

**CHILDREN DELINQUENCY IN SOCIAL MEDIA: LEGAL AND  
SHARIAH PERSPECTIVES**

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## AUTHOR DECLARATION

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

I hereby declare that the work in this thesis is my own except for quotations and summaries which have been duly acknowledged.

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## ABSTRACT

Children using social media are prevalent nowadays. Social media such as WhatsApp, Instagram and Facebook become part of the important mediums in their learning process, communication, and entertainment. Islam encourages Muslims to utilize this technology to grab opportunities as long as it does not exceed the Islamic teachings and ethics. Nonetheless, some children have misused social media for their own interests and gratification that clearly violate the limits, such as cyberbullying, cyber pornography, sexting and so on. Unfortunately, without a proper guide from elders, innocent and vulnerable children can blindly follow evil things on social media. This study employs a qualitative method based on library research and desktop review of textbooks, article journals, *kitab turath* and other relevant references including the previous survey on social media usage, which aims to examine the act of delinquency from Malaysian Law and Syariah perspective. It focuses on wrongful acts among children on social media and their criminal responsibility. In addition, the research briefly analyses governments and NGO's endeavors in curbing this alarming problem. Thus, it is suggested that educating children with Islamic teachings and nurturing them with moderations can protect children from being influenced or involved in negative circumstances in social media.

## ABSTRAK

Penggunaan media sosial dikalangan kanak-kanak adalah sesuatu yang normal pada hari ini. Media sosial seperti WhatsApp, Instagram dan Facebook menjadi sebahagian daripada media penting dalam proses pembelajaran, komunikasi, dan hiburan mereka. Islam menganjurkan umat Islam untuk memanfaatkan teknologi ini untuk merebut peluang selagi tidak melebihi ajaran dan etika Islam. Namun begitu, terdapat kanak-kanak yang telah menyalahgunakan media sosial untuk kepentingan dan kepuasan mereka yang jelas melanggar had, seperti buli siber, pornografi siber, *sexting* dan sebagainya. Malangnya, tanpa pantauan yang baik dari orang dewasa, kanak-kanak yang secara fitrahnya tidak bersalah dan mudah terdedah akan mudah mengikuti perkara-perkara jahat di media sosial. Kajian ini merupakan kajian kualitatif yang menggunakan pendekatan kajian keperpustakaan dan semakan desktop buku teks, jurnal artikel, kitab turath dan rujukan lain yang berkaitan termasuk hasil kajian tinjauan terdahulu berkaitan penggunaan media sosial, yang bertujuan untuk mengkaji perbuatan kenakalan dari perspektif undang-undang Malaysia dan dari perspektif Syariah. Ia juga memberi tumpuan kepada perbuatan salah yang berlaku dalam kalangan kanak-kanak dan tanggungjawab jenayah mereka terhadap kenakalan di media sosial. Tambahan, kajian ini akan menganalisis secara ringkas usaha kerajaan dan badan bukan kerajaan dalam membendung masalah yang membimbangkan ini. Justeru, kajian ini menyarankan agar anak-anak dididik dengan ajaran Islam dan diasuh dengan sifat kesederhanaan agar dapat kanak-kanak ini dilindungi daripada terpengaruh atau terlibat dalam perkara negatif di media sosial.

## ملخص البحث

أصبحت وسائل التواصل الاجتماعي بين الأطفال أمراً طبيعياً هذه الأيام. وسائل التواصل الاجتماعي مثل وتساب (WhatsApp) انستغرام (Instagram) وفيس بوك (Facebook) هي جزء مهم من عملية التعلم والتواصل والترفيه. مهم كان ذلك، يشجع ديننا أن نستفيد من هذه التكنولوجيا اغتناما فرصا طالما أنها لا تتجاوز شريعة الإسلام وأخلاقه. ومع ذلك، هناك أطفال الذين أساءوا استخدام وسائل التواصل الاجتماعي من أجل مصالحهم ورضاهم وانتهكوا الحدود مثل التنمر والمواد الإباحية عبر الإنترنت والرسائل الجنسية وما إلى ذلك. لسوء الحظ، الأطفال وطبيعتهم الأبرياء والضعفاء سيتابعون الأشياء السيئة في وسائل التواصل الاجتماعي بسهولة إن كانوا لا يراقبهم جيدة من قبل المسؤولين البالغون. هذه الدراسة هي دراسة نوعية تستخدم منهج بحث المكتبية ومراجعة سطح المكتب للمكتب المدرسية والمقالات الصحفية وكتب التراث والآخر من المراجع التي ذات الصلة بها، وكذلك من نتائج الاستطلاعات السابقة المتعلقة باستخدام وسائل التواصل الاجتماعي التي تهدف إلى فحص الأعمال الإجرامية من منظورين: القانون الماليزيا والشريعة الإسلامية. ويركز البحث أيضا في المخالفات التي تحدث بين الأطفال ومسؤولياتهم الجنائية عن انحرافهم في وسائل التواصل الاجتماعي. بالإضافة إلى ذلك، تحول هذه الدراسة تكشفنا عن جهود الحكومة والمنظمات غير الحكومية في تسديد هذه المشكلة المقلقة على سبيل إيجاز. والخلاصة، توصي هذه الدراسة بتعليم الأطفال تعاليم الإسلام وتربيتهم على طبيعة الوسطية بحيث يمكن حماية هؤلاء الأطفال من التأثير أو الانخراط في الأشياء السلبية على وسائل التواصل الاجتماعي.

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