

# Codes of Conduct at Zoos

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Zoos consistently implement codes of conduct in efforts to manage visitor behaviour. Zoos worldwide have implemented the use of codes of conduct to regulate and manage the activities and actions of visitors. Zoos have been an ethical ground for negotiating the relationship between people and animals. Codes of conduct in zoos are uniquely placed, manifesting this ethical dialogue between species.

codes of conduct

zoos

animal-human interaction

## 1. Introduction

Although formally places of entertainment, modern zoos have extended their mandate to include activities deemed more socially and ecologically responsible, including care for the welfare of exhibited animals, educating and engaging the public, conserving species/habitats, and conducting academic research on animals <sup>[1][2]</sup>. However, studies consistently indicate that entertainment is one of the most important objectives of zoos <sup>[3][4][5][6]</sup>, based on an estimated 700 million people who visit zoos and aquariums annually <sup>[7][8]</sup>. Zoos are big business. Studies over several years have also shown that visitors who mainly seek entertainment can have significant negative effects (the “visitor effect”, e.g., animal behavioural and physiological change) on the welfare of animals at zoos due to their lack of concern for the co-presence of animals <sup>[9]</sup>. These effects are taking place alongside a global movement concerned with the welfare of animals used in several different sectors, e.g., agriculture <sup>[10]</sup>. Mitigating the negative impacts of visitor effects is becoming a need that zoos worldwide are attempting to address.

Tourism scholars have proposed the term “zoo tourism” to more explicitly understand the conflicts that may exist between the educational, scientific, and entertainment roles of zoos <sup>[11]</sup>. Studies have demonstrated that zoo tourism provides opportunities for biodiversity conservation <sup>[12][13]</sup>, conservation education <sup>[5][14][15]</sup>, and economic benefits to locals <sup>[16]</sup>. According to Mason <sup>[11]</sup>, zoos have the potential to become ecotourism attractions and contribute to a sustainable future of tourism. Hence, for tourism scholars, the mitigation of negative visitor effects can be an approach to sustainable tourism development.

A tool now being used liberally in zoos, globally, to mitigate the visitor effect is codes of conduct (codes of conduct govern actions, while codes of conduct govern decision-making). Codes of conduct are now a fixture in zoos for the purpose of managing behaviour, often articulated within the broader context of compassionate conservation which specifically addresses the individual welfare and wellbeing of animals <sup>[17][18][19][20][21]</sup>. However, few studies have examined the use of codes of conduct in zoos, even though codes carry significant ethical implications regarding the relationship between humans and animals in contemporary society. According to Malloy and Fennell <sup>[22]</sup>, codes

of ethics in tourism serve as a vehicle for communicating an organization's ethical culture to employees, visitors, and other stakeholders. While the zoo is an essential modern institution for managing the relationship between humans and animals <sup>[23]</sup>, codes of conduct in zoos are a manifestation of this relationship and a way of communicating organizational messages to visitors.

Competing demands and priorities between entertainment and education, welfare, and conservation suggest a chasm that zoo codes of conduct must bridge. Zoo codes of conduct must specify visitor obligations and responsibilities in order to achieve conservation and education objectives.

## 2. Zoos as Places for Ethical Consideration

Several studies have examined zoos from the perspective of the Foucauldian tradition <sup>[24][25][26][27][28][29]</sup>. Situated within the framework of Foucault's concepts, such as gaze, biopolitics, power, and panopticon, zoos emerge as contemporary establishments where human civilization extends its governance and biotechnological practices to encompass nonhuman beings. Because of the fluid boundary between humans and nonhumans, Braverman <sup>[28]</sup> notes that how zoos manage and conserve animals mirrors the existence of human beings in modern society. Braverman's <sup>[28]</sup> view allows zoogoers to assume a particular role: as visitors observing animals, these individuals can adopt a vantage point to critically examine the social institutions that have shaped and regulated human life within contemporary society. The ability to look at animals as being different from humans has also been investigated through the concept of the tourist gaze, where tourists gain privilege over the objects of their curiosity <sup>[30]</sup>.

On this account, and in accordance with Foucault, the gaze enacts constructed regimes of power giving licence for human domination and control over animals. The dynamics of visitor-animal interactions are thus shaped by the intricate web of social relations constructed by human society. In this context, animals are often relegated to being passive and voiceless objects, existing primarily for human observation and scrutiny. As such, an animal's existence, its voicelessness, is no broader than the network of relations in which they emerge as observed, preserved, and studied <sup>[31]</sup>. In Foucault's framework, the transformation of zoos from an organization that historically provided entertainment to a place dedicated to animal conservation and education <sup>[3][4][5][6]</sup> does not fundamentally undo the power structures relegating animals as subaltern others.

Acknowledging the unequal power relationship between visitors and animals that zoos institutionalize reinforces the need to consider potential ethical relationships between humans and animals. Fennell <sup>[32]</sup> suggests that captive animal venues, and their visitors, can transition from "constructed care" to a care ethic that flows between species. As suggested by its name, constructed care refers to social relationships shaped, in part, by the tourist gaze that dictates how visitors consume captive animal products at zoo venues, even when presented with discourses that emphasize empathy towards captive animals. Constructed care is defined as the adoption of a pathos that seeks to impose its legitimacy on others, like tourists, whilst being embedded in an ethos framed by an institutional structure that is instrumental and utilitarian by nature <sup>[32]</sup>.

Expanding on the idea of purposiveness and thing in itself, Kant, in *Critique of Judgement* [33], advocated using reflective teleological judgement to understand the relationship between nature and human beings. The teleological judgement acknowledges that how an object appears to be itself can be a consequence of being a “thing in itself” and how it is represented and constructed in social relations. Kant hypothesized that, like human morality, purposiveness also endeavours for the highest good. Kant concludes, based on his belief in nature's beneficent purpose, that human morality is an integral element of nature's teleology. It is not a coincidence that Malloy and Fennell [22] emphasized the importance of using teleology as the ethical approach to guide tourists' actions. These authors found that a teleological strategy could guide visitors' conduct more effectively because it stresses the morally sound outcomes of actions. Referring back to Kant's argument, the teleological approach to conceiving the codes of conduct is not merely necessary but mandatory.

In his object-oriented ontology (OOO), Harman [31] (p. 251) proposes a similar idea to Kant's, suggesting that an inanimate object is “deeper than all relations”. For these scholars, zoo animals should be “animals in themselves” whose existence and connection occur beyond constructed care and gaze because they have a very special kind of intrinsic value. Harman [31] argues in OOO that the object is deeper than its social relationships and could never reveal itself to us, echoing Nagel's [34] views on the inability of humans to understand the nature of animal others. As such, rather than looking at zoos as institutions where animals' lives have been politicized and manipulated for human interest, Kantian philosophy points out that zoos can be places for ethical conduct if animals are respected as “things in themselves”.

### **3. The Effectiveness of the Codes of Conduct and Tourism**

The prevalence of visitor codes of conduct in zoos suggests that an assessment of their effectiveness should be a priority as part of their implementation, a topic that has received considerable attention in the broader literature. Doig and Wilson [35], for example, suggested that there needs to be more evidence of the effectiveness of corporate codes of conduct, a conclusion echoed by Yallop [36] over a decade later. Similar conclusions were made by Valentine and Barnett [37], who found that there is difficulty reaching consensus on how valuable and effective codes of ethics are. Kaptein and Schwartz [38] reviewed 79 empirical studies addressing the effectiveness of codes of conduct and showed that scholars have divergent and even conflicting views on their value. Babri et al. [39] point out that existing studies on code effectiveness are fragmented because the concepts and variables employed are different between studies. For Stevens [40], what makes codes of conduct effective is a question more important than whether the codes have an effect.

Several studies have explored the use of codes of conduct in tourism since the late 1990s [22][41]. Malloy and Fennell [22] recognized that ethical conduct has become a concern not only among tourism operators and members of tour organizations but also among tourists themselves. In their review of 414 statements of codes of conduct developed in tourism, Malloy and Fennell [22] pointed out that almost 45% of these have been developed for tourists. However, Malloy and Fennell [22] pointed out that only minor attention has been paid to the effectiveness of the codes of conduct in tourism. Fennell and Malloy [42] suggested that the success of codes depends on a good understanding of their target audience, and stress the importance of embodying a sense of respect, justice, and

dignity into the value-set codes of conduct. For these authors, the most effective codes are teleological rather than deontological because they provide the rationale and justification behind the use of codes rather than imply or reinforce a desired conduct. A central aim of codes is to act as a communication device for target audiences [\[40\]](#)[\[43\]](#), where education is centred on prevention rather than cure [\[44\]](#).

In animal-based tourism, several species, or orders (e.g., cetaceans), have been the target of codes of conduct [\[45\]](#)[\[46\]](#)[\[47\]](#)[\[48\]](#)[\[49\]](#)[\[50\]](#)[\[51\]](#)[\[52\]](#)[\[53\]](#). While many of these studies have focused on the content of codes of conduct, code effectiveness has been investigated on the basis of tourist compliance, for example, on whether tourists have maintained the advocated distance (2 m) from the whale shark [\[52\]](#) and visitors' adherence to the codes of conduct [\[50\]](#)[\[53\]](#) through on-site observations. According to Smith, Scarr, and Scarpaci [\[53\]](#), more work is needed to address visitor compliance and animal behaviours when investigating human-wildlife interactions.

Codes of conduct are now an established feature of captive animal venues, where managing visitor use (in large numbers, as noted above) is paramount in balancing this use with animal welfare. The World Association of Zoos and Aquariums [\[54\]](#) developed the "Guidelines for Animal-Visitor Interactions", which stemmed from its own code of conduct and animal welfare [\[55\]](#), World Zoo and Aquarium Animal Welfare Strategy [\[56\]](#), and WAZA resolution on animal interactions [\[57\]](#). This code of conduct is based on six primary recommendations:

- Avoid having animals in any interactive experience that would compromise their welfare.
- Animals involved in direct contact situations should receive appropriate training for visitor interactions in order to reduce potential discomfort or stress responses.
- Make no unnecessary demands on animals and ensure that visitors do not provoke or create discomfort or stress responses in the animals.
- Provide animals with a choice of whether to participate or not in the interactions. Allow adequate rest time and ensure that an animal displaying any indication that it does not want to participate is immediately removed from the interactive experience.
- All walk-through habitats, touch pools, and petting areas/touch paddocks where animals are in close proximity to visitors should be of a suitable size to provide for species-appropriate needs and have suitable refuge areas for the animals.
- Any feeding during an interaction must be regulated so it is consistent with the animal's overall appropriate diet and health care. This food must not be the only access to food or the whole diet for the animal and the animal must have a choice whether to accept this food.

However, as illustrated by Learmonth [\[58\]](#), "individual institutional adherence to these "guidelines" in varying regions may be incomplete, inadequate, or altogether ignored (in favour of financial viability or human experience, for example)" (pp. 5–6). A comprehensive report by World Animal Protection [\[59\]](#) shows that even among gold-standard

zoos around the world, some of which are WAZA members, mistreatment of animals takes place through visitor-animal interactions such as selfies, petting, and feeding to make more money [60]. These findings provide traction to Fennell's [32] belief that captive animal venues, even though they may be accredited or certified, practise constructed care rather than an ethic of care.

In sum, there is consensus over the need for more research on the effectiveness of codes of conduct. Existing studies provide a fragmented picture of the use of codes in business because of the use of varying definitions of key terms, data, methodological deficiencies, and a need for explicit theory. In tourism, scholars have suggested that attention to the stakeholders' needs and education can be the key to the success of codes of conduct. In contemporary society, zoos are places where people negotiate the borderline between animals and human beings. Zoo visitors, wittingly or unwittingly, are participants in this ongoing negotiation. Codes of conduct in zoos are one of the manifestations of this ethical consideration.

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