

Philosophy of Life and Ideology (Who Are We?)

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In Danish, the word *livsanskuelse* means a person's "philosophy of life," including thoughts of life, its meaning, and its purpose: Where do we come from and where do we go? The word derives from the German word *Lebensanschauung* and has existed in the Danish language for about a hundred years. But the word also is cognated with the older word *livsbetragtning* (reflection on life), which is defined as reflections and speculations about a conception or opinion of life or a person, a society or an age.

We draw closer to understanding the meaning of *livsanskuelse* in the Danish encyclopedia *Salmonsens Leksikon*, which summarizes the word as an endeavour that every thinking human being inevitably makes to create for one's self an interpretation and evaluation of life — both the inner life and in relations with society. These endeavours are decided not only by the individual's nature but also by the surrounding social conditions, family and racial characteristics, and historical development. Thus, "philosophy of life" is a mixed subjective and objective idea which is decided both by feeling and intellect.¹

* Professor of Law and Jurisprudence, Aarhus University, Denmark. I welcome the opportunity to contribute to this symposium honoring Edgar Bodenheimer. Edgar Bodenheimer represents the European cultural tradition, which since the days of Aristotle has regarded law as a tool for forming "the good society" and not only a political device for "suppression" (Marx) or for maximizing "public utility" (Bentham). In his books, *Jurisprudence* (2d ed. 1974), *Power, Law and Society* (1972), and *Philosophy of Responsibility* (1980), he expresses the same idea as I did in *Law and Society* (1971), *Values in Law* (1978), *Pluralis Juris: Toward a Realistic Theory of Law* (1982), and *Reason and Reality* (1986). The idea is that *justice* is a living, material conception which changes and adapts itself to the changing social conditions, but which retains a general structure based on the human needs for freedom and security, reflecting the biological nature of being an individual and a social being. Bodenheimer, *Individual and Organized Society from the Perspective of a Philosophical Anthropology*, in *J. SOC. BIOL. STRUCT.* 207-26 (1986).

¹ Jørgensen, *Ideology and Science*, in *VALUES IN LAW: IDEAS, PRINCIPLES AND RULES* 9 (1978); Jørgensen, *Meaning, Opinion and Argumentation*, in *REASON AND REALITY* 7 (1986).

The endeavours take form as various types of philosophies: idealistic, realistic, religious, ethical, aesthetic, political, and so forth.² Thus, "philosophy of life" is not necessarily one of the grand words encompassing the whole of life, philosophy, and the world view of the individual. For example, we can describe a doctor's philosophy of life by observing how the doctor behaves toward other human beings who are looked upon either as patients or natural processes. I use the anecdote about a doctor who says that she has been operating on people for twenty-five years without ever having met a soul, for which reason her common sense tells her that there is no soul. Such a conclusion may be inescapable until the doctor is asked, "Have you ever met the common sense?" Alternatively, in *Sinuhe, The Egyptian*, Mika Waltari writes how life is perceived from the corpse washer's point of view: a person is not regarded as a human being but as an object for undertaking.

This anecdote and parody illustrate that innumerable possible philosophies exist and that it is impossible to perceive life without one. However, I do not try to bear a personal testimony of the meaning of life because it is a totally private matter and it may easily become banal. Instead, I analyse and describe the idea of philosophy of life in relation to other cognated ideas like the creation of public opinion, ideology, and the structure of cognition.

The relations between a subjective and an objective philosophy of life are dependent in the widest sense on the human conception that underlies the philosophy of life.³ If a person is regarded solely as an individual with a free choice of a philosophy of life, the person also is personally responsible for this choice. But if a person is regarded as a passive tool in the hands of external forces such as history, society, and language, the person is only an element in a process of development and cannot be responsible for her own choices. Having chosen the question: Who are we? and not: Who am I? as a title, I consciously or subconsciously assume, as existentialists presume, that a person is not only a unique individual without any sense of community, but also a specific human being with certain common features that necessarily are the occasion of a certain sense of community when viewing and estimating life.

We have not considered the question of whether a person is com-

² S. JØRGENSEN, *PLURALIS JURIS: TOWARD A RELATIVISTIC THEORY OF LAW* (1982); S. JØRGENSEN, *LAW AND SOCIETY* (1971); Jørgensen, *Idealism and Realism in Jurisprudence*, in *VALUES IN LAW*, *supra* note 1, at 29.

³ Jørgensen, *The Crisis of Democracy*, in *REASON AND REALITY*, *supra* note 1, at 145.

pletely subject to external forces or whether room exists for individual choices of interpretation schemes. It is an important question because this interpretation scheme is not only a means of cognition but also a programme of action that predisposes the individual to act in a certain way or go in a certain direction. Like a computer that selects and distributes data on a disk, our consciousness has a filter that decides which influences become part of the conscious and subconscious that determines our opinions and actions.

There are, however, two or three necessary elements in this analysis. One is the influence of the surroundings, society, and history on the development of consciousness, the "philosophy of life." Marxism maintains that material conditions, especially the method of production in a society, completely determine the consciousness. Consciousness, however, does not change *pari passu* with the changes in society; at any time there is a certain gap called "false consciousness" or "ideology." The gap exists either to veil the "real facts" or to be used by those in power to "justify" their positions of power in defiance of the "objective facts."⁴

According to Marxism, a person is a sort of jumping jack whose consciousness is controlled by external forces. However, ambiguity enters the political practice if the fight for consciousness is appointed the most important one in the political battle at the same time that one refers to the necessary dependence on the material conditions of the consciousness. The ambiguity is seen again in Marxism's relation to the historical necessity of the entry of socialism at the same time that it is regarded as right and necessary to work for the cause of socialism in the political practice. I will not go into the refined attempts to combine these contrasts, but state only that even the extreme Marxist reckons with the possibility that arguments affect consciousness, ideology, and philosophy of life and that a certain amount of freedom exists.

Structuralists assume another kind of necessity. Like Marxists, they regard a person's consciousness as a product of external factors. It is not, however, the social conditions but the language that decides the consciousness. According to this apprehension, language is an objective system of signs and symbols that a person thinks she uses to talk and write. But actually a language talks and writes with the individual. Saying that it is language that speaks through the passive person is to say that it is the axe or the saw that acts with that person. What is obviously correct in this conception of language is that language must

⁴ S. JØRGENSEN, IDEOLOGY AND SCIENCE, VALUES IN LAW, *supra* note 1, at 18.

have a certain universal meaning if it is to be used to communicate a "content of meaning" from one individual to another. It is also correct that a close connection between language and cognition exists since intellectual cognition is based on the same abstract ideas and structures as language.

During recent years philosophy of language and theory of science have revealed a more refined coherence between language and consciousness than structuralism. At the same time both have contributed to a better understanding of the importance of ideology and philosophy for cognition.⁵

From the 1920s until the 1960s the general theory of cognition and science, the so-called logical positivism, assumed a close coherence between language and cognition. According to this theory it was meaningful to discuss reality only as people imagined language depicted reality. Thus, language was a completely conventional word system that described reality without any major problems. One is required to distinguish between cognition (description) and evaluation. The former was an objective activity, the latter a subjective one.

The analytical and hermeneutic philosophy of language later apprehended that the linguistic description — including cognition — can be neither objective nor conventional because our ideas are value-loaded and bound up with our purposes, human interests, and needs. In the surrounding world, phenomena such as tables, chairs, elephants, mothers-in-law, and terrorists do not exist. What does exist are constructions in different materials or psychical objects and persons that are described with abstract words and ideas to convey our purpose or estimate of those objects and persons. A table is an object on which to place things, a chair is an object to sit on. A mother-in-law is a person whose relations to others depend on family circumstances, which again depend on the rules of law; a terrorist is a person who does things we do not like.

The ideological criticism that swept the world after the student rebellions in the late 1960s was an offshoot of the hermeneutic philosophy of language and theory of science which maintained that cognition could not be objective, as the logical positivism assumed, but could be only intersubjectively dependent on the value community existing between human beings.⁶ However, the practical and ethical demands of science

⁵ Jørgensen, *Does Reality Exist?*, in REASON AND REALITY, *supra* note 1, at 16; Jørgensen, *Scandinavian Legal Philosophy*, in REASON AND REALITY, *supra* note 1, at 80.

⁶ See sources cited *supra* note 1.

require that a person define her assumptions to achieve the greatest possible descriptive clarity and minimize ambiguity. Therefore, neo-Marxists incorrectly claimed that many types of subjectivism were permitted just as many sciences were politics. However, for practical reasons linguistic liberty must be limited since language is a medium of communication.

At the same time, the analytical philosophy of language has clarified that historical and cultural experiences and evaluations of mankind remain in the language in such a way that the language can be a source of cognition in itself. For example, comparative philology has identified about two hundred common Indo-European words in the Danish language that refer to an agrarian civilization. From this, one can infer the later layers in the history of their development.⁷

In the same way, language consists of words and ideas that represent different understandings of the world order and different ways of presenting the problems of science. For example, people continue to say that the sun rises in the east and sets in the west even though everyone knows that it is the Earth that revolves around the sun. While at one time science had to adapt itself to religious and political ideologies, it would be regarded as stupid to promote the claim that the Earth is flat. Just as the creation of public opinion is a product of facts and evaluations, the ideology and philosophy of life must respect the scientific facts. Giordano Bruno was burned at the stake because he defied the church's philosophy of life; and Lysenko became a state geneticist by adapting his hereditary experiments to the Marxian dogma on the importance of the environment to development.

We come now to the third kind of necessity. As mentioned above, general opinion held that language is a convention, that we decide the structure and contents of the language, the correct use of which is just something we must learn. However, tests on the development of children's language show that children learn to speak correctly although they most often talked to other children. Chaim Chomsky inferred from this that language acquisition was a special natural ability similar to other aptitudes. Moreover, Chomsky believed that language consisted of two parts: a depth structure or grammar common to all languages and a surface structure which determined whether one would speak Danish or Chinese.⁸ This ability is developed at a certain age, making it possi-

⁷ Jørgensen, *Private Property and Regulations, Contract as a Social Form of Life*, in REASON AND REALITY, *supra* note 1, at 109, 129.

⁸ Jørgensen, *Ideology and Science*, in VALUES IN LAW, *supra* note 1, at 9, 15.

ble for us to find a meaning in the sentences through the placing and function of the words.

It is obvious that we are approaching the question which is the most intricate and liable to explode: What is nature and what is culture? If it is correct that language is caused by a special natural ability that reflects hereditary, conditioned, biological, and specific characteristics, it is reasonable to infer that the corresponding cognition apparatus must be coded in a certain way as well.

What distinguishes human beings from other animals is the ability to create language and with it to create culture, which in turn is the means by which people adapt their surroundings to their own purposes. However, since the starting point of culture is consideration of human needs and values, and since humans hide their own nature by covering their natural needs with culture, it is difficult to infer human "needs" other than the needs for food, water, air, and reproduction. The formation of philosophy and ideology relies on quite different and complicated characteristics connected with social conditions, justice, ethics, religion, and aesthetics.

By returning to previous layers in history and to ethnology, ethology, and other sciences, we might find some ideas of social, legal, ethical and religious needs.⁹ It is a well-known fact that humans have always lived in communities, originally small family communities, and later towns and states. Ethologists suggest that social organizations are a result of the lengthy maturation process. In the animal species the young become self-sufficient immediately so organization and division of labour are not required. However, the longer the maturation period, the more important the division of duties of parental care. On the one hand, intelligence is the characteristic that creates a need for organization, and on the other hand, intelligence enables man to create an organization, since language is an important communication system that greatly surpasses other primitive animal communication systems. Aristotle said man is a social animal (*zoon politikon*). Although philosophers have tried ever since to discover man's innermost nature, changing times have marked human nature, which has taken on the tint of the sky.

Radical theories assume that a person's mind is a clean blackboard on which they can write any social contract. These theories may be compared with conservative theories and theories derived from natural law, which see man as a creature to whom the world order, God, tradi-

⁹ Jørgensen, *Contract as a Social Form of Life*, in REASON AND REALITY, *supra* note 1, at 129; Jørgensen, *What is Law?*, in REASON AND REALITY, *supra* note 1, at 65.

tion, or nature has inscribed its laws, requiring belief or reason to investigate and interpret.¹⁰

It has therefore been possible to justify widely different social systems. For the conservative citizen, monarchy is the power which unites and represents the whole society. For the aristocratic and liberal citizen, a government of a small elite secures that the necessary common values are given the highest priority. The radical citizen will have a tendency to regard democracy as the form of government securing an even distribution of the values among equals.

Conservative ideologies that stress the interest of the whole regard human beings collectively as a part of a whole. As we know from the Old Testament, the Iceland sagas, and Scandinavian provincial laws from the early Middle Ages, this view of the family was the prevailing one. It was not until the creation of completely new social systems, which demanded division of labour, that the individual was liberated from the unity which kept her in her place, yet at the same time ensured her a share of the output. In towns each individual's work commands a price so that the individual can become the architect of her own fortune but also be left alone when she cannot earn her living. Money makes it possible to put a price on individual effort. As a result, each individual becomes responsible for her promises and her mistakes. At the same time, this view creates a need for charitable morals to protect the weak: children, older people, and the sick.

This Jewish-Christian concept formed in the communities of the Mediterranean — Palestine, Greece, and Rome — about 500 B.C. and was radicalized by the preaching of Christ. It appears that new morals and a new sense of justice become available when the social conditions change so much that the transmitted rules no longer secure the main social interests.

In the European Middle Ages this theme was played through once more on the ruins of the Roman Empire. In the Middle Ages it was the church which kept the pieces together, and as "God's representative on earth," it set up princes and created morals and justice. With increasing Renaissance prosperity the West disengaged itself from conservative and religious forces and recognized the human legislative powers. Again the titled landowners found themselves outdistanced by the prosperous middle classes: first in the seventeenth and eighteenth centuries with royal assistance in the shape of absolute monarchy, and later in

¹⁰ Jørgensen, *Legal Positivism and Natural Law*, in *VALUES IN LAW*, *supra* note 1, at 163; Jørgensen, *The Crisis of Democracy*, in *REASON AND REALITY*, *supra* note 1, at 145; *DEMOKRATIE UND VÖLKERBEWEGUNG*, *MEMORIA DEL X CONGRESO MUNDIAL ORDINARIO DE FILOSOFIA DEL DERECHO Y FILOSOFIA SOCIAL* 83 (1981).

the shape of middle class revolutions. From the French Revolution in 1789 to the Danish Revolution in 1849, the middle classes assumed political power and established a democracy based on a liberal individualistic human apprehension. Although the Church fought for it for seven hundred years, individualistic thinking about contract and tort did not prevail in legislation and legal practice until the middle of the eighteenth century. An ideology does not completely prevail in practice before the material conditions are present!

The triumph of middle class democracies led to totally new economic, political, and moral forces. The technical and industrial revolution created entirely new possibilities of raising the standard of living, but at the same time new demands were made on the organization and division of labour. At the end of the nineteenth century industrial workers united to achieve collective bargaining with the manufacturers. At the same time, larger production demanded larger markets leading first to imperialism and war, but later in the post-war era, to large international organizations and agreements which secure a mutual adjustment of the conditions for production and distribution. Society intervenes as an important fellow player in the economic system: with direct nationalization, with tax and distribution systems, and with economic interventions to harmonize prices, wages, and the conditions for production and trade in society.

The task of the liberal "night-watchman state" in the nineteenth century was to secure external and internal "law and order." It was replaced by the social "welfare state," which attempted to create prosperity and a social balance in the distribution of values in society. Socialism has been the political superstructure of this development; since the beginning of this century the Social Democratic parties in Western Europe have wanted to reform society through rules of law and contributory influence. This is different from Marxism and Leninism whose proponents have stuck to catastrophism and the theory of class struggle, losing ground when reform has made strides especially in the Scandinavian countries. But the politico-ideological counterpart to this development has been a weakening of the traditional Liberalism in favour of a collective solidarity with various contributions of Liberalism in the shape of Social Liberalism or Liberal Socialism. In recent years Liberalism has achieved a certain renaissance through the protest of the Danish Progress Party against bureaucracy and increases of taxation that necessarily follow regulation.

During recent years we have seen the appearance of new Utopians who believe they can speak about man's "true" or "real" nature, and

show what needs are “false” and “real.”¹¹ “Alternative” villages and collective communities compete with the “grass-roots” and “green movements.” If these anti-growth communities are regarded as symptoms of the economic development in the 1970s, it is reasonable to look on these theories as ideological attempts to make a virtue of necessity. The idea of zero population growth corresponds very suitably with the economic standstill that the energy crisis caused in the early 1970s; the moral value distribution system of the “village” and “guild communities” corresponds in the same way with the economic stagnation that prevailed for long periods during the Middle Ages. In contrast is an immovable rank and status society with small social tolerance. Social mobility and tolerance only exist in periods of growth when there is a surplus to divide. The experience of recent years also confirms this relation.

These experiences make it clear that human nature is difficult to interpret because human nature changes together with the conditions it creates by virtue of its intelligence. Humans are not only culture producing, but they are also opportunistic and able to adapt themselves to external conditions. Therefore, it is not possible nor is it as interesting to discover human beings’ past “natural” inclinations since these inclinations do not fit the conditions that humans themselves have created. Of course, human adaptability is limited, and developmental and social conditions exist that are “better” than others. Individual psychical and somatic diseases, crimes, and social unrest are symptoms of defects in the living conditions and indicate that humans have difficulty adapting to the process of town development and rationalization that is the counterpart of the post-war technological development.

Nonetheless, there is no reason to believe that one ideology or Utopian society based on the assumption of a single “right” interpretation of human nature is better than the other. The risk of leaving the decision to a single person or a ruling elite is much too large. Experiences from Eastern Europe and the dictatorships of the interwar period in the West are frightening: the patient dies while the disease is eradicated!

The only thing that can be spoken about with a large degree of certainty is that a human being is both an individual and a social being with freedom and security needs. The democratic political system built upon the western Christian-humanistic idea makes it possible for various interpretations to compete equally so that the positive interpreta-

¹¹ Dalberg-Larsen & Jørgensen, *Versuche dezentraler Steuerung in Skandinavien*, in *STEUERUNGSPROBLEME IN SKANDINAVIEN* 23 (R. Voigt ed. 1985).

tions are able to further human happiness and success and the negative attempts are given up in a gradual process of adaptation in which conceptual creation and material development inspire and affect each other dialectically.

During this process the individual has a need for an ideology or philosophy of life based on this quality and interest. This ideology or philosophy makes it possible for the individual to see herself as a part of a historical and social whole, giving her life meaning and importance and enabling her to find strength in the acceptance of the surrounding world.

But ideology cannot be sufficient to create positive relations to reality and the possibility of realistic — and thus appropriate — information in life. As we have seen, ideology can be false since it does not correspond with individuals' real interests. It can also be totalitarian since individuals either disclaim responsibility or are deprived of responsibility for an individual attitude to a political, moral, or personal conflict. In that respect both political and religious ideologies may demand an excuse for actions — or they may serve as one — that may have other purposes or interests.

Modern psychological theory has proven that there is a psychological basis for an acceptance of the necessity of ideology for cognition and information in life.¹² It seems that an individual does not apprehend and learn single words and ideas at a time. It has long been known that cognition does not consist of the apprehension of single parts but of large or small units. What is new is that it has been possible to prove so-called "cognitive structures," which are necessary for the brain to learn, store, and reproduce cognition and knowledge effectively and safely. It is important for the development of pedagogy but it is also interesting for the analysis of ideology and philosophy. These are necessary structures through which we filter and single out those parts of the stream of consciousness; they form what we call personality — the characteristic tendency of the individual of estimating, thinking, and acting in a certain way.

This creation of public opinion is necessary for man and society; it must necessarily respect the laws of reality and reason. It must be free to construct or reconstruct its vision of human life and society as far as possible and try to realize its visions or reconstructions. Consequently, for us, human nature is hidden like God's face. We can only try to grope our way more or less blindly, but with the lamp of ideology and

¹² H. POULSEN, *KOGNITIVE STRUKTUR* (1972).

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philosophy of life in front of us as the lamp of a miner in the dark shafts.

