

Deepa Mehta takes legal action in Indian court to defend film

Richard Phillips
27 March 2000

Indian director Deepa Mehta has taken legal action in the Delhi High Court in defence of *Water*, her latest film production, against ongoing agitation and threats by religious extremists. The legal action is in response to allegations that the internationally acclaimed director plagiarised her film script from *Those Days* (*Shei Samay*), a well-known Indian novel about child widows by Sunil Gangopadhyay.

Mehta, who has publicly rebutted the claims, has filed for an injunction and damages for defamation, libel and misuse of her film script. She told the press that *Those Days* was being compared to fake or unauthorised versions of her script circulated by communalist forces to journalists. “I have been inspired by a whole body of work,” she said, “but I’m being put in the dock merely for imbibing the flavour of several books and films I’ve read”.

The claims of plagiarism against Mehta first appeared on March 9 in *The Pioneer*, which is published by the Rastriya Swayangsevak Sangh (RSS), one of the extreme right wing Hindu fundamentalist formations that have vowed to stop the film. The crude allegations, which were published widely in the Indian press, were seized on by Information and Broadcasting Minister Arun Jaitley who declared on March 13 that he was considering withdrawing permission for the film because Mehta “did not tell the whole truth” when seeking clearance for *Water*.

While Jaitley has not yet commented on Mehta’s legal action or issued any official statement, it is clear that the Bharatiya Janatha Party (BJP), which is the majority party in India’s ruling National Democratic Alliance government, will attempt to use the plagiarism charges as an excuse to stop Mehta’s film. In India the government imposes a form of pre-censorship on foreign-funded filmmakers who are obliged to submit their scripts for approval. If the government does not approve the script it

cannot be produced.

Speaking to the *World Socialist Web Site* by phone from New Dehli last week, Mehta said: “Of course I’ve read *Those Days*, like many other books, but there is no plagiarism—the story line and the characters are different. The point is that a script, which is supposed to be a confidential document, is not a finished film. And how many people know how to read film scripts properly?”

“I keep on saying to the press that the story line, my characters, my plot points, the settings, the language are different—‘why are you not listening?’ But the press simply took the script, which they must have got illegally, and pulled out a few names and some things that are in the public domain, and declared it to be plagiarism.”

Mehta said that she decided to take legal action, “because I’d rather have the court decide whether I have plagiarised anything rather than be on trial via the media. I know it will take time and I don’t have a huge machine behind me, but what am I supposed to do, just sit here and say, ‘OK keep on killing me with these allegations’.”

Water, which dramatises the plight of poverty-stricken widows at a Hindu temple in the 1930s, was originally scheduled to begin shooting in Varanasi, Uttar Pradesh in late January. It was stopped after Hindu extremists working hand-in-hand with members of the BJP-led state government wrecked the film set claiming that the film was anti-Hindu. The Uttar Pradesh state government seized on the riot to order a suspension of filming claiming it was provoking civil disorder.

Although Mehta was forced to withdraw from Uttar Pradesh on February 6, after the state government suspended production of the film twice in one week, chief ministers in West Bengal and Madhya Pradesh said the director could shoot the film in their states. Hindu fundamentalists responded to these offers by stepping up their agitation against Mehta and the film.

In late February leaders of Kashi Vidwat Parishad,

Kashi Sanskriti Raksha Sangharsh Samiti (KSRSS) and Sansakr Bharti met with Home Minister L. K. Advani to demand the film be stopped. The organisations, which are associated with the RSS, told Advani they wanted Mehta's script debated in the national parliament and threatened widespread protests unless the Indian government revoked permission for the film.

While the government has not tabled the script, Advani who is a leading member of the RSS and well known as one of the leaders of the campaign that led to the destruction of Ayodhya's Babri Masjid mosque in 1992, said that he would consider their demands.

After the meeting Shailendra Nath Srivastava, Sansakr Bharti president, denounced the film as “an explosion of obscenity” and a “denigration of womanhood.” One communalist leader attacked Mehta describing her as an “overdressed dowager” while Kaushal Kihore Mishra from the KSRSS said Mehta “did not have the intelligence to write such a devious script.” Mishra claimed that the film was part of a “larger conspiracy by the Christian world in this ongoing clash of civilisations.”

Within days of the high-level meeting Vishwa Hindu Parishad (VHP) or World Hindu Forum announced that it was planning joint action with the RSS, Vidhyarthi Parishad and the BJP and other Hindu extremist organisations in West Bengal to stop the film being produced in that state.

Sujit Dhar, VHP vice president, told the press that his organisation had begun calling street meetings in West Bengal to “divert the passion of the people” against the film and would organise demonstrations “wherever the shooting takes place”. The VHP have also published a multi-lingual leaflet and a pamphlet attacking the film. The leaflet claims that *Water* was part of a conspiracy to “denigrate Indian culture and ethos before the western world.”

Not to be outdone by the Hindu fundamentalists, Islamic extremists have also begun to attack the film. In late February five Islamic organisations issued *fatwas* against Shabana Azmi, one of the actresses in *Water*. Azmi, who is one of India's leading actresses, starred in *Fire*, the first of Mehta's films set in India. While formally *fatwas* are simply religious rulings, they are generally used to justify death sentences or violent attacks on those named.

The *fatwas* were issued after Syed Fazil Hussain Parvez, a journalist, asked Islamic leaders to rule on whether actors from Muslim families or with Muslim names were committing acts of sacrilege for performing the rites of

other religious groups on the screen. According to one of the edicts, Azmi, who shaved her head to play the part of a Hindu widow, had committed “an act of violation of the Islamic faith” tantamount to “paganism or infidelity.” Some Islamic organisations have rejected these rulings.

Following this attempt to intimidate Azmi, the Indian press introduced a new line of attack against Mehta's film. On March 14, *rediff.com* an Indian Internet publication, quoting an unnamed technician hired to work on *Water*, claimed that Mehta's script made “disparaging remarks about the father of the nation Mahatma Gandhi.” This claim, which was aimed at stirring up the Congress Party against Mehta, was adopted by sections of the media who began reporting that *Water* was a “Gandhi bashing” film.

Mehta told the WWSW that the Gandhi allegations were concocted “to set the stage for the next attack” and that she was being “witchhunted by people with a lot of money”.

“It's clear that a number of people behind the scenes have decided that they will do anything to stop this film being made. And week after week they come up with something new. First it is anti-Hindu and anti-India, then Shabana is being accused of being anti-Islam and now I'm accused of plagiarism and Gandhi bashing. It's like shadow boxing here and they are doing everything possible to try and destroy my reputation,” she said.

Mehta, who is now attempting to defend her film through the Indian legal system, has won important support from artists and filmmakers over the last weeks, including from writers such as Bangladeshi author, Taslima Nasrin. Addressing a meeting in Mumbai called to launch *Shodh*, her latest Bengali novel, Nasrin solidarised herself with Mehta and said she shared her angst and frustration. “Being a sufferer at the hands of fundamentalists in my country, I am determined to fight all the forces of evil all my life,” she said.

There is no doubt, however, that the BJP and its associated Hindu communalist organisations will intensify their vicious campaign. We urge filmmakers, artists, intellectuals and all working people internationally to take a stand in defence of Deepa Mehta and against the ongoing attacks on democratic rights and freedom of artistic expression.



To contact the WWSW and the
Socialist Equality Party visit:

wsws.org/contact