

Baahubali 2: The Conclusion

Under the Lens of Law and Legal Knowledge

In this legal inter(re)view on a blockbuster movie Baahubali 2: The Conclusion Dr K. Parameswaran, Associate Professor of Law, Gujarat National Law University, Gandhinagar shares his legal insights drawn from this movie on a variety of legal issues in the discipline of law, legal systems and development of legal knowledge. He explains the nature of State and Good Governance, Law and Constitution, Indian ideal of Dharma and Social Collectivity, Individualism and Rights, Obligations, and Values etc., directly from the movie itself.



Why do you think this movie Baahubali 2 has become a box office hit with jaw-dropping statistics of achievements in Indian movie industry? Do you see anything other than usual reviews on this film?

Many reasons are attributed for its success (nationally and internationally). Grand visuals and simulations, innovative graphics and ideas, spellbinding music and technology, confidence of producer and director on huge-budget, dedication of actors and actresses and 1000's of people who worked for years to create this movie. Even negative reviewers wonder at its staggering collections from an otherwise unpredictable movie market. However, as a law-academic I see this movie in socio-

political-cultural contexts of India. Through that, a big picture emerges in the context of law and legal knowledge with three reasons.

First, storyline of rich characters, tricky plots and powerful dialogues which cherishes certain core ideals and universal values perennial and familiar to pan-Indian life-culture or call it Indian Dharma of State, society, politics and life. No matter this kind of storyline is told across generations and depicted in novels and movies over decades; but this time this movie with its advantage of structured sequences of scenes, subtle plots, tricky dialogues, colorful visualization, stirring music and organized script directly

connects us to the conflicts in life. All kinds of conflicts that come from freedom of life and its choices on daily life-situations which we face- "to follow or not to follow or, how to follow Conscience or Truth or Dharma or Rule of Law in life". Or you can put it in legal lingos- "is this act of mine or others just in the interest of one and all in society?" This clear portrayal "connecting Dharma, social values and Rule of Law to daily conflicts in life", is a second reason. In short, movie's impact is because it has connected us to deeper ideas and meanings of life. Third is the timing of the movie. We see human life across countries and cultures is going through a crisis now; no matter people define that





crisis as social, cultural, moral, psychological, religious, economic etc. At a deeper level, it is a crisis from lack of understanding on what is law or Dharma from within and outside an individual and State. Because law, life, values and society are one single continuum proceeding from inward thought to an outward conduct. There is a struggle to find right choices in individual and collective life. A seeking to balance various aspects of life in family, profession, society and nation. You can see its other side in the form of disturbances or greed that brings corruption of many kinds; violations of human dignity, dilution of social values, destruction of environment,

unlawful exploitation of opportunities and public exchequer, usurpation of power and due process of law etc. Law students and graduates can understand these struggles, conflicts and corruption and growing need for collective social equilibrium through justice, equality, liberty and fraternity. We see how value-conflicts lead to 100's of court cases daily. Protests and agitations have become common. It is clear now; a loss of core ideals and universal values impacts public life as a whole at every turn of circumstances in life making us suffer and feel humiliated. How do we address this issue? What is the Rule of Law, Dharma of Life, social values and political ideals of

life that State and society should know? And this robust movie has come explaining all these.

How do you connect story of this movie to law, legal knowledge, legal systems, State, Constitution and values of social life? Could you please elaborate further?

From opening scene to the last, this movie offers a lot in terms of legal thinking and knowledge. Let me connect both story and law in simple terms. A dynastic monarchy runs a State. State serves its people for peace, welfare and harmony. Those who adorn State's throne to render welfare services to people shall be persons of integrity and nobility of character; who



ought to be free from personal choices while executing State's public power. Because, authority of public power is vested on State's functionaries by society only to serve people's needs and, not share or self-serve their own personal greed arising out of family grudges (within dynastic monarchy). Everyone in society has equal rights and liberties, duties and obligations towards all. All aspects of life (social, cultural, economic, political, religious etc.) are shared by everyone with equal opportunity for development. This all-encompassing thought, ideal, value and sense of life gives aim for social collectivity to live harmoniously. State monitors these

with proactive will, knowledge and interest through systems. When conflicts arise (within State or inside society) disturbing social peace, welfare and harmony, conflicts get legally dissected and solved justiciably through this assimilative thought, holistic ideal and collective sense either from expressly written positive Constitutional Law or from unwritten Customs or Conventions of historical times and natural growth. This was known in India as Dharma of life with both private and public rights as well as duties to guide social growth. This movie depicts a story of Indian socio-political-cultural Dharmic law on State and society. This simple linear message is cinematically choreographed in this movie in a non-linear style.

A State, whatever be the nature of its acquisition of power to rule, cannot forget its duty towards good governance of peace, welfare and harmony to citizens. State ought to be selfless in kind and activities as it is a creation of political process based on the faith of vox populi. Its functionaries are public servants with only one aim- 'serve society'. They are given authority and power only to serve. When they serve, their eyes are directed straight towards people to benefit them who created State and look up to it. Thus, State shall not look twisted to serve and benefit their own interests, relatives and friends which is antithetical to nature of State. This selfish motive and conduct leads to nepotistic coterie that grossly violates fundamental faith invested by people on State and becomes destructive to collective social existence. In fact, this is the seed of corruption of all forms. In modern understanding, State is run by a written Constitution through a democratic process. Accepted norms become legal substance and procedure by which everyone adheres to. And the spirit behind written law and legal words are invoked to scan thoughts and conduct of State and people. And this spirit of law needs to be revived every time there is a fall from this adherence to collective ideal and public grace by a conscious society through courts and legal systems. Story of this movie with

plots and characters exactly explains this. Movie scenes evoke this hidden spirit through cinematic visuals, words and sounds. As you know, Art is a powerful method to rejuvenate hidden meanings to viewers. And, this movie has brought us back to think about Indian values embedded in Indian Dharma where social, political, cultural, economic, religious ideas are presented as a single but an integral-whole of life of a State, its systems and sociality with all its struggles and seeking for peace, welfare and harmony at individual as well as collective level. This becomes visible under the lens of law and legal Knowledge.

How are those characters in movie helpful to develop legal knowledge? Like Rajmata Sivagami, Bhaahubali Shivudu, Bhallala, Bijjaladeva, Kattappa, Devasena, etc...? Your insights?

Noble Queen Sivagami promises her son Bhallala about marriage with Devasena unaware of ongoing facts, which her son knows but contrives those facts to arrive at an unlawful benefit for himself. Queen's understanding or assumption of fact is positive but Bhallala's understanding or consumption of fact is negative. There is son's responsibility to share all facts available within knowledge particularly when he has orchestrated dialogues with ulterior motives of illegally capturing power by satisfying an unlawful arrangement of marriage with Devasena. This betrayal of trust by son to mother is a betrayal of trust by aspiring prince of State to an existing Queen of Constitutional power and authority of State (Mahishmati). Let us see the legal maxims that can be analyzed here. It is "ex injuria jus non oritur-legal obligations do not arise from un-just" from queen's side and, "animus nocendi-intention to harm" from prince's side. It is "condicio sine qua non-a condition without which it could not be" and, "consensus facit legem-consensus makes laws and rights". Similarly, "injuria non excusat injuriam-two wrongs will not make a right". Now let see other characters. Bijjaladeva's misleading arguments and



torted innuendos are “ex facie—on the fact of it” a pure “mala fide, ab initio—bad faith, from beginning”. It is concerted “dolus specialis—specific deceit”. Finally, it is, “magis de bono quam de malo lex intendit—law is in favour of a good than of a bad intention”. All these legal principles are part of Indian Dharma or jurisprudential interpretations on conduct of State and people as per Constitutional Law and canons of Administrative Law and service. Devasena’s character shows many things.

Woman without dilution in her freedoms, choices and liberties, strength to fight based on capacities, self-empowered independence and social dignity, knowledge to question highest authorities of State, discriminative power on legal and illegal things, capability of legal argumentations, logic and reasoning, trial and evidence, principles of natural justice, innocence till guilty beyond doubt etc. This can explain what should be conditions of the nature of State and state of Nature as

seen in Gandhiji’s writings or, Sri Aurobindo’s political thoughts from “Ideal of Human Unity and Human Cycle” that immensely contribute to development and implementation of correct legal knowledge. When Devasena questions king as to how law changes according to people when circumstances are same it is “ubi eadem ratio, ibi eadem lex; et de similibus idem est iudicium—where there is same reason, there is same law; concerning things similar, verdict is similar”. Or when a soldier conceals fact or lies as against facts which Devasena represents and implicates false punishment to her, it is “officium nemini debet esse damnosum—a duty should be injurious to no one”. Bhaahubali’s immediate rescue is a “praesidium victima—protect the victim”.

Bhaahubali sets an example of how one can selflessly and impersonally handle most attractive form and enjoyment of life; which is power and authority to rule a State. Yet, one can see in his impersonal nature, a warm heart that wins people even in adverse circumstances. He sticks to Dharma, Rule of Law or an ideal value of life that contributes to larger social collectivity and wellbeing. This Bhaahubali does neither for his own sake nor for sake of any higher authority, but for the sake of Dharma itself. This Indian idea of Dharma is nothing but the dynamic Truth that prevails and protects people’s lives. Bhaahubali’s commitment to speak truth, to utter only Rule of law even against queen who is his own mother or even against his own coronation, to sacrifice power and finally himself in order to save promises he has assured, show his confidence on his multiple capacities and balance of nature between individual being and collective social-being. These are not merely psychological qualities as they seem to be so in their appearance, but are actual protective powers of Dharma that help life as a whole. This selfless, impersonal, kind, dynamic, knowledgeable and capable nature of Bhaahubali as per standards of Dharma is in fact a definition of State, its agents and functionaries. State and its

functionaries (three organs) ought to possess these higher qualities when they render daily services to State and society. State serves public, “res publica—all things subject to concern by citizens”.

Kattappa, one of the most thought-provoking characters in movie can be studied in great length in relation to nature of State Executive and its functions. His loyalty to monarchy is unflinching. He commands all strength to justify royal family’s dependability on him for anything. His functions are of the nature of Executive in a State where Legislature makes policies to be acted upon by Executive functionaries and agents with judicial eyes hovering for reviews on correctness of implementations. The most famous question and its thrilling suspense for years to find an answer for “Why Kattappa killed Bhaahubali?” is worth thinking in a legalistic way. Ministerial implementation of power is interlinked with Executive functionaries and agents of State in policies and their operations. But this interlinking between policy and operation ought to be sound and reasonable and must reach people in society and end in intended benefits for which policies are made. It cannot be blind of this active link between State and society, in its thought and conduct. Kattappa’s is an example of what happens when Executive is not allowed to advice or give feedback to the Legislature. Kattappa was initially unaware of consequences of his actions. However, in the end, Kattappa uses his discriminative power and changes his stand of loyalty from mere blind allegiance to Queen to active intelligence to understand what is true, right, correct and good as per Dharma. In legal words, it is “reasonableness” and “a good that must be served to society” that Kattappa adheres to and, not the law-less acceptance of arbitrary and mala fide commands from Bhallala, Bijjaladeva and, Sivagami as well when she lost her peace of mind to discriminate who is right and wrong arising from mistaken facts though she could have been alert. One can study here “Wednesbury Unreasonableness” principle

of administrative law. Kattappa’s past blind allegiance and his changed, new but Dharmic good-actions has a connection with what is explained in Wednesbury Unreasonableness principle – “so outrageous in its defiance of logic or accepted moral standards that no sensible person who had applied his mind to the question to be decided could have arrived at it”, as explained by Lord Diplock in one of English judgments. We study in law that “cessante ratione legis, cessat ipsa lex—when reason of law is at an end, law itself ends”. Or Kattappa’s practice of custom of following the promised-word can be contrasted with reasonableness under “consuetude ex certa causa rationabili usitata privat communem legem—a custom based on certain reasonable foundation abrogates common law.

How do you see role of Arts and movies in development of legal knowledge and thinking?

If movies bring social issues and conflicts of daily life and, the characters, plots and dialogues highlight knowledge of justice, equality, liberty and fraternity according to Dharma or universal values and ideals of collective existence through simple ordinary life-situations along with legal knowledge, they can easily bring positive changes in social collectivity, nation building and development of individual and social life. We can progress collectively without wasting time and energy. Just take this movie. From a psychology of effective communication, I see Bhaahubali’s storytelling technique has significance for a legal mind which has to think both ways; deductive as well as inductive in reasoning—one that starts from bottom-up and the other, top-down or, see conflicts as inside-out and outside-in by logic and reasoning. In this movie, you can observe conflicts between State and society, static norms and changing requirements of society, invalidating freedom of choices and assertion of liberties, age-old customs and changed necessities etc., are all brilliantly depicted in the scenes through climax and anti-climax, dialogues which counter one

legal argument with another, hierarchy of relationships of power between State’s authority and innocent peasants. Starting from Part III—Fundamental Rights, Part IV—Directive Principles of State Policy, Part IVA—Fundamental Duties, Part V—The Union, Part VI—The States, Parliament, Executive, Judiciary, Qualifications, Impeachments and the overarching Preamble of the Constitution are all hidden in many scenes of the movie.

Any tips for law students and graduates on how they can connect legal thinking with Arts such as movies or historical novels?

Whenever they watch movies or read novels, they should remember one thing. Artistic portrayals of anything in life whether audio-visual or written medium are simulations from life. They emerge from everyday situations. This makes me say what I emphasize always in my law-teaching. They should first become conscious of their life, their thoughts, feelings and conduct, of why they think or behave in a particular way and how they can be shaped to bring harmony with oneself and with society at large. If their thoughts, feelings and conduct are constructive in contents, they can impact life and society positively. This is their contribution to justice. They can become messengers of State in its contribution towards peace, welfare and harmony of society. In case they go negative, they can bring complex problems to their life, suffer psychologically and finally socially as well. Sometimes even lead to commit penal offences too. The integral dimension of law that I emphasize while connecting any legal argument is very appropriate to quote here: “As you cannot separate your individual life from collective society, so too you cannot separate values of life from law. Law and life, values and society go together.” This makes arts, humanities and social sciences serve law and legal knowledge.

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