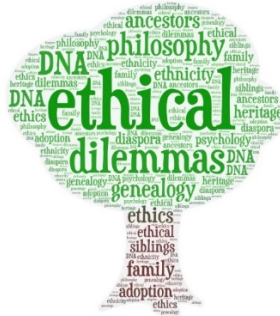


## Ethical dilemmas in genealogy

*I'm just researching my family, what possible problems could there be?*

Dr. Penny Walters

PhD, MSc., BSc. Hons., Grad. IPM., Dip.HEd., PGCE, PGCert. Genealogy



For a fuller discussion please see the book *'Ethical Dilemmas in Genealogy'* available on Amazon, in paperback or kindle. ISBN: 9781724038241

*"Someone has taken some of my photos and put them on their tree, without asking me."*

*"I don't understand why my DNA ethnicity is Ghanaian, when my ancestors came from Jamaica."*

*"Some of my family are on someone else's tree and they have loads of wrong information on there, but I'm not sure if I should I tell them."*

*"I've recently discovered that one of my ancestors was a slave trader and I'm so ashamed"*

*"I've done a DNA test specifically to find out who my birth mother is."*

*"I've looked at my great grandparents' marriage certificate, and I'm not sure if I should tell my grandfather that his mother was 7 months' pregnant when she got married."*

*"When I was in a museum recently, I saw some Egyptian mummies on display in glass cabinets."*

*"I've discovered some very sensitive information on my client's tree about living relatives, but they have only contracted me to devise a simple pedigree chart."*

These are some examples of issues that can worry us when researching family history. Have you had similar situations arise? When we have options, choosing the *right* solution, when values are involved, is an ethical dilemma, which can be defined as, *'a situation in which there are genuine reasons pointing toward two different courses of action.'*

### Genealogy is now a very popular hobby

People traditionally had trees compiled for them, as pedigrees, to prove their entitlement to land, power and titles. However, genealogy is now a very popular hobby that many people are involved in. But, is genealogy 'just' a hobby, or does it feel like it is your 'duty' to research the family tree, especially when nobody else within the family is doing it? People invest a lot of time, effort, energy, and sometimes money, into investigating their tree, and want all the information to be correct. People have viewed successful reunions in televised searching programmes such as 'Who Do You Think You Are?' and 'Finding Your Roots.' Self-administered DNA tests have become more affordable; and there is easier internet access to records and indexes. Because such a huge variety of people are now doing family history, and very few of us have had any training in ethics before, we may feel confused as to what to do if a difficult or awkward situation arises. We do much of the searching online now, so there's often nobody to discuss things with, because most hobbyists and many professional genealogists work from home.

### What is the relationship between ethics and genealogy?

Philosophy (from the Greek *φιλοσοφία* or '*philosophía*', meaning '*the love of wisdom*') is the study of knowledge, or '*thinking about thinking.*' It feels like the word 'ethics' means 'right versus wrong', but ethical issues are, in fact, on a continuum. Researching family history now involves finding

information quickly on the internet, and dealing with strangers that you will probably never meet in person. Ethical dilemmas have very recently come to the forefront since the public debate about law enforcement using GEDmatch to uncover suspected criminals.

**An Ancestry forum 'Ethics in Genealogy' included the following topics as cause for concern:**

- poaching information (80 comments)
- people downloading and re-uploading photos as their own (42)
- people not amending older incorrect pedigrees, just uploading new ones (17)
- people asking for people to be removed from trees (12)
- relatives asking for living people's information to be removed from a tree (11)
- including offensive labels from censuses, for example, 'insane', 'idiot' (10)
- people refusing to collaborate (10)
- users demanding help (5)
- strange attitudes (5)

**What constitutes a relative? Who is included in our tree?**

How many people do you have in your tree? Are they all your relatives? Our relationship overlaps by 50% with our two parents, but only a 0.1% overlap with ancestors from 10 generations ago. The dilemma here is, ***how much information about our relatives should we be exposing on our online trees?*** Have you asked anyone in your tree if you have permission to include them? Distant relatives are someone else's close relative. Another dilemma here is ***what would you do, if someone asked you to remove specific people from your tree?***

**Taking photos from online trees**

When you publish your tree on websites, strangers can look at your tree and add your photographs to their tree without any acknowledgement or thanks. You may also be guilty of this. It could be argued that the photographs are in the public domain, so people can use them if they like, and sometimes an online argument can develop. Solutions could include making your tree private; you could message the person and ask to be acknowledged; or you could message them and ask to collaborate. The website hosts can't intervene and ask the person to remove what you consider to be 'your' photos. The dilemma is ***what can you do if someone has taken your photographs and put them on their tree?***

**Tree errors**

We often find people with trees that overlap with ours, which have obvious mistakes on them. Or even worse, people who have trees with 'not very obvious' mistakes, but we know the correct information. It is quite easy to start an online tree, but then incorrect information may be added and then others can then add and perpetuate incorrect information. A dilemma here is ***should we point out people's tree errors, and should we alert those who seem to rely on our tree for information, that we have discovered some errors on our tree?***

**Sharing and collaborating**

It is so exciting to get new DNA matches, or hints from other people's trees, who we can potentially collaborate with. It's disappointing when people won't reply. Many people only wanted ethnicity estimates, some don't know how to devise a tree, others feel that it is 'their' research, and don't want to share any of their hard work. Should we search for and send messages to matches via social media? The dilemma here is ***should we try to persuade or even coerce people into collaborating?*** We forget it's not compulsory to collaborate.

**Secrets, lies**

Maybe there is a vicarious pleasure in researching ancestors; we can look voyeuristically into other people's lives, with the added benefit that they are related to us, and we are not too far on the 'outside' for it to be considered 'snooping.' Some people report with an element of wry amusement

that their ancestor was a bigamist, a criminal, or a prostitute; however, those situations would have been a major ordeal at the time for all concerned. Is there any benefit adding ancestors' criminal records to their section on your tree, or would not adding them be glossing over or deleting some of the past? A dilemma here is ***should we be sleuthing***, and secondly, ***should we expose our findings?***

### **Naming**

Do names affect identity? When we hear someone's name, we form an impression, but this prejudging can lead to prejudice. Many people have inherited a name from an ancestor through traditional naming patterns, and most people will have their father's surname. However, what about given names during enslavement? My children are Allen (Scottish), their ancestry is Jamaican, but their DNA is Nigerian. Would you change your Black, White, Lynch or Colston surname? Honouring Ghanaian names, such as Kwaku - Wednesday and Kofi - Friday could be seen as cultural appreciation or appropriation. Should adopted people revert to their original biological name? My surname is Walters, but I was born Davies (Welsh) and if my parents were married, I would have been an O'Neill (Irish).

### **Adoption**

Many societies frown upon or forbid having a child outside of marriage. This has led to huge numbers of girls and women feeling that there is no option but to give their child up for adoption. A number of offensive terms arose, for babies born to mothers who weren't married, such as 'baseborn,' 'illegitimate,' and 'bastard' and these terms can be seen on records. Even though those labels existed, ***should we still be using them?*** Much of the secrecy involved in giving up a baby can mean that information was concealed and many official records are sealed, which can lead to massive frustrations and anger, especially with the bureaucracy involved with trying to gain access to these records. Some adoptees don't feel the need to search for biological family, but feel persuaded into it, especially as a consequence of the popular televised searching programmes. The biggest ethical dilemma here is ***whether adoptees should look for biological family or not***. Another dilemma involves ***which name to put on the tree, the adoptee's current or original birth name?***

### **DNA**

DNA dilemmas include: not understanding the implications of the results; revelations that relatives aren't biologically related; unexpected ethnicity results; a clash between DNA results and paper trail; fears over cloning; and the implications of big data. Should we pursue 'relationships' with DNA cousins that we don't have a previous history with? A recent DNA dilemma involves ***whether or not law enforcement should be allowed to use biologicals from crime scenes and utilise genealogical DNA testing sites***. This has raised huge dilemmas about the benefits of arresting a suspect of crimes, versus the privacy issues of those who have uploaded DNA to testing sites. Many family historians probably hadn't understood that their DNA information could be utilised for other purposes. ***Do the ends justify the means? Is this the way forward for crime detection?*** Uploaded DNA results also aren't just the DNA of that person, because the DNA includes the family's DNA information too.

### **Ethnicity and identity**

DNA testing companies have placed a huge emphasis in their advertising on customers finding out about their ethnicity, and suggest that the result will bring great revelations and fascinating insights into heritage. Some people's ethnicity results don't resemble their known paper trail, and this can lead to doubt over the validity of testing, whereas for others it has revealed a new line of enquiry or confirmation of long held beliefs. Because people inherit such a huge variety of DNA from different ancestors, it can often be the case that siblings inherit different ethnicities from ancestors, which can initially (erroneously) cast doubt and cause problems over paternity. A dilemma here is that ***some descendants who want to hold onto their diaspora ancestors' culture could be accused of 'cultural appropriation.'*** This can be seen, for example, when people want to (re) join their ancestors' Native American Indian Tribe. ***Could it be argued that people have a 'romanticised' notion of having ancestors from another country?*** Whilst societies are aiming to be more inclusive, ethnicity testing could be seen as potentially divisive.

### The ethical genealogist

We all think that we're a 'nice' person, and aren't involved in being unethical. As a relatively new discipline, however, ethical issues within genealogy are starting to become visible more, especially since DNA testing, and therefore many and varied ethical dilemmas will follow, some of which can maybe be alleviated or controlled by people studying accredited courses and/ or joining a professional body, which all have relative advantages, disadvantages, time implications and costs. But which course, and which professional body? Who 'polices' the Code of Ethics or Conduct?

The ethical genealogist should ideally respect human rights, values, customs and spiritual beliefs of the individual, family and community. Ethical Decision-Making includes:

- addressing the impact of the action or decision on others or relationships with them (altruistic considerations)
- determination of the 'right thing to do' - as defined by the values and principles which apply to this situation (idealistic considerations)
- potential consequences of the action or decision (individualistic considerations)
- business consequences of this action or decision (pragmatic considerations)

Inevitably, some of these ethical issues raised may well have legal implications.

### Giving unexpected or bad news

Genealogists investigate very personal aspects of people's lives and it can be very difficult to know how to give bad or unexpected news. The saying '*DNA doesn't lie*' shows insensitivity. Most of us aren't trained as counsellors; genealogy education has placed more value on technical proficiency than communication skills, leaving many genealogists unprepared.

### So what is the way forward?

Ideally it would be best to discuss and debate the ethical dilemma with genealogy peers, to engage in continual professional development (CPD), to see examples of good practice, and suggest solutions. If you are delivering unexpected or bad news to people, then you could discuss potential outcomes with them beforehand, explaining your own limitations with analysing DNA, ethnicity results and trees. If you are writing a report for someone, then writing an 'informed consent' agreement is useful, especially when sharing information, or doing 'reveals.'

***There are no clear cut rights and wrongs, and the debate about issues can be more informative and enlightening than any notion of a fixed answer.***

### Stay in touch:

Email: [penny\\_walters@talk21.com](mailto:penny_walters@talk21.com)

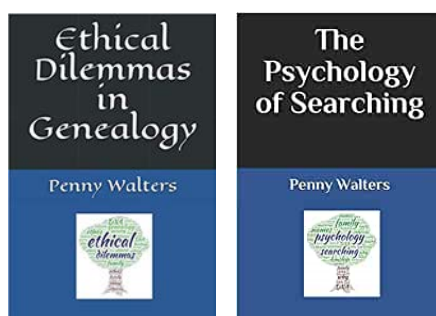
Website: [www.searchmypast.co.uk](http://www.searchmypast.co.uk)

FB Business page: <https://www.facebook.com/searchmypast/>

FB: <https://www.facebook.com/penny.walters.52>

Twitter: <https://twitter.com/DrPennyW>

### Author of:



***'Ethical Dilemmas in Genealogy'*** 2019. ISBN: 9781724038241

***'The Psychology of Searching'*** 2020. ISBN: 9781687167262