

## Challenging the wisdom of the Universe, Parliament and the People: the perils of saving species

No one ever pretended that the conservation of biodiversity would be easy. Not only do conservation biologists and those responsible for implementing conservation programmes need to cope with the vagaries of a rapidly degrading global environment and the often poorly understood and unique requirements of a largely undescribed biota, they must also cope with human social systems and its plethora of minority interests. In an earlier issue of *Pacific Conservation Biology*, Leong Lim expressed his concerns about the operation and legitimacy of New South Wales' threatened species legislation. Partly he was concerned about the constitutional validity of the legislation and partly about difficulties for land owners, consultants, and government authorities in addressing the requirements of the legislation when information on individual threatened and listed species was incomplete. In this issue, the Scientific Committee set up under the legislation to determine listings of threatened species responds to Lim's criticisms. The Committee argues that they operate within the bounds of the legislation and are constrained by the requirements of the Act. The issue of "accountability" raised by Lim is important.

Who is accountable for conserving biodiversity? In an ideal world, we should all be accountable and active in protecting other species and ensuring they received their share of the world's resources. Unfortunately, it is not an ideal world and only a few of us are either aware of the need to conserve biodiversity or care about it. Knowing Leong Lim and all the members, bar one, of the Scientific Committee, I have no concerns about any of them being irresponsible or less than scientifically rigorous whether it deciding on a listing or in being a critic. Nonetheless, there are valid and serious concerns over Australia's approach to biodiversity conservation and the various attempts to protect threatened species through legislation. The progenitor of the New South Wales Threatened Species Conservation Act suffered from such basic flaws as being presented as "interim" legislation and using threatened species terminology incorrectly. Its problems arose partly from the undue influence of environmental groups in its drafting, partly from inadequate (if any) scientific input, and partly because it was made a point-scoring political issue by the opposition and environmentalists at odds with a conservative, minority government.

In his article in this issue on the "efficiency of Queensland nature conservation legislation" in relation to butterfly conservation, Beale raises another set of problems in the way legislation is used to conserve biodiversity. Beale argues that the Queensland legislation fails to recognize the important contributions to

butterfly conservation made by amateur collectors. Without question, governments and government bureaucracies need to acknowledge the considerable efforts made by amateur scientists in advancing conservation biology and improving our knowledge of the biological world; knowledge that is necessary for proper conservation. The aim of regulations should be to assist scientific inquiry, even among amateurs, not impede it.

Beale's argument is not unrelated to the issues debated by Lim and the Lords of the Universe. In both instances there appears to be a failure on the part of government to consult widely during the drafting phase of conservation legislation and, perhaps, to pay undue attention the most vocal elements of society. The quiet voice of science in the Halls of Power not only makes scientists easy victims for legislative control, but it has limited the scientific basis on which much biologically or ecologically oriented legislation is based.

I agree with Lim when he questions the sense of having the science of ecology on a committee determining threatened species listings represented by the Ecological Society of Australia (ESA). The Lords of the Universe are correct when they argue that the ESA has a large membership, but this does not mean that all ecologists, even members of the society, are represented by the ESA. Nor does it mean that the best ecologist for a committee is necessarily a nominee of the ESA, although in this instance the choice was outstanding. Far better to have "ecology as a science" represented on a committee and ask for nominations from the entire ecological (scientific) community. The same is probably true of the Entomological Society. I can understand why the Australian Museum, as a State body, has a nominee on the New South Wales Threatened Species Scientific Committee, but it would be interesting to know the genesis of elevating the Ecological and Entomological Societies to peerage. Neither would have been my choice. They may be there only because of a limited understanding of science and the scientific establishment among the advocates and drafters of the legislation.

The New South Wales legislation is in review. Hopefully a stronger and improved version of the Act will eventuate; one which begins to move New South Wales away from a culture of "species conservation" to one of ecosystem management for the benefit of all species and their different populations. Regardless of the merits or otherwise of Lim's concerns, Australia needs a better model for threatened species conservation than the present state and Commonwealth Acts.

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ERRATUM: Due to a breakdown in communication, the Forum Essay entitled "*The 10 Lords of the Universe — the New South Wales TSC Act's Scientific Committee*" (*Pacific Conservation Biology* 3, 4–12) did not acknowledge the significant contribution to the preparation of the essay by Stuart Little. While Stuart Little does not accept the conclusions reached in the essay concerning the Constitutional validity of the Scientific Committee and the Act, and will not be contributing further to the debate, Leong Lim has requested that he be recognised as co-author of the essay. The proper citation for the essay should therefore be given as "Lim, L. and Little, S., 1997. The 10 Lords of the Universe — the New South Wales TSC Act's Scientific Committee. *Pacific Conservation Biology* 3, 4–12."

Harry F. Recher, editor.

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### National Biodiversity Council

THE NBC appears to be getting its feet on the ground and taking action to promote biodiversity conservation in Australia. Submissions have been made to the Commonwealth on the need for greater Commonwealth involvement and controls on land-clearing, to the Commonwealth and the Western Australian Government on the conservation of Western Australian Cape Range karst system, and the Western Australian government commenting on its draft State of Environment Report. At the request of an environmental group, the NBC has been asked to provide an independent scientific assessment of the Western Australia Department of Conservation and Land Management study into the effects of timber harvesting on the Jarrah *Eucalyptus marginata* forest ecosystem. The NBC also contributed a lengthy statement on the state of Australia's biodiversity to the Earth Alive Festival via the Community Biodiversity Network. The statement received extensive media coverage and responses from both the Commonwealth and Western Australian Governments.

A number of NBC councillors got together at the Albury Ecological Society of Australia meetings and pieced together an action plan. High on the agenda are the preparation of position statements on vegetation clearing and endangered species. The NBC is now on the web

(<http://www.waite.adelaide.edu.au/~pdalby/nbc/nbc.htm>)

and up to date information on the Council's actions can be found there.

### Western Australian Draft State of Environment Report

The Western Australian Government released a draft State of Environment Report for public comment (by October 30, 1997). A mini-symposium sponsored by the Royal Society of Western Australia was highly critical of the draft document and advocated significant changes. Of particular concern were the absence of quantitative detail, misrepresentation of information, the lack of clear timetables for action, and the failure to consider a number of important issues such as population growth. Some sections of the draft report appear to have been written by (or edited by) the government departments responsible for the exploitation and/or management of particular resources (e.g., forests) and failed to provide the level of critical rigour one hopes to see in such documents. Obviously, State of Environment reporting needs to be done by people or groups who do not have a direct vested interest in the outcome. In this regard, the Commonwealth's State of Environment Report 1996 and the procedure adopted in its preparation is a much better model to follow. Given the level of criticism the Western Australian document is likely to receive, it will be interesting to see what, if any, changes are made in the final report.

### Society for Conservation Biology Conference 1998

In case any one missed it, the Society for Conservation Biology is holding its annual meeting in 1998 at Macquarie University in Sydney from July 13 to 16. This is a must meeting for Australasian and Pacific conservation biologists. Information from [ioliver@rna.bio.mq.edu.au](mailto:ioliver@rna.bio.mq.edu.au) and <http://www.bio.mq.edu.au/consbio> or from Ian Oliver, Centre for Biodiversity and Bioresources, School of Biological Sciences, Macquarie University, Sydney, New South Wales, Australia 2109.

### News and Views Sought

As editor, I would greatly welcome other people contributing to this section. Send your news or views via email ([h.recher@cowan.edu.au](mailto:h.recher@cowan.edu.au)) or by post to H. Recher, Edith Cowan University, Joondalup, WA, Australia 6027. Keep items brief and to the point.

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