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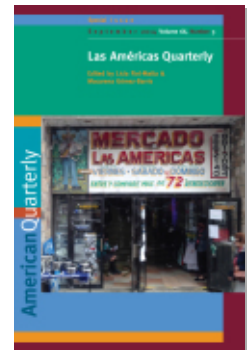
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## **Animal Instincts: Race, Criminality, and the Reversal of the “Human”**

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# Animal Instincts: Race, Criminality, and the Reversal of the “Human”

*Megan H. Glick*

If we must die, let it not be like hogs  
Hunted and penned in an inglorious spot,  
While round us bark the mad and hungry dogs,  
Making their mock at our accursed lot.

—Claude McCay, “If We Must Die”

In July 2007 Atlanta Falcons’ quarterback Michael Vick was indicted for owning and operating a large interstate dog-fighting ring from a compound in Surry County, Virginia. The story began three months earlier, after Vick’s property was subject to a drug raid, and police found and removed a significant amount of dogfighting equipment, including steroids, rape racks, bats, chains, treadmills, and a large piece of bloody carpet. Sixty-six live but badly scarred dogs were taken into custody by animal control officers, who also found the bodies of eight dead dogs and the remains of countless others on the property. For months after the evidence was uncovered and the allegations were levied, Vick denied everything, claiming that he rarely visited the Surry County property, and that it was family members and friends who had carried out the illegal activities in his absence. By August, however, Vick was forced into a confession, following the guilty pleas of three of his friends who became codefendants in the case, and by December he was sentenced to twenty-three months in federal prison with a release date of July 20, 2009. Simultaneously, he was tried in state court for felony dogfighting and received a suspended three-year sentence and a fine of \$2,500.<sup>1</sup>

As the facts of the case unfolded in the media spotlight, Vick was publicly attacked by both animal rights and animal welfare groups who expressed outrage at the alleged abuse perpetrated at the kennels. Of particular concern was the postfight disposal of the dogs, by means such as electrocution, drowning, and hanging, measures that were frequently referred to as forms of “execution” by activists, the press, and even the language of Vick’s federal indictment.<sup>2</sup> Although the use of this terminology across multiple venues remained undefined and unremarked on, it nonetheless begs a question: if the very notion of

executability typically depends on a specific definition of life—one that has political meaning—and if the realm of political meaning is reserved solely for the province of the human, what does it mean that the Vick dogs became “executable”? What frameworks of logic—political, cultural, and otherwise—had to exist for this to take place?

The unqualified use of this terminology by multiple parties, all with different public dispositions toward animals, must be understood as significant. While animal rights activists have publicly protested the use of animals for entertainment purposes, both animal rights and animal welfare organizations have objected to the imposition of cruelty against animals.<sup>3</sup> Conversely, the US mass media do not appear to have a coherent or consistent discourse on the issue of the treatment of nonhuman beings, though it would be fair to characterize mainstream US media as not being oriented toward animal rights and welfare. Likewise, the uneven establishment and application of animal-related laws in the US court system do not speak to a consistent practice or a cross-species egalitarian ethic. Rather, leniency on issues of animal abuse enabled by US law allows for differential understandings of the limits of human dominance, which in turn explains the quotidian nature of animal abuse. Yet, in the Vick case, the use of the term *execution* in activist, media, and legal forums seems to connote a transparency, that is, a shared use of language that requires neither explanation nor qualification.

In a world of zero-sum resources and enfranchisements, the exaltation of animals to a quasi-human status poses many philosophical and ethical questions. If dominant culture purports to believe in the primacy of human rights, in the primacy of the food chain, so to speak, how can we understand the displacement of this logic in the elevation of certain animals to an “executable” status? This question accrues particular significance against the backdrop of deeper histories of dehumanization, which have long mapped racial categories onto the animal–human boundary. In the case at hand, Vick’s race was explicitly and implicitly called into question: both by his lawyer, who argued that dogfighting was a culturally based predilection, and by the specter of imagined black male violence that haunts US public culture.

This essay examines how the Vick dogs became defined, both by popular cultural discourse and by legal rhetoric, as something more than animal. Tying the dogs to Vick’s own positionality—a black man always already under the scrutiny of the US legal system—I demonstrate that the Vick case is particularly revealing of the often mystified links between categorizations of species, race, and gender. To access these connections, this essay considers the role of death in the fashioning of animal and human subjects by extending Achille Mbembe’s

theorization of “necropolitics” to the realm of the nonhuman, arguing that “death-worlds” created by a culture of glorified violence against animals compromises the possibilities of justice for human and nonhuman subjects alike.

### Animal–Human Death-Worlds

Contemporary political theory imagines the executable body as distinctly human. Giorgio Agamben and Judith Butler, for instance, both point to the reliance of human life on conceptions of human death. Agamben argues that the juridical order determines the human through the capacity for politically meaningful death. Those individuals who become politically disenfranchised consequently become slaughterable, but not murderable in the legal sense. He calls this phenomenon “bare life,” in which the stripping of political meaning reduces the subject to a purely biological state. Similarly, Butler asserts that the “other” is made executable through a negation of political meaning, or the negation of grievability. For Butler, the other is already imagined as “inhuman, the already dead, that which is not precarious and cannot, therefore, be killed.”<sup>4</sup> For Agamben and Butler, liminal states of existence—bare life and nongrievable life, respectively—thus demonstrate that the perception of matterable life is always determined in relation to practices of death and disenfranchisement.

Mbembe has articulated a slightly different formulation, noting how particular states of political existence are dependent on the nature of the distribution of death. He argues that the separation of “those who must live [from] those who must die” is the founding impulse of the dehumanizing processes of imperialism and racialization. Racial difference, Mbembe notes, has long been critical to the political imagining of the category of the subhuman, and it is this imagining of “inhumanity” that enables the “condition for the acceptability of putting to death.”<sup>5</sup> Unlike Agamben and Butler, both of whom deploy the idiom of a dominant sovereign in the configuration of death, Mbembe speaks to a broader instrumentality of death in the age of “global mobility,” where “the exercise of the right to kill [is] no longer the sole monopoly of states” but is instead carried out in a “patchwork” manner by different groups and individuals with competing interests, in the “spaces of everyday life.”<sup>6</sup> Mbembe suggests that the distribution of the right to kill has created a “terror formation” that he calls “necropolitics,” in which the parsing and repeated iteration of in/disposable lives becomes the justification for death. For Mbembe, it is life under the constant sign of death that creates what he calls “death-worlds,” or “new and unique forms of social existence in which vast populations are subjected to conditions of life conferring upon them the status of *living dead*.”<sup>7</sup>

In each of these works, the figure of the sub-/non-/liminally human is deployed metaphorically as the end point of processes of dehumanization. At times, this figure is imagined as an animal or, at the very least, becomes animalized. In Mbembe's argument, the symbol of the animal serves a particularly important function. First, Mbembe borrows G. W. F. Hegel's and Georges Bataille's related configurations of death as a return to the animal, or "natural," side of oneself, asserting that the process of becoming a subject is both a matter of separating oneself from animal existence and of facing the threat of death.<sup>8</sup> For Mbembe, the figure of the animal is also mirrored in the figure of the "savage" created through discourses of imperialism and race. This parallel between the literal nonhuman (the animal) and the figurative nonhuman (the "savage") is a familiar move in discourses of dehumanization, where progress, or "becoming," and the nature-culture divide, becomes the basis on which all things human rely.

In Mbembe's estimation—and indeed in many contemporary theorizations about the state of political existence—the figure of the nonhuman hovers over processes of dehumanization. Yet it is important to ask why this figure is not usually addressed in conversations about human rights. Admittedly, the conceptual refusal to equate dehumanized persons with the nonhuman can be attributed to the fact that the dehumanized subject, while frequently politically disenfranchised, does not, in the literal sense, become animal. Yet metaphorically, disenfranchisement is likened to the state of the animal, to a life without rights, without self-control, without self-possession. Moreover, the language of the animal can often be seen in discourses of dehumanization, where lowly creatures, such as cockroaches, lice, rats, and other vermin, are deployed imaginatively to justify forms of violence unfit for particular understandings of humanity. Even still, the human as a category is frequently taken for granted, though it remains deeply tied to political and juridical notions of enfranchisement and belonging. To imagine a state of literally becoming-animal is to imagine a state of dehumanization so profound as to be too dehumanizing to talk about. Discourse says, "So and so likens such and such a population to rats." It does not say, "such and such a population *is*, or *has become*, a pack of rats," no matter how inhumanely or abusively they have been treated.<sup>9</sup>

Yet if the language of becoming-animal is a kind of curious absent center in discourses of dehumanization, the language of becoming-human in the case of certain animals is even less well thought out. The slippery slope of dehumanization—from the human to the liminally human to the nonhuman—should indicate that movement in the opposite direction is possible as well. While scholars have just begun to identify how the perceived treatment

of animals can be a marker of difference, the processes of humanization—cultural, political, and social forms of anthropomorphization in the case of certain species—have yet to be analyzed as a critical component of discourses of humanity and dehumanization. For instance, Glen Elder, Jennifer Wolch, and Jody Emel demonstrate how the treatment of animals by postcolonial subjects in the United States has been used as a marker of racial and national difference.<sup>10</sup> In cases where such subjects have killed animals “inappropriately,” or, in ways unimaginable by modern US conventions, forms of legal surveillance and punishment have become justifiable. Hunting in places and times where it is not sanctioned, sacrificing for non-Judeo-Christian religious purposes, or consuming animals “unfit” for human appetites are used to call into question the civility of individuals, as well as entire peoples and cultures.

In recent years, work in the field of animal studies has begun to address the issue of competing human and nonhuman interests. For many scholars, such as Claire Jean Kim, Julie Guthman, Cathryn Bailey, and Amie Breeze Harper, race is a salient, if often underinterrogated, site of speciation and speciesism. Each author identifies a universalizing impulse in animal rights and animal welfare discourse, which seems to stake out a claim for a singular, cross-cultural ethical stance on animals. As Kim points out, this demand involves an “implicit suggestion . . . that it is possible to bracket race in public discourse, to carve out a race-free discursive space” in which to imagine the question of the animal.<sup>11</sup> In effect, this presumption has the capacity to recapitulate discourses of race and racism, in which the problematic model of color-blindness becomes the overarching narrative. While criticizing the dismissal of race as a nonfactor in animal treatment, Kim is equally unconvinced that racial or cultural heritage can be used as appropriate rationales for the differential treatment of animals. She notes that moral dialogue on the issue of animal abuse should not be silenced for fear of indictments of racism or cultural imperialism, as has been the case in critiques of the live animal markets in San Francisco’s Chinatown community.

Greta Gaard makes a similar argument while addressing the 1990s controversy over the Makah tribe’s appeal to continue practicing the cultural ritual of whaling in Seattle, where whaling for any purpose had been outlawed. Following public discourse, Gaard notes, it would seem that the Makah’s desire to continue a cultural tradition stood against the interests of animal rights activists who argued on behalf of the whales’ right to life. In this instance, activists’ opposition to Makah whaling practices became tantamount to the rejection of Makah culture and identity, and it was precisely this type of cultural imperialism that enabled certain Makah leaders to oppose the basis

of the local law. Yet, as Gaard avers, to assume that the practice of whaling is somehow endemic to Makah culture is to miss the complexity of beliefs and interests within the culture itself. Not all Makah desire to whale; not all Makah believe that whaling is culturally necessary; and many Makah are critical of the practice of whaling.<sup>12</sup>

The easy slippage between understanding a practice as having complex cultural meaning versus understanding a practice as endemic, or essential to, a particular culture is at stake in many of the apparent conflicts identified between racial and ethnic minorities and animal rights and welfare activists. This slippage is responsible for ideological clashes between groups and individuals who find various forms of animal rights and welfare discourse deeply imperialist in nature. Identifying how preexisting racism and xenophobia toward Chinese immigrants were mobilized in anti-live animal market discourse, Kim asks an eerie question: “Are anticruelty campaigns illegitimate if they benefit from, take advantage of, or even deepen majority prejudices toward immigrant minorities? What if being racist is what enhances the ‘winnability’ of a campaign?”<sup>13</sup> Such an inquiry takes on special meaning in the current moment, when the idea of postracialism has captured the public imagination. To be sure, the critique of animal practices has become one site of the articulation of suppressed racial ideologies in an era where discourses of political correctness, multiculturalism, and a “black” presidency dominate mainstream understandings of the dis/location of race in the United States.

Considering the place of race and culture in academic evaluations of animal ethics, Maneesha Deckha notes that a similar blind spot often occurs. For Deckha, while gender has appeared as a frequent and important intersectional category in academic interrogations of humanism and anthropocentrism, even becoming a hallmark of posthumanist theory that pulls deeply from feminist philosophies, issues of race and culture remain at the margins. Drawing on theories of intersectionality, Deckha argues that this blind spot does not allow for a clear reflection on issues of cross-cultural and cross-species alignment.<sup>14</sup> Thus while the relationship between race and animality is well imagined in considerations of practices of dehumanization, it remains underexamined as a key component in much of animal rights discourse.

Returning to Mbembe, who suggests that the figure of the inhuman/animal/savage is critical to imaginings of the “living dead,” and who notes how processes of racialization depend on subjugation under the sign of death, I want to think about how racialization and speciation both depend on particular conceptualizations of matterable life. Because animal death never properly enters the realm of murder in the eyes of the law, it is always somehow allowable,

normalizable, and widely distributable. For this reason, animal death always already belongs to the realm of the necropolitical. This is significant because it is not the death itself but the *management* of that death that becomes the issue at stake. Even certain advocates of animal rights and welfare, such as PETA (People for the Ethical Treatment of Animals) and the Humane Society, do not allege that animals should never be killed. Rather, it is suggested that animals be killed “humanely,” in proper contexts and for proper reasons. Those species or individual animals that do meet these standards, and/or are killed for reasons not widely supported, become victims of “abuse,” while others suffer similar fates and are imagined to be treated humanely.

Animal studies scholarship offers important insights into the connections between the issue of animal death and questions of routinization and banalization. The British academic collection known as the Animal Studies Group, for instance, proposes that killing is the most common act that characterizes the animal–human relationship. From culture (food, fashion, and entertainment), to science (biomedical research and experimentation), to religion (sacrificial rituals), to family life (the frequent euthanization of beloved pets), the slaughter of animals is one of the most common features of modern life. In his work on factory farming, the historian Richard Bulliet has argued similarly that the current moment can be characterized by a “postdomestic” animal–human relation, in which violence against animals is both common and invisible. Bulliet points to the mystification of meat production as a sign of postdomesticity, in which violence against animals is hidden from the consumer eye while becoming measurably greater through machinations of industrial farming.<sup>15</sup> Charles Patterson’s controversial work *Eternal Treblinka: Our Treatment of Animals and the Holocaust*, pushes this argument farther by illuminating how the industrial slaughter of animals paved the way for the industrial slaughter of minorities in Nazi Germany.<sup>16</sup> In this formulation, one mode of violence conditions the subject to accept another, creating a circular loop of logic: “Population x is subhuman and so is deserving of imprisonment and death; population x is imprisoned and slaughtered in a manner similar to animals; thus the members of population x *are* animals.”

Across these three works, animal death emerges as both quotidian and extreme. It is the very backing of modern society, and it is a holocaust. It occurs every second of every day, providing large profits and sustaining entire industries, yet we hide from its ugly glare. It is everywhere, and it is nowhere. This dynamic must be understood as the very definition of necropolitical regimes of terror, in which the spaces and moments of “everyday life” are marked by the sign of constant death. While Mbembe’s theorization addresses the dynamics of



dehumanization vis-à-vis the violence of continual warfare, in which “new and unique forms of social existence” are created out of a politics of subjugation, this essay imagines violence against animals as a formative impulse in modern US “death-worlds.” These death-worlds are created not only through literal acts of violence against animals but also through the animalization of certain human populations. Turning to the debate over Michael Vick’s involvement with the torture and death of the Bad Newz Kennel dogs, I want to consider the role of the relationship between race and animality in the narrative of the case.

### The Michael Vick Project

In contemporary US culture, dogs exist in peculiar relation to practices of violence and death. As Clare Palmer points out, dogs are unique subjects in the modern psyche: no other species is loved and killed with equal vigor as dogs—except for other humans. Palmer uses the example of shelter euthanizations to point out the common use of the term *humane* to temper the reality of killing healthy animals.<sup>17</sup> What little statistics exist indicate that between 6 and 10 million dogs and 7 and 10 million cats are “humanely” killed each year in shelters, numbers that reflect between one-tenth and one-quarter of the *entire* domestic dog and cat populations.<sup>18</sup> If these numbers seem extreme, their logic is profoundly quotidian: they are, to be sure, lives not worth living. And in this way there is an odd symmetry between representations of shelter animals and life in the ghetto, where survival seems just as likely as death, and familiarity with the randomness of one’s lot replicates a form of banal necropolitics.

Ambiguous attitudes toward dogs extend back in time. In particular, dogfighting has not always been understood as abusive and has not always been illegal. Dating back centuries in the United States, dogfighting was not fully outlawed in all US states until 1976. Indeed, it was only a century earlier that the United Kennel Club and the American Kennel Club both sanctioned and sponsored dogfighting as a legitimate enterprise, complete with rules and regulations. Moreover, it is really only within the last fifteen years that dogfighting has begun to be tried under the law with any sort of regularity.<sup>19</sup> And in many ways, it has not been the law but certain moral codes that have served as the primary deterrent.

Significantly, at the very moment that dogfighting reached peak popularity in the United States—the mid- to late nineteenth century—so too did the nation witness the rise of the first significant animal rights movement, propelled by the founding of the American Society for the Prevention of Cruelty to Animals in 1866. That same year, New York became the first state to outlaw

dogfighting. The efforts of the ASPCA and the movement to legalize dog-fights grew partly out of a disagreement about whether the sport constituted “cruelty against animals”—a new philosophical concept that emerged from post-Enlightenment ideologies about the correlation between the meanings of civilization, humanitarianism, and proper relations with the animal world. In this context, the movement toward compassion was less about concern for the welfare of the animal in question than about one’s own modern sensibilities, which included, of course, control over one’s baser instincts and violent tendencies toward defenseless creatures.<sup>20</sup>

The same stigma maintains in the current moment, where cruelty toward animals is understood to represent a proclivity for violence that is constructed as either based in the body, as a form of psychopathology, or based in culture as a form of ethnic, racial, or class difference, a difference partly based on a sense and critique of antimodernism. Animal abuse, like all violent crime, thus typically casts two possible perpetrators—the insane or the culturally othered—those whose systems of meaning and value are already understood to be at odds with dominant ideologies.<sup>21</sup>

These gradations—of moral judgment, and of life itself—are at the heart of what makes the issues of animal abuse and animal rights so difficult to navigate. Time and again, we return to specters of othered humanity—the human who refuses to act humane, and the animal elevated to a level of anthropomorphism. This nexus is especially significant at the site of the dog, humanity’s foremost companion species, or “significant other” as Donna Haraway has called it.<sup>22</sup> This otherness is mirrored in the configuration of the law, which recognizes dogs as both property and as partial persons, through punitive legislation that demands reparation in the name of the owner and in the name of the dog’s sentience. Movements to tighten legislation on animal abuse are, however, rarely based on legal principles; instead, they rely heavily on the cultural meaning of the animal at stake.

Culturally speaking, dogs must be docile subjects—pets that are neither animal aggressive nor human aggressive, and their use value must lie in their capacity to fulfill the demands of companionship (i.e., Cesar Millan’s “pack”). When dogs are used for other purposes—as food, religious sacrifice, or sport—they cease to become dogs, and our discomfort with their possible suffering and pain has as much to do with our conceptualization of humanity as it does with their right to a comfortable life. Used in these ways, dogs become a site for debate about the nature of individual liberties and freedoms, just as dogs trained for attack purposes push the boundaries of allowable proprietary claims: bite the wrong hand and they are imagined to be beyond redemption—disposable,

euthanizable—casting shadows on their owner’s ability to be a “good citizen.”

Yet what does it mean that so often these battles over the roles and boundaries of animality—let alone dogness—are marked also by the problem of race? Like so many other pathologies, animal abuse is continually represented as somehow endemic to communities of color, while aberrant and psychopathological in the case of whites. History is rife with high-profile, white criminals known for their serial abuse of animals—everyone from Jeffrey Dahmer, who, prior to his seventeen-person killing spree, was known locally for impaling the heads of dogs, cats, and frogs on his front lawn—to Lynndie England of the Abu Ghraib scandal, whose prior job at a poultry plant caused many to speculate about her sanity and desensitization toward violence (to say nothing, of course, about her use of dogs and dog leashes in the torture and abuse of prisoners).<sup>23</sup> In these cases, the individuals charged with animal abuse are understood to be just that: individual, solitary cases, whose shockingly low regard for human life always already far outstrips and overshadows any past nonhuman abuses. Conversely, in cases dealing with people of color, differential “cultural norms” have become the backdrop against which animal mistreatment is understood.

Vick’s particular story was further complicated by his massive fame. As a former number one draft pick, often called the “best running quarterback of all time,” he was more than a football player, more than a (black) athlete. He was a hero, a figurehead, the face of multimillion-dollar endorsement campaigns with some of the biggest corporations in the world. Yet even prior to his trouble with the Bad Newz Kennels, Vick was often a subject of media controversy for mouthing off and misbehaving in public forums. Critics frequently called him “immature” and wondered if a “Virginia Tech sophomore from the projects” had the capacity, both mentally and physically, to enter the arena of professional sports.<sup>24</sup>

Perhaps ironically, perhaps expectedly, once the dogfighting scandal hit the press, the narrative of Vick as a hot-headed kid from the wrong side of the tracks became his redeeming feature. His treatment of the dogs was quickly attached to his upbringing within a violent, inner-city housing project, where animal fighting is understood to be prevalent (though no significant research exists comparing animal fighting practices according to socioeconomic or geopolitical status) and where, presumably, desensitization to violence is more common. Popular narratives about the Vick case thus appealed to the familiar notion that blackness is linked to some inherent sense of pathology—that all kids from such environments are somehow destined to string up dogs, drown them, strangle them with their bare hands, smash their heads into concrete floors, and electrocute them to death.

These connections were further reinforced and reenacted in Vick’s ten-part reality television show produced for BET in 2010, titled *The Michael Vick Project*, which one critic tellingly called Vick’s “attempt to humanize himself,” and which played under the byline, “I’m Michael Vick: my fall from grace was tragic, but it was all my fault, and I’m on a mission to get it all back. Not the money and the fame, but to restore my family’s good name. This is the Michael Vick Project.”<sup>25</sup> As suggested by the title, the show attempts to capture Vick’s rehabilitation and reparations, while the viewer is brought through familiar shots of a poor black childhood marked by too much idle time and an early exposure to “adult” activities.

In *The Michael Vick Project*, much like the case itself, Vick’s background came to stand in as *the* subject culpable for the crime—his was a case of temporary insanity by way of blackness. In response to those perplexed by why such a successful athlete would fall back on old and ugly habits, he reflected, “Yeah, you got the family dog and white picket fence, and you just think that’s all there is. But some of us had to grow up in poverty-stricken urban neighborhoods, and we just had to adapt to our environment.” When asked if he felt that “white people simply don’t understand that aspect of black culture,” Vick affirmed, “I think that’s accurate.”<sup>26</sup> “I hate to use our culture as an excuse, but that’s what it is . . . and that’s what happened and that’s the way I thought about it growing up, and this is something we do. I love animals. I love dogs. I love birds. I love all types of animals. But this was just the way we was brought up . . . no one ever told me it was the wrong thing to do.”<sup>27</sup>

Though the dominant narrative of *The Michael Vick Project* encourages the viewer to travel with Vick on his road to recovery, the brutality of the crimes committed and the strangeness of Vick himself are hard to miss. On location at the Bad Newz Kennels, we learn that the kennels are part of a large compound Vick commissioned almost ten years earlier, complete with a mansion for himself and his guests. The entire property was financed for collecting, holding, and fighting dogs. Rows of empty, dirty chain-link cages are shot without irony, considering neither the fates of their earlier inhabitants nor the fate of Vick himself, who between 2007 and 2009 lived in a concrete cell of his own. As he walks through the halls of the now-deserted residence, he reminisces about good times that were had there and the privacy it afforded his family and friends. The bloodied carpet that once occupied a central location has been removed for the screening, and, like the empty dog cages, the house reverberates with ghosts past.

Similar to the opening line of the series, which mechanically replays the same phrase over and over again—“my fall from grace was tragic, but it was

all my fault”—Vick uses the language of grievance and restitution to tell the story of the Bad Newz Kennels, robotically repeating his wrongness while often providing glimpses of the fact that his own understanding of wrongdoing is far from what the audience expects. In a more recent interview with *GQ*, Vick lamented that he was legally barred from having dogs until the end of his probation period in June 2012, as he “always had a family pet, always had a dog growing up. It was almost equivalent to the prison sentence, having something taken away from me for three years. . . . I miss my companions.”<sup>28</sup> In his own mind, then, these two pastimes—pet keeping and dogfighting—are not diametrically opposed but instead two sides of the same coin, a singular token of his passion for all things canine.

This statement and others like it provide a bizarre wrinkle in the narrative of Vick’s defense, which blamed his treatment of the Bad Newz dogs on the very childhood that he now admits offered a love of family pets. Though these two pieces of the puzzle hardly fit together, the public has cared more about Vick’s process of atonement, and promise of personal transformation, than the possibility that something is amiss with Vick himself. Throughout the trial, his lawyers coached him to admit his “poor judgment,” to demonstrate that he was “willing to deal with the consequences and accept responsibility for [his] actions,” and to bow his head in a gesture of remorse. Strangely enough, the dance around Vick’s restitution was conducted by both sides of the law: upon completion of the trial, US Attorney Chuck Rosenberg smugly remarked, “this was an efficient, professional, and thorough investigation that well exposed a seamy side of our society. . . . I trust Mr. Vick learned important lessons and that his admission of guilt will speed his rehabilitation.”<sup>29</sup> But what were these lessons, and what exactly did Vick admit? Perhaps much like the dogs he raised, fought, and killed, he learned to bare his teeth only when told.

## Second Chances

The desire for Vick’s redemption was articulated most strongly by many African American commentators. In the months after Vick’s indictment, a proliferation of images of African American leaders and groups showing solidarity for a man whom they felt was unjustly accused and even more unjustly punished appeared across news media outlets. The NPR political analyst Juan Williams and other critics argued that racial differences in opinions on the Vick case could be explained by anxiety within the black community about the politics of “second chances.” “There is a very real issue here, of people with felony convictions (and their families) who want employers to look past their criminal

record. . . . Mr. Vick is a stand-in for these people, especially the disproportionate share of black men caught in this predicament.”<sup>30</sup> This concern did speak to broader sentiments, as many African American commentators focused on what they perceived to be an overzealous punishment for the crime at hand (both in terms of Vick’s sentencing and in terms of his treatment in the press) and did not generally argue in favor of exoneration based on Vick’s upbringing. In large part, African American leaders who chose to support Vick defended their position not by focusing on his actions but by focusing on what he did *not* do, that is, kill or harm another human being. In this formulation, frequent comparisons were made between canine and human death.

NAACP Atlanta chapter president R. L. White, for example, released a statement shortly after Vick’s arrest, lambasting the public and the media for their apparent racism toward Vick. “In some instances,” White concluded, “I believe Michael Vick has received more negative press than if he would’ve killed a human being. . . . the way he is being persecuted, he wouldn’t have been persecuted that much had he killed somebody.” White added that he could not “understand the uproar over dogfighting, when hunting deer and other animals is perfectly acceptable”—sports that are of course predominantly associated with white communities.<sup>31</sup>

Yet even if we accept White’s premise that we do have competing and often contradictory codes about the proper treatment of animals—some we hunt, some we eat, some we exterminate, and others we buy little pink coats for—why would he suggest that Vick’s treatment by the press would have been ameliorated had he murdered another person instead? Likely because White was imagining the person that Vick would have statistically been in a position to kill—another African American—whose life, when measured against that of a dog, may, in the public’s mind, matter less.

As the author Patrice Evans put it,

When Americans work themselves into a furor over a species that has yet to hold public office, then change the channel when more trenchant social matters come up, like say, the unjust incarceration rate for young black men, you can’t help wondering who’s really winning in America: you or the Airedale? . . . it seems unjust when the rewards of class and privilege become an entitlement for a whole other species. Did we win the battle for Obama only to lose the war for the dogs?<sup>32</sup>

Senior writer for ESPN David Fleming remarked similarly,

For some African-Americans, a suspicion that somewhere along the way this increased devotion to animals directly correlates to a decreased respect for humans has hardened into

excusing Vick of wrongdoing altogether. There are cries of racism when perhaps speciesism may be more accurate. At the same time, animal rights activists seem to be indulging their misanthropic side. Pets are easy to love—humans not so much.<sup>33</sup>

These conceptualizations—of the politics of unequal life, both human and animal—seemed irrelevant for animal rights groups such as PETA that, with striking disregard for any racial sensibility, called Vick a monster, followed him to and from the courthouse, and, later, attempted to tank his reentry into the NFL.<sup>34</sup>

Since the 2005 inauguration of the traveling exhibit originally called “Are Animals the New Slaves?” and now called “Glass Walls,” currently installed on the National Mall in Washington, DC, PETA has come under fire from African American critics. Drawing parities between images of African Americans under slavery and domesticated, shackled animals, the exhibit has appeared contemporaneously with a series of ads placed on billboards and in magazines around the country, featuring people staged as abused animals. All of this caused considerable outrage, with local residents protesting the images and the NAACP releasing a formal statement about the misappropriation of black bodies, black suffering, and even black political discourse, as the exhibit’s first panel quotes Martin Luther King Jr.: “Injustice anywhere is a threat to justice everywhere.”<sup>35</sup>

Yet in the Vick case, as in other instances involving high-risk, violently prone animals, PETA, as well as the Humane Society of the United States, recommended the dogs’ euthanization. Peculiarly then, PETA’s advocacy to put the Vick dogs down raised them out of the realm of animality. They were not innocent enough to be the “new slaves” represented in PETA’s campaigns; they were not the nameless, voiceless, animals for whom PETA spoke. Rather, they were vicious pit bulls, each with a name, each with a story, and each perceived to be bred into a life of miserable but inevitable violence. Their desperation appeared to mirror Vick’s, as did their eventual rehabilitation by Best Friends Animal Sanctuary in Kanab, Utah, a rescue organization that took in the Vick dogs when no one else would. In 2008 the saga of the dogs’ transformation at the sanctuary was broadcast as a special two-hour episode of *DogTown* on the National Geographic channel (also home to Millan’s *Dog Whisperer*), titled “Saving the Michael Vick Dogs.”<sup>36</sup> Much like *The Michael Vick Project*, *DogTown* tells the story of rehabilitation and reentry; both offer salvation narratives in which violent offenders, be they human or animal, are cured of their baser instincts and are given “second chances.”<sup>37</sup> Like the discourse of executability that seemed to travel across political lines, Vick and the dogs he

abused became placed within parallel narratives of redemption. As one Best Friends volunteer who worked with the dogs noted, “My fear [was] [n]ot that I’d be attacked by a pitbull. But that I’d discover these dogs were too damaged to ever have a chance at a decent life.”<sup>38</sup>

The resurrection of Vick’s dogs occurred at the same time that Vick served his prison sentence, a fact that provided an important backdrop for the narrative of his atonement. Vick became one of the pack—he was understood as “damaged” in his own way, and concern over his “chance at a decent life” was articulated by his warm reentry into the NFL (not to mention his speaking engagements with the Humane Society). Narratives of criminality and animality that dictate the terms of black masculinity in US culture thus provided the context for both Vick’s “fall” and his comeback. His time in prison served a critical and instructional purpose. In a society where incarceration rates for black men are cited as ranging between 17 percent and 33 percent,<sup>39</sup> the legal regulation of Vick, because of his fame, not in spite of it, articulates the banality of modern carceral culture.

As Lisa Marie Cacho argues, ubiquitous patterns of criminalization determine and define the lives of persons of color in the United States, whose very status under the law is consigned to literal and figurative states of death. She suggests that the subject positions enabled by the law are often misinterpreted as “outcomes” of law abidement or violation, rather than “effects of the law” itself:<sup>40</sup>

people who occupy legally vulnerable and criminalized statuses are not just excluded from justice; criminalized populations . . . form the foundation of the US legal system . . . [which] is to say that law is dependent upon the *permanence of certain groups’ criminalization*.<sup>41</sup>

In this way, Vick’s incarceration was both necessary and inevitable, and his dogs became a means to an end. In a moment that has been popularly characterized as “postracial,” these eventualities must be understood as critical to the reinstatement of difference.

The assertion of a postracial stance in the Vick case could be seen across mainstream media news outlets, many of which suggested that Vick’s incredible wealth raised him above the full reach of the law and out of the category of proper “blackness.” After all, who, if not the best-paid quarterback in the NFL, could afford proper legal counsel? Debates over the boundaries of blackness in the Vick case came to a head in August 2011, when ESPN raised eyebrows after pairing an article by the African American political commentator Touré—author of the recent *Who’s Afraid of Post-Blackness?*—with a whitewashed image



of Vick under the title “What If Michael Vick Were White?” Aghast, Touré promptly appeared on numerous news outlets, railing against ESPN’s coupling of his story with the “sensationalist thought experiment of race-switching.”<sup>42</sup> Touré argued that we are far from understanding or fully addressing the racial implications of Vick’s case (though he also was among the many who cited Vick’s upbringing as a critical link in the story).

Beyond the support Vick received from African American critics based on ideas of racial solidarity, and beyond discourses of “cultural difference” that were expressed across color lines and in various contexts, racial difference was also articulated through a third, and more disturbing venue: the language of dark comedic revenge. First, in the form of a canine “payback” initially suggested with humor in popular commentary, and later, in the development of a Michael Vick “chew toy” still on sale today—the likes of which seemed to both prefigure the manufacture of the Obama monkey dolls in the 2008 presidential race and hark back centuries to what Bill Brown has called the “relentless objectification” of blackness, initiated by the implosion of the “person/thing binary” under slavery and then symbolized in the development of black collectibles.<sup>43</sup> This type of racial objectification sheds light on the ease with which death threats were levied at Vick after his release from prison; if anything, his status as executable seemed curiously less clear than that of his dogs.

None of these considerations, however, plainly deals with the violence at the heart of Vick’s actions. Whether or not we believe that terms such as *torture* and *execution* should be reserved only for the province of the human species, and even though we must acknowledge that black men are severely and disproportionately victimized by the US justice system, Vick’s actions remain alarming. Compared with the laundry list of slow, painful torture sessions and deaths Vick inflicted on dozens of dogs, the practice of dogfighting itself—which is, after all, the main criminal act at the center of all the disputes—begins to seem like child’s play. The level of sadism exhibited in the bodies of the beleaguered dogs that survived, and the remains of those that did not, does not suggest the actions of a well man.

Among other forms of evidence, investigators uncovered shallow graves with dismembered body parts, rape stands and breaking sticks, a bloodstained fighting area, and dozens of live dogs, injured and underfed, chained to car axles just out of each other’s reach. Vick and his friends were discovered to have hung several dogs “by placing a nylon cord over a 2 x 4 that was nailed to two trees.” Others were drowned by having their heads held in a five-gallon bucket of water. One was killed by “slamming it to the ground. . . breaking the dog’s back and neck.” Another was electrocuted after being wet down

with water. These acts, as well as the death toll raised by the Bad Newz Kennel dogs themselves, were allegedly seen as humorous, “funny,” by Vick and his friends. Throughout all the allegations and fact-finding, Vick admitted to killing only two dogs, and he did so in a straightforward manner: “I carried a dog over to [codefendant] Quanis Phillips, who tied a rope around its neck. I dropped the dog.”<sup>44</sup>

In recent years, legal statutes on animal abuse have become more stringent because of the emergence of psychological studies that have linked behavioral tendencies toward animal abuse with spousal and child abuse, large-scale acts of public violence (such as serial killing), and forms of socio- and psychopathology—much like the Dahmer case. In this line of thinking, the abused animal is but a stop along the way—an early sign of a future criminal act against the only victims perceived to really “matter”—people. Washington senator Maria Cantwell, coauthor of the Animal Fighting Prohibition Enforcement Act (AFPEA) passed in 2007, partly as a result of the uproar over the Vick case, remarked along similar lines that “staged animal fights spawn not just malicious animal cruelty, but also drug trafficking, illegal gambling, public corruption, and even murder.”<sup>45</sup> Cantwell’s language presents a familiar equation that links animal abuse to other forms of illegal and unethical behavior. (Was this another kind of “second chance”? First strike, beat a dog, second strike, you’re out?) Yet how can we understand the use of the term *execution* as it was mobilized in the Vick case, alongside Cantwell’s use of the phrase “even murder” as an outcome, rather than a replication of, animal abuse? Ultimately, what remains unclear is whether animal abuse for animal abuse’s sake is ever really the issue.

Vick’s own twenty-three-month stay in prison was enabled by a broader conviction—conspiracy to participate in illegal interstate commerce (largely, gambling and gambling-related activities)—though this reality was ignored because of the public’s aversion to dogfighting. Ask most people on the street about Vick’s charges, and the reply would likely have to do with animal abuse. This kind of bait and switch is characteristic of public perceptions about animal law and animal cruelty. Punitive measures against animal abusers are rarely as stringent as might be imagined through the lens of cultural distaste for animal cruelty. Because of this, animal law is applied unevenly and without consistent rationales.<sup>46</sup>

Nonetheless, what becomes interesting about this troubling logic is the fact that it did provide the framework for Vick to have been punished much more heavily: precedents had been made, and surely other cases would follow. For this reason, it is important to think beyond the framework of hypersurveillance that we typically might apply to a case about the criminalization of a

black man in the public eye. Instead of imagining his trial, sentence, and the sensationalism that surrounded both as being unduly punitive, I think that we may have to consider the opposite—that rather than being sentenced too harshly, he may have been sentenced too leniently<sup>47</sup>—and not because of the impressive legal defense his fame and fortune procured for him but, in the end, because of his race. This lenience is indicative of discourses of the banality of criminality, of the banality of monstrosity, that shape popular imaginings of black masculinity.

Prevailing scholarship on the prison-industrial complex demonstrates how the increased policing of “minor,” nonviolent crimes in the last twenty-five years has provided the rationale and justification for the staggering rise in incarceration rates, and how this policing has disproportionately affected people of color. In this light, animal abuse becomes a curious case. Because it occupies a liminal place in the law, yet is both violent in nature and understood as a “gateway” crime, it straddles the line between minor and major offenses. Its inconsistent prosecution under the law provokes an important question: when is an act of violence not considered as such? When it is directed at a body that is imagined as inherently violable?

Similar haziness about the moral coding of violence against animals can be seen in the politics of Vick’s postincarceration comeback. Speaking out on behalf of a more recent addition to the posttrial dogfighting legislation, the 2011 Animal Fighting Spectator Prohibition Act, which penalizes adult spectators who either attend animal fights or bring children to such events, Vick noted,

I deeply regret my previous involvement in dogfighting; I’m sorry for what I did to the animals. During my time in prison, I told myself that I wanted to be a part of the solution and not the problem. . . . I’ve been speaking to kids and urging them to be responsible and to be good to animals. . . . I’m here to send a similar message—to help address the problem and break the cycle—of teaching these kids not to get mixed up in this crime. . . . I hate to use it as an excuse, but seeing dogfights as a kid had a huge impact on me.<sup>48</sup>

Vick’s ability to repent and to become a champion for a problem that he had once contributed to—even becoming a spokesperson for the Humane Society after his release—suggests the limits of compassion for nonhuman species. Substitute any violent crime against a person for animal abuse or dogfighting in Vick’s remarks, and it would be hard to imagine how he might become a sympathetic figure. But, by 2010, he had been admitted back into the NFL, joining the Philadelphia Eagles and receiving the NFL Comeback Player of the Year Award for a successful season on his new team. A year later, Nike resigned a sponsorship contract that it had revoked pending his 2007

trial. By October 2012 Vick was legally allowed to begin owning dogs again and promptly brought one home to be “well cared for and loved as a member of [the] family.”<sup>49</sup>

Interestingly, public knowledge of Vick’s new dog occurred only after Vick accidentally tweeted a photograph of himself with a box of dog treats in the background. Sites across the Web immediately jumped on the image, remarking with strange consistency that “either Michael Vick loves eating Milkbones, or he has a new dog.”<sup>50</sup> Of course other possibilities remained: he could have been at a house other than his own, or the dog treats could have been left by someone else. But in the furor that ensued, none of these options seemed possible. The only question that remained was whether Vick, in fact, was the animal himself.

## Notes

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1. “Vick Dog Fighting Case,” *CBSNews*, July 20, 2009, [www.cbsnews.com/elements/2007/07/26/in\\_depth\\_sports/timeline3099127.shtml](http://www.cbsnews.com/elements/2007/07/26/in_depth_sports/timeline3099127.shtml); ESPN News Services, “Apologetic Vick Gets 23-Month Sentence on Dogfighting Charges,” *ESPN*, December 11, 2007, [sports.espn.go.com/nfl/news/story?id=3148549](http://sports.espn.go.com/nfl/news/story?id=3148549).
  2. *U.S. v. Purnell A. Peace, aka “P-Funk” and “Funk,” Quanis L. Phillips, aka “Q,” Tony Taylor, aka “T,” Michael Vick, aka “Ookie,”* 18 U.S. 371 (2007).
  3. This statement is not intended to reduce the complexity of these movements or the diversity of opinions within them. Rather, it is to say that on the most basic level, these movements stand *against* the mistreatment of animals, versus media and legal discourses that either waffle on the question or function to enable nonhuman abuses. In this essay, “animal welfare groups” is intended to connote organizations dedicated to the humane treatment of animals, such as the Humane Society, whereas “animal rights groups” is intended to convey more radical organizations, dedicated to a politics of animal liberation.
  4. Judith Butler, *Precarious Life* (New York: Verso, 2006), 150.
  5. Achille Mbembe, “Necropolitics,” trans. Libby Meintjes, *Public Culture* 15.1 (2003): 17.
  6. *Ibid.*, 36.
  7. *Ibid.*, 40.
  8. *Ibid.*, 14.
  9. On this point, see, for example, Hugh Raffles, “Jews, Lice, and History,” *Public Culture* 19.3 (2007): 521–66.
  10. Glen Elder, Jennifer Wolch, and Jody Emel, “Le Practique Sauvage: Race, Place, and the Human-Animal Divide,” in *Animal Geographies: Race, Politics, and Identity in the Nature-Culture Borderlands*, ed. Jennifer Wolch and Jody Emel (London: Verso, 1998), 72–90.
  11. Claire Jean Kim, “Slaying the Beast: Reflections on Race, Culture, and Species,” *Kalfou* 1.1 (2009): 4.

12. Greta Gaard, "Tools for a Cross-Cultural Feminist Ethics: Exploring Ethical Context and Contents in the Makah Whale Hunt," *Hypatia* 16.1 (2001): 7.
13. Claire Jean Kim, "Multiculturalism Goes Imperial: Immigrants, Animals, and the Suppression of Moral Dialogue," *Du Bois Review* 4.1 (2007): 235.
14. Maneesha Deckha, "Toward a Postcolonial, Posthumanist, Feminist Theory: Centralizing Race and Culture in Feminist Work on Nonhuman Animals," *Hypatia* 27.3 (2012): 529–30.
15. Richard W. Bulliet, *Hunters, Herders, and Hamburgers: The Past and Future of Human-Animal Relationships* (New York: Columbia University Press, 2008), 45–46.
16. Charles Patterson, *Eternal Treblinka: Our Treatment of Animals and the Holocaust* (New York: Lantern Books, 2002). Marjorie Spiegel has also drawn an important analogy between slavery and animal subjugation in *The Dreaded Comparison: Human and Animal Slavery* (New York: Mirror Books, 1997).
17. Clare Palmer, "Killing Animals in Animal Shelters," in Animal Studies Group, *Killing Animals* (Urbana: University of Illinois Press, 2006), 170–87. Yi-Fu Tuan also touches on this point in his classic *Dominance and Affection: The Making of Pets* (New Haven, CT: Yale University Press, 2004).
18. Palmer, "Killing Animals," 180.
19. Sarah Chase, "Timeline of Animal Fighting," Animal Legal and Historical Center, Michigan State University College of Law, <http://animallaw.info/> (accessed January 10, 2012).
20. See Susan J. Pearson, *The Rights of the Defenseless: Protecting Animals and Children in Gilded Age America* (Chicago: University of Chicago Press, 2011).
21. See, for example, Humane Society of the United States, "Animal Cruelty and Human Violence," April 25, 2011, [www.humanesociety.org/issues/abuse\\_neglect/qa/cruelty\\_violence\\_connection\\_fa.html](http://www.humanesociety.org/issues/abuse_neglect/qa/cruelty_violence_connection_fa.html).
22. Donna Haraway, *The Companion Species Manifesto: Dogs, People, and Significant Otherness* (New York: Prickly Paradigm, 2003).
23. See, for example, Cynthia Hodges, "The Link: Cruelty to Animals and Violence towards People," Animal Legal and Historical Center, Michigan State University College of Law, 2008, [www.animal-law.info/articles/arus2008hodges\\_link.htm](http://www.animal-law.info/articles/arus2008hodges_link.htm); Humane Society of the United States, "Animal Cruelty and Human Violence: A Documented Connection," April 25, 2011, [www.humanesociety.org/issues/abuse\\_neglect/qa/cruelty\\_violence\\_connection\\_fa.html](http://www.humanesociety.org/issues/abuse_neglect/qa/cruelty_violence_connection_fa.html); Emma Brookes, "What Happens in War Happens," *Guardian*, January 2, 2009, [www.guardian.co.uk/world/2009/jan/03/abu-ghraib-lynndie-england-interview](http://www.guardian.co.uk/world/2009/jan/03/abu-ghraib-lynndie-england-interview); Josh White, "Abu Ghraib Dog Tactics Came from Guantanamo," *Washington Post*, July 27, 2005, [www.washingtonpost.com/wp-dyn/content/article/2005/07/26/AR2005072601792.html](http://www.washingtonpost.com/wp-dyn/content/article/2005/07/26/AR2005072601792.html).
24. Interestingly, Vick also trades on this language in his many apologies, in which he calls his actions at the kennels "immature." See, for example, "Vick to Be Sentenced Dec. 10 After Guilty Plea," *ESPN*, August 28, 2007, <http://sports.espn.go.com/nfl/news/story?id=2992890>.
25. "Episode 1: The Confession," *The Michael Vick Project*, BET, 2010.
26. Will Leitch, "The Impossible, Inevitable Redemption of Michael Vick," *GQ*, September 2011, [www.gq.com/sports/profiles/201109/michael-vick-gq-september-2011-interview#ixzz1ZZNGEXuq](http://www.gq.com/sports/profiles/201109/michael-vick-gq-september-2011-interview#ixzz1ZZNGEXuq).
27. Mike Florio, "Mike Vick Wants to Own a Dog Again," *NBC Sports*, December 15, 2010, <http://profootballtalk.nbcsports.com/2010/12/15/mike-vick-wants-to-own-a-dog-again/>.
28. Leitch, "Impossible."
29. "Apologetic Vick Gets 23-Month Sentence on Dogfighting Charges," *ESPN*, December 11, 2007, <http://sports.espn.go.com/nfl/news/story?id=3148549>.
30. Juan Williams, "Michael Vick's Second Chance: Why Survey Data Show a High Level of Black Sympathy for the Ex-Con Quarterback," *Wall Street Journal*, August 18, 2009, <http://online.wsj.com/article/SB10001424052970203550604574360253023096042.html>.
31. White, quoted in "NAACP Official: Vick Shouldn't Be Banned from NFL," *CNN*, August 22, 2007, [http://articles.cnn.com/2007-08-22/us/vick\\_1\\_dogfighting-operation-dogfighting-case-arthur-blank?\\_s=PM:US](http://articles.cnn.com/2007-08-22/us/vick_1_dogfighting-operation-dogfighting-case-arthur-blank?_s=PM:US).
32. Patrice Evans, "A Walk in the Park," *ESPN The Magazine*, September 5, 2011, [http://espn.go.com/espn/story/\\_id/6894756/patrice-evans-dogwalking-blogger-provides-lessons-race-michael-vick-espn-magazine](http://espn.go.com/espn/story/_id/6894756/patrice-evans-dogwalking-blogger-provides-lessons-race-michael-vick-espn-magazine).
33. David Fleming, "The Dog in the Room," *ESPN*, August 25, 2011, [http://espn.go.com/espn/commentary/story/\\_id/6889579/espn-magazine-examining-michael-vick-where-dogfighting-falls-continuum-cruelty](http://espn.go.com/espn/commentary/story/_id/6889579/espn-magazine-examining-michael-vick-where-dogfighting-falls-continuum-cruelty).

34. PETA, “Vick Protests in New York City,” *The PETA Files*, July 20, 2007, [www.peta.org/b/thepetafiles/archive/2007/07/20/vick-protests-in-new-york-city.aspx](http://www.peta.org/b/thepetafiles/archive/2007/07/20/vick-protests-in-new-york-city.aspx); Sean Leahy, “If PETA Protests Mike Vick’s NFL Return, Will That Scare Off Suitors?,” *USAToday*, July 19, 2009, <http://content.usatoday.com/communities/thehuddle/post/2009/07/68494802/1#.UO8azbY1Z7E>.
35. Danielle Wright, “Another PETA Exhibit Compares Animal Cruelty to Slavery,” *BET*, July 21, 2011, [www.bet.com/news/national/2011/07/21/another-peta-exhibit-compares-animal-cruelty-to-slavery.html](http://www.bet.com/news/national/2011/07/21/another-peta-exhibit-compares-animal-cruelty-to-slavery.html); PETA, “Honor Dr. Martin Luther King Jr. Every Day,” *The PETA Files*, November 1, 2011, [www.peta.org/b/thepetafiles/archive/tags/Washington+D-C\\_2E00\\_/default.aspx](http://www.peta.org/b/thepetafiles/archive/tags/Washington+D-C_2E00_/default.aspx).
36. *DogTown*, season 2, episode 1, National Geographic, 2008.
37. As mentioned earlier in the article, the notion of “second chances” circulated in media accounts of Vick. It also came to be associated with the Vick dogs, as Best Friends Animal Sanctuary and *DogTown* both promise the public a “second chance” for the beleaguered animals.
38. Leslie Smith, “Can the Michael Vick Dogs Be Saved? At Best Friends, the Answer Is Yes,” *Dogtime: Find Your Wag*, June 15, 2010, [www.dogtime.com/best-friends.html](http://www.dogtime.com/best-friends.html).
39. “Criminal Justice Fact Sheet,” NAACP (2013), [www.naacp.org/pages/criminal-justice-fact-sheet](http://www.naacp.org/pages/criminal-justice-fact-sheet) (accessed March 1, 2013).
40. Lisa Marie Cacho, *Racialized Rightlessness and the Criminalization of the Unprotected* (New York: New York University Press, 2012), 4.
41. *Ibid.*, 5–6.
42. Glenn Davis, “Touré Still Isn’t Happy about That ‘White Michael Vick’ Photo, ESPN Still Stands by It,” *SportsGrid*, August 27, 2011, [www.sportsgrid.com/nfl/Touré-white-michael-vick-cnn/](http://www.sportsgrid.com/nfl/Touré-white-michael-vick-cnn/).
43. Bill Brown, “Reification, Reanimation, and the American Uncanny,” *Critical Inquiry* 32.2 (2006): 197.
44. Animal Legal Defense Fund, “Animal Fighting Case Study: Michael Vick,” *Animal Legal Defense Fund: Law and Cases*, January 2011, <http://aldf.org/article.php?id=928>.
45. “Animal Fighting Prohibition Enforcement Act Approved by Congress,” United Poultry Concerns, April 11, 2007, [www.upc-online.org/cockfighting/041107hr137.html](http://www.upc-online.org/cockfighting/041107hr137.html).
46. See, for example, Bruce A. Wagman, Sonia S. Waisman, and Pamela D. Frasch, *Animal Law: Cases and Materials* (Durham, NC: Carolina Academic Press, 2009).
47. As suggested earlier in the article, animal abuse is unevenly prosecuted. Here I am suggesting that because of current legal and social scientific attitudes toward animal abuse, and when compared with other cases, Vick’s sentence can be understood as unexpectedly lenient (and even more so because of his race).
48. Michael Vick, quoted in Nate Davis, “Michael Vick Backs New Anti-dogfighting Bill,” *USA Today*, July 20, 2011, <http://content.usatoday.com/communities/thehuddle/post/2011/07/eagles-qb-michael-vick-backs-new-anti-dogfighting-bill/1#.UBmKMXAkqsl>.
49. Jemele Hill, “Michael Vick’s Next Lesson,” *ESPN*, October 20, 2012, [http://espn.go.com/nfl/story/\\_id/8514986/michael-vick-family-dog-chance-set-example-teach-own-children](http://espn.go.com/nfl/story/_id/8514986/michael-vick-family-dog-chance-set-example-teach-own-children).
50. Larry Brown, “Either Michael Vick Loves Eating Milkbones, or He Has a New Dog,” *Larry Brown Sports*, October 5, 2012, <http://larrybrownsports.com/football/michael-vick-milk-bones-dog/157081>.