

21. Rights

‘The light dove, in free flight cutting through the air the resistance of which it feels, could get the idea that it could do even better in airless space.’

Immanuel Kant

Synopsis: *Rights are not claims but permissions (1–3); Rights are material (4); Rights, as materialised in regulation on each information platform that is the state, are specific each time to certain categories of individuals (5).*

1. Rights are not claims but permissions*

A right is a permission for a Being to process information on a dataset (another Being or a Thing).

A right is not a claim to do something, a request for a specific processing of information to take place. Because Beings⁶¹⁹ have a permanent will to process information,⁶²⁰ a claim to process is considered present each time, that is, it is a constant—it is not something that can be used to distinguish between two conditions (i.e. a claim and a non-claim by an individual). In other words, individuals, as Beings, will always want to act, to process information.⁶²¹ Whenever allowed (and able⁶²²) to do so, they have a right to do so.

619 Rights are primarily addressed to humans, as individualised through their states. As far as other Beings are concerned, organisations can have rights and are afforded to them in regulation; animals whenever afforded ‘rights’ fall under the category of protected Things, below; while the issue of the rights of artificial Beings remains, as yet, undecided. On the ‘rights’ afforded in certain states to Things so as to protect them, i.e. to prohibit certain types of processing on them that would otherwise be possible, see Chap. 25, par. 5.

620 See Chap. 5, par. 2.

621 Of course, not all individuals for each instance of processing but one or more individuals for each: not everyone wants to eat something at the same time and not everyone wants to build on a specific plot of land, but someone at any given moment does.

622 See par. 3.

2.

Rights are permissions that are, in effect, afforded⁶²³ by the information platform that is the state. Because the state controls all information processing taking place on its platform, all permissions for its citizens to act, all rights come from it and are controlled by it.

Of course, control can be delegated,⁶²⁴ which allows for rights to be (seemingly, only in appearance) afforded by one individual to another.

3.

Therefore, from the individual's point of view, a right is the actual⁶²⁵ ability to act, a permission granted to process information, and thus ultimately connected with liberty.⁶²⁶

A right gives access⁶²⁷ to a dataset—and, in turn, enables the processing that creates new information.⁶²⁸

4.

Rights are material.⁶²⁹ They are materialised on the information platform that is the state through regulation.⁶³⁰

5.

Rights, as materialised in regulation on each information platform that is the state, are specific each time to certain categories of individuals (for

623 Meaning that their existence is made possible by the state—whether they are afforded (or rather which ones are afforded, with none not being an option for humans) is a matter of politics (see Chap. 20, par. 6).

624 See Chap. 6, par. 7.

625 See Chap. 5, par. 8.

626 See Chap. 25, par. 8.

627 Of course, if seen from the point of view of that dataset, be it a Being or a dataset over which another Being has already established control (as is invariably the case, see Chap. 6, par. 3), such granting of access is an obligation. In other words, one Being's right is another's obligation. On access, see also Chap. 6, par. 6.

628 See Chap. 6, par. 4.

629 As are control and processing; see Chaps. 6, par. 1, and 4, par. 4.

630 See Chap. 20.

21. Rights

example, adults, employees, children, consumers etc.). In contrast, human rights are horizontal, they apply to all citizens indiscriminately.⁶³¹

631 See Chap. 22.