CHAPTER 3

What is a Professional Ethics Code?

It is now time to more specifically define what a professional ethics code is, before discussing specific provisions and their meaning.

DEFINITION

An ethics code is a tightly summarized series of ethical mandates designed to depict ethical behavior for members of a professional society. Points in the code are often given lofty designations, such as “canons.” At least one society freely states in each point “It is unethical to . . .”, while others avoid specific prohibitions.

The degree of detail varies. Some provisions are extremely general, virtually useless as guides to action without considerable additional explanation. The Society of American Foresters Ethics Guide was issued in 2004 to help explain the code’s provisions and supply cases for discussion. But it does not take the further step of indicating more detailed guidance for applying the code’s provisions. On the other extreme, accountants and attorneys encounter many diverse situations in practice. Their codes are supplemented by elaborate rulebooks exceeding a hundred pages in length.

The Codes of resource societies included in the Appendix, for example, do not develop detailed guidance. Members complain that the last thing they want is a detailed rulebook – but they still want to enjoy the status accorded to physicians and attorneys, without the detailed rules! Ethics committees of professional groups resist developing more detailed codifications of rules, on the grounds that they do not want “their hands tied.” Members of such committees are
often from career backgrounds serving in sprawling government and corporate bureaucracies in their “day jobs.” They feel buried under rules. Such persons do not usually wish to encumber their voluntary professional activities with more of the same.

**CODES ARE DEVELOPED BY PROFESSIONAL SOCIETIES**

1. National groups: Society of American Foresters, American Fisheries Society, etc.

2. Usually adopted by majority vote after considerable discussion . . . at times, amended to account for new legal developments. Example: In the past, some associations had ethics rules discouraging or barring price competition. These were ruled illegal by the Federal Trade Commission.

3. Some government agencies have developed codes for their employees.

4. In some states, forester licensing or registration programs have developed Ethics Codes, often borrowing heavily from the Society of American Forester’s Code.

5. Most societies attempt to protect their professional designation from misuse by untrained individuals or nonmembers.

6. Procedures are adopted for hearing and adjudicating complaints concerning violations of the ethics rules. Expulsion from the Association is a common sanction.
   a. In the law, being “disbarred” means an inability to practice law at all in a given jurisdiction, and is usually observed in others as well.
   b. In resource professions, expulsion from a professional association is usually not a significant occupational issue (only about half of the foresters in Maine are Society of American Forester members, for example.)

7. But except for the most egregious situations, it is very difficult for a profession to regulate itself. Association disciplinary bodies usually learn of alleged violations from unhappy clients or other Members. Procedures are complex
and burdensome, and many members are reluctant to pursue ethics proceedings against colleagues.

8. Some Societies obligate members to report wrongdoing if they observe it, others do not.

   a. The Society of American Foresters at one time had such a provision in its Code; it has been deleted.

   b. Elite organizations such as military service academies often include such a requirement – West Point: “I will not cheat nor tolerate those who do” (cadets have been expelled for not reporting violations)

   c. Arguments pro and con for such a provision can be advanced. If rigorously enforced, it could result in some professional Societies having very small memberships.

   In the resource management fields that we are considering now, there is usually no employer requirement that a practitioner be a member of any professional society. As a result, the codes protect clients and the public only to the extent of the society’s membership.