Chapter 8 – Critics' Views about Luhmann's Theory

This chapter gives an overview of the critics of Luhmann's theory. Like any grand theory, it is not exempt from controversy. The book lists six among the most common criticisms, giving the references and explaining the issues. However, the book does not enter into the controversies, defending or criticizing Luhmann. This chapter rather acknowledges the existing opinions and gives readers indications on how to reflect on them. Brief opinions are nevertheless expressed.

First, we give brief biographical information about Luhmann. He was born in Germany in Lüneburg in December 1927. He graduated in law and in 1960 received a scholarship to study with Talcott Parsons at Harvard University; at that time, Parsons was one of the most prominent sociologists. Luhmann was influenced by Parsons' theories and theory crafting but soon he moved on to his own formulation of sociological concepts. Some of Parsons' concepts are still found in Luhmann's work, although they often have slightly different understandings. One of these concepts is *symbolically generalized means of communication* (see the Annex). Two major influences in Luhmann's work are the mathematician George Spencer-Brown, with his work published in *The Law of Forms*, where he developed a calculus based on the drawing of distinctions for observational purposes, and the works of the biologists Varela and Maturana, who developed the concept of autopoiesis. These two sources of influence represent two major turns in the development of the Social System Theory to the final format it took from the 1980s onwards. Luhmann was remarkably productive, and during his life published around 75 books and 500 articles (Borch 2011). He worked at Bielefeld University from 1969 until his death in 1998.

Luhmann's style itself has been seen as responsible for the limited attention his theory has received; it is a writing style that often requires efforts from his readers given the complexities of the texts. However, those who manage to get through his constructions become convinced of his theory's robustness and

consistency. Luhmann is considered one of the most prominent theoreticians in social science in the twentieth century. The twenty-first century has not yet revealed anyone who could claim the same prominence. Social scientists are resolute in confirming the greatness of what he has achieved and the integrity, erudition, comprehensiveness and intellectual honesty of his work.

It is important to bear in mind a few points when critically approaching the Social System Theory. Luhmann's work needs to be understood in line with its position in the philosophical perspective of what can be called constructivist realism. In that theory, both system and environment might have an ontological "nature" which nevertheless cannot be fully comprehended as to what they essentially are; the descriptions are generated by observers, who, in order to carry out observations, use the system/environment distinction.

Luhmann's constructivism therefore does not deny the existence of reality or the presence of systems and environments in that reality. However, the observation of a system, and the subsequent narratives that communicate what has been researched, will not entirely comprise or reproduce the observed objects. The narrative constructs an image of the system with the elements and relations the observations could identify and select.

There are a number of reasons for that. First, the observer would not have the *requisite variety* to represent one-to-one the points observed in the system and its environment. Neither the complexity of the environment nor of the system could be fully incorporated into the complexity of the narrative, which itself has to be formed with complexity-reducing orientation. The constructivism therefore means that the described system is a construction of the observer, but in any case, a construction that is not tautological or self-created; it has anchors in the forms of reality (causalities, where applicable) which are observed and incorporated into the narratives. The epistemological difficulties of the constructivism are further discussed and the interested reader is recommended texts where the topic has been treated at length.

We can move on to the critical points often talked about in relation to the theory:

- The theory is criticized for being too eclectic, borrowing too many concepts from different sources;
- The transposition of the term autopoiesis from its original biological science context to social science is viewed with some skepticism, including by the biologists who formulated the concept;

- Luhmann's concepts about the function of the political system are attacked from both the left and the right side of the political spectrum;
- Lack of empirical evidence – Luhmann dedicated his entire academic life to construct a theoretical edifice without having carried out empirical studies to confirm (or not) his theoretical constructs.
- The theory is criticized for not taking humans into consideration – these critics point to the fact that human beings do not appear in the theory.

We present only a brief description of the critics, except for a longer discussion on the last bullet point.

- The theory is criticized for being too eclectic, borrowing too many concepts from different sources

This does not seem to be a relevant criticism, as the borrowing itself cannot be rejected regardless of quantity. What does indeed matter is the clarity of the concepts and the coherence by which they are articulated in building the theory. Luhmann does not deal hurriedly or superficially with what he imports. Serious reflections were undertaken. Not much can be found and said if one goes about looking for loose concepts that are not meaningfully integrated into the theory.

- The transposition of the term autopoiesis from its original biological science context to social science is viewed with some skepticism, including by the biologists who formulated the concept

This controversy developed in exchanges between Maturana and Luhmann. The biologists remained sceptical in relation to the use of the concept of autopoiesis for social systems. The precision by which biological systems are separated from their environment, with concrete physical boundaries, could not replicate social systems with semantic boundaries. The transposition of autopoiesis to such a system/environment distinction requires thinking about boundaries in less concrete terms although still performing the separation function. Those who may get in touch with the term autopoiesis in the sociological context before learning it from biological texts would not have difficulties in understanding how the idea works for social systems. However the controversy exists and some readers may be interested in studying it more closely.

- Luhmann's concepts about the function of the political system are attacked from both the left and the right side of the political spectrum

This is surely a long discussion, which would require elements that have not yet been fully explained in the book. A thorough, comprehensive examination of this questions can be found in Michael King and Chris Thornhill (2003), with extensive explanations of the operations of the legal and the political systems, and comprehensive treatment of the political philosophy themes that inform the controversies.

- Lack of empirical evidence – Luhmann dedicated his entire academic life to construct a theoretical edifice without having carried out empirical studies to confirm (or not) his theoretical constructs

Luhmann did not carry out empirical assessment and data collection to demonstrate the concepts and the relations between them. Luhmann's work was essentially theoretical and concerned with the validity and soundness of the conceptual construction. This does not mean that the concepts were detached from reality and existed in an imaginary world; of course not. The conceptualization, while still dealing with abstractions and generalization, was grounded in solid reflections on the real empirical possibility of their existence. Any statement that the theory is not concerned with social reality is a hasty conclusion, at its best showing a lack of understanding of the theory.

- The theory is criticized for not taking humans into consideration – these critics point to the fact that human beings do not appear in the theory

For this point, we need to try to provide a longer explanation. We briefly discuss the theoretical constructs some readers might find difficult to grasp. When explaining the work of the systems, Luhmann often uses metaphors implying the existence of a "self" communicating and making the decisions at the core of the system. That can be a difficult point, which can be associated with criticism of the "lack" of humans in the processes of the systems. However, such an impression is superficial. A careful consideration of the role of communication and the capacity of communication to interlace with other communications, constructing scenarios and narratives that may not entirely represent what any of the participants in the communication specifically have in mind, is key to understanding the question. Communication can be viewed as having a life "in-

dependent" from those engaged in it. It is important to grasp how that can be the case.

Communication is essential in the constitution of the social. It is what makes the social possible. However, communication is not equal to what is in the mind of those who communicate; in Luhmann's thinking, communication does not carry any fundamental validity for communicating essentially truthful rational statements or the complete picture one has in mind. Partial comprehension and misunderstanding are as likely to be the result of communication as of understanding.

Luhmann's project clashed with Habermas' views in a debate that unfolded over two decades of exchanges between the two (see Borch 2011, p. 120, and King and Thornhill 2003, p. 165). Having himself developed a theory of the social based on communication, Habermas (2007) criticized Luhmann's position, exposing the differences between the theoretical perspectives. This book does not cover the full discussion, however some points will be helpful for readers to reach their own conclusions in relation to the assumed "self" that is at the core of the "self-referenced" and "self-organizing" systems of Social Systems Theory.

Habermas represents a modern school of thought for which the possibility of intersubjectivity shaping overarching common rationalities is a better explanation of the social than the independence of functional systems, constructing their own individual rationalities. Habermas' project firmly believes in the achievement of final truthful agreement between the parts once the "ideal speech situation" for social communications is exercised.

The belief in the possibility of internal connection, inscribed in the ontological inner nature of rational meanings and communications, is in clear contrast with social systems understanding of the possibilities of communication, as putting forward contingent selections the systems are interested and able to make at the communications junctures.

In contrast with the Habermasian approach, validity is attributable to what looks valid and can be agreed upon as such by those capable and motivated to communicate about it. The obvious validity of the non-existence of an elephant in the room does not require even two fully self-conscious adults discussing the matter; a couple of four-year-old kids would reach such a conclusion on the validity of the judgement with expressive communication between them. On the other hand, on matters of values, interpretations of facts or motivations a lot more is required. But still, validity is not part of the essence of the statements; it is only part of the assumptions and wished for expectations that can

be agreed upon. Meanings are contingent and can be different, no matter the truthfulness and faithfulness of those communicating.

Arising out of a confusion about what Social System Theory actually says, some readers may struggle to accept the role of communication as the system's building block, assuming that this would imply accepting the idea of communication "simulating" or "concocting" a kind of "virtual self", with similar decision-making and self-reflection attributes, as the "selves" of conscious individuals engaged in communication. As mentioned above, Luhmann's metaphors may induce such confusion; however, we admit, the metaphors help the intuition of the system's self-reference and self-reproduction.

Self-reproduction is but the system, "anchored" on the memories of those communicating, bringing back, processing, adjusting and upholding concepts and semantics previously selected as constitutive of the system. The memories of the psychic systems (the minds) actualize the elements that can then be confirmed, maintained, changed or discarded as representing legitimate communications of the system. Luhmann's metaphors imply these understandings.

For example, when Luhmann (2013, p. 64) says: "a system does not operate [communicate] in the environment", this does not mean that the "self" of the system makes the decision not to communicate. This statement becomes clear if we consider that communication involves the two parts making utterances with their respective contents, leading to recursive understanding (or misunderstanding). The environment does not make utterances. If those communicating are understandably deploying the codes of the system, they are communicating inside the system; or, better still, their communication is part of the system in contrast with the environment.

If there are utterances perceived as coming from the environment, those are due to the presence of another system (psychic or social) in the environment, producing them. If the utterances carry relevant recognizable meanings for the observing system (as when a doctor asks a patient about what he feels and the patient communicates the location of the discomfort), they are observed and processed, becoming information inside the system, and then incorporated in the respective semantic fields of meanings the system recognizes as of interest.

Furthermore, communication can always: 1) follows the path intended by one of the participants; or 2) the path intended by more than one of those engaged; or 3) neither of the paths described in 1 and 2, thus generating results that might be unsatisfactory for all involved. In such case, the communication seems to follow its own path, determined by associations or links of ideas and

semantics that are not in anyone's plans, with deviances that are not detected or successfully corrected by those involved.

Communicatively, undesirable results thus reached arise out of communications' own predicaments, but still cannot be said to reveal a "self"-driven intention by some sort of "selfless self". Surely none of the engaged consciences were able to successfully strategize the argumentation in those unsuccessful communications.

A metaphor can straightforwardly convey the idea of the system's self-observation and self-reference and its final decision of self-organization, as if a transcendent self was fully conscious of the processes and in charge of the decision-making. As if such a self could act independently from the conscious selves of the individuals communicating. This is obviously the metaphor's effect; there is no such meta-conscience in the Social System Theory, or transcendental self, or unconscious invariant structures at work, as would be the preference of the structuralisms of the last century. The self-reference metaphor conveys well the idea that communication follows paths that are not entirely under the control of either of the parts involved, and in that, metaphoricaly, "it has a life of its own".

On the other hand, it is important to keep in mind that there would be no systems' communications and decisions if there were no psychic systems (selves) communicating and communicatively reaching decisions. The communications could not exist independently from psychic systems as, in other words, there would not be any social systems without the individuals communicating inside them. Putting this differently, a system cannot do without the individuals communicating in it. Any attempt to discredit Social Systems Theory for radically separating the systems and the individuals, and seeing them as having entirely independent lives, is a misrepresentation of the theory.

To be clear, communication opens a range of possible outcomes. Within the field of possibilities, selections made over the course of the communications (selections that are communicated and then accepted or not, affecting subsequent communications) construct the path the communication "walks". Implicitly or explicitly, selections are communicated and communicatively accepted or rejected. Although still unpredictable from the start, the conclusion will remain within the range of the possible, if one could carry out the difficult task to map out all possibilities of sequences from the start.

Because a comprehensive mapping would be too complex to be reasonably established, the unfolding of the communication may develop in unpredictable ways. One may say that "evil" or "angelic" inspirations brought the commu-

nication to its final conclusion, as if a self was overseeing the whole process from above. Such explanations are obviously only poetical metaphors to express judgements about the final outcome of the communications.

A grasp of the operations of this metaphoric "selfless self" of communications is a pivotal point to understand systems from the Social Systems Theory perspective. Despite Habermas' discomfort,[1] one does not need to struggle to accept this notion and its usefulness for better understanding of social systems based on communications. Even with its contingent selections and non-essential validity of communicated statements, communication can indeed be the only phenomenon to explain the build-up of social systems.

A final point, also arriving from the polemic between Luhmann and Habermas, the theme of intersubjectivity deserves some reflections. Although Luhmann used the term "interpenetration" in his early theoretical constructions, he later opted for the notion of "structural coupling" to explain stable relationships between two operationally closed but interconnected systems, whereby they nevertheless preserve their operational closure.[2]

Communication does not require intersubjectivity; ego and alter, two psychic systems, using the same language and the same sets of signs and meanings, reach common understanding of statements, which they may communicatively confirm. Ego may ask whether alter agrees with his understanding of the statements alter had just uttered. By confirming their agreement, both can rely on that mutual understanding and move on to subsequent statements.

No intersubjective event is required to explain this agreement process; the minds remain isolated in their own self-references, and the differentiation between the two is not trespassed. It can be easily accepted that the complexities that each mind manages (with all the selections it processes) would be too

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1   One may say, on Habermas, that validity claims are rarely fully rationally activated in the processes of communication.

2   In *Social Systems* Luhmann (1995) dedicated chapter 6 to the interpenetration topic. He explains that the notion should not be equated to the input–output relation model, but rather, in his words, "we speak of 'penetration' if a system makes its own complexities (and with it indeterminacy, contingency and the pressure to select) available for constructing another system" (Luhmann 1995, p. 213), while remaining an environment for each other. This happens reciprocally, he adds, as for instance in relationships between psychic and social systems, where the complexities of the psychic system involved in the deployment of utterance and information actively construct the complexities of the communications of the social system.

heavy a burden for any other mind to incorporate into its own complexity, considering that it would be keeping up with the selection it makes itself.

Intersubjectivity is thus a useless concept, although the aspiration of its occurrence can still be hoped for. One can have strong beliefs about someone else's intentions and feelings, but those will remain "hypothetical", even in the face of an explicit admission by the other of his true intents. Language usage cannot be fenced against the possibility of convincingly lying.

The key references consulted for critical analysis of Luhmann's work are: M. King and C. Thornhill (2003); Hans-Georg Moeller (2005, 2012); C. Borch (2011); W. Rasch (2000); D. Seidl and H. Mormann (2014); Habermas (2007); and L. Leydesdorff (2002). Details are provided in the references section of the book.