Judgments of Value, Judgments of Fact: The Ethical Dimension of Biohistorical Research

The public increasingly views DNA testing as an unassailable way to verify the identity of historical figures. The Chicago Historical Society explored the appropriateness of DNA analysis and other forensic scientific methods to authenticate Lincoln assassination-related artifacts in its collection. The study concluded that DNA testing would damage or destroy the artifacts. More importantly, it determined that DNA and other scientific analysis of historical artifacts or historical figures’ remains should be done only in the context of an ethical framework. The article discusses the development of ethical guidelines for museums and historians to follow when considering such studies.

Russell Lewis

Way way back in the 1980s
Secret government employees
Dug up famous guys and ladies
And made amusing genetic copies

1. According to Raziel Abelson, “Socrates, in demanding rational grounds for ethical judgments, brought attention to the problem of tracing the relationship between values and facts and thereby created ethical philosophy.” “History of Ethics,” in Paul Edwards (ed.), The Encyclopedia of Philosophy (New York: Macmillan Publishing Co., Inc., 1967) vol. 3, p. 83. This article would not have been possible without the generous support of Nancy Buenger of The University of Chicago and Jennifer R. Bridge of Loyola University of Chicago, whose research and
Now their clones are sexy teens
Now they’re going to make it if they tried
Loving, learning, sharing, judging
Time to laugh, and shiver and cry

“Clone High” by Abandoned Pools

The lyrics for “Clone High,” the garage band tune that served as the theme song for MTV’s Clone High USA, succinctly summarizes the plot of the short-lived cartoon series (it was cancelled in 2003 after only thirteen episodes): five famous people—Abraham Lincoln, Cleopatra, Joan of Arc, Mahatma Gandhi, and John F. Kennedy—are dug up by sinister scientists to remove DNA samples, the scientists create clones from the DNA, and, voilà, they re-emerge as teenagers who have to sort out adolescent angst in a contemporary high school setting in the town of Exclamation, USA. One reviewer described Clone High USA as “a fascinating cross-pollination of the History Channel and Saved By the Bell.”

Clone High USA reflects a long and enduring fascination in popular culture with the possibility of human replication by biotechnology. Recent examples of successfully cloned animals (currently seven different species of animals—sheep, mice, pigs, calves, a cat, a monkey, and a mule—have been cloned) and the popularization of DNA (deoxyribonucleic acid) in the media as the key to a panacea for human health and longevity has only intensified its prominent place in public consciousness. While A. E. Van Vogt’s 1945 novel The World of Null-A is credited as the first fictional account of cloning, it was not until the 1970s (perhaps in part a response to the scientific and public debate over recombinant DNA technology during this decade and the creation of the world’s first test-tube baby in 1981) that Americans saw an explosion of fiction about cloning and bioengineering that explored the human dilemmas and the ethical and moral issues of these scientific advances. Cloning was frequently depicted in these works as a dangerous weapon in the hands

insights are evident throughout this work. See the online project Wet with Blood http://www.chicagohistory.org/wetwithblood/index.htm for a discussion of their work on Mary Todd Lincoln’s cloak and other Lincoln assassination items in the Chicago Historical Society’s (CHS) collection.


3. Devin Gordon, “Abe Lincoln, Teen Geek: Clone High USA Sends History’s Heroes Back to School,” Newsweek, 17 February 2003. Indian politicians vigorously protested the Gandhi character. Although MTV apologized profusely, it made no changes to the character or the content to reflect the Indian politicians’ concerns.


5. Richard Cowper’s Clone (1972), Nancy Freedman’s Joshua, Son of None (1973), Joe Haldeman’s The Forever War (1974), Arthur C. Clark’s Imperial Earth (1975), Kate Wilhelm’s Where the Sweet Birds Sang (1975), Ira Levin’s The Boys from Brazil (1976), and Ben Bova’s The Multiple Man (1976), are some of the more well-known examples.
of conspiratorial legions who embraced evil. In the 1990s, as DNA research and cloning techniques advanced, popular literature and commercial films revisited these issues, and they resonated with greater intensity for the American public.

Although cloning draws much public and media attention, and the prospect of human cloning continues to be fertile ground for creative and imaginative extrapolations, *Clone High USA* also reflects another popular trend: the public’s fascination with (if not acceptance of) disinterring historical figures and belief that DNA testing of these remains will yield important historical truths. As the MTV website devoted to *Clone High USA* explains: “Everyone knows that cloning human beings is wrong. But what about cloning dead human beings? What if those dead human beings were really entertaining? That would be okay wouldn’t it? Yes. It would.”

Although I knew little about cloning research, my first experience in a museum gave me an ethical perspective on disinterred human remains that had a powerful influence on me. As a young undergraduate anthropology student at the University of Florida in the early 1970s, I volunteered at the Florida State Museum. My most indelible memory is the plethora of shoeboxes filled with the remains of Native Americans excavated in the 1940s that were stacked against a wall in the collection storage area. It seemed terribly wrong to me to treat human remains in this manner, and my sense of shame was visceral; indeed, this negative experience turned me away from pursuing graduate study.

6. *The Boys From Brazil* tells the story of Nazi scientist Dr. Josef Mengele’s cloning of ninety-four young Adolph Hitlers who have been adopted by members of the civil service all over the globe to conquer the world and finally realize the dream of the Third Reich. Ezra Lieberman, a Jewish Nazi hunter determined to stop Mengele. Gregory Peck plays Josef Mengele, and Laurence Olivier is Ezra Liberman. For a more contemporary version of this theme, see “Osama Recruits Cloned Hitler: CIA Director Warns President: New Fuhrer is ‘Clear and Present Danger’ to United States!” *Weekly World News*, 12 November 2003.


in physical anthropology. Most important, it instilled in me the conviction, which I still hold today, that human remains do not belong in museums. Fast-forward some twenty-seven years to the Chicago Historical Society (CHS). Did my conviction hold as well for human tissue, blood, or hair samples? What was my ethical view on having these biological specimens in CHS’s collection? How could a museum or a researcher use them without violating cultural trust, social values, or ethical standards?

I was aware for many years that CHS possessed significant material related to Abraham Lincoln. He was elected an honorary member in 1860, and many of the founders and leaders of CHS were his friends and acquaintances. In 1882, CHS Secretary Albert D. Hager tried in vain to acquire Lincoln’s papers from his son, Robert Todd Lincoln. The great bulk of Lincoln-related artifacts—clothing, personal items, and ceremonial items—came to CHS in 1920, when it purchased an enormous collection of American history material from the estate of Charles Gunther, a CHS trustee whose passion for American history (especially the Civil War) and doggedness to acquire these so-called relics was unparalleled in the nation.

One of the most intriguing artifacts is the cloak Mary Todd Lincoln allegedly wore to Ford’s Theatre on April 14, 1865, the night Lincoln was assassinated, which bears stains that might be blood. Mary Todd Lincoln gave the cloak to her seamstress Elizabeth Keckly, a former slave and personal confidant, who later signed an affidavit stating the cloak was “wet with blood” following President Lincoln’s assassination. The nature of these stains (Are they blood? If so, whose blood is it?) remains unanswered and shrouds the cloak in mystery and intrigue.

When Nancy Buenger, then textile conservator at CHS, approached me in 1999 about further exploring the authenticity of Mary Todd Lincoln’s cloak, I urged her to consider DNA analysis of the stains as a way to answer once and for all the mystery surrounding the garment. It seemed to me the cloak presented a special opportunity to apply scientific analysis and forensic methodology to historical artifacts. I felt compelled to undertake this research by the promise of finding new clues, new evidence, perhaps even new understandings of the past in dirt and stains and grit and grime that typically would be removed from an artifact during cleaning. I admit I was also lured to this approach by the potential of bringing media attention to CHS. I knew of no other museum that had initiated such research, and the high-profile nature of the Lincoln assassination convinced me that this would be a compelling story that would

12. Artifact authority files. Department of Collections and Curatorial Affairs, CHS. See also, Elizabeth Keckley, Behind the Scenes; or, Thirty Years a Slave, and Four Years in the White House. 1868. Reprint, ed. by Frances Smith Foster (Chicago: R.R. Donnelly and Sons, 1998).
pique public interest. CHS had adopted a collection sampling policy in 1999 to control and protect the collection should an outside individual or organization request permission to use a sample of collection material, but it had no other polices or procedures to guide DNA analysis. Admittedly, the ethical dimension of this initiative was not foremost in my mind, and it did not appear to be the burning issue for any of the other participants in this investigation.

This ethical dimension was discussed only as part of the issue of medical privacy during a CHS-organized conference of historians, scientists, and museum professionals to consider DNA analysis of the cloak and other related assassination material in CHS’s collection (the panel recommended that CHS not pursue DNA analysis of the artifacts since conducting such tests would require destruction of a significant amount of the historical material). But the publicity I hoped the project would, and did, generate raised significant issues about CHS’s ethical responsibilities and compelled us to consider the ethics of biohistorical analysis more broadly and more seriously.

In addition to numerous newspaper and radio features on the conference and the cloak, the project touched a resonant chord with a variety of interested parties. A patient suffering from Marfan’s syndrome, for example, demanded in a public Internet forum that CHS use DNA analysis on its artifacts to determine if Lincoln inherited this connective tissue disorder. BBC Television also offered to fund research on the cape in exchange for exclusive access to private medical information about Lincoln, including proof whether or not he suffered from Marfan’s syndrome. But the most shocking response came from high school students participating in an educational presentation.

13. Additional assassination-related artifacts include a white silk dress fragment attributed to Clara Harris, Major Henry Rathbone’s fiancée, who shared the Lincolns’ box seat at Ford’s Theatre; a frock coat allegedly worn by Abraham Lincoln to Ford’s Theatre, donated to CHS in 1924 by Charles Forbes, Lincoln’s footman; a bed sheet attributed to Lincoln’s deathbed at the Petersen House; a framed towel fragment allegedly stained with Abraham Lincoln’s blood; a bolster pillow attributed to Lincoln’s deathbed at the Petersen House; a lock of hair and undershirt sleeve collected by William Brearley, disbursing clerk in the Quarter Masters’ Office, Washington D.C., 15 April 1865; a lock of hair allegedly taken from the site of Abraham Lincoln’s fatal bullet wound; and a comb and brush attributed to Abraham Lincoln.

14. Conference participants included Jennifer R. Bridge, Research Assistant, CHS; Nancy Buenger, Conservator, CHS; James Canik, Program Manager, Department of Defense DNA Registry, Armed Forces Institute of Pathology (AFIP); Robert Gaensslen, Professor and Director of Forensic Science, University of Illinois, Chicago; Andres Hernandez, Distance Learning Coordinator, CHS; Theodore Karamanski, Professor, Department of History, Loyola University Chicago; James Kearney, Laboratory Director, Division of Forensic Services, Illinois State Police Forensic Sciences Command; Demris Lee, Chief DNA Analyst, Department of Defense DNA Registry, (AFIP); Russell Lewis, Andrew W. Mellon Director for Collections and Research, CHS; Olivia Mahoney, Director of Historical Documentation, CHS; and Kathleen Plourd, Director of Collection Services, CHS. See also “Wet with Blood: The Investigation of Mary Todd Lincoln’s Cloak, Panel Conclusions,” June 1999, CHS.

15. Rebecca Chicot, correspondence with Nancy Buenger, CHS, 5 May 2000. A few years earlier, StarGene, Inc., a commercial enterprise founded by Nobel Prize Laureate biochemist Kary Mullis (biochemist and inventor of the Polymerase Chain Reaction [PCR] technique, which facilitates copying a strand of DNA), offered to fund genetic analysis of the cloak for the right to replicate any Lincoln DNA found for embedding in a line of jewelry. CHS refused this offer. StarGene, Inc. Letter to CHS, 29 May 1996.
on the cloak, who were incredulous that CHS was not actively planning to exhume Abraham Lincoln.

In response to these concerns, CHS collaborated with the Institute for Science, Law and Technology at the Illinois Institute of Technology. With funds from the National Science Foundation, principal investigators Lori B. Andrews and Nancy Buenger and an advisory council began in May 2002 to explore what legal, social, and scientific standards should govern the application of bioanalytical technologies (such as DNA testing) to answer questions about historical figures. A review of professional codes for twenty-three scientific, historical, and cultural organizations showed a lack of consistency and insufficient concern for ethical values that should inform biohistorical investigations. The goal of the collaboration among scientists, lawyers, and historians was to develop and broadly disseminate ethical guidelines for biohistorical research.

Based on an analysis of more than forty cases involving genetic testing of historical figures, this interdisciplinary team found four key issues that need to be considered in developing the guidelines. First, does the historical question posed by biohistorical researchers have historical significance, especially when measured against the potential adverse impact the proposed research may have on individuals, communities, educational institutions, and cultural collections? Second, the interdisciplinary nature of biohistorical research demands that historians and scientists develop a methodology that reflects different perspectives on how evidence is identified, analyzed, and weighed. The methodology should critically evaluate previous scholarship on a topic or historical figure, emphasize the value of multiple sources of evidence, place biological and historical evidence on an equal footing, and incorporate thorough and rigorous research on the provenance of any artifact or sample to be used.


17. Nancy Buenger left the Chicago Historical Society in 2001 to enter the Ph.D. program in American History at The University of Chicago. She has since been a consultant for the CHS on biohistorical research.

18. This material is based upon work supported by the National Science Foundation under Grant No. 0134850.


21. The historians involved in discussing DNA analysis of Mary Todd Lincoln’s cloak understood clearly that the results of such analysis would not significantly change the accepted history and understanding of this event and of Lincoln and his time. They therefore considered DNA analysis to be of little historical significance.
in biohistorical research. Third, institutions, scientists, and historians evaluating biohistorical research proposals should consider the larger social context for these investigations. What are the motivations and professional and personal agendas of the researchers? What social constructs of identity, such as race or ethnicity, are employed in the project design? How has public support for the project been attained? Fourth, and perhaps most important in my mind, is consideration of and sensitivity to the complex histories of individuals and communities and the legacies they represent that are the subject of or will be affected by biohistorical research. The dynamic character of historic populations shaped over time by migration, immigration, and intermarriage and the mixed biological gene pool, kinship relations, and cultural heritage that have resulted demand historical understanding and cultural sensitivity to ownership issues and competing claims.

My enthusiasm for biohistorical research has only increased since CHS’s work in this area began five years ago, and in my view its value for society has been expanded. When a significant historical question can be illuminated and when an investigation is conducted within a framework of ethical understanding and sensitivity, biohistorical research holds great promise for using artifacts and biological specimens in new ways and for bringing an interdisciplinary perspective to history. Most important, the ethical dimension of biohistorical research should not be viewed as a burden or a roadblock to knowledge but rather as a unique opportunity to engage multiple communities in an effort to discover a meaningful past and to renew the value of historical research within the public sphere as a responsible and compelling enterprise.

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