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# ACCESS TO ARCHIVES AT THE NATIONAL ARCHIVES OF NAMIBIA

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## Abstract

*This article is based on findings of a study of the National Archives of Namibia conducted in 2015. The study investigated the terms and conditions that guide access at the National Archives of Namibia. The study also investigated how the National Archives of Namibia has conformed to the ICA Code of Ethics and The Universal Declaration on Archives as regards access to archives. The population of the study comprised researchers and members of staff the National Archives of Namibia. Data collection method used was face to face interviews. The findings revealed that the National Archives of Namibia did not have a programme to promote its activities and was not fully taking advantage of information technologies and social media to promote access to its collections. Backlogs in arrangement and description; a lengthy closure period of 30 years; and failure to clearly interpret issues of sensitivity, confidentiality and privacy were some of the challenges to administering access by the National Archives. The authors present a number of recommendations which include development of clear guidelines on the sensitivity, confidentiality and privacy; revision of the National Archives Act to reduce the closure period and the use of ICTs and social media to promote access to archival collections.*

## Keywords

Access, archives, National Archives of Namibia, privacy

## Introduction

The archival world has acknowledged in principle, democratic and scholarly claims to access (Tener 1978). From its inception in 1948, the International Council on Archives (ICA), pledged as one of its aims, "to facilitate more frequent use of archives . . . by encouraging greater freedom of access (UNESCO 1948:1). Several ICA documents (*Code of Ethics* of 1996; *Universal Declaration on Archives* of 2010) underscore the importance of access as an element of archival practice. The *Code of Ethics* states: in principles 6 and 7: "Archivists should promote the widest possible access to archival materials and provide an impartial service to all users" (Principle 6); and "Archivists should respect both access and privacy, and act within the boundaries of relevant legislation" (Principle 7) (ICA 2012:1). The *Universal Declaration on Archives* "identifies one of the vital roles of archivists as 'making archival materials available for use', and pledges that archivists will work together in order that 'archives are made accessible to everyone, while respecting the pertinent laws and the rights of individuals, creators, owners and users'" (ICA 2012:1).

The term *access* refers to the “terms and conditions of availability of records . . . maintained or held by an archive for evaluation or consultation by its users” (Jeremy, Woodley and Kupke 2008:351). These terms and conditions include: legislation; sensitivity or confidentiality of the materials; privacy; donor restrictions; users; equity; levels of access; control of the holdings; physical conditions; and security. Access has moved from being regarded as a favour to being considered a right, which however requires some legislative or regulatory machinery for its application.

This article reports on the findings of a case study of the National Archives of Namibia. Namibia, formerly known as South West Africa, was under German administration from 1883 until 1915 when it was occupied by South Africa. The National Archives formed in 1939, and then known as the Archives Depot of the Territory, came under the South African *Archives Act* and under the control of the South African Director of Archives in 1969. This control remained until September 1979 when it became a part of the newly established Directorate of National Education in the new South West Africa (Namibia) Public Service (Taylor 1994:59). Namibia became independent in 1990. Archives legislation for Namibia was enacted in 1992, the *Archives Act 12 of 1992* (Republic of Namibia, Office of the Prime Minister, 1992) Namibia covers an area of 824,292 square kilometers (318,259 square miles (Nations Encyclopedia 2016). The vastness of the country has significant implications for provision of access for the National Archives which has only one branch, the headquarters in the capital city, Windhoek.

In addition to public archives the holdings include amongst others, private archives collections of non-governmental organisations, churches, and individuals; maps and plans (over 6,000); posters; sound recordings, especially oral history (currently over 1,300 cassettes); films and videos; and photos (22,000 catalogued and digitized) (National Library and Archives Services 2015).

### Statement of the problem

The ICA advises that since conditions are frequently attached to the access allowed, extensive enquiry is necessary to determine how most of these rules of access actually work in practice (Tener 1978:18). Ngulube, Sibanda and Makoni (2013) point out that there have not been many studies done on access to archives in Africa. The few studies include those by Abioye (2009), Dube, Makhura and David (2013), Hlophe and Wamukoya (2007), Kilasi, Maseko and Abankwah (2011), Moyo (2002) and Murambiwa and Ngulube (2011).

The study by Ngulube, Sibanda and Makoni (2013) applied seven of the ten “Principles of Access to Archives” (ICA 2012) as a conceptual framework for a study titled “Mapping access and use of archives at the Bulawayo Archives in Zimbabwe”. These principles clarify what is required of the archivists in terms of the *Code of Ethics* and the *Universal Declaration on Archives*. The principles clarify the terms and conditions which provided a conceptual framework for this study namely: legislation; sensitivity or confidentiality of the materials; privacy; donor restrictions; users; equity; levels of access; control of the holdings; physical conditions; and security. A study on access and use of archives at the National Archives of Namibia, focussing on these terms and conditions had not been done before.

The study on which this article is based was driven by the need to investigate how the National Archives of Namibia has conformed to the *Code of Ethics* (i.e. issues of promotion of access and privacy) and the *Universal Declaration on Archives* (i.e. issues of equity and adherence to laws and rights of individuals, creators, owners and users) as regards to access to archives. These issues highlighted by the *Code of Ethics* and the *Universal Declaration of Archives* are part of the terms and

conditions which guide access to archives as highlighted above. The objectives of the study were to:

1. Establish the terms and conditions that guide access to archives at the National Archives of Namibia;
2. Determine how rules and regulations of access actually work in practice at the National Archives of Namibia;
3. Investigate the strategies in place to promote access to archives; and
4. Come up with recommendations on how to enhance access to archives.

## Literature Review

This section of the article discusses the literature around the terms and conditions that guide access to archives.

### Access and the law

“Respecting pertinent laws” in the process of providing access to archives is enshrined in the *Universal Declaration of Archives* (ICA 2012). Legislation is one of the factors that guide access in archival institutions. Relevant legislation includes: archival laws, freedom of information and data protection laws. Whilst freedom of information gives the citizen a right of access to official information, data protection protects the person data. Namibia has not enacted freedom of information or data protection laws yet. With regard to data protection, Namibia’s E-Laws Working Group notes “there is need for privacy laws in relation to for example, data protection, data interference and data monitoring” (Republic of Namibia, Office of the Prime Minister 2005:4). However, *The Constitution of Namibia* Article 13 (1) entrenches an individual’s rights with respect to the “non-interference with the privacy of their ...correspondence or communication save in accordance with the law as is necessary in a democratic society...” (Republic of Namibia n. d.). Countries’ archival laws contain clauses on access, which also stipulate closure periods before public archives are made open to the public. Section 10 of the *Archives Act No.12 of 1992* (Republic of Namibia, Office of the Prime Minister 1992) makes provision for access to archival materials subject to certain terms and conditions. These include the 30 year closure period and the physical condition of the materials. The Act also provides room for an appeal against access denial. This is in line with Principle 7 of *Principles of Access to Archives* (ICA 2012:10) which states: “Users have the right to appeal a denial of access”.

### Donor restrictions

Restrictions placed upon access to materials by donors, is one of the factors archivists have to contend with in their quest to making archival materials accessible for use. Greene (2007) argues that all archivists agree that they should abide by the donor agreements and that such restrictions should be for a “reasonable” period of time. Donor restrictions are linked to issues of privacy and confidentiality. Private papers mostly acquired through donations contain personal information which if access is not restricted could cause some embarrassment to the individual(s) concerned or even criminal invasion of privacy. Donor agreements in some cases have been too restrictive on access which has led to resentment by researchers towards the archives (The International Association of Sound Archives and Film (IASA) n. d.). Abioye’s (2009) findings revealed conflict between staff and researchers who always failed to understand the restrictions placed on access to materials. ICA (2012:8) advises that “... if access restrictions are required, they ensure that such restrictions are written clearly to enable the public to understand them and to enhance consistency in their application”.

### Condition of the materials

Although archivists have in theory accepted their two primary missions of preservation and access, if faced with a situation where they have to decide on the two, they tend to favour preservation against access (Prelinger 2007). Gordon (as cited in Greene, 2007) reports on a 1990's survey conducted in the United States of America which found that 20% researchers indicated that they had been denied access due to the poor condition of the materials. Greene (2007) contends that the situation has not changed as archival institutions continue to experience shortages of funds for conservation activities. Ngulube (2009:335) reports of preservation challenges in South Africa which threaten posterity and access and recommends “adequate funding, staff training, environmental control in records storage places, standards for preservation and access, research and development, and preservation planning”. Zinyengere (2008:32) laments the danger audio visual archives in Africa face due to preservation challenges. Still on the preservation of audio visual materials, Khayundi (2011:272) observes that “the preservation of cultural heritage in Africa can be said to be at crossroads”.

### Control of the materials

The ICA definition of access “... the availability of records for consultation as a result both of legal authorization and the existence of finding aids” (ICA 2012:3) emphasizes the control of the materials. Control refers to both physical and intellectual control. This is quite a challenge for most archival institutions that experience “backlogs” as “acquisition efforts far exceed the resources available to describe what is acquired” (Greene 2007: 2). Many archival institutions do not make available to researchers materials which have not been processed (Greene, 2007) i.e. arranged and described. Garaba (2005 as cited in Ngulube, Sibanda and Makoni 2013) refers to the problem of backlogs of unprocessed materials as an old problem for a number of archival institutions in Africa. Such backlogs have been reported in the case of Botswana National Archives (Nengomasha 1998); Nigerian National Archives (Abioye 2009); National Archives of Zimbabwe (Murambiwa and Ngulube 2011); and Bulawayo Archives (Ngulube, Sibanda and Makoni 2013). These studies indicate that the problem has persisted.

### Equity

The ICA (1996; 2012) calls for equity in the provision of access to archives. Archivists need to interact with all the many groups that make up their communities (ICA 2012). Principle 5 of the *Principles of Access to Archives* calls on archivists to make archives “available on equal and fair terms” (ICA 2012:9). Blais and Enns (1990) discuss the rise of a “user-centred” approach to archives as opposed to a “material-centred” approach. Archivists are being called upon to “integrate consideration of use into other core archival functions (Blais and Enns, 1990). This is supported by Namhila (2014) who calls for “major policy review of legislation, policies, guidelines, standards, principles and procedures governing the archives and the development of archival “affirmative action” with practical steps to rectify the wrongs of the past”. Namhila (2014) reports on the findings of a study on content and use of colonial archives. Highlighting gaps in content, Namhila brings out pertinent issues of equity in access at the National Archives of Namibia influenced to a large extent by colonial practices of the core functions of archivists. Namhila (2014: [1-2]) writes:

... requests by Black Namibians for person-related records, such as adoption and divorce records as well as those of deceased estates, can rarely be served by the NAN despite intensive and time-consuming searches. An entire archival fond of “native estates”

comprising ca.7000 files remain unlisted and not indexed (NAN: NES). The same types of requests by White Namibians are fulfilled without problems within minutes... Namhila (2014:14) further argues that “colonial administrators and even archivists were negligent in executing their professional duties when it came to the records of the black majority”.

## **Users**

Although scholars remain the main clients of archives, archival institutions in general are open to all users. On changes in the nature of users of archives, Murambiwa and Ngulube (2011: 87) argue that “archives are no longer the preserve of historians”.

Some archival institutions may profile particular users in line with their mission and acquisition policies. Within these parameters restrictions on users has been more to do with age. Users of public archives include scholars, administrative users, private individuals and others (Uduigomwe as cited in Abioye 2009). Yakel (2000) posits that archivists have little knowledge about information needs and seeking behaviour for most types of their users. This is an important observation as such knowledge impacts appraisal and acquisition decisions as well as outreach and other decisions to make information more accessible to users. Discussing on the decisions taken to describe archival materials down to the document or item level, Mason (2015) argues that the archivist could be guided by how often in his or her own views the items will be used by researchers.

## **Promotion of access**

Principle 3 on the ICA’s *Principles of Access to Archives* states that “Archivists have a professional responsibility to promote access to archives” (ICA 2012:9). Similarly Article 6 of the “archivists’ *Code of Ethics* calls on archivist to “promote the widest possible access to archival material ...”. They can do this “through various means such as Internet and web-based publications, printed materials, public programs, commercial media and educational and outreach activities”. Promotion of archives can facilitate decentralisation without physically taking the archives to the people (Murambiwa and Ngulube 2011).

Studies (Hlophe and Wamukoya 2007; Kamatula, Mnkeni-Saurombe and Mosweu 2013; Ngulube and Tafor 2006; Ngoepe and Ngulube 2011; Njobvu, Hamooya and Mwila 2012) reveal that promotion of archives by archival institutions in Africa is not receiving enough attention. Ngulube and Tafor (2006) posit that archivists in public archival institutions in the ESARBICA region are more concerned with building and preserving the collections than providing reference services.

## **Research methodology**

The study, qualitative in nature adopted a case study research design. Face to face interviews were used to collect data. Archivists implement the terms and conditions that guide access and researchers have their own expectations regarding access and those expectations may not be met due to the terms and conditions. It was therefore imperative that the population of the study include archive staff and researchers. Respondents were purposively selected and these included three researchers and three archivists. Of the three researchers, they had been using the National Archives of Namibia for one week, nine weeks and thirteen years respectively. The three researchers consisted of an academic and two general researchers, as the researchers paid attention to the diversity of users of archives. As regards the sample size, Mason (2010) argues that saturation is the guiding principle in determining sample size in qualitative research however

“Ultimately qualitative samples are drawn to reflect the purpose and aims of the study ... the sample size becomes irrelevant as the quality of data is the measurement of its value”. The researchers aimed to include an academic researcher who had spent considerable time researching in the National Archives as they believed that the longer the researcher had spent researching in the National Archives, the more information the researcher would be able to provide as per the objectives of the study. Thirteen years was considered appropriate for this purpose. The three archivists included a former head who had been with the National Archives for over twelve years; and the current Head of the National Archives. The three staff members were considered suitable to provide most comprehensive and reliable answers to the issues raised. Two semi-structured interview guides, one for the researchers and the other for the archivists were used in the collection of data. Data was analysed using content analysis technique.

### **Presentation of and discussion of findings**

The findings are presented in the same headings that the literature review was presented based on the conceptual framework guided by term and conditions that determine or guide access in archival institutions. The interview guides were structured on the same conceptual framework.

### **Promotion of access to collections**

The users indicated that the National Archives promotes access through email, the catalogues and book launches. The one respondent who mentioned book launches also referred to a poster produced by the National Archives in 2003 to highlight accessions to information relating to anti-colonial resistance and liberation struggle. “The poster encouraged people to get involved in the collection of anti-colonial resistance and liberation struggle information”. None of the researchers were aware of a National Archives web-site. Interviews with the three members of staff of the National Archives confirmed the absence of a website and in the absence of a website access is promoted by making finding aids accessible in the reading room; making use of their databases and through enquiries via email. Commenting on the absence of a promotion programme one of the members of staff had this to say “Ideally we should be going out to market ourselves ... What we need to do is to market ourselves for people to know what we have”. This view was supported by one of the users who said “...there have been concerns in the past that the archive is inaccessible to the general public.” One user liked to see the National Archives make more use of information and communication technologies. “Because we live in an era where internet and other ICT channels are used, I think it should provide modern ways of accessing information like internet and social networks. I have seen other archival institutions available on the internet”. These findings are similar to findings by Dube, Makura and David (2013) who conducted a study on promotion of records and information products by the National Archives of Zimbabwe. They concluded that the National Archives of Zimbabwe was neglecting promotion of its records and information products and services and observed an out-dated website. They recommended the use of web 2.0 technologies and that staff members be equipped with knowledge and skills in “the use of information and communication technology services (ICTS) so that they will provide a platform for the promotion of records and information products and services” (Dube, Makura and David 2013: 74).

The Archivists *Code of Ethics* calls for the promotion of archives to enhance access which is one way of moving closer to what is expected of archivists i.e. making archival materials accessible to everyone, as per the *Universal Declaration on Archives* The National Archives can effectively use ICTs to address the vastness of Namibia, and the fact that archives can only be consulted in Windhoek the capital city where the National Archives is located.

Morgan (2010) argues that annual reports which are usually overlooked are a key element of the promotional mix of archival institutions, like any organisation. The National Archives of Namibia has not produced published annual reports regularly.

### **Legislation**

Only one of the three researchers interviewed was knowledgeable about Namibia's *Archives Act* 12 of 1992 and responded to questions on legislation. He felt that it was not specific on the promotion or marketing of access to information and archives which in his opinion explained the concerns that the National Archives was inaccessible to the general public. All three National Archives staff cited the *Archives Act* 12 of 1992 as the legislation that guides access to archives notably the 30 year rule, and all felt that it had shortcomings and it needed to be revised. One of the staff members gave details of the shortcomings "... reducing the closed period would be beneficial to researchers; and clear guidelines to deal with personal related records because interpreting the constitution alone is a vague guideline".

One of the researchers felt that the 30 year rule was restrictive and impinged on his constitutional right: "The period for a record to be released is 30 years and that is a generation. I think the period should be reduced at least to 15 years. There is a clause in the Namibian constitution which guarantees freedom of expression and that includes academic freedom and access to information. Therefore, blocking the entire generation to access to that information is somehow unconstitutional". Similar findings came from a study of the Nigerian National Archives by Abioye (2009) which found researchers dissatisfied with the 25 years closure period. The majority of the respondents in the Nigerian National Archives study suggested that "access should be allowed to records of the age of ten years and above" (Abioye 2009: 4). These studies show that researchers are requesting for shorter closure periods.

Reduction of the closure period has been done by other countries such as Zimbabwe which reduced its closure period from 30 years to 25 years. In Botswana the closure period is 20 years. As Namibia embarks on this route it could consult with these countries in order to learn from their experiences. Abioye's (2009) findings show that researchers are requesting for lessening of restrictions on access, of which reducing the closure period significantly is one way of achieving this. With the move towards liberalising access gaining momentum, archivists need to engage in more discussions regarding reduction closure period appropriate to facilitate such liberalisation.

Freedom of information legislation is seen as contributing to the enhancement of access to archives (Abioye, 2009; University of Manchester, 2008). Namibia does not have a freedom of information law yet but there are discussions in government and civil society about the need for such a law.

### **Sensitivity or confidentiality of materials**

On how the National Archives interprets what constitutes sensitivity or confidentiality of materials only two of the three National Archives staff respondents answered and this is what they said; "records that we feel have implications on government transactions." The other one said the following; "There is no legislation guidelines so that affects mainly materials from private accessions which is very tricky because a donor might donate records to the Archives which he or she thinks they are not confidential ... The Archives has to make sure that the sender of the correspondence agrees that it should be made public". Asked on how they ensure that there is adherence to the issue of sensitivity and confidentiality, only one respondent answered and said that "one method is to clearly mark confidential material so that it is not

issued erroneously by staff”. Asked on whether users always agree with them on this issue, one staff member said “not always” while one had this to say “I have not come across an incident where the users did not agree with the stand point of the Archives but if they did there is always a provision they can appeal to the Minister.” This provision is per Namibia’s *Archives Act 12 of 1992*. This aspect of the Act conforms with Principle 7 of the *Principles of Access to Archives*.

Two of the users responded to the question of sensitivity and confidentiality of the materials. One felt that the rules make sense in order to protect issues of confidentiality and address sensitive materials. The other felt that the rules and the law governing such rules were unreasonable and an infringement on constitutional rights.

### Privacy

Referring to biographical data researchers are requested to provide to the National Archives one researcher had this to say “I don’t mind giving this kind of information because it is just basic information. I don’t know what they use this information for because if they did not need it they would be asking for it.” The other researcher had this to say, “I don’t think much thought was put into this issue. I think the interpretation of privacy is non-existent. I remember a case where a very important and sensitive book got lost or misplaced and when they looked for it they went to check on biographic papers users fill in when they ask for materials and a certain user’s name who used the book last was even mentioned in the newspapers and other media forums which highly prejudiced this person. For about 5 years he was thought to have stolen the book but the book was later found in the Archives. A preconference was called but no apology was given to the person who was prejudiced”.

Only one of the National Archives staff respondents answered the question on privacy but did not give a clear answer on how the archives interprets privacy. His response was: “In the case of user data they are strictly for non-public that also extends to what users are researching about. It should be pointed out that the study found that there was no access policy in effect although reference was made to a draft policy. Principle 2 highlights the importance of access policies which can ensure that restrictions “...are written clearly to enable the public to understand them and to enhance consistency in their application” (ICA 2012: 8). The same member of staff felt that there was need for the National Archives to consult on this issue of privacy. He expressed that it would be nice to have a user forum. Some archival institutions in developed countries are effectively using social media and Web 2.0 tools to engage users. Unfortunately ESARBICA archival institutions have not yet harnessed the potential of these tools. (Kamatula, Mnkeni-Saurombe and Mosweu 2013; Ngoepe and Ngulube 2011).

### Donor restrictions

On the issue of the policy regarding donated archival materials, Archives staff respondents said: “It depends on the restrictions posed by the donor”; “If the donor has some instructions on the use of the materials the archives abides”; and “The policy is that we accept materials if we think they are or will be useful for future research and if the restrictions or conditions imposed by the donor are reasonable”.

Responses by National Archives staff to the question regarding the National Archives’ experiences with donor conditions on access to donated materials were:

- “Sometimes it is difficult to maintain the relationship because they might require continuous contact and we have had incidents where the donor passed away and we had to search for a legal successor”.
- “It has been going on well. The National Archives made use of materials without contacting the donor which was a once off issue”.

- “There was an experience where photographs of a donor were used without following the rules of the donor. It led to legal matters”.

All the three respondents were not aware of materials that have been rejected in the past by the archives due to unreasonable restrictions or conditions by the would-be donors. However one of the users responded that he had been once granted partial access to materials which he attributed to donor restrictions. These authors can only conclude that if partial access referred to by the user was not due to donor restrictions then the National Archives did not explain to the user at the time the reason why his request had not been granted fully.

Two of the National Archives staff did not answer the question: “What are unreasonable donor restrictions?” The one who answered had this to say: “Unreasonable would be firstly restrictions on materials that would be considered to be in the public domain for example a collection of newspaper cuttings or a condition that something that would be closed forever or a condition that would require monetary rewards for consultation to the donor”.

Two users responded to the question on donor restrictions. This is what one had to say:

I had one request turned down due to donor restriction I was given only part of the document and no explanation was offered to me. What I think is reasonable is if the material is sensitive or if it is old and not in good condition. If it is controlled by the donor it is not reasonable. If they donate they must also give control to the Archives because from the prospective of the researcher it's not good if access is based on what the topic of the researcher is. I would find it questionable if the donor says you can access it because of the way you approach the topic.

The other researcher's response was:

It depends on the nature of the restrictions. Some restrictions by their nature are unreasonable while others are reasonable. What is reasonable is what at least allows a wide range of people to use donated materials without having to beg for permission from the donor or even spending amounts of money to access that information. Why have the materials donated if you want a small group of people to access them?

The responses support principle 2 of “Principles of Access to Archives” which urges archivists to “...provide as much information as possible about restricted material, including the reason for the restriction...” (ICA 2012 8). What is coming from the responses is that there is a need for archival institutions to clearly explain their rules to users, in terms of what they mean and the rationale behind them. The findings show that unreasonable terms and conditions include having to pay donors for materials; restrictions on materials in public domain; permanent closure of the materials and donor's influence on how a topic should be addressed. Acceptable reasons for restrictions include sensitivity and physical condition of the materials.

## **Users**

The researchers were requested to categorise or classify the types of researchers they met during their periods of study. One of the researchers could not due to the small number of users during her research period. One classified them as follows:

Academic, hobby researchers (hobby historians), science researchers, birth certificate/ family tree (administrative researchers) that were many in number, foreign and home researchers.

The other researcher's responded:

Senior citizens, white people in general and mostly these whites are foreign nationals; adult black academics, PhD and MA candidates; and black and white youths though very few.

The National Archives staff categorised the users of the Archives as traditional group of academic researchers, genealogic researchers, government institutions, a large group requesting for photos and schools. The categories of users of the National Archives of Namibia confirm (Murambiwa and Ngulube's (2011) observation regarding the diversity of users of archives. The Bulawayo Archives study by Ngulube, Sibanda and Makoni (2011) also identified the following as major users: academics, family history researchers, and media workers looking for photographs to illustrate their stories.

On the question of whether the National Archives is able to cater for the needs of all its users satisfactorily, the responses from the only two members of staff who responded to this question were: "Yes because the structures are in place on our databases. The National Archives are fairly acquainted on what it holds, we have qualified staff" and "Not always. Sometimes they ask for information that is not in the Archives and we have to refer them to other institutions such as Ministry of Lands, Home Affairs and the courts".

All the three researchers who at one time or other in their research histories had been to the Archives as a user in each of these user categories highlighted by the Archives staff, were satisfied with the service they got from the National Archives, leading the authors of this article to conclude that the National Archives of Namibia is able to satisfy users with diverse needs. The referral service to those who can provide the information which the National Archives does not have was appreciated by the users and seen as contributing to the good service.

## Equity

One of the researchers felt that researchers were treated equally, one declined to comment and the third one had this to say: "If you are an acquaintance information is provided favourably than a person who is not because I can come to my acquaintance's office, where you are given so many alternatives to find the information that you are looking for". This is contrary to the call for archivists to provide an impartial service to all users, as per Principle 6 of the *Code of Ethics* (ICA 1996). Responses from the National Archives staff were mixed. Two of the respondents believed that there was equity in its services as regards access to archival materials as everyone was treated the same. However, the third respondent did not believe that there was equity and had this to say:

No there is no equity; one of the reasons is the language issue. Much of our archival materials are in languages that are not understood by users. Most used archives are records from Germany colonial period which is not a problem for academic researchers because they can learn the language but a problem for all other users. Likewise Afrikaans which was dominant in South African colonial period, the percentage of users fluent in that language is rapidly shrinking.

The third respondent raised a pertinent issue which had not been investigated by the researchers, that of the language in which the materials are. It so happened that the researchers who took part in the study were either Afrikaans or German speakers. This issue of language is one example of referred to by Tener (1978:22) in the following statement: "Divergent approaches to access and restriction internationally, suggest that each national pattern is formed by its own

social and political frames of reference”. Further research could look into languages of archival materials, how this impacts the researchers; as well as strategies to address the matter.

### Levels of access

The physical condition of the materials can determine level of access. One example of level of access was highlighted by one researcher when he commented that access could be granted by making of copies restricted materials because of their physical condition. “If the document you want to copy is not in good state you are always refused permission to copy it. There are alternatives like the use of digital cameras which captures information. These must be encouraged and the Archives must try to make its archives digital to make it available on the internet and enhance access to that information.” Principle 5 of the *Principle of Access to Archives* suggests that level of access can be “... determined by existing donor agreements, institutional security needs, and related constraints [which] may require archivists to make distinctions between researchers” (ICA 2012:10). However, there is a danger that such distinctions between researchers might be interpreted as practice of inequity in the provision of access.

### Control of holdings

Members of staff highlighted backlogs in appraisal and arrangement and description. “Appraisal is just done by one person and other members have no clue and not included in records appraisal” and “We have not done appraisal for a long time if it was done I am not aware.” Commenting on arrangement and description, staff had this to say, “We have archives that are well organised and indexed. We have others that are in a preliminary stage of organisation that allows limited access and we have some that are entirely unprocessed which means no access”. Another member of staff lamented over the processing backlogs and expressed dissatisfaction with a large number of the finding aids “because the necessary research into the provenance, the history of donor organizations is lacking we have no background about creating offices”.

The researchers confirmed that the National Archives’ had finding aids but these were difficult to understand. One observed that the paper finding aids are very difficult to use while the computer / digital one was better. He observed that the one on the computer was user friendly and that it must be encouraged. However another researcher commented that what was on the data base and what was physically supplied did not match. Two researchers expressed the need for a member of staff to always be at hand to explain as the finding aids “are not self-explanatory and “are not efficient enough”. Two members of staff expressed lack of comprehension of the finding aids and inability to use them. One staff member who has been in the National Archives for five years said the following about finding aids: “I cannot say I am satisfied because I don’t even know how to use them”; and another commented: “Our staff skills to find what you are looking for is a challenge.” Principle 9 of the *Code of Ethics* calls upon the more knowledgeable archivists to impart skills in those they supervise. It also reminds archivists to always work towards improving their archival knowledge and strive for professional excellence.

One researcher revealed that he had two requests turned down because the materials had not been processed and no solution was found to the requests. In response to the question “How often does the National Archives turn down requests for materials because they have not been processed?” the National Archives staff gave the following responses: “We cannot answer because we do not know what is in the unprocessed records. So we just tell researchers that we don’t have”; “How often we cannot tell because there is no register of unfulfilled requests” and “Very minimal researcher’s requests are turned down”.

The findings reveal backlogs of appraisal and arrangement and description in the National Archives of Namibia, which have in turn impacted on access to the holdings as researchers have been denied access to materials albeit on a small scale. Studies by Abioye (2009); and Ngulube, Sibanda and Makoni (2011) came to the same conclusion on the negative impact such backlogs have on access. *Principles of Access to Archives* highlight the importance of arrangement and description. It states”

Preservation and description of closed archives promotes public confidence in the archival institution and in the archives profession, for it enables archivists to assist the public in tracing the existence and general nature of closed materials and learning when and how they will be available for access (ICA 2012: 11).

### **Physical conditions**

The National Archives staff respondents were asked the questions: “How do you handle requests for materials which need repair?” and “Does the National Archives have a conservation unit? The responses were:

- “There is no policy on damaged records but if I find it on the shelves I will give it to the researcher but caution the researcher to be careful with the record since it’s damaged. There is no conservation unit the records just get worse”. The issue of access policy has been discussed above. The implications of absence of an access policy highlighted in the case of privacy interpretation apply to this issue of access to materials in need of repair.
- Another member of staff responded: “We usually allow consultation of the materials but do not allow photocopying which is most damaging. We put materials in poor condition that we know are frequently requested for into our digitization programme and if digitized they are closed for direct consultation unless that is a well-motivated request. We do not have a conservation unit and we barely manage but we are working on establishing one but see that the primary issue is staffing and staffing at an adequate level”.

Only one of the three researchers interviewed had had requests to materials denied on two occasions, because they needed to be repaired. It was explained to the researcher that the materials were old and in a fragile state. The practice of denying access to materials in poor physical condition seem well received by researchers once the reason behind the decision to withhold access it is explained to them and there are plans in place to provide the information at a later date whilst the materials are repaired, or in other format . Similar findings came from The Nigerian National Archives study which found that “most of the searchers (89%) showed concern for the records and supported the regulation forbidding the use of records in bad condition pending their repair” (Abioye, 2009, p. 5). These findings support the principle of access to archives which calls on archivists to “... ensure that restrictions on access are clear and of stated duration, are based on pertinent legislation ...” (ICA 2012:9).

### **Security**

A question was raised to the National Archives staff on the security measures in place and how they are viewed by the researchers. One staff member said that there were no security measures. Another staff member responded as follows:

Researchers are under permanent supervision in the reading room and some materials that are known to be vulnerable are only issued under special requests through the Head of Archives and under direct supervision. Academic users are usually familiar and have

no complaints most other users have to be educated that archival material is unique and irreplaceable.

The response of the third staff member was:

There is close supervision by members of staff and monitoring to insure that clients do not have their own photocopiers. Clients are informed of the rules. Researchers accept them.

One researcher's response was that there were no security measures. The only one he was aware of was that researchers were requested to leave their bags at the gate. His advice was that every researcher must be asked to read the archives rules and that researchers must be told the rules to observe when they are given archival materials to use. Another researcher had this to say "The security measures are non-existent. Any person can take a page or even the file or book away".

The findings suggest that the security measures in place as explained by the National Archives staff are considered inadequate.

### **Conclusions and recommendations**

The following conclusions and recommendations emanate from the research findings:

- The National Archives does not have a programme to promote or market its archives. This has resulted in some sections of the Namibian population not being aware of the National Archives and not benefiting from what it has to offer. A promotion/marketing programme taking advantage of information and communication technologies, including setting up a web-site and use of social media is recommended.
- The 30 year rule as stipulated in the Archives Act No. 12 of 1992 is considered restrictive. There is need to revise the Act, in consultation with stakeholders including the researchers with a view to reducing the closure period.
- There are no guidelines on how the National Archives interprets the sensitivity and confidentiality of materials; as well as issues of privacy. The National Archives should consider coming up with guidelines to help it interpret what constitutes sensitivity or confidentiality of materials; as well as how to deal with privacy issues.
- Some users did not always understand restrictions placed on access to materials due to donor restrictions. There is therefore a need for the National Archives to clearly explain their rules to users, in terms of what they mean and the rationale behind them.
- The language in which archival materials are is an important to consider in terms of access to archival materials. Further research could look into languages in which archival materials are and how that impacts the researchers and strategies to address the matter.
- Although the National Archives grants access to materials which need repair, restrictions are placed on photocopying. Alternatives strategies to capturing the information such as the use of digital cameras to capture the information should be encouraged but clear guidelines have to be set to avoid harm to materials in the process.
- Some members of staff who work with researchers seem not to know how to use the finding aids. One of the tasks of archivists is to ensure easier and full use of archival materials. This is done by guiding researchers into the collections through the use of finding aids. It is imperative that members of staff be well trained on the finding aids and their use.
- Backlogs in processing archival materials deny researchers access to materials even when they have satisfied the 30 year rule closure period. Libraries have been known to hire consultants to address issues of backlogs in cataloguing and classification. This is

probably a route that the National Archives could consider in dealing with the issue of unprocessed materials.

- Security measures at the National Archives are considered inadequate. The National Archives should consider the use CCTV (video cameras) in the search room.
- The National Archives needs an access policy to guide its decisions on access.

The purpose of the study was to find out if the National Archives of Namibia conformed to the Code of Ethics and the Universal Declaration on Archives. The terms and conditions that guide access provided a framework for the study. What is expected of archivists regarding these terms and conditions is explained in various documents such as the Code of Ethics, the Universal Declaration on Archives and the Principles of Access to Archives. As the above conclusions highlight, the National Archives of Namibia has conformed in a number of areas such as respecting the legislation and privacy. However it faces challenges with issues such as control of the holdings and promotion of access. An access policy can go a long way towards eliminating a number of uncertainties such as interpretation of privacy and access to unprocessed materials, which some users and some members of staff have, regarding access matters.

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