

## The Palaeontology Newsletter

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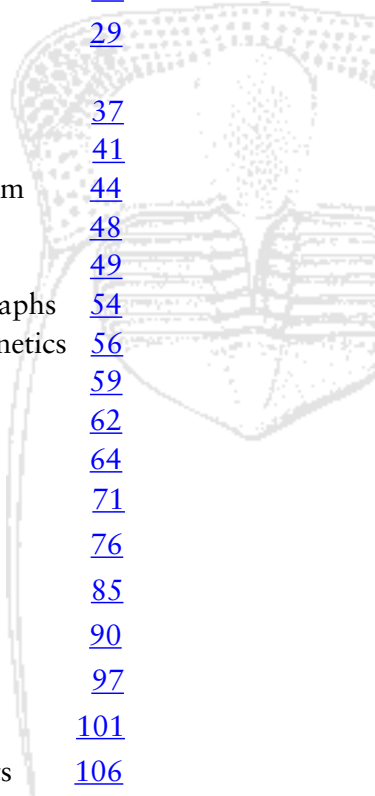
Reminder: The deadline for copy for Issue no. 107 is 1st June 2021.

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**Palaeoethics from the Field, to the Museum, and to Publication – a review**  
Virtual Workshop 15 December 2020

*“Science doesn’t exist in a legal and ethical vacuum”* – Prof. Paul Barrett.

The day before the official start of the Annual Meeting, the Association held a workshop on Palaeoethics, with the aim of “discussing issues in the field of palaeontology”, particularly with regards to fieldwork, collections and publications.

‘Palaeoethics’ is a longstanding issue which has seen recent day conferences on the subject provided by both the European Association of Vertebrate Palaeontologists (in Haarlem, see Liston 2016) and the Society of Vertebrate Paleontology (in Albuquerque 2018 and Brisbane 2019), with the publication of accompanying proceedings (Parkes and Liston 2018). This PalAss workshop was apparently prompted by discussions amongst the palaeontological community surrounding recent publications on Myanmar amber, and represented the Palaeontological Association’s first event in the area of ethics in palaeontology since the 1980s. As such, the first half of the workshop acted very much as an introduction, covering the topics of geoethics and geoconservation with presentations by **Jack Matthews** (Oxford University Museum of Natural History) – and chair of the Annual Meeting organizing committee – on “*Palaeontological research, the law, and education*” and **Daniel DeMiguel** (Universidad de Zaragoza and International Association for Promoting Geoethics) on “*Geoethical issues in Palaeontology at a glance*”.

The second half of the workshop focused on the ethics and legalities of research on Myanmar amber, with **Donna Yates** (Maastricht University), a criminology expert with an archaeological background, examining palaeontology through the lens of criminology (“*What criminology can tell us about ethics in palaeontology*” – <<https://prezi.com/view/chNwWY9HUVMZjgkTaqIX/>>), and **Prof. Paul Barrett** (Natural History Museum, London) with a talk entitled “*Law, ethics and science: three parts of the same puzzle*”.

Myanmar (Burmese) amber has over the past year sparked controversies due to its alleged links to the military, conflicts and human rights issues in Myanmar (Burma), as well as the legal grey zone in which it falls (e.g. Sokol 2019). A criminology framework, as presented by Dr Yates, can help us to understand the ethical boundaries within which we, as palaeontologists, operate and to understand why certain people engage in ethically questionable behaviours. For example, individuals might be in denial (“It’s just one piece”, “I did not excavate it, I am just studying it”), condemn their critics (“they are being overly politically correct”, “they are envious of my achievements”) or appeal to higher loyalties (“it is for the good of science”). Understanding these patterns from criminology may help us to develop clearer ethical codes and locate the critical points for monitoring unethical behaviour, as well as helping us develop a curriculum for teaching ethics to students.

Dr Yates also discussed the legal grey zone in which Myanmar amber falls. It is illegal to export fossils from Myanmar without a permit but since amber is classified as a gemstone, it can be exported under the gemstone law for economic purposes. While it is not illegal to export the container itself – the amber – the fossils remain the property of Myanmar under preservation laws, even if the “owner” is currently not exercising its right to enforce this.



This legal grey zone has led to a normalization of unethical behaviour in palaeontology, where the situation is allowing researchers to carry on as if nothing was wrong. Such behaviours are rarely condemned by fellow palaeontologists, professional societies or academic institutions, creating an environment where this behaviour is culturally approved and even passed on to students.

Prof. Barrett continued this discussion stating, “Science does not exist in a legal and ethical vacuum” and we, as palaeontologists, should be conscious of how our decisions of what to study affect other sectors beyond the walls of academia. Along with reiterating the legal and ethical dilemmas of Myanmar amber, he also mentioned the role of societies and journals in addressing these issues. In April 2020, the Society of Vertebrate Paleontology (SVP) published a letter calling on editors to be mindful of harmful and unethical practices and containing initial guidelines on dealing with manuscripts on Myanmar amber (Rayfield *et al.* 2020). This includes a change to editorial policies which would only approve manuscripts where the fossils had been deposited in a permanent, accessible repository to ensure long-term access for future studies as well as reproducibility of results. They also requested a moratorium on publication for any fossil amber specimens purchased after June 2017, which is when the Myanmar military began its campaign to seize control of the amber mining. In response, the *Journal of Systematic Palaeontology*, of which Prof. Barrett is the co-Editor-in-Chief, released a statement, stating that the journal would no longer consider manuscripts based on Myanmar amber (Barrett and Johanson 2020). As evidenced by this action, journal editors and scientific journals can have a significant impact on a broad set of academic stakeholders, and thus influence scholarly interests in a field where research output in terms of scientific publications is of utmost importance for academic success.

During the Q&A session that followed these presentations, a participant noted that SVP’s proposed ban would greatly impact students. As guidelines are being proposed and revisited, the issue remains that there are several PhD students currently working on Myanmar amber specimens, typically acquired by their supervisors. A ban will likely damage their prospects in both finishing their doctoral studies and finding future academic opportunities, as they will not be able to publish their research and their choice of fossil specimen may portray them as a liability. Along with being vocal of ethical and legal problems that perpetuate the field, societies should also support students and early-career researchers who have often had no say in how specimens had been acquired or deposited, yet bear the brunt of policy changes.

In all, this workshop represents a step forward in creating space for critical discussions of ethical and legal concerns in the field of palaeontology. As a field, we currently lag noticeably behind other similar fields such as archaeology, which has recently been developing and applying robust ethical standards. As such, Dr Yates’ perspective, as archaeologist and criminologist, was a significant contribution to this workshop.

Given the pertinence and importance of the topic, a more diverse panel would have provided a broader perspective on the issues. All the speakers were from European institutions and thus provided a very Euro-centric view of ethical issues in palaeontology. Additionally, almost all of the speakers hold permanent academic positions, which makes it less risky for them to speak on and against certain unethical behaviours in the field. This is a privilege that people in temporary positions, such as students and early-career researchers, do not have. The topic of ethics in palaeontology cannot be addressed by just a few people with specific demographics in the room making the decision, and by which the rest have to abide.



Finally, while the event was advertised as a workshop, the afternoon ended without an objective action plan for how to tackle ethical issues in palaeontology going forward. When asked about how the PalAss journals (*Palaeontology* and *Papers in Palaeontology*) plan to handle manuscripts on Myanmar amber, Barry Lomax, Editor Emeritus, referred only to the Association's policy on only accepting manuscripts where specimens were collected and exported in accordance with relevant permits and local laws, which does not yet expand to include specific examples.

Events such as the Palaeoethics workshop are immensely valuable for palaeontologists who are keen to understand more about ethical issues in their field of research, especially when they involve diverse perspectives and expertise outside of our direct field of study. However, without purposeful and targeted actions to combat unethical, illegal and deleterious practices, we are destined to continue making the same mistakes and doing the same harm. The impassioned chatter in the webinar chat function gave us hope that meaningful change is on the horizon and that the field of palaeontology will be all the stronger for it.

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