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A Second Story

Year

2001

Description

This case deals with a graduate researcher's multiple obligations and the conflicts of interest these obligations create.

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History

Deborah is a graduate student in the field of historic preservation; she has taken many classes and has considerable technical knowledge. Her adviser suggests that she should now apply these skills to a preservation project in the local community. Therefore, she is excited when a local African-American pastor calls her about a preservation project. Reverend Howard is interested in preserving a house that his church owns. The house was built by Jesse Stewart, a legendary black abolitionist, who happens to be a former church member.

Through discussions with Rev. Howard, Deborah learns about the complicated history of the house. At Stewart's death 75 years earlier, surviving relatives tried to sell the house to the church to be used for charitable purposes. Toward this end, the church made an offer on the house. Unfortunately, for racially motivated reasons, a third party executor of the will secretly sold the house to a local Caucasian man, John Smith. The executor took this action without notifying the church or receiving consent from Stewart's surviving relatives.

Through preliminary research, Rev. Howard had documented that the Smiths owned and modified the house for 75 years. During this time, John and his wife, Maude Smith, destroyed many relics left by the abolitionist. After many years, they even succeeded in eventually hiding the true origins of the house from the local community by hiding the original deed and highlighting false rumors about the original construction of the house. At the death of Maude Smith, her children decided to sell the house. Aware that Rev. Howard and his congregation were trying to create a monument to Stewart and that their house had been built by this legendary figure, they gave the church the opportunity to buy the house.

Rev. Howard brought the offer to the church body, and they unanimously agreed to buy the house, even though the church would have to take out a loan. After finally gaining rights to the house, a new Board of Trustees was formed, consisting of church members and Rev. Howard, to oversee the restoration and preservation of the house. As spokesperson for the Board, Rev. Howard asked Deborah to research the history of the house and institute steps to restore the house to its original state. The Board plans eventually to open the house as a public museum.

Investigation

Deborah's research consisted of a physical investigation of the house as well as interviews with the surviving members of the Smith family. Although the Smiths sold the house to the church, they are hesitant to work directly with the church Board. They are apprehensive that the Board of Trustees wants to change "their" house, of which they are still very fond. However, when Deborah approaches them, they seem willing to work with her. They appear to be more comfortable talking to her because she is not a church member. The Board, aware of the Smiths' ambivalence, appreciates Deborah's ability to act as a go-between.

During the physical investigation of the house, Deborah discovers that the Smiths added a second story. She follows up her investigation with tape-recorded interviews with Smith family members. During the interviews, Deborah asks when the Smiths constructed the second story. The Smith family says that the house has always had two stories; they cannot remember a time when the upper level was not present. When Deborah explains that many of the second story architectural and construction details suggest a much later date, the Smiths seem mildly offended at the implication that they are lying, but they do not change their story.

After the tape-recorded interviews are completed, Henry, a family member with whom Deborah has developed a strong rapport, pulls her aside. Henry says that he now remembers his mother once saying that she would not move into that "tiny run down shack" until the upper level was added and the house was made respectable for a white family. When Deborah asks if he will repeat this statement for the tape recorder, Henry refuses. He insists that his mother would have had no part in an interview such as the one Deborah is conducting, and out of respect for her, he does not want his mother's comment to be used in Deborah's research. He tells Deborah that the only reason he is even telling her is because the physical investigation suggests an inconsistency. As her friend, he wants her to know the reason.

Dilemma

After gathering all her data, Deborah begins to write the conservation plan. As a preservationist, she wants to recommend to the Board that the upper level be removed. To Deborah, this plan would be the most honest representation of history to the public. Unfortunately, the information from the physical investigation conflicts with the tape-recorded interview and does not justify this recommendation.⁽¹⁾ If Deborah reports Henry's comment, she could recommend removal. Yet using his comment troubles her because he specifically withheld consent.

Consequences

Deborah knows that Rev. Howard has always suspected that the second story is an addition and would like her to recommend demolition. Rev. Howard and the rest of the Board, are eager to tear down the upper level, not only because it would be

costly to restore on an extremely limited budget but also because they want to "cleanse" the house of the Smiths' impact in a tangible way. However, the Board of Trustees is not the only party that will view the report. The Smiths have asked for a copy of the interviews and final report as compensation for their participation; both Deborah and the Board had agreed to this request. If the report includes Henry's comment and recommends demolition, Deborah knows that Henry will be angry and hurt. The Smiths have expressed willingness to do further interviews with Deborah and possibly even give her relics of the original house. As the only contact between the church and the Smiths, she does not want to hurt chances of further cooperation from the Smiths by alienating Henry.

Discussion Questions

1. Deborah's actions will affect many people and groups. Who will be affected? What are Deborah's responsibilities to these parties? (Consider parties mentioned in the scenario as well as any others that may be affected.) What conflicts of interest do these responsibilities create for Deborah?
2. Although Deborah does not have a contractual obligation to Henry, he spoke to her in good faith. Does she have an obligation to abide by his wishes? Explain.
3. Deborah assumes she is the only person besides Henry with the knowledge that the upper level is not an original feature. Assuming he is unwilling to come forward, does Deborah have a responsibility to inform the church? Why or why not?
4. Rev. Howard showed Deborah preliminary research that indicated that the Smiths deliberately destroyed historical artifacts and deceived their neighbors about the origins of their house. Deborah feels that these actions threaten the public's understanding and interpretation of history and hinder public recognition of Jesse Stewart and his struggle to end slavery. Does Deborah have any responsibility to ensure that further deception by the Smiths does not occur? Explain.
5. Deborah feels that she must make a decision. She must decide whether to include Henry's "off the record" comments in her report to the church. Are there any creative alternatives she has not considered? What would be her best course of action? Are there any alternatives Deborah may need to bear in mind?
6. How could Deborah have avoided this situation?

7. Should the preservation profession institute any changes to help preservationists avoid situations like Deborah's? What changes, if any, would you suggest?
- (1)The preservation code clearly indicates that unalterable changes should not be recommended unless there is clear evidence showing that possible historic fabric is not being unnecessarily destroyed. Using this guideline, Deborah does not have enough evidence to recommend demolition.

Notes

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