

Luhmann in a philosophy context, by Hans-Georg Moeller

It is not so much the disciplinary tradition of social theory from Comte to Parsons that Luhmann tries to connect up with, as the history of problems associated with the philosophy of consciousness from Kant to Husserl.

—JÜRGEN HABERMAS [43](#)

The purpose of this section is to locate Niklas Luhmann's systems theory within a larger context, both historically and in contemporary theory.

In line with Habermas's insightful observation quoted above, I believe that although Luhmann understood himself mainly as a theoretician of society and thus as a sociologist, he nevertheless "connects up with" major developments in German philosophy between the late eighteenth and the early twentieth century. This connection is twofold. While he explicitly relates himself to this tradition by taking up some of its main questions, he also attempts to thoroughly reformulate these questions and to answer them with a more or less completely revised set of concepts and new terminology. In the following brief sketches, I hope to show how these two somewhat antagonistic attitudes—a continued interest in a set of issues ranging from epistemology to ethics along with the intention to provide radically new approaches—play out in the cases of a few selected thinkers: Kant, Hegel, Marx, and Husserl. I chose these four theoreticians not only because their ambitious projects may be viewed as models for Luhmann's own endeavor, but also because of statistics. If one simply counts the number of references to individual philosophers of the past in Luhmann's major outlines of his general theory (*Social Systems*, *Die Gesellschaft der*

Gesellschaft, Einführung in die Systemtheorie), then those four are (along with Plato and Aristotle) at the top of the list. [44](#)

It was through his engagement in a dispute with Habermas that Luhmann became widely known in the 1970s. From this perspective, Habermas could be identified as the most immediate contemporary counterpart of Luhmann. If, however, one were to trace the larger theoretical context out of which Luhmann's theory arose, one would also have to mention sociologists like Parsons and Gehlen, biologists like Maturana and Varela, the cybernetics of von Foerster and von Glasersfeld, the logic of George Spencer Brown and Gotthard Günther, and the "ecology" of Bateson. To trace all these influences and relations would go beyond the scope of this book which is specifically concerned with the philosophical dimension of Luhmann's theory. Within contemporary philosophy, it was, besides critical theory, mostly the heterogeneous postmodernist scene that attracted Luhmann's explicit interest and that, vice versa, found him interesting. I will therefore restrict myself to these two trends in philosophy when outlining Luhmann's contemporary relevance.

I will also restrict myself to an outline of how Luhmann interpreted these thinkers and of the relation of his theory to their projects. This is to say, I will refrain from analyzing how far Luhmann's understanding of them was "correct" or not. I have my doubts in this regard, particularly with respect to Hegel. I think Luhmann is in fact often closer to Hegel—or has borrowed more extensively—than he is willing to admit. It is, however, not my intention in the following pages to comment on the adequacy of Luhmann's interpretation of certain philosophical authors, but on how, in his own works, he attempted to continue or discontinue their discourses.

1.1 KANT

“Kant’s question about the conditions for the possibility of cognition remains. But the answer is now: operational closure; and thus the focus of research shifts from the conditions of possibility to the possibilities of conditioning in increasingly complex relations” (Luhmann 1997a, 127). This sentence nicely summarizes Luhmann’s complex indebtedness to Kant and his ambivalent attempt to both carry on and overcome the Kantian project.

Luhmann’s most concise treatment of the “Kantian question” is his essay “Cognition as Construction” (included in the present book in English translation). In this short but programmatic text, Luhmann explains very pointedly:

The tradition of epistemological idealism was about the question of the unity within the difference of cognition and the real object. The question was: how can cognition take notice of an object outside of itself? Or: how can it realize that something exists independently of it while anything which it realizes already presupposes cognition and cannot be realized by cognition independently of cognition (this would be a self-contradiction)? No matter if one preferred solutions of transcendental theory or dialectics, the problem was: how is cognition possible in spite of having no independent access to reality outside of it. Radical constructivism, however, begins with the empirical assertion: Cognition is only possible because it has no access to the reality external to it. A brain, for instance, can only produce information because it is coded indifferently in regard to its environment, i.e. it operates enclosed within the recursive network of its own operations. Similarly one would have to say: Communication systems

(social systems) are only able to produce information because the environment does not interrupt them. And following all this, the same should be self-evident with respect to the classical “seat” (subject) of epistemology: to consciousness. (1988b, 8–9)

Luhmann’s systems theory is deeply rooted in Kantian epistemology. Like Kant, Luhmann is concerned with the fundamentals of cognition: What is cognition and how does it operate? For a Kantian “epistemological idealism,” however, the concept of cognition was primarily “ideal,” that is, cognition was assumed to be ultimately an issue of consciousness. On the basis of this assumption a core problem arose: how can cognition relate to what it cognizes? Kant developed a rather revolutionary answer to this problem when he introduced his “Copernican turn,” when he switched from a theory of transcendence to a theory of transcendentalism. For Kant, idealism was no longer concerned with describing the universal setup that allowed the human mind to actually participate to some degree in the divine logos; it rather limited itself to questioning which inherent structures within cognition could be inferred from cognition. Kant was no longer focused on the general structure of the world, but on the structure of cognition that allowed it to operate and conceive of a world. Kant accepted the skeptical argument that nothing could “be realized by cognition independently of cognition” and drew the conclusion that in order to understand reality we must first understand the cognition that provides us with it. This shift introduced a good deal of constructivism into epistemology. While it was still assumed that there was a reality independent of cognition, it was granted that the realization of this reality was contingent upon cognitive structures. Thus the realization of reality was a process of cognitive reality construction.

Luhmann’s systems theory takes up both the initial cognitive layout of transcendental idealism and its constructivist edge, but it considerably radicalizes these two theorems. From a Luhmannian point of view, the Kantian theory is a sort of “constructivism light.” While it concedes that the realization of reality is an effect of cognitive construction, it also alleges that it still makes sense to assume the existence of a world that somehow is as it is—as well as

the cognitive structure that is transcendently given. Luhmann's constructivism goes a step further and assumes that the realization of reality is not only a possible way of relating to reality, but that reality basically consists of its own realization. Cognition is no longer simply a way of relating understandingly to a reality. Here reality emerges as cognition.

It has to be added immediately, though, that this radical constructivism by no means follows the older idealist pattern of declaring cognition to be essentially ideal or the self-realization of a larger consciousness (as with Hegel). Cognition has no specific "essence" at all. It can operate, for instance, "materially" in the form of biological life, mentally in the form of thoughts, or socially in the form of communication. Cognition arises in the form of cognitive systems that constitute themselves, and there is no singular, general, preestablished rule for how this can be done. Cognitive systems establish themselves *by operational closure*. By differentiating themselves operationally, they construct themselves by establishing a difference between themselves and an environment. Cognition is based on the establishment of this difference—it does not happen *in spite of* this difference, but *because of* it. There is no "ontological" necessity of cognition, but if it is there, and it obviously is, it depends on the differentiation of a cognizing system.

While Luhmann thus relates to the cognitive and constructivist elements in Kant, he refrains from any essential or transcendental understanding of cognition: cognition is not "ideal," it can only be defined functionally or "operationally" because it consists in an "observation that is defined on the basis of the concepts of distinction and indication" (Luhmann 1988b, 14). This allows for a very general understanding of cognition that includes, but is not limited to, biological, mental, and social processes. Cells, minds, and social systems are all observing systems and are thus systems that construct themselves and their realization of reality by their own cognition. They are able to establish themselves as self-referential, operational sequences of their own kind. This "radicalization" of cognitive constructivism leads, in summary, to several major differences from the Kantian theory:

- Cognition is not *per se* an act of consciousness. It can take on any operational mode.
- There is no a priori, transcendental structure of cognition; cognition constructs itself on the basis of “operational closure” and this is an “empirical”⁴⁵ process, which varies from system to system.
- No complete description of cognitive structures is possible because these structures are continuously evolving.
- Reality is not singular—there is not one specific reality, but a complex multiplicity of system/environment constellations.
- A description of reality is itself a contingent construction within a system/environment relation.

All these differences combine to form the main way transcendental idealism diverges conceptually from systems theory: the distinction subject/object is replaced by the distinction system/ environment. In “Cognition as Construction” Luhmann describes his discomfort with the concept of the subject: “The theory of the subject . . . had to presuppose a common—or at least a commonly observable—world and thus was obstructed from conceiving of the *uncoupling* of each singular cognitive system as the *condition* of cognition” (1988b, 10).⁴⁶ The subject “constructs” reality by transcendental unification through self-reference. The system does this by differentiation. The conceptual framework of system/environment is not only radically constructivist, but it is also radically “differentialist.” The consciously cognizing subject is replaced by self-generating and self-referential systems of observation that introduce splits into the world which thereby constitute a complex multiplicity of system/environment relations.⁴⁷

Luhmann’s abolishment of the subject as an anchor of “pure reason” also has severe consequences for “practical reason.” Subjectivity was not only an epistemological concept, but also employed as a cornerstone of ethics and social theory. Luhmann criticizes this “sociologization” of the concept of the subject in *The Society of Society*:

The term “subject” does not designate a substance that, by its pure being, shoulders everything else, the subject is rather self-referentiality itself as the foundation of cognition and action. The experiences with this figure of thought, however, are not so encouraging that one should give in to the temptation of transferring it to society—by conceiving of society as the true subject and perhaps naming it spirit or intersubjectivity and then ascribing everything to it that was previously ascribed to individual consciousness. One does not have to ignore the results of the philosophy of subjectivity, but one can view them as shallows that the ship of social theory should avoid. (1997a, 868)

After transposing the core structure of self-reference of “epistemological idealism” from the conscious subject to observing systems, Luhmann strictly denies any application of the traditional concept of subjectivity in regard to social theory. Here, he completely leaves Kantian terrain and thus remains in sharp opposition to later post-Kantian theoreticians of spirit (Hegel), intersubjectivity (Husserl), or rational consensus (Habermas) as will be shown in the following sections.[48](#)

1.2 HEGEL

Hegel's philosophy may well be understood as a further development of Kantian epistemological idealism, and, consequently, the similarities and differences between Luhmann and Hegel often mirror Luhmann's relation to Kant. However, I would argue that there is a somewhat closer kinship and deeper sympathy for Hegel than there is for Kant.

As in the case of Kant, Luhmann shares very general cognitive interests with Hegel. Still, like Kant, Luhmann departs from Hegel by radicalizing the constructivist view of reality, and, particularly, by broadening the concept of cognition far beyond the realms of consciousness. Luhmann is, after all, not an idealist but mainly a theoretician of society. He does not share Hegel's priorities. While Hegel imports concepts of consciousness (such as "spirit" or *Geist*) into social theory, Luhmann denies any general type of cognition for systemic autopoiesis—it may be consciousness, but it can also be communication, life, or, perhaps, something else. There is no essential unity of systems: "The basic question remains how a unity can be constituted.... There are different answers to this depending on whether one is dealing with psychic or social systems. Everything further depends on this difference—and this separates us from a conception like that developed in Hegel's *Phenomenology of Spirit*" (Luhmann 1995a, 363). As mentioned in regard to Kant, Luhmann's shift from subject to system also implies, particularly in comparison to Hegel, a shift from unity to multiplicity, from identity to difference. Luhmann declares in his introductory remarks to *Social Systems*: "In order to work out a theory of self-referential systems that incorporates system/environment theory, a new guiding difference, and thus a new paradigm, is necessary. The difference between identity and difference serves for this" (1995a, 10). And in a note to

this passage Luhmann makes it quite explicit that this means a departure from Hegel (Luhmann 1995a, 498): “An attentive reader will notice that we are discussing the difference between identity and difference, and not their identity. This is where the following reflections diverge from the dialectical tradition—despite similarities that may be noted from time to time.” This lays out quite programmatically a main difference between Hegel and Luhmann—the shift from “world spirit” to a theory of differentiation—but in regard to the final sentence in this quotation, one may, however, also ask: What exactly are these “similarities that may be noted from time to time”? I suggest that the similarities have something to do with style and theoretical ambition. Arguably, Luhmann’s explicit attempt at a “supertheory” (Luhmann 1995a, 4–5), a general theory of the construction of reality, is in its scale comparable only to Hegel. So, as one author (Winthrop-Young 2000) has phrased it, Luhmann may well have aspired to succeed “on Hegel’s throne.” Luhmann admits rather openly to such a claim of succession in *Social Systems* (1995a, xlix) when he demands of his own theory: “Every step must be fitted in. And even the arbitrariness of the beginning loses its arbitrariness (like in Hegel’s system) as the construction of the theory proceeds. Thus a self-supporting construction arises.” Luhmann repeatedly claimed that his theory is one among very few (if any) that is able to include itself in itself, that it reaches a higher “self-reflecting degree of conceptual complexity” (1995a, xlix). It is unclear if Luhmann believed that this self-inclusion of theory actually followed in Hegel’s systematic footsteps—as the just quoted passage seems to suggest—or even surpassed his great predecessor. In *The Society of Society*, Luhmann accuses Hegel—alluding once more to the *Phenomenology of Spirit*—of finally failing to construct a completely self-inclusive theory of observation:

The novel, the romance, but also Hegel’s novel of the love between world-history and philosophy localizes the observer who can also see what he himself previously could not see at the end of the story. This makes it necessary to exclude the narrator who has known everything already from the

beginning, and thus also Hegel himself, from the story.⁴⁹
(1997a, 1081)

There is some degree of self-inclusion in Hegel—the subject that Hegel talks about becomes finally fully self-reflective. But Hegel, at least in Luhmann's view, forgot to include himself, the perspective of the theory of subjectivity, into the story. He failed to take into account that the epistemologist is himself within the labyrinth of cognition. Hegel ended with a closure of his theory that, for the sake of completing, unifying, and universalizing itself under a general heading—spirit or *Geist*—excluded its own perspective, and, at least in the *Phenomenology of Spirit*,⁵⁰ did not really achieve an “autological” theory of observation.

Luhmann's relation to Hegel remains, therefore, highly ambiguous. He claims: “The ambition of a common foundation, a basic symbol, a final thought has to be given up—or left to the philosophers. Sociology, however, does not discover in this direction what Hegel had called “spirit” (*Geist*). It is not a science of the spirit (*Geisteswissenschaft*)”⁵¹ (1997a, 1122). Luhmann's theory is a “supertheory” because it fully includes itself in itself. But this self-inclusion leads to the breakdown of any declarations of finality, completion, or foundationalism. This is how Luhmann claims to surpass Hegel in universality, and, at the same time, gives up his attempt to come up with an all-embracing concept such as *Geist*. The time is over for the discipline of philosophy that is concerned with “final thoughts,” and also for the humanities in their literal German sense: “the sciences (*Wissenschaften*) of the spirit (*Geist*).” Luhmann says: “What can now be offered as a universal formula of reality constructions is: that such a universal formula no longer exists. Hegel had, as it is known, no heirs” (1997a, 592). Here, Luhmann paradoxically claims to be Hegel's legitimate heir by pointing out why following him means to depart from him. For Luhmann, philosophy came, strictly speaking, to its end with Hegel and was waiting for its sublation (*Aufhebung*) in another theory that was no longer restricted to spirit. It was, perhaps, in recognition of this that Luhmann was awarded the prestigious Hegel prize in 1989.

1.3 MARX

As it is generally known, Marx believed that Hegel had to be turned upside down—from his head to his feet. He wanted to transform an idealist dialectics into a materialist one, a philosophy of consciousness or spirit into an analysis of historical, political, and economic development. As with Hegel and Kant, Luhmann's relation to Marx is highly ambiguous. On the one hand he attempts to utilize central theoretical elements of this "supertheory" for his own project, while, on the other hand, he strongly rejects some of the core Marxist dogmas and beliefs.

Luhmann is certainly sympathetic to what Marx tried to do with Hegel—to deconstruct Hegel's primary focus on consciousness and to theoretically emancipate social structures from being mere effects of spirituality. He thus sides with Marx in granting society its own mechanisms that cannot be deduced from nonsocial forces or patterns. Luhmann does not believe, however, that Marx has distanced himself far enough from the Hegelian project and accuses him of a formally similar one-sidedness that differs only in content. While Hegel's system was essentially focused on consciousness, Marx ascribed an essential role to the economicalpolitical structure, or, more precisely, to the modes of production. Such an identification of one basic system that shapes all others makes Marx, in a certain sense, as much of a theoretical fundamentalist or ontologist as Hegel. Like Hegel, he was not able to adequately incorporate difference into his theory. This also prevented him from acknowledging the radical contingency of reality construction that necessarily includes one's own theorizing. In the final analysis "Marx himself, however, seems to have been unable, just as Hegel, to account for his own theory within his own theory" (Luhmann 1997a, 1080, n. 350). Marx's and Hegel's supertheories were, in this regard,

not yet complete supertheories. They both suffered from being unable or unwilling to “relativize” themselves and thus to combine their universalism with a renunciation of any attempt to identify a “universal formula.”

One of Luhmann’s clearest descriptions of both his indebtedness to and difference from Marx that is currently available in English is his essay “Modernity in Contemporary Society” (Luhmann 1998, 1–21). Here, Luhmann states:

What remains remarkable about the Marxist critique of the political economies of its day is the shift of a knowledge previously justified through nature to a social context. The economic order of capitalism does not, according to Marx, follow the nature of economic action with an innate trend toward individual and collective rationality. It is, rather, a social construct. The reference to nature is presented as “reification;” that is, it is analyzed as a moment of social construction. Economic theory’s claim to represent an extrasocial objectivity is contested. It only reflects the logic of a social construct. Even if we give up everything else, we should keep this and further develop it beyond Marx. (1998, 8; translation modified)

According to Luhmann, Marx’s understanding of the economy and its functioning as a *social construct* rather than a process based on some sort of natural law was groundbreaking. Marx was thus able to translate—and this is probably one of the most important theoretical preconditions for social systems theory—the constructivist elements already contained in the epistemological idealism of Kant and Hegel into a theory of *social* construction. With Marx it became possible to conceive of society as an autopoietic, self-constructing mechanism that operated on its own accord rather than under the unchangeable laws of some trans-social realm. This theoretical step is wholeheartedly embraced by social systems theory. Only a couple of further steps were needed, and one of these was to deny the primacy of the economic structure for the self-construction of society. Marx was, so to speak, only an economic constructivist. The theory of society had to be broadened beyond this prime focus.

This criticism is further detailed in the following paragraph:

One of the most important criticisms of Marxist social theory is that it overestimates the economy and in doing so, as we can see today, underestimates it. The watered-down versions of Antonio Gramsci and Louis Althusser have not changed this. In the definition of society as a whole in economic terms, what is lacking is a sufficient appreciation for the inherent dynamics of the economy and its effects on other functional areas and the ecological conditions of social evolution. What is lacking above all is a sufficient appreciation for parallel phenomena in different functional areas. Missing is a basis for comparing systems and for distilling abstract characteristics of modernity, which can be found in more or less all function systems. (Luhmann 1998, 9; translation modified)

In Luhmann's view, the Marxist attentiveness to production and thus to the economy overestimates this social system in regard to its constituting power for all of society. It ascribes a central position to one singular system and thus becomes unable to account for the plurality of social function systems—it ignores the radically pluralist character of functional differentiation. According to Luhmann, the differentiation of the economy as a self-constructing social system does not prevent other systems from unfolding their own autopoietic operations, but, on the contrary, goes along with the simultaneous differentiation of other function systems. To reduce the function of other social systems to the systemic mechanisms of the economy means to ascribe to it powers that it does not have while also simplifying social complexity. At the same time, however, the primary focus on the economy also underestimates this system's capacity to continuously change itself and enter into extremely complex structural couplings with other social systems such as law, politics, and the mass media. There is no definite structure to the economy. It is, like all other function systems, dynamic. The dynamics of the economic system allow it to establish and continuously re-establish itself within the incessantly evolving network of functional differentiation that characterizes modern society. [52](#)

Luhmann does not only disagree with the Marxist focus on the economy as, so to speak, the heart of society, he also disagrees with the tendency to decry the nonhuman character of the economy, as it becomes obvious, for instance, in the concept of alienation. Such a “humanist upholstering”⁵³ of Marxist terminology is, in Luhmann’s view, a theoretical obstacle that falls back into Old European semantics. This does little to aid the analysis of economic structures—they are, after all, social and not human. Such use of language may lead to hasty adoptions of moralist attitudes and programs rather than an adequate understanding of social mechanisms. The most obvious instances of this were the pogroms against the “enemies of the people” that were justified on humanist and moral grounds. In line with his general suspicion of moralist and activist theories, Luhmann is entirely opposed to such elements within Marxism. In regard to this aspect of “practical philosophy,” Luhmann is as much appalled by the presumptuousness of the Marxist call to change the world (rather than to interpret it) as he is with the Kantian claim of having found the principles of goodness, or the Habermasian prescription of specific rules for how to communicate in an acceptable way. Luhmann is not enthusiastic about the self-declared “critical sociology” from “Marx to Habermas” that “replaces methodology with measuring the opinions of its (from its perspective) opponents by their critical ambitions. In this case, the judgment precedes the investigation” (Luhmann 1997a, 36). There is a thorough discomfort about normativity and morality in Luhmann that are, for him, not only simple-minded, but may quickly lead to intellectual and, more dangerously, social totalitarianism:

Hegel’s concept of the state is no better. Nor is Marx’s hope for a revolution. In societal reality, one just does not see any prospect for achieving such central fusions of an ultimate unity of difference, from which no distance would be possible any longer, so that everyone would be in perfect agreement as a result of a sense of community. (Luhmann 1995a, 442; translation modified)

1.4 HUSSERL

Among all the philosophies discussed in this section, Husserl's phenomenology probably had the most immediate influence on Luhmann's systems theory. Just as in the cases of Kant and Hegel, Luhmann makes use of central elements of Husserl's theory of consciousness and transforms these into constitutive elements for general systems theory. But in contrast to Kant and Hegel, in this case Luhmann not only takes over the structural and methodological aspects of a cognitive and constructivist theory, but also much of the conceptual framework itself. He explicitly borrows Husserl's terminology and integrates it into his own conceptual apparatus. I will trace these borrowings here by primarily relying on a rather short text that represents Luhmann's most comprehensive treatment of his relation to Husserl, a treatise entitled ***Modern Sciences and Phenomenology*** (*Die neuzeitlichen Wissenschaften und die Phänomenologie*, Luhmann 1996b), which is based on a 1995 public lecture in Vienna.

Luhmann explicitly states in this treatise that it is his aim to "introduce Husserl's theoretical intention into a completely different 'life-world'" (1996b, 52). In addition, he claims to be the first to transpose Husserl's "so highly promising type of theory from 'subject' to the 'social system society'" (1996b, 53). He suggests nothing less than that Husserl had already employed a theory of second-order cybernetics, operationally-closed autopoietic systems and radical constructivism, but that "by using such concepts as 'subject,' 'spirit,' or 'transcendental phenomenology,' (he) attached it to a tradition that even at his times had only meager future prospects" (1996b, 47). By attempting to continue the old project of epistemological idealism, Husserl missed the opportunity to understand the broader functionalist relevance of his own theory. He was too much of an

epistemologist, in the traditional sense, to realize that he had already detected some of the more general mechanisms of autopoiesis. Luhmann therefore wants to apply Husserl's terminology not in explaining only the "characteristics of consciousness," but also for "the emergence of order in general" (1996b, 50). Luhmann is no longer mainly interested in how consciousness produces intentions, a world, a horizon, and sense (*Sinn*),⁵⁴ but also in how such a cognitive construction functions in a variety of other nonconsciousness systems. Here he is particularly interested in the communication system of society. Instead of being fixated on the realm of consciousness, Luhmann is interested in the general functioning of the making of sense and rejects the concept of a "transcendental subject." He no longer accepts the premise that consciousness is "the" medium of cognition, but insists on "keeping the structure discovered by Husserl, namely the insight into the mutual conditioning of operational ability, the separation and simultaneous processing of other- and self-reference as well as the temporality connected to the standpoint of the respective operation" (1996b, 50).

Luhmann translates a whole set of Husserlian terms into the language of systems theory. He begins with "intention": "The form in which consciousness executes its operations is called by Husserl (in connection to Brentano) *Intention*." Luhmann subtracts the causal attribution implied in this concept, the attribution of a certain purpose, and redefines the term in a purely functional way: "Intention is nothing but the positing of a difference" (1996b, 31). Intention is thus no longer a certain mental interest. It is now the primal operation with which any observing system ignites itself, the first step with which a system differs itself out of an environment and thus begins to establish itself. In line with this functional redefinition of the concept of intention, Luhmann reformulates the Husserlian distinction between noesis and noema, between phenomena and consciousness activity, with the distinction between other-reference and self-reference. Along with its "intentionality," and the corresponding drawing of a distinction, a cognizing system is able to differentiate between its cognition—its own operating—and that which it cognizes outside of itself. Intentionality paves the way for a

distinction between a system and its environment. Only through this difference can a system identify itself by distinguishing itself from what it observes. The difference between noesis and noema, or, in systems theory language, other and self-reference, establishes the “membrane” of a system and allows it to operate: “Intentional operating is a continuous oscillating between other-reference and self-reference and thus prevents consciousness from ever losing itself in the world or coming to a halt” (1996b, 34–35). Of course, this is, according to Luhmann, not only the case with consciousness but with all other self-referential systems. This includes social systems. Such oscillating necessarily needs time and so Luhmann agrees with Husserl that systemic cognition also produces temporality. Once more, however, all these concepts are purely functional and not substantially tied to something such as a consciousness or a subject:

Husserl obviously believed to be able to guarantee the unity of his transcendental phenomenology by the unity of its object “subject.” We can already anticipate that one can dispense with this. The disclosed connection between operation, bistability (self-reference/ other-reference), time, and oscillation supports itself—and can therefore possibly be demonstrated with totally different objects. (1996b, 38)

The functionalization and de-ontologization of Husserlian terminology, its separation from consciousness and the subject, also applies to three other tightly connected Husserlian concepts: sense, [55](#) horizon, and world. Luhmann stated in *Social Systems* (1995a, 98) that “there is no privileged carrier, no ontic substrate” for sense. In other words, sense does not have to be defined “by reference to a subject or any carrier of sense, a sense-constituting agency,” but simply by developing “a sufficiently formalized concept of sense” (Luhmann 2002a, 225). Luhmann then formally defines sense, in immediate connection to Husserl, as the unity of the difference between actuality and possibility—and applies it to all sense-processing systems including social systems. Sense emerges only within a context—it needs a horizon. Sense always refers to something else that would also make sense, and the “circular closure of these references appears in its unity as the ultimate

horizon of all sense: as *the world*” (Luhmann 1995a, 69; translation modified; see ch. 2, sec. b above for a more detailed explanation of these concepts).

Luhmann’s departure from the concept of the transcendental subject leads quite consequentially—and very much in line with Luhmann’s rejection of humanist elements in Kant, Hegel, and Marx—to a complete rejection of Husserl’s concept of “intersubjectivity.” Luhmann does not believe in the formation of the social by anything nonsocial such as minds or humans. Since this is the case, “what is social cannot be traced back to the conscious performances of a monadic subject. This has been the downfall of all attempts to establish a theory of the subjective constitution of ‘intersubjectivity’” (Luhmann, 1995a, 81).

Interestingly enough, Luhmann considerably broadens his criticism of Husserl’s philosophy in the Vienna lecture and other late publications⁵⁶ beyond the concepts of the subject and intersubjectivity. He first critically analyzes Husserl’s aversion to technology—Husserl found it to be some sort of perversion of reason—and then took offense to Husserl’s attempt, as an alternative to technology, to promote European “culture” and the revival of an Old European tradition of rationality. Luhmann is particularly unhappy with this self-confessed Eurocentrism:

Most conspicuous is perhaps a Eurocentrism that one rarely finds elsewhere in the twentieth century. European humankind is in crisis, European humankind is in need of salvation—and this by itself. This has certainly nothing to do with imperialism, colonialism, and exploitation, but obviously with a spiritual consciousness of superiority that not only excludes “the gypsies who constantly vagabond around Europe,” but also considers a Europeanization of all other humans “whereas we, if we understand ourselves correctly, will, for instance, never Indianize ourselves.” No notice of global political and economical circumstances, no thought given to the possibility that European traditions may gradually dissolve into differently structured circumstances of a global society. (Luhmann 1996b, 18, quoting Husserl 1954, 319–20)

Luhmann's disappointment with this side of Husserl's philosophy is not morally or politically motivated. It is about Husserl's inability to overcome the Old European insistence on reason and his claim to not only possess universal and privileged access to it through philosophy, but to the right of imposing it on all others who have not yet been enlightened by it. Luhmann does not identify his theory with this tradition of reason and he seeks to leave it behind. He has no sympathy for a "monoculture of reason,"⁵⁷ be it in Kantian, Husserlian, or, as I will show in the following section, Habermasian terms. Such claims have no place in a "supertheory" that, after all, has to be able to include itself in itself and thus to ironically reflect on its own limitations:

One can now better understand which perspectives Husserl opens and simultaneously blocks up. Reason is self-critical not because of its European pedigree, but only if and only insofar as it can replace its own belief in reality, this is to say if it begins to not believe in itself.... Self-critical reason is ironical reason. It is the reason of the "gypsies who constantly vagabond around Europe." (Luhmann 1996b, 45–46)

1.5 HABERMAS

That Luhmann distanced himself rather drastically from Husserl's insistence on "European reason" seems to be reflective of the continuous conflict he had had with Habermas on the same issue. It was in this intellectual confrontation that he had earlier on taken the role of a "gypsy of reason" to oppose the Habermasian mission of the completion of enlightenment.

It was mainly through the controversy with Habermas that Luhmann became generally known in the academic world—at least in Germany. In 1971 they jointly published a volume which presented their divergent views under the title *Theory of Society or Social Technology: What is Achieved by Systems Research?* (Luhmann and Habermas 1971). Luhmann comments on this publication in the preface of *The Society of Society*:

The irony of this title lied in that none of the authors wanted to defend social technology, but that there were differences of opinion in respect to what a theory of society should look like; and it is of symptomatic significance that, in the public perception, the place of a theory of society was initially taken on not by a theory, but by a controversy. (1997a, 11)

Luhmann's early "fame" was then due not so much to the theory he had to offer, but to the fact that he was part of a debate. In the 1970s this debate was, "in the public perception," probably won by Habermas. The intellectual climate in Germany was heavily influenced by the leftist "revolt" of the late 1960s, and Luhmann, who was not discernibly leftist or "progressive," was branded with a depreciative title: "conservative." This was not very fashionable at the time. Habermas had a Marxist background and argued for social change, for emancipation, and for a better society, while Luhmann

took, from the beginning, a rather disengaged stance. In this way the debate was publicly judged less on the basis of theoretical strength and more on where one stood (or was supposed to stand) in a political controversy. Public perception, however, did change in time, and especially after the publication of *Social Systems* in 1984. Here, Luhmann presented the first overall outline of systems theory that was immediately taken note of in a wide range of disciplines. In a somewhat dialectic turn of the tide, Habermasian social theory had become the established creed of aging leftist intellectuals, while Luhmann's work was now perceived as having an innovative and avant-gardist approach. Habermas was more and more identified with the social-political "mainstream." A generation of former leftist activists and/or politicians, the so-called *Altachtundsechziger* (roughly: "the grown-old veterans of the protest movement of 1968"), had completed their "march through the institutions" and occupied leading positions in the universities, the schools, the mass media, and, most importantly, in the federal government constituted by the Green Party and the Social Democrats. At the same time Luhmann became the sexier theoretician. Many younger academics who intended to do something new or provocative took an interest in him. Luhmann was read and applied not only in sociology, but (and perhaps more enthusiastically) in such fields as art, literature, media science, psychotherapy, philosophy, education, economics, and theology.⁵⁸ There was even a popular German writer and techno music fan who had himself photographed reading a book by Luhmann⁵⁹—that would have hardly happened to Habermas in the 1990s when he seemed to be gaining the unofficial status of state philosopher.

Given the context of the German academic scene, the controversy between Luhmann and Habermas had been from beginning to end—albeit under changing conditions—not only about content, but also about style and political identification. In fact, their approaches were so dissimilar that their debate could hardly be called a dialogue. It was rather a clash of radically different and incompatible views on society and its theory. In short, Luhmann aspired to create a new theory of society that would explain social structures on the basis of

systemic functioning. It would refrain from making any normative claims, particularly because he denied that society consisted of human beings. Habermas, on the other hand, aspired to help modern society improve itself, to infuse more rationality into society by outlining how communication could be made to be less dominated by power interests and thus reach a better consensus. In their illuminating outline of the most common criticisms of Luhmann, King and Thornhill list eight. The following five would also be voiced by Habermas and his followers:[60](#)

- His reluctance to engage in debates over current political and legal issues
- His refusal to see law and politics as instruments for progress in society
- His failure to account for human agency in directing change through law and politics, or in using law and politics to resist change
- The failure of his theoretical ideas to offer anything more than a new brand of conservatism
- His rejection of rationality as a universal arbiter of validity, value, and legitimacy (King and Thornhill 2003, 204)

From a Habermasian perspective, Luhmann has to be rejected because of his antimoralism (or maybe better: his “antinormativism”), antihumanism, and antirationalism. Habermas himself has outlined his criticism of Luhmann in detail in the “Excursus on Luhmann’s Appropriation of the Philosophy of the Subject through Systems Theory” included in *The Philosophical Discourse of Modernity* (1987, 368–85). This text is basically a review of *Social Systems*, and, in my view, one of the best philosophical analyses of Luhmann’s theory. As the quote at the beginning of this section states, Habermas locates Luhmann within the context of the German philosophy of consciousness or subjectivity from Kant to Husserl. He says, “It (social systems theory) seeks to inherit the basic terms and problematics of the philosophy of the subject, while at the same time surpassing it in its capacity for solving problems” (1987, 368). I hope to have proven on the preceding pages the adequacy of this statement. Habermas then goes on to analyze how Luhmann

switches conceptually from subject to system and how this alters the program of epistemological idealism. Habermas summarizes this shift by ascribing to Luhmann a turn from metaphysics to “metabiology:”

However the expression “metaphysics” may have chanced to arise, one could attribute to it the meaning of a thinking that proceeds from the “for us” of physical appearances and asks what lies behind them. Then we can use the term “metabiological” for a thinking that starts from the “for itself” of organic life and goes behind it—the cybernetically described, basic phenomenon of the self-maintenance of selfrelating systems in the face of hypercomplex environments. (1987, 372)

This switch leads, as Habermas remarks—and I think, perfectly adequately—to a switch from a universal reason that is attached to a rational subject to an entirely contingent “functionalist reason” that can be ascribed in any shape or form to any function system:

Reason as specified in relation to being, thought, or proposition is replaced by the self-enhancing self-maintenance of the system. By taking this approach, Luhmann also goes beyond a critique of reason that aims at revealing the power of self-maintenance to be the latent essence of subject-centered reason. Under the title of systems rationality, reason, now liquidated as irrational, professes exactly this function: It is the ensemble of the conditions that make system maintenance possible. (1987, 372–73)

This leads to wide-ranging consequences that are entirely irreconcilable with the Habermasian program: purely functional reason is no longer rational reason, it is totally arbitrary, and the same is true for “sense” (*Sinn*). Therefore, as Habermas once more correctly concludes, the internal connection between sense “and validity dissolves. The same thing happens as with Foucault: the interest in truth (and validity in general) is restricted to the effects of holding-something-as-true” (1987, 373). Without a generally valid

reason and sense, there is no solid basis for validating social criticism, for constituting true identity, for improving modernity, for establishing intersubjectivity and norms for rational discourse, or for bringing about rational consensus and understanding.

As pointed out earlier, Luhmann and Habermas are so diametrically opposed in their concepts of reason and society that they do not so much debate as exchange incompatible statements. In order to add to the preceding Habermasian rejections of Luhmannian counter-rejection, I translate a passage from *The Society of Society*:

Linguistic communication has, we say in summary, its unity in the yes/no coding. This excludes, if taken seriously, the possibility of deducing from language itself an ideal norm of understanding. Only the autopoiesis of communication is necessary, and this autopoiesis is not guaranteed by a telos of understanding, but by a binary code—because for a coded communication there is no end, but only the option that is reproduced in all understanding, namely to continue either by accepting or refusing. Put differently: the coding excludes any meta-rule, since one could once more comment approvingly or disapprovingly on the communication of such a rule. (Luhmann 1997a, 229–30)

Thus, with Luhmann it is not only “as with Foucault.” When it comes to the denial of any “meta-rule” of understanding, he also takes sides with Lyotard against Habermas, as he explicitly states in a footnote to the above quoted passage. This leads immediately to the next section.

1.6 POSTMODERNITY, DECONSTRUCTION, AND TECHNO-THEORY

Luhmann was convinced that Habermasian and Husserlian beliefs in European reason were out of touch with contemporary society. He asked, “How long, then, will Husserl and Habermas be able to maintain their old or modern idea of critical reasons without becoming conservatives who stick to a tradition that cannot maintain its identity but fades away?” (Luhmann 2000b, 40). Clearly, for Luhmann the “project of modernity” was a no go. How about, then, the “postmodern project?” Luhmann’s position here is, once more, ambiguous. On the one hand, he does not subscribe to the label “postmodernity” in the first place—there is for him, as in the title of the last chapter of *The Society of Society*, only “The So-Called Postmodernity.” But, on the other hand, as we will see, he is highly sympathetic to many “so-called” postmodern theoretical developments, and, particularly, to one of its most prominent methods, namely “deconstruction.” When it came to comparing modern and postmodern positions, Luhmann would usually be more sympathetic to the postmodernists, not only in his later works, as in the paragraph from *The Society of Society* (1997a) quoted in the preceding section, but at least as early as *Social Systems* (first German edition, 1984).⁶¹

Luhmann makes it very clear that to him the problem of “postmodernity” is mainly one of semantics (see Luhmann 1997a, 1143; 2000b) and not of actual structural changes. In other words, he does not see a recent epochal shift. According to him, the last decisive structural shift in society took place in Europe between the sixteenth and eighteenth century with the change from stratified to functional differentiation. To Luhmann, it does not really matter if one would like to designate a society dominated by functional differentiation as “modern” or “postmodern.” None of the two terms

has any specific structural meaning. Thus the emergence of the term “postmodern” does not actually go along with a change in social structures, but with a change in semantics. It indicates a loss of trust in the traditional or “modern” self-descriptions of society, and here Luhmann’s sympathy for postmodernity—if not for the term itself then at least for the “movement” attached to it—arises. Postmodern theory signals not a structural, but a semantic turn: the concepts of modernity that philosophers like Husserl and Habermas stand for are being overcome. In this sense, Luhmann himself is also a postmodernist. However, as opposed to a rather common attitude among postmodern writers, for him the breakdown of the theoretical assumptions and conceptual frameworks of modernity does not mean the end of “supertheory”—it marks exactly the contrary, namely, its true beginning. The postmodern diagnosis of the end of traditional philosophy is correct, but this end does not mean that all we are left with is “the loose talk of French writers” (2000b, 45). It rather points to a fresh start for an inherently coherent and intelligible self-description of society, for a new theory for a new society: “Is this, after all, a postmodern theory? Maybe, but then the adherents of postmodern conceptions will finally know what they are talking about” (2000b, 46).

Possibly the most concise definition of the two aspects of postmodern theory that Luhmann attempts to connect with is found in *The Society of Society*: “renunciation of claims to unity and transition towards radically differentialist concepts” (1997a, 555). These two aspects are, of course, tightly interconnected. With “renunciation of claims of unity” Luhmann refers to Lyotard’s declaration of the end of metanarratives, a declaration that he often, and mostly approvingly, quoted.⁶² In *The Society of Society* (1997a, 1144), he elaborates on the paradox contained in this declaration: It is itself a narrative, so if it is true, it is false. Luhmann therefore suggests a slight variation. The end of metanarratives indicates that the unity of society, or, for that matter, of the world, can no longer be stated as a principle, but only as a paradox. Implicitly agreeing with Lyotard, he concludes: “The final founding (*Letztfundierung*) on a paradox ranks as one of the central characteristics of postmodern thought. The paradox is the orthodoxy of our times” (1997a, 1144).

With postmodern thought, metanarratives and their “claims of unity” come to an end. It is Luhmann’s intention to replace them with “supertheory.” This transition is conceptually equivalent to what was identified by Luhmann as the second characteristic of postmodern thought, it is “a transition towards radically differentialist concepts.” At this juncture, Luhmann quite explicitly embraces two developments in contemporary theory: Derrida’s (and de Man’s⁶³) deconstruction and various “trends in science” (1997a, 1146) that I will, for the sake of terminological convenience, summarize here as “techno-theory.”

Luhmann’s article “Deconstruction as Second-Order Observing” (1993a) is a fine example of how he connects his own theory with Derrida’s. As the title of this article suggests, Luhmann basically attempts to demonstrate that deconstruction is a more or less immediate predecessor of the theory of second-order observation. Luhmann finds that deconstruction recommends “the reading of forms as differences, to look at distinctions without the hope of regaining unity at a higher (or later) level,” and it “is deconstruction of the ‘is’ and the ‘is not,’” because it “deconstructs the assumption of presence, of any stable relation between presence and absence, or even the very distinction between presence and absence” (1993a, 766). To Luhmann, deconstruction thus reflects on the radical contingency of any “ontological” claim, particularly in language. Deconstruction reveals that all statements of an “is” are based on distinctions. Presence is then, both ontologically and temporally, a construct of differentiation. It never gains total self-identity. As the deconstructionist of presence, Derrida implicitly recognizes the functional status of second-order observation. Every presence or “is” is the result of an observation that is different from it. What deconstruction can do is to again observe the observation that observes presence. It observes, from the position of second-order observation, the construction of the “is,” and thereby deconstructs this construction. However, deconstruction—and this is most decisive—also applies to itself. Any deconstruction is itself subject to further deconstruction, there can be no final unity that eventually does away with difference. Deconstruction, as well as second-order observation, does not claim to be a privileged method of observation.

What Luhmann says about second-order observation is also the case with deconstruction, “At the level of second-order observing, everything becomes contingent, including the second-order observing itself” (1993a, 769).

As stated above, both deconstruction and social systems theory represent “a transition towards radically differentialist concepts.” They are therefore not only a part of so-called postmodernity, but of an even broader development. Luhmann diagnoses:

The deconstruction of our metaphysical tradition pursued by Nietzsche, Heidegger, and Derrida can be seen as a part of a much larger movement that loosens the binding force of tradition and replaces unity with difference. The deconstruction of the ontological presuppositions of metaphysics uproots our historical semantics in a most radical way. This seems to correspond to what I have called the catastrophe of modernity, the transition of one form of stability to another. (1993a, 778)

And he concludes, “Seen in this way deconstruction will survive its deconstruction as the most pertinent description of the self-description of modern society (1993a, 780). Luhmann obviously accepted Derrida’s deconstruction, so to speak, as a partner in crime. It is a parallel theory that contributes to the radical uprooting of an old semantics and the establishment of a more adequate self-description of contemporary society.

Deconstruction was not the only postmodern theory that Luhmann felt deeply related to. In connection with his envisioned transition to a new semantics, a new “form of stability,” based on “radically differentialist concepts,” he also links up with developments in the theory of science and technology. On the final pages of *The Society of Society* he says, “If one conceives of postmodern descriptions as operating within realms of self-produced indeterminacy, then one immediately sees parallels to other trends in science that deal with mathematics, cybernetics, systems theory, or with the characteristics of self-referentially and recursively operating machines” (1997a, 1146). Luhmann refers here to contemporary systems theory developments in fields that do not deal with social—or psychic or

biological—autopoiesis, but with technological or machinic autopoiesis.⁶⁴ Luhmann's explicit departure from *Geisteswissenschaften* (the "sciences of the spirit") makes it perfectly appropriate to associate his theory of differentiation with similar ones outside the traditional boundaries of the humanities and social sciences.⁶⁵ If one were to trace this theoretical line back to philosophy, one would soon find authors such as Deleuze⁶⁶ and, via him, Hardt and Negri—with whom this study began. These are more than coincidental parallels, and it is quite interesting to see that in his later work Luhmann referred more and more frequently to Deleuze's concept of *sens* as an antecedent for his own usage of the term *Sinn*. This is done at the expense of the "humanist" Husserl to whom he usually attributed this term in his earlier works.⁶⁷ Obviously, it is not only the "radically differentialist concepts" and their nonhumanist approaches that Luhmann and contemporary "techno-theoreticians" have in common, they also share a departure from models of centrality and from the "trivial" cybernetics of steering by input/output. It would have certainly been interesting to see if Luhmann had further moved in this direction had he lived a few years longer.

Luhmann reflected more systematically on *science* than on technology—since, unlike technology, is a social system and consists of communication. Luhmann dedicated one of his lengthy monographic case studies to the analysis of this system (Luhmann 1990c). The outcome is at times very reminiscent of Thomas Kuhn's analysis of *The Structure of Scientific Revolutions*, although Luhmann refers only sporadically to this book (see, for instance, Luhmann 1990, 342). Both Kuhn and Luhmann look at science sociologically and historically. The evolution of science is not so much an evolution of the knowledge of objects, but the evolution of a certain type of communication about objects. An analysis of the history of science therefore becomes for both authors an analysis of the communicative production of truth.

1.7 CONCLUSION: FROM METANARRATIVE TO SUPERTHEORY

Some philosophers are now only interested in the textual history of the discipline, others in fashionable topics such as postmodernism or ethics; still others present the predicament of any general view in a literary or feuilleton-like way; and, what is perhaps worst: the strive for precision that borders on pedantry.

(Luhmann 1996b, 17)

Niklas Luhmann's relation to philosophy can, in my view, be compared to Hegel's relation to religion (as expressed in the *Phenomenology of Spirit*). For Hegel, religion was, with respect to its highest purpose, a thing of the past. It had reached its end as a satisfactory manifestation of the "spirit." Neither its semantics nor its general structure could be fully accepted any longer. Religion was in waiting, so to speak, for its *Aufhebung* ("sublation")—in the famous threefold sense of continuation, negation, and elevation—in philosophy. According to Hegel, it was time to replace religion as the most general type of world view with an altogether different type, namely, science, and the most profound and fundamental science was philosophy. Religion was not a system of knowledge, it did not work primarily with concepts, but with images and narratives (God, angels, salvation, sin). Its "essence" had to be expressed in a more self-reflective way, in a language and in a form that represented a higher understanding that was capable not only of describing the spirit "out there," but which would go a step further and be a self-description of general consciousness. With Hegel, it was time for

religion to understand itself, and thus it would cease being religion and become philosophy, or in postmodernist terms: narrative would become metanarrative.

For Luhmann *philosophy* had become with respect to its highest purpose, a thing of the past. On many occasions, including his acceptance speech for the Hegel Prize, Luhmann pointed out that he did not see himself as a philosopher. He was, nominally, a sociologist and often called himself such. Still, his interest was not sociological “normal science” (and, accordingly, he often met stiff resistance in his own discipline), for he rather aimed at developing a general theory of society. His theory was to be nothing less than a “supertheory,” a theory that would be of universal relevance. Luhmann did not believe that such a supertheory, or for that matter, theory itself, still had its home in philosophy. The attempts at metanarrative, having reached their peak, arguably, with Hegel, were no longer convincing. If “so-called postmodernity” had shown one thing, it was that there was no position from which one could claim to come up with a fundamental self-description of all descriptions. There was no privileged point from which a metanarrative could claim to be truly “meta-,” to be truly beyond. Academically speaking, philosophers seemed to have become aware of this predicament and, for the most part, decided on one of the four options outlined in the quotation at the beginning of this section. Luhmann did not want to engage in any of these alternatives. Instead of giving up the attempt at a valid, general self-description, he took on the challenge of another *Aufhebung*, now not from religion to philosophy, but *from philosophy to theory*. Luhmann was no longer a philosopher, but I would claim, someone who attempted to continue, negate, and elevate philosophy’s essential project.

What does the replacement of “metanarrative” with “supertheory” mean? Like the Hegelian metanarrative, Luhmann’s supertheory claims to be thoroughly conceptualized and to return to its beginning—in other words, a coherent whole instead of a linear argument. Like a metanarrative, a supertheory also claims to be able to deal with practically everything. There is nothing that, on principle, it could not cover, be it God or a football game. Unlike a metanarrative, however, a supertheory is built around an ironic or self-ironic core. By

including itself “wholly” (and not only its beginning) in itself, it acknowledges not only the general validity of itself, but also the self- dependency of this validity. A supertheory reflects on the fact that it and its validity are its own product—and is therefore absolutely *contingent*. What a supertheory says has to make general sense to it. But this sense itself is not general, it is contingent upon the theory that is constructing this horizon of sense in the first place. A supertheory is a theoretical endeavor, and there is nothing more to it. What it says is relevant only theoretically, only within its own confinements. In this way the claim for a supertheory is both utterly presumptuous and modest: it claims to surpass religious and philosophical attempts in regard to self-inclusiveness and universal validity. But at the same time, it says that this is only possible at the price of the acceptance of total contingency and, in the final analysis, becoming unnecessary. Supertheory does little outside of theory. With supertheory, the world does not become morally better, more rational, or spiritually complete. It only becomes more distinct.