

Student Sues School District: How Should the Court Decide

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Introduction:

Freedom of speech is not comprehensive in any country and is subject to restrictions. This act is identified by human rights and International rights law. Freedom of speech is synonymous with independence and an integral right of a free society. Presently, the act of freedom of speech is fancied as a key belief. Speech is an important part of democracies because speech leads to a healthy democratic society ("The History of Free Speech," n.d.).

The warning from different kinds of enemies, whether domestic or foreign, has made the government restrict freedom of speech. The main idea of freedom of speech lies in flexibility. The case study under consideration considers the issue of freedom of speech. In the case study, "Student Sues School District," the court's reaction to the students wearing an antiwar T-shirt addressed the U.S. government, and a lawsuit was filed against this issue.

Background of the issue:

It was about time when the students were protesting for the rights of the people when there was a war zone in Iraq. Certain limitations are always being implemented in the laws related to the freedom of speech. However, there are a lot of people who still believe that there should be more to these constitutional laws than putting limitations. Some rules and regulations do not favor public interests, which is why the government needs to keep an eye on all these rules. However, people confuse freedom of speech with patriotism. The true sense of freedom of speech requires effort and strategy at the same time. The case study under consideration highlights the issue of war which has become a major part of the schools. The teachers and the students express their individual opinions about this issue.

Definition of the key terms involved:

the key terms used in the case study include, 'Political speech' which according to this case has been used to define the role that people play in keeping a check and balance of the actions of the government rather than undermining the life of an individual in the U.S. The word 'Disruption' has been used to explain all the problems that were caused when the students were banned for wearing anti-war T-shirts. Students felt that they needed to express their opinions about the wars going

around the world and when they were not appreciated they were banned, they decided to sue the district for their actions.

Relation of free speech with the issue under consideration:

In this case study, the Michigan school was being sued by the American Union because the school sent those students back home to raise their voices against the War that was going on in Iraq. This was never about the war for most of the people. All the students who were sent home and were banned from school did not create any chaos in the school and that was something that made them object to the school policies because they claimed firmly that there was no evidence of any incidents which proved that the anti-war T-shirts did not create any disruptions. The other side of the story reveals that the school administrations were definitely not against the students it was about the message that were delivering which means that they were not in favor of the anti-war message and that says a lot about the school's administration. The students knew that they had a right to express their thoughts related to the war that was going around but they had no idea their school would be against their actions just because of their conservative opinions.

Freedom of speech is taught at schools where students are always motivated to stand for what they believe is right. They did not understand the issue from the perspective of their students. They believed fighting against these issues was promoting the idea of terrorism in the society which was not the motive of the students whatever the school administration it was nothing but violating the right of freedom of speech on the part of their students. The administration reported to the American Civil Liberties Union that for them the anti-war T-shirts would have been a cause of major disturbance in the school however there was not a single report which said anything like that. There were no incidents that showed that the students were violating any rules. The school did not support their thoughts and what they were doing then. They clearly did not support the idea and the concept of freedom of speech, which gave rise to this issue in the first place.

According to the school's rules of regulation, the school cannot send anyone back home unless the students violate any rules that are part of the written documents that belong to the school. It was the school administration that took action against the rules of the school and the law as well. Furthermore, there are no policies in the schools that say that the school administration has the right to implement any disciplinary actions for the students who express their own opinions. There are no rules to ban political speech as well. Moreover in the end this was an issue for the court to resolve. I think that the court should decide in favor of the students because whatever they did in the school never caused any chaos and nothing disturbed the peace of the school and no rules were violated which is exactly why the court should take action against the school however suing the school will be a little extraordinary measure here. The court should make sure there is a settlement between the students and the school because if the court decides against the students they will definitely feel they

were wrong to express themselves and that would not give a good idea about freedom of speech in this context.

All the students did what they thought was the right thing to do and as it has already been mentioned here, none of the school rules were violated which is why the school had no right to send those students back home. This was the first case the ACLU took under consideration in reference to freedom of speech related to the war in Iraq at that time. The court took the last decision because there was not much to do on the part of the school and students. Students were right to file a suit against the school because for them it was not only about believing in themselves but also standing by their beliefs. Students around the world received phone calls so that the government knew about all the thoughts and beliefs of the students related to the war in Iraq and this was done during school hours so that the schools also knew that there were no laws violated in that reference.

Conclusion:

Freedom of speech is a right that everyone knows they have, but it is important to remember that a man's true belief is the key to serving humanity. It should never be taken for granted. The idea of free speech is about expressing your ideas and thoughts freely. All those who believe in this idea realize that this is not just about expressing yourself and achieving success and progress. There are many cases where freedom of speech has been prohibited like the case study which has already been discussed in the paper. Every human has a right to utter whatever he wants to say but there are many hurdles they have to face in this process. Free speech should be taken seriously because it is the most effective tool that can be used to protect the rights of minorities and protest against events like wars. The restriction of free speech will only make things worse for people and the government, which means there is nothing wrong if a man is allowed to stand by his beliefs. However, a system with an extensive system of free speech can also get worse at the same time. The excess of everything is bad, which is why there should be a check and balance on everything ("The History of Free Speech," n.d.).

Work Cited

"The History of Free Speech Archives - FIRE". . Available:
<https://www.thefire.org/first-amendment-library/timeline/the-history-of-free-speech/>.