

Why?

PART
TWO

Fair Chase?

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Initially, we defined fair chase as the principles of sportsmanship. Now we can define fair chase more precisely as that set of formal and informal rules or principles which limit the conditions and means by which a hunter may pursue and take wild game.

Formal rules or principles are established and promulgated by government legislation. They are legally

formal fair chase rules and principles are ordinarily morally binding because, as I shall argue throughout this essay, they are designed to safeguard and/or enhance values and virtues essential to human well being.

Formal rules are morally normative, at least in general, because they are designed to protect the welfare of the environment upon which the human

community depends for its nurture and survival. William Blackstone argued that human beings have the right not only to their lives, but also to the essential conditions for life and

flourishing. He and virtually all philosophers who have considered this question have argued that human flourishing requires a healthy, integral environment. In Blackstone's view, as in others, including Aldo Leopold, all acts, policies, and rules that contribute to the welfare and integrity of the environment should be considered morally good acts, policies

and rules, while those that harm the environment morally bad. According to the above principle, formal fair chase rules that benefit the environment and indirectly the welfare of the human community should be considered moral rules. These rules, by properly constraining hunting practices, bind in conscience the individual hunter as well as the hunting community.

The precarious state of the ecosystem, given the size of the human population and the efficiency of hunting technologies, requires that a systematic imposition of controls, legal and moral, be placed upon hunting practices if the integrity of the ecosystem is to be sustained. The history of the 18th and 19th Centuries demonstrates what could and probably will happen if such constraints were absent. The potential for even greater destruction exists today because of the massive increase in population impacting the environment and because of the improved efficiency of hunting weapons

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binding. They are objective and govern the external behavior of the hunter.

Informal principles, on the other hand, are established by the individual hunter to meet personal moral requirements. They are thus subjectively unique to the individual hunter and govern the individual hunter's attitudes, values, and actions. Both formal and in-

and associated technologies. These facts and what we know through history create a moral imperative to limit hunting practices that pose a risk to animal populations and to the environment.

Formal fair chase rules are designed precisely to meet this mandate a) by placing limits on times and seasons game may be hunted and b) by defining and constraining the methods hunters use to take game. These rules govern hunting practices which have the capacity to seriously impact the integrity and stability of the biotic community. They apply to all hunters irrespective of individual circumstance, experience, need or desire. Formal fair chase rules, therefore, constitute the objective and universal moral and legal components of hunting.

It follows that if and when hunters follow the game laws of their states they are likely practicing objective and universal fair chase principles. Furthermore, to the extent that such objective principles have application to the morality of the hunt, these same hunters are more likely than not hunting in an objectively ethical manner. Their actions benefit both the environment and the human community by properly culling herds and by providing food for the hunter and his or her family. They are positive acts that contribute to human welfare and well being.

These acts are "fair" in the proper sense of the word because they enhance the well-being and integrity of the environmental community upon which the human community depends for its welfare and survival and to which the human community has a right.

What about informal fair chase principles? Unlike the objective, universal, and legally defined formal fair chase principles, informal principles

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are unique to the individual hunter. They are situational, personal, and circumstantial. They address the quality of the hunter's intentions, attitudes, and values, in a word, the hunter's unique experience of the hunt. They govern the subjective moral character of the hunt.

Why is the subjective character of the hunt important? When I began this essay, I distinguished between the subsistence hunter and the sport hunter. I made this distinction because for the modern hunter who hunts for pleasure as well as other utility values, the moral validity of the hunt depends at least in part on the goodness or value of the pleasures experienced. This is important for the success of the moral equation because the hunter kills another living being. The hunter destroys a basic good, the life of the animal. In general, when such an action is done for food or survival, the good compensating for the loss justifies killing the animal. The equation is usually easily balanced. But when the hunter hunts for pleasure, and

only secondarily for food, the equation balances out much less easily. For the moral equation to work, the good achieved, namely, the pleasure derived from the hunting experience, along with secondary utility values, must be proportionate to or greater than the evil entailed in the death of the animal. The pleasures derived from the hunting experience, the predatory act of killing an animal, must be virtuous pleasures. If they are not, then the pleasures intended and enjoyed would be disproportionate to the evil done to achieve these pleasures. The intention to hunt would be subjectively immoral, even if the action as such were objectively moral, that is, good for the environment and species.

If what I have written so far is true concerning the principles of fair chase, both informal and formal, then the employment of informal, self-imposed principles of fair chase is morally required for the modern hunter who hunts as much for pleasure as for food. This is especially true for the experi-

enced hunter who has enjoyed years of hunting success. It is a psychological truism that frequency of activity diminishes the intensity and quality of experience. Nevertheless, it is also a truism that frequency coupled with self-imposed discipline, what is usually called virtue, tends to enhance the quality of the experience. It is a tragic fact of life that killing can become routine, even boring. On the other hand, it is also a fact of life that even the most common experiences, if coupled with reflection and discipline, can become refined and even sublime.

I believe that the reflective, disciplined hunter, who consistently practices self-imposed handicaps, informal fair chase principles, often gains insight and wisdom, deeper and more refined pleasures, from his or her hunting experience. I also believe that given the fact that more self-restraint is needed over time to foster and enhance quality experiences, it follows that every hunter, especially every experienced hunter, ought to continually





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adapt, develop, and exercise personally relevant fair chase principles to his or her personal hunting situation in order to foster virtuous habits and emotions in order to morally justify the hunt.

My argument in summary is this: informal rules of fair chase, imposed by the individual hunter upon him or herself, foster the development of virtue, enhance the pleasures concomitant with virtuous action, and lead to selftransformational insight into aesthetic, philosophical, spiritual, and moral values that exist between the hunter and the hunted. These informal rules or principles, because subjective to each individual hunter in each unique context, complement and bring to moral completion those objective formal rules of fair chase that are designed to protect the environment from undue harm. Both formal and informal rules of fair chase morally justify hunting as a uniquely human enterprise.

Conclusion

I have struggled with the question of fair chase for years. I believe the ethics of fair chase has little or nothing to do with fairness in competition. I also believe that fair chase rules are irrelevant when one is dealing with personal survival or self defense. What I have come to believe and argue for is that fair chase is the moral dimension of the hunt in so far as fair chase a) governs the impact of hunting on the environment and b) fosters the development and exercise of human virtues, and the pleasures derived therefrom, which are essential to the personal moral character of the hunting experience, the proper relationship of the hunter to the animal hunted, that justifies killing an animal for sport.

Nevertheless, one note of caution: because informal rules or principles are subjective and relative to the individual hunter, they must be

subordinated to those formal, objective, and universal fair chase rules and principles aimed at sustaining the well being and integrity of the environment. If and whenever a conflict should arise between formal and informal fair chase rules, principles and/or goals, formal rules take priority over informal. The reason for this is because the overall good of the biotic community always takes precedence over the individual good of the hunter so long as personal survival is not at stake.

If hunters observe proper fair chase rules, formal and informal, the integrity of the environment will be sustained by hunting and the hunter will gain immeasurably from the enhanced experience of the predator-prey relationship. The death of the animal will thus be morally justified by the good achieved by the hunter for the environment and for him or herself.