

The Power of Silence

Florence Ashley

Volume 7, Number 1, 2024

Dialogue with Future Bioethicists
Dialogue avec la prochaine génération en bioéthique

URI: <https://id.erudit.org/iderudit/1110334ar>

DOI: <https://doi.org/10.7202/1110334ar>

[See table of contents](#)

Publisher(s)

Programmes de bioéthique, École de santé publique de l'Université de Montréal

ISSN

2561-4665 (digital)

[Explore this journal](#)

Cite this document

Ashley, F. (2024). The Power of Silence. *Canadian Journal of Bioethics / Revue canadienne de bioéthique*, 7(1), 56–57. <https://doi.org/10.7202/1110334ar>

Article abstract

In conversation with Hortense Gallois' recent essay on the importance of bioethicists participating in public discourse, I suggest that speaking up is as fraught as it is important. Focusing on the anti-trans movement's misuse of expertise, I highlight the fine line between correcting misinformation and inadvertently causing harm through ill-timed speech. Drawing on the work of Eva Feder Kittay, I suggest that knowing when to speak up and when to stay silent starts with understanding the communities we speak about and the consequences that our words can have on them.

© Florence Ashley, 2024



This document is protected by copyright law. Use of the services of Érudit (including reproduction) is subject to its terms and conditions, which can be viewed online.

<https://apropos.erudit.org/en/users/policy-on-use/>

Érudit

This article is disseminated and preserved by Érudit.

Érudit is a non-profit inter-university consortium of the Université de Montréal, Université Laval, and the Université du Québec à Montréal. Its mission is to promote and disseminate research.

<https://www.erudit.org/en/>

RÉPONSE À – TÉMOIGNAGE / RESPONSE TO - PERSPECTIVE

The Power of Silence

Florence Ashley^a

Texte discuté/Text discussed: H Gallois. [Discourse, narrative, and voice: the power of communicating bioethics through the media](#). *Can J Bioeth/Rev Can Bioeth*. 2024;7(1):23-25.

Résumé

En conversation avec le récent essai d'Hortense Gallois sur l'importance de la participation des bioéthicien(ne)s dans la sphère publique, je suggère que prendre la parole est aussi risqué qu'important. En me concentrant sur le détournement de l'expertise par les mouvements anti-trans, je souligne la frontière délicate entre contrer la désinformation et causer du tort par cause de paroles inopportunes. À l'aide des travaux d'Eva Feder Kittay, je suggère que savoir quand s'exprimer et quand garder le silence nécessite une compréhension des communautés dont nous parlons et des conséquences que nos paroles peuvent avoir sur elles.

Mots-clés

éducation populaire, obligations professionnelles, désinformation, groupes marginalisés, personnes transgenres

Abstract

In conversation with Hortense Gallois' recent essay on the importance of bioethicists participating in public discourse, I suggest that speaking up is as fraught as it is important. Focusing on the anti-trans movement's misuse of expertise, I highlight the fine line between correcting misinformation and inadvertently causing harm through ill-timed speech. Drawing on the work of Eva Feder Kittay, I suggest that knowing when to speak up and when to stay silent starts with understanding the communities we speak about and the consequences that our words can have on them.

Keywords

public education, professional obligations, misinformation, marginalized groups, transgender people

Affiliations

^a Faculty of Law, University of Alberta, Edmonton, Alberta, Canada

Correspondance / Correspondence: Florence Ashley, fashley@ualberta.ca

Bioethics sits in a seat of authority at the table of public discourse. It is not always heard or listened to, to be sure. Yet it has nonetheless contributed if not shaped some of the most pressing conversations of our time. In her text "Discourse, narrative, and the voice" (1), Hortense Gallois argues that bioethicists should deploy their expertise to the benefit of the public by participating in public discourse, but rightly points to the risks of speaking hastily. The voices of the marginalized are frequently discounted and too easily sidestepped by experts who comment on matters of public interest. Less scrupulous bioethicists can also contribute to rather than counter misinformation, as the ongoing pandemic has taught us. I want to take the author's points about the importance yet dangers of contributing to public discourse as a place for further reflection. Speaking up is critical to the task of the bioethicist; even more so is knowing when and when not to speak. Can silence be a professional duty?

I come to this topic as one of few trans bioethicists. In recent years, a moral panic has erupted around access to gender-affirming care. Criminal bans on offering gender-affirming care to adolescents and, increasingly, adults are proliferating across the United States. These bans are not crafted in a void of scientific and bioethical expertise; rather, they are based in a manufactured expertise that strives to engineer scientific and bioethical arguments that align with the desired goal of ending gender-affirming care (2). The anti-trans movement is replete with expert authority. Some have proposed new theoretical constructs that give longstanding tropes of "social contagion" a pseudoscientific veneer (3). Others point to institutional reviews from Sweden, Finland, Norway, and England – countries with a long history of eugenics and who are known for their conservative approach to trans medicine – as supporting bans (4,5). Yet others appeal to evidence-based medicine to reproach trans care for not having randomized-controlled trials, their practical impossibility be damned (6). Canadian scholars have been instrumental to this latter argument, with two researchers from the Department of Health Research Methods, Evidence, and Impact at McMaster University being retained by the Florida Agency for Health Care Administration to provide an evidence review in support of its ban on gender-affirming care (7). Parallel arguments against lockdowns and mask mandates have also been made by Trump advisor Paul Alexander, who was trained at the same McMaster University department (8). Although these arguments are not predominantly made by bioethicists, they draw heavily from principlism and bioethical reasoning.

Bioethicists' engagement in public discourse can correct misinformation and give voice to the voiceless. Or it can spread misinformation and deprive entire communities of a voice, causing immense harm and injustice. Even when the speech strives to empower marginalized groups, it may do more harm than good. More public discourse is not always better, especially in times of moral panic. As we reap a hostility borne out of the trans tipping point, I am reminded of trans scholars' observation that visibility is not always a good (9,10). By intervening in public discourse, bioethicists can fan its flames. This is all-the-truer at a time when some journalists seem primed for prejudicial, sensationalistic coverage (11). If we are to recognize a professional duty to speak up, I suggest we also recognize a parallel duty to shut up. Bioethicists must know when not to speak, whether to prevent harm or to stay a while and listen.

A much longer essay would be needed to sort out how the duty to shut up should be applied, but a few thoughts may be warranted. My contemplations on scholarly ethics always bring me back to Eva Feder Kittay's maxims of ethical thinking (12). These maxims include: (a) know the people you use to make a point, (b) know what you don't know, (c) resist arrogantly imposing your own values, (d) attend to the consequences of your thinking.

Each of these points is of critical importance, but the first and last one bear emphasizing. Rarely do bioethicists take the time to sit down and listen to the communities they write on, be it disabled people, trans people, people of colour, or other groups. Failing to sit down and listen not only risks a disconnect between these communities' lived experiences and the public engagement of bioethicists, but in so doing, bioethicists fail to recognize that these communities are sites of knowledge and expertise. Philosophizing at a distance also shields bioethicists from the consequences of their work. As an ethical guide, Kanien'kehá:ka anthropologist Audra Simpson (13, p.198) asks herself: "Can this knowledge be used to hurt anyone? Can I go home after this?" In community with those I wrote on, I cannot forget the impact of my words and the dangers that besiege them. Those I've lost are tattooed on my back. Far easier to be a bioethicist when you do not see the despair in the eyes of those whose ability to live out their identity you've thwarted. Far easier, when you have never needed to comfort the crying mother of a trans child who took their life in Texas, assailed with blame that is rightly yours. Far easier, but far worse.

Bioethicists need to speak up, as Gallois (1) cogently sets out. They need to fight misinformation and empower the voiceless. But sometimes fighting misinformation and empowering the voiceless is best done in silence. Bioethicists must sometimes speak up and sometimes shut up. The greatest professional virtue is knowing when each is needed.

Reçu/Received: 11/15/2023

Conflicts d'intérêts
Aucun à déclarer

Publié/Published: 18/03/2024

Conflicts of Interest
None to declare

Édition/Editors: Aliya Affdal

Les éditeurs suivent les recommandations et les procédures décrites dans le [Code of Conduct and Best Practice Guidelines](#) de COPE. Plus précisément, ils travaillent pour s'assurer des plus hautes normes éthiques de la publication, y compris l'identification et la gestion des conflits d'intérêts (pour les éditeurs et pour les auteurs), la juste évaluation des manuscrits, et la publication de manuscrits qui excellent. Plus précisément, ils travaillent la highest ethical standards of publication, including: the identification and management of conflicts of interest (for editors and for authors), the fair evaluation of manuscripts, and the publication of manuscripts that meet the journal's standards of excellence.

REFERENCES

1. Gallois H. [Discourse, narrative, and voice: the power of communicating bioethics through the media](#). Canadian Journal of Bioethics/Revue Canadienne de Bioéthique. 2024;7(1):23-25.
2. Pauly M. [Inside the secret working group that helped push anti-trans laws across the country](#). Mother Jones. 8 Mar 2023.
3. Ashley F. [A critical commentary on 'rapid-onset gender dysphoria.'](#) The Sociological Review. 2020;68(4):779-99.
4. Honkasalo J. In the Shadow of eugenics: Transgender sterilisation legislation and the struggle for self-determination. In: Pearce R, Moon I, Gupta K, editors. The Emergence of trans: Cultures, Politics and Everyday Lives. New York: Routledge, Taylor & Francis Group; 2020. (Gender, bodies and transformation).
5. Horton C. ["It felt like they were trying to destabilise us": Parent assessment in UK children's gender services](#). International Journal of Transgender Health. 2021;24(1):70-85.
6. Ashley F, Tordoff DM, Olson-Kennedy J, Restar AJ. [Randomized-controlled trials are methodologically inappropriate in adolescent transgender healthcare](#). International Journal of Transgender Health. 2023.
7. Florida Medicaid. [Generally Accepted Professional Medical Standards Determination on the Treatment of Gender Dysphoria](#). Florida Agency for Health Care Administration; 2022.
8. Craggs S. [Trump adviser tied to efforts to downplay COVID-19 not on McMaster's payroll, university says](#). CBC News. 15 Sep 2020.
9. Tourmaline, Stanley EA, Burton J, editors. Trap Door: Trans Cultural Production and the Politics of Visibility. Cambridge, MA: The MIT Press; 2017.
10. Zurn P. [The politics of anonymity: Foucault, feminism, and gender non-conforming prisoners](#). philoSOPHIA. 2016;6(1):27-42.
11. Yang M. ["New York Times" stories on trans youth slammed by writers — including some of its own](#). NPR. 15 Feb 2023.
12. Kittay EF. Ideal theory bioethics and the exclusion of people with severe cognitive disabilities. In: Lindemann H, Verkerk M, Walker MU, editors. Naturalized Bioethics: Toward Responsible Knowing and Practice. Cambridge: Cambridge University Press; 2009.
13. Simpson A. Mohawk Interruptus: Political Life Across the Borders of Settler States. Durham: Duke University Press; 2014.