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## Desegregating shade trees everywhere: THE MORALIST

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Yes, Bill O'Reilly, African-Americans do know how to behave themselves in restaurants. They know how to use indoor voices and can fold their napkins neatly across their laps. An evening out among black people can be free of cursing and craziness, even in Harlem and even when your dinner companion is the mouthy Al Sharpton.

Why was O'Reilly surprised to learn, while dining uptown in Silvia's restaurant, that black people are capable of gracious service and table manners? He was surprised for the same reason Al Sharpton last week traveled to Jena, La.: too much racial segregation.

There was a tree, a shade tree, on the campus of Jena High School. By tradition the shade tree was a place where only white students congregated; blacks were not welcome. In September 2006, black students asked school administrators if they might stand under the tree. Administrators said they could.

The morning after blacks desegregated the tree, the town woke up to find nooses in the school's colors hanging from the tree's mighty limbs. Jena High's principal wanted to severely punish white students guilty of racist intimidation. They had threatened a lynching, after all. And this was the South, where people still remember. But the superintendent of schools decided the students' actions were a mere prank and ordered light correction.

The superintendent's decision angered many African-Americans in Jena. People took sides, got into fights. Feelings were still raw months later. In December 2006, a white student said something unkind relating to the nooses and a group of black classmates badly beat him.

The six black teenagers allegedly involved in the retaliatory beating were charged with serious crimes and locked up. Bail was set for sums the boys' families could not easily afford to pay. An all-white jury convicted one of the boys of aggravated second-degree battery. Although an appeals court overturned 16-year-old Mychal Bell's conviction on the ground that he should have been tried as a juvenile, Bell and the other boys face the possibility of years in detention or prison.

The "Jena 6" have won support from civil rights advocates. Critics argue the support is undeserved and that the boys are simply thugs and bullies. But the NAACP contends the Jena 6 are victims of disparate treatment, over-aggressive prosecution and unwarranted incarceration. Sharpton and thousands of others recently marched on Jena to demand racial justice for the African-American defendants.

One has to fault the Jena 6 for reprehensible violence against a peer. But others are also to blame. In 21st-century America there is no good reason our children should face the stigma - or privileges - associated with single-race shade trees. Or for that matter, single-race proms and racially divided cafeterias. No longer strictly mandated by law, segregation persists.

The customs and habits of segregation learned in childhood linger and start to feel normal. People of different races do not spend enough time together to grow out of antagonisms, and easily fall prey to stereotypes.

Jena parents, teachers and school administrators should have viewed the white-only shade tree as a serious problem. They should have proactively desegregated the tree, perhaps by holding school-wide picnics there, or diversity classes. Because they did not, their confused children crossed lines of incivility and violence.

Having failed to aggressively re-create the meanings attached to the white-only shade tree, after the beating the adults could think of nothing better to do than to cut it down.

I am on the faculty of a law school, and my dean recently requested we professors invite our student advisees to dine with us in our homes. I dutifully sent out invitations to the 16 twentysomething Ivy League lawyers in training whom I am expected to mentor. But I did so with a certain anxiety that the Bill O'Reilly incident helps to explain.

Many people, even educated, urbane people, dwell under single-race shade trees. They assume that life beyond the familiar boughs is radically different, dangerous, maybe inferior. When I invite a group of students to my home, I know the score. A bunch of them will be entering a black person's home for the very first time.

When I open my doors, I know that I am placing my family on the inspection block. My family will confirm or disconfirm every stereotype of black culture. It's a little creepy. But as a committed educator, for the greater good I am willing to add diversity to my lesson plan.

It is very hard for American children to figure out the implicit rules of segregation. They do not understand the 1964 Civil Rights Act, with its definitions of the "places of public accommodation" where segregation is not lawfully permitted. They see so much de facto segregation - some prized like historically black colleges and gated white communities - that they may truly not get the subtleties of turf and exclusion. Sticking to your own kind probably feels like the right thing to do in a world in which that's what people seem mostly to do.

In the post-civil-rights, post-integration world we are leaving for our heirs, integration feels like intrusion. Boundary crossers are upstarts, maybe uppity.

It's a tragedy that the adults of Jena allowed white kids to believe, first, that they were morally entitled to a tree, and, second, that threatening blacks with mob violence was something they could get away with. It's a tragedy too, that Jena failed to empower black kids with resources to deal constructively with the pains of insult and discrimination.

Those serious social tragedies bear a relationship to the wide-eyed remarks Bill O'Reilly made to journalist Juan Williams about his dinner with Al Sharpton.

Nearly forty years ago, in 1968, the Kerner Commission Report warned that the United States could bifurcate, forming two Americas, black and white. The interpersonal divisions that mar our times are more complex than black and white. Class, income, religion and ethnicity make for varied cleavages.

But black and white is certainly a relevant part of a social divide, one that can lead to violence, as it did in a very big way in cities across the nation in the '60s and as it did last year in Jena. More often than that, though, our racially cloistered lifestyles will lead to sad displays of cultural ignorance and implicit racism, sometimes from we ourselves and sometimes from people we would like to admire.

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