

EL-RAKHAWI DOCTRINE: DATA SOVEREIGNTY AND THE REINVENTION OF CIVIL PROPERTY IN THE DIGITAL

ECONOMY

A COMPARATIVE AND PIONEERING STUDY FROM THE PROTECTION OF PRIVACY TO THE OWNERSHIP OF INFORMATIONAL WEALTH FOR THE FUTURE OF IN-HAND RIGHTS

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DEDICATION

To the pure souls of my parents, who were my guiding light in the darkness, and my callers of goodness in every page I wrote.

To my beloved daughter Sabreen, who gathered in her eyes the purity of the Nile, the depth of the Mediterranean, and the grandeur of the bridges and the greatness of the hanging gardens. For you, I write, so that you may know that the future is made by those who dare to own their tools and hold their keys.

To every researcher who seeks truth, to every dreamer who believes that the human being, despite the weakness of his body, is the greatest creature in the universe, capable of creation, of love, and of searching for meaning.

GENERAL INTRODUCTION

THE PROBLEM OF THE RESEARCH AND ITS BACKGROUND

The grand construction of civil law has rested, since the codification of laws, from the Roman jurisprudence through the French Civil Code of 1804 and the Egyptian Civil Code of 1948, upon a fixed and sacred pillar: the right of ownership. This ownership was, throughout history, tied organically to the tangible: the land, the house, the cattle, and the money. All were tangible assets whose possession and disposal could be exercised.

But with the dawn of the fourth digital revolution, a seismic shift occurred in the pillars of this traditional concept. Data has emerged as the most valuable commodity in the twenty-first century, surpassing in its market and strategic value oil and gold combined.

The fundamental paradox that this research reveals lies in the fact that the producer of this immense wealth is the individual human person, who owns nothing more than a negative right,

namely the right of privacy, while the great technological companies possess quasi-absolute rights in the commercial exploitation of this data.

We stand before a distorted legal and economic model that turns the human person from an owner of his informational wealth into a mere raw material from which value is extracted without fair compensation.

THE HYPOTHESIS OF THE RESEARCH AND ITS PURPOSE

This book departs from a radical and pioneering hypothesis: that the current model based on the protection of privacy has failed to achieve distributive justice in the digital age. And that the radical solution lies in the transition to a model of data ownership.

The purpose is not merely the amendment of current laws, but a call to a legal revolution that recognizes personal data as a primary right, a financial and in-hand right, capable of sale, lease, and mortgage, equal to traditional material assets.

THE METHODOLOGY AND THE COMPARATIVE SCOPE

This work adopts a deep analytical critical methodology that blends classical civil jurisprudence, economic analysis, and moral philosophy. We will proceed with a threefold comparison:

The European model represents the peak of regulatory protection, but it stops at the threshold without commercial ownership.

The American model is based on the freedom of the market and the contracts of adhesion, where data is often a free commodity exploited for the interest of the companies.

Islamic jurisprudence and Arab laws, by extracting new rules from the general jurisprudential principles such as the language, the acquisition, the permissible benefit, and the sanctity of the Muslim's money, to establish a balanced theory of data ownership that preserves dignity and ensures the just return.

This book is a call to the global legislator for the future, to the judge who must prepare for trials that have not yet come, and to the bold researcher who writes a new chapter in the constitution of the digital age.

PART ONE

THE ANATOMY OF THE INVISIBLE WEALTH: THE NATURE OF DATA AND ITS LEGAL TRUTH

CHAPTER ONE

FROM PRIVACY TO OWNERSHIP: THE HISTORICAL AND JURISPRUDENTIAL DEVELOPMENT OF THE CONCEPT

Section One: The Development of the Right of Privacy from the Right to Isolation to Informational Control

The journey began with the famous article of Brandeis and Warren in 1890, in which the right of privacy was defined as the right of the man to be left in his condition. The focus at the time was on the protection of feelings and reputation from the intrusion of the yellow press.

But with the technological development, the concept developed to become control over personal information, as the German Constitutional Court recognized in 1983. But this development remained within the framework of personal rights aimed at the prevention of harm, not within the framework of financial rights aimed at the achievement of gain.

Section Two: The Shortcomings of the Current Model: Why the Laws of Privacy Have Failed

Here we analyze the General Regulation for the Protection of Data and its counterparts. Despite its strictness, it has made the act of consent a mere formal procedure. The individual does not possess a real negotiating power over the conditions.

The consent here is not a negotiation but an adhesion. The individual is placed before the option of accepting or leaving, and in most cases, leaving means being deprived of the basic service. This makes privacy a structural luxury that the poor cannot bear its cost.

Section Three: The Required Revolution: The Philosophy of Tied Ownership

Here we propose the radical transition from the question of how do we prevent the violation of my data to the question of how do I benefit from my data. This requires the reclassification of data from a non-personal right not capable of financial valuation to a primary asset capable of exchange.

We rely in this on the development of the concept of ownership in intellectual property, which turned abstract ideas into financial assets. And we demand the application of the same logic to personal data.

Section Four: The Islamic Jurisprudential Roots of the Benefit and Data

In the jurisprudential heritage, it is proven that the benefit is a recognized property that generates economic value. The rules of the people are masters over their money, and the gain follows the risk, and the sanctity of eating the money of people in vain, form a solid foundation for the establishment of the right of the individual in his economic return from his data.

Data is not mere secrets but the product of effort, behavior, and movement that deserves compensation.

CHAPTER TWO

THE LEGAL NATURE OF DATA: A MATERIAL THING OR A RIGHT OF THE PERSON

Section One: The Problem of Classification in Classical Civil Law

The classical civil law suffers from a rigid duality: either material things subject to in-hand rights, or personal rights subject to personal rights. Data falls in the gray zone. It is not material in the sense of being possessable, but it is capable of transfer, storage, and digital possession.

This is the principal reason for its lack of comprehensive protection as ownership.

Section Two: The Theory of Digital Money: Proving the Legal Capacity of Data as a Thing

Here we present an exact legal analysis proving that data fulfills the pillars of money in most legislations:

It has value: it has a clear market price, in billions.

Relative scarcity: the data of each individual is unique and not interchangeable.

Capability of possession: it can be possessed and tied to a specific person.

Capability of trade: it can be transferred from one party to another easily.

Based on this, we demand the legislation of a new in-hand right called the in-hand right over data.

Section Three: The Dismantling of the Duality of Data and Derived Data

A complex legal problem: who owns the data produced by the algorithms of artificial intelligence after the analysis of the data of users? Does the derived data belong to the entity because it added a great effort to its creation, or does the original remain for the individual?

We propose the theory of relative joint ownership, where the individual retains the origin of the data, and the entity owns the derived data for a limited benefit right, with a financial return, unless the contract stipulates otherwise.

Section Four: The Global Jurisprudential Directions Towards the Safety of Data

We review the emerging jurisprudential rulings in the United States, Europe, and China against Google, Facebook, and others, where some courts began to speak of the economic harm from the loss of control over data, paving the way for the implicit recognition of its financial value.

In China, legislation began to classify data as a factor of production officially.

CHAPTER THREE

THE POLITICAL ECONOMY OF DATA: WHO BENEFITS AND WHO LOSES

Section One: The Anatomy of Surveillance Capitalism

We use the concept of Shoshana Zuboff to analyze the dominant economic model, where raw materials are human experience and behavior, and the product is sold in the markets of behavioral contracts.

This model is based on the extraction of value from the source without compensation.

Section Two: The Structural Imbalance and the Power of the Market

An economic analysis explaining how the network effects led to a natural monopoly of the great technological platforms. The individual user is in a position of complete negotiating weakness.

There is no real market for data because the seller is compelled to accept the price set by the buyer, which is zero dollars, for the sake of obtaining the service.

Section Three: The Effect of Monopoly over Data on Innovation and Competition

How the accumulation of data in the hands of a few companies prevents the entry of new competitors. And that the quantity of data possessed determines the superiority of the algorithms. This justifies the legislative intervention to enable the sale of data from individuals to emerging companies, creating a real competitive market.

Section Four: The Arab and Islamic Reality Between Production and Consumption

A critical study of the condition of the Arab countries that are a source of data for the global mines of data, but lack the legal and technical infrastructure to exploit this wealth.

We export our data as raw material and import the manufactured services from it at exorbitant prices.

We call for a unified Arab strategy for the manufacturing of data and its security as a national asset, economically and strategically.

PART TWO

TOWARD A NEW LEGAL THEORY FOR THE OWNERSHIP OF DATA

CHAPTER FOUR

THE ESTABLISHMENT OF THE IN-HAND RIGHT OVER DATA: THE FOUNDATIONS OF THE THEORY

Section One: The Formulation of the Exact Legal Definition

We propose a legislative definition as a model:

The right of ownership over personal data is a primary in-hand right that grants its holder a direct authority over his digital data, including the right of use, exploitation, and disposal within the limits set by the law and the public order.

Section Two: The Dismantling of the Contents of the Right

The right of use: the right of the individual to access his data, copy it, and use it for himself.

The right of exploitation: the right to generate the economic fruits, whether by sale, lease, or licensing.

The right of disposal: the right to transfer ownership, donate, or even the final destruction of data, including the right of final forgetting.

We confirm that this right is capable of being dismantled, allowing the sale of the right of exploitation for a limited period while the right of ownership remains for the individual.

Section Three: The Distinction from Similar Rights

We clarify the exact differences between the ownership of data and the right of the author, and the right of the database, and privacy. Data is not an original work of creation, and the right that protects the effort of the collector of data is not the owner of the original data, and privacy focuses on dignity, not on money.

This distinction is necessary to avoid legal conflict.

Section Four: The Legal and Moral Foundation of the New Right

A deepening in Islamic jurisprudence by applying the rule of the permissible preceding to personal data. The data is a permissible thing created by God for the human person, and whoever preceded to its collection and exploitation is more entitled to its benefits.

We also derive from the sanctity of eating the money of people to invalidate any economic model that exploits the data of people without their consent and without a fair compensation.

CHAPTER FIVE

THE SCOPE OF OWNERSHIP: WHAT DOES THE INDIVIDUAL POSSESS WITH CONTROL

Section One: The Explicit Data

All the data that the user introduces consciously: the name, the address, the photographs, the publications, the comments.

Here the ownership is strong and clear for the individual by one hundred percent.

Section Two: The Implicit and Behavioral Data

The record of browsing, the geographical location, the speed of writing, the time of activity.

The question here: is this data created by the entity through which it is a mirror of his behavior, or merely a mirror of him?

We see that since the behavior issued from him and the entity is merely its mirror, the individual also owns this data.

Section Three: The Biological and Genetic Data

A special discussion around the fingerprint, the retinal scan, and the DNA sequence. We see that this data represents the essence of bodily identity and therefore its ownership must be a tied ownership for the individual.

Its use may be licensed for medical or security purposes, but its sale or trade for genetic exclusion or direct insurance is absolutely prohibited.

Section Four: The Joint Data

Such as collective photographs, the chains of conversations, or joint transactions. Here we apply the rules of joint ownership, where the disposal of data is not permissible except with the consent of all partners or by specific percentages, with the protection of the privacy of each party.

CHAPTER SIX

THE LIMITS OF ABSOLUTE OWNERSHIP: THE PUBLIC INTEREST AND THE GENERAL ORDER

Section One: The Limits of the Public Order and National Security

Confirming that the right of ownership of data is not absolute. The state has the right of access to data and its use in very narrow and specific cases: combating dangerous crimes, epidemics, and terrorism.

Conditional by the existence of strict judicial oversight and guarantees against abuse.

Section Two: The Scientific and Research Exceptions

To maximize the social benefit, we propose a legal exemption for universities and research centers by using anonymous and aggregated data for scientific purposes without the need for individual consent, provided that there is no possibility of re-identification.

Section Three: The Balance with the Freedom of Expression and the Press

We confirm that the use of publicly available data for journalistic or critical purposes falls under fair use and does not require the consent of the owner, preserving the role of the press as a fourth authority.

Section Four: The Legal Controls for Bio-Ethics

A legal and moral prohibition of the sale of data that leads to genetic discrimination, the exploitation of direct insurance, or the work of biological exclusion.

The owner does not have the right of disposal of his data in what harms society or contradicts public morals.

PART THREE

FROM THEORY TO PRACTICE: THE MECHANISMS OF APPLICATION AND CONTRACTING TO THE MARKET

CHAPTER SEVEN

FROM THE CONDITIONS OF ADHESION TO THE CONTRACTS OF FREE NEGOTIATION: THE EXPLOITATION CONTRACTS OF DATA

Section One: A Radical Criticism of the Conditions of Adhesion

Here we analyze the implicit nullity of the current conditions imposed by the digital platforms. These contracts fall under the contracts of adhesion where the user does not possess the option of negotiation but only acceptance or leaving.

From a legal perspective, this nullifies the real meeting of wills. We call the legislator to oblige the platforms to present clear prices for data as presented for goods in the markets.

Section Two: The Revolution of Smart Contracts on the Blockchain: A Legally and Technically Integrated Solution

We propose the use of blockchain technology for the formulation of self-executing smart contracts.

The mechanism of work: the user concludes a digital contract in which he determines the type of data, the period, the purpose, and the price. For example, half a dollar monthly for the improvement of the navigation maps.

The automatic execution: upon the arrival of data to the company, the amount is transferred automatically to the digital wallet of the user without the need for judicial or administrative intervention.

The legal effect: the transformation of the relationship from adhesion to a transparent and non-manipulable commercial exchange.

Section Three: The Classification of Proposed Licenses for Use

We propose a flexible model of licensing similar to creative licenses but with a commercial nature:

Exclusive Licensing: the sale of the right of exploitation of data to one company for a limited period at a high price.

Non-Exclusive Collective Licensing: allowing companies to use data in exchange for nominal cumulative fees against large accumulations of data.

Fair Barter Licensing: obtaining on data for their value on market services with transparency on the accounting of value, instead of cash money.

Section Four: The Essential Protection Clauses in the Contracts of Data

Any contract of exploitation of data must include obligatory clauses for the protection of the owner:

The clause of non-redefinition: the prohibition of trying to tie the data to the identity of the owner again.

The clause of limited purpose: the prohibition of using data for a purpose not agreed upon explicitly.

The clause of cross-border transfer: restricting the transfer of data to countries that do not possess equivalent protection at the level of the country of origin.

CHAPTER EIGHT

THE PRICING OF DATA: THE ECONOMICS OF DETERMINING THE VALUE OF OUR DIGITAL SELVES

Section One: The Problem of Pricing in a Non-Homogeneous Market

An exact economic analysis of the challenge of pricing the value of data. The data of one individual may be weak in value, but its value multiplies greatly upon its aggregation.

We discuss the theories of marginal value and how the individual contribution is essential to the completion of the big data, giving the individual a higher negotiating power than believed.

Section Two: The Models of Pioneering Pricing

The Model of Periodic Rent: the companies pay annual or monthly fees for the continuous access to the data of the user, similar to the subscription of Netflix but in reverse.

The Model of Distribution of Profits: the user obtains on a percentage of the net profits of advertisements or products generated directly from the analysis of his data.

The Model of the Reverse Auction: users present their data for sale, and the companies compete to present the highest price for obtaining on them.

Section Three: The Emergence of Data Syndicates and Trusted Intermediaries

To overcome the problem of the weakness of the negotiating power of the individual, we predict the emergence of intermediary entities that represent millions of users and negotiate in their name with the technological platforms on the basis of a fair collective price.

We propose a legal framework for the regulation of these syndicates and ensure the transparency of the distribution of returns on the members, and prevent their transformation into new exploiters.

Section Four: The Tax Role of the State in the Returns of Data

How does the state deal with the income of data? Is it considered an income from capital or an income from labor?

We propose a tax exemption for the income generated from the sale of personal data for the individual to stimulate the individual digital economy.

While progressive taxes are imposed on the companies that accumulate data without paying a fair compensation.

CHAPTER NINE

TOWARD A DIGITAL REAL ESTATE REGISTRY: THE REGISTRATION AND DISCLOSURE OF DATA

Section One: The Necessity of the Real Estate Registry for Data

As the ownership of real estate is not transferred except by documentation in the real estate registry, we propose the establishment of a central registry for the ownership of data and the transfer of rights over them.

This registry provides legal certainty, prevents the conflict over ownership, and establishes the priority of rights.

Section Two: The Technology of the Blockchain as a Technical Infrastructure

A detailed explanation of how to use the technology of distributed registers for the establishment of a non-modifiable registry, where every operation of collection, processing, or sale of data is recorded with a documented time stamp.

This solves the problem of proving the origin and source in the digital world.

Section Three: The Sovereign Digital Identity

The linking of the system of registration of data with a unified digital identity where the individual has full control through private encryption keys.

There is no intermediary entity that possesses the identity like Facebook or Google. The individual is the sole owner who grants temporary access to other parties.

Section Four: The Technical and Legal Challenges for Execution

The discussion of the obstacles: the high cost, the compatibility between old and new systems, the protection of encryption keys from theft or loss.

We propose solutions such as the social guardianship for the restoration of lost accounts.

PART FOUR

CIVIL AND CRIMINAL LIABILITY AND THE PROTECTION OF RIGHTS

CHAPTER TEN

CIVIL LIABILITY FOR THE VIOLATION OF THE OWNERSHIP OF DATA

Section One: The Development of the Forms of Assault on Informational Ownership

Here we monitor new types of civil crimes:

The non-authorized extraction: the extraction of patterns and behaviors from the data of the user without a licensing.

The use of data for a purpose outside the agreed scope: for example, data that was used for advertisements for political purposes.

The secondary sale without the knowledge of the original owner.

Section Two: The Pillars of Liability in the Digital Environment

A reformulation of the pillars of tortious liability to suit the nature of data:

The fault: the proof of the violation of the security protocols or the conditions of the contract suffices for the establishment of the fault.

The harm: the expansion of the concept of harm to include the potential economic loss of the opportunity of selling data at a higher price, and the moral digital harm of the violation of privacy.

Causation: the adoption of lightened theories of proof under the shadow of the complexity of algorithms, such as the presumption of causation if there is a defect in the system of the company simultaneous with the harm to the user.

Section Three: The Theories of Fair Compensation and Deterrence

The compensation of lost profit: calculated on the basis of what the user could have gained if he had sold his data in the free market.

The compensation of illegitimate exploitation: the complete recovery of the profits that the aggressor gained from the non-authorized use of data.

The punitive compensations: the imposition of massive fines commensurate with the size of the works of the global company, not only with the size of the harm of the individual, to ensure the real deterrence of the technological platforms.

Section Four: The Burden of Proof and Its Reversal

We propose a radical inversion of the rule of evidence upon the claimant in the cases of violation of data.

The burden of proof falls on the company that possesses the technology and the registers, not on the individual, to prove that there is no defect in its system that caused harm to the user. This achieves the procedural balance between a strong party and a weak party, technically.

CHAPTER ELEVEN

THE CRIMINAL PROTECTION OF THE OWNERSHIP OF DATA

Section One: The Criminalization of the Emerging Acts

A call to the legislator to criminalize acts that were not previously existing:

The crime of theft of digital identity.

The crime of forgery of the sources of data for the misleading of the algorithms of artificial intelligence.

The crime of organized trade in massive data without a licensing.

Section Two: The Appropriate Punishments for the Nature of the Crimes

Proportional fines: the linking of the value of the fines to the percentage of the works of the global company to ensure its deterrent effect.

Effective prison sentences: for the executives who order the methodological violations of the data of users.

Complementary punishments: the closure of the entity temporarily, the confiscation of the servers, and the prohibition of the practice of the activity of collection of data.

Section Three: The International Judicial Jurisdiction

The treatment of the problem of cross-border crimes. We propose the adoption of the principle of comprehensive jurisdiction for the crimes of massive data, or the establishment of a specialized international digital court for the disputes that exceed the borders of one state, as an application of a unified law.

Section Four: The Legal Dimension of the Crime and the Punishment

The analysis of the crimes of data in Islamic jurisprudence under the chapter of espionage, and the prohibition of spying, and the betrayal of trust, and the eating of money in vain.

Confirming the sanctity of data as the sanctity of money and the body, and the deserving of its perpetrator of the deterrent discretionary punishments.

CHAPTER TWELVE

THE FATE OF DATA AFTER DEATH: THE DIGITAL INHERITANCE

Section One: The Legal Nature of Data in the Estate

Does data die with the death of its owner? We affirm that data that possesses economic value becomes part of the digital estate that transfers to the heirs legally and legally.

Section Two: The Conflict of Wills of the Deceased Versus the Rights of the Heirs

A precise legal problem: does the heir have the right to access the private messages or the sale of the private data of the deceased after his death?

We propose a balance: the heirs have the right on the financial aspect of selling the aggregated data in exchange for a fair compensation, but they remain obligated to respect the moral and private aspect of the deceased, unless he has explicitly stated otherwise in his will.

Section Three: The Digital Will

The encouragement of individuals to record a clear digital will that determines the fate of their accounts, their files, or the sale of their data after death.

We propose the legal recognition of these wills before the technological platforms.

Section Four: The Current Legislative Void and the Proposed Solutions

A criticism of the current laws that neglect this aspect, and the proposal of explicit texts that regulate the procedures of the transfer of digital ownership to the heirs, and oblige the companies to deliver data or close accounts based on the documents of death and inheritance.

PART FIVE

THE FUTURE OF THE OWNERSHIP OF DATA IN THE SHADOW OF THE EMERGING CHALLENGES

CHAPTER THIRTEEN

ARTIFICIAL INTELLIGENCE AND THE OWNERSHIP OF DERIVED DATA

Section One: The Problem of the Trained Model

When an artificial intelligence is trained on millions of data to produce a smart model, who owns this model?

We reject the idea of the complete ownership of the company, and we propose the theory of relative joint ownership, where the contributing users deserve a symbolic share in the returns of the model throughout its life cycle.

Section Two: The Structural Data and the Legal Loopholes

An analysis of the danger of the use of structural data that mimics the laws of ownership of data to escape them.

We propose legislatively to consider the structural data as a derivative of the original data subject to the rights of their owners in the original.

Section Three: The Right of Non-Submission to Automatic Decision

The consolidation of the right of the individual to refuse decisions of a decisive nature taken on the basis of his data solely: insurance, employment, loans, with his right of review and human intervention.

CHAPTER FOURTEEN

THE HEALTH AND GENETIC DATA AND THE LIMITS OF THE TRADE OF THE BODIES

Section One: The Extreme Privacy and the Moral Constraints

Confirming that the genetic data is the biological map of life for the human person, and therefore its submission to the system of tied ownership is required.

Its sale is absolutely prohibited in a way that cuts its connection to its owner, and its use may be licensed for therapeutic or research purposes for a purpose and a period.

Section Two: The Model of the Digital Health Endowment

The revival of the idea of the Islamic endowment in the digital age: the donation of citizens of their health data as permanent charitable endowments, whose returns are invested in the financing of scientific research and local health care, instead of selling them to global pharmaceutical companies and taking their profits.

Section Three: The Prevention of Genetic Discrimination

Strict legislation that prevents the use of genetic data by the employers and the companies of insurance for the refusal of employment or the raising of prices, as a protection for human dignity and a prevention of the creation of a genetically discriminated class.

CHAPTER FIFTEEN

THE NATIONAL SOVEREIGNTY OF DATA AND THE DIGITAL COLONIALISM

Section One: The Concept of Data Colonialism

A critical analysis of how the advanced countries and companies extract data from the developing countries as cheap raw materials, and manufacture the added value in their countries, emptying the source of its future wealth and perpetuating its dependency.

Section Two: The Localization of Data Between Protection and Isolation

A balanced study of the policies of localization of data: the obligation of the storage of strategic and sensitive data locally, in the protection of sovereignty, with the openness of the flow of ordinary commercial data to ensure the growth of the digital economy.

Section Three: A Unified Arab Strategy for the Market of Data

A call for the establishment of a joint Arab market for data that allows the flow of data between the Arab countries under unified regulations, and the construction of massive regional data centers that make the region a digital hub globally, instead of being merely a consumer.

CHAPTER SIXTEEN

TOWARD A GLOBAL DIGITAL CONSTITUTION FOR DATA

Section One: The Need for a Binding International Treaty

A call for the formulation of a United Nations Charter for Data under an international umbrella that supersedes local laws, and guarantees the rights of individuals regardless of their nationality or the location of the servers.

Section Two: The Ten Principles of the Proposed Constitution

A formulated draft for the basic principles: the ownership of data belongs to those who generated them, the right to economic return, the right to deletion and forgetting, the absolute transparency in the algorithms, security as a fundamental right, non-discrimination, accountability, national sovereignty, international cooperation, and the legitimate interest.

Section Three: The Role of Civil Society and Non-Governmental Organizations

The activation of the role of international organizations and independents in monitoring the compliance of governments and companies with this new constitution, and the pressure on them for its adoption.

GENERAL CONCLUSION

THE RESTORATION OF DIGITAL DIGNITY AND THE FORMULATION OF THE FUTURE OF JUSTICE

Dear generous reader,

We have completed together an intellectual and legal journey through the corridors of the digital economy, in which we unveiled one of the greatest cases of structural injustice in the modern history of humanity: the theft of the informational wealth of individuals under the cover of free services.

The recognition of the ownership of data is not an academic luxury or a mere jurisprudential amendment, but an existential necessity for the restoration of balance in the twenty-first century. It is the transition from the age of surveillance capitalism, where the human person is a product, to the age of informational sovereignty, where the human person is a partner and an owner and a beneficiary.

This book places in the hands of the Arab and global legislator a complete roadmap: from the theoretical foundation in law and jurisprudence, through the technical mechanisms of distributed registers and smart contracts, to the systems of accountability and deterrence. It is a bold call for the breaking of monopoly and the redistribution of wealth, preserving human dignity in the face of the machine.

And the future of justice is not postponed, but is made. Today we begin this revolution of restoration.

Today we begin this revolution of restoration.

We begin today this revolution of restoration.

May God be the guardian of success, and He is the guide to the right path.

Praise be to God, and peace be upon the Prophet Muhammad.

COMPLETION

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END OF BOOK

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