

Being Ethical as Conservation Biologists and as a Society

The voice on the phone was anxious. “I need your help. When my consulting firm took the contract to work on the Villa Incognito project, we had to sign confidentiality agreements. All our data belong to the developer. I’m afraid some important information will be withheld from the permitting agencies, but if I provide that information, I will lose my job.” I had met the biologist while I was doing fieldwork on mountain lions in southern California and she was surveying rare and sensitive plants and animals. As project leader for a high-profile study on a high-profile species, and as a postdoctoral university researcher, I had access to the entire Santa Ana Mountain Range, and I regularly encountered fellow “ologists” conducting various surveys. Now one of these colleagues faced an ethical dilemma, a conflict of interest, and severe consequences for doing the right thing. (Details of the situation have been changed to preserve anonymity, and the regulatory framework has been simplified for brevity.)

My colleague on the telephone continued, explaining her plan to circumvent the confidentiality agreement. I should visit the project site and look carefully in certain locations. She would give me detailed descriptions of a couple of key plant species—I should be able to recognize the others. I needed to visit as soon as possible and submit a comment letter within 2 weeks. As a respected naturalist with access to the site, it was entirely plausible that I would know about locations of many species, and my letter would be the only way to bring this information to light. She had thought hard about it, and would not have asked if she could have found another solution. Would I do it?

I did. And the development was scaled back to benefit rare species. Truth won out, and my colleague kept her job. In addition, as other conscientious biologists learned of the arrangement, I was approached for similar missions. I repeatedly alerted the permitting agencies to other important information. Feeling like an analog of a designated hitter in American baseball, I rather relished my role. In the most dramatic event, I testified at a pivotal hearing on listing the California Gnatcatcher as an endangered species under California law. At the hearing a consortium of developers (who owned almost all the existing data on the species) unveiled their five arguments against listing, replete with apparently strong scientific support. Hoping to take the proponents of listing off guard, they

had kept their evidence secret until the hearing. But having been given a copy of their report 4 days earlier, I was able to deliver a crisp and devastating point-by-point demolition of their five arguments. The next day the California press reported that the development industry had suffered a “technical knockout.”

Shortly afterward, the designated hitter’s position lost some of its charm, as the opponents began playing hardball. I was flown to the state capital, where high officials in the state (the fiscal sponsor of my research on mountain lions) wanted to discuss the wisdom of my involvement on issues unrelated to mountain lions. They chose their words carefully, and even if I had tape-recorded the conversation, it would have been difficult to prove that they were threatening me. But as I left the 2-hour meeting, I knew that my future as a wildlife biologist in California was at risk. After 10 days with little sleep, I started to churn out applications to academic institutions outside California and resumed my previous activities. During my fortnight of hesitation, though, one “finding of no significant impact” was issued for lack of a letter I should have written, and a hideous project went forward. My inaction haunts me to this day.

Since taking my academic job 12 years ago, I have not had to face ethical dilemmas that stark and have not again been so personally close to people who do face them. But I do encounter subtler situations where it is unclear how to do the right thing, and I have not forgotten that harsher world inhabited by many conservation biologists. Thus, I am enormously pleased and proud that the Society for Conservation Biology unanimously approved a Code of Ethics at the Members Meeting in New York City on 1 August 2004. This is a major milestone in our development as a society and as individuals committed to scientific honesty, conservation, and fairness. (The May 2004 and August 2004 editions of the *SCB Newsletter* provide a detailed description of the process by which the code was drafted, based on input from SCB members on every continent. A point-by-point compilation of comments and the pre- and postcomment versions of each sentence in the code are available at http://www.conbio.org/SCB/Information/Ethics/Comments_and_revision.pdf.)

But would a code of ethics make a difference in the situations like the ones I described? After all, the people involved managed to find ways to bring the truth to light

without the benefit of a Code of Ethics. And, it seems unlikely that such a code would have given me the courage I needed during my hour of darkness. Nonetheless, I affirm that our new code will make a difference because it creates an environment in which the right behavior is explicitly a part of who we are and what we do. Before phone calls like the one I received are made, both parties can read the code and think about their ethical obligations. Many conservation biologists will have learned these guidelines in school and will have discussed them with their colleagues. They will feel part of a community that will support them in their attempts to do the right thing. In the long run, bringing ethics to the fore will create an environment in which our standards of behavior are elevated.

Our new Code of Ethics appears immediately after this editorial. Please read it and realize that behind each of the "Fifteen Commandments," there are many situations like the ones I described. Place a copy of the code in your office, place of business, or classroom. Make it an agenda item at your next staff meeting, distribute it in your classes, and discuss it with your colleagues. If you belong to an SCB Chapter or Regional Section, ask what the code obliges that entity to do.

As you engage in these activities, you will quickly conclude that the code is not perfect. In fact, I am sure that some members started the process of revision even while casting their vote of approval. As someone who spent many hours laboring over the text of the code, I am delighted at the prospect that my hard work will be a target for revision. It is a healthy sign that we care about these issues and about SCB.

Besides the inevitable revision, what are the next steps? Most immediately, every SCB member should read the code carefully, think about it, and discuss the responsibilities related to our professional work. Each person who drafted and commented on this document engaged in these activities, and we are each a better person for the experience. We certainly hope SCB members will turn to the code when facing ethical dilemmas and that it will be taught in classes related to conservation biology around the world.

Another next step will be for SCB to develop specific policies to ensure that our behavior as an organization reflects the code. The SCB provides scientific expertise (sometimes for pay), publishes journals, accepts corporate sponsorships for annual meetings, and works around the globe. Our Code of Ethics has statements relevant to each of these activities, and SCB must be an exemplar of the behaviors our members have endorsed. For instance, statement 10 specifies the conditions under which a person can claim authorship. How will our journals ensure that the papers we publish follow this guideline? Statement 11 relates to behavior as a world citizen, including an admonition to build local capacity. As we increasingly hold meetings outside North America, do we simply ra-

tionalize that the very act of holding a meeting in Asia or Africa "builds capacity," or do we commit ourselves to do more?

One additional measure advocated by many SCB members was to make the code binding on individual members, complete with consequences for transgressions. Although most members of the ad hoc committee felt that such an approach could create more problems than it would solve, we expect that SCB will reconsider this issue after a few years of experience with the code.

Our Code of Member Ethics puts the burden of ethical behavior on conservation practitioners. Another approach would be to impose higher standards of ethical behavior on governments. Shouldn't we have laws to prevent the politicization of science we've seen in the Bush administration (see the Waxman report at politicsand-science.org)? In the wake of recent scandals, U.S. corporations are required to submit complete and truthful financial statements. So why aren't biological consulting firms and their employers similarly required to promptly and fully disclose information needed by regulatory agencies? The various laws to protect whistleblowers in the United States may work in some cases, but I can recall only the blatant failures: What will it take to create meaningful reform of government behavior and laws? Might there be a role for SCB or its sections in this arena?

Doubtless many actions will follow from our first Code of Ethics. Although these upgrades cannot be predicted, I am confident that we have made the first big step in the right direction.

The impulse to behave ethically is sometimes stated simply as "do the right thing," but all too often there are conflicting right things to be done. For instance, I started this essay describing conspiracies to circumvent employer-client confidentiality agreements. The codes of ethics of the Society of American Foresters and of the Ecological Society of America specifically require that their members honor confidentiality agreements. (The Wildlife Society's Code is silent on this issue. The International Society of Ethnobiology has a "Principle of Full Disclosure" that trumps any confidentiality contract.) Did the public's right to know or the fate of endangered plants and animals justify my colleague in violating her confidentiality agreement? In the tradition of civil disobedience, should she have accepted the loss of her job as the price of disclosure? Should I have felt an ethical twinge for abetting her action? I cannot answer these questions. But I am relieved that this code invites me to talk about those events for the first time and takes the loneliness out of some of the crucibles we each face.

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Society for Conservation Biology Code of Ethics

The mission of the Society for Conservation Biology, a global community of conservation professionals, is to develop the scientific and technical means for the protection, maintenance, and restoration of life on Earth, including species, ecosystems, and the processes that sustain them. To meet this goal, we encourage all conservation scientists and practitioners to adhere to the following:

1. Actively disseminate information to promote understanding of and appreciation for biodiversity and the science of conservation biology.
2. Advocate the use of reliable information, rigorous scientific methodology, and credible inference in management decisions affecting biodiversity.
3. Recognize that uncertainty is inherent in managing ecosystems and species and encourage application of the precautionary principle in management and policy decisions affecting biodiversity.
4. Recognize their responsibility to conservation and scientific honesty, and inform other scientists, the public, and prospective clients or employers of this responsibility.
5. Avoid actions or omissions that may compromise their responsibility to conservation and science.
6. Be willing to volunteer their services for the public good at a level appropriate to their financial abilities.
7. Perform professional services or peer reviews only in their areas of competence, cooperate with other professionals in the best interest of conservation, and refer clients to other professionals with appropriate expertise.
8. Refuse to allow personal interests, compensation, or personal relationships to interfere with their professional judgment or advice.
9. Scrupulously avoid plagiarism; acknowledge the limitations of their research design, data, and interpretation of results; disclose conflicts of interest; honestly discuss their findings; and attempt to correct misrepresentation of their research by others.
10. Claim authorship of a publication or report only when they have contributed substantially to the conception, design, data collection, analysis, or interpretation, or have helped draft or revise the article, and approve of the published version.
11. When working professionally, especially outside their region of residence, interact and collaborate with counterparts, present seminars, confer regularly with appropriate officials, share information, involve colleagues and students in professional activities, contribute to local capacity building, and equitably share the benefits arising from the use of local knowledge, practices, and genetic resources.
12. Treat colleagues and professional contacts respectfully and support fair standards of employment and treatment for those engaged in the practice of conservation biology.
13. Work to ensure that no colleague is unjustly deprived of his or her job, reputation, ability to publish, or scientific freedom as a result of his or her conservation efforts.
14. Protect the rights and welfare of human subjects used in research and obtain the informed consent of those subjects.
15. Adhere to the highest standards for treatment of animals used in research in a way that contributes most positively to sustaining natural populations and ecosystems.