



91. Physicians in the media – freedom of speech versus professional dignity

Published in August 2014

Background

The subject of physicians' statements in the media was brought before the Ethics Board during a sensitive time and amid a violent conflict, which began with the kidnapping and murder of three teenage yeshiva students and the kidnapping and murder of an Arab teenager from Shuafat.

The Ethics Board was presented with several examples of political or social statements made by physicians who expressed their opinions publicly – both through electronic and written media and through social media and the Internet in general.

The complaints filed with the Ethics Board link the physicians' statements to a fear that they may not fulfil their duty to treat and provide optimal professional care to all patients regardless of their background. Is there any truth to this assumption? Is the Ethics Board allowed to make a decision limiting freedom of speech based on this fear? Isn't expressing political and social positions an integral part of civil behavior in a democratic country?

In some of the examples discussed by the Ethics Board, it was emphasized that regardless of the views the physicians expressed, they provided devoted treatment to anyone in need of their medical specialty. It was noted that people from the other side who were injured in war or sick and sought medical care in Israeli hospitals during the fighting received professional treatment, free of any discrimination.

Freedom of speech is part of the right to liberty and allows expressing positions and exchanging opinions out of mutual respect for each side's autonomy and the possibility of trying to convince another person in the framework of the democratic regime that society strives to create. As Voltaire said: "I disapprove of what you say, but I will defend to the death your right to say it." What happens, then, when the method of free expression or its content may hurt a patient's trust in physicians and their professional dignity?

The Ethics Board members were asked to express their opinion and determine the right balance between maintaining the right of freedom of expression and the duty of physicians to maintain their profession's dignity, while preserving the trust relationship and impartial attitude towards patients. The main question was: Is it appropriate to limit physicians' freedom of expression, which is a fundamental right for individuals in a democracy, in order to protect these principles?

Position paper

1. Physicians are entitled to freedom of expression as are all of the state's citizens.
2. We recommend that physicians consider their words when expressing themselves



in the media and in general, along the lines of “Sages, be careful with your words” (Avtalyon, Mishnah Avot.)

3. Physicians should act with responsibility, consideration, respect and patience when speaking in general and especially in the media.
4. Physicians should practice restraint in any framework pertaining to their profession or workplace.
5. Physicians should not abuse their status by presenting their opinions as if they were based on their medical knowledge.