

“ONE FOOT AND THREE TOES
IN PRISON”:
REMEMBERING MUHAMMAD ALI

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1.

WE WERE DRIVING ACROSS NEW JERSEY, heading toward the George Washington Bridge. My wife checked her phone to have a look at traffic ahead. She scanned the headlines on a news feed, looked up and said, “Muhammad Ali has passed away.”

By coincidence, we had just been talking about a friend, once a dynamic educator, now severely debilitated by Parkinson’s. I never for a minute believed that Parkinson’s was the primary cause of Ali’s gradual slowing and slurred speech that we witnessed on television over the decades. His symptoms mirrored exactly the ones I saw in half a dozen or more guys that I boxed with and trained for most of the 1980s in the hot confines of the basement of St. Anthony’s Youth Center and the Larry Holmes Gym in Easton, PA. Those guys didn’t have Parkinson’s. They were going punchy.

I loved those guys. Several were promising pros. I had been nothing more than a decent high school athlete, who, in his mid-twenties, having followed Ali’s career and read a good deal of Mailer, Hemingway, and A.J. Leibling, made the stupid romantic decision to have a go at boxing. I had no business mixing it up in the ring with the likes of Bobby Johnson, Sam David, Leon Drummond, and a host of other aspiring and accomplished fighters who had been drawn to the hometown of the longest reigning heavyweight champion. They could have killed me if they had wanted to. But they did not want to, because by an incredible stroke of luck they were all basically nice guys. More importantly, they accepted me as a team member under the leader-

ship of veteran trainer Earnee Butler, the man who taught Larry Holmes how to box. Thanks to Earnee, who used me judiciously as a sparring partner, and, later, as an assistant trainer, I still have enough brainpower to write this essay.

After reaching Manhattan, Deb and I strolled through an exhaustive exhibit of over 300 pieces from the 1960s collection at the Museum of Modern Art. Why, I wondered, was Muhammad Ali nowhere to be seen? His inclusion should have been a curatorial no-brainer. Ironically, in her review of the show, *Times* critic Roberta Smith attributed the “blinkered view” of the exhibit to the fact that five of the six curatorial directors at MOMA are men (Smith). To me, it translated as a double irony: how the hell do five *men* charged with compiling an exhibit about the Sixties ignore Ali—the most-recognizable figure of the decade and, arguably, the twentieth century?

Leaving MOMA, we headed to TKTS in Times Square, hoping to score matinee tickets. I used to enjoy photographing in Times Square, but these days I’m leery of setting foot there. Deb is uneasy about the presence of heavily armed security teams. She doesn’t like being around automatic weapons. I’m not bothered by the weapons themselves. What terrifies me is knowing how absolutely useless those weapons will be if and when an attack is ever carried out in Times Square. Anyone reading this essay is capable of sitting around with a few friends over coffee and within an hour imagining dozens of ways the events of Orlando and Paris and Brussels and (fill in location of your choice) could be reenacted there.

Luckily, the TKTS line for play tickets is always much shorter than the line for musicals. I hate musicals. I’m often embarrassed when talking about them with friends. No, I haven’t seen *Hamilton*. Or *Jersey Boys*. Or *Les Mis*. Or *Cats*. You name the musical, I haven’t seen it. I once tried *Spamalot* and had to leave after the first act. Ali, incidentally, starred in *Buck White*, a musical staged at Broadway’s George Abbott Theater in 1969. Though the show closed after only seven performances, *New York Times* critic Clive Barnes reported that Ali, “sings with a pleasant, slightly impersonal voice, acts without embarrassment and moves with innate dignity” (Viagas). I found a few video excerpts online and agree—Ali was a natural.

After a short, nervous wait, we purchased tickets for *The Curious Incident of the Dog in the Night-Time*. The story is about an autistic boy who is accused of a crime he didn’t commit. The first act is compelling. Everyone can relate to the theme. Studs Terkel once said he could get even the toughest in-

interview subjects to open up by asking the question, “Have you ever been accused of something you didn’t do?” Ali certainly could have related, having been accused of cowardice and treason after refusing to be inducted into the armed forces in 1967. The price he paid, of not being able to compete from age 25 to 28, the three peak years of athletic ability for most boxers, was one shared by no other professional athlete I can think of.

Michael Jordan, by comparison, the greatest athlete of his era, was asked in 1990 to support Harvey Gantt, the black mayor of Charlotte, in his campaign for the Senate against incumbent Jesse Helms. For those too young to remember Helms, he was a five-term, one-man racist institution in the Senate, who opposed making Martin Luther King Jr’s birthday a national holiday, opposed federal funding of the arts, and opposed just about any bill or cause supported by any Democrat, ever. Jordan refused to support Gantt, commenting, “Republicans buy sneakers, too” (Granderson).

At intermission of *The Curious Incident*, I received an email from the editor of this publication. The subject line said *Urgent*. Phil Sipiora asked if I would be interested in writing an article about Ali for the *Mailer Review*. I felt honored. “Yes,” I replied . . . “I’m in.”

The idea of an editor reaching out to me is especially moving because for the past two years I’ve given up on myself as a writer and photographer. The short version of the story is I became discouraged when friends and fellow writers expressed little interest in my new book and a recent photo exhibit. I stopped writing and taking pictures. Backed out of several readings. Deleted my *Facebook*, *Instagram*, and *Twitter* accounts. Burned a manuscript I’d worked on for four years. I felt much better, but still not totally resolved. Then, several weeks ago, my wife woke me up to having committed the unforgivable sin of feeling sorry for myself.

“Stop taking it personally, Bill. Who the hell has time to read books these days?”

Like a stiff jab in the nose, it got my attention. How, exactly, *do* Americans spend their time? I looked it up. For one thing, according to a 2015 study by Deloitte, Americans check their phones 8 billion times a day (Eadicicco). The new opium of the people. Americans also spend an average of 156 minutes a day watching television—more than all other leisure activities combined—as opposed to 19 minutes a day reading (Libresco). She was right, the situation is hopeless. Earnee Butler’s raspy voice echoed from the basement of St. Anthony’s.

“Circle! Slide! Move side-to-side!” he used to remind us from the corner when we got tagged in the ring during sparring sessions. “Keep moving till your head clears.”

While circling, I reflected on what Ali was accused of, the *real* indignities he suffered as opposed to my pathetic imagined ones, and how he dealt with his challenges—not as a boxing champion—but as a champion of character. As an American.

2.

On April 28, 1967, at the Armed Forces Induction Center in Houston, Muhammad Ali refused three times to step forward to be sworn into the United States Army (History.com). While there is some mild online controversy today over whether Ali said the exact words, “I ain’t got nothing against them Viet Cong,” on that day, he was filmed numerous times during this period, eloquently expounding on his reasons for opposing the war. Referring to the Vietnamese people in one of many videos available on *YouTube*, Ali says, “How am I gonna go shoot them, poor little black people, babies and women and children, how am I gonna go shoot them poor people? Let them just take me to jail” (*Ali*).

In another filmed statement, delivered on a college speaking tour, he addressed his critics who claimed that being a boxer was similar to being a soldier: “They say that actually every time I enter the ring, in a way, I am going to war. They say to me dearly, you are a prize fighter, what’s the difference, and I would like to say to those critics of the press and to the others that there’s one hell of a lot of difference in fighting in the ring and going to war in Vietnam. Boxing is like nothing like going to war with machine guns, bazookas, hand grenades and bomber airplanes. My intention is to box, to win a clean fight, but in war the intention is to kill, kill, kill, kill and continue killing innocent people, that’s what the vision is in war” (*NBC News*). Ali foresaw what has become referred to as *moral injury*, which is being studied and written about in depth today and recently brought to the attention of a wider audience through David Brooks’ column in the *New York Times* (Brooks).

Less than a month after he refused to be inducted, after deliberating for twenty minutes, an all-white jury convicted Muhammad Ali of draft evasion, a felony. He was sentenced to five years in prison and fined \$10,000. The same day, the New York State Athletic Commission suspended his boxing li-

cense (“Clay”). Every other state followed suit. Additionally, Ali was required to surrender his passport, preventing him from continuing his boxing career overseas (Lederman). Not that it would have made much difference, since the World Boxing Association stripped him of his World Heavyweight Champion title.

Because of ongoing legal proceedings, Ali did not go to jail. He was, however, under close surveillance. The FBI wiretapped numerous phone calls between him and Elijah Muhammad, his religious mentor, and also with Dr. Martin Luther King, Jr. The following year, the Court of Appeals denied Ali’s appeal. Because Ali was such a public figure, Chief Justice William Brennan thought it was crucial for the Supreme Court to hear Ali’s case and the Court did so in 1971. Boxing fans today know that Ali prevailed and subsequently returned to the dramatic Act II of his career, which included losing the *Fight of the Century* to Joe Frazier in 1971 and regaining his title from the seemingly invincible George Foreman in the *Rumble in the Jungle*, seven-and-a-half years after losing it as a result of an illegal conviction. But few know how close he came to not getting that chance (Lederman).

The Supreme Court initially voted 5–3 to uphold Ali’s conviction; however, the official decision had not been written, and discussion among the justices continued. Only eight justices voted, because recently appointed justice Thurgood Marshall, the first African American to serve on the court, recused himself on grounds that he had been the Solicitor General when Ali was first charged. Marshall had also headed the NAACP Legal Defense Fund, which was supporting Ali (“The Trials”). Interestingly, Marshall’s participation might actually have been a detriment to Ali’s cause. Marshall was a frequent target of scorn from Elijah Muhammad and Malcolm X and their followers, who regarded him as serving the white man’s interests. Marshall, in turn, despised the Black Muslims.

In the words of Thomas Krattenmaker, a clerk to justice John Harlan Marshall, “At this point, metaphorically speaking, Ali had one foot and three toes in prison” (“The Trials”). Krattenmaker, whose name is not commonly associated with the case, became Ali’s behind-the-scenes Supreme Court savior.

Due to justice Harlan’s failing eyesight, Krattenmaker frequently read to him, and the two had a close relationship. Krattenmaker was preparing another case relating to conscientious objectors and introduced Harlan to Elijah Muhammad’s book, *Message to the Blackman in America* (Lederman).

“When you read *Message to the Blackman* and *The Autobiography of Malcolm X*,” he explains in the documentary *The Trials of Muhammad Ali*, “if you took the law literally, seriously, you cannot distinguish between the Jehovah’s Witnesses and the Nation of Islam on this particular point. And so we’ve got a legal precedent.” Jehovah’s Witnesses had been granted conscientious objector status in earlier cases (“The Trials”).

After considering the new information, Harlan reversed his vote, turning it into a 4–4 tie. If things had stayed that way, Ali’s conviction would have been upheld. To make matters worse, Ali and the public would have never found out why. By tradition, Supreme Court cases resulting in a tie vote are not made public (Calamur).

Justice Potter Stuart became more deeply interested in the case and dug further into the legal archives. He discovered a technicality that would exonerate Ali, without allowing everyone else who claimed to be a member of the Church of Islam to automatically qualify as a conscientious objector. The court ruled that the prosecutors in Ali’s original appeal had not stated specifically *which* criteria he failed to meet as a religious objector. They voted 8–0 to overturn the conviction (Lederman).

During this period, Ali also sued the New York State Athletic Commission on the grounds that it had suspended his boxing license in violation of his constitutional rights, citing the Due Process Clause and the Eighth Amendment’s prohibition on cruel and unusual punishment. Ali’s initial argument was rejected, but in similar fashion to his Supreme Court case, a judge provided a path that led to eventual victory. In a note to his decision denying Ali’s complaint, U.S. District Judge Marvin Frankel pointed out that a much stronger case could be made based on the Equal Protection Clause. Ali would need to produce facts demonstrating that other individuals “far more likely to be detrimental to the interests of boxing” than Ali had been licensed. The judge also granted Ali and his legal team time to research and re-plead their argument.

In short order, examples were compiled of New York State boxing licenses “granted, renewed, or reinstated to individuals who had been convicted of one or more felonies, misdemeanors or military offenses involving moral turpitude on at least 244 occasions—including for second-degree murder, burglary, armed robbery, extortion, grand larceny, rape, sodomy, aggravated assault and battery, embezzlement, arson, fraud, impairing the morals of minors, and desertion from the Armed Forces” (Lederman). Rocky Graziano

and Sonny Liston were among the luminaries named. Taking these examples into consideration in his decision of December of 1969, Judge Walter Mansfield explained that since the commission had denied Ali the ability to earn his living in his chosen profession during his prime years, it was essential that his license be reinstated immediately, since he had only a limited number of years remaining in which he could perform at the professional level. Unless granted a license to compete, the judge noted, the harm to Ali would be immeasurable and irreparable (Lederman).

The next year, Ali resumed his career in Georgia, of all places, where Lester Maddox, the face of American racist politics, was governor. Prior to getting into politics, Maddox owned and operated a restaurant in Atlanta. In 1964, in defiance of the recently passed Civil Rights Act, Maddox chased three black students out of the restaurant with a gun. His white patrons assisted, brandishing axe handles (Grimes). However, during his later tenure as governor, Georgia had no laws governing the administration of boxing. Once Ali's license was restored in New York, a group of black and white promoters secured a Georgia boxing license for Ali, along with venue rights in Atlanta ("The Trials").

"Governor Maddox doesn't like it, but he can't stop it," quipped NBC Nightly News anchorman David Brinkley, barely able to suppress a smile from breaking through his usual deadpan delivery. Maddox called a press conference, declaring a "statewide day of mourning because this terrible thing has happened." The fans didn't quite see it that way, and attendance at the sold-out arena was a who's-who of celebrities, including Coretta Scott King and Dr. Ralph Abernathy. Though noticeably thicker and somewhat less fluid in his footwork, Ali made short work of Jerry Quarry, a dangerous contender, stopping Quarry by TKO in three rounds ("The Trials").

3.

For the remainder of his career, Ali's once-flowing style in the ring was noticeably more flat-footed. He danced on occasion, but only for short periods. Once in a great while, he even dusted off the old Ali shuffle—reversing the position of his feet several times in quick succession to freeze an opponent. At those times, he appeared to be imitating his younger self in order to stir up the crowd, rather than gliding naturally, as he once had. That is not to say he lost his genius for ring generalship, best evidenced in the way he maneuvered Foreman into position for his eighth-round KO in Zaire. I have often

wondered, if Ali had not lost his three best years, might he have retired earlier, less damaged? I doubt it, considering he had an ego equal in size to his immense talent.

Conversely, what if he had never been allowed to return to the ring? Possibly he would have lived a longer and healthier life, or enjoyed a career in the media. Or, in the mold of Arnold Schwarzenegger and Donald Trump, two other larger-than-life personalities, he might have gone into politics. We could have done worse.

In his speech explaining the difference between boxing and war, Ali also said, “to those of the press and those of the people who think I lost so much by not taking the step . . . I haven’t lost one thing. I have gained a lot. Number one, I have gained a peace of mind. I have gained a peace of heart” (*NBC News*). While hoping for the opportunity to apply his talents in the ring, Ali clearly accepted the consequences for the legal processes he had set in motion at the Armed Forces Induction Center. History will show that the most memorable and courageous application of Muhammad Ali’s celebrated footwork happened on the day he stood still.

WORKS CITED

- Ali On The Vietnam War—Draft.* YouTube. YouTube, 20 Feb. 2011. Web. 25 June 2016. <<https://www.youtube.com/watch?v=HeFMyrWlZ68>>.
- Brooks, David. “The Moral Injury.” *The New York Times*. 17 Feb. 2015. Web. 25 June 2016. <<http://www.nytimes.com/2015/02/17/opinion/david-brooks-the-moral-injury.html>>.
- Calamur, Krishnadev. “Muhammad Ali and Vietnam.” *The Atlantic*. Atlantic Monthly Group, 25 June 2016. Web. 4 June 2016. <<http://www.theatlantic.com/news/archive/2016/06/muhammad-ali-vietnam/485717/>>.
- “Clay v. United States.” *Wikipedia*. Wikipedia, 11 June 2016. Web. 25 June 2016. <https://en.wikipedia.org/wiki/Clay_v._United_States>.
- Eadicicco, Lisa. “Americans Check Their Phones 8 Billion Times a Day.” *Time*. Time, 15 Dec. 2015. Web. 25 June 2016. <<http://time.com/4147614/smartphone-usage-us-2015/>>.
- Granderson, LZ. “The Political Michael Jordan.” *ESPN*. ESPN Internet Ventures, 14 Aug. 2012. Web. 25 June 2016. <http://espn.go.com/nba/story/_/id/8264956/michael-jordan-obama-fundraiser-22-years-harvey-gantt>.
- Grimes, Heather, et al. “Lester Maddox and the Pickrick Restaurant.” *Freedom On Film: Civil Rights in Georgia*. Ed. Lauren Chambers. Civil Rights Digital Library Initiative, 2007. Web. 25 June 2016. <http://civilrights.uga.edu/cities/atlanta/pickrick_cafe.htm>.
- History.com Staff. “Muhammad Ali Refuses Army Induction.” *History.com*. A+E Networks, 2009.

Web. 25 June 2016. <<http://www.history.com/this-day-in-history/muhammad-ali-refuses-army-induction>>.

Lederman, Marty. "Muhammad Ali, Conscientious Objection, and the Supreme Court's Struggle to Understand "Jihad" and "Holy War": The Story of Cassius Clay v. United States." *SCOTUSblog*. SCOTUSblog, 8 June 2016. Web. 25 June 2016. <<http://www.scotusblog.com/2016/06/muhammad-ali-conscientious-objection-and-the-supreme-courts-struggle-to-understand-jihad-and-holy-war-the-story-of-cassius-clay-v-united-states/>>.

Libresco, Leah. "Here's How Americans Spend Their Working, Relaxing and Parenting Time." *FiveThirtyEight*. Ed. Nate Silver. FiveThirtyEight, 24 June 2015. Web. 25 June 2016. <<http://fivethirtyeight.com/datalab/heres-how-americans-spend-their-working-relaxing-and-parenting-time/>>.

NBC News—Muhammad Ali on Not Going to War. YouTube. YouTube, 6 Apr. 2012. Web. 26 June 2016. <<https://youtu.be/6JDM4MY71G4>>.

Smith, Roberta. "MoMA Takes On the '60s in a Welcome Shakeup of the Permanent Collection Galleries." *The New York Times*. *The New York Times*, 7 Apr. 2016. Web. 25 June 2016. <<http://www.nytimes.com/2016/04/08/arts/design/moma-takes-on-the-60s-in-a-welcome-shakeup-of-the-permanent-collection-galleries.html>>.

The Trials of Muhammad Ali. Dir. Bill Siegel. Kartemquin Films, 2013. *Netflix*. Web. 25 June 2016. <<https://www.netflix.com>>.

Viagas, Robert. "Muhammad Ali, Broadway Musical Star, Dies at 74." *Playbill*. Playbill, 4 June 2016. Web. 25 June 2016. <<http://www.playbill.com/article/muhammad-ali-broadway-musical-star-dies-at-74>>.