

## **Cyber Challenges to International Human Rights**

**Title:** HUMAN RIGHTS BY DESIGN: DO INTERNET GIANTS LOCK-IN OUR LEGAL IMAGINARY?

**Name:** Dr. Tomer Shadmy

**Institution:** Post-doctoral fellow, Edmond J. Safra Center for Ethics, Tel Aviv University)

**Keywords:** Securing rights by design; The role of non-state actors and corporations in shaping online enforcement

**Abstract:**

The paper explores how the internet giants (and Facebook as a test case) restructure our conception of “human rights”, the very basic notion of the modern legal and political thinking. The paper is based upon comparison between the modern construct of human rights, and the notion of rights, which I found in Facebook’s design and technology as well as in its financial reports, patent applications, its rules and policies, and Mark Zuckerberg’s posts and manifestoes. Using this methodology enable me to ask how Facebook’s particular design, language, and technology changed our shared “sociotechnical imaginary”. According to my findings Facebook challenges the foundations of our modern concept of rights. In this platform, rights are transformed from discourse and a site of interpretation into a structured code. Additionally, in contrast to the deep modern connections between human rights and a concrete statist political community, in Facebook the corporation tailors the meaning of rights to a particular user in a particular way. Furthermore, I found that Facebook enables us to practice our rights without the need to impose the correlate duties on others. Lastly, in this platform rights transform into privileges, which Facebook revokes whenever it wants. According to these findings even if Facebook’s codes do not discriminate and harm anyone, they have some broader implications - they change our shared legal imaginary.