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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Introduction

Rapid technological, environmental, and social transformations have challenged conventional approaches to child rights protection, particularly in relation to Generation Alpha, whose childhood is shaped by highly digitalized, data-driven, and increasingly algorithmic environments. Artificial intelligence, extensive data collection, algorithmic recommendation systems, virtual environments, and digital education increasingly influence children's privacy, identity, cognition, behavior, and participation. These developments require reconsideration of the normative foundations and regulatory mechanisms of contemporary international child rights law.

Problem Statement

The central problem is the gap between the predominantly protective and reactive structure of international child rights law and the preventive, structural, and transnational nature of emerging risks. The Convention on the Rights of the Child (CRC) recognizes the best interests of the child, survival and development, participation, and protection from harm. However, many contemporary risks emerge before identifiable harm occurs and are embedded in the design of digital platforms, data-processing systems, artificial intelligence, and attention-based business models. Climate-related risks and the growing influence of transnational technology companies further reveal the limitations of a predominantly state-centered and reactive model.

Main Claim

This article argues that the existing child rights paradigm should be reconceptualized through a transition from predominantly reactive protection toward anticipatory, structural, and rights-empowering protection. The best

interests of the child, dignity, development, participation, and privacy should serve not only as standards for responding to harm but also as foundations for preventing foreseeable and systemic risks. Accordingly, the child should be regarded not merely as a protected subject, but also as a rights-holder, a developing legal actor, and a participant in shaping the technological environments that affect his or her future.

Methodological Approach

The study adopts a descriptive-analytical and comparative legal methodology based on library research. It examines international child rights instruments and interpretive materials of international human rights bodies, European Union frameworks on data protection, digital services, and artificial intelligence, and authoritative Islamic jurisprudential sources concerning dynamic jurisprudence, human dignity, public interest, prevention of harm, and governmental regulatory authority. The comparison focuses on the different regulatory approaches of international child rights law, European Union law, and dynamic Islamic jurisprudence, particularly regarding prevention, risk, participation, accountability, and protection of the child's future.

Structure and Analytical Framework

The article first examines the twentieth-century paradigm of international child rights and shows that, despite the participatory and rights-based potential of the CRC, its institutional implementation remains substantially protection-oriented. It then identifies key contemporary gaps arising from algorithmic and data-driven technologies, climate change and child migration, the attention economy and harmful digital design, and the accountability of transnational private actors.

The study subsequently explores dynamic Islamic jurisprudence as a potential normative resource for preventive child protection. Principles such as *la darar* (prohibition of harm), public interest, human dignity, and the relevance of changing circumstances to legal reasoning can support anticipatory regulation. The article also examines European Union law as an important example of ex ante, risk-based, and design-oriented regulation in the fields of data protection, digital services, and artificial intelligence. Based on this comparative analysis, it proposes a child-centered governance model founded on prevention, participation, transparency, accountability, shared responsibility, and developmental impact assessment.

Conclusion

The study concludes that the principal weakness of the current international child rights framework is not the absence of relevant principles, but the insufficient development of preventive and structurally enforceable mechanisms. The CRC remains a fundamental normative foundation, but its principles require dynamic interpretation and institutional reinforcement in response to algorithmic, data-driven, environmental, and transnational risks. European regulatory developments

demonstrate the practical potential of ex ante governance, while dynamic Islamic jurisprudence provides complementary normative grounds for preventive intervention based on dignity, public interest, and avoidance of harm. These converging approaches support a shift from post-violation protection toward anticipatory governance.

Findings and Recommendations

The principal finding is that an effective contemporary paradigm of child rights should integrate protection, empowerment, participation, prevention, and shared accountability. The study therefore recommends developing a binding additional protocol to the CRC, or targeted amendments where feasible, addressing child-specific digital services, developmental data, behavioral profiling, and emerging technologies. Such a framework should require child-rights impact assessments before the deployment of high-impact technologies, independent algorithmic audits, transparency and accountability requirements, and meaningful responsibilities for technology companies.

The study further proposes recognition and development of emerging rights, including a child-centered right to ethically governed data, a right to safe and explainable artificial intelligence, and a right to a sustainable climate. Meaningful child participation, digital and legal literacy, accessible complaint and remedy mechanisms, interdisciplinary assessment, and stronger international cooperation should complement these measures. Such a paradigm would preserve the protective core of international child rights law while adapting it to the technological, environmental, and transnational realities of Generation Alpha.