



# NEW GERMAN CRITIQUE

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Speaking and Silence

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Source: *New German Critique*, No. 61, Special Issue on Niklas Luhmann (Winter, 1994), pp. 25-37

Published by: [Duke University Press](#)

Stable URL: <http://www.jstor.org/stable/488619>

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# *Speaking and Silence\**

Niklas Luhmann

A communication does not communicate [*mitteilen*] the world, it divides [*einteilen*] it. Like any operation of living or thinking, communication produces a caesura. It says what it says; it does not say what it does not say. It differentiates. If further communications connect [*anschließen*], systemic boundaries form which stabilize the cut. No operation will find its way back to what was before — to the *unmarked space* (Spencer Brown). Proceeding from within the system which thereby operatively reproduces itself, each enactment of such a return would mean another step forward.

The world is not a piece of information, for it is not a choice among different possibilities. The world is therefore also not something that would have to be understood — or could be misunderstood — so that communication could carry on. It is only that which endures the cut produced by communication — and this circumstance, likewise, can only be effectuated and stated but not avoided.

This does not rule out the possibility of speaking about the world. One can do it. We are doing it right now. But this, too, requires an operation of the same type with the same effects. This operation only perpetuates the difference it helps to reproduce. It is possible to thematize this very difference within communication, and this happens when we speak about the world. But then, this difference must be thematized as the unity of what is different, as communication *and* non-communication, that is, as a

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\* Originally appeared as “Reden und Schweigen,” chapter of Peter Fuchs and Niklas Luhmann, *Reden und Schweigen* (Frankfurt/Main: Suhrkamp, 1989) 7-20. Reprinted with the kind permission of Suhrkamp Verlag, Frankfurt am Main.

paradox. Within communication, the world is given to communication only as a paradox. The enactment of communication severs its unity. It affirms this unity implicitly by severing it. And it negates this unity implicitly by reconstructing it. "Implicitly" is to indicate that only an observer is able to see and describe things in this way.

Communication must be content with what it can do; but it can communicate that it can only do what it can do. Just as one knows of the unknown at least that it is unknown,<sup>1</sup> one can say of the incommunicable that it is incommunicable. Statements about existence and negations belong to the operators of linguistically constituted communicative systems; but their operative use can take place only on this side of the boundary that is being renewed by such use, but not transgressed by it.

To repeat: the world can come into the world only as a paradox. Yet precisely this is possible through the enactment of communication. For this to happen, no logical analysis of the concept of paradox is required, and we therefore refer to the tradition of this concept in rhetoric rather than in logic. Logic observes itself as a paradox and as a tautology. It uses paradoxes and tautologies to delimit the space of its own operations, that is, as warning signs for the delimitation of a realm of communication that can be controlled by logic. In order to produce two boundaries, it must first duplicate the problem of paradox, breaking it down into a paradox and a tautology (here, the tautology which asserts the sameness of what is being distinguished in the statement is also a paradox). At both boundaries, however, logic can see its delimiting marks only from the inside, i.e., not as a form. Logic is therefore unable to arrive at a complete concept of paradox and tautology, a concept which an observer could use who would like to observe logic as well. For this reason — while disregarding all historical particularities of the occidental tradition of rhetoric — we consider the rhetorical understanding of paradox as more fundamental than the logical one. It is simply a matter of a communication that wants to use simultaneously what is incompatible and thereby deprives itself of the ability to connect [*Anschlußfähigkeit*]. It is indeed a special case if one systematically gathers arguments for the truth of both sides in order to prove antinomies that may be advantageous to theory, or if one proceeds with hasty arguments against the *communis opinio* in order to cast it into doubt. For the communication of paradoxes, the operative effect is decisive: it causes communication to oscillate, because each position makes it necessary to

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1. Aristotle, *Rhetoric* 1402a.

assert the opposite, for which the same holds in turn.

Since each operation requires time and lets it pass, paradoxical communication, too, can be comprehended only if time is included. Paradoxical communication circulates within itself in extremely short temporal rhythms. If there is communication at all, we are dealing with an irreducible borderline case of the ability to connect, a case in which this capability converges with the lack of connection [*Anschlußlosigkeit*]; in a certain sense, then, we are dealing with the problematization of the ability to connect, with the problematization of the organization of time in discourse.

This is what we meant when we said that the world cannot be communicated and that, when the world is included in communication, it appears as the paradox of the unity of difference, a paradox that requires a solution [*Auflösung*] if things are to continue at all. In this case, the world itself remains incommunicable. Only that which instead is observed and described is communicable. The thematization of incommunicability in communication can then also be viewed as an indicator of the fact that the world is carried along.

The other possibility is silence<sup>2</sup> — a silence that no longer wants to be understood as communication (but is forever understood, is understandable only in this way). This does not only mean to opt for silence within the distinction between speaking and silence, but to avoid the distinction as such, so that the problem does not arise in the first place — the problem that one “breaks the silence” by way of (paradoxical, inspired) speech. But then, doesn't one still have the problem that in a world in which one speaks, silence is possible only within self-drawn boundaries, i.e., as the production of difference?

## II

Jean-François Lyotard<sup>3</sup> has the same problem in mind when he shows — within the theoretical framework of linguistics — that every operation or, in his terminology, “phrase,” produces a “différend.” The operation itself is only an event. It is possible only through a linkage [*enchaînement*] with

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2. On the problems and especially on the rationality of this tradition of mysticism, see Henry Atlan, *A tort et à raison: intercritique de la science et du mythe* (Paris: Editions du Seuil, 1986) 101ff., 240ff. Even those paradoxes which are introduced into communication at this point can only be understood paradoxically, that is, they are intended as not-intended.

3. Jean-François Lyotard, *The Differend* (Minneapolis: U of Minnesota P, 1983).

other operations of the same type, that is, only by virtue of a recursive interrelation within the concatenation of several *phrases*. This linkage can only occur selectively, and thus always produces other possibilities which are then disregarded by what follows. It produces victims. There are regulative rules for this procedure — *régimes de phrases* and *genres de discours*. None of these rules can avoid its own processual selectivity, each makes its own enabling incision in the world, each makes sacrifices in its own way, and each lives off its own *différend*. Yet despite this insight into the operative inevitability of difference, for Lyotard the temptation remains strong to think the unity of difference as well — no longer in the sense of “spirit” but in the problematization of normativity, in the question of justice (which, however, turns again into a selective discourse as soon as it deals with an actual dispute), and further in a rather hopeless appeal to politics, or finally in the historical self-characterization as “post-modern.” Thus, a defiant sadness rests on the renunciation of unity — that old rhetorical unity of *orgé/lý pe (ira/tristitia)* which at least in its mood holds on to what one knows to be lost.

The same can be formulated in a more optimistic fashion by using the terminology of “second order cybernetics,” that is to say, the cybernetics of observing systems.<sup>4</sup> Cybernetics uses the metaphor of the “blind spot.” An observer cannot see what he cannot see. Neither can he see that he cannot see what he cannot see. But there is a possibility of correction: the observation of the observer. It is true that the second-order observer, too, is tied to his own blind spot, for otherwise he would be unable to make observations. The blind spot is his *a priori*, as it were. Yet when he observes another observer, he is able to observe *his* blind spot, *his a priori*, *his* “latent structures.” And in doing so, and in thus operatively ploughing through the world, he, too, is exposed to the observation of observations. There is no privileged point of view, and the critic of ideology is no better off than the ideologue. But at the level of second-order cybernetics, there is a recursive network of observations of observations; and with a term derived from mathematics, which, however, becomes questionable in the transfer, one can hope that this network will yield “eigenvalues” (theoreticians of evolution also speak of “attractors”) which will prove to be stable conditions. Such a process, however, can be observed only in retrospect. Order owes its

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4. Cf. Heinz von Foerster, *Observing Systems* (Seaside, California: Intersystems Publications, 1981).

existence to evolution, it is therefore possible only as a historical system.

Such a historicity can be reconstructed if one considers that all communication depends on the cooperation of conscious systems, and that it must therefore assume a perceptible form. As communication it must take on a form, either acoustically or optically, in the media of possible perception. It must transform the indeterminable complexity of these media into determinate complexity; that is, it must transform infinite informational loads into finite ones. But perceptibility itself as a (however conspicuous) noise or as a (however conspicuous) optical mark does not yet constitute communication. And even if someone recognizes that the object of perception (the “sign”) has been produced by way of an intentional act, that is, “technically” or “artificially” in the original sense, this does not yet mean that it can be understood as the communication of a piece of information. In order for information to be understood, the creation of an additional space for possibilities of selection is required, in which communication can be conceived of as selection. The acoustic and optical forms which are strictly determined and binding must serve, in turn, as the medium for another type of forms which then bind [*binden*] this medium.<sup>5</sup> This is achieved by language. What language makes possible, namely, the communication of comprehensible sentences, are thus second-order forms — forms in the medium of what a consciousness is able to process in terms of perception.<sup>6</sup> It is only at this level that a social system can differentiate itself on the sole basis of self-produced communication. Only on this level do we arrive at an autopoiesis of society which — under minimal restrictions of perceptibility and therefore with the participation of consciousness — organizes itself into what constitutes, for it, a medium, but what, for consciousness, is already form. Only at this level of the construction of order can forms be aptly observed with the help of the distinction between speaking and silence.

Accordingly, communication is set up in such a way that it fascinates consciousness by the use of first-level forms and carries it away by the

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5. The point of departure for this and the following reflections is Fritz Heider, “Thing and Medium,” *On Perception, Event, Structure, and Psychological Environment: Selected Papers, Psychological Issue I*:3 (New York: International UP, 1959) 1-34.

6. This explains the fact that societal communication can treat consciousness as a medium that can be bound by linguistic forms although it is really a system determined by a structure which owes its unity to its own autopoiesis. Therefore a consciousness is “silent” for society if and insofar as it does not participate in communication.

use of second-level forms. Especially significant communication is, in the first instance, formed in such a rhapsodic manner, using the acoustic medium, and only its secondary encoding in phonetic writing makes possible a certain distance. This, however, only leads to the development of further media and forms that bind these media, forms that are only now truly built into the autopoiesis of society, namely, into the autopoiesis of legally encoded political power and of property encoded as money.<sup>7</sup> The repeated reduplication of the difference between medium and form in forms that in turn can be used as a medium makes possible the highly selective construction of a social system which finally arrives at the point of reflecting upon its own selectivity. Reflection, at first cosmic, then cosmopolitan (that of a “citizen of the world”), seems to have reached its limit today. We therefore sum up all these dispositions toward paradoxology, the “postmodern” renunciation of the complete report, the observation of observation, and the distinction between medium and form in the question: What has happened to difference? Where did the world go? Who are the victims? Are they the observed observers?<sup>8</sup>

At this point it may be helpful to consult systems theory. The concept of system emphasizes more strongly the irrevocable simultaneity of system and environment than the concept of discourse does. (Reversing matters, one could also say that the difference between system and environment defines what can be understood by simultaneity.) As opposed to the concept of discourse, the concept of system — at least in its newer versions — is concerned from the very beginning with difference. Thus systems theory offers a certain schema to the observer that can help him observe others and himself, namely, the distinction between system and environment. An observer who uses this distinction in order to divide the world, cannot avoid seeing (is precisely thereby forced to see) himself, too, as a system in his environment. At the same time the schema presents the formulation of a difference. Each system-forming operation (whether self-referential, recursive, connectable or

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7. These examples do not at all exhaust the possibilities. Cf. also Niklas Luhmann, *Love as Passion* (Cambridge: Polity Press, 1986).

8. This is presumably how Lyotard might put the question — he writes with reference to ethnological research: “The heterogeneity between the cognitive genre and its referent, the ‘savage’ narrative genre, is not to be doubted (and in no way does it prohibit cognition). There is an abyss between them. The savage thus suffers a wrong on account of the fact that he or she is ‘cognized’ in this manner, that is, judged, both he or she and his or her norms, according to the criteria and in an idiom which are neither those which he or she obeys nor their ‘result’ ” Lyotard 156.



interconnecting in nature) differentiates by actualizing what it achieves against a thereby excluded environment. One of the possibilities of connecting is, then, to observe this difference with the help of the distinction between system and environment. Translated into George Spencer Brown's<sup>9</sup> terminology, this would amount to the "*re-entry*" of a distinction into what is distinguished — but this happens only in self-observation, which, as an operation, can only perpetuate the difference that makes possible its recursive processing.

This schematization offers many advantages, not the least of which is the possibility of such a reduplication of the schema in itself. Within the system, the difference between system and environment thus posited as a system can be used as an orientation. Yet even in the environment one can (and one has to, if one wants to orient oneself toward it) make out differences between system and environment; for, strictly speaking, one can never observe *the* environment, never enter into a relationship with *the* environment, and never form a meta-system with *the* environment (for that would be the world). One can do all this only selectively with reference to *other systems* which then, in turn, must be observed and described with the help of the distinction between system and environment.<sup>10</sup> Each reduplication, however, multiplies the differences without adding any new systems.

Each reduplication of the schema must, however, preserve the peculiarity of the distinction, especially its asymmetry. The environment is always "only" environment, never a system. And the unity of each difference between system and environment is always the world, never a system.<sup>11</sup> The concept of environment thus describes a remaining quantity from which a system must distinguish itself (or another system) in order to

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9. George Spencer Brown, *Laws of Form* (New York: Julian, 1972).

10. This does not necessarily imply that one observes other systems as observing systems, i.e., in view of what is the environment *for them*; that is, with regard to how *they* differentiate *themselves* from their environment. Yet this transition to a second-order cybernetics can easily be accomplished by systems theory. It is possible if one allows the difference between system and environment to re-enter into one's own environment and if, in doing so, one does not take into account one's own systemic reference but the one of the *other* system (which, of course, is only a *different* one for the initial observation *but not for itself*).

11. This does not exclude applications regarding the theory of differentiation, which start from the assumption that within systems there is an "inner" environment for their sub-systems. Only this inner environment is never the total environment of the sub-systems, even if these are largely protected against effects of the outer environment. The outer environment can prevent a survival of the organism and thus also of its cells.



identify itself in the world. But this remaining quantity is no “*et cetera*” of other things and events given once and for all; it is different for each system. With each formation of a system and with each reduplication of the schema, it is multiplied in itself: an infinity that can be multiplied in itself (whatever mathematicians may think of it).

In consequence, the use of the distinction between system and environment results, on the one hand, in the difference produced by its introduction; in the wake of this difference it leads, for example, to controversies about systems theory. On the other hand, the distinction between system and environment leads to the multiplication of observations and descriptions implied in this distinction, to the reconstruction of the universe as a multiverse, and to Gotthart Günther’s reorganization of logic into a multivalent, polycontextural enterprise, to an epistemological constructivism — and all this perhaps yields the insight that, precisely because of this difference, something is excluded from communication as different.

In the main, an attempt is made to understand this exclusion historically, as the difference between modernity and postmodernity or, even more radically, as the bidding-farewell to old Europe. This is a solution out of embarrassment, which in regard to the present and the future makes do with a blank that is only gradually filled with content. At an individual level as well, the (post)modern “biography” consists of the search for meaning, of accidents, and omissions. Omissions, in turn, can be historicized and dismissed as something about which nothing can be done anymore. At any rate, nothing that is past can participate in communication — and this is reassuring. And if it is only a matter of speaking about it, there is no lack of suitable forms.

Writing, printing, and now also the electronic organization and storage of data break with this rule — and at the same time they reproduce the insight contained in it. One can begin communication with the help of these media — and postpone its completion in understanding. Such a postponement changes the form created by a difference, together with the non-form of the invisibility of what is uninvolved. In a strange way, the relationship to history thereby becomes selective, and any effort to reactualize the past increases this selectivity. The texts are accessible, yet the access itself turns into a selection. The difference between speaking and silence, between communication and non-communication cannot be dissolved. Every instance of speech reactualizes silence.

## III

Only for the system of society that includes all communication does the silence produced along with it become a problem. Any other social system formed within society can start from the assumption that communication also takes place in the environment. What is not said in the system can still be communicated by other systems on other occasions with different words, concepts, metaphors. This does not apply to society. Its environment remains silent. And even this characterization as “silence” is still one of communication and one with reference to communication; for in reality “silence” is not an operation outside of society but only a counter-image which society projects into its environment, or it is the mirror in which society comes to see that what is not said is not said. In this sense, the topic “Speaking and Silence” belongs to social theory, and commentaries on Wittgenstein that address this issue are dealing with social theory.<sup>12</sup> Society is the comprehensive system of meaningful communication as a selection from the possibilities of meaningful communication projected by society itself. One could say that society “possibilizes” [*possibilisiert*] its world in order to be able to comprehend and rationalize whatever occurs as selection by virtue of the fact that what occurs, occurs as society. But what occurs is a perpetual including and excluding; and this can still be formulated (we are doing it right now) as the realization of a possibility within the horizon of meaning of other possibilities, just as if things were possible otherwise.

Inclusiveness also means closure. Society establishes its own operations in such a way that they can be produced and reproduced only on the basis of precisely these operations. In relation to the environment, they are not specified by stimuli, they are encoded indifferently and based on their own, specifically marked physicality of sounds and signs. The language thus established processes the ability to connect, not external contacts. Its “semantics” is a condensed practice [*Gebrauch*] worth preserving — not a sign for something else in the old semiological sense. Its operative principle is difference, not correspondence. Given all the structural coupling with the external world — we were talking about the physicality of sounds and signs, and we could also mention human consciousness<sup>13</sup> —

12. David Bloor, in *Wittgenstein: A Social Theory of Knowledge* (London: Macmillan, 1983) generally argues in this direction.

13. Cf. Niklas Luhmann, “Wie ist Bewußtsein an Kommunikation beteiligt?” eds. Hans Ulrich Gumbrecht and K. Ludwig Pfeiffer, *Materialität der Kommunikation* (Frankfurt/Main: Suhrkamp, 1988) 884-905.

“interna” can only be processed internally; and, in particular, disturbances or perturbations (Maturana) are conspicuous only as deviations from expectations produced by communication.<sup>14</sup>

As communication put into action, society can also include silence within communication — for example, in the sense of attentive silence, in the sense of an eloquent silence, or in the sense of “*qui tacet consentire videtur*” [one who is silent appears knowing]. It is of course also possible to speak about the difference between speaking and silence. This distinction, too, can re-enter what it distinguishes. In order to show that this is possible it is sufficient to do it. . . . One can observe this possibility, describe it, and push its representation to the paradox of communication about incommunicability. Given all this, however, the fact has not been “sublated” that every communication, including this one, produces a difference as an operation and that, because of the recursivity of its operations, every system includes something and excludes something else. Every system coproduces that which, as environment, does not enter into the system, and this may then be called (!) “silence” —though silence in a second sense: silence without the ability to connect.

What this means can be grasped somewhat more clearly if one takes into consideration that any communication puts something at stake (*enjeu*), risks something — namely, rejection. The risk lies in focussing on one point (a sentence, a statement) and in selecting precisely this point from among many other possible ones. One cannot avoid this risk, for communication requires self-determination. One can decrease the risk by making little of the themes, but one cannot always do so, and often one cannot do so without silently communicating precisely the intention of avoiding thorny topics.

In determining itself, every communication generates a bifurcation; it thus diversifies the possible links into acceptance or rejection. This alternative is fully located within what can be linked up; even rejection is possible only in linkage with a prior communication and with regard to what is determined by it. The alternative, brought about by the force of communication and actualized in the understanding of communication, excludes third possibilities. No communication is admitted that does not want to be

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14. To quote Lyotard again: “. . . the phrases that happen are “awaited,” not by conscious or unconscious “subjects” who would anticipate them, but because, to speak as linguists do, they carry their own “set of directions” (*modes d'emploi*) along with them” Lyotard 129.

either accepted or rejected.<sup>15</sup> This restriction also stifles any attempt at communication which foresees that in the case of acceptance too much would be accepted, too much of a bond generated, while rejection would destroy something that matters, for the rejection would force us in turn to process the rejection itself as something capable of producing a connection. Thus we are often unable to answer the question “Do you love me?” but we cannot answer it by silence either, which is why it is advisable not to pose the question in the first place.

Should one speak of a transcendental silence? Not at all. For we are not dealing with something that transcends the boundaries of experience. At stake are only the boundaries of communication, the boundaries of society. As always, we are translating the question of the transcendental apriori in the subject into the question of the observer in society. The question is then posed as follows: Who can observe with the help of the distinction between speaking and silence, that is, who can communicate about this distinction?

We can easily find interpreting observations which bring themselves to understand silence, that is, to understand it as communication. Someone who cannot speak must be connected to communication by someone starting to speak to him. The hermeneut becomes a therapist. The place where no one speaks is regarded as an individual who could be made to speak — like a baby by its mother. The interpretation of silence serves the autopoiesis of communication, since it is recursively linked up to the network, that is, included. An entire profession devotes itself to cheering up old people who sit in their rooms and wait for death, to offering them entertainment or even education, to doing something for them, and to explaining to itself the difficulties of this task as the problem of a profession and as a question of specialized knowledge — and in doing so, it no longer hears the silence. And it is not to be disputed that this can make sense if we observe it under the aspect of the distinction between speaking and silence and if we do so while exposing ourselves to observation. Under favorable conditions, there is money to be had for this.

Another practice uses the schema of speaking/silence in a normative or even commanding way. Others are reduced to silence. One can simply

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15. An exception that pointedly orients itself toward this problem in order to distance itself from it is dealt with in Luhmann and Fuchs, “Vom Zeitlosen: Paradoxe Kommunikation im Zen-Buddhismus,” *Reden und Schweigen* 46-69.

order it. This is paradoxical, for it is precisely the execution of an order which turns silence into communication [*Mitteilung*] (even if one would not in any case prefer to be silent in the face of such a presumptuous behavior). Evading the communicative paradox, prisons obey the restriction of communication through the manipulation of bodies. Killing achieves the same goal more radically and with more certainty. The one killed is then no longer capable of transgressing the prohibition and of speaking in spite of it. And finally Auschwitz — the end point of this strategy so far — together with the enormous effusion of emotionally and financially profitable talk following the event because there is no other way of coming to terms with it in society.

As a sociologist one can be tempted to say (to say!): This does not exhaust the possibilities! Everyone who writes, writes on [*beschreibt*] paper and writes on it as something white. Everyone who describes [*beschreibt*] society, implicitly describes what it excludes and dooms to silence. Yet the classical mode of description which is oriented toward a theory of objects has prevented sociology from seeing the excluded and from including it again — from at least reintegrating it into the description of society within society. From Marx to Lyotard this has happened under the aspect of a victimology. The excluded is determined as a class or in some other way observed as human, mourned, and reclaimed for society. Were society to respond as demanded to this complaint, it would still not become a society that excluded nothing. It would communicate out of other considerations, with other distinctions, and perhaps resolve the paradoxes of its communication differently, shift sorrow and pain and, by doing so, create a different silence. Once we are in a position to see and know this today, any intention to optimize the relationship between speaking and silence in the direction of a positive evaluation of communication becomes an ideology and, no matter the reasons, a sustained illusion. This is certainly true for all the efforts that have insisted on setting communication free, on emancipating it from the given constraints of violence and time and from restricted linguistic codes. What else can come of such efforts but the acceptance of new restrictions or, finally, only noise?

Instead, sociology can strive to improve its instruments of description and to build a greater amount of controllable complexity into the self-description of society. As if by itself, more precision and rigor in

one's own communication makes visible what it excludes.<sup>16</sup> Occupied by a similar problematic, the French prefer the stylistic device of sophisticated vagueness. In any case, this communication must then in turn be reflected upon from a theoretical perspective of difference, and it does not only need to be communicated as such but also must be capable of being understood as such.

Translated by Kerstin Behnke

16. Today the topic of "ecology" is suited as a paradigm for such a treatment. Cf., as an act of balance between saying and not saying, Niklas Luhmann, *Ökologische Kommunikation: Kann die moderne Gesellschaft sich auf ökologische Gefährdungen einstellen?* (Opladen: Westdeutscher, 1986).

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