

From the 'Scopes Trial' to Michael Vick

By Alton H. Maddox, Jr.

It was the 1920s. The venue was Tennessee. The issue was creationism versus evolution. This was the trial of the century. It was religion versus science. The "dream" combatants were William Jennings Bryan and Clarence Darrow. Bryan represented the prosecution and Darrow represented the defense. Near the end of the 20th century, Scopes v. State had been supplanted by California v. Simpson. In addition to science, there were also issues of race, sex and violence to adjudge Simpson's guilt. The dream team, a group of all-star lawyers headed by Johnnie Cochran, would guide Simpson through the legal minefield.

A search is now afoot for the trial of the 21st century. Before Michael Vick put himself at the mercy of the court, my pick, so far, would have been United States of America v. Michael Vick. Before his guilty plea, Vick was the quarterback for the Atlanta Falcons and also the highest paid NFL player.

The Worst decision that Vick has made, so far, was raising the white flag in a Virginia federal courthouse before anyone fired a shot. If his on-the-field behavior had emulated his

in-court behavior, no one would have paid a dime to see him quarterback a professional football team.

Warriors are respected on and off the field. Vick is charged with dog fighting but he is not charged with gambling at sidebar. This admission falls far short of his conducting business enterprise as is alleged in the indictment. At best, Vick may have been engaged in a hobby but the

prosecution must prove every element of the indictment beyond a reasonable doubt.

Crimes are classified as either malum in se or malum prohibitum. Dog fighting is classified under malum prohibitum and, when interstate commerce is involved, it is a federal offense. Similarly, the deprivation of a civil right is also a federal offense but it is classified as malum

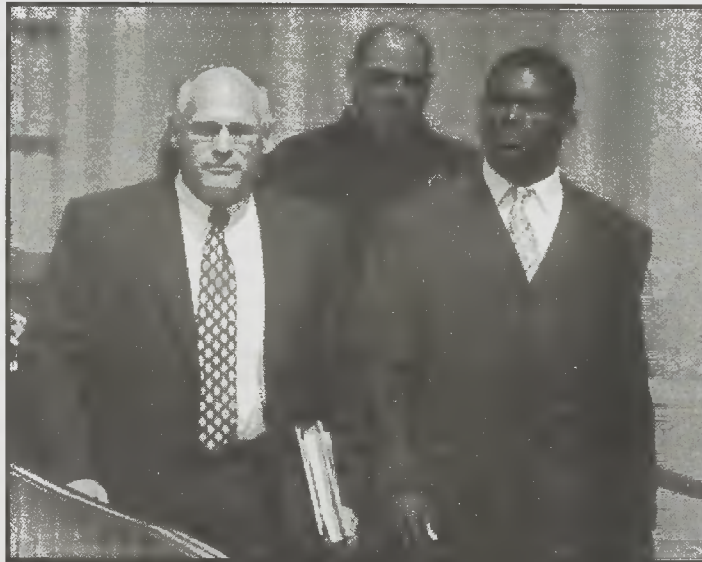


in se.

The emerging picture is that when a dog is maimed or murdered in an interstate dogfight, a federal offense has occurred. On the other hand, when a Black man is beaten senseless or is murdered by a state actor, the state actor is given a promotion. The state has an obligation to protect an animal, but no similar obligation to protect a Black person.

Amadou Diallo was shot at 41 times with 19 bulls-eyes. The four, white assassins are back on the job. While it is illegal for the state to execute a person after trial, with 41 shots, policemen may take matters into their own hands. Thus, New York City is co-sponsoring our oppression. There were 50 shots expended in the assassination of Sean Bell. No one will be going to prison.

There was also no public outcry from the People for Ethical Treatment of Animals (PETA) over these assassinations. Yet, Russell Simmons and Rev. Al Sharpton were ticked off, along with PETA, over Vick continuing to enjoy the proceeds from commercial endorsements. Obviously, Simmons and Sharpton never heard of reciprocity or quid pro quo. The have made no demands on

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