



"What is the Case?" and "What Lies behind It?" The Two Sociologies and the Theory of Society

Niklas Luhmann, Stephen Fuchs

Sociological Theory, Volume 12, Issue 2 (Jul., 1994), 126-139.

Stable URL:

<http://links.jstor.org/sici?sici=0735-2751%28199407%2912%3A2%3C126%3A%22ITCA%22%3E2.0.CO%3B2-5>

Your use of the JSTOR archive indicates your acceptance of JSTOR's Terms and Conditions of Use, available at <http://www.jstor.org/about/terms.html>. JSTOR's Terms and Conditions of Use provides, in part, that unless you have obtained prior permission, you may not download an entire issue of a journal or multiple copies of articles, and you may use content in the JSTOR archive only for your personal, non-commercial use.

Each copy of any part of a JSTOR transmission must contain the same copyright notice that appears on the screen or printed page of such transmission.

Sociological Theory is published by American Sociological Association. Please contact the publisher for further permissions regarding the use of this work. Publisher contact information may be obtained at <http://www.jstor.org/journals/asa.html>.

Sociological Theory
©1994 John Wiley & Sons, Ltd.

JSTOR and the JSTOR logo are trademarks of JSTOR, and are Registered in the U.S. Patent and Trademark Office. For more information on JSTOR contact jstor-info@umich.edu.

©2002 JSTOR

“What Is the Case?” and “What Lies Behind It?” The Two Sociologies and The Theory of Society*

NIKLAS LUHMANN

Translated by Stephen Fuchs
University of Virginia

Ever since the inception of its academic career, sociology has approached its subject-matter in two different ways; one positivist, the other critical. Important theories, such as those of Karl Marx or Emile Durkheim, have always emphasized either one of these perspectives, but could never completely ignore the other one. The result was that as an empirical science, sociology has been interested in latent structures, while as critical theory, it has pointed out that social reality is not what it seems to be. Therefore, all attempts at building a unified theory of society on the basis of the critical/positivist distinction had to lead into the paradox of treating appearance and reality, or latent and manifest structures, as one and the same thing. This situation is now changing in radical ways which sociology has yet to appreciate. I am referring to recent interdisciplinary discussions about theories of self-referential systems, autopoietic system closure, the second-order cybernetics of observing systems, and constructivist epistemology and information processing. We can draw upon these recent discussions in order to understand society as a self-observing system that defines its own identity while, at the same time, leaving an “unmarked space” for the possibility to describe society in quite different ways.

I. THE PRECARIOUS UNITY OF SOCIOLOGY

Sociology has always been dealing with two very different questions. The first question is: What is the case? The second question is: What lies behind it? The contrast between these two questions has always obscured the unity of the field. From time to time, especially in the late 60s, it ignited a controversy that threatened to tear up the entire field. In Germany, this controversy raged under the label of “Positivismusstreit,” while in the US, Merton (1972) wondered whether all theories had to choose either the perspective of the “inside” participant, or that of the “outside” observer.¹

This controversy is now old hat, of interest only to historians. But we may be forgetting the central and long-standing problem of sociology altogether, which is precisely the tension between the two questions, What is the Case?, and What is behind it? Once this tension is lost, sociology will also have lost its most exciting problem. The machinery of empirical research would continue believing that reality itself decided between true and false. For this very presumption justifies asking for more money and more positions to do more research. Likewise, critical sociology would continue to perceive itself as a success, but society as a failure.

Some people suggested that systematic comparisons between theories could bridge the

* Translator’s Note: This is the translation of “‘Was ist der Fall?’ und ‘Was steckt dahinter?’ Die zwei Soziologien und die Gesellschaftstheorie,” which appeared 1993 in *Zeitschrift für Soziologie* 22:245–60. That text formed the basis for Professor Luhmann’s farewell lecture from The University of Bielefeld, Germany.

¹ For a very biased collection and introduction see Adorno et al. (1969).

gap between positivist and critical sociology, just as one might compare, say, elephants and giraffes as big animals with long necks or long trunks. But this attempt has failed, presumably because there was no larger theoretical framework for comparing those various other theories.

Still other theorists continue to believe in interpreting and reinterpreting the classics as a remedy for sociology's current crisis. Authors turn into classics when their analyses of society become outmoded. When that happens, one must invent a new reason for continuing to read their works. This reason is that one's fellow theorists are still reading them as well. Instead of dealing with contemporary social reality, these theorists interpret the past. In this way, living theorists allow the absent and dead classics to dominate the present and living theorists. In this situation, one can draw criticism simply for failing to cite some classical source in support for one's own observations. Interpreting the classics is actually a form of ritual deference.

This threefold conflict between empirical researchers who refer to the external world, critical theorists who reflect on themselves, and exegetes who interpret the past obscures the unity of the field. The present consensus is to stop searching for a way to describe society as a whole, which would include any such descriptions. This decision may indeed be justified, even unavoidable. But it would also be impossible then to distinguish between those two questions that have always defined the unity of sociology: the questions, What is the case?, and, What lies behind it? For my part, I am not ready to stop asking these questions, and to give up the search for describing the unity of society, including such descriptions themselves.

II. A VERY BRIEF HISTORY OF PARADOX

It seems paradoxical to restore the unity of sociology and society by means of a distinction. Our starting point is indeed a paradox. That which is being distinguished, or the two sides of the distinction, are one and the same thing. Their unity *is* the unity of this distinction. What is more, this unity can itself be described only by means of *another* distinction, which must itself, at least for the time being, remain invisible.

But we cannot stop here. As logicians say, paradoxes must be unfolded. They must be dissolved into distinctions that can identify both sides of the distinction. Left to itself, a paradox simply circles around its own irresolvability. To become productive, paradoxes must be replaced by distinctions. Distinctions may always be returned to their paradoxical origins by asking for their underlying unity. But this need not be done as long as using a distinction generates useful results. However, retrieving and revealing the paradoxical unity of a distinction must always remain an option, especially when it no longer does good work. This is why sheer paradoxes terminate all descriptions and observations. A "paradox" is a pragmatic device for initiating, and terminating, lines of theory-driven research.

Developing knowledge through unfolding paradoxes is not a novel idea, although method and theory construction textbooks still disdain them as logically unsound. Kant still receives much praise for his conjecture that antinomies announce the end of metaphysics. However, in theology, rhetoric, and aesthetics there is a long tradition of putting paradoxes into the service of rational thought. For example, medieval techniques of interrogation unfolded paradoxes that required verbal communication and some higher magisterial authority deciding when to quit investigating. The invention of the printing press, however, put an end to that practice. As a logical form, the paradox was rediscovered and rehabilitated in the century of skepticism, the 16th century, but was relegated to

rhetoric and poetry during the rise of the experimental and mathematical sciences.² At that time, rhetoric and poetry still included sociability and love, but excluded all “serious” and “rational” behavior. From then on, Reason has been left alone with the difficult tasks of justifying itself, and, eventually, has become its own victim. It is precisely this more and more pressing question of what makes Reason rational that is currently stimulating a renewed interest in the topic of paradox.³

III. THE ROLE OF PARADOX IN SOCIOLOGICAL THEORY

Let us return to sociology. The separation of our two questions, What is the case?, and, What lies behind it?, has made it easier for sociology to avoid considering its own identity. To repeat, this is the identity of this very distinction. How, then, has sociology managed to deal with *both* questions, without reducing them to one another, and without considering their paradoxical unity?

There have been several fairly successful ways of doing this. The first and most consequential attempt was that of Karl Marx. Contrary to what Peel and Cobden claim, the true reason for removing the political caps on wheat prices is not to lower the price of bread, but, as Marx deduces from his theory, to lower workers' wages. Before Marx, political economy was a natural science of rational economic behavior. Even today, theories of rational choice rely on mathematical modelling to gain solid empirical knowledge about economic behavior. Marx asks: Whose knowledge is this knowledge? Furthermore: How do the producers of this knowledge manage to believe in it, and how do they manage not to see what cannot be seen if one is a true believer? Marx turns knowledge into ideology, and argues that the reason for the ideological blindness of the capitalist is that he would otherwise realize his own doom. Or, as we would prefer to say, he would realize the paradox of capitalist growth eventually turning into self-destruction. Marx formulated this theory in the context of dialectics, which was, at that time, a novel idea suggested by Kant and Hegel.⁴ Even if we no longer accept the conceptual decisions underlying Marx's program, we remain impressed by its awareness of paradox.

However, Marx's heirs have run into many empirical troubles. Given the development of capitalism, it remains to be seen if the distinction between growth and destruction is indeed the distinction that is able to reveal *and*, at the same time, conceal the paradox of contemporary society. Even if this were the case, the critical problems will more likely be ecological than economic. Given these empirical problems, it is amazing to see Marx's epigones experiment with even weaker ideas. This is true not only for the transformation of Marxism into a philosophy of the state and an economic policy program, but also, and especially, for leftist approaches in the social sciences. For example, “Critical Legal Studies” claims to discern substantive interests behind the formality of legal concepts, such as due process, but does not even make an effort anymore to place this idea into the context of a general theory of society (Kennedy 1976). The critical pose saves one from having to disclose one's own interests. The irrationality of society is being exposed in the name of Reason.

² See esp. Malloch (1956), Donne (1980), McCanless (1966), Collie (1966), and, for a contemporary source, Lando (1545, n.d.).

³ For a few examples see Spencer Brown (1979), Lofgren (1978, 1979), Krippendorff (1984), Rescher (1985), Lawson (1985), Genovese (1992), Geyer and Hagenbuchle (1992), and the contributions in Gumbrecht and Pfeiffer (1991). These studies generally argue that systemic operations create observations and descriptions that are based on, but not blocked by, paradoxes.

⁴ The old notion of dialectics operated with a *different kind* of paradox, i.e., the identity and nonidentity of the idea of “form” (eidos, then genos) in Plato; for starters see *Sophistes* 253 D. Plato reasons that the identical must never be nonidentical at the same time.

In a similar vein, the predominantly British sociology of science dares to make the trivial argument that conflicts over the correct theory are really conflicts between various parties who share an interest in establishing their own theory as the correct one (Bloor 1976, Barnes 1977). This argument is extended to controversies in science, which are presumed to be immune against the virus of ideology because of their empirical nature (cf. Bramel and Friend 1981).

The exhaustion of dialectics is already obvious in Horkheimer and Adorno's "Dialectics of Enlightenment" (1981). For the modern dialectics of Kant, Hegel, and Marx requires a movement through negations that eventually comes to rest in something that may be affirmed as good. As Adorno's theory of music shows in its insistence on Schonberg, such affirmation has become increasingly difficult. This can also be seen in so-called "discursive ethics," which no longer has a stomach for the problem of dialectics. Therefore, discursive ethics can only be offered as a moral philosophy.

In his dissertation of 1893, *De la Division du Travail Social*, and in his *Suicide* (1897), Emile Durkheim suggests a very different approach. The facts show an increase in "anomie." Traditional moral solidarity with its collectively binding norms and values is getting weaker. This observation had already led Adam Smith to question the compatibility of morality and modern commerce. The historical background for this kind of reasoning is the transition from segmentary to functional differentiation. This transition explains why the internalization of traditional moral agreements becomes problematic, and why modern society requires a different level of moral integration and solidarity. Durkheim believes that this requirement can be met by an "organic" form of solidarity that generalizes moral standards, and so appeals to the *conscience collective*, or that part of moral sentiment shared with others. In this way, even differentiated modern societies can develop complementary, if not equal, expectations that are socially and morally binding.

Durkheim's theory, like Marx's has been adopted by several successors, some of whom have increased the theory's level of abstraction. For example, Talcott Parsons (1977) assumes that a general law of social evolution enables society to adapt to increasing internal differentiation by generalizing its most basic moral values. Parsons thinks that these values allow society to continue representing its unity despite increasing complexity.

There is an important difference in the level of abstraction between Parsons's theory, and the theories of Marx and Durkheim. Durkheim felt obliged to facilitate the birth of organic solidarity by an appeal to moral responsibility⁵, and the pendulum of Marxism swung between immanent historical necessity and collective action when discussing the coming of the revolution. Parsons's theory, however, has no place for reintroducing theoretical knowledge into political action and the practical affairs of society. That which is latent in the workings of society remains latent, and serves only to interpret empirical reality. There is no Eleventh Thesis in Parsons!

Our third case is so-called "empirical research." This technically sophisticated kind of work makes up the bulk of all sociological research, and justifies the discipline's claim to be a real science. The statistical evaluation of data, which are collected for that very purpose, leads to insights that cannot be gained in any other way. In Paul Lazarsfeld's words, statistical evaluation leads to the discovery of "latent structures."

We meet here again our now familiar distinction: There is that which is the case, the facts of "raw data," and there are the latent relationships that can only be revealed by

⁵ "Mais ce a quoi la reflexion peut et doit servir, c'est a marquer le but qu'il faut atteindre. C'est ce que nous avons essaye de faire," Durkheim (1973:406) insists in the closing passages. See also Wagner (1990). *Translator's Note*: Union regulations prohibit translators from translating two languages in the same article. But here it is anyway: "Reflection can and must point out where the problem [of social order?] lies. But it cannot remove it. This requires that we act."

complex statistical analysis. This approach calls itself “empirical” in the assumption that it can get to reality at both levels, and so refute false opinions. Empirical research claims to discover latent facts underneath the observed facts. In this, it differs from our previous cases, which claimed that observed facts concealed a more profound and deeper *kind* of reality.

This difference is also apparent in the various external referents. Marx’s and Durkheim’s theories were both theories of society, while empirical research projects may start and finish without any theory of society.⁶ Empirical research celebrates its presumed ideological neutrality. However, it cannot help but make implicit policy recommendations. Much empirical research detects stratified distributions of such opportunities as good jobs, education, income, legal counsel, etc. When these are correlated with variables such as social class, sex, race, age, or cohort, pervasive inequalities emerge in a society that is supposed to provide equal opportunities for all. This contrast between egalitarian promise and social facts relieves empirical research from reflecting on the unity of this contrast, which is the unity of society itself.

From Marx to Durkheim and beyond it was naturally assumed that scientists had a moral obligation to contribute to the welfare of humankind on both levels of society. The current appeals to an ethics of science show that this obligation is no longer self-evident. In part, this is due to the failure to build a coherent ethical theory. But, more importantly, high complexity, causal ambiguity, incalculable risks, and the problems of dealing with people who can’t deal with themselves stand in the way of attempts at scientifically or morally regulating human behavior. In this situation, the link between theoretical insights and practical life can no longer be established.

IV. PARADOX IN CURRENT THEORIES OF SYSTEMS

This analysis of prominent sociological theories and philosophies leads to an important problem. How and why should we try to bridge the gap between latent structures and manifest facts? Some theorists would have called this a problem of “dialectics.” The ethos of modern science rules out the semantics of “secrets” to do this.⁷ But the difference between the questions, What is the case?, and, What lies behind it?, calls for some unity. Sociology is not alone with this problem, although its object, society, does add some special complexities. But mathematics, physics, biology, linguistics, even philosophy—to name but a few—also wonder what happens in and to the world when it contains an observer.

For example, the mathematical calculus Spencer Brown (1979) uses to reconstruct arithmetic and Boole’s algebra raises precisely that question. This is a calculus in which an observer operates with distinctions in order to mark one, and not the other, side of the distinction. The processing of the calculus gradually reveals that the observer himself is a distinction, that is, the distinction between him and that which he observes:

An observer, since he distinguishes the space he occupies, is also a mark. We see now that the first distinction, the mark, and the observer are not only interchangeable, but, in the form, identical (Spencer Brown 1979:76).

This is precisely the argument Louis Kauffman (1987:53) makes to introduce his attempt at gathering the newer mathematics and cybernetics under the notion of self-reference:

⁶ For a critical commentary see Tenbruck (1981:333–50, 1989:187–211).

⁷ On archaic and high cultural traditions see Luhmann and De Giorgi (1992).

“Self-reference and the idea of distinction are inseparable (hence conceptually identical).” Recall that Fichte (1962) could only posit his “I” as an observer by distinguishing him from an “Other.”

For Spencer Brown, the problem is one of “form.” A “form” is a conceptual boundary that is being imposed on a world that now has two sides to it. Next, the observer must decide on what side he wants to observe the facts, and on what other side he wants to observe the underlying reality. Continuing the critique of ontological metaphysics started by Husserl and Heidegger, Jacques Derrida has suggested very similar ideas. Derrida deprives the notion of “form” of its object-like plasticity, and turns it into a trace that leaves behind something no longer visible.⁸ This “form” itself can only capture the metaphysics of presence. But the historical movement of metaphysics inscribes a trace that holds the key to what metaphysics has left unsaid.

In physics, the law of entropy predicts that all closed systems, including the world, tend to consume and level all differences in energy. In the end, there is stability without any differences. Some people have wondered what would happen in such a world to an observer who observes what happens but does not like what he sees. Take Maxwell’s Demon who is capable of sorting everything into positive and negative things. The observer makes a difference because he can draw distinctions. Therefore, he may be able to stop entropy. But how costly will it be to link negentropy to his distinctions?

Microphysics has suggested similar ideas. Physicists and their instruments observe everything that can be observed in physics. The problem is that their observations are themselves physical, and so change what is being observed. The world produces physicists to observe itself and the physicists. But what kind of world must draw such distinctions to observe itself? Is this world this distinction, or is it not, or both? Moreover, who could observe the distinction between these two distinctions?

In his efforts to construct a working dialectics, Gotthard Gunther has run into similar problems. For Gunther, there must be certain parts of the world that have a higher capacity for reflection than the totality of the world.⁹ But if such hot cells of reflection actually exist, how can they reflect on the totality without being the totality, and how can they distinguish the totality from that (what?) which it is not? Under what conditions can such cells of reflection offer true propositions about the world, given that they must inevitably fail to capture the unity of the world?

Similar paradoxes have plagued the sociology of knowledge going back to Mannheim. If the sociology of knowledge is no longer concerned with truth and error, but only asks which social groups and strata believe in certain ideas and doctrines and why, what about its own knowledge?¹⁰ Is it true, false, both, or neither? What happens when social groups and strata find out that what they think is just *their* ideas, nothing more? It is simply impossible to resolve the paradoxes of a self-observing observer by means of classical epistemology and two-valued logic. Even Foucault does not make these problems explicit.

Finally, radical constructivism argues that all knowledge is a construction *of* the world *in* the world. Of course, constructivism must keep the distinctions between self-reference and external reference, concepts and objects, or analytical and synthetic truths. However, these are seen as nothing but *internal* distinctions that structure the operations of knowing. They can never leave the system which uses them to construct the world (von Foerster

⁸ See, in Greek, “ichonos,” and, in French, “trace” in Derrida’s important note 14 (1972, p. 206).

⁹ “It stands to reason that these systems of self-reflection with centers of their own could not behave as they do unless they are capable of ‘drawing a line’ between themselves and their environment. We repeat that this is something the Universe as a totality cannot do. It leads to the surprising conclusion that *parts of the Universe have a higher reflexive power than the Whole of it*, as has been recognized for a long time” (Gunther 1976:319).

¹⁰ Meja and Stehr (1982) document this discussion.

1981, Schmid 1987, Luhmann 1988). The internal distinctions presuppose the internal operational closure of the system against the environment. That is, the differences that can be seen by means of these internal distinctions presuppose the system's indifference toward its environment. While traditional skepticism complained that this was bad yet unavoidable, today we tend to think that this is good. For open boundaries would overwhelm the system with the impossible requirements of point-for-point correspondence with all environmental states and events. But what kind of knowledge is it that must renounce all direct correspondence with external reality in order to know itself? Is this knowledge again based on a distinction that divides the world and makes its unity invisible?

V. SUBJECTS AND OBSERVERS

These theoretical developments are separated and isolated by disciplinary boundaries. Even theoretical sociology has not really noticed any of them. In sociology, empirical research and theoretical inquiry remain separated, preventing a discourse on the unity of the field. But once we realize that the distinction between that which is the case, and that which lies underneath it, is a distinction drawn by an observer, we can establish links between the theoretical developments discussed above and sociology.

What lies behind the facts? What are the *meta ta physika*? It can no longer be the true divisions and categories of Being. It must be the distinctions drawn by an observer. And so we return to a central problem in sociology: Who is the observer?¹¹

Real observers observe the real world in the world. Therefore, observers must be observable for other observers, and so on. The observer, then, is a network of observing observations, or communication. Communication also takes place in the real world.

Historically, the observer was seen as the consciousness of a Subject. The cognitions of the Subject cannot change the world, but can only be true or false. Both Descartes's philosophy of mind, and Port-Royal's (1662) logical theory, imagine a Subject becoming aware of Himself through cognition and language. This tradition was continued in Kant and Fichte's transcendental Ego, and in the phenomenology of the corporeal individual (Husserl, Merleau-Ponty). The current deconstruction of metaphysics, however, shows that only objects can be subjects. These are observers observing observers. This insight calls sociology into action.

The Subject could posit Himself only by means of two-valued logic. He distinguished Himself from the world of objects by His *own* distinctions between true and false. The Subject asserts Himself by actually drawing a distinction, and defining Himself by this very act. For it is this Subject, not someone or something else, that distinguishes Himself *from* the world of objects by distinguishing *between* various objects in the world. This Subject existed in a society that could not yet ascribe itself. For this was no longer the old hierarchical society. It was not even the transitional society of the *bienseances*. Since it was impossible to describe society as society, one could also neglect the problem of "intersubjectivity." For this problem would have led to the problem of society, which could not really be posed yet at that time, save ideologically. The question of what lies behind the visible facts was almost, but not quite yet, the search for society.

VI. SOCIETAL SELF-DESCRIPTIONS

Sociology can describe society only *in* society. It needs communication to do this—and jobs, research funds, access to data, and prestige. Sociology may not recognize its own

¹¹ See, besides von Foerster (1981), Luhmann et al (1990) on the newer semantic career of this concept.

knowledge in society, but such observations belong in scientific journals, not budget plans and funding proposals (Wingens and Fuchs 1989).

In any case, sociology only exists within society, not outside of society. To be more precise, sociology can only exist in society as a scientific discipline. It has no other mode of being.¹² This fact explains the dual perspective of sociology. As a science, sociology gets at the facts. If it wants to learn something about the reality underneath the facts, its external reference is society itself. That is, the difference between these two questions is a difference in the external references of sociology. Sociology can neither shed its scientific nor its social character. It is a science of the social system and a social system of science. To make matters even more complex, as a science and, as a social system, sociology is also an internal observer of whatever system it participates in.

In any case, sociology can no longer use the distinction between Subject and Object, as if sociology was the Subject and society, or the social system of science, the Object. The causal implications of sociological research, known as self-fulfilling or self-defeating prophecies, indicate its complex status as an internal observer of, and within, society, though these implications are still seen as primarily methodological difficulties (Simon 1957:79ff., Merton 1957 421ff.). Like physics, sociology changes its object in the very act of observation. This is true whenever it recommends policies, criticizes something, or alarms people about some problem. Whenever it communicates its observations, sociology is being observed as an observer. These observations have consequences that have nothing to do with the truth or falseness of these observations, although truth and falseness may have their own consequences. In sum, it should be clear that sociology can no longer view itself as an independent observer that could enlighten or criticize society from the outside.¹³

This is only a small set of the problems that sociology is facing. Some of these may actually be methodological problems, to be handled by more sophisticated techniques. But we need to keep in mind that sociology is observing a society that is already observing itself.¹⁴ These self-observations may guide sociology's own observations in ways that are more adequate than, for example, the ambiguous current discussions about "postmodernism."

At this point, the following observation (!) may be helpful. Any observer must use a distinction in order to refer to one part of the distinction, not the other. In, and while, doing this, the observer becomes an unmarked space that distinguishes itself from that which is being observed. This means that society can describe itself only by distinguishing itself from that which is not society. At the same time, this self-description is the operation of a certain part in society, which also distinguishes itself from whatever is being described. That is, any self-description of society creates two unmarked spaces: *that which is not society* (i.e., in systems-theoretical terms, the environment), and *that which produces the description within society*.

These are crucial insights. Let us ignore sociology for a moment. It seems that that which is not society is nowadays being described in ecological terms. As a result, society appears as a system that ecologically endangers itself through technology, wars, and commercial and industrial exploitation of natural resources and, last not least, demographic explosions. Society is the system that explains, creates, and must react to these novel

¹² This is evident in the tragic case of Helmut Schelsky, who was so disappointed by the lack of common sense and by the public behavior of the sociologists that he finally presented himself as an "antisociologist" in order to warn the public of sociology. As he knew himself, with this pronouncement Schelsky was still in line with the decreasing reputation of the discipline, but he could not find a suitable way of making his idea public. Therefore, he was left with nothing but polemics.

¹³ For a recent discussion of this question see, for example, Scherr (1990).

¹⁴ See Luhmann (1990), addressing American sociologists.

dangers, possible according to a secularized version of a time of sins followed by a period of fasting.

Now, who is describing all this? The answer is: the mass media. The mass media select communications according to the code information/non-information, or new/not news. The criteria for this selection are, of course, purely social ones, and they are well-known: novelty, drama, conflict, individual suffering, deviance, local significance, to name but a few. Social movements are important observers as well, but they are closely linked to the media, and would not even emerge without them. For they make and stage their news with an eye toward the mass media. Even if the new social movements stage large demonstrations with lots of bodies in the streets—we know about it through television, and some movements, such as Greenpeace, arrange their spectacular actions especially, and sometimes exclusively, for the media.

The daily consumption of news congeals into what can be called “common knowledge.” Communications based on common knowledge are communications about alleged knowledge, even if communication is controversial. For example, almost daily the mass media report about ecological problems as if they were scientifically established facts. From the perspective of science, however, the ecological discourse is a discourse about ignorance. This discourse can offer no predictions and explanations, for its subject-matter is much too complex.

Likewise, in deciding how society will be observed, the mass media themselves remain invisible. Even when recursive loops are built into the system, even when newspapers report about newspapers or television portrays television, there is no awareness of the distinctions that determine what is being broadcast as news and what is not. There is some research on this subject, even on how the mass media influence the way in which society observes itself (Heintz 1982). As long as it celebrated itself as the prime observer of society, sociology had very limited interest in the mass media. There is some critical research on how the mass media obstruct societal enlightenment and emancipation. For example, it has been found that daily reports of smaller or larger disasters have more of a numbing effect on people. For those disasters have happened already, and cannot be prevented anymore. This kind of reporting never zooms in on possibly disastrous processes that could yet be stopped or reversed (Lindner 1990).

Such findings typically provoke a sociological “critique” of society and its tendency to commercialize the mass media, and use them as agents of “cultural hegemony.”¹⁵ But this critique does not provide an answer to the more fundamental question of how society manages to describe itself in the first place, and who does this describing. Sociology would presumably answer that this was its own very job. But this answer would be curiously blind in regard to both of our questions: what is the case, and what lies behind it?

VII. THE SOCIOLOGY OF SELF-OBSERVING SYSTEMS

This does not mean that sociology has nothing to offer. However, if sociology wants to be the observer of society, it must take into account the fact that society is a self-describing system. The first step would be to take notice of research on how the world manages to observe itself. This research currently proceeds on various levels, such as physical and

¹⁵ See Gitlin (1983), using Gramsci’s concept. One could also call this a “structural coupling” of protest movements and the mass media.

biological levels, consciousness, or communication. The old philosophy of the Subject argued that the Subject really existed, and that it had certain concrete features. The next problem was to find out what all empirical subjects had in common. These commonalities defined the a priori conditions of knowledge, behavior, and judgment. In the last analysis, despite its critique of metaphysics, and despite its attempts at substituting process-oriented for essentialist approaches, the old philosophy of the Subject was caught in the idea of an ontological Self. It proved impossible to apply this theory to society, for this would have led to positing a politically unacceptable Collective Subject. What is more, there is just too much ontology and humanism in the notion of the observer as Subject.¹⁶

Therefore, we need to replace the philosophy of the Subject by a theory of self-describing systems. It is easy to see that the formal architecture of such a theory resembles the philosophy of the Subject. Self-descriptions are possible only if the observing system can distinguish itself from others, that is, if it can distinguish between external and self-reference in its own descriptions. This is like the philosophy of the Subject demonstrating that consciousness always simultaneously refers to an object and to itself.¹⁷ We need to extend this insight from consciousness to communication. Communication simultaneously distinguishes between external reference, or information, and internal reference, or performance, and combines both in understanding.

In this view, society is the all-encompassing system of all mutually accessible communications. Internally, society uses the distinction between external and self-reference. In performing its actual operations, society is a closed system that does not presuppose an external observer, such as God or an individual consciousness. Even if there was such an external observer, operational closure means that society could have no access to him. Operational closure means that sociology is based on communications, and can offer descriptions only from within society, not from the outside. For such an outside position would have to be and remain silent. For sociology, describing society as a self-observing system means placing itself squarely within its own object. It includes itself in that which it observes. In this process, it deconstructs the very distinction between Subject and Object. Sociology cannot but apply its own observations to itself.¹⁸

These theoretical arguments do not preclude sociology from establishing itself *within* society as an *external* observer. However, it cannot do so for society as a whole, but only for its subsystems, and for what is commonly called everyday communication. Sociology must build a theory of societal differentiation that makes it possible to describe science, and sociology as one of its parts, as a specialized social system that describes other social systems as part of its internal societal environment. Following Gotthard Gunther, this means constructing systems within society that have a higher capacity for reflection than society as a whole.¹⁹ In this way, society creates internal possibilities for external observations. That is, society does not simply rely on the self-descriptions of its subsystems, such as theology, pedagogics, legal theory, or economics, but confronts such descriptions with external descriptions that are not bound by the institutional dogmas reigning in the subsystems of society.

There are now broad discussions about such external observations within society.²⁰ For the most part, sociology cannot yet competently theorize about the “indigenous theories”

¹⁶ Martin Heidegger (1949a and b) has written what is probably the most famous critique. Later, Derrida (1972:129–164) surpasses even Heidegger’s critique.

¹⁷ Husserl theorized about this within the framework of his “Transcendental Phenomenology.”

¹⁸ This argument should not be misconstrued to justify hasty moral conclusions. But there is one rule of science ethics that would undermine the position of many so-called “critics” of society. This is the rule forbidding the self-exemption of sociological arguments.

¹⁹ See the quotation above, n.9.

²⁰ For the case of pedagogics see the afterword in Luhmann and Schorr (1988:363–81), and Luhmann (1986b).

of society's various function systems, that is, about such topics as God, justice, education, or profit maximation. But it is clear that sociological observations may never claim privileged knowledge or criticism, for it is precisely such privileged metapositions that functionally differentiated society can no longer afford. This leaves the possibility to describe the function systems by means of distinctions that are not their own. In this way, sociology could present as artificial and contingent what appears, in the function systems, to be necessary and natural. In other words, sociology could create a surplus of structural variations that could induce the observed function systems to consider alternatives to their own modes of operation.

This possibility, however, does not really solve the problem of how the unity of society can be described from within society. For such descriptions must inevitably change what they describe. In the case of consciousness, the distinction between operation and observation, i.e., between unreflected and reflected activity, offers a possible solution. As of now, there is no comparable solution in sociological theory. There is, however, the theory of self-referential systems which makes some steps in the right direction.

Self-reference means that systems are able to distinguish their own operation from everything else, and that a system can internally distinguish between the system and its environment.²¹ It is possible to communicate inside the system about this difference. Then, the important question is: how exactly is this done? Take the much discussed ecological problems of modern society. From the perspective of self-reference, the central problem is how society can survive its own maladaptation to the environment.²² On the same level, we can ask how society can survive its maladaptation to human beings who understand themselves as modern individuals, that is, as self-observers.

Self-reference leads to dramatic breaks with the epistemological and cognitivist tradition.²³ "Cognition" has nothing to do with adaptation to the environment, or with selective evolutionary improvements in adaptation. For adaptation must already be taken for granted in the routine processing of cognition within the system. In this sense, cognition indeed presupposes the absence of any direct contacts with the environment. Cognition may enable a system to temporarily adapt to environmental disturbances by matching increases in external with increases in internal complexity. But this never guarantees improved adaptation or prospects for survival.

Radical constructivism also implies that each observation must have a blind spot. This blind spot is the unity of the distinction underlying any observation. That is, if something is the case, then something else must lie behind it. This "something" is that which remains unsaid if something is being said. Traditionally, this is known as "latency." But we are dealing here not with structural latency as some sort of hidden ontological area, but with the operational latency of a distinction that distinguishes *this*—and not something else. Von Foerster's (1981) recent cybernetics refers to this as second-order observation. He understands latency as contingency, that is, as an unmarked space that results from drawing a distinction that could have been drawn differently. Then, one may ask: why this distinction and not another one?

This line reasoning implies radical breaks with traditions in two-valued logic, with the old ontology of Being/Non-Being, with classical epistemology and metaphysics, and with "humanism."

²¹ In the formal language of Spencer Brown's (1979) mathematical theory, form "re-enters" form, i.e., the distinction returns into that which it has distinguished.

²² Cf. Luhmann (1986a), and Luhmann (1992) on the ecology of ignorance.

²³ On biology see Moreno, Fernandez and Etxeberria (1992).

VIII. PROSPECTS FOR A SOCIOLOGY OF SELF-REFERENCE

The theory of self-referential systems also breaks with the sociological tradition. This leads us back to the distinction between positivist and critical sociology, and to our initial double question: What is the case, and, What lies behind it? Some may suspect that the theory of self-referential systems simply criticizes critical theory and constructivistically deconstructs positivism. But this would underestimate the radicalness of the theory.²⁴ This theory's answer to the question, what is the case?, is: that which is being observed, including the observation of observers. The theory's answer to the question, what is behind the facts?, is: that which the observation fails to observe. This "unmarked space" (Spencer Brown) results from *any* distinction made by *any* observer. The observer cannot see what he cannot see—and fails to see this as well. An observer of this observer may see what the first observer cannot see, but, at the same time, also fails to see what he, the second-level observer, cannot see, and so on.

This level of abstraction may be uncomfortable for those who want to return to sociology. But we're actually not far from sociology at all. The operation of observing produces social systems and communication. Social systems are self-referential systems, forced to observe themselves and other things in the act of communication. Communication simultaneously refers to itself and its object.²⁵ Communication may be observed on a second level. But it is important to notice here that higher levels of reflexivity never lead to higher levels of insight about the observed system or its world. For an observer can never observe his unmarked space, or the unity of the distinction he uses. This is possible only in the form of a paradox, which leads to an irritating interruption of observation. When he reaches a paradox, the observer can either quit observing, or use a different distinction with a different paradox to observe something else.

It is possible to communicate even about the inaccessibility of the world. In Derrida's (1972:76–77) words, "la trace de la trace, la trace de l'effacement de la trace." However, theologians remind us that this insight is possible only in paradoxical terms. For sociology, this means that it must begin with resolving the paradox of observation, which always depends on the contingent point of view of the observer.

Up to now, sociology, insofar as it did not simply believe in its scientific character, linked inquiries into facts and inquires into their background through the notion of "latency." However, latency itself had to remain latent. Latency implies a first-order observer who cannot see what he cannot see. Therefore, latency can only be noticed by a second-level observer, who destroys latency in the very act of noticing it. Once sociological theory becomes second-order observing, it can manage without the old ontological idea of latency. Second-order observing transforms latencies into contingencies. Each and every distinction must be understood as contingent, that is, as something that could be different. Objective latencies are then seen as implications of all observations that cannot observe themselves *while* observing something else. Realizing the contingency of all operations would bring sociology back in touch with one aspect of modern society, i.e., the transformation of traditional and organic social bonds into contingent selections.²⁶

If it is true that modern society operates with contingent or second-order, observations and communications, then sociological theory must copy this contingent mode of operation

²⁴ This radicalness is implied in the double meaning and connotations of the phrase, "observing systems," with which von Foerster (1981) describes the program of second-order cybernetics. Observations can themselves be observed.

²⁵ See Luhmann (1984).

²⁶ See Roberts (1991:150, 158). It is no accident that Roberts uses the example of modern and postmodern art. It is possible that art has reached a level of insight into society that sociology should try to match.

in its own operations, the truth of its assumptions would no longer consist of their correspondence with objects, but of this formal congruency between society's and sociology's modes of communication. Borrowing from the language of art, we could say that sociology must become a "parody" of society.²⁷ This is only possible, however, within strict and controlled limits, and in no way suggests that "anything goes." This is actually a very challenging and serious program. Current sociological methodology has no idea just what is implied here.²⁸ Each concept that enters such a theory of modern society must be changed according to the specifications of this theory, while, at the same time, permitting maximum resonance with society. Such a theory would mirror or represent nothing. It would not be formed according to the alleged "nature" or "essence" of its subject-matter. But such a sociology would be a model of society in society that in-forms us about its uniqueness. It would offer novel possibilities for observation, independent from those in the function systems and everyday communication.

If this program were successful, society would be able to describe itself by means of sociology. What would lie behind this fact? Nothing at all!

REFERENCES

- Adorno, T.W. et al., 1969: *Der Positivismusstreit in der deutschen Soziologie*. Neuwied.
- Barnes, B., 1977: *Interests and the Growth of Knowledge*. London.
- Bloor, D., 1976: *Knowledge and Social Imagery*. London.
- Bramel, D. / R. Friend, 1981: Hawthorne, the Myth of the Docile Worker, and Class Bias in Psychology. *American Psychologist* 36: 867–878.
- Colie, R.L., 1966: *Paradoxia Epidemica: The Renaissance Tradition of Paradox*. Princeton N.J.
- Derrida, J., 1972: *Marges de la Philosophie*. Paris.
- Donne, J., 1980: *Paradoxes and Problems*, (Hrsg. Hellen Peters) Oxford.
- Durkheim, E., 1930: *De la division du travail social*, 2. Aufl. Neudruck 1930, 9. Nachdruck 1973, Paris.
- Fichte, J.G., 1794: *Grundlage der gesamten Wissenschaftslehre*, 2. Aufl. 1802, in: *Ausgewählte Werke Bd. 1*. Darmstadt 1962.
- Foerster, H. von, 1981: *Observing Systems*. Seaside Cal.
- Genovese, R. (Hrsg.), 1992: *Figure del paradosso: Filosofia e teoria dei sistemi 2*. Napoli.
- Geyer, P. / R. Hagenbüchle (Hrsg.), 1992: *Das Paradox: Eine Herausforderung des abendländischen Denkens*. Tübingen.
- Gitlin, T., 1983: *The Whole World Is Watching: Mass Media in the Making and Unmaking of the New Left*. Berkeley Cal.
- Günther, G., 1976: *Cybernetic Ontology and Transjunctional Operations*, in: ders., *Beiträge zur Grundlegung einer operationsfähigen Dialektik Bd. 1*. Hamburg.
- Gumbrecht, H.U., 1992: *Sign Conceptions in European Everyday Culture Between Renaissance and Early Nineteenth Century*. Stanford: Ms.
- Gumbrecht, H.U. / K.L. Pfeiffer, 1991: *Paradoxien, Dissonanzen, Zusammenbrüche: Situationen offener Epistemologie*. Frankfurt.
- Heidegger, M., 1949a: *Sein und Zeit*, 6. Aufl. Tübingen.
- Heidegger, M., 1949b: *Über den Humanismus*. Frankfurt.
- Heintz, P., 1982: *Die Weltgesellschaft im Spiegel von Ereignissen*. Diessenhofen, Schweiz.
- Horkheimer, M. / T.W. Adorno, 1947: *Dialektik der Aufklärung*, in: T.W. Adorno, *Gesammelte Schriften Bd. 3*. Frankfurt 1981.
- Kauffman, L.H., 1987: *Self-Reference and Recursive Forms*. *Journal of Social and Biological Structures* 10: 53–72.
- Kennedy, D., 1976: *Form and Substance in Private Law Adjudication*. *Harvard Law Review* 89: 1685–1778.
- Krippendorff, K., 1984: *Paradox and Information*, in: Brenda Dervin / M.J. Voigt (Hrsg.), *Progress in Communication Sciences* 5: 45–71.
- Lando, O., 1545: *Paradossi, cioe sententie fuori del commun parere . . .* Vinegia.

²⁷ See Roberts (1991) on parody, a close relative of paradox. For the theory of the state see Willke (1992).

²⁸ This is obvious in the common criticisms of systems theory, see Münch (1992) or Rottleuthner (1992).

- Lando, O., o.J.: Confutazione del libro de paradossi nuovamente composta, in tre orationi distinta, o.O.
- Lawson, H., 1985: Reflexivity: The Post-Modern Predicament. London.
- Lindner, R., 1990: Medien und Katastrophen. Fünf Thesen, in: H.P. Dreitzel / H. Senger (Hrsg.), Ungewollte Selbstzerstörung: Reflexionen über den Umgang mit katastrophalen Entwicklungen. Frankfurt.
- Löfgren, L., 1978: Some Foundational Views on General Systems and the Hempel Paradox. *International Journal of General Systems* 4: 243–253.
- Löfgren, L., 1979: Unfoldement of Self-Reference in Logic and in Computer Science. S. 205–229 in: Proceedings of the 5th Scandinavian Logic Symposium. Aalborg.
- Luhmann, N., 1984: Soziale Systeme: Grundriß einer allgemeinen Theorie. Frankfurt.
- Luhmann, N., 1986a: Ökologische Kommunikation: Kann die moderne Gesellschaft sich auf ökologische Gefährdungen einstellen?. Opladen.
- Luhmann, N., 1986b: Die soziologische Beobachtung des Rechts. Frankfurt.
- Luhmann, N., 1988: Erkenntnis als Konstruktion. Bern.
- Luhmann, N. et al., 1990: Beobachter: Konvergenz der Erkenntnistheorie? München.
- Luhmann, N., 1990: General Theory and American Sociology, in: H.J. Gans (Hrsg.), *Sociology in America*. Newbury Park.
- Luhmann, N., 1992: Ökologie des Nichtwissens, in: ders., *Beobachtungen der Moderne*. Opladen.
- Luhmann, N. / R. De Giorgi, 1992: *Teoria della società*. Milano.
- Luhmann, N. / K.E. Schorr, 1988: Reflexionsprobleme im Erziehungssystem. 2. Aufl. Frankfurt.
- Malloch, A.E., 1956: The Technique and Function of the Renaissance Paradox. *Studies in Philology* 53: 191–203.
- McCanless, M., 1966: Paradox in Donne. *Studies in the Renaissance* 13: 266–287.
- Meja, V. / N. Stehr (Hrsg.), 1982: *Der Streit um die Wissenssoziologie*, 2 Bde. Frankfurt.
- Merton, R.K., 1957: *Social Theory and Social Structure*. 2. Aufl. Glencoe Ill.
- Merton, R.K., 1972: Insiders and Outsiders: A Chapter in the Sociology of Knowledge. *American Journal of Sociology* 78: 9–47.
- Moreno, A. / J. Fernandez / A. Etxebarria, 1992: Computational Darwinism as a Basis for Cognition. *Revue internationale de systématique* 6: 205–221.
- Münch, R., 1992: Autopoiesis by Definition. *Cardozo Law Review* 13: 1463–1471.
- Ong, W.J., 1958: *Ramus: Method, and the Decay of Dialog: From the Art of Discourse to the Art of Reason*, Cambridge Mass., Neudruck New York 1979.
- Parsons, T., 1977: *Social Systems and the Evolution of Action Theory*. New York.
- Platon, Sophistes, Ausgabe der Loeb Classical Library. London 1952.
- Rescher, N., 1985: *The Strife of Systems: An Essay on Grounds and Implications of Philosophical Diversity*. Pittsburgh.
- Roberts, D., 1991: *Art and Enlightenment: Aesthetic Theory after Adorno*. Lincoln Nebr.
- Rottleuthner, H., 1992: Grenzen rechtlicher Steuerung—und Grenzen von Theorien darüber, in: P. Koller et al. (Hrsg.), *Theoretische Grundlagen der Rechtspolitik*. Beiheft 54 des Archivs für Rechts- und Sozialphilosophie. Stuttgart.
- Scherr, A., 1990: Postmoderne Soziologie—Soziologie der Postmoderne: Überlegungen zu notwendigen Differenzierungen der sozialwissenschaftlichen Diskussion. *Zeitschrift für Soziologie* 19: 3–12.
- Schmidt, S.J. (Hrsg.), 1987: *Der Diskurs des Radikalen Konstruktivismus*. Frankfurt.
- Schmidt, V.H., 1992: Lokale Gerechtigkeit—Perspektiven soziologischer Gerechtigkeitsforschung. *Zeitschrift für Soziologie* 21: 3–15.
- Schwanitz, D., 1992: Laurence Sternes *Tristram Shandy* und der Wettlauf zwischen Achilles und der Schildkröte. 409–430 in: P. Geyer / R. Hagenbüchle.
- Simon, H.A., 1957: *Models of Man—Social and Rational: Mathematical Essays on Rational Human Behavior in a Social Setting*. New York.
- Spencer Brown, G., 1969: *Laws of Form*. Neudruck New York 1979.
- Tenbruck, F.H., 1981: Emile Durkheim oder die Geburt der Gesellschaft aus dem Geist der Soziologie. *Zeitschrift für Soziologie* 10: 333–350.
- Tenbruck, F.H., 1989: Die kulturellen Grundlagen der Gesellschaft: Der Fall der Moderne. Opladen.
- Wagner, G., 1990: Emile Durkheim und Ferdinand de Saussure—Einige Bemerkungen zum Problem sozialer Ordnung. *Zeitschrift für Soziologie* 19: 13–25.
- Walzer, M., 1983: *Spheres of Justice*. New York.
- Welker, M., 1991: Niklas Luhmanns "Religion der Gesellschaft". *Sociologia Internationalis* 29: 149–157.
- Willke, H., 1992: Ironie des Staates: Grundlinien einer Staatstheorie polyzentrischer Gesellschaft. Frankfurt.
- Wingens, M. / St. Fuchs, 1989: Ist die Soziologie gesellschaftlich irrelevant? Perspektiven einer konstruktivistisch ansetzenden Verwendungsforschung. *Zeitschrift für Soziologie* 18:208–219.