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Race and Class in the USA

# What the Jena 6 Case Shows

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**SOME 50,000 PEOPLE** converged on the small Louisiana town of Jena on September 20. **The protest shook up not only the two-stoplight town but sent a loud siren across the country. The 85% white population had never seen anything like this** – a Black-led protest against modern-day racism.

[<https://internationalviewpoint.org/IMG/jpg/ATC131.200.jpg>]

From 'Against the Current'

The mass protests, primarily built by Black blogs, radio stations and newspapers before it was picked up by the mainstream media, would not have occurred in rural Louisiana or anywhere in the Deep South 30 years ago. Then racists had the upper hand; most liberal white Southerners feared to speak out. The six Black youth would have been locked up, the keys thrown away.

The racism we confront today appears more sophisticated, as civil rights leader [Al Sharpton](#), a leader of the Jena action, correctly observed: “Our father faced [Jim Crow](#). We face James Crow, Esquire. He’s a little more polished.”

## Jena Six: The Facts

A year ago, in September 2006 Black students asked the school principal for permission to sit under a tree where whites traditionally congregated. The principal gave the green light. After the Black students sat under the tree (now cut down), white students hung three nooses. The point was obvious: “This is our tree. Stay out!”

The Black parents demanded that the white students be expelled for their clearly hateful, racist act. Instead the white students were suspended for three days. The action was called a “prank.”

The La Salle District attorney later said his inaction was because there was no state law for hate crimes. After peaceful protests by Black students, the district attorney told them, “I can make your life go away with a stroke of a pen.”

Eventually there was a fight in which a white student making racist comments at Black students was beaten, treated for a concussion and multiple bruises. Yet the student, Justin Barker, was well enough that evening to attend a school function.

The six Black youths between the ages of 15 and 17 were arrested. Five of them were charged as adults for attempted murder and conspiracy. The sixth was charged as a juvenile.

Mychal Bell was tried for “attempted murder” and convicted as an adult – all before the case was nationally infamous.

The (white) media for the most part gives “balanced” coverage by pointing out that the victim – meaning the white student – shouldn’t be forgotten. He was, in their view, the only person actually harmed; speech (a noose?) is protected by the Constitution.

These facts, basically agreed to by both sides, show that a blatant racist act was treated as a “prank” and the white students were given a slap on the wrist. Black students, on the other hand, were treated as criminals with the legal book thrown at them.

## Positive Impact

The mass pressure has had an impact in the town and state. The [Jena 6](#) finally got proper legal representation, and the conviction of Mychal Bell for attempted murder as an adult was overturned; he was released on bail September 27. Bell and the other five youth now face charges as juveniles and a new trial. Significantly some whites in the town are visible and speaking out against the double standard.

The relatively quick retreat of the powers that be in Jena so far is better seen when looking back 30 years ago at a similar case in the same state. A high school youth, Gary Tyler, was falsely charged and convicted of murder “on the basis of no evidence at all” and sentenced to death.

Like today, there were protests “national and international. But the legacy of racism and Jim Crow was still too strong for justice. After the death sentence was overturned, the case faded from public view. Tyler still sits in the Angola state prison 32 years later.

The initial victories in the Jena 6 case, however promising, do not necessarily mean a new civil rights movement. That requires a sustained campaign to rollback other setbacks to civil rights that have occurred over the past 20 years, such as the defeats of affirmative action in employment and higher education, and court reversals of school desegregation/integration programs.

But there are signs of a new generation of youth stepping up to leadership. They are speaking up at many university campuses; and in the case of the Jena 6 at many of the traditional Black colleges. It also includes unexpected leadership from leading rap musicians, who are not generally known for their political activism.

The always outspoken Mississippi rapper David Banner, for example, wasn’t at the September Jena protest. Instead, he went on a radio tour to promote his album so he could let listeners know about the case, reported Melanie Simms of Associated Press.

“I thought it would have been more powerful for me to get on the radio and talk about it, and drive people there and let people know what’s going on than actually being there,” said Banner.

Banner became involved because “it’s so close to home. No. 2, there’s a Jena 6 that goes on in Mississippi every month “or every two months,” he continued. “America has a tendency to try to make things “single out things “as if this is a one-time occurrence. ... We have to stop acting like stuff don’t exist.”

Bakari Kitwana, an author whose books include *The Hip-Hop Generation* and *Why White Kids Love Hip-Hop*, says the rap community has gotten more politically active in recent years, especially after Hurricane Katrina. “What’s different about this moment in terms of hip-hop and political activism is that ... grass roots activists and hip-hop artists are talking with each other about political change,” said Kitwana.

Singer David Bowie sent a \$10,000 check for the defense. Musicians including Nick Cannon, Jagged Edge, Twista

and Hurricane Chris put together an "Jena Six Empowerment Concert" September 29 in Birmingham, Alabama. In early October a big protest took place in front of the U.S. Justice Department in Washington, D.C. demanding, "Drop all the charges! Free the Jena 6!"

The movement is more energized since Mychal Bell was freed from prison. High school walk outs have been advocated and supported by rappers Mos Def and Soulja Boy. These young people — college students, rappers — represent some of the future leaders in the fight against racism.

Yet it is wrong to refer to the blatant racism spoken to by Banner and some civil rights leaders as a continuation of the Old South rising up again. The strong reactions against blatant racism and the retreat by local government officials show that the Old South and Jim Crow are dead.

## Not the Old South

There have been real changes since the 1960s across the South, including rural towns. That's why the white prosecutor so quickly backed down in the face of national and international protests. He couldn't turn his back to that scrutiny.

Many whites in Jena spoke out against the double standard. Whites overall are less racist than ever. Most support integration and equality, and would vote for an African-American man for president, when asked.

Moreover, Black parents and others haven't defended the beating of the white student. They are demanding equal justice and treatment. The fact that the discussion and debate on racism is taking place (even while recognizing that there are extreme Klan-type fringe elements still active — South and North) shows how much the Old South has changed, even if cases like Jena 6x occur more frequently than the media report, as David Banner points out.

While the subtle and not-so-subtle racism is still alive and well, the resistance is more visible and powerful — and effective. The Jena 6 case resonated among Blacks, especially youth, because of the post-Jim Crow socio-economic and political changes in society. They were confident they could win the fight too.

Another positive result of the ongoing Jena 6 case is that the broader framework of exposing the underlying racism in the criminal justice system.

"There's a sense," writes Leonard Steinhorn, professor of communications at American University in Washington, D.C., "that parts of the judicial system still remain anchored in the bigoted attitudes of old and that a Black person can't get fair or true Justice." (September 21, 2007, *The Christian Science Monitor*)

Orlando Patterson, a professor of sociology at Harvard University, adds in a September 20, 2007 [Op-Ed](#) piece in *The New York Times*: "America has more than two million citizens behind bars, the highest absolute and per capita rate of incarceration in the world. Black Americans, a mere 13% of the population, constitute half of this country's prisoners. A tenth of all Black men between ages 20 and 35 are in jail or prison; Blacks are incarcerated at over eight times the white rate.

"The effect on Black communities is catastrophic: one in three male African-Americans in their 30s now have a prison record, as do nearly two-thirds of all black male high school dropouts. These numbers and rates are incomparably

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greater than anything achieved at the height of the Jim Crow era. What's odd is how long it has taken the African-American community to address in a forceful and thoughtful way this racially biased and utterly counterproductive situation. "How, after decades of undeniable racial progress, did we end up with this virtual gulag of racial incarceration?"

While Patterson notes the unfair nature of the criminal justice system, he also points his finger back at the Black community itself: "The rate at which Blacks commit homicides [what is sometimes called "Black on Black crime"] is seven times that of whites."

There are many reasons for this dysfunction and breakdown, including historic discrimination, unfair justice and assumptions by police (Black and white) that young Black men in particular are more likely to commit certain criminal offenses.

Patterson, and others in Black academia and middle-class civil rights organizations, are right to point to internal problems within the Black community. But the "take personal responsibility" critique targets only a secondary factor. It has little to do with addressing racist attitudes still prevalent among many whites, even as a large majority of whites and society oppose blatant racial discrimination.

An Inspiration

The fundamental impact of the Jena 6 defense campaign is that many Americans — whites as well as Blacks — have woken up and begun to act. After years of inaction on issues of racism, this change is inspiring. The politicization of the rap community, as well as other artists, is indication of that change.

Yet no movement is ever a repeat of past movements. However lessons can be learned. The reality today, where legal segregation is now illegal, is to fight de facto segregation and racism. To grow into a new civil rights movement, the current campaign must define its own agenda.

The new racism must be fought town by town. The problems within the Black community must be faced. The lack of generalized response by the Black middle class must be recognized as well.

For a new civil rights movement to rise, it must include demands to reform the criminal justice system. The hundreds of thousands of Black youth falsely incarcerated should be freed and allowed to re-enter society with proper training and jobs.

The Jena 6 has opened the doors to look at all issues of modern day racism, as well as a discussion of what is necessary to help forge a new Black solidarity effort within the community that can move the fight for true equality forward. The campaign to free the Jena 6 makes all this possible.

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