

WHY KIRK JOHNSON MUST BE GIVEN A REMATCH

Written by Charles Jay
Monday, 05 August 2002 18:00

By now, all of you know the amount of controversy surrounding the July 27 fight between John Ruiz-Kirk Johnson for the WBA heavyweight title; a fight that ended in the tenth round with Johnson being disqualified due to low blows.

If you don't mind, we're going to take that controversy to a whole different level entirely.

Forget, for a moment, about whether you thought the blows landed by Johnson were really low, to the extent that the result of the fight should have been determined by them. Forget about whether referee Joe Cortez exercised sound judgment in the penalties he imposed for those low blows. Forget about the fact that Ruiz himself may have been guilty of at least one intentional foul, yet was not penalized by Cortez.

Let's put all that aside, for the time being.

What we're about to reveal here may change the very face of this dispute.

Until he was contacted by TOTAL ACTION on Monday (in the process of preparing this story for publication), Johnson's co-manager, Ken Lillian, was prepared to file protests with the WBA and the Nevada commission on the premise that at least three, and possibly all four, of the low blows that were cited by Cortez, including the one that ended the fight, were calls of a highly questionable nature.

"Kirk was hitting Ruiz with good body shots that were called low blows," contends Lillian.

A judgment call, to be sure.

But for purposes of this story - and this series - I'd like to bring up an issue that has heretofore NOT been explored, but which may indeed be larger, because it concerns not just this fight, but hundreds of fights that will take place in the near future.

It's the subject of the conflict that exists between state commissions, sanctioning organizations and professional fighters regarding championship rules.

The question is - which rules can take precedence, and what should be done when there is some reasonable doubt as to which rules should apply?

This question stems out of the fact that the World Boxing Association, which sanctioned the fight, seemingly didn't follow its own regulations governing championship bouts.

Section 16, Paragraph 2 of the WBA's "World Championship Regulations and Rules", covering "Officials", states,

WHY KIRK JOHNSON MUST BE GIVEN A REMATCH

Written by Charles Jay
Monday, 05 August 2002 18:00

"The officials appointed by the President to act in any Championship fight shall be

NEUTRAL

, this being understood to mean that they shall not be of the same nationality, residence or origin of the champion or of the challenger."

In other words, if, say, one fighter were from America and the other were from Canada, NO officials could be from EITHER country.

Such a rule makes some sense, considering that this practice of "neutrality" in the selection of officials is followed in virtually every other country in the world.

It is important to note that nothing in the WBA regulations provides for an exception to this rule, even under extraneous circumstances (and we were unable to secure comment from WBA officials in connection with this story).

According to his official website, John Ruiz was born in Methuen, Massachusetts. He is a citizen of the United States. Kirk Johnson trains in the U.S., but there are a lot of foreign fighters who do that. The fact is, Johnson is officially a resident of Nova Scotia and a citizen (not to mention a native) of Canada. He is in the U.S. on a "celebrity visa", which allows him to ply his trade here in the States.

It's readily apparent the fighters are from two different countries. Therefore, Section 16, Paragraph 2 of the WBA's Championship Regulations should have taken effect.

Shouldn't it?

Clearly there is an inherent conflict with the Nevada rules and regulations.

Chapter 467, Paragraph 214 of the Nevada Administrative Code mandates that "the commission will select and approve all ring officials."

According to Paragraph 219, "A majority of the commission will select the referee for the main event in championship contests and for any other contests or exhibitions which the commission considers to be special events."

And finally, Paragraph 225 states, "A majority of the commission will select the judges for the main event in championship contests and for any other contests or exhibitions which the commission considers to be special events."

It seems the WBA did not seek the enforcement of its own regulations here, and did not exactly press the issue. Of course, there are reasons for that.

Marc Ratner, director of the Nevada commission, asserts that having all neutral officials for the fight ("neutral" being defined as from neither the country of the champion or challenger)

WHY KIRK JOHNSON MUST BE GIVEN A REMATCH

Written by Charles Jay
Monday, 05 August 2002 18:00

was not going to be a possibility.

"We would have given them one international judge", he said, "but we were going to have two Nevada judges and a Nevada referee."

Ratner refers to Stanley Christodoulou of South Africa as a judge he would have cheerfully included. But Christodoulou was in Japan, and not available for that fight.

According to Ratner, Johnson's camp did not submit anything in the way of protest prior to the fight.

"They (Johnson's camp) were very happy with all Nevada officials," says Ratner. "And they indicated they would have been happy with Christodoulou too."

Even though law may exist in Nevada to provide for this set of circumstances, and indeed such law was implemented, does this necessarily mean that Kirk Johnson does not have a legitimate grounds for an appeal with the World Boxing Association, an organization which should, by rights, be able to make its own ruling on the fight that is independent of whatever was done in Nevada - perhaps not as regards the verdict itself (a disqualification), but in terms of what might provide relief in the immediate future?

And even though it seems Nevada's rules concerning officials wound up applying here, does that mean that its regulations necessarily usurp those of the sanctioning body, by law, or merely that Nevada has a certain amount of "leverage" with the sanctioning bodies by virtue of its juxtaposition to the casino industry, which provides the site fees needed to put on major fights? In other words, do they name their own officials, without any interference, because it's RIGHT, or because they have the ability to do it and get away with it?

It may seem like a small point to some, but actually, there is a degree of significance to it that is not inconsequential.

It could mean the difference between Johnson's camp being able to successfully appeal the process and not being able to.

There appears to be nothing in writing to indicate that the WBA arbitrarily conceded all of its own championship regulations in favor of those used in Nevada. And according to Lillian, as well as Gary Johnson, Kirk's father and advisor, they were not presented with the alternative of having three "neutral" judges and a "neutral" referee. That assertion makes sense, in light of what Ratner has told us.

Appeals can be filed when one party feels a WBA regulation has been violated. We can reasonably conclude a couple of things --

1) That there has indeed been a violation, or at the very least, a non-enforcement, of the WBA rules; and

WHY KIRK JOHNSON MUST BE GIVEN A REMATCH

Written by Charles Jay
Monday, 05 August 2002 18:00

2) That there is no document signed by the Johnson camp in which it waived its rights and protections under the WBA rules - certainly this answers a question that would be addressed in civil court, if that's what it came down to.

Let's elaborate on this a little more. Consider that Ruiz is now a Las Vegas resident, something that is well-documented by now - he'd been referred to as such by many pre-fight newspaper stories and also by HBO's announcers during the pre-fight introductions. Cortez, the referee, is, like Ruiz, an American of Puerto Rican extraction.

Doesn't this go one step further in violating the spirit of "neutrality"?

After all, if this fight had been held in Toronto's Air Canada Centre, and judges from Montreal, Halifax, and Edmonton been named, with a referee from Vancouver, would Ruiz' people have stood still for it? I doubt I'd even have to call Tony Cardinale, a square guy who is Ruiz' lawyer and co-manager, to get the answer to that one.

We have discovered that if an appeal is going to be made to the WBA, it has to be made by the end of business on Wednesday. According to Article 5 of the WBA's Appeal Regulations, not only does the appeal have to be accompanied by all of the relevant subject matter and documentation, WITH a check for \$5000 attached, it also "should be proposed within a term of eight (8) business days counted from the date in which the decision had been dictated or issued....." Since the fight took place on July 27, a Saturday, the eighth business day forward would be August 7.

So if Johnson's people want to take advantage of this information, they had better hurry up.

Certainly no one can fault Nevada for wanting to enforce its own rules. And considering the state of relations between the sanctioning bodies and certain factions of the Association of Boxing Commissions, the commission there would get plenty of support in doing so.

But I don't think that should mean that a fighter, with a lot of money, not to mention a title, on the line, should fall victim when there is an ambiguity or conflict that can be interpreted to have a material effect on the process by which the contest is regulated, whether it's by the local jurisdiction or the sanctioning body.

I may get a chorus of boos on this one, but from what the World Boxing Association has presented as the way it conducts business at the championship level, and those things I know to be factual, I can come to one conclusion, and one conclusion only.

Kirk Johnson deserves to be granted an immediate rematch by the WBA.

Whether you really want to see it or not.

fightpage@totalaction.com

WHY KIRK JOHNSON MUST BE GIVEN A REMATCH

Written by Charles Jay
Monday, 05 August 2002 18:00

Copyright 2002 Total Action Inc.