State Historical Association that they would not release the material under any circumstance and would go to court to protect this privileged information. So that's the way we try to protect ourselves and our informants. Since we're going to have open discussion, could I throw out my question to the panel? Coming from the motion picture industry before I came to the archive and teaching in Cooperstown, we always had to have releases signed by every individual that we took a photograph of, and we gave them a dollar which was supposed to make it legal. It doesn't! For example, Sandy (Edward Ives) was asking about getting everybody to sign release forms for protection. However, in motion pictures if you put a picture in a context that can be interpreted as libelous, it doesn't matter whether they've given you a release or not. What is libel sometimes is a very interesting and complicated question. So some of the mechanisms here look like you're protected by law but you're not. Our archive has thrown this type of thing out. It's a cumbersome routine anyway, and it's a scarey procedure for both student collectors and informants. We haved had to fall back on ethics, especially individual ethics. Not only the sensitivity and ethical approach of the director who has to make the decision, but the collector himself and the informant are being brought a little bit more into what is happening. I won't go into stories about details, but I want to emphasize this - if we're going to spend our time worrying about the legalistic age that we're in, then we're going to have another one of those blocks that stops us from gathering data, and are not going to have time to enjoy our work. If we develop within our own selves and in the profession, the ethics, then - no problem. We can take a chance on the two or three per cent who may cause us difficulties.

## Discussion

Discussion following the panel comments was informal and speakers were often not identified. The main area of contention lay in the two opposing questions each archivist must ask himself in regards to the handling of sensitive materials. First he must consider whether as a responsible employee of an institution, he has a right to take a chance on behalf of the institution and perhaps thereby jeopardize the whole program involved with the archive. On the other hand, as a professional trained to consider the needs of serious scholarly research, the archivist can only be dismayed at the alternative of withholding sensitive materials from interested scholars who could otherwise use the materials in their research.

One discussant suggested that the risk might as well be assumed since interested parties will find a way to the information they want, the archivist notwithstanding. He emphasized his point with a reference to two collections of draft dodger lore that mysteriously disappeared from his archive and quietly reappeared a week later. Ellen Stekert closed the discussion with the suggestion that folklorists and archivists might join with other social scientists in an effort to develop a right of immunity or privileged information to protect themselves and their informants.

S.K.S.