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Article

Genealogical Ethics in the United States and the Popularization of Genealogical Research in the Digital Age

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Abstract: This article examines genealogical ethics in the digital age. At a time when more resources for research are available digitally than ever previously, digital media also pose challenges for the large-scale dissemination of false or misleading information as well as the incautious presentation of more careful research that then might be misconstrued by some. This article first reviews the literature about the development of academic genealogy and professional ethical standards. It then provides a series of case studies, each of which examines particular situations in which ethical questions have arisen about the presentation of research findings. This article argues for a greater need among lay researchers to pursue careful research and for a greater need among commercial genealogical databases to foster that. It also argues for the need, grounded in the ethical respect for human dignity, to recognize the individuality and to respect the dignity of the life stories of those whom we study and about whom we write, which should undergird the research process and the presentation of findings. In a concluding section, this essay presents several suggestions that could be used by commercial genealogical companies and researchers to promote more careful investigation and to improve the presentation of findings in commercial databases, online trees, genealogical websites, and other genealogical works that do not routinely undergo peer review.

Keywords: genealogy; ethics; methodology; family history; research

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1. Introduction

Oxford Languages defines ethics as "moral principles that govern a person's behavior or the conducting of an activity" (Oxford University Press 2024). As such, ethics encompasses issues like integrity, honor, conscience, honesty, fairness, responsibility, and "right" behavior (Santa Clara University 2019). This special issue focuses on "topics of ethics and family history" with particular emphasis given to "challenges, dilemmas, and responsibilities" facing both professional researchers and "non-professional practitioners" (Scholar 2023). These challenges may include "personal secrets about individual family members" or other "uncomfortable truths" that emerge during the course of research and strategies for dealing with them (Scholar 2023).

Within genealogical study, professional researchers have long employed a strict code of ethics both in their relationship with the clients who hire them to undertake research as well as within the research process (Jacobus 1930; Hatcher 1996; Mills 2001, 2018). The popularization of genealogy over the last forty years, however, has in some ways led to a lessening of cautious research among the general population even at a time when the process of digitization has, in many ways, made quality research more accessible than ever before. This article examines the development of academic genealogy as a field of study, discusses past approaches to ethics within genealogy, and presents several case studies involving different types of ethical concerns that highlight particular ethical dilemmas. One common theme that connects these examples is the idea of an ethical responsibility to those we research, living or dead, to tell their stories sensitively and with care while maintaining lofty standards of research and evidence gathering. Lay

researchers beginning genealogical study should recognize this obligation, and commercial genealogical companies that include user-contributed online databases and trees should promote careful research and presentation of research findings that follow professional best practices to tell the stories of those who came before with sensitivity and care, respecting their unique individuality as separate and discrete human beings. Doing so would promote responsible and reliable research following professional standards and guidelines that would advance genealogical scholarship and recognize the individual selfhood and human dignity of those who came before us.

The cases discussed here are ones encountered across more than forty years of genealogical and historical research that began in 1982. This includes work as an archival assistant in a historical and genealogical research center; a research intern at a non-profit living history museum focusing on the eighteenth-century; a researcher and customer interface worker at a genealogical firm that combined publishing, research, and sales; a paid researcher investigating individual family histories and commissioned historical research; and an instructor, researcher, and administrator in higher education for more than two decades. The range of research undertaken during this period has included primary source research on individuals and topics ranging temporally from the eleventh century to the present and geographically from eastern Europe across the Americas and Caribbean to the Pacific islands, including a broad range of cultures and time periods. Perhaps the most positive development witnessed during these years has been the increased, widespread availability of digitized primary source documents online from across the world, which has been accompanied by the advent of genetic genealogical analysis to supplement traditional document-based research. But it seems that this has been accompanied by a paradox of sorts. That is the diminishing quality of genealogical research that is produced by many researchers despite the substantially enhanced ability to undertake such investigations and to publicize findings. The paradox itself is not the subject of this article, but ethical issues relating to some of these changes are discussed.

2. Genealogy and Ethics

An interest in genealogical matters is as old as humanity itself. Its forms have included oral history (Ray 2016), hieroglyphical accounts of the ancient Egyptians and indigenous Central American peoples (Flannery and Marcus 2021), creation mythologies present in major world religions (Moyers and Campbell 1988), long genealogical lists of "begats" in Biblical texts (Ray 2016; King James Bible 2020), ancient monarchical accounts of western European dynasties (O'Brien 1962), and monastic texts (Remensnyder 1995; Story 2003). The Christian New Testament contains both recorded genealogies (Matthew 1: 1–25 and Luke 3: 23–28, in King James Bible 2020) and warnings (1 Timothy 1: 4 and Titus 3:9, in King James Bible 2020) about genealogical excesses that were drafted between about 60 A.D. and about 80 A.D., while the Christian Old Testament and its Judaic antecedents contain much older genealogies that purport to trace the bloodline of the House of David to its origins with Adam and Eve of the Judeo-Christian creation story (Genesis 4 and 5, 1 Timothy 1:4, Titus 3:9, Matthew 1:1–25, Luke 3:23–28, in (King James Bible 2020)). The Biblical warning to "avoid foolish questions, and genealogies, and contentions, and strivings about the law" made by the apostle Paul in the first century (A.D. 64–65) exemplifies the extent to which a preoccupation with genealogical uncertainties might even then have been recognized as divisive (Titus 3:9 in King James Bible 2020).

The need for professional records-keeping and the validation of pedigrees was strong in patriarchal western European dynastic nations where rules of inheritance of property and succession were closely linked with paternal lineage (Noble 1805; Smith 2008). Within England, the College of Arms was established in 1484 to maintain a record of arms and pedigrees, and official heralds have maintained and expanded those records (Noble 1805). Early American colonists interested in family background sometimes consulted the heralds to verify their lineages, on occasion employing go-betweens to examine records and make investigations on their behalf (Davis 1963; Knight 1995, 2004).

In the post-Revolutionary United States, interest in genealogy in the nineteenth-century shifted from an interest in affluent English connections to documenting colonial families and their later development. The New England Historical Genealogical Society (afterwards here called NEHGS), the first major genealogical organization in the United States and one that still survives, was established in 1845 (New England Historic Genealogical Society 2024a). It joined such organizations as the American Antiquarian Society, founded in 1812, the Massachusetts Historical Society, founded in 1791, and the Virginia Historical Society, founded in 1831 (American Antiquarian Society 2024; Massachusetts Historical Society 2024; Virginia Museum of History and Culture 2024). The *NEHGS* built upon the work of John Farmer (1789–1838), who had published the *Genealogical Register of the First Settlers of New England* in 1829 and became the pre-eminent genealogical organization in nineteenth-century America (Farmer 1829; Weil 2007).

Many researchers of the later nineteenth century pursued other professions that provided money and leisure to support their genealogical interests. In New England, figures like George Dudley Seymour (1859–1945) researched early colonial families while working as a lawyer and city planner in New Haven, Connecticut. In the southern states, individuals like Lyon Gardiner Tyler (1853–1935), son of President John Tyler, did similarly, combining an interest in genealogical research with his professional accomplishments as a lawyer, politician, and college president (American Antiquarian Society 1945; Chroninger 2020). Figures like these contributed to the development of genealogical studies. Some produced work of lasting influence, often in connection with younger professional genealogical scholars (Seymour and Jacobus 1939; Seymour 1941; Tyler and Swem 1919–1952), while others produced less reliable and more controversial studies (McCracken 1976).

Later figures like Earl Gregg Swem (1870–1955), Arthur Adams (1881–1960), John Bennett Boddie (1880–1965), Martha Woodroof Hiden (1883–1959), Clayton Torrence (1884–1953), and Beverly Fleet (1883–1950) produced high quality publications that included transcriptions of county records, carefully documented published genealogies, and narrative histories of counties and towns that devoted attention to family history, community history, and genealogy. They left works that continue to be important today, among them *The Magna Charta Sureties, 1215*; *Seventeenth Century Isle of Wight*; *Adventurers of Purse and Person in Virginia*; *Old Somerset on the Eastern Shore*; and *Virginia Colonial Abstracts* (Adams and Weiss 1955; Boddie 1938; Jester and Hiden 1956; Torrence 1935; Fleet 1988, which was an updated reprint of 37 volumes published separately between 1938 and 1949). Of this generation, Donald Lines Jacobus (1887–1950) emerged as a preeminent figure renowned for his skill and expertise (Taylor 2022). Jacobus would found *The American Genealogist*, and his *History and Genealogy of the Families of Old Fairfield* continues to be an influential work (Taylor 2022; Jacobus 1930–1932).

In the early twentieth century, a group of researchers that included George E. McCracken (1904–1986), Milton Rubincam (1909–1997), and others employed high standards of professional research both to produce published extracts of genealogical material as well as to produce carefully researched and documented family histories. The American Society of Genealogists, founded in 1940 by Arthur Adams, John Insley Coddington, and Meredith B. Colket, Jr., aimed to promote high standards of genealogical scholarship (American Society of Genealogists 1999–2023). Its name calls to mind the English Society of Genealogists, founded in 1911 to "promote, encourage and foster the study, science and knowledge of genealogy" (Foster and Sheppard 2002).

Despite the increasing professionalization of genealogical research during the later nineteenth and early twentieth centuries, the work of these early practitioners was not error-free. Lively debates about colonial origins appeared in *The American Genealogist*, *The New England Historic Genealogical Register*, and other leading publications, and each new generation of researchers has revised and expanded their work with articles continuing to appear today. In addition, much still remains to be known about the origins of early American colonists (Anderson 2015; McCarney 2017), but these early researchers and their successors laid the groundwork for carefully constructed, rigorously documented genealog-

ical studies based on solid evidence and analysis. When conclusions were speculative, they said so and then explained the rationale for their thinking so that later researchers might expand and refine their work.

The professionalization of genealogical research in the twentieth century, reflected in the founding of the National Genealogical Society in 1903 and the American Society of Genealogists in 1940, produced written guidance about the research and writing process as well as guidelines for professional researchers when dealing with their clients. The first edition of *Genealogy and Pastime and Profession* was published by Donald Line Jacobus in 1930 and became a classic in the field (Jacobus 1930). Jacobus stressed that he presented his own personal views and that his work was "not intended as a text-book." Chapters focused on "Puritan Peccadillos", family pride, genealogical byways, early nomenclature, royal ancestry, genealogy as a profession, "To Become a Professional", commercial firms, the client, source material printed, source material original, case histories, how to compile a family history, growth of a colonial family, genealogy and eugenics, genealogy and the law, dates and the calendar, and how to trace your ancestry (Jacobus 1930). A second edition appeared in 1968 with an introduction by Milton Rubincam, who wrote that "In spite of all the "how to do it" books that have been published since 1930, *Genealogy as Pastime and Profession* tops them all" (Jacobus 1968). Summarizing the impact of Jacobus's work in 2022, Nathaniel Lane Taylor noted that since the 1960s several major developments have occurred in genealogical study, each of which "has, on its own, further revolutionized the fields of genealogy, but these new transformations have taken place within the context of a field professionalized and enriched by the scholarly genealogical revolution of the Jacobus School" (Taylor 2022).

In his 1930 study, Jacobus addressed both the researcher–client relationship and the research process, including discussion of using unpublished primary documents as well as secondary, edited, or transcribed document collections and family histories (Jacobus 1930). Since Jacobus, the discussion of ethics within genealogical study has focused largely on these areas. Among more recent researchers, *Genealogical Research: Methods and Sources* and *Genealogical Pitfalls*, both edited by Milton Rubincam, *Evidence Explained: Citation & Analysis for the Family Historian*, by Elizabeth Shown Mills, and *Professional Genealogy: Preparation, Practice, and Standards*, edited by Elizabeth Shown Mills, have also achieved classic status (Rubincam 1980; Mills 1997, 2001, 2018) as works elucidating professional guidelines, in addition to article publications in leading periodicals such as *The American Genealogist*, *The Genealogist*, *The New England Historic Genealogical Register*, and *The National Genealogical Society Quarterly*. In particular, Neil Thompson's essay "Ethical Standards" in *Professional Genealogy* offered an extensive treatment of ethical best practices regarding client relationships, "fulfilling the commission", reporting results, confidentiality, collegiality, community relationships, and sharing credit (Mills 2001), updated and elaborated into three separate chapters by Michael Ramage, Malissa Ruffner, and Judy Russell under the heading "Ethics & Legalities" in the book's 2018 edition (Mills 2018).

In addition, the Board for the Certification of Genealogists, established in 1964, has issued several important works, among them *The BCG Genealogical Standards Manual*, *Genealogy Standards: 50th Anniversary Edition*, and *Genealogy Standards*: *Second Edition* (Board for Certification of Genealogists 2000, 2014, [2019] 2021). These works cover an exhaustive range of topics, including the genealogical process, standards for documenting, standards for research, collecting data, reasoning from evidence, standards for writing, standards for genealogical educators, and the "Genealogist's Code". More recent editions of earlier publications have addressed the use of DNA and protections for those who provide DNA samples, a topic also addressed by others (Crowe 2014; Krasner 2020). Scholars like Henry B. Hoff, Michael Leclerc, and Penelope Stratton provide guidelines for best practices in genealogical writing, and they, Elizabeth Shown Mills, and others address sources, documentation, and citation (Leclerk and Hoff 2006; Stratton and Hoff 2014; Neagles 1990; Mills 2001, 2015, 2018). Beyond these, a host of lesser-known works—many of them more colloquial and less academic in nature—offer advice about research strategies and writing

that may be useful to beginning researchers (Vandagriff 1993; Horowitz 1999; Steele 2008; Dowell 2011; Flekke 2011).

In the twentieth century, case study analysis emerged as an important pedagogical technique among professional researchers. While case studies provide examples of quality research and present the findings of that research, they also model the research process and genealogical reasoning and analysis, including innovative approaches to commonly used sources as well as the novel uses of less commonly utilized ones. The case study approach has long been utilized in many fields, including sociology, anthropology, and history (Mills et al. 2009). Writing in 2018, Thomas W. Jones in an essay titled "Proof Arguments & Case Studies" (Mills 2018) summarized the value of case study analysis within the genealogical discipline. More recently, Nathaniel Lane Taylor noted the importance of case studies as exemplified by the Jacobus School "with opportunities to discuss those cases and build on them" for exemplifying the application of genealogical standards in practice and providing opportunities to develop and refine research techniques (Taylor 2022).

In the following sections, this essay moves through several case studies that highlight particular ethical dilemmas. These include ethical issues involved when researching cases in which sensitive personal details emerge during the research process, ethical considerations that emerge when unexpected genetic findings stemming from DNA research challenge the traditional narrative, and ethical concerns generated when confusion over names and other personal details leads to the creation of what might be called fabricated identities for composite individuals who never actually existed.

A shared theme that unites these cases is the idea of an ethical responsibility to those we research to tell their stories sensitively and with care while maintaining high standards of research and evidence gathering. When working with living subjects, ethical best practices recognize "the primary value of human dignity in the holistic sense of guarding the physical, mental, and cultural well-being of the individual" (deRoche and deRoche 2009). This essay argues that, when researching past lives, it is also important to continue to assert this same regard for the "primary value of human dignity" in the treatment of these individuals and their life details (deRoche and deRoche 2009).

In the United States, the right to privacy ends at death (Social Security Administration 2023). Although legal obligations to protect privacy rights terminate then, this essay contends that continued ethical obligations to the deceased when telling their stories should shape the research process as well as the presentation of research findings, especially when those findings may have repercussions for living family members. The intellectual foundation for this argument is rooted in the idea that human life possesses a fundamental dignity, the right to which persists after death. In this sense, it shares common features with legislation such as that that enacted in NAGPRA (Native American Graves Protection and Repatriation Act), whereby the U.S. Congress found that "human remains of any ancestry 'must at all times be treated with dignity and respect'" (National Park Service 2024). The written documentation of past lives differs significantly from biological human remains, but in these documents—and what is done with them—the legacy of those who came before remains present with us today.

While the concern here is primarily with individuals who have already died, there is obvious relevance in some of these examples for the living as well, although—particularly in the area of DNA research—a large and growing literature on such ethical considerations already exists (Feagin et al. 1991; Mills 2001, 2018; deRoche and deRoche 2009; Aulicino 2013; TallBear 2013; Bettinger and Parker 2016; Bettinger 2019; Weinberg 2017; Krasner 2020; Vance [2020] 2024; Estes 2021; Taylor 2022). In addition, ethical concerns play an important role in discussions concerning adoption, adoptees, and birth families (Askin 1998; Stolley and Bullough 2006; Brown 2008; Lifton 2009) as well as in discussions about traditional genealogy and medical research, genetic genealogy and medical research, and the presentation of private information—vital details, medical data, or significant personal attributes—in family pedigrees (Botkin 2001; Galford 2005; McGoldrick et al. 2008; TallBear 2013). The use of DNA evidence in forensic genealogy also produces ethical concerns,

particularly in cases where those tested, whether living or deceased, have not given their approval for such use (Glynn 2022; McKibbin et al. 2023).

Similar concerns occur when presenting research findings that may affect hose living today (Crowe 2014). This article does not advocate that those findings should not be presented but rather that they should be presented with care and sensitivity that respects the dignity, including the individual and distinctive identities, of those who came before as well as the rights of those living today. Professional historians, especially practitioners of social and cultural history, and professional genealogists have long recognized these concerns (Taylor and Crandall 1986; Demos 1995, 2004; Jordan 1996). But what is particularly alarming are the ways in which, in the digital era, the proliferation of erroneous research or of research findings taken out of context and widely disseminated through digital media may be used for harm, may promote misrepresentation of facts, or may simply compound erroneous research. (For a discussion of the dangers of improper online identifications, see Galford 2005; Barratt et al. 2009; Crowe 2014). Much of this might be avoided if amateur researchers were to consider the human dimension of past lives and the inherent worth of those we research and about whom we write. This involves recognizing their individuality and distinctiveness in the research process and the presentation of research findings.

3. Sensitive Issues and Ethical Considerations

The issue examined here is what happens when sensitive personal details emerge during the research process. For the living, the right to privacy affords some protection, and most modern people are familiar with examples popularized through the media of challenging situations that have emerged when details of past indiscretions involving public figures have been brought to light. But how should research into those long dead proceed when sensitive or unusual evidence emerges?

Modern life comes with many warnings about the potentially harmful effects of food, drugs, beverages, automobiles, medical procedures, sporting events, and many other things. In recent years, historical organizations have now begun to issue warnings to researchers about the potentially harmful psychological or emotional effects of historical materials in their collections or databases to researchers. Those accessing certain online content through the Library of Virginia, for instance, now view the following warning:

> **Content Warning**: Materials in the Library of Virginia's collections contain historical terms, phrases, and images that are offensive to modern readers. These include demeaning and dehumanizing references to race, ethnicity, and nationality; enslaved or free status; physical or mental ability; gender and sexual orientation (Library of Virginia 2023, https://lva-virginia.libguides.com/land-grants, accessed on 21 January 2024).

Similarly, this warning advises users of the *Georgia Historic Newspapers* site that

> Some content (or its descriptions) found on this site may be harmful and difficult to view. These materials may be graphic or reflect personal biases. In some cases, they may conflict with strongly held cultural values, beliefs or restrictions. We provide access to these materials to preserve the historical record, but we do not endorse the attitudes, prejudices, or behaviors found within them (Georgia Historic Newspapers 2023, https://gahistoricnewspapers.galileo.usg.edu/search/advanced/, accessed on 21 January 2024).

This warning also includes a link to a more complete discussion of the possible harmful or difficult-to-view content, including information about the creation of the statement and a list of frequently asked questions (https://gahistoricnewspapers.galileo.usg.edu/about/harmful_content, accessed on 21 January 2024). Statements like these call attention to sensitive historical content that might offend or cause harm to modern viewers.

What happens, though, when those undertaking research make unexpected discoveries about past individuals that involve sensitive issues or events that past individuals may have worked to conceal or revise, possibly through engaging in a process of historical

"self-fashioning" (Greenblatt 1980; Galford 2005; Crowe 2014)? Some such findings might also have potentially harmful effects for those living today who have historical, genealogical, geographical, or cultural connections to past individuals, but is there a responsibility to past individuals themselves when modern researchers tell their stories (Galford 2005; Crowe 2014; Mills 2001, 2018)?

This section presents three short cases that exemplify such issues. Due to the nature of some of these examples, I have anonymized the identities of the historical individuals concerned (Wallace 2009). When dealing with living subjects, anonymity protects confidentiality and avoids such harmful consequences as "personal embarrassment and a possible loss of self-esteem" (Wallace 2009). All individuals referenced in these cases are deceased, but I have chosen here to protect their identities as well as those of possible relatives who might be living today. One reason for that is that I intend to present these stories later and in more detail, with appropriate documentation and explanatory discussion modeled after the approach outlined here, in another context. Providing an anonymized overview allows key issues to be examined briefly to illustrate key themes without distracting detail that would be unhelpful in the present context.

3.1. Case A: A Troubled Past

The first case concerns an individual, now deceased, who, hoping to join a patriotic society, once approached me to undertake research for them. The individual prefaced the inquiry by noting that their mother had always belittled their father's family by stressing the positive accomplishments of her own relatives. This person hoped to join a patriotic organization based on patriotic service in the American Revolution with a lineage descent in the paternal line and thereby prove to their mother—by then long deceased herself—that their father's family was one of worth and accomplishment.

In the process of researching this family history, I discovered that the revolutionary ancestor in Virginia had first been disinherited by his father for drinking and cardplaying amid the evangelistic fervor of the southern Great Awakening. He then moved into North Carolina, where he was charged with tax evasion and forced to flee the county to avoid debt collectors. Instead of supporting the American cause, he became a Loyalist and was hanged (although he somehow managed to survive—an impressive feat!) by a band of patriots as part of the revolutionary infighting among backcountry Whigs and Tories. He eventually made his way to the Georgia frontier, where he continued to have minor encounters with the law.

Among his offspring, one child was involved in a tragic domestic abuse case in which her husband starved and beat her, while another had married three times in succession, all the while maintaining a mistress by whom he had a second family and whom he moved from county to county with him and his legally recognized wives and children. This led to a series of inheritance cases that stretched on for decades, in which details about their paternal ancestor and his misdeeds were presented in rich detail. The sons and sons-in-law of this figure, in turn, were involved in a further series of legal skirmishes that included being charged with setting fire to their neighbors' fields and participation in a shootout on the courthouse lawn.

Needless to say, membership in the patriotic organization was precluded by these discoveries. A possible caution to any researcher should be not to set out to prove a certain thing without being in full possession of the facts. But, in dealing with my client, who was devastated by some of these discoveries, and in struggling to tell this story through the years, I have repeatedly had to grapple with ethical concerns, both in terms of presenting the story in a sensitive manner that positions these events within the larger historical context of the time and in regards to the possible effects it could have on members of this now numerous family.

3.2. Case B: A Personal Regret

A less eventful, but perhaps more poignant, case concerned a Confederate soldier who lived until 1919. A native of Arkansas, the man had come to Georgia during the American Civil War and remained there. Family stories repeated by his grandchildren, who knew him personally, held that he never had contact with his family in Arkansas after the war. In later life, he attended Confederate reunions regularly, was mentioned in several newspaper accounts of them, and was included in a surviving photograph of Confederate veterans at one such reunion. Family members who knew him recalled that, on his last visit from his rural farm into town, only a few days before his death, he went to the local Confederate cemetery and gazed from his buggy for a long time before driving away. Yet he never applied for a Confederate pension, and a close examination of military records revealed that he enlisted at the age of fifteen in a Louisiana unit and deserted shortly after his unit reached Georgia. He was a former Confederate soldier, but not one who had been honorably discharged from service.

Yet his youthful experience in the Confederate service seems to have overshadowed his later years, and a psychologist might argue that it played a role in the economic failures and borderline alcoholism that troubled his later life. In this case, the family already knew about his problems with money and alcohol, and, with little personal investment in the outcome of the war, news of his Confederate desertion did not come as much of a blow. If anything, for them it added sympathy for a man who seemed haunted by some personal regret. Yet, in attending Confederate reunions—which included having his name published in the local newspaper with other veterans in attendance—he clearly risked exposure and its consequences when dealing with soldiers who had completed their service, many of them laying down arms with Lee's Army at Appomattox Court House in 1865.

People today might view deserting from the Confederate Army in a more positive light than having served in it, particularly if an ideological orientation towards liberty and human rights had produced it, but the experience of youthful, and possibly traumatic, service followed by desertion and its attendant consequences seems to have troubled this man's life, leaving internal wounds that never healed. His story exemplifies how the war disrupted the lives of men and women of all backgrounds who lived through it. Are there ethical considerations in telling his story, however, and how do these compare with the way experiences of soldiers in other conflicts, including those ongoing today, have been characterized?

3.3. Case C: A Hidden Secret

A third example concerns a woman whose grandchildren believed that she had been adopted. Although they did not know her maiden name, they knew the location where they believed she had been born. Likewise, they knew that the date of birth on her gravestone—1844—was not the date of her birth *but of her adoption*, with the added detail that she requested it be recorded on her gravestone because she said that it was "when her life truly began." The date on her gravestone—which included only a year for her birthdate—was five years after census reports generally placed her birth, and details from federal census reports were vague about her place of birth, sometimes listing it as "unknown" instead of Georgia and Alabama, where her spouse and children were reportedly born. She had married in the locale where her grandchildren believed she was born, but there were no other traces of her somewhat unusual family name in that county and no evidence to support the idea that she had been born there. Seemingly supporting the adoption story was the fact as well that, had she been born in the year shown on her tombstone, she would have married at age twelve, while census reports between 1860 and 1900 consistently indicated that she would have been closer to seventeen at the time.

This was an obscure and challenging case that took years to unravel, but the final determination was that—prior to marrying the husband with whom she spent five decades of her life—she had had a brief and disastrous marriage to a serial bigamist and petty criminal who had abandoned her before his eventual arrest and imprisonment. The

surname under which she had then remarried was that of her first husband, whom she had married in a different state, and not her surname at birth.

That marriage lasted only a few months, but it seems that she went to great lengths to conceal it—perhaps fearing that she herself might be accused of bigamy since no divorce or separation record has been found. She apparently never communicated again with her biological family members, and documents discovered through research indicated that her children believed the name under which she married was her maiden name. If anyone had known of her earlier marriage and troubled past apart from the supposed adoption, no mention of it had gone down in the families of any of her five children, whose descendants all had passed down the adoption story. Likewise, in the four known instances in which her children or their spouses listed her maiden name on a historical document, they used the name under which she had married their father—that of her bigamous first husband. Her surviving photograph reveals a tired, sad-looking woman. When she died suddenly from an asthma attack in 1904, her son wrote a touching letter about her to his brother, then a soldier at a military base in an adjoining state, and on her tombstone family members noted that "the lovely flower has faded."

It would seem that she, perhaps in league with her husband but also perhaps unknown to him, had carefully refashioned her past in such a way as to avoid linking her with her origins and background. Her birth name, her birthplace, and her birth year had all been changed. This had been conducted in such a way as to obscure all connections with her biological family, including her father, who lived past eighty and died only a few years prior to her. Instead of being the wife of a bigamist, she became an orphan with a tragic past. In an era in which extended family connections were commonplace and important in the culture in which she lived, it would seem that this came at considerable personal cost to her, to her children, and perhaps to her siblings and their families, even as it may have spared them exposure to any possible shame, gossip, or inuendo associated with her early life.

3.4. Common Themes

These are examples of unexpected historical discoveries that can be generated through the research process. Some reference books, in fact, focus on providing lists of individuals who were prostitutes or career criminals or whose lives touched on events that were "Morbid, Macabre, [and] Sometimes Disgusting". Such discoveries, while usually unexpected, are not uncommon (Broglin 2007; Davis 1982–1987; Byrnes 1886).

Apart from the possible concerns among descendants living today, however, each of these cases raises questions about the ethical presentation of these stories and about the ethical responsibility to the historical actors themselves to whom those stories belonged. They were, after all, *their* lives, and each case involves issues—some of them probably traumatic for those who endured them—that they and perhaps other family members had worked to forget, obscure, or conceal.[1] As noted, I do not intend to argue that such issues should remain hidden or obscured, but I do advocate telling them with caution, sensitivity, and respect for all stakeholders, both those deceased and those now living.

4. Unexpected Genetic Discoveries and Ethical Considerations

As noted by Taylor, "the advent of DNA data of use for both the 'deep' genealogy of the human species and proximal genealogy in historical generations" is one of the major events of recent decades that has revolutionized the field of genealogical study (Taylor 2022). In recent years, much as been written about the ethical use of medical data, DNA and the right to privacy, DNA research and Native American identity, DNA research and postcolonialism, and DNA research by individuals seeking to learn the identity of their birth parents and biological relatives (TallBear 2013; Krasner 2020; Bettinger and Parker 2016; Bettinger 2019; Weinberg 2017; Botkin 2001). These areas are of particular concern to those working with contemporary issues, such as those seeking their birth families, whether those are children who were placed for adoption or the family members of those

who were themselves placed for adoption. In addition, there are unexpected discoveries—now commonly called NPEs (non-paternity events)—in which individuals discover that their paternal heritage was not what they believed it to have been (Vance [2020] 2024).

The example provided in this section focuses on a particular non-paternity event dating from the early nineteenth century, one of which the individual, and perhaps one or both of her parents, were unaware. Given the sensitive nature of the story, even though it occurred more than two centuries ago, I have omitted personal names, and, for ease of narrating it, I have chosen to call the individual concerned Mary Jones. This is a fictitious name that was in no way connected to her own, as is that of her proposed genetic grandmother, here called Progenitor X.

Mary was born in 1823. She was her parents' eldest child, and her name survives in her father's handwritten family Bible entry that went on to include several other children born between the 1820s and 1840s. Mary married, had a family, and was widowed when she was only about thirty. She never remarried, and from that time onwards lived with or beside her parents and eventually replaced them as head of the household. Both parents lived with her until their deaths. Mary's father died in 1877, but her mother, who lived for nearly a century, died only a year or so before Mary herself. Mary's brother administered their father's estate, and Mary inherited an equal share with all siblings. Stories of her parents survived in family recollections into the twentieth century, and both their given names were repeated in Mary's family for generations.

A minor mystery noted early on in the research, however, was the fact that Mary's birth in the summer of 1823—as evidenced by the family Bible entry, her gravestone, and her obituary—followed her parents' marriage by only five and a half months. Without the possibility for advanced neonatal care at that time, the conclusion was that Mary's mother was likely pregnant when her parents married. The marriage date—found in county legal documents—had not been recorded in the Bible entry, and, whatever the reasons for Mary's birth so soon after her parents' marriage were, they had not been preserved in family memory. Mary's parents were remembered in church minutes, newspaper obituaries, and family lore as exemplars of the Christian faith.

Years of research produced detailed accounts of Mary's paternal and maternal ancestry going back many generations. Her father's family had been notable in frontier Georgia and included judges, schoolteachers, state representatives, and delegates to the state's secession convention. Unlike his older brother, Mary's father was not a planter, but he was a prosperous farmer who owned several tracts of land and held minor local offices. His parents' families had originated in Virginia's Northern Neck and Southside regions, while his wife's progenitors had settled in Isle of Wight and Surry Counties of Virginia and then moved into east central North Carolina. Both families had come to Georgia around 1800, and their paths first crossed in what was then western Georgia in the early 1820s.

The popularity of commercial DNA testing and the use of sites like Ancestry, FamilyTreeDNA, and Gedmatch over the past decade shook what appeared to be a well-established, documented genealogy. DNA results for Mary's descendants, including several living great-grandchildren, confirmed the connection to Mary's mother's family. Based on test results, there was no identifiable genetic confirmation to link Mary's descendants to her father's relatives, however. This, in and of itself, was not necessarily a major issue, though, since autosomal DNA is randomly transmitted and since it might be that Mary's descendants who had tested three generations later had inherited little or no DNA from her father (Crowe 2014; Bettinger and Parker 2016; Bettinger 2019; Estes 2021). It might just have missed them.

What happened next was unexpected, however. Careful study of autosomal DNA matches seemed to reveal genetic connections to other families in the area in which Mary had been born. Again, in and of itself, this was not necessarily problematic. Those might have been segments that came to these descendants from a different family line that might indicate some other genetic connection, and there was no initial reason to suspect anything might be amiss with the identification of Mary's paternity.

About this time, however, a researcher focusing on an altogether different family reached out to the custodian of these kits. Through careful study and analysis of results at Gedmatch using chromosome mapping tools through Genome Mate Pro, this individual had discovered an X-DNA connection to several of Mary's descendants. This person did not know the family relationship among these descendants or what common ancestor they shared, but the individual had determined that they all shared an X-DNA segment in common with numerous descendants of the family line that this individual was researching. X-DNA analysis can produce important discoveries. Often, however, its results are ambiguous or potentially useless since X-DNA is inherited only through certain family lines, which means it recombines at a different rate than other autosomal DNA found on chromosomes 1–22. Men inherit their Y-chromosome from their father and one X-chromosome from their mother. Women inherit two X-chromosomes, one from their father's mother and one from their mother. Thus, for each individual, X-DNA comes only through a limited number of ancestors (Crowe 2014; Bettinger and Parker 2016; Bettinger 2019; Estes 2021).

This also means, however, that large segments may be transmitted without significant breakdown or recombination over many generations. Conclusions based on X-DNA, then, are most useful when it is combined with other autosomal DNA that indicates a family connection within the recent past—usually the last five to seven generations. Given these parameters, any conclusion must be tentative and supported through some triangulation of both autosomal DNA segments and X-DNA segments that tie to a specific individual (Bettinger and Parker 2016; Bettinger 2019).

Examination of the triangulated matches for the several autosomal and X-DNA segments inherited by these individuals indicated that they could only have come to Mary's descendants from one individual—Mary Jones herself, through either her father's mother, her mother's father's mother, or her mother's mother's parents. Likewise, study of the triangulated segments that matched those of Mary's descendants suggested that they likewise came from a single female individual, whom here we shall call Progenitor X.

Progenitor X was born with the family name that the other researcher was following. She married and moved about thirty miles west of where she had grown up, and she reared a family of several sons. Tax digests showed that their land joined land owned by Mary Jones's mother's family. The sons were the same age as Mary Jones's mother, and the 1820 census placed four adult male members of this family within a few households of Mary's mother's family, including one in the very next household enumerated. The 1821 and 1823 tax digests showed the same thing (1822 does not survive).

Cumulatively, several factors—the combination of X-DNA evidence and autosomal DNA evidence linking to this family, in particular evidence that connects Mary Jones with Progenitor X in the X-DNA inheritance sequence; the absence of autosomal DNA evidence linking descendants of Mary Jones to her traditionally recognized legal father; positive documentary evidence connecting Mary's mother's family with the Progenitor X and her family through neighborhood associations, as evidenced in deeds, tax digests, census enumerations, and probate records; and Mary's birth five and a half months after her parents married in 1823—all suggests that Mary's biological father was a son of Progenitor X. In fact, he seems most likely to have been one particular son. He was the same age as Mary's mother. In 1822, he appeared in the tax digest immediately after Mary's father, suggesting that as a young, single man he may have worked on the family's farm. Autosomal DNA segments shared by his descendants and Mary's descendants tend to be larger and more numerous than those shared by descendants of any of his siblings and Mary's descendants. In addition, he left the area about the time of Mary's birth and moved about sixty miles to the southeast, where he and his wife, five years younger and whom he married after leaving the area, reared a large family.

Mary lived to be about seventy-five years old, and her mother lived nearly as long as she did. When she was a young girl, her family moved about sixty miles westward, and Mary lived the rest of her life in that community. There was no hint in legal records or family tradition to suggest that Mary's parentage was anything other than it might

appear based on the surviving legal records, other than the abbreviated period between her parents' marriage and Mary's birth. Nor was there any continued association in the years after Mary's birth with the family that was the source for the autosomal and X-DNA matches associated with Progenitor X and her offspring. Yet genetic discoveries made almost two centuries after Mary's birth support the conclusion that the man who raised her was not Mary's biological father.

In any attempt to summarize this case, several questions arise about the ethical implications of these findings. These are summarized below.

- First, is there an ethical responsibility to Mary in telling her story? Did she know that the father who reared her was not biologically related to her?
- Second, is there an ethical responsibility to Mary's mother in telling this story? Unless further records are located, it is impossible to know the circumstances through which Mary was conceived. Might her mother have been raped? Might Mary's conception have been the result of a clandestine relationship hidden from her family? Did the man refuse to marry her after learning she was pregnant? Or, might she have made an informed decision to marry someone else who would help her achieve a more stable and productive life? Or, perhaps, was she already involved in a relationship with the father who raised Mary, thus opening the possibility that she may not have known herself that he was Mary's biological father? Without further evidence, we cannot know the answer to any of these questions.
- Third, is there an ethical responsibility to the father who reared Mary? Did he know he was not Mary's biological father? If he did, he would seem to have made the conscious choice to marry a woman already with child and to have given his name to her. He recorded her name first in the family Bible, and he left to Mary—with whom he lived the final years of his life—a share of his estate that equaled all his other children. He likely married Mary's mother before her pregnancy began to be noticeable. They had been married for five and a half months by the time Mary was born, and he played a prominent role in her life. Soon after Mary's birth, the family moved about seventy miles westwards, into what was then Georgia's most western frontier. Had any suspicions lingered in the neighborhood about Mary's origins, they likely would have been removed by the family's relocation, and they seem never to have crossed paths with Progenitor X, her offspring, and her extended family again.
- Fourth, is there an ethical responsibility to Mary's descendants? In this particular case, Mary's social and legal father's family has maintained a strong sense of identity, including regular family gatherings emphasizing connections between his family and those of his two brothers as well as among descendants of his other children. This discovery would effectively remove Mary's descendants from this still active family circle while at the same time perhaps creating tensions among the descendants of Mary's mother herself, who might question the identification or feel some embarrassment at having these obscure details of their ancestors' lives resurrected after more than two centuries.

None of these is a question easily answered. Unless documents such as personal letters or diaries should emerge to shed some light on these issues, most of these questions can never be answered.

But the questions themselves may ultimately be of more value than their answers, for they suggest the need to tell the story of Mary and her parents with care, respect, and sensitivity—all the more so when examining events and details of which they themselves may not have been aware.

5. Identity Confusion and Ethical Considerations

Genealogical author Edward L. Strother once noted that "Genealogy is a field in which all research centers upon individual identity—not name, but identity. One of the common hazards is the existence of multiple individuals with the same name, at the same time, in the same area" (Strother 1998). Carefully sorting individual identities is a key to

successful historical identification and genealogical proofs—so much so, in fact, that many articles in leading peer-reviewed genealogical publications are case studies that explicate that principle by examining particularly instructive cases (as examples, see Strother 1998; Rockett 1998). Successful genealogical proofs may sometimes require years of research and analysis; sometimes, even after this, conclusions may still be tentative (Knight 2022).

One of the greatest challenges in genealogical research in the digital age is the proliferation of chronic misidentifications, usually brought about through the process of lumping several separate and discrete individuals into a single individual who never existed at all. Incautious researchers copy, paste, and download material such as this, adding it into their online databases. This, in turn, leads to flawed hypothesized relationships in commercial DNA analysis applications such as those projected by Ancestry's *Through Lines* application, which relies on user-submitted "trees" to compute likely family relationships. Any skilled researcher will have seen improbable identifications that posit a false descent through an alleged or fabricated common ancestor who never existed, at least with the name, dates, and locations ascribed to her or him. This is one result of a process of identity compounding in which details of multiple individuals with the same or similar names are compounded to create a single fictitious individual.

Related to this is a problem that has challenged even the best genealogical researchers across time, once referred to by Milton Rubincam as "Same Name, Same Place, Same Time" (Rubincam 1987). Often cases like these can be very difficult for even skilled researchers to sort out, while novice researchers may not even realize a problem exists. That, in turn, may lead to the sort of identity compounding mentioned above, in which separate and discrete individuals are fused to create someone who never existed at all.

Writing in 1987, Rubincam also referred to what he termed "Fraudulent Pedigrees." Often genealogical frauds of the nineteenth and twentieth centuries were calculated and deliberate, aimed to prove a connection to an important ancestor, often with a royal or noble descent. On occasion, documents were forged, and often identities were deliberately confused in order to document a particularly desirable descent (Rubincam 1987; McCracken 1976). Online identity confusion in the digital age, however unintended, has led to the production of similarly fraudulent pedigrees, often including fabricated individuals. Earlier cases of genealogical fraud aimed to document relationships to particular individuals—prominent historical figures, monarchs, aristocrats, Indian chiefs, Mayflower passengers, and the like—while modern fabricated individuals come from all sorts of backgrounds. While generally not recognized by professional researchers, they nevertheless have wide sway among less cautious ones and appear in innumerable online "trees" and databases.

To illustrate the challenges posed by the existence of similarly named individuals in the same locale, I summarize three cases below. Challenging on paper, each of them has presented great confusion in the digital world, as a quick search for these names at Ancestry, FamilySearch, or WikiTree will reveal (Ancestry.com; Familysearch.org; Wikitree.com).

5.1. Example A: William Burk and William L. Burk

Brothers Wiley Burk (born about 1801) and William Burk (born about 1803) both had sons named William Burk who lived in the same community in rural Randolph County, Alabama. Wiley's son William was 17 at the time of the 1850 Randolph Co., AL, census. William's son William was 13 at the time of the 1850 Newton County, Georgia, census.

By 1860, both men were living in the Rock Mills community of Randolph Co., AL, to which the family of Wiley's brother William had relocated in the middle 1850s. One of these men died in the Civil War, and the other lived until 1917, when he died childless. Relatives of the man who died in 1917 identified him as "Uncle Billy Burk" and remembered childhood visits with him. In their oral history recollections, they identified him as the son of William Burk and as the brother of William's children (who, in these cases, were their grandparents). This William's birthdate on his tombstone is 20 March 1836, which appears to correspond well with the birthdate for William's son William, who was aged 13 at the time of the 1850 census (Findagrave 2011).

Hence, it would appear that the man who died in the Civil War was Wiley's son and that the man who survived in 1917 and died childless was William's son, as family lore among William's descendants indicated. Colorful stories from family members who knew this man told of his youthful visits to Texas and Oklahoma and the money he accumulated while there. Randolph Co., AL, estate records show that he did, indeed, have a sizeable estate when he died in 1917. He had outlived all of his siblings and some of his nieces and nephews. His estate was thus divided between a large number of nephews, nieces, great-nephews, and great-nieces who were scattered in residence from coast to coast, with some residing in Georgia, others residing in California, and many residing at points in between (Randolph County, AL, Probate Court 1917).

But the most surprising discovery found in these documents was that these heirs were not the supposed great-niece and nephews who remembered him and his stories personally but the grandchildren and great-grandchildren of Wiley Burk, indicating that the man who lived until 1917 was Wiley's son and that it was his cousin William, son of William, who had died in the Civil War (Randolph County, AL, Probate Court 1917).

5.2. Example B: William Thomas Ellerbee and Thomas William Ellerbee

In the Ellerbee family of Chatham Co., GA, there were two cousins, both born between 1800 and 1805. One was named Thomas William Ellerbee, and the other was named William Thomas Ellerbee. Bobby Ellerbee's *The Ellerbee Family* (Ellerbee 1995) identified William Thomas Ellerbee as a son of Mark Ellerbee of Chatham County, an identification that has since become commonplace in online databases, including the user-contributed family trees. Recent research, however, indicates that William Thomas Ellerbee was most likely the son of Don Juan Ellerbee of Florida and Savannah and that Thomas William Ellerbee was, instead, the son of Mark Ellerbee of Chatham County (Ellerbee 1995; Knight 2019). Yet researchers accepting the 1995 identification uncritically, none of them having made an effort to examine the original documents from Chatham County, Georgia, have promulgated a questionable pedigree online that continues to appear in hundreds of locations today.

5.3. Example C: Two John Hammacks or One?

Another challenging example concerns the identity of John Hammack who died in Granville County, North Carolina, in 1776. This man died testate leaving at least one child, a son named John, and a widow named Mary Ann. The family had come from Richmond Co., VA, where the North Farnham Parish Register puzzlingly shows two children of John Hammack baptized on the same day in 1756—son John and daughter Catherine—but with different mothers. John's mother was identified as Mary Ann, while Catherine's mother was identified as Susannah (Knight 2011).

Catherine, amazingly, lived past 1850 and died childless and testate with estate records that tie her to the family of John and Mary Ann, who moved to Georgia about fifteen years after John died. A careful examination of early Richmond County, Virginia, records document the existence of a John Hammack and wife Mary Ann and of a John Hammack and wife Susannah. Other than the baptismal entry, there is no known documented record of Susannah as John's wife after the 1756 baptismal entry that first mentioned Mary Ann. Other than the baptismal entry, there is no documented record of Mary Ann as John's wife before the last entry mentioning Susannah, which is also the same baptismal entry (Knight 2011).

One might assume—as at first seemed likely—that Susannah had died, that John had soon remarried, and that Susannah's youngest child (Catherine) and Mary Ann's oldest child (John) were baptized together when they were still both quite small. But the register—which is an alphabetized handwritten transcription of a no-longer extant original document—explicitly states that the date given was their date of birth, not their date of baptism (Knight 2011, 2023).

So, are these records for the same man, with the name of one of the mothers somehow in error, perhaps the result of a transcriptional error, or were there two different men named

John Hammack, one with a wife named Susannah and one with a wife named Mary Ann, women who both gave birth in the same community on the same day in 1756? These questions have taken years of painstaking research and analysis and have still led to only tentative conclusions, with the "one John" hypothesis sometimes seeming more likely and with the "two Johns" hypothesis at other times seeming more likely (Knight 2011, 2023).

5.4. Common Themes

The point of these three vignettes is not to illustrate errors but to illustrate challenges in identification that defy simple resolution. These are commonplace and will be familiar to any skilled researcher. They occur in all time periods and in all locations (Rubincam 1987; Mills 2001, 2018). In most cases, they cannot be easily resolved. Some have puzzled skilled researchers for decades. Others, such as the origins of Jamestown colonists or New England immigrants of the "Great Migration" period, have puzzled skilled researchers for centuries (McCarney 2017; Anderson 2015; New England Historic Genealogical Society 2024b).

Despite the continuing need to travel in order to access certain resources, the widespread digitization and online availability of historical documents using sites like Ancestry, Familysearch, Findmypast, Newspapers.com, and Genealogybank makes scholarly analytical study of historical identities possible in a way that it never was previously. This has led to a popularization of genealogical research in which there has been a proliferation of amateur researchers active in the field, many with no historical or genealogical training. At the same time, it has come to mark a sharp division—perhaps even cleavage—between skilled and cautious practitioners of academic genealogy as a discipline and amateur hobbyists who, perhaps inadvertently, through lack of training or expertise, make false identifications that generate error and confusion.

Because of this possibility for confusion, genealogical scholars routinely warn other researchers not to accept relayed information uncritically, whatever its origins (Jacobus 1930; Rubincam 1980, 1987; Mills 2001, 2018; Galford 2005; Dowell 2011). Given the possibility of errors in research and analysis, fields like statistical analysis include such computations as margin of error, measurements for precision and variation, contingency tables, and calculations for computing the accuracy of a probability (Triola 2021). Genealogy is no exception, and genealogical revisions are commonplace, even with identifications made by careful researchers that have sometimes been considered canonical (Coddington 1954; Wakefield 1983; Smith and Sanborn 1991; Nichols 1993; Hyde 1994; Hansen 1995; Thorndale 2005; Mahler 2006; McMillan 2014; Knight 2015).

But there is great need for particular caution with online identifications (Barratt et al. 2009). When these spread, they often lead to unintended consequences that cancreate research problems that draw time away from the sort of detailed research and analysis that really needs to be undertaken to advance scholarship on a particular individual or family. Instead of actually conducting research that might solve a problem, a researcher must first explain how false identifications were made and identify the source of erroneous identifications that have, in turn, become commonplace.

Most genealogical methods books, including leading guidebooks for online researchers, contain warnings that caution researchers against making incorrect assumptions and false identifications (Jacobus 1930; Rubincam 1980, 1987; Mills 2001, 2018; Galford 2005; Dowell 2011). Some of these errors are often as simple as a typographical mistake showing someone was born in *Ghana* as opposed to *Georgia* or the *West Indies* as opposed to *West Virginia*. But others are more problematic and involve confusing similarly named people or fusing multiple individuals with the same name into a single individual (Rubincam 1987).

Skilled researchers approach the possibility of identity confusion in terms of professional best practices in research and analysis and the professional and ethical obligation to work carefully and methodically to resolve challenging issues. Through digital media, however, misinformation often spreads freely without citations, explanation, or discussion of the research process. This, in turn, leads to tremendous confusion through false

identifications and online errors that make their way into individual trees, databases, and online discussion boards. These errors complicate both document-based and genetic research by confusing relationships. In the case of genetic genealogy, they make interpreting connections particularly problematic.

This article argues that there is an ethical obligation—*a responsibility to those who came before*—to recognize their individuality, their personhood. Even among amateur researchers, there should always be a realization that these were real, living individuals, people who lived, breathed, felt joy and pain, and, eventually, passed away. They were not simply names in an online pedigree tree. Any research that fails to recognize this individuality and to honor it will inevitably lead to flawed and false results. Beyond this, I would argue that purveyors of commercial genealogical websites that include user-contributed genealogical data have an ethical responsibility to promote accurate and responsible research and the presentation of research products that honor these same considerations.

6. Conclusions

After briefly reviewing the development of scholarly academic genealogy as a field to highlight the development of professional methodology and ethical standards with regard to research and the presentation of findings, this essay has used a series of case studies to examine three sorts of ethical issues.

One concerns ethics when dealing with what might be termed a sensitive past. What responsibilities do researchers have when they delve into sensitive historical issues? Is there an ethical obligation to those they study? Is there an ethical obligation to surviving family members today?

A second concerns ethical issues involving genealogical identifications of long deceased individuals based on modern DNA analysis. This is an issue that is separate from the often-discussed ethical considerations related to present-day DNA discoveries concerning adoptees, birth parents, children switched at birth, and genetic relatives who, for whatever reason, were not previously known to exist. DNA research—through the application of Y-DNA, autosomal DNA, X-DNA, and MT-DNA analyses—has also complicated historical identifications, often leading to discoveries of genetic connections of which past individuals themselves may not have been aware (Askin 1998; Lifton 2009; Weinberg 2017; Bettinger and Parker 2016; Bettinger 2019). What are the ethical obligations due to the historical actors who played a part in these past cases, such as in the example of Mary Jones, her mother, and the social and legal father who raised her and gave her his name?

A third concerns an ethical responsibility to those who came before to recognize their own individuality—their discrete personhood—when making past identifications. The right to privacy end at death in the United States, and current legislation protects physical remains and historical artifacts associated with them but not the ways in which an individual's life is remembered.

More than ever before, the digital platforms available today for researching and sharing information have led to the widespread proliferation of false or misleading information. Researchers, especially lay researchers and online enthusiasts, should always remember that they study past individuals with unique, separate, and discrete identities (Knight 2022). Facts matter. Identifications need to be supported by cautious research, and circumstantial identifications and speculation, when permissible, need to be carefully explained and qualified with evidence. Until proven, speculation should remain just that—*speculation* (Hatcher 1996).

A common theme running through all three issues is the question of ethical responsibility to the dead. Researchers should exercise sensitivity when building research profiles for those they study and when presenting their discoveries (Crowe 2014; Mills 2001, 2018). Likewise, researchers should be aware that modern research techniques—including DNA analysis in its various forms—may lead to discoveries of which the historical individuals themselves might not ever have been aware (Crowe 2014; Bettinger and Parker 2016; Bettinger 2019). Finally, researchers should exercise caution when making historical identi-

fications, maintaining an awareness of the individual and discrete historical identities of those we study (Jacobus 1930; Rubincam 1987; Mills 2001, 2018). Underlying each of these concerns is the importance of a careful commitment to scholarly and detailed research and analysis that advances knowledge and understanding while resisting the temptation towards quick and overly simplistic identifications that can be widely disseminated through digital media.

Overly simplistic identifications lead to misinformation that frustrates the advancement of knowledge. False pedigrees are constructed upon flawed assumptions. Often this is compounded at each stage of research. Such errors undermine the accurate creation and distribution of knowledge that is a goal of serious inquiry (Turabian et al. 2021). In addition, when dealing with genetic genealogy, errors and misinformation create erroneous conclusions about family relationships and connections which then affect the interpretation of results through online matching algorithms. For instance, functions like Ancestry's ThruLines identify matches based on user-submitted trees to propose relationships and develop online kinship trees illustrating matches concentrated within a particular family. This, in turn, is marshalled as evidence to support the idea that these shared matches prove a relationship to a common ancestor. If the individual lineage trees on which such relationships are based are themselves seriously flawed, they compound mistakes leading to greater errors that frustrate rather than advance study (Ancestry 2024b).

Apart from challenges that serious factual errors pose for correct historical and genealogical identifications, the qualitative effects deriving from unexpected historical or genealogical findings may be psychologically damaging and perhaps even clinically traumatic for those concerned. This includes the loss of personal identity when one discovers that one is the product of adoption, a non-paternal event (NPE), or another type of relationships that differs from the narrative that has traditionally been given to them. The loss of meaningful family relationships, with the physical, mental, emotional, spiritual, symbolic, or financial supports those sometimes provide, may become critically damaging. This may lead to feelings of "anger, abandonment, confusion, guilt, sadness, or loss of trust" (Moore 2023a, 2023b). Among the living, the public presentation of knowingly false information may lead to accusations of slander, libel, or defamation, while the presentation of other sorts of sensitive information may lead to charges of violation of privacy, including violations involving access to personal information, violations of personal autonomy, and violations of the right of publicity (Cornell Law School 2024). In most situations, the dead often have no such protections, which means that others must advocate for them. Work of this sort has been achieved eloquently when considering human remains but less well communicated in other ways (National Park Service 2024), where cases of information presented or communicated insensitively may have harmful psychological or emotional effects for the living while also harming the reputation of past individuals. Psychologist Susan Moore has proposed that one possible way of alleviating some such concerns would be to utilize Jonathan Haidt's model of "five moral 'instincts'" that include "care, fairness, loyalty, respect for authority, and sanctity" in the process of researching and the presenting findings (Moore 2023a). This approach, in Moore's view, might "stimulate empathy, reduce impulsive action, and increase the likelihood of finding creative solutions to moral dilemmas" (Moore 2023a).

More often than not, factual mistakes, errors in interpretation, or insensitivity in presenting research findings seem to have been made unintentionally. This highlights the need for education, especially when researchers may not be aware that such educational resources exist or are needed. Commercial genealogical firms like Ancestry DNA have, to a limited extent, begun to provide additional educational opportunities for researchers through mechanisms such as Ancestry Academy, and FamilySearch offers webpages that provide guidance about primary source materials that the organization offers online, including helpful information about county formation and local resources (Ancestry 2024a; FamilySearch 2024). More encouragement to make use of available resources could be beneficial. Additionally useful would be guidance, offered at no additional cost (unlike as is

currently required for those seeking to use Ancestry's "Pro" tips), on the correct formation of online pedigree trees. This could be offered through a mechanism similar to Ancestry's tree "hints" that point researchers to other trees or specific documents. Automated notices advising researchers about the possible pitfalls of false identifications with links to relevant training materials provided online could encourage greater self-education and more responsible research, which was the original aim of free online resources like those offered through USGenWeb and USGenWeb Archives and formerly through Rootsweb, Rootsweb mailing lists, Genealogy.com, and its GenForum message boards prior to their acquisition by Ancestry (USGenWeb 2024; USGenWeb Archives 2024; Rootsweb 2024; Ancestry 2024c). Such sites aimed to provide low or no cost educational materials and allowed well-versed researchers, including both amateurs and professionals, to interact and share information, thereby bridging the gap between professional and scholarly genealogical research and the research undertaken by hobbyists.

One example here of how better educational opportunities, and more guidance about how to take advantage of them, would be helpful may suffice for a host of others that could be offered. In the early days of Ancestry, a researcher identified parents for a particular individual in their online tree based on some published conjecture that appeared in print in the 1990s and was later disproven. This was prior to the advent of genetic genealogy and prior to the existence of many of the standard features Ancestry offers today for researching and sharing information. This false identification now appears in 208 Ancestry trees, which has led Ancestry's ThruLines to identify a dozen or more possible ancestors for this individual based on the false identification of this man's parents and actual DNA matches the owners of those trees have from other ancestral lines to people who descend from these possible ancestors. These possibilities have been accepted uncritically by other researchers based on Ancestry's "hints" and entered into their trees. The number of falsely identified DNA matches used as "evidence" of these connections increases each time. Beyond this, a host of made-up middle names, dates, and birthplaces has added to the misinformation about them all. Although not related to their purported descendant, these historical individuals did exist—once living people, hidden beneath the welter of false names, dates, and locations assigned to them by modern researchers. These multiple errors have caused confusion for descendants of both families, including negative emotions experienced by descendants of the wrongly identified family, who have a strong sense of group identity and know—from document-based research and quality genetic genealogy—that they are not related. Were research refocused and based on correct interpretation, research—both document-based and genetic—could advance knowledge of both families and help solve longstanding genealogical problems rather than hinder solutions.

Beyond the development and publicization of open access resources about genealogical best practices and the need for beginning researchers to utilize them, the widespread implementation of a review system similar to the forms of peer review undertaken in academia would also be useful. There are several ways that this could occur. Profiles could be established for discrete historical individuals that could then be linked into individual pedigree trees. An example of how individual profiles could be established and developed may be found in the *Clergy of the Church of England Database* (directed by Professors Kenneth Fincham, Stephen Taylor, and Arthur Burns), which documents individual clergy members in England from 1540 to 1835. This is not primarily a genealogical enterprise but is widely used by academics, the general public, genealogists, archivists, librarians, and schools. It offers one entry per individual that contains essential historical information (CCEd: Clergy of the Church of England Database 2024). Similarly, two excellent databases geared towards genealogical and historical scholars that follow a similar system are the *Early Colonial Settlers of Southern Maryland and Virginia's Northern Neck* (maintained by Mike Marshall) and the *MilesFiles 23.0 Eastern Shore Families* (maintained by M. K. Miles) databases. These databases create individual profiles for many different individuals—supported in most cases by substantial documentation—and link individuals within family groups through a system of hyperlinks. Both databases are free, open access, and regionally focused.

Although not entirely error-proof, they stress—and cite—documentary evidence and offer an example of how a more generalized system could be created and maintained that would foster the advancement of knowledge and benefit historians and genealogists alike (Early Colonial Settlers 2024; MilesFiles 2024).

Some similar sites exist that focus on individual families. One example is *The Reeves Project: A Global Genealogical Collaboration* (The Reeves Project 2024). *The Reeves Project* (maintained by Martin Barker with assistance from Beverly Watson, Barry Reeves, and others) creates individual profiles, supported by abundant documentation, that are linked together to indicate family connections. Document abstracts are included on these profiles, as they are with the *Early Settlers* and *MilesFiles* databases, and some longer documents are presented separately in a dedicated documents section. Family groups are separated into lineage groups based on Y-DNA and sometimes autosomal DNA analysis. Researchers resist the temptation to form overly simplistic identifications or to confuse separate and discreet individuals. All four of these sites—*Clergy of the Church of England*, *Early Settlers*, *MilesFiles*, and *The Reeves Project*—are open access and free to use. Some offer a login option, but it is not necessary to access and use the site. In addition, when user-submitted content is accepted, such contributions are reviewed and monitored by site creators or project staff with the goal of ensuring accuracy or indicating when information is uncertain or conjectural. Were Ancestry, FamilySearch, and other such sites to adopt a similar approach, this would limit the endless proliferation of entries for the same individual, often with inaccurate information, across dozens, sometimes hundreds, of online pedigree trees. If reviewed, certified, and maintained, these would promote high quality identifications that would be useful to non-professional practitioners or hobbyists, professional genealogical researchers, and interdisciplinary scholars in other fields whose research interests involve genealogical applications.

Beyond problems with the accuracy of digital resources, one limitation within genealogical publishing has been the limited opportunities for the sort of peer review that is commonplace in academia. Flagship journals like *The American Genealogist*, *The New England Historic Genealogical Register*, *The New York Genealogical and Biographical Record*, *The National Genealogical Society Quarterly*, and *The Genealogist* all employ a rigorous process of peer review, and newer journals such as *Genealogy*, *The Journal of Genetic Genealogy*, and *Journal of Genealogy and Family History* also practice peer review. While substantial, this number is small when compared with the number of peer-reviewed historical journals. For instance, JSTOR currently lists 336 journals with the "History" designation (JSTOR 2024). There is no JSTOR category for genealogy, and the only directly related title (although some of the older historical journals did include genealogical studies at one point) is *The South Carolina Genealogical and Historical Magazine* from 1900 to 1951, after which time it became the *South Carolina Historical Magazine*. Dozens of scholarly history journals exist for the United States alone, and many others have thematic international emphases on topics like technology, nationalism, social history, or the history of ideas (JSTOR 2024). Most state, local, and organizationally sponsored genealogical, family history, and local history journals do not practice peer review, which limits the number of venues for the publication and dissemination of scholarly genealogical research. Additional opportunities in these and other venues for peer review could enhance the quality of the research disseminated.

Providing a mechanism for extending peer review to genealogical books and websites might also promote a culture of accuracy that would extend beyond the professional genealogical community, where it already exists, to encompass amateur practitioners and hobbyists as well. Due to the limited market for published family histories and many local history books, the publication of such works is often commissioned and paid for by the author or the group the author represents, often by means of commercialized "vanity presses" that print a specified number of books for a contracted price. Often this involves no editorial process and no peer review of the sort that university presses and academic presses, which often print hundreds or thousands of copies of the works they publish, undertake prior to accepting a manuscript for publication (Shieber 2009). The limited

market for such works has thus functioned to discourage peer review, which could be time-consuming and also costly for presses, even if it were desired by the authors or the groups they represent.

While peer-reviewed articles often offer a range of perspectives or approaches on the same topic and therefore promote a variety of views and broad conversation rather than simply a single overarching interpretation, they also guarantee that certain professional standards have been followed in terms of the research undertaken and the manner of presenting those findings. The aim is not necessarily to produce uniform findings and absolute consensus but to ensure the uniform application of guiding principles in research, writing, and presentation. This, in turn, results in reliable knowledge that has been vetted prior to publication, even when conflicting interpretations of a subject, problem, or event exist. Implementing an external form of peer review on a not-for-profit basis could be utilized by presses that do not offer peer review themselves or by authors that seek peer review prior to publication. Such a process might produce a statement or logo for published books and websites that could be publicly displayed to indicate that the work has undergone professional evaluation, that the findings were found to be sound (without necessarily endorsing a particular point of view), and that the approach was found to be methodologically cogent.

A possible model for such a system might be the Quality Matters approach to online course review in academia, which has been expanded to include a large variety of online and hybrid courses at the K-12 level. Quality Matters has its "goal—as a non-profit, quality assurance organization" to foster "improvement and certification of quality" in online education. As noted by the organization, "QM Standards and review processes are recognized nationally and internationally for being supported by research and based on best practices." Reviews utilize the QM rubric, now in its seventh edition, that encompasses standards, each of which comprises several composite parts. All courses are evaluated using this rubric, which was developed through a consensus-based model by a team of expert online educators. Reviews are rigorous, and courses that successfully pass the required threshold by meeting a specified minimum score (cumulatively obtained item-by-item as at least two of the three reviewers agree that an individual standard is met and that requires that all "essential" standards be met) successfully earn official Quality Matters certification. In some cases, for instance, a course might obtain enough points to meet the minimum score but still fail the initial review because two reviewers agreed that one "essential" standard was not met. Courses that meet both requirements, however, become QM-certified (Quality Matters 2024). University IT departments contract with QM to review certain courses, and faculty receive training in the QM rubric. Individual faculty, academic departments, and, often, distance-learning programs, request formal QM review for courses they want certified, sometimes with the goal of earning QM certification or entire programs.

Such a system that could ensure widespread peer review of genealogical materials might offer enhanced quality assurance. This, in turn, could afford a greater guarantee to researchers who might then draw upon that source in their own research. This review process and any resulting certification could be obtained for free or at modest cost through a coordinated, organized review process such as that Quality Matters employs. Approved, qualified genealogical scholars could undertake this as a professional service (as opposed to performing reviews for a profit) in the same way that two or three qualified practitioners in a particular field usually review a book or article manuscript for peer-reviewed journals and presses that do offer peer review. Quality Matters reviews follow a three-week schedule, at the end of which, the review team communicates its findings to the course representative. In cases where courses do not initially meet standards, course designers and course representatives receive a list of "helpful suggestions" geared towards continuous improvement along with a full report of reviewer ratings and a discussion of evidence that establishes whether individual standards were or were not met. Course designers are given

a specified time period to make adjustments, after which, the course can still be awarded certification as part of this process.

Outside the small number of genealogical periodicals that do practice peer review, precedents for this type of evaluation already exist in the way that some lineage societies rigorously review documentation submitted in membership applications and in the way professional genealogical researchers earn and maintain their licensure, despite the fact that a fee, usually a modest one, is charged by these organizations for these services. The same technique could be employed for reviewing online databases, websites, and even online lineage trees for those seeking an external guarantee of quality through a review process similar to what Quality Matters offers. For evolving digital resources, unlike fixed print ones, this review statement might need to be updated periodically to ensure that newer content is also reviewed in the same way that revised versions of academic books undergo additional peer review. This need not be tantamount to a guarantee that all conclusions are correct but, rather, an assurance that the results have followed a careful research process and that the findings therefore have scholarly merit, which could provide readers or users of this material some assurance that it is worthwhile to consider it.

In such cases, then, even if a book whose narrow confines limited the size of its audience had been or was being published through a form of paid self-publication, this process of external review might enhance its scholarly reputation. Individual authors or researchers, website owners, historical organizations, genealogical periodicals, genealogical publishing firms, and other presses might submit works for review.

Beyond the broad institutionalization of a formal peer review process, genealogical materials, articles, websites, and other publications might additionally add a "margin of error" section that critically addressed the research process and evidentiary and interpretive challenges, including problems separating individuals with the same name or conflicting documents that might lead to different interpretations of relationships, locations, dates, or other "facts". Commercial genealogical firms might encourage this margin of error consideration in their own databases and publications as a way of promoting rigor and providing examples of how this might be accomplished by those who use them.

Were such changes to be implemented on a large scale, the effect would likely not be immediate. But, over time, a generalized culture of quality deriving from the widespread application of ethical standards regarding research, interpretation, and presentation could be developed within the larger genealogical community. This could extend beyond what already exists among professional genealogical scholars to non-professional practitioners without discouraging new researchers from initiating genealogical pursuits. Instead, it might enhance the understanding of genealogical inquiry as a valid and worthy enterprise.

These developments might, in turn, promote greater accuracy in research and a more uniform approach to the presentation of findings. The result would be a reduction in the frequency of error that can be observed in many online trees, databases, or websites as well as when visiting the family history section of most libraries. This process would not keep those who might not wish to avail themselves of these services from researching or presenting their findings, but it would make others aware of the possible inaccuracies within them in the way that such safeguards exist in many other fields and industries. The cumulative effect would be to advance and promote widespread knowledge of and interest in those who came before while also advancing principles of integrity, honesty, fairness, responsibility, and concern for the accurate, sensitive representation of past actors in genealogical research and presentation (Santa Clara University 2019).

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Note

[1] Historians like John Demos and Winthrop Jordan have similarly problematized the challenges associated with telling the stories of past figures.

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