

ETHICS FOR COLLECTORS AND CURATORS OF FOSSILS

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ABSTRACT: This article is a modified version of a lecture given at the Alabama Museum of Natural History on August 19, 2000.

Ethical behavior is not only the right way to act, but also the most practical way. Amateurs and professionals should aspire to an ethical standard higher than that required by the law. However, no one is perfect, so it important to retain the ability to forgive.

INTRODUCTION

Ethics is the study of correct moral and professional behavior. While no one can act correctly all the time, maintaining a high personal standard gives a clean conscience and a sense of self-worth. Also, your life is easier when others can rely on your behavior. The problem is deciding what to do in ambiguous cases. Generally, to get along with people you will have to uphold higher standards than are strictly required by the law. Let's review a few cases, starting with an easy one.

COLLECTING FOSSILS

Is it ethical to walk onto someone else's land and collect fossils there? Clearly not, because it is both wrong and illegal to trespass and to steal. In the United States, fossils on private land are the property of the landowner. (This is not the case in Alberta, Canada, where fossils are the property of the state.) But it certainly is acceptable to ask a landowner for permission to enter land to collect fossils.

Is it legal to ask a landowner for permission to collect a few fossils for your private collection, and then change your mind and sell them? Yes. Is it ethical? Yes, if you were sincere to begin with. Collecting fossils is a hobby for most people, not a contract to maintain a collection forever, and selling fossils is better than discarding them.

Is it legal to lease a landowner's property in order to collect fossils, then sell them? Yes. Is it ethical? Yes, though many would consider this procedure to be in poor taste if the lease prevents scientific research from being carried out. This leads us to the next question.

Is it ethical to lease all the known sites in a fossiliferous formation in order to collect fossils and exclude others? No. Is it legal? Yes.

STORING FOSSILS

Does a collector have any obligation to label and store specimens properly? Legally, not at all; ethically, emphatically yes. The world supply of fossils is very large, but finite, and many specimens are unique records

of the earth's history — a heritage that belongs to all of us. It is not at all unusual for amateurs to discover important specimens, and every amateur should be aware that a unique specimen may turn up at any time. Thus, every amateur has an obligation to learn the basics of labeling and storing fossils (and curators have an obligation to teach amateurs). In practice, this is not a great burden, and raises the value of collected specimens. Specimens without labels generally have to be thrown out eventually.

ETHICS FOR CURATORS

Is it legal for a museum curator to have a private collection of his or her own? Generally, yes. Is it ethical? Only if the collection does not overlap with the museum's. Otherwise, the curator may be tempted to keep the best specimens for the private collection. For this reason, some paleontologists dispose of their own collections when they get jobs as curators. Others stop adding material to their own collections.

Should a museum accept any donation, no matter the source? Legally and ethically, no. The specimens could have been stolen goods, for instance, as often happens in the art world (e.g., Nicholas, 1995). That's why museums use donor forms these days.

May curators appraise specimens? No. Curators can give a donor a receipt that can be used for tax purposes, but not with a dollar amount. A professional appraiser may be hired to assess a collection before donation.

CONCLUSIONS

Now, I could continue to go through a series of special cases, but I think the general trends are evident. It is often legal to do something that is wrong — something that would lower you in your friends' esteem, and that also might get some landowners angry at all fossil collectors. It is also often hard to tell what is the right thing to do. But here are a few guidelines:

1. If you tell a landowner exactly what you want to do, and he or she agrees to it, and you then do what you said, then usually you will be in the clear ethically and

legally.

2. If you expect your hobby to make money, then it is not a hobby and you are not an amateur.

A final word on forgiveness. No one does the right thing every time, and people must be given the opportunity to change. If we continually condemn someone for a mistake made years ago without giving the person a chance to learn from that mistake, the result can be more improper behavior and ill feeling. But communication can lead to reconciliation.

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Note: URLs were accessed on April 11, 2005.

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