

Should Judges Be Active on Social Media?

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Judges in many countries have the same constitutional rights as ordinary citizens. This includes, for example, freedom of speech, religion, political expression, the right to engage in economic activities, participate in cultural life, etc. However, some codes of judicial conduct set limitations regarding these rights. Judges are required to uphold strong ethical values in order for people to trust the judiciary. Their conduct must be impeccable. This can be especially difficult in the digital age. Today, questions about whether a judge can run an art blog, respond to negative comments online, accept friend requests from lawyers or case participants, or like political tweets are highly debated. Should judges be active on social media?

On the one hand, the presence of judges on the Internet demonstrates their openness to dialogue with civil society. Judges can create public accounts in order to communicate with people, inform them about the role of the judiciary, changes in law, and provide some statistics on resolved cases. This is potentially of interest to all citizens, as it can educate them and even prepare a citizen to participate in a case. Not only as a plaintiff or defendant, but also as a juror. Live broadcasts, quizzes, and short interviews with judges can also enhance the appeal of the legal profession for young people, who spend a lot of time on the Internet. In addition, it is worth noting that judges are not required to speak formally and use complex terms on social media. That makes legal documents and court decisions more accessible to the general public.

On the other hand, likes and comments left under posts on political, religious, or ideological topics can be interpreted as an expression of a judge's position, which is against most codes of judicial conduct. This may cast doubt on the impartiality of the judge in the administration of justice. It can also lead to accusations of a biased attitude towards certain people. In addition, judges on social media may find themselves in "filter bubbles" because most media platforms personalize content for users. This may contribute to the radicalization of their beliefs and a departure from the principles of independence and impartiality. That kind of threat is evident in a situation when a judge gets acquainted with the coverage of some legal issue or case exclusively from one perspective. Finally, managing an account can be dangerous for the safety of judges and their families. There is a threat of online abuse, cyberattacks, and personal information disclosure that can make a judge a target in real life.

Discussion Questions

1. Should judges participate in social media? What is required for judges to use social media carefully?
2. Why do people impose higher moral expectations on representatives of certain professions? Can we build a hierarchy of such professions?

3. Who should evaluate the conduct of judges as ethical or unethical and decide which content on social media is appropriate or inappropriate?