



Moral Rights and Legal Rights in Social Media Communication Practices from the Perspective of Antiqua et Nova

Alexander Aur^{1*}, Tamara Soukotta²

¹ Pelita Harapan University, Indonesia

² Erasmus University Rotterdam, Netherlands

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ABSTRACT

Communication activities across various social media platforms such as Instagram, X/Twitter, Facebook, YouTube, and TikTok often give rise to problems. One recurring issue is the occurrence of insults directed at individual users by others. Such insults indicate the loss of both moral and legal rights of users. This study seeks to address these issues through the lens of digital ethics as articulated in the document Antiqua et Nova. The article highlights human beings as subjects who possess both moral and legal rights in social media communication practices, based on the digital ethics outlined in the document. This is a qualitative study employing a hermeneutical method. Literature data were collected during June–July 2025. Data collection techniques included tracing, reading, and taking notes from written documents such as books, journal articles, research reports, and archives. The data were processed through content analysis using a thematic approach. The findings reveal that social media users hold the status of subjects endowed with both moral and legal rights, grounded in human intelligence, in the practice of communication across diverse social media platforms.

***) Corresponding author:** alexander.aur@uph.edu

Introduction

A common issue in social media communication practices is cyberbullying (Castaño-Pulgarín et al., 2021). One form of cyberbullying is personal insults expressed through provocative words or statements by certain users toward others (Hua et al., 2019). Insults on social media can be categorized into two types: personal insults and ritual insults. Personal insults are spoken or written expressions intended to offend the target, while ritual insults are expressions intended to evoke humor (Dynel, 2021).

Social media users hold diverse statuses and roles. Some act as private individuals with professional backgrounds, while others represent government or private organizations. Nevertheless, any type of user may become a victim of cyberbullying or insults. Victims' reactions vary depending on their socio-demographic characteristics and user profiles (Valenzuela-García et al., 2023). Victims are often subjected to abusive, aggressive, or offensive language, which occurs repeatedly, systematically, and

uncontrollably. Perpetrators frequently act out of hatred rooted in personal, religious, racial, gender-based, or organizational affiliation sentiments, and sometimes even ideological motives (Castaño-Pulgarín et al., 2021).

Cyberbullying takes place within the operational framework of artificial intelligence (AI). John McCarthy (Ecclesial Documents Series, 2025) defines AI as an attempt to design machines that behave in ways which, if performed by humans, would be considered intelligent. Based on algorithmic systems, AI functions automatically. It is employed as computational technology on social media platforms to manage, filter, and disseminate digital communication content (*Ecclesial Documents Series, Antiqua et Nova*, 2025, articles 8–9).

At present, the function of AI is not merely technical but also directly related to the moral and legal rights of human beings. This relationship is a crucial concern because algorithms and their automated processes may affect human freedom of expression, privacy protection, authenticity of identity, and legal accountability for disseminated information. Consequently, AI must be viewed not only as a technical instrument but also as a moral and legal concern (Magnis-Suseno, 1999) within social media communication practices.

This raises two central questions: What is the content of digital ethics that prioritizes human intelligence over artificial intelligence in the Dicastery for the Doctrine of the Faith's document *Antiqua et Nova*? How do moral and legal norms serve as the legitimate foundation for human beings in social media communication practices?

This study aims to address these two questions. The findings demonstrate that the document's digital ethics affirms that while the functioning of social media platforms is often driven by artificial intelligence, it never replaces human intelligence. Therefore, human beings as users remain moral and legal subjects. With this status, social media users hold both moral and legal rights and responsibilities to apply digital ethics in communication practices across various platforms.

Methods

This study employed a qualitative research design. Data collection was conducted during June–July 2025. The sources of data consisted of both printed and digital literature. Printed literature was obtained from books, while digital literature, including e-books and journal articles, was retrieved from platforms such as Google Scholar, Web of Science, and ResearchGate.

Data analysis applied three hermeneutical approaches: Gadamer's fusion of horizons hermeneutics, Jürgen Habermas's critical hermeneutics, and reception hermeneutics. Gadamer's fusion of horizons was used to interpret *Antiqua et Nova* and relate its horizon to contemporary social media communication practices (Barak, 2022; Alsaigh & Coyne, 2021). Habermas's critical hermeneutics was employed to analyze social media practices as communicative actions oriented toward fairness (Shahwirman, 2023; Jena, 2021). It also served to uncover the dimensions of legal and moral rights of social media users as prerequisites for digital communication that continues to prioritize human intelligence, as recommended in *Antiqua et Nova*.

The discussion of data analysis draws on perspectives regarding moral and legal rights from the works of Franz Magnis-Suseno, SJ (1999, 1987) and J. Sudarminta, SJ (2012). Their views reinforce the digital ethics articulated in *Antiqua et Nova*, which emphasizes the primacy of human intelligence. Accordingly, moral rights must be guaranteed through legal rights, ensuring that users' dignity and humanity are upheld in the practice of communication within the digital sphere.

Results and Discussions

Digital Ethics in the Document *Antiqua et Nova*

The advancement of artificial intelligence (AI) presents both opportunities and ethical challenges in digital communication. The document *Antiqua et Nova* (AN) (Ecclesial Documents Series, 2025) asserts that human intelligence holds ontological, moral, and spiritual superiority over artificial intelligence. AI is merely a product of human intelligence and cannot replace human wisdom, moral responsibility, or relational capacity. To what extent can AI assume human roles? This document serves as the Catholic Church's response to such anthropological and ethical questions (Adelita et al., 2025). AN emphasizes that human dignity cannot be compromised by technological development. No matter how advanced AI becomes, it lacks moral freedom, self-awareness, and the capacity to love and relate (Article 3). Therefore, digital ethics must prioritize human intelligence in communication and decision-making in the digital era.

Concerning human intelligence, AN advances an anthropo-theological foundation: human intelligence is a divine gift reflecting the image of God (Laurentius & Antonius, 2025). Its nature is rational, relational, and moral (Articles 13–15). With such a nature, humans can seek truth, love others, and take responsibility for their actions. This nature is absent in AI, whose operations are merely functional and limited—based on data, algorithmic processes, and computational logic (Articles 30–32). While AI can simulate cognitive behavior, it cannot grasp the deeper meaning of reality or make

moral decisions (Dinata & Kuswana, 2025). Thus, AI must be regarded solely as a technical tool, not as a moral decision-maker.

Within this framework, AN promotes digital ethics grounded in truth, responsibility, and solidarity. In the realm of social media communication, AN highlights three dimensions of digital ethics. First, truth: human beings are responsible for resisting hoaxes, disinformation, and algorithmic manipulation (Article 21). Second, moral responsibility: only human beings can be held accountable both legally and morally (Articles 39–40). Third, solidarity: digital technology must strengthen social cohesion rather than deepen divisions (Articles 18–20). Thus, AI employed in digital communication must be directed toward fostering dialogue, empathy, and universal fraternity.

Building on this ethical foundation, AN issues a warning against equating human intelligence with artificial intelligence (Articles 34–35). Treating AI as equal to or superior to human beings risks functionalist reductionism, in which humans are valued and treated merely based on technical functions. AI is a product of human intelligence, not an independent form of intelligence (Articles 36–37). Therefore, decisions involving morality, human dignity, and the common good must always remain in human hands.

In sum, AN advocates for a human-centered digital ethics (Moranski, 2017). While AI has significant instrumental value, it must remain subject to human wisdom. Ethical priority must always be given to human intelligence, since only humans are capable of seeking truth, choosing the good, and building solidarity through love (Articles 70–72). By prioritizing human intelligence, we ensure that the digital sphere remains a space that upholds personal dignity, strengthens communion, and directs technological development toward the common good. This begins with cultivating critical awareness (Murwanto et al., 2025) grounded in human intelligence.

Moral Subjects and Legal Subjects

Grounded in the digital ethics of AN, communication practices on social media position communicators as both moral subjects and legal subjects. In this position, moral norms function as a set of standards to evaluate whether human actions are good or bad within the context of social media communication. Moral evaluation of human beings as communicators directly engages their personal core (Magnis-Suseno, 1999). This underscores that individuals using social media are capable of distinguishing between good and bad practices in online communication.

As moral subjects, individuals understand the specific characteristics of moral norms (Magnis-Suseno, 1999) and apply them as guidance in social media communication. First, moral norms establish

fundamental human obligations in the form of commands and prohibitions. Every person bound by moral norms is obliged to carry out their commands and prohibitions. For example, do not engage in hate speech, respect the rights of other users, and communicate truthfully when sharing information. These imperatives serve as moral references for communicators in digital spaces.

Second, moral norms apply universally. They directly pertain to human existence and therefore apply to everyone. Their universality rests on the objective nature of moral norms, which can be rationally justified. Since every social media communicator is a human being, they necessarily fall within the universality of moral norms.

Third, moral norms orient human actions toward the flourishing and fulfillment of life, the common good, and concern for the interests of others. What is emphasized here is not merely human existence as such but the unique qualities inherent in each individual. Moral norms support these unique characteristics for the flourishing and fullness of human life. Communication practices on social media grounded in moral norms thus contribute to the fulfillment of human existence as communicative beings.

Moral norms are interconnected with legal norms. Their relationship lies in the fact that moral norms are embedded within legal norms (Magnis-Suseno, 1999). Moral norms become law and function to regulate human life according to legal provisions. The scope of legal norms is external—they regulate human behavior. By contrast, moral norms not only regulate external behavior but also govern the inner life of individuals. The binding force of legal norms operates in the “outer” sphere of human life, while moral norms operate in both the “outer” and “inner” spheres.

As legal subjects, human beings understand several distinctive features of legal norms (Magnis-Suseno, 1999). First, legal norms regulate human behavior, grounded in the anthropological assumption that only human behavior and actions can be governed by law. This also affirms the public dimension of law, as it pertains to interactions with others. The effective application of legal norms occurs only within communication with others (Magnis-Suseno, 1999). Second, legal norms impose obligations that must be fulfilled, with violations subject to sanctions. Third, the content of legal norms concerns external actions. Law requires observable actions, and sanctions are applied based on these external actions. Thus, as legal subjects, human beings are obligated to observe legal norms and subject to sanctions if they violate them (Sudarminta, 2012).

Moral Rights in Social Media Communication

In the practice of communication on social media, moral rights rest on two fundamental elements: freedom and conscience. These elements form the ethical foundation that determines how individuals

express themselves in digital spaces. To acknowledge oneself as a bearer of moral rights means to recognize both freedom and inner responsibility in every online interaction.

Freedom in the context of social media is not absolute, but rather the individual's capacity to determine attitudes, opinions, and communicative choices without coercion from others. However, every digital action born of such freedom carries accountability for its consequences—whether direct or indirect. In other words, freedom of expression on social media is legitimate only when accompanied by ethical awareness.

This freedom is closely tied to existential responsibility: every post, comment, or digital action must align with human values, respect social obligations, and consider the expectations of others. The moral and religious norms at play do not negate users' freedom but instead provide a concrete expression of freedom imbued with meaning (Sudarminta, 2012). Thus, the autonomy of social media users always unfolds within a reciprocal relationship with the objective reality of the digital environment in which they interact.

A person who is willing to take responsibility is, in fact, freer and stronger. A conscious and free person binds themselves to values they believe to be good and accepts all logical consequences of this commitment. A responsible person is one who is not enslaved by emotions or instinctual desires. The human capacity to sacrifice for a higher purpose makes individuals more resilient and freer (Sudarminta, 2012).

At this point, moral norms can be seen, in a certain sense, as boundaries preventing people from acting arbitrarily. Yet in a broader sense, the moral norms individuals embrace constitute the field for the concrete realization of human freedom. Freedom—as the capacity of each person to determine themselves without external compulsion—becomes real in the right to make decisions or choices while rejecting alternatives. The right to decide and choose carries moral weight. Moral norms always invite human beings to adopt a stance, and their responses to such invitations reveal the very essence of their humanity (Sudarminta, 2012).

Another fundamental aspect of moral rights is conscience (Sudarminta, 2012). Conscience is the human awareness of moral obligations to be fulfilled in concrete situations, or the affirmation of what is right or wrong according to moral law in such situations (Magnis-Suseno, 1987). Conscience is not the product of human emotions but of reason. It is, therefore, a rational judgment or discernment arising from human consciousness (Magnis-Suseno, 1987; O.Carm, 2007). Awareness of what? Awareness of the ability to distinguish between good and evil, followed by the moral duty to act upon the good and to reject the evil. This reflects the nobility of human beings (Magnis-Suseno, 1999).

Only human beings are capable of exercising discernment regarding good and evil and are morally obligated to choose the good and to reject the evil.

Legal Rights in Social Media Communication

In the practice of communication on social media, both legal norms and moral norms are inherent to every user. As both legal and moral subjects, each individual possesses legal rights and moral rights in communication. Legal rights guarantee certainty and protection of communicative acts, while moral rights emphasize the human foundation and ethical responsibility in the use of digital media. These rights can only be exercised if individuals enjoy freedom of expression (Magnis-Suseno, 1999).

The fundamental question is whether human beings are truly free in the digital sphere. Philosophical debates are divided: some argue that humans are determined by algorithms, regulations, or social norms (*digital determinism*), while others see space for human freedom in making choices and acting on social media (Mudji Soetrisno, 1983). A rational stance rests on the concept of humans as rational beings capable of critical thinking—both about algorithmic limitations and their communicative responsibilities (Magnis-Suseno, 1987). On this basis, freedom of expression on social media may be regarded as the foundation for individuals to become both legal and moral subjects.

Legal rights in digital communication involve two key aspects: (1) the boundaries of rights and legal authority in cyberspace, and (2) the characteristics of law that guarantee certainty and justice for users (Ujan, 2009). Legal rights on social media affirm that every individual has the right to voice opinions, express themselves, and access information, with the assurance that these rights carry protection and certainty of enforcement (Magnis-Suseno, 1999).

First, regarding rights and limits of authority. A right on social media is a claim by an individual as a legal subject to freedom of expression and communication. When someone posts an opinion or content, they are exercising their right to speak. Yet this right is always accompanied by corresponding obligations of others: the right to be respected, not to be defamed, and not to be unfairly attacked. In other words, every claim to a right on social media creates a duty for others not to transgress those boundaries (Magnis-Suseno, 1999). For example, users have the right to privacy protection of their accounts and data, and platforms are obliged to ensure such security.

Consequently, to speak of rights on social media is also to speak of obligations. If one person has the right to express criticism, others are obliged to respect that right without engaging in personal attacks, hate speech, or cyberbullying. Ultimately, the right to freedom of expression in cyberspace is grounded in the principle that human beings must be fully protected, both in their physical presence and their digital dignity. Respecting the digital rights of others is tantamount to recognizing their sovereignty in the virtual public sphere.

The elements of “claim” and “must be fulfilled” reinforce the distinctive characteristic of legal norms—namely, the presence of sanctions for violations (Magnis-Suseno, 1999). In the context of social media, sanctions may include account suspension, content removal, or formal legal proceedings. Content moderation can also be demanded of platform providers (Howard, 2024). Digital law should not abolish users’ rights but rather reinforce them to ensure justice.

There are three primary features of law that must be upheld in social media communication practices. First, legal certainty in the digital sphere: social media users must have assurance that if their rights are violated (e.g., identity theft or defamation), the law will strictly enforce sanctions against violators. Platforms must also provide clear user policies so that individuals know what is permissible and what is not. Second, digital legal justice: all users, regardless of social status, political affiliation, or number of followers, must be treated equally before the law. This principle rejects the notion of “accounts immune from the law.” Third, contextual certainty and justice: in practice, digital law must flexibly consider social contexts. For instance, comments containing criticism must be distinguished from hate speech. Judges or regulators must be capable of interpreting concrete situations so that the law remains just rather than rigid.

These three characteristics of law ensure that individual rights on social media are neither lost to the interests of groups nor exercised arbitrarily in ways that harm digital solidarity. Law thus functions as the regulator of communicative conflicts in cyberspace, ensuring that digital interaction remains fair, equal, and civilized.

Conclusion

The issues of moral rights and legal rights in social media communication are examined here with reference to the digital ethics outlined in the document *Antiqua et Nova*. Social media frequently generates problems such as cyberbullying and insults, which reflect the erosion of respect for the moral and legal rights of users.

In social media communication, human beings remain the primary subjects, even though artificial intelligence (AI) plays a role in content management. AI is regarded merely as a technical tool, while human intelligence possesses irreplaceable moral, rational, and spiritual superiority. Therefore, according to *Antiqua et Nova*, digital ethics requires that human intelligence always be prioritized over AI.

Moral rights in digital communication rest on freedom and conscience, guiding social media users to act ethically, responsibly, and with respect for the dignity of others. Meanwhile, legal rights emphasize

certainty, justice, and protection to ensure that digital interactions do not infringe on others' rights and remain within a just legal framework.

Accordingly, social media communication must be carried out within a framework of digital ethics that integrates both moral rights and legal rights. These two dimensions are complementary: moral rights provide the human foundation, while legal rights provide certainty and protection. Together, they are essential to ensuring that the digital sphere remains fair, civilized, and respectful of human dignity.

Limitations and Recommendations

This article has certain limitations, as it relies solely on literature review and hermeneutical analysis without empirical field data. The scope of discussion is also limited to the perspective of the document *Antiqua et Nova*, leaving little dialogue with contemporary legal and communication theories. For future research, empirical studies involving the real-life experiences of social media users are necessary. Interdisciplinary research that integrates digital ethics, positive law, and communication theory is also important to enrich perspectives. Furthermore, comparative studies across different ethical traditions could provide broader insights into the normative foundations of fair and civilized digital communication.

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