



The impact of the Boston College case on interview restrictions

By John A. Neuenschwander

LAST YEAR A WORLDWIDE survey of 350 oral history projects conducted by Nancy MacKay revealed that more than 60 percent of the respondents allowed interviewees to place restrictions upon the future use of their interviews. A further indication of how widespread this practice is comes from the *Principles and Best Practices of the Oral History Association*. These ethical guidelines contain numerous suggestions for how best to honor interviewee restrictions from the initial informed consent process through archival preservation.

Until the litigation involving the Belfast Project at Boston College began in 2011, there was little reason to question whether interview access restrictions could be effectively enforced against a subpoena. But now that the widely publicized litigation involving the Belfast Project has gone on for three-plus years with no end in sight, many oral historians are rightfully concerned about how best to handle both past and future pledges of confidentiality to interviewees.

The Belfast Project from the start was a high risk/reward project. To record the accounts of participants in the bloody and violent “Troubles” that wracked Northern Ireland and the United Kingdom for more than two decades and resulted in more than 3,600 deaths was a daring venture to say the least. The initial interview collection phase from 2001-2006, however, went well, and a total

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OHA admitted to membership in American Council of Learned Societies

THE ORAL HISTORY ASSOCIATION has joined 71 other scholarly organizations representing humanities and social sciences as the newest member of the American Council of Learned Societies, whose wide-ranging membership includes societies of geographers, legal scholars, numismatists, ethnomusicologists, dance historians and an array of other humanities scholars.

The OHA was approved for membership on May 9 after a rigorous review process in which applicants must show their group can make “a substantial, distinctive and distinguished contribution” to the ACLS mission of advancing scholarship in the humanities and social sciences, according to the ACLS.

OHA Executive Director Cliff Kuhn hailed the ACLS membership for OHA. “The selection represents a validation of oral history as a method and practice

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President's letter

By Stephen Sloan, Baylor University, Waco, Texas

I WRITE TO you today as I am winging my way eastward to attend the biennial meeting of the International Oral History Association in Barcelona, Spain. I am looking forward to networking with new international colleagues and visiting with the impressive contingent of our membership that will be there presenting their research. This year, as your president, I have had the opportunity to participate in the American Historical Association meeting in Washington, D.C., the National Council on Public History conference in Monterrey, Calif., and the Southwest Oral History Association gathering in Tempe, Ariz. Everywhere I go, I am impressed by the exciting and profound work of our community of oral historians. There is a rich and fascinating conversation on the opportunities, challenges and fruits of our avocation that is ongoing in all quarters.

Of course, there is no meeting I am looking forward to more than our upcoming annual conference in Madison, Wis., this October. As our membership survey reaffirmed last year, the annual meeting is a highly valued benefit of membership. As one of you responded, "The annual meeting provides great opportunities to be exposed to new academic research, to hone skills, to learn from people in the field, and to meet others doing interesting oral history related work." This forum to spend time in the community of practitioners, learning and being inspired by each other, is always a true gift.

Vice President Paul Ortiz and program co-chairs Natalie Fousekis and Kathryn Newfont have been working tire-

lessly since last year to build an impressive lineup of sessions, plenaries, workshops and special events. Make every effort not only to attend this year's meeting in Madison, but fully participate in all it has to offer it promises to be a great one.

As we anticipate the upcoming meeting, OHA leadership is also looking ahead, past our 2014 conference and beyond even our 2015 meeting in Tampa, to our landmark 2016 gathering in Long Beach, Calif.—OHA's 50th anniversary. As we begin planning for this event, it offers us a great opportunity to reflect on where we have come as an organization and where we are headed.

Consider the scope of our growth as an organization that we are experiencing this year alone—the substantial rewards reaped though the work of a strengthened executive office, entry into the American Council of Learned Societies, the completion of a new strategic plan, the release of a formal statement on oral history as scholarship, and a comprehensive rebranding initiative for the association. My thanks to Gayle and Cliff and all those who serve on the Council and the committees that make these impressive accomplishments possible!

See you in Wisconsin! ❖



Stephen Sloan, OHA president

Executive Director's report

By Cliff Kuhn

THIS SPRING IN the executive office we've encountered new developments, moved forward the priorities set out by Council following the passage of the strategic plan, and worked at ongoing OHA administrative business, from membership to the annual meeting.

The arrest this spring of Sinn Fein leader Gerry Adams, an event linked to information divulged in oral history interviews conducted for Boston College's Belfast Project, prompted the OHA to issue a response quickly. Rather than dwell on the particulars of the case, we sought to use it as a wake-up call to promote best practices involving sensitive subjects. The statement was widely disseminated via social media, at least by our standards, and brought unprecedented attention to the OHA website. In addition, OHA representatives and leaders were frequently consulted about the issue by journalists on both sides of the Atlantic.

The other big news was the OHA's selection to the prestigious American Council of Learned Societies in May. ACLS membership is a big deal for us. It represents a validation of oral history as a method and practice, and an opportunity to help elevate oral history practice among our colleagues in a variety of fields and disciplines. It also fosters interaction with our counterparts in other organizations about such

nuts and bolts items as membership, meeting planning, and development.

We've been working on several new initiatives stemming from the strategic plan and Council's charge to us. One involves "rebranding" the OHA to have a contemporary look that is consistent across all the various publications and platforms that we engage. (We realized that the current OHA logo was developed in 1987—time for a change!) We have enlisted the services of David Laufer, a veteran designer whose credits interestingly include the cover for the paperback edition of Studs Terkel's *Working*, and we believe that what will emerge will be a look that will serve us well as we move into our 50th anniversary year and well beyond.

Under the leadership of OHA Program Associate Gayle Knight, we are also undergoing a major reconsideration of membership-related matters, including recruitment and retention, rate structure and benefits. It is absolutely critical if we are to evolve as an organization, that membership remains

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Cliff Kuhn, OHA executive director

PHOTO: MICHELLE LACOSS

2014 OHA Conference Program Highlights

Oral History in Motion: Movements, Transformations, and the Power of Story

Madison, Wisconsin | October 8-12, 2014

SPECIAL SESSION

WEDNESDAY, OCT. 8

“Uncivil Disobedience” Performance

The opening special session for OHA 2014 will showcase our Madison, Wis., host site by featuring a staged reading of the innovative documentary theater piece, “Uncivil Disobedience.” This performance, held in the newly renovated Memorial Union Theater, will highlight oral histories of a thunderous event in the Vietnam-era anti-war movement, the 1970 Sterling Hall bomb explosion on the campus of the University of Wisconsin.

The Wisconsin Story Project, in partnership with the Oral History Program at the University of Wisconsin-Madison, developed the performance after years of collecting oral histories from people who experienced the bombing firsthand and from people whose lives were profoundly affected by the event and its aftermath. The

bomb, intended to destroy the Army Mathematics Research center, killed physics researcher Robert Fassnacht, injured three other people, caused tremendous damage to the building and sent aftershocks through both pro- and anti-war America.

The original documentary theater piece played to sold-out audiences in its 2012 Wisconsin premiere. It has been enhanced for this conference by multimedia additions developed by the UW-Madison Oral History Program. As professional actors speak their parts, primary source documentation will appear on a screen above them. This kickoff special session will introduce both the OHA 2014 conference theme, “Oral History in Motion: Movements, Transformations, and the Power of Story,” and the local conference setting. Funding from the Wisconsin Humanities Council and Friends of the UW-Madison Library System makes possible this unique special event, which will also be open to the public.

SHOWCASE EVENTS

Two showcase events feature award-winning bassist, legendary jazzman, and UW-Madison music faculty member Richard Davis. A Chicago native and an internationally known performer, Davis has called Madison home since 1977. He has recorded a dozen albums as a bandleader and more than 3,000 recordings and jingles as a sideman. In 2014 the National Endowment for the Arts selected Davis as one of four musicians to be honored as Jazz Masters, the nation’s highest honor in jazz music.

THURSDAY, OCT. 9

Presidential Reception & Performance

The Thursday evening Presidential Reception to welcome all attendees will be held in the University of Wisconsin Memorial Union. The 1928 Memorial Union building is recognized for its classic architecture and the famous Terrace overlooking Lake Mendota, Madison’s most popular back porch. Following the reception, we will be treated to a concert by jazz virtuoso Richard Davis. Davis is the recipient of numerous awards and honors, including the Hilldale Award for distinguished teaching from former UW Chancellor Donna Shalala, and the International Peace Award (Tokyo, Japan). His performance and recording credits include Sarah Vaughan, Bruce Springsteen, Miles Davis, Frank Sinatra, Barbra Streisand, Ahmad Jamal and a host of other notables.

SATURDAY, OCT. 10

Awards Dinner & Interview: “Oral History and the Black Vernacular” performance and interview with Richard Davis

The Saturday night awards dinner will feature a live oral history interview with Richard Davis, conducted by professor Regennia N. Williams. Williams, who also interviewed Davis in 1994 for a project on the UW-Madison School of Music, serves on the OHA Council and on the faculty at Cleveland State University. Thanks to funding from the Wisconsin Humanities Council and support from the UW-Madison Oral History Program, this special evening session will be open to the public. The interview recording will be deposited with the UW-Madison Oral History Program.

PLENARY SESSION

THURSDAY, OCT. 9

“The Sharecropper’s Troubadour: African American Songs and Oral Poetry as Oral History,” featuring music of John Handcox

In the Thursday plenary session, oral historian Michael Honey and music educator Pat Krueger will present a mix of oral history analysis, songs and oral poetry, performed by themselves and, through short digital presentations, by John Handcox (1904-1992). Deemed the “poet laureate” of the interracial Southern

Tenant Farmers Union, Handcox was hailed by Pete Seeger as a “people’s songwriter,” influential in African-American and labor struggles from the 1930s onward. This session will give new meaning to oral history as freedom songs and oral poetry.

The session draws on Michael Honey’s acclaimed new oral history, *Sharecroppers’ Troubadour: John L. Handcox, the Southern Tenant Farmers’ Union, and the African American Song Tradition*. The work links generations of struggle in the

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Boston College case

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of 46 former paramilitaries from both the Provisional Irish Republican Army and the Ulster Volunteer Force were interviewed. The willingness of these participants to share their memories of the many illegal activities that occurred during the “Troubles” was doubtless conditioned on the seemingly ironclad promise made to them that their interviews would not be publicly available until after their death or unless they gave permission.

Little publicity was given to the project until 2010 when Ed Moloney, the project director, published a book, *Voices from the Grave: Two Men’s War in Ireland*, based in part on interviews given by Brendan Hughes, one of the participants in the project. This, together with subsequent public admission to the Irish media by Dolours Price, another participant, about the abduction and murder of Jean McConville in 1972, apparently prompted the Police Service of Northern Ireland (PSNI) to request a subpoena to gain access to her interview. After the first subpoena was issued in May 2011 pursuant to the Mutual Legal Assistance Treaty between the United States and the United Kingdom, a subsequent set of subpoenas was served on Boston College for “any and all interviews containing information about the abduction and death of Mrs. Jean McConville.”

The Litigation Thus Far

These subpoenas eventually spawned four court proceedings. In the interest of reader patience and understanding, the following brief summaries explain the key legal issues involved and the rulings by the court.

U.S. v. Trustees of Boston College, 831 F. Supp. 2d 435 D. Mass., Dec. 16, 2011—In this lawsuit Boston College sought to quash the second set of subpoenas for interviews from the Belfast Project. The decision not to challenge the subpoena for the interviews of Dolours Price was predicated on the presumption that because of her public statements she had waived confidentiality. The college attempted to convince Judge William Young that the pledges of confidentiality to the interviewees should be treated in the same manner as pledges made by reporters. While the judge expressed some support for the idea of a scholar’s privilege, he refused to create one and denied the college’s motion to quash the subpoenas on all other grounds as well.

He instructed Boston College to turn over all of the interview transcripts from the Belfast Project for review. After examining all of the interviews he ruled that 85 individual interviews from seven different interviewees contained information relating to the murder of Jean McConville and ordered that they be turned over to the PSNI.

In re Request from the United Kingdom..., 685 F. 3d 1, C.A. 1 (Mass.), July 6, 2012—Ed Moloney and Anthony McIntyre, the director and chief interviewer for the project, appealed the decision by Judge Young that precluded them from intervening as a separate party in the aforementioned case. Their attempt to intervene was predicated in large part on their dissatisfaction with the legal defense raised by Boston College. Besides seeking the right to intervene, they raised similar First Amendment arguments to those raised by Boston College as grounds for quashing the subpoenas. Their appeal was heard by the First Circuit Court of Appeals. The court rejected their right to intervene and emphatically refused to recognize a scholar’s privilege that would allow an archive or researcher to withhold evidence because, “The choice to

investigate criminal activity belongs to the government and is not subject to veto by academic researcher.”

Ed Moloney and Anthony McIntyre v. United States, et al.

No 12-627—Moloney and McIntyre subsequently filed a petition for certiorari with the U.S. Supreme Court. They initially received a favorable response from Justice Steven Breyer, and a stay was issued pending a decision by the full court whether to take the case. After further consideration, however, the Supreme Court did not take the case and the stay was lifted.

In re Request from the United Kingdom..., 718 F.3d 13, C.A. 1 (Mass.), May 31, 2013.—Boston College appealed Judge Young’s ruling that 85 interviews had to be turned over. The college once again argued for the creation of a scholar’s privilege and also contended that Young had abused his discretion. The First Circuit was unmoved by the former argument but did grant some relief to Boston College by reducing the number of individual interviews that needed to be turned over from 85 to 11.

At this writing three other legal challenges have either been filed or are threatened. The Police Service of Northern Ireland is seeking the issuance of new subpoenas pursuant to the Mutual Legal Assistance Treaty for all of the Belfast Project interviews. A request to access all of the interviews has also been made by NBC on the grounds that the U.S. Supreme Court has held that access to judicially controlled documents relating to a matter of public interest should be made available. While NBC’s petition has been turned down by Judge Young on the grounds that he does not have the Belfast Project interviews in his possession, an appeal may follow. Finally Richard O’Rawe, one of the former IRA members interviewed, has filed a lawsuit against Boston College in Belfast claiming that he was not properly warned about the legal risks attendant to giving the interviews and as a result his life has been placed at risk.

Legal Precedent

As already noted, all of the cases decided so far were in federal court. Thus the question is what weight does the refusal of the First Circuit to create a scholar’s privilege have on the state court level? Since no state court has ever recognized such an evidentiary privilege, it serves to strongly underscore the point that a researcher’s claim of confidentiality is not likely to be recognized as a basis to quash or limit the scope of a subpoena generated by a criminal investigation.

It should be noted, however, that in general, far more subpoenas seeking access to confidential research arise from civil lawsuits rather than criminal investigations. Given the extensive use of pre-trial discovery in American courts, lawyers involved in civil lawsuits always try to leave no stone unturned. Thus in recent years, an increasing number of academic researchers have been subpoenaed to turn over their research. It is in the civil arena, whether it be a contract dispute or product liability case, that a small handful of courts have seen fit to show some deference to the scholar’s privilege defense. Ironically the strongest proponent of this privilege when it comes to civil subpoenas is the First Circuit. Unfortunately, the case in which it formally recognized a scholar’s privilege as an extension of a reporter’s privilege, *Cusumano v. Microsoft*, 162 F.3d 708 (1st Cir. 1998), has not prompted any other federal or state court to follow suit.

It is important to note that not all evidentiary privileges are created equal. Some like lawyer-client and doctor-patient are

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2014 OHA Conference Program Highlights

PLENARY SESSION (CONT.)

South through African American song and oral poetry traditions. Honey is the Haley Professor of Humanities and American History at the University of Washington Tacoma. The session also features Pat Krueger's expertise in music education, with emphasis on urban and multicultural arts education. Krueger chairs the music education program at the University of Puget Sound in Tacoma, Wash. This plenary presentation honors the

remarkable legacy of John Handcox. His freedom songs were and continue to be wellsprings of inspiration for social justice movements in the United States and beyond, though listeners and even singers often have had little idea of the songs' origins in African-American music and poetry traditions and in Handcox's own creative genius.

LUNCHEON

FRIDAY, OCT. 10

John Biewen, Radio Documentarian

The Friday luncheon will feature John Biewen, who directs the audio program at the Center for Documentary Studies (CDS) at Duke University. Biewen's talk, "Storytelling That Moves: The Public Radio Documentary," will draw on his 30-plus years of international public radio reporting and documentary work. He worked as a reporter with Minnesota Public Radio, then with NPR News, for which he covered the Rocky Mountain West. For eight years he produced one-hour specials as a correspondent with the public radio documentary unit, American RadioWorks.

Since 2006 at Duke, Biewen has continued to produce radio for national and global audiences. Recent projects include *Little War on the Prairie*, a one-hour documentary about the 1862 U.S.-Dakota War for *This American Life*; *Travels with Mike*, a series retracing John Steinbeck's 1960 *Travels with*

Charley journey, which aired on *Studio 360* and the BBC World Service; *Nuevo South*, exploring the cultural response to Latino immigration in Siler City, N.C.; and a five-hour series for Public Radio International, *Five Farms: Stories of American Farm Families*.

Many of his past projects were grounded in oral history including *Korea: The Unfinished War*; *The Hospice Experiment*, a look at three key founders of the hospice movement; *Days of Infamy: December 7 and 9/11*; and *Oh Freedom Over Me*, the story of Mississippi's freedom summer.

Biewen's work has received many honors, including two Robert F. Kennedy Memorial Awards for outstanding coverage of the disadvantaged, the Scripps Howard National Journalism Award and the Third Coast International Audio Festival's Radio Impact Award.

Tickets to the Friday luncheon can be purchased when registering for the conference.

FILM SCREENING

FRIDAY, OCT. 10

OHA 2014: Public Film Screening of "Private Violence"

On Friday night, Oct. 10, OHA will host a public film screening and discussion of a new documentary, *Private Violence*, in the Community Room at the Madison Public Library/Central Branch. *Private Violence* premiered at the Sundance Film Festival in January 2014 and will premiere on HBO in October 2014.

The film focuses on the story of two women: Kit Gruelle, an advocate for victims of domestic violence and herself a survivor, and Deanna Walters, a victim held hostage by her husband and who lived through a horrific beating. The film follows Gruelle as she assists Walters in her pursuit for justice. While the filmmakers focus on these two women, their stories are not unique, as one in four women will be abused by a partner in her lifetime.

Through multiple interviews with Gruelle and Walters as well as having a camera follow them while Walters takes legal action against her husband, the film grapples with a key question often asked of domestic violence victims, "Why didn't she just leave?" The filmmakers do not offer a definitive answer but rather demonstrate to viewers through the Walters case and the other victims Gruelle assists why it's so difficult for women to leave.

The film screening is co-sponsored by the Women's Studies Department at the University of Wisconsin. Malinda Maynor Lowery, director of the Southern Oral History Program and a producer of the film, will talk before the screening about the making of the film and facilitate a discussion with the audience afterward. We hope this film will raise questions both among oral historians as well as students and those in the community concerned with the issue of domestic violence.

so clear-cut that a subpoena may not even be sought to contest this type of privilege. By way of contrast, a scholar's privilege, which usually appears as an extension of a reporter's privilege, is a qualified privilege. In other words when this privilege is raised a court must determine whether the subpoena at issue should be quashed, limited or validated.

While 40 states have shield laws that offer journalists this qualified privilege, only Delaware also groups scholars and educators in the same category as reporters. But as in the other 39 states, if a reporter's privilege is raised as part of a motion to quash, a judge would have to apply a balancing test that pits the vital role of confidentiality in news-gathering against the importance of the information sought to the party seeking it. There is also considerable variance in the wording of these balancing tests with some actually tilting away from protecting confidential sources and others leaning the other way.

Fighting a Subpoena in Court

For the sake of clarity and understanding, let's step back from all of this legalese about subpoenas and privilege and apply it to a hypothetical scenario. The starting point is the arrival of a subpoena seeking access to interviews that were conducted with a prominent local banker. Her restriction is unequivocal: "No one may access my interviews without my permission."

As noted above the first question is whether the subpoena was issued as part of a criminal investigation or came from a civil lawsuit. If the source of the subpoena is a prosecutor or even a lawyer for a defendant in a criminal case, then the project would need to file a motion to quash. This type of motion is available to anyone who wishes to contest any type of subpoena whether in federal or state court. The grounds for such a motion usually include privilege, undue burden/expense, relevancy, and the subpoena is overly broad or vague. While the primary goal of a motion to quash is to have the court reject the subpoena, the fallback position, which was successfully used by Boston College, is to limit its scope. Since claiming a scholar's privilege in the face of a criminal subpoena would not be legally viable, only the other defenses noted would be available.

Continuing on this hypothetical road, if the subpoena came from an attorney

Media outlets seek comments from OHA on Boston College IRA tapes case

The Oral History Association and prominent OHA members were go-to sources for national and international media in May when Sinn Fein leader Gerry Adams was arrested after Boston College was ordered to release to the Police Service of Northern Ireland certain oral history interviews conducted with members of the Irish Republican Army as part of its Belfast Project.

The complicated legal case related to the promises of confidentiality that had been made to Belfast Project interviewees is detailed elsewhere in this *Newsletter* by oral historian and legal scholar John Neuenschwander, a past president of the OHA. Neuenschwander was among the prominent oral historians sought by journalists from publications such as The Times of London to comment on the impact of the court cases and the arrest on the practice of oral history.

OHA Executive Director Cliff Kuhn said in a statement released by the OHA after the arrest that the case "raises in high relief a number of important ethical, legal and procedural issues pertaining to oral history."

The American Historical Association's blog also featured what it called the OHA's thoughtful and informed statement" about the matter that was published on the OHA website.

Kuhn and other oral historians emphasized in media interviews that the fallout from the Belfast Project need not create a chilling effect for oral history projects but instead serves to reinforce the importance of adhering to best practices, like those advocated by the OHA, in conducting projects ethically.

In interviews with The Times of London, Foreign Policy and WBUR, Boston's public radio station, Kuhn emphasized the importance of the case as a sharp reminder that oral historians have an obligation to fully inform interviewees about their projects and not to make promises of confidentiality that they may not be able to keep.

Foreignpolicy.com quoted Kuhn as calling the Boston College case an anomaly because "it involved an international case, an international treaty, and it involved a murder."

Mary Marshall Clark, director of Columbia University's Center for Oral History Research and a past president of the OHA, also was quoted by news outlets as emphasizing the importance for oral historians of spelling out to interviewees any potential dangers associated with consenting to be interviewed, including the prospect of interviews being subpoenaed.

Bruce Stave, longtime OHA member and professor emeritus and director of the Oral History Office at the University of Connecticut, was quoted by WBUR as suggesting that the Belfast Project case would make oral historians and interviewees more careful about projects they undertake and agreements they sign. ❖

involved in a civil lawsuit, a motion to quash would also be the first line of defense. Because civil subpoenas do not directly involve the public interest, asking a court to consider applying a scholar's privilege in addition to other grounds for quashing the subpoena would be far more feasible. However, it is important to reiterate that even if a court does agree to recognize a scholar's privilege it would only be a qualified privilege like journalists have. Thus the bottom line after the Boston College cases is that the legal landscape has not dramatically changed but the level of awareness among researchers certainly has.

Will There Be a Chilling Effect?

A number of media and academic commentators have taken the position that the decisions by the First Circuit in the

Boston College cases will have a long standing and profoundly negative impact upon academic freedom. Some have gone so far as to suggest that future qualitative research on sensitive subjects will be greatly diminished. Professor Noah Feldman for example, a constitutional law scholar at Harvard, perceives the threat as so grave that it may force some researchers who wish to conduct controversial research that requires a pledge of confidentiality to literally step away from university or library control.

Other commentators and observers have argued that the circumstances surrounding the Belfast Project were so unique and unparalleled that its impact will be far more limited. Except for clarifying the law as it relates to subpoenas

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WORKSHOPS

SATURDAY, OCT. 11

Teacher workshops, community showcases and live interviews have all been part of earlier OHA meetings, but this is the first time the OHA has made an explicit effort to connect local educators with ongoing oral history projects in their area and to provide them an opportunity to witness a full-scale, high-quality oral history interview conducted live. Everyone is welcome at the community showcase and the Richard Davis interview, and all three events are free to educators. Space in the morning workshop is limited, so sign up early.

K-12 Educator Programming: Morning “Best Practices” Teacher Workshop

This new set of free offerings for K-12 educators begins with a three-hour teacher workshop on Saturday, which will feature the new “Best Practices” document for 4-12 educators. The three-page document, developed by the OHA Education Committee with funding from the History Channel, is available online at the OHA site. Debbie Ardemendo of the Apollo Theater Education Program in New York; Cliff Mayotte of Voice of Witness in California; and Traci Morgan of Teach for America and McClintock Middle School in North Carolina, will lead the workshop. Thanks to funding from the Wisconsin Humanities Council and support from the University of Wisconsin-Madison Oral History Program and the Madison Public Library, OHA is able to offer this workshop free of charge to area educators.

Afternoon Community Showcase and Networking Opportunity

The session will open with an introduction to the “Best Practices” document, and OHA workshop leaders will then discuss sample

“best practices” projects from their work with elementary, middle and high school students. Many of these showcase projects involve collaboration among educators and community partners. To introduce educators to potential oral history partners in the Madison area, OHA has scheduled a community showcase on Saturday afternoon, after the teacher workshop. The showcase is open to all conference participants. Our hope is that the back-to-back format of the community showcase with the teacher workshop will maximize opportunities for regional networking, both to support ongoing oral history projects and to lay groundwork for new endeavors.

Evening Richard Davis Oral History Interview

The day of educator programming will end with the evening interview with renowned jazzman Richard Davis, conducted by Regennia N. Williams of Cleveland State University. Educators are invited to attend this public event, featuring an experienced interviewer working with a fascinating narrator.

that arise from criminal investigations, these observers do not believe that researchers will undertake fewer studies into controversial subject areas or that potential interviewees will either be unwilling to talk at all or do so in a far more guarded manner. Part of their optimism is grounded on the assumption oral historians will now be more inclined to effectively plan and administer projects in which interviewee restrictions may well be subject to challenge. In other words, the message from this group is not to self-censor academic freedom by undertaking only safe oral history projects but rather to take a proactive approach to potentially sensitive research.

A good example of this forewarned is forearmed position comes from the statement issued by the Oral History Association. The OHA reminds practitioners that the *Principles and Best Practices* contain many detailed suggestions about how to ethically address some of the key issues involved in any project that requires the application of access restrictions due to sensitive or controversial subject matter. The Best Practices, for example, place great emphasis on a rigorous informed consent process that begins with potential narrators and continues throughout the entire interviewing process. The OHA's statement goes on to advocate the importance of initial legal consultation on restrictions/confidentiality, securing a common understanding among all parties connected to the project from top to bottom, and clear written documentation throughout.

Conclusion

While much of what has been presented here may seem surreal to most oral historians because they do not undertake projects that require “restricted access,” the legal consid-

erations discussed here regarding subpoenas obviously also apply to access restrictions requested by individual interviewees. When applying such restrictions there appears to be little need for the more ambitious safeguards put forth in the OHA's statement. But the following steps should be seriously considered for both ethical and legal reasons when offering individual restrictions in the future:

1. Fully informing interviewees that restrictions cannot be fully guaranteed as subpoena proof.
2. Including a caveat in legal release agreements stating that the restrictions will be protected, “to the extent the law allows.”
3. Having a contingency plan in place to mount a legal defense against a subpoena for a restricted interview.

A landmark case is one that creates significant new legal precedent. Whether the Boston College case will achieve such status is still to be determined. What is clear at this juncture is that it has served to shine a spotlight on the legal viability of pledges of confidentiality in oral history research. ❖

EDITOR'S NOTE: John Neuenschwander is a past president of the Oral History Association, a retired history professor at Kenosha College and a retired municipal judge in Kenosha, Wis. The second edition of his book, *A Guide to Oral History and the Law*, is scheduled for publication this fall by Oxford University Press.

OHA Nominations 2014

Support OHA. Vote!

ORAL HISTORY ASSOCIATION members listed below agreed to offer their energy and expertise to the association and hope you'll support your favorites in this year's elections for first vice president, OHA Council member and nominating committee members.

To make it easy to express your choices, a link for online voting will be posted on the OHA website in late July, and members will also receive a ballot by mail that they may mark and return to OHA. So make your voice heard, either online or via the U.S. Postal Service.



FOR FIRST VICE PRESIDENT

DOUG BOYD

UNIVERSITY OF KENTUCKY LIBRARIES



Biographical Information

Doug Boyd serves as the director of the Louie B. Nunn Center for Oral History at the University of Kentucky Libraries and is a recognized leader regarding the integration of oral history, archives and digital technologies. Boyd leads the team that envisioned and designed the open source and free OHMS system that synchronizes text with audio and video online. He recently managed the Oral History in the Digital Age initiative and is the author of the blog *Digital Omnium* (www.digitalomnium.com). He has served on the executive council for the Oral History Association (OHA), serves as the digital initiatives editor for the *Oral History Review* and recently served as chair of the Oral History Section of the Society of American Archivists (SAA). Previously, Boyd managed the digital program for the University of Alabama Libraries, served as the director of the Kentucky Oral History Commission and senior archivist at the Kentucky Historical Society.

Candidate Statement

As we approach a major anniversary, the Oral History Association is in a time of exciting transition. Digital technologies are transforming our practice in profound ways, and we have recently shifted to a new administrative structure and a new institutional home. It is an exciting time to forge new partnerships, explore new models and create new opportunities for this organization, in order to shape the future of oral history for OHA's growing and diverse membership. Our leadership has done a tremendous job in recent years, and I look forward to playing a part in taking the Oral History Association to the next level. ❖

FOR OHA COUNCIL (ONE VACANCY)

TERESA BARNETT

UNIVERSITY OF CALIFORNIA, LOS ANGELES



Biographical Information

Teresa Barnett is the head of the UCLA Center for Oral History Research, where she oversees a variety of oral history projects that document the ethnic and social diversity of Los Angeles and the range of the social movements the city has given rise to. She has been involved in oral history for more than 20 years and has been the book review editor of the *Oral History Review* and the oral

history editor for the *Public Historian*. She has also served on numerous committees in OHA, including the program committee, the book and article awards committees, the postsecondary teaching award committee and the publications committee.

KRISTINE NAVARRO-McELHANEY

UNIVERSITY OF TEXAS, EL PASO



Biographical Information

Kristine Navarro-McElhaneay has served as director of the Institute of Oral History at the University of Texas at El Paso for the past 14 years. She has focused on capturing the history of the border experience through collaborative initiatives including: the Bracero Project, which developed the largest collection (900+) of oral histories of temporary Mexican agricultural workers in the U.S.; documenting the

challenges faced by first generation Hispanic/Latino entrepreneurs; recording the stories of communities affected by immigration policy, and life stories along the Mission Trail. We have partnered with the Smithsonian Institution, the Kaufman Foundation, the U.S. Hispanic Chamber of Commerce and

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OHA Nominations 2014

NOMINATING COMMITTEE (ONE VACANCY PER POSITION)

POSITION 1

REBECCA SHARPLESS is past president of the OHA (2005-2006) and served as executive secretary from 1994 to 1999. The former director of the Baylor University Institute for Oral History (1993-2006), she is now associate professor of history at Texas Christian University. She is the author of *Fertile Ground, Narrow Choices: Women on Texas Cotton Farms, 1900-1940* (1999) and *Cooking in Other Women's Kitchens: Domestic Workers in the South, 1865-1960* (2010), winner of the 2012 Bennett H. Wall award. She is co-editing a volume on Texas women's history. Sharpless has published articles in the *Journal of Southern History*, *Southern Cultures* and the *Florida Historical Quarterly* as well as a variety of edited volumes. She is past president of the Southern Association for Women Historians and is on the executive council of the Texas State Historical Association. ❖

CHARLES HARDY III, a professor of history at West Chester University, began his work in oral history in the late 1970s. The producer of award-winning radio, video and Web-based documentaries, he received the OHA Biennial Nonprint Media award in 1999 and Forrest C. Pogue Award in 2001. A regular participant in OHA national meetings since the 1980s, he has served on the publications, new technologies, awards and program committees; national council; and as OHA president in 2008-2009. He also served on the Advisory Board and Collecting working group for Oral History in the Digital Age. His print publications include articles and interviews in the *Oral History Review* and *Oral History*, and chapters in *The Oral History Reader*, 2nd ed. (2006), *Handbook of Oral History* (2006); *Oral History: The Challenges of Dialogue* (2009) and *Voices from the Revolution* (Palgrave Macmillan, forthcoming, 2014). ❖

POSITION 2

JEFF CORRIGAN has been the oral historian for The State Historical Society of Missouri at the University of Missouri since 2008. In this capacity, he oversees all aspects of the oral history program, from collection to final processing, and conducts numerous public outreach programs and workshops a year. Corrigan is a regular at OHA annual meetings, has served on two program committees, served as an annual meeting workshop chair, and currently serves on the publications committee. Corrigan has a B.S. in Agricultural & Environmental Communications & Education from the University of Illinois, an M.A. in U.S. & World History from Eastern Illinois University and is currently working on an MLIS degree at Missouri. ❖

JOANNA HAY is an award-winning filmmaker, independent arts consultant and community scholar whose work is anchored in oral history. Hay has been working in video and television since 1990. She began by producing and directing instructional videos, was associate producer for NBC's "Today Show" Kentucky Derby remote and is now an oral history filmmaker. She also works with cultural organizations to develop arts programs and cultural walking tours. Hay has produced video oral histories for the Kentucky Historical Society, the Nunn Center for Oral History at the University of Kentucky, Buffalo Trace Distillery, the Grand Theatre, the University of North Carolina at Greensboro and the Centenarian Wisdom Project. Hay won the 2013 OHA award for best use of oral history in a nonprint format for the Frankfurt, Ky., Public Art Tour. ❖

POSITION 3

MIMI LOK is executive director and executive editor of Voice of Witness, a nonprofit organization that describes its mission as "using oral history to illuminate contemporary human rights crises." Her work builds on more than 15 years of experience in education and arts in the U.K., China and the U.S. She has consulted on arts and literary programs, worked as a freelance reporter for the Asia bureaus of the Washington Post, Chicago Sun-Times and USA Today and taught creative writing at San Francisco State University and in schools throughout Hong Kong and China. Her passion for human rights storytelling led her to volunteer as an editor and interviewer at Voice of Witness before joining as executive director/editor in 2008. ❖

ROSIE JAYDE UYOLA is a public high school teacher, activist documentary filmmaker and Ph.D. candidate in American studies at Rutgers University. She began her work as an oral historian a decade ago when she founded a mentorship program for LGBTQ youth in underrepresented communities in urban New Jersey, driven by her belief that oral histories can allow underrepresented people to represent themselves. The creator of oral history-focused award-winning documentaries and K-12 curricula, Rosie received the OHA Martha Ross Teaching Award in 2011 and the New Jersey Council for the Humanities Distinguished Teacher Award in 2012. A regular presenter at OHA conferences, Rosie serves on the teaching awards committees. She has leadership experience in diverse professional organizations and is the author of several articles and book chapters related to oral history. ❖

Visit www.oralhistory.org to Place Your Vote!

Barnett

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Statement

In the years I have been involved in the field, I have seen an increasing interest in oral history on campuses and in communities and a growing desire to implement projects that not only memorialize the past but serve as active interventions in the present. I am interested in finding ways for OHA to facilitate the full range of projects that people are doing and to have a greater impact beyond the circle of its immediate membership. Thus I would like to see us go beyond our traditional publications or the information currently available on our website in ways that might include, for example, offering more possibilities for training and improvement of skills, providing materials that address the full range of legal and ethical issues that projects face, offering guidance on seeking funding and institutional collaborations or serving as a clearing house and a site for networking. For many of us in the field, the Oral History Association has served as an indispensable source of knowledge and support, and we need to find more ways to extend some of those benefits to individuals who may never attend one of our annual conferences or read a copy of the *Oral History Review* but who may nonetheless be doing vitally important work. ❖

Navarro-McElhaney

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other universities and public and private organizations to elevate the role of oral history as a means of preserving stories that might otherwise go undocumented.

Statement

OHA is in a great position to take the lead on reaching out to the next generation of young oral historians. The emergence of the “21st century” demographic presents an opportunity to foster and broaden initiatives similar to Oral History in the Digital Age that focus on the use of technology in the collection and presentation of oral history. Students have grown up with exponential technological advances and need greater opportunities to implement tech into their oral history work. As a member of the OHA Council, I will explore effective ways to incorporate digital media into our work. I believe that OHA can expand its role as a hub of collaboration that encourages partnerships that leverage resources. Most of the major projects I undertake involve collaborative work, and I see OHA as more than just a clearing-house—it is a place that can accelerate great oral history work! One way to accomplish this is to reach out to community oral historians in the host OHA conference city, either by providing a free community workshop or assistance with a community oral history project, at no cost to participants that are nonprofit or academic institutions. This would highlight the value of joining OHA, increasing our membership base and enabling us as an organization to give back to the community. ❖

Executive Director’s report

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healthy. To offer our members better service and to more effectively administer membership, we are in the process of bringing membership back in-house from Oxford University Press. While OHA members will continue to receive the journal as a major benefit, as of this fall the executive office will be in charge of membership, we think to everyone’s satisfaction.

Finally we have been busy in support of the annual meeting. Program co-chairs Natalie Fousekis and Kathy Newfont along with their colleagues have worked tremendously hard to

develop an absolutely terrific program for Madison. Because of our new conference management system, this year people can access much more information about the program than ever before. We also are introducing a mentoring program at the 2014 meeting. And we’re already laying the groundwork for OHA 2015 in Tampa and even OHA 2016, the 50th anniversary program to be held in Long Beach.

My great thanks to the many OHA members who do so much to keep this organization going! ❖

OHA admitted to ACLS

continued from page 1

and an opportunity to interact with our colleagues in a variety of fields and disciplines,” he said, adding:

“Many scholars are interested in oral history yet have little training themselves in oral history methods, ethics and interpretive issues. The OHA can help elevate oral history practice for these individuals and their associations.”

The nonprofit ACLS, headquartered in New York City, was founded in 1919 with representatives of 13 scholarly organizations aiming to advance “humanistic studies” and strengthen organizations dedicated to the study of humanities and social sciences. It sponsors conferences and has an active

fellowship program that awarded more than \$15 million in 2012-13 to some 320 recipients worldwide.

The organization played an important role throughout the 20th century in fostering interdisciplinary and area studies. It pioneered the study of Native American languages, encouraged the use of computers in humanistic research as early as 1964 and played a key role in the establishment and subsequent reauthorization of the National Endowment for the Humanities. The ACLS also represents the United States in the International Union of Academics, which promotes international scholarly exchanges. ❖

Kentucky quilt guild creates oral history project

By Barbara E. Sonnen, Central Kentucky Homemakers Quilt Guild

IN 1991 A GROUP OF WOMEN got together in Frankfort, Ky., to talk about establishing a quilt guild. Today, the Central Kentucky Homemakers Quilt Guild is a creative and dynamic organization.

The oral history of our guild began in 2004 with the president, Bonnie Williams. She realized that the women who started the guild were getting older. It was time to collect the story from the founders. Bonnie asked me if I'd be willing to work on an oral history of the organization. I thought it would be a very interesting project and said, "Yes." We applied for help from the Kentucky Oral History Commission and were awarded technical and financial assistance.

I had joined the guild before I retired in 1999. During my nursing career, I enjoyed learning more about adults as learners, leadership development and continuing education. I had an interest in the roles of employers, educators and others in preparing leaders. As I talked with these quilters, it was evident that experiences in the quilt guild prepared our members for leadership roles and community involvement.

Early in the interviewing process, I found that there were additional aspects of the organization and its activities that members sought, developed and came to appreciate. New and experienced quilters wanted to learn how to make a quilt using a specific pattern or technique. The introduction of the rotary cutter, used to cut fabric into the correct shape, was a major shift in quilt-making techniques.

Some of the themes explored in the interviews with 12 women conducted from August 2005 through October 2007 included:

- Changes in quilting since the early 1900s
- Growth in the number of media for learning about quilting—books, magazines, television and online classes
- More places to shop for the newest tools, fabrics and patterns, including stores, catalogs and online websites



PHOTO CREDIT: MARY QUINAN

Members of the Central Kentucky Homemakers Quilt Guild display quilts they made to donate to children at the University of Kentucky Children's Hospital. Guild founder Kathleen Dailey is seated at far right.

- Group trips for shopping and for attending quilt shows or a combination and
- Making charity quilts for children, seniors and others to meet various community needs.

Bonds developed between the members and their guests. The guild brought in well-known quilters from Kentucky and out of state to teach classes or present a program at a guild meeting. Members sought information from each other on newer techniques or different patterns. The unwritten rule was that everyone was to be supportive of another person's work; no negative criticism was allowed.

We Sew and Grow: A Quilt Guild's Oral History is a book based on the oral history interviews. Transcripts were edited to retain the essential comments of each woman. We maintained the dialogue format so that readers would experience the flavor of each quilter.

The repository for the collection is the Kentucky Historical Society. ❖

Minnesota digitizes oral history collections

By Ryan Barland, Minnesota Historical Society

THE MINNESOTA HISTORICAL Society (MHS) is pleased to announce it now has the largest digitally available oral history collection in the country (and possibly the world!).

With a number of grants and many staff members helping out over the last four years, the Minnesota Historical Society's audio, video, and transcripts have been digitized, edited, and preserved digitally and are accessible online.

Like most collections the Oral History Collection had previously only been available by tape cassette or as paper transcriptions. Voices of Minnesota (<http://collections.mnhs.org/voicesofmn/>) is the new online portal to more than 1,300 oral history interviews. You can search for specific oral history interviews through Collections Online (www.mnhs.org) or by subject matter on Voices of Minnesota.

The MHS digitization efforts have been great for at least three reasons: better cataloging, preservation, and access. Since the MHS has been conducting oral histories since the late 1960s there have many different cataloging methods, so this was a perfect opportunity to standardize across the board.

In the process of digitizing everything, we noticed projects that had slipped through the cracks or other cataloging issues that had not been resolved earlier.

A digital preservation plan has been put in place giving MHS an even more secure collection. Along with maintaining the original recordings and paper transcripts, the oral histories are now backed up and monitored to ensure that the files remain in working order.

Even though the Voices of Minnesota website had a soft launch last summer it has been a hit with all of our users; since then this new page has received well over 1,000 views. From History Day students to researchers all over the country, the Oral History Department has heard back from a wide range of people happy with the newly available content.

The website will continue to be updated, modified, and added to as we refine how best to present our collection to the public. It has taken a lot of work, a great deal of funds, and has proven to be quite a learning experience, but so far MHS is much better off for having gone digital. ❖

The Oral History Association

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Do you have colleagues who use oral history in their classrooms? Or in their ongoing research projects?

Do you know of community groups exploring the use of oral history to document their work? Or local museums eager to engage area residents?

Chances are you do. And there's also a chance those people are not members of the Oral History Association. But you can fix that. Share this **Newsletter** with them. Brag about the *Oral History Review* online. Tell them about the workshops and thought-provoking sessions and like-minded new friends they'll find at an OHA conference.

And then encourage them to join OHA. They'll be glad they did.

Visit www.oralhistory.org for more information