

**PUBLIC RECORDS AND ARCHIVES AS TOOLS FOR GOOD  
GOVERNANCE: REFLECTIONS WITHIN THE RECORDKEEPING  
SCHOLARLY AND PRACTITIONER COMMUNITIES**

**Henry N. Kemoni, Patrick Ngulube and Christine Stilwell  
Information Studies Programme, University of KwaZulu-Natal,  
South Africa**

**Email: hkemoni@yahoo.com, ngulubep@ukzn.ac.za,  
stilwell@ukzn.ac.za**

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**Abstract**

*The article presents the various points of view regarding the definitions and uses of records and archives amongst the recordkeeping scholarly and practitioner communities. It demonstrates that whereas records and archives are useful tools for facilitating transparency, accountability and good governance in society, they could be used as instruments of repression and human rights abuses. Attempts made by various regimes to destroy evidence documented in records to conceal actions related to misuse of power and human rights abuses are highlighted. The article concludes by emphasizing the need for records and archives personnel to collaborate in order to establish good recordkeeping regimes that facilitate the exploitation and use of records and archives as tools for governance, enhancement of public service delivery and achievement of the United Nations Millennium Development Goals. It is hoped that the article will stir further debate and encourage more research among recordkeeping scholars, consultants, researchers*

*and practitioners into the use of records and archives as tools for good governance and protection of human rights.*

## **Introduction and overview**

Records and archives are vital sources of information which enable public officers to render efficient and effective services to the public, and governments use records for wide-ranging purposes including confirming the work of employees, pensions, leave and health benefits and formulating and reviewing policies and procedures, proving citizen's rights, such as land ownership and providing information about past actions or decisions, and enhancing transparency and accountability (Millar 1997:11; Griffin and Roper 1998:8; Mnjama 2004:1). The value of records and archives was noted by Millar (2004) who, in a report prepared for United Nations Educational, Scientific and Cultural Organization (UNESCO) and the International Council on Archives (ICA), recommended that the records and archives profession needed to increase efforts to raise the awareness of the value of records and archives.

Despite the important role of records and archives in society, records management studies undertaken in Africa have not adequately addressed issues related to how records and archives facilitate transparency, accountability and protection of human rights in society. Furthermore, the studies have not sufficiently dealt with attempts that have been made by various regimes to destroy records to conceal actions related to abuse of office. The article, therefore, attempted to fill the gap by highlighting the importance of records and archives as tools for facilitating transparency, accountability and protection of human rights through an extensive review of the literature. It is hoped that the article will extend the frontiers of knowledge regarding the role of records management in relation to the governance agenda in society. It will further be of interest to records management scholars and educators who may want to conduct further research on the link between recordkeeping and good governance in various socio-political and economic contexts in Africa.

The International Records Management Trust (1999) noted that records are key tools in meeting governance objectives such as the rule of law, accountability, management of state resources, and

protection of entitlements, services to citizens and foreign relations and international obligations. Records are fundamental tools in the business of government and their absence would lead to inefficiencies or failure in operational procedures (Kansas Electronic Records Management Guidelines 2002). Records are crucial tools in demonstrating accountability (Akotia 2005:4), and the instrument of accountability of government is the record and the means by which records are created, captured and maintained to serve as evidence of this accountability is recordkeeping.

On the other hand, ICA (2004) observed that records provide evidence of human activities and transactions, underlie the rights of individuals and states, and are fundamental to democracy and good governance. Cox and Wallace (2002:2-3) opined that the most salient feature of records is their power as sources of accountability, a feature that often brings them into daily media headlines or into the courtroom. Records are a key component of any public sector reform programme, because they enhance the efficiency and effectiveness of the public service (Thurston 1996:2). The achievement of United Nations Millennium Development Goals (MDGs) could be hampered by limited access to government records. According to the United Nations (2005), the eight MDGs include: eradicating extreme poverty and hunger, achieving universal primary education, promoting gender equality and empowerment of women, reducing child mortality, improving maternal health, combating HIV/AIDS, malaria and other diseases, ensuring environmental sustainability and developing a global partnership for development. There is need to have in place good recordkeeping systems in order to achieve the set goals.

However, records may be used as instruments of repression and abuse of power. Ketelaar (2005:285-291) and McKemmish (2005:15) posited that records could act as tools of repression, liberation, capturing people, controlling memories and violations of human rights.

The discussion that follows presents the various viewpoints regarding the definitions and uses of records as tools for enhancing transparency and accountability, and facilitating good governance and human rights. Finally the article highlights the case for collaboration between records managers and archivists to establish

good recordkeeping regimes that facilitate effective exploitation and use of records and archives.

### **Records as tools for enhancing transparency and accountability**

The term "record" is defined in various ways. Some of the definitions take into account the value for which a record was created, while other definitions consider the media in which records were created, for example, paper or electronic medium. There is no universally accepted definition of the term record and the varied definitions of the term have led to confusion which affects the formulation of theory to underpin the discipline of archives management (Yusof and Chell 1998). The two authors further pointed out that the definition of the term records evolved from an archives perspective through a management perspective to an information technology perspective and these paradigm shifts led to changes in the status of records. Consequently, any new definition of the term record need to take into account the component parts of a record: the information, the medium and the function.

In that regard, ICA (1997:7) defined a record as recorded information produced or received in the initiation, conduct or completion of an institutional or individual activity and that comprise content, context and structure sufficient to produce evidence of the activity, regardless of form or medium. The definition is relatively comprehensive and takes into account the record format, the role a record plays in providing evidence of activities and its key attributes namely: content, context and structure. The definition was influenced by the increasing use of computers to generate electronic records, thus, it catered for records in both paper and electronic formats.

On the other hand, Roper and Millar (1999:10) and the National Archives and Records Administration (2004) defined records as documents regardless of form or medium they are created, received, maintained and used by an organisation or an individual in pursuance of legal obligations or in the transaction of business, of which they themselves form a part or provide evidence. To a large extent, the forgoing definition concurs with Shepherd and Yeo's (2003:2) thesis that the essential characteristic of a record is the evidence it provides for some specific activity. All the definitions given above borrowed

from the ICA's (1997) characterization of records. This is hardly surprising given that the ICA is the professional body that promotes and influences the development of the records and archives profession worldwide.

It is evident from the definitions given in the previous texts and the literature that records are created in an organisation to support and manage work, to record why, when, where, in what capacity and by whom what actions were carried out (Ketelaar 1999). Harris (2001a) argued that records are created, preserved and used by people in a given culture, and provide reliable and authentic evidence of a process in order to ensure accountability. Records are required for the following purposes: developing and implementing policy, planning and making decisions, keeping track of actions, achieving consistency in decision-making, providing effective service to citizens, and achieving greater efficiency and productivity (Roper and Millar 1999:94). Furthermore, Ngulube and Tafor (2006:57) asserted that public records and archives contained information which was the cornerstone of holding government accountable and fostering good governance. The following discussion presents various cases to highlight how records have been crucial in the fight against corruption, thus enhancing good governance.

The use of documentary evidence was apparent during the sittings of a Commission of Inquiry into one of Kenya's greatest financial scandals "the Goldenberg Affair". According to Ouko and Ameyo (2003:260), the government constituted the Judicial Commission of Inquiry into the Goldenberg Affair to unearth the scandals. Documentary evidence was vital during the Commission's sittings as legal counsel for the accused and the state prosecutors relied on financial transactions between the Treasury, Central Bank of Kenya and Exchange Bank in defence of their clients and prosecution of the cases respectively. According to Kikechi and Kihuria (2005:32), forensic accountant, Melville Smith produced documents to back his claim that over Kshs. 50 billion was either siphoned out of the country or paid to individuals through cheque kiting, and the country lost Kshs. 13.5 billion through export compensation and another Kshs. 5.7 billion from the consolidated fund, while Shimoli (2006:1-2) pointed out that Court of Appeal Judge Samwel Bosire, who chaired the Goldenberg Commission of Inquiry, noted that nearly Kshs. 20 billion

was lost in the country's biggest financial scandal. The report recommended that former President Daniel arap Moi be investigated further and that criminal proceedings be opened against former senior members of his government implicated in the Goldenberg Scandal.

In South Africa, van der Merwe (2004) noted that a paper trail of minutes, letters and documents blew apart the political career of former Deputy Social Development Minister David Malatsi of the Western Cape Provincial Government. Records meticulously kept in 2002 by Ingrid Coetzee, the then Director of Environmental Management, were a key ingredient in the Scorpions' corruption case against Malatsi. The extermination of Jews by the Hitler regime during the Third Reich was perhaps the worst case of human genocide in the twentieth century and documentary evidence was crucial in convicting David Eichman, one of the icons of the Nazi regime and the genocide it waged against Jews (Cesarani 2004:1, 230-232, 252). Eichman was indicted with fifteen counts regarding the role he played in the holocaust from 1935-1945. The first count was that he caused the death of millions of Jews, as the person who was responsible for the implementation of the plan of the Nazis for the physical extermination of Jews known as "The Final Solution to the Jewish Question".

Destruction of records to hide crucial evidence relating to the actions of individuals in society has been recorded. The Nazi regime in Germany attempted to destroy records and other evidence relating to their actions against the Jews as noted by Guttenplan (2001:4-5, 7). He pointed out that in the closing days of the Second World War, the Nazi's raced to eliminate the evidence of what they had done, and the Nazi camps at Belzec, Sobibor and Treblinka were reduced to rubble and documents were burned and the prisoners who disposed of the corpses, tended the crematoria and emptied the gas chambers were executed. However, the Nazi were not able to eliminate all the evidence or the witnesses. The documents that were salvaged and the testimony of the perpetrators who confessed their crimes at Nuremberg or subsequent war crimes trials formed the core of what came to be known as the holocaust.

In Rwanda, Adami (2003:9) noted that records at the International Criminal Tribunal for Rwanda (ICTR) were assisting genocide victims to get justice and to aid the reconciliation process within Rwanda, and such records included those of protected witnesses, exhibits of horrific and graphic events, in paper and audio-visual formats and post-sentence administrative records of the accused persons who would possibly remain in detention for the rest of their lives.

Records were also crucial to the exercise of power in apartheid South Africa. The state generated huge information resources which were a closely-guarded secret (Harris 2002:205-206, 223). It routinely destroyed public records in order to keep certain processes undisclosed. Between 1990 and 1994, the apartheid state engaged in a large-scale sanitization of its memory resources. The sanitization was designed to keep certain information out of the hands of future democratic governments. Harris (2002) further opined that knowledge regarding the purge of records was brought to the fore by the Truth and Reconciliation Commission (TRC) when it was conducting an investigation into the destruction of public records. Particularly cynical was the deliberate destruction of records which might incriminate individuals or groups in power.

In that regard, Truth and Reconciliation Commission (1998:328) recommended that measures be taken to prevent the destruction of records which formed part of South Africa's history, however unpleasant. Furthermore, it recommended that appropriate legal powers be given to the state's public archives service in order to prevent such destruction.

In Kenya, Mugo and Munene (2003:1) observed that thousands of documents which mentioned former President Moi adversely for either social, political, or financial reasons, were ordered to be destroyed by James Kanyotu, the man who served as Moi's Intelligence Chief for 13 years, in a letter dated February 22, 1990. The documents could have covered the former president's activities during one of the most sensitive periods in Kenya's history, which included the Mwakenya trials<sup>1</sup> in the mid 1980's and the beginning of the Goldenberg Scandal uncovered in 1991.

Destruction of records in Kenya was further noted by Kantai (2003:26), who argued that at the end of colonial rule, a massive effort was launched by the colonial administration to wipe out evidence of widespread human rights abuses during the Mau-Mau emergency. In the period prior to the 27 December 2002 general election, there were persistent rumours of documents being burnt and shredded in government offices.

Wallace (2004:1-5) argued that records and archives are a form of 'social glue' which holds together, sustain, and sometimes unravel organisations, governments, communities, individuals and societies. He posited that the South African TRC relied on records in its efforts to document the crimes of apartheid. As the "Truth Commissions" in Argentina, Brazil, El Salvador and Guatemala, the South African TRC struggled to obtain access to the records of former regimes as a means of attempting historical accounting and reconciliation. In Czechoslovakia, Poland, Germany and Romania debates were raging over whether access to Soviet- era records would do more harm than good in coming to terms with the past.

Documentary evidence was used to indict public officials accused of corruption related charges as witnessed in South Africa recently. Sole (2005:2) posited that documentary evidence was crucial in indicting businessman Schabir Shaik of corruption related charges. According to Terreblanche (2005:2), allegations of corruption in the South African arms deal came to light as a result of a forensic investigation into the possibility of a conflict of interest between Shaik's successful bid in a 6 billion rand Convette subcontract and his brother, Chippy Shaik, the Chief Weapons Acquisition Officer of the State.

Records have been useful in highlighting human rights abuses by former despotic regimes, for example in Iraq. According to Montgomery (2001:69-70), an enormous cache of secret police records seized by Kurdish rebels during a rebellion revealed several human rights abuses perpetrated by the Iraqi police against the Kurds during an uprising by the Kurds in the late 1980s known as the 'Anfal' genocide. The records were seized when the Kurds stormed and burnt secret police stations, prisons and torture centres during an uprising after the defeat of Iraqi forces, by the allied forces during the Gulf War in 1990-1991. The records were eventually taken to the

National Archives in Washington and later to the Institute of Human Rights Initiative at the University of Colorado. Montgomery (2001) further noted that the records had great international significance. They comprised the evidentiary centrepiece of a broad based international campaign by human rights groups and the United States Government to indict and bring Saddam Hussein to justice and his top leadership before an international tribunal.

The death of the late Palestinian leader, Yassir Arafat, has also been a subject of discussion in political and medical circles since his death in November 2004. A report from Jerusalem published in the Kenyan *Daily Nation Newspaper* in 2005 and *The Associated Press* noted that medical records released from the Percy Military Hospital in Paris offered the first independent glimpse at the Palestinian leader's final days. Suha, Mr. Arafat's wife, and Palestinian officials had never given a definite cause of Arafat's death and kept Mr. Arafat's medical records a closely-guarded secret. The records indicated that a "massive brain haemorrhage" killed the long-time Palestinian leader, though it remains unclear what led to the rapid deterioration in his health. The *Daily Nation Newspaper* report (2005) further noted that the medical dossier was initially obtained by the *New York Times* and two Israel media outlets, which conducted separate reviews of the information. Their investigations gave different explanations for the causes of the stroke, deepening the puzzle over Arafat's death. According to the French doctors, Arafat suffered a digestive ailment about 30 days prior to his death. He also suffered an acute case of blood disorder called disseminated intravascular coagulation (D.I.C). The medical records thus dispelled two widespread rumoured causes of death, that is, HIV/AIDS or poisoning.

### **Archives as tools for facilitating governance and human rights**

Archives are as old as civilization, and as long as there have been records to preserve, people have preserved them (Hunter 2003:2, 11). Furthermore, the information age has led to confusion in defining the term archives. "Archiving" a word-processing document, for example, now means saving it on a floppy disk, perhaps only for a day or two, and the distinction between long-term and short-term retention has been blurred. The archives profession has a history lasting several centuries (Katuu 2006), and in Europe, archivists have

been in existence since the 17<sup>th</sup> century. McKemmish (2005) argued that the concept of archival document is a commonplace within European thought, but in English-speaking countries it is often confused with documents that have been selected for retention within an archival institution.

The word “archives” is popularly used to refer to older papers or computer files that had been consigned to secondary storage (Shepherd and Yeo 2003:5). Archives are records usually, but not necessarily non-current records, of enduring value selected for permanent preservation and are normally preserved in an archival repository (Millar, Roper and Stewart 1999:4). The definition takes into account the fact that records become archives if found to have some value, at any stage of the records life-cycle. The word archives may also be used to mean an institution or business unit responsible for managing records of long-term value.

Archives have various uses in society. McKemmish (1997:8) observed that some records of activity were preserved as instruments of power, legitimacy and accountability, facilitating social interaction and cohesion; as a source of our understanding and identification of us, or organisation and our society; and as vehicles for communicating political, social, and cultural values. On the other hand, ICA (2005b) noted that archives constituted the memory of nations and societies, shaped their identity, and were the cornerstone of the information society. By providing evidence of human actions and transactions, archives support administration and underlie the rights of individuals, organisations and states, and by guaranteeing citizen's rights of access to official information and to knowledge of their history, archives are fundamental to democracy, accountability and good governance.

The role of archives in the protection of human rights is noted by the ICA. The theme of the International Conference of the Round Table on Archives (CITRA) Conference (2003) held in Cape Town, South Africa, from 20-25 October 2003 was on “Archives and Human Rights”. The Conference noted that in the modern age, archives and records services had become a requirement for the effective exercise of the individual and collective rights of citizens, as they kept the

records on which these rights were based and which permitted them to exercise their right to information and to know their history.

Discussing archives within the context of his experiences both as a South African and practising archivist, and the drama of South Africa's journey from apartheid to democracy, Harris (2001b) linked archives with the notion of justice and observed that under apartheid the terrain of social memory as with all social space was a site of struggle, and called for the "deconstruction" and re-figuring of archives. Thus Harris (2001b) advocated a radically activist practice of archives in which archives serve as instruments of justice.

The role of archives as a tool to aid democracy in South Africa was recently underscored by the South African Deputy Arts and Culture Minister, Ntombazana Botha and South Africa's National Archivist Graham Dominy (Helfrich 2006:8). Speaking in Pretoria, during the launch of the First National Archives Week, they noted that the lessons learned from the past through the use of archives would help in the development of the new democratic society "envisioned" in the Constitution. The Deputy Minister urged students to visit the archives and see for themselves, "untruths and inconsistencies" in the records of the prior governments as well as proceedings of the Truth and Reconciliation Commission that "to a certain extent" addressed the distortions. Various examples are presented in the following discussion to highlight the uses of archives in society as instruments of power, legitimacy and accountability, and our understanding and identification of us, organisation or society (McKemmish 1997).

The Director of Kenya National Archives and Documentation Service (2000) noted that public records and public archives of Kenya were a most vital resource, provided an irreplaceable administrative tool and constituted the most important component of the "Memory of the Nation". Kemoni, Wamukoya and Kiplang'at (2003:38) posited that archival information had been utilized to shed light on legal issues such as the evolution of the constitution in Kenya while reviewing its constitution before the 2002 general elections (efforts to review the constitution are still on-going, even after the 2002 general elections).

Archives were used to provide an indication of the private life of Albeit Einstein, the German born scientist who gave the world the famous

equation  $E=MC^2$  (Kenyan *Standard Newspaper* 2005:18).  $E=MC^2$  states a relationship between energy (E), in whatever form, and mass (m) (American Institute of Physics 2006). In this formula,  $c^2$  the square of the speed of light in a vacuum, is the conversion factor required to formally convert from units of mass to units of energy, that is, the energy per unit mass. Nobelprize.org (1921) pointed out that at the start of his scientific work, Einstein realized the inadequacies of Newtonian mechanics and his special theory of relativity stemmed from an attempt to reconcile the laws of mechanics with the laws of the electromagnetic field. He dealt with classical problems of statistical mechanics and problems in which they were merged with quantum theory. This led to an explanation of the Brownian movement of molecules.

Documents exhibited to mark the Einstein Year at the Jewish Museum in London's Camden town, showed he had many affairs during his two marriages and did not contact his family when he fled Europe for the United States of America. The report, quoting Hanoch Gutfreund, an Einstein specialist at the Hebrew University of Jerusalem, which helped mount the exhibition, indicated that Einstein was a passionate and very complex man, fascinatingly full of contradictions. Revered by leading scientists and the ordinary public alike for his intellectual powers and sharp wit, the report noted that Einstein was also a ladies man who actively sought affairs and women also sought him. Records at the exhibition also showed that during his years at Princeton University in the United States of America where he fled to in 1933, aged 54, he had little contact with his own three children by his first wife Mileva Maric.

The report from London by the *Standard Newspaper* (2005) further noted that while Einstein cherished the mountains of letters he got from children during his years at Princeton University, there was no evidence that he ever saw his daughter Lieserl who was born in Hungary in 1902, before the couple married. The existence of Lieserl was not even known until relatively recently discovered in love letters from Einstein to Maric before they married in 1903. Before his marriage with Maric ended, Einstein had several affairs and had began a relationship with his cousin Elsa, who he married after divorcing Maric in 1919, the year his theory of relativity that shot him to stardom was proved.

A report from Washington (2005) published in the Kenyan *Daily Nation Newspaper*, indicated that papers declassified by the National Security Agency pointed to a series of bungled intelligence findings on the purported clash in the Gulf of Tonkin, that led Congress to endorse President Lyndon Johnson's escalation of the Vietnam conflict in August 1964. Furthermore, among the documents released was an article written by National Security Agency historian Robert Hanyok for the agencies classified publication, *Cryptologic Quarterly*, and it showed beyond doubt that no attack happened that night. The report quoted John Prados, specialist on the Gulf of Tonkin at George Washington University's National Security Archive, which is not affiliated to the National Security Agency, as noting that the parallels between the faulty intelligence on the Gulf of Tonkin and the manipulated intelligence used to justify the Iraq War made it all the more worthwhile to re-examine the events of August 1964 in light of new evidence.

According to a Reuters (2004:11) report published in the South African Newspaper, *The Witness*, one of the greatest mysteries in medical circles over the last 80 years has been what caused the death Vladimir Lenin. The Reuters report, citing a report published in the *European Journal of Neurology*, pointed out that a posthumous diagnosis by three Israel doctors, two psychiatrists and a neurosurgeon confirmed that Lenin died an agonising death from neurosyphilis and not cerebral arteriosclerosis, which was given as the official version of his death. The doctors based their findings on a retrogressive diagnosis using records released after the fall of the Soviet Union in 1991, which included his medical chart, autopsy results and memoirs by his physicians who treated him, and were sworn to silence after his death in 1924. The Reuters (2004) report further noted that although results of Lenin's blood tests were not part of the records that were released and analysed by the doctors, they noted that the records reviewed affirmed that the symptoms exhibited by Lenin during the last two years of his life such as mental changes, dementia and irritation, were compatible with those caused by the disease (neurosyphilis) during its advanced stages. The report concluded that the disease and a decades-old cover-up by the Soviet authorities, who turned Lenin into a deity, highlighted the

dangers of hiding the mental health of leaders who held the fate of millions in their hands.

### **Exploiting records and archives: case for collaboration between records managers and archivists**

For records to foster transparency and good governance, they have to be managed by recordkeepers (that is, archivists and records managers) throughout their life span. In more recent years, the life cycle and continuum concepts of records and archives management had been followed more widely, and the perception that records and archives were two distinct entities with different characteristics and different management requirements had been replaced with a new integrated approach (Cook 1999:1, 9). Records are managed continuously and coherently by records and archives professionals throughout their life cycle. The two fields of records management and archives administration are closely interwoven (Cook 2006) while the division of activities into records management and archival phases, with the consequent division of responsibility between the records manager and the archivist, was seen by some as artificial and restrictive (Millar 1997:14). It may be argued that, operating in tandem, records managers and archivists would better serve both current and future purposes (McKemmish 1997:18-19).

To exploit records and archives as tools for enhancing good governance and human rights in society, there is need for close collaboration between records managers and archivists, to establish good recordkeeping systems. Good recordkeeping systems would capture, document and preserve records and archives. This concurs with the thesis that, in support of accountability, good record systems need to exist and needed to be complete, authentic, reliable, accessible and usable (Hurley 2005:224). Furthermore, there is a link between good recordkeeping and governance. The International Records Management Trust (2005) posited that efficient information and records management provided the basis for poverty reduction, accountability, and effective management of state resources, protection of rights and entitlements, services to citizens, anti-corruption strategies and the rule of law. Effective recordkeeping is essential if organisations had to maximise the use of records in meeting organisational objectives (Pederson 2005:51).

On another plane, the National Archives of Australia (2004) noted that good recordkeeping was essential to the core business of government agencies, promoted accountability and enhanced the public's understanding of the role of government and its relationship with the people. Finally, ICA (2005b) pointed out that recordkeeping systems guaranteed the maintenance and preservation of authentic, reliable, and accessible records over time and that if systems were to fulfil these requirements, then appropriate recordkeeping functions needed to be implemented throughout the life-cycle of records continuum.

A good recordkeeping system needs to have certain characteristics namely: determining information needs, creating and acquiring information; distributing and sharing records and information, and evaluating and using information to solve problems (Lipchak 2002:3). Other characteristics include documenting activities and actions, determining responsibility for managing and protecting records; identifying, organizing, storing and disposing records; providing sufficient staff, training and other resources; and evaluating the performance of the records. These characteristics are better achieved when records managers and archivists work together throughout the life cycle of records.

## **Conclusion**

The article has presented the definitions and use of the terms records and archives. It has demonstrated through various cases that records and archives are crucial tools for facilitating transparency, accountability and good governance in society. Furthermore, the article demonstrated that records and archives could serve as tools of oppression and human rights abuses. Various examples were given which indicated attempts made by regimes to destroy evidence documented in records and archives in order to conceal evidence related to abuse of power. It concluded by emphasizing the need for collaboration between records managers and archivists in order for them to establish good recordkeeping systems. Such systems may facilitate the exploitation and use of records and archives to enhance governance, public service delivery and achievement of the United Nations MDGs.

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### **Endnotes**

1. Mwakenya trials refer to the state manipulated court appearances of opposition activists accused of conducting underground activities to overthrow the then government of former President Daniel Arap Moi's regime in the 1980s, before the advent of multi-party politics in Kenya in 1992.