

# Traversing the Intersection: Legislative Frameworks and Initiatives for Archival Access in East and Southern Africa

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## Abstract

*Archival legislation provides a framework for how national archives should function in different countries. Being crucial archival legislation should therefore clearly underscore how to access the holdings and all other restrictions linked to accessing specific holdings. Since outreach, advocacy, and public programming initiatives facilitate access, archival legislation should provide legal grounds to ensure the planning and implementation of such programmes. Recent literature indicates that there is the limited use of archives by communities in East and Southern Africa, proving that archival public programming, outreach and advocacy efforts in the region still leaves much to be desired in addressing this challenge. Extant literature on facilitating access to archives in this region does not mention much about the role of legislation and policies in strengthening these initiatives. A qualitative content analysis of different archival legislations from selected countries in East and Southern Africa and related literature helped to determine existing provisions for the promotion of access and the use of archives. The findings revealed that outdated legislation and a dearth of policies exist in most countries in this region. Recommendations include reviewing laws,*

*formulating access policies, and leveraging advocacy efforts to the advantage of public archival repositories.*

**Keywords:** Archival legislation; Archival Public Programming; Archival Advocacy, East and Southern Africa, ESARBICA.

## Introduction

In recent times, there has been increased interest in raising awareness about archival repositories and their valuable holdings in East and Southern Africa (Chaterera and Rodrigues, 2019; Mosweu, 2019; Mojapelo, Modiba and Saurombe, 2023). Ngulube (2019) emphasises that these efforts will only be practical if African archival repositories utilise appropriate public programming initiatives. The debates centre on the use of soft power (Mukwevho, Ngoepe and Ngulube, 2019), focussing on users (Saurombe and Ngulube, 2016; Chaterera, 2017), collaborating with other heritage organisations (Saurombe and Ngulube, 2018, Mosweu, 2019) and harnessing information communication technologies (Saurombe, 2019). However, there needs to be more discussion around leveraging the influence of legislative frameworks. More clarity around the link between legislative frameworks and use may strengthen the cause for public programming initiatives (Saurombe, 2016). Other means of raising awareness about archives include outreach and advocacy. According to Ngulube (2019), outreach is a term for promoting archives, while advocacy targets specific audiences, such as the government and other influential organisations or individuals, to garner support for particular archival endeavours (Mojapelo

and Ngoepe, 2020). The International Council of Archives (ICA) Principles on Access (ICA, 2012) provide helpful guidelines for promoting archives. These principles also explain at length the necessity of understanding legislative frameworks not to go against the law when implementing public programming and strengthening such campaigns.

A successful advocacy campaign hinges on a carefully constructed proposal that outlines tangible outcomes. Understanding the legislation and policies that underpin these activities is crucial for devising a robust advocacy strategy. Mojapelo and Ngoepe (2020) explain how advocacy efforts sway resource allocators and decision-makers to prioritise archival initiatives. Since public archival repositories in Africa are typically funded and managed by the government, familiarity with legislative frameworks is invaluable in formulating effective advocacy strategies.

Archival legislation plays a crucial role in acquiring, protecting, preserving, and providing access to archival holdings. Legislative frameworks should give clear and ethical guidelines on what is kept, where it is kept, and detailed procedures on who can access these resources (Mnjama, 2014). Past and more recent research in the selected regions of East and Southern Africa portrays a picture of dwindling numbers of archival users at the national archival repositories and their auxiliary institutions (Murambiwa and Ngulube, 2011; Kamatula, 2011; Kamatula, Mkeni-Saurombe and Mosweu, 2013; Mukwevho, 2018; Saurombe, 2020). Therefore, there has been increased interest in shaping strategies to raise awareness about the archives and encourage more people to engage with the archives in the Eastern and Southern Africa Regional Branch of the International Council on Archives (ESARBICA) Conference, 2015). Scarcity of resources is a recurring obstacle in the studies mentioned above. Consequently, a primary recommendation common to most of these studies is the need for robust advocacy strategies.

Saurombe (2023) contends that archivists must enhance their advocacy capabilities to create well-founded strategies informed by legislation and policy in an era of diminishing resources. These strategies should articulate the benefits to their communities and governing bodies, thus emphasising the return on investment. Perhaps more information regarding the role of legislative frameworks in strengthening

endeavours to raise awareness about archives could lead to more successful advocacy strategies or inform policy. It is essential to point out that legislation is an instrument that archivists should use to achieve a desired outcome. In this case, the desired result is more support for awareness strategies to boost interest and use of archival resources in this region. This article attempts to explain the role of legislation in supporting strategies that focus on raising awareness about archives in this region.

### **Background of the Study**

The International Council of Archives (ICA) (2004) describes legislation as a “set of binding principles and rules stipulated through formal mechanisms to grant power, confer rights and specify limits that regulate the conduct and behaviour of a society”. Therefore, this further implies that archival legislation is a set principle that guides archives management. The ICA (2004) defines archival legislation as:

A legal and administrative base that allocates functions, power and responsibilities among accountable bodies within the country and expresses the rights and expectations of citizens with respect to recorded information and documentary heritage. Archives legislation provides the mandate of the archival authority, sets out the rules for its operation, defines what part of the country’s collective memory should be retained and preserved, and for whom and under what conditions the preserved records could be made available.

Ngoepe and Saurombe (2016) provide the following explanation in their description of legislative frameworks related to information:

There are two major categories of legislation that generally relate to information: those that ‘control information access across all public structures’ and those that relate to ‘specific information held in specific sectors’. Records and archives legislation may be composed of both primary and

secondary legislation. Primary (for example, acts, decrees and ordinances) is enacted by parliament, or some supreme legislative authority, and secondary legislation (for example, rules and regulations) is promulgated usually by a minister under powers conferred by the primary legislation. Supporting legislation will be other normative documents, such as national and international standards and procedural guidelines, policies, and instructions.

The Archival legislation plays an essential role in public records management because it sets out clear direction regarding how the records are obtained, organised, preserved and accessed (Mnjama, 2014). Mnjama (2014) further explains that legislative frameworks help regulate access; in this regard, it points out the public's right to access, setting an access period, providing exemptions for sensitive records, and mechanisms to review exemption strategies. Chaterera (2017) explains that such information should be available in an access policy for the archival repository. An access policy sets the legislation into action by outlining what steps should be taken to ensure the protection and provision of information.

Katuu and Ngoepe (2015) explain that archival legislation influences how a country's records or archives are managed and accessed. Then this implies that the lack of archival legislation can lead to the loss of records or prevent citizens from accessing their documentary heritage.

In the past two decades, there have been recurring reports of dwindling archival users in East and Southern Africa (Kamatula, Mosweu and Saurombe, 2013; Ngulube, 2019; Saurombe, 2020). This investigation, therefore, focused on archival legislation from nine (9) national archival repositories affiliated with the East and Southern Regional Branch of the International Council on Archives (ESARBICA). These countries are South Africa, Namibia, Zimbabwe, Kenya, Tanzania, Zambia, Malawi, Botswana and Uganda.

The International Council on Archives (ICA) and its branches (i.e. ESARBICA and others) worldwide provide expert guidance, training and other support regarding managing records and

archives. There has been increased interest in investigating how to promote access to archives in this region. Factors examined included marketing strategies - (Ngulube, 1999; Kamatula, 2011; Ngulube et al. 2017), user studies- (Saurombe and Ngulube, 2016); educational and technological strategies- (Mukwevho and Ngoepe, 2019); archivists' skills and knowledge of outreach strategies- (Saurombe and Ngulube, 2018); content within archival repositories- (Saurombe, 2018; Ngoepe, 2019) and others.

Over time, archivist's roles have transformed, evolving from that of being mere collectors and guardians to become custodians and facilitators of information dissemination (McCausland, 2017; Khumalo and Baloyi, 2017; Mnjama, 2018). Legal frameworks play a pivotal role in advocating the significance of archives in society by offering a structured framework of regulations and principles governing the preservation and accessibility of historical records and artefacts. Various laws can be leveraged to advance access to archives; for instance, copyright laws safeguard intellectual property rights and govern the appropriate utilisation and dissemination of archival materials.

Freedom of information laws help to ensure that archives are accessible to the public and can be an essential tool for promoting transparency in government and other organisations. Laws related to the preservation of cultural heritage can ensure that precious heritage content is preserved for future generations and provide a framework for access to these valuable resources (Netshakuma, 2019; Nicholson and Kawooya, 2008).

The literature recommends engaging learning institutions, using soft power, designing customised educational programmes, and tapping into social media and other online technologies and advocacy in promoting archives (Mukwevho and Ngoepe 2019; Kau, 2018, Saurombe 2019, Mojapelo and Ngoepe 2021). However, there needs to be more information regarding how to harness legislation and policies to raise awareness about archives. Archival holdings differ from library collections and other information institutions as they are sourced differently. Archives are often characterised as primary sources, presenting irreplaceable firsthand narratives. Such materials include letters, diaries, maps, land records, and more (California State University, 2024). As a result, restrictions such as closure periods, copyright issues,

donor restrictions and other factors influence when and how the records should be accessed (Dryden, 2017). Holmes (2016) argues that while archivists must facilitate access; they must also uphold the need to work within the boundaries of the law. Therefore, this author argues that archivists face the challenge of balancing access and information protection (Holmes, 2016). Archival legislation generally focuses on two crucial functions linked to information: protecting the information and providing access to this information (Dominy, 2017). These functions are mutually inclusive. The thrust of this paper is limited to promoting access to the information stored within the archives.

### **Statement of the Problem**

Archives serve to provide crucial information that significantly influences decision-making across diverse sectors of society. Citizens can use information from public archival repositories to address information needs linked to governmental, business and personal transactions, historical data, educational curriculum content, heritage and culture matters, identity and genealogical issues and content for documentaries and entertainment, e.g. movies. Archival repositories, such as the national archives in East and Southern Africa, preserve their collective memory while serving as critical research, education and governance resources (Venson, Ngoepe and Ngulube, 2014; Mukwevho, 2019). While archives are acknowledged as valuable, the issue of underutilisation has emerged as a significant concern in both regions (Mnjama, 2018; Saurombe, 2020). Despite East and Southern African countries having archival legislation, the utilisation of these archives, mainly public archives, remains low. (Saurombe 2016) identify many factors that contribute to this phenomenon. However, there is limited information concerning the link between archival legislation and this problem and how best to leverage legislative frameworks to lessen this problem. The concern of underutilisation prompted the selection of the central theme for the ESARBICA 2015 Conference held in Victoria Falls, Zimbabwe.

The conference theme was *'Archives: Uses, Abuses, and Underutilisation'* (ESARBICA, 2015) conference. Identified factors include high staff turnover, budget constraints, lack of visibility on online

platforms, and skills shortages regarding outreach. Suggested recommendations are also aligned with these factors (Mukwevho and Ngoepe, 2019). Though legislative frameworks are at the core of archival administration, which includes outreach and advocacy (Saurombe 2020), there has not been much focus on the provisions for these factors in legislation and how these provisions influence initiatives geared towards raising awareness about archives. As more public archival repositories upskill, develop, and implement public programming initiatives in the region, the discourse around legislation and policy could further strengthen these efforts. Therefore, this study reviewed the different legislations to identify provisions for promoting access to archives and recommend how repositories can leverage them to their advantage in order get more people to engage with the archives.

### **Purpose of the Study**

This study assessed existing provisions for promoting access and the use of archives in archival legislative frameworks in selected East and Southern African countries. Furthermore, it focused on how archivists can leverage policies to strengthen efforts to facilitate access to public archives in the East and Southern African public archival repositories. Notably, the focus was on countries whose national archives are affiliated with ESARBICA.

The following research questions guided this study:

- Are there provisions for facilitating access to archives in archival legislation and policies linked to the national archives (select) affiliated with ESARBICA?
- How can archivists from these select archival repositories leverage their understanding of these legislative frameworks and policies to strengthen their outreach and advocacy initiatives?

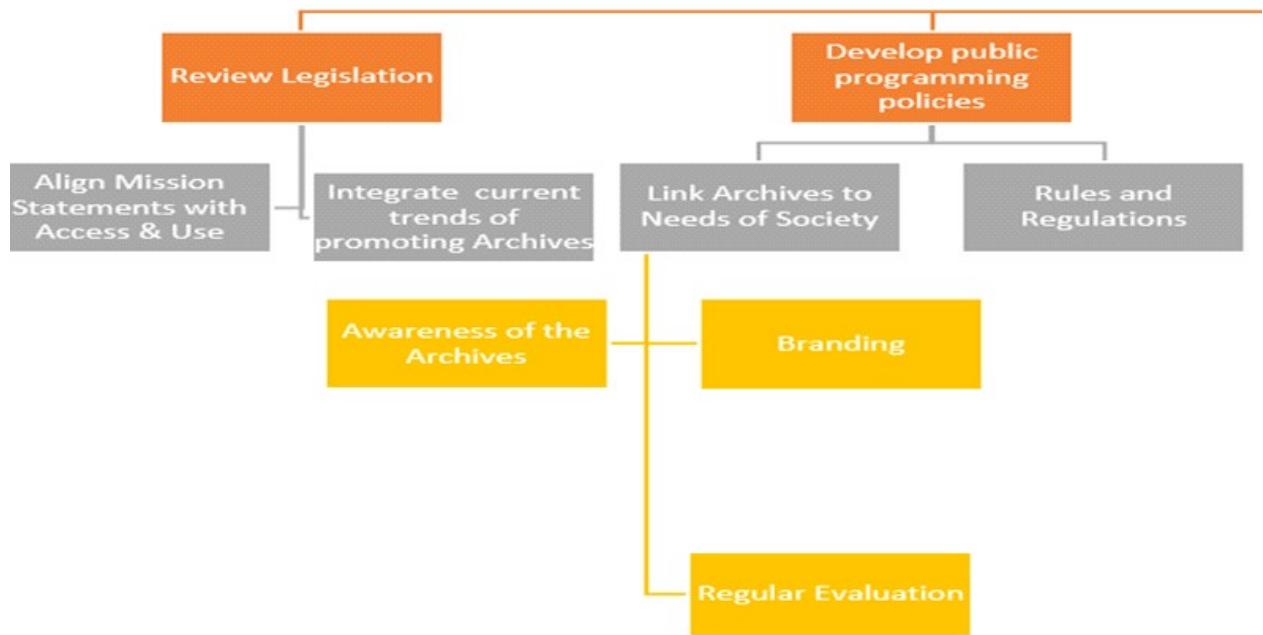
### **Conceptual Grounding for the Study**

Conceptual frameworks help specify the information that is of specific interest to the study. A conceptual framework can incorporate concepts from multiple theories, models or frameworks to aid the investigation of a study (Ngulube and Taole, 2018).

The study identified concepts from two frameworks. These include the ICA’s Principles on Access to archives (ICA, 2012) and an element of Saurombe’s (2016) proposed public programming framework for the ESARBICA region. The ICA (2012) describes access as the availability of records for consultation because of both legal authorisation and the existence of finding aids. The ten (10) principles extensively describe the rights of access by the public and the responsibility of archivists. These principles can be

accessed from this link: [ICA\\_Access-principles\\_EN.pdf](#).

The proposed framework for public programming by Saurombe (2016) outlines the need to review archival legislation and develop policies to ensure sustainable public programming initiatives. Regular evaluation is a critical factor in helping archival legislation adapt to rapid technological developments. These actions must align with societal needs, and these concepts are outlined in Figure 1.



**Figure 1:** Link between archival legislation, policies and sustainable public programming initiatives (Saurombe, 2016)

Table 1 indicates the constructs that were derived from Saurombe’s (2016) public programming framework and the ICA Principles of Access (2016).

**Table 1. Conceptual Framework for the Study**

Concept	Constructs
Saurombe’s Public Programming Framework (2016)	<ul style="list-style-type: none"> <li>Legislation to guide public programming and advocacy initiatives.</li> <li>Policies to operationalise legislative directives.</li> </ul>
ICA’s Principles on Access	<ul style="list-style-type: none"> <li>Awareness of legislative frameworks.</li> <li>Pro-active archival practice-promoting archives without infringing legislative frameworks.</li> </ul>

Source: (Saurombe, 2024)

The study highlights provisions for promoting archives in the archival legislation of selected East and Southern African countries. Furthermore, based on the conceptual framework, it focused on how the knowledge of these provisions and proactive efforts can strengthen advocacy and public programming initiatives in the public archival repositories in these regions.

### Literature Review

Referring to archival literature in East and Southern Africa, one of the earliest archival legislations in Africa is recorded from South Africa, dating back to 1922 (Ngoepe and Keakopa, 2012). The National Archives and Records Services of South Africa (NARSSA) celebrated 100 years of archival legislation in South Africa in July 2022 (NARSSA, 2022).

Mnjama (2014) reports that Zimbabwe's National Archives Act can be traced back to 1935 in Harare (then Salisbury), Zimbabwe, where the British colonialists established the first national archival repository. These operations were governed by British archival legislation, as the British were the colonial masters of Zimbabwe (Rhodesia at the time). Kenya's archival legislation was enacted in 1965 and amended in 1990. Tanzania's archival legislation was also passed in 1965; its amendment followed in 2002. On the other hand, Uganda did not have any archival legislation until 2001. Botswana's archival legislation was enacted in 1978 and amended in 2007 (Mnjama, 2018). An archival legislative framework ensures an effective and efficient archival service. Mnjama (2018) elaborates that such legislation will have provisions for standards, policies, and procedures that provide a framework to operate and justify funding and other means of support required for a functional archival repository.

Most countries in the ESARBICA region are former British colonies. Hence, the legislative frameworks developed after independence have been influenced to some extent by their former colonial masters (Hofman and Katuu, 2023). We see this evidence in some regional archival legislation modelled according to British archival legislation (Hamooya, Mulauzi and Njobvu, 2011; Ngoepe and Saurombe, 2016). The other concern about archival

legislation in the ESARBICA region is that most of them have not been revised or adequately revised to incorporate recent developments in record keeping, such as electronic records, born-digital records, etc. (Matongo, Marwa and Wamukoya 2013, Hamooya, Mulauzi and Njobvu 2011, Ngoepe and Saurombe 2016). Matongo, Marwa and Wamukoya (2013); Mnjama 2018; Netshakhuma (2019), and Saurombe (2020) argue that many African nations need to review and update their archival legislations to integrate the following: electronic records management, record-keeping principles, particularly the records continuum concept, freedom of information, privacy and archives legislation to accommodate information sharing across organisations, and rapid administrative changes resulting from modern management practices. An exception can be drawn from the National Archives and Records Service of South Africa, which recently released a draft of the National Archives and Records Service of South Africa Amendment Bill in February 2024 to allow stakeholders engagement and provide further input to the amended Bill (NARSSA, 2024).

Other forms of legislation can also govern access in the interest of protecting individuals or organisations. For example, the South African Protection of Personal Information Act of 2013 protects personal information processed by public and private bodies. Another legislation that directly influences access to information is the Freedom of Information (FOI) Act. Khumalo and Baloyi (2017) narrate that well-preserved and accessible archives are essential in a free democracy. Effective implementation of FOI heavily relies upon good record-keeping practises that ensure that the information is well preserved and organised to allow easy access. Mnjama (2018) argues that national archives within the ESARBICA region have slowly enacted FOI laws. Twenty-one (21) sub-Saharan African countries have enacted FOI laws (Adu, 2018). Some nations affiliated with ESARBICA, such as Angola, Kenya, Mozambique, South Africa, Tanzania, Uganda, and Zimbabwe, have adopted fully-fledged FOI legislation (Hofman and Katuu 2023), while others have made it constitutional.

The ICA Principles on Access (ICA, 2012) points out critical factors that archival institutions must consider when facilitating access to archives. More importantly, emphasis is given to archivists to

adhere to legislative frameworks within their countries when planning and implementing access strategies. These factors include:

- Transparency – Awareness of laws and policies governing access. Communities should understand the legal context within which archives operate.
- Equity – Inclusivity and diversity in archival outreach efforts.
- Participation – Involvement of community members in the decision-making processes related to access to archives.
- Accountability – Responsiveness of archival repositories to community needs and concerns.
- Responsibility – Sound ethical conduct that includes respect for individual rights, protecting sensitive information, and advocating for the preservation and accessibility of archival materials.

Within legislative frameworks, these principles guide archivists in the promotion of archives to communities by ensuring that access policies and practices are transparent, equitable, participatory, accountable, and responsible. By adhering to these principles, archivists can foster greater engagement with archival materials and promote a better understanding of the value of archives within society (ICA, 2012; Mosweu and Rakemane, 2020).

## Methodology

Relevant data for the study was derived from archival legislation from selected countries in East and Southern Africa; the selected national archives are affiliates of ESARBICA. A quantitative content analysis research approach was applied; Williamson, Given, and Scifleet (2013:427) describe qualitative content analysis as “an approach that focuses on interpreting and describing meaningfully the topics and themes that are evident in the contents of communication when framed against the research objectives of the study”. With interpretivism as the foundation for this approach, the researcher was able to examine how archival laws influence initiatives aimed at increasing public knowledge of archives (Leavy, 2022).

Babbie (2011) describes legislation (laws) as possible research analysis units. Such units of analysis are conceptually analysed to determine the existence, meanings, or relationships between the studied concepts. In this case, archival legislation was carefully reviewed to decide whether or not it stated or supported the promotion of archives in these countries. Qualitative content analysis has been applied in other related archival legislation studies (Ngoepe and Saurombe, 2016; Netshakhuma, 2019).

## Findings and Discussion

The first step in the study was to identify available archival legislation from ESARBICA members. The researcher accessed the archival legislation of the following member states online.

- Botswana: The National Archives Act 37, 1978, Act 14 of 2007
- Kenya: Public Archives and Documentation Service Act Cap 19 of the laws of Kenya
- Malawi: The National Archives Act No. 12 of 1975
- Namibia: National Archives Act No. 12 of 1992
- South Africa: National Archives Act No. 43 of 1996
- Tanzania: The Records and Archives Management Act No. 3 of 2002
- Uganda: Records and Archives Act 2001
- Zambia: The National Archives Act Cap 175 of revised laws of Zambia 1995 edition
- Zimbabwe: National Archives of Zimbabwe Act 25:06 of 1986

These legislations were freely available online and analysed accordingly to seek answers to the research questions. The legislation proved that, to a certain extent, these member states valued archives and acknowledged their crucial role in the well-being of society (Venson, Ngoepe and Ngulube, 2014). Referring to literature on archives and records management from the region, though most of these countries do have legislation, the level of compliance is low. Furthermore, little is known about the sanctions for non-compliance (Archival Platform, 2015; Ngoepe and Saurombe, 2016; Saurombe, 2018; Netshakhuma, 2019).

Archival legislation should provide a framework that guides an archival repository's operations. Mnjama (2014), in agreement with Roper and Millar (1999), explains that such legislation should show those responsible for the archives how to preserve and provide access to the records. Therefore, archivists should know what the archival and associated legislation mean and confidently apply it to promote archives. However, despite this fact, the number of people benefitting from the public archival repositories in this region is dropping (ESARBICA 2015; Mukwevho 2018; Saurombe 2019). Extant literature regarding archives and records management practices in the region point out that the level of compliance for most archival legislation is low because the legislation is not backed by funding, there is a lack of standardised records management programmes, there is a lack of expertise and training; high staff turnover; the ambiguity of certain sections of the law and technological

obsolescence (Sulej, 2014; Ngoepe, 2016; Dominy, 2017; Netshakhuma, 2019).

### Provisions for Promoting Access within the Selected Archival Legislation

Archival legislations from selected member states of ESARBICA were examined to see if they included clauses promoting archives' use. The researcher looked at the various pieces of archival legislation to see if any of them contained the following clauses: a) clauses that contain sections specific to access to the archives, b) clauses that require the national archives to promote or publicise how to promote access to the archives; and (c) methods that archival repositories should use to promote archives.

The findings are organised in Table 2 for ease of presentation. The Table identifies the exact sections of the laws where access, promotion and the stipulated methods are mentioned.

**Table 2. Analysis of Archival Legislation**

Country and legislation	Sections in the archival legislation on ensuring access to the archives	Sections in the archival legislation on promoting access to the public	Methods mentioned in the legislation on how to promote access to the archives
South Africa: National Archives of South Africa Act No. 43 of 1996.	Sub-section (c) of objective 3.	Sub-section (h) of Objective 3	n/a
Tanzania: The Records and Archives Management Act No. 3 of 2002.	Sub- section 2 of section II.	Section 13	Publications and exhibitions
Botswana: The National Archives (Amendment) Act of 2007	Sections 12 and 13	n/a	n/a
Uganda: The National Records and Archives Act of 2001	Section 17	Sub- sections (d), (e), 2 (a) and 2 (b) of section 13	Publications and exhibitions.
Zimbabwe: National Archives of Zimbabwe Acts 8/1986, 22/2001	Sub- section (a) of Section 9	n/a	n/a
Zambia: The National Archives Act 44 of 1969 and 13 of 1994.	Section 11	Sub -section (j) and (m) of section 5.	Publications and exhibitions.
Kenya: The Public Archives and Documentation Service Act of Kenya 1965 (revised 1991)	Section 6	Sub - sections (a) and (b) of section 6	Publications and exhibitions
Namibia: Archives Act No. 12 of 1992	Sections 8 and 10	Sub - section (2) of section 9	Exhibitions and other means.
Malawi: The National Archives Act No. 12 of 1975	Sections 17 and 18	Sub - section (j) and (m) of section 6	Brochures, printed matter and exhibitions

It is evident that with the exemption of Zimbabwe and Botswana, all legislations selected for this study have a provision for promoting access and the use of archives in their countries. Therefore, these provisions within the legislation should enable the public archives in these countries to strengthen their initiatives to improve access to the archives and their use (Saurombe 2020). Unfortunately, this is not the case, as current research has revealed (Mukwevho and Ngoepe 2019; Saurombe 2020). Instead, these authors report declining archives use at these public institutions.

Furthermore, examining these legislations exposed striking resemblances in content and wording. Kabata and Muthee (2013) argue that most archival legislations are modelled on other laws. For instance, sub-section 2 of section II of the Records and Archives Management Act, 2002, of Tanzania (Government of Tanzania 2002) reads:

The Department shall preserve and make available for consultation public records selected for preservation in the National Archives or any other archival repository under the control of the Director.

Subsection (d) of section 13:

The Director will ensure that reasonable facilities are available to the public for inspecting and obtaining copies of public records in the National Archives or any other archival repository under his control, in so far as such records are open for inspection.

The Ugandan National Records and Archives Act of 2001 uses the same clause as the Records and Archives Management Act of 2002 of Tanzania (Government of Uganda 2001).

The standard methods of promotion mentioned were printed publications and exhibitions. This was probably the case because, when these pieces of legislation were enacted, using information communication technologies was not standard practice. These are established public programming methods (Pederson 2008); other means, such as using technologies and online platforms (Saurombe

2019), could also be adopted. Theimer (2011) and Mukwevho (2019) point out the need for archives to be more user-centred; For this to be possible, they should adapt to methods that will have a more significant impact when promoting archives. Since more people seek information online (Mukwevho and Ngoepe, 2019); repositories should also consider using online methods to reach out to more people where possible. For example, the COVID-19 pandemic forced many organisations to rely on technology and online platforms to run their operations. Thus public programming and outreach activities can also be conducted online (Saurombe, 2019).

### **Leveraging Archival Legislation to Strengthen Archival Repository Strategies to Facilitate Access to Archives**

Archival advocacy is not just a task; it is a crucial mission. It involves activities aimed at garnering public support for archival institutions, records, and the profession. It is about rallying support within the parent institution for archival programmes and materials. It is also about engaging influential institutions or individuals from outside the parent organisation. Mojapelo and Ngoepe (2020) argue that advocacy can influence constitutional legislation and policy reformation. In most cases, archival repositories advocate for financial aid, staff, space or infrastructure, and recognition by authority. An effective advocacy strategy should be grounded on archival legislation. Chances are that such a detailed strategy will have a more desirable impact on governing authorities and could yield favourable results for the repository (Franks, 2021). It is evident from the findings that most of the countries selected for this study have provisions for promoting access to archives. This advantage could be leveraged in advocacy initiatives by public archival institutions in this region. However, while there are numerous reports on marketing, outreach, and public programming initiatives (Saurombe, 2020), there are limited accounts of advocacy campaigns in this region (Mojapelo and Ngoepe, 2020; Mojapelo and Saurombe, 2023). Advocacy initiatives are not just important; they are essential for archival institutions to secure adequate resources to run effective and efficient services, such as outreach efforts and other

archival functions. This, in turn, could foster a better understanding of archives in society and increase the demand for archival services (Venson, Ngoepe and Ngulube, 2014).

Financial constraints among public archival repositories are a common challenge. Using South Africa as an example, though the country has progressive legislation, most of these mandates linked to proper record-keeping and promoting access to information are unfunded (Dominy, 2017). This leads most archival repositories to prioritise using their limited resources on functions they believe are essential, such as digitisation projects, and overlook public programming initiatives and advocacy campaigns. However, joint efforts to improve advocacy abilities and implementation could be advantageous. Several of the countries have relatively similar laws and are also members of ESARBICA, a regional organisation of the ICA. Collaborative efforts may offer a forum for discussion about legislative change and other topics. In addition, this strategy can be an affordable way to deal with the underuse of archives in the region. Issues like underfunded mandates may also catalyse cooperation and increased participation by archivists in the region in the formulation of policy. This strategy may help advocacy efforts and eventually lead to repositories with sufficient resources and increased interest in society.

Dominy (2017) emphasises that applying constitutional rights and good governance are essential to the efficacy and efficiency of an archival service. Policies become significant in this situation because they operationalise the law. Government institutions include public archival repositories. Saurombe (2020) found limited information about the policies guiding advocacy campaigns and public programming initiatives in East and Southern Africa. Nevertheless, according to the ICA's Principles of Access (ICA 2012), archivists can take initiative without infringing the law. This may entail using other public administration policies or regulations for the archival repository's benefit. For example, Mojapelo, Modiba, and Saurombe (2023) describe how the Batho Pele (People First) Principles applied within South African public administration structures can help strengthen advocacy and public programming initiatives. Archivists in this region likely need more

training or other forms of engagement to properly comprehend archival legislation, access and how it impacts their work. Only then will archival institutions be able to develop advocacy plans that are likely convincing to influential organisational structures or individuals.

Knowledge of archival legislation and other legislation linked to providing and promoting access to information is critical for archivists serving within public archival repositories (Venson, Ngoepe and Ngulube, 2014). According to Chaterera and Ngulube (2019), if archivists familiarise themselves with these legislation and policies, they will probably not struggle with tackling matters linked to accessing archives, such as privacy laws and copyright and ensuring compliance.

## Conclusion and Recommendations

Promoting access to archives is included in the archival legislation of the selected countries in this study. However, there has not been much discussion on how archival repositories in the region can leverage archival legislation to promote access to archival resources. This confirms Ocholla's (1999) findings on the difficulty of implementing information-related legislation in Africa. Budget constraints, lack of knowledge and skills, and out-dated legislation are some problems affecting archival repositories from leveraging legislation in their awareness strategies. Referring to the study's conceptual framework, a sound understanding of archival and other related legislation and policies could help develop effective strategies to get more people to engage with the archives. Considering this, the study recommends the following:

- The information and knowledge economy is rapidly changing, with vast technological developments and other socio-economic issues. For that reason, regular review of archival legislation will ensure that such changes will not complicate access to archives. Understandably, the review of legislation is a matter that takes a significant amount of time and effort; this should not be a deterrent but rather encourage archival repositories to be resilient in this endeavour. An example can be

drawn from South Africa, as the country is currently reviewing their archival legislation (NARSSA, 2024).

- Collaborative efforts under the leadership of ESARBICA and the ICA could provide fora where matters such as legislation review, best practice, advocacy strategies and other related matters could be discussed and influence change.
- Access policies prove helpful in outlining the archival repository's actions concerning issues such as privacy, confidentiality, physical access, education programmes and other initiatives linked to facilitating access. Policies also substantiate funding and budgeting activities in an environment of limited resources and harsh economic conditions.
- Training on matters related to archival legislation, freedom of information laws and other legislative frameworks could further empower archivists on how to leverage these laws to promote access to the archives.
- As most public archives in this region are mainly unknown, advocacy could help raise the public archives' profile and lead to reforms that will benefit the archives and the public. These strategies must align with the respective legislative frameworks, and knowledge of these frameworks could further strengthen these efforts in influential circles.

Archives are kept for use (McCausland, 2005). Considering the continued decline in users at public archival repositories in this region, it is necessary to consider ways to think of means to change this phenomenon (Mojapelo, Modiba and Saurombe, 2023). The sustainability of outreach and advocacy strategies depends upon legislative frameworks and sound policies as a foundation for effective programmes.

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