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Abstract

The subject of this paper consists of an analysis our modern society and it’s legal system with a special accent on the psychological and legal concepts of happiness, wellbeing, pleasure, etc. Sometimes, the price for a civilized world was considered to be the repression of pleasure in order to obtain culture and a high technological level of existence. I referred mostly to eastern European realities, to the great amount of unhappiness that surrounds us due to the major social and economical changes and the very few actual instruments that society offers people in order to achieve their goals. There is no conspiracy or the involvement of a higher power, it’s just the burden that the state, the family or the neighbors put on us and our need of being loved, appreciated and accepted.

In Eros and Civilization, Herbert Marcuse built a very interesting and realistic metaphysics of psychology starting from the work and theories of Sigmund Freud and Karl Marx. The human being’s destiny is described and analyzed in a universal and, in the same time, original manner that we use until today in order to understand ourselves better. Happiness can be reached only in a way that is harmonious with our biology and nature. Man is “zoon politikon”, as Aristotle pointed out in Politics and: „state is a natural institution ... man is by nature a social being, whereas antisocial in nature, not in occasional circumstances, is either superhuman or beast” (Aristotle 2008, p.22). We cannot live alone, we need each other to know, create and understand ourselves. But socialization is good until we reach a fragile point, where we start to feel oppressed and suffocated by the other.

The society appeared in order to fulfill a basic need but it has been perverted in ways lot more frightening than the powers of nature. Modern society is aggressive and overly technical and industrialized. The opposition between communism and capitalism feels like overrated for someone from Eastern Europe. Our country has been under communism for 45 years and for the last twenty five we have been trying to build democracy. We have been witnesses, as well as authors and victims, to the development of market economy and the excessive commercialization of unnecessary goods that are purchased continuously despite the fact that we know and are warned about their lack of utility and irredeemably damage that could make our health. Human sciences are used to create addiction to goods we don’t really need and activities which couldn’t possibly make us happy according to our biological nature.

Keywords:
society, happiness, applied ethics, law, legal system, principle of pleasure, content, individual purpose, modern society, philosophy of law.

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1. The Right to Pursue Happiness

The norms of behaviour were established in order to help humans live in harmony with the others within a given society and to make our amiable coexistence possible; especially with regard to the necessity of self-control over human emotions and destructive impulses. In this way, the first juridical and ethical norms of the human society, for instance The Code of Hammurabi or The Ten Commandments, „can be interpreted as endeavours to master and subdue emotional excess which otherwise seem much too immoderate” (Goleman, (2008): 31). Even if they are consistently reasoned, the legal, ethical, and moral obligations do not seem to work very well even today, respective to our emotions’ self-control. One possible explanation would be that the biological evolution is a very slow process. „In biological terms that underlie the description of the neural circuits of emotions, we are born with what has best functioned for the last 50,000 human generations, and not for the last 500 – and absolutely not only for the last 5. The designedly slow evolution that shaped our emotions did its duty over the millions of years; even if the last 10,000 years witnessed a rapid form of human civilization and a demographic explosion from five million to five billion – have left little trace on the biological pattern of our emotional life” (Goleman, (2008): 31).

There are not so many laws within the states to establish or admit happiness as the main goal of human existence but probably the majority of juridical norms within society subsidiarily have the mission to ensure for each of us the possibility of pursuing and finding happiness. Surely I refer here to democratic states that admit and ensure thorough coercive means, when necessary, the respect of fundamental human freedoms and rights.

A special prescription of the right to pursue happiness is stipulated by the second paragraph of the United States Declaration of Independence, from July, 4th 1776: “we hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.” Even though, in spite of this special provision, the researches made by psychologists have showed that „the Swiss, the Dutch, and Scandinavian consider themselves the happiest. The American who Declaration of Independence guarantees the right to pursue happiness are at half the distance between the first on top and Germany [the Germans are in the middle of the scale]” (Klein, (2005):221).

On the other hand, researches made relatively recent, around 2000, have showed that no certain relation between happiness and well-being (high living standard) can be established. Although the majority of states follow
the idea that economic development is needed because it grows the standard of living and by default the happiness of the majority of people, it seems that this idea is not at all a fact. The technical evolution and the evolution of earnings knew enormous growth compared to 50 years ago, but the number of happy people has not changed a bit. This very fact constitutes a very convincing clue that material well-being did not bring along the happiness and the enthusiasm of living of the individuals.

The international treatises that establish and ensure the fundamental human rights and freedoms (The Universal Declaration of Human Rights, The European Convention on Human Rights etc.) do not contain any similar provision to admit the special right to pursue happiness, but the respect of human fundamental rights and freedoms and the punishing of their infringements within the democratic states constitute a solid juridical fundament meant to ensure that each of us can pursue (and find) what we generically call happiness. Through its norms, the law has to ensure „a normal social climate, the favourable terms for developing and fulfilling one’s personality within a socio-historical concrete horizon where the equality of chances, options, juridical protection of the fundamental rights and freedoms are present” (Craiovan, 2010: 422).

It is difficult to define happiness, but „this complex state, apparently unearthly, can be scientifically researched” (Klein 2005, p. 6). It is generally believed that happiness can consist of many things; actually, it can consist of approximately anything considered to be a positive one that generates a state of extreme wellness, „the persistence of a fulfilment […]. The Greek root calls happiness a good Daimonion (eu), or the well-being that the Gods provide for us in one way or another as in the case of faith: in this case as well happiness is then something that happens to us. We are happy because we are made happy by something or someone. This is the oldest tradition about happiness that inspired all the medieval Jewish, Arabic, and Christian traditions.” (Craiovan, 2010: 421).

In our times, the conception according to which human can find complete, total, absolute happiness beyond human existence and history is no longer considered to be a realistic one. Because it is a state of extreme contentment of the human being, obtained through the fulfilling of one’s needs and personal desires, happiness can consist of many things according to the level and the expectations of each of us. In this way, happiness can consist of any desirable thing for the human beings: money, power, sex, love, food etc., but once the respective thing or the desired state is obtained, one may come to the conclusion that it was only „an apparent happiness because the subject of desire was overestimated” (Craiovan, 2010: 422). In fact, if we consider only the present, and by considering that the world
population is of 7 billion people we can conclude that there are as many
ways to happiness as there are human beings. In principle, if the juridical-
social context is an adequate one, each person can choose according to one’s
heart freely, and without impeding others’ similar rights, that what makes
one happy.

Now let us turn a little to the scientific research of what we call
happiness. The present psychological, neurological conception and the
conception of the related fields is that the human state of wellness can be
researched and educated or consolidated. No matter what happiness may
consist of, it is usually related to the activity that „does no more but
increases the joy of anticipation and implicitly the intensity of pleasure.
Because the system of anticipation is not focused on a certain goal, the type
of the activity is less important. [...] The physician Albert Einstein enjoyed
chopping wood, and the emperor Diocletian enjoyed growing vegetables”
(Klein 2005, p. 159). The biggest human concern is the pursuit of happiness
and this anticipation may be the most important thing about happiness;
many times, „the anticipation lasts a lot longer. Some try to spare the
moment of awakening to reality by making everything, more or less
consciously, in order to avoid the fulfilment of their wishes” (Klein, (2005):
114) and, in fact, „the anticipation of an event stirs the most joy” (Klein,
(2005):90). For instance, one is happier to find out about a salary raise than
afterwards when the money got to one’s bank account.

The scientific researches on happiness are very recent. In the spirit of
the idea that problems should be solved first, researches started by analysing
unhappiness. „The psychologists have been interested for centuries in
unpleasant emotions [...] the neurologists try hard to find out what is the
origin of anger, fear, and the depressive episodes. The results which they
obtained are used by a whole industry that sells pills against bad mood”
(Klein, (2003):6). As the mysteries of unhappiness and sadness were at least
partly solved, it was time to research the opposite, meaning the positive
emotions whose extremes consists in gaining happiness.

The most recent discoveries revealed the fact that there are brain
zones which generate good mood: „our mind has certain mechanisms for
joy, pleasure, and euphoria – we have a whole system at our disposal by
means of which we can become happy” (Klein, (2003):6). These positive
feelings are innate and both the child’s brain and the adult’s brain are
permanently changing or evolving; the continuous changing of the brain is
made possible especially by emotions and not by thoughts. By comparing
tomographic images of the brain when one feels joy or sadness revealed the
fact that there are distinct zones of the brain where these emotions are
produced.
An important aspect about happiness is acknowledging. We are happy if we acknowledge our state and if we recognize it as such. Our emotions are automat responses of the body in a given situation, and the feeling appears only when the process is acknowledged. „All the feelings also presuppose emotions, moreover: emotion determines feeling” (Klein, (2005):75). Emotional control is vital for a harmonious and happy life, and happiness is the result of „correct thoughts and actions. […] beneficed habits […] model our souls. Our attention should not aim at changing our situation, but at our transformation. The rest derives from this transformation. Because a soul that is receptive to happiness will automatically look for pleasant situations” (Klein, (2005):72).

2. Is Individual Happiness Possible in the Civilized World? The Conception of Sigmund Freud

Sigmund Freud contributed significantly to the understanding of the human mind, and of the effects that social life has on him. Towards the ending of his life, acknowledging human fragility, Freud wrote that we, people, are generally unhappy: our body gives in to the pressure of illness and old age, „nature threatens us with destruction, our relationships are sources of unhappiness” (Gay, (2012):507). The principle of pleasure urges us to look for „strong ways to escape it in such a way that we may diminish our misery; substitutive satisfactions which diminish it, drugs that make us indifferent to it” (Freud (GW XIV): 421-22; Gay, (2012):507).

Our human mind is guided by two principles: the principle of pleasure and the principle of reality. The principle of pleasure controls the primary process of the human mind that „is characterized by an inability to tolerate the decreasing of desires, as well as any delay in their being satisfied. [...] The other secondary process which completes during maturing develops the human capacity to think, so being an agent of reason, of beneficed delay. It is controlled by the principle of reality – at least sometimes” (Gay, (2012):319). These two principles are often in conflict within the soul of the child as well as within that of the future adult, but by replacing the principle of pleasure with the principle of reality, the principle of pleasure is not annihilated but ensured or modified. If repressing a pleasure is too big, then the constraints of reality create neurosis of the human mind. The principle of reality has to make fulfilment of the principle of pleasure possible even in part for the human mind to maintain its balance and not to fall into neurosis. Human consciousness is very important for the good functioning of the human mind, as it assures of „the ruling of the principle of reality” (Gay (2012):520).
Freud’s analysis was pretty thorough of the situations that make or can make us happy without being too optimistic about the possibility of obtaining happiness. People find it hard to be happy because there are strong motives for suffering that escape our control: “the overwhelming power of nature, the fragility of our own body, and the inefficiency of the mechanisms that control human relationships within the family, the state or the society. Concerning the first two, our reason cannot hesitate too much; we are obliged to admit these sources of suffering and to resignation, when confronted with the inevitable. [...] We behave differently when confronted with the third motive of suffering, the social one. We do not accept that we should admit this one at all, we cannot understand why the organizations, that we ourselves created for us, would not better offer protection and benefaction for all of us” (Freud, (2009):250-251).

The human beings integrate into reality and forget their fears through religion and different other activities, but mainly through work or professional activities. Although work can be a source of satisfaction, it is not perceived as such by the majority of people, which do it in constraint circumstances of their lives. Other methods to find happiness are: love, addictions, madness, and artistic creation, consolation through religion, but all our endeavours of the sort finally fail and in the end „life as it is given to us is too hard for us; it brings us too much pain, too many disappointments and unsolvable businesses. In order to put up with it we need compensation methods that are indispensable to us” (Freud, (2009):238). In Freud’s conception it almost impossible that people find happiness and keep it although it is exactly what they wish: and the cause of this failure is civilization itself. The desire to be happy „comports two aspects, a positive goal and a negative one; on the one hand, humans desire the absence of pain and the lack of displeasure, and on the other hand they want to live strong feelings of pleasure” (Freud, (2009):239).

At least, Christian religion is a pale compensation because human life is not valued enough. On the other hand, neither modern technical inventions can ensure happiness. Though Freud could not imagine how much technique would grow, his saying is still valid: higher life standards, the easiness to travel, and all the other advantages of modernity do not make us happier than people were 200 years ago. By the increasing of the civilization level, humans learned how to use and control nature, and they became „a prosthetic God” (Freud, (GW XIV, 451/256-257) ; Gay, (2012):508). Sigmund Freud calls human inventions prosthesis because their functioning is relative and often deficient. The fact that nowadays our humanity has the necessary means to self-destruction, as our mass extermination is possible, is one of the causes of our unhappiness and anguish.
But the thing that makes us most unhappy is the conflictual and destructive nature of the human relations. Freud took over the British philosopher Thomas Hobbes’ conception that said that man as a natural creature is aggressive to his mankind. In his work *Civilization and its Discontents*, Freud shows that „the extraordinary cultural step was made only when the community took over the power, and when individuals did not step back from embracing violence. The first man who threw the first epithet to his enemy instead of a curse [...] was the real inventor of civilization. And although such a step was compulsory, it opened up the scene for all the discontents that all societies are susceptible of: it mixed the most drastic interfering of the human desire, the suppression – and the repression – of his instinctive needs, which continue to flow into the unconscious and look for an external explosion” (Gay, (2012):509).

Man, as Freud sees him, is „tormented by his unconscious needs, his primitive and passionate love and hatred, hardly held by external constraints and inner feelings of guilt. The social institutions mean a lot of things to Freud, but above all they are hatches against crime, rape, and incest” (Gay, (2012):509). So, in this way man’s life within society is a permanent compromise, an imposed situation that generates difficulties and unhappiness. Consequently, “men cannot live without civilization, but neither can they live happily in the middle of it. They are born that way that serenity, a permanent state of harmony between pressing passions and cultural constraints, is forever beyond their reach [...] The most that rational beings can realise is to exchange desires for control” (Gay, (2012):510).

Sigmund Freud considered that “the history of man is the history of his repression. Culture constraints not only the social being, but also the biological existence of man, and his very instinctive nature. Yet, such a constraint represents the very premise of progress. When let free to follow their natural objectives, the basic instincts of man would be incompatible with association and durability: they would destroy even what they reunite. Uncontrolled Eros is as fatal as his homolog, the death instinct, Thanatos. Their destructive force derives from the fact that they pursue a satisfaction that culture cannot offer: pure satisfaction as a goal in itself all the time. Therefore, instincts should be deviated from their objectives, and inhibited relatively to their goal. Civilization starts when the primary objective – meaning, the entire satisfaction of needs – is effectively repudiated” (Marcuse, (1996):29).

The inhibiting of basic instincts of the individual was necessary in order to create civilization. This presupposes “inhibiting sexuality, which has as a result the appearance of group relations, which are durable and long, and [...] the inhibiting of the destructive instincts, which lead to man’s self-
control and nature control, to individual and social morality” (Marcuse 1996, p. 108). Yet, by constant repressing Eros is weakened and the individual loses one’s ability to obtain pleasure and to be happy. By analysing Freud’s conception, Herbert Marcuse considers in *Eros and Civilization* (1996) that two more concepts should be added in order to explain satisfyingly the life of the individual within society: „surplus repression – constraints imposed by the social control” (Marcuse, (1996):48), that differs from „fundamental repression – the modifying of instincts that are indispensable to the perpetuation of the human race within civilization” (Marcuse, (1996):48), and the performance principle that consists in “the historical main shape taken by the principle of reality” (Marcuse, (1996):49).

The struggle for life of each of us (food, money, well-being, happiness etc.) presupposes effort, limitation, and procrastination as the society that we live in is too poor to ensure the satisfying of all our individual necessities. In order to attain our goals (that sometimes mean strictly our bare necessities) we have to make great effort, and to work hard. Within this context, our inner conflict appears because our “basic instincts tend to a state characterized by pleasure and the absence of effort, [while] the principle of pleasure is not compatible with reality, and instincts have to surpass repressive regimentation” (Marcuse, (1996):49). In Marcuse’s opinion, the lack of bread and butter or the poverty of the society is not presupposed by the fact that people are organized within the human communities, but it is sooner the result of a certain totalitarian even abusive organization. Extremely rare, along history, there were human societies able to offer their members goods or any other resort relative to their needs. This idea was considered to build a utopia and it was treated as such. Generally, the dominant group always wants to make sure of its primacy related to getting advantages. “Such domination does not exclude technical, material, or intellectual progress, but this is just the inevitable secondary result, while the irrational shortage and restrictions continue to exist” (Marcuse, (1996): 50). Of course, all the ways to put pressure are and were very diverse: the repressing of the individual is lower in a society where everyone is working, compared to one where only one social category works, and it is exploited. The supplementary repression required by certain institutions of the principle of reality can refer to “the changes and the deviations of the basic energy required by the perpetuation of the monogamous and parental family, by the hierarchical division of work, or by public control over the private existence of the individual” (Marcuse, (1996):50-51).

Ideally, Freud thought that free Eros is possible, and it “does not exclude cultural durable relations – [...] it only opposes the over-suppressive organization of the social relations, under the principle that is the denial of
the principle of pleasure” (Marcuse, (1996):55). Therefore, in his opinion we should distinguish between supplementary repression and fundamental repression. The performance principle, which is based on supplementary repression and measures or divides society according to the performance of its members, “is the main principle of a society based on benefit and competition, in a process of continual expansion, and it presupposes a long previous development along which the domination knew progressive rationalization” (Marcuse, (1996):56-57). The more social domination specialized, each individual finds himself obliged to work as much as possible in order to attain one’s goals, but the quantity of work is so big that one finds almost no time or little time to oneself. Normally, repression is experienced freely by the individual, as he wants certain things, works and waits a while until he gets them, and in this way he even is sometimes happy. But when the performance principle weights too much within one’s life, and the work is too difficult (it lasts, let us say, 10 hours a day), and too impersonal, and it is followed by the necessary amount of sleep (another 10 hours a day), there are little energy and time left to little moments of individual happiness, and frustrations and sufferings accumulate and grow huge.

Civilization should not come against our nature. Society began its existence in order to ensure a better and healthier life, not to create an almost unbearable burden. Most of the critics of capitalism are right, but what modern democracy reveals is the freedom of mind. It is true that people are manipulated and mislead by certain goals as getting certain products or a high level of life, or other unnecessary things, but they can also have access to information and the possibility to evolve differently. Sometimes human sciences and studies are used to create false needs and goals, but I trust that human mind and soul can get pass these traps and find our own paradise here.

In conclusion, Herbert Marcuse pointed out that Freud analyzes the principle or essence of being (of biological life) as *Eros* - in contrast to the traditional understanding of being as *Logos*, repeating a formative moment in Plato’s philosophy. Even Plato presents Logos as a very ancient myth, not as his personal creation. The struggle for existence is, for the individual, not one against death, but is one in order to obtain biological pleasure. Herbert Marcuse states that Freud’s argument that repression of the pleasure instinct is necessary in order to achieve culture and civilization in society is not correct. In the moment of birth, the human being knows and feels nothing more but the urge of obtaining instinctual pleasure. As the person grows up, it becomes necessary to repress him in order to obey the society rules. Sigmund Freud claimed that our civilization is built on the suppression of
instincts. Sex produces the energy and, by repression, this energy produces progress and civilization in society. Herbert Marcuse observed that progress is the excuse for which people’s happiness is scarified and that the main conflict is not between work (life without pleasure) and Eros (the principle of pleasure) but between alienated labor and Eros.

Indeed, modern society produces a great amount of depression and unhappiness. Romanian society and the eastern European societies in general, form a very good market for western industry and all sorts of goods. In communist times, people had access to a very small amount of products and services. We were used to receive only basic aliments, the necessary. Today we could buy anything and people are forced to work more and more in order to insure their existence. Money and economic crises are a very big problem and source of depression and emigration. It is asked of us to succeed, to earn a certain amount of money in order to be recognized as successful and happy, but we are not provided with the means to reach these goals. There is an abyss between what is asked from us and the means we are given.

3. Harmony between Emotions and Reason. The Activity Required by a Happy Life

Maybe having in mind the need to surpass this permanent conflict between the principle of pleasure and the principle of reality, contemporary scientists studied the universal emotions of mankind hoping that one day, by adequate knowledge, we will learn to cultivate the positive emotions, and eliminate the negative ones, and in this we will find a way to grow the level of general happiness and improve the quality of our lives.

The basic emotions are the same for everybody: anger (fury), fear, happiness, love, disgust and sadness. The biological manifestations that accompany all these states are similar in any human being, no matter where they come from, the time when they live, or the level of their culture (we share many of them with all the other species). Therefore, these states seem encoded within our DNA, meaning they are innate.

In Ancient Greece, Plato considered that the virtuous man is he who can control his emotions, who does not let himself overwhelmed by them. Then, the Romans considered that temperantia, meaning the capacity to be temperate, moderated, and not to abandon to emotions, is the desirable qualitative life. Aristotle had said the same when he maintained that our emotions and feelings have to be moderate and proportional to the events that we encounter. Too silent emotions “lead to boredom and to indifference; when lacking control they go to extremes, and when felt too long, they
become pathological as in the case of paralyzing depression, of rage, of crazy restlessness” (Goleman, (2008):89). So it would seem that controlling our emotions is the key to a satisfying and harmonious life. If previously this sentence involved censoring and refraining our emotions (no matter if positive or negative), today the psychologists and the philosophers consider the idea that there should be harmony between emotions and feelings, on the one hand, and reason on the other hand. In the same way it seems strange to imagine a person who is happy all the time (it would be pathological), we can understand the role of suffering in the spiritual growth of the individual: all our emotions have their own role in the development of our existence, and good times and less good ones (not to say bad) spice our everyday life, and are desirable, of course, within moderate parameters.

Either positive or negative, emotions “are impulses that determine one to act, make immediate plans of approaching life, the plans that we are born to make. The root of the word emotion is motere, and the Latin verb means “to move”, plus the prefix e, meaning to step aside, and it suggests that the tendency to act is implied by any emotion. These emotions lead to facts, and this thing can be easily observed in animals and children. Only civilized adults have this anomaly in the animal kingdom which are emotions – the origin of the impulse to act – a result of the most natural response” (Goleman, (2008): 32).

Although “the structure of the brain show us that rarely or very often we have little or none control over the moment when we abandon to emotions, as well as to what those emotions are to turn into” (Goleman, (2008):91), they are desirable because they make our survival and even making choices possible, and a life without emotions lacks the essential human attribute of the living being. An example for this is the patient Elliot (Damasio, (2005) apud Klein, (2003):31) whose frontal love was destroyed by a brain tumour. After getting rid of the benign tumour, Elliot, who had previously been a successful journalist, a model father and husband, remained without feelings. Although his intelligence remained intact, Elliot could no longer make decisions.

The explanation of this phenomenon consists in the fact that “logic can reveal the various possibilities that one has and help one put aside the impossible alternatives. But, in the case of two apparently equally good alternatives, reason cannot decide by itself which one to choose. It cannot but follow all the possible consequences of a certain decision up to their ends. Often, this lasts too long (it cost Elliot his job) and it is of no use because not all the events are predictable. Therefore, reason needs help” (Klein, (2003):32). Damasio’s theory which has many clinical arguments in its favour is that reason functions adequately to our needs to survive and make the correct decisions because it is based on the emotions and the
feelings of the subject who thinks. There is no such thing, as the Greek philosophers had previously maintained, as a pure reason completely apart from the body (and also René Descartes is to be discussed here), but reason itself is based on emotions, feelings, and all the other functions of the brain. The studies of the neurologist Antonio Damasio prove that when those brain zones where emotions and feelings are produced are destroyed, even if the individual’s intellectual properties remain intact, they are not enough to lead a normal existence. The absence of emotions and feelings block the capacity to make the necessary decisions for one’s normal development of one’s life: maintaining one’s career, keeping one’s family by one’s side, saving money, personal safety etc.

This fact had been previously remarked by scientists such as Carl Jung, but it has not been (then) properly assumed: “the fact that all the mental processes that are available to observation and experience are somehow linked to an organic foundation proves that they are integrated into the life of the whole organism and therefore they take part to its dynamic, meaning instincts, respectively they are in a certain way the results of their action. This does not mean at all that mind derives exclusively out of the instinctive sphere, neither out of its organic base. The soul/mind as such cannot be explained by chemistry or physiology, because together with life, it is the only natural factor that can change statistic orders into superior states, respectively unnatural, unlike the law of entropy that dominates inorganic world. [...] Therefore, life has its own laws that cannot be derived from the physical laws of nature.” (Jung, (2011): 375; 220). One can remark that Jung considered it important to separate freedom of thought and making decisions (free will) from the biological individual.

The latest researches in neurology and psychology show that things are quite the opposite. Our emotions are produces in the brain, and they are essential for thinking and making decisions. Just as in the case of Elliot, without them we would be lost. Continuing his clinical researches, after seeing another 12 patients with similar lesions of the frontal lobes (especially the right one), Antonio Damasio reached to the conclusion that “reason may not be as pure as most of us may think or want to think. [...] the most important role of our feelings is that they point into the right direction, and lead us to make the right decision when it comes to making one, meaning where logic is at its best” (Damasio apud Ripley, (2008):61).

Fear is vital for making quick decisions of the type that save our lives; fear is recognizable in almost all the living species and “along the evolution of the human species, [...] it was of great help, and it still is, with some exceptions” (Ripley, (2008):78). “Fear is so rudimentary [...] for any factor that sets fear off there is an appropriate response that helps one cope
with it. These things have not changed along millions and millions of years of evolution of the human species” (LeDoux apud Ripley, (2008):77).

Initially, the reactions to our body to fear were analyzed by experiments made by using other species (monkeys, rats etc.), and then they discovered that their responds to fear are similar to those of men. At certain times (of danger caused by terrorist attacks, natural disasters, car accidents, or plane crashes), fear decides what to do and how to act, and it saves our lives, which reason alone could not do.

4. What is Happiness Anyway?

Finally, considering the latest theories in psychology, let us turn to the possibility of the individual to actually be happy. All emotions, both positive and negative, are important, as they contribute substantially to making decisions (some are even vital), and that a pure rational life lacking emotions cannot provide us with stability, and all the less make us happy. Beyond the permanent conflict between our desires and the social restraints, it is possible to be sometimes happy. If it were to mind the evolutionists, we may probably think that social life and civilization are paths to the necessary natural selection following the survival of species. “Even animals of the lower species reunite in groups when they are in danger. Fish gather in banks and birds call each other to warn that a falcon approaches. But they do not do it to be nice” (Ripley, (2008):136). Survival is an egoistic issue, consider the evolutionists. “We help each other in order to gain advantages out of it, if not immediate and direct ones, at least indirect and delayed ones” (Dawkins, (1989) apud Ripley, (2008):136).

It is fair that social life should imply many restrictions and repressions of the individual, but these are the bigger and the distressful the more oppressive and unfair the form of government is for the common people. On the other hand, within the societies that prosper economically, the number of the happy people is not much bigger than within the poor societies. Even so, it is hard to imagine that someone could be happy outside any form of government, while living on one’s own in the middle of nature.

It is true that happiness is different for each of us, but it is impossible to reach if one is not physically and mentally healthy, in the absence of those activities that discipline our minds, of the solidarity among men, and of the belief that one is the master of one’s own destiny, and that one can make one’s own decisions in life. Out of the forms of government, democracy is the most favourable to happiness, because the people is in charge and it has the power to rule through the representatives that it freely
voted, where each life is valued, and the principle of the equality in rights and the equality of chances is the same for everyone.

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