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The Impact of Symbolic Speech in Public Schools: A Selective Case Analysis from Tinker to Zamecnik

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The freedom to express the self and the right to a free public education sets the public school experience apart from many other nations. The combination of the two often creates tensions and confrontations that become contentious leading to litigation. For the past fifty years the courts have attempted to balance the symbolic rights of students with the obligation of the school to protect students from bullying and maintain decorum that allows all students to pursue an education free from intimidation. Young people express themselves in many ways, often in symbolic manner that involves the wearing of a t-shirt or other artifacts. When the learning environment is jeopardized as a result of the speech, the courts have been called upon to determine whether or not the suppression of the speech by school officials is appropriate. Tinker v. Des Moines has served as the bedrock case for symbolic speech and since then there are those who contend that the courts have chipped away at student rights. The case of Zamecnik v. Indian Prairie School District 204 is illustrative of this contention.