

Interview First Place Winner

By Alexa Chryssovergis from Lakota East

“Ben Franklin, that bad boy.”

Mary Beth Tinker cracks a smile and her eyes light up as she tells the story of Benjamin Franklin, a teenage runaway with his own idea of what freedom should be like. Under various pseudonyms, he defiantly wrote articles about brave people with their own individualistic views.

“I could tell you about young people all through history,” says Tinker, who played a key role in the 1969 *Tinker v. DesMoines* court case, which outlined much of freedom-of-expression law that is in place today. “We have these ideals, but it takes young people, joined with lots of others, adults too, to help get us towards our ideals and make them real.”

Tinker’s parents had always played an active role in the community by standing up for what they believed in. Her family became very involved in the civil rights movement of the 1960s. Naturally, Tinker picked up on her parents’ inclination to protest the rights of themselves and others—something that ended up landing her in a bit of trouble.

When she was 13-years-old, on December 16th, 1965, Tinker and some of her classmates wore black armbands school at Harding Junior High to protest the violence of the Vietnam war. When she was called down to the office and ordered to remove the armband, Tinker did so timidly. Nonetheless, she was suspended later that day.

“We had a real dilemma,” Tinker says. “We didn’t know what to do. I wasn’t used to breaking rules. I was this little preacher’s kid.”

Tinkers says that along with herself, five or six other classmates were suspended. The case eventually reached the Supreme Court level.

“I was upset because I thought kids should have rights,” Tinker says.

On February 24th, 1969, the Supreme Court ruled 7:2 in favor of Tinker. The court claimed that students and teachers “did not shed their First Amendment rights to free expression at the schoolhouse gate” and that only student expression that would cause a “substantial disruption of or material interference with school activities” could be censored.

Since the verdict was made, *Tinker v. DesMoines* has been cited around 5,600 times in other court cases of a similar nature. Tinker believes that her court case is “still considered a standard” today, despite the fact that several other court case rulings have gone the opposite direction.

“[Initially], we had no idea it was going to have this big of an effect,” says Tinker, who jokes that the first time she truly recognized the magnitude of *Tinker v. DesMoine’s* impact was when she was in nursing school and noticed the case in fine print in one of her nursing books. “It kind of changed the whole climate in schools, because before, the principal kind of owned the school. It was a very strong statement in favor of not just students’ rights, but education. It said that we should not have totalitarianism at our schools and that students are not just empty vessels to fill up with knowledge. It was about what education is. Education is interactive.”

Although she was not expecting such a massive impact to come from such a small protest, Tinker says she is extremely proud of the headway her case has made in areas such as freedom of speech.

And according to Tinker, freedom of speech and expression starts with the children.

“Kids are naturally for taking us forward and putting democracy into action,” Tinker says.

Although she now works as a registered nurse, in her free time, she also plays a very active role in educating young people about their constitutional rights as she travels across the country, giving speeches to the future leaders of America. To her, the freedom to speak out is no longer just an important memory, but rather, a lifestyle choice.

“Speak up, and lead life by expressing yourselves,” Tinker says. “It’s a good way to live.”