

**STATE OF MICHIGAN LAW DAY 2007 ESSAY CONTEST**  
**“LIBERTY UNDER LAW: EMPOWERING YOUTH, ASSURING DEMOCRACY”**  
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*Should a religious group of students be allowed to gather  
outside at the school flagpole before school starts?*

The weary European immigrants stared in disbelief at a strange new land. They had been sailing the ocean in search of a place that has freedom. Though the immigrants did not know what to expect, they were willing to make a home in the land now known as the United States of America. The immigrants left their native land because they were not allowed the religious freedom they wanted. In this new land they would have freedom to express their individual religion. Just like these immigrants had that right, so, too, does a religious group of students have the freedom to express their individual religion by peacefully gathering at the school flagpole before school starts.

The single most important core democratic value that exists is liberty. Liberty is the freedom to act, think, and believe in what you want. Liberty is the right to express opinions and ideas. It also allows you to express your religion. Any religious group of students should have the liberty to gather before school at the flagpole expressing their religion. When I think of liberty I think of the closing line of our National Anthem, " O'er the land of the free and the home of the brave!" I am also reminded of The Pledge of Allegiance and how everybody is entitled to have "liberty and justice for all."

In the important Supreme Court case of Tinker v. Des Moines Independent School District, 393 U.S. 503(1969), Tinker and her brother were strongly opposed to the Vietnam War. They decided to express their feelings by protesting nonviolently. Together they and a group of students wore black armbands to school. The armbands symbolized their objection to the war. It was not long after that the school administration learned about the armband protest and created a policy that would have any student suspended if the armbands were not removed. Some of the students' parents filed complaints at the district court asking the school not to punish the students. The District Court dismissed the case and so did the Eighth Circuit Court of Appeals. The parents did not give up and took the case to the U.S. Supreme Court, where the case was decided in favor of the students. Justice Fortas wrote, "[i]t can hardly be argued that either students or teachers shed their constitutional rights to freedom of speech or expression at the schoolhouse gate." Id. at 506. Students do not have to give up their freedom of expression at school. In fact they are entitled to express their freedoms. Those freedoms include the freedom of religion.

The First Amendment of the Bill of Rights states, "Congress shall make no law respecting establishment of religion, or prohibiting the free exercise thereof." The United States of America began as a land of opportunity and freedom for European immigrants. Today it is still a land of opportunity for the students who wish to express their free exercise of religion before school at the flagpole. Looking up at our flag "Old Glory" reminds me of the freedom we still have.