

Generation Alpha and the Paradigm Shift in Children's Rights: A Comparative Analysis of International Law, European Law, and Dynamic Islamic Jurisprudence

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Abstract

Rapid technological, environmental, and social transformations in the twenty-first century have fundamentally challenged the effectiveness of classical child protection models in international law in responding to Generation Alpha. Generation Alpha is the first cohort to grow up entirely within a digital, data-driven, and algorithmic ecosystem, and it is exposed to risks that are structural, gradual, and cognitive in nature. Using a comparative approach, this article examines the dominant logic of international child law, European data and technology law, and dynamic Islamic jurisprudence (fiqh-e pouya) in addressing these transformations. The findings indicate that although international child law is inherently grounded in the principle of protection, such protection remains largely reactive and ex post facto, and therefore faces significant limitations in addressing ex ante risks arising from emerging technologies. In contrast, European legal frameworks have increasingly moved toward ex ante regulation and design-based governance, while dynamic Islamic jurisprudence has developed toward a context-sensitive and interest-based (maslahat-oriented) logic that incorporates temporal and situational considerations into legal reasoning. The article argues that safeguarding the dignity and the right to the future of the child requires a redefinition of the protective paradigm, from a reactive model to a preventive and structural one. In this reconfigured framework, concepts such as the “best interests of the child,” the “right to development,” and the “right to data” must be reinterpreted within an ex ante, risk-based, and normatively binding structure.

Keywords: Generation Alpha; international children's rights law; comparative law; digital environment; legal empowerment of the child; artificial intelligence regulation.

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