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***The People vs. Larry Flynt* Film Review**

There were many interesting matters, both legal and moral, covered in the film *The People vs. Larry Flynt*. Larry Flynt went to court multiple times for various reasons which makes the film a very good, albeit slightly disturbing, learning device for people even outside the study of law. It captures not only many different cases and court proceedings that can be learned from, but fluidly brings into question the idea of balancing community standards and free speech. *The People vs. Larry Flynt*, though sometimes difficult to watch, was an extremely informative movie, as long as the audience understands or has a goal in mind of what to look for.

In this film, anti-pornography activists repeatedly voice concerns about the “corruption” of the *Hustler* publication created and nationally distributed by Larry Flynt especially because it is technically available for anyone to buy. These activists and others sought to ban the publication and jail Flynt. One of the biggest problems with this desire to ban the publication, I believe, is that there was already information out there exactly like the *Hustler* magazine, just slightly more classy or hidden behind nonsense articles. As Alan Isaacman, Flynt’s lawyer throughout the film, tries to say in court there are at least 27 other magazines out there with similar content. It just so happens that Flynt’s magazine is more candid and visual than some of the others. The court refused to take the evidence and sentenced Flynt to jail, though he eventually got out on a technicality pertaining to the bias shown by the court and jury. If the court had taken the evidence of the other publications

into account then they surely would not have been able to prohibit the *Hustler* from being published or throw Flynt into jail due to the illegality of government censorship. In trying to censor the *Hustler* and putting Flynt in jail, the court, and in essence the government, went against the rights outlined in the First Amendment against government censorship and also against the elements needed for Time, Place, and Manner Restrictions. Time, Place and Manner Restrictions refer to limits and bans put on specific content and types of communication in particular places out of respect for others. Because there were 27 other publications that contained lewd content, the proposed censorship of the *Hustler* is unjust in accordance with the elements of these types of Restrictions and a direct form of specified censorship. If the *Hustler* is censored then the other publications and magazines with content similar to the *Hustler* would have to be banned as well. The activists would have had to ban all of it, not just Flynt's publication, as well as all forms of communication that involve similar content, such as pornographic films and other media.

One specifically vocal activist and community figure called Charles Keating is seen in the first half of the movie making a speech about the publication and information in *Hustler* magazine. Keating states that "decent people are being corrupted" by this magazine and the adult themes it presents to the public. This is an important scene in the movie as it articulates the initial reaction people have to new ideas and content shows up that is not normally in the public eye. It also relays to the viewer how a community can censor things and brings into question if the community should be allowed to do so. Currently, in the First Amendment, the only form of censorship that is illegal is government censorship, not community censorship. Keating seems to be preaching to the choir, or at least "decent

people” that share the same viewpoints, virtues, and general niche in society, when he makes his speech about being anti-Hustler in the movie. Though these people may feel violated or uncomfortable with the content of the magazine, that is their right to feel that way and also their right to not buy the editions. They have the ability to not feel “corrupted” by simply not looking at the content or even buying the publication. Others may enjoy the publication or it may align with their own viewpoints and this is exactly what the First Amendment protects, all kinds of speech and expression of all kinds of people, not just things deemed worthy or unworthy by a specific group. That is also inherently why the United States tries to promote the open market theory. Without expressed ideas, good or bad or in between, then other ideas may not be sparked and brought into creation. It is necessary to have a variety of viewpoints and ideas open for the public to experience, otherwise society would be stuck in a very boring narrow minded existence with everyone a clone of each other. Who would want to live in that type of environment, “decent” person or not?

One of the many suits, and possibly the most influential, brought against Larry Flynt involved Reverend Jerry Falwell claiming libel and emotional distress. The defect in Falwell’s libel suit case was that he was a public figure that could not prove any reasonable person would believe what Flynt was saying about him. Flynt’s lawyer, Alan Isaacman, demonstrated this very well when he was questioning Falwell. Isaacmen asked him questions about Falwell’s own image and the prestige he holds amongst his audience and even throughout the nation as an upstanding Reverend. It was very unreasonable for any reasonable person to believe the allegations the *Hustler* said about the Reverend and

Falwell even admitted this while on the stand. Therefore, Falwell's public figure standing stopped the libel case from holding. However, Flynt was still convicted of causing emotional distress which he eventually urged Isaacman to appeal to the Supreme Court. The Supreme Court took the case and unanimously agreed to overturn the original verdict, stating that anyone will feel emotional distress, especially public figures, when they are talked about or have rumors and allegations spread about them. That is not, however, a reason to restrict free speech. This is a very influential part of both the movie and today's real life rulings on First Amendment rights. Larry Flynt and his determination to publish a raunchy magazine succeeded in making an extremely important difference to society regarding the laws and regulations of free speech, which affect more than just publications. The limitations surrounding free speech and expression affect all citizens in their everyday life and without the appeal of the *Hustler Magazine vs. Falwell*, American society and the freedoms it tries to protect would be narrower and much less free.

So ultimately in the film the Supreme Court deems free speech as a more important right to uphold than the standards a community wants to enforce. I would have to agree, and if this movie shows the audience anything, it is that free speech, whether people like it or not, needs to be heard and given the opportunity to be debated. Some speech may be raunchy or seem obscene or bad, but everyone has the human right to have and promote their own voice and ideas. This means people will have conflicting or out-of-the-box beliefs and opinions, but the beauty is that those opinions are things we can freely decide for ourselves.