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Repatriation of the World Council of Churches' 1948-1960 archives from Switzerland to South Africa

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Abstract

The purpose of this paper is to highlight the significance of repatriating the World Council of Churches' (WCC) archives from Switzerland to South Africa. These archival collections document the role played by Chief Albert Luthuli as a church leader and president of the African National Congress (ANC) in South Africa. In the context of South Africa's struggle for liberation, Albert Luthuli was viewed as an important figure and political leader who fought against apartheid and colonialism. He served as the President-General of the ANC from 1952 to 1967. Furthermore, he urged the United Nations and European countries, as the global multilateral policy watchdog and main trading partners of the South African government, respectively, to apply arms embargoes, boycotts, and economic sanctions (Vinson 2018). This study used a systematic literature review and focus group interviews. The review of the literature and focus interviews conducted with the National Archives of South Africa staff confirmed that the WCC records, which are of significant historical, social and religious value for Southern Africans, have not been repatriated to South Africa. The study highlights the importance of the repatriation of the WCC records to South Africa.

Keywords: Anti-apartheid, World Council of Churches, repatriations, National Archives of South Africa, Chief Albert Luthuli

Introduction

The issue of repatriation is central to global discussions on cultural justice, postcolonial restitution, and international law. The discussion on the value of repatriation archives is made more concrete in this article by focusing on the Chief Albert Luthuli Collection currently held by the Swiss National Archives and other Swiss organisations that participated in the anti-apartheid campaigns between 1948 and 1960. This article considers the significance of the repatriation of the WCC's records for the period 1948 to 1960 from Switzerland to South Africa. These archives hold legacies, as the late Chief Albert Luthuli fought for the liberation of South Africa, while some of these are the Chief's private papers. The attributes that make the archive valuable are uniqueness, historical and cultural significance, and the role he played in the liberation of South Africa (Mnjama 2020). The repatriation process of archival materials is a powerful act of historical reclamation that enables researchers and scholars to analyse the narratives of the church's role in the fight against apartheid systems. This may also highlight

African societies' cultural development, as it contains data on and insights into the country's cultural memory and social justice (Ngoepe & Dikotla 2025).

The end of apartheid in South Africa witnessed the repatriation of archival materials by various organisations such as the African National Congress (ANC) (Shyllon 2014). These non-state archival institutions repatriated archival materials from all over the world (Pickover 2014). This repatriation also holds several organisational, cultural and educational significance and strengthens the role of the National Archives of South Africa in the preservation of archival material and empowers the National Archives of South Africa to take ownership of their history rather than relying on Western archives' interpretations. Repatriated archives may also serve as invaluable educational tools and provide tangible connections to the history of liberation in Southern Africa. The presence of these archival materials enables direct engagement with religious archives and, thus, fosters a deeper understanding of the history of liberation in South Africa. Moreover, the development of archives in Africa is essential for preserving and showcasing the history of South Africa. This will develop a scholarly basis from which to assess the repatriation of archives from Switzerland to South Africa.

In 1948, the National Party came into power in South Africa and introduced the apartheid policy, which sought to suppress human rights and dignity (Christopher 1994). The apartheid system was condemned by most black organisations, such as the ANC under the leadership of Chief Albert Luthuli, who mobilised against the apartheid system. Several global anti-apartheid organisations were established, and these include the Swiss Organisations Anti-apartheid Movement and the WCC (Ctvrtnik 2021). These organisations preserved their anti-apartheid collection records, with Switzerland being one of the countries with the largest anti-apartheid collection of Chief Albert Luthuli (Widmer & Hirschi 2004). It is in view of this that the study sought to draw attention to this epoch of repatriation of religious archives from Switzerland to South Africa to determine the gap existing in the National Archives of South Africa. Filling this gap in archives is essential to establishing the historical memory of a crucial national period characterised by violence, oppression, anti-apartheid and anti-colonialism (Ghaddar 2025). The researcher argues that these collections need to be repatriated to South Africa, as the records document and pertain to South Africa's liberation.

Purpose and objectives of the study

The purpose of this article is to highlight the significance of the repatriation of the anti-apartheid records held by the WCC from Switzerland to South Africa. The specific objectives of the study were to:

- i. find out the effect of the legislative framework of Switzerland and South Africa on the repatriation of religious archives.
- ii. assess the challenges faced by Switzerland and South Africa in the repatriation of archives.
- iii. find out the extent of cultural diplomacy on the repatriation of archives.

Problem Statement

Between 1994 and 1996, the National Archives of South Africa developed a strategy to deposit materials into an accessible public resource in support of human rights. The archives were to support post-apartheid programmes of transformation and redress, such as the TRC and land restitution; to be taken to the people through public programmes and the documentation of marginalised communities; and to be transformed into auditors of government records management (The Archival Platform 2015). The issue of the repatriation of the Chief Albert

Luthuli Archives was not covered in the National Archives of South Africa Strategy, which created a gap in missing collections. Archival institutions encounter challenges when repatriating archives from various countries (Christen 2015). Hence, repatriation of archives requires cultural diplomacy, which is underexplored in public diplomacy (Zaharna 2012). Nevertheless, archives infuse all aspects of public diplomacy and the legal framework. This shows that the archival framework has implications for repatriations of archival materials, which affects the development of archival institutions and their ability to act as national institutions and as the national heritage (Olunlade & Adebayo 1996). This article assesses some parts of the legislative framework in relation to the repatriation of archival materials.

The repatriation of the religious archives summarises the reclamation of narratives, historical memory and self-determination. The study contributes to the global discourse on legal and regulatory frameworks and the role of diplomacy in cultural restitution.

Methodology

This article applied a qualitative approach. The relevant literature and documents on repatriations of archival materials were reviewed. The documents reviewed covered the period from 2015 to 2025. The keywords searched were archival materials about repatriation, diplomacy, archives and Southern Africa. The review of archival materials involved reading, synthesising and analysing relevant literature, legislation and policy documents, reports of international organisations and intergovernmental committees relating to the repatriation of archival materials. This method enables a comprehensive analysis and offers insight into the complexities of answering research questions through the examination of legal documents and a review of journal articles.

The literature review and document analysis were supplemented by a focus group interview with archivists from the National Archives of South Africa who attended the Eastern and Southern Africa Regional Branch of the International Council on Archives (ESARBICA) Conference, in Victoria Falls Hall from 16 to 20 June 2025. The focus group included five participants with knowledge of the legislation governing archives in South Africa and the repatriation of archival materials. I felt that the participants could contribute to the discussion on the repatriation of archives. Permission was received from the National Archives of South Africa.

I used a break session during the conference on 17 June 2025 to conduct a focus group interview session on the repatriation of archives in South Africa. A discussion guide consisting of a set of questions based on the objectives of the study was developed. All the discussions were recorded and analysed later. The focus interview was less expensive as I gathered information at once. The limitation of the study was that only a few archivists were selected for the study. Furthermore, the researcher did not have the opportunity to conduct research in Switzerland to collect data on the Swiss Anti-Apartheid movement and the National Archives of Switzerland because of limited resources. The methodology provided opportunities for an extensive study of the case of South Africa and Switzerland. Therefore, the researcher used the limited data from the legislation and archival materials. The study recommends future studies on the repatriation of archival materials in Europe.

The repatriation concept

It is essential to define the concept, the repatriation of archives. Repatriation is a form of physical, visual and virtual restoration to the country of origin that owns archival materials (Adewumi 2015). It refers to the return of archival materials to their country of origin

(Roehrenbeck 2010). In this article, the word 'repatriation' is associated with reclaiming physical, visual and virtual archival materials from other collections in Europe. Repatriation represents an opportunity for South Africa to restore archival materials taken during the colonial and apartheid periods and strengthen the country and Africa's archival materials. The archival materials have historical significance, uniqueness and symbolic meaning, as suggested by Snowball, Collins & Nwauche 2022: 539). Some of the archival materials have cultural value, which justifies repatriation to South Africa (Snowball et al. 2022).

Several factors account for the displacement of archives to other countries, which include African institutional weakness, poor understanding of the social and scientific value of archives, non-enforcement of the relevant regulatory legislation governing archives management in a country, a lack of repatriation policies on archives materials, and unprincipled practices by certain entities and sections of the international antiquities (Adewumi 2015:34). This statement is contrary to Mnjama's (2005: 466), who indicated that African countries aspire to regain archival materials relating to their countries which are held in Europe because such archival materials have social and scientific value. Therefore, the repatriation of the anti-apartheid archives may strengthen knowledge on issues such as human rights violations and the church's role in the fight against apartheid.

Literature review

The review of literature was based on the three research objectives below.

Legal and regulatory framework

Legislation and regulatory framework are critical in the repatriation of archival materials (Rabatseta, Modiba & Ngulube 2025). Repatriation of archival materials raises several legal issues, such as compliance with international and national legislation, copyright and privacy of information. One of the objectives of the study was to evaluate whether the legal and regulatory frameworks of both South Africa and Switzerland support the repatriation of archives. Such legislation defines the rights of archival institutions and provides them with the authorisation to carry out the repatriation of archival materials.

Many African countries lack a legal and regulatory framework for the repatriation of archival materials from displacement (Adewumi 2015). The absence of the legal and regulatory framework is a challenge whenever organisations facilitate the repatriation of archival material (Ngulube & Tafor 2006). Nonetheless, South Africa enacted various pieces of legislation related to archives repatriation, and these include the Legal Deposit Act 54 of 1997 (Nsibirwa, Hoskins & Stilwell 2014). Section 29 of the Promotion of Access to Information Act 2 of 2002 addresses issues of access to information. In addition, section 4 of the Protection of Personal Information Act 4 of 2023 focuses on the lawful distribution of personal information. This implies that reliable and accurate information must be repatriated (Rabatseta et al. 2025).

The repatriation of religious archives depends on an effective legislative framework that includes policy elements on the repatriation of archives. The national legal framework in South Africa for the repatriation of archives includes the National Archives and Records Service Act of 1996. However, the framework is silent on the repatriation of religious archives. Ngoepe and Saurombe (2016) assert that the legal framework has several shortcomings that render the exercise of repatriating liberation archives unsuccessful. The study recommends that the National Archives of South Africa consider adding a legal instrument in the form of a protocol treaty on the repatriation of archival materials. Furthermore, the National Heritage Resources Act 25 of 1999 lacks provisions and details on the repatriation of archival materials (Ingelson

& Owosuyi 2023). Nevertheless, archival materials in South Africa are protected by various international conventions to which the state is a party, and, as such, South Africa ratified all Hague Conventions (1899, 1907 and 1954) and the 1954 Protocols.

Many national archival institutions have examined organising restitution of the archival programme (Mnjama 2011), which requires extensive support from the government. This implies that repatriation of archival materials requires the government to allocate resources. National legal frameworks in African nations, particularly South Africa, have established domestic legal frameworks to facilitate the repatriation of religious archives. The Act is an instrument of repatriation of religious archives. This legal framework may play a role during the repatriation of archival materials.

Repatriation in Switzerland is highly situational, with relatively few regulations in place to assist in returning archival materials. The Federal Act on Archiving (ArchA, SR 152.1) was enacted in Switzerland in June 1998. This Act promotes the collection and preservation of archives with historical and cultural values. However, national legislation in Switzerland needs to be amended to require the repatriation of religious archives. There is a need to review existing legislation to promote reviewing archival materials. The European nations' archival laws should be in line with the European Union's cultural law to promote unity. The European Union's Parliamentary Committee for Culture is responsible for ensuring that national and regional departments preserve archives and make them accessible. The Swiss Federal Act on the International Transfer of Cultural Property (Cultural Property Transfer Act (CPTAO) was enacted in line with the International Convention to facilitate the repatriation of archives from the country. This Act is in line with the 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export, and Transfer of Ownership of Cultural Property. The limitation of the International Convention is that a state needs to be a member of the UNESCO Convention of 1970 (New Swiss law on Cultural Property 2006).

There is a lack of regulations or guidelines to support the decolonisation activities and supplement archival materials (Kuprecht 2022). This statement is supported by Simoes (2019), who noted the existence of restrictions on cross-border movement and property rights. He further indicated that the permanent export of a listed archive material is prohibited. A study by Mnjama (2011) stated that most European countries refused to ratify the International Convention because, without colonial archives, they could remain powerless (Mnjama 2011).

There is a need to trace the development of international policy agreements between states and organisations that are involved in regulating the movement of archival materials. This has a bearing on national laws, and in particular, on understanding the difference between national law and international law. International law is the rule that binds individual states concerning their relations to one another. The concept that international law binds nations raises an obvious but significant factor that differentiates between national and international law. Unlike individual nations, the United Nations (UN) does not enforce compliance with international laws. The UN does not have jurisdictional institutions that are comparable to national laws and international enforcement instruments on standardised records repatriation are necessary (Ngoepe & Dikotla 2025). This implies that repatriation of archival materials may be achieved through bilateral, multilateral or regional level. Hence, there is a need for developing international agreements on the repatriation of archives and customary international laws to return archival materials.

It should be underscored that the treaties and conventions discussed are not enforced by the state. Countries apply their national laws to facilitate the repatriation of their archival materials.

Therefore, the strengthening of bilateral and unilateral relations is critical for the repatriation of archival materials. Nations need to agree on international laws to simplify the resolution of disputes and ensure that archives requiring the repatriation process are returned to their countries of origin.

Challenges in the repatriation of religious archives in South Africa

Despite the international community's support, the repatriation of religious archives is facing several challenges related to legal, political, economic and ethical concerns. This means that countries demonstrate evidence that the material needed to be repatriated belongs to a certain country. In addition, the loss and destruction of archival materials during the colonial and apartheid periods pose a challenge to the repatriation of archival materials. South Africa lost vital records because of the apartheid system and colonialism (Ngoepe & Dikotla 2025). Most of the archives were misplaced, illegally transferred or disposed of by the colonial administration with the aim of protecting the colonial government. Social memory was lost as a result of the confiscation of some of these archival materials.

Access to archival collections is essential to ensuring an equitable and inclusive representation of marginalised communities (Meloche 2022: 05). This highlights the necessity of repatriating archives in South Africa to access records about the violation of human rights. However, archivists seek to make archival records accessible both in digital and physical formats (Christen 2011:188). The issues of ownership of and access to archival materials are significant. Much of the archives on apartheid human rights violations and security, military and intelligence matters were removed from public accountability and access (Pickover 2014). The apartheid government destroyed records that could implicate human rights violations (Ngoepe & Dikotla 2025). This was evident during the sittings of the Truth and Reconciliation Commission (TRC) in South Africa, which found evidence of human rights violations (Harris 2002). It is the view of the author that the opening of the inquest documents on the case of Chief Albert Luthuli will reconstruct the history of South Africa based on the truth. This is an indication that repatriation can be considered as a sign of bigger claims of historical injustice.

The absence of guidelines on the repatriation of archival materials was viewed as another challenge to repatriating archival materials (Mnjama 2020), and the lack of provenance of records also undermined organisations (Ghaddar 2025). It was not easy to locate archival materials, as there was a backlog in the archives received by the African countries, because some of the collections lacked finding aid.

Nevertheless, there are cases of successful repatriation of archives. In 1990, the ANC of South Africa managed to repatriate their archives that were scattered across the world (Ashie-Nikoi 2019). These archives were repatriated through diplomatic relations rather than legal processes. This shows that there was a political will among nations to support the ANC through diplomacy. Public and media influence also plays a crucial role in restitution debates. Increased media attention and public advocacy have compelled some institutions to return liberated archives. However, despite these efforts, not all archival materials have been repatriated to South Africa.

Finally, a lack of cultural awareness of archival materials is also experienced by most African countries in repatriating archival materials (Adewumi 2021:188). This often links with a lack of funding by the national government, as most institutions do not align archival materials with heritage materials. Therefore, the public should be educated about the significance of appreciating and preserving their archival collection.

Cultural diplomacy

Cultural diplomacy is defined as a form of cross-cultural communication between nation states to improve international relations (Grincheva 2015). As seen in this article, cultural diplomacy is a relationship of nations with the view to repatriating religious archives. It is an important part of international communication among nation states to repatriate archival materials. This section focuses on diplomatic relations and the repatriation of archival materials.

Cultural diplomacy plays the role of a nation state in the repatriation of archival materials (Paquette, Zhu & Schiele 2025). South Africa's foreign policy is based on the principles of Ubuntu and dialogues are significant in the repatriation of archives. This implies that public diplomacy programmes that enhance a country's reputation and image abroad have become widespread practice (Hauptil & Vogler 2024).

International diplomacy assists in the repatriation of religious archives. Notably, diplomatic agreements and bilateral treaties have played a significant role in shaping the repatriation discourse. Ironically, South Africa may view an engagement with the Swiss government as a form of legitimacy building or brand creation and wants to be seen internationally as a state building effective relations.

South Africa's cultural heritage is protected by the South African Heritage Resources Agency (SAHRA) (Snowball et al.,:535). The SAHRA is tasked with facilitating the repatriation of archives from across the world. A review of the literature showed that this task is not yet performed because of a lack of capacity within the agency. The Cultural Promotions Amendment Act 59 of 1998 assigns cultural diplomacy functions to the Minister of Arts and Culture. However, cultural diplomacy is not yet fully developed and transformed (Nawa, Sirayi & Kanyane, 2017). This means that there is a need to transform the legal system to enhance the repatriation of archival materials. South Africa should be positioned well in international affairs to transform itself.

Cultural diplomacy influences the narratives of the culture and history of the nation and archivists play a role in promoting cultural diplomacy and the reputation and brand of institutions. Activities such as international exhibitions may be used to promote narratives of culture and history, and politicians have realised the significance of culture and heritage; it has an intrinsic relational value (Gonfroid 2023/2024). The review of literature showed a lack of uniformity during the repatriation of cultural heritage materials as many countries are advocating for the repatriation of archival materials acquired during the colonial and apartheid period in South Africa.

The United Nations and UNESCO played an essential role in the international repatriation of archival materials (Idugie & Onochien 2025). The 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property is an international legal framework enacted to promote state parties to implement measures that prohibit the illegal trade of cultural heritage. However, there is no provision in the framework for the repatriation of church archives.

The 1995 UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects is the private law of the 1970 Convention (Meloche 2022) and it seeks to harmonise archival materials. The implementation of this Convention is solely dependent on a nation's state; it does not provide conditions on the repatriation of cultural records. However, it includes a framework for the restitution of colonial archives.

In 1978, the UNESCO Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in case of Cultural Appropriation was established. This committee was established because of the lack of coordination on the repatriation of cultural archive materials and focuses on archival materials that require repatriation. It plays an essential role in the repatriation of archival materials as one of its mandates is to repatriate archival materials looted during the colonial period. One of the peculiarities concerning contested religious archives is their wide array of contested archives. While the aforementioned legal framework has a delineated material scope, it does not always include the specific instance of religion.

Finally, the repatriation of cultural archives entails the mobilisation of cultural resources that were given to African countries. The repatriation of cultural materials may serve as a means of building cultural heritage. This debate raises questions of ethical and historical injustice conducted when these states acquired archival materials in Africa. In addition, European countries are undergoing an unprecedented examination of their colonial histories as they hold most of the colonial archival materials from Africa and other former colonised worlds.

Discussion and findings

Legal and regulatory frameworks

The review of literature and document analysis indicated that South African National Archives legislation, such as the National Archives and Records Service (NARS) Act, 43 of 1996, lacks policy elements on repatriating archival materials. This is despite the establishment of the National Forum for the Law Enforcement of Heritage-related Matters, which sought to create a close working relationship between law enforcement and archives officials for the dissemination of information and the sharing of ideas on the protection of archival materials (Adewumi 2015). The review of literature also demonstrated that the NARS Act needs to be reviewed to incorporate elements of the repatriation of archival materials and the strengthening the role of the National Archives of South Africa in the repatriation of archival materials. The focus group was asked questions about the legislative framework applied to the repatriation of archival materials.

The participants' responses were varied. Participant 1 stated that "the South African government enacted a National Policy for the Repatriation and Restitution of Human Remains and Heritage Objects in 2021." This policy was enacted with the view to coordinating the repatriation of archives. It seems that the South African policy targeted the repatriation of human remains, especially of freedom fighters who died in exile. As such, Participant 2 affirmed that, "they do not apply any legislation to repatriation of religious archives, as they are not aware of the archives."

In addition, Participant 3 indicated that, "the National Archives and Records Service Act 43 of 1996 is silent on the repatriation of archives." The Department of Arts and Culture is focused on the repatriation of bodies of those who died in foreign countries, which implies that the National Archives of South Africa is not yet engaged in the repatriation of archival materials. As a result, the current legal framework lacks guidelines on such repatriation. This leaves the National Archives of South Africa with limited power to initiate the repatriation of archival materials to other countries.

The participants also indicated that there are challenges in implementing the legislative framework. Participant 4 indicated that "the National Archives have not yet tested the legislation, as they are not engaged with the representation of archives management." The

challenge is also complicated by a lack of agency in the departments. Participant 3 indicated that, “Most people are not familiar with the legislative framework on repatriation of archives in South Africa.” This shows that there is a need for the Department of Sports, Arts and Culture to raise awareness. Thus, an analysis of focus group interviews found that the NARS Act has not yet been amended.

Studies show that although legislation is in place, there is no clear policy on the repatriation of archival materials. There is a need for legislation on the repatriation of archival materials to manage such repatriation. However, there are no clear policies and legislation that guide the repatriation of archival materials. The review of the literature indicated that South Africa ratified the International Convention of 1970 and instituted the National Heritage Resources Act (Act 25 of 1999), which is a significant Act for the repatriation of archival materials (Adewumi 2015). The 1999 Act allows for the facilitation of archives’ repatriation from one state to another. Therefore, the National Archives of South Africa must conceptualise a legal framework that will enable the effective repatriation of archival materials.

The focus groups were also asked to list the gaps they considered as existing in the legislative framework used in the repatriation of archives. Through this analysis, the article advocates for a review of the legal framework to pave the way for the repatriation of archival material, ethical accountability from Western institutions, and multilateral cooperation as a strategy to repatriate religious archives.

It was noted that the National Archives of South Africa's mandate includes collections of archival materials with historical and cultural value preserved by other institutions. Nevertheless, the National Archives still did not have the power to influence the repatriation of archives processes from other countries due to various reasons. For example, the inadequacy of international legal instruments caused delays in the repatriation of archives. The Hague Convention of 1954 is the international agreement on the protection of archival materials (Roehrenbeck 2010). Although the 1970 UNESCO and 1995 UNIDROIT Conventions provide legal frameworks for the repatriation of archival materials, national legislation needs to be reviewed to include the repatriation of archival materials.

Challenges

The focus group was asked to identify and comment on the types of challenges experienced during the repatriation of archival materials. Participant 1 indicated that, “National Archives lack an inventory, or the list of archives taken away during the apartheid period.” Participant 2 indicated that the “repatriation of archival materials is a comprehensive project. This is because archival materials were scattered all over the world, hence the focus on repatriation of archives is only based in the Berlin archives.” Thus, the absence of comprehensive documentation verifying the authenticity of religious archives acts as a barrier to repatriation. A study conducted by Kuprecht (2022) indicated that continued research on provenance is needed. The researcher acknowledges that it is costly to list missing archives in a foreign country.

Archival provenance is significant in determining the type of archives that need to be repatriated. This implies that South Africa needs to develop a list of archival materials not repatriated to South Africa. During the apartheid period in South Africa, the government of the day was not involved in the preservation and classification or listing documentation of marginalised communities, which implies that records related to religious archives were not listed by the “state archives.” In addition, there was limited research to give a list of archival materials in foreign countries; hence, the need for continued research in other countries to ensure that archival materials are available to the researchers.

The South African government made efforts to repatriate religious archives through diplomacy from the Swiss government and its non-profit organisations, which resulted in ongoing discussions on the repatriation of archival materials. Efforts to repatriate archives from the Swiss government have not achieved much success, as these records continue to remain in Switzerland. It seems that the Swiss archival institutions are not willing to repatriate religious archives to South Africa.

The focus group also indicated that there is a lack of collaboration and partnership to repatriate archival materials. This means that South Africa needs to collaborate with the Swiss government to facilitate the repatriation of the archive's materials. This collaboration should consider challenges that include the reality that many of the archives' guides containing archival resources held in other countries are not dated or in need of updating (Mnjama 2025:390). The review of literature showed that many religious archives about Chief Albert Luthuli are spread across Swiss Organisations and the WCC. Many researchers in South Africa have no access to their cultural archives. The limited or absent archival access is also an injustice to the people of South Africa. Therefore, there is a need for MoUs with organisations from Europe to gain access and support in retrieving archival materials preserved in their foreign country.

The focus group also acknowledged that copyright and privacy laws restricted the repatriation of some of the archive's materials in other parts of the world. This implies that restrictions are also emphasised on cultural records. Public interest may be considered to provide access to the archives collection. Every archival institution may develop its procedures on how to provide access to archival materials (Lyons 2008). This requires the archives to identify sensitive information before they are disseminated to various groups. Archivists may apply a repository's catalogues and inventories, begin to assess the collections, and develop an index of sensitive archival materials. The efforts archives owners put into the management and control of the distribution of their archival materials have become a challenge to the access policies of archival repositories (Sookprasert & Rungcharoensuksri 2013). The National Archives may have to use policies and procedures that will enable them to identify sensitive information for further investigation. There are ethical and legal questions to be considered regarding access to archival materials. Beyond legal and economic challenges, ethical considerations contribute to the repatriation of archival materials.

Diplomacy

The focus group was asked to determine the role of cultural diplomacy in the repatriation of archives. One participant said that, "The Department of Arts and Culture conducted a workshop or consultative session to pave the way for developing a repatriation programme". This shows that the repatriation process is still under discussion. The participants placed emphasis on concepts of communication and partnership. Further engagement is necessary to ensure that the process of repatriation of archives is conducted continuously.

In addition, Participant 1 indicated that, "the Department of International Relations and Cooperation in South Africa focuses on group, emphasising that diplomacy is critical to the process of repatriation of archival materials". South Africa depended on diplomatic relations rather than legal actions in efforts to repatriate the Chief Albert Luthuli Archives from other countries. This was stated by Participant 2 in their statement that, "there are examples of the Nelson Mandela Collection repatriated from France and other Berlin Collection repatriated through diplomatic ties with France and Germany." This shows that South Africa holds diplomatic relations as a key strategy in efforts to repatriate archival materials. South Africa

has committed to strengthening its archives management as part of its broader cultural heritage strategy and thus, ensuring that repatriated archives are appropriately managed and preserved in ways that educate both local and international audiences. Participant 2 also indicated that, “South Africa is a member of various international organisations such as the United Nations, African Union and Southern African Development Community (SADC) to facilitate repatriation of archives materials.” This implies that international organisations such as the African Union and the SADC play a role in the repatriation of archival materials.

National legislation may be applied to align with international laws, and source nations can enhance their legal standing in repatriation negotiations. The focus group placed emphasis on cooperation with European partners in areas that include conducting provenance research. Moreover, Participant 3 highlighted the significance of culture as a communication channel that serves to promote diplomatic relations. During the interview, a clear distinction was made between goals related to diplomacy/development cooperation that can be achieved through cultural partnership with European institutions.

The focus group emphasised the need for cultural diplomacy in efforts to repatriate archival materials. Beyond the primary focus of repatriating cultural records on addressing historical injustices, the promotion of inclusivity and reinterpreting cultural narratives, engagement can be aligned with the view of ensuring the sharing of cultural materials.

The focus group also acknowledged that African countries are not united on the repatriation of archival materials. The lack of a unified front among African nations often undermines repatriation efforts. A strategy to overcome the challenge is for the African Union and the SADC to broaden their roles in the repatriation of archival materials. Both institutions must implement binding regional policies, establish legal restitution task forces and foster diplomatic alliances to negotiate with Western governments and institutions. A committee may be established to deal with the repatriation of archival materials from European countries. These efforts will add to the repatriation of archival materials.

Conclusion

National archival institutions can use repatriation to open new dialogues with various countries to repatriate archival materials. The repatriation of Chief Albert Luthuli’s records represents a profound step towards rectifying historical injustices, reclaiming cultural sovereignty, and restoring the dignity of people whose heritage was violently suppressed by the apartheid and colonial system. The repatriation of archival collections also signifies the importance of colonial archives. While recent efforts signal progress, formidable challenges remain. Legal frameworks continue to favour holding institutions owing to the existence of restrictive laws and non-retroactive conventions that limit restitution claims. Political resistance persists, as the legal framework fears setting legal precedents that could lead to widespread repatriation demands. Economic considerations further complicate negotiations, as many Western institutions view these archival materials as cultural treasures.

The study concluded that the repatriation of archival materials from Switzerland to South Africa has not yet been resolved. South Africa has again started searching for the archival collection since the opening of the inquest case of Chief Albert Luthuli. The lack of a complete picture of those records suggests that the colonial and apartheid injustices will remain a contentious and visible issue. In this regard, the full repatriation of religious archives to South Africa will enhance and enrich the cultural heritage and social justice of South Africa.

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