

A. Bernard Ackerman

The failure of responsibility by the City of Philadelphia and the University of Pennsylvania to prisoners at Holmesburg Prison between the early 1950's and the mid-1970's

It is a given that the City of Philadelphia, including officials in city government and officials at Holmesburg Prison, as well as those of the University of Pennsylvania, including its administration and its physicians, failed the prisoners at Holmesburg Prison during the entire period that human experimentation was conducted there. By their failure to ensure that medical and ethical standards were maintained at Holmesburg Prison, they violated the Nuremberg Code that was formulated in 1947, just four years before the experiments on human beings began at Holmesburg Prison. That code was developed by American jurists following the trial at Nuremberg of Nazi physicians for crimes against humanity.

I want to concentrate here on how the University of Pennsylvania not only failed the prisoners, but failed medical students and residents, such as I was then, by its forfeiture of responsibility in regard to medical and ethical standards at Holmesburg.

I came to the University of Pennsylvania in 1966 to do a second year of residency in dermatology there. At the outset, I was enthusiastic about being able to do "research," part-time, at Holmesburg by virtue of repeated pleas to the marvelous contributions that the Department of Dermatology, and in particular of Dr. Albert M. Kligman, was making to the inmates there. I was told that not only were we advancing the cause of science at Holmesburg, but we were giving prisoners the opportunity to participate in the advance of science, affording them the chance to learn to be technicians and medical assistants upon their release from prison, and

offering them the possibility of earning more money than they could in any other penal institution.

In fact, what was purported to be a research institute at Holmesburg, under the direction of Albert M. Kligman and under the auspices of the Department of Dermatology at the University of Pennsylvania, was little more than a commercial operation in which Dr. Kligman, the University of Pennsylvania, and possibly others, reaped huge financial dividends. Never once during my time at Holmesburg did I ever see anyone from the administration of the University of Pennsylvania visit the cell block on which experiments were conducted. Nor was there a single attempt, in word or deed, on the part of the University of Pennsylvania to oversee what transpired, medically and ethically, at Holmesburg. At the same time that it was the beneficiary of a financial windfall, the University of Pennsylvania was not engaged in supervision of human experimentation at Holmesburg.

Not only did the University of Pennsylvania have a responsibility to the prisoners, but it also had an obligation to me and other trainees, who were their charges. That responsibility was to set ethical standards, to alert to violations of the Nuremberg Code, and to ensure that the research done under their authority was serious and meaningful. It did nothing of the sort. It had an obligation to us to set standards for informed consent. It did not. It had an obligation to us to mandate that scientific work at Holmesburg was truly scientific. It did not. It had an obligation to us to make a clear distinction between commerce and medicine. It did not.

What can now be done about the serious lapses of the University of Pennsylvania in regard to the

operation that it bore responsibility for at Holmesburg, now that the culpable parties have either died or are autumnal? What follows is the least that can be done:

1. The prisoners are owed an apology and compensation.
2. The trainees, medical students and residents such as I, also are owed an apology.
3. Courses should be given to medical students and residents at the University of Pennsylvania in which medical and ethical violations by the University of Pennsylvania at Holmesburg are discussed openly and frankly, and lessons of that sorry period are learned by the next generation of medical students and residents, not only at the University of Pennsylvania, but throughout the country and the world.
4. An end should come to the University of Pennsylvania's stonewalling, rationalizations, excuses, and denials about what went on at Holmesburg and at the schools for retarded children in New Jersey. Such behavior ill becomes a great university. Until the wrongs at Holmesburg and at the schools for retarded children are acknowledged and rectified, in some measure, by the University of Pennsylvania, there will always be a blot, worse than any dermatologic blemish, on its escutcheon. If the University of Pennsylvania is not ashamed, it should be shamed by the force of moral authority and public outrage. You, the representatives of State Government in Pennsylvania, can act to right, even if incompletely and very late, that which was very wrong.

A. Bernard Ackerman, M.D.  
Professor of Dermatology and Pathology  
Jefferson Medical College  
Philadelphia