

# Future of the past: access to public archives in southern Africa and challenges to historical research

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## Background to the study

Historical research is mainly concerned with creating a meaningful record of what ‘really’ happened in the past after systematically evaluating, analysing and synthesising evidence concerning human achievement.<sup>1</sup> However, historical research in southern Africa is in grave danger because of a variety of obstacles to accessing primary data contained in archival records. Primary and secondary data are the sources of historical research.<sup>2</sup> Secondary sources comprise of second hand versions of original data. On the other hand, primary sources, which are usually regarded as a key to historical research, are original accounts of the events.<sup>3</sup> Public archives are one of the major sources of primary data in historical research. The fact that archives are the main

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1. R. B. BURNS, *Introduction to research methods*, 4th ed, (Sage, London, 2000), p. 481; E. BRIDGES, G. HUNTER and P. P. MILLER, “Historians and archivists: a rationale for cooperation” in *The Journal of American History*, 80, 1993, p.180.
  2. R. B. BURNS, *Introduction to research methods*, p. 485; L. COHEN, L. MANION and K. MORRISON, *Research methods in education*, (5th ed, Routledge Falmer, London and New York, 2000), p. 158.
  3. L. COHEN, L. MANION and K. MORRISON, *Research methods in education*, p.161.

ingredients of historical research is no longer debatable. In that regard, the draft resolution formulated for the General Conference of the United Nations Educational, Scientific and Cultural Organisation (UNESCO) by the UNESCO expert consultation group, underscored the fact that archives were the basic source for the history of humankind as well as the ideal means for developing national awareness and identity.<sup>4</sup>

It is important to note that, although other researchers and academics use archives, historians and their students remain valuable clients of archives, for one major reason. Historical knowledge depends on documentary evidence. In order to provide leadership in the area of historical research historians use archives to investigate those issues that are central to a society's collective memory.<sup>5</sup> It is difficult if not impossible to reconstruct the past without archival records. Greg Bradsher, Director of the Holocaust-era Assets Records Project for the United States government, underscored that point when he was lobbying for access to the post-1922 archives of the Vatican. He argued that:

You can't have history without the records of the past, and those records are in archives. Unless you can get to that history, you can't really find out what justice needs to be done.<sup>6</sup>

It is evident that the ability of humankind to reconstruct most historical events largely depends on access to primary sources like archives. Access to archives is the key to facilitating the search for historical truth and ultimately justice.<sup>7</sup> On the other hand, literature on access to records and archives is very sparse.<sup>8</sup>

Starting with the scope of the study and definition of key concepts, the ensuing sections of this article examine the challenges posed to historical

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4. C. GUT, "Constitution and restitution of national archival patrimony" in A report for the Seventeenth International Conference of the Round Table on Archives held in Cagliari, 5-8 October 1977, p. 29.

5. G. BLAIS, *Access to archival records: a review of current issues. A RAMP study*, (UNESCO, Paris, 1995). Available at <http://www.unesco.org/webworld/ramp/htm>, (Accessed 10 July 2001).

6. J. L. ALLEN (Jr), "Digging for gold in the archives (opening archives from World War II era)" in *National Catholic Reporter*, December 4, 1998. Available at <http://www.natcath.com>, (Accessed 15 January 2001).

7. T. R. SCHELLENBERG, *Modern archives: principles and techniques*, (The University Press of Chicago, Chicago, 1956), p. 267.

8. V. HARRIS, "Public access to official records and the records management function of the South African State Archives Service" in *Innovation*, 4, 1992, p.12.

*Historia*, 47(2), November 2002, pp. 562-582.

research in southern Africa by the availability of archival records as well as making a contribution to the archives use and access discourse. The major challenges to accessing archival records are archival appraisal, legislation, backlog of unprocessed records, lack of finding aids, migrated archives, security classification of records, and lack of strategies of managing information resulting from the use of information and communication technologies.

### Scope and definition of key concepts

This study is based on the literature and the author's experiences as an archivist as well as being a member of the Executive Board of the East and Southern Africa Regional Branch of the International Council on Archives (ESARBICA). The scope of the discussion is limited, geographically, to Angola, Botswana, Democratic Republic of Congo, Kenya, Lesotho, Mozambique, Malawi, Mauritius, Namibia, Seychelles, South Africa, Swaziland, Tanzania, Uganda, Zambia, Zanzibar and Zimbabwe. Most of these countries are members of ESARBICA. Like its mother body the International Council on Archives, one of ESARBICA's major objective is to promote,

the more frequent use of archive repositories and effective and impartial study of archival documents by making their contents more widely known and by encouraging greater ease of access to archive repositories.<sup>9</sup>

In this article it is suggested that a lot still needs to be done before these countries can make archival records freely accessible for scholarly use.

Lets turn to defining the major terms used in the study for the simple reason that the usefulness of a study is mainly contingent on the clarity of the key terms it employs. *Access* and *public archival records* are key terms in this article. The meanings commonly attached to them are sufficiently varied, however, to warrant preferred definitions for the purposes of this article. Archives have been defined differently in terms of the materials, that is, records; facilities where they are kept or archive repository; and institutions concerned with their acquisition, preservation and communication.<sup>10</sup> Although, the definition of archives is greatly contested, archives have been

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9. INTERNATIONAL COUNCIL ON ARCHIVES, *Directory*, (ICA, Brussels, 1985), p. 5.

10. G. S. HUNTER, *Developing and maintaining practical archives: a how to do it manual*, (Neal-Schuman Publishers, New York, 1997), p. 2; P. WALNE (ed.), *Dictionary of archival terminology: International Council on Archives (ICA) Handbook Series*, Volume 3, (K.G. Saur Muchen, London, 1984), p. 25.

commonly characterized as witnesses to human thoughts and actions, and ‘a compendium of the underpinnings of societal rules and mores’ that provide reference points for human beings in the conduct of their daily lives as well as enriching their collective memory.<sup>11</sup>

Archives have been described in such a manner that it is possible to include the unrecorded oral testimonies and artefacts of society as well as written records.<sup>12</sup> In this discussion any reference made to archives is restricted to recorded information regardless of form or medium, created or received and accumulated by a person or organization in the course of the conduct of normal business<sup>13</sup> that is retained for its continuing value in providing evidence of the actions taken. The form on which the recording of information is done may be paper, microfilm, audiotapes, videotapes, photographs, slides, or any computer-readable medium such as computer tapes or disks. Archives can also be categorized according to their provenance or origin. Archives originating from government agencies are called public archives. Likewise, the *National Archives Act of South Africa*, no. 43 of 1996, defines public records as records created or received by a governmental body in the conduct of its business.<sup>14</sup> On the other hand, there are non-public archives that are created by individuals and private organisation. This study is mainly access to archival records of public origin.

Archivists select, acquire, arrange and describe archival records in order to facilitate their utilisation. The need to make archival records accessible and knowable across time and space is reason enough to justify investment of public money into their preservation. Access refers to the availability, ability and opportunity to consult records and archives.<sup>15</sup> Access to records and

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11. G. BLAIS, Access to archival records: a review of current issues.
  12. V. HARRIS, Exploring archives: an introduction to archival ideas and practice in South Africa, (National Archives of South Africa, Pretoria, 2000), p. 6.
  13. J. G. BRADSHER (ed.), *Managing archives and archival institutions*, (Mansell, London, 1988), p. 3; S. Z. DIAMOND, *Records management: a practical guide: policies, practices, resources, technologies*, 3rd ed, (AMACOM.I, New York, 1995), p. 1; P. WALNE (ed.), *Dictionary of archival terminology*, p. 137; F. B. EVANS, D. F. HARRISON and E. A. THOMPSON, “A basic glossary for archivists, manuscript curators, and records managers” in *The American Archivist*, 37, 3, 1974, p. 427.
  14. SOUTH AFRICA (SA), *National Archives of South Africa*, Act No. 43 of 1996. *Republic of South Africa Government Gazette*, Volume 376, No.17471.
  15. P. WALNE (ed.), *Dictionary of archival terminology*, p.15; C. COUTURE and J-Y ROUSSEAU, *The life of a document: a global approach to archives and records management*, (Véhicule Press, Montreal, 1982), translated by David Homel, p. 233.

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archives is largely influenced by legislation, and technical administrative constraints.

Legal frameworks that govern the definition of public archives, the right to information, the right to privacy, the protection of state and private interests largely regulate access to archives and records. The conditions under which the archives were acquired may also limit access to them. For instance, donated archives are regulated by donor agreements. Private donors have the right to impose reasonable restrictions upon their papers to protect privacy or confidentiality for a reasonable period of time. In order to facilitate access to such materials, archivists should discourage donors from imposing unreasonable restrictions and should encourage a specific time limitation on restrictions that are required.

On the technical and administrative level, some factors that come into play are the security classification of records, selection of archival records, migrated archives, systems of arrangement and description, and strategies for preserving documentary materials. Each of these barriers to accessing archival records will be of relevance in the discussion to follow. Now it would suffice to note that access to information contained in archival records has remained an unfulfilled dream in most southern African states because of legal and administrative constraints. The notion of access to public archives is not new. The concept has evolved over the years as it is going to be demonstrated in the following section.

### **Access to archives in historical perspective**

Principles of access to archives have developed in varying degrees over time. Before the nineteenth century, access to archives was strictly controlled and limited.<sup>16</sup> Archives were only made available to their creators or researchers officially commissioned to write about historical events of the creators of records. The major reason for the existence of archives was to serve the legal and constitutional needs of their creators. Thus, the main role of the archivist was to provide effective and efficient access to the records and archives by their owners.

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16. M. DUCHEIN, *Obstacles to the access, use and transfer of information from archives: a RAMP study*, (UNESCO, Paris, 1983). Available at <http://www.unesco.org/webworld/ramp/html>, (Accessed 10 July 2001). B. U. SEGURAR, *Access to the archives of United Nations agencies: a RAMP study with guidelines*, (UNESCO, Paris, 1986). Available at <http://www.unesco.org/webworld/ramp/html>, (Accessed 10 July 2001).

The French Revolution and philosophers of the seventeenth and eighteenth centuries influenced the gradual opening of public archives to researchers and historians in most European countries in the eighteenth and nineteenth centuries.<sup>17</sup> Philosophers like Jean Jacques Rousseau stressed that people had the right to control those who governed them. Voltaire also maintained that people had the right to criticise and, therefore, the right to knowledge. These thinkers believed that good governance and accountability largely hinged upon access to information created by public bodies. As a result of the influence of the ideas of the philosophers, the first law on archives, the Declaration of Archival Rights of 25 June 1794, which stemmed from the French Revolution proclaimed that the citizens would have free access to public archives.<sup>18</sup> The French Revolution launched the modern era in the history of archives as ‘arsenals of history’.<sup>19</sup>

The French Revolution also established the principles of national archives and legally opened the archives to all citizens in line with the traditional Greek concept of the accessibility of records and archives to the public.<sup>20</sup> For the first time in history, the responsibility of the state for the care of valuable documents of the past was formally acknowledged.<sup>21</sup> The ideas that emanated from the French Revolution have continued to define the care of archival records the world over. This explains why most governments recognize public archives as tools for improving governmental efficiency as well as preserving the national memory and cultural heritage. For instance, it is no wonder that the *National Archives Act of South Africa*, No. 43 of 1996, and *KwaZulu-Natal Archives Act*, No. 5 of 2000, provide for the proper management and care of the records of governmental bodies; and their preservation and use.

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17. M. DUCHEIN, Obstacles to the access, use and transfer of information from archives; B. U. SEGURAR, Access to the archives of United Nations agencies.
  18. C. COUTURE and J-Y ROUSSEAU, *The life of a document*, p. 22; E. POSNER, *Archives and the public interest* (Public Affairs Press, Washington, DC, 1967), pp.25-26; B. U. SEGURAR, *Access to the archives of United Nations agencies*.
  19. F. HUILING, “An assessment of archival literature” in *Archivum*, 43, 1996, p.215; E. POSNER, *Archives and the public interest*, pp.25-26.
  20. J. G. BRADSHER and M.F. PACIFICO, “History of archives administration” in J. G. BRADSHER (ed.), *Managing archives and archival institutions*, (Mansell, London, 1988), p. 25. C. COUTURE and J-Y ROUSSEAU, *The life of a document*, p. 22; M. J. PUGH, Providing reference services for archives and manuscripts (The Society of American Archivists, Chicago, 1992), p.5; E. POSNER, *Archives and the public interest*, p. 26.
  21. J. G. BRADSHER and M.F. PACIFICO, “History of archives administration”, p. 25. *Historia*, 47(2), November 2002, pp. 562-582.

Ever since the nineteenth century archives have ceased to primarily exist for providing evidence to their creators. Most national archives have opened up the archives to a wide range of users, although historians and genealogists remain the major users of archival records in southern Africa. The emergence of the concept of the right to information in the 1960's created new demands for accessibility to records and archives. The principle of the freedom of information is now enshrined in the constitutions of most democratic countries. However, the passing of Freedom to Information Acts (FIO) in most countries means that access to information will no longer be a privilege restricted to few scholars and researchers, but would become a democratic right for all citizens.

Ultimately, the right to be informed and the promotion of historical research will largely depend on how accessible the records become. In many countries in southern Africa, much of the information required by researchers is inaccessible. What are some of the major constraints to accessing archival records for the purposes of historical research in southern Africa? Starting with archival selection policies, the ensuing sections elaborate on some of the potential barriers and obstacles to accessing archival records by researchers in southern Africa.

### **Selection policies and access to public archival records**

Most of the records that are acquired as public archives are products of the system of archival appraisal. Archival appraisal is the process by which archivists evaluate records to determine whether they will be destroyed or permanently preserved as archives.<sup>22</sup> The question of what archives are preserved is key to the type of archival records that historical researchers would have access to. The problem with the system of archival appraisal is that it is a very subjective process.<sup>23</sup> How does the archivist ensure that the task of selecting archival records is done without prejudicing the accessibility of documentary evidence both to the present and future generations when, 'there is no way to know what's going to be valuable ten, fifteen, or hundred

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22. P. WALNE (ed.), *Dictionary of archival terminology*, p. 2; M. SCOTT, "Functional appraisal of records: a methodology" in *Records Management Journal*, 7, 1997, p.103.

23. P. NGULUBE, "Archival appraisal and the future of historical research in southern Africa" in *South African Historical Journal*, 45, 2001, p. 257.

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years from now’?<sup>24</sup> Thus the way that archival appraisal is done can hamper access to certain records. In fact, in appraising records,

archivists are doing nothing less than moulding the future of our documentary heritage. Archivists determine which elements of social life are imparted to future generations.<sup>25</sup>

Ultimately, archival appraisers are co-creators of archival records that are preserved in archives and used by researchers.<sup>26</sup>

In essence, archivists decide, in Cook’s words,

what is remembered and what is forgotten, who in society is visible and who remains invisible, who has a voice and who does not.<sup>27</sup>

The archival records that are selected through the process are then arranged, described, preserved and made available to researchers. If the ultimate goal of historical research is to give a comprehensive and objective account of contemporary and past events, how do researchers fulfil their responsibility to society and themselves using documents that are purposely selected by archivists? Perhaps, the most important service rendered by archivists to society is the endeavour to select and preserve materials that give a representative documentary picture of humankind.

However, if archivists’ personal biases and prejudices are allowed to shape appraisal processes, then the manner in which archival records are acquired can severely handicap the ability of researchers to reconstruct the past with some degree of accuracy. In addition, if the selection processes were not rigorous enough and not appropriate the community in general and historians in particular would not be interested in archives they perceive to be unrepresentative of societal experiences.<sup>28</sup> In fact, archives can only get the

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24. G.F. HAM, “Archival choices: managing the historical records in an age of abundance” in N.C. PEACE (ed.), *Archival choices: managing the historical record in an age of abundance*, (Lexington Books, Lexington, MA, 1984), p.133.

25. T. COOK, “From the record to its context: the theory and practice of archival appraisal since Jenkinson” in *South African Archives Journal*, 37, 1995, p. 32.

26. V. HARRIS, *Exploring archives*, p.42; V. HARRIS, “Postmodernism and archival appraisal: seven theses” in *South African Archives Journal*, 40, 1998, p. 49; T. COOK, “From the record to its context: the theory and practice of archival appraisal since Jenkinson” in *South African Archives Journal*, 37, 1995, p. 32.

27. T. COOK, “From the record to its context: the theory and practice of archival appraisal since Jenkinson” in *South African Archives Journal*, 37, 1995, p. 32.

28. A. SCHWIRTLICH, “The functional approach to appraisal: the experience of the National Archives of Australia” in *Comma: International Journal on Archives*, 1/2, 2002, p. 61.

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image of useful social institutions that can be trusted if they provide services, like selecting archival records, on a high professional level.<sup>29</sup>

In essence, wrong appraisal decisions can be a barrier to access to public archival records by society. It remains to be seen whether or not the macro-appraisal approach that is currently being widely advocated in most archival circles as opposed to the traditional valued-based systems of archival appraisal will produce documentation that is representative enough not to constitute a barrier to accessing information contained in archival records by present and future generations.<sup>30</sup>

### **Legislation and access to public archival records**

Let us consider archival legislation as it pertains to accessing information contained in public records. The effect of the Freedom of Information (FOI) legislation on making information available to the public is beyond the scope of this discussion. As a matter of fact, the impact of FOI on accessing records, in general and archival records in particular, in Africa has not yet been assessed.<sup>31</sup> In the case of South Africa, it has also been observed that the full impact of the *Promotion of Access to Information Act (PAIA)*, No. 2 of 2000,<sup>32</sup> on providing access to records is not due to lack of empirical evidence.<sup>33</sup> Statistics on the use of the Act to access information are just not available. It is evident that archival legislation remains the mainstay of accessing public archival records in southern Africa.

Administering access is an essential archival function. Archival legislation in southern Africa accentuates the right of the public to inspect public archives of a certain age subject to the provisions of any other Acts of Parliament. In conformity with international norms, access to public archives in southern

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29. A. MENNE-HARITZ, "Access: the reformulation of an archival paradigm" in *Archival Science*, 1, 2001, p. 59.
  30. For part of the discourse on micro-appraisal see, T. COOK, "From the record to its context: the theory and practice of archival appraisal since Jenkinson" in *South African Archives Journal*, 37, 1995, pp. 32-52; V. HARRIS, *Exploring archives*, pp.36-45; C. KIRKWOOD, "The National Archives' appraisal programme" in *South African Archives Journal*, 40, 1998, pp. 41-44.
  31. N.M. MNJAMA, "Freedom of information legislation in ESARBICA states and its implication on records management practices" in *African Journal of Library, Archives and Information Science*, 10, 1, 2000, p.53.
  32. SOUTH AFRICA (SA), *Promotion of Access to Information Act*, Act No. 2 of 2000. *Republic of South Africa Government Gazette*, Volume 416, No. 20852.
  33. V. HARRIS and S. HATANG, "The operation of the Access to Information Act has been patchy" in *The Natal Witness*, 2002.05.13. Available at <http://www.witness.co.za>, (Accessed 17 May 2002).

Africa can be restricted on the grounds of national security, maintenance of public order, public morality, and public health, safeguarding the revenues of the state, or protection of the privacy of living individuals. Any restrictions imposed, however, must not exceed those, which are reasonably justifiable in a democratic society. The need to balance the right to access with all these restrictions is the major challenge facing the archivists. However, the existence of legal authority to access information does not guarantee physical access. As we are about to demonstrate below, access to information can be totally denied by virtue of the absence of means of locating it.

In an attempt to balance the right to access with the various legal restrictions to accessing publicly held information archival legislation of countries in southern Africa also specifies the time when a record can be opened for public inspection. The notion of restricting access to public records on account of their age is commonly referred to as closed periods. The following section examines the concept of closed periods and its potential impact on the interpretation of history.

### **Effects of closed periods on interpreting history**

Closed periods or restricted access periods are a common feature of archival legislation in countries of southern Africa.<sup>34</sup> An overview of archival legislation of countries in southern Africa underscores a uniform approach towards access to public archives. Most public archival records have a closed period. It means that public archives are available for public inspection after a stipulated period of time from the date in which they were created. The closed periods vary from country to country. For instance, in Lesotho it is 35 years; in Kenya, Namibia and Tanzania it is 30 years; in Mauritius it is 60 years; in Sudan records are closed for 50 years; in Zimbabwe for 25 years; and in Botswana, South Africa and Zambia for 20 years.<sup>35</sup> The closed period is basically applied to ensure the availability of the archives or records for continued administrative use and to protect their confidentiality. Some public archives may be closed for public inspection for longer than the closed periods because of the sensitive or personal nature of their content. Confidential records, which are discussed in the next section, would fall under this category. A researcher wishing to access government archives or

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34. J. WAMUKOYA, "Records and archives as a basis for good government: implications and challenges for records managers and archivists in Africa" in V. HARRIS (ed.), *Proceedings of 15th general biennial conference of the Eastern and Southern Africa Regional Branch of the International Council on archives, Zanzibar, 26-30 July 1999*, (ESARBICA, 1999), p. 6.

35. P. NGULUBE, "Access and the right to privacy" in *Ibid.*, p. 91.  
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records which fall within the 'closed' category can make an application for special access.

The interpretation of history largely depends on the evidence that is available to the researchers at any given point. Closed periods can inhibit access to archival records as well as distorting the interpretation of history. It is important at this stage to briefly look at two documented cases studies in order to demonstrate how the closed periods can be detrimental to accessing information contained in archival records, including the interpretation of history. The principle of closed periods has been used by the Vatican to prevent access to records generated after 1922.<sup>36</sup> Some of the records are critical to the hunt for assets looted by Nazis during World War II. In fact, United States government experts believed that the Vatican archives might hold records critical to helping Nazi victims receive compensation for stolen property.<sup>37</sup>

Researchers are also eager to find out what the Vatican knew about events across Europe during the war. After considerable discussions with Seymour D. Reich, the Chairman of the International Jewish Committee on Inter-religious Consultations (IJCIC), the Vatican agreed to allow Catholic and Jewish scholars to make a joint study of some of the Vatican archives dealing with World War II. The objective was to try resolving the contentious issue of whether the Roman Catholic Church could have done more to avert the Holocaust.<sup>38</sup> Be that as it may, access to the post 1922 records is still partially restricted. Without enhanced access to those archival records, historians can only speculate on what the Vatican's role was. The interpretation of the Roman Catholic Church's contributions to society's development during that period will remain relatively obscure as long as the archives continue to be selectively accessible.

The Georgian Affair of 1922 presents a classical example where historians failed to accurately interpret the past because of lack of access to certain archival records. It was not until the fall of the Union of Soviet Socialist Republics when archival records became widely accessible that more light was shed on the episode. In a nutshell, the dispute over Georgia in the latter part of 1922 was a critical episode in Soviet history, which may have

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36. J. L. ALLEN (Jr), "Digging for gold in the archives (opening archives from World War II era)" in *National Catholic Reporter*, December 4, 1998. Available at <http://www.natcath.com>, (Accessed 15 January 2001)

37. *Ibid.*

38. ANON., "Interfaith team to study archives: Jewish and Catholic scholars will study World War II Vatican archives" in *The Christian Century*, November 3, 1999. Available at <http://www.findarticles.com>, (Accessed 15 January 2001).

contributed to a major rift between Lenin and Stalin and could have influenced the whole structure of the Soviet Union.<sup>39</sup> The dispute was serious because it concerned a key area of policy and coincided with the political decline of Lenin as a result of illness. It was also the beginnings of a power struggle between his potential successors who were challenging the leadership of the Communist movement in both Russia and the world. It is evident that this affair also inspired Lenin's last major writings, including the national question.<sup>40</sup>

A lot has been written on the Georgian Affair. Pipes<sup>41</sup> and Lewin<sup>42</sup> have provided some of the most influential accounts.<sup>43</sup> According to Pipes the episode demonstrated the bankruptcy of whatever solutions to the national question the Bolsheviks, and particularly Lenin, advocated.<sup>44</sup> Lewin<sup>45</sup> barely questioned Lenin's national policy, and treated the affair mainly in terms of the power struggle, which accompanied Lenin's deteriorating health condition. According to Smith earlier accounts on the Georgian Affair are not balanced because the writers lacked detailed information as a result of limited access to archival records.<sup>46</sup> Since the opening of the Soviet Union's archives it has become clear that the affair was far more complicated than had earlier been perceived. A detailed written report of a three-man commission appointed by Lenin in 1923 to investigate the problems faced by the Georgian Communists as well as a collection of secret minutes, letters, telegrams and speeches made available by the archival institutions to researchers have helped historians to underscore the complexities involved in the Georgian affair more accurately than before.

These case studies represent a few stories that have been told in relation to the negative effects on writing history that the closure of archival records to public inspection may have. There are many untold stories where historical accounts have remained one-sided as a result of limited access to records.

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39. J. SMITH, "The Georgian affair of 1922: policy failure, personality clash or power struggle?" *Europe Asia Studies*, (1998). Available at <http://www.findarticles.com>. (Accessed 15 January 2001).

40. R. PIPES, *The formation of the Soviet Union: Communism and nationalism, 1917-1923*, (Harvard University Press, Cambridge, MA, 1964), p.282.

41. R. PIPES, *The formation of the Soviet Union*, pp.267- 282.

42. M. LEWIN, *Lenin's last struggle*, (Pluto, London, 1975) cited in J. SMITH, "The Georgian affair of 1922".

43. J. SMITH, "The Georgian affair of 1922".

44. R. PIPES, *The formation of the Soviet Union*, p. 276.

45. M. LEWIN, *Lenin's last struggle*.

46. J. SMITH, "The Georgian affair of 1922".

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There is, however, a strong movement in the archival industry to liberalise access. Indeed, some countries like the United States of America, Norway and Sweden, have moved away from a blanket closure period such as we have in southern Africa. There is a sense of public right of access. All government records are open to the public at a very early age with the exception of specific ones that are exempted.<sup>47</sup> In that regard, the participants of the XVth ESARBICA Conference resolved that member states should re-examine legislation and regulations governing the public rights of access to information, with a view to reducing the closed period.<sup>48</sup> On their part, historians in southern Africa should join ranks with archivists and other stakeholders to lobby their respective governments in order to further liberalize access to public archives instead of waiting for ages, (for example, up to 35 years as is the case in Lesotho) before having access to one of their major tools of the trade.

### **Confidential and classified archives**

The degree of confidentiality of the information contained in records largely determines the length of time particular records would remain closed to the public. The classification of information as restricted, confidential and top secret by the creating government departments can also inhibit access to the records even after the normal closed period has expired. Top-secret records contain information whose unauthorized disclosure can cause grave damage to the interests of a sovereign state.<sup>49</sup> On the other hand, confidential and restricted records contain information whose unauthorized disclosure can prejudice the interest of the state or an individual. Such information can also save the state or an individual from embarrassment. The responsibility for this classification rests with the originators of records.

There are times when the security classification of records is done arbitrarily. Some instances have been reported when records pertaining to ‘Staff Christmas Party’ and ‘Taxi Parks’ have been classified as confidential.<sup>50</sup>

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47. P. NGULUBE, “Access and the right to privacy” in p. 94.

48. Conference resolutions, in V. HARRIS (ed.), *Proceedings of 15th general biennial conference of the Eastern and Southern Africa Regional Branch of the International Council on archives, Zanzibar, 26-30 July 1999*, p. 113.

49. GOVERNMENT OF BOTSWANA, DIRECTORATE OF THE PUBIC SERVICE MANAGEMENT, *Registry handbook*, (Government Printers, Gaborone, 1993), p. 71.

50. P.C. MAZIKANA, “Access to records: conditions and constraints” in V. HARRIS (ed.), *Proceedings of 15th general biennial conference of the Eastern and Southern Africa Regional Branch of the International Council on archives, Zanzibar, 26-30 July 1999*, p.75.

Classified records are generally withheld from public inspection longer than ordinary records. As a rule they must be declassified before they are made accessible. There is need to use the classification schemes sparingly in order to make public records easily accessible. In addition, records creators should also review classified records from time to time because with the passage of time the status of some documents might change. With time confidential and restricted records should be made available for public inspection. According to Schellenberg, 'every restriction should be subject to some limitation in time' so that records that are preserved in the archives will eventually be open to public use, otherwise, there would be no justification in preserving them in the first place.<sup>51</sup>

### **Finding aids and backlogs of unprocessed records**

Technically records can be physically made available to researchers after the expiration of the closed period, but if they are not processed and accompanied by finding aids they will remain inaccessible. Records and archives are completely inaccessible in most countries in southern Africa because most unprocessed records do not have any rudimentary tools for retrieving them. A study carried out by Duchein in developing countries argued that access to archives was non-existent largely due to the absence of finding aids.<sup>52</sup> The existence of finding aids is one of the key indicators of accessibility to archives. Thus, it has been argued that the major barrier to accessing archival records is not the legislation that limit and prevent access, but simply the lack of finding aids and backlogs of unprocessed records.<sup>53</sup>

Like many countries in southern Africa, Botswana has been struggling with backlogs of unprocessed records for a long time.<sup>54</sup> In the case of South Africa, backlogs of unprocessed records without even a rudimentary finding aid amounted to 8 877 linear metres in the year 2000.<sup>55</sup> The situation is worse in Zimbabwe where materials transferred to archives in the 1980s are not yet

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51. T. R. SCHELLENBERG, *Modern archives: principles and techniques*, p. 225.

52. M. DUCHEIN, *Obstacles to the access, use and transfer of information from archives: a RAMP study*, (UNESCO, Paris, 1983).

53. P.C. MAZIKANA, "Access to records: conditions and constraints", p. 74.

54. C.T. NENGOMASHA, "Strategic planning in the Botswana National Archives and records services" in *ESARBICA Journal*, 17,1998, p.18.

55. S.A., DIRECTORATE STATE ARCHIVES AND HERALDIC SERVICES, *Annual reports*, (Department of Arts, Culture, Science and Technology, Pretoria, 1999-2000), p. 13.

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processed.<sup>56</sup> The problem in Zimbabwe can largely be attributed to high staff turnover. According to King, at one time one third of the staff at the National Archives of Zimbabwe was training newcomers.<sup>57</sup> However, backlogs are not peculiar to Africa. The problem was recently reported in the UK, for example.<sup>58</sup>

Backlogs of unprocessed archives can constrain access to public records and archives. Although records and archives would be physically present and access to them permitted in terms of the existing legislation, to all intents and purposes, the documents would be inaccessible to those who may need them because of lack of means of locating information in them, as they lie unprocessed in an archival repository. The existence of backlogs severely compromises the capacity of archival institutions in southern Africa to make their holdings accessible to users.

Efficient access to the information which users require can only be secured when the records are appropriately arranged and described. Arrangement and description of archives help to 'unlock' the contents of archives. The primary purpose for arranging and describing archives is to establish physical, administrative and intellectual control.<sup>59</sup> Archives can be easily identified, managed, located and interpreted as a result of arrangement and description. Arrangement and description also facilitate the creation of finding aids like descriptive inventories, calendars, item catalogues, indexes and guides, which are essential to creating intellectual access. Finding aids are a result of processing of archives in order to make them accessible. The lack of finding aids ultimately affect access to information. Their absence is a clear indicator that access to records and archives is limited or not possible.

Unprocessed archives are as good as archives that are physical out of the national borders of a particular country. Archives that are outside the borders of any given country are called migrated archives. The next section deals with

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56. A. KINGS, "Of mice and manuscripts: a memoir of the National Archives of Zimbabwe" in *History in Africa*, 25, 1998, p. 408.

57. *Ibid.*, p. 408; see also P. NGULUBE, "Staff retention at the National Archives of Zimbabwe" in *African Journal of Library, Archives and Information Science*, 10, 2, 2000, pp. 139-51.

58. HISTORICAL MANUSCRIPTS COMMISSION, *Archives at the millennium: the twenty-eighth report of the Royal Commission on Historical Manuscripts 1991-1999*. Available at <http://www.hmc.gov.uk/pubs/pubs.htm>. (Accessed 5 April 2002).

59. D.B. GRACY II, *Archives and manuscripts: arrangement and description*, (Society of American Archivists, Chicago, 1977), p. 19.

the challenges posed by migrated archives to accessing information by researchers.

### **Access to migrated archives or archives in exile**

Depending on the taste of a particular writer, migrated archives<sup>60</sup> are sometimes referred to as archives in exile,<sup>61</sup> disputed claims<sup>62</sup> and archival claims.<sup>63</sup> Migrated archives refer to archives transferred from one country to another without consent. In terms of Auer's typology, disputed claims resulted from the break-up of political entities, decolonisation, and World War II and I.<sup>64</sup> Decolonisation accounts for almost all archives of southern Africa that are in exile. Colonial powers remained with some of the archives of their former colonies at their metropolitan capitals partly as a result of the administrative arrangements that prevailed prior to decolonisation. Most African leaders paid little attention to the archival aspect of sovereignty at the time of gaining national independence.<sup>65</sup> On the other hand, authorities in the former colonial powers were reluctant to transfer the archives of their former colonies to the newly independent states.<sup>66</sup> It is evident that the granting of independence was supposed to be accompanied by the transfer of archives to facilitate administrative continuity. Fundamentally, public archives

embody the great fund of official experience that the government needs to give continuity and consistency to its actions.<sup>67</sup>

In addition to affecting administrative continuity, the non-transfer of archival records to their countries of origin at the attainment of independence also

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60. N.M. MNJAMA, "ECARBICA and migrated archives: project of National Archives of Kenya" in *ESARBICA Journal*, 5, 1982, p. 28; M. MUSEMBI, *Archives management: the Kenyan experience*, (Africa Book Services, Nairobi, 1984), p. 32.
  61. N. NSIBANDZE, "Southern African archives in exile" in *South African Archives Journal*, 38, 1996, p.84.
  62. L. AUER, *Disputed archival claims: analysis of an international survey*, (UNESCO, Paris, 1998), p. 1.
  63. C. KECSKEMETI, *Archival claims: Preliminary study on the principles and criteria to be applied in negotiations*, (UNESCO, Paris, 1977), p. 6.
  64. L. AUER, *Disputed archival claims: analysis of an international survey*, p.10.
  65. C. KECSKEMETI, *Archival claims: Preliminary study on the principles and criteria to be applied in negotiations*, p. 22.
  66. *Ibid.*, p. 23.
  67. T. R. SCHELLENBERG, *Modern archives: principles and techniques*, p. 10. *Historia*, 47(2), November 2002, pp. 562-582.



deprived the citizens of those countries their right to have ready access to their own history.<sup>68</sup>

Some of southern Africa's archives are in the custody of former colonial powers and other African countries.<sup>69</sup> For example, some of Zimbabwe's archives are in South Africa and Britain by virtue of the fact that the British South Africa Company administered the then Southern Rhodesia from South Africa and Britain. Equally, the records of Malawi and Zambia remained at the National Archives of Zimbabwe after the break-up of the Federation of Rhodesia and Nyasaland. The phenomenon of disputed claims is not exclusive to southern Africa. For instance, some of Austria's archives are in the Russian Federation. The Nazis initially seized some 500 linear metres of Austrian archives in 1938. However, in 1945 the Red Army of the Soviet Union took those archives into its custody after invading Germany.<sup>70</sup>

Migrated archives are important for the general, cultural, political and economic history of the countries that underwent foreign occupation and domination.<sup>71</sup> Access to them is indispensable to writing the history of those particular countries. It was in that light that the Eighth Session of the UNESCO General Conference adopted a resolution in 1975 inviting its member states to

give favourable consideration to the possibility of transferring documents from archives constituted within the territory of other countries related to their history, within the framework of bilateral agreements.<sup>72</sup>

The transfer of archival records from repositories of other countries to the countries of their origin through bilateral arrangements or otherwise has not been very successful due to legal, financial and technical constraints. Lack of agreed-upon policies and procedures for the transfer of ownership of archives of new states created as a result of decolonisation hampered the repatriation programmes of archival records. Principles and guidelines to facilitate the

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68. C. KECSKEMETI, *Archival claims: Preliminary study on the principles and criteria to be applied in negotiations*, p. 27.

69. N. NSIBANDZE, "Southern African archives in exile" in *South African Archives Journal*, 38, 1996, p.84.

70. L. AUER, *Disputed archival claims: analysis of an international survey*, p.3.

71. C. GUT, "Constitution and restitution of national archival patrimony", p. 2.

72. F. B. EVANS, "The action by UNESCO and ICA since 1976" in *Proceedings of the XXXth International Conference of the Round Table on Archives on Archival Interdependencies in the Information Age, Thessaloniki, 1994*, p. 68.

formulation of bilateral and multilateral agreements have remained elusive.<sup>73</sup> Problems of dealing with restitution and access to disputed claims largely depend on the circumstances that led to the disputed claim. That means each case tends to be unique and less amenable to universal models. The other problem of dealing with migrated archives is that the classes of records transferred to the capitals of the colonial powers cannot be precisely established.<sup>74</sup> In addition, inventories of public archival records in repositories of former colonial powers that relate to the history of former colonies are not always available.

Taken together, these factors have greatly inhibited access to archival records in southern Africa. The reconstitution of the archival claims of southern Africa through the transfer of microforms has not been successful due to financial constraints.<sup>75</sup> National and international efforts to reconstitute the archival heritage of the developing world have been thwarted by lack of adequate funding.<sup>76</sup> Thus, the colonial past of southern Africa cannot be fully reconstructed because of the failure of the former colonial powers and the international community to transfer all public archival records from the capitals of former colonising powers either as originals or as microfilmed copies.

Access to some of the archival records in the custody of former colonial powers is inhibited by the variation of closed periods. For example, in the United Kingdom (UK) public archives are only available for public inspection after 30 years.<sup>77</sup> If a country like Zambia with a closed period that is limited to 20 years<sup>78</sup> had migrated archives in the custody of the Public Records Office in the UK dating back to 1959, researchers were only going to have access to those particular records in 1989. On the other hand, the same class of records would have been opened for public inspection and use in

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73. A useful study commissioned by UNESCO to help in that regard resulted in a *Model bilateral and multilateral agreements and conventions concerning transfer of archives*, (Paris, 1980) prepared by C. Kecskemeti and E. van Laar.

74. M. MUSEMBI, *Archives management*, p. 32.

75. A. FARRINGTON, "The ICA's international microfilming project, is there a future?" in *Proceedings of the XXX th International Conference of the Round Table on Archives on Archival Interdependencies in the Information Age, Thessaloniki, 1994*, p. 113.

76. A. FARRINGTON, "The ICA's international microfilming project, is there a future?", p. 115; M. MUSEMBI, *Archives management*, p. 40.

77. UNITED KINGDOM (UK), PUBLIC RECORDS OFFICE, Public Records Act 1958. Available at <http://www.pro.gov.uk/about/act/preact.htm>, (Accessed 23 July 2002).

78. "National Archives Act of Zambia, 1969" in *Archivum*, 20, 1970, pp.145-54.

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1979 if they were in Zambia where they would be governed by the provisions of the National Archives Act of Zambia that was passed in 1969. Such discrepancies in opening up archives to the public unnecessarily deprive researchers in former colonies timely access to records that would otherwise have been accessible if they were in their countries. In fact, in the early eighties Kenya had to limit its microfilming programme of its migrated archives in the UK to those records that were open for public inspection in terms of the British archives legislation.<sup>79</sup> The National Archives of Kenya was not able to get the records that were still subject to the closed period, although, they were of interested to the Kenyans.

According to Wilson's typology migrated archives can constitute 'systemic barriers' to accessing information.<sup>80</sup> Systemic barriers largely influence physical access and the opportunity to examine archives and records. Even if migrated archives physical exist in national archives of former colonial powers, researchers in the developing world find it extremely difficult and expensive to use them. Researchers in the developing world have two options, that is, either to go to the countries that have custody of records pertinent to their research interests or request for copies. Both options are expensive considering the foreign currency exchange rate prevailing in most developing countries *vis-à-vis* the US dollar. It is also worth noting that in cases where orders for copies have been placed with holding institutions delivery times have been dismally poor.<sup>81</sup>

### **Information and communication technologies and access to archival records**

Information and communication technologies constitute yet another major potential obstacle to accessing archival records. Traditionally, the bulk of public archival records have been paper-based. New information and communication technologies have ushered in the production and use of electronic records. The major driving force behind the technological changes has been the computer. Computer technology makes the production, transmission, manipulation, organisation, maintenance and consultation of records and archives easier and faster, but it represents a threat to their

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79. M. MUSEMBI, *Archives management*, p. 42.

80. I. E. WILSON, "Towards a vision of archival services" in *Archivaria*, 31, 1991, p. 97.

81. A. FARRINGTON, "The ICA's international microfilming project, is there a future?", p. 115.

integrity, accessibility and preservation.<sup>82</sup> Although, information technologies can be used to enhance access to archival records, they do not guarantee long-term access to information.

There are significant challenges associated with ensuring access and preserving digital materials into the future as compared with traditionally paper-based information.<sup>83</sup> The key problem of electronic records with regard to preserving and making them accessible overtime is that electronic resources are subject to technological obsolescence and physical deterioration; and their life-expectancy has not yet been firmly established. In addition, standards for the management of electronic records are relatively undeveloped. In spite of all these factors, plans for preserving digital information and making it accessible for the present and future are inadequate in Sub Saharan Africa in general and southern Africa in particular.<sup>84</sup>

Without procedures for digital preservation it is going to be difficult if not impossible to have access to public archival records in the electronic environment. More attention should be given to preserving the integrity and usability of the information that is being electronically generated if continued access to it is to be guaranteed. Equally, historical research will not be possible if electronic records are lost into obsolete computer hardware and software. It should be pointed out that the absence of appropriate preservation strategies could lead to the de facto prohibition of access to archival records irrespective of their formats. It is therefore important that public archival records are maintained in a useable state, either in their original physical form or in some other useable way so that the right of the people of southern Africa to information concerning their history is not unnecessarily compromised.

## **Conclusion**

This article tried to bring to the fore the fact that access to archival records is key to conducting historical research. The assumption was based on the premise that archives are the primary raw materials for historical research.

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82. L. DURANTI and H. MACNEIL, "The protection of the integrity of electronic records: an overview of the UBC-MAS research project" in *Archivaria*, 42, 1996, p. 46.

83. E. KLIJN and Y. DE LUSENET, In the picture: preservation and digitisation of *European photographic collections*, (European Commission on Preservation and Access Amsterdam, 2000), p. 1.

84. P. NGULUBE, "Strategies for managing digital records and documents in the public sector in Sub Saharan Africa". Paper read at the 67th IFLA Conference in Boston, Massachusetts, USA, August 16-25, 2001. Available at <http://www.ifla.org/IV/ifla67/papers/110-172e.pdf>, (Accessed 10 July 2002).

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The future of historical research in southern Africa is not guaranteed as a result of a variety of factors that militate against access to archival records. The constraints to accessing records discussed in this article include archival appraisal, legislation, closed periods, classification of records as restricted, backlogs of unprocessed records, migrated archives, and information and communication technologies. Without access to public archival records it would be quite difficult and probably impossible to reconstruct balanced historical accounts.

It is quite true that different researchers using the same document may come to different conclusions. Additionally, access to public archival records does not in itself guarantee impartiality in the interpretation of events. However, access to original sources can afford other scholars the opportunity to validate the accuracy of any historical discourse. It is evident that access to archives facilitates efficient research and the documentation of the past. The future of historical research in southern Africa will largely depend on formulating strategies that are going to facilitate access to public archival records while giving due regard to the legitimate interests of the state and individuals.

### **Opsomming**

#### **Toekoms van die verlede: toegang tot die openbare argiewe in suider-Afrika en die uitdagings vir historiese navorsing**

Geskiedkundige navorsing oor die menslike beskawing is aangewese op die beskikbaarheid van argiefstukke. Die toekoms van argiewe in suidelike Afrika is nie 'n uitgemaakte saak nie. Daar is 'n aantal versperrings vir navorsers om inligting uit argiefmateriaal te ontsluit. Van die grootste hindernisse is wetlike aspekte en die argief se keuringsbeleid. Verder, argiefstukke wat as vertroulik, of as hoogs geheim, geslote bly, strem navorsing. Meer praktiese probleme sluit in ongerieflike sluitingstye en die gebruik van tegnologiese hulpmiddels. Die opeenhoping van onverwerkte (of ongeklassifiseerde) argiefstukke en die gebrek aan 'n uitvoerbare strategie vir die hantering en beheer van argiefmateriaal, frustreer die navorser en maak navorsing dikwels bykans onmoontlik. In die studie word 'n beroep op historici gedoen om betrokke te raak in die proses om 'n meer doeltreffende argiefstelsel vir toekomstige gebruikers te skep.