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CHANGEMAKERS

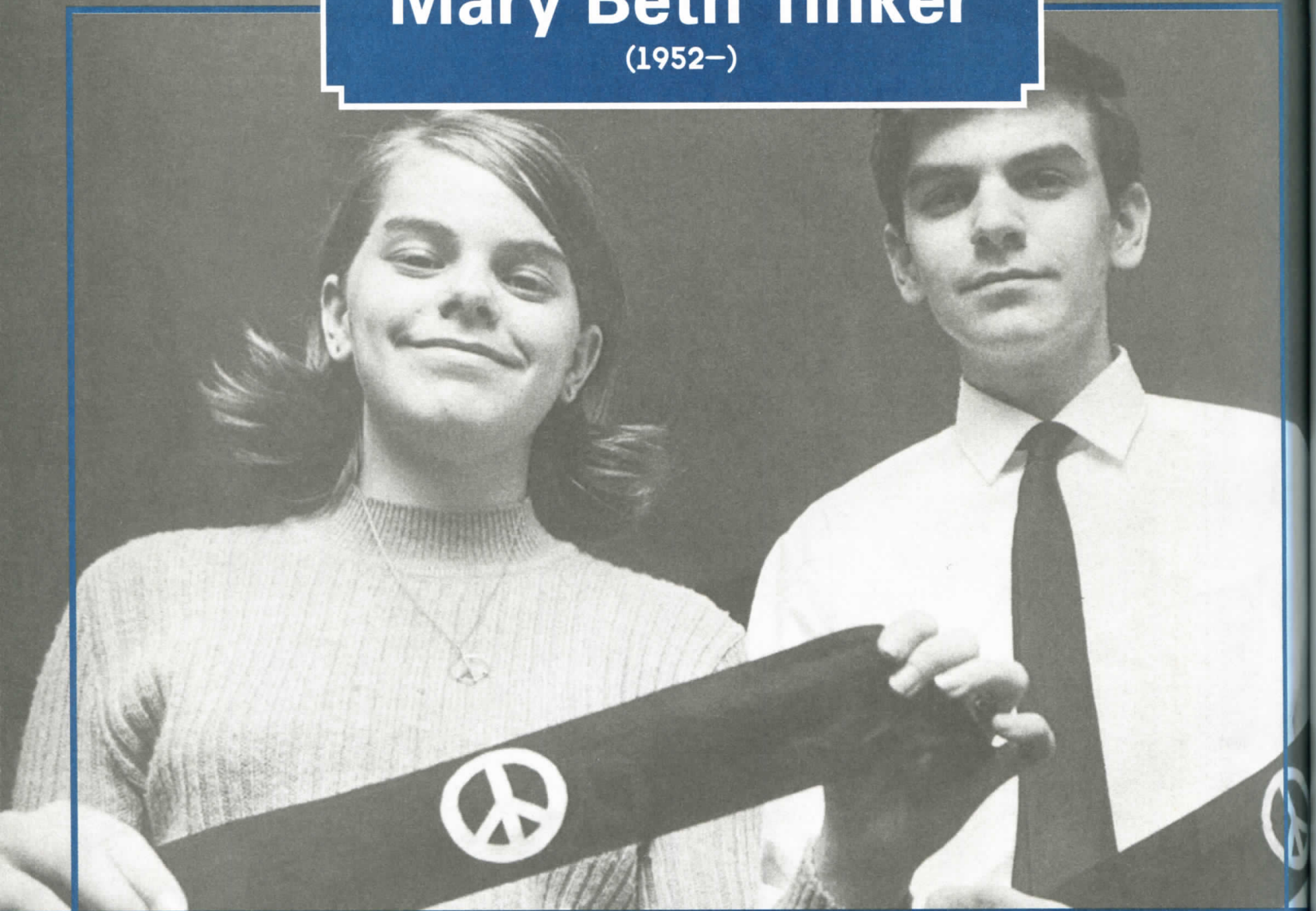
Rebels and Radicals
Who Changed US History

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#91

Mary Beth Tinker

(1952–)



Mary Beth Tinker is a nurse, union organizer, and activist. Mary Beth, her brother John, and their friend Chris were at the heart of the landmark Supreme Court ruling *Tinker v. Des Moines* (1969).

Mary Beth grew up in Iowa with her family. Her father was a minister. Her parents were dedicated to social justice. As she grew older, Mary Beth became more aware of issues and conflicts in her community.

In 1964 Mary Beth's parents took her to Mississippi to support the work of civil rights activists. By 1965 many people also became concerned about the US war in Vietnam.

The people of Vietnam wanted to decide their government for themselves, but the US government interfered in the conflict. The war became unpopular because tens of thousands of US soldiers and millions of Vietnamese and other Southeast Asian people were killed or wounded.

In 1965 Mary Beth was thirteen and in the eighth grade. She and her brother began to publicly oppose the war in Vietnam. She had seen images of the war on the news and was alarmed by the "gruesome things that were being done to the Vietnamese people. . . . I could not sit by and watch this happening to kids thousands of miles away on the other side of the world."

“The world has a lot of problems, but many people are working on these problems. You can join with them and help to build the kind of world that you want. Stand up for your rights. You have more power than you may think—all you have to do is realize it and use it!”

—Mary Beth Tinker, speech in Boston, May 6, 1992

Mary Beth, her brother, and their friends decided to wear black armbands to school to express their views. The administration found out about their plan. The school board banned the armbands, calling them “disruptive,” and promised to suspend students who wore them.

The students wore the armbands and were suspended. After they returned to school, they wore black clothes in protest of how they were treated. The Tinkers believed that the school system violated their right to free speech, which is guaranteed in the First Amendment to the Constitution. With the help of the American Civil Liberties Union, they filed a lawsuit against the school system.

Not everyone supported the Tinkers in their fight. There was a backlash against their actions. Some people even threatened Mary Beth and her family with violence. But in 1969 the Supreme Court sided with the Tinkers. The highest court in the United States agreed that the school board had no right to prevent students from wearing the armbands and expressing their views. Justice Abe Fortas famously wrote that students and teachers do not “shed their constitutional rights to freedom of speech or expression at the schoolhouse gate.”

The precedent set by the Tinker case has been applied to more recent cases involving student activists. For example, in 2003 sixteen-year-old Michigan student Bretton Barber went to court for his right to wear a T-shirt that criticized President George Bush. In 2008 Florida student Heather Gillman successfully challenged school officials’ attempts to ban rainbows and other symbols of LGBT expression.

Today, Mary Beth educates students and community groups about their constitutional rights and encourages them to fight for their rights.

—Michele Bollinger

Timeline:

- 1952 Born in Des Moines, Iowa
- 1963 March on Washington takes place
- 1964 President Lyndon Johnson sends more troops to Vietnam
Tinker family travels to Mississippi with a group of minorities to support the civil rights movement
- 1965 Wears armband to school; is suspended
- 1968 US District Court rules against Mary Beth and her friends
- 1969 US Supreme Court rules in favor of their right to free speech
- 1970 Graduates from St. Louis University
- 1970s-present Works as a pediatric nurse; speaks and educates students about free speech and standing up for their rights

More you can do:

- Explore resources at www.band-of-rights.org and www.aclu.org on the case
- Mary Beth and her friends wore armbands to protest the war—think of something you want to speak out about and design an item of clothing or other symbol you could use to make a statement

What do you think?

- Where did the “right to free speech” come from? Why is it important?
- Why did Mary Beth and others choose to wear armbands? What did they hope to accomplish?
- What reasons do school officials give for limiting or banning students’ views? Do you agree that these limits are unacceptable? Why or why not?