The Morality of Fighting in Ice Hockey: Should It Be Banned?

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Abstract

Ice hockey is a popular sport throughout North America and most of Europe; however, all too often, a midgame fistfight between two players will occur. Although this behavior is not allowed at any level of play in the game rules, the fights are typically allowed to proceed to completion—especially at the professional level. Knowing that the behavior is illegal in the sport, can fighting in hockey be a moral act? Does player safety outweigh the pleasures that fans and teammates experience when they witness a fight? Should fighting in hockey be abolished? This article aims to address these ethical questions and more, using virtue, utilitarian and deontological theoretical approaches supplemented with real-life on-ice examples that have occurred.

Keywords

code of ethics, moral ethics, sport philosophy

Introduction

Countless injuries have occurred as a result of hockey fights and senseless violence, and as such, ethicists are beginning to take their positions in regards to whether a legitimate hockey fight is morally acceptable. Fights have occurred where even the fans of the game were mortified by the players' behaviors; thus, the inevitable question of whether fighting in hockey is truly a core feature of being named a *moral hockey athlete* arises. How does fighting fit in with the expectations of a hockey athlete by professional, international, and community standards? Is fighting something a hockey player is really supposed to do, both morally, and legally, within a hockey players'

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code of ethics? Should fighting in hockey be abolished from all levels of play? Using moral theory, this article aims to address these questions. In what follows, it will be identified how fighting violates what it means to be a morally correct hockey athlete and, in turn, why fighting should be abolished from all levels of hockey. First, a universal hockey player code of ethics will be constructed in order to base all arguments on existing conceptions of the ideal hockey athlete.

Since this article is addressing fighting in hockey at all levels, a combined code of ethics will be synthesized using previously established codes from sports bodies such as the National Hockey League (NHL), International Olympic Committee (IOC), and a community league in Ottawa, Canada, the Nepean Minor Hockey Association (NMHA), to ensure the list is complete on a professional, international, and community scale.

The NHL has recently partnered with the U.S. Army to create themes and values for professional game play (NHL, 2009a). Adapted from the U.S. Army code, they are as follows: (a) *Loyalty:* Bear faith and allegiance to your team; (b) *Duty:* Do what you are required to do by obligation; (c) *Respect:* Treat others as you expect to be treated; (d) *Selfless Service:* Put the welfare of your team before your own; (e) *Integrity:* Do what is right, legally, and morally; and (f) *Courage:* Face fear, danger, or adversity even if it compromises your own safety. From the IOC's code of ethics (IOC, 2007) we can include international expectations of a hockey athlete, (g) *Dignity:* The safeguarding of each player's safety. Aspects from the community level may be drawn upon using the NMHA (2009) code of conduct. It is important to include the community level so that players of all ages and skill level may be included in the discussion. The following features will be added to the list: (h) *Play for fun, not for victory*, and (i) *Practice teamwork, sportsmanship, and discipline*.

The global ideal for a morally correct hockey athlete can be summarized as one who is committed to the teams' glory yet respects and abides by the rules of the game with the ultimate reason in playing for fun. Enforcement of the code of ethics will be done by the game officials, coaches, family, and management by way of the official rulebook of hockey. With a code of ethics established, we may now draw upon theory to guide our argument.

Virtue Ethics in Fighting

Virtues and vices are traits of character that are manifested through habitual action (Rachels & Rachels, 2007). The former are desirable, whereas the latter are not. A virtue can be defined as a mean along a continuum of opposing character traits and vices as the polar-opposing traits in themselves. For example, the virtue of courage may be found between the vices of foolhardiness and cowardice (Rachels & Rachels, 2007). Edmund Pincoffs (1986) has suggested that it is these virtues and vices that we refer to when deciding whether a person is to be sought or to be avoided, or better yet, whether an action is morally correct or incorrect.

In regards to fighting in hockey, what virtue is being broken? Let us start by considering discipline. Discipline will be defined as the ability to behave in a controlled

and calm fashion even under a difficult or stressful situation. Therefore, any player who fights because (a) his team is losing, (b) a wrong was committed against him by an opposing player, or (c) it is his duty on the team shows no discipline. Fighting for these causes are not in sync with the definition of a morally correct hockey athlete, as defined in the previous section.

Next, consider integrity. By virtue, integrity is a combination of justice, and fairness, so the question becomes "Is a hockey player acting fairly, morally, and legally correct while fighting?" Although both players usually do consent to the fight, this does not mean all hockey fights are fair. For example, imagine the fight that occurred on January 31, 2004, between Zdeno Chara (6'10, 260 lbs) and Bryan McCabe (6'1, 215 lbs) (Leafclub, 2009). Fighting someone almost a foot higher, and close to 50 lbs heavier, does not seem too fair. As another piece of anecdotal evidence, consider the Jonathan Roy saga, where he brutally attacked the other teams' goalie, without his consent (CTV, 2008). In both cases, fighting seems less fair, and more immoral. What about legally? Hockey fights are against the rules in the game since a major penalty is issued to any player who fights (NHL, 2009b), and fighting in general is not allowed in society, so why should fighting continue? Hockey fights seem unjust and, at times, unfair. Furthermore, the player who chooses to engage in fighting is at disciplinary fault. Therefore, allowing players to fight defies the established code of ethics by demonstrating a lack of virtue.

Many virtues and facets of the previously proposed hockey code of ethics are defied when one chooses to fight. However, certain aspects of the code and certain virtues are still being practiced. For example, Don Cherry (2008) has argued that a player could be acting out of courage to protect another teammate; this also shows selfless service and loyalty to the team. However, such an argument neglects two crucial points: (1) Not all fights are acts of courage and loyalty for the sake of protecting the team; some are for revenge, to instigate or to strike fear into the opposing team. What at times gets interpreted as a courageous or loyal decision to engage in a fight could very well be motivated by intentions grounded in vice and, as such, could not be considered virtuous at all. Thus, on the whole, they are very wicked acts and should not be done. (2) There would be no need to act courageously in regards to fighting if there were no fight in the first place. To have this, fighting must be abolished.

In the case of a fight out of evil intent, it seems clear that this violates what it means to be a moral athlete in all regards. But in the case of a fair fight, with no evil intent, it seems that when a player is faced with the decision of engaging in a fair fight there are two conflicting sides of virtue he must attune to. On the one hand, he will be acting by self-discipline, justice, and integrity by not fighting, and on the other, he will be viewed courageous, loyal, and selfless when he chooses to fight. So, which is he to follow? Which are most important? These questions cannot be answered by virtue ethics alone, and, therefore, we will turn to utilitarianism to help guide our action.

Utilitarian Considerations

Utilitarianism is based primarily on the principle of utility, which holds that morally correct decisions are those whose consequences bring about the most happiness to the most people, with each person's happiness counting the same (Rachels & Rachels, 2007). So, with hockey fighting in question, what makes the most people happy? Does being courageous, loyal, selfless serving, and fighting yield the most happiness, or does being disciplined, just, and avoiding fighting yield the most happiness? Before this can be answered, it must be established who "everyone" is. Usually, fights are a one-on-one-type scenario, and so we will use this for our discussion.

Based on the principle of utility, in any fighting situation in hockey, no one is considered more valuable—even in a fight between Wayne Gretzkey and "John Smith." Let us consider two scenarios. In the first, Player X and Player Y mutually agree to fight each other. The fight results in Player X getting their jaw broken, and with Player Y receiving praise by his team and fans for having done it. We can assume that Player X is unhappy, given that breaking one's jaw tends to be a painful experience, and that Player Y is happy, in virtue of the fact that he is being praised for having broken Player X's jaw. In the next scenario, imagine Players X and Y mutually agree not to fight. No one gets hurt, and no praise is given. Thus, in this situation, no one is happy and no one is unhappy. So then, what do we choose—a state of affairs where one person is happy and another person unhappy, or a state of mutual complacency where neither is happy or unhappy? As the father of Utilitariansim, Jeremy Bentham states, the value of happiness is measured by intensity multiplied by duration (in Rachels & Rachels, 2007). So in the scenario where Player X gets his jaw broken, the intensity of unhappiness and duration will be quite large, whereas Player Y will be very happy but probably for a much shorter duration. Thus, in terms of magnitude, Player X's unhappiness outweighs Player Y's happiness, and therefore, it is better to choose the "no fighting" option. However, such a conclusion does not help us resolve the dilemma of deciding which virtues to follow, and when; as it stands, not fighting still seems to require the abandonment of virtue in some way. We will continue our attempts to solve this problem in the section on deontology.

Those in favor of fighting may counter that in order to consider what outcome produces the most happiness, one must include everyone—specifically the fans. It has been shown through research that the fans really do like to watch fighting for their own enjoyment (Paul, 2003). Surely there are more fans than there are players, and so one may argue in favor of keeping fighting in hockey because more happiness is produced in total for the fans. However, cases have occurred where fans (and players) have put their own enjoyment second to something more important: the players' safety. On March 8 2004, Todd Bertuzzi of the Vancouver Canucks "sucker-punched" Steve Moore of the Colorado Avalanche, causing him to break three vertebrae and suffer a concussion (CBC, 2005). Fans and players alike were completely outraged with Bertuzzi's behavior. Clearly then, there is a fine line between how much violence causes entertainment and how much violence causes social disgust. When it comes to

episodes of violence where the violence itself is kept to a minimum and no one really gets hurt, fighting is entertaining, and even encouraged. However, as soon as someone is greatly injured, the same sort of fighting is suddenly categorized as *immoral* even though the executed behaviors remain the same and the level of violence does not change. Ultimately, such a reaction suggests that fans and players care most for each other's safety, *ergo* if injury makes the most people upset, then avoiding injury should make the most people happy. In order to do this, fighting in hockey must be abolished.

When it comes to determining the total happiness that is derived from a situation where two players have chosen to engage in a fight, the most crucial notion to consider is player safety. Moreover, in a simple one-on-one scenario, it is best to avoid fighting completely if one truly wishes to maximize happiness and minimize unhappiness. However, utilitarianism has not helped solve the dilemma presented in the Virtue Theory section because virtue will be abandoned, in one way or another, regardless of the player's choice to fight or not. Consequently, the question that remains is as follows: In terms of choosing to abolish fighting from hockey, which decision will yield the most happiness for everyone, while still abiding by the code of ethics and fulfilling all virtues? The following section on deontology aims to answer this question.

Deontological Approach

Deontology is based on the concept that the right thing to do is obligatory without regard for consequences (Rachels & Rachels, 2007). This idea, central to Immanuel Kant, further states that there are two things to consider when deciding whether any action is morally correct or not. First, for an action to be morally correct, the principle of universalizability must hold. This principle argues that we must accept the action being done in all circumstances and by all people, or in other words, making that action a universal law. The second pillar of deontology is that we must always show respect for persons. Specifically, this means we must never treat people as means to our own ends and only as ends in themselves.

It is now worth considering what the possible consequences would be if one applies these two Kantian principles to the case of fighting within hockey. If one were to universalize fighting within hockey, can you imagine the possible outcomes that would derive? Undoubtedly, chaos would occur. For example, could "each time an opposing player harms one of your own, upsets you, or gets in your way, whether intentionally or unintentionally, you should fight him" be made universal? The arena would turn into a wrestling ring if this were the case and destroy the game of hockey completely. Looking back on utilitarianism, this would probably cause a lot of unhappiness for hockey fans and players alike; a vicious, never-ending circle of violence and injury would occur, and so perhaps it is best to leave this type of behavior to other disciplines of sport, such as boxing or ultimate fighting. On the other hand, what if we were to say, "Each time an opposing player harms one of your own, upsets you, or gets in your way, whether intentionally or unintentionally, you should let the game officials handle

the situation." Could this be universalized? Yes it could. The game would still continue; the player who caused the harm would be penalized, just as the rulebook outlines; and injury would be minimized. Furthermore, if the team scores a power-play goal because of the other player's punishment, then this will make the fans and the players happy—perhaps even more so than they would be from watching a fight—because it could result in their team winning the game. Thus, making fighting a universal law does not work, yet making no fighting a universal law does work. Ergo, fighting should be banned.

The second argument stems from Kant's respect for persons and is quite simple. Sometimes, a team will acquire a player for the sole purpose of being the team fighter. Because his actual hockey playing skills are subpar, his use will be to injure other skilled players, or intimidate others, and as such, the suspension he may or may not receive from this is expendable because it benefits the team as a whole. This violates Kant's law that no one must use another human as means to their own individual ends. This should never occur, and the easiest way to prevent it is by abolishing fighting from hockey. This would eliminate the need for teams to select unvirtuous goons to their team who are destined to no real purpose.

Making no fighting a universal law would force players to ignore parts of virtue and the code of ethics, for example, loyalty. How is a player being loyal to his team when he chooses not to defend one of his teammates? The answer to this question is simply that the player will represent loyalty, and other virtues, in other ways. As discussed, by choosing not to fight, the other team will get a penalty, and your teams' probability of scoring will increase for the next 2 minutes. Therefore, you are being loyal to your team by putting the greater good of the outcome of the game before retribution.

Deontology is known to support retributive, or "eye for an eye" punishment. So then how can we say that deontology proves that fighting should not be allowed? Using retributive theory, if someone hurts one of our own, aren't we obliged to harm them back? In theory, yes, this would be the case; however, if deontology were truly being applied and practiced, then the initial harm should not be occurring in the first place, thus eliminating the need for retributive punishment.

Deontology shows that fighting should not be allowed because no universal law concerning it can be made and because teams must not treat their players as means to their own ends. Furthermore, deontology allows us to answer the question based on virtue ethics, that is, which virtues to follow, by stating that no virtue is broken by electing not to fight.

Conclusion

Based on the viewpoints of classical moral theory, it is suggested that the abolishment of fighting from hockey be considered. All theories advise toward the notion that it is best not to fight to respect the code of ethics of a moral hockey athlete. By removing fighting, this will increase the number of moral hockey athletes, and hopefully, improve the quality of the game. Although this article supplies positive

and negative outcomes grounded in ethical theory associated with the banishment of fighting from hockey, the arguments of other ethicists and individuals strongly involved in hockey should be considered before any final decision is made. Specifically, the coaches, management staff, family, and fans should all be areas of concern in future ethical discussions on this topic.

Declaration of Conflicting Interests

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Bios

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