

## **Robert H. Kirschner, MD**

### **Robert Kirschner, prominent forensic pathologist and human rights activist 1940-2002**

An internationally recognized authority on forensic pathology, human rights violations, police brutality, torture and child abuse and an outspoken opponent of the death penalty, Robert H. Kirschner, M.D., a clinical associate in the department of pathology and pediatrics and a founding member of the faculty board of the human rights program at the University of Chicago, died at the University of Chicago Hospitals on September 15 from complications of cancer. He was 61.

Kirschner's human rights activities took him to more than a dozen foreign countries in Central and South America, Europe, the Middle East and Africa, where torture, extra-judicial executions and mass killings had occurred. He was a forensic consultant to the United Nations International Criminal Tribunals for the former Yugoslavia and Rwanda, and was involved in the exhumation of mass graves in those countries.

He worked with the U.N. Truth Commission in El Salvador, the Inter-American Court for Human Rights and other international human rights associations. He was also a key contributor to the development of the United Nations manual on the effective investigation and documentation of torture, informally known as the "Istanbul Protocol" -- the first such standards to be developed for international use.

"I've been in this field for more than 20 years and there's no one whom I've met in forensic pathology who was more committed and passionate about working to promote human rights and justice than Bob," said Susannah Sirkin, deputy director of Physicians for Human Rights (PHR). "He was always ready to juggle his schedule to go wherever he was needed, not always the safest places, and with very little notice. And he brought an unparalleled combination of scientific and technical expertise, and a deep personal determination."

"His energy, his commitment, his vision and his ability to relate theory to practice made him indispensable in starting the human rights program at the University," said Jacqueline Bhabha, founding director of the human rights program at the University of Chicago and now director of Harvard University's committee on human rights. "Bob provided the bridge between the

academy and the human rights community. He was inspirational as a colleague and extremely influential and encouraging for the students.”

Kirschner also devoted considerable effort to the detection and prevention of child abuse, especially shaken baby syndrome. Besides lecturing on the diagnosis of child abuse and writing textbook chapters on the pathology of child abuse, Kirschner was frequently consulted by law enforcement agencies, prosecutors, defense attorneys and other physicians about child abuse injuries and often testified in court.

“He was a tremendous human being and an extremely principled person who believed strongly in using medicine to advance human rights and who used his skills to fight repression and torture,” said Flint Taylor, a civil rights lawyer with the People's Law Office in Chicago. “He used his expertise on dead bodies to deal with live situations in a way that ultimately prevented a lot of abuse, suffering and death.”

Born October 30, 1940, in Philadelphia, Kirschner was the son of two politically active schoolteachers who managed to pass on their preference for courage, justice and freedom. Raised in the era of Senator Joseph McCarthy, he won a regional student journalism award for a column urging abolition of the House Un-American Activities Committee -- a column that his school newspaper refused to publish.

He earned his bachelor's degree from Washington and Jefferson College in Washington, Penn., in 1962, and his medical degree from Jefferson Medical College in Philadelphia in 1966. He completed his residency training in pathology at the University of Chicago in 1971. After a two-year leave of absence for military service in the U.S. Public Health Service from 1971 to 1973, he joined the faculty at Chicago as an assistant professor in pathology and has remained ever since.

In the early 1970s, however, Kirschner found that he “enjoyed the big ideas of research, but not the day-to-day grind,” and his interests began to shift away from scanning electron microscopy of minute cellular structures toward criminal investigation of death. In 1978, he began to work for the newly created Cook County Medical Examiner's Office as a forensic pathologist, which enabled him to combine medicine with his legal interests. The next year, while helping to identify the remains of the 273 people killed in the crash of American Airlines flight 191, he met Clyde Snow, a renowned forensic anthropologist, who would get him involved in investigations around the world.

Kirschner's skills and his experience performing an average of 500 autopsies a year as a deputy medical examiner from 1978 to 1986, and as deputy chief of the Cook County Medical Examiner's Office from 1987 to 1995, quickly made him an authority on non-accidental injuries and deaths, "not something," he often said, "that you can learn from books." He provided crucial evidence in many high-profile criminal trials, testifying as an expert witness for plaintiffs and defendants in more than 600 criminal cases and civil lawsuits in 15 states plus federal, military and international courts.

"His reputation for technical precision and integrity in presenting evidence for the prosecution made him a very credible witness when he found himself testifying for the other side," Taylor said, "such as in cases of suspected police brutality."

In 1985, Snow recruited Kirschner to join a team pulled together by the American Association for the Advancement of Science (AAAS) to investigate skeletal remains found after the "disappearance" of more than 20,000 people during the previous military regime in Argentina. Kirschner and Snow collected evidence of widespread murder and torture, identified many of the bodies, and trained Argentine students in the techniques of forensic science. Their evidence helped convict nine former junta members of human rights violations.

The trip also left Kirschner hooked on human rights work. In 1987 and 1988, as a volunteer for Physicians for Human Rights, he went to Kenya to investigate deaths in police custody -- and wound up briefly in police custody himself. Trips soon followed to Czechoslovakia, and to Israel and the West Bank, where he worked to assure independent observers at autopsies of Palestinians who died in Israeli custody.

In 1989, he went to South Korea for a death-in-custody case, then to El Salvador to investigate the murders of several Jesuit priests. From 1985 to 2000, he was involved in 36 international human rights missions at the request of PHR, the Organization of American States, the United Nations or the AAAS.

"It is hard to imagine how excruciatingly difficult this work could be," said PHR's Sirkin. "It meant awfully long hours, in horrible conditions, often pervaded by the stench of mass graves. In Bosnia and Rwanda, for instance, he worked at grave site after grave site. No mass graves of this magnitude had ever been scientifically examined before. He had to be tough and detached

yet passionate and devoted just to get through it.”

Kirschner was widely recognized for these efforts. He served as chairman of the AAAS committee on scientific freedom and responsibility, was a member of the board of directors of PHR and established its international forensic program. He presented nearly 200 lectures around the world, received numerous honors for his efforts to support human rights in the United States and abroad, and was interviewed by CBS's “60 Minutes,” ABC's “Nightline,” National Public Radio, the BBC and Voice of America.

He also was recognized for his work on the detection and prevention of child abuse. He wrote and taught extensively on the diagnosis of abuse and the collection and presentation of medical evidence in court. He authored chapters on the pathology of abuse in two of the major child abuse texts. He was a founder of the Child Death and Serious Injury Review team for Cook County, a member of the advisory board of the National Center on Shaken Baby Syndrome and a member of the board of directors of the American Professional Society on the Abuse of Children. He also served on the editorial boards of three journals devoted to forensic medicine and child abuse.