Article:

Social Media and Academic Freedom: A Critical Reflection of Martin Weller's *The Digital Scholar: How Technology is Transforming Scholarly Practice*

Author

Dr Laura Higson-Bliss

ORCID: 0000-0002-9605-1798

Address

School of Law, Keele University, Keele, Newcastle, ST5 5BG

Contact

l.a.higson-bliss@keele.ac.uk

Keywords

Academic Freedom, Social Media, Law, Neoliberalism

Abstract

As the neoliberal state has taken hold of the university sector, we as academics are feeling increasing pressure to publicise ourselves, our scholarship, and our research online. In recent years there has been a drive in showcasing our work across social media platforms, whether our own or our institutions'. Martin Weller's 'The Digital Scholar' acknowledges the importance of having a social media presence in academia (something **I wholeheartedly agree** with). Yet he also argues that such use of social media allows us as academics to be our own content creators (something I **wholeheartedly disagree with)**. Using Weller's 'The Digital Scholar' as a framework, this critical reflection discusses the benefits of having an online platform in academia but also highlights that true academic freedom on social media platforms, does not exist. We as employees of an institution are subject to a social media policy and in turn, our employer does have some control over what we post online. This critical reflection concludes by highlighting the need for legal education for all academics who post on social media platforms.

Context

As a lecturer specialising in the law and social media, I often start classes on the topic with the same question: how many social media accounts do you have? One … two … three … perhaps more? It might surprise you that the average person has EIGHT social media accounts (Statista, 2018), many of which are readily available at the click of a button. Social media has changed how individuals socialise, communicate and even shop (Bernal, 2018); including how academics interact and network with each other (Donelan, 2016).

As the neoliberal state has taken hold of higher education (Troiani & Dutson, 2021), there has been an increase in social media usage throughout universities as a quick, cheap, and effective marketing technique (Xiong *et al.*, 2018). In turn, staff, including myself, have been actively encouraged to promote our work on social media platforms. This is not necessarily a bad thing. Social media can promote a person's research; allow individuals to communicate with those with similar educational or research interests; and reach new audiences across the globe (UKRI, 2021; Open University 2022). It can also be highly beneficial for students (Dunn, 2013; Bal and Bicen, 2017). Yet, academics and students often lack the legal training to understand the consequences of what is put online. I am privileged, I understand the law in this area. I know first-hand the legal ramifications that can occur with one simple tweet: Hello, Sally Bercow *innocent face emoji. (Sally Bercow was found to have defamed Lord McAlpine by the sending of the following tweet: 'Why is Lord McAlpine trending? *Innocent face emoji*'. The emoji was considered by the court as the defamatory element within the tweet.)

I am passionate about legal education, but traditional legal skills training needs to be updated to include how to conduct oneself online. In fact, I often take it upon myself in legal skills sessions with students to include a discussion on social media usage. It often shocks students that a law student

lost out on a job opportunity with a law firm because of their LinkedIn profile picture (a picture of them with a dog filter!). These concerns are not only relevant to law students, but are relevant to all students.

However, it was not until reading Weller's 'The Digital Scholar' (2011) that I realised these concerns I have for students are also applicable to my colleagues and everyone working in academia. I found Weller's work fascinating. He acknowledges the importance of having a social media presence in academia (something I **wholeheartedly agree with** – my own social media connections have helped advance my career). Yet he also argues that '… these technologies [social media, blogs etc.] are outside of formal control structures …' (2011, p. 9) and allows us as academics to be our own content creators – something I **wholeheartedly disagree with**. This somewhat cyberlibertarian approach, the idea that we can say or do what we wish online without redress (Johnson & Post, 1996), to social media usage no longer, if it ever did, exists, and instead universities, as our employers, do control what we publish online. Indeed, today, anyone with an employment contract is likely to be regulated by a social media policy by their employer (Higson-Bliss, 2023). An issue which has recently been heavily debated in the media, parliament and households following Gary Lineker being suspended by the BBC after concerns he had breached impartiality guidelines (Higson-Bliss, 2023; Waterson 2013).

Yet, even if a university supports academic freedom, that does not mean that comments made by academics are without any consequences.

From Consumers to Content Creators

When the first website on the World Wide Web went 'live' in 1990 (Murgia, 2015) no one could have envisioned the effect it would have across the globe. What started as static websites, in which users were very much considered consumers of the World Wide Web, has developed into a multibillion industry, where today we have gone from consumers to content creators (Allen, 2012). The emergence of Web 2.0 which '... describe[s] the period in which websites became more interactive, collaborative, and social' (Law Commission, 2018, para. 2.29) has created a more collective, dynamic, and user-driven experience. The internet, in particular social media, became the lifeline for many during the Covid-19 pandemic (Wong *et al*, 2020) and arguably changed the course of education for the better (Alalwan, 2022).

Whereas traditional publishers have significant training before publishing their work to the world at large, including legal training, today, with the help of the internet, anyone and everyone is a publisher. I am a publisher. You are a publisher – just without the legal training. Nothing demonstrates this more than social media. Indeed, my own social media accounts have gone from sharing life events with friends (and endless conversations on MSN) to promoting my teaching and research. It's sometimes hard to distinguish the personal from the professional.

We as academics often use social media sites to engage in academic debate, network with others and showcase our research (Donelan, 2016). I know I do. Social media can be an important tool in advancing an academic's career by allowing users to connect with others in their field, from the comfort of their own homes. It can be particularly useful for those with disabilities, who may not be able to attend traditional academic networking events, such as conferences (Higson-Bliss, 2020). In turn, there has been a push by institutions towards social networking – after all, it is free! However, despite comments made by Weller to the contrary, complete academic freedom does not exist in the online world, particularly given that as a lawyer I know that one simple comment online could result in a loss of employment (Higson-Bliss, 2023). Come to think of it, unemployment is the least of your worries; an ill-thought-out comment on any social media platform, could, at worst, land you in jail (Bliss, 2017).

Social Media and Academia

As the neoliberal state takes hold of the university sector, significant emphasis has been placed on generating income, something I have felt significantly as an Early Career Researcher. In turn, there has been a drive towards showcasing academic research in an open accessed manner (Rice, 2013). Nothing does this better than social media and as Weller acknowledged, social media can be a fast and cheap mechanism to distil information – any university's dream. In fact, it would not be a jump to conclude that social media forms a significant part of a university's annual strategic outcomes (Donelan, 2016). As a member of staff who takes the lead on our school's social media accounts, I know first-hand the weight given to having a social media presence by a university. Consequently, as academics social media is hard for us to avoid, whether we are lurkers, personal creators, active users or habitual consumers (IP & Wagner, 2008; Donelan, 2016) – I personally span all four depending on the platform.

Most of us working in the strange world that is academia will have, whether we control it or not, an online identity – often reinforced through social media (whether our own or our institutions). We all will have felt, at one time or another, a push to promote ourselves, and our work online. Indeed, during my first week as a Graduate Teaching Assistant, we were required to complete a training session on 'open access research and social media'. Even in 2010, increasing pressure was being placed on those working in universities to engage with the public, through social media (Lipsett, 2010). As social media usage has increased (Titcomb, 2017; Smartt, 2017; BBC, 2020), so has the pressure (Lupton, 2014; Kieslinger, 2015). 'Implications are that the academic role is something that can no longer only be nurtured within specialist academic groups and subscription based journals' (Donelan, 2016, p. 708). As a free marketing tool, why would universities not want us to have an online presence? To be fair, every industry has had to embrace social media as the world becomes more digital, why would higher education be any different?

Yet the benefits of having a social media profile are not just felt by universities, they can and have had significant positive outcomes for those who use social media to promote their teaching and/or research (Donelan, 2016). For me, though not a big following, my Twitter page has allowed me to connect with journalists, obtain radio and television interviews and network with others. And dare I say it, make friends with other academics across the globe, some of whom I have never even physically met. Social media can help to aid an academic in their career, aid in self-development and widen and maintain their networks (Donelan, 2016). After all, it's not what you know, it's who you know.

The benefits of social media usage are well recognised by Weller who candidly acknowledges 'The Digital Scholar' is heavily influenced by conversations and interactions with others on Twitter and his Blog:

> 'Sometimes I would put out a direct call to this network [Twitter], along the lines of "Does anyone have a good example of …". In other cases, I would post drafts of the content to my blog and receive comments and links to relevant material.' (2011, p. 3).

We will leave aside the arguments around ownership. However, what intrigued me most about Weller's thesis surrounds his somewhat cyberlibertarian approach to publication – it's the lawyer in me. He seems to suggest, at various points, that one of the biggest benefits of social media usage for academics is the ability to **write freely**, without the constraints of peer review or having to adhere to journal article guidelines (and the whole paywall nonsense). In fact, for Weller:

> 'Blogs are also the epitome of the type of technology that can lead to rapid innovation. They are free to set up, are easy to use and because they are in the user's control, they represent

a **liberated form of expression** (emphasis added).' (2011, p. 5).

Spoiler alert … this is not necessarily true.

Academic Freedom

Leaving aside the arguments around Freedom of Expression, that's another story for another day, it is well recognised that social media can no longer be considered the 'wild west' (Bernal, 2012). Legal rules and regulations do exist online (though with the increasing use of social media websites to abuse others, you can be forgiven for thinking this may not be the case). Take, for instance, the use of social media sites to send racist comments to several footballers, following England's defeat in the 2020 Euros (BBC, 2021a), some individuals did feel the full force of the law (CPS, 2021) – and through my social media accounts, I was invited to discuss these cases on the radio. Like I said, social media helps advance our reach as academics.

Now that's not to say that academics fall within the same category as those who send racist abuse online, but what this does demonstrate is that we cannot say whatever we want, despite comments made by Weller to the contrary (2011, p. 5). Many companies across the globe will have a social media policy in place, and universities are no exception (Pomerantz, Hank & Sugimoto, 2015; Higson-Bliss, 2023). Put simply, all academics who are connected to a university by a contract, are subject to a social media policy and failure to adhere to that social media policy could result in the termination of your employment, something Professor David Miller found out the hard way, following his sacking by Bristol University over a comment he made online about Israel (BBC, 2021b). Even I, and indeed Weller (as an academic at the Open University) is subjected to a social media policy – something that still shocks some – even in today's digital-age (Higson-Bliss, 2023).

For example, at Keele University as an employee I am prohibited from '[m]aking seriously offensive, derogatory or defamatory remarks' (Keele University, 2018, p. 4) even on my own personal social media accounts. Now that's not to say I should be able to make 'seriously offensive, derogatory or defamatory remarks' online, but it does impose a clear boundary disputing the claims made by Weller that a liberated form of expression is felt when blogging (2011, p. 5). Similarly, the Open University (2019, 1) states:

> 'Employees are reminded of their obligations under University employment policies and standards when using social media sites generally, in particular the responsibility not to bring the University into disrepute or allow personal interaction on websites to damage professional or work relationships with colleagues, students or other University partners.'

A simple google search, shows that almost all (if not all) universities in the United Kingdom, have a social media policy in place – for both staff and students.

Yet, when it comes to academia, where we may research highly political, social, or legal issues, such as the right to terminate a pregnancy or transgender rights, the boundary between offensive comments and seriously offensive commentary, is not easily identifiable. Even if our institutions do back academic freedom following a complaint, it does not necessarily mean free reign with no implications. Nothing illustrates this more than the highly publicised case of Professor Kathleen Stock, who resigned from Sussex University following a campaign of online abuse for expressing her belief that men cannot become women (Adams, 2021). Despite her employer supporting her views under the concept of academic freedom, the campaign became so intense, she felt she had no choice but to resign. To be clear, I do not agree with the comments made by Professor Stock, but this case clearly

illustrates that a '… liberated form of expression …' as endorsed by Weller (2011, p. 5) is not without its consequences.

Weller's stance?

There is no doubt that the expanding digital world has changed the ways in which we as academics publish our research, network with others, and showcase our opinion, for better or for worse. In fact, social media has been integral to my own career, from securing interviews to aiding in bringing together teaching materials. But these platforms are not completely free from institutional involvement, where we have free creative licence to say what we wish. Instead, whether it's a personal or a work account, our employer does have some control over what we say online. At best, our comments might be ignored. At worse, we could lose our jobs or even our liberty (Bliss 2017; Higson-Bliss, 2023).

We need to have open and frank conversations about our social media usage. I have done this with students but recognise there is scope for expansion. If universities continue to press for us to have an online identity, do we not all deserve legal training? The take home-message – social media is here to stay in academia but be careful what you tweet!

Acknowledgements

Bibliography

Adams, R. (2021) 'Sussex professor resigns after transgender rights row', *The Guardian*, 28 October. Available at: https://www.theguardian.com/world/2021/oct/28/sussex-professor-kathleen-stock-resigns-after-transgender-rights-row. (Accessed: 11 January 2022).

Alalwan, N. (2022) 'Actual use of social media for engagement to enhance students' learning' *Education and Information Technologies*, 27, pp. 9767-9789.

Allen, M. (2012) 'What was Web 2.0? Versions as the dominant mode of internet history', *New Media & Society*, 15(2), pp. 260–275.

Bal E & Bicen H. (2017) 'The purpose of students' social media use and determining their perspectives on education', *Procedia Computer Science*, 120, pp. 177-181.

Bernal, P. (2018) *The internet, warts and all: free speech, privacy and truth*. Cambridge: Cambridge University Press.

Bernal, P. (2012) 'Internet Anonymity: A Very British Dilemma' *UK Constitutional Law Association*, 6 November. Available at: https://ukconstitutionallaw.org/2012/11/06/paul-bernal-internet-anonymity-a-very-british-dilemma/ (Accessed 11 January 2022).

Bliss, L. (2017) 'The crown prosecution guidelines and grossly offensive comments: an analysis', *Journal of Media Law*, 9(2), pp. 173–188.

Chandler, J. (2002) *The benefits of social media in academia*. Available at: https://www.open.edu/openlearn/education-development/learning/the-benefits-social-media-academia (Accessed 20 June 2023).

Donelan, H. (2016) 'Social media for professional development and networking opportunities in academia', *Journal of Further and Higher Education*, 40(5), pp. 706–729.

Dunn, L. (2013) 'Teaching in higher education: can social media enhance the learning experience?' [Poster], *6th Annual University of Glasgow Learning and Teaching Conference*. Glasgow, 19 April. Available at: https://eprints.gla.ac.uk/78491/1/78491.pdf (Accessed: 20 June 2023).

Heffernan, T. (2021) 'Academic networks and career trajectory: "There's no career in academia without networks"', *Higher Education Research & Development*, 40(5), pp. 1–14.

Higson-Bliss, L. (2023) 'When can your boss fire you for social media use? An expert on the law explains', *The Conversation*, 21 March. Available at: https://theconversation.com/when-can-your-boss-fire-you-for-social-media-use-an-expert-on-the-law-explains-201804 (Accessed: 20 June 2023).

Higson-Bliss, L. (2020). *Behind the Curtains: Opening the Mystic of Academia*, Digital Culture & Education. Available at: https://www.digitalcultureandeducation.com/reflections-on-covid19/behind-the-curtains-opening-the-mystic-of-academia [Accessed January 11, 2022].

Johnson D & Post D. (1996) 'Law and Borders: The Rise of Law in Cyberspace', *Stanford Law Review*, 48, pp. 1367-1402.

Keele University. (2018) *Social Media Policy*. Available at: https://www.keele.ac.uk/media/keeleuniversity/policyzone20/humanresources/Social%20Media%20Policy%20-%20final%20version%20221018%20v2%20(4).pdf (Accessed 11 January 2022).

Kieslinger, B. (2015) 'Academic peer pressure in social media: Experiences from the heavy, the targeted and the restricted user' *First Monday*, 20(6). https://doi.org/10.5210/fm.v20i6.5854.

Kwai Fun IP, R. & Wagner, C. (2008), 'Weblogging: A study of social computing and its impact on organizations', *Decision Support Systems*, 45(2), pp. 242–250.

Law Commission. (2018) *Abusive and Offensive Online Communications: A Scoping Report* (Law Com No 381).

Lipsett, A. (2010) 'Academics encouraged to share work with the public', *The Guardian*, 7 December. Available at: https://www.theguardian.com/education/2010/dec/07/academics-public-engagement-comedy (Accessed: 11 January 2022).

Lupton, D. (2014) *"Feeling Better Connected": Academics' Use of Social Media*. Available at: https://www.canberra.edu.au/about-uc/faculties/arts-design/attachments2/pdf/n-and-mrc/Feeling-Better-Connected-report-final.pdf (Accessed: 11 January 2022).

Murgia, M. (2015) 'The world's first website went online 25 years ago today', *The Telegraph*, 21 December. Available at: https://www.telegraph.co.uk/technology/internet/12061803/The-worlds-first-website-went-online-25-years-ago-today.html (Accessed: 11 January 2022)

Pomerantz, J. Hank, C. & Sugimoto, C.R. (2015) 'The State of Social Media Policies in Higher Education' *PLOS ONE*, 10(5), https://doi.org/10.1371/journal.pone.0127485.

Rice, C. (2013) 'Open access: four ways it could enhance academic freedom', *The Guardian*, 22 April. Available at: https://www.theguardian.com/higher-education-network/blog/2013/apr/22/open-access-academic-freedom-publishing (Accessed: 11 January 2022).

Scaife, L. (2015) *Handbook of social media and the law*. London: Routledge.

Shirky, C. (2009) *Here comes everybody how change happens when people come together.* London: Penguin.

Smartt, U. (2017) *Media & entertainment law.* London: Routledge.

Statista. (2018) *Global social media account ownership 2018.* Available at: https://www.statista.com/statistics/788084/number-of-social-media-accounts/ (Accessed: 11 January 2022).

The BBC. (2020) 'UK internet use doubles in 2020 due to pandemic', *The BBC*, 30 December. Available at: https://www.bbc.co.uk/news/technology-55486157 (Accessed: 11 January 2022).

The BBC. (2021a) 'Southgate, PM & FA condemn player abuse', *The BBC*, 12 July. Available at: https://www.bbc.co.uk/sport/football/57800431 (Accessed: 11 January 2022).

The BBC. (2021b) 'Bristol University: Professor David Miller sacked over Israel comments', *The BBC*, 1 October. Available at: https://www.bbc.co.uk/news/uk-england-bristol-58765052 (Accessed: 11 January 2022).

The Crown Prosecution Service. (2021) *Cheshire man sentenced for racist abuse of England players.* Available at: https://www.cps.gov.uk/mersey-cheshire/news/cheshire-man-sentenced-racist-abuse-england-players (Accessed: 11 January 2022).

The Open University. (2019) *Social Media Policy.* Available at: https://www.open.ac.uk/community/social-media-toolkit/sites/www.open.ac.uk.community.social-media-toolkit/files/files/social-media-policy.pdf (Accessed: 20 June 2023).

Titcomb, J. (2017) 'Facebook now has 2 billion users, Mark Zuckerberg announces', *The Telegraph*, 27 June. Available at: https://www.telegraph.co.uk/technology/2017/06/27/facebook-now-has-2-billion-users-mark-zuckerberg-announces/ (Accessed: 11 January 2022).

Troiani, I. & Dutson, C. (2021) 'The Neoliberal University as a Space to Learn/Think/Work in Higher Education', *Architecture and Culture*, 9(1), pp. 5–23.

UKRI. (2021) *The benefits of social media.* Available at: https://www.ukri.org/councils/esrc/impact-toolkit-for-economic-and-social-sciences/how-to-use-social-media/the-benefits-of-social-media/ (Accessed: 20 June 2023).

Waterson, J. (2013) 'Match of the Day to air without presenter or pundits after Gary Lineker's Suspension', *The Guardian*, 10 March. Available at: https://www.theguardian.com/football/2023/mar/10/gary-lineker-step-back-match-of-the-day-bbc (Accessed: 22 June 2023).

Weller, M. J. (2011) *The digital scholar: how technology is transforming scholarly practice.* London: Bloomsbury.

Wong, A. Ho, S. Olusanya, O. Antonini, M. V. & Lyness, D. (2020) 'The use of social media and online communications in times of pandemic COVID-19', *Journal of the Intensive Care Society*, 22(3), pp. 255-260.

Xiong, L. Alsadoon, A. Maag, A. Prasad, P.W.C. Hoe, L.S. & Elchouemi, A. (2018) 'Rise of Social Media Marketing: A Perspective on Higher Education', *13th International Conference on Computer Science & Education,* pp. 704-709.