

Article 608, paragraph (1) of the Code of Civil Procedure, and a decision based on an equity-based judgment.

However, the arbitral tribunal cannot depart from mandatory legal rules when conducting an equity-based judgment. Such conduct would result in the annulment of the arbitral award, as stipulated in Article 609, paragraph (1), letter (h), final provision.

Thus, resolving a dispute in equity cannot disregard public order rules, such as the equality of the parties, the adversarial nature of the proceedings, the right to a defense, procedural rules concerning the pronouncement and reasoning of decisions, the tribunal's empowerment, or mandatory substantive rules of public order.

Legal doctrine has argued that not all mandatory legal provisions are irresistible in the face of an arbitral tribunal that resolves a dispute in equity. It is necessary to distinguish between mandatory public order norms, which protect general interests, and mandatory private order norms, which are designed to protect the interests of the parties to the substantive legal relationship.

We have doubts about the interpretation given by some reputable authors regarding the nature of the annulable arbitral award. This interpretation holds that the annulability of the award follows from the filing of an annulment action, regardless of whether the judgment was based on equity or on law, whenever mandatory legal norms are violated. The legislator does not distinguish between the types of protected interests. Since the grounds for annulment must be strictly interpreted and applied, we maintain that arbitrators are bound by mandatory rules, regardless of whether these rules concern only the interests of the parties. For example, an arbitrator cannot disregard the provisions of Article 1634, paragraph (6) of the Civil Code, a prohibitive mandatory private order rule that stipulates that, in the case of obligations concerning the return of fungible goods, the debtor cannot invoke fortuitous impossibility of performance. Similarly, Article 2252, paragraph (1) of the Civil Code provides that a debtor of a life annuity is not entitled to release themselves from the obligation to pay the annuity by refunding the principal and waiving the restitution of the amounts paid as installments.

Of course, the parties may expressly agree, taking into account their relationship, to waive a mandatory private order rule. In this case, the arbitrator will be bound by the parties' agreement and will have the opportunity to resolve the dispute in equity, without being obliged to observe those specific legal provisions.

4. APPLICATIONS OF THE ESTOPPEL THEORY BY ANALOGY IN ROMANIAN CIVIL PROCEDURAL LAW

SUMMONS AND COMMUNICATION OF PROCEDURAL DOCUMENTS

Although Romanian procedural law has not formally or informally adopted this Anglo-Saxon theory, which later developed in French law — neither in arbitration nor in court proceedings — its particularities can be perceived in the way disputes are resolved. This occurs when a party exercises a right before a court or even an arbitral tribunal in contradiction to its previous behavior, contrary to good faith, and to the detriment of the opposing party.

Regarding equity-based arbitration, a pertinent question arises as to whether a party can renounce the clause in the arbitration agreement that provides for the resolution of the dispute in equity by the arbitral tribunal. What are the consequences of such an act of will on the party's right to access a court to challenge the arbitral award? Could the judge hearing the action for annulment invoke, as a genuine estoppel, the contradictory conduct of the party and reject the annulment request as inadmissible? These questions open the debate on the recognition of the rule prohibiting self-contradiction in procedural law.

To answer the first question, we believe that the party is bound by the arbitration agreement. The fact that they opted for an alternative method of dispute resolution, with this particularity of equity-based adjudication, is a fundamental expression of the party's autonomy and the binding nature of the contract. Otherwise, the party could exploit the legal relationship to suit their own interests, seeking to have the dispute resolved "under the law" to the detriment of the initially agreed arbitral form.

Of course, one could imagine a scenario in which an action for annulment of the arbitral award is filed on the grounds that there was no express agreement at the time the arbitral tribunal was invested to resolve the case in equity. Such an argument could be based on Article 608, paragraph 1, letter b), or letter h), final clause, considering that the arbitral tribunal resolved the case while ignoring substantive legal norms.

We believe that, in such a situation, the court hearing the action for annulment of the arbitral award may invoke estoppel as a procedural bar (*fin de non-recevoir*) against the inconsistent conduct of the party, which disavows the previously agreed arrangement in pursuit of a subsequent interest, contrary to the requirements of good faith.

Moreover, a corollary principle of civil procedure is enshrined in Article 12 of the Code of Civil Procedure, which stipulates that good faith must characterize the exercise of procedural rights in accordance with their purpose and without prejudice to the procedural rights of other parties. Paragraph 2 of the same article provides for sanctions against the abuse of procedural rights, including the possibility for the abuser to be held liable for the damages caused. Additionally, a judicial fine may be imposed.

In specialized legal literature, the concept of good faith in the exercise of procedural rights — particularly the right to submit a claim for review by a court or to file appeals — is often contrasted with bad faith or abuse of procedural rights.

The concept of good faith originates from moral and canonical precepts, aiming to preserve a right in line with its purpose as established by secular or religious law. As noted, good faith can be seen as a legacy of the past, essentially called upon to protect moral and religious values in the effort to create a balance in legal protection.

According to Cicero's definition, good faith may signify sincerity in declarations (*veritas*) and loyalty or fidelity (*constantia*) in commitments.

The term "abuse of rights" has often been used to characterize excess, arbitrariness, selfishness, or malice in the exercise of rights recognized and protected by law. However, the law does not provide a precise definition of this concept. It merely describes it as conduct that runs counter to the principles of good faith. Moreover, the concept of good faith itself is not fully clarified, and attempts to define it are rare.

Based on how the general principle of good faith has been defined, it is clear that it opposes actions by a party that contradict its own commitments. This suggests disloyal behavior toward the opposing party, which seeks to empty contractual obligations of their substance or to mislead.

Another scenario that may be imagined as an application of the estoppel theory in Romanian civil procedural law, through the sanction of non-recognition of a right exercised contrary to good faith, involves the filing of an appeal that is dismissed as late, even though the challenged decision was not effectively communicated. This procedural defect was caused by the appellant's own conduct — providing a non-existent address for the communication of procedural documents.

In the given case, the appellate court found, upon examining the content of the initial claim, that the claimants had unequivocally indicated a procedural domicile to be used for the communication of documents. As a result of fulfilling the procedure for communication, it became apparent that the address provided was incorrect. However, the claimants had attended the scheduled court hearings without mentioning a new address for the receipt of documents. The court held that the claimants bore procedural fault for their failure to inform the trial judge of a new address for communication. The claimants did not invoke any situation that might have made it impossible for them to provide

such information. Consequently, the first instance's decision was deemed to have been legally communicated. Although the law does not contain specific provisions on the execution of the summons/communication procedure to a non-existent address indicated by the claimants themselves, the court considered their conduct to be culpable. This behavior was seen as an abuse of rights, as the claimants left the course of the proceedings (with respect to the appeal deadline) at their discretion.

We observe that the court's solution — which, although it prevents access to the appeal, reflects a mirror application of the *estoppel* rule in civil proceedings — sanctions the party's contradictory procedural conduct. The party sought to rely on an alleged illegality of the communication procedure, which was in fact caused by their own conduct. The party's intention was to mislead in order to exercise the right of appeal and to control the course of the civil trial (specifically, the appeal deadline) as they saw fit.

REFERENCES

- Agostini E**, *Estoppel: redons a Cesar*, Recueil, Dalloz 2006, p. 1424.
- Agostini E.**, *L'estoppel et les Trois unites*, Recueil Dalloz 2010, p. 285.
- Bowett D.**, *Estoppel Before International Tribunals and Its Relation to Acquiescence*, 33 BYIL, 1975, pag 176.
- Brown C.**, *Detalii referitoare la aplicări ale teoriei în dreptul internațional*, *A Comparative and Critical Assessment of Estoppel in International Law*, 50 U. Miami L. Rev. 369 (1996), disponibil pe <https://repository.law.miami.edu/umlr/vol50/iss2/6/>.
- Dictionary of Law*, Oxford University Press, 2003, pag. 181; *Osborn's Concise Law Dictionary*, Thomson - Sweet&Maxwell, London, 2005, pag. 165.
- Cameron M**, *Equitable Estoppel: Its Genesis, Development and Application in Government Contracting*, *Public Contract Law Journal*, vol. 19, no. 4, 1990, p. 606, www.jstor.org/stable/25755609.
- Campbell J., Howard C., Wyatt W.**, *The double-edged sword of judicial estoppel*, p. 16, 2007, pe https://www.wdrl.org/rc_files/213/WDTLA_DN_Dec_06lo.pdf.
- Ciurea A.C.**, *Despre teoria estoppel sau noi instrumente de filtrare a acțiunilor în justiție*, în *Revista Română de Drept Privat* nr. 4 din 2012, p. 56.
- Clay T.**, *Arbitrage et modes alternatifs de reglement des litiges*, Recueil Dalloz 2010, p. 2933.
- Principiul provine din Pandecte, o culegere întocmită de renumiți jurisconsulți romani referitoare la probleme juridice, în vremea împăratului Justinian.
- Dupont N.**, *L'interdiction de se contredire au detriment d'autrui en procedure civile francaise*, *Revue Trimestrielle de droit civil*, p. 459, Editura Dalloz 2010.
- Deleanu I., Mitea V., Deleanu S.**, *Tratat de procedură civilă*, p. 1083, Editura Universul Juridic, București 2013
- Deleanu I., Mitea V., Deleanu S.**, *op. cit.*, p. 1084.
- Curtea de Casație Franceză, *Societe Merial/Societe Klocke Verpackung - Service GMBH*, februarie 2010, pe www.courdecassation.fr.
- Michaels R.**, *The True Lex Mercatoria: Law Beyond the State*, în 'Indiana Journal of Global Legal Studies', Volumul 14, februarie, 2007, p. 448, disponibil și pe <https://www.repository.law.indiana.edu/cgi/viewcontent.cgi?article=1359&context=ijgl>.

Marechal C., *L'estoppel a la francaise consacre par la Cour de cassation comme principe general du droit*, Recueil Dalloz 2012, p. 167.

https://www.legifrance.gouv.fr/codes/section_lc/LEGITEXT000006070716/LEGISCTA000006135977/#LEGIARTI000023450811.

<https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000023417498>.

Uta L., *Buna credință în raporturile contractuale*, Revista Română de Jurisprudență nr. 2 din 30 aprilie 2015; V. Tereza, *Noul cod civil, Ediția a II-a. Adnotat cu doctrină și jurisprudență*, Editura Universul Juridic, București 2014, p. 739.

Bădulescu I.S., *Abuzul de drept procesual, descurajarea prin sancțiuni specifice*, în Revista Română de Drept Privat nr. 2 din 2019.

Nicolae N., în *Drept civil. Teoria generală*, vol. I, Ed. Solomon, București, 2017, p. 253.

Muir Watt H., *Une application de la regle de l'estoppel*, *Revue critique de droit international prive*, p. 602, Dalloz, 2006.

Nottage L., *The Vicissitudes of Transnational Commercial Arbitration and the Lex Mercatoria. A View from the Periphery*, în *Arbitration International*, Vol. 16, ianuarie 2000, pag. 59.

Camera de Comerț Internațională a fost înființată în 1919 pentru a deservi afacerile mondiale prin promovarea comerțului și a investițiilor, a piețelor deschise pentru bunuri și servicii și a fluxului liber de capital. Secretariatul internațional al organizației a fost înființat la Paris, iar Curtea Internațională de Arbitraj a CPI a fost creată în 1923.

Curtea de casație Franceză, Golshani C. Republicii Islamice Iran, 6 iulie 2005, disponibilă pe <https://arbitrationlaw.com/library/cour-de-cassation-first-civil-chamber-6-july-2005-golshani-v-gouvernement-de-la-r%C3%A9publique>.

Tribunalul pentru revendicări Iran-Statele Unite a fost înființat la 19 ianuarie 1981 de Republica Islamică Iran și Statele Unite ale Americii pentru a soluționa anumite cereri ale cetățenilor unui stat parte împotriva celuilalt stat parte și anumite cereri între statele părți. Până în prezent, Tribunalul a finalizat peste 3.900 de cauze. În prezent, în dosarul Tribunalului se află mai multe reclamații complexe între Republica Islamică Iran și Statele Unite ale Americii. La 1 iulie 1981, Tribunalul a ținut prima sa întâlnire în Palatul Păcii din Haga. În aprilie 1982, Tribunalul s-a mutat în propriul sediu din Haga.

Exequatur este o noțiune specifică raporturilor de drept internațional privat cu referire la procedurile în care, urmare a controlului realizat de o instanță de judecată din alt stat decât cel în care se pune în executare o hotărâre judecătorească, aceasta dobândește caracter executoriu.

Curtea de Casație Franceză, Secțiile reunite, Decizia nr. 573 din 27 februarie 2009, în cauza S. Sedea electronique/S. Pace Europe și alții, disponibilă pe www.courdecassation.fr.

Curtea de Apel București, Secția a IV-a civ., Decizia nr. 496/A din 2 decembrie 2014, menținută prin Decizia nr. 804/2015 a Înaltei Curți de Casație și Justiție, Secția I civilă, disponibilă pe www.scj.ro, verificată la 30.12.2020

DIGITALIZATION AND CORRUPTION

Marian I. Adrian Sorin, Lecturer Ph.D.

“Bogdan Voda” University, Faculty of Law, Cluj-Napoca, Romania

email: amarian08@yahoo.com

ABSTRACT

Progress has brought good things. Historical experience shows that mistakes have also been made. Cosmetics and medicines with radioactive substances. Digitization has involved a very large amount of trade. Digitization of education is contested by scientists. Politicians want digitization because there are big money profits. Corruption in digitization assumed two forms. A classic form in the sense of corruption offences. The second form of corruption is that of perverting the population. Behavioral changes and addictions appear, especially in youth, from normality.

KEYWORDS

Technological progress. School performance. Classical school. Digitalization of education. Smartphone appendage. Aggression explosion. Corruption in digitalization. Cocaine. Addiction.

JEL Clasifications: K1, K14, K24

1.INTRODUCTION

It is broadly agreed that the term "digital citizenship" has a generic character and refers to several specific sections. Responsible access to digital resources, initiation and mastery of digital tools, and the physical and psychological conditioning of living with these resources are the most important sections.

Surely, technological progress implies an improvement in human life and existence, but some equipment and work procedures can carry adverse or negative effects. Historical examples support this view. When X-rays, Roentgen rays, and radioactive substances were discovered in the early 20th century, they impressed people so much that medicines (pills, suppositories) and cosmetics (face creams, hand creams, lipsticks) were made from them. People were fortunate not to be killed en masse because these products were so expensive that manufacturers merely claimed the medicines contained radioactive substances, but in reality, they didn't include them in the products.

Similarly, if the Anti-Covid vaccines had adverse effects, it's quite possible that Romanians were protected by the fact that there weren't proper storage and handling conditions with liquid nitrogen, and the implicated substances deactivated themselves, despite millions of excess doses being purchased for Romanians. Similarly, when cocaine was discovered, prominent doctors of the time, including Freud, recommended its consumption as medicine, promoting it as the best antidepressant.

We suggest that a discovery, a novelty, or the latest technology, which may carry a host of negative effects, should not be viewed as a sacrosanct element.

Another legendary warning has remained in history: "Young people today love luxury. They have bad manners, despise authority, and show disrespect toward elders. They no longer stand when older people enter the room. They contradict their parents, eat up delicacies at the table, cross their legs, and tyrannize their teachers. Young people today only think about themselves. They show no respect for parents or elders. They speak as if they know everything, and what we consider wisdom is irrelevant to them. As for the girls, they are forward, immodest, and unfeminine in language, behavior, and dress," stated Socrates (470 BC-399 BC). 2,400 years have passed...

The effects of social networks, very little studied, can be devastating. And there are differences and rankings in terms of negative effects among these networks. Some statistics show that Romania is the country with the highest percentage of people who get their basic information from the TikTok network. Among young people, Facebook is only the fifth most used platform.

In the rankings for the quality of education, specifically the PISA Tests, which are rarely discussed in our country because we dislike them, Romania has fallen to 58th/59th place, trailing at the bottom of Europe. Meanwhile, we are overwhelmed by projects on digitalizing education, promoting distance learning, and texts—not scientific studies—about the advantages of digitalization in education and all other fields. These texts are promoted by controversial figures, often politically connected semi-educated individuals.

We have among the highest internet speeds, we were pioneers or experimental ground for 5G technology, yet we are at the bottom of the PISA Tests rankings.

We dare to suggest that this avalanche of advertising and rapid digitalization efforts is weighed down by the phenomenon that plagues many actions related to public procurement and projects, namely corruption.

2. ABOUT CORRUPTION AND ITS CONNECTION TO THE EFFECTS OF DIGITALIZATION

As an "umbrella" term, corruption represents a deviation from morality, honesty, and duty. Being a reflection of the relationship or interaction between authority and citizens, corruption is also defined as the discretionary use of a position or office and the resort to illicit or illegal means aimed at gaining personal or group interests.

For an act of corruption to constitute a crime and, consequently, be subject to criminal law, it must meet the requirements stipulated by the criminal law.

The most important ones are:

- the crime of accepting bribes – provided in Article 254 of the Penal Code,
- the crime of offering bribes – provided in Article 255 of the Penal Code,
- the crime of receiving undue benefits – provided in Article 256 of the Penal Code, and
- the crime of influence peddling – provided in Article 257 of the Penal Code, and they are punished according to these legal provisions. Additionally, we mention Law no. 78 of 2000 for the prevention, detection, and punishment of corruption offenses.

In this material, we will address the effects of digitalization in connection with the broader social phenomenon of corruption, especially since in its strict legal sense, the phenomenon is investigated and handled by specialized institutions.

2.1. Positive Effects of Digitalization in Combating Corruption

No one is against progress and digitalization. Digitalization itself certainly has beneficial effects, including in the area of corruption. It is well known that a bureaucratic and cumbersome service fosters corrupt behavior. It is said that a long line at any counter attracts corruption, and digitalization can play a decisive role in eliminating those lines.

Another positive effect in combating corruption is that digital systems can be used to monitor and uncover financial transactions, ensuring greater transparency. On the other hand, new digital payment methods, such as those using cryptocurrency technologies, can hide bribe payments.

2.2. The National Effort for Digitalization and Major Corruption Cases

Digitalization involves the buying and selling of hardware and software products, and the financial dimensions of these transactions, as well as the economic power of some parties, have entered the criminal sphere in many cases.

Over 1,000 IT projects have been funded to modernize our country. While in the 1990s foreign companies were dominant, starting from the 2000s, powerful Romanian economic partners began to emerge, securing contracts with the state.

The most mentioned names, in order of the amounts collected, are: **Siveco Romania**, a company founded by Irina Socol, which at one point was ranked first with 62 contracts won from over 40 institutions. In second place is **Tiberiu Urdăreanu**, a former army officer with 25 contracts with 15

authorities, excelling in surveillance systems. In third place is **Sebastian Ghiță**, with 26 contracts with 17 major public institutions.

All three have had legal problems. They were either convicted of tax evasion, faced legal action, or were put under criminal investigation for corruption offenses.

While criminal activities fall under the jurisdiction of competent and specialized structures, there are aspects of digitalization implementation that have been less discussed and which we believe will have more severe and harder-to-quantify long-term negative effects.

3. DEVIATIONS FROM NORMALITY. THE PROSTHETICS OF HUMAN INTELLIGENCE

3.1. Computer Dependency is Not Mandatory, but It Is Imposed

"Digital environments make us use our brains less, and its efficiency decreases over time... This does not only refer to our thinking but also to willpower, emotions, and especially social behavior. The effects have been demonstrated from various perspectives and occur under mechanisms that scientific research has increasingly identified, particularly through neurological research" (Spitzer, *Digital Dementia*, pp. 280-281).

Humans, as divine sparks and evolutionary results, were formed to learn, love, and create "in the flesh." In terms of educational digitalization, we rank alongside Nigeria and Rwanda. In school quality, we occupy the position set by the PISA Tests, specifically 58/59, along with the quality of the millions of useless tablets purchased for schools and the billions wasted.

Very few educators in our country are raising alarms about this. An example is the historian and writer from Iași, Mircea Platon, through his work *The Educational Comintern and Digital De-schooling*.

"Why this uniformization? Why does the Ministry of Education (MEC) plan 'training courses for parents' and why is 'the goal for 2027 that 90% of the country's population will be digitally literate'? How can MEC ensure that 90% of Romanians will be digitally literate? By using the digitalization of schools as a lever for a huge social engineering mechanism? Has this become the role of schools? Has MEC become a kind of Ministry of Propaganda and Uniformization? In the days when students wore uniforms, schools were more humane than today, when, under the guise of the ideology of all kinds of diversity, parents and children are subjected to the most despotic and humiliating forms of manipulation and dumbing down" (Mircea Platon).

"Introducing computers into schools will prepare students for life alongside computers, as if students should have lessons in drinking, smoking, and sex, all rational, controlled, under the supervision of the teacher (just as promised with computers) to teach students about these constants of adult life. In reality, computers intrude so deeply into all fibers of our lives that schools should be an oasis where children are protected from this influence, just as adults need time spent away from screens. A combination of TV/tablet/laptop/chat/movies/school projects/homework causes today's children to spend 6-7 hours a day with their eyes on screens (outside of school), and colonizing their school hours with screens will have disastrous effects on both them and us as civilized humans," says Mircea Platon.

Moreover, the digital environment is designed to create user dependency. In the documentary *The Social Dilemma*, from minute 22:10, Tristan Harris, who worked for Google, explains how he was academically trained to discover vulnerabilities in the mind and build a manipulative universe with the help of digital technology, investing everything he knew about the psychology of persuasion. Harris was trained to become a "behavioral manipulation genius" through digital technology: "Harris says: Persuasive technology is actually a kind of design taken intentionally to the extreme, with which

we actually want to change someone's behavior. We want to make them do this. We want to see them keep clicking the mouse.

3.2. The Multiple-Choice Exam is Not Humanity's Best Friend, but the Computer's

"There will always be 'experts' paid to shame you for not keeping up with 'others,' who represent 'progress,' or to tell you that a certain technology is exactly what you need to be younger, more beautiful, smarter, immortal. In an economic world dominated by lobbyists financially supported to advance the interests of IT companies even against your interests – as a client, user, or supposed 'beneficiary' – you don't need to be a proponent of 'conspiracy theories' to think carefully about the millions of overt or subtle advertising messages seeking to manipulate or impose policies on us."

The audiovisual bombardment from bright screens has increasingly devastating effects, especially on younger clients/students. All school information will seem outdated and old-fashioned compared to the multitude of intense sequences strongly accompanied by sound and visuals from screens.

The lack of responsibility towards the quality of education, in connection with digitalization, manifests primarily through three main pillars:

1. **Replacing Direct Communication:** Excessive use of groups, without "hygiene" rules in this behavior, is replacing direct communication between teachers and students, or among students themselves. For example, there have been cases where explicit sexual scenes were posted on these groups, starting from primary school.
2. **Abuse of Remote Learning:** Remote learning methods are being abused, including the commercialization of remote tutoring. Attempts at TELE-SCHOOLING were made 40-50 years ago. The effects were so unfavorable that it was abandoned a few decades ago. Commercial conditions and the economic power of IT are leading us back to this form.
3. **Widespread Use of Multiple-Choice Evaluation Systems:** There is a saying in education, "Multiple-choice tests create monsters!" Solving problems of any kind produces strong and responsible individuals. Abuse of multiple-choice questions creates little monsters focused on minimizing effort and finding ways to avoid work.

Certainly, multiple-choice exams have their advantages, especially for the examiner, but not for the educational institution's product, which should be a well-prepared graduate!

3.3. Organic Appendage to the Smartphone

The contemporary fear is that we will produce generations of people who are merely organic appendages to smartphones. (Appendix for victims of the new school: a small extension of the intestinal tube, long considered useless, recommended for removal / A secondary part of an organ, an extension of it).

The technological avalanche overwhelms us, and we, Romanians, have a serious tendency to make light-hearted jokes, in the style of the film "Amintiri din Epoca de Aur," or to dismiss the phenomenon with frustration and caustic remarks like "Facebook and social networks are a mess." It's more than just a mess; it is reality!

The situation is much more alarming than a Dâmbovița or Napoli-style joke. Current generations of youth are changing, and we do not know how, nor are we informed or warned; we might suspect, but we are not addressing the need to develop mechanisms to protect and adapt ourselves.

It is positive that there are still (few) Romanian intellectuals, such as historian Mircea Platon from Iași, who are issuing warnings.

There are already works addressing the topic – such as "Children and Bright Screens" or "Digital Dementia!" There are certainly more, but the avalanche of change is faster than the studies being conducted. Where studies are done, in our case, the situation is different! Aggressive promotion

of critical issues (such as the abuse of digitalization in schools) is driven by semi-educated individuals in pedagogy, psychology, or sociology.

For example, in the U.S., the report "Increase in Criminality Due to Television!" was published in 1953. TVR in Bucharest began broadcasting only in 1956. The West did not solve the problem but warned its population.

Some boast about the digitalization of the country? Others argue that it's more about dumbing down than digitalizing.

In Romania, there are wonderful and worthy people who will undertake the digitalization of education for the nation's empowerment, not its disruption. However, be aware that the financial and corrupting power of global IT (does anyone remember SIVECO?) is much greater than that from juices, alcohol, or cigarettes. But compared to drugs? Even the drug industry's turnover doesn't compare...

That is, IT companies also need to sell, to make a profit, and in all fields, those who sell expensive, "cheap" products of questionable quality, rudimentary, and of low value win the most.

The most efficient way to sell is to offer poor-quality goods at high prices to less educated people. For example, no one reacted when on PRO-TV (think freely?) some years ago, footballers Rădoi or Bănel Nicolici, following an opinion poll on "Who is the most important Romanian?" occupied higher positions than Iorga or Hașdeu!

3.4. From Joke Creators to Obscenity on Social Networks

It is known that there were groups of specialists, humorists associated with the Securitate (Romanian secret police) who crafted or shaped jokes during the "Golden Age" of Ceaușescu's regime. These jokes seemingly criticized or mocked Ceaușescu or the archetype of the communist/security officer, but the final image was one of sympathy towards the character. The mockery of major issues has persisted with us.

In contrast, elsewhere there is no laughter at the unknowns of manipulation threatening younger generations. To illustrate, we quote a fragment from one of the most prestigious Western publications:

"We have a generation of young people on social media so terrified of having the wrong opinions that they have robbed themselves of the opportunity to think, learn, and grow," wrote Adichie. "I have spoken to young people who tell me they are terrified to tweet anything, that they read and reread tweets because they fear being attacked by their own peers. The presumption of good faith is dead. What matters is not kindness but the appearance of goodness. We are no longer human beings. We are now 'angels' playing to outdo each other. God help us! It is obscene." (<https://www.theguardian.com/.../chimamanda-ngozi-adichie> via Mircea Platon)

In this context, do we have any wrong opinions here? In response, we can only mention that globally recognized IT geniuses, such as Bill Gates and Steve Jobs, allowed their own children access to information gadgets only from the age of 18. Yet, they sold well! And the best sales deals are made with which type of buyers? With those less educated. Does this relate to the evolution of Romanian students in the Pisa Tests?

4.DEVIATION FROM NORMALITY THROUGH AGGRESSIVENESS

4.1. Mechanisms and Levers for Increasing Aggressiveness

We observe changes in aggressiveness on the roads, in the streets, and in homes. We quantify it institutionally by the evolving operational situation (although the number of offenders discovered and investigated by the police is increasing), amidst a notorious "export" of criminals of all ethnicities across the European Union. The severity and trend of criminal age are also alarming.

If the relationship between Television and criminality has been studied, it is not hard to imagine the impact of various social networks where there is no editorial control over what is published.

Two elements contributing to the explosion of aggressiveness are:

1. Intensification of anxiety
2. Desecration of horrors

I have mentioned two of the most frequently cited levers influencing the population due to the explosion of aggressiveness and the avalanche of media violence.

Naturally, the increase in the feeling of anxiety, the "pressure cooker" effect produced by the avalanche of violence, and the subsequent exaggerated, violent reactions to external impulses. A person thus "treated" can act like an over-inflated balloon when subjected to a pinprick of aggressiveness—explosive!

The second lever is the desecration of horrors, creating a normalization of violent events in daily life. Repeating such events becomes routine and acceptable! Everyone, but absolutely everyone, is influenced—though to varying degrees. The most vulnerable are those with psychological instability and, unfortunately, our future, the children!

4.2. Non-Stop Violence on Social Networks

Just listen to the horns of younger drivers! Accidents, crimes, rapes, explosions, avalanches, earthquakes, wars—an endless litany of disasters, an inexhaustible source of terror: 24 hours a day, 365 days a year. We have become so accustomed to the sensationalism of mass media and social networks that violence has become monotonous, circular, banal—a mere statistical exercise: "Let's see, what do we have today?"

A prisoner kills his cellmate by smashing his head against the wall, a mother drowns her five children, dozens of victims in a train accident?

In the world of violence, there are no breaks: the biggest surprise would be to open your smartphone, turn on the TV, or check your social media account and NOT find a report about some new atrocity. Unfortunately, this is an impossible dream; the game continues endlessly, and zero does not appear on the roulette of horrors.

Bombarded daily with shocking reports, violence has become trivialized, it has lost its allure and its seductive power. Continuously drugged with virtual violence, we have become insensitive to real violence, to the immediate violence within us. It manifests in all areas, even if we do not consciously perceive it.

There are music genres where only rhythm, drum volume, or guttural growling predominates. These dumbifying texts lead to primitivism and aggression. If we allow our children to be exposed to these influences, the result is predictable.

4.3. The "Progress Witnesses" Sect

Eminescu, Sadoveanu, Slavici, Coșbuc—outdated figures. Vulcănescu, Magda Isanos, Mircea Eliade, Emil Racoviță, Steinhardt—unknowns. The Church, an organization that undermines the goodwill and honesty of politicians to build hospitals and highways. Later, extremist and populist characters, whose rise to the national or European Parliament astonishes us, will be the ones voting.

The hidden reality of the degradation of Romanian education is explained by Mircea Platon in "Cominternul educațional și deșcolarizarea digitală!"

"There exists a sect of Progress Witnesses, ready to swear that 'Sadoveanu is outdated!' 'Creangă is outdated!' 'Eminescu is outdated!' 'Teaching/learning is outdated,' 'handwriting is outdated,' 'chalkboard writing is outdated,' and that beauty and goodness are outdated notions—useless."

This is how the important and necessary plea of the historian, Mircea Platon, Editor-in-Chief of "Convorbirile literare" in Iași, begins.

There are studies—not just statements from politicians—that should be known and read by all those who do not consider the concept of mother and father outdated and who cannot be replaced by the terms "parent 1" and "parent 2." By all those who feel and know the difference between being raised under the guidance of true teachers or having generations of children abandoned to smartphones, with high chances of turning into a population of superficial thinkers.

The classical school, which Romania enjoyed from 1864 to around 1995, was a place where students cultivated their intelligence and moral discernment through contact with the best of the nation's and humanity's intellectual tradition.

The politically correct school tends to be a place where both parents and students are educated in progressive trends, based on the abandonment of any classical heritage and stable references.

It is a place where, under the pretext of educating students, radical ideology is also radiated into families. Indeed, it seems that, under the guise of educating students, it is the teachers who must continually learn and be re-educated.

The goal of the *new, active, experimental, and progressive school* is to continuously educate the teachers, enrolling the entire society into a never-ending indoctrination process.

(...) I do not understand why these reformers do not accept the idea of leaving the classical education system in peace, of consolidating it, and creating another educational path (no matter how digitalized they want it), like vocational schools for corporations.

Why the need to destroy the entire education system? Why this uniformity? Why does the MEC strategy include 'parent training courses' and why is the goal to have 90% of the country's population digitally literate by 2027? How can MEC ensure that 90% of Romanians will be digitally literate?

Using school digitalization as a lever for a gigantic social engineering mechanism? Has this become the role of schools? Has MEC become a sort of Ministry of Propaganda and Uniformity?

In times when students wore uniforms, the school was more humane than today when, under the guise of diversity ideology, parents and children are subjected to the most despotic and humiliating forms of manipulation and dumbing down. (Mircea Platon)

Of course, no one is against progress and informatization. However, as a divine spark and evolutionary result, humans were formed to learn, love, and create "live."

In the realm of educational digitalization, we rank alongside Nigeria and Rwanda. In terms of school quality, we are at the level fixed by PISA tests, at 58/59, in line with the quality of the millions of useless tablets purchased for schools and the billions wasted in vain.

Let's not forget: children and students no longer compete even in "clothes," but in smartphones and the novelty of installed games/apps.

Initially, Dr. Freud recommended cocaine as an antidepressant, but he and humanity later discovered how harmful cocaine and other drug dependencies can be. Laws and justice systems were created to combat drug use!

As ordinary citizens, paraphrasing perhaps the most famous shot Romanian, we might ask ourselves if there is something worse than drugs. Isn't it time to develop laws, norms, and create specialist structures to help people, especially children, avoid being too affected by this scourge of addiction to games, the internet, social networks, and smartphones?

In the public space, there is a tendency to explain the goodwill with which we should view technological progress, aviation, cars, and other discoveries.

More people die on the roads than in wars, and even airplanes crash. If we raise the issue that deaths from traffic accidents are a concern, does it mean we do not love cars and technological progress, including smartphones?

Certainly, with a little advertising from "technologies," arguments take on different consistencies and forms. But the most affected are children and students, who are the most defenseless and least reactive.

5. IN PLACE OF CONCLUSIONS

A German university psychiatrist, Manfred Spitzer (in his book *Digital Dementia*), claims that German politicians view and treat children/students merely as profit-generating entities. In Germany! We can only wonder if these Romanian students and children, who have been forced to spend about 10-12 hours a day staring at phones and screens for years, attending online classes and completing assignments without much supervision or value, should not also be respected and considered more seriously?

In Romania, there is a law against smoking (which is timely and welcome) and regulations against alcohol. Old addictions/dependencies are insignificant compared to the new ones, both in terms of virulence, aggression, prevalence in the population, and, most importantly, their future implications.

We return to some PC games: shooting soldiers, killing dragons and monsters in brightly colored screens with aggressive music and unknown subliminal messages. Compared to the internet, what the school might still offer seems old-fashioned, outdated, and boring. We love technology, but we must use it to our advantage and not become slaves to the desires of corrupt officials who procure useless (and low-quality) equipment.

We, as over-busy parents, fulfill our duty by giving a smartphone as a gift. After that, we are unsure about what happens with the soldiers on the screen, but we risk creating a few generations of unqualified workers (the so-called "sparangheliști").

Any normal person (we hope we are among them) respects, uses, and loves technological advancements and novelties. The smartphone is relentlessly indispensable! The negative phenomena accompanying it are not premeditated by a global conspiracy, but they are so threatening that an old-school definition comes to mind: "The state is an organization that emerged as a necessity in historical evolution to protect citizens from internal and external enemies and from the vicissitudes of nature!" What is the state doing to protect us?

If the state does nothing, we must remember the famous words of J.F. Kennedy: "Ask not what your country can do for you, ask what you can do for your country!" Perhaps this country also needs help.

REFERENCES

1. **Nicolas Kardaras**, *Children and the Bright Screens: What is Training Children and How to Break this Hypnotic State*. Paralela 45 Publishing House, Bucharest, 2016.
2. **Adrian Sorin Marian**, *Why Are Romanians Emigrating?* Galaxia Gutenberg Publishing House, Cluj-Napoca, 2023.
3. **Adrian Sorin Marian, et al.**, *Basics of Preventing and Combating Antisocial Acts*. Galaxia Gutenberg Publishing House, Cluj-Napoca, 2021.
4. **Adrian Sorin Marian, et al.**, *Competencies and Benchmarks in Training and Cooperation within the Public Order and Safety System*. Galaxia Gutenberg Publishing House, Cluj-Napoca, 2021.
5. **Adrian Sorin Marian**, *Legal Framework for Identifying and Sanctioning Crimes*. Galaxia Gutenberg Publishing House, Cluj-Napoca, 2022.
6. **Adrian Sorin Marian**, *Prevention and Combating of Antisocial Acts*. Galaxia Gutenberg Publishing House, Cluj-Napoca, 2022.

7. **Adrian Sorin Marian, Sorin Borzan**, *Public Order in Europe Between Tradition and Contemporary Times*. MEGA Publishing House, Cluj-Napoca, 2015.
8. **Mircea Platon**, *De-Schooling Romania: The Goals, the Moles, and the Architects of the Reform of the Romanian Educational System*. Ideea Europeană Publishing House, Iași, 2020.
9. **Mircea Platon**, *Nation, Modernization, and Romanian Elites*. Ideea Europeană Publishing House, Iași, 2021.
10. **Mircea Platon**, *The Educational Comintern and Digital De-Schooling*. Ideea Europeană Publishing House, Iași, 2022.
11. **Manfred Spitzer**, *Loneliness: An Unrecognized Disease*. Humanitas Publishing House, Bucharest, 2023.
12. **Manfred Spitzer**, *Digital Dementia: How New Technologies Disturb Our Minds*. Humanitas Publishing House, Bucharest, 2024.