

Manifestation of Aggression in the Digital Environment

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ABSTRACT: Aggression as a mechanism for conserving the human species has been incorporated into the human survival system since ancient times. The surrounding nature, the relationship between the members of the species, the relationship between them and the existing wild animals, related to the primary needs of food and shelter of man led to the development of the feeling of danger, the feeling of threat and therefore the need for a physical response attack and defense against elements that can destabilize life. Although these beginnings seem primitive to us today, the human being gaining supremacy over the administration of the planet a few centuries ago, they are still inscribed in our genes, caused by the time difference between the period of technological progress in human history and the beginning of the species' existence the latter spanning a larger area of time compared to the modern era. However, in the short period of human civilization, more and more advanced mechanisms have been developed to inhibit its aggressive impulses, due to the new transformation into socio-intelligent, socially identifiable beings of the species. In the last period, the appearance and development of virtual social media has allowed man to hide his identity behind nicknames he has the opportunity to choose, thus giving permission to the aggressive mechanism inscribed in his genes to reappear. The paper aims to analyze the historical factors that determined the appearance and development of aggression, the transfer between legal norms for its inhibition and how it acts in the virtual space between members of the same digital community.

KEYWORDS: aggressivity, criminal law, psychology, criminal act, internet, Social Media, inhibition, human species, social values, society, bullying phenomenon

The emergence, development and orientation of aggression

The evolution of species on our planet has occurred gradually, at intermediate levels, by adapting existing systems for other purposes, thus giving beings the opportunity to gradually develop and occupy other habitats that, until their transformation, were hostile to them from the point of view of sustaining existence (Flonta 2010, 43).

The need for a biological transformation of all organisms over time, has its motivation in the threatening environmental factors that severely affected the way organisms live. Thus, whether their existence was endangered by environmental factors such as volcanic eruptions, climate change, temperature and others, or natural predators threatened the reproduction and development of entire species of living things, biological organisms were forced to develop systems of defense and even to modify certain internal organs for the purpose of survival (Flonta 2010, 56).

The birth of the human being is only one last known stage in the long series of biological changes that have occurred in the evolution of organisms on earth. Thus, originally, the human being represented only another biological level of evolution (Roșca 1997, 404).

In the first phase of human existence, when the need for food was provided by existing plant species, the factors that could endanger the support and development of its life were largely climate change and the structure of the planet, various natural disasters which also happened to predatory animals much larger than humans. Of these, the last factor is the only one that could be controlled, therefore, the human being has developed a mechanism for resistance to predator attack, called aggression (Marr 2012, 31).

This mechanism, on the one hand, has contributed to the diversification of the human diet, the number of predated predators being large enough to require a change in metabolism

from a strictly herbivorous to an alternative carnivore, and on the other hand, made members the species is a threat in itself, being much easier to direct aggression towards another human, compared to inflicting it on a large animal (Marr 2012, 40).

The chaotic struggles between people for survival come to an end many centuries later, with the emergence of the first settlements that allowed the development of belief and collaboration systems within the community. The emergence of the state as a tool for regulating social relations, thus puts an end to individual struggles within the settlements (Molcuț and Cernea 2006, 15).

Methods implemented to inhibit aggression

The emergence of the state as a body for regulating and controlling social relations between individuals, either in the form we know today or in the form of tribes, meant the end of the individual struggle for the existence of the human being and the beginning of collaboration between members of the same settlement improvement of the way of life (Păiușescu 2016, 15). In order to provide all the necessary premises for a lasting collaboration between citizens, the state needed mechanisms to control and inhibit the most primitive of instincts, including the innate aggression of man, so even in the organization of the first tribes there was a form primary of public law (Molcuț 2011, 10).

Of all the scientific branches of public law, the most important is Criminal Law, which defends social values for every individual in society. Thus, for the most part, the criminal law of any state contains norms for criminalizing certain human actions that can awaken their instinct for aggression (Mitrache and Mitrache 2019, 27).

The state, as a legal entity meant to promote and ensure rights and freedoms for its members, is assimilated as a citizen of the country it leads, so the need to develop a set of legal rules to ensure good understanding between citizens and the state has been imposed. From the beginning, giving rise to related branches of law such as Administrative Law, Constitutional Law, Fiscal Law and others, all with several elements that correspond directly to Criminal Law (Mața 2018, 22).

The necessary rules for the legal regulation of social relations in the absence of which it is possible to facilitate the performance of certain actions designed to require an aggressive response from the victim have been categorized into special structures of crimes against certain very well-defined elements of social relations (Gheorghe and Ivan 2019, 36).

The first of these categories has in its attention the individual as a member of the community of which he is part, being called crimes against the person. This category provides for all the physical actions that can be committed against it such as bodily injury, murder, deprivation of liberty and others (Cioclei 2020, 53).

The second category has in the center of its regulation the man as a socio-economic being and concerns his patrimony. The normative norms contained in this part ensure the possession of goods, in general, incinerating any action that could affect this fundamental right of the individual (Bogdan and Șerban 2020, 105).

Several categories concern the relationship of the citizen in society, on the one hand, in relation to the rights and freedoms of other individuals in the community, and on the other hand, in relation to the rights and freedoms of the state as a governing body. These are named according to the types of regulated relationships, such as: crimes against good public safety, crimes that can destabilize good social coexistence, crimes that endanger the administration of justice and the like (Boroi 2019, 135).

There are several categories of offenses relating to relations between states and which can be attributed to the activity of one or more citizens such as offenses that endanger national security and good relations between states (Coman, Jura, Necșulescu, Stolojescu and Purdă 2015, 81).

Manifestation of aggression in the digital environment

In today's modern society, the emergence and development of the Internet as an active tool in the process of globalization has brought, on the one hand, a number of significant advantages in the field of information trade, the possibility of exchanging experiences, culture and civilization, of international collaboration and other areas for which collaboration between individuals is particularly important, and on the other hand, through social communication networks, has created multiple disadvantages allowing the manifestation, in the digital environment, of the aggressive nature of man (Ioniță 2018, 28).

The fact that online socialization allows the manifestation of aggression, verbally, of the human being is based on a multitude of psychological, psycho-emotional and cognitive factors, to which is added the lack of coherent legislation in this area of coexistence (Mitarca 2016, 185). A first factor that determines, in the virtual environment, the manifestation of an attitude contrary to real social norms is that of the possibility of using pseudonyms instead of proper names. It is really much easier to criticize without logical arguments, to attack a person, to highlight their shortcomings or simply to create a false impression about that individual when you cannot be accurately identified (Udroiu, Trancă and Trancă 2014, 217).

This fact is particularly important because it creates the necessary premises for the spread and development of antisocial phenomena, the most serious of which is bullying, but can also generate certain messages aimed at increasing discrimination, resistance, promoting inequality of opportunity, sexual hatred, religious, cultural hatred and others (Zlate 2000, 113).

On the other hand, the protection of the identity of the person as a citizen of a State, identifiable on the basis of certain criteria imposed by the legislation in force, has been the concern of the legislative activity of the co-governing bodies of the communities since ancient times, this having a special importance in the state administration (Trușcă and Trușcă 2017, 187).

Nowadays, the global society has imposed, for the respect of the right to privacy of the individual, very well determined norms, both at national and international level, the legislative activity in this field being known as GDPR (Barbur 2020, 20). However, there are specifically regulated exceptions whereby state authorities, those charged with enforcing legal provisions, may benefit, on the basis of special acts, from protected personal information. These additional regulations have the role of offering the possibility of maintaining a certain degree of social order (Mateuț 2021, 217). However, the factors that allow the existence of the possibility of manifestation of aggression oriented in the virtual environment are numerous and have rather a psycho-social character, but not a strictly behavioral one (Butoi, Butoi, Butoi and Put 2019, 87).

First of all, what is missing for the self-control system developed over time to become operational is precisely the connectivity through relationships. In other words, the individual who attacks another person in the online environment does not direct his aggression against that person directly, but against a set of values and beliefs that he believes are wrong, represented by that individual who, like the first, is nothing but a digital pseudonym (Milovan and Dobre 2019, 167).

Some of these antisocial activities can be controlled even today by the already existing legislative mechanisms. Crimes such as slander, defamation, harassment of any kind, crimes whose motives are generated by racial, religious or other hatred have a direct counterpart in current criminal law, regardless of the state or legal system in which it applies (Ristea 2020, 210).

What largely prevents the application of the legislation thus constituted, is the special weight in the administration of the evidentiary evidence for the crimes committed in the online environment. This is also motivated by the ease with which, through a simple fault, a certain virtual account of a user can pass from his possession to the possession of another who can use it to commit an incriminated deed without having to ask the owner's consent of the account and without the latter having to be informed (Coman 2020, 218).

Conclusions

Aggression as a mechanism for defending and preserving existence is not unique to human beings. It arose with the need for biological organisms to ensure the necessary conditions for the development and defense of life.

Until it is categorized as a social being endowed with intelligence, man is still an animal with all the survival instincts transmitted genetically as a result of evolution, including innate aggression. If in the beginning aggression was aimed at dealing with predators that meant large animals that threatened human existence, once the danger was removed, ie by eliminating entire breeds of predators, the primitive instinct of man turned to members of the same species.

With the development of societies, the emergence of a primary form of state and communities of people forced to work together to support and develop the species, the state has had to find ways to inhibit primary instincts dangerous to society.

Thus, public law made its need felt from the beginning. Of all the branches of this fundamental right, the most important is Criminal Law, which ensures and offers the state the possibility to guarantee the rights and freedoms of citizens in relation to community social relations and in relations between citizens and the state.

Criminal law, be it national or international, regardless of the legal system in which it is applied, aims to regulate social relations in a form that does not allow the possibility of manifesting the primary instincts of self-preservation of man in the relationship between citizens.

Nowadays, the emergence, development and spread of the Internet as a mechanism of globalization, has led to a number of visible advantages in the progress of the human being, but has also contributed too many disadvantages in the way people relate.

First of all, offering the possibility to use a pseudonym, ie the method by which an individual can maintain his anonymity towards other individuals similar to him, created the premises for the manifestation of aggression in the online environment.

Second, although there are effective legislative mechanisms to control illicit activity in the virtual environment, the concern of states to protect the identity of their citizens by drafting sets of laws to protect personal data, known as GDPR, makes it difficult to administer evidence in order to identify the perpetrators.

To this factor is added the ease with which, through a simple fault, a certain user account can pass from one person to another who, in turn, can use it to commit certain slightly illegal acts.

The possibility of manifesting aggression in the online environment also comes from the lack of social connectivity between users, at a psycho-affective level. It is characterized by the fact that two people in the virtual environment are psychologically incapable of perceiving each other's feelings and feelings, which can only happen at great distances when there are other affective clues that reveal how the primitive instinct acts.

Lately, the danger of aggression in the online environment has been identified and many world organizations are trying to identify the best ways to inhibit this primitive instinct without endangering or interfering in any way on the rights and freedoms of citizens, thus laying the foundations of digital legislation.

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