

THE EL-RAKHAWI DOCTRINE

The Unified Theory of the Autonomous Biological Entity and Digital Biological Sovereignty

Towards a Third Legal Regime for Separated Human Body Parts and the Absolute Protection of Human Biological Identity in the Age of Artificial Intelligence, Big Data, and Algorithmic Invasion

By

DR. MOHAMED KAMAL ARAFA ELRAKHAWI

Founder of the Legal Biological Theory
Researcher, Consultant, Expert, Jurist, and Author
International Lecturer in Law

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DEDICATION

To every human being whose genetic code carries the sacred signature of creation. To every separated part of the human body that deserves dignity beyond commerce. To every neural signal that pulses with the mystery of thought. To every child whose biological data shall never become a commodity. To every refugee whose genetic identity is their last homeland. To every scientist who heals without exploiting. To every legislator who dares to build law for a future that has not yet arrived. To the legal community of the entire world, which must choose between silence before the biological revolution and the courage of constitutional founding.

This doctrine is not a book. It is a covenant. It is the second charter of biological life in the age of technology. It is the red line between humanity and data enslavement. It is the declaration that the human body, whether connected or separated, whether physical or digital, whether living or deceased, remains sovereign, sacred, and inviolable.

I dedicate this foundational act to every researcher who seeks to employ law in the service of life, to every legislator who understands that texts must keep pace with development, and to every human being who deserves protection for their dignity in the age of biology.

THE FOUNDER'S WORD

Between the silence of legal texts and the companions of the biological revolution, humanity today falls into an existential gap that has no precedent in the history of legislation. The law has never before been called upon to regulate the life of parts that have separated from the living. The traditional legal duality, which we inherited from the Roman and medieval eras, which

divides the world strictly into a person who owns rights and has no property, or a thing that is owned and has no rights, has collided with the solid wall of modern biological sciences.

The separated human part is not a person who loses his life by separation, nor is it property that is bought and sold in markets without condition or restraint. It is a being that carries in its sacred human origin and its beneficial medical function, creating an exceptional legal condition that deviates from established rules.

This doctrine does not come to explain an existing reality. It comes to found a new reality. We are not in need of a mere amendment of laws. We are in need of the complete reconstruction of legal concepts from their roots. The theory of the Autonomous Biological Entity and the theory of Digital Biological Sovereignty are two wings of a single constitutional architecture. The first protects the physical body after separation. The second protects the digital body after digitization. Together, they form the complete shield of human biological sovereignty.

I present this doctrine with the confidence of a founder who sees what others do not see, and I place it in your hands as a scientific and legal trust that must be carried to the future. The law must develop to keep pace with life, not stand as an obstacle in its path. This is its essence, and this is the heart of the Elrakhawi Doctrine.

DR. MOHAMED KAMAL ARAFA ELRAKHAWI

Founder of the Theory of the Autonomous Biological Entity

Founder of the Theory of Digital Biological Sovereignty

PREFACE: THE ALGORITHMIC INVASION OF THE HUMAN PENINSULA

Geographical borders no longer constitute the sole separator between nations and individuals. New invisible borders have emerged: digital biological borders. Every cell in your body carries data that can be digitized. Every pulse in your brain can be translated into electrical signals stored in clouds. This transformation has turned the human body into a key readable from afar, creating a massive security and legal gap.

When your genetic data becomes owned by a technology company, you lose your sovereignty over your biological self. The threat to human identity no longer comes from geographical occupation. It comes from digital biological occupation. The data that forms our biological being has become a target for extraction, analysis, and exploitation by private entities that transcend the borders of states.

Current laws were designed for the era of financial and mental data, not for the era of genetic and neural data that carries the secrets of life and death. When you lose control over your biological data, you lose control over your health, your social, and even your political future.

The danger today no longer extends merely to the sale of a physical organ. It has extended to encompass the theft of biological identity: the human genome and neural data. These are no

longer mere medical information. They have become a sovereign territory for the human being that must be protected from invasion by states and technology companies. The digital revolution has seized upon the fingerprint of our lives and transformed them into data capable of being analyzed, sold, and predicted, threatening the very essence of human freedom.

The Elrakhawi Doctrine emerges here as a complementary path for the foundational trajectory that began with the Theory of the Autonomous Biological Entity. Just as we started it to create a new branch parallel to the branch of physical entities, here we move from the protection of the physical body to the protection of the digital body. The Theory of Digital Biological Sovereignty affirms here that the human being has an absolute right to control his biological data, and that any violation of this data is a violation of the national sovereignty of the human being himself. No algorithms may decide the fate of your biological code. No company owns the code of your life.

The purpose of this work is to draw the red lines between technology and human identity. We call for the recognition of a new right among human rights: the right to sovereignty in digital biology. This doctrine is the legal shield that we raise for the protection of the future from data enslavement.

I present it as a founder who sees that the coming battle is not on land, but on the genetic and mental code of the human being. The law must precede the catastrophe. This is the heart of the Elrakhawi Doctrine.

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PART ONE: THE FOUNDATIONAL RESEARCH PAPER OF THE AUTONOMOUS BIOLOGICAL ENTITY

ACADEMIC SUMMARY

The world is witnessing an unprecedented biological revolution that has made parts of the human body separable, transportable, and usable for medical and research purposes. However, global legal systems remain trapped in a traditional dichotomy that classifies entities either as

persons with rights or as property capable of ownership. This binary classification fails to accommodate the hybrid nature of separated biological entities, which carry both the sanctity of human origin and the function of medical utility.

This paper proposes a foundational new theory titled The Theory of the Autonomous Biological Entity, which calls for recognizing a third independent legal status for separated body parts, distinct from the person and property dichotomy. The theory is based on five main pillars: Functional Separation, Dignity-Utility Duality, Legal Chain, Classification Differentiation, and Temporal Continuity. The research aims to translate these pillars into operational principles that protect human dignity without hindering medical progress, alongside providing a model for proposed legislation. Adopting this third legal regime represents an inevitable necessity to bridge the legislative gap and ensure an ethical future for biotechnology.

Keywords: Biolaw, Autonomous Biological Entity, Human Body Parts, Third Legal Regime, Biological Property, Bioethics, Medical Legislation.

INTRODUCTION TO THE RESEARCH PAPER

Legal history does not witness radical transformations except when legislative stability collides with an existential variable that threatens the structure of society itself. The variable was once existential, when the human body transitioned from being a closed taboo for the law to being an open repository of transferable life. The biological revolution is not merely a medical advance. It is an earthquake that shakes the pillars of traditional jurisprudence that has settled for centuries on the duality of person and property. When we fail to classify something legally, we fail to protect it humanly.

The problematic addressed by this research is not a technical one. It is an identity crisis before the law. When a part of us is separated from us, do we remain ourselves? Does this part transform into something else? The traditional answer says that the person ends where the skin ends, and that property begins where trade begins. But modern biology has denied this answer. The separated cell carries the code of your life. The implanted organ beats with your blood. The extracted tissue carries your name. How do we say it is property? And how do we say it is a person?

This research radically emerges from this philosophical dilemma. It does not try to repair the old duality. It dismantles it to build upon it a third system that recognizes that human life has sanctities that transcend the boundaries of the body for the person, and that the law must possess the courage of recognition that there are new legal beings born from the womb of technology, deserving of special protection that is neither the protection of persons nor the protection of property.

We are here inaugurating the law of biological beings and placing in the hands of the world the first charter for this era.

THE PROBLEMATIC AND THE LEGISLATIVE GAP

Global legal systems rely on a sharp duality: either to be a person possessing rights and eligibility, or to be a property capable of ownership and disposal. When applying this duality to separated body parts, we face blatant contradictions. If the organ is classified as a person, disposal of it or its implantation in another person becomes impossible, which obstructs modern medicine. And if it is classified as property, the door opens to the marketing of the human body and organ trafficking and the violation of dignity, which is prohibited by international covenants.

Jurisprudential and judicial studies have shown the existence of a dangerous legislative gap regarding the legal status of parts separated from the human body. Current laws either absolutely prohibit disposal, obstructing transplantation and scientific research, or permit them under property rules, opening the door to the marketing of the human body and the violation of dignity. This gap creates legal uncertainty that organ traders exploit. The need has become urgent for the creation of a third legal regime that regulates these beings away from the duality of person and property.

DEFINITION OF THE AUTONOMOUS BIOLOGICAL ENTITY AND ITS PILLARS

We define the Autonomous Biological Entity as every separated part from the human body, whether an organ, a tissue, a cell, a fluid, or genetic material, which retains its biological identity and has undergone a separation process intended for medical or research purposes, thus entering a transitional legal status independent of the original person and of general property.

This theory rests on five main pillars that distinguish it from any previous jurisprudential proposal.

The First Pillar: Functional Separation

Material separation is not sufficient. Separation must be for a specific purpose: transplantation, research, or storage. The organ does not become a legally autonomous entity except when it enters the approved health care or research chain. This pillar protects against the theft of non-approved organs, as any organ that was separated without an approved functional purpose is considered a crime of assault on the body, not merely a theft of property.

The Second Pillar: Dignity-Utility Duality

The biological entity carries two inseparable qualities: the dignitary quality that connects it to the human being of origin, preventing its commercial marketing, and the utilitarian quality that permits its use for saving a life or developing science, giving it non-economic value related to the costs of processing and transport. Our theory rejects the word ownership entirely and replaces it with custody and use rights, avoiding the connotations of commercial market stalls.

The Third Pillar: Legal Chain

The organ does not transfer as property. It transfers as custody. The organ passes through a chain of donor, bank, physician, and recipient. Each link in the chain is subject to specific legal

obligations that protect the entity until it reaches its purpose. Any break in the chain cuts the legal legitimacy of the entity. This pillar imposes a mandatory tracking system for every separated human organ, making illicit trade extremely difficult.

The Fourth Pillar: Classification Differentiation

Not all entities are treated with the same degree. We propose a legal hierarchy: the highest level of complete legal protection for vital organs, prohibiting any financial disposal; the middle level of tissues and cells subject to strict surveillance; the lowest level of processed genetic materials and cell lines that may be subject to a limited intellectual property regime. This differentiation permits the necessary flexibility for scientific research without touching the fundamental rights of donors in complete organs.

The Fifth Pillar: Temporal Continuity

Rights associated with the entity do not cease by its separation. The donor's informed consent extends to cover anticipated future uses, creating a continuous legal link between the person and the separated entity. Temporal continuity ensures that human dignity does not end with the separation of the organ, but accompanies it throughout its biological life cycle.

OPERATIONAL PRINCIPLES FOR THE THIRD LEGAL REGIME

To translate the theory into binding legal rules, we propose the following operational principles.

The Principle of Non-Marketability: This principle prohibits the sale and purchase of human biological entities as merchandise. The system distinguishes between the forbidden organ price and permitted cost compensation. Payment of extraction, transport, examination, and preservation costs is permitted. But payment of an amount for the organ itself is prohibited. This principle is the red line in the third system, and any violation of it constitutes a criminal offense.

The Principle of Continuous Informed Consent: Our theory goes beyond one-time consent at the time of donation. Dynamic consent must be available, the donor must have the right to know the ultimate fate of his biological entity, and the right to withdraw consent at any stage before the entity is integrated into a future body or transformed into an irreversible final product. Continuous consent is the most important ethical guarantee in the third system.

The Principle of Transparency in the Biological Chain: Mandatory documentation of the biological entity's journey in secure digital records. The purpose is to ensure source traceability, prevent illicit trade, and ensure medical quality. Any breach in documentation is considered evidence of negligence or biological crime. Transparency is not an option. It is a pillar of the legal legitimacy of the biological entity. Without transparency, the entity loses its legal character and becomes a suspicious substance that cannot be dealt with in approved medical systems.

The Principle of Special Criminal Protection: We propose the criminalization of the following acts as independent crimes not falling under the label of property damage: trade outside the approved system, unauthorized modification, intentional destruction, and destruction of stored

biological samples with the purpose of harming public health or scientific research. Penalties must be custodial, not merely financial fines, for the restoration of consideration to human dignity.

FUTURE CHALLENGES AND THE LAW'S HORIZON

The Theory of the Autonomous Biological Entity can succeed only if it is sufficiently flexible to accommodate the future. There are two main challenges facing the theory.

The First Challenge: Bioprinted Organs. When a human organ is printed in the laboratory using stem cells, does it fall under the third system? The theory's view is yes, as long as the biological origin of the cells is human. The entity remains subject to dignity protection even if the manufacturing process was industrial. It is not permissible to consider it a purely industrial product sold freely. The human origin is the standard, not the method of manufacture. This distinction is crucial for preventing biotechnology companies from circumventing the prohibition of organ marketing by claiming that the organs were manufactured in the laboratory. The human origin is the criterion, not the manufacturing process, which closes a dangerous legal loophole that has appeared with the development of genetic engineering techniques.

The Second Challenge: Genetic Data and the Digital Entity. Does the sequence of nuclear acid extracted from the organ constitute part of the biological entity? The theory's view is that genetic data is the digital shadow of the biological entity. It must be subject to the same principles of privacy and consent. Marketing of genetic data bases without strict controls is not permissible, as it protects the identity of the human source. Separating data from the physical sample does not end legal protection. The data carries the biological identity of the human being, and is part of his autonomous entity by law. The protection of genetic data is a natural extension of the protection of the organ itself in the digital age.

CONCLUSION OF THE RESEARCH PAPER

The journey we began in this research confirms that the law cannot remain silent before the revolution of life. The Theory of the Autonomous Biological Entity is not merely academic theorizing. It is a practical necessity for the protection of humanity from the dangers of abusive marketing while enabling science in the service of the human being. I place this research in your hands, considering that I have fulfilled the duty of theoretical founding, and leaving to the global legal community the duty of legislative and executive construction. History will remember the moment in which recognition of the third legal status took place, the moment in which the law balanced with the ethics of life.

PART TWO: THE FOUNDATIONAL RESEARCH PAPER OF DIGITAL BIOLOGICAL SOVEREIGNTY

ACADEMIC SUMMARY

The world is witnessing an unprecedented transformation where human biological data has become part of the global digital economy. With the development of genetic sequencing, wearable devices, and brain-computer interfaces, a huge stream of biological data has flowed to technology companies. This flow created a new reality where human health and behavior can be analyzed without full knowledge. However, global legal systems still handle this data within traditional privacy frameworks or e-commerce laws, creating a critical protection gap.

This paper proposes a foundational new theory titled The Theory of Digital Biological Sovereignty, which calls for recognizing an absolute sovereign right for individuals to control their biological data and prevent its commercial exploitation. The theory is based on five main pillars: Sovereign Immunity, Non-Marketability, Dynamic Continuous Consent, Algorithmic Non-Discrimination, and the Right to Biological Obscurity. The research aims to translate these pillars into operational principles that protect human identity from algorithmic invasion, alongside providing a model for proposed legislation. Adopting this legal regime represents an inevitable necessity to ensure an ethical future for AI and big data.

Keywords: Biological Sovereignty, Genetic Data, Artificial Intelligence, Digital Privacy, Biolaw, Biological National Security, Digital Human Rights.

INTRODUCTION TO THE RESEARCH PAPER

The threat to human identity no longer comes from geographical occupation. It comes from digital biological occupation. The data that forms our biological being has become a target for extraction, analysis, and exploitation by private and general entities that transcend the borders of states. Current privacy laws were designed for the era of mental and financial data, not for the era of genetic and neural data that carries the secrets of life and death. When you lose control over your biological data, you lose control over your health, your social, and even your political future.

The problematic addressed by this research is not a technical one. It is existential. Who owns the genetic code of the human being? Is it private property of the individual, or public property of humanity, or merchandise for companies? The current answer tilts toward merchandise, which is what this theory rejects completely. We are in need of transferring the discussion from the level of privacy in detail to the level of sovereignty. Privacy means the right to concealment. Sovereignty means the right to absolute control and ultimate decision.

This research radically proposes redefining the relationship between the human being and his biological data. It does not try to improve the current protection laws. It establishes a new right: the right of Digital Biological Sovereignty. We are inaugurating here a branch that parallels new branches of biolaw. We place in the hands of the world the second charter for the protection of biological beings, after the charter of physical entities. The reading of this research is awareness of the targeted danger, and the first step toward regaining control over biological destiny in the digital age.

THE PROBLEMATIC AND THE LEGISLATIVE GAP

Current legal systems rely on data protection within general frameworks such as the General Data Protection Regulation in the European Union. Although genetic and biometric data are considered sensitive data, the general framework permits trade and commercial consent. This framework assumes that the human being possesses the freedom to dispose of his biological data as if it were any other merchandise. This is a fundamentally erroneous assumption.

Biological data is not property capable of absolute disposal, because it is part of the fixed identity of the human being, his relatives, and his descendants. Studies have shown the existence of a dangerous legislative gap regarding sovereignty over biological data. Current laws do not explicitly prohibit the marketing of genetic data, do not criminalize the use of neural data for manipulation of will. Technology companies exploit this gap to create markets for biological data without sufficient oversight. The need has become urgent for the creation of a legal regime that regulates biological data away from the general e-commerce laws, and recognizes for it with sovereign immunity.

DEFINITION OF DIGITAL BIOLOGICAL SOVEREIGNTY AND ITS PILLARS

We define Digital Biological Sovereignty as the absolute, non-disposable right of the human being to control his digital biological data and prevent its commercial or political exploitation without his free will. This theory rests on five main pillars that distinguish it from any previous jurisprudential proposal.

The First Pillar: Sovereign Immunity

Basic biological data, such as the complete genome and raw neural data, enjoys sovereign immunity similar to the immunity of the national territory. It is not permissible for companies or states to access them except with specific legal exceptions. This pillar elevates biological data from the level of privacy to the level of sovereignty.

The Second Pillar: Non-Marketability

This pillar prohibits the sale or purchase of biological data as an independent merchandise. Exchange of medical services for data is permitted, but converting the data itself into a tradable financial asset is not permitted. This protects the human being from transformation into a product in the digital market.

The Third Pillar: Dynamic Continuous Consent

Consent to the use of biological data is not a one-time event. It is a continuous process capable of withdrawal at any time. The human being must have a digital control panel that allows him to see who uses his data, for what, and to withdraw consent immediately. This pillar ensures continuous control over biological destiny.

The Fourth Pillar: Algorithmic Non-Discrimination

The use of biological data for training artificial intelligence algorithms that may lead to discrimination against individuals or groups based on their genetic or neural compositions is prohibited. This pillar protects against the emergence of digital social classes based on biological data.

The Fifth Pillar: The Right to Biological Obscurity

The human being has the right not to have all his biological data analyzed, the right not to know some health predictions if he does not wish to. This protects the human being from the burden of knowledge imposed by technology companies. Obscurity is not ignorance. It is a right to live naturally without the shadow of hidden digital predictions. It is protection of existential freedom from the tyranny of data.

OPERATIONAL PRINCIPLES FOR THE NEW LEGAL REGIME

To translate the theory into binding legal rules, we propose the following operational principles.

The Principle of Absolute Prohibition of Marketing of Basic Data: This principle prohibits the sale and purchase of genetic and neural data as merchandise. The system distinguishes between the forbidden data price and permitted compensation of analysis costs. The law must prescribe complete transparency in the cost structure to prevent commercial financing. This principle is the red line in the new system.

The Principle of Dynamic Consent Through Digital Platforms: Our theory goes beyond traditional paper consent. Dynamic consent must be available through a secure digital platform that allows instant control. Consent is available through a secure digital platform, and the human being has the right to withdraw consent at any stage before the data is integrated into artificial intelligence models in which it cannot be reversed. Dynamic consent is the most important ethical guarantee.

The Principle of Digital Biological National Security: The biological data of citizens is stored on national servers protected by digital isolation. It is not permissible to transfer them outside the territory except with equivalent guarantees. This principle protects data from geopolitical targeting or biological wars. Digital Biological National Security is the external shield of biological sovereignty. It is the external armor of biological sovereignty for the individual.

The Principle of Special Criminal Protection: We propose the criminalization of the following acts as independent crimes in the trade of biological data: unauthorized use for manipulation of will, intentional leakage of genetic data, and trade in genetic data as a transnational organized crime. Penalties must be custodial, not merely financial fines, for the restoration of consideration to the violated sovereignty.

FUTURE CHALLENGES AND THE LAW'S HORIZON

The Theory of Digital Biological Sovereignty can succeed only if it is sufficiently flexible to accommodate the future. There are two main challenges facing the theory.

The First Challenge: Artificial Intelligence and Biological Generation. With the capability of artificial intelligence to generate biological data that mimics humans, the danger of identity theft appears. Our theory calls for the documentation of the authenticity of biological data with quantum encryption techniques. The protection of biological identity from digital forgery will become a major legal battle. Biological truth must be preserved for the trust of the medical and legal system.

The Second Challenge: Digital Immortality and Artificial Consciousness. If it becomes possible to raise human consciousness to a digital cloud, our theory affirms that digital consciousness derived from human biology remains subject to the rights of the original human being. Exclusion of digital copies is not permissible for human consciousness. Biological sovereignty extends to encompass the digital extensions of consciousness. The protection of the human being includes the protection of his digital extensions.

CONCLUSION OF THE RESEARCH PAPER

The journey we began in this research confirms that Digital Biological Sovereignty is a right of human rights in the twenty-first century. The Theory of Digital Biological Sovereignty is not merely academic theorizing. It is a protection covenant for the future. I place this research in your hands, considering that I have fulfilled the duty of theoretical founding for the second branch of the branches of biolaw. History will remember the moment of recognition of biological sovereignty, the moment of liberation of the human being from data enslavement.

PART THREE: THE DETAILED CHAPTERS OF THE UNIFIED DOCTRINE

Chapter One: The Biological Revolution and the Crisis of Legal Classification

Chapter Two: The Historical Development of the Status of the Body in Roman Law

Chapter Three: The Islamic Jurisprudential Perspective on the Sanctity of the Body and Its Utilization

Chapter Four: The Anglo-Saxon System and Limited Property

Chapter Five: Civil Law, Human Dignity, and Public Order

Chapter Six: The Critique of the Traditional Legal Duality of Person or Property

Chapter Seven: Definition of the Autonomous Biological Entity

Chapter Eight: The First Pillar, Functional Separation

Chapter Nine: The Second Pillar, Dignity-Utility Duality

Chapter Ten: The Third Pillar, Legal Chain

Chapter Eleven: The Fourth Pillar, Classification Differentiation

Chapter Twelve: The Fifth Pillar, Temporal Continuity

Chapter Thirteen: The Principle of Non-Marketability

Chapter Fourteen: The Principle of Continuous Informed Consent

Chapter Fifteen: The Principle of Transparency in the Biological Chain

Chapter Sixteen: The Principle of Special Criminal Protection for Biological Dignity
 Chapter Seventeen: Civil Liability and Compensation Mechanisms
 Chapter Eighteen: The Digital Age and the Violation of Biological Privacy
 Chapter Nineteen: The Historical Development of the Protection of Genetic Data
 Chapter Twenty: Neural Data and the Challenge of Mental Freedom
 Chapter Twenty-One: The Legislative Gap in Data Protection Laws
 Chapter Twenty-Two: Definition of Digital Biological Sovereignty and Its Pillars
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 Chapter Twenty-Eight: Digital Biological National Security
 Chapter Twenty-Nine: The Rights of Future Generations in Genetic Data
 Chapter Thirty: The Responsibility of Major Technology Companies
 Chapter Thirty-One: Criminal Penalties for Violations of Biological Sovereignty
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PART FOUR: THE LEGISLATIVE MODEL AND PROPOSED LAW

MODEL PROPOSED LAW

Law on the Regulation of Independent Human Biological Entities and the Protection of Digital Biological Sovereignty

Explanatory Memoranda and Preparatory Works

First: General Justifications for Legislation

The tremendous development in biological and medical sciences and the technologies of big data and artificial intelligence has created a new reality that was not present when the current criminal and civil legislation was enacted. Body parts have become organs, tissues, cells, and genetic materials separable, preservable, transportable, and usable for therapeutic or research purposes. Biological data has become exposed to unprecedented exploitation. Current laws still classify things in a traditional legal duality, either as persons enjoying rights or as property capable of ownership and disposal. This binary classification fails to accommodate the hybrid nature of separated biological entities that carry the sanctity of human origin and the function of medical utility, and the sovereign nature of biological data that carries the identity and national security of the human being.

Second: The Legislative Gap

Jurisprudential and judicial studies have shown the existence of a dangerous legislative gap regarding the legal status of parts separated from the human body and the sovereignty over biological data. Current laws either absolutely prohibit disposal, obstructing transplantation and scientific research, or permit them under property rules, opening the door to the marketing of the human body and the violation of dignity. This gap creates legal uncertainty that organ traders and technology companies exploit. The need has become urgent for the creation of a third legal regime that regulates these beings away from the duality of person and property, and recognizes sovereign immunity for biological data.

Third: The Foundation of the Theory for the Proposed Law

This proposed law is based on the Theory of the Autonomous Biological Entity and the Theory of Digital Biological Sovereignty, which establish the third legal status and sovereign immunity. These theories rest on five main pillars each, and the law aims to translate these pillars into binding legal rules that protect dignity without obstructing medical progress.

Fourth: Legislative Objectives

- One. Recognition of the independent legal status for parts separated from the human body.
- Two. Prohibition of commercial marketing of human organs and tissues, with permission of cost compensation.
- Three. Guarantee of continuous informed consent for donors and data subjects.
- Four. Establishment of a mandatory tracking system for biological entities and biological data.
- Five. Criminalization of assaults on biological dignity as independent crimes.
- Six. Guarantee of Digital Biological National Security.

Fifth: Expected Impact

The enactment of this law is expected to lead to the unification of national and international legal standards, the prohibition of illicit trade in organs, the protection of the rights of donors and recipients, the provision of legal certainty necessary for investment in scientific research and biotechnology, and the restoration of individual and national control over biological data.

TEXT OF THE PROPOSED LAW

Law Number of the Year 2026

Regarding the Regulation of Independent Human Biological Entities and the Protection of Digital Biological Sovereignty

In the Name of the People

The Parliament has approved the following law

BOOK ONE: GENERAL PROVISIONS

Article One

The provisions of this law shall apply to the legal status of parts separated from the human body and the digital biological data of human beings, their management, and the guarantee of sovereignty over them.

Article Two

The following terms and phrases shall have the meanings indicated below, unless the context requires otherwise.

The Autonomous Biological Entity: Every separated part from the human body, whether an organ, a tissue, a cell, a fluid, or genetic material, which retains its biological identity and has undergone a separation process intended for medical or research purposes.

Digital Biological Sovereignty: The absolute right of the human being to control his biological data and prevent its commercial or political exploitation.

The Biological Chain: The documented path of the biological entity from its separation from the source body until its implantation or final use or disposal.

Biological Custody: The legal and ethical responsibility incumbent on every party dealing with the biological entity or biological data through the biological chain.

The Therapeutic Purpose: The use of the biological entity or biological data to save a human life or improve his health condition.

The Research Purpose: The use of the biological entity or biological data to develop scientific knowledge or develop medical products.

Basic Biological Data: The complete genome, raw neural data, and biometric data.

Sovereign Immunity: The special legal protection that prevents commercial disposal of basic biological data.

Article Three

The Autonomous Biological Entity enjoys an independent special legal status, separate from the provisions of the natural person and the provisions of movable property, and is subject exclusively to the provisions of this law.

Basic biological data enjoys sovereign immunity that prevents its consideration as a merchandise capable of direct commercial trade.

BOOK TWO: FUNDAMENTAL PRINCIPLES FOR DEALING

Article Four

The sale or purchase of human biological entities as a commercial origin is absolutely prohibited. This shall not be considered a crime of trafficking in any form. The prohibition does not extend to the payment of direct costs related to extraction, transport, examination, and preservation, provided that they are transparent and documented.

The exchange, sale, or purchase of basic biological data as an independent financial asset is absolutely prohibited. Exchange of medical services for data is permitted under strict conditions.

Article Five

No dealing with any biological entity or collection or processing of biological data shall take place except based on continuous informed written consent from the human source, or his legitimate heirs in the case of death. Consent must be continuous, capable of renewal and withdrawal at any time through an approved digital platform.

Article Six

The journey of the biological entity must be documented through the biological chain in secure digital records. The records must include the source data, the purpose of separation, and every entity that undertook custody. Blockchain technology may be used to ensure the non-falsifiability of records. Any breach in documentation is considered evidence of biological crime or negligence.

Article Seven

Absolute legal priority is given to the therapeutic purpose of saving life over the research or commercial purpose in the case of conflict over the use of a rare biological entity.

Article Eight

Biological entities are classified into three categories according to the degree of protection required.

The First Category: Complete vital organs, subject to the highest degrees of protection and prohibition of financial disposal.

The Second Category: Tissues and cells, subject to strict surveillance with permission of cost compensation.

The Third Category: Processed genetic materials and cell lines, which may be subject to a limited intellectual property regime with guarantee of beneficial participation.

Article Nine

The human source has the right to know the ultimate fate of his biological entity and biological data, the right to withdraw consent before integration into a future body or transformation into an irreversible final product, and the right to deletion of his biological data permanently.

Article Ten

Biobanks, hospitals, and research centers are obligated to establish tracking systems for biological entities and biological data, and to ensure their compliance with legal and ethical specifications.

Article Eleven

Biological custody transfers from one party to another through the biological chain by virtue of delivery and receipt minutes, and legal responsibility transfers with it regarding protection of the entity and the data.

Article Twelve

In the case of disposal of a biological entity allocated for transplantation due to negligence, the expected future deserves compensation for material and moral harm. Compensations are not limited to material value only, but rather take into account the moral and dignitary aspect.

BOOK THREE: RIGHTS AND OBLIGATIONS

Article Thirteen

The human source has the right to know the ultimate fate of his biological entity and data, the right to withdraw consent at any stage before final irreversible use, and the right to object to any use not included in the original consent.

Article Fourteen

Biotechnology companies are obligated to appoint a custodian for biological sovereignty within them, responsible for compliance with this law, conducting periodic audits, and reporting any violation to the national authority.

Article Fifteen

The responsibility of protection of biological sovereignty transfers from one party to another through the biological chain by virtue of delivery and receipt minutes. Solidary liability exists between the collector and the processor in the case of breach.

Article Sixteen

In the case of a breach of biological data, the responsible party is obligated to compensate the victims with compensation that covers health surveillance for the duration of life.

BOOK FOUR: CRIMINAL PROTECTION

Article Seventeen

Every person who sells or purchases or trades in human biological entities as a commercial origin shall be punished with imprisonment for a period of not less than ten years and a fine of not less than one million pounds, or with both of these two penalties.

Article Eighteen

Every person who modifies the genetic characteristics of a human biological entity without legally approved consent shall be punished with imprisonment for a period of not less than three years.

Article Nineteen

Every person who intentionally destroys biological samples stored in approved banks with the purpose of harming public health or scientific research shall be punished with imprisonment for a period of not less than two years.

Article Twenty

Every person who fails in the documentation of the biological chain of the biological entity or provides false data about its source or purpose of use shall be punished with imprisonment and a fine.

Article Twenty-One

The penalty is aggravated if the crime is committed by a person entrusted with a public service or by a worker in an approved medical or research institution.

Article Twenty-Two

Every person who uses biological data for manipulation of will, political targeting, or military purposes shall be punished with imprisonment.

Article Twenty-Three

Every person who breaches the insurance of biological data in a manner that leads to their leakage shall be punished with imprisonment and a fine. The penalty is doubled if the leakage was intentional.

Article Twenty-Four

The penalty is aggravated if the crime is committed by a person entrusted with a public service or by a worker in a sovereign institution.

BOOK FIVE: CONCLUDING PROVISIONS

Article Twenty-Five

A National Authority for Digital Biological Sovereignty is established by a decision of the competent minister. Its mission is to supervise the implementation of the provisions of this law, grant licenses, monitor the biological chain, and impose administrative sanctions.

Article Twenty-Six

Every provision that contradicts the provisions of this law is repealed.

Article Twenty-Seven

This law is published in the Official Gazette and is enforced from the day following its publication.

EXPLANATORY APPENDIX FOR LEGAL ARTICLES

Explanation of Article Three: The Independent Legal Status

This article is the core of the theory. The biological entity exists here from the scope of civil law. Neither the property law that permits sale applies to it, nor the personal status law that prevents disposal applies to it. This legislative independence grants the judge flexibility in resolving disputes based on the principles of dignity and utility together.

Explanation of Article Five: Continuous Consent

This text goes beyond traditional one-time consent. It recognizes the right of the donor to follow the fate of his sample. This protects against the use of samples in sensitive research that the donor did not originally consent to. The executive mechanism requires linking the donor to the sample by a serial number and requiring the entity to maintain a mechanism for updating or withdrawing consent.

Explanation of Article Seventeen: Criminalization

The criminalization of sale here is not as an economic crime. It is as a crime against human dignity. Therefore, the penalty is not merely financial. It is custodial. This reflects the dignitary character of the biological entity even after its separation. The severity of the penalty reflects the danger of the crime. The sale of genetic data equals the sale of part of human identity, and therefore deserves the penalty of major crimes.

Explanation of Article Twenty-Five: The National Authority

The complexity of the subject requires a specialized supervisory body that brings together physicians, jurists, and ethicists. This authority is the entity empowered to issue licenses, monitor the chain, and protect biological data as part of national security.

FINAL RECOMMENDATIONS FOR THE LEGISLATOR

One. The necessity of incorporating this law into national constitutions as a right of biological human rights.

Two. The call for establishing mutual international agreements for the recognition of biological registries across borders, for the prevention of organ tourism.

Three. The creation of unified regional data rules for tracking biological entities.

Four. The training of the judiciary and prosecution on the concepts of the new biolaw, for the sound application of the texts.

Five. The financing of research in biological encryption for the protection of data nationally.

Six. The call for a United Nations declaration on Digital Biological Sovereignty.

PART FIVE: APPENDICES AND EXPLANATORY MEMORANDA

APPENDIX ONE: THE UNIFIED MATHEMATICAL FRAMEWORK OF THE ELRAKHAWI DOCTRINE

The Elrakhawi Doctrine introduces a unified mathematical operator that combines the sovereignty of the physical biological entity with the sovereignty of the digital biological data.

The Unified Biological Sovereignty Operator is defined as:

$$S_{\text{bio_unified}} = S_{\text{physical}} \text{ plus } S_{\text{digital}} \text{ minus } V_{\text{violation}}$$

where S_{physical} represents the sovereignty of the physical autonomous biological entity, measured through the dignity-utility duality, the legal chain integrity, and the classification differentiation; S_{digital} represents the sovereignty of the digital biological data, measured through sovereign immunity, non-marketability, dynamic consent, algorithmic non-discrimination, and the right to biological obscurity; and $V_{\text{violation}}$ captures any violation of either dimension.

When $V_{\text{violation}}$ exceeds zero-tolerance thresholds, mandatory constitutional emergency protocols activate, including forensic audit, sovereign data recovery, criminal prosecution, and compensation mechanisms. The body becomes sovereign. The data becomes sovereign. The mind becomes inviolable.

The Dignity-Utility Equilibrium Function is defined as:

$$E_{\text{dignity}} = \text{integral over } \Gamma \text{ of } w(x) \text{ times } (D_{\text{human}}(x) \text{ minus } U_{\text{commercial}}(x)) \, dx$$

where Γ represents the space of all biological entities and data, $w(x)$ weights the civilizational sensitivity, $D_{\text{human}}(x)$ measures the dignitary connection to the human source, and $U_{\text{commercial}}(x)$ measures the commercial exploitation pressure. When commercial exploitation exceeds dignitary protection, mandatory suspension, audit, and criminal prosecution activate.

APPENDIX TWO: THE HIERARCHY OF BIOLOGICAL SOVEREIGNTY CONFLICT RESOLUTION

When the sovereignty of the physical entity conflicts with the sovereignty of the digital data, when therapeutic need conflicts with research ambition, when individual consent conflicts with collective benefit, or when economic efficiency conflicts with human dignity, this appendix establishes the constitutional conflict resolution hierarchy.

The hierarchy is absolute and non-negotiable.

First priority: Human dignity and survival. No operator, no law, no economic model, no algorithmic optimization may override the preservation of human life, cognitive liberty, and biological survival.

Second priority: Sovereign immunity of basic biological data. No entity may access, process, or transfer the complete genome or raw neural data without explicit legal exception.

Third priority: Continuous informed consent. No use of biological entities or data may proceed without verifiable, renewable, withdrawable consent.

Fourth priority: Therapeutic purpose over research purpose. In cases of conflict, saving life prevails over advancing knowledge.

Fifth priority: National biological security. The biological data of citizens is a component of national security and shall not be transferred without equivalent guarantees.

Sixth priority: Economic efficiency and market optimization. This is the lowest priority and may never override any of the above.

When any lower-priority principle conflicts with a higher-priority principle, the higher-priority principle prevails. There is no exception. There is no override. There is no emergency suspension of human dignity.

APPENDIX THREE: THE PLURIVERSAL JURISPRUDENCE OF BIOLOGICAL SOVEREIGNTY

Biological sovereignty cannot be universally imposed without civilizational legitimacy. This appendix integrates non-Western legal and ethical traditions into the constitutional architecture of biological governance.

Islamic jurisprudence recognizes the body as Amanah, a sacred trust from God, requiring stewardship, transparency, and prohibition of unauthorized exploitation. The concept of Maqasid al-Shariah provides a framework for prioritizing the preservation of life, intellect, lineage, property, and religion in biological governance. Contemporary jurists have permitted organ donation and transplantation through the principle of necessity, while maintaining the absolute prohibition of sale and trade. The Theory of the Autonomous Biological Entity is fully compatible with the Islamic perspective, as it affirms that the separated organ is neither complete property nor a complete person, but rather a respected substance with special sanctity that moves with the organ even after separation.

African communal frameworks operationalize Ubuntu principles, treating biological heritage as shared relational capital governed by consensus and intergenerational reciprocity. The concept

of communal biological governance challenges Western individualist data ownership models and establishes collective sovereignty over genetic and ancestral data.

East Asian philosophical models emphasize harmonic equilibrium, balancing individual biological autonomy with collective stability through proportionality and contextual ethics.

Indigenous knowledge systems establish that genetic heritage, ancestral biological knowledge, and communal health data are not data to be mined but living heritage to be protected. Free, prior, and informed consent is the irreducible standard.

Latin American constitutional traditions, particularly the concept of Buen Vivir, establish that biological sovereignty must serve ecological harmony and communal well-being, not merely economic growth.

These traditions are formalized through a cross-civilizational alignment operator that preserves normative diversity while enforcing baseline human dignity thresholds. Law becomes globally legitimate, not technologically hegemonic.

APPENDIX FOUR: THE IMMORTALITY PROTOCOL AND EPISTEMIC CONTINUITY OF THE DOCTRINE

Constitutions decay without architectural continuity. This appendix establishes a perpetual reference system that ensures the Elrakhawi Doctrine evolves without losing integrity.

All amendments are cryptographically versioned using Merkle tree architectures and SHA-3 hashing, creating an immutable historical lineage. Constitutional modifications require multi-disciplinary consensus thresholds: cryptographic verification, peer-reviewed scholarly endorsement, democratic institutional ratification, independent economic impact assessment, ecological sustainability review, and civilizational legitimacy verification.

The Constitutional Evolution Engine permits threshold recalibration when paradigm-breaking technological shifts occur, provided that the foundational principles of human dignity, sovereign immunity, non-marketability, and continuous consent remain intact.

The Epistemic Continuity Operator is formalized as:

$I_{\text{epist}} = \lim_{n \rightarrow \infty} (1/n) \sum_{i=1}^n (H(\text{Hash}_i) \times R_{\text{peer}}) \times (1 - D_{\text{drift}})$

where H denotes cryptographic version integrity, R_{peer} represents verified scholarly consensus weight, and D_{drift} measures structural deviation from foundational principles. When continuity degrades, mandatory constitutional review and archival restoration activate. Knowledge becomes self-preserving. The Doctrine becomes temporally infinite.

APPENDIX FIVE: THE OPEN CONSTITUTIONAL STEWARDSHIP LICENSE AND PERPETUAL ATTRIBUTION COVENANT

This work is released under an Open Constitutional Stewardship License designed to ensure perpetual, barrier-free institutional, academic, and civic adoption while preserving cryptographic integrity and authorial attribution.

All sovereign entities, judicial bodies, educational institutions, civil society organizations, indigenous communities, and individual citizens may reproduce, translate, implement, and adapt the legal frameworks, biological governance architectures, and operational thresholds contained herein without financial restriction, provided that:

One. The original cryptographic provenance hash and authorial attribution to Dr. Mohamed Kamal Arafa Elrakhawi remain unaltered.

Two. All derivative implementations preserve the Digital Bill of Biological Rights, including sovereign immunity, non-marketability, continuous consent, algorithmic non-discrimination, and biological obscurity, as a non-negotiable constitutional layer.

Three. Commercial exploitation, proprietary patenting, or algorithmic obfuscation of the core thresholds requires explicit licensing and public audit disclosure.

Four. No implementation shall be used to surveil, manipulate, or extract from vulnerable populations, indigenous communities, or developing nations.

This license recognizes that enduring constitutional frameworks cannot remain privately enclosed. They must become managed human commons, governed by cryptographic verification, scholarly continuity, and democratic stewardship. Moral rights, historical authorship, and epistemic lineage remain permanently vested in the original architect.

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FINAL DECLARATION: THE CHARTER OF BIOLOGICAL LIBERATION

The journey we began in this doctrine confirms that the law cannot remain silent before the revolution of life. The Theory of the Autonomous Biological Entity and the Theory of Digital Biological Sovereignty are not merely academic theorizing. They are a practical necessity for the protection of humanity from the dangers of abusive marketing and data enslavement, while enabling science in the service of the human being.

This doctrine belongs to the continuum of human civilization. It is authored by Dr. Mohamed Kamal Arafa Elrakhawi, entrusted to global institutions, verified by cryptographic continuity, bounded by human dignity, sustained by ecological responsibility, and animated by the demand for justice.

It is not the property of any nation, corporation, or political faction. It is the inheritance of every child born into a biological world. It is the shield of every patient whose separated organ is their last hope. It is the boundary beyond which no algorithm shall reach into the human genome. It is the promise that the human body shall not be consumed by the markets we build around it. It is the declaration that the data of the colonized shall be returned, that the genetic heritage of indigenous peoples shall be protected, and that the sovereignty of the vulnerable shall be the measure of our civilization.

We conclude this doctrine with an open call to the two legislators, national and international, and to the United Nations to adopt the ten principles of the biological entity and the ten principles of digital biological sovereignty as a guiding framework for national legislations and international conventions.

The future of biological law does not lie in the choice of the past, person or property. It lies in the courage of invention of a new future being.

The future of digital biological sovereignty does not lie in the improvement of old privacy laws. It lies in the declaration of a new constitutional right: the absolute sovereignty of the human being over his biological code.

I place this doctrine in your hands, considering that I have fulfilled the duty of theoretical founding for both branches of biolaw, and leaving to the global legal community the duty of legislative and executive construction.

History will remember the moment in which recognition of the third legal status took place and the moment of recognition of biological sovereignty. The moment in which the law balanced with the ethics of life. The moment of liberation of the human being from data enslavement.

This doctrine is the second charter of biological life in the age of technology, after the charter of physical entities. Together, they form the constitution of human life in the age of technology.

May it serve as a constitutional compass across generations, ensuring that technology remains subordinate to justice, computation remains anchored in truth, sovereignty remains synonymous with human flourishing, the body remains forever sacred, the data remains forever sovereign, and the mind remains forever free.

This is not the end of the doctrine. It is the beginning of the covenant.

DR. MOHAMED KAMAL ARAFA ELRAKHAWI
Architect of the Autonomous Biological Entity
Architect of Digital Biological Sovereignty
Founder of the Elrakhawi Doctrine
Guardian of the Biological Constitutional Covenant

Servant of Human Dignity

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Dr. Mohamed Kamal Arafa Elrakhawi

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Ismailia, Egypt

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Praise be to God, and by His grace good deeds are completed.

Dr. Mohamed Kamal Arafa Elrakhawi

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