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WINTER 2017 VOLUME 72, #1 \$10

HISTORYNEWS

THE MAGAZINE OF THE AMERICAN ASSOCIATION FOR STATE AND LOCAL HISTORY




The Many
Voices of
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House

The Museum as Center
for **Social Innovation**

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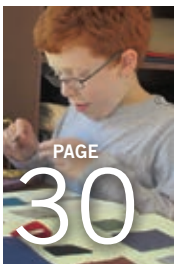
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ON THE COVER

The Montclair History Center reinterpreted its Crane House to more accurately reflect its rich and diverse history through the story of the African American YWCA that had used the house as its headquarters

from 1920 to 1965. The multi-faceted initiative celebrates the important role the YWCA played in the history of Montclair and in the hearts of its members.

Photo Jack Spear Photography, LLC

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HISTORYNEWS

THE MAGAZINE OF THE AMERICAN ASSOCIATION FOR STATE AND LOCAL HISTORY

History News is a publication of the American Association for State and Local History (AASLH). *History News* exists to foster publication, scholarly research, and an open forum for discussion of best practices, applicable theories, and professional experiences pertinent to the field of state and local history.

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Learn from others. That's one of the many things I've garnered from the study of history, and, more to the point, from my work in history organizations. You will find that precept in abundance in this issue of *History News*.

Sometimes we learn from others' good ideas. Here, Carol Kammen looks to a German artist's work as a model for how America might remember some of the more difficult aspects of our past. Staying across the pond, Jasper Visser discusses how institutions in Europe are employing processes of social innovation to better serve audiences and have a true impact on communities. How might we employ the strategies of our international peers in our own communities?

Sometimes we learn from peoples' successes. Jane Mitchell Eliasof shares the story of the Montclair History Center incorporating the history of the local African American YWCA into its interpretation. This act of inclusion has helped tremendously in healing longstanding community wounds. Think about how such engagement can impact your institution. What yet-untold stories await you?

Sometimes we learn from the challenges others have faced. Max van Balgooy writes on the pervasiveness of financial fraud in our world and documents ways to prevent it. John R. Dichtl recounts AASLH's own embezzlement journey and the steps the association has

taken to overcome it. And Samantha M. Engel offers a personal account of how a lack of emergency preparedness impacted her institution. There is much to learn from her tale of how the museum dealt with the fire and its aftermath, as well as how the institution seized upon opportunities the disaster presented.

Lastly, in addition to our regular "The Whole is Greater" feature by Mónica S. Moncada, and the semi-regular "Value of History" column, we've added a new feature, AASLH News (page 35). In addition to information on the goings-on at AASLH, we've shared some background on the new AASLH logo, which we are launching with this issue. It is an update on the "Tree of Life" motif that has long inspired the work of AASLH.

"Learning is not attained by chance, it must be sought for with ardour [*sic*] and attended to with diligence," wrote Abigail Adams to her son John Quincy Adams in 1780. I appreciate you joining with us as we learn to navigate the ideas, successes, and challenges of public history together.

With admiration,



Bob Beatty



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Encounters with History

In writing about 2016 Democratic vice presidential nominee Tim Kaine, Evan Osnos quotes Kaine's observation, "Much of our history is not pleasant. You can't whitewash it." Kaine is right. Difficult as parts of our past might be, it *is* our past, and we cannot just let it slip away unnoticed with the hope that the unpleasant bits might go away.¹

Recently, my local newspaper printed a headline that startled me: "Some Civil Rights Sites at Risk of Being Lost to History." A later article recorded damage from gunfire to monuments near the Tallahatchie River.

If local historians are caretakers of community memory, we are also its conscience. It is up to us to declare, "Yes, there are good things here, but in this place are also things that are hard to think about." I am particularly concerned about the places where there was great injustice—either to an individual or to a community and where those acts have been thought unworthy or too difficult for a remembrance—although they linger in mind.

According to the Tuskegee Institute, 3,446 African Americans and 1,297 whites were lynched in the United States from 1882-1968. (The word lynch, by the way, comes from Charles Lynch, an eighteenth-century Virginia judge who meted out "extra legal punishments" for British Loyalists.)²

These numbers are surely an undercount, but whatever the actual number, it is a terrible thing to contemplate. And except for a memorial to civil rights martyr Emmett Till, those lynched and the places where lynching has taken place are mostly ignored, often purposefully. We don't necessarily want to be reminded.³

Lynching is a difficult subject. Few really want a memorial to such an act. Yet I think we need to remember the people killed, the families that suffered, the communities where the smirk of shame persists.

People would not come to these places in celebration but in sadness that such events happened, and perhaps with some joy that they might have stopped

(though some believe gun violence or mass incarceration has replaced lynching). A trip to any Holocaust museum is a sobering, but necessary, experience, lest we forget the terror and the pain of that horrific event.

What should local historians do about those who were maimed or killed? How can we build into our communities a consciousness of the fragility of life, of the fact that sometimes there is an eruption of violence, and the need to remember with dignity those we have lost?



Stolpersteine is a project that commemorates the victims of National Socialism with plaques installed in the pavement in front of their last address of choice.

Lynchings have occurred throughout the country, often in remote locations. We could mark those spots—rural trees, isolated barns, crossroads—with some universal symbol. But the randomness of location makes such markers challenging to locate, difficult to erect, and they would not become places of destination for most people.

We might, however, recognize victims in central places, with each city or town devoting space for the names of those who once lived there and whose lives were so cruelly snuffed out. I think about the stolpersteine in Western Europe, markers erected to remember the victims of the Nazis.⁴

Gunter Demning began the project in 1996 by creating concrete blocks laid into the pavement into which a small brass tablet containing the names of the persecuted

is inserted. "Here lived," many begin, followed by names and dates. There are fourteen stolpersteine outside the apartment where my friend lives in Berlin. But they are now all over, marking the presence of Jews, homosexuals, Jehovah's Witnesses, gypsies, and others who resisted the power of the fascist German state.

There are now stolpersteine markers in 1,000 cities and towns in eighteen countries, making these markers the world's largest memorial. They are found in Austria, Hungary, the Netherlands, Belgium, the Czech Republic, Russia, Croatia, France, Poland, Slovenia, Italy, Norway, Ukraine, Switzerland, Slovakia, and Luxembourg.

Perhaps this is what we should do in America. Instead of carrying a shame we cannot talk about, perhaps we should honor those who have died and point the way for the rest of us to enlarge our basic humanity.

America's 5,643 victims of lynching call out to us to be remembered. They were people who spoke up, who got in the way, or who were simply in the wrong place at the wrong time. They were victims of lone actors and of mobs. Their deaths remind us that each life is important, each life lost touches a family and a community that mourns, and each killer or group of killers carries within a shame that destroys our shared humanity.

We have waited a long time to recognize this violence in our communities. It is time now to act, to recall, to pause and think of who we want to be—and how we want to think of ourselves and to have our families and friends remember us.

These memorials need not be expensive nor be nationally organized. They could instead be local projects of commemoration and remembrance. They might be viewed as reminders that within each of us is violence that we temper with something called civilization, one that curbs violent tendencies. They are also an aide-mémoire that we live in a nation whose democratic institutions require we work together. John Winthrop called this a shining light upon a hill. It is only possible if we all join together to make it so.

On Doing Local History >

We cannot make up for lost lives. But as historians and people concerned with the lives of those around us, we can determine a suitable sign, build community concern, and talk with officials about using sidewalks, walls of public buildings, or parks as places of memory. We can chart online those memorials to highlight the broad range of places where memory can recognize the wrongs of the past and go a short way to recall people so brutally taken from this earth. Is this not the duty of local historians, of AASLH members?

If the Germans can see these markers with a sense of sorrow and remembrance and can vow “Never again!”—then surely we can do likewise. Each civilization carries within it violence toward others *and* the grace of love and care. We fight our ugly impulses, but when they occur we cannot ignore them—pointing vaguely to that woods or that jail or that house where someone was lynched.

This is a wonderful country in so many ways, but to ignore or forget dark moments is to allow that ugly side of us to smolder. Facing our demons is far better

than crowding them away. Facing them we can find ways of honoring those lost, of putting them first, of giving them an ongoing presence.

How might we do this? I would suggest a template to be used to paint a symbol along with the name and dates of someone whose life was taken. If we use the same symbol everywhere across the nation it would be easily recognizable. It might make people stop and reflect on those who could not be mothers, could not attain an education, or could not speak up for themselves. It is up to us to remember them. That is what history is all about is it not?

We can work with the Southern Law Poverty Center lists and those at Tuskegee Institute. This requires coordination, of course, but little money. It requires working with local officials for use of the sidewalk or the side of a building. It will require *will*; but it is the right thing to do.

Can this be done? Well, of course it can be done. Just look at Europe and those who stop momentarily to see the stolpersteine and think, even briefly, of the lives snuffed out by a brutal state. But they remember

too, and memory is important on our road to healing and being better people.

It will certainly take political effort, good will toward all, and some guts. We already have the guts to do this, don't we? ●

EPILOGUE: *In the weeks since Carol first drafted this column, President Obama declared three new national monuments directly related to African Americans' struggle for equality: sites commemorating the Civil Rights Movement in Birmingham and Anniston, Alabama, and one memorializing Reconstruction in Beaufort, South Carolina.*



“On Doing Local History” is intended to encourage dialogue on the essential issues of local history. Carol Kammen can be reached at

ckk6@cornell.edu.

¹ Evan Osnos, “Tim Kaine’s Radical Optimism,” *New Yorker*, October 24, 2016: 45.

² See go.aaslh.org/TuskegeeData. The statistics do not include data for other races/ethnicities.

³ In late 2016, the Equal Justice Initiative announced plans to build in Montgomery, Alabama, a national memorial to victims of lynching.

⁴ See www.stolpersteine.eu/en.

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My Turn to Tell the Story: Internships for People of Color

“Where is my history?” I remember this question being in the back of my mind as a student in grade school. The histories of my people and other people of color in the United States were often absent in the pages of my textbooks. I remember learning these histories only during specific, token months of the year, and, now that I work in a Mexican and Mexican American museum, I see that not much has changed.

Histories of people of color are American history. Yet, like me, many students continue to learn these histories solely in partial segments. Teachers rarely introduce them as influential narratives, crucial to the foundation of our country. As public history professionals, we acknowledge this and are working to share more accurate, inclusive stories. Adding more diverse histories on walls and labels is a great start, but who are we hiring to tell these histories? What actions are we willing to take to diversify our field?

I have been working in the public history field for about three years, and as I take a moment to reflect on the experiences that led me to this career, I think back to one of the first opportunities I had working in a public history institution: an internship for underrepresented groups, specifically for people of color. For more than two decades, the Getty Multicultural Undergraduate Internship (Getty MUI) Program, funded by the Getty Foundation, has been providing opportunities to undergraduates from communities that lack representation in the arts and museum field. These paid work experiences at museums and/or cultural centers are coupled with an exploration of the broad range of museum careers.

I understand that only very few institutions have the funding, capacity, and resources for a similar program, but what I want to highlight is how these resources were allocated to empower a specific group—people of color. This

experience paved the way to my understanding of what museums can create in their respective communities, and more importantly, I learned to feel comfortable inside museums and cultural institutions. Getty MUI offered a safe space where my unique needs as a person of color, first-generation American, and first-generation college student were considered and validated.

Given the competitive nature of our field, it is difficult for many emerging museum professionals to obtain a paid internship or full-time position. When I was an undergraduate anthropology student, I recall sharing news of my internship to a white colleague who, in turn,

Equity IS FEELING
welcomed AND
empowered TO JOIN A
FIELD THAT IS NOT DIVERSE.

revealed frustration that such internships existed. He wanted to be in the museum field as well and felt the program was unfair to him and other white people. He wasn't alone. Last year, a student sued the Getty MUI Program, claiming the organization discriminated against her for being white. She employed the same rhetoric as in arguments against Affirmative Action, maintaining she was more than qualified for the position and privileging funds for people of color is discriminatory.

I found this disquieting for a number of reasons. First, the Getty uses its own private funds for the internships and, even so, loosely interprets who is part of an underrepresented community. This has historically allowed a number of white students to participate in the program. Second, people of color participating in the Getty MUI Program come from

Ivy League and other top schools with impressive collegiate experience in arts or public history to match. This student was up against very talented people, but she seemed to immediately discount that possibility. She focused instead on what she believed to be an unequal playing field. In her eyes and experience, the program does not represent equality because, by her argument, equality means that we are treated the same.

While I can empathize with the stress of obtaining a job or gateway into the field, hiring trends show employers are not hiring people of color at rates commensurate to whites. Studies on racial hiring biases report that businesses are more likely to respond to resumes with more “white” sounding names rather than those perceived as “ethnic.” This shows anything but an equal playing field. What internships for people of color achieve is equity. Equity is getting the chance to catch up on the years where I did not feel museums were for me. Equity is feeling welcomed and empowered to join a field that is not diverse. Equity is opportunity.¹

After my internship, I was hired at LA Plaza de Cultura y Artes, a Mexican and Mexican American museum in Los Angeles, the institution where I held my position as an intern. I now understood many museums and cultural institutions are transforming spaces in order to offer experiences to diverse audiences. With the privileges I obtained from my internship, I was confident and eager to learn more about museums, and my physical body felt comfortable visiting them. I had a lot to catch up on, though, since most of my experiences attending museums and cultural centers were during my years in grade school. But this did not cause me shame or any anxiety, since I also now understood there was a time when these spaces were not intended for people of color. These places that once excluded people like me are now realizing they do not have the complete story without us.

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My first museum conference was made possible as a result of a special scholarship open to Getty MUI alumni, so I decided to look for similar scholarships outside of the Getty because I knew there were institutions willing to create opportunities for people of color. I stumbled upon the Douglas Evelyn Scholarship for Minority Professionals offered by AASLH. Prior to attending my first AASLH Annual Meeting, I had understood the concept of public history to a certain extent with my experience as an intern and newly hired employee at LA Plaza. But attending the conference allowed me to learn more about the current trends in public history and how the field is actively working to include marginalized histories, such as histories of people of color, women, people with disabilities, and queer communities, and exploring the many ways these stories intersect. I am learning how to tell my own story, and this would have not been possible without the funding dedicated to nurturing this type of growth.

Internships for people of color create public historians of color who have a completely different perspective of what it is to be American. We often do not expect to see ourselves represented in museums and other public institutions, and when we do it is usually in a temporary gallery or not told by someone from the community. It is our turn.●



Mónica S. Moncada is the education assistant at LA Plaza de Cultura y Artes. She received her B.A. in Anthropology at the

University of California, Berkeley. She is very passionate about the shared histories and legacies connecting the United States and Mexico, and her goals are fueled by the hard work and sacrifice made by her parents who left their native lands and families to pursue greater opportunity for their future children. Follow her on Twitter @publicxstory. She can also be reached by email at monicasmoncada@gmail.com.

¹ See Julia, Halperin, "Women Take the Lead in U.S. Museum Jobs, but Minorities are Still Under-Represented," *Art Newspaper*; August 5, 2015; John M. Nunley, Adam Pugh, Nicholas Romero, and Richard Alan Seals, Jr., *An Examination of Racial Discrimination in the Labor Market for Recent College Graduates: Estimates from the Field*, Auburn University Department of Economics Working Paper Series (Auburn, AL: Auburn University, 2014); and Sendhill Mullainathan, "Racial Bias, Even When We Have Good Intentions," *New York Times*, January 3, 2015.

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History is Hot Right Now. Can That Help Save the Profession?

This past August I asserted in an op-ed in *Inside Higher Ed* that history was “hot” and wondered whether that could help save the profession.

The impetus for my piece was a perceived rising tide of interest within the media (traditional and social) in the perspectives of historians on both the 2016 presidential election and the entirety of the calendar year’s events. Indeed, within a span of twenty-four hours this summer, four articles had appeared in my Twitter feed that featured historians in major media outlets.

The first was a *New York Times* story about biographer David McCullough and documentarian Ken Burns. The two had asked several distinguished historians to state their case on why Donald Trump was, perhaps, the most troubling presidential candidate ever. The videos on Facebook have been viewed tens of thousands of times. The second was a piece by *Politico* that asked several historians to comment on whether the 2016 Republican convention was the worst in history. The third was from *USA Today*. It asked the president of the American Historical Association (AHA) if 2016 had been an unusual year for violence—to which he wrote that violence begets violence and as such it tends to ebb and flow. And the last was in *Slate*, by history writer Rebecca Onion, that asked several historians to comment on whether 2016 was simply the worst year ever. (Answer: it had nothing on 1347.)

In particular the election of Donald Trump as 45th President of the United States seemed to serve as a boon for historians. Not only McCullough and Burns, but historians at the University of Virginia’s Miller Center for Public Affairs, such as Barbara Perry, co-chair of the Presidential Oral History Program, and Nicole Hemmer, assistant professor in presidential studies, thrived by writing about Trump and conservative politics for *USA Today*, *U.S. News and World Report*,

The Atlantic, and *Vox*. Historians were asked to help answer how we got to where we are, and their perspectives were heard.

That led me to suggest that “history is hot.” Or rather, it was hot. In a traumatic and turmoil-filled year—weekly violence, racial tensions, political upheaval, a shifting world order and wars with no ends in sight—it seemed that society was collectively crying out for historical perspective. Publications from the *Wall Street Journal* to *Foreign Affairs* were asking historians to tell their readers whether a) yes, it was really as bad as it seemed or b) it has, at times, been worse and humanity has survived. I wrote last August that historians were the dispassionate voice amid the din that would allow us to calmly sit down in our chairs and reflect.

A few months later, and with 2016 now behind us (we made it!), I have an opportunity to reflect on my own words. Have we remained hot? It’s an open question. Some evidence suggests no. As a nation we are now collectively reckoning with a Trump presidency and the effects of his cabinet appointments. Much of this rumination falls in the category of prognostication and, not surprisingly, the perspectives of historians have been substituted for perspectives of journalists, party activists, and pundits. Historians are useful when we need to place our contemporary dramas against a backdrop; when we need to analyze how decisions will impact the future, we are less called upon.

At the same time, however, history classes remain a “hot” topic. At least two recent articles, in response to an election season full of fake news articles, have suggested that more history classes are the antidote to what ails America. Historian Kevin Levin, writing for *Smithsonian.com*, asserted that the public lacks the skills and training to decipher what on the Internet is real and what is fiction. “The history classroom is an ideal place in which to teach students how to search and evaluate online information,” he argued. Writing a few days earlier in *Quartz*, novelist

and creative writing professor Marie Myung-Ok Lee stated, “History classes matter because they help students learn to question the stories that are handed down to us.” History courses, it seems, can be an antidote to demagoguery.¹

In mulling over where this leaves us, I return to a 2016 piece in *Patheos* that asked what exactly historians think we contribute in these trying times. Do we have special insights? Do we know lessons from the past that others don’t? Are we the true conscience of the nation? The author of the piece, a historian, was unsure. Yet it seems clear that in 2016, the news media and others seemed to think we offered much. There is scant mention that students should be taking more anthropology, philosophy, or sociology classes—although they should as part of a well-rounded liberal arts education. History seems to be the discipline so many of us return to. There is an agreement, among some at least, that historians’ voices contribute something meaningful, whether we know exactly why or not.

What continues to be interesting about this is that it occurs during a time of deep anxiety and concern about the future of history. According to the AHA, the number of undergraduate students earning degrees in history is dropping sharply, even as the number of students earning degrees in all fields continues to rise. History degrees now account for less than 2 percent of all undergraduate degrees earned.

History majors are not as diverse as they could be either: African Americans were just 5 percent of those completing history degrees in 2014. Latinos made up 9.7 percent and Asian and Pacific Islanders were 3 percent. In a country projected to be minority-majority by the middle of this century, history remains relatively homogenous.

And in August 2016, the historically black Lincoln University in Missouri deactivated its history program due to low numbers of graduates, low career

demand, and low student demand. Other HBCUs and regional colleges have threatened to follow suit.

Such statistics and anecdotes prompted James Grossman, executive director of the AHA, to write an op-ed in the *Los Angeles Times* in 2016 arguing that history is not a “useless” major. Whether students and parents will listen is yet to be known. *USA Today* has reported that student decisions regarding majors most often come down to money: the ability to find employment and earning power once employed. History has yet to convincingly make the case that its students will find employment, earn high salaries, and be able to repay student loans in a reasonable amount of time.

Thus we are still at a fork in the road. On the one hand, this past year has shown historians are in high demand for the perspective they offer in moments of deep societal anxiety and rupture. On the other hand, there are very real questions about who will serve as that voice in future crises. What might we do to help save the profession?

One obvious way is to maximize our visibility. Many young Americans may, for the first time, be hearing from historians and be seeing them in major news media outlets. Historians certainly appear in press all the time, but the difference now is the stage. The stakes of this presidential election were high, and nearly all of America is paying attention to media,

particularly in such a divisive and unusual election as this past year’s. It is an especially good time to be visible.

While being visible we also can demonstrate the core values of our profession. We can showcase the dispassionate wisdom and clarity of thought treasured by those of us in the discipline and sought by those outside it. In a climate of constant shouting and bickering, contemplative thought may not be for everyone. But it can offer a refreshing alternative and inspire younger folks that they, too, can be an impactful voice of reason when America needs it most.

The AHA, National Council on Public History, AASLH, History Relevance Campaign, and others have put forth many ideas on how to address declining enrollments. I won’t recite those here. But I will offer a few more suggestions that may help contribute to the discussion:

- In moments where we have greater exposure, let’s put forth as diverse a set of faces and voices as we can. Let’s ensure that minorities see historians not solely of one race, one gender, one religion, and one socioeconomic background, but many.
- Let’s also put forth a diversity of ages. Millennials want to see immediate results in their work and seek speedy advancement in their fields. History, in contrast, has an entrenched hierarchy that slowly promotes its own, rarely offers immediate results, and often privileges those most senior in their careers. Let’s ensure that

young people see young historians succeeding, being heard, and contributing meaningfully.

• Let’s find new ways to communicate, even as we’re holding true to our values. To draw on historical facts and speak from a place of deep knowledge does not limit us to prepared remarks or formal prose. Use this opportunity to evolve how we communicate—colloquially, vividly, through images as well as words, and across all platforms available to us—both for the good of our audiences and for the enthusiasm of new entrants into the field.

Some of these things are already happening, and I hope they continue with even greater intentionality. Historians have an opportunity now to showcase the best and brightest aspects of our profession. Recognizing that we do so against an uncertain backdrop of our own field, we can use this moment to help inspire the next generation of historians. After all, when calamity strikes, it is us historians that society turns to. •



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¹ Kevin Levin, “The Remedy for the Spread of Fake News? History Teachers,” *Smithsonian.com*, December 6, 2016; Marie Myung-Ok Lee, “History Classes Are Our Best Hope for Teaching Americans to Question Fake News and Donald Trump,” *Quartz*, December 2, 2016.

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The MUSEUM *as* CENTER for SOCIAL INNOVATION

BY JASPER VISSER

The Rostov Kremlin in Russia, seen from Nero Lake.

Modern cities and the creative communities living in them are using social innovation processes to find new ideas for addressing challenges, to strengthen relationships, and to have social impact. Cultural heritage plays a role in these processes. For museums and other cultural heritage institutions, this trend offers both a warning and an opportunity.

Shkodër is a small city in the north of Albania, Europe's poorest country. The city has been around since Illyrian times and has an impressive history, which can be appreciated in any of the city's four museums and many heritage sites. Although the newly renovated city center and typical Balkan hospitality obscure it at first view, Shkodër has considerable social challenges, including high youth unemployment and limited career and educational opportunities for its people. In 2015, just out of the city center, the Arka youth center was founded to help the young people of Shkodër deal with these challenges. It does so, as youth centers tend to do, by offering them social relationships, workshops, and volunteer opportunities. There are movie nights with regional films, which attract a full house. There is a recording studio that broadcasts radio. The shelves on the walls are packed with bestsellers in Albanian, Italian, and Turkish. The center is

starting an innovation lab (the sign is already on a door) and a business incubator for aspiring entrepreneurs. Importantly, and somewhat unexpectedly, the Arka youth center is starting a museum-quality gallery space, complete with lightning design and rooms named after local heroes. They do so because the people of the Arka youth center believe that one of the best ways to have a positive social impact is by fostering the cultural and creative skills of young people and by creating a cultural heritage destination that aims not only at tourists, but directly impacts the local community.

The Arka youth center is a typical example of a new kind of institution, which I see popping up all over the world. Unlike traditional cultural heritage institutions, this new kind of organization is primarily defined not by a collection or a mission, but by the relationship with its audience and the impact it aims to have in its community through culture, heritage, and the arts. The volunteers and staff of the Arka youth center believe their gallery space will help them in fostering creative entrepreneurship, innovation, and the education of their community. Like everything else they do, they take their gallery seriously; they aim to create a cultural destination that will compete with Shkodër's existing cultural infrastructure. I believe this new kind of institution challenges the traditional cultural apparatus, and offers a new and better model for policy-makers and urban planners who want to strengthen communities and the cities they live in.

The Arka youth center is not unique. Triggered by worldwide social and technological changes of the past few decades, one can find examples of this new kind of cultural heritage institution. Sometimes, they evolve from existing ones. On other occasions, they develop independently to fill a social need that the existing cultural infrastructure does not address. I call this new kind of institution a “Social Institution,” to emphasize its social activism, the work it does together with its communities, and the social innovation it often strives to achieve. Such social institutions will soon start to play an important role in our cities, our lives, and the cultural landscape. I believe they may ultimately replace traditional institutions. To understand why, we need to zoom out and look at the context in which this new kind of institution arises.

Cities, Creative Communities, and Complex Challenges

In his book *Connectography*, international relations expert Parag Khanna argues that in the past decades, what defines people and places has shifted. Khanna posits we are no longer primarily defined by where we live and the country we belong to, but by the connections we have with others around the world. Museum and heritage professionals in Manhattan may have more in common with and be better connected to their peers in Mumbai and Moscow than with the bankers living next door or a museum director in a small rural town in the Midwest. Using Khanna’s terminology, I suggest three concepts underlying the new kind of cultural institution mentioned in the introduction: Cities, Creative Communities, and Complex Challenges.

Urban life has become the norm. More than half of the world’s population lives in cities. In Europe and North America, this number is even higher; about three quarters of the population live in a city.

As a city grows, its potential increases as well. According to physicist Geoffrey West, who has done extensive research into the dynamics of large-scale human organizations, if a city grows larger, the amount of anything and everything it has grows disproportionately: wealth, job opportunities, ideas, crime. People even walk faster in larger cities.¹

Cities have more cultural infrastructure and more museums. My hometown of Amsterdam has more than 100 museums, not counting the many small neighborhood museums that have sprung up in recent years. London has at least 300 and Moscow at least 562. In 2011 I met a woman from

Washington, D.C., who wanted to visit a different museum in her city every day of the year. I don’t know if she succeeded, but it is mind-blowing that such a thing is even possible.

Urban life is also good life. According to the European Commission, “The quality of urban life in the EU is considered to be crucial for attracting and retaining a skilled labour force, businesses, students, and tourists.” Cities are sometimes more successful than the countries they exist in, and better connected to the rest of the world. At the same time, cities have their own unique challenges, including ones that threaten their future, such as terrorism, climate change, and growing inequality and poverty.²

Cities are home to creative communities. A creative community is a group of people who come together regularly (physically or digitally) to develop new ideas around a shared objective, interest, or set of values. John M. Eger mentions creative communities often link culture, arts, and entrepreneurship to meet real challenges in our society. Creative communities are not a new concept, but easy connectivity, digital tools, and disproportional growth of ideas in cities have made them much more diverse and omnipresent. It takes me less time and effort to set up a Skype call with museum professionals from all over the world to discuss a new project than to get the people living in my inner-city apartment block together for drinks. Younger generations are digital natives, and using the opportunities these tools offer is innate. Whether it’s using Instagram to advocate a social cause, organizing a large group of people over WhatsApp, or going to Kickstarter to fund an idea, these things are neither strange nor impossible to most creative communities.³

Some creative communities exist exclusively on YouTube or Snapchat, where they focus energy on creating memes and, in the case of some vloggers, money. Other creative communities, however, focus on having social impact on real challenges. The 2014 *Trendswatch* report from the Center for the Future of Museums showed how social impact is becoming the cornerstone of all business, and how this is threatening traditional cultural heritage institutions. “What if for-profit businesses become effective competitors in delivery of traditional museum missions?” the report asks. I believe it is not only for-profit business we have to worry about, but also creative communities who use their relationships, digital tools, and ideas to have social impact on real challenges, including those that museums traditionally aspire to address in their missions, such as safeguarding, promoting, and marketing cultural heritage.⁴

• F U T U R E

In 2015 a creative community in the small city of Utrecht in the heart of the Netherlands decided it had a personal responsibility toward the challenge posed by the current wave of refugees coming to Europe (especially from Syria). Rather than waiting for the local or national government to take action, they took to Facebook and used digital skills to raise the money for a restaurant, workshop, and cultural center aimed at making connections between refugees and host communities. Quickly, they raised more than €160,000 through crowdfunding. Their initiative opened in June 2016 under the name Restaurant Syr and aims to play an important role in the cultural landscape of Utrecht, where currently there are very few museums and other institutions that work actively with their communities to achieve social impact.

Similarly, in the tiny Italian community of Gualtieri (population: 6,500), a group of concerned citizens has worked for over a decade on the redevelopment of their Teatro Sociale. This theater never reopened after it had been closed for refurbishing by the local government decades earlier. Without waiting for the local authority's permission and using its own resources, each year the creative community renovated parts of the theater, and used it as a space for performances and meetings. Since 2011, the work of the volunteers has been valued in the area of €180,000, against the municipality's €20,000 financial contribution (which finally became interested in participating in this effort). Not only did community members create a place to meet, work, and create art, they also renovated unique built heritage without anyone instructing them to do so.⁵

The End of the “Leave Something Over” Effect

For a long time, when urban planners and policy-makers considered culture and heritage as a tool for social impact, their thinking was shaped by the Bilbao effect. Named after the 1997 Guggenheim Bilbao in northern Spain, it states that if you invite a world-renowned architect to design a landmark building, the additional revenue from taxes and tourism will more than make up for the investment. Consequently, these revenues can lift poor communities from deprivation, generate jobs, and leave local communities better off than before. For Bilbao, the Bilbao effect definitely paid off. As the *Economist* noted, “Visitors’ spending in Bilbao in the first three years after the museum opened raised over €100m in taxes for the regional government, enough to recoup the construction costs and leave something over.”⁶

The Bilbao effect has seen cities around the world scrambling to copy this success, with mixed and ever-worse results. What has happened since 1997 is that after the architect is paid, the impressive cultural project does not always leave something over (other than a maintenance bill and the need to program a place). The Bilbao effect also sees museums as an indirect tool for social innovation, through job creation and tourism revenues, rather than the direct tool for social impact they can be. Third, as Robert Bevan writes, “Concerns are being raised about imposing buildings that ignore the urban contexts in which they are built, fail to make any concessions to the human scale, and serve only as three-dimensional branding for their creators.” A shiny new building does not necessarily help communities. New insights even place doubt on the assumption the Bilbao effect had anything to do with the Guggenheim at all.⁷

I would like to argue that the Bilbao effect is very much like floppy disks and the dial-up modem: great for the 1990s but a bit outdated in the 2010s. A world in which creative communities work on social impact independently of the cultural infrastructure at hand needs cultural projects that do more than leave something over. Urban planners should no longer look at Bilbao to shape their policies and address challenges. They are better off looking in a completely different direction.

One place to look is the Rostov in the Russian Federation. As part of the Golden Circle of Russia, the Rostov Kremlin has about the brand recognition to a Russian person as the Guggenheim has to someone from the Western world. The monasteries and churches in this small town (population: 31,000) in the west of the country attract about 200,000 tourists each year, but lost their connection with the local population that saw these institutions as rich and aloof. Last year in Moscow I spoke with the director, and she explained that reconnecting with the local population was one of her prime objectives for keeping the Rostov Kremlin sustainable. To rebuild the relationship between institution and local community, she organized special nights for the local community where people could learn about and discover the collection, which consists of icons, oil paintings, porcelain, archeological findings, and more, in an unprecedented way. She organized courses on Sunday afternoons taught by the museum’s employees and a program to train local people to be tour guides. Instead of a distant fortress, the Rostov Kremlin slowly became a locally relevant, accessible institution, and also a source of income,

CITY •

new relationships, and education in the community. This transformation also benefited the visiting tourists, who are now welcomed by a friendly, supportive local population. Instead of being focused on its collection and architecture, the Rostov Kremlin is transitioning to a focus on its community and the social impact it can achieve together with them.

The potential for cultural heritage institutions to have social impact (the Rostov effect?) has been acknowledged by the United Kingdom's Museum Association's 2013 publication *Museums Change Lives*, which states, "Active public participation in decision-making changes museums for the better." In other words, cultural heritage institutions that involve their communities meaningfully can impact their communities while at the same time strengthening their own institution. Others, like Gail Dexter Lord and Ngaire Blankenberg in their collection of essays *Museum, Cities, and Soft Power* argue that museums are "one of our society's main adaptive strategies for managing change." Cultural heritage institutions can play a pivotal role in many of the challenges we face, and to do so, they need to meaningfully involve communities.⁸

From Cultural Destination to Centers for Social Innovation

When an initiative aims both to address a socially recognized challenge and to strengthen creative communities, it engages in social innovation. Social innovations are those that are both good for society and enhance society's capacity to act. They do so by creating new social relationships and collaborations. Social innovation is a process in which communities work together with other stakeholders to achieve their objectives. Not entirely unsurprisingly, social innovation is a buzzword in civil society organizations, bureaucracies, and government, but it is also relevant to cultural heritage institutions. In *Design When Everybody Designs*, Ezio Manzini explicitly mentions heritage as an ingredient of the social innovation process. This process is "a creative recombination of existing assets (from social capital to historical heritage, from traditional craftsmanship to accessible advanced technology), which aim to achieve socially recognized goals in a new way."⁹

Museums and other cultural heritage institutions are ideal centers for such social innovation processes. Our collections, spaces, employees, and stories are powerful existing assets. Through our exhibitions, research, and educational activities, we are accustomed to combining our assets in new, creative ways. Where we could do much better is in actively aiming for social impact, and in building the social relationships and collaborations that strengthen our communities.



Santi Rodriguez / Shutterstock

This focus on social innovation processes is not in opposition to the role cultural heritage institutions should play in society. It is an enrichment of what we do, and will ensure that our institutions remain relevant in a time of cities, creative communities, and real challenges.

An example of such a social innovation initiative is MuseoMix. Started in France by a collective of museum professionals, MuseoMix now organizes a series of creative museum remixes in Europe, Canada, and Mexico. A MuseoMix starts from a specific question in a museum—for instance, how the stories related to objects on display can be better told. Next, the museum and the organization invite local makers, tinkerers, and designers from the community of the museum for a weekend-long event in which they are asked to solve the question. Following a semi-structured approach that relies heavily on the creativity of the participants and their willingness to share and work together, teams build prototypes of their solutions. On the concluding Sunday, actual museum visitors test these prototypes.

MuseoMix is a startup bootcamp for museum interventions. In 2015, I participated in a MuseoMix at the Musée National du Sport in Nice, France. I was amazed by the quality and applicability of the solutions, as well as the speed at which a community of creatives can turn cardboard, off-the-shelf sensors, and Photoshop into new ideas for a museum. Also, I was impressed by the impact of the weekend on the museum: individual employees of the museum were required to go far beyond their job descriptions. They opened and reimaged display cases and remade their chain of command. As fun as it is, MuseoMix is also a crash course in social innovation for cultural heritage institutions.¹⁰

The potential of engaging in social innovation processes is proven by the case of the Derby Silk Mill in Derby (popula-

The Guggenheim Bilbao, which gave its name to the Bilbao effect.



tion: 250,000) in the United Kingdom. For decades the Derby Silk Mill, the site of the oldest still-existing factory in the world, had been a museum of industry in one of Great Britain's main industrial cities. Over the years, the traditional and static museum lost most of its visitors and relevance. Faced with closure and loss of funding, a brave team in the museum decided to radically rethink their practice. They invited the many communities in Derby to the museum and looked with them at potential new roles for the museum. Over the course of a weekend, the team collected new ideas for the museum with people from the city, and then worked together with them to make them reality.

The communities were given a leading role in this process. The Derby Silk Mill provided the location and facilitated the process, but the community had to bring in its energy, knowledge, and network to make ideas happen. Whether it was a conference or concert, without community involvement it did not happen. Through this social innovation process, the Derby Silk Mill not only managed to redefine its role in the city but, more importantly, built sustainable relationships with communities and achieved things none of the participants involved could have accomplished individually. The transformation process and its social impact were recently rewarded with multimillions in funding by the U.K. National Lottery Fund.

Both MuseoMix and the Derby Silk Mill are case studies in the Creative Museum Project, in which various cultural heritage institutions in Europe investigate the relationship between museums and creative communities, and the processes needed to have social impact with this relationship. The results of this project will be published and presented over the coming years, but a first review of the case studies indicates that cultural heritage institutions that are successful in connecting with communities and have real social impact with them all share the same characteristics. They embrace the creativity in communities and ask them for help, understanding that these communities have knowledge and capabilities the institution has not. They organize their social innovation projects collaboratively, which includes a different, more distributed approach to leadership. Although the social impact of the projects is often a serious matter, the institutions don't shy away from having fun in the process. Finally, there is a lot of exercise involved. The transformation isn't complete after one successful project, but rather requires repeated attempts, failures, and

retries. Our findings correlate with the characteristics others have identified to describe social innovation processes.¹¹

These case studies and the context of cities, creative communities, and complex challenges that trigger them contain a warning and an opportunity. The warning is that if you fail to build relationships with communities and work with them on relevant challenges, one day a group of creative people will start their own initiative to do so. Like the Arka youth center, Restaurant Syr, and the Teatro Sociale of Gualtieri, these initiatives may very well use culture, heritage, and the arts in their social innovation processes, and become a competitor with stronger community ties. The opportunity is that lacking such competitors, cultural heritage institutions are a near-ideal starting point for social innovation processes.

With governments all over the world stepping back on financial involvement in cultural heritage, becoming such a new social institution offers a clear advantage in the quest for visitors, funding, and impact. Traditional cultural heritage institutions can embrace this opportunity by defining the social impact they want to have (if a mission statement hasn't done so already) and by working with the communities they are part of, much like the Rostov Kremlin and the Derby Silk Mill have done. This is a process, and it may take years for an institution to make the transformation, but it will help all of us give culture, heritage, and the arts an undeniable place in our cities, communities, and the structure of our future societies.



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² Eurostat, "Quality of Life by Degree of Urbanisation," *European Union*, March 2015.

³ See John M. Eger, *The Creative Community: Forging the Links Between Art, Culture Commerce, & Community*, California Institute for Smart Communities (San Diego: San Diego State University, 2003), 4.

⁴ Center for the Future of Museums, *Trendswatch 2014* (Washington, DC: American Alliance of Museums, 2014), 12.

⁵ See European Expert Network on Culture, "Mapping of Participatory Governance Practices in EU Member States," go.aaslh.org/Participatory-Governance.

⁶ Robert Bevan, "A Modest Revival," *1843magazine.com*, January/February 2016; Alexander Garvin, "The Real 'Bilbao Effect,'" *Public Square*, September 15, 2016.

⁷ Museums Association, *Museums Change Lives: The MA's Vision for the Impact of Museums* (London: The Young Foundation, 2010), 8; Gail Dexter Lord and Ngaire Blankenberg, *Cities, Museums, and Soft Power* (Washington, DC: The AAM Press, 2016), 24.

⁸ See Robin Murray, Julie Caulier-Grice, and Geoff Mulgan, *The Open Book of Social Innovation* (London: The Young Foundation, 2010) and Jasper Visser, "Museums in the City of the Future," blog, *The Museum of the Future*, January 28, 2016, themuseumofthefuture.com/2016/01/28/museums-in-the-city-of-the-future.

⁹ MuseoMix happens each year in November and can be joined by anyone who is interested in the process. For more information: www.museomix.org.

¹⁰ See Creative Museum Project, creative-museum.net. The social innovator Kennisland, a national nonprofit thinktank in the Netherlands, has identified in its work with communities on social impact: multidisciplinary teams, open, facilitation, stories, action-driven, starting from people, visible. See "Lab Practice: Creating Spaces for Social Change," go.aaslh.org/LabPractice.

The Many



❁
A life-size portrait
of YWCA girls welcomes
guests to the 1940–1950
era Club Room, where visitors
discuss de facto segregation
and discrimination during
that period.
❁

of a Historic

*By Jane
Mitchell
Eliasof*

Like many historic houses, the Crane House has long struggled with community relevance. Located in suburban Montclair, New Jersey, less than twenty miles from New York City, the Crane House was built in 1796 by Israel Crane, a prominent local businessman who envisioned a more populous, commercial Montclair than the sleepy community he and his ancestors had called home for more than a century. Although wealthy and locally important, Crane never served in office, did not sign the Declaration of Independence, nor fight in the American Revolution. Furthermore, the Montclair History Center, which had been stewards of the home for nearly fifty years, competed with a multitude of larger, better-funded historic houses within a twenty-mile radius. What made the Crane House different? What made it important to the community?

Voices

Jack Spear Photography, LLC



House

The Untold Story

By 1965, Crane's home was slated for demolition. In response, local preservationists rallied, and moved the building to a new location in an astonishing six weeks. They founded the Montclair History Center, restored the house according to prevailing historic preservation trends, and re-created its early history (1796-1840) through decorative arts and stories of the family and early Montclair. They even interpreted one room as a colonial study room—despite the fact the house was built two decades after the United States ceased to be a colony! The story those early

The site was renamed the Crane House and Historic YWCA to more accurately reflect its rich and diverse history.

preservationists ignored is the one that took place from 1920 to 1965, when the house served as a segregated Young Women's Christian Association (YWCA) for African American women and girls.

By 1920, the Crane family no longer lived in the house. After being rented out for a number of years, they offered the house for sale. Eight years earlier, Alice Hooe Foster, the first female African American graduate from Montclair High School, had started a YWCA in her living room on nearby Forest Street. She recognized the need for a space where black women could gather. By 1920, the YWCA boasted 600 members representing nearly one-third of Montclair's female African American population. The organization had outgrown her living room and, working with socially conscious white women from the community, she purchased the old Crane House as the new "Colored YWCA." It was one of about fifty segregated YWCAs in America.

The neighborhood around the Crane House had changed in the years since Israel Crane built it. A noisy, dirty railroad had come to Montclair, with a station almost directly across the street. African American migrants from the South and Italian immigrants had moved to the neighborhood. With its proximity to the railroad station and location in a neighborhood increasingly filled with immigrant and black families, the house was in a perfect location for a YWCA that was both a boarding house and a place for classes and social events. The women hung a sign, "YWCA for Colored Women and Girls," advertised in *Southern Workman* magazine, and began to offer rooms to let and programs for people in town.

Over the next forty-five years, the YWCA was a safe haven in the midst of a subtly segregated town. Even though Montclair was known for its diversity and integrated schools, African American girls grew up knowing which stores they could go into and those they could not, where they could buy a milkshake and where they could not, and which stores allowed them to try on hats and which stores refused. As Betty Livingston Adams, research fellow and adjunct faculty in the Department of History at New York University, said, "As more and more African Americans moved north, it was like Jim Crow got on the train and moved north, too."¹

At the YWCA, women and girls had opportunities unavailable elsewhere. Girls could take classes such as French and choir that they were excluded from at Montclair High School. They could serve as officers in YWCA clubs. Famous black activists and artists—Mary McLeod Bethune, poet Langston Hughes, and pianist Roland Hayes, among



Harry D. Mayo, III



❖
On the Opening Day, Elberta Stone, who was featured in the documentary, welcomed visitors to the Club Room and shared her own experiences of the YWCA.
 ❖

Harry D. Mayo, III

others—all spoke or performed at Montclair's YWCA. The YWCA offered sewing classes, dance classes, and homemaking classes and it even held a prom for black students. (The public school allowed students of different races to study together, but not to socialize.)

The YWCA also served as an incubator where women of different races learned to work together. A white Board of Directors managed the finances and a black Board of Trustees was responsible for programming. Over the course of the four-plus decades in the house, the two boards learned to work together, trust each other, and ultimately merged to be a single board.

When the building was moved in 1965, the YWCA erected a new building on the site and continued to offer programs until 2002, when it finally closed its doors. As their foremothers had stipulated in one of the founding doc-

uments, the assets formed the Montclair Fund for Women, which today provides scholarships and funds programs for women of color.

When preservationists restored the Crane House in the 1960s, they did not tell the story of the YWCA and its members. Perhaps they omitted it because they did not consider it old enough to be history, or perhaps it was because histories primarily featured only white males. What is clear is that black women did not have a voice and the omission of the YWCA story was a source of heartache among the African American women who fondly remembered their time at the YWCA. The hurt persisted for decades and was very much alive when we undertook this project.

In 2011, the Montclair History Center's Board of Directors committed to telling the story of the YWCA in a meaningful and permanent way. We embarked on an overall initiative to capture the history of the YWCA and the African American experience in the first half of the twentieth century. Our objectives were to explore and communicate the experience of African American girls and women in the first half of the twentieth century in a progressive northern city; recognize and celebrate the role of women—both quietly and through more overt activism—in fighting racism in the first half of the 1900s; and create a dialogue around the racial experience in this period.

The overall initiative would consist of three deliverables: a documentary based on the oral histories of the YWCA women; public programming related to civil rights, racism, integration, women's rights, and empowerment; and a Crane House reinterpretation and new public tour that encompassed the Crane family years, the YWCA years, and the early preservationists' efforts to move and restore the house. Over the course of the project, we expanded the deliverables to include school programs related to the YWCA period.

Former members of the YWCA cut the ribbon and enter the newly reinterpreted Crane House and Historic YWCA on October 5, 2014.



Harry D. Mayo, III

Research

Recognizing that a project of this magnitude was not possible within existing staff capacity, the Montclair History Center engaged Claudia Ocello of Museum Partners Consulting, LLC, to act as researcher and project director for the "YWCA initiative," as we had named it.

She went through records from the Montclair YWCA that had been boxed up and stored in the public library's archives when the YWCA closed in 2002. She pored through old newspapers and books, visited Smith College where the national YWCA archives are housed, and reached out to predominantly African American churches in town for their institutional archives.

We also looked at other historic sites telling diverse stories in different ways—for example, Cliveden, near Philadelphia, the Tenement Museum in New York City, and the Aiken-Rhett House in Charleston, South Carolina.

The greatest challenge, however, was finding women who had belonged to the YWCA in the first half of the twentieth century who were willing to speak with us, particularly on camera for the oral history documentary. Their hesitation stemmed from decades of distrust that began fifty years ago when the newly formed Montclair History Center had

“whitewashed” the history of the house. In the intervening years, small attempts had been made to set up programs or exhibits about the period, but they were temporary and fell short of expectations. Simply put, the black community didn’t trust the Montclair History Center.

In all, we were able to interview eight women on camera; one other woman provided us with an oral history but did not want to be recorded. The interviews became the cornerstone of our research, guiding all of our programs and reinterpretation, and they were the foundation for the documentary.

We convened a panel of scholars to review our research and solicited advice on themes, further areas and avenues for research, and programming.

Community Input

We wanted to engage the community early in the project development, to incorporate their ideas into the vision of the project, and to begin to rebuild trust. We enlisted the help of Dr. Clement Price, a local African American scholar and university professor, to act as the moderator for a charrette to which we invited community leaders and representatives from churches, schools, and African American sororities and social groups. Approximately thirty-five people attended the meeting, held at the public library because it was neutral territory. At that meeting, we presented our ideas and welcomed input on all aspects of the project, including how to overcome the negative feelings in the African American community towards the Montclair History Center. They advocated persistence, acknowledging that time and a continued commitment to telling the story in a sensitive, meaningful, and compelling way might ultimately help us heal the wounds. Persistence and quality have both proven to be key.

The Documentary: A Place to Become

We engaged Allison Shillingford, an oral historian and documentarian, to interview the women and produce the fifty-minute documentary, which premiered at the Montclair Film Festival in May 2014. It features the oral history recollections of eight women who participated in the YWCA when it was located in the Crane House. Titled *A Place to Become: Montclair through the Eyes of the Glenridge Avenue YWCA 1920-1965*, the documentary has been shown many other times and is available for purchase at our museum shop and online. Audio sound bytes from the oral histories have been incorporated into the public tours of the house, sparking dialogue and discussion with the audience in tours where there previously was none.

Public Programming

The second deliverable is ongoing public programming about issues relevant to the YWCA period—racism, women’s rights, empowerment, and civil rights. In 2014, the Montclair History Center was one of 425 organizations nationwide that held four programs developed by the National Council for Humanities. The series, *Created Equal*:

New Jersey State
Senator Nia Gill, a
former member of
the YWCA, welcomes
people to the re-
opening of the Crane
House and Historic
YWCA.



Kevin Cooney

America’s Civil Right’s Struggle was held at the Montclair Public Library, with free admission. A humanities scholar hosted each program, providing an intro to a film segment and leading a Q&A.

The next three years, we sought outside funding, retitled the series *The Price of Liberty*, and followed the same format that had been successful in the *Created Equal* programs. The programs have met our objective of creating a dialogue about racial experiences in the twentieth century. It also provided us with another forum to showcase the documentary.

Reinterpretation of the Crane House

We unveiled the reinterpreted Crane House and Historic YWCA on October 5, 2014, with a ceremony and ribbon cutting attended by representatives from local and state government, funders, and women who attended the YWCA. To unify the stories of the Crane family, their domestic help, the YWCA women, and the early preservationists who saved the house, we chose a theme of “it takes a thousand voices to tell a single story.” This theme provides us with an opportunity to explore other voices in the future, thereby opening a window not just for the YWCA women, but for potential expanded interpretation.

We have developed a *Many Voices* docent-led tour. Visitors begin independently at the timeline in the center hall, which also serves as a waiting room for tours to begin. As docents lead visitors through the house, they use visual prompts through artifacts and laminated copies of primary sources (census records, journals) to encourage discussion and bring the voices to life.

The center hall now features a timeline that explores the periods evident in the house from 1796 when it was built to 1965 when it was moved. It includes interpretive text, artifacts from the era, first-person quotes, and a timeline of what occurred in Montclair, the state, and the nation. As visitors walk through the four rooms on the first floor, they progress through the periods of significance in the house. In all of the rooms, primary and secondary documents are available to deepen the visitor experience.

The two rooms dedicated to the Crane family occupation (1796-1840 and 1841-1902) now tell a more inclusive history of the people who lived in the house during that period,



Kevin Cooney

❖

The YWCA Club Room includes magazines and other ephemera from the 1940s and 1950s that guests, like Margaret Reese and Davida Harewood, browse through.

❖

including the enslaved people who worked there, the women of the family, and domestic servants. Two rooms are dedicated to the YWCA years. One is interpreted as a boarders' dining room (1920-1937), where docents lead discussions about the Great Migration, boarding houses, and the founding of the YWCA. The other is interpreted as a clubroom (1940-1957), where docents facilitate conversation on integration, segregation, and race both in the past and today using audio tracks from the documentary. Conversation can be lively, and participants often draw parallels with racial tensions today.

The second floor has not changed, and through its "colonial" bedrooms tells the story of the mid-twentieth-century historic preservation efforts. The working hearth kitchen continues to be a space for hearth cooking demonstrations; however, discussions about the enslaved people who might have worked there are more common.

School Programming

To help us develop our school programs, we convened a panel of history teachers who reviewed lesson plans and provided input on the best ways to present the material. We developed three high school level, in-class lesson plans. Onsite, we continue to offer tours for preschool and elementary school children that focus on early American life. In addition, we have piloted a high-school program that features a hands-on activity using a redlining map of the county, a tour of the house, and an exploration of primary documents related to segregation, the Civil Rights Movement, and the YWCA period. The response has been overwhelmingly positive, with one teacher noting on the evaluation, "What a learning experience!" The students—jaded seniors about to graduate—were animated and engaged.

Results

Statistically, the reinterpretation has been a success. Attendance has grown steadily, increasing approximately 30 percent in the first year after the reinterpretation. People who visit the house often spend five or ten minutes in the 1940s club room after hearing the first-person audio clips

from the documentary. Conversation revolves around segregation in the twentieth century, awareness of it (which varies greatly depending on the visitor's race and ethnicity), and where we are today in terms of racial equality and integration. The dialogue often includes their personal experiences and current events.

We have had increased community interest, demonstrated by an increase in the number of requests from community groups for lectures and discussions. Additionally:

- In August 2015, the New Jersey Amistad Commission held a workshop for about seventy-five teachers at our site, a first for the Montclair History Center.
- Our media coverage is also improving, including an article on the YWCA initiative that appeared in the *New York Times* in June 2015.
- In a survey fielded six months after the reinterpretation, most people responded that the Montclair History Center was "educational," "relevant," and "interesting."
- A woman noted on her evaluation of a *Created Equal* program, "It was the most relevant program I've seen come out of a historical society."

Despite the overwhelmingly positive feedback we have received, there have been some people who complained, "We've ruined the Crane House" and "History isn't something that happened during my lifetime."

The most profound response is the healing that has taken place in the community. Although this is much harder to document, it is evident through improved relationships with predominantly African American groups as well as conversations we have with visitors. An African American visitor told us she had visited the museum when it had first been restored (forty-plus years ago) and was disappointed. Although hesitant to come again, she wanted to see what we had done. After the tour, she said she was so pleased she planned to bring her mother back so that she, too, could see the changes. She felt her story had been honored at last. Additionally, as word continues to spread, we have seen an increasing number of visitors who had family members who were part of the YWCA.

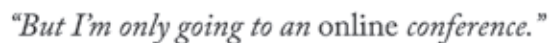
The healing was not something that could happen overnight. As predicted at the community charrette at the outset of the project, it took time and continued dedication to institute high-quality, permanent changes. The multifaceted YWCA initiative demonstrates and celebrates the important role the YWCA played in the history of Montclair and the hearts of its members. ●



Jane Mitchell Eliasof is Executive Director of the Montclair History Center, assuming that role in 2010 after several years working as a volunteer docent and assisting with communications and grant development.

Jane holds a Bachelor of Arts from Drew University and a Certificate in Historic Preservation, also from Drew University. She can be reached at jane@montclairhistorical.org.

¹ Betty Adams, *A Place to Become: Montclair through the Eyes of the Glenridge Avenue YWCA Women 1920-1965*. Documentary (Montclair, NJ: Montclair History Center, 2014).

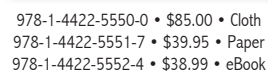
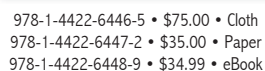
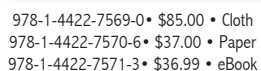


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Embezzlement:

By Max A. van Balgooy

Ever walk out of a shopping mall and can't find your car? There's that odd feeling of panic as you're wondering if it was stolen mixed with anticipation that you'll find it around the next corner. That's how I felt when I learned in 2011 as a member of AASLH's Council that our finance director had embezzled nearly \$750,000. For more than thirty-five years, AASLH has been an important part of my professional life, so I took the news hard. The Council meetings that followed were a confusion of anger, anticipation, dread, disappointment, frustration, and surrender until 2013 when the Nashville Criminal Court convicted Risa Woodward of theft, forgery, identify theft, and credit card fraud and ordered restitution of \$712,975.87, one year of jail, and nine years of probation.

I had hoped her conviction would put this ordeal behind me, but it returns with every heart-wrenching story of embezzlement I encounter at a history museum, historical society, or historic site:

- Historic Dumfries (\$11,000 stolen by president)
- Centerville Recreation and Historical Association (\$14,000 stolen by treasurer)
- Southington Historical Society (\$30,000 stolen by president)
- Chapel Hill Historical Society (\$50,000 stolen by treasurer)
- Fitzwilliam Historical Society (\$58,000 stolen by treasurer)
- Nebraska State Historical Society (\$70,000 stolen by chief financial officer)
- Museum of Idaho (\$82,000 stolen by manager of business affairs)
- Chaffey Communities Cultural Center (\$85,000 stolen by the treasurer)
- Old Prison Museums (\$136,000 stolen by director of operations)
- Lewis County Historical Museum (more than \$137,000 stolen by executive director)

- Alabama Museum Association (\$41,000) and Carnegie Visual Arts Center (\$98,000) by the same person, who was respectively serving as the treasurer and executive director
- Historic Concordia Cemetery (\$154,000 stolen by the treasurer)
- Preble County Historical Society (\$289,000 stolen by the executive director)
- Brooklyn Museum (\$600,000 stolen by payroll manager)
- American Association for State and Local History (nearly \$750,000 stolen by finance manager and her husband)
- Fruitlands Museum (\$1 million stolen by chief operating officer)
- Mark Twain House (\$1 million stolen by the controller)
- Independence Seaport Museum (\$1.5 million stolen by the president)
- Texas Highway Patrol Museum (\$9 million stolen by board and staff)

There are probably many more, but I suspect they've kept their stories secret out of embarrassment (but search for "embezzlement" at the *Chronicle of Philanthropy* to see how widespread it is in the nonprofit world). Indeed, the Association for Certified Fraud Examiners (ACFE) in its 2016 *Global Fraud Study* showed that fraud resulted in more than \$6 billion in total losses at an average of nearly \$3 million per case for businesses around the world. Also:

- The typical organization loses 5 percent of its revenues to fraud each year. (It's not a matter of *if* but *when* it will happen to you.)
- Frauds last an average of eighteen months before being detected, and losses rose the longer the schemes continued. (The faster you act, the smaller your losses.)
- While banking and financial services are the most commonly victimized industries, fraud is a greater threat to small businesses (which includes small nonprofit organizations) because they suffer the largest proportional losses.

It's the last point that affects the field of state and local history the most, and the Centerville Recreation and Historical Association in California provides a useful example of a typical situation. First, it's not the amount stolen that matters; it's the proportion of assets. In 2010, the treasurer stole \$14,209 that had been collected over the years from membership dues, donations, and fundrais-

It's not a matter of *if* but *when* it will happen to you.

Is it Our Dirty Little Secret?

ing events. This is a small amount compared to the other cases mentioned in this article; however, it left them with only \$300 in the bank. The case also highlights that nonprofit organizations are incredibly vulnerable targets. The Centerville Recreation and Historical Association, like many nonprofit organizations, relies heavily on trusting its volunteers, and its treasurer was a retired local resident who had a thirty-year career as an IRS agent. The theft was discovered by accident. When the treasurer became too ill to continue, the financial records were turned over to another volunteer. She discovered that the former treasurer stole money by depositing cash and checks into unauthorized accounts at another bank, then withdrawing funds for personal use using a debit card. Last, because embezzlement is not considered a serious crime, seeking restitution takes determination. The treasurer ultimately pleaded no contest to grand theft and only had to return the stolen funds and be placed on probation for two years. He received no fine or jail time.¹

It can be a depressing situation, but state and local history organizations can reduce losses and recover more quickly if boards and staff are better informed about the techniques used by criminals and adopt practices that provide obstacles and create transparency. Embezzlement (also called accounting fraud and asset misappropriation) is an intentional act to steal money while deceiving others, not an error that is unintentional. It can be a single, one-time act. It doesn't have to be part of a grand plan or conspiracy. Financial fraud can take many forms, but the most common are:

- **Tampering with bills, checks, and accounts.** A person causes the organization to issue a payment by submitting fake invoices, inflated invoices, or invoices for personal purchases; alters a check issued by the organization by changing the name of the recipient or amount; or opening unauthorized bank or credit card accounts. This is the most frequently used technique for stealing money inside the organization.
- **Expense reimbursements.** A staff or board member requests reimbursements for false or inflated business expenses, or opens unauthorized credit card accounts with a business. Fake invoices or receipts are common techniques, but increasingly criminals present a legitimate credit card statement from an office supply or hardware store, but the expenses are not closely scrutinized to identify personal or unauthorized purchases.
- **Skimming.** Any scheme where cash is stolen from an organization before it is recorded on the books or records, for example, taking money from a donation box.
- **Financial statement fraud.** A person presents fake or altered financial reports or bank statements. It's the least common technique; however, it causes the greatest losses.
- **Non-cash theft.** Occurs when an employee steals collections, inventory, or office supplies for personal use or sale or steals or misuses confidential donor, member, or customer financial information.
- **Personal relationships.** Embezzlers use personal relationships to build trust, intimidate critics, or create misdirection. Nonprofit organizations are incredibly vulnerable in these situations because we rely heavily on volunteers and colleagues to keep our museums and sites open to the public. The most egregious case is the Texas Highway Patrol Museum, which deceived a trusting public into believing it was a charitable organization affiliated with the Texas Highway Patrol. By the time the Attorney General closed the museum in 2012, it had spent \$9 million collected from donations on travel, entertainment, and meals for staff and board members and on exorbitant vet bills for Lou, the office cat.²

Common Embezzlement Patterns

Embezzlement often involves a senior staff member or executive board member, frequently the treasurer or chief financial officer, who has access to the organization's assets (money or collections). In its standards, the Public Company Accounting Oversight Board recognizes that, "Management has a unique ability to perpetrate fraud because it frequently is in a position to directly or indirectly manipulate accounting records and present fraudulent financial information."³

As they say in the novels, it is a crime of opportunity. The motive, however, is rarely because the thieves are hungry, need medicine, or face bankruptcy. The perpetrator at the Independence Seaport Museum, for example, earned a salary of \$300,000 annually and the museum provided his house. Most embezzlers believe they deserve the money (feeling underpaid and unappreciated), it's "free" (comes from donations), or it won't be missed (because the museum has an endowment) and use their fingered cash to make car repairs and home improvements, buy clothes and electronics, and obtain season tickets or a second home.⁴

Fraud also often involves a person who's been on staff a long time and has developed a high level of trust, so no one asks questions. Unfortunately, the longer a perpetrator has worked for an organization, the greater the losses tend to be. The Tucson Museum of Art discovered that it had allowed itself to become overly "trusting of this employee" because she had worked at the museum for eighteen years and "was doing her job well."⁵

These schemes can be complex, and sorting them out can be difficult for you and the police. You may know something is missing, but it can be hard to find because it can involve fraudulent credit cards, hidden financial accounts, falsified reports, or clever money laundering. At the Mark Twain House, the embezzler "submitted false information via the Internet to the organization's payroll management vendor to receive additional pay that she was not entitled to. The money was deposited directly to her personal bank account as payroll advances. She then adjusted the general ledger to hide the advances by classifying the amounts as payments to other accounts, including maintenance and utilities."⁶

Fortunately, many times red flags signal fraudulent behavior. These include: living beyond his or her means; an unusually close association with vendors, volunteers, staff, or board members; an unwillingness to take vacations; persistently late financial reports; and excessive control issues, such as being openly hostile, uncooperative, or aloof when questioned about finances. When fraud is discovered, expect that the extent of losses is much greater than initially estimated, to spend years completing investigations before the perpetrator is brought to court, and to hire a forensic accountant or fraud examiner for complex situations.

Organizations may have financial controls and policies in place, but they're either not followed or inadequate to guard against embezzlement. At the Tucson Museum of Art, they believed they were "doing everything right with our internal systems, including having full financial audits conducted every year with an independent firm specializing in nonprofits." Despite these safeguards, nearly \$1 million was siphoned off over five years.⁷

Keeping an Eye on the Chickens in the Henhouse

At nonprofit organizations or small businesses, it's often a serious challenge to defend against embezzlement, and you can feel as vulnerable as a henhouse (and the foxes look like harmless chickens). We rely heavily on trust among a small staff and rarely understand finances. Even if we follow the standard tactics—such as segregation of duties, requiring receipts, and two signatures on checks—we can easily become victims. Banks rarely have the time to verify signatures on checks, online banking allows for the transfer of funds with little oversight, and corporate thieves are wise to the usual tactics. But we shouldn't give up

AASLH's Experience with Fraud

By John R. Dichtl, President & CEO

During the past five years, thanks to committed volunteers, staff, and members, AASLH emerged from a withering financial crisis and is stronger and wiser today. While the depths of the fraud that had been perpetrated were unfolding, however, things looked grim.

In late summer 2011 AASLH staff, including a new finance manager, discovered alarming financial irregularities between the cash balance in the organization's bank account and its general ledger. The treasurer and CEO immediately informed the AASLH Executive Committee, several days before that year's Annual Meeting, and then the full Council when it gathered at the meeting in Richmond, Virginia. During the Business Meeting of the conference, the chair of Council informed the membership. Priority attention was given to continuing communication that would be as transparent as possible to the Council, members, and friends and supporters of the organization and to ensuring uninterrupted delivery of service. The messages were clear: "We have had a problem. We are addressing it. We continue to do the work of AASLH. We will come through this and be even stronger than before."

Meanwhile, local law enforcement authorities had been notified, while the Council, treasurer, CEO, and staff took steps to secure the organization's financial situation. They had locked down credit cards, changed access to bank accounts, researched all open accounts, changed all passwords, and changed physical locks in the office. They also began the time-consuming process of supporting an intensive criminal investigation. AASLH soon hired forensic accountants to pinpoint the means and amount of the loss and legal counsel to pursue recompense. The criminal investigation of Risa Woodward, AASLH's former financial manager, and her husband James Woodward concluded in March 2012 when the Davidson County (TN) District Attorney's office charged them with nine counts of fraud against AASLH totaling nearly three-quarters of a million dollars.

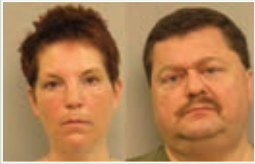
AASLH's former financial manager had been employed at AASLH since 1991 and stepped down in August 2011,

hope; we just need to recognize that we have to update our thinking. Here are a few suggestions:

Don't Assume an Independent Audit Will Catch Fraud

It's still a good idea to conduct an external audit, but catching fraud is not its primary intent. Audits provide an "opinion as to whether the financial statements are fairly stated and comply in all material respects with Generally Accepted Accounting Principles." *They are not designed to catch fraud.* Indeed, the ACFE estimates that external audits detected less than 5 percent of the frauds. Auditors are expected to "exercise professional skepticism," but it can be hard to recognize a financial crime. For example, an auditor will have difficulties catching someone selling office supplies on eBay for personal gain or submitting falsified invoices





**Risa and James Woodward
pled guilty, received
sentences, and are
required to pay restitution
to AASLH.**

shortly before the fraud was discovered by her replacement. In an elaborate scheme employing credit card fraud, identity theft, and falsification of documents and reports, someone the organization trusted had looted operating, restricted, and endowed funds systematically, in many transactions, over several years. This staff

member also opened credit cards in the CEO's name using her social security number. The fraud was devastating and personal.

In March 2013, Woodward pled guilty to six felonies including theft, fraudulent use of credit cards, identity theft, and forgery. She received a ten-year sentence for her crimes, and served one year of incarceration at a correctional facility and nine years of probation under Community Corrections. Her husband also pled guilty to four felony counts of fraudulent use of credit cards. He received a ten-year suspended sentence with ten years of supervised probation. The couple was required to make restitution to AASLH; each pays a predefined dollar amount a month until the restitution is paid in full.

In response to the fraud, the AASLH leadership took several additional steps from 2011 to 2013. AASLH's new finance director worked with the CEO to sharpen the organization's financial management through additional controls and training. The treasurer and Finance Committee revised the organization's Financial Policies and Procedures manual to ensure secure internal control, developed check points to be sure it is followed, and vetted it with CPAs, auditors, and the office of the Inspector General of the National Endowment for the Humanities. In June 2014, AASLH Council officially adopted the new manual. The new procedures:

- Strengthened the controls in place for staff use of credit cards and the review of credit card statements
- Created additional internal controls governing the AASLH investment accounts
- Made sure multiple staff and key board members review financial reports on a monthly basis and report to Council regularly on financial matters

- Added experienced CFOs from large member organizations to serve on the Audit Committee and Investment Committee
- Simplified reporting documents presented to AASLH Council to allow for more thorough review

While toughening several accountability systems and sets of internal controls, AASLH also sought to reassure donors, and with the help of key members began to rebuild its endowment that the embezzlement had diminished. Through careful investing and deliberately generating operating budget surpluses over the past few years, the corpus of the endowment (total donor-restricted contributions over the years) has been fully restored to \$1,512,334.

There can be no restitution for the immense harm to the AASLH's reputation; the emotional toll on the organization's staff, Council, and volunteers; nor the countless hours of work over the years to respond to the fraud and recoup losses, but it feels good and assuring to know that AASLH is in a strong position today.

Although there are aspects of the experience that staff and Council members are not at liberty to discuss, we are trying to share what we have learned. For example, at the 2013 and 2016 AASLH Annual Meetings, AASLH presented sessions on strengthening history organizations against financial malfeasance: "Financial and Mission Questions Boards Should Ask and Staff Should Answer," and "After the Financial Crime: Putting the Pieces Back Together." In addition, the AASLH Professional Standards and Ethics Committee is developing a Technical Leaflet on the subject, and AASLH is reviewing its Financial Policies and Procedures Manual for any necessary updates. We want to share the document as an example to others and realize that AASLH's experience holds important lessons for the field. ●

John R. Dichtl is AASLH President and CEO and previously was the Executive Director of the National Council on Public History. He earned a Ph.D. in early U.S. history at Indiana University and has been working for history organizations for twenty-five years. He can be reached at dichtl@aaslh.org.

for travel expenses. What an audit should do is "review the financial reporting processes and internal accounting controls to assure that the company's systems are appropriately designed and operating effectively."⁸

In other words, auditors can identify weaknesses in financial management processes and suggest ways to improve. All board members and senior staff should carefully read the auditor's Management Letter to learn of any weaknesses or deficiencies (not to be confused with the Management Representation Letter or Independent Auditors' Report, which is typically a one-page cover letter) and review the notes to the financial statements. If they raise a red flag, ignore them at your peril. If embezzlement later occurs, you'll have a lot of explaining to do.

When choosing an accountant, find one who has sufficient experience with nonprofits to understand standard systems and processes, is trained to identify common weaknesses and deceptive practices, and can provide relevant and feasible recommendations based on your organization's capacity. Auditors should be independent and neutral so that their relationships with board members and staff do not compromise their willingness to critique management or disclose unprofessional practices (that's one of the major reasons to change auditors every three to five years). If your accountants are taking your executive director out to lunch or a round of golf, find another firm. You might want to provide a copy of this article to your accountant to be sure they're reviewing your procedures and policies along with your numbers.

Most Frauds Are Detected by Tips

Nearly 40 percent of fraud is uncovered by a tip—far exceeding audits, management review, or discovery by the police. Kentucky's Auditor of Public Accounts was so concerned about the extent of fraud in nonprofit organizations that she issued guidelines that boards should “establish an independent process to receive, analyze, investigate, and resolve concerns related to the organization including anonymous concerns.” Large companies typically have whistle-blower policies and hotlines to report fraud, but what about small organizations? Travis Wilson, a certified public accountant and a nonprofit auditor for more than a decade, started Fraud Hotline, LLC to fill the breach by providing small businesses and nonprofit organizations both an affordable voicemail system that transcribes messages and a twenty-four-hour secure online reporting system that forwards messages to three people designated by the organization (plus they'll review the message to be sure it isn't reported to the suspected person). Most tips come from employees, but a significant number come from customers, members, and vendors, so if you use a hotline, publicize its availability broadly. Although hotlines are primarily for reporting suspected fraud, they can also be used to anonymously report drug abuse, conflicts of interest, sexual harassment, and other inappropriate behavior.⁹

Adopt New and Different Policies

Organizations that implement policies such as mandatory vacation, random internal audits, background checks, fraud training, and an independent audit committee double their chances of catching fraud (see facing page). Collusion, or instances when two or more people coordinate their fraudulent activities, surprisingly occurs about 40 percent of the time, but the harm is significantly greater because their combined efforts can override many anti-fraud controls, such as the two-signature requirement for payments, and the losses are typically more than twice as large. Therefore, you may need to institute policies that anyone with financial responsibilities cannot be related to other staff, volunteers, board members, or vendors unless additional precautions are in place (for example, their signatures cannot be combined on checks) and that gifts and discounts from vendors and businesses to staff and board members must be declared or be limited to a low dollar amount, such as \$25.

You can implement procedures that give the perception of review. Small organizations, for example, could adopt a policy that all bills are handled in a two-step process, such as being mailed directly to the board president, who will then forward them to the treasurer, or that the bank sends two copies of your monthly statement: one to the board president and the second to the treasurer (you want originals, not copies made in-house, which can be easily forged).

Computers and Credit Cards

Figure out the new world of credit cards, computerized bookkeeping, and online banking. Several embezzlement cases involved the use of credit and debit cards, but often they're the only way to conduct business so

they can't be eliminated without difficulties. We need to go beyond the usual policy that “company credit cards cannot be used for personal expenses” and look at having unique cards for every user (rather than loaning the one card to anyone who needs it), establishing credit limits, subscribing to alerts, restricting cash advances, and reviewing monthly statements with their receipts. See if your computer bookkeeping program creates audit trails, leaving digital fingerprints that record changes to entries. (Quicken does not; QuickBooks does if turned on.) Use email alerts with online banking systems to notify you of transactions. Change passwords regularly and keep them private. The American Institute of Certified Public Accountants is developing standards for automated auditing, and in a few years we should expect online auditing services that review electronic accounting records to find errors or suspicious entries.

Identity Theft Can Happen to People and Organizations

Identify theft is not just about someone using your existing credit cards without your authorization, but using your personal information to obtain new accounts. For example, an employee can open a business account without your knowledge at a hardware store to buy supplies for his own home or if he has access to your personal information, can get a credit card in your name (at the Fruitlands Museum, the fraud was conducted with fourteen credit cards using the names of three coworkers!). Obtaining a credit report annually can reveal if anyone has taken a credit card out in your name. Since embezzlement is an inside job and you will know the perpetrator, the nonprofit Identity Theft Resource Center offers a free fact sheet suggesting what to do if you know the imposter and when to involve the police.¹⁰

Get a Better Handle on Your Finances

The two failings I see most often with nonprofit boards:

- Most directors and board members do little more than look at the bottom line. If it's a big positive number, it's assumed everything is okay.
- Elect an accountant as the organization's treasurer to excuse the rest of the board from examining the financial statements. If an accountant says it's okay, it must be okay. Review the list of victims again and note how frequently the treasurer is the culprit.

Sorry, but if you're a senior staff member or a trustee of a nonprofit organization, you're responsible for the finances. You shouldn't be distracted by a lovely financial report presented by a friendly face. You don't need to know the difference between debits and credits, but you should be willing and able to explain the organization's financial reports to your members and supporters. At the most basic level, compare the balance sheet to the bank and investment statements to be sure the figures match (use originals, not copies, which can be easily forged). We have to get away from flip statements like, “We made a lot of money on our last event” to more thoughtful ones like, “Compared to the last three years, this event earned signifi-

**Nearly
40 percent
of fraud is
uncovered
by a
tip.**

cantly more revenue; however, why do we continue to run a deficit?” or “I’m concerned about the cost of vendors. Do we have a written policy on obtaining bids?” or “Why did maintenance increase so much?”

This requires two steps: first, understanding the typical financial report and second, recognizing when something is unusual. It’s the same approach historians use when facing an old document or photograph for the first time: what would I expect to find and what is a surprise?

Accessible books like *Financial Intelligence, Revised Edition* by Karen Berman and Joe Knight or a college-level class in financial management are great places to start. Perhaps several local nonprofits could coordinate annual training on finances with a Certified Public Accountant for their boards and staff—this isn’t an issue just for history organizations. To develop robust policies and procedures to guard against fraud, review *Executive Roadmap to Fraud Prevention and Internal Control* by Martin Biegelman and Joel Bartow or “Recommendations for Public and Nonprofit Boards” by Crit Luallen, the Auditor of Public Accounts for the Commonwealth of Kentucky. You may also need to rethink your financial management structure to better address audit and financial management responsibilities (those who check the accounting for accuracy shouldn’t be the same people who do the accounting).

Talk About It

Embezzlement is embarrassing, but it is occurring far too frequently and threatens the future of our state and local history organizations. The feeling of betrayal can leave board members, staff, and supporters angry at the criminal and each other for years. Betrayal can also provoke feelings of denial and dismissal. When two board members at the Lewis County Historical Museum attempted to figure out how their \$460,000 endowment disappeared, the *Chronicle* reported, “They were rebuffed by some on the executive board and at one point were told to ‘get over it.’”¹¹

Encountering financial fraud puts everyone in a tough position, but I don’t recommend quietly addressing the crime without involving the police, swallowing the loss and urging others to “move on,” or declaring the embezzlement too small to worry about. When we take that approach, we allow the criminal to pursue other victims, which could include our colleagues and friends. Let’s learn from each other so we can outsmart, outthink, and outlast the criminals, especially if they are working among us. We’ve got to stop this dirty little secret. ●



Max A. van Balgooy is President of Engaging Places, LLC, a design and strategy firm that connects people to historic places, and served on the AASLH Council from 2010-14. This article is an updated and expanded version of a post by Max van Balgooy on EngagingPlaces.net on February

What’s the Difference? Audit Committee vs. Finance Committee

Audit Committee

The audit committee is authorized to consider matters related to (a) the financial statements of the organization and other official financial information provided to the public; (b) the systems of internal controls, including overseeing compliance by management with applicable policies and procedures and risk management (e.g., for organizations that are part of a national network, annually reviewing whether the organization meets the re-chartering requirements of its national organization); and (c) the annual independent audit process, including the recommended engagement of and receiving of all reports from the independent certified public accountants. The audit committee shall have such other authority and perform such other duties as may be delegated to it by the board.

Shared Responsibilities

The finance committee ensures that budgets and financial statements are prepared; **the audit committee** has oversight for ensuring that reports are received, monitored, and disseminated appropriately. **The finance committee** monitors financial transactions; **the audit committee** makes sure things are done according to policy and with adequate controls. **The finance committee** provides guidance about what can be done; **the audit committee** ensures that independent oversight occurs.

Finance Committee

The finance committee shall oversee the preparation of the annual budget and financial statements. **The finance committee** shall oversee the administration, collection, and disbursement of the financial resources of the organization. **The finance committee** shall advise the board with respect to making significant financial decisions.

Courtesy of the Nonprofit Risk Management Center

19, 2012, and in *Exhibitionist* in Fall 2012. He may be contacted at max.vanbalgooy@engagingplaces.net.

¹ Terry Vau Dell, “Canyon Museum Members Shocked Over Embezzlement,” *Chico Enterprise-Record*, August 12, 2010.

² Bryan Cohen, “Texas AG gets Highway Patrol’s Assets Frozen,” *Legal News Line*, December 20, 2011; Nathan Koppel, “Texas Museum Reaches the End of the Road,” *Wall Street Journal*, August 29, 2012.

³ Public Company Accounting Oversight Board, “AS 2401: Consideration of Fraud in a Financial Statement Audit” (Washington, DC: Public Company Accounting Oversight Board, 2002).

⁴ John Shiffman, “Ex-Seaport Museum Chief Charged, John S. Carter is Accused of Fraud on a Grand Scale,” *Philadelphia Inquirer*, May 22, 2007.

⁵ Sheryl Kornman, “Ex-Bookkeeper Accused of Embezzling \$970K from Tucson Museum of Art,” *Tucson Citizen*, May 5, 2009.

⁶ Steven Goode, “Former Mark Twain House Employee who Embezzled More than \$1 Million Pleads Guilty,” *Hartford Courant*, August 5, 2011.

⁷ Kornman.

⁸ Sarah Johnson, “What is the Auditor’s Role in Finding Fraud?” *CFO*, April 13, 2010; American Institute of Certified Public Accountants, *Consideration of Fraud in a Financial Statement Audit (SAS 99)* (Washington, DC: American Institute of Certified Public Accountants, 2002); and U. S. Securities and Exchange Commission, “All about Auditors: What Investors Need to Know,” June 24, 2002, www.sec.gov/investor/pubs/aboutauditors.htm.

⁹ Association for Certified Fraud Examiners, *Report to the Nations on Occupational Fraud and Abuse: 2016 Global Fraud Study* (Austin, TX: Association for Certified Fraud Examiners), 2016: 4; Crit Luallen, “Recommendations for Public and Nonprofit Boards” (Frankfort, KY: Auditor of Public Accounts, Commonwealth of Kentucky), March 4, 2010: 2.

¹⁰ Karen Nugent, “Fruitlands says Ex-COO Embezzled \$1M,” *Worcester Telegram & Gazette*, September 19, 2008. Identity Theft Resource Center, “When You Personally Know the Identity Thief (Fact Sheet 115).”

¹¹ “Lack of Accountability Contributed to Knapp’s Downfall,” *Chronicle*, March 16, 2013.

Like a Phoenix: OPPORTUNITIES *in the* Aftermath of Disaster

By Samantha M. Engel



Great lessons and positive change can come from even the darkest of experiences. In my case, something clicked after the third day of washing off soot and smoke following another shift of sorting through the charred remains of a historic house. I realized that I could wallow in the disaster or I could cling to that silver lining for dear life and move forward.

This occurred to me at the Whaley Historic House Museum in Flint, Michigan. In November 2015, builders working on the 1885 home started a fire as they installed a new gutter system. Although the investigation as to the precise cause of the fire was inconclusive, it was related to the use of a torch. Firefighters contained the fire to the third floor; only one room was a total loss.

The water damage, however, was significant. The disaster recovery team had to remove plaster walls and ceilings and remove hardwood floors in much of the second floor and even on the first. When the fire department cleared the house, we found water streaming from light fixtures and down walls. The floors were submerged. With the power cut at 6 p.m. on a November evening in Michigan, it was dark and looked like a scene from a dystopian videogame. The path to recovery has been long and difficult, but this earth-shattering event has actually had a positive effect on this small museum, and on me.

The Whaley House has operated as a historic house museum since 1976. For its first decade, it survived on the work of volunteers alone, but in the late 1980s the institution hired its first paid director. We have been a one-employee museum, heavily dependent on the work of volunteers, ever since. I came to the organization in 2013 and immediately began working to broaden our audience through programs and exhibits. I wanted to connect our work at the historic home of a wealthy, white businessman to a city that had lost more than half of its population in recent decades, has an average median household income of \$24,679, and possesses a 57 percent African American population. Although we had had success in reaching new audiences with programs prior to the fire, we still had much to do to build a practice of civic engagement and be recognized as a resource for the neighborhood and greater Flint community. Thus begins our story of recovery.

The first piece of positive change from this has been a renewed focus on creating and maintaining a disaster plan. In November 2015, we lacked an updated disaster plan. I had come across old files labeled as such while looking for other, more pressing pieces of paperwork (boiler information, security company contract, details from programs hosted in the past, etc.), but it was seriously outdated. Reviewing the plan had never been a priority. There always seemed to be more pressing issues: a series of break-ins in 2013 led to a focus on security, for example, and fundraising for preservation projects remained critical. The latter efforts finally came to fruition in 2015, when we applied for and

The fire started on the third floor at the outside of the home due to a construction accident (above and below right), and traveled through the walls to completely destroy this room (left). The third floor contained several storage rooms, most of which looked like this after the fire.



began obtaining grant money to complete these projects. These awards came with our promise of greater community engagement, so in addition to preservation, programs and community building became a primary concern. We have since learned that disaster does not wait for your schedule to clear and creating and regularly updating a disaster plan soon moved to the top of my to-do list.

A disaster plan includes many things. Since the fire, I have found it easier to identify the pieces we need and steps we can take now to help in case of a future emergency. I am much more aware of the kinds of vendors we need and the questions to ask before adding these businesspeople to the final plan. For example, some of the item inventories we received from those cleaning our pieces were not very useful. Companies cleaning museum collections should, at minimum, provide detailed item lists. Some will photograph every item, explicitly label boxes, and take before-and-after pictures of every room. They should make these accessible to staff. Asking how vendors pack out, inventory, and communicate the restoration process with clients is important in helping determine which of them make it into a disaster plan.

A stronger relationship with emergency personnel would have been very helpful on the night of the fire. While standing aghast watching the fire from the parking lot, a firefighter asked me how to get to our third floor. Victorian mansions do not carry the open, intuitive floorplan you find in many homes today, and I struggled to explain how to get there. While they figured it out, my bigger issue was that the firefighter had no idea what the museum was, let alone how to navigate its interior. Days later, these same responders returned to see how I was and learn more about the house. They walked with me through the building and explained the work they did and the environment they were in during the fire. I soon realized how much easier it could have been if they had known the house and, once our restoration is complete, plan to host first responders of all types for a walkthrough so they now know the basic information about the house, should another emergency ever occur.

We also needed to include a plan to protect and triage artifacts. As soon as we were allowed inside the house to survey the damage, we began moving artifacts actively under threat of water damage. This process has led me to see the necessity of developing a triage plan and identifying a list of priority artifacts. We first began moving artifacts that were actually wet to a portion of the house that had no water damage. That quickly filled up, so we set up tables in our lobby area, which was far removed from the water. This was initially useful to move items away from immediate danger, but it also became the area we used to sort through pieces before we decided to send them out for restoration and cleaning or add them to the total loss inventory. A plan would have allowed us to identify the most valuable items first and get them to safety, before moving to other pieces threatened by the elements.

With these immediate lessons and experiences in mind, I researched disaster planning. Since we are an organization with one employee, it was important to actively involve the board. Online disaster planning tool dPlan helped me break down the elements of a disaster plan and designate different

people to take charge of varying elements of the plan. This was incredibly important as it helped me recognize that I am unable to do everything alone, especially in the heat of disaster. It is essential to delegate certain responsibilities to others. And furthermore, disaster can strike while I am away. If you have not already used dPlan, I urge you to do so.¹

It is not enough to know the businesses we chose to help with a disaster, but we also needed to identify who needs to contact them. When the fire occurred, I grabbed my purse, laptop, and the land-line phone (adrenaline does strange things) and called our board president from the parking lot. From that point forward, he took care of business while I communicated with emergency personnel, the media, and other concerned parties. Moving forward, I broke up the entire plan and designated certain parts to appropriate board committees that can create plans for their assigned responsibilities.

Having a concrete plan, having it accessible, and ensuring that every person knows his or her part in the plan is essential. A single paper file is not useful and neither is a file that only exists on a physical computer in the museum. Make multiple copies of the disaster plan in multiple formats. Every board member should have a copy or have access to an elec-

IN CASE OF EMERGENCY

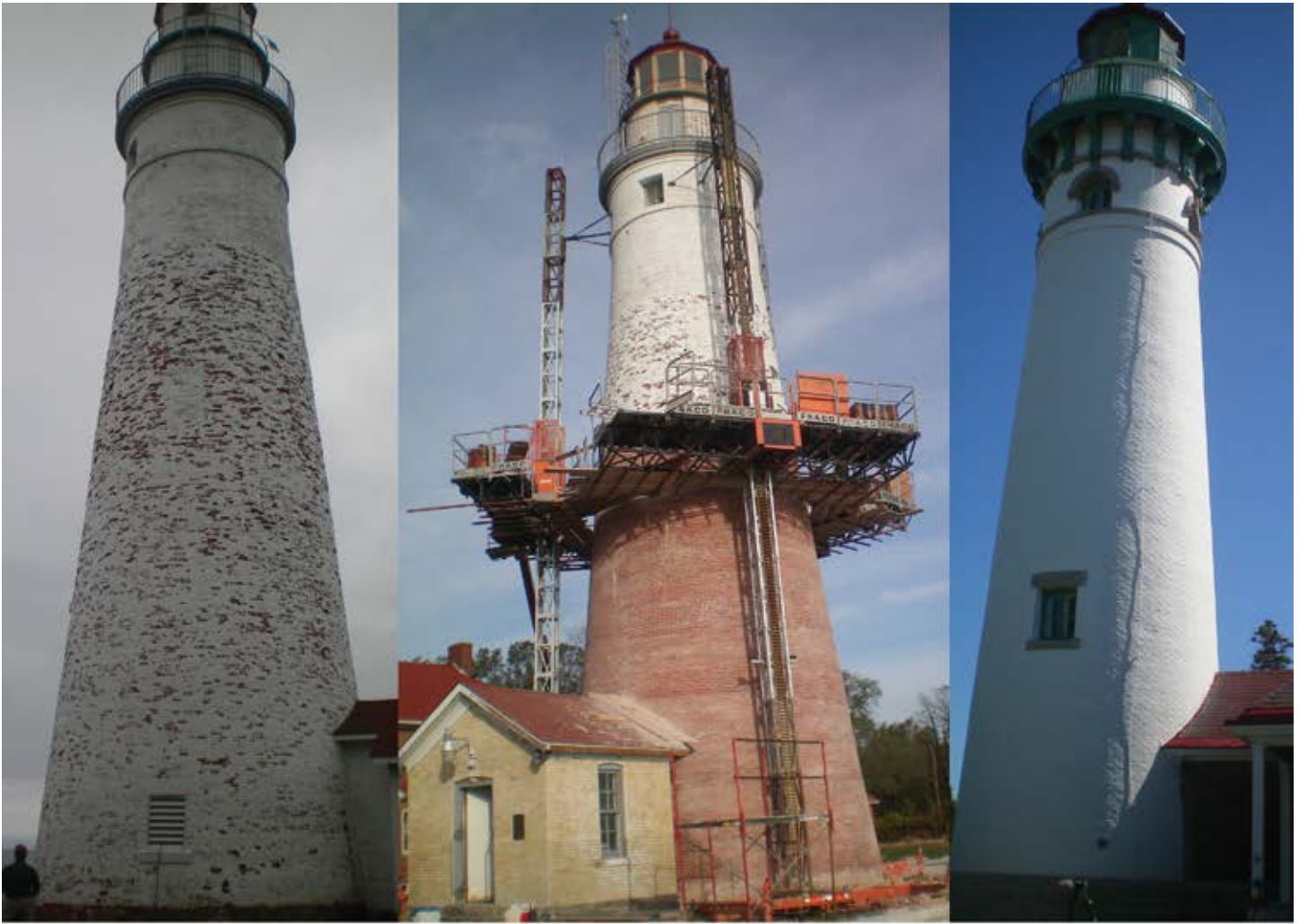
There were items we should have had on hand at the museum to make the evening of the disaster easier: a pack with flashlights, a first aid kit, non-perishable food, and a change of clothes for staff. This may seem a bit dramatic, but I could have used all of these items the night of the fire.



The 1885 Whaley House
before the fire.

The demolition allowed us to uncover many pieces of the house we would not otherwise see, such as this gear to one of our pocket doors. We plan to use some of these items as educational tools, leaving them exposed when the walls are repaired.





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***Ft. Gratiot Lighthouse
Pictured**

tronically stored version. This is the only way that everyone can truly be responsible for his or her assigned task.

In addition to educating board members and volunteers on the plan itself, educate them on how to react to the disaster. This includes procedures for entering the building and dealing with hazardous materials. No artifact is more important than safety! Emergency personnel needed to accomplish certain things before we were allowed back into the house. Furthermore, environmental hazards could exist—lead dust, asbestos, or sewage, for example—depending on the disaster.

Finally, disasters are emotional. Just recognizing that everyone involved will react in different ways is important. Some people will deal with that well, and others will not. Working together and resisting the urge to point fingers is critical. Emergencies are not the time to find fault in those who need breaks, food, time to process, or a breath of fresh air.

As we moved from the immediate recovery into plans for the longer restoration process, we needed opinions from individuals specializing in museum care. We created an ad-hoc committee and assembled other area professionals. One was a lawyer who sits on our local historic district commission. Two were employees at local museums. Another was a volunteer who had been involved with the house since it was restored in the 1970s. These folks provided great insight, opinions, and support as we muddled through those first few months. They helped us review contractor bids, raised questions for vendors, and provided tips on how to incorporate this information into a plan. Furthermore, they added an additional layer of credibility to decisions when we justified them to our insurance companies. This was a helpful tool for a small institution like ours, and I strongly recommend others follow this practice as well.

On top of dealing with the physical effects of the fire, this seemed like a perfect moment to work to become more engaged in our community. We had captured the city's attention, and we wanted to connect with them while they were tuned in. I decided to do so in three ways. First, I wanted to share the restoration process. Then I wanted to connect with the city programmatically, and, finally, keep their attention while we made our plans to reopen.

Early on, I made the decision to be very transparent with the restoration process. This garnered a lot of positive feedback on social media. We shared photos during the demolition and updates on our contents. We invited folks in to tour the “skeletons and secrets” of the home, showing off unique structural pieces of the house and gaining first-time visitors more interested in its construction than its period-appropriate wallpaper. We kept an upbeat attitude on social media, highlighting new finds such as a fireplace we found after plaster had been removed from a bedroom, thanking the community for support, and looking toward the future. I wanted to ensure that the people of Flint knew we were not a total loss and we had no intentions of walking away from them. That seemed important in a city that has seen so much demolition, closed businesses, and overall loss.

Along with this, I continued some of our events offsite and created new programs as well. This provided an unex-

pected advantage, as it forced us to think beyond our literal walls. By reaching out to area businesses for locations for our Quilting Bee Workshop and History Happy Hour, we made contact with other forward thinkers in the city. We also were able to attract people to us simply by virtue of being out in the community and not in the house itself. For example, our History Happy Hour lecture series—presentations on historical topics coupled with the sale of alcohol—was a hit in the museum before the fire. I began hosting it at a local brewery, and folks who had come in for a drink wandered over to hear the talk. We captured these people for a few moments and hope we can pull them in

when we reopen. But if nothing else, we have succeeded in bringing history to new individuals (at least for that hour).

Finally, we actively engaged the community in our strategic planning process. Before the fire, I was proud of the increase in visitors our new programs had prompted, but the space still seemed underutilized. I loved being in the house, and I wanted others to feel the same way. With this goal in mind I began meeting with our local neighborhood association, sent out surveys, met with individuals from organizations the Whaleys founded, and began planning for focus group meetings in order to find out what people want and need from us. Flint has other museums, but how can the Whaley House serve a unique and different purpose, rather than competing for visitors? I have made plans to incorporate new programs, new hours, and more based on the feedback I received.²

The fire that happened at the Whaley House was a horrible event, and in order to move forward and remain positive I needed to focus on the good that could come from such an awful situation. I have focused on the new things we have learned about the house, the knowledge I now possess about moving through this disaster process and how it can inform our disaster plan, and the opportunity we have to become the museum our community needs. The city's eyes are now upon us as we work to rise out of the ashes and become something new. ☺



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¹ See Northeast Document Conservation Center, *The Online Disaster-Planning Tool for Cultural and Civic Institutions*, www.dPlan.org.

² Robert and Mary Whaley founded both the Whaley Children's Home and the McFarlan Home for Elderly Women. These institutions still exist in Flint and help the city's troubled youth and elderly women in need of living assistance, respectively.

TRIAGE KIT SUPPLIES

These could help stabilize the items until decisions about care are made:

- Gloves
- Plastic Bags
- Clothesline
- Clothespins
- Drying Racks
- Garbage Cans/
Plastic Hampers

A Please Touch Historic House Tour



I want to sit in a comfortable arm chair, drink in hand, and immerse myself in art work of particular interest.” “I want to be able to take part in the eating of a meal, or sleeping in the beds, or reading of the books. Be a part not just a spectator.” That was a sampling of what nearly half of 4,500 respondents to a 2008 study of Connecticut museum-goers had to say about guided tours.¹

The Connecticut Cultural Consumers Study, conducted by Reach Advisors, Connecticut Humanities, and Connecticut Landmarks, found that while 45 percent of museum-goers in Connecticut indicated that they enjoyed a guided tour experience, another 48 percent revealed that they did not like them at all and wanted alternatives. They wanted to browse on their own. They wanted to touch. They wanted to play a role, to be more than just a spectator.

But if historic houses and museums don’t offer guided tours, how else can they share their stories with the public and still cater to a large percentage of their visitors who like guided experiences? Enter Windsor Historical Society.

Though not one of the twenty-four organizations that participated in the study, the Windsor Historical Society discovered similarly mixed sentiments when polling their own constituency around that same time: while 88 percent of people surveyed expressed interest in having guided tours, 73 percent indicated a desire for a self-guided experience, and 69 percent wanted to be able to touch objects in the house.

Founded in 1921, the Windsor Historical Society’s first major project was saving the circa 1758 Strong-Howard House (then known as the Fyler House) from demolition. Throughout the twentieth century, the organization completed major and minor work on the structure, filled it with antiques from a growing collection, and offered tours that covered a mixture of town history, family legend, and decorative arts. It was a quintessential historic house experience.

By the early 2000s, the home again needed major repairs. Before embarking

First-person interpreters portraying Captain and Mrs. Howard and their contemporaries periodically perform at the home, making use of the functional hearth and bake oven.



Ed Paquette

on this major structural overhaul and revamped tour, the institution asked its community for its thoughts, expectations, and desires for the property. Universal themes of family, politics, commerce, religion, foodways, and chores emerged as strong touchpoints to connect the present to the past. Survey results clearly showed that guests wanted to touch objects, but were mixed when it came to guided versus self-guided tours.

With cost estimates mounting, Executive Director Christine Ermenc and Curator and Project Director Christina Vida grappled with how to fund structural work while simultaneously elevating the visitor experience. They began to consider ways to move away from the standard “Look, Don’t Touch” tour. In the end, the Windsor Historical Society transformed its Strong-Howard House into a completely hands-on experience filled with reproduction furnishings interpreting the lives of the Howard family in the year 1810.

Staff and community partners settled on the year 1810 because three

generations of the Howard family lived under the same roof at that time; the present structure of the home was mainly complete; and several particularly newsworthy events (some with lasting impact) occurred at the local, regional, and national levels. With this decision, Captain Nathaniel Howard and his family became the conduits for the society’s new Strong-Howard House experience.

Knowing that guests of all ages hate to hear “please don’t touch,” the project team had to choose between furnishing the house with duplicates from the collection that could be deaccessioned, newly acquired antiques, or period-correct reproductions. A quick survey of the Victorian-heavy museum collections ruled out the cost-



friendly deaccessioning route. While probably cheaper in the end, the option of acquiring historic objects conflicted with the museum's collections policy and would have created a logistical nightmare for sourcing, budgeting, and storing items during a multiyear project.

Reproductions streamlined the process and allowed the organization to engage with a new group of collaborators: craftspeople. With no surviving furniture or housewares from the Howard family to copy, the society's team pored through probate inventories, account books, court records, tax lists, newspaper advertisements, and newspaper accounts to determine what each object might have looked like. Woodworkers, seamstresses, carpet weavers, ceramic artists, barrel makers, blacksmiths, and hearth cookers all worked with the museum to craft objects the Howard family would have owned and used. The Connecticut Valley School of Woodworking in nearby Manchester partnered with the Windsor Historical Society to have their students make historically appropriate reproduction furniture, much of it copied from objects owned by contemporaneous Connecticut families and found in local museum collections. Staff carefully considered each object and thoughtfully compiled a furnishings plan that provided background research, a potential supplier, and budget for each hands-on reproduction.

The team broke down the entire project into three phases. Each phase lasted one year and included the transformation of two or three rooms. This allowed the Strong-Howard House to remain open to the public during the structural restoration and provided staff with time to reorganize storage areas to accommodate the museum objects being removed from the house. Opening receptions for Phase

1 in 2013 and Phase 2 in 2014 provided a platform for donor recognition and press coverage and furthered fundraising efforts. The parlor and store debuted in 2013, followed by the dining room and bedroom in 2014. The final phase, completed in 2015, included the keeping room, china closet, pantry, and a small exhibit space. In the end, Executive Director Christine Ermenc and board members raised nearly three-quarters of a million dollars in four years.

The most complex part of the project involved removing the house's reproduction eighteenth-century fireplace and replacing it with a new, fully functional, period-appropriate nineteenth-century one. This new fireplace, complete with a bake oven, was key as it enabled the historical society to provide hands-on hearth cooking experiences for the public. The institution also worked with a designer and photographer to create a guide book for a self-guided experience, one visitors could keep as a takeaway for further in-depth exploration on their own. These two components finalized the apparatus for a learning laboratory experiment that provides guests multiple paths to explore history.

With a docent always present during normal open hours, visitors can now choose to have a traditional guided tour experience with hands-on components, a completely self-guided tour including the guide book and discovery cards hidden throughout the rooms, or a mix of the two. School groups can learn through programs designed to match up to and complement the local schools' curriculum. Special event visitors have had the pleasure of seeing the home with first-person interpreters portraying the Howard family.

While the major tasks of the renovation and reinterpretation were completed and opened to the public in October 2015,

Christine Ermenc



A young man enjoys learning about period coinage in Captain Howard's store—filled with touchable textiles and accessories.

Windsor Historical Society continues to refine its product. Marketing, docent training, and guest evaluation of the Strong-Howard House reinterpretation continue and the institution hopes to provide other historic house museums with insights for energizing visitor engagement with hands-on, minds-on tour experiences at their own sites. For thinking creatively about alternative ways to use historic houses to tell stories and serve as strong community teaching tools, the AASLH Leadership in History Awards Committee gave the Windsor Historical Society one of only three HIP (History in Progress) Awards in 2016. ●



Christine Ermenc is Executive Director at Windsor Historical Society. Former Curator of Collections and Interpretation



Christina Vida was in charge of the restoration and reinterpretation of the Strong-Howard House and school programs at the Windsor Historical Society. Scott Wands is Manager of Grants & Programs at Connecticut Humanities.



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¹ For more information about the 2008 Connecticut Cultural Consumers study, see Scott Wands, Erica Donnis, and Susie Wilkening, "Do Guided Tours and Technology Drive Visitors Away?" *History News* 65, no. 2 (Spring 2010): 21-25.



Children and learners of all ages get a feel for the rope bed in the bedroom with seasonally appropriate hangings and covers.

Christine Ermenc

Keeping Their Marbles: How the Treasures of the Past Ended Up in Museums...And Why They Should Stay There

By Tiffany Jenkins

(Oxford: Oxford University Press, 2016),
369 pp.

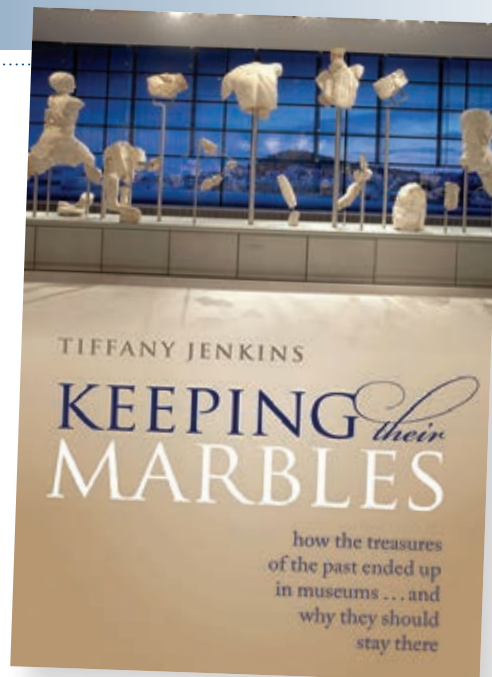
Reviewed by Sally Yerkovich

According to British sociologist, broadcaster, and columnist Tiffany Jenkins in *Keeping Their Marbles: How the Treasures of the Past Ended Up in Museums*, museums are troubled institutions. Victims of post-modernism and post-colonialism, they have become sites for political and social battles and have lost their way. With their role as research and educational institutions considered no longer sufficient, they are struggling to find their place in contemporary life. For Jenkins, this malaise invites repatriation claims and undermines the role of museums as educational

institutions operating for the public benefit. She sees redemption for museums in their collections, in a return to the museum's foundational purposes.

Jenkins's book has far-reaching goals. She intends to situate the repatriation of objects from museum collections in "its historical and social context to explore why conflicts over the ownership of artefacts are on the rise" and aims to "chart how museums were formed and how they acquired their artefacts [sic]," "explore the influences that have contributed to the rise and dominance of the repatriation controversy, and the character of the contemporary demands," and "restate the role of the museum and...reassess what we should expect of objects" (7-8, 10).

The two parts of the book roughly follow Jenkins's objectives. The first is a series of four ambitious, rambling chapters covering everything from Captain Cook's voyages, the genesis of museums,



the development of a passion for antiquities in the West, and an exploration of looting over the centuries. She emphasizes the role of museums in educating and "civilizing" society and advances

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Established in 1998, the program integrates public history and history course work to prepare students to engage with diverse community partners and develop new research. The Center for Texas Public History supports the program by providing opportunities to apply theoretical and methodological approaches beyond the classroom.

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the notion that objects have the power to speak across cultures and centuries regardless of their location.

In the second part of her book, Jenkins cuts to the core of her argument. She bemoans the politicization of culture. She sees the rise of single ethnic or cultural group museums—"identity museums"—as divisive and evidence that museums no longer present well-researched scholarly interpretation but instead narratives that speak to the "perceived interests of particular groups" (253). As a result, she asserts, "Museums are no longer considered the enlightened keepers of artefacts; indeed it is assumed that they use artefacts [*sic*] to reinforce their own social position, to force their biased interpretation onto others, and to harm different cultures" (181). This negativity, she argues, is as damaging as are repatriation claims and, indeed, she contends that it invites them. Museums should stop feeling guilty about what they have and embrace their ability to display objects with the power to move viewers, taking museum-goers out of a specific time and place and bringing to them a deeper understanding of the past.

In spite of the book jacket design and hint in its title, this is not a book about the Elgin or Parthenon Marbles, although they do appear in several of the chapters. This is a book intended to shake museum professionals from the torpor that envelops us and return us to our core purpose—the exploration and interpretation of museum collections to help us bring to the public an enhanced understanding of the past. While some of Jenkins's arguments are provocative, unfortunately none are developed adequately enough here to determine if they have merit. ●



Author of *A Practical Guide to Museum Ethics*, Sally Yerkovich (sallyyerkovich@gmail.com) is a consultant to nonprofits, teaches at Columbia and Seton Hall Universities, and is chair of the Ethics Committee of the International Council of Museums. Her work, which draws upon more than three decades of experience in museums, is increasingly engaged with how museums will face the ethical challenges of the future.

AASLH thanks the following individuals for their leadership as members of the AASLH Legacy Society. The Legacy Society provides AASLH members an opportunity to donate to the endowment via estate planning.



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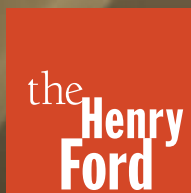
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Living Our AASLH Aspirations: The 2017 Conference Program Committee

By Dina Bailey

CEO, Mountain Top Vision

2017 Annual Meeting Program Committee Chair

On January 21, 2017, approximately forty people came together in Austin, Texas, to review the program session proposals for the upcoming Annual Meeting and approve a number of them for the final conference program. I commend the program committee for its commitment to open dialogue, flexibility, and passion in light of a record-breaking number of session submissions. I am particularly humbled by the breadth and depth of proposals focused on this year's theme, *I AM History*. AASLH members were ready to spotlight the myriad ways that history connects to the present and to remind us that history is relevant and is happening every day, everywhere.

This year, in addition to the theme, we focused the proposals and vetting criteria on AASLH's four strategic aspirations to: 1) Promote the relevance of history, 2) Build diversity and inclusion, 3) Strengthen organizational sustainability and transparency, and 4) Act with a creative and experimental spirit.

I am proud of the AASLH staff and the Program Committee for their willingness to truly live these aspirations throughout the process. As one committee member told me, focusing on the AASLH aspirations in making their determinations was a "fundamental positive shift in organizational change." As happens with change, the staff, Program Committee, and I will continue to evaluate the success of our efforts to integrate the aspirations into this aspect of the association. During this year, may we all stretch our understanding of and commitment to what *I AM History* means.

A New Look for AASLH



1947



1980



1989



AASLH
2003



AASLH
2010

What's this? It is a new AASLH logo based on our familiar "tree of life" graphic we first adopted in the 1940s and have adapted regularly since the 1980s. We are excited to introduce a logo that symbolizes a forward focus while remaining rooted in both the past and in a sense of place. Instead of a single tree, this logo presents a stand of trees as seen from above. The trees represent the diversity of stories that constitute history. The various sizes, shadings, and positions of trees in this grove symbolize an inclusive and vibrant forest of differences that make the whole stronger than the sum of the parts. Finally, this new logo reminds us all to see the larger picture while also attending to the finer details. This new logo is a thoughtful visual representation of the promise our new strategic plan offers. The plan, approved in 2016, articulates AASLH's dedication to four primary goals: promote the relevance of history, build diversity and inclusion, strengthen organizational sustainability and transparency, and act with a creative and experimental spirit.

Members Respond: Why Does History Matter to You?



It's an unparalleled way to understand people and helps give context to what is happening today.

—**TERRI BLANCHETTE**
TimeSorters, LLC
member since 2008

History is everything to our museum since we connect history to the present-day Seminole Tribe of Florida. For example, one of our most well-received exhibits recently was on Seminole patchwork, entitled *Modern Seminole Patchwork: It's Not a Costume*. Although the patchwork technique is over 100 years old, it has been adapted and continues to be worn in modern times. History informs the present.

—**AH-TAH-THI-KI MUSEUM OF THE SEMINOLE TRIBE OF FLORIDA**
member since 2007

Personally, I feel a sense of belonging by knowing where my ancestors came from, where they lived, and what they did. Working at the Tsongas Industrial History Center has filled me with such a sense of family pride because my grandfather and great-grandfathers all worked in Lowell's mills. I connect with the history on a deeper level when I know that "my people" were there—the connection is more intense.



Collectively, knowing what happened in the past is a way to build a bridge to the future. It helps us understand how we got to where we are and why we are who we are. The individual and collective narratives that make up history are so interesting. The story of one person's experience of a historical event is just as compelling as a sweeping narrative. I love it when the individual pieces of narrative are set into the context of a larger story.

—**KRISTIN GALLAS**
Tsongas Industrial History Center
member since 2007

As Carol Kammen wrote in the Autumn 2011 *History News*, "History is a way of assessing change of place, of looking at people's experiences now and their memories of what has happened, of what they have lived through and what events meant to them. Those of us in public history provide a way to remember and help people discern meaning in their own times." This statement is especially relevant for TAMI, an institution that collects and

interprets a unique type of historical document (films and particularly home movies) and works with very personal histories.

—**TEXAS ARCHIVE OF THE MOVING IMAGE**
member since 2010



Hamah Hethmon

HMI's vision statement, "Enriching our community's future by valuing our past," says it all. Madison is a nationally significant historic town. By repurposing our historic buildings for current and future uses, history becomes interwoven with everyday life. Preserving and celebrating our heritage is an important part of our community's economic development strategy.

—**HISTORIC MADISON, INC.**
member since 1983

I consider history a collection of experiences, and most everyone remembers several life experiences. History, then, becomes the foundation for meaningful conversation with anyone anywhere.

—**ETHAN MORRIS**
Middle Tennessee State University
member since 2015

As a person of color, history has always mattered to me. Much of what I have gravitated toward academically and in life are the stories you don't know, the ones that you will never read about in textbooks or learn about in your average history survey course. But I've come to learn that these stories are the ones that tell us the most about any historical time period or event. They shed light on so many human insights that you might never understand by just reading a standard textbook.... So we as a society would be hugely remiss if we were not to include the history (and the truthful history—no matter how difficult or painful or shameful to talk about) of *everyone* who lived or experienced it because there is so much there to learn from that is applicable to our world today.



—**JACKIE PETERSON**, Jackie Peterson Exhibit Services
member since 2015

As T.S. Eliot wrote, "The historical sense involves a perception, not only of the pastness of the past, but of its presence."

—**GIL GOTT**
Plant City Photo Archives and History Center
member since 2010



I see that history humbles people and inspires them at the same time. It's the feeling I get myself when I stand in the parlor of a house or I when walk around a fort or I stare out over New Hampshire villages from a mountainside. History makes me feel connected and far away at the same time, and that the people and things and places of the past have a story to share with me if I'll just take the time to listen. And in that story there will be answers and ideas—that I can either keep or share—that can help people individually and collectively fulfill their potential.

—**SARAH SUTTON**
Sustainable Museums
member since 1991

History and its enduring importance and relevance—in schools, in communities, and online—is at the core of what we do. In particular, we are committed to raising the profile and widening the reach of women's history and women's history sites in order to create a richer and more inclusive history that recognizes women's extraordinary and continuing contributions. We find that many visitors to our site are unfamiliar with the long and grueling campaign that American women sustained in order to win the right to vote. We strive to make this history more widely known and appreciated.

—**SEWALL-BELMONT HOUSE & MUSEUM**
member since 2007

Studying what happened in the past is essential to understanding present-day political, social, cultural, and economic landscapes. Issues in our present have deep historical roots, and understanding what happened in the past can help us make better and more just decisions moving forward.



—**HOPE SHANNON**
Loyola University Chicago
member since 2015

In our next issue, we will feature members' answers to:

"What is the future of collaboration between public history institutions and history departments at colleges and universities?"

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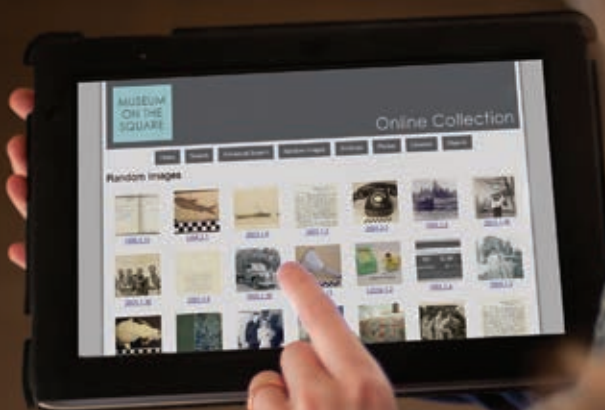
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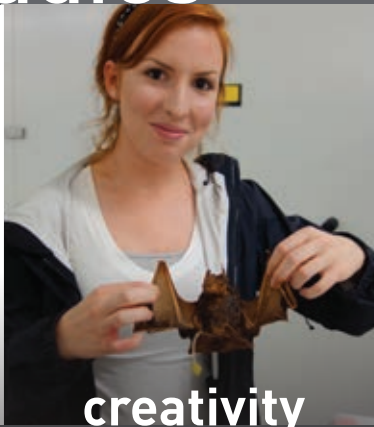
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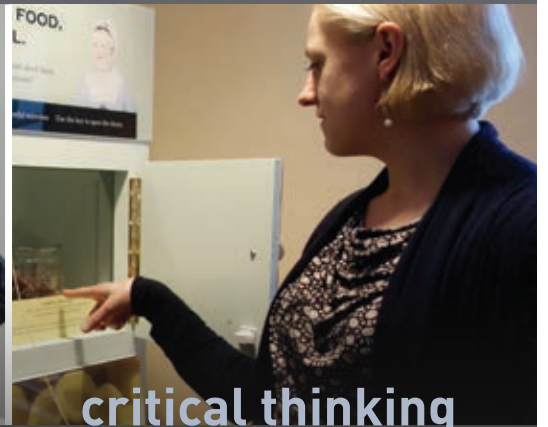
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How to Find and Use Legal Records

By John A. Lupton

Using court records in your programming can be a lot of fun. Some of the most popular television shows and movies generally involve drama in courtroom trials. *Perry Mason*, *L.A. Law*, *Law & Order*, *Boston Legal*, *Damages*, *A Few Good Men*, *My Cousin Vinny*, *Inherit the Wind*, *Miracle on 34th Street*, *To Kill a Mockingbird*, and *Anatomy of a Murder*, among many others, have captivated audiences with courtroom drama (or comedy) woven into excellent stories. Incorporating legal records in your museum, historical society, or site provides your audience a new and innovative way to examine society generally and your local community specifically.



Papers of Abraham Lincoln

Researchers examining legal files in a courthouse



Dayton History

Dayton History's *Old Case Files* trial reenactments

While an attorney in central Illinois, Abraham Lincoln once argued in a lawsuit that “legislation and adjudication must follow, and conform to, the progress of society.” In other words, the law is a reflection of society as a whole. It provides a wonderful window into the past to examine social, economic, and political issues of the day. Public historians in museums and historical societies should use legal records to learn more about any period of time by incorporating them in exhibits, educational materials, or programming. Legal records are a perfect place to find compelling stories about conflict, rights, relationships, and property.¹

Important court cases have made a major impact in American history. Landmark United States Supreme Court cases such as *Marbury v. Madison*, *Dred Scott*, *Brown v. Board of Education*, *Miranda v. Arizona*, *Roe v. Wade*, and *Citizens United* are often the centerpiece of broad, national narratives in American history. Yet for every case that makes it to the U.S. Supreme Court, there are millions more that tell other stories and can provide new perspectives on the past and lessons for those living today.

What Is a Legal Record?

Legal records document the proceedings of a case through the court system. How a legal case proceeds depends on its form, but the most common are civil cases, which deal with the rights of people; criminal cases, which deal with violations of public laws; and

probate cases, which deal with guardianship issues and distribution of a deceased person’s belongings among legal heirs. Legal records exist in every county in the country, with a fair number of records dating to pre-statehood and colonial times.

Documentation consists of case files and docket books found in courthouses or archives. Unfortunately, fires, floods, or theft have sometimes reduced or eliminated records. (Early lost records are more common in southern states that experienced the heaviest damage during the Civil War.) Many courthouse records—where they exist—have been transferred to archives or historical societies for permanent storage. The federal government stores its legal records with the National Archives in various branches across the country. Some state legal records are found in the state archives, but the great majority of state records reside in courthouses and contain many millions of documents that illustrate America’s dispute resolution process.

Archaic language with frequent use of Latin words may make researchers fear using legal records as too difficult to understand. In truth, a researcher does not need to be a lawyer or even understand the entirety of the legal system of a certain period of time in history. Fortunately, most documents explain the rationale behind the lawsuit in somewhat plain and simple language. Because legal records are often formulaic in nature, understanding the patterns makes documents easier to decipher. Form books can help researchers understand the function of legal actions and case

Assumpsit

In nineteenth-century America, one of the most common forms of action was *assumpsit*. Ask any lawyer today, and they probably do not know what *assumpsit* is. *Assumpsit* is Latin for “breach of contract not under seal.” If Richard Roe gives John Doe a promissory note and fails to pay, then Doe can sue Roe in an action of *assumpsit* to recover the debt and damages. Since hard money was scarce and state bank notes were frequently devalued, promissory notes served as a form of currency within local communities. Debt-related lawsuits comprised the great majority of cases on the docket, which helps to explain the uneasy economy of antebellum United States.⁴

documents. These books contain examples of declarations and pleas in specific types of cases and provide specific language that must be used for the case to continue, and some form books even explain why this language must be used over other language. Google Books and archive.org both have a large selection of legal form books, some of which are specific to states or federal districts.²

Where Do Cases Take Place?

Different jurisdictions determine which courts can hear certain cases. For example, a trial court in Ohio may not be able to hear a case between two Virginia residents. The federal court system and most state court systems have three levels of court: trial courts, appellate courts, and the supreme court. The trial level is where the great majority of cases occur. If the losing party wishes to appeal a trial-level case, it will typically go to an intermediate appellate court, which does not retry the case, but only corrects errors from the trial court. From this point, if the losing party again wishes to appeal, the case may go to the highest court in a jurisdiction (the U.S. Supreme Court in the federal system or a state’s supreme court). To give an example of the number of cases in this hierarchy, in Illinois in 2014, there were 2,930,000 new cases filed at the trial level. A little more than 8,000 of those cases were appealed to the appellate level and the Illinois Supreme

Court considered 2,500 cases but chose to hear oral arguments in only 100.³

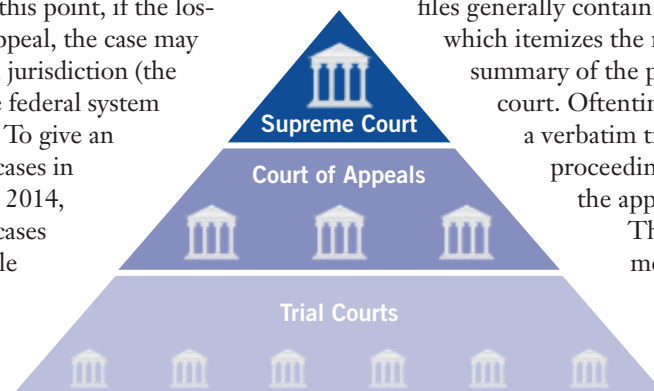
For a state supreme court case to go to the U.S. Supreme Court it must have a legal question that involves interpretation of the U.S. Constitution. Very rarely will a state supreme court case reach the U.S. Supreme Court. In Illinois from 2000 to 2015, there were 352 Illinois Supreme Court cases appealed to the U.S. Supreme Court. Of those 352, the court only accepted eleven. If your case reaches the highest court in any jurisdiction, then it must be important!

How a Case Proceeds

While there are variations from state to state, a civil case begins when an aggrieved party files suit in court to resolve a dispute, whether it is a personal injury, a debt, a breach of contract, or a foreclosure. A criminal case begins when a grand jury finds a “true bill” against a person for committing a statutory crime, such as murder, robbery, or burglary, among others. The court collects documents in a case file and then permanently stores the file once the case is completed. The first document to be filed is the declaration or complaint. It gives the facts behind the lawsuit, why the plaintiff is suing, and what the plaintiff expects to receive from the court. The narrative contained in the complaint allows the researcher to uncover amazing details about a particular time, place, or practice in the past. If the defendant chooses to resist the case, then he or she will file a plea or answer. The defendant’s response gives the other side of the story and can also provide excellent details. The case may go to a jury. If so, the judge might give jury instructions that further detail arguments from either side. More recent cases may have verbatim transcripts that provide lawyers’ specific questions and witness responses. Other useful documents in a case file are affidavits and depositions. Affidavits generally provide information to support one side of the case, and depositions are witness testimony for individuals physically unable to attend court.

Appellate cases are different than trial level cases in that appellate cases decide a point of law that may have been in error at the trial level. Appellate case files generally contain an assignment of errors, which itemizes the reasons for the appeal and a summary of the proceedings of the trial level court. Oftentimes, case files will also have a verbatim transcript of the lower court’s proceedings and a draft opinion from the appellate justice or judge.

The most interesting document in the appellate case file is typically the brief: the presentation by an attorney arguing points of law. While briefs



can be voluminous, they are useful because they are persuasive arguments, and researchers have complete information regarding both winning and losing sides of a case.

Probate is the legal process through which an estate is settled. Probate cases are not litigated cases, and case files may contain wills, affidavits of decease, lists of heirs, real estate holdings, lists of personal property, monetary values of personal and real property, and the distribution lists among the heirs. These records can be very useful to genealogists who use them to verify familial connections among ancestors. Probate records are also valuable in determining wealth (or lack thereof) and the value of real estate or household common items at specific periods of time in history.

Where Do I Start?

In addition to the archaic language, a researcher may also fear legal records because of the sheer volume of material. However, there are ways to winnow down the material to subjects in which you are interested. Before knowing what specific cases to examine, it is usually helpful to conduct some research prior to entering a courthouse or archives.

The best place to start legal research is at your local public library, nearby law library, or historical society. Local newspapers generally publish stories about interesting cases, and high-profile cases may get front-page, above-the-fold headlines. Criminal cases, despite making up a small percentage of cases in court, usually receive greater attention from the media. Many public libraries, state and county historical societies, and genealogical societies have access to newspaper databases. Search engines are quite good for most and allow researchers to find cases based on names of judges, lawyers, or litigants.

Another research avenue in libraries and historical societies is county histories. These books from the late nineteenth century through the 1950s are often useful sources for the history of a particular county. County histories generally have a “bench and bar” chapter highlighting prominent attorneys and judges from that county. Many also note famous or high-profile cases that occurred in that county focusing on the first murder trial or the first divorce case, for example. County histories may provide excellent information on older, more prominent cases from a specific place.

Law libraries are particularly useful to identify cases that reached judgment in an appellate court and were published in a case reporter. Westlaw and Lexis are research tools used by lawyers and legal historians interested in researching case law. Both services have reviewed cases and appended an elaborate system of headnotes to the cases. Headnotes briefly summarize the points of law articulated in the opinion. Simple

searches for “voting” or “prohibition” or “slavery” will yield narrower results, which one can then limit by geography, date, or even judge. HeinOnline is another respected resource that can provide a similar search engine for legal cases. Hein, Westlaw, and Lexis are only available to subscribers, but if a researcher has convenient access to a law library, these research tools are generally available for free to the public.

If there was a prominent judge who lived in your community, your local historical society, state historical society, or nearby university manuscript library may have papers of that person. Judge’s papers typically consist of correspondence. As a lawyer and judge, the person most likely had many discussions about certain legal cases going on at that time. In addition to letters, more complete collections may have diaries, case fee books, and notes about specific cases. Prominent attorneys who did not become judges also may have a significant manuscript collection at a library. These letters may help researchers find interesting and important cases, but an added bonus is that the papers will help to give a researcher insight to a case that may not be evident from the case file documents themselves.

Gaining Access to Legal Records

With this background knowledge, a researcher is ready to examine original case files. While some legal documents are located in archives and are easily accessible with indexes, local courthouses hold the great majority of documents. Depending on the county or jurisdiction, records are indexed by plaintiff or defendant. Most also have some organizing principle, either chronologically, sequentially by case numbers, or even alphabetically by litigant. The indexes are valuable tools in locating specific records. The quality of the indexes varies with the people that held the office of clerk, but many indexes are very comprehensive in identifying all of the books and case files that may relate to your specific case.

Every county courthouse will have a clerk who manages the records of the office. In some states, they are circuit clerks, county clerks, probate clerks, or clerks of the court of common pleas, but all generally have the same function—to manage the cases filed for court and to archive completed cases. Clerks typically have experience working with researchers, particularly genealogists, who use probate cases, as well as litigated cases, to discover information about ancestors. Some legal proceedings are permanently sealed, however, such as adoption records and mental health cases, and are not accessible to the public without authorization from the court. For documents stored in an archive, an archivist who understands the nature of the legal records and how they are organized should be most helpful.



Michigan high school students participate in moot court

The clerk's office or archive will also have dockets, large books that record information about cases as they proceed through court. Judge's dockets are initially assembled by the clerk and list the cases in the order in which the judge hears them. The judge then writes short notes regarding the disposition of the case, whether it is dismissed, continued, or decided for one side or the other. Judge's docket entries contain the name of the case, the action, the disposition, and many times the attorneys who are appearing in court for the respective litigants. Court record books are prepared after the term of court has ended and provides a summary of the disposition of the cases for that term. These are organized chronologically by term and are typically narrative reports of information from the judge's docket. Dockets, whether they are judge's dockets or court record books, are useful for supplemental information as well. Other dockets that may be useful are judgment dockets, which list judgments; execution dockets, which note sheriff sales that satisfy judgments; and fee books, which list the court fees in a case organized by plaintiff and defendant, depending on who is responsible for certain fees.

Uses for Legal Records

Once you have interesting court cases, what should you do with them? The simplest method of highlighting a famous or important lawsuit is to have an exhibit. An exhibit can highlight documents and give larger context to a particular issue. For example, the Little Rock Central High School National Historic Site provides an excellent timeline of cases that legally

ended school segregation. The important lesson is that *Brown v. Board of Education*, widely recognized as ending school segregation, was only the first in a series of cases that eventually ended the practice of separate schools based on color. The exhibit's brief summaries of each of the cases highlight the different situations, but all of these cases can trace their beginnings to *Brown*. Other exhibits can consist of panels that explain a particular legal case, the context in which the case occurred, and its importance in local, state, or national history.

Audience discussions are another excellent method to highlight court cases. The Workman and Temple Family Homestead Museum in City of Industry, California, began *Curious Cases: Exploring Law and Order in Early Los Angeles* to challenge participants to examine multiple viewpoints during an examination of real lawsuits from the nineteenth century. Paul Spitzzeri, the director of the Homestead Museum, recognized that court records were underutilized and chose specific incidents and cases because of their impact on the community at the time, the issues that they highlight regarding the challenge of administering criminal justice in a frontier town, perceived or real relevance to criminal justice issues today, and inherent dramatic interest. Each program consisted of a presentation providing historical context: an overview of Los Angeles, the criminal justice administration system, and the event itself. An audience discussion followed. It focused on any issues with the administration of justice, any differences in attitudes and actions between then and now, and any connec-

tions to modern events. The audience utilizes copies of primary sources (newspaper articles and case file material) to help with their conversation.

Retrials are also a popular method to highlight cases. The U.S. Supreme Court Historical Society sponsors the *Frank C. Jones Reenactment Lecture Series* to present notable Supreme Court cases with discussion of their political and historical context. The series has featured important cases such as Curt Flood's attempt to end the reserve clause in Major League Baseball; *Muller v. Oregon*, which upheld restrictions on working hours for women (and was the first use of the Brandeis Brief, which noted the importance of sociological data); and Aaron Burr's treason trial. A U.S. Supreme Court justice presides over the case while modern lawyers make unscripted oral arguments based on the facts of the original case, and the justice then hands down a decision.

The Illinois Supreme Court Historic Preservation Commission also sponsors a retrial series entitled *History on Trial*, in which famous cases are retried and the audience acts as the jury to provide the resolution of the case. Modern-day attorneys make the arguments and call witnesses (actors) to give the jury/audience the facts of the case from the historical record, but the decision is made under modern laws. *History on Trial* has featured a retrial of Mary Todd Lincoln's 1875 insanity hearing and a conspiracy retrial of Mary Surratt for her role in the assassination of Abraham Lincoln.

Retrials and mock trials are a popular way to engage the community. The Indiana Supreme Court has featured a retrial of Polly Strong, an enslaved woman who sued for her freedom in 1820. This retrial has been utilized for school-aged children and has been performed in schools throughout the state of Indiana to illustrate the slavery problem in a free state through the legal system. In addition to the iconic arch, the Jefferson National Expansion Memorial in St. Louis also operates the Old Courthouse, which served as the home of the federal and state courts for much of the nineteenth century. Its most famous case was the trial-level Dred Scott case. As part of their educational outreach, the Old Courthouse offers scripted mock trials of the Dred Scott case and other interesting cases that occurred at the historic site.

Civic education is another major use of court cases. Legal cases can help explain the judicial process and how different it actually is from movies and television shows. The Michigan Supreme Court houses a learning center that hosts traditional exhibits for all ages but caters specifically to school groups. The gallery contains a mock courtroom, quizzes, and computer programs that demonstrate the importance of the judicial branch in government. Additionally, the Michigan Supreme Court Learning Center hosts

Constitution Day and Law Day activities to promote education about legal-related topics. The Michigan Supreme Court and a number of other courts and historic sites feature curriculum materials targeted to certain age groups. History organizations can download these materials to use for visitor programs to help tourists understand better how the legal system functions in society.

Funding and Guidance

If your institution is interested in pursuing legal-related programming, many organizations may assist financially or provide guidance. Working with another local entity encourages cooperation among different constituencies resulting in broader appeal and broader recognition. Many counties and larger cities have a bar association that may be actively involved in community outreach. Special-purpose bar associations, such as women's bar associations or ethnic bar associations, may be interested if your topic mirrors their interests. State bar associations typically have the financial resources to support such projects. Law schools also enjoy outreach activities and may have financial resources to assist. Local law firms may even be interested in supporting historic case programming.

Bar associations can also recommend retired or active lawyers or judges who will participate as advisors. As a public historian, you do not need to be proficient in the details of modern or historical legal systems since an attorney can help read over scripts or look over drafts of exhibits to make sure the language is correct or make sure the legal issues are covered adequately. If your particular topic is relatable to current attorneys, bar associations may even sponsor MCLE (minimum continuing legal education). States require lawyers to obtain a certain number of hours of continuing education, and legal history programming by historical societies may meet those criteria for providing MCLE.

Summary

While it may appear daunting at first, researching and finding legal records is not a difficult task with background knowledge and a desire to find wonderful drama (or comedy). Presenting famous cases, cases involving famous people, or even simply representative cases from your locality can instill community pride and a thoughtful learning experience. Using legal records in exhibits, mock trials, discussions, or educational programs can benefit not only your institution, but your community and beyond. The local or state legal communities are generally willing and interested to assist with guidance or financial support, and lawyers and judges certainly appreciate the opportunity to discuss the importance of the judicial branch in government and society.

Abraham Lincoln's Law Practice

Abraham Lincoln is most famous for his years as president of the United States and leading the United States to victory in the Civil War. Before becoming president in 1861, Lincoln only served in a handful of elected offices, four terms as an Illinois state legislator and one term in the U.S. Congress. In between forays into politics, Lincoln spent the great majority of his working life as an attorney in Illinois, handling cases in the state and federal courts. In 2000, the Illinois Historic Preservation Agency published the complete documentary edition of Lincoln's law practice, which made available 91,000 documents relating to 5,600 cases and non-litigation activities. In 2008, the University of Virginia Press published *The Papers of Abraham Lincoln: Legal Documents and Cases* in a four-volume documentary edition.⁵

The principal purpose of the *Lincoln Legal Papers/Papers of Abraham Lincoln* project was to assemble the documentation relating to Lincoln's law practice to understand better the breadth and depth of his twenty-five-year legal career. As a result of publications in 2008, and an earlier complete edition in 2000, a wealth of books and articles have been published on the subject. While the documents provide information about Lincoln, they also provide a plethora of information about society in antebellum Illinois.⁶

We learn, for example, that several counties had an unusually large number of slander

cases. (Slander is the legal action that remedies someone making false statements about another person.) These cases show a sharp gender divide. Men were typically accused of theft or other petty crimes, but women were more often accused of improper sexual behavior. Most all slander cases resulted in a judgment for the plaintiff/accused against the defendant/accuser, but in many cases the plaintiff remitted (or returned) the damage award. This indicates that the purpose of the suit was not to gain a monetary award, but to restore the reputation of the accused. Reputation was very important in antebellum

society, as it is now, and common law remedy of slander was one legal action to regain that reputation.

The work of the *Lincoln Legal Papers* documentary edition provides easy access for researchers to learn about the legal system and the types of lawsuits that occurred in a given period of time. Other documentary editions chronicle the legal careers

and legal experiences of Daniel Webster, John Adams, Clarence Darrow, Joseph Smith, Andrew Jackson, and others. Large-scale documentary editions, such as the *Documentary History of the U.S. Supreme Court* provide transcribed documents of the early period of the court's history. Documentary editions are an excellent starting point to learn about cases, documents, legal actions, law practices in general, and the environment in which these people practiced law.⁷



Documentary editions allow simple and convenient access to legal documents

Resources

The American Association of State and Local History has an affinity group for Legal History. This group has members from both state and federal courts and has significant experience in putting on programs, building content for museums, and educating both adults and children: community.aaslh.org/courtandlegal.

A list of court historical societies can be found at www.ilndhistory.uscourts.gov/other.html.

For more information generally as well as specific programs and case databases, please see the following:

American Bar Association

- Public Education: www.americanbar.org/groups/public_education
- Mock Trials: go.aaslh.org/ABAMockTrials

American Society for Legal History

- Legal History Resources: www.aslh.net/resources-for-doing-legal-history

California

- Curious Cases: www.homesteadmuseum.org/talks

Illinois

- Abraham Lincoln: www.lawpracticeofabrahamlincoln.org
- History on Trial: historyontrial.org

Louisiana

- Supreme Court: libweb.uno.edu/jspui/community-list

Michigan

- Learning Center: courts.mi.gov/education/learning-center

Missouri

- County Circuit Court Case Files: go.aaslh.org/AdairCounty
- St. Louis Circuit Court Records: www.sos.mo.gov/archives/projects/stlcircuitcourt.asp
- St. Louis Freedom Suits: www.stlcourtrecords.wustl.edu/about-freedom-suits-series.php
- Supreme Court: s1.sos.mo.gov/records/archives/archivesdb/supremecourt

Ohio

- Case Reenactments: www.daytonhistory.org/events/historical-experiences/old-case-files

Oregon

- Supreme Court: digitallawlibrary.oregon.gov

Tennessee

- Supreme Court: supreme-court-cases.tennsos.org
- Judiciary Museum: www.tennesseejudiciarymuseum.org

Vermont

- Court Guide: www.sec.state.vt.us/media/644013/court-records-reference-guide_red.pdf

Virginia

- Chancery Court: www.virginiamemory.com/collections/chancery
- African American Narrative: www.virginiamemory.com/collections/aan



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¹ Daniel W. Stowell, ed., *The Papers of Abraham Lincoln: Legal Documents and Cases* (Charlottesville: University of Virginia Press, 2008), Vol. 3, 153.

² See for example, Joseph Chitty, *Chitty's Treatise on Pleading and Parties to Actions: With a Second Volume Containing Modern Precedents of Pleadings, and Practical Notes* (Springfield, MA: G. & C. Merriam, 1876) and Sabin D. Puterbaugh, *Puterbaugh's Illinois Pleading and Practice: A Practical Treatise on the Forms of Common Law Actions, Pleading, and Practice Now in Use in the State of Illinois* (Chicago: Callaghan & Company, 1896).

³ Illinois Courts, *How Cases Proceed Thru the Court System*, illinoiscourts.gov/General/Proceed.asp.

⁴ Edward J. Balleisen, *Navigating Failure: Bankruptcy and Commercial Society in Antebellum America* (Chapel Hill: University of North Carolina Press, 2001).

⁵ Martha L. Benner and Cullom Davis, eds., *The Law Practice of Abraham Lincoln: Complete Documentary Edition*, 2nd ed., (Springfield: Illinois Historic Preservation Agency, 2009); Stowell, *The Papers of Abraham Lincoln*.

⁶ See Mark E. Steiner, *An Honest Calling: The Law Practice of Abraham Lincoln* (DeKalb: Northern Illinois University Press, 2006) or Brian Dirck, *Lincoln the Lawyer* (Urbana: University of Illinois Press, 2007).

⁷ L. Kinvin Wroth and Hillier B. Zobel, eds., *Legal Papers of John Adams* (Cambridge: Harvard University Press, 1965); Alfred S. Konefsky and Andrew J. King, eds., *The Papers of Daniel Webster: Legal Papers* (Hanover, NH: Dartmouth University Press, 1982); Randall Tietjen, *In the Clutches of the Law: Clarence Darrow's Letters* (Berkeley: University of California Press, 2013); *The Joseph Smith Papers: Legal, Business, and Financial Records*, www.josephsmithpapers.org/the-papers/legal-business-and-financial-records; James W. Ely Jr. and Theodore Brown Jr., eds., *Legal Papers of Andrew Jackson* (Knoxville: University of Tennessee Press, 1988); Maeva Marcus, ed., *Documentary History of the Supreme Court of the United States, 1789-1800* (New York: Columbia University Press, 1986-2007).