

## OH, WHAT A TANGLED WEB WE WEAVE

Written by Charles Jay  
Monday, 14 October 2002 18:00

---

No doubt you're aware of the special hearing this Wednesday where the WBA will explain its movements in the latest heavyweight rankings. Such moves have caused a firestorm of controversy - the focus of which involves Kirk Johnson, moved from 1st to 5th after his disqualification loss to John Ruiz, then, inexplicably, all the way down to #10. At this moment ABC President Tim Lueckenhoff wants the WBA prosecuted under the Ali Act, and commissions are lining up to deny sanctioning fees to the organization.

The root of all this trouble could very well be traced back to the fateful September 12 hearing where the WBA rendered a decision that could - over the course of time - greatly reduce its strength in the United States, then took the action that has, in the minds of many, put it into immediate peril.

At this hearing, in which Kirk Johnson protested his DQ in the July 27 heavyweight title fight against Ruiz, the WBA Appeals Committee ruled against Johnson's motion, citing the appeal as "extemporaneous", which I guess, within this context, meant that it was more or less contrived after the fact and based on nothing more than the Johnson camp's dissatisfaction with the final outcome.

Certainly, the fact that Johnson didn't file a protest, in writing, before the fight took place gave the committee the impression that they were "playing the result". As Tony Cardinale, the attorney/co-manager for Ruiz pointed out, the fact that there was no written protest in advance would seem to constitute "waiver", in which Johnson's people surrendered their right to protest subsequent to the fight. Well, the WBA appeals procedures provide for protests to be filed with the Appeals Committee up to eight business days beyond any fight that would be in question, so we could argue about that a little. Whatever.

My arguments, and motivation, were different than either party at the hearing in that it was more academic in nature. My concerns were with the consistency of the enforcement of rules and how that was going to affect organizations like the WBA within the atmosphere that is brewing in boxing here in the United States; one that may or may not change dramatically over the next year or so.

That's why I addressed the committee at this hearing, which, as it turns out, became part of Johnson's case, since according to the WBA, it had to be entered on behalf of one side or the other.

I had no qualms at all about offering testimony at the hearing, since I think what is being done in the process of compiling this series of stories is activist in nature anyway. And I didn't have any problems speaking for the Johnson side, because I considered it to be a logical extension of the conclusion I had already come to - independently - in previous chapters of "Operation Cleanup".

## OH, WHAT A TANGLED WEB WE WEAVE

Written by Charles Jay  
Monday, 14 October 2002 18:00

---

This is basically what I told them -

Greg Sirb, the director of the Pennsylvania commission and "Past President" of the Association of Boxing Commissions, sent a memorandum to the ABC membership on August 8; he forwarded it my way on August 21, so I figured I had a right to read it and quote it. What it said, as concerned the subject of Kirk Johnson and his protest, was:

"FIRST: the current situation (the appeal of Kirk Johnson) concerning his loss to John Ruiz in Nevada on July 2002. If the WBA does indeed rule in favor of Mr. Johnson that the officials were not 'neutral' (although I have yet to have the term neutral specifically defined) as is according to their rules - then this would put the WBA in direct odds with the federal law - which states all referees and judges must be certified and approved by the local boxing commission.

The Nevada commission, as would any commission, was well within their right to select officials for this and any other match. The problem is that we as commissions are going to continue to have this sort of problem if the WBA and any other organization has in their by-laws/regulations that they indeed must approve officials or that officials must be 'neutral'. The bottom line is that each commission has the backing of federal law to have the final say on the selection of officials. I think each organization should start to take the time to read the federal law and seriously revisit any wording that suggests that they (the organizations) control the authority over the selection of officials because if they don't, then there are going to be many more appeals like the Johnson case. Particularly, if the WBA rules in favor of Johnson.

It is very possible that each time boxer losses (sic) his management team can file an appeal based on the fact that the organization did not follow their (selection of officials) procedures, which as I pointed out is in direct conflict with the federal law!"

In effect, what Sirb was saying was that if the WBA ruled in favor of Johnson, he would have considered that a setback for the ABC; if they ruled against him it would be a victory.

Let me dissect this statement a little further. First of all, the term "neutral", as applies to the World Boxing Association, is defined very clearly in Section 16, Paragraph 2 of the WBA's "World Championship Regulations and Rules":

"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."

The idea that the WBA, by having neutral officials for a fight, would be operating in direct conflict with federal law is inaccurate, at the very least. But it is not difficult to figure WHY Sirb feels this way, when you come to the realization that he did not accurately interpret the federal law that is CURRENTLY IN PLACE.

Here is Section 16 of the Muhammad Ali Boxing Reform Act, as is contained under the title

## OH, WHAT A TANGLED WEB WE WEAVE

Written by Charles Jay  
Monday, 14 October 2002 18:00

---

### "JUDGES AND REFEREES":

"No person may arrange, promote, organize, produce, or fight in a professional boxing match unless all referees and judges participating in the match have been certified and approved by the boxing commission responsible for regulating the match in the State where the match is held."

What that means is just what it says - CERTIFIED and APPROVED by the boxing commission.

That doesn't say SELECTED or APPOINTED. The way this law is written, it seems to automatically contemplate that there is one entity who would be offering the officials for approval, and another entity (the commission) that would actually APPROVE them.

Otherwise, the law would have specifically stated that the boxing commission is solely responsible for SELECTING the officials. Certainly, if the state commissions were to be selecting the officials unilaterally, the term "certified and approved" would not even be included in the language, since it would no doubt be redundant. After all, one must pre-suppose that if an entity were SELECTING the officials, it would be implicit that the entity would have already APPROVED them, wouldn't it?

It is very clear to me that the spirit of the law was not intended so that one party alone would have the authority to appoint officials, at least for championship fights, without input from the other entity. I know this because when I was reading the brand-new legislation that is going to be up for consideration in Congress - the Professional Boxing Amendments Act of 2002 - it took into consideration the involvement and some degree of participation on the part of the sanctioning organizations. Look at Section 115 (c), at least the way it read as of September 12, the day of the hearing:

"(C) SANCTIONING ORGANIZATION TO PROVIDE LIST - A sanctioning organization --

(1) shall provide a list of judges and referees deemed qualified by that organization to a boxing commission; but

(2) may not influence, or attempt to influence, a boxing commission's selection of a judge or referee for a professional boxing match except by providing such a list."

This, at the very least, invites input from the sanctioning bodies, while vesting the final authority in the hands of a local commission. This is not as democratic, or as forward-looking, as the plan that was set forth in

### Chapter 41

of this series, but it's not necessarily dictatorial.

Like many things, it's open to a fairly wide range of interpretations. For example, one could argue that it means the sanctioning body would provide the list, then the commission would choose FROM that list, without any further suggestion from the sanctioning body, which is

## OH, WHAT A TANGLED WEB WE WEAVE

Written by Charles Jay  
Monday, 14 October 2002 18:00

---

okay. Or it could mean that the commission can look at the list, completely ignore the names on it, and name their own officials without anyone having the right to lodge an objection.

Of course it needs to be made more explicit. And once again, I stress that for the best solution, go back to

### Chapter 41

. Anyway.....

In any event, the wording of that law means nothing because it hasn't passed.

Certainly, though, there is no secret as to the way the leadership of the Association of Boxing Commissions interprets this.

In a memo it gave out to the members at the annual convention in July, entitled "Summary of the Professional Boxing Amendments Act of 2002", this bullet point is made -

\* Requires that judges and referees be assigned for each match by the appropriate boxing commission without interference from sanctioning organizations."

Clearly they want the sanctioning bodies to have as little input as possible. And just as clearly, if they had their way they'd put them out of business.

Naturally, if they want to do that, it would help to come up with an alternative. But actually, the legislation that is in place prohibits the ABC from becoming involved with ranking fighters or sanctioning championships.

This is typical of the mentality that pervades the ABC; they're quick to point out a problem, but there's no solution to it that will actually work. Or they want to change something but don't really have a reason for it. They see the forest, but miss the trees. Or else it's the other way around.

Just think about the statement made by Sirb in his memorandum - "The problem is that we as commissions are going to continue to have this sort of problem if the WBA and any other organization has in their by-laws/regulations that they indeed must approve officials or that officials must be 'neutral'."

I wouldn't think I'd hear someone actually OPPOSED to neutrality, but I guess that's what I'm hearing. And I'm going to assume this reflects the general attitude among the people who in leadership roles at the ABC. I really don't understand what the argument AGAINST neutrality is. I will take issue - strongly - with the sanctioning bodies on many things, but to me, this is one of the rules that makes sense - not necessarily because you're going to, by definition, get better officials or officials that are fairer. But you're removing the possibility that there might be nationalistic considerations involved. And quite simply, by taking

## OH, WHAT A TANGLED WEB WE WEAVE

Written by Charles Jay  
Monday, 14 October 2002 18:00

---

enough care that the judges or referee for a fight are NOT from the same country as one contestant or the other, you are removing another thing that one side or the other can bellyache about after the fight is over.

It's probably fair to say that while I do not necessarily stand up alongside the sanctioning bodies, I still stand up for the rule - the principle.

And I thought I could expect that regardless of any rules, or interpretation of them, that may have existed on the part of state commissions, the WBA would have made a statement for THEIR own basic principles - the ones they seem to have taken the trouble to put down in writing.

I figured they'd have thought that since they had spent the effort to make neutrality a part of their rules, they would have decided it was important enough to stand up for.

And if they were going to stand up for it, they had to stand up for Kirk Johnson, didn't they?

Well, they didn't.

They provided the ABC people - the people would like to usher them out the door - with the victory they craved.

What they did was fuel suspicion that somewhere, there may have been an inclination to prejudice Johnson before and during the fight with Ruiz. Could you blame Johnson's people for having that kind of paranoia, given the subsequent events?

And as I sit here, I just can't help but think that if those guys would have listened to what I was saying - if they had given Johnson any relief; any road map whatsoever by which to earn himself another opportunity for a title shot, they might not be embroiled in the situation they find themselves in now. That's because some factions in the organization would not have felt compelled to punish him, or to acquiesce to outside parties who for some reason thought it necessary to do that.

And we'd have a whole different ballgame.

[fightpage@totalaction.com](mailto:fightpage@totalaction.com)

Copyright 2002 Total Action Inc.