

# Exploring control of access to the Japadhola indigenous information

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**Gilbert Okello** 

College of Computing and Information Sciences, Makerere University, Uganda

**Joyce Bukirwa** 

College of Computing and Information Sciences, Makerere University, Uganda

**Elisam Magara** 

College of Computing and Information Sciences, Makerere University, Uganda

## Abstract

An ethnographic study was conducted to explore the significance of protecting indigenous knowledge and practices in Uganda, focusing on the Japadhola community in Nagongera, Tororo District, Uganda. Despite Uganda's recognition of its indigenous communities in the 1995 Constitution, there remains a significant gap in the protection and promotion of indigenous heritage. Employing ethnography and critical indigenous research methodology (CIRM), this study highlights the unique ways in which the Japadhola community accesses and controls its indigenous knowledge, arguing against its inclusion in the public domain and calling for a reevaluation of legal protections in Uganda. Data were collected through ethnographic methods, including interviews, observations, document reviews, and focus group discussions. We then analyzed the data qualitatively using a grounded theory approach with MaxQDA24 software. The findings reveal that the Japadhola community employs highly developed and complex access control mechanisms, contributing to contemporary debates on information access and offering insights into African indigenous communities. The study advocates policies that respect and protect the cultural heritage of Uganda's diverse indigenous communities, providing recommendations to various stakeholders.

## Keywords

Access control, critical indigenous research methodology, ethnography, indigenous knowledge, indigenous knowledge protection, intellectual property rights, Japadhola community, Uganda

## Introduction

The protection of indigenous knowledge and cultural heritage has emerged as a critical issue on the global stage, particularly amidst the pressures of globalization, industrialization, and the dominance of Western intellectual property frameworks. Indigenous communities, with their distinct systems of knowledge, practices, and cultural expressions, are increasingly vulnerable to external influences that often fail to appreciate their intrinsic value (Oruç, 2022). This paper delves into these broader challenges by focusing on the Japadhola community of Uganda, illuminating the complexities of safeguarding indigenous knowledge in a contemporary context.

## Background

Globally, indigenous knowledge systems are acknowledged for their significant contributions to biodiversity, sustainable development, and cultural diversity (Magni, 2017). The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), adopted in 2007, serves as a foundational framework for the protection of these knowledge systems (United Nations, 2007).

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### Corresponding author:

Gilbert Okello, East African School of Library and Information Science, College of Computing and Information Sciences, Makerere University, P.O.Box 7062, Kampala, Uganda.  
Email: gilbokello6@gmail.com

Article 31 of UNDRIP affirms the rights of indigenous peoples to maintain, control, protect, and develop their cultural heritage and traditional knowledge, while Article 11 supports the revitalization of their traditions and customs. Despite these global commitments, there remains a disconnect between international ideals and the practical realities faced by indigenous communities, who often encounter misappropriation and inadequate legal protection under Western-oriented legal systems.

The tension between indigenous practices and Western intellectual property laws is a recurring theme in global discourse (Séverine, 2011). Western intellectual property frameworks, which emphasize individual rights and commercial interests, frequently overlook the communal nature of indigenous knowledge (Anderson, 2009; Carroll et al., 2020; Guillaume, 1981; Kukutai et al., 2020; Stevens, 2008; Tsosie et al., 2021). This disconnect has led to instances of exploitation and misappropriation, where indigenous cultural assets are patented or commercialized without proper acknowledgment or benefit-sharing with the originating communities.

International frameworks such as the Convention on Biological Diversity (CBD) and the World Intellectual Property Organization (WIPO) Intergovernmental Committee have been established to provide guidelines for the protection of indigenous knowledge. These frameworks emphasize respecting the rights and interests of indigenous communities. However, the effectiveness of these measures varies Organization of African Unity (1981) and Collaboration on International ICY Policy for East and South Africa (CIPESA) CIPESA (2017), and many indigenous groups continue to struggle with securing meaningful protection for their knowledge (Chowdhury et al., 2023; Claw et al., 2018; Ouma, 2016).

In Uganda, the interplay of historical, cultural, and legal factors creates a complex scenario for protecting indigenous knowledge. The 1995 Constitution of Uganda formally recognizes 65 indigenous communities, including the Japadhola, acknowledging their historical and cultural significance (Republic of Uganda, 1995). Yet, legal frameworks intended to protect their heritage, such as the Copyright and Neighbouring Rights Act, 2006, often fall short (Cultural Survival, 2021). This Act primarily focuses on protecting literary, musical, and artistic works within a Western intellectual property framework, neglecting the communal and oral traditions central to indigenous knowledge.

While Uganda's commitment to protecting indigenous rights is evidenced by its endorsement of UNDRIP, the country has not ratified the International Labour Organization (ILO) Convention 169 (ILO, 2013), which specifically addresses the

rights of indigenous and tribal peoples (Cultural Survival, 2021). This gap underscores the tension between Uganda's international commitments and its domestic policies, particularly concerning how indigenous knowledge is treated under national laws.

The Access to Information Act, 2005 (Government of Uganda, 2005), for instance, does not address the unique needs of indigenous communities in controlling access to their knowledge systems. The recent National Library (Amendment) Bill, 2024 (Parliament of the Republic of Uganda, 2020), although focused on modernizing library services, could potentially play a role in preserving indigenous knowledge if implemented effectively. However, without specific provisions for indigenous knowledge, it risks falling short of addressing the unique challenges faced by these communities.

The Japadhola community, residing in Nagongera, Tororo District, exemplifies the challenges indigenous communities face in protecting their knowledge and cultural heritage. The Japadhola have developed a rich system of traditional knowledge and cultural practices, with access and control mechanisms intricately linked to their clan-based social structure. Yet, the pressures of industrialization and external influences threaten these traditional practices.

The influx of people and ongoing industrialization in the region have intensified these pressures, further compounded by inadequate legal protections. The Copyright and Neighbouring Rights Act, 2006 ULII (2013) fails to adequately protect oral traditions and collective indigenous knowledge. Similarly, the Access to Information Act, 2005 does not explicitly address the control over indigenous knowledge, underscoring the challenges indigenous communities like the Japadhola face.

Uganda's partial alignment with international standards, evident in its endorsement of UNDRIP but non-ratification of the ILO Convention 169, reveals significant gaps in the national legal framework. The Cross-Cultural Foundation of Uganda observed the weak legal framework and recommended fast tracking of certain ratified policies (CCFU, 2016). While UNDRIP provides a broad framework for indigenous rights, the absence of the ratification of the ILO Convention 169, which is crucial for protecting indigenous land, cultural identity, and knowledge, points to substantial legal and policy gaps.

In light of these issues, this study aims to explore the mechanisms through which the Japadhola community controls access to their indigenous information. By investigating how the community manages and regulates access to their traditional knowledge, and understanding the underlying beliefs that shape these practices, this study sought to shed light on the

broader implications for indigenous knowledge protection. The insights gained will contribute to discussions on policy development and highlight the need for legal reforms that better accommodate the unique needs and values of indigenous communities. Additionally, the study addresses the literature gap identified by scholars (Burns et al., 2018; Gosart, 2021; Nwokocha and Chimah, 2016; Ogbonna, 2020; Stranger-Johannessen, 2014), particularly in relation to inadequate policy formulations regarding access to information across Africa.

### *Aim and research questions*

This study aimed to explore the control of access to the Japadhola indigenous information. It specifically addressed two research questions:

1. How is information access controlled among the Japadhola?
2. What underlying beliefs govern these access control strategies?

### **Methodology**

Interacting with the Japadhola community in a way that fostered genuine relationships while maintaining researchers' independence required a blend of ethnography and critical indigenous research methodology (CIRM), as described by Geertz (cited in Sanday, 1979). Our goal was to immerse ourselves in the community's experience of information access control. This approach went beyond mere participant observation; it involved becoming part of the situation under study.

We selected two ethnographic sites of Japadhola communities in Nagongera, Tororo District of Uganda: Namwaya pu'Opadamwara and Mahanga Zones. The study was conducted from December 2022 to September 2023. Mahanga is an urban site, while Opadamwara is a rural community structured around clan settlements. Participants were recruited based on their willingness to participate in the study.

### *Initial engagement*

On the first day in Opadamwara, we encountered three female youths returning from their garden. Engaging with them, we inquired about how someone like us, eager to learn about the village, could start. They explained the village's administrative structure, detailing several zones with different Local Council One (LC1) chairmen. Depending on the type of information sought, they suggested starting inquiries with either the Chairman LC1 or a clan elder. At our request, they escorted us to the home of one such chairman, who

graciously interacted with us. This chairman became our inaugural participant, assuming roles as both key informant and guide. His profound knowledge of the village and active involvement in clan activities proved invaluable. He facilitated introductions to other key informants, particularly clan elders, and showcased significant locations within the village.

### *Focus groups and observations*

Through our independent contacts with village members, particularly during evening social interactions, we collaborated closely with Chairman LC1 in selecting participants for the focus group discussions. We conducted two focus groups: one in Opadamwara and another in Mahanga. In rural areas, people are very curious and eager to join conversations, so membership in the focus groups formed naturally. It would have been considered rude to turn interested people away. As a result, the Mahanga focus group started with three participants but ended with five, while the Opadamwara focus group had six participants. Nine participated in in-depth interviews, bringing the total number of participants to 20. A total of 70 documents were reviewed, including 48 newspaper articles. We visited one cultural site, attended a clan election and two clan burial events, and made observations at various locations, including the Opadamwara village trading center, social drinking spots in Mahanga, family farm sites, clan leaders' homes, a public community library, a community market radio, a stage for motocyclists (locally known as Boda Boda stage) and various restaurants and evening hangouts.

### *Key informant selection*

Key informants and providers were initially selected through purposive sampling based on specific criteria, including residence within the ethnographic site and extensive knowledge of the community and its information services. Among the elderly, clan elders were prioritized due to their deep understanding of the clan system and educational responsibilities. Individuals with leadership roles or memberships in particular groups were also selected as key informants. Following this, snowball sampling was used, allowing initial informants to recommend additional participants who met these criteria, effectively expanding and refining the pool of key informants.

### *Data collection procedure*

*In-depth interviews.* Key informants were engaged through in-depth interviews lasting one to three

hours. These were mostly single sessions due to the busy schedules of some key informants. Clan elders were interviewed for their knowledge of clan systems and cultural practices. When individuals were unable to explain details, they would often say, “Elder X can be of much help in this matter.” We reached a point of saturation with three elders. Two were clan leaders, and the other, an elder in the community. This was determined when there was nothing new they were adding to the questions.

*Observation.* Another method we used was observation. This involved both open-ended non-participatory and participatory approaches. We observed activities at the two ethnographic sites and developed a social map to indicate activities and their locations. This is how the previously described locations were identified. The ritual site at Mwelo, the village center, homesteads especially during family gathering moments in the evening, the local cultural artefacts especially at clan leaders’ homes, and the clan meeting at Mwelo Rugot in December were observed.

Besides community-level observation, we spent time with four individuals: one in their mid-50s, a Person living With Disability (PDW), a young mother at her early 20s and a 19-year-old boy who had sat for Uganda Certificate of Education (UCE). Our team members frequently visited their homes for over three weeks and interacted with their households in cluding on the Eve of Christmas.

*Document review.* Documents were googled online and selected based on their relevance to the two ethnographic sites or their subcounty. Other documents existed with people or in public locations such as tree bark or walls. Five publications on culture were key documents.

An abridged history of Padhola, 1500–1999 published by The Independent (2019); a PhD dissertation titled *Ancestral and spiritual naming of children among the Jopadhola Lwo of Eastern Uganda* by Jagire (2016); another PhD dissertation titled *The price of a woman (novel) and bride price and literary activism in Uganda (critical commentary)* by Tuner (2020); an article titled *Orature on twin rituals among Jopadhola of Uganda* by Owor and Naula (2016); and a book chapter titled *The Jopadhola clan court system: A normative perspective* by Owor (2012).

We maintained a notebook to record all observations. It was also easy to dictate observations to the Samsung Diary app. We took photos and transferred them to Google Drive, creating more space for the next recordings. Interviews were also recorded using a mobile smart recorder and uploaded to Google

Drive. The records were transcribed using Maxqda transcription, with each participant forming a transcript. A total of nine transcripts and one observation document were created. Documents retrieved from online sources were read and, if found relevant, imported to Maxqda document files. A total of 48 newspaper articles, seven research articles, seven videos, and seven website home pages were imported.

The transcripts were reviewed meticulously, with audio and video files played repeatedly to ensure accurate transcription. A memo was created for each document, detailing the name of the participant, ethnographic site, date of recording, and start and end times of the recording. Each transcript ended with a comment section where specific observations related to the participant were captured. These comments were later copied and transferred to a single document named “Observations.”

In Maxqda, each document had additional comments where descriptions specific to the document were added, including emotions or events that occurred at specific segments, or interactions within the transcript.

### *Data analysis and presentation*

We began by reading through the transcripts and using Maxqda’s memo capabilities to create document memos. Each memo was labeled with the participant’s name and included a summary of the document’s content. During this summary, segments were grouped under different headings, and insights for code labels were formed.

Initial coding was performed in three main ways:

*Color coding.* Different color codes were used to highlight segments according to the two research questions. All documents were coded with these color codes and structured under the research questions.

*Descriptive and inductive coding.* We read each section, coding in vivo and assigning specific code names inductively. This generated many codes, which required grouping together to realize themes. Using the smart coding module in Maxqda, the generated codes were grouped under specific themes.

*Code memos.* We created code memos to summarize the code segments related to each specific code. This summary was useful for the next step of theoretical coding.

We then started looking for patterns within the codes and texts by asking the data different questions about access control and underlying beliefs surrounding them. We read our memos, summarized them, and

recorded any observations and insights. This iterative process allowed us to explore what the data revealed in terms of our research questions but also emotions, perceptions, and actions. More codes were generated, and initial groupings were modified until no new information emerged.

Data analysis continued by writing summaries of each group and identifying important codes attached to the themes. We used visual tools in Maxqda—specifically code maps, the code relationship browser, and MaxMap—to analyze relationships between themes and codes. We integrated the summaries and visual tool outcomes into a tentative report using the QTT (Questions–Themes–Theories) section of Maxqda. The report was then exported to Microsoft Word for compilation.

At this point, we conceptualized all the various questions as contexts for our two research questions, ensuring that our writing meaningfully addressed the main research questions. For instance, the data generated a considerable report about the cultural heritage challenges the community faced. However, in reporting, these challenges were perceived as contexts that gave rise to implicit or explicit beliefs or access control strategies. These challenges shaped the observed information access control perception. Thus, the reporting did not elaborate on the cultural heritage challenges but integrated them into answering the different research questions. In this way, nothing discovered was neglected; rather, it was used as a context for the report and discussions on the indigenous information access control among the Japadhola.

## Research findings

Understanding how the Japadhola controlled access to their indigenous information was explored with keen interest to why each particular control method was used. Through document reviews, in-depth interviews, observations, and focus group discussions, a variety of access control methods were found, and the beliefs surrounding some of them identified.

### Age-based access

The correlation between age and the level of information access within the Japadhola community is evident. Our observations revealed a gradual initiation process, where children were introduced to the community's knowledge system by adults. However, as children approached adulthood, there was a noticeable intensification in the transmission of knowledge.

Elder 1, a 68-year-old informant, vividly illustrated this phenomenon through his personal narrative.

Recounting his own initiation experience, he described a pivotal moment when his father took him to one of his uncles called Majanga. In his own words: “I remember one early morning when my father took me to one of his uncles and they cut my tongue, stomach, back of my palm, my foot, and my back. I asked Grandpa, what is this for?” (Elder 1, Position(Pos). 341). This underscores how access to information increased as he matured.

Furthermore, our interactions with community members revealed instances where children were deliberately excluded from certain conversations. This deliberate exclusion suggests a strategic effort to control the flow of information based on the recipients' age. Such practices reflect a nuanced understanding within the community of how knowledge should be shared and at what developmental stage it is appropriate to do so.

To understand why age regulated access to information, Elder 1 explained to us the spirit in information. He emphasized that in Japadhola culture, information is considered alive and active. When an elder for instance utters a curse on a child, the utterance is not just words but actively fulfils the intension. Or mentioning certain objects or names near an expectant mother could cause miscarriage. Therefore, knowledge must be treated with care and access to it granted based on the level of responsibility that maturity brings. Children, who are not yet of age, need to be trained to access knowledge responsibly and ensure its responsible use.

Also due to sensitivity concerns, certain information is hidden from children. Accessing content related to sex, for example, is believed to corrupt their innocence and undermine their respect for parents and elders. Young individuals are expected to acquire knowledge gradually through personal experiences, and the guidance of elders. As they grow older and mature into their societal roles, the need for knowledge becomes apparent within social structures. Adolescence, often marked by initiation rites, typically signifies readiness for adult responsibilities and access to all essential information.

Unregulated access to information on platforms like social media and YouTube is seen as offensive to the land and detrimental to traditional values. An elder expressed concern that youths now believe they know everything and no longer consult the elders, leading to increasing disrespect and a decline in tradition. He emphasized the need for information services in the community to be sensitive to age, stating, “There must be consideration for information that is sensitive not to be just aired... consider children...” (Opadamwara focus group, Pos. 119).

### *Time-sensitive knowledge*

Another key aspect of information control revolved around specific hours of the day. Elder 1 shared insight into the significance of early-morning or late-night hours for accessing spiritual knowledge. During these times, elders or parents consulted seers or clan priests away from public view, underscoring the secrecy surrounding certain types of information. Moreover, certain events such as some rituals or consultations were often scheduled during these temporal windows, further emphasizing the importance of timing in information dissemination.

Specific protocols govern the access to and sharing of certain types of information. Time-sensitive access often involves private encounters where anonymity is maintained or solitude is required as a condition by the provider, making specific times more favorable. While the exact belief behind time-sensitive access remains unclear, most respondents indicated that spiritual consultations were commonly conducted at night or during early morning hours. Some participants noted that consulting providers such as wizards or witches was traditionally prohibited. However, necessity sometimes drove individuals to seek their services. Because of the social stigma associated with such consultations, people preferred visiting them under the cover of darkness to avoid public scrutiny. A focus group participant revealed how private wealth was acquired through consultation with Bura (the god of wealth):

...for example, Bura is the god of wealth. In those days, if you wanted to get wealth, you sent a messenger with gifts to offer to Bura. That person would come up to the rocks here near Nagongera. A black hawk (the bird) would meet him at the gate and take the gift to Bura. Because of that, Bura gave people cows and cattle. (Opadamwara focus group, Pos. 45)

According to the narrative, the seeker concealed their identity by sending a messenger who was usually met in secrecy. These journeys to the rock were often conducted discreetly, under the cover of darkness. Another spirit-related activity carried out at night involved escorting *Yamo* the spirit believed to be responsible for measles. The entire village mobilized for the ritual. At the appointed time, women extinguished all lights and fire while men formed a procession, beating tins as they escorted the spirit out of the villages to the next. Upon returning, participants would remain silent and go straight to bed until morning.

Also, people who held secrets within themselves would meet under the cover of darkness or at an

appointed time. Peers met in the evening hours because during the early hours, it was time for productive labor and one risked being perceived as lazy if they engaged in play and idle gathering during the morning hours. It was so disappointing to the community that during morning hours, a group of youths converged under a tree at the trading center to play a board game (cheso). These youth were perceived as idle and troublemakers in the village. This reflects how the entire community collectively shaped time-based access to and sharing of information.

### *Location-based restrictions*

The concept of location also emerged as a crucial factor in information access. Certain knowledge was tied to specific geographical locations, known only to select individuals within the community. Rituals and ceremonies, as described by Elder 1, could take place in various settings such as houses, bushes, or swamps, each carrying its own significance. This spatial dimension added another layer of complexity to the control mechanisms employed by the Japadhola.

Location-based provision is largely due to the oral nature of the community. Most of the information is integrated within the environment, and provision is tied to specific significance associated with objects and places. For instance, Bura lived at Nyakiriga rock at Nagongera. Most clans have specific locations for their shrines (kun), while people have specific ant hills, trees, swamps, etc., where they perform their rituals. All these tie provision or access to locations.

Since providers, such as elders, are often associated with specific locations, access to information is restricted to certain places. However, it's important to note that location-based information provision doesn't imply the absence of other means of access. On the contrary, the community is structured so that much of the information individuals need to function is widely dispersed and accessible. For example, information is shared within families or among peers. Nonetheless, there are deep spiritual connections to certain locations. Elder 2 shared that their ancestors had specific places, even within family compounds, where they would gather for learning. He expressed regret that this tradition had been disrupted in recent times, as a group of people began destroying these sacred locations and objects. He noted that this was seen as an offense to the ancestors, and as a result, the land began to suffer. Consequently, it is believed that certain information must only be shared in designated locations, and any deviation from this practice is considered to violate tradition.

### Event-driven information

Our findings highlighted the role of events in shaping information access. Clan-related gatherings and ceremonies served as platforms for sharing knowledge that would otherwise remain concealed. For instance, at a burial ceremony we attended, intricate details about burial customs specific to the Morwa Guma clan were imparted to the audience. Such events provided unique opportunities for community members to access specialized information, enriching their understanding of cultural practices and traditions.

Events, like other activities in the community, are closely tied to spiritual beliefs, especially when they are of a traditional nature. These traditions are deeply rooted in ancestry and must be followed as they have been passed down through generations. As a result, activities, speeches, performances, and other actions are only deemed appropriate for specific ritual ceremonies. The entire community collectively understands and accepts that certain knowledge must be shared only during these designated events.

This is also true for other social events, including peer gatherings. In these meetings, participants share things that even their family members, including parents, cannot access. Participant 1 (P1) was particularly concerned about this when she explained how children in the villages were negatively influencing her own. She said, “One friend of mine had her son influenced by another who was in a bad group...” (P1, Pos. 15). All participants observed that these groups were tightly closed to non-members. During their social gatherings, sensitive matters are shared among members.

### Sacredness

The clan system within the Japadhola community is underpinned by a set of taboos and norms that meticulously regulate access to and utilization of information. Embedded within the fabric of these norms is a profound reverence for the spiritual realm, which forms the bedrock of the community’s identity and existence. According to Elder 2, “our culture has been destroyed and the gods are not happy... you see the many sufferings is because of that... for example, Bura is the god of wealth” (Opadamwara focus group, Pos. 45, speaker: Elder 2). The community believes that the ancestors and spirits are the ultimate source of wisdom and blessings, serving as custodians of individual and communal well-being.

Elder 2 and others strongly asserted that adherence to these sacred norms and taboos is paramount, as any deviation is perceived to incur the displeasure of the

spirits. Elder 2 direly warned, “There is going to be more trouble” (Opadamwara focus group, Pos. 48, speaker: Elder 2), emphasizing the potential consequences of disregarding ancestral guidance. Consequently, when certain knowledge is deemed sacred and restricted to specific individuals or groups, compliance is regarded as natural and imperative.

The sacredness surrounding access to information extends to particular individuals who are granted exclusive access to sacred knowledge. Priests of shrines (kun) serve as custodians of divine wisdom inaccessible to the general populace. During ritual ceremonies, these priests wield authority, performing sacred procedures and uttering cryptic incantations known only to them. As one participant (P2) remarked, “there is this person who, when he farms, will use medicines... someone may sell his things with medicine... you find they have many customers” (P2, Pos. 215), highlighting the perceived efficacy of sacred knowledge.

However, despite the allure of such sacred wisdom, many within the community refrain from seeking access out of fear of potential repercussions. Participant P2 aptly expressed this sentiment, stating, “You might go and ask someone something and [they] think there is another thought you have towards them (misinterpret your intentions)” (P2, Pos. 217). The secrecy surrounding sacred knowledge thus perpetuates a culture of reverence and caution wherein the sanctity of ancestral wisdom is upheld and protected from undue scrutiny.

### Roles

The social structure within the Japadhola community revolves around distinct roles, with clan elders serving as cultural custodians. Both Elder 1 and Elder 2 held esteemed positions as clan elders, each with unique responsibilities. Elder 1, referred to as the supreme clan leader (Kwar noono), occupied a prominent leadership role, while Elder 2 served as the elder at the village (chairman ma thiot), overseeing local affairs. Additionally, family dynamics were structured around defined roles, including the father, mother, firstborn child, elders/grandparents, and relatives.

In addition to administrative roles, gender roles played a significant part in defining societal roles. Females were typically assigned roles such as daughters, wives, nieces, and aunts, while males assumed roles as sons, husbands, nephews, and uncles. Furthermore, various professional roles existed within the community, including rainmakers, priests/

seers, singers, craftsmen, healers, midwives, and government leaders.

These roles are deeply rooted in the spiritual beliefs inherited from ancestors, each serving a specific function within the social fabric. Each role requires a specific kind of information, and this information is mostly only accessible to that particular role type. For instance, elders' role was of education. Elder 2, exemplifying the knowledge and expertise expected of a village elder, expressed his qualifications by stating, "I am an old person who understands our cultural heritage and customs" (Opadamwara focus group, Pos. 18, speaker: Elder 2). His role, he emphasized, was "to educate people about their clan... teaching the customs (Kwer)" (Opadamwara focus group, Pos. 14, speaker: Elder 2), highlighting the importance of passing down ancestral traditions to subsequent generations.

Females and males had specific roles that specified the kind of information they accessed. Girls received training from their mothers, culminating in initiation rituals overseen by their grandmothers, marking their transition into womanhood. Similarly, boys underwent separate training rituals, emphasizing the distinct roles and responsibilities assigned to each gender. It is important to note here that gender roles, far from perpetuating marginalization or inequality, are seen as essential for social stability, with specific responsibilities delegated to each gender by the ancestors. For instance, girls are entrusted with performing rituals such as the peas harvest ritual (Nyagoe) to avert famine, embodying their role as spiritual leaders petitioning the spirit of harvest on behalf of the community. For such roles, they gain access to knowledge that is exclusively reserved for them and remains beyond the reach of the male gender.

Furthermore, role-based access to information is evident among professional classes, where only those in specific roles are granted access to relevant information. Members of professional groups, ordained by spirits, receive specialized knowledge passed down through generations. For instance, funeral fundraising groups, comprising youths mobilizing to support each other, operate in alignment with spiritual requirements, providing collective support and entertainment during burial rituals.

### *Level of sensitivity*

The Japadhola are both secretive and highly sensitive to information. As previously mentioned, information is considered sacred, imbued with life and spirit. Consequently, great care is taken when communicating it. Communication, as the exchange of

information, serves as a measure of one's wisdom. A person's sensitivity during communication is viewed as a key indicator of their insight. Community members are expected to demonstrate social acumen, navigating diverse contexts skillfully by knowing exactly what to share and how to convey it appropriately.

Sensitive information is often veiled in metaphors of various kinds, rendering it polite and obscure to those not intended to comprehend its true meaning. For instance, when Elder 1 referred to the economically disadvantaged members of his community who couldn't afford smartphones, he metaphorically stated, "Only... those whose hands are still few [poor] and have only button phones" (Elder 1, Pos. 119). Decoding such messages can prove challenging for individuals not privy to the intended message. Here, we see the wisdom of the elder in politely and respectfully expressing a delicate situation in his community.

The wisdom of the Japadhola people is encapsulated in various literary forms, including proverbs, similes, and riddles, as documented by Professor Ochwo in his book *Ryeko Pajapadhola* (Oburu, 2020). These linguistic devices are imparted to youths progressively from childhood, with their significance culminating during initiation stages. Sensitive information therefore is progressively accessed in proportion to maturity and readiness for one's role.

Furthermore, a reviewed of Jagire (2016) highlighted how grandmothers delicately handled sensitive training sessions with adolescent girls. During these sessions, girls were instructed to prepare ropes for pulling their labia minora, a traditional practice aimed at preparing them for sexual fulfillment in marriage. To conceal the sensitive nature of the topic, when these girls were questioned about the purpose of the ropes by the younger members of the community, they wittily responded that the ropes were for pulling a goat in the bush, where they always saw them going to in their groups. Additionally, in cases where a husband expressed dissatisfaction with his wife's performance in bed, a visit to the grandmother ensued, during which, metaphoric songs were sung alternately by the husband and the grandmother in public.

Numerous metaphors in the Padhola culture are employed to convey sensitive communications related to death, marriage, eating, sickness, and other significant aspects of life. These metaphors serve as a cultural tool for delicately navigating sensitive topics while maintaining the decorum and respectability expected within the community.

Therefore, the sacredness and the need for respect and politeness in communication, as well as for ensuring one's privacy, necessitated the practice of sensitivity in information access. To date, these practices are highly guarded even by the youths. During an interview session, two participants expressed a lack of trust in us to receive sensitive information. One participant stopped the interview midway after realizing she had revealed a deep secret about her parents. Another participant struggled to respond initially but later requested several follow-up sessions during which she voluntarily shared information she had previously withheld. When people doubt someone's trustworthiness, they withhold sensitive information.

### *General clan information*

The Padhola community holds a deep reverence for their land and their ancestors, considering them to be alive and actively involved in guiding, blessing, and protecting the community. Understanding certain general information about the community is crucial for preventing the pollution of the land and, as such, ample information is made available to the public to ensure awareness.

Community meetings serve as platforms for educating the public about their traditions and contemporary issues. For instance, a clan meeting in Lamera provided an opportunity for various speakers to enlighten attendees about the traditions and concerns of the clan and community. These meetings are open to anyone interested, with attendance being free of charge, and held in open grounds.

During events such as the 19th anniversary of the Tieng Adhola Kingdom, the culture of the Padhola community is showcased to invited guests, further demonstrating the community's openness to sharing their traditions with others.

Access to information within the Padhola community is controlled through various means, including paid, open, and restricted access. Priests or seers often charge a fee for their services, and certain information may be accessed by providing offerings such as a hen. However, there may be conflicts between indigenous communities and academics regarding knowledge accessibility. For example, a participant who volunteered to digitize Japadhola healing knowledge was asked for a hen by an elder before receiving assistance. The volunteer was highly offended and expressed that the elder was selfish and unable to see that they were dying and their knowledge needed saving quickly. This incident highlights the differing perspectives between the community and scholars on information access and knowledge sharing in the Japadhola community. Elders within

the community may express dissatisfaction when their knowledge is accessed in ways that violate cultural norms. The Discussion section delves further into these dynamics surrounding knowledge dissemination and cultural preservation.

## **Discussion**

The findings from the study among the Japadhola community provide a rich insight into their unique approach to knowledge management and access control. These insights not only align with existing literature but also offer fresh perspectives that challenge conventional notions of information freedom and ownership.

At the heart of the Japadhola's knowledge management practices lies a deeply ingrained sense of communal ownership. This communal ethos, as discussed by Anderson (2005), emphasizes the collective stewardship of knowledge rather than individual ownership. The notion that knowledge is a shared resource, accessible to all members of the community, underpins their access control mechanisms. Such a perspective echoes the ideals of equity and harmony in knowledge sharing prevalent among indigenous societies worldwide. The access control mechanism ensures that communal knowledge is accessed responsibly and specifically aiming to equip and strengthen the community members towards performing their social duties within the frames of wise living and information for the communal good.

Central to the Japadhola's approach is the intergenerational transmission of knowledge, a process that serves both to preserve cultural heritage and foster a sense of identity among community members. This resonates with Tsosie et al.'s (2021) emphasis on the importance of intergenerational knowledge transmission in indigenous societies. By passing on knowledge from elders to youth, the Japadhola ensure the continuity of their traditions while adapting to changing social and environmental contexts.

A notable feature of the Japadhola's access control mechanisms is the celebration of privacy and secrecy. Unlike mainstream notions of information freedom, which often prioritize open access at the expense of privacy, the Japadhola recognize the importance of privacy in safeguarding cultural integrity. This aligns with Christen's (2012) argument that indigenous knowledge systems value privacy and secrecy as essential components of cultural preservation. By cherishing secrecy as a means of preserving cultural distinctiveness, the Japadhola challenge dominant narratives that equate information freedom with unrestricted access. Unrestricted access to information in the media, for instance, has made content available

that may be inappropriate for certain age groups such as children. This issue is particularly pronounced in Padhola, where parents, for instance, are prohibited from providing sex education to their children. In this context, when such content appears on family television, it causes significant discomfort and shame for parents. These family moments, which should be for bonding and reinforcing cultural ties, are disrupted, leaving families feeling burdened with guilt and regret.

Moreover, the Japadhola's alternative model of access control challenges mainstream assumptions about information freedom and ownership. Vaidhyanathan (2011) notes that the pervasive influence of Western ideologies prioritizes open access and individual ownership, often at the expense of indigenous knowledge systems. However, the Japadhola demonstrate that communal ownership and access control can coexist harmoniously, providing a compelling alternative to mainstream approaches. In most open-access knowledge systems, openness implies losing one's right to privacy, as the individual must provide all their details to the open public, to a provider whose personal details and intention are not even known to the so-called public they have created in the virtual space. This leads to exploitation and an imbalance of power, which can be seen as a profound injustice. In contrast, the Japadhola approach grants access in a way that upholds the individual's right to privacy and maintains control over their power. As a kinship-based community, they foster trust and genuine concern for each other, recognizing that every action has a reciprocal effect that the actor will ultimately face—unlike in virtual spaces, where individuals may never feel the consequences of exploiting others.

Therefore, recognizing and respecting the Japadhola's control over their knowledge is crucial for addressing historical injustices and power imbalances in information sharing and governance. As Boateng (2005) argues, failure to acknowledge indigenous knowledge systems perpetuates systemic inequalities and deprives indigenous communities of their cultural heritage and expression rights. By empowering indigenous communities to strengthen and advance their information access control methods and their underlying beliefs, we strive to help them reclaim their knowledge and cultural identity while working towards a more equitable and inclusive approach to information management.

## Conclusion

This study explored how the Japadhola community in Uganda governs access to indigenous

information, revealing strategies and beliefs that shape their information management practices.

### *The core belief and information access control*

In this kinship-based society, shared beliefs and practices are deeply embedded in daily life and individual identity. Information holds significant value, with unique collective meanings tied to its attributes. Consequently, information access control strategies function as collective norms that help maintain harmony and support the community's well-being. These practices may also offer insights applicable to other indigenous contexts.

A defining attribute of this community is their perception of knowledge as encompassing both spiritual and physical dimensions, which coexist and interact in mutually inclusive ways. Wisdom, in its purest and most complete form, resides in the spiritual dimension—the source—while the physical dimension merely manifests wisdom derived from this source. Humans are regarded as stewards of this wisdom, bestowed by a spiritual author, such as Were, the supreme being and creator of all things. Spiritual devotion is believed to be a pathway to accessing wisdom and living a blessed life. To gain this access, individuals must adhere to spiritual norms set by these divine authors; failure to do so results in an evident denial of access. The ancestors observed these norms, gaining wisdom and blessings during their time, thereby safeguarding the community for future generations. By following their ways (known as *thene thene*) and heeding their ongoing guidance as spirits among their living descendants, the present generation can live wisely and secure blessings for themselves and future generations. This worldview underpins the sacredness and sensitivity of information, as well as the community's reverence for the controlled access to cultural knowledge.

### *Communal stewardship as the basis for controlled access to information*

The Japadhola community's approach to information sharing reflects a deep commitment to harmony, responsibility, and cultural preservation. Elders carefully manage young people's access to information, aiming to protect communal values and guide future generations wisely. This sensitivity to information is not about restricting access or enforcing power but ensuring that knowledge is shared responsibly to maintain cultural continuity and communal harmony. Indigenous access controls serve to protect sacred knowledge, ensure its appropriate use, and guide

individuals through a structured process of learning and maturation. Far from being a hindrance, these controls are vital for preserving identity, safeguarding wisdom, and fostering responsible knowledge-sharing within the community. However, the rise of uncensored media and growing generational gaps increasingly challenge these values, as unfiltered information often undermines cultural norms and traditions. In response, the Japadhola community has reaffirmed its commitment to culturally guided information sharing. Elders and custodians of knowledge emphasize mentorship through role-based education, ensuring that younger generations appreciate the significance of controlled information access. Initiatives such as revitalized clan gatherings and the establishment of the Tieng Adhola radio station play a key role in reinforcing these practices, offering a modern platform for nurturing cultural wisdom while safeguarding identity in an era of rapid information flow.

### *Rethinking the public domain in context of indigenous communities*

In Padhola, not all information is controlled for access as strictly as sacred knowledge. While sacred knowledge demands significant access restrictions, most other types of information require only a minimal level of sensitivity and respect for cultural norms. Knowledge governance in this community emphasizes stewardship, where the promotion of a healthy and prosperous society is paramount. Information deemed essential for wise living encompasses guidance on performing social and gender roles to foster family and community progress, strategies for wealth creation, security and justice systems, as well as relationships with the land, people, deities, and the self. Broader knowledge concerning national and global citizenship also holds value. Increasingly, the cultural kingdom's structures, rooted in indigenous traditions, have evolved to serve as essential information hubs. These structures not only uphold traditional knowledge-sharing practices but also provide platforms for information dissemination by both the government and other stakeholders seeking to engage with these communities.

In Padhola, public domain and access control are not viewed as opposing mechanisms but rather as complementary aspects of knowledge governance. This intricate relationship can be observed in various community practices and knowledge exchanges. For instance, raising children to understand their gender roles is considered public knowledge. Parents and the community openly demonstrate these roles

within family settings where fathers, mothers, and extended families live and interact closely. Children naturally absorb this role-related information through everyday observations, making it freely accessible. However, within this open access lies a controlled dimension governed by cultural protocols. Certain types of information are subject to restrictions and require adherence to specific provision procedures. For example, while parents actively shape their children's upbringing, they are culturally forbidden from providing sex education. Instead, this responsibility is passed on to grandparents during adolescent initiation. This controlled approach extends beyond child upbringing to other aspects of life. A farmer, for instance, may openly cultivate land and even train others, but knowledge gained through dreams or spiritual encounters may be withheld if sharing is spiritually prohibited. These practices illustrate how the Padhola community intricately balances public access to knowledge with culturally governed restrictions.

Therefore, not all knowledge in indigenous communities is controlled, nor is all openly accessible. Understanding this intricate relationship ensures respectful access and sharing, maintaining relationships and harmony. This is particularly relevant for foreigners who might engage with these communities and mistakenly assume that information available in the open is entirely public domain. For example, finding an herb growing in the bush does not imply it is public domain. A person knowledgeable about the herb's medicinal properties might consider uprooting it, yet an elder might request a hen as a token of respect to gain access to the herb's believed hidden power. This illustrates that knowledge in these communities is not static; it has multifaceted layers. At one moment, you might be interacting with one layer of knowledge, and in another, an entirely different layer. A pea might be a delicacy for the family as *Makira* (a traditional stew made from crushed peas), and in a ritual ceremony it might be the food of the gods that elicits a spiritually significant blessing.

### *Current challenges and their broader implication*

The current destruction of much of the cultural oral heritage is rooted in ignorance of its significance. When families are displaced, not only is their physical knowledge archive affected, but other dimensions of their heritage are also lost. For instance, graves and small living sites may be excavated by investors seeking to plant coffee, or rocks may be blasted to mine minerals. However, it is not just the physical remnants that are destroyed; the very identity and

generational connections, with all their spiritual significance, that bind a family or community to their land and people are also severed. This, in addition to the psychological, social, and economic consequences—especially in relation to the individual's sense of being and beliefs—can have far-reaching effects. In fact, an entire community may resign to self-condemnation and guilt, adopting a negative mindset that impedes their ability to engage in socioeconomic progress. For example, the clans in Opadamwara do not attribute their severe poverty to climatic changes. Instead, the elders believe the land has been polluted due to the destruction of their culture. They explain that cattle and millet, the very gifts of their gods, have been taken by the gods because they are displeased. With this mindset, no matter what poverty eradication strategies the government initiates, many see no hope for improvement. Therefore, protecting access to indigenous knowledge has far-reaching implications beyond what may be immediately apparent.

### **Recommendations**

In examining the potential exploitation of Uganda's diverse cultural heritage and indigenous knowledge, this study underscores the need for respectful, inclusive approaches to indigenous knowledge governance.

#### *Global implications for information governance*

The Japadhola community's experience highlights the urgent need for global frameworks that respect indigenous principles of community ownership, cultural identity, and knowledge stewardship. Current protections often lack specific guidelines for indigenous needs, so integrating indigenous voices into policy-making is critical for effective governance.

#### *Global policy recommendations*

The UN and WIPO should operationalize Article 31 of the UNDRIP to protect communal knowledge. Community-led protocols and participatory approaches can uphold collective ownership and sacred knowledge. Ratification of ILO Convention 169 would further safeguard indigenous rights. Shifting to a stewardship model over ownership will better support indigenous custodianship.

#### *Regional policy implications for Africa*

Intellectual property laws in Africa currently prioritize individual rights over communal ownership,

impacting indigenous communities. A pan-African protocol on indigenous knowledge protection could address this, with regional cooperation to share best practices. Legal frameworks should reflect communal knowledge aspects, providing indigenous communities with enforcement resources.

#### *National policy recommendations for Uganda*

In Uganda, amending the Copyright and Neighbouring Rights Act to protect oral traditions would align with UNDRIP standards. The National Library could serve as a controlled repository for indigenous knowledge, managed by indigenous knowledge custodians. A policy enabling communities to define access to sensitive information would improve knowledge governance.

#### *Empowering the Japadhola community*

A localized approach using clan-based governance and knowledge transfer is essential. Designating clan elders as custodians and establishing a Japadhola Resource Center would support cultural preservation and safeguard digital knowledge.

#### *LIS practices and indigenous knowledge systems*

Library and information services (LIS) and related professionals must adapt to support indigenous oral traditions, with access controls that respect communal knowledge-sharing. LIS professionals should serve as community knowledge stewards, fostering cultural heritage preservation aligned with indigenous values. Information service and system designers must carefully consider indigenous access controls in their endeavors.

#### *Leadership in indigenous knowledge preservation*

Community-centered leadership is vital. Entities like Tieng Adhola Kingdom can foster engagement and cultural continuity. Indigenous-led research in partnership with communities can enhance knowledge stewardship and access control practices, ensuring alignment with local values.

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## ORCID iD

Gilbert Okello  <https://orcid.org/0000-0002-8188-7752>

Joyce Bukirwa  <https://orcid.org/0000-0002-0434-8595>

Elisam Magara  <https://orcid.org/0009-0002-7184-2515>

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### Author biographies

**Gilbert Okello** is the University Librarian and a Senate member at the International Business, Science and Technology University (ISBAT) in Kampala. He is also the current Vice President of the Uganda Library and Information Association (ULIA). With over a decade of experience in information management, academic research, and library administration, Okello has served as both a Lecturer at the School of Library and Information Science and a professional librarian since 2013. He is currently pursuing a PhD at the East African School of Library and Information Science (EASLIS) under the College of Computing and Information Sciences at Makerere University. His research focuses on the indigenization of information services, emphasizing the development of culturally relevant and inclusive information systems for diverse communities. Okello remains committed to

advancing information science through scholarly research, teaching, and innovative library management practices.

**Joyce Bukirwa** is a Senior Lecturer and Coordinator of Graduate Training and Research at the East African School of Library and Information Science, Makerere University. She trained professionally as a librarian and started her career in a newspaper library, and later in an Agricultural research institute library before joining academia. Her expertise and research interests are in the automation of library and information services, digital libraries, management of electronic records, information retrieval, and school libraries. Joyce has published widely in the library and information science field mentored and supervised 35 masters and three doctoral students to completion. She has consulted widely offering library, records, and information management solutions to various organizations in Uganda, Rwanda, and the Republic of South Sudan. She is also involved in various international collaborations.

**Elisam Magara Bio Data** Elisam Magara, is a Professor in the Department of Records and Archives Management School of Library and Information Science, EASLIS, COCIS, Makerere University. He holds a PhD [DLitt etPhil] (Information Science) (2006) (UNISA); Masters of Science in Information Science (1999), Post Graduate Diploma in Computer Science (1996), Post graduate Diploma in Theology (AIU), and Bachelor of Library and information Science (1994 (Mak). Magara is a Vice President (Training and Registers), African Regional Committee on the Memory of the World (ARCMOW) and serves on the Education and Research Sub Committee (ScEaR) Africa Work Group a Subcommittee of International Advisory Council of MOW. His research research interest is in areas of documentary heritage, preservation, indigenous knowledge, Digitization, information management systems, records and archives management and readership development.