

# Imposing Penalty for Internet Addiction in Malaysia: Lesson from South Korea

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**Abstract:** The usage of internet has risen tremendously over the years with the invention of technological advances such as smartphones, Wi-Fi, broadband and the cheap mobile data. The advancement of the technology has led to more people getting addicted to the internet. The high usage of the internet is spotted among the youth and university students which is a part of behavioral addictions gave the effect of consuming alcohol and drugs. Such excessive usage could also harm the physical and mental health of an individual. Given the problem of internet addiction, this paper seeks to examine the legal position in Malaysia in regulating internet addiction as compared to that in South Korea. This paper adopts a doctrinal legal analysis and secondary data of which the online database which comprises of articles, journal and books will be analyzed. The authors contend that it is growing concern that internet addiction is giving rise to other crimes and thus contributing many issues. Till date, the Malaysian government has not taken any measures in dealing with such a problem; it is hoped that the regulatory measures should be imposed soon in curbing the excessive use of the internet[4].

**Index Terms:** Keywords: Internet Addiction; Legal Measures; Impact, Malaysia; South Korea.

## I. INTRODUCTION

The Internet is an astonishing tool to interact with individuals all over the world. However, when the cyber world competes with the real world, it turns into addiction. The Internet is the most significant invention of human, despite such, it could be the most excellent harmful tool influencing an individual's physical and mental health at the same time[1]. The standard of addiction to the Internet could be the same as the consumption of drugs and alcohols addiction. Internet users are too much dependent on such medium and resulted in difficulties to live or survive without the Internet. The syndrome of internet addiction was first identified in 1996; such issue has grown tremendously over the development of the technology (The study identified over 600 cases of a long-term user of the internet has developed addiction which was measures by clinical approach at that time In Malaysia, the problem of internet addiction has

attracted grave concern of the regulators as it is affecting psychology and mental health of its user[7]. Within the global context, the issue of internet addiction was widely researched since the 1990s, for instance, identify that internet addiction has affected the family institutions. Furthermore, he recognizes that the problem of internet addiction is often complicated as it offers the advantage and some benefits that attached to it. identifies that internet addiction demonstrates a loss of impulse control over where life turns into unmanageable for the online user. The American Psychiatric) observes that there is a problem in detecting internet addiction behaviors as it often disguises on the legitimate use of work and businesses.

In Malaysia, the problem of internet addiction is also widely researched, for instance, identifies that internet addiction is a chronic disease which will remain with someone throughout his lifetime. He further emphasized that such addiction could go to the extent of taking one's life by referring to the incident that took place in China. Young and suggests that the internet addicts usually utilize and spend time on the internet on average of 38 hours per week for nonacademic or non-employment purposes, which caused detrimental effects such as poor grade performance among students, discord among couples, and reduced work performance among employees. The survey by the Malaysian Communication and Multimedia Commission indicates that out of the 725 respondents who are participating in the survey, 89 percent were found to be addicted to the internet. Given the above problem, the paper commences with the discussion on the extent of the problem caused by the internet addition. The second part of the paper discusses the South Korea approach to tackling the problem of internet addiction. The third part of this paper explains the approach taken by the Malaysian government in tackling the issues of internet addiction. The final section concludes the paper

## II. THE EXTENT OF THE INTERNET ADDICTION PROBLEM

The issues of internet addiction have been widely researched and have impacted upon human mental and physical health, for instance, Cast et al. contend that such addiction destroys lives by causing neurological complications, psychological disturbances, and social problems. Furthermore, Young identifies variation of name and criteria for internet addiction which are known as Internet

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Addiction Disorder. Problematic Internet Use (PIU), computer addiction, Internet dependence], compulsive Internet use and pathological Internet use. Apart from causing mental and health issues, the advancement of technology has also involved with the behavioural addictions and consist of human-machine interaction which may include a strong drive to use the Internet compulsively to check, email, Facebook, Instagram or Twitter or visit websites or chat rooms [10]. At the other end, such addiction may also include excessive tendencies towards pornography, in particular, child pornography and pedophilia, online relationship, online games and online gambling. Such activities can be described as the excessive and compulsive use of the Internet to such an extent that these online activities are detrimental to the personal, social and occupational aspects of one's life.

The literature shows that the definition of IAD has changed over time, as the social, political and economic environments as well as technological development in which computer users found them evolved (Young, 2017; Gunkle, 2018). Despite the diagnostic criteria and assessment questionnaires variation between the United States and Europe, researchers have indicated that the prevalence rate is between 1.5 percent and 8.2 percent (Weinstein & Lejoyeux, 2010)[19]. The literature notes that currently, there is no recognition of IAD within the spectrum of addictive disorders and, therefore, no corresponding diagnosis. Hence, IAD or even hacking addiction is yet to be recognized clinically as an addiction (Aiken, 2017). It has, however, been proposed for inclusion in the next version of the Diagnostic and Statistical Manual of Mental Disorder (DSM). Despite this, early research considered IAD as a psychiatric disorder based on the description of compulsive gambling and is described as pathological computer use and internet overuse and problematic computer use (Goldberg, 1995).

### III. THE SOUTH KOREA PERSPECTIVE ON INTERNET ADDICTION

South Korea has been among the earlier country which imposed regulation for its citizen with regards to the usage of internet. South Korea is a country with the most digitalized. The percentage of penetration to the Internet in South Korea overreached to 75 % in 2011 and over half of the 50s age group as well as almost 100 % of youths in South Korea are accessing to the Internet every day. South Korea has recognized Internet addiction as a social and public health problem after a sequence of offenses and fatal cases related to Internet addiction happening in South KoreaAhn Dong Hyun, a child psychiatrist at Hanyang University in Seoul who had finished a three years government finance study of Internet addiction stated that South Korean who are under 18 years or approximately 2.4 million citizens has increased to 30% are at the possibility of Internet addiction[12]. There is more adolescent's access the Internet compared to any other age group in South Korea. For these youngsters, the Internet is no longer the most prevalence activity in their routine but also a high leisure activity. According to the statistics of Korean researchers which produced from the year of 2005, 97.3% of South Korean adolescents who are aged between 6 and 19

years old accessed the InternetIt can be seen that the Internet has engaged in large part of adolescents' lives and it is affected by the adolescents severely enough as some are struggling anxiety when they are away from the Internet.

The Korean version of the Internet addiction measurement scale has emerged by the Government of South Korea. K-Scale is a checklist for determining and classifying Internet addiction. Sometimes, the term "K-Scale" is used to refer to those problematic Internet use. For example, "he has a K-Scale habit." K-Scale demonstrated good inner dependability and approached reliability against self-rated Internet addiction[17]. K-Scale is an accurate and validity appraisal scale of Internet addiction. represented to Korea. It has also been introduced into middle and high schools to protect Internet addicts[13]. K-Scale has been adopted by some individual countries to test the psychometric personalities of particular groups.

Recognizing the threat posed by the internet and the citizen spent their leisure time for online gaming or chat on the Internet, In November 2011, the Government of South Korea had passed a disputable policy named Shutdown Law. It is known as Cinderella Law or "cooling off." This Government policy prohibits children under the age of 16 from playing computer games from 12 pm-midnight to 6 am. The Internet users who are over the age of 16 could only allow access to online computer games during this shutdown period. They must use a Korean social security number to prove they are 16 years old and above. However, the console games nor smartphones or tablets would not be affected by this Shutdown law. The Government is authorized to block the access to online games and all the computers in Internet cafes of South Korea will be "shut down" in the midnight for youngsters who are under the age of 16. The government of South Korea has regarded Internet addiction is a severe problem. From the Government policy, Shutdown law, the Government of South Korea indirectly admitted that Internet addiction is a dangerous tool which could damage an individual's functionality.

Enforcing a ban of online gaming late at night for youngsters increased the forecast possibility of being in a high ranked Internet user group at 1.6 %, a reduction in the forecast possibility of Internet addiction at 0.7% and a growth in the time span of sleeping at 1.5 min. gaming industry is a vast business sector in South Korea[3]. After various past attacks, the "Shutdown" Bill was only able to pass the legislature and Parliament in April 2011. Shortly, the "Shutdown" law faced forceful opposition by the gaming industry, and a constitutional appeal was reported preliminary to its enactment in November 2011. The constitutionality of this new policy was enquired that whether it breached on the occupational freedom of the game providers and the general liberty of children mentioned which are under the age of 16 as well as the rights or privileges of parents. It used two and half years for the Constitutional Court to pass a final decision. The court governed seven to



two that the new act was by the Constitution. It showed that online gaming by itself might not be a crime. However, the law passed based on the high rate of Internet use among adolescents, the problem of natural discontinuation that is to say the nature of addictive in online gaming and the adverse effects of gaming addiction Therefore, limiting Internet usage for children under the age of 16 was not excessive regulation. The policy is not enforced merely for those children, but it has experienced the balancing between the legal benefits and the public interest to protect the health of children and stop them from the evolution of Internet gaming addiction.

There are cases of crimes and death happened in South Korea related to Internet addiction. One of the examples is Lee Seung Seop who was the 28 years old industrial boiler repairman in South Korea suffered a cardiac arrest because of excessive indulgence to Internet gaming for almost 55 continuous hours during which he neither ate nor slept[18]. His death has given rise to an investigation into the problem of Internet addiction in South Korea.

Besides, South Korea's police have arrested a couple for neglecting their three months old daughter to death due to starving; the couple was spending hours to play a computer game involving raising a virtual role of a young girl called Anima in the favorite game named Prius Online. This game is similar to the real world where they could get a job and interact with other users and earn an extra icon to parent once they reach a certain level. According to the police officer, the couple seemed to have lost their healthy life in the real world as they did not have a job. Thus the online game seemed gave them a second chance. That particular couple was a 41 years old man and a 25 years old woman who met through a chatting website. They admitted that they left their infant daughter alone while they went to an Internet cafe. They only dropped by to feed her powdered milk sometimes. This case has surprised South Korean and focused the obsessive behavior related to Internet addiction once again. Furthermore, 22 years old Korean man has been charged with murdering his mother because his mother kept complaining him for spending too much time playing games. The man went to a nearby Internet cafe and continued with his online gaming after killing his mother as nothing has happened. This case also shocked the citizens of South Korea.

A Twitch-like video game broadcasting company located in South Korea, Shea met an unidentified future star in e-sports, who was interviewed by a professional group lately[14]. Through the interview, the young boy disclosed that he is spending around 88 hours per week playing video games. Neuropsychiatry at Gangnam Eulji Hospital in Seoul, Dr. Lee Jae-Won also interview by Shea and told Shea that online gaming caused for nearly 90% for Internet addiction cases in South KoreaAs the Internet addiction turns to more popular and common in this world, the Government should pay more attention to this issue to curb it[16].

There is too much seduction on the Internet, and it is making Internet addicts struggle to live an analog life from their virtual world. The Internet addicts do not even know how to interact with real-life people because they are living in a virtual world in their daily life. There is an implementation of camp named rehab camp or boot camp organized in South

Korea for curbing the Internet addiction. The fields are mainly for youths who are addicted to the Internet. A lot of parents will send their children who are addicted to and dependent on the Internet to this rehab camp to cure this illness.

In this rehab programmes, the programme coaches operate the youths through military-style obstruction courses, advisors guide group sessions and there are even therapeutic workshops on the pottery and drumming. A psychiatrist at Oregon Health and Science University claimed that Korea is a leading area and they are ahead on clarifying and investigating the issue, and identifying as a group that they have an essential problem. This camp is wholly contributed for by the Government, making it free from teaching. The candidates will stay at the camp in that session where they are opposed to using the Internet and computer. They are only permitted to use one-hour cell phone calls in a day to forbid them from playing online games through smartphones. At the same time, they also follow a meticulous treatment of physical exercise and group activities such as horseback riding, pointed at building emotional connections to the real world and exhausting those with the virtual one. The candidates are under surveillance and supervision in the camp, involving during asleep and kept busy with house chores like washing the clothes and cleaning the rooms. All this is doing because of the field had problems with the candidates tried to sneak out for online, even during a 10 minutes break before lunch. Rehab camp measures like this have considered based on the involvement of problems in gaming behaviors and personalities of Internet addiction[8]. Internet addiction can be seen that it has been derived from some complications. Pathological users prefer to use the Internet to communicate as they think it is easier to talk and they could spend time on the Internet without sleeping and eating. For instance, the pathological users who are addicted to the Internet could stay up until 2:00, 3:00 or 4:00 in the morning even though they need to wake up early for working or schooling. In facilitate for more extended Internet sessions, caffeine pills are used in extreme cases.

The Internet addicts are using Internet excessively, and they are unable to go on their life without the Internet. They will have thinking such as "I must have Internet," "I can't survive without the Internet," or "I need the Internet." This could be seen from another case occurred in South Korea. A Korean boy figured on BBC documentary indicating on the problems of handling and controlling his anger when his parents nag him to stop playing the online games

A candidate in a rehab camp of South Korea named Lee Chang Hoon who was 15 years old started in using the computer fill up his free time when his parents were busy in working, and he was staying at home alone[2]. He ended up addicted to the virtual world where he seemed to enjoy more success and prevalence compared to the real world. He used up about 17 hours per day online. Most of the time, he was looking at Japanese comics and playing a battle character



playing game called Sudden Attack. He played for the whole night and skipped school for two or three times to catch up on sleeping. the malaysian legal perspective on internet addiction.

Internet addiction was firstly recognized by a psychiatrist in Malaysia, Dr. Muhammad Muhsin Ahmad Zahari, as an issue and he added that there is lacking scientific and academic research which could diagnose the extent of Internet addiction in Malaysia. In Malaysia, Internet users have grown extremely to 60.7% in the whole population including access to the Internet. Based on the statistics of Malaysian Communication and Multimedia Commission in 2008, it proved that 33.6% of Internet users were students from high schools and universities[20]. Sanders expressed that the number of Malaysian Internet users has expanded resulting 51.4% for these years and making Malaysian women an effort to take account of access to the Internet[11]. Internet addiction already became an emergency in many developed countries, and he assumed that this illness had affected youths in Malaysia and it will be worsening gradually. Therefore, it is the time to work together with the psychologists and lawyers to impose and enforce the measures as well as a penalty to cure Internet addiction from worsening[15]. reported that the problem of internet addiction has gone into the rural area with the development of the multiple public facilities providing fast and efficient internet access to the rural communities Centre such as the 1Malaysia Internet Centre and the 1Malaysia Wireless Village initiative which is available throughout the country.

Reflecting Malaysia, there was a case which happened in Cyberjaya, Kuala Lumpur that a 14 years old boy who prefer online gaming to the extent that he did not leave his home for half a year. His parents ended up to drag him to therapy and treatment for Internet addiction. The researcher at the International Society of Internet Addiction (Asia) Conference stated that they were most worried that Malaysian youngsters were progressively in overusing the Internet. The local studies showed that 37% of Malaysian parents felt their children's online affairs are affecting their home and school responsibilities while 18% of them claimed that their children were forgoing fundamental society activities. Dr. Norhaliza Bahar, child psychologist, and Asia spokesperson have guided the research which showed that males under the age of 24from Klang Valley, Ipoh or Penang were the highest vulnerable to Internet addiction in Malaysia. (Chang, 2016)

The other cases that happened in Malaysia related to Internet addiction were where a man fell dead after sacrificed his times on the computer. A father murdered his infant son, and an angry son killed his mother after excessive use of the Internet. Other than that, there was an axe fight dispersed between friends over the use of computer or Internet. (Chin, 2016) Unfortunately, there are no any law passes or enforces in Malaysia to govern the issue of Internet addiction. However, Internet addiction is a new clinical disorder which should be concerned by people. This clinical disorder should not be looked down, and a new law should be proposed to the Government of Malaysia to create a new law like how South Korea implements their one. Currently, there are no extraordinary measures taken by the Malaysian government to regulate internet addiction or the time spent on the internet

by its people. Such particular steps are necessary to control the online addicts from engaging the specific behaviors. It can usually be internet is the medium to manage their stress, especially peer's pressure or the pressure from academic achievement.

## IV. CONCLUSION

It is a truism to suggest that the problem of internet addiction disorder has been issues and challenges across the globe, most of the countries worldwide are seriously looking into the way to reduce the negative impact of the internet to their citizens as well as overcoming the mental and health issues. The advancement of technology has caused the psychiatric problem among its user known as internet dependency symptom. Such a problem has also extended to the Malaysian citizen where there are numbers of criminal reported cases involving dependency of the internet. It is hoped that the Malaysian government could look into this issue and take the same approach of the South Korea government as to impose internet shut down to its youngster's generation especially youth below 17 years old as to avoid any problem to such crops. As the social phenomenon caused by the usage of the internet are on the rise especially cases involving cyberbullying, cybercrimes, hate speech, cyber pornography, and cyber laundering. Such medium was abused by the perpetrator for their advantage and makes it difficult for the law enforcement agencies to track down their illegal activities over the internet. As such, the regulation of internet usage by the government is right as to minimize the abuse and at the same time, taking care of the future generation of the country[6].

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