

Language and Artist's Vision – Churuli's Defence

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The COVID-19 pandemic has brought a multitude of changes to the cinema industry - the means through which people consume content and the dialogue among the moviegoers about various movies after its release all went through substantial changes. One such movie which stirred a discussion among moviegoers is Churuli, released on 19th November on Sony LIV. The movie received strong criticism from a group of people who claimed that the language in the movie outrages the modesty of women and children. This issue took a hot-seat at various primetime debates and even a petition in the Kerala High Court.ⁱ

The movie tells the story of two police officers who go undercover in a forest to catch a criminal. Everything seems ordinary in the world of Churuli in the first few minutes until the characters in the movie cross a bridge that connects the outer world to this forest. Upon crossing the bridge, the audience get invited to a world of criminals and ex-convicts. Here anything goes. People who are otherwise ordinary human beings before crossing the bridge start to outshow the primitive belligerent men in them. Lunatic behaviour is commonplace in the world of Churuli, with strange alien-looking creatures meandering around and the place of inebriation used as the place of worship.

In the first minutes, the director defends the use of the language by setting the story in a fantasy world and drawing out the disparities between the real world and this fantasy world, using the bridge as a metaphor. This is a place where only criminals inhabit, and only violence and primitive human characteristics thrive. If not in this manner, how would one depict the world of Churuli?

This article aims to put out a perspective on how the norms laid down by the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 reflect upon a creator's artistic vision and how, if the movie were aptly subjected to this, it is not problematic at the least.

The Movie under Digital Media Ethics Code

Post the movie's release on the OTT platform Sony LIV; there seemed to be a swamp of disapproval among certain groups of people. A petition was filed against the movie by Peggy

Fen, a Thrissur based lawyer, on the counts that the movie had multiple scenes involving obscene words that apparently "went against the public morality"ⁱⁱⁱ and demanded that the movie be taken down from the OTT platform completely. The honourable court initially opined that the language used in the movie was "atrocious"ⁱⁱⁱⁱ after examining the particular scenes in the scroll.

Under the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021, Part II of the Schedule of Digital Media Ethics Code, there exist the "GENERAL GUIDELINES FOR CLASSIFICATION OF FILMS AND OTHER ENTERTAINMENT PROGRAMMES, INCLUDING WEB-BASED SERIALS". These refer to the general factors around which movies or other web-based serials are classified at any level and are required to be read with the ISSUE RELATED GUIDELINES that are given in PART II. Movies or web-based serials are classified into age groups of U, U/A 7+, U/A 13+, U/A 16+, A.^{iv} This classification may be done on the basis of Themes and messages, Violence, Nudity, Language, Drug and substance abuse, and Horror as described in the Schedule, as may be modified from time to time by the Ministry of Information & Broadcasting. ^vSubsection (a) and subsection (b) of PART I talk about the Context and Theme of the entertainment source, respectively, which includes the setting, plot, the manner of presentation and the intention of the content, among others. Churuli's cinematic approach, which includes fantasy and time loop, has never been witnessed in Malayalam cinema. The movie revolves around an apparition version of real-life, involving a village filled only with belligerent people and criminals, pushing the director to portray certain demeanours that are often clung to them. Subsection (c) talks about the Tone and Impact of the movie on viewers. The authors agree that the overall impact of Churuli is not very family-friendly, and for that reason, it deserves to have a classification rating of "A" on its tag, but it sure does not deserve to be scrapped entirely. Finally, in subsection (d), the act talks about Target Audience. Churuli is referred to by many as "the Christopher Nolan movie in Malayalam" for a reason. Without any of its apparent "flaws", the movie is a modern-day homage to the New Testament's Book of Revelation.^{vi} This fascinating fanciful work continues to be the subject of various, widely differing interpretations 2,000 years after it was written. The movie was quite clearly intended to be viewed by a target audience above a particular age group, preferably above 18, mature enough to understand the story through its intricacies and vagueness. When movies like Martin Scorsese's *The Wolf of Wall Street* and Gaspar Noe's *Love* were put out on OTT platforms, it was never challenged for its debauchery as it was

understood by viewers when the movie gave its precautionary classification, which indicated that it was for a particular age-group that was mature enough to understand the director's eye. All the four guidelines together must form the basis for the judgement of a movie as a whole. It is only blunderous when movies are judged upon particular scenes it portrays. After all, a scene consists of a set of shots, but a movie consists of a set of scenes. The difference lies in the fact that the movie shows the story's narrative while the scene might give a bare glimpse.

Language and Artistic Freedom

Part II of the act deals with ISSUE RELATED GUIDELINES. This section of the guidelines discusses the challenges and concerns that apply to all classification groups in varying degrees, as well as the primary approach that can be followed in this regard. Subsection D of this Part deals with Language. Under Sub-subsection (2), it is stated that 'the extent of an offense may vary according to age, gender, race, background, beliefs, and expectations of the target audience from work as well as the context, region, and language in which the word, expression or gesture is used.' The phrase 'expectation of the target audience' is of prime importance here. It is fair to say that the movie did not adhere to the expectations of the Malayali audience in terms of the language used. This lack of adherence to expectations is substantiated by the petition before the High court and various social media posts calling out the director for the same. However, is not the exact phrase counterproductive in this day and age where we try to develop ourselves artistically and explore unexplored artistic territories? The authors believe that the usage of the said phrase excessively restricts one's artistic freedom by setting standards for artistic creations that are very low. It also demands the filmmaker or any other content creator to adhere to what is expected by the target audience from the makers, thereby not allowing both the content creator and the audience to discover and witness new ideas. For instance, in the case of Churuli, apart from just being a social commentary on the primitive and truculent side of human beings that will never go non-existent, which happens to be metaphorically represented by the labyrinths that appear throughout the film, it is an experience in itself. The audience would never have had the opportunity to experience it had the filmmaker limited himself to the 'expectation of the target audience'.

Another disparate perspective to look at is how the movie's language drew absurdly widespread criticism regarding the immoral influence that it could have on society. As the movie begins, there is a clear indication that mentions that "The inhabitants of Churuli speak a script less language known as Shurulmozhi or Shurulalam."^{vii} No historical record of such a language exists, proving that this language was made up for the creative process to aid the filmmaker's artistic vision. This is in consonance with what has been stated earlier in the article. By making up a fictional language, the filmmaker has artistically justified the usage of 'foul language' in the movie. The filmmaker only wanted to highlight the nature of his characters through the language used by them which happens to be one exclusively belonging to Churuli and the people there. The language does not depict the real world or the language that is spoken in it. This negates the intent of the filmmaker to influence the society in an unethical manner. All of this happens to be part of the filmmaker's effort to make the themes in his film as prominent as possible. It is unacceptable that even to this day, people are not making an effort to try and understand the intent behind artistic decisions and are trying to shun an artist's voice through preposterous claims.

Unfortunately, the importance of artistic freedom is often ignored. The Indian Constitution has guaranteed the right to expression under Article 19(1)(a)^{viii}, including the right for artists to express themselves, with reasonable restrictions under Article 19(2)^{ix}, including the right for artists to express themselves. This powerful yet vulnerable right is subject to being usurped by special interests, misunderstandings or misapplication of the law. The heart of artistic vision dies down if artists are overly inclined to create work in an overly responsible tangent. The reason for this is because the validity or acceptability of destructive, hazardous, or insulting expression, as well as the validity or acceptability of expression that is harmful, dangerous, or offensive and crosses the line" is a controversial subject, and there is much room for dispute about what might be considered appropriate and proportionate restrictions on that right crosses the line is still a hot topic of controversy. There is much room for dispute about what constitutes essential and proportionate restrictions on that right. The vague phrases in legislation that govern acts are open for interpretation and are, in fact, counterproductive. It does not help develop artistic creations, resulting in our society moving backwards with respect to artistic preferences. As mentioned earlier, phrases like 'expectation of the targeted audience' are open to interpretation and might be a source of exploitation by certain people to achieve their ulterior motives. There are a multitude of factors to be considered while works are put out, including storyline, theme and nature of characters. The honourable court did make the mistake of looking solely at the scroll of the particular scenes

of Churuli at first. Later, when the movie was seen as its whole, it was seen as a condition for artistic freedom to thrive within the limits of public morality.

The salient point of the article ranges from how an intensive analysis is made over an individual element (Churuli), and this is subsequently used to highlight the interpretation of norms laid down by the government. In light of the above discussion, it can be concluded that for the progression of both art and society, such intolerable methods of critiquing art pieces should be discouraged, and adopting practices that look into art pieces based on intent should be encouraged. Who and what decides the content that's put out in the world? India is a democratic country where citizens enjoy the freedom of expression but with limitations. Was the case of Churuli one that called for the exercise of 'limitation to freedom of expression'. Even in the 21st century, the debate about what constitutes a reasonable restriction and where the lines of the director's eye must be drawn goes on, and it is not bound to end with Churuli.

ⁱ Kerala High Court admits petition seeking removal of Malayalam movie 'Churuli' from OTT platform, The Hindu, (Dec 09, 2021) <https://www.thehindu.com/news/national/kerala/kerala-high-court-admits-petition-seeking-removal-of-malayalam-movie-churuli-from-ott-platform/article37913527.ec>

ⁱⁱ The Churuli row: Why are Malayalis so upset by profanities?, The News Minute (November 24th 2021), <https://www.thenewsminute.com/article/churuli-row-why-are-malayalis-so-upset-profanities-157996>

ⁱⁱⁱ Kerala HC terms the language used in 'Churuli' as 'atrocious' (December 10th, 2020), <https://timesofindia.indiatimes.com/entertainment/malayalam/movies/news/kerala-hc-terms-as-atrocious-language-in-malayalam-mystery-horror-film-churuli/articleshow/88202013.cms>

^{iv} The Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 § APPENDIX, Acts of Parliament, 2021

^v *Ibd*

^{vi} Anna MM Vetticad, *Churuli movie review: Lijo Jose Pellissery's frustratingly abstract, sometimes intriguing trip to a land of reversed power equations*, Firstpost, (20th November 2021), <https://www.msn.com/en-in/entertainment/other/churuli-movie-review-lijo-jose-pellissery-s-frustratingly-abstract-sometimes-intriguing-trip-to-a-land-of-reversed-power-equations/ar-BB1dCyJC?%2525253B&pfr=1>

^{vii} Vijay, *Churuli movie review: Lijo Jose Pellissery's frustratingly abstract, sometimes intriguing trip to a land of reversed power equations*, Posterguy (Jan 22, 2022 10:36 PM), <https://posterguy.in/2021/11/20/churuli-movie-review-lijo-jose-pellisserys-frustratingly-abstract-sometimes-intriguing-trip-to-a-land-of-reversed-power-equations/>

^{viii} INDIA CONST. art. 19(1), amended by The Constitution (First Amendment) Act, 1951

^{ix} INDIA CONST. art. 19(2)