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IVORIAN LIBRARIANS FACED WITH THE PROTECTION OF MINORS

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IVORIAN LIBRARIANS FACED WITH THE PROTECTION OF MINORS: WHAT STANCE SHOULD WE TAKE?

Anoh Kouao Antoine

9.1 Abstract

Minor protection is a reality. Legal gear is set up to preserve their physical, psychological, mentally and intellectual integrity. To do this, several codes of ethics of various professions take into account this category of society. Librarians and information professionals should not be on fringe of this practice. Indeed, the professions that affect the moral, physical and psychic sensitivity all have ethical codes that protect people considered fragile. Therefore, from the example of audio-visual media and personal experiences, it now appears more imperious for librarians and information professionals in Côte d'Ivoire, to adopt a code of ethics and professional conduct that would protect themselves and their users under 18 years old. This protection must be done not only inside the library (in the workplace) but also in public (outside the workplace).

9.2 Introduction

A minor is a person under 18, who is in complete construction of his personality.

To make easier this psychic and bodily building, a series of rights were dedicated to these individuals in particular through the International Convention on the Rights of the Child, adopted on November 20th 1989 at an international level. The African continental level, the African Charter on the Rights and Welfare of the Child states in its preamble¹:

Recognising that the child, due to the needs of his physical and mental development requires particular care with regard to health, physical, mental, moral and social development, and requires legal protection in conditions of freedom, dignity and security.

The development of minors requires participation of other actors. Most certainly, immediate family circle but also by persons outside the family. That is reminded us by quotation from²:

[...] parents, guardians, educators and people influencing confidence should actively participate in teaching children and young people the risks they may incur in the presence of sexually explicit material or predators and scammers on the internet and how to avoid them.

The author of this sentence reminds us of the role of the actors involved in the education of children from ages 1 and 17. In his enumeration, he put after parents and guardians, all other education stakeholders involved in children and teenagers education as a bridge to social building. It's about among other teachers, educational specialists... including cultural facilitators, as librarians and other information professionals.

¹ African Charter on Rights and Welfare of the Child. Adopted in July, 1990. was entered into force in 29/11/1999 and ratified by 15 States. (Wikipédia). Consulted 30/01/2014

² Internet Society 20 years. Les enfants et Internet. www.internetsociety.org. Consulted le 26/02/2014

To this end, authorities provide legal mechanisms to regulate minors' access to certain products and services. On the matter, goods such as alcohol, tobacco, and services such as night clubs are prohibited to them. Therefore, the law requires tobacconists and drinking establishments to check identity card before serving customers, especially if there is a doubt in their mind about the age of the individual. Here, it is to protect their physical integrity.

Concerning services access, libraries and documentation centres are open to them in the framework of their training and their information. In professional practice, the librarian is committed to providing a quality service in order to satisfy users. Doing that, he shall assume responsibility by providing books requested by users that may provide accurate information. In relation to juvenile users, the librarian is confronted with a great dilemma: to make available or refuse access to documents that could imperil their moral, mental and psychological integrity.

This paper will discuss firstly the classification of media, and secondly provide personal professional experiences that will eventually open a gateway to discussions which will allow room for recommendations and proposals.

9.3 Classification

French Audio-visual High Council (Conseil Supérieur de l'Audiovisuel français) defines classification as "programme classification, programming in time slots, information schedule, screening and control access. Verbatim has made a call to responsible stakeholders (television networks, family circles and educational environments, CSA) to "ensure the protection of minors against audio-visual programs that could harm their blossoming."

9.3.1 Three (3) countries classification

We will present as models the example of France classification for westerner, and Morocco and Ivory Coast as an example of Western countries; and those of Morocco and the Ivory Coast, two African countries. These classifications are implemented respectively by the CSA and the High Authority for Communication (HACA). We will show with pictograms their senses and schedules.

*9.3.2 France CSA classification*³

Pictograms are blue squares with the following numbers inscribed inside: -10, -12, -16 and -18.

The pictogram "-10" means that the movie is not recommended for children under 10 years old. It concerns programs with scenes that could affect viewers negatively, physically and mentally. The pictogram "-12" refers to movies forbidden for children under 12 years old. Movies in this classification potentially create the impairment of physical and mental blossoming of children under the age of 12, notably when the scene repeatedly resorts to physical and psychological violence.

The pictogram "-16" is an indicator concerning movies forbidden to children under the age of 16. These programs are able to harm to minors blossoming; especially when the program includes erotic scenes or great violence. The pictogram "-18" classifies films that are not recommended to individuals under the age 18, as they're susceptible to affect the blooming of children under 18 negatively, notably, when they include scenes of pornography or extremely violence. Movies and schedules of this nature are prohibited to children under 18 can only be broadcasted between midnight and 5 O'clock AM. The films are also encrypted and accessible only through a parental password.

France CSA classification appears like this:

³ <http://www.csa.fr>



9.3.3 Morocco HACA⁴ classification

The green square pictogram with inscription “-10” written in black indicates that these schedules are susceptible to shock children under 10. They are banned from broadcasting from 12 AM to 2 O’clock PM and between 5 PM and 7 PM from Monday to Friday until 2 PM on Saturdays and Sundays.

The yellow square pictogram with the inscription “-12” written in black indicates that scenarios of these schedules systematically and repeatedly resort to physical and psychological violence. They are banned to children under the age of 12 and do not broadcast between 12 AM to 2 PM and between 5 PM and 7 PM from Monday to Friday until 2 PM on Saturdays and Sundays.

The red square pictogram with inscription “-16” written in black indicates that programmes in this classification show very strong violence, which need parents agreement to view. Banned to children under 12, programmes of this nature are not broadcast before 10 PM each day of the week.

9.3.4 Ivory Coast HACA classification

Ivory Coast HACA is invested in several missions, notably to make sure that audio-visual medias:

- respect human dignity;

⁴ ELMCHERQUI, Naima, présentatrice. 2009. La protection de l’enfance et des public vulnérables: Protection du jeune public et éducation aux médias : 2ème session (actes de la 5ème CIRCAF, à Marrakech, les 19 et 20 /11/2009)

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- protect children and teenagers forbidding them to view program broadcasts contrary to the law and accepted standards (accepted behaviour)

Thus, these media agents must take suitable action to warn viewers about the fact that scenes may include violence and/or obscene broadcasts by classification insertions.

As far as satellite television service providers are concerned, they are obligated to make their content unavailable to children under 18 by imposing a parental password.

Refusal or violation of these terms hold offenders liable to penalties scheduled by the law:

N° 2004-644 14th December, 2004 bearing by legal settlement of audio-visual communication modified by n°2011-474 of 21st December 2011 Order.

Ivory Coast HACA classification appears like this:



9.4 Classification in Audio-visual Medias

9.4.1 Classification in advertisement, during television news and in TV series, soap-opera and movies.

9.4.1.1 Advertisements

Classification in advertisement concerns both vocal and visual aspects. It concerns health products advertisement such as medicine. Presently, pharmaceutical industry adverts are relative to a certain kind of medicine, followed by a disclaimer, such as: “This medicine is not

suitable or children under the age of 15”, which is communicated verbally toward the end of the advert sequence.

9.4.1.2 Television news

For the presentation of images or content that may shock or offend, journalists will verbally inform viewers and advise parents or adults to prohibit minor from watch the following scenes as the content is of strong nature. For individuals with poor or impaired hearing a translator will communicate the message through sign language.

9.4.1.3 TV series, soap-operas and movies

Concerning TV series, soap-operas and movies a classification image is always shown at the bottom right of the screen specifying the advised viewing audience.

9.5 Classification in Publishing Businesses

Publishing businesses are not exempt from classification, as indicated us by Ms. Daubigny.

Young people’s literature is the field of publishing for children (...), it includes:

1. Awakening infancy colouring albums;
2. Youth Fictions [stories for children over the of 5-6]
3. Youth Documentaries [all learning books for children over the age of 5-6]

[...] Most publishers will have a collection of young people’s literature. Children’s literature includes all genres (detective, fantasy, poem, historical...), but designed specifically for children and adolescents. Adult authors who write for children readers should take into account their needs and the specific reading habits

*relating to children. It is often parents who buy books for their children, driven mainly by their own perception of what is 'good literature', or because of school requirements..."*⁵

Furthermore, these pictograms are widely used for the classification of books intended for young people by almost all Ivorian publishing business (NEI-CEDA Classiques Ivoiriens, ANISS Editions, Frat-Mat Edition , Editions des Livres du Sud, etc.) Ivorian authors of young people books have understood the need to indicate on their works classification codes.

From all that has been said, we are at liberty to conclude that classification is a tool that contributes to the protection of minors in audio-visual media and publishing businesses. The classification system clearly communicates to the parents and guardians that they have a role and responsibility in the protection of minors from strong audio-visual content.

In comparison with other professions such as the pharmaceutical, movie and publishing industries, who all have a classification system, we see that for librarians the reality is quite different. How should one stand when faced with the question of providing documents deemed inappropriate to minors? We have experienced this and would like to share with other professionals.

9.6 Personal Professional Experiences

It's about theoretical lived during my formation in Ivory Coast Librarianship School (Ecole de Formation à l'Action Culturelle) and a practice experience lived in July 2012 in my quality of librarian at Ivory Coast National Library.

⁵ DAUBIGNY, Louise (2008). "La Littérature Jeunesse"

9.6.1 First experience

9.6.1.1 Facts presentation

During a training day, one of our teachers asked the following question: “If a young girl under the age of 14 comes to your library and tells you that she is searching for books with information about abortion, what will your reaction be?”

9.6.1.2 Trends

The opinions were divided, but two trends were identified:

1. Students of first group answered in these terms: My reaction would be the same regardless of who made the request. I would fulfil my librarian duties by finding the documents relating to her request and leave them at her disposal. My role ends there.
2. The second group of students took the following position: As a parent, I would behave beyond the responsibilities of a librarian. I would inform myself about the reasons for her interest in this subject. Then I would take a decision whether to satisfy her request or not. If it is for academic reasons I would give her the requested books available in my funds. But if I suspect that the girl is pregnant, I would advise her about the dangers she will be exposed to performing an abortion, without judging her.

I confess that the debates were heated on the position between the two trends. Indeed, for upholders of the first trend, the librarians or information professionals who took the second position would be overstepping his/her role as a librarian and would be assuming the responsibility of a social worker.

9.6.2 Second experience

I experienced took place in July 2012 while I indexed books received through donation by the Ivory Coast National Library.

9.6.2.1 *Facts presentation*

After the cataloguing team has finished with the documents, the indexing team receives them. I came across a series of monographs for the children's library (a section of the national library). One of the books was part of the Hachette Jeunesse collection called 'Encyclopaedia of sexuality' and the other part of the Hydrogen collection of 'Editions de la Martinière'.

On the first cover of the first collection of books we see that they've been categorised for children aged: 4-7, 7-9, and 10-13 years old. Upon reading them, I learnt a lot even as an adult. The books content showed the human anatomy (male and female) with details on the reproductive system and organs, with much useful information that I believe to be relevant for the age groups suggested. At the moment, everything was all right. But reading further, an issue caught my attention. I was presented with a section which described foreplay in great detail. Moreover, the illustrations were presented with, in what appears to be, two teenagers. I wondered if children at this age are really in need, at such a delicate moment of their evolution, to have detailed knowledge of such things.

9.6.2.2 *Discussion with the colleagues*

One again, the opinions between groups were divided:

- First trend: The acceptance of moral evolution.
Upholders of this point of view agreed that books of this nature are intended to westernise children. Thus, it's right and we must conform to their choice of education.
- Second trend: Restricted access.
According to this group, books, even though the content is enriching, for a country like ours where sexuality remains a taboo subject amongst family, information of this nature should be prohibited to children under 16.

9.6.3 Third Discussions

Discussions could be organised either in the context of personal professional experiences or in the context of classification.

9.6.3.1 Discussion on personal professional experiences

It must be noted that both experiences were debated without legal support or reference. Effectively, no speaker, in the course of the discussions propped up his/her thesis, argumentation or talk on a legal basis because there is a lack of knowledge of law among Ivorian professionals.

However, the second experience brings to attention the problem of censorship in libraries, particularly books on the subject of sexual education intended young children. On that subject Bertrand Calenge stresses that collection development is necessary, but also improvements to their access, if they are acquired. Sexual education books dedicated to children present a kind of tension for librarians. Excluding books of this nature lays suspicion open to censorship which is out-of-date, while acquiring such book exposes libraries to parent's protestation.

The worst solution is to acquire these books with good conscience, then have them hidden at the bottom of store (who has already seen a small baby fill in a bulletin of communication?) Another solution is to assume an acquisition free access choice, where we discuss, negotiate and initiate debates, etc. Lastly, one could forego to buying books of this nature because the social environment is too strong.⁶

The first experience explained is a moral dilemma because there is risk of individual tragedy. Indeed, the lesser evil which could occur to the young girl in this situation, in the case that things go wrong, is certainly irreversible barrenness. The worst case scenario would be death. From this example, Ivorian librarians, as those of most countries,

⁶ CALENGE, Bertrand (2008). *Censure et politique d'acquisition*. in Dossier: Revue ABF. N°41/42 p 51-56. [Online] <http://>Consulted le 26 Février 2014

must assuredly see again their acquisition politic and sort out meticulously documents given to them by donors. He/she commits his/her responsibility accepting systematically to put in free access all documents, whatever the mode.

For example, to elude a book on suicide Calenge asserts that:

*(...) libraries cannot shirk their social responsibilities. If a librarian decided to control his/her collections intended for children under 18, or if he/she refuses to lend 'Suicide mode d'emploi', it's not because laws or rule inquired to him/her, but because libraries must conform themselves to tacit rule that govern life in society.*⁷

In any case, both situations lighten Ivorian librarian's social responsibility. The Dilemma is that he/she must be faced as cultural information facilitator at the workplace, without jeopardizing the acquisition politics of his/her establishment, and to call him/her out as to his/her social responsibility to face his/her contribution to child citizen personality's construction. Thereby, IFLA Professional Codes of Ethics for Librarians in its part 2 consecrated to: "responsibility toward individuals and society" stated librarians responsibilities without hinder adults rights:

*Librarians and other information workers respect the protection of minors while ensuring this does not impact on the information rights of adults.*⁸

9.6.4 *Discussion on classification*

While parents endeavour to scrupulously observe classification given by HACA, forbidding their children to view broadcasts which were not intended to them. What stance, then, must Ivorian librarians take when

⁷ Bertrand CALENGE, op. cit., p52

⁸ IFLA, Ethics Codes for Librarians

faced with a situation of communicating a book that he/ she deems morally sensitive or not suitable for minors? Otherwise, if parents embrace their responsibilities in their children's education, applying Ivory Coast orders, they are ready to respect publisher's business classification inscribed on young people books. Then, what happens when libraries and their staff are accused to negligence or laxity by empowering children under 18 to read books which content would be prohibited by audio-visual media?

Ivorian librarians don't have a formal regulation and/or protection framework in the matter. So, all initiatives are left to professional appreciation who depending on his/her feeling decide what exactly can be read by minors in library.

That places him/her in a position which isn't always easy to assume. When does go slowly? How does bring together professional practice and satisfy young people's informational needs? Opinions on these questions stay divided. Some professionals think that minor's protection in libraries is inconsistent and that is necessary to regulate books access which can emotionally destabilize them.

For the others, an idea would be to act on the school curriculum so as to mark out with beacons upstream. The current curriculum sometimes puts Ivorian librarians into a dilemma. It occasionally happens that through curiosity a child is interested in a subject for which he/she needs more information. In this case, the idea is not to deter children from learning but rather to protect them from information not suitable for their age group. But the problem we face in this example is that in one respect we protecting them against books inappropriate or not adapted for their development at such a delicate moment, but in another respect we are also refusing their right to information.

To solve this problem, some libraries envision creating their own classification system for the young people's section. It will be to make available books already selected for age bracket [15-17]. A similar

system already exists for adults where books considered as offence against public decency can be found on dedicated shelves. Elsewhere, some libraries also chose to separate their books doing the same thing in their young people's section. They created shelves with books deemed obscene for children under 15, which are forbidden to children but made accessible to 15-17 year olds through surveillance system

9.7 Conclusion

The protection of minors is a permanent worry for authorities, especially with communication channels multiplication which is accessible to users via uncontrolled information sets. If by classifying CSA and HACA permits parents to select what their children view in audio-visual media, classification also permits publishing businesses to prevent books being made available to children and teenagers by young people literature authors. As, between publisher and librarian, there is no interactive relationships, the latter is obliged to foresee in fact, disposals, to manage documentation in libraries for children under 18. Although, classification systems are implicated in some professional practices, they aren't always respected by minors themselves.

Moreover, what do librarians gain by forbidding access of 'dark books' to minors since television and the internet make erotic or even pornographic content accessible in the privacy of their own homes? Not forgetting that the promotion of violence is increasing because due to video game and movie producers who direct their productions toward an audience where the common majority are young.

9.8 Recommendations

The welfare of children under the age of 18 is more and more emphasised throughout the world. In Africa different organisations are interested by the subject, and as a result the 3rd Annual Conference of Audio-visual Regulatory Authorities Forum of States members of

Organization of Islamic Conference (OIC) through to International Broadcasting Regulatory Authorities Forum (IBRAF)⁹ recently took place. Participants studied means susceptible to promote minors rights while protecting them against medias negative effects.

In Ivory Coast, we note a readjusting in television schedule since two decade with programs deemed depraving cancelling.

Thus, we would like to suggest the following as recommendations:

1. Exchange platform organisation on minor's protection matter in cultural institutions. That would be the place for cultural facilitators to think about this problem for libraries.
2. For those who have already implemented system in order to reduce minors access to certain books, above all, erotic literature and sexuality researches, we must avoid to fall down in azimuth censorship.
3. We would like to propose also that thought might be led on special minors code necessity which should regulate their access to this kind of information and likely taint their social, moral and psychical development which is susceptible to create amongst them abnormal behaviour.

9.8 Literature Review

France: Conseil Supérieur de l'Audiovisuel (CSA). 2012. La protection des mineurs à l'heure de la convergence des médias audiovisuels et d'Internet.-Document de réflexion. [Online] www.csa.fr. Consulted 28/02/2014

Abstract: This paper speaks about young people's protection against shocking audio-visual content on Internet, excluding specific matters of

⁹ IBRAF: *La protection des mineurs dans les médias* Abidjan 21-22/12/2013

child pornographic, fighting which is more the concern of sexual abuse victims.

This report is a working document that draws up an inventory of the situation (I) and displaying thought ways (II) which will then follow to consultations in law communication matters view collecting concerned actors point of view (professionals, representative of civil society). Such dialog commitments will allow us to collectively think about means to give to young people a communication liberty corner which respects their sensitivity, and therefore their person.

CHAPUIS, Lise. Littérature de jeunesse, incertaines frontières. p-119-120 in BBF n°6 (2004). Liberté de l'information. Paris.

Abstract: The author of this article host a week-long event devoted to young people's literature, which gathered all actors and partners of the field, researchers and librarians, from 4th to 11th June, 2004. Many interventions influenced in particular by young researchers work. Presentations have been debated on occasions and in exchange incessantly tackle essential questions, beginning with the principle question: What is 'a good young people's book'?

But beyond what we have once again perceived, is how many are uncertain of the line between young people's literature and adult literature. We find that this is a global problem that surrounds art, as well as relation between ethics and aesthetics.

DIONE Bernard. Identité et valeurs professionnelles: aux fondements de l'Ethique de la profession de bibliothécaire. [Online] <https://periodicos.ufsc.br/index.php/eb>. Consulted 12 March 2014.

Abstract: Libraries and librarians play a role in democratic society building. However, faced with ethical conflicts, which is becoming increasingly common for librarians, confronted common ethic definition

and elaboration to the profession is a strategic alternative. Nevertheless, shared ethics by librarian professionals in cultural, social political diversity and various horizons can be based on values that are at the foundation of profession identity.

ACCART, Jean-Philippe. «Le Documentaliste et l'éthique» Cahiers de la documentation.(2012)/2. p 24-26.

Abstract: All jobs which propose service bringing into contact with people, must have a professional ethic which may allow to have behaviour referred on professional values. It materializes by whole of rule which guarantee profession rights and duty.

IIEP-UNESCO. Synthesis report on teacher codes of conduct from 6/11 to 7/12/2012.

[Online].www.iiep.unesco.org/capacity.../iieo...teacher-codes-of-conduct.html. Consulted 23 April 2014

Abstract: It's told in introduction of this report: "Various countries have endeavoured to design and implement teacher codes of conduct to regulate teacher behaviour. They consist of a set of recognized ethical and professional standards to which all members of the profession must adhere. Their main objective is to provide self-disciplinary guidelines through the formulation of professional conduct norms.

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DELASSUS, Eric. (2012). « Droits de l'homme et droits spécifiques: Droits de l'enfant, droits de la personne âgée, droits de la personne handicapée ». [Online] <https://hal.archives->

ouvertes.fr/file/index/docid/753224/filename/Droits_de_lhomme_et_droits_spA_cifiques.pdf. Consulted 21/02/2014

France. Centre d'Analyse Stratégique. (2012). Hypersexualisation de l'espace public: Comment protéger les enfants? Rédigé par Marie-Pierre HAMEL et Marie- Cécile NAVES in La note d'analyse n°267. [en ligne] <http://archives.strategie.gouv.fr/content/hypersexualisation-de-lespace-public-comment-protoger-les-enfants-note-danalyse-267-mars-201?> Consulted 25 January 2014.

France. FADBEN. (2000). Charte professionnelle des acquisitions dans établissements scolaires. [Online]. www.fadben.asso.fr Consulted 21 March 2014

10IBRAF :«La protection des mineurs dans les médias» Abidjan 21-22/12/2013