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## In Mumbai Terrorism Case, An Emotional, Historic Trial

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MUMBAI -- Grainy images of men wielding AK-47s riveted a packed courtroom here one day last week as the public prosecutor rolled soundless video footage from November's deadly attacks on the city.

"Here they come! Here they come!" Ujjwal Nikam said, pointing out to the judge the two gunmen caught on tape by a Mumbai train station's surveillance camera.

A few feet from him, a diminutive, barefoot man in an oversize gray T-shirt squinted at the screen. After the chaotic scenes of gunfire and panic faded, he rubbed his eyes, stretched his legs, leaned back and stared blankly.

Pakistani-born Ajmal Amir Kasab, 21, is accused of being one of the two assailants caught on film at the train station, where 48 people died. He is also the only alleged gunman captured alive during the terrifying three days beginning Nov. 26, when 10 men arrived in Mumbai by boat and attacked 10 sites, including two five-star hotels and a Jewish outreach center, killing more than 170 people. His trial, on charges of terrorism, criminal conspiracy and waging war against the state, began two months ago, and the stakes could not be higher for [India](#).

For years, the government in New Delhi has accused [Pakistan](#)-based Islamist militant groups of fomenting terrorist attacks in India. But this is the first time a Pakistani national has been arrested and brought to justice after police said he was caught on camera engaging in terrorist activities.

Many Indians resent this elaborate trial and the security apparatus set up to protect Kasab, saying there is enough evidence to execute him now -- the penalty he will face if convicted. The pressure of public opinion kept lawyers from coming forward to represent him for weeks. But set against the weight of domestic anger is the opportunity the government is seizing to remind the world that India is a

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liberal democracy with an independent judiciary.

"After Kasab, I am the most hated man in India for defending him," said Abbas Kazmi, Kasab's attorney. "People say he should be hanged right away. But to me, he is innocent until proven guilty in court. The world is watching us. They will see how India offers a fair trial to even a so-called terrorist."

Every day, Kasab sits in the courtroom dock to face a succession of eyewitnesses who say they saw him shoot passengers, policemen and railroad workers.

"We have presented forensic evidence, eyewitnesses, documents, photographs and television footage in court so far," said Nikam, the prosecutor. "We will also present the intercepts of the telephone conversation between the terrorists and their Pakistani bosses during the attacks."

An FBI team would be called to testify, as well, Nikam said.

The trial, which is drawing criticism here for its deliberate pace, is actually moving with surprising speed for a country where cases have been known to languish for years in overburdened courts. Of the 2,000 available witnesses, the prosecution plans to call 150 in court -- and 68 of those have been called already.

"This is one of the fastest trials in our history," said Deven Bharti, a deputy police commissioner in Mumbai and one of Kasab's interrogators. "This court has not even taken the month-long summer vacation, like other courts in India."

Bharti said he expects the trial to end in three to four months, but he added: "This was not like any other murder. It was a gruesome and unprecedented act of terror. The response should also be fitting, even as we follow the due process of law."

Meanwhile, India continues to provide impenetrable security for its prize catch.

Kasab is brought to the court from his solitary, windowless cell through a narrow, heavily guarded 15-yard-long passage. The cell, the passage and the courtroom are fortified with bulletproof iron sheets. His food is prepared separately for fear of poisoning. Bharti said Kasab also has his own bathroom.

"We have more than 200 policemen and commandos guarding Kasab round the clock," Bharti said. "Intelligence reports say that some groups in Pakistan are hellbent on rescuing him or killing him because he is living proof of their complicity. But our security is such that no grenade, no rocket launcher, can penetrate the walls."

The news media are allowed to observe the daily proceedings, but cameras are not permitted. The police even provide pens, to prevent people from bringing in pens that conceal recorders or cameras.

Security is so tight that Kazmi, Kasab's attorney, complains about lacking quality time with his client.

"I talk to Kasab under the strict watch of court staff and policemen," said Kazmi, who agreed to represent the alleged gunman after several other lawyers had refused, citing ethical concerns, or bowed to public pressure to withdraw. "In fact, I have not even got the time to read out to him the big report of charges. How can he effectively instruct me to fight his case?"

When the trial began in April, Kasab, speaking through his attorney, pleaded not guilty and sought to retract his confession, saying it was made under duress.

The trial is conducted mostly in English and Marathi, the official language of Maharashtra state, neither of which Kasab knows well. He often looks bored or bewildered, but when witnesses recount the horrors of that November night, he appears to try hard to follow.

Language is not a great barrier in a trial supercharged with emotion.

A mother recently identified Kasab in court as the man who killed her 6-year-old son. A 10-year-old girl on crutches accused him of shooting at her in the train station. The girl's father broke down in court and accused Kasab of leaving her with a lifelong disability. "This man shot my daughter, spoiled her life and killed so many others," he said. "Why are you keeping him? Just hang him."

Indian newspapers have chronicled every change of expression on Kasab's face in the past weeks -- a smile, a possible tear, a yawn. Early on, his demeanor struck observers as callous, and he has drawn reprimands from the lawyers for laughing, although they have also nicknamed him "the short one" and occasionally joke with him.

On Thursday, when he was laughing at their banter, Nikam turned to him and said: "Don't laugh. Be serious. Otherwise I will call Dara Singh" -- a reference to the legendary Indian wrestler often invoked by parents to keep their children in line. Kasab laughed even more.

Last Monday, 27 photographs taken at the train station Nov. 26 were shown to the court, including a widely published image of a man identified as Kasab in cargo pants and a black T-shirt, toting a blue backpack and holding an AK-47. A police official said that Kasab hung his head low in court and that tears welled over. The judge asked him whether he was crying, but Kasab did not respond, just wiped his face. Nikam dismissed the reaction as "crocodile tears."

"Kasab is a trained commando," he said. "No question of remorse. He plays the psychological game. He smiles, looks innocent or

pretends to shed tears. These are tricks to get media sympathy."

Kazmi, Kasab's attorney, said his client is becoming "increasingly gloomy" and has "a sense of hopelessness written all over his face."

Recently, Kazmi presented the court with a list of requests from his client -- an Urdu newspaper, perfume to offset the stink in his cell and a daily walk on the open verandah nearby. Kasab has also asked the court to return his money, the equivalent of about \$100, which was confiscated after he was arrested.

The court has granted none of his requests.

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