

## Truth & the Law & the Boxing Ring

Focussing on die **adversarial** aspect of philosophic debate aka pursuit of truth

Law: Jarndyce V Jarndyce; Regina V Phineas Finn - & in effect IRA V Army (Bloody Sunday)

Boxing: Dempsey V Tunney

Philosophy: Hume V Berkeley

BUT Law & Boxing particular, Philosophy general  
general in content, but typically personal, and adversarial, in conduct

### 1 *setting up a contest*

Law: civil claim or challenge; criminal charge

value of preliminary survey before framing charges - like Aristotle

Boxing: challenge to the holder

Philosophy. Contradiction = offence; challenge to received view

### 2 *rules of engagement*

Philosophy: X's paper then Y's paper

Law: prosecution then defence, but with cross-examination

Boxing: ding-dong

Law: Burdens of proof

Philosophy: balance of probability/best explanation?

? but heavier on one seeking to show Exception from generally accepted - eg Evolution

? or that adversary's case is daft or that adversary has wilfully misrepresented own (charity?)

Law: evidence must be admissible

Philosophy: not *ad hominem* not 'skyhook' (aka *deus ex machine*)

Boxing: the punchable area, no hitting below the belt

Law: not just expert witnesses - and open to any witness (judicial enquiry)

Philosophy: today, too confined to the professionals? compare Aristotle 'common opinion'

Law: Empirical or nothing

Philosophy: should include Logic - or even metaphysics!

Law: court should consider only evidence led

Philosophy: You, the arbiter, may raise your own points or objections

### 3 *how to be topp*

Boxing: knockout - none in Law or Philosophy

Boxing: Disqualification none in Law or Philosophy

Boxing: Concession

Law: Concession

Philosophy: Concession (too rare?)

Boxing: no points for fancy sparring or weightless punches

Philosophy: no points for handwaving

Boxing: points add to a sum, but not to a conclusion.

Law: Points must build to a consistent case.

Philosophy: as Law

Boxing: no ties

Law: not proven

Philosophy: judgement may be suspended

Law: not certain (beyond reasonable doubt) or final - appeals and retrials

Philosophy: like Law

Boxing: complete - but rematch possible.

Law a belter analogy for process - but boxing for motivation

(to save space, no entry for Boxing or Law just means no equivalent in this respect)