

Written by Charles Jay
Wednesday, 07 August 2002 18:00

Sometime today, it will be announced that Duva Boxing, the promoter of Kirk Johnson, who was disqualified in a World Boxing Association heavyweight title fight against John Ruiz on July 27, has filed a formal appeal with the WBA, partially on the basis of a violation of Section 16, Paragraph 2 of the WBA's Championship Regulations, which calls for the presence of "neutral" officials (officials not of the same origin as either fighter) in title bouts where the fighters hail from different countries. This rule and its ramifications were covered in more detail in the previous chapter.

Johnson's people, who are seeking an immediate rematch, are also claiming that this lack of neutrality resulted in the appointment of Joe Cortez as the referee for the fight, and allege that "errors were committed by Mr. Cortez, some of them using bad judgment and some which clearly violated the written rules." They also claim that they lodged protests about Cortez before the fight, to no avail.

Since the first story, suggesting this course of action, appeared a couple of days ago in TOTAL ACTION, I have received a minimal amount of negative feedback. Most of it filled two general categories:

"Why would we want to see this fight again?",

and

"Johnson has no right to anything. He didn't complain BEFORE the fight."

I'll be happy to address both of these objections.

First of all, as much of a consumer advocate as I like to think I am, this whole thing is not about whether the fight was bad, or whether YOU, the fan, want to see John Ruiz fight Kirk Johnson again. This is about a certain form of "justice" one side is seeking in this matter, as per its own perception of events. Whatever comes down as the final ruling on the Johnson appeal, the marketplace will take care of the situation, as it usually does. If the fight has no "appeal" (pardon the pun), it will sink; if enough people want to see a rematch, it will swim.

We'll get to the other objection in a few minutes.

With this appeal having been filed, the WBA now finds itself in a very interesting situation. It's both a quandary, and an opportunity, at the same time. I say that because the timing of this thing is such that it is bound to have some far-reaching effects on the way the sport is regulated on a championship level.

There's a potentially explosive situation brewing out there. Last week at the convention of the Association of Boxing Commissions (ABC) in Miami, one hot topic of discussion was

Written by Charles Jay
Wednesday, 07 August 2002 18:00

the conflict that occurred between the Indiana Commission and the World Boxing Council when it came to the selection of officials for the Vernon Forrest-Shane Mosley fight; a battle in which Indiana commissioner Jake Hall was supported by the ABC, and by us too, I might add.

Deliberation on this issue got ugly, culminating in an exchange of insults between WBC officials and ABC attorneys. When all was said and done, a decision was reached on the recommendation that was to be made for inclusion into the proposed Professional Boxing Amendments Act of 2002 - it wasn't the compromise proposal suggested by yours truly in Chapter 41 of "Operation Cleanup", but instead a provision which "requires that judges and referees be assigned for each match by the appropriate boxing commission WITHOUT the interference from sanctioning organizations."

Translated, this means that war has been declared - between the sanctioning organizations on one side, and the ABC, and/or the United States Boxing Administration (if Senator McCain's bill eventually passes) on the other.

Believe me, there is going to be a tremendous amount of resistance on the part of the sanctioning bodies, who want to preserve, at least to some extent, their methods of appointing officials and implementing championship rules and regulations.

The first battleground could very well be Nevada, the only state, at least as of now, which takes sole and exclusive responsibility unto itself to name officials for world championship fights.

This exclusivity is what, in effect, precluded the WBA from implementing the aforementioned "neutrality" rule in its Championship Regulations - even partially.

I say "partially", because in recent years the WBA has had great difficulty negotiating an entirely neutral set of officials for title fights here in the United States - something on which it has had no problem getting cooperation in virtually every other country in the world. The best they're usually able to do is get two neutral judges out of three ("neutral", as per their definition in Rule 16.2). For the Ruiz-Johnson fight, they got none of that from Nevada.

This brings me around to answering the second objection I referred to earlier --

"Johnson has no right to anything. He didn't complain BEFORE the fight."

There's something to be said for this, and no doubt any opposing forces would use it as a principal argument. Let me explain the difficulty with that argument, though:

To start with, Johnson's people assert that they DID protest to Nevada AND the WBA about Cortez, and claim to have some sort of documentation to back that up.

Aside from that, though.....

Written by Charles Jay

Wednesday, 07 August 2002 18:00

By virtue of its posture in this matter, Nevada was, for the most part, inflexible. As I explained in the preceding chapter, Marc Ratner told me the best he has prepared to do was to supply one international judge, and that judge (Stanley Christodoulou) was unavailable. Therefore, there were going to be four Nevada officials - no ifs, ands, or buts.

What that meant, virtually by definition, was that no protest, formal or otherwise, that was going to be made on the part of Kirk Johnson, was going to bring about a favorable result for him. There was not, under any circumstances, going to be anything other than Nevada officials in the fight; not that Ratner was breaking any of his own rules there - it happens to be part of his own regulations. However, the effect of this inflexibility was that Johnson could not avail himself of any kind of "due process" that might come with a protest, at least anything that wasn't going to be dismissed summarily, with the Nevada commission. That left him only an appeal to the WBA - after the fact.

Yeah, I know what many of you must be saying - "Well, if he didn't like the officials, he should have never gotten into the ring."

If you don't mind, allow me to clue you in as to how the boxing world REALLY works -

Never mind Johnson's status as the mandatory challenger - that kind of thing can be changed in an instant by an organization that is so motivated. Stripped of any opportunity to file a formal protest that would have brought about anything in the way of a positive result, Kirk Johnson's alternatives pretty much came down to these -

1) To go ahead with the fight, with a team of officials that not only shared the same country of origin, but also the same state of residence, as his opponent; or

2) Pull out of the fight on "principle", while in the process - losing a payday, possibly defaulting on a bonus, risking a blackball by the major television outlets, probably incurring more than one lawsuit (which costs money to contest, whether you're right or wrong), and quite possibly blowing his mandatory position as #1 challenger.

Not particularly appetizing.

If I had a fighter in that situation, I doubt I would have chosen Alternative #2. And I don't know too many other people in boxing who would either.

But there is something I can say with a relative degree of certainty - the WBA had better be very careful in the way it handles this matter.

If the WBA were to disallow Kirk Johnson's appeal - which, remember, is being made on the basis of the violation (or non-enforcement) of the "neutrality" rule - it will, in effect, be disavowing its own rule, declaring that it is, for all intents and purposes, moot, and unenforceable anywhere. Clearly it doesn't want to do that.

If the WBA were to turn down the appeal on the basis that its rule has effect everywhere

Written by Charles Jay
Wednesday, 07 August 2002 18:00

BUT Nevada, it would be tantamount to saying that it is unenforceable in any state that will not allow it to be enforced, even partially. Anyone want to venture a guess as to how quickly all 43 states with boxing commissions might line up behind Nevada, with the encouragement of the ABC, if the WBA ruled in that manner?

Obviously they don't want to do that either.

Neither do these people want to give Johnson some kind of relief, then turn around and amend the rule on "neutrality" to make Nevada an exception to it, because that would more or less be opening the door for other states, who might wish to adopt a similar policy to Nevada's in the future.

The opportunity here exists in what may be the WBA's desire to make a statement, relative to the posture the ABC has adopted - that if need be, it is prepared to act independently of a ruling made by a local jurisdiction, if it feels such a ruling can serve to "right a wrong", or if the involuntary omission of one of its rules may have legitimately had an impact on either the quality of the supervision of the fight, or the result itself.

Of course, such a practice can have a deleterious effect, if it is abused. So any organization - whether it's the WBA, the WBC, or the IBF - had better be sure they are indeed rectifying a injurious situation caused by factors that were out of their control, or else they're not going to have a leg to stand on with the public.

One thing that's important to remember - these parties are not going into a court of law for this process. This ruling will be made by the WBA and the WBA alone, and it will be made with a keen eye toward what is in the WBA's best interests.

And at the end of the day, the WBA and Kirk Johnson may just find that their interests are quite consistent with each other.

Is that good or bad? You decide for yourself.

fightpage@totalaction.com

Copyright 2002 Total Action Inc.