Shahid had been in prison and had known terrorists there.

Threatened As a result of this smear, Shahid begins to get threats. 'Are you a Gandhi for the terrorists?' he is asked by an anonymous caller. Outside court one day, he is assaulted by a gang. Men also go to his mother's house and threaten her. Newspapers publish information on his supposed 'radical past.'

Domestic strife Shahid is afraid and Maryam becomes anxious. She demands that he drop the case and remove the threat, but he cannot do that. They argue violently. She says that his stubbornness will get them all killed, and he counters that she has become hysterical. He reminds her that once before when he asked her, she told him not to back down. 'It's different now,' she says. 'We're married.'

Separation Maryam moves out to a hotel room. After the smear campaign against him grows in the media, he talks to her on the phone. She recommends that he stop everything, start a new life and forget the past. He pleads with her to come back to him. 'I need you, Maryam,' he says. 'Everyone is against me.' She hangs up.

Murder Shahid is lured to his office in the middle of the night by a fake phone call and murdered. In a final court scene, Faheen Ansari is acquitted and released due to lack of evidence. Shahid, even when dead, has won his case.

THEMES

Justice No less a noble idea than justice is the key theme of this film about the life and death of Shahid Azmi. It begins with a quotation from a famous American criminal lawyer, Roy Black: 'By showing me injustice, I learned to love justice. By teaching about pain and humiliation, he awakened my heart to mercy.' And the film concludes with the acquittal of a man wrongly accused of terrorism. In between these two bookends, we see both the flaws and merits of the Indian judicial system. During the long court scenes, it is the legal system that is in the dock. Prosecution and defence lawyers (mostly Shahid himself) battle it out in front of a judge in small and poorly furnished court rooms. In most instances, the judge appears to be fair-minded, to apply the law and attempt to keep the lawyers' speeches on track. We also see that lawyers, such as Menon, with whom Shahid first finds work, are unprincipled. They are not concerned with the truth but only with keeping clients happy so that they will earn their fees. Shahid mostly works pro-bono and mostly for people rounded up and put in prison, without a hearing or presentation of evidence. Over a short career of seven years, he achieved seventeen acquittals in difficult terrorism cases. That, as the film says at the end, is an admirable record. His most famous case, when he defended Faheed Ansari, got Shahid killed. Weeks later, though, his client was acquitted largely on the strength of the arguments he had already made in court. 'Indian court system,' Shahid tells another client. 'It takes time. But it works.' That is the coda for this remarkable film about a remarkable lawyer.

Prevention of Terrorism Act (POTA) Shahid's career is forged during the time of several horrendous terrorist attacks in India. The government responded by passing the Prevention of Terrorism Act (POTA) in 2002. (Curiously, a similar law with the same name was enacted in the UK in the same year.) Within months, nearly a thousand suspects had been rounded up and thrown in prison, where many languished for years. Shahid, himself a victim of similar treatment, defended those detainees by pointing out the negative consequences of the law. If someone is kept in prison for ten or fifteen years and then released, what is the point?' he asks. An innocent man will have been ruined. The label 'terrorist' will stick to him for the rest of his life. He will not get a job. He may well commit crimes. The counter-argument, put to him repeatedly in court and in private, is that of 'national security.' We can't be too cautious in these dangerous times. Halting another terrorist attack justifies jailing a few innocent men. But Shahid argued that 'justice delayed is justice denied. Two years later, the POTA was repealed. Shahid's arguments and public profile contributed to the abandonment of bad law.

CHARACTERS

Shahid Azmi Shahid is a quiet, studious young man, who gets caught up in the frenzy that followed the Bombay riots of 1992-1993. He is impressionable but falls into good hands and completes a law degree, which he uses to defend people wrongly accused of terrorism. Although he has a calm demeanour and soft voice, he is as hard as nails when it comes to his commitment to justice.

Principled Shahid is a young man of principles. We see this most dramatically in his court cases, but it is also illustrated earlier, in a case that he dropped. He has just received his law degree and is working in the law office of Mr Menon. Shahid is sent to interview a client accused of stealing cars and assaulting an owner. Shahid comes back to the office and tells Menon that he knows the man is guilty. 'The police are right,' he says, standing before his seated boss. 'He did it. So why are we defending him?' Menon answers that he is their client and that's it. He reminds Shahid that his job is to collect the facts. 'Then you arrange them,' Menon says. 'All right, you manipulate them to your advantage. If you keep reading those law books, my boy, you'll never win a case.' Shahid reminds him of the witnesses. 'Witnesses?' Menon scoffs. 'I've got them all in the palm of my hand.' Shahid tells his boss to appoint someone else to the case and leaves. Before he gets through the door, he is fired.

Forthright In love as in law, Shahid is a candid person. This endearing quality is well illustrated in a scene with Maryam. Lawyer and client are having coffee in a small café. He smiles and then blurts out, without any preamble, 'Maryam, I want to marry you.' She looks around, embarrassed. 'I know

this isn't the place,' he continues, 'but...I really like you and...' Maryam gets serious. 'Do you know that I am a divorcee?' she asks. 'And that I have a child?' Shahid does not shift his gaze from her. 'Yes, I know. I want to marry you', he says. She looks confused and shouts to a waiter, 'Excuse me, bill please.' Then she hands him an envelope with his fees and leaves the café. He runs after her and in the next scene, they are coming out of a civil marriage office and are congratulated by their friends. Shahid does not dissemble and that is one reason why is successful in romance and the law.

Stubborn Being principled and candid can turn into stubbornness, which is what happens with Shahid. Even after he is married, and even after he receives threatening phone calls and visits, he refuses to give up his campaign to acquit those arrested under the terrorism act. Even when he neglects his family, even when he doesn't notice that Maryam's son is ill and even when she separates from him. That scene of separation is searing in its emotional intensity. Maryam demands that he drop the controversial case. 'I can't do that,' he says, shaking his head. 'And why should I?' he asks. 'For me, for us, for your family,' she says. She leaves the room and he pleads with her. 'You'll get us killed,' she screams. 'And you don't care.' He tries to calm her down but fails. The only thing that will end the argument would be his decision to drop the case and keep them all safe. Shahid, the lawyer, saviour of the innocent and oppressed, will not do that. His obstinacy leads to his death.

Maryam Maryam is a young woman and a mother who has divorced her husband. She is educated, speaks English well and seeks legal assistance when her relatives challenge her share of the marital property. She is a down-to-earth sort of person, honest and open, like Shahid, which brings them together. She has her own ideas about what is right, though, and will not simply follow her husband's advice if she thinks it is wrong.

Supportive Maryam is, at the beginning at least, supportive of Shahid's legal campaign because she respects his ideals and his courage. That admiration is evident in one of the early scenes involving the two main characters. Crucially, that scene occurs when they are still in their roles of lawyer and client, that is, before they are married. They meet in a café and he tells her that he received a threatening phone call. 'They want me to back off from a case,' he explains. He hasn't told his family about this, but he confides in her. 'What should I do?' he asks. Maryam's answer is immediate and firm: 'I don't think you should back down.' He asks why, and she says, 'Because you're right and they're not.' She supports him because she supports his principled stand in the courtroom.

Assertive Maryam comes from a more educated and wealthier background than Shahid. His family is lower-middle class, conservative and presided over by his widowed mother. While Maryam is never shrill or arrogant, neither is she a wall-flower. That quality is displayed in a brilliant scene, in which Shahid takes her to meet his mother for the first time, right after he's been forced to admit that he's married. Maryam is happy to go, but is shocked when Shahid insists that she wear a burqa, which she has never worn in her whole life. The nervous meeting in Shahid's family's house goes all right until his mother says that they are searching for a bigger house to include her, the new daughter-in-law. Maryam responds by saying, 'That's not necessary. Shahid can remain with me, in my house.' Her assertion of control over her life (not wanting to be a daughter-in-law) is unconventional and could be seen as hostile. But, as Maryam explains to the unhappy Shahid, she will not raise her child in his mother's house. 'He would not get a good education, there,' she says, referring to the cramped space and limited income. Maryam is not a traditional Muslim bride, even in the early 2000s.

Decisive Maryam's strong sense of self eventually escalates into a decision to live apart from Shahid. This scene occurs toward the end of the story, by which time Maryam has observed Shahid's anxiety and fear, his neglect of his family and his own health. The tipping point comes when he receives yet another threatening call and tries to trivialise it. She loses her patience and a violent argument takes place. At the end, she begins to pack a suitcase. He pleads with her, grabs her around the shoulders and tries to stop her, physically. Shaking herself free, she stares at him and says, 'Don't touch me. I'm going to a hotel room. I won't live with you.' It is not a decision she wants to make, but she has the strength to do it.



(Shahid in court)



(Shahid arguing with another lawyer)



(Shahid with Maryam)