

Sanjay Leela Bhansali's *Guzaarish*: Right to die and Euthanasia in India

AISHANI ROY

State Aided College Teacher, Kanchrapara College, Kalyani University

Abstract:

Euthanasia is and has been a relevant topic of social discussion but not many movies have tried to deal with the issue through visual medium. My paper seeks to address the visual depiction of quadriplegia and the issue of euthanasia as dealt in the 2010 Indian movie *Guzaarish* directed by Sanjay Leela Bhansali. The movie can be considered pathbreaking in its addressing the issue at a time when the Supreme Court of India had not even legalized passive euthanasia. While the 'right to live' is a fundamental right guaranteed under the Indian Constitution, it is the 'right to die' which is denied to terminally ill patients for whom there is no other hope left than to die without any further pain. Where death is inevitable, a quicker and painless death is often a means to end an existence which is nothing more than a "bare life", a biological routine. My paper seeks to explore the legal developments in euthanasia and how movies like *Guzaarish* aim to show poignant resistances to systems that fail individuals in exacting their dignity or autonomy, because of their disability.

Keyword: euthanasia, right to live, right to die, movie, bare life

Introduction:

"Never to be born is best, ancient writers say;

Never to have drawn the breath of life,

never to have looked into the eye of day;

The second best's a swift goodnight and quickly turn away."

-Sophocles, *Oedipus Coloneus* (Sebastian, p.1)

"Euthanasia is mainly associated with people suffering from terminal illness or who have become incapacitated due to any reason and do not wish to go through the rest of their life suffering" (Aggarwal, p.6.242).

Very few Indian directors have dealt with the visual depiction of this social and legal dilemma in movies. The year 2010 saw Sanjay Leela Bhansali produce a gem in Indian cinematic history. Critically acclaimed at that time and often considered as Hrithik Roshan's best performance, *Guzaarish* is a movie based on the issue of euthanasia- an age old medical and ethical dilemma on the right to live or conversely, the right to die. Set in rain drenched Goa, the movie explores the theme of euthanasia and how the promises of life are cut short with one pernicious fall.

Analysis

Ethan Mascarenhas is a former magician turned radio jockey hosting the show 'Radio Zindagi', inspiring others to live life, fight odds and celebrate beauty. But he himself is tormented by the grating situation he is in, seeking occasional mirth in flirting with the beautiful Sofia, his nurse. Disenchanted with the unchanging situation, he decides against the wishes of his nurse and caretakers, to send an ardent plea to

the Court for euthanasia when all medical avenues and treatments have been explored and wasted without success.

His desperation is born out of the quadriplegic situation in which he is trapped, an escape from the imprisonment of a life that cannot be lived fully. His decisions are refuted by workers of his house who are all very dear to him. Interrupted by scenes that depict memories from the past, the movie is a collage in narratives from the past and present, cohesively juxtaposed against each other to bring out the contrasting vagaries of life.

As Ethan is approached by the young Omar who wishes to learn magic from him, the movie traces along Ethan's memories of himself performing magic on stage. Accompanied by his beautiful assistant, he had once performed acts that dazzled the audience. In one such fated act, Ethan performs a stunt with a lighted candle and falls headlong, into water, from a great height only to survive the accident, but never to return to a life where options are limitless.

When society, the Church priest, his nurse and friend Sofia and his doctor try to dissuade him from the thought of opting for euthanasia, he is silently backed by his mother, his best friend and lawyer Devyani and his erstwhile lover and assistant, who calls him up in his show only to support him in his decision with a poignant 'yes'.

He is accompanied by Sofia to the court, before the next hearing is removed to his house for his convenience. As he travels to court the first time, head resting against the seat in a car with retractable roof, he takes the first gush of wind in a long time- the soft grasses of meadows filling his eyes with the freshness of greenery, children running along his car- their laughter and giggles brimming his mind with the mirth of life before the square, monotonous courtroom drains the same out of him. On his return to his home, he waits by the seashore, the salty water brushing through his decrepit feet leaving behind lines of sandy ripples. He imagines standing up on his two feet and running towards the vast grey sea, lifting his limbs up to capture the frothy waves – an imaginary escape from an infirm body.

In the second courtroom scene, set in his house, when the judge asks if Ethan has anything to say, Ethan asks for permission from the Judge to show magic. He asks Omar to help the respondent lawyer fit himself in a box and sleep for a minute. As the spectators in the courtroom wait silently for Ethan to show his promised act, the anxious respondent keeps banging on the closed lid begging to be released. When the door is eventually opened, he desperately sits up gasping for air- the message, loud and clear. No amount of legal advice, religious didacticism, smugness and verbal persuasion can measure the undying pain Ethan and his like go through each moment.

In another scene in the movie Ethan rests on bed, trying to sleep all night as rain drips from the tattered roof, dripping onto his forehead, drenching his white sheets. The scene shot in a blue and black, ends in a foreboding tone with a shot of a statue of Christ with open arms in Ethan's garden. As the angry rumblings of thunder and rain fade the next morning, Sofia comes to discover a rain-soaked Ethan lying wet on his bed- a shock, cruelly broken by the news of his mother's death- the child survives, perhaps protected by the mother's love, the force of her silent sacrifice- irrefutable, even at the face of dismissive Nature.

The court eventually turns down Ethan's plea. The dictum is clear- euthanasia active or passive is not allowed. In the end, Sofia agrees to end Ethan's suffering although the film doesn't show the 'how' and 'what' of it. The movie ends with Ethan surrounded by his friends and Sofia, now his wife, holding onto him in warm embrace as they celebrate his wedding. He reads out his living will and the cinema leaves the narration abruptly there, allowing the audience to merely wonder how Sofia and his doctor would carry out the deed without allowing his lungs to follow the same fate as his kidneys.

Guzaarish was released at a time when India had not legalized passive euthanasia. Bhansali's dealing with the issue led to his foray into a different genre of cinema at a time when the Indian audience was still rooting to see the hero dancing and romancing the heroine under the trees. The adjustment the theatre goes had to make to see a good-looking hero turn into a skeletal protagonist, squeezed out of life, to fit into a six-by-four feet bed, was a shock and a shift in narrative the audience was not keen on accepting.

Legal development in India

Interestingly, it was in 2011, a year after the movie that the *Aruna Shanbaug vs Union of India*, case came to the forefront in the legal scenario. The Supreme Court in this case had allowed passive euthanasia under strict medical safeguards that involved the removal of life support.

Earlier it was Vijayshankar Pandey- a farmer from Uttar Pradesh, suffering from AIDS, whose appeal to the President for the 'right to die' was turned down. In 2004, Venkatesh Pandey, a former Chess champion suffering from Muscular Dystrophy had similarly pleaded to the Court for the 'right to die' and was turned down.

Article 21 of the Indian Constitution upholds the right to live with dignity. But it is unerring in its refutation of the 'right to die'. It is the duty of the State and the doctors to provide treatment to patients under terminal illness. If Euthanasia is legalized, there is a chance that States may refuse to invest in health and there is also a fair chance that it might be used in an unfettered, corrupt way (Chaturvedi and Math).

"Broadly speaking, the term "euthanasia" refers to acts or omissions that result in the termination of the life of a terminally ill patient by a physician, usually through prescription of a drug (... "Physician-Assisted Suicide"), or administration of a lethal injection (... "Active Euthanasia") or through extubating (... "Passive Euthanasia") (removal from ventilator). Involuntary euthanasia is a term used to describe the killing of a person who has not explicitly requested aid in dying. This is most often administered to patients who are in permanent vegetative state (PVS) or in coma with low or no chances of recovering consciousness" (Sebastian, p.344).

Aruna Shanbaug was over sixty years of age living in PVS for more than thirty years when a writ petition seeking the approval of the Court on euthanasia was filed by the petitioner on her behalf, Ms. Pinki Virani. Having suffered from brain damage following a violent incident of rape and torture in her workplace, she was reduced to "featherweight, and her brittle bones could break ... accidentally... She had stopped menstruating and her skin was now like papier mache' stretched over a skeleton. She was prone to bed sores. Her wrists were twisted inwards. Her teeth had decayed causing her immense pain. She can only be given mashed food... Thus, Aruna was... virtually a dead person..." (Aggarwal, PIF 6.242). The apex Court initially turned down Virani's plea, following which the Supreme Court recommended a set of guidelines legalizing passive euthanasia. and Aruna passed away in 2015.

'Right to life' and 'Right to die'

In larger debates and discussion concerning 'right to life' in conjunction with the 'right to die', the Supreme Court held that the term "life" under Article 21 "does not connote mere animal existence or continued drudgery through life" (Sebastian, p.355).

It is in extension of this debate that it can be mentioned that in the *State of Maharashtra v. Maruti Sripati Dubal*, the Bombay High Court observed that "right to life" as enshrined in Article 21 includes a "right to die". The 'right to die' therefore became a matter of individual liberty and autonomy and barring 'attempts to suicide' and 'abetment to suicide'- two distinct crimes under the Indian law, the judiciary had to acknowledge that every individual living in a debilitating condition had the right to "dispose of his life as and when he desires" especially if it becomes an encumbrance.

The recent Supreme Court judgement of the *Harish Rana vs Union of India case, 2026* has sparked reviews and opinions on the issue of euthanasia. The Supreme Court of India has allowed passive euthanasia for Harish Rana, a thirty-two-year-old man suffering from quadriplegia without improvement over thirteen years. The plea made by his father has been accepted after a committee of doctors concluded that his situation cannot improve for any better.

The Indian government prohibits active euthanasia at present and treats intentional causing of death as a crime under Section 101 of the Bharatiya Nyaya Sanhita. However, at present the government allows passive euthanasia.

Quadriplegia in *Guzaarish*

While quadriplegic patients in reality are most often found in a permanent vegetative state unable to speak or move, Bhansali's depiction is still resplendent amidst all the pathos. In one hilarious scene Omar leaves Ethan unattended; he drops from the bed- head hanging limp along the floor. When Omar is unable to put him to bed, he calls for help. Sofia runs to rescue and safely puts him to bed pulling his limp body up from the floor. When Sofia turns to leave Ethan jokingly remarks that despite his fall, he couldn't catch a glimpse of Sofia's legs- his physical inability, loss of control over his body and devaluation of his own bodily autonomy has stripped him not only of his dignity but also of cultural and social acceptance. He is no longer the masculine magician women thronged around- but rather a supine, urinating disabled person without agency.

Life in its ambit includes "some finer graces of human civilization, which make(s) life worth living", which, in the expanded form would mean [that] ... physical and mental health [can be treated] ... as integral part of right to life, because without good health the civil and political rights assured by our Constitution cannot be enjoyed" (Sebastian, p.355). The movie aptly shows the "decentred subjectivity" of Ethan- the earlier impressive, "self-contained magician" is no longer alive- what survives, attached to ventilators, dialysis machine, wheelchair, is a pale, dehumanized individual with intellectual vibrancy, a maverick mind, a good sense of humor and remnants of human urges (Pachouri, p.243). Pleading for euthanasia and the 'right to die' can thus be seen as final act of reclaiming autonomy and personhood, in a society where cultural and religious systems determine and regulate definitions of existence.

The final ending of the movie keeps the question hanging- as to whether the doctor would extubate the patient or whether Sofia would end his life by simply stopping the necessary interventions to ease his daily activities. "Ethan's struggle is not merely a personal conflict; it is a confrontation with the biopolitical structures that aspire to establish the parameters of a 'life worth living.'... Ethan's quadriplegia and the resulting dependence render him a barren existence, devoid of the autonomy that is typically associated with... agency" (Pachouri, p.245).

Conclusion

Developing his discussion on the obscure figure of the Roman archaic law, Giorgio Agamben in his *Homo Sacer: Sovereign Power & Bare Life* mentions that the protagonist of his book, the titular 'homo sacer' is a man having a 'bare life' in which "human life is included in the juridical order solely in the form of its exclusion" (p.6). Ethan, the real-life Aruna, Harsh and their like are stripped to a "bare life" where urgent pleas for euthanasia had been repeatedly denied. It is only with movies like *Guzaarish* and *Salaam Venky* (2022) that discourses on able-bodiedness, disability, "right to die" and euthanasia had reached the larger masses and moved the judiciary into thinking on the inclusion of these individuals whose resistances against judicial rigidity had led to their "reduction to [mere] biological existence" (Pachouri, p.245).

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