

CONSERVATION COMPASS

Just What is Fair Chase? A University Class Ponders the Old Question Anew - Part 1



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"FAIR CHASE" – RESPONDING TO STUDENT CHALLENGE

When discussing hunting in North America, "fair chase" rolls off the hunter's tongue with ease – but what do the words

really mean and how can they provide a guide for hunters and provide assurance to the body politic? I have tried several times to write an article about fair chase and was never satisfied with the result and put the manuscript in a drawer labeled "the cooler."

Recently, while delivering a series of lectures at the University of Montana in a graduate seminar titled "Hunting in America," the students challenged me to define "fair chase." Rather than provide an answer for them to jot down in their notebooks, I put aside the lesson plan and worked with the students to bring them

to a consensus concerning fair chase. We began, naturally enough, by listing and defining the basic terms that come immediately to mind in any discussion of fair chase by consulting the dictionary and the Boone and Crockett Club's web site.

A Prelude to Debate – Defining the Terms

In combination, the words fair and chase presuppose a contest within which the hunter "chases" a quarry in a "fair" manner. "Fair" is "being in accordance with rules, logic, or ethics (fair tactics); or "lawful to hunt... (fair game)." "Chase" is "to follow game so as to capture or kill" and "the chase" as "the sport of hunting."

Therefore, fair chase is "the logical, ethical, and lawful sport of hunting, just to both parties – hunter and hunted." Being ethical involves "expressing moral approval or disapproval" or "conforming to accepted standards of conduct."

Fair chase, the mantra of the Boone and Crockett Club, is defined by the Club as "the ethical, sportsmanlike, and lawful pursuit and taking of any free-ranging

wild, native North American big-game animal in a manner that does not give the hunter an improper advantage..." Free-ranging is further defined as an animal that is "...unrestricted within its biological home range, has adequate protective cover, and reasonable opportunity to elude the hunter." Unrestricted, biological home range, adequate protective cover, and reasonable opportunity are left to beg definition. In short, the students quickly discovered that fair chase is not described by hard and fast rules. Perhaps fair chase is better thought of as a concept.

Coming to Grips With Inherent Paradoxes

Then, we immediately came face to face with paradoxes. For example, can a contest be "fair" in which one of the contestants either dies or escapes (perhaps to lose the next contest or the next or the one after that) while the other, the hunter, runs no significant risk of death or even harm – at least from the actions of the prey? How can such be "just" to the contestant who dies?

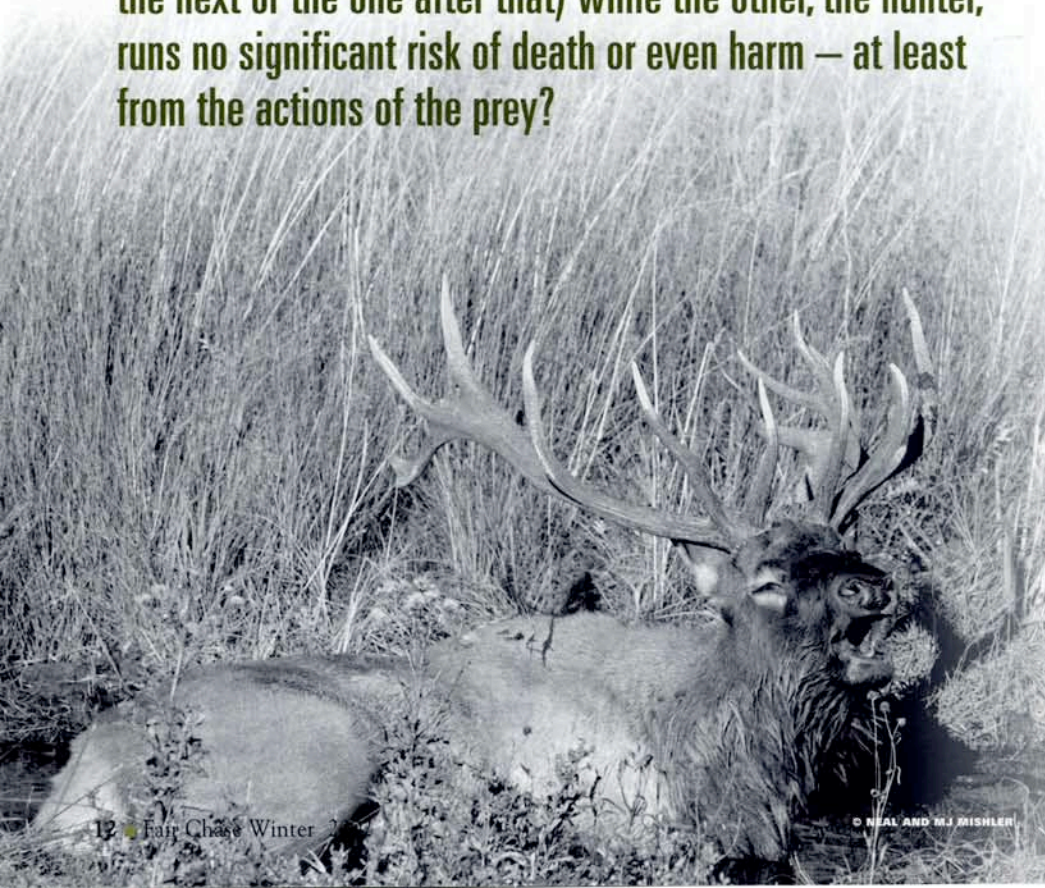
Obviously, when predators (including humans in a primitive state) must kill in order to survive, there is no concern with being "fair." Predators must be routinely successful or the predator and dependents perish. This is no game. The consequence of failure is death. Therefore, the predator takes every possible advantage over the prey to assure success and, thereby, survival. Rules, logic, ethics, and laws are without meaning in this context. Therefore, the fair chase concept has application only in the context of a "sport" wherein it defines the rules – however vaguely – and, then, only for the hunter, as the prey knows no rules.

Therefore, the contest must be placed in context attained by answers to a series of questions. Does the individual hunter set the rules? Or, are social contracts defined at various societal levels? Or, is adherence to the mores of a recognized social group(s) involved? Or, is some combination of these factors involved?

Laws and Regulations, Group Mores, and Personal Standards

Laws and regulations regulate hunting. Therefore, at a bare minimum, fair chase can be defined as religious adherence to

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those laws and regulations. These laws and regulations vary from one jurisdiction to another depending on the circumstances and traditions of the locale. For example, in some states it is both legal and customary to use dogs to drive deer to hunters – and such is a time-honored custom. This practice is strictly prohibited and socially disdained in other states with different habitat conditions and hunting traditions.

However, a social contract – formal or simply understood – within a sub-group of society may impose additional standards. Such a contract can be clearly stated or simply implied by adherence to a groups' mores. Such a social group (say an established group of companions – e.g., a hunting club or a familial group) may have rules of conduct that further defines fair chase and would prohibit, within that group, activities that are perfectly legal.

Examples of such internal rules that are more confining for the group concerned than laws and regulations might include:

- We do not use dogs to drive deer; or
- We shoot only six point or better bulls; or
- We never shoot birds on the ground; or
- We do not shoot over bait; etc.

Or, the sub-group or individual may accept rules of fair chase as described by an organization such as that put forward by the Boone and Crockett Club that were mentioned earlier. Lastly, a hunter may have individual standards of fair chase to which he or she adheres as a matter of personal choice. Examples include:

- I never shoot at a running animal due to evaluation of my individual capabilities – i.e., there is an unacceptable risk of not killing quickly and cleanly; or
- I never shoot at animals at more than 100 yards as such defines the estimation of my capability to kill cleanly and quickly, or
- I deem such to be “unfair;” or
- I will attain and maintain the skills and equipment necessary to make the kill as clean and certain as possible; and
- I will behave in a manner that will not dishonor myself, the animals pursued, the sport of hunting, and the environment.

Fair Chase, in the End, is an Individual Ethic

In the end, definitions of fair chase and adherence to the implied principle are individual matters of honor and respect for both hunting and the animal pursued. After all, hunting is neither a group nor spectator sport. The “moment of truth,” when the trigger is squeezed or the arrow released, comes when the hunter is alone (or with a select companion) and unobserved. The shot is achieved and taken under circumstances when no one, save the hunter, will ever know the exact circumstances.

Therefore, fair chase is both a societal and a personal matter. Definitions are derived and adhered to as a matter of individual conscience.

So, Why Be Concerned With Fair Chase?

So, why should there be concern with fair chase? After all, the pursued (the “chased”) dies or escapes in any case and, in dying, is oblivious to the motives or techniques of the predator. The “chased” is simply dead if shot between the eyes with a rim fire

.22 caliber bullet fired by an unlicensed hunter from a silencer-equipped rifle at 2:00 a.m. on a moonless night in August – while transfixed in the glare of a poacher's jack light – in violation of laws and regulations and fair chase standards. The same animal would be equally dead if shot through the heart by a 180-grain .30 caliber Nosler bullet fired from a legally authorized rifle by a licensed hunter on a mountainside in a late October hunting season, after a long, careful, skilled, and successful stalk conducted under fair chase standards.

What, then, is the difference? The difference lies in the human perception of which of the two acts is legal, honorable, traditional, cherished, satisfying, and – most of all – acceptable to most of society. The first act is out of bounds and the second within bounds. So, indeed, there is a difference. This is the point that the class reached after one three-hour session. But there was more to come. In the next issues of this magazine the class will explore in depth, just what fair chase has to do with the maintenance of hunting in North America. ■

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