

US: New developments in the case of the ‘Jena Six’

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13 November 2007

The past week has brought new developments in the cases of two members of the Jena Six, black youth in Jena, Louisiana charged with beating a white classmate. The fight occurred after months of racial tensions that began when several black students sat under a tree at school normally occupied only by white students.

On November 7, 18-year-old Bryant Purvis pleaded not guilty to charges of battery in connection with the beating of Justin Barker in December 2006. The last of the Jena Six to be arraigned, Purvis, like the others, had initially faced attempted murder charges but the charges were reduced to aggravated second-degree battery during the November 7 arraignment. Purvis’s trial is scheduled for March 2008. Should he be convicted, the young man could face up to 22 years in prison.

On November 8, lawyers for Mychal Bell filed a motion for the dismissal of charges against their client in a juvenile court on the grounds of double jeopardy. Bell, who had been the first of the Jena Six to go to trial, was convicted earlier this year in an adult court on charges of aggravated second-degree battery and conspiracy. His convictions were later overturned by a higher court which declared Bell, a minor, should not have been charged as an adult.

Now set to be re-tried in the juvenile court system, Bell’s lawyers have argued that trying their client twice in the same case violates the double jeopardy clause. Judge J.P. Mauffray, who presides over both the adult and juvenile courts, rejected their motion. Bell’s lawyers now plan to appeal.

More details on Mychal Bell’s legal struggle have been hard to come by since his case has gone to juvenile court. The proceedings which had been open to the public during Bell’s time in the adult court system have now been moved behind closed doors. On

November 21, a hearing will be held in which a number of media organizations, including the Associated Press and CNN, will appeal to the court in the hopes of opening Bell’s courtroom proceedings once again to the public.

The arrest of the Jena Six in December of 2006 came after months of escalating racial tensions in the small town of Jena, Louisiana. In August 2006, black students at Jena High School sat under a tree on school grounds widely considered to be for “whites-only.” The following day, three nooses were found hanging from the tree’s branches in a racist threat against the students.

The white students found responsible for the racist display were given a light punishment, and the black student body protested, prompting the school to hold an assembly at which LaSalle Parish District Attorney Reed Walters spoke. Walters, in a quote which has since become infamous, told the students: “I can take away your lives with a stroke of my pen.” In the months that followed, there were more incidents of racially motivated attacks on black youths in which their white assailants were not charged.

Then, in December 2006, Justin Barker, a white student at Jena High School, was beaten up. Six black students—Bryant Purvis, Mychal Bell, Robert Bailey Jr., Carwin Jones, Theo Shaw, and Jesse Ray Beard—were arrested in connection with the beating and charged with attempted murder. All have since found themselves entangled in a legal nightmare.

In response to the racist prosecution of the Jena Six, students all over the US have held protests in support of the young men. Many of these protests were organized with the aid of the Internet and word of mouth independently of the more official realms of protest politics and the Democratic Party.

On September 20, the date when Mychal Bell's sentencing was originally set to occur before his convictions were thrown out by the court of appeals, tens of thousands of protesters overwhelmed the town of Jena. By this time the elite, officially sanctioned leadership of protest politics and alleged defenders of civil rights had come aboard. In keeping with their past record, the Reverends Al Sharpton and Jesse Jackson, in particular, have done their utmost to channel the outrage felt by thousands over this ongoing injustice into the Democratic Party.

This is especially insidious when one considers that Reed Walters, the district attorney prosecuting the Jena Six, is a Democrat, as is Louisiana Governor Kathleen Blanco, who could grant pardons to all six defendants but has shown no signs that she will do so prior to her departure from office in January.

In a further exposure of his political bankruptcy, Al Sharpton testified before an October 16 US House Judiciary Committee hearing on the "Jena 6 and the Role of Federal Intervention in Hate Crimes and Race-Related Violence in Public Schools" and urged the federal government to "intervene in Jena and in all the other towns like Jena throughout our country." He went on to lament the fact that the federal government had been "unable or unwilling to protect civil rights in the tradition of Presidents Eisenhower, Kennedy and Johnson."

Echoing these overtures to the civil rights records of past administrations was Democratic Representative Sheila Jackson-Lee, who in her opening statement criticized the federal government's response to the injustice facing the Jena Six but also held up both Presidents Kennedy and Eisenhower as champions of civil rights. Citing one example of the federal government's friendliness towards the civil rights movement in the past, Rep. Jackson-Lee told the committee that President Kennedy had on one occasion personally called Martin Luther King Jr. as King sat in a jail cell. In fact, Kennedy called King's wife, Coretta Scott-King, while King was in jail in a calculated maneuver to win the black vote shortly before the 1960 presidential election.

The October 16 hearing was chaired by Democratic Representative John Conyers of Michigan who, as chair of the House Judiciary Committee, has been instrumental in keeping impeachment off the table with

regards to the Bush administration since the Democrats took control of both houses of Congress in the mid-term elections. At the start of the proceedings, Congressman Conyers called the hearing one of the most important he had ever had the honor of chairing. This set off a chain of self-congratulatory comments from committee members who praised one another for having called the hearing at all.

Ultimately the Conyers hearing has done nothing of value for the young defendants in Jena, Louisiana. Its real purpose was to provide the Democratic Party with an opportunity to present itself as a defender of democratic rights, to promote the methods of the federal government as a viable means of addressing inequality in the justice system, and to obscure the social and political realities which have underscored the entire Jena Six affair.

In keeping with this approach, Al Sharpton is set to make a further appeal to the federal government when he will lead a protest at the Justice Department on November 16.



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