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ACLU-IA Defends Right of Students to Wear Pro-Life T-Shirts in Des Moines School

by R. Ben Stone, Executive Director
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DES MOINES - The American Civil Liberties Union of Iowa today blasted school officials after it learned that pro-life students who wore anti-abortion T-shirts at Roosevelt High School had been told by school officials to cover them up. The group also offered to assist the students in their quest to continue wearing the shirts at school.

"These students had their free speech rights violated, and the ACLU-IA stands ready to defend them," said Ben Stone, executive director of the American Civil Liberties Union of Iowa. "This appears to be a clear case of government abuse of power, and it must be stopped," he said.

Tamera Chandler, 18, and her sister, Brittany Chandler, 15, this week wore T-shirts which included a picture of a fetus and the words, "Abortion Kills Kids." Schools officials apparently told them to cover up the shirts or they would be punished.

The fact these girls attend Roosevelt High School is particularly ironic, since the famous Tinker "black armband case" from the 1960s, which was litigated by the ACLU-IA, involved students from that school.

The 1969 U.S. Supreme Court decision, which said students have the right to wear black armbands in school to protest the Vietnam War, to this day is used to protect the right of students like the Chandlers to express their views, so long as their speech does not "materially and substantially interfere with the learning environment."

"This case clearly demonstrates the beauty of the First Amendment," said Stone. "A case brought by the ACLU-IA in the 1960s to defend the rights of anti-war protesters is being used 35 years later to defend the rights of pro-life people. When you defend the rights of one person to speak, you defend the rights of all to speak," he added.

The ACLU-IA, which staunchly defends the right of women to reproductive choice,

nonetheless has a long track record of defending the rights of anti-abortion and other conservative Christian groups.

In 1990, the Iowa affiliate of the ACLU successfully represented a pro-life group in a dispute with the city of Iowa City over an unconstitutional parade ordinance. In 1995, a conservative Christian activist, Elaine Jaquith of Waterloo, had her rights vindicated by the ACLU-IA in a case involving her free speech rights on public access television. Conservative Christians in Clarke County in 1997 won the right to force a county referendum on gambling after the ACLU-IA took up their case.

And, most recently, the ACLU-IA submitted an amicus "friend-of-the-court" brief in 2002 in support of the right of students in Davenport schools to distribute Christian literature, including Bibles, during non-instructional time. The school eventually backed down and allowed the literature to be distributed.

"When the ACLU and ACLU-IA say we defend everyone's rights, we mean it," said Stone.

To receive a list describing the many times the ACLU has defended the rights of Christians and other groups, contact the ACLU-IA at: bstone@iowaclu.org