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humanrights hero

Mary Beth Tinker

By Stephen J. Wermiel

In the play *Inherit the Wind*, defense lawyer Henry Drummond observes, “It’s the loneliest feeling in the world—to find yourself standing up when everybody else is sitting down.”

Don’t make that argument to Mary Beth Tinker. She has been standing up for the rights of students for more than forty years, and one of the things that keeps her going is the young people she meets who are also willing to fight for what they believe.

Tinker was a thirteen-year-old junior high student in Des Moines, Iowa, in 1965, when she, her older brother, and a friend decided to wear black armbands to school to protest the Vietnam War and support a Christmas truce. They were suspended from school and challenged the school’s actions all the way to the landmark U.S. Supreme Court ruling, *Tinker v. Des Moines Independent Community School District*, 393 U.S. 503 (1969). The decision, which marks its fortieth anniversary in February 2009, declared that students do not “shed their constitutional rights to freedom of speech or expression at the schoolhouse gate.” *Id.* at 506.

Tinker has never stopped speaking out. She became a pediatric nurse and spoke up for better health care. She became a union organizer and spoke up for the rights of workers. She calls for peace, equality for all, education that is more than standardized testing, and an end to poverty as she speaks all over the United States. When she pulls out a black armband and recalls her protest, her passion and



Mary Beth Tinker and her younger brother Paul stand with their mother. After the landmark decision, Paul wore a black armband to his grade school.

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experience light up classrooms of young people. At those times, she may be the only person in the room who is standing up, but there is nothing lonely about her experience.

Stephen J. Wermiel is the associate director of the Marshall-Brennan Constitutional Literacy Project, a program of law students teaching in Washington-area public schools through American University’s Washington College of Law. He was the Wall Street Journal’s Supreme Court correspondent from 1979 to 1991.

Find out how this Human Rights Hero is marking the fortieth anniversary of *Tinker* in a separate interview with her on page 6 this issue.