When I tell you - time and time again - that it's not so much a matter of the LAW you put in place as it is the PEOPLE who are going to be charged with upholding that law, I'm not just blowing smoke. The examples set in Kentucky can illustrate this perfectly:

You know, the revised Professional Boxing Safety Act has been in effect since October 9, 1996 (there's a 1995 version as well). This is a federal law, passed through the House and Senate, signed by the President, preceded by a lot of hearings and pre-interviews, glad-handing and press releases from various politicians, including John McCain, Mike Oxley, and others that no doubt insisted, "This is a positive step forward for boxing reform".

Sounds just like what we're seeing and hearing now, doesn't it?

Section 5 of the Act, titled "SAFETY STANDARDS", reads like this:

"No person may arrange, promote, organize, produce, or fight in a professional boxing match without meeting each of the following requirements or an alternative requirement in effect under regulations of a boxing commission that provides equivalent protection of the health and safety of boxers:

(1) A physical examination of each boxer by a physician certifying whether or not the boxer is physically fit to safely compete, copies of which must be provided to the boxing commission.

(2) Except as otherwise expressly provided under regulation of a boxing commission promulgated subsequent to the enactment of this Act [enacted Oct. 9, 1996], an ambulance or medical personnel with appropriate resuscitation equipment continuously present on site.

(3) A physician continuously present at ringside.

(4) Health insurance for each boxer to provide medical coverage for any injuries sustained in the match."

Terrific.

Unfortunately, there's nothing in that law prohibiting imbeciles from operating boxing commissions. I checked.

I ask you - did that law prevent Jack Kerns, the FIRST VICE-PRESIDENT of the Association of Boxing Commissions, in his capacity as chairman of the Kentucky Athletic Commission, from ensuring that three of the four aforementioned provisions would NOT be in effect on the night Greg Page met with his unfortunate ring injury in Erlanger, Ky.?

Quite obviously not. And to add to the insult, there hasn't even been a lesson learned from it. From glancing over the interrogatories associated with Page's lawsuit against the commission, Kerns, and others, is the official position of Kerns that since there was no provision in the Kentucky law to have oxygen, EMT's, an ambulance, or in fact anything beyond a stretcher (which incidentally was not available either) at ringside, that HE IS NOT RESPONSIBLE.

It is his official position that since it is the "promoter's responsibility" to have the oxygen, the ambulance, the stretcher, the insurance, that the fault should be placed squarely on the shoulders of the PROMOTER, and the commission should be free of any liability.

It is his official position that if the fighters do not register a protest and demand that a fight be canceled, that it is perfectly within his rights, and the commission's rights, to allow that fights go forward, even after the discovery that the safety provisions required by law are not present.

It appears to be his official position that a ringside physician, appointed by the commission, does not have to be licensed in his state to practice medicine.

It is not known whether Kerns or his lawyers consulted with his colleagues on the Board of Directors of the Association of Boxing Commissions before formulating this "strategy". But it should be noted that JACK KERNS IS PART OF LEADERSHIP THAT IS BRINGING YOU THE PROFESSIONAL BOXING AMENDMENTS ACT OF 2002.

Apparently, to this day, there is no acknowledgement on the part of Kerns, or fellow imbecile Nancy Black, the commission's executive director (who had never been to a fight before), that the federal law - the Professional Boxer Safety Act, and specifically Section 5 - completely overrides his own state law, unless that state law provides for "MORE STRINGENT" safety standards.

Black herself admitted to me that she didn't know what was in the federal law; as for Kerns, he hasn't spoken in public about it but one must assume he is claiming ignorance about it as well.

For Kerns, claiming ignorance as easy, though I doubt that's not going to provide any legal relief for him.

Even allowing for the possibility that Kerns can't read (I leave ALL possibilities open when it comes to boxing commissioners), there is a lawyer specifically assigned to the Kentucky Athletic Commission by the state attorney general's office. His name is Rob Jones. Evidently, Jones never schooled Kerns on this law, quite possibly because he doesn't even know it himself. That's HIS fault. We've established that Black, who is also an attorney by trade, didn't know it. That's HER fault. None of Kerns' fellow commissioners know the law, or bothered to learn it. That's THEIR fault.

I can break out transcripts from meetings held at ABC conventions in which the federal law

was specifically discussed. Kerns, who loves to take trips like this, was at these meetings, and Black is known to have been present at some of them as well.

So excuse me if I don't want to hear any bullshit from them.

The point is this - you could pass TEN THOUSAND LAWS and if regulators like Jack Kerns and Nancy Black don't feel like enforcing it, what's the use? So where's the problem - the LAW or the PEOPLE implementing it?

I mean, here you have a conspiracy of idiocy between Kerns, Black, Jones, and the rest of the Kentucky commission structure. Stupidity is a powerful thing. Consequently, it's pretty hard to overcome that kind of conspiracy.

Sure enough, they'll learn in the end - because their wallets will tell them so - that it was NOT Greg Page's responsibility to educate them on federal law - it is THEIR responsibility to know it.

But that realization will not come as a result of any mechanism that is provided for by "reform legislation"; it will come through a civil proceeding.

And by the way - as you can probably guess, Kerns is hardly the only commissioner in the United States who has ignored federal law.

The real absurdity is that, even though the law exists on the books - and it is actually not a bad part of the law (although it doesn't go far enough) - I'm not sure there is any provision included in it to guarantee its enforcement, i.e., there is no prescribed punishment for an individual or entity who violates the law.

I wonder - where were the Greg Sirbs of the world when the "do-gooder" politicians were soliciting input for this bill back in 1996? Nowhere to be found, I'm willing to bet.

Couldn't someone - ANYONE - have mentioned that an ambulance should not be an option, but a NECESSITY at a fight? Couldn't anyone have devised a way to punish a commissioner who openly flouted the law? Couldn't someone have explained to them that fighters' lives could be at stake?

No - my guess is that these guys were too busy kissing some politicians's ass to notice.

Yet, Ken Nahigian, on behalf of McCain, is ready to hand the keys to the kingdom to people like Sirb, Kerns, and the rest of the ABC's brainless-trust when it comes to establishing standards for safety, the ranking of fighters, the selection and appointment of officials, and a whole lot more.

That's a tragedy.

fightpage@totalaction.com

Copyright 2002 Total Action Inc.