Chapter 1

Global ethics for social work? A case-based approach

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Introduction

This chapter provides an introduction to the book for readers who wish to reflect on the nature of social work in an international context and on the possibilities and problems of the concept of a ‘global ethics’. A brief overview is given of a variety of theoretical approaches to ethics, followed by a discussion of the usefulness of case-based methods in exploring ethical issues internationally. A categorisation of the varieties of cases included in the book is given, including an analytical table at the end of the chapter.

It is not necessary to read this chapter in order to use the rest of the book. It may, however, be helpful for readers who are interested in considering the usefulness of ethical theories and in engaging in debates about universalism and relativism in ethics; and for teachers wishing to use the book with students.

Rationale for the book
Ethics in social work, and indeed in public life more generally, is a topic of growing importance. There has been a rapid growth in books and articles on this theme in the last decade (for an overview, see Banks 2008). There are many reasons for this so-called ‘ethics boom’. The growing awareness of the impact of humans on the world environment and the potential for life changing bio-medical technologies are contributing to a heightened awareness of questions about the kind of world in which we want to live in and the kinds of lives we should lead. The persistence of inequality, poverty and war, along with the phenomenon of global terrorism, the rise of neo-liberalism in politics, a retrenchment of traditionally strong welfare states, cutbacks in social services and a questioning of the expertise and trustworthiness of professionals bring ethical questions very much into the arena of social work. Social workers have to respond to asylum seekers fleeing zones of conflict, cuts in welfare budgets, privatising of welfare services and demands from employers that they act as gatekeepers, controllers or managers of care packages. The political and economic challenges confronting social workers vary across different parts of the world. However, there is no doubt that wherever in the world social workers practise, they face ethical challenges about how to treat and respond to people respectfully, how to ration resources fairly and whether and how to resist, ameliorate or tolerate the social injustices they see on a daily basis.

Despite the rapidly growth of textbooks on social work ethics, there are relatively few that primarily comprise real life social work ethics cases (Rothman (2005) and Reamer (2009) are examples from the USA) or that address the international dimensions of social work ethics in any detail. Specialist textbooks on social work
ethics are more prevalent in the global North and West. Such textbooks usually cover ethical theories, codes of ethics and topics such as confidentiality, service user participation, rights and responsibilities, with case examples often used to illustrate different types of ethical dilemmas and problems (for example, Aadland, E. 1998; Banks 2006; Beckett and Maynard 2005; Bowles, et al. 2006; Charleton 2007; Congress, et al. 2009; Dolgoff, et al. 2009; Joseph and Fernandes 2006; Lingås 992; Linzer 1999; Reamer 2006; Rouzel 1997). The aim of this book is to complement specialist texts on social work ethics, often written from a national perspective, and the growing number of books on international social work, which may have short sections or chapters on ethics (Cox and Pawar 2006; Healy 2001; Hugman 2010; Lyons, et al. 2006).

Since discussion and analysis of accounts of practice in the form of cases is a well-used and very effective way of encouraging learning about ethical issues in social work, it is hoped that a book of real life cases and commentaries will be a useful addition to the literature. The cases can be used in educational contexts to stimulate the development of skills in ethical perception and reflection and to generate dialogue about the roles, rights, responsibilities and dilemmas of professional practitioners, carers, service users, other professionals, politicians, social work agencies, governments and professional associations.

The inclusion of cases and commentaries authored by people from around the world has the added value of both enhancing understanding of differences in social work practice, policy, law, culture and ethics in different countries, whilst at the same time strengthening the solidarity of social workers across the globe. We hope the book
will contribute to some of the important ongoing debates in social work about the extent to which ethical values are or should be shared internationally; and whether statements of ethical principles and standards can be valid universally, or whether they are always relative to particular contexts (Banks, et al. 2008; Healy 2007; Hugman 2008).

Social work

We are using the term ‘social work’ in a broad sense to cover the work of a range of occupational groups operating in the social welfare field, including: social work, social care work, social pedagogy, social education, community work/community organising and youth work. These occupations are configured differently in different countries, but broadly speaking they tend to work with individuals or groups of people who are judged to be in need of social services or social assistance; who may be thought to be a threat to themselves or others and therefore should be protected or controlled; or who may benefit from professional support, facilitation or informal education to take action themselves to work for individual and social change or transformation.

Even within the same country, there may be constantly shifting views of the purpose of social work, as economic, social and political conditions and regimes change over time. Payne (2000) offers a useful analysis, suggesting that the nature of social work emerges from a balance at any point in time between three shifting views of its purpose:
1. Maintaining the existing social order and providing individuals with services as part of a network of social agencies (individualist-reformist views).

2. Helping people attain personal fulfilment and power over their lives, so they feel competent to take part in social life (reflexive-therapeutic views).

3. Stimulating social change, transforming society by promoting cooperation, mutual support, emancipation and empowerment (socialist-collectivist views).

In many countries there are active professional associations of social workers, and in some countries there are state-sponsored regulatory bodies. These organisations publish documents outlining the nature of social work, the responsibilities of social workers and the values, knowledge and skills required for the work. At an international level, there is a definition of social work, international standards for practice and a statement of ethical principles (International Federation of Social Workers and International Association of Schools of Social Work 2000, 2004a, 2004b). The statement of ethical principles is reproduced in Appendix 1. The international definition of social work (agreed in 2000, under review in 2010-11) is as follows:

The social work profession promotes social change, problem solving in human relationships and the empowerment and liberation of people to enhance well-being. Utilising theories of human behaviour and social systems, social work intervenes at the points where people interact with their environments. Principles of human rights and social justice are fundamental to social work.
The fact that there are internationally agreed definitions and standards may suggest that social work as practised around the world has more in common than is, in fact, the case. For how social work is practised in different countries is intrinsically linked to the nature of national and regional welfare regimes; social welfare laws and policies; the relative roles of the state, market, not for profit organisations and informal family and neighbourhood networks in welfare provision; prevailing cultural and religious norms about the family, gender, childhood and old age; and the value placed on equity, equality, individual and collective rights and responsibilities. This is clearly demonstrated by cases in this book. For example, Case 5.1 from Iran shows how Islamic law is embedded in the state provision of social care and influences how young women are treated in residential centres. Case 6.3 from Finland illustrates how the traditionally strong welfare state has supported care for the elderly, but this is now threatened as services are cut and privatised.

The influence of these sharp variations in the contexts in which social work is practised is especially apparent in accounts of practitioners from one country working in another. Case 3.3 is written by a Dutch social work student working in Vietnam. She questions the standard practice amongst Vietnamese physiotherapists of not discussing with service users the severity of their health problems. This very quickly leads us into the territory of ethics – raising questions about people’s rights to know the truth about their medical conditions, the circumstances in which health and social care professionals should protect individuals and families from the full truth and how much weight to give to prevailing cultural norms in cases like this.

Ethics
In English we use the term ‘ethics’ when talking about norms and standards relating to how people should treat each other, what actions are right or wrong and which qualities of character are good or bad. It is a confusing term, as it has both a plural and a singular sense.

In its plural sense, ‘ethics’ is used to refer to norms or standards relating to right/wrong conduct or good/bad qualities of character. For example, we might say of someone that ‘her ethics are very narrow’. Sometimes we use the term ‘morals’ to mean the same as ‘ethics’ in the plural sense.

‘Ethics’ in its singular sense refers to a set of norms, a theoretical system (e.g. Kantian ethics) or a subject area that covers norms of right/wrong conduct and qualities of good/bad character. In this sense, the term ‘ethics’ may be used interchangeably with ‘moral philosophy’. Sometime we use the term ‘morality’ to mean the same as ethics in the singular sense.

A further complication is added by the fact that the terms ‘morals’ and ‘morality’ are often used to mean the same as ‘ethics’ (plural) and ‘ethics’ (singular). However, some theorists make a distinction between morals as externally imposed normative standards or prevailing societal norms, and ethics as internally generated (personal) norms. In this book we do not make this distinction, and use the terms ethics and morals interchangeably.
In some languages there is apparently no *direct* equivalent of the term ‘ethics’. Gyekye (2010) gives the example of Sub-Saharan African languages. This does not mean, however, that there are no normative concepts of right and wrong conduct or good and bad character in those languages and societies. But it does mean that these facets of human existence and behaviour are conceptualised in different ways. The construction of ‘ethics’ as a discrete area of study, and the separation of the ethical from the practical, technical, political, cultural and religious dimensions of life is perhaps more commonly understood and accepted in the global North and West than in the South and East. On the other hand, in all parts of the world there is a recognisable normative discourse covering questions such as: ‘What kinds of people should we be?’ ‘What kinds of lives should we live?’ and ‘How should we act?’ The questions are recognisable, although the answers given will vary enormously between different societies, as will the extent to which the answers are inextricably linked with culture, religion and political ideology.

In this book we generally use the term ‘ethics’ in its singular sense to refer to a subject area that encompasses right/wrong actions (conduct), good/bad qualities of character and normative aspects of human relationships. This characterisation of ethics is deliberately broad and inclusive. For in the global South and Eastern parts of the world, and amongst some indigenous peoples (such as native Americans or aboriginals in Australia), normative evaluations traditionally tend to start with a focus on people’s moral character (‘she is a good person’; ‘he is dishonest’). Judgements about actions would be framed in terms of character (‘that was the act of a dishonest person’). In modern Western and Northern contexts, especially in professional ethics, the starting point is very often actions. Good/bad character would be
explained in terms of right/wrong actions. These are, of course, gross generalisations. There are Eastern philosophies that place emphasis on action-based norms, and there are Western moral philosophers who argue for the primacy of character and in everyday life.

Whilst the use of the term ‘ethics’ may leave us open to accusations of Western and Northern imperialism (as with the human rights discourse of the United Nations declarations), we wish to use the term in a broad, inclusive and critical sense. We acknowledge, however, that ‘ethics’ is a construction that may have more meaning in some parts of the world than others. In a social work context, just as theories, models and practices of social work have been exported from the global North and West to the South and East, so the concept of social work ethics as a separate area of study and practice is also being exported. So it will be very important for academics and practitioners across the world to take a critical approach to the subject area itself (considering what constitutes the domain of the ethical) as well as the content of this subject area (Western conceptions of individual rights, confidentiality, privacy and non-discrimination). In the next section we will consider some examples of theoretical approaches to ethics, which are often included in the largely Western literature on ethics in social work.

Theoretical and methodological approaches to ethics

Moral philosophers and ethicists have developed many different theories about the nature of the good life, what counts as human flourishing, right and wrong conduct, good and bad qualities of character. These competing ethical theories are outlined in
many introductory texts on moral philosophy and in textbooks on social work ethics (Banks 2006; Boss 1998; Gray and Webb 2010; Rachels 2003; Reamer 1990). Therefore it is not our intention to go into detail here. However, we will offer a brief overview of different theoretical approaches to ethics, to give the reader a conceptual framework within which to locate the cases in the book, if desired. Further discussion of different ethical theories is also offered in some of the Introductions to the chapters in this book.

**Principle-based ethics**

Until recently, modern Western literature on professional ethics has tended to focus on identifying and describing general and universal principles that can be used to guide ethical conduct. Reamer (Introduction to Chapter 4 in this volume) describes two different schools of thought: deontological (duty-based) ethics, often associated with the eighteenth-century German philosopher, Kant; and teleological (consequentialist) ethics, often associated with the nineteenth-century British utilitarians, Bentham and Mill. Deontological or Kantian ethics is based on the ultimate principle of respect for persons as rational and self-determining beings. Any action which fails to accord respect to each individual person (such as lying) is wrong, regardless of whether it may produce good consequences. Utilitarian or consequentialist ethics, on the other hand, judges the rightness and wrongness of an action according to whether it produces a greater or lesser balance of beneficial over harmful consequences for the greatest number of people. According to utilitarianism, it might be regarded as morally right to lie, if lying resulted in a good outcome (saving life or causing a lot of pleasure).
These two schools of thought are clearly in opposition, if the aim is to develop a comprehensive ethical theory based on a key foundational ethical principle. However, in everyday life, and in professional practice, principles that promote respect for individual choices and rights are equally as important as principles that promote good outcomes for individuals and society. Statements of ethical principles and codes of ethics for social work contain both these types of principles as can be seen in the IFSW and IASSW statement (2004a) in Appendix 1. Arguably some of our biggest ethical dilemmas and difficulties are in deciding when to compromise respect for an individual’s right to freedom of choice and action in order to promote what is considered to be their greater good or the greater good of others or society in general.

According to principle-based approaches to ethics, ethical decision-making is a rational process that involves applying general principles to particular cases. The decision-maker should treat all similar cases in a similar way, as impartially and objectively as possible.

**Character- and relationship-based approaches to ethics**

There are alternative theoretical approaches to ethics that start with particular people and the situations in which they find themselves. We can call these approaches character- and relationship-based approaches to ethics. Virtue ethics, for example, focuses on the qualities of character of the moral agent, and asks not ‘what should I do?’ but ‘what kind of person should I be?’ and ‘what would a good person do in this
situation?’ (Banks and Gallagher 2008; Swanton 2003). A focus on the development of good qualities of character can be found in many ancient Eastern religious teachings, including the works of Confucius, Mencius and Buddhist texts (Harvey 2000; Wong 2008). According to Gyekye (2010), character also forms the basis of African ethics. In Western philosophy, virtue ethics is traditionally associated with Aristotle (the ancient Greek philosopher), with later developments by Christian religious philosophers, Aquinas and Augustine. After a period of decline in popularity, virtue ethics has recently undergone a revival in Western ethics, as a complement to or replacement for the more abstract, principle-based approaches to ethics.

Other situated approaches to ethics include the ethics of care (as discussed by Philippart in Chapter 2; see also Held 2006; Noddings 2002; Tronto 1993), which focuses on the relationships between people and the particular responsibilities inherent in special relationships (like mother and child); and the ethics of proximity, based on the responsibilities experienced in the face-to-face encounter between one person and another (Levinas 1989; Vetlesen 1997). The emphasis on relationships and responsibilities brings these approaches to ethics much closer to those that are more prevalent in the global South, where the individual is defined in relationship with others. Here much less emphasis is placed on the individual, or the relationships between individuals per se, but rather the focus is on the community (communitarian ethics), seeking solidarity, harmony and the common good (Graham 2002; Gyekye 2010).

**Narrative and case-based ethics**
Approaches to ethics that give primacy to character, relationships and communities very often also make use of stories as a methodology. Hilde Lindemann Nelson (1997) outlines a number of ways stories are used in ethics: to heighten moral perception and sensitivity; to promote moral education; to provide ethical justification; to define one’s moral identity through telling stories and accounts; and to make ethical evaluations through comparing stories. The term ‘narrative ethics’ refers to a cluster of methodologies that use stories, rather than to a theoretical approach to ethics as such. Although some ethicists who have developed narrative approaches take phenomenological, social constructionist or hermeneutical perspectives (focusing on how people describe experiences, construct themselves through their stories and interpret stories as texts), many do not.

‘Casuistry’ or case-based ethical reasoning (Jonsen and Toulmin 1988) is sometimes grouped under the heading of ‘narrative ethics’, but it is very often regarded as a distinctive approach in its own right (a revival of a medieval Christian practice of providing moral guidance in particular situations). Rather than starting with an ethical theory, casuistry begins with particular cases, taking into account the specific circumstances of each case in deciding what an ethically correct response might be. It works by taking a paradigm case, which is relatively straightforward and about which most people would agree in their ethical evaluations, and then compares the case at hand with the paradigm case in order to determine differences and similarities. This is analogous to the kind of approach taken in legal reasoning, and requires skills in determining the morally relevant features of cases and in creating taxonomies of types of cases and issues. Casuistry is not a normative theory (prescribing what is good or bad), but more like a method for making ethical
assessments and decisions. In case-based ethics 'moral reasoning' plays a crucial role. ‘Reasoning’ in this sense includes the use of moral intuition and practical wisdom and is not the same as rationality based on abstract principles (Toulmin 2001).

Given the international content of this book, this approach to ethical evaluation is helpful in that it starts with the case and advocates pursuing a detailed and careful analysis. Sometimes people who espouse very different ethical and religious values may come to agreement about what should be done in a particular case, by focusing on the details of the case. Their differences emerge when they come to justify their ethical evaluations with reference to different values or theories. In arguing for the efficacy of casuistry, Jonsen and Toulmin (1988: 16-19) give an example from their experience of a national commission on the protection of human subjects in research in the USA. They claim that whilst commissioners did not agree on a set of established universal ethical principles, they shared a common perception of what was at stake in particular cases. Jonsen and Toulmin’s account is disputed by Beauchamp and Childress (1994), who claim that transcripts of the commission’s deliberations show a constant movement back and forth between case and principle. Nevertheless, we would argue that analysis of cases is a very fruitful way to proceed in exploring ethical issues internationally, in contexts where very different theoretical approaches might be held. Case-based analysis can help us refine, question and develop our deeply-held ethical values. As Appiah (2007: 71) comments: ‘we can agree about what to do in most cases, without agreeing about why it is right’.
Table 1.1 (adapted from Banks and Nøhr 2003: 12, with the addition of communitarian, narrative and case-based ethics) offers a brief overview of the key features of several of these different approaches to ethics, as they might be applied in social work.

[Insert Table 1.1 near here]

**Table 1.1: Some approaches to social work ethics**

I. **Principle-based ethics** (ethical theories)

   **a) ‘Kantian’ principles**, for example:
   - respect for persons as rational, self-determining beings;
   - Impartiality and consistency in choice and action …

   **b) Utilitarian principles**, for example:
   - promotion of welfare/goods;
   - just distribution of welfare/goods …

II. **Character- and relationship-based ethics** (theoretical approaches)

   **a) Virtue ethics** – development of character/virtues/excellences, such as:
   - honesty;
   - compassion;
   - integrity …
b) **Ethics of care** – importance of particular relationships, involving:

- care;
- attentiveness;
- responsibility ...

c) **Communitarian ethics** – the primacy of community:

- solidarity;
- harmony;
- inter-connectedness ...

III. **Narrative and case-based ethics** (methodologies)

a) **Narrative ethics** – collection of approaches that value and use stories:

- Listening to/reading stories to sharpen moral sensibilities;
- Telling stories to define and develop one’s identity;
- Invoking stories as moral explanation ...

b) **Casuistry** - analysis of cases as a starting point, with a focus on:

- specific circumstances of the case
- paradigm cases
- categorisation and comparison of cases
Ethics as universal and particular

Although these many different ways of theorising about ethics, analysing cases and making ethical decisions may seem (and are sometimes presented by their proponents as) mutually exclusive, in fact they can usefully be regarded as complementary. The idea of impartial principles of fairness and universally held rights and freedoms is an important way of looking at how people should be treated, especially in professional and international contexts. Principles provide a benchmark against which to assess decisions, actions and policies and highlight unjustified differences in treatment based on favouritism, prejudice, oppressive use of power and unfair legal, social and cultural laws, customs and norms. The language of universal human rights, as found in the United Nations declarations and conventions, is a permanent reminder that cultures, religions and customs cannot be accepted and respected uncritically, but must be questioned and challenged, as Briskman and Pemán argue in the Introduction to Chapter 3.

However, principle-based approaches do not capture all dimensions of what might be regarded as ethically important features of situations, especially in parts of the world or cultures where individual rights and freedoms have less prominence than family, group, tribe or community relationships and responsibilities. People’s motives, character and emotions are also important, as are their particular relationships and responsibilities to each other and within their communities. Careful examination of specific features of each case or situation is vital, as is the ability to recognise morally relevant issues, to compare with other cases and to test against commonly
accepted principles and rules. This capacity or quality is what Aristotle termed ‘phronesis’ or ‘practical wisdom’. It is a quality that needs to be nurtured and developed, through working alongside experienced role models or teachers and entails the ability to notice, pay attention and see morally relevant features of situations (Banks and Gallagher 2008).

If we take the example of Case 3.3, about the Dutch student in Vietnam, she refers to ethical principles she has learnt in the Netherlands, which stress the rights of patients and service users to information about their medical conditions and prognoses. Yet she is also aware of the cultural norms in Vietnam and the lack of experience and competence of the physiotherapists in breaking bad news. She engages in a discussion with the Vietnamese physiotherapists in an attempt to understand their perspectives and share her views with them. We could ask the question: is the behaviour of the physiotherapists ethically right? The Dutch student’s answer is that it is not, if we judge it by the standards she has learnt in the Netherlands. But by the standards operating in Vietnam, possibly it is right. Yet she does not use this experience to then go on to argue for ethical relativism based on cultural differences between the Netherlands and Vietnam. Rather, she uses the opportunity to reflect. Experience of this situation might cause her to identify some of her taken-for-granted assumptions and values (about individuals’ and families’ rights to information and choice), which turn out not to be as universally accepted she might have expected. Equally she engages in conversation with the physiotherapists in order to establish how robust their taken-for-granted assumptions and values are. We do not know how things turned out in this hospital after the student left, but we might hope that both parties had learnt from each other and might slightly adjust their
practices, or think more critically about what they were doing and why. For the Dutch student working in multi-cultural contexts in the Netherlands, she may reconsider how she approaches her work with service users of different ethnic backgrounds.

Possibilities for a global ethics?

The reflections of the Dutch student in Vietnam (Case 3.3) did not lead her to ethical relativism. Nor did she reach for universal standards of ethics generally or for social work. Some authors of cases and commentators do, however, refer to international benchmarks - for example, reference is made to the UN Convention on the Rights of the Child in Case 5.2 about rights to health care in Peru. To what extent are these international standards helpful in resolving ethical problems in local or international contexts?

United Nations declarations and conventions

The United Nations declarations and conventions (see Appendices 2 and 3 for those on human rights and the rights of the child) are attempts to develop a world-wide consensus on minimally accepted standards for how human beings (including peoples and communities) should treat each other and be treated by regimes and institutions. These are framed in terms of principles of action (what nation states should do) based on ‘human rights’ (the valid claims people have simply in virtue of being human). However, this language and way of thinking in terms of principles and rights, is not the natural ethical language of many societies in the global South and East, where notions of people’s character, their relationships with each other and to
their communities might be more predominant. The language of principles and rights is not only a foreign imposition, it is also inevitably very abstract and general (as it is applicable to all people and in all places), hence is open to wide interpretation in its implementation (see Briskman and Permán's Introduction to Chapter 3).

Despite these challenges, the UN declarations and conventions are widely accepted in many (but by no means all) countries as providing an imperfect but useful global set of standards. They can be used to challenge particular instances of inhumane or unfair treatment as well as offering a critique of hierarchical, oppressive power structures or the subjugation of women and particular classes and castes, for example. There have been several recent attempts to adapt or develop the idea of human rights in different religious and regional contexts, as evidenced by the Universal Islamic Declaration of Human Rights (1980) and the Asian Human Rights Charter (1998), reproduced in Kymlicka and Sullivan (2007). In locating and specifying human rights in particular contexts, of course their universal character is changed. However, the fact that the concept of human rights is being accepted and implemented in these religious and cultural contexts suggests that it has some meaning and usefulness. It also helps us to realise that the concept of international human rights belongs to a specially constructed language designed to promote international dialogue and should not be equated with that of ‘individual rights’ in Western liberal theory. Feinberg (1973) suggests that the use of the term ‘human rights’ in the UN declarations and conventions is a ‘special manifesto sense of right’ that identifies basic needs with rights and urges on the world community that all basic human needs should be regarded as claims worthy of serious consideration. Many alternatives to human rights as a focus for minimal international standards for
treatment of people, cultures and environments have been suggested, including those starting from basic needs or human capabilities (Nussbaum 2000; Sen 1993). None of these alternatives, however, is uncontroversial.

Kymlicka (2007) suggests we should regard global ethics as a two-level phenomenon. On one level it comprises a self-standing international discourse (such as that of human rights) defining a set of minimum standards agreeable to all. At the second level there is a range of ethical traditions each of which has its own account of what is needed over and above human rights. He argues that any coming together at the second level will be the outcome of a slow process of learning and mutual exchange. Arguably social work can also be viewed on two levels. On one level, it is an international social movement, sharing a global language and standards and concerned to work for social justice worldwide. At another level it is a professional practice necessarily rooted in particular nation-states, cultures, legal and policy frameworks. This way of looking at social work may help us understand the purpose and format of the international statement on ethics in social work.

**The international statement on ethics in social work**

The international statement on ethics in social work (IFSW and IASSW 2004a, see Appendix 1) embodies both these senses of social work and aims to contribute to dialogue about values, practices and ideals across boundaries. The language and concepts in this document encounter the same problems as those of the UN declarations, in that they are abstract and open to interpretation, whilst at the same time they can be accused of Northern and Western bias. For the document features
concepts that are arguably less relevant or familiar in the global South, such as the rights of individuals, the importance of individual privacy and confidentiality and non-discrimination on grounds of gender, ethnicity, sexual identity and so on. In many countries, the individual is not regarded as a primary holder of rights with an identity distinct from family, tribe or community. In some countries it is legally and culturally accepted that members of certain groups (for example, women, people of particular classes or castes, or those who are lesbian, gay or bisexual) are systematically treated less favourably than other people. In other countries such negative discrimination is legally prohibited, although this does not mean that it does not occur.

However, the work that goes into development of international statements of principles and standards (which involves consultation and negotiation between representatives from different countries) and their acceptance and publication play an important role in creating an international language in which to talk about social work and to engage in debates about the relevance, meaning and importance of key concepts and principles (such as human rights or non-discrimination). It gives participants in the debates a chance to question the values, attitudes and practices in their own countries, to reflect on how far to go in terms of accepting or respecting cultural and religious differences in their own and other counties and on what issues to take a stand and hold firm, regardless of law, religion or culture.

There are no easy answers to these questions, as many of the cases in this book demonstrate – showing social workers struggling to define and maintain professional integrity often in the face of bureaucratic, punitive and oppressive regimes. However,
the cases in this book are so varied, and the commentaries are written from so many
different theoretical, cultural and practical perspectives, that the book provides the
ideal opportunity for students, practitioners and academics to engage in case-based
reasoning, to compare and contrast different cases and responses to cases, to
explore the usefulness of different theoretical perspectives and to engage in
international dialogue with the cases and commentaries as well as with their
colleagues. Hopefully reflection on the issues raised by the book may help us in our
journey towards a ‘rooted cosmopolitanism’, to use Appiah’s (2007) phrase. As
Appiah (2007: 73) comments: ‘when it comes to change, what moves people is often
not an argument from principle, not a long discussion about values, but just a
gradually acquired new way of seeing things’.

**Cases**

The concept of the ‘case’ is central to social work – and indeed to many professions,
such as law and medicine. A ‘case’ is more than just an individual service user,
family, client, or patient; it is a constructed compilation of people, actions, events and
circumstances, including partial life histories and biographies. Although ‘constructed’
and partial (that is, a selected assemblage of relevant features), a professional case
is continually developing and unfolding until it is ‘closed’. The ‘professional case’ in
social work and other professions has both similarities with and differences from the
‘case example’ or ‘case study’ used in teaching or textbooks. The ‘case example’ is
often a concise overview of, or a particular episode from, a ‘professional case’,
designed to illustrate certain points (for example, good or bad practice, difficulties or
dilemmas). Alternatively, a case example might just be an account of an episode
from practice unrelated to an identifiable ‘professional case’. A case example is an abstraction and an ordering of material from a much bigger assemblage. Strictly speaking, the ‘cases’ in this book are ‘case examples’, which fall into the more specific category of ‘ethics cases’.

**Ethics cases**

What makes the cases in this book ‘ethics cases’? The answer lies in the purpose for which they were written, the way they are interpreted by commentators and readers and the kinds of questions asked about them.

All the authors of the cases knew they were writing for a book on ethics. Some authors help the reader by highlighting what they see as the ethical dimensions of their accounts. They may refer to a ‘dilemma’ and identify available choices. They may invite the reader to consider which choice is preferable (leaving the ending of the case ‘open’) or tell the reader what decision was made and why (thus closing the ending of the case). For example, Case 2.4 ends with a social work student asking a question about whether she should have to reveal her lesbian identity to her work colleagues. We do not know what happened next, so the reader is, in effect, invited to consider what the student could or should have done. Case 2.3 concerns a Lithuanian student’s dilemma about whether to accept a gift. The author of the case tells us that the student decided to take the gift, but then invites the reader to reflect on whether this was the right decision or not. These cases exhibit some of the features of traditional ethics cases (Chambers 1997): they involve a protagonist (a central person) making a difficult decision, in which some ethical issues are at stake.
These ethical issues might be infringements of, or conflicts between, the rights, interests and/or needs of individuals and groups; or they might be about matters of fairness in distribution of time and services.

Other cases are simply accounts of practice, sometimes involving ethical transgressions, with no explicit decision-making or choice identified. Examples of such cases are 5.1 (a report about how care staff treated young women in Iran, including the use of deception by a social worker) and 6.3 (an account of the difficulties experienced by a woman in arranging care for her elderly mother in Finland). Although these cases are not framed in terms of the choices or decisions made, there is nevertheless an implicit invitation to the reader to consider some questions: What went wrong here and why? How could people have behaved or responded differently? How could institutions be better managed or organised to enable ethical behaviour of staff and good outcomes for service users? Such accounts of practice give more scope to readers or teachers themselves to do the ethical analysis and interpretation of the case: to identify the ethical issues; to consider hypothetical scenarios (what might have happened if …); and to explore contextual features of practice that influence how social workers view their work, including constraints on action.

In this book we have a broad understanding of what counts as an ethics case, which includes:
1. *Accounts of dilemmas or difficult ethical choices*, with the reader being invited to suggest a decision or course of action, or to evaluate the decision or action actually taken.

2. *Accounts of situations or series of events* that explicitly or implicitly raise ethical issues.

**Shorter invented ethics cases**

A common format for cases given in textbooks and used in teaching is the short case of one or two paragraphs. The case be invented, or rewritten from students’ and practitioners’ accounts. In our early work with students in the European Social Ethics Project we used cases like this (Banks and Nyboe 2003). Few contextual details were given and the cases were generally not located in place and time. We deliberately constructed the cases to highlight unresolved ethical conflicts or dilemmas. They would usually end with questions – inviting the reader to suggest what course of action should be taken and hence resolve the conflict or dilemma. These cases were of type 1 mentioned above. The following example is of a short ethics case that was created by a Danish teacher, on the basis of similar stories known from practice.

A young woman, Connie, aged 24, lives in an institution for people with learning disabilities (mentally disabled people). Connie is generally quite reserved and shy, but she has had some short, very violent and self-destructive fits. On one occasion she cut herself in the abdomen with a pair of scissors. After this event the staff tried to teach her to masturbate. Her self-
destructive fits disappeared when she got into a sexual relationship with a young man at the institution. About six months ago she began a relationship with a 43 year-old man (also with learning disabilities) whom she met at the local day centre. At this time she was taking the contraceptive pill, but she has now stopped. This man is well-known to the staff as he has had relationships with several female residents and has infected two of them, as well as Connie, with venereal disease. Connie has just met the man again and has told the staff that they are engaged to be married. Staff members have tried several times to discuss the issue of possible pregnancy, the advantage of using contraception and eventually getting sterilised, but Connie is not interested in their opinion. Last time they discussed it, Connie told the worker in a provocative voice that she thought it would be cool to have a little doll-baby. She has just announced that her boyfriend is coming to see her on Saturday and that he is going to stay overnight. What should the staff do?

Short, invented ethics cases like this can be very useful in teaching professional ethics in that they encourage students to think through the ethical issues involved in difficult situations. However, as Chambers (1997) points out, the construction of ethics cases in this way tends to encourage readers to analyse events, choices and actions in terms of impersonal and impartial principles and rules. This is because the case gives few details of the context in which the action takes place, the character or motives of the people involved, their past histories and relationships, or their hopes and fears. So in this case about Connie, the reader may frame the ethical issues in terms of a choice of action in which, perhaps, the right of Connie to make her own decisions is weighed against the principle of protecting Connie from future harm.
This kind of case encourages readers to make an analysis in terms of principle-based approaches to ethics (deontological or Kantian principles of respect for persons and consequentialist or utilitarian principles about promoting human welfare). However, in understanding the issues involved in a case and coming to a decision, it is also important to consider the character and motives of the particular people involved (virtue ethicists would advocate this) and the nature of the relationships they have with each other (people espousing an ethics of care or communitarian ethics would argue this). Furthermore, if we are to undertake a meaningful analysis and categorisation of this case and compare it with others, we need to know more details, including when and where it took place (a casuist might suggest this). This implies that shorter cases like the one about Connie have some limitations.

**Longer real life ethics cases**

This experience led us to seek longer cases in more varied formats for this book. Essentially we were seeking reflective accounts of real life practice that had an ethical dimension. We did not require that the cases should necessarily feature dilemmas or difficult choices. Indeed, some of the cases we received were simply accounts of events or situations (perhaps involving an implicit or explicit transgression or the taking on of an uncomfortable role). We were keen to encourage first person accounts that might include descriptions of feelings, hopes and fears. We were also concerned to locate the cases in time and place, including the policy and legal contexts, if relevant.
The inclusion of some background information about the organisation of social work in a particular country, relevant laws, policies and so on and some reflections by the authors, helps contextualise the cases. Inevitably a case can never include all the information that a reader might require to understand fully the circumstances, constraints and possibilities of the situation. Sometimes students comment, quite rightly, that they cannot say what they would do or would have done in relation to a particular case, as they do not have enough information. For example, students in Iceland may say that they find it hard to comment on the handling of the instance of child abuse in East Jerusalem outlined in Case 6.4, as they do not know enough about the situation in the Occupied Palestinian Territories, how social workers operate there and what support and supervision they have.

This is a very valid point. However, this lack of information should not prevent students from analysing or discussing the case. Rather, the further information required to understand the case better can be turned into a series of questions, which can form part of the analysis of the case. Indeed, one of the questions students can be asked to consider in analysing a case is: what further information would you need in order to understand this case/resolve the dilemma posed? Part of the case analysis might involve asking students to undertake some research about social work in Palestine. In some cases, authors give references to background information – for example, in Case 4.2, about a young man in hospital waiting for a transplant, reference is made to protocols for organ transplants in the UK; in Case 6.1 about how refugees are treated in Australia, a reference is given to the People’s Inquiry on this topic. These documents can be consulted, and comparisons made with the situation in the students’ own countries. Amy Chow does this in her
commentary on Case 4.2 when she discusses how transplants are organised in her own region, Hong Kong, China. In Chapter 7 we offer further ideas for a number of exercises for working with cases and commentaries.

**Varieties of cases in the book**

We gave all contributors some general guidelines for writing a case (similar to those outlined in Exercise VI in Chapter 7). We requested further information and made revisions to many of the cases received. Nevertheless, there is a great variety of different types of case in this book. The cases vary both in terms of their content and format.

Regarding the content of the cases, the countries where the cases are set range from Europe through the Americas to various parts of the Middle East, Asia, Africa and Australia. The cases come from countries where social work is relatively new, or is being redeveloped (such as Vietnam and China) to countries where professional social work is well-established (for example, Denmark and the USA). The practice context in which the cases are set is also varied – from social education work, youth work and hospital social work to social work in a police station, disaster relief settings, an immigration detention centre, government social welfare offices and situations of armed conflict. The cases focus on a range of service user groups, including: children, women, families, asylum seekers, young people, older people, people with psychiatric problems, people who have committed crimes, a gypsy community and people with terminal illnesses. The types of practice issues covered range from child sexual abuse, through adoption to social work research. The
ethical issues covered are wide ranging – for example: questions about how to challenge poor or unethical practice; dilemmas about whether to withhold information from service users ‘for their own good’; and debates about when it is right to ‘bend’ rules or policies to achieve a good outcome.

In terms of format, some cases are longer and more detailed than others. The endings of some cases are open, whilst the endings of others are closed. Some cases are told in the first person (‘I did this …’), while the majority are told in the third person (He/she/they did that …’). Many of the cases told in the third person were nevertheless written, or co-authored, by someone who plays a central role in the case. The use of the third person is a way of distancing the author from the case, perhaps protecting their identity. Nevertheless, a few of the cases written in the third person were written by people who were genuine observers, and were reporting on events/actions in which they did not play a leading role. Several of the cases, whilst based on real life situations, have been slightly altered in order to maintain anonymity of the social workers and service users.

Table 1.2 at the end of this chapter offers an overview of the cases in the book, in order to help the reader see at a glance the range of issues covered and formats used. This may help in selecting cases for discussion and study. They have been categorised according to the country where the cases are set, and the following criteria:

- **Practice focus** – what practice issues are covered in the case (e.g. social work research, disaster relief, adoption)?
• **Ethical issues/concepts** – what are the key ethical issues covered in the case (e.g. ethical responsibilities of researchers, social workers’ responses to bad practice, discrimination on the basis of sexual identity)?

• **Narrator’s focus** - who is the protagonist (the person, group or organisation from whose perspective the case is told, or whose actions and deliberations feature in the foreground of the case)? Is the case told in the first person (‘I did this’) or third person (‘she/he/they did that’)?

• **Open/closed** – is the case open-ended (we do not know what happened in the end) or closed (an ending is given)?

**Commentaries**

The commentators were asked to offer their perspectives on the cases. The instructions for the commentators were broadly similar to those outlined in Chapter 7, Exercise II. The style and content of the commentaries varies as much as the cases. Very often two commentators from different countries make very similar points about a case – but perhaps from different perspectives or using different concepts and language. Sometimes they highlight different aspects of a case and occasionally they may present contradictory interpretations or recommendations. It can be just as interesting and illuminating to study and compare the commentaries as it is to study the cases.

The commentaries exemplify a range of ways of responding to a case, including the following:
• Identification of the key ethical and practical issues in the case ('This is a case about …’)

• Interpretation of the case in the light of ethical theories, concepts, guidelines or codes.

• The relationship of the case to relevant laws, declarations, policies or practice guidelines.

• The relationship of the case to the commentator’s own experience, country, laws, policies, ethical or cultural norms.

• Recommendations for action or resolution of problems or dilemmas.

• Raising of further questions.

Interestingly, not very many commentators systematically analyse and interpret the cases with direct reference to one or more ethical theories. Vivienne Bozalek is one of the few that do this: she analyses Case 4.3 in terms of the capabilities approach and gendered injustice. However, many commentators do make reference to ethical concepts and principles (informed consent, privacy, discrimination, rights, responsibilities, honesty), even if they do not articulate a full-blown ethical theory. There may be a number of reasons for the lack of reference to ethical theories, including the fact that the commentaries are short, hence there is little space in which to do justice to a complex theoretical position. The commentators were not asked to do this; and commentators were not necessarily selected for their expertise in theoretical ethics. It can also seem rather contrived simply to fit a case into a theoretical framework. However, perhaps the way the commentaries are written (even by those who are professional philosophers and who have expertise in professional ethics) tells us something about the usefulness of ethical theories for
practical ethics. Whilst awareness of different ethical theories may give us some resources to see different aspects of a case (respect for rights; consequences; character; responsibilities and relationships), ultimately it is what Jonsen (1996) calls ‘the morally appreciated circumstances’ of each case on which the commentators focus.

Concluding comments

In Chapter 7 we outline some of the ways the materials presented in this book can be used, and we are sure there are many more possibilities. The richness of the cases and commentaries will draw readers and discussants in new and surprising directions. Although there is no substitute for real life international discussions where the authors of the cases can answer back in person, we nevertheless hope that the complexity and diversity of the situations and views expressed in this book will challenge our certainties and complacency. We hope the book will contribute to the promotion of greater international understanding and greater commitment to resist injustice amongst social workers worldwide and to work for transformatory change in their work places, communities and societies. Through this book, and the conversations that emerge from it, we hope in some small measure to stimulate what a Portuguese student reported as a result of her participation in an international exchange programme organised by the European Social Ethics Project (Liebing and Møller 2003: 156):
I feel that I have become a rich woman now. When I come home, I shall still have this group inside my head. After this I shall not act immediately, when I meet a difficult situation or an ethical dilemma in my practice. Instead I shall discuss the situation with my group inside my head. I shall say to myself:
What would the Finnish student say or do in this situation? And what would be the point of view of the Belgian student? How would the Danish student react to this problem, and what would the German student consider important? In this way I would be able to think of many important aspects and many different alternatives, before I decide how to act in practice.

[Insert table 1.2, starting on a new page, here]
## Table 1.2: Overview of cases

<table>
<thead>
<tr>
<th>Case</th>
<th>Country where case is set</th>
<th>Practice focus</th>
<th>Key ethical issues</th>
<th>Narrator's perspective</th>
<th>Open ended/closed</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.1</td>
<td>China</td>
<td>Social work in post-disaster situations. Work with young people in a school.</td>
<td>How to respond to incompetent and unethical practice.</td>
<td>A social work team. 3rd person.</td>
<td>Open</td>
</tr>
<tr>
<td>2.2</td>
<td>Botswana</td>
<td>Social work in a police station. Sexual abuse and violence between mother and son.</td>
<td>How a social work intern responds to an account of sexual abuse and violence in a family.</td>
<td>Observer of an intern and a young man. 3rd person</td>
<td>Open</td>
</tr>
<tr>
<td>2.3</td>
<td>Lithuania</td>
<td>Social work with refugees. Chechenian families.</td>
<td>Whether to accept a gift.</td>
<td>Academic about a student. 3rd person.</td>
<td>Closed, but questions raised</td>
</tr>
<tr>
<td>2.4</td>
<td>UK</td>
<td>Residential child care. Professional relationships.</td>
<td>Too close relationships with service users. Whether to come out as a lesbian.</td>
<td>Social work student. 3rd person.</td>
<td>Open</td>
</tr>
<tr>
<td>3.1</td>
<td>USA</td>
<td>Social work in a psychiatric hospital. A man diagnosed with bi-polar disorder.</td>
<td>Balancing respect for choice and the coercion of a patient/service user. Clash of values between medical staff and social worker</td>
<td>Social worker. 1st person.</td>
<td>Closed</td>
</tr>
<tr>
<td>3.2</td>
<td>Sweden</td>
<td>Residential care for</td>
<td>Balancing respect for</td>
<td>Staff and</td>
<td>Part 1 –</td>
</tr>
<tr>
<td>Part</td>
<td>Country</td>
<td>Scenario</td>
<td>Ethical Issue</td>
<td>Professional Association</td>
<td>Type</td>
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<tr>
<td>3.3</td>
<td>Vietnam</td>
<td>Rehabilitation department of a hospital. A boy with Duchenne Muscular Dystrophy.</td>
<td>Withholding information about a child’s medical condition from a family. Clash of values between Vietnamese physiotherapists and Dutch student social worker.</td>
<td>Social work student. 1st person.</td>
<td>Closed</td>
</tr>
<tr>
<td>3.4</td>
<td>India</td>
<td>Social work research. Post-disaster situation (tsunami).</td>
<td>Whether and how to respond when researchers witness negative discrimination and corrupt practices.</td>
<td>Research team of social work. academics 3rd person.</td>
<td>Open</td>
</tr>
<tr>
<td>4.1</td>
<td>Japan</td>
<td>Social work in a state social welfare agency Illegal migrant and child.</td>
<td>Inability of social worker to treat illegal migrant fairly. Clash of social work values and values of state social welfare organisation.</td>
<td>Social worker. 1st person.</td>
<td>Closed</td>
</tr>
<tr>
<td>4.2</td>
<td>UK</td>
<td>Social work in a hospital. Young man waiting for heart and lung.</td>
<td>Whether to withhold information from a competent patient and family.</td>
<td>Social worker. 3rd person.</td>
<td>Closed</td>
</tr>
<tr>
<td>Number</td>
<td>Country</td>
<td>Activity Description</td>
<td>Scenario Description</td>
<td>Author’s Perspective</td>
<td>Openness</td>
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<tr>
<td>4.3</td>
<td>Portugal</td>
<td>Social education work with gypsy families. Work with a young woman on school attendance.</td>
<td>Balancing respect for gypsy culture with rights, wishes and welfare of young woman. Male domination.</td>
<td>Social educator. 3rd person.</td>
<td>Open</td>
</tr>
<tr>
<td>4.4</td>
<td>Turkey</td>
<td>Social work in the adoption field. Gay man wishing to adopt a child.</td>
<td>Balancing rights and welfare of potential adopted child with the rights of a gay man to adopt a child. Discrimination against gay people.</td>
<td>Social worker. 3rd person.</td>
<td>Closed</td>
</tr>
<tr>
<td>5.1</td>
<td>Iran</td>
<td>Residential centre and crisis intervention service for young women.</td>
<td>Use of deception by a social worker to obtain information. Religious and organisational restrictions on young women's choices and actions.</td>
<td>Impartial narrator. 3rd person.</td>
<td>Closed</td>
</tr>
<tr>
<td>5.2</td>
<td>Peru</td>
<td>Social work in a health insurance office. Eligibility of a child for support when the father is no longer taking responsibility.</td>
<td>Rights of a child. Social workers taking action to make exceptions to rules, and to create new rules to accommodate service users in genuine need.</td>
<td>Social worker. 1st person.</td>
<td>Closed</td>
</tr>
<tr>
<td></td>
<td>Country</td>
<td>Context</td>
<td>Challenge</td>
<td>Role</td>
<td>Perspective</td>
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<tr>
<td>5.3</td>
<td>Australia</td>
<td>Social work in a Christian church-based mental health counselling service. Young man with schizophrenia.</td>
<td>Challenging poor and unethical practice of a volunteer. Conflict between social worker’s professional values and loyalty to his religious faith.</td>
<td>Social worker.</td>
<td>1st person.</td>
</tr>
<tr>
<td>5.4</td>
<td>Denmark</td>
<td>School in an area of high minority ethnic population. Class of eight-year old children.</td>
<td>Whether it was right for school staff to handle widespread occurrence of physical punishment by parents without involving the social authorities.</td>
<td>Impartial narrator.</td>
<td>3rd person.</td>
</tr>
<tr>
<td>6.1</td>
<td>Australia</td>
<td>Social work in a refugee settlement agency.</td>
<td>Dilemmas regarding how to respond to inadequate and demeaning treatment of refugees (based on government policy).</td>
<td>Social worker.</td>
<td>3rd person.</td>
</tr>
<tr>
<td>6.2</td>
<td>Pakistan</td>
<td>Women’s and children’s NGO. Work in an area of political conflict.</td>
<td>How to maintain the integrity of an NGO and its values, whilst being pragmatic in working with the headmen of the Taliban. Male domination.</td>
<td>Organisation.</td>
<td>3rd person.</td>
</tr>
<tr>
<td>6.3</td>
<td>Finland</td>
<td>Care for older people. A woman with Alzheimer’s disease.</td>
<td>The role of the welfare state in provision of services.</td>
<td>Carer.</td>
<td>1st person.</td>
</tr>
<tr>
<td>Region</td>
<td>Social Work</td>
<td>Challenges</td>
<td>Challenges to the dignity of service users.</td>
<td>Type</td>
<td></td>
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<tr>
<td>Palestine</td>
<td>Social work in a school. Child sexual abuse. Work in an area of political conflict.</td>
<td>Protecting a child, while avoiding family shame and the involvement of Israeli authorities.</td>
<td>Teacher and social worker. 3rd person.</td>
<td>Closed</td>
<td></td>
</tr>
<tr>
<td>China</td>
<td>NGO working with poor children.</td>
<td>Dilemma regarding whether to take money from a dubious source.</td>
<td>Social worker. 3rd person.</td>
<td>Open</td>
<td></td>
</tr>
<tr>
<td>France</td>
<td>Social work with illegal migrants. The role of the professional association in supporting social workers.</td>
<td>Maintenance of professional secrecy by a social worker, in spite of pressure from the police.</td>
<td>Professional association 3rd person.</td>
<td>Closed</td>
<td></td>
</tr>
<tr>
<td>Jamaica</td>
<td>Social work department in a university. Child sexual abuse.</td>
<td>Dilemma about whether to blow the whistle on a colleague who may be engaging in poor practice.</td>
<td>University Director of Field Education. 3rd person.</td>
<td>Open</td>
<td></td>
</tr>
<tr>
<td>Malaysia</td>
<td>Youth work by Muslim Youth Association. Young people with anti-social and criminal behaviour in a school.</td>
<td>Dilemma about whether to continue with a successful youth programme that involved young people spending several nights in prison as a means of deterrence.</td>
<td>Youth worker. 1st and 3rd person.</td>
<td>Closed</td>
<td></td>
</tr>
<tr>
<td>7.5</td>
<td>Spain</td>
<td>Social work in a shelter for homeless people.</td>
<td>Whether to enforce or break the rules of the shelter in relation to a particular person.</td>
<td>Impartial observer. 3rd person.</td>
<td>Open</td>
</tr>
<tr>
<td>7.6</td>
<td>Finland</td>
<td>Youth work in an open access youth house. Work with a girl with learning disabilities.</td>
<td>Whether to allow a young woman access to a youth house, which was beneficial for her, when her mother had banned her from attending.</td>
<td>Social education student. 1st person.</td>
<td>Open</td>
</tr>
</tbody>
</table>
References


