

The Productive Semantics of the Crisis

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Abstract

Within sociological discourse the scientific category of the crisis is often criticised for being arbitrary and as a consequence deemed devoid of meaning in modern society in general. Observing crisis communication as an empirical phenomenon puts this mindset into perspective. Using examples from scientific and political semantics reveals the productive aspects of communication taking the form of a crisis. Within the scientific system a crisis simultaneously serves as guiding line for the decisions on which topics and issues the limited resources for research and publication are to be devoted, and as a point of reference for the revaluation of theories and methods. In the political system crisis communication forces decisions on policy and compels parties to develop stances and solution strategies by which they are able to delineate themselves from each other. Crisis communication therefore follows the various rationalities of the systems in which it occurs without adding up to an overarching rationality encompassing society as a whole and shaping its reaction. Crisis communication in this sense serves to increase variety within social systems and can be understood as a societal adaptation mechanism operating in the mode of evolution.

A. A Sociological View on Global Crises

We live in a time of global crises. This appears to be self-evident. Beyond that the debate begins, though. Which one is more important? Global warming or globalisation? Terrorism or the financial crisis? A completely different crisis we have not even noticed, maybe? There are more questions asked: who is to blame and who is able to solve the issues at hand? The aim of this contribution is not to decide on these issues but to observe them as a form of communication. Of interest here is to *question this self-explaining evidence of crisis communication*.

How does conceptualising an issue as a crisis reflect on the forms of communication and social practice surrounding it? Niklas Luhmann's work on ecological communication¹ will be generalised into to a framework for the sociological observation of crises. Instead of claiming for sociology to be the better economical, juridical or political science or even political tool for the solving of crises, the focus of this sociological investigation is on the

¹ N. Luhmann, *Ecological Communication* (1989).

meaningful but divergent observations of a crisis and thus the unique contributions to society these different perspectives bring forth.

Building on a short overview of the sociological approach to crises (B) I want to propose a shift from using *crisis* as theoretical concept towards an empirical study of crisis communication in societal practices. The notion of the *global character of crises* is used to introduce a theory of observing society built on the idea of differentiation (C). A society encompassing a multitude of presences operating under their own rules and logics reacts to crises according to the limits and opportunities of its mode of differentiation. Using scientific and political semantics of the current financial crisis as empirical examples (D) it becomes apparent that they do not solve crises in the sense of instrumental and causal rationality. They do so by enabling *evolutionary and uncoordinated processes of societal adaption* instead (E).

B. The Concept of *Crisis* as a Valid Scientific Category?

Sociology itself was born of crises. Auguste Comte – its founding father – saw the need for a new discipline as an answer to the crises of his time. It was to give answers to the problems generated by a society entering its last and final phase, one ruled by science and positivism. He conceptualised crises *simultaneously* as a normal part of social progress and as events threatening the teleology of history. This conception offered a possibility for comparison between the deficient actual situation and a future utopia. Sociological experts would be those offering solutions to the problems preventing the promised progress to the last stage.²

A similar tight coupling between the idea of social progress and a loss of traditional orientation is at the core of Reinhart Koselleck's work on the semantics of the crisis.³ As the temporal focus on the past inherent in traditional forms of life became increasingly inadequate to make sense of a modernity oriented towards the future, the semantics of the crisis arose as a new way to verbalise the fears and hopes of an *uncertain* future. The crisis can be seen as the “structural signature of the modern age.”⁴ As the remnants of

² For a detailed reconstruction of Comte's concepts see R. Repplinger, *Auguste Comte und die Entstehung der Soziologie aus dem Geist der Krise* (1999).

³ See R. Koselleck, *Krise*, in O. Brunner *et al.* (eds), *Geschichtliche Grundbegriffe. Historisches Lexikon zur politisch-sozialen Sprache in Deutschland*, Volume III (1982).

⁴ *Id.*, 627. Translated by the author.

traditional forms of life disappear the *concept of the crisis* itself becomes increasingly obsolete. For Koselleck it has lost its specific historical meaning and devolved into an increasingly *ambiguous descriptor* for *arbitrary phenomena*.⁵

Armin Steil attempts to amend Koselleck's diagnosis by studying the connections between social structure and the semantics of the crisis in deeper detail. He identifies three core aspects of the historical use of the concept. An internalised conception of social problems as pathologies calls for social solutions and action since the older mode of externalising problems by projecting them onto a sinful outside force became unavailable.⁶ The second aspect of crisis semantics is their twofold conception of temporality. Pathologies as specific modalities of contemporary time only become visible by contrasting them with a utopian idea of future society. The future therefore simultaneously offers a frame of reference and the promise of a solution.⁷ In a third aspect the diagnosis of pathology and the call for its removal is not a simple statement of fact but rather the medium through which intellectuals are able to address collectives and to actually create community.⁸ In the end Steil shares Koselleck's view on crises having devolved into a vague metaphor unsuited to be a scientific category.⁹

I want to contend that these sombre assessments have difficulties to account for the *continuing popularity of the semantics of the crisis*. A reason for this might be found in their conception of society which does not clearly differentiate between scientific discourse and others. It is in the works of Niklas Luhmann where a first lead towards an explanation for the relationship between these spheres of society and the role of crisis communication within and between them can be found: "Crisis is an alarming notion, alarming because it is used in science and in everyday life as well. The word is taken as a shoot from so-called theory to so-called praxis. The word may be used to establish the thing, it may be used as 'self-fulfilling prophecy'."¹⁰ Luhmann himself responded in *Ecological Communication*¹¹ to the public

⁵ *Id.*, 649.

⁶ A. Steil, *Krisensemantik – Wissenssoziologische Untersuchungen zu einem Topos moderner Zeiterfahrung* (1993), 244.

⁷ *Id.*, 245.

⁸ *Id.*, 245.

⁹ *Id.*, 265.

¹⁰ N. Luhmann, 'The Self-Description of Society: Crisis Fashion and Sociological Theory', 25 *International Journal of Comparative Sociology* (1984) 1, 59.

¹¹ Luhmann, *Ecological Communication*, *supra* note 2.

perception of a critical state of the environment, highlighting the structural degrees of freedom available to society for intervention.

Drawing on this theoretical outline the observation of a historical shift in the semantics of crisis towards universal applicability is not disputed here but rather taken as an *invitation to observe their contemporary function*. This paper presents an attempt to describe the link between specific forms of modern crisis communication and the degrees of freedom society can utilise to react to it, conscious of the limitations to its potential for resonance:

“Even without real influence and without a real chance to apply its analytical potential sociological theory could use the theory of self-referential systems to analyze the conditions of its own contribution. It may reflect about withdrawing the notion of ‘crises’ and substituting something else – maybe self-reference. Or it may try to offer package deals: if crises, then as explained by functional differentiation. For in the end, we cannot be sure on a priori grounds that theories of adequate complexity will turn out to be unsalable.”¹²

Luhmann’s work on ecological problems is thereby generalised into a framework for the observation of global crises and their semantics in a functionally differentiated society.

C. Globality in a Functionally Differentiated Society

The dialogue on *global* crises in itself already suggests an approach using differentiation. How else could we explain the heterogeneous array of indicators used to assert a global dimension of a crisis? We normally do not refer to a spatial extension measured in square kilometres or the percentage of the earth’s surface affected. We talk about the number of people, nation states, markets, legal systems etc. affected instead. The varied use of the qualifier *global* thus reveals an experience of differentiation where it becomes meaningful to discern between a political, an economic and other spheres of social practice.

¹² Luhmann, *Self-Description of Society*, *supra* note 10, 68.

This holds true for society in general. With the beginning of modernity, we can observe a shift in the *primary* mode of social order from the principle of a universal hierarchy of social rank towards heterogeneous areas of practice without a single ranking mechanism of participants true to all of them.¹³ This does not imply that social inequalities do not exist anymore but rather that they have become *secondary* to a differentiation by functional modes of communication.¹⁴

For example monetary or social status cannot and may not decide who is right and who is wrong in court anymore. If it does a scandal is born and becomes a subject of further legal scrutiny to rectify this deviation from established practice. Scientific truths, as countless scientists have to experience, cannot force political decisions even if all their data points to their effectiveness and urgency. Gone too are the days where salvation was up for sale.

In short: these different spheres are based on unique forms of relevancies and guiding principles that cannot be simply transferred between them. At the same time they are not neatly separated areas of society but rather perspectives observing the whole world in regard to their purview. System theory calls these different guiding principles the fundamental *code* which forms the basis for their self-referential operations.¹⁵

In the case of the political system this basic code is one of power/no power, taking the form of government/opposition within democracies. The economic system is concerned with the question of payment/non-payment. The scientific system focuses on producing results that are true and on refuting untruth, even if those truths are not favourable to those in power or in accordance with religious revelations.¹⁶ It is important to note that no side of these *distinctions* is automatically better or worse than the other. Proving something as untrue can be equally important as proving truth and democracy is dependent on politicians losing power in elections.

¹³ *Id.*, 64.

¹⁴ System theory treats communication as the basic element of social reproduction, not actions or individuals. This serves to emphasise the concept of social systems as self-organising processes that are not reducible to the persons involved. This does not imply that communication does happen without human input but emphasises that this input follows structures determined by the system itself. Anyone who ever desperately wanted to say something in a conversation but failed to do so because no opportunity presented itself can attest to this fact. For a general outline of this theory of social systems see N. Luhmann, *Social Systems* (1995).

¹⁵ Luhmann, *Ecological Communication*, *supra* note 2, 36-43.

¹⁶ *Id.*, 36.

This focus on a tightly coupled pair of opposing terms allows them to be able to observe and conceptualise everything imaginable in the world according to their own relevancies. The system of law is able to observe payments and markets in regard to their legality; scientific observers can evaluate policies in regard to their effectiveness. In doing so the environment observed does not determine the systems' conclusions, nothing *external* can dictate if something is legal or not, it is decided within the legal system and only there. The scientific system and only the scientific system can decide whether something is false or true.

These decisions are not arbitrary though. They follow *programs* that condition and guide them. From the perspective of systems theory the code of law fulfils the same function as a program as do the criteria that decide which fund to invest in for maximum ROI or the methods employed to verify or falsify scientific theories.¹⁷ These programs are not immutable; they evolve and change over time. Normally multiple programs can and do exist for a system at the same time, increasing flexibility. This possibility of *temporal and factual variation* will be of importance when the effects of crisis communication on the function systems are later discussed.

This variety of programs leads to the next important aspect. The different functional systems of society are not to be understood as substantial entities or even monolithic organisations but rather as *forms of communication* that connect to those of their own kind that came before and form the basis for future instances. As much as it is not possible to talk to *the* society, it is impossible get an answer from *the* economy, *the* legal system or any other, as their identity is one of function, not of substance. A multitude of speakers and situations utilise these functions without being reducible to a single position or identity.¹⁸ The focus on the creation and change of organisations especially during crises can be read as an attempt to *generate social addresses* for responsibility and intervention within society.

Functional logics are properly characterised as resources that allow for the of ignoring a large amount of otherwise equally possible options and considerations to concentrate on those left, providing *frames of reference* for

¹⁷ *Id.*, 44-46.

¹⁸ This can be best seen in the modern form of individuality. Inclusion in society is not organised as inclusion into a specific stratum anymore but follows functional specifications that only selectively address persons, e.g. as consumers, clients or government officials. For an elaborate discussion of modern forms of inclusion see A. Nassehi, The Person as an Effect of Communication, in S. Maasen & B. Sutter (eds), *On Willing Selves. Neoliberal Politics and the Challenge of Neuroscience* (2007), 100-120.

practices and action. Metaphorically this can be seen as an almost total deafness that allows concentration in a world full of noise. Were it not for a medical system we would think twice before undressing in front of a person in a white coat or handing over to give another example: handing over valuable goods for pieces of coloured paper. Without the stability of expectations provided by these logics the actions mentioned would be seen as a sign of profound madness.

Armin Nassehi therefore speaks of a *society of presences* to emphasise this perspective that function systems are not something alien and detached from everyday life but a play integral part in establishing what we take for granted. Innumerable presences operate by their own rules and generate their own structures of communication by drawing on functional logics as *one* resource without having to take to most other presences into account.¹⁹

The thesis of a functionally differentiated society does not imply an autarky of the functional systems. On the contrary, they are dependent on the continuing functioning of their peers. Only by way of salaries and funding of scientific instruments can science concentrate on performing experiments and theoretical research, only by legislation can most political decisions be realised. These stable forms of mutual observation and offering input for another are described as *structural couplings* between functional systems.²⁰

This too produces risks. If differentiation was just segmented no single segment would be negatively affected by the disappearance of others, as each one is self-sufficient. In a system characterised by functional differences no system is able to replace the other or generate all the resources necessary to its reproduction. There is *no redundancy* when it comes to functional systems.²¹ Political decisions can try to create incentives for economic growth and prosperity, but government cannot simply replace the economy by resolving that no one is starving. Therefore it is the system most prone to malfunction that gets the most attention, with crisis communication as a prominent form. An operational model of multiple incommensurable perspectives replaces the idea of a neatly ordered and objectively measurable world. Each system is able to look at the whole through the lens of its code

¹⁹ A. Nassehi, *Der soziologische Diskurs der Moderne* (2006), 448-450.

²⁰ Luhmann, *Ecological Communication*, *supra* note 2, 49.

²¹ *Id.*, 48.

and all it sees is framed in its terms.²² It is reminded of its perspectivity when it encounters alien descriptions formulating the same claim.

This has a profound influence on a sociological conception of global crises. In agreement with Armin Steil and Reinhart Koselleck there are no *external objective* criteria defining crises. A crisis is nothing less and nothing more than the result of observations and attributions made *within* social presences. If the approach favoured here is brought to its conclusion it becomes apparent that the meaning, status and importance of a crisis cannot be determined for the whole of society. An empirical approach has to reflect on the various presences it observes and understand divergent conclusions and perspectives within them not as a flaw of observation or social practice but as *pointers to the differentiated condition of modern society*. This is not to be confused with an argument that crises are somehow less real because they are the product of contextual communication. Those involved with markets, national borders or the law can attest to the reality of prices, travel restrictions and laws even as they are products of social practice.²³

D. The Semantics of the Crisis and Productive Uncertainty

To exemplify the approach suggested here two examples of crisis communication are investigated more closely. To illustrate the resonance within the scientific system the contributions made in this issue of the *Goettingen Journal of International Law (GoJIL)* are understood as products of the semantics of the crisis. The political form of the crisis is observed in Barack Obama's speech on 14 September 2009, given on the first anniversary of the collapse of Lehman Brothers²⁴ and the German leaders' debate

²² This becomes particularly evident in the reflection theories of specific function logics, for example economics, political sciences and legal sciences. Rational choice theory as conceptualised by Gary S. Becker is a prime example for this. This perspective is even able to describe drug addiction in terms of the economic decision calculus of a rational actor maximising his utility. See G. Becker & K. Murphy, 'A Theory of Rational Addiction', 96 *Journal of Political Economy* (1988) 4, 675-700.

²³ Rephrased in a more abstract way, the fact that something is the product of observation is no qualifier of reality for a deontological and constructivist theory such as system theory. It rather points out that all observation is based on distinctions that could have been drawn a different way.

²⁴ B. Obama, *Remarks by the President on Financial Rescue and Reform*. Transcript of the speech given in the Federal Hall, New York on 14 September 2009 available at

between Angela Merkel and Frank-Walter Steinmeier during the 2009 parliamentary election campaign.²⁵

The scientific system is probably the one most familiar to the audience of this journal. Even if open to any and all readers it is aimed at experts and articles are selected according to *scientific criteria* instead of others such as entertainment value or how pleasing they are to government officials.

The social effects of communicating a topic as a crisis can be observed on *two levels* in this issue of the GoJIL. The *performative level* does not become evident in the specific content of the contributions but rather by observing what is published and what could have been published instead. It is the function of journals and publishers to make a selection within a wide range of topics and submitted papers as to which ones are deemed of high enough quality and importance to merit being published.

This paper is published among others on the same topic in a special issue of the *Goettingen Journal of International Law*. Here a choice was made to dedicate an issue to a specific topic while at the same time this decision *excludes* other possible topics and contributions. The *present* financial crisis and especially the inevitability of *future* crises provide a plausible justification for the topic chosen. The future is observed as uncertain and risky,²⁶ therefore action in the present is needed to prepare for all eventualities. This is further supported by the assessment that a time of crisis offers increased chances of scientific thought influencing national and global policy.²⁷ Similar editorial reasons are given in other publications on the financial crisis.²⁸

http://www.whitehouse.gov/the_press_office/Remarks-by-the-President-on-Financial-Rescue-and-Reform-at-Federal-Hall/ (last visited 19 September 2009).

²⁵ A. Merkel & F.-W. Steinmeier, *Kanzlerduell*, 13 September 2009, Transcript available at <http://www.wahl.de/kanzlerduell> (last visited 19 September 2009).

²⁶ Dangers are outside of the control of those potentially affected, while risks are taken, including a decision on the part of those potentially affected. The same thing can be a risk for one person and a danger for another. Letting a dog off a leash is a danger to other people in the park while for owner is taking the risk of potential legal consequences if the dog bites someone. With technological and social progress e.g. insurance or derivative financial instruments more and more dangers are transformed into risks. For an elaborate discussion see N. Luhmann, *Risiko und Gefahr*, in N. Luhmann, *Soziologische Aufklärung 5 Konstruktivistische Perspektiven* (2005), 126-162.

²⁷ Institut für Völkerrecht und Europarecht der Universität Göttingen, *Antrag auf Förderung eines Workshops "Strategies for Solving Global Crises. The Financial Crisis and Beyond"*. *Kurzdarstellung*, available at <http://www.uni-goettingen.de/de/114192.html> (last visited 19 September 2009), 1.

²⁸ For a rather fierce justification of the need for scientific contributions to the financial crisis see B. Blatschek *et al.* (eds), *Crash statt Cash. Warum wir die globalen Finanz-*

The semantics of the crisis are able to provide acceptable reasons for the decisions on which topic is most relevant for publication.

There the implicit and sometimes often explicit *promise* is that only the dedicated study of the crisis will be able to generate solutions and in a more abstract sense a *true perspective* on the crisis. In this sense the semantics of the crisis are as difficult to escape as a heated argument. Just as insisting that one is not pointing out flaws to aggravate the other but just stating facts will not end a dispute but be interpreted as new insult, the semantics of the crisis have a similar effect of subsuming all communication under their umbrella. This is evident in the debate on global warming insisting that there is no global warming is not a statement outside of crisis communication but *right at its heart*.

The result of this is *paradoxical*. While the semantics of the crisis indeed enable research and discourse on their issue, in lieu of a definite answer a multitude of conflicting proposals is produced. So while each scientific contribution to the analysis of a crisis presents its findings as true and certain and offers starting points to its solution or even whole programmes, taken together the results have the opposite effect. Conflicting findings and disagreements on adequate theories and methods *increase uncertainty* within the scientific system in a highly specific and *productive* way. It serves as an ideal starting point for the justification of *further research*.

We have seen that crisis communication directs the attention of the scientific system and increases the probability of research and publications towards its issue at the expense of other topics. On the *second level*, the level of the content of the realised scientific communication of the crisis serves as an opportunity to reevaluate theories, methods and findings.

This dynamic can be studied by looking at the content of this issue of the *GoJIL*. Instead of a unified perspective on the financial crisis, each paper observes the crisis from a different point of vantage. Depending on the approach chosen the causes of the crisis are attributed to different groups, systems and dynamics. All papers present compelling arguments as to their construction of causality and the consequences that are to be drawn from them.

For *political science* the crisis is one of governance and sovereignty. For example the speed of government intervention necessary to solve a crisis is seen as potentially creating a crisis of legitimacy as deliberative

märkte bändigen müssen (2008). Even without an explicit explanation a focus on the finance crisis at the expense of other topics can be observed in 37 *Leviathan* (2009) 2. Four contributions deal with the crisis at hand.

processes are in danger of being circumvented.²⁹ In the factual dimension of meaning issues are commonly framed as information deficit; in the social dimension as principal-agent problem.

The changing parameters of policy making are interpreted as a need for a reevaluation of existent theories and the development of new models. The perceived threat of a loss of the capability of the political system to lead society is countered by producing models as to how it can be re-established.³⁰ Here political science and politics itself are quite similar in their reactions, as will be shown in the analyses of Obama's speech and the German leaders' debate. At the centre of the suggestions the reform of the segmented internal differentiation of the political system in form of the nation state features heavily. The function of *evoking collectives* described by Armin Steil can be respecified as a *function of crisis communication specific to political contexts*.

Scholars of law approach crises from a different point of view while the dynamics are similar. Here it is the failure of existing laws to affect or properly condition financial exchanges that are seen as the cause of the problem and its solution at the same time. Again the speed of economic transactions compared to the limited capacity of the *law system* to change its programs quickly is identified as core problem.

A change in the environment in which law operates is observed, as is a failure of existent legal provisions to prevent the financial crisis. For legal scholars the crisis therefore is interpreted as an imperative to bring existent models up to date, develop new ones and to re-establish legal stability. The perceived state of crisis allows a wider range of demands and suggestions to be made, offering new impulses for the discussion or maybe even preparing a paradigm shift.³¹

²⁹ See J. Becker *et al.*. 'The National Environmental Premium in Germany: A Rapid Reaction to the Financial Crisis at the Expense of Democracy?', 2 *Goettingen Journal of International Law* (2010) 1, 43-62. While the national environmental premium appears to be legitimate according to the criteria applied by Becker, a similar inquiry into the bank bailouts might produce a different result. Of sociological interest is how the condition of societal differentiation is *reconstructed* as a problem of legitimacy *immanent* to politics here, exemplifying the universal and at the same time perspective access to the world employed by functional logics.

³⁰ Representative of this argument see H. Enderlein, 'Desiderat Weltwirtschaftsregierung', 37 *Leviathan* (2009) 2, 211-218.

³¹ The proposal of a contextual and reflexive law can be read as a reaction to the experience of a crisis within the legal system. See A. Mascareno, 'Ethic of contingency beyond the praxis of reflexive law', 12 *Soziale Systeme* (2006) 2, 274-294.

What has been said about the other disciplines is equally applicable to *sociology*. Here the financial crisis is seen as a chance to challenge the dominance of economics in the humanities. This is accompanied by a renewed interest in alternative forms of economic and social organisation.³² At the same time crises are seen as chances to study modern society and return sociology to a prominent position within public discourse. This paper itself is an example for an attempt to contribute to a scientific account of the crisis, and simultaneously to position a theoretical perspective as more rewarding than its alternatives.

This heterogeneity of approaches and conceptualisations is further exacerbated by the seductive call of *interdisciplinary research* that resonates even louder than normal in the halls of academia during times of crisis. Here the *promise of better and holistic results* is put into obvious contrast to the results that usually are all but univocal. If we accept this description to be accurate does this imply that the semantics of the crisis have a negative impact on science and are nothing but hollow promises if not outright deception by those that use them? A conclusion stating this would fall short in multiple aspects.

Insinuating that scholars interested in a crisis are just using it as a vehicle to increase their prestige ignores Bourdieu's observation that capital within the academic field can only be won through good scientific performance.³³ At the same time a critique of the inability to provide a definite answer to a crisis ignores the functionality of the sub-differentiation of the scientific system into subjects and disciplines. It is the focus on selected aspects of a topic while deliberately ignoring others that allows in depth analyses. Calling for sociology, economics, political science and legal science to come to identical models and conclusions would imply a loss of analytical capabilities that might be worse than the crisis itself.

Scientific practices depend on new results that can be considered true and new methods to be able to generate them.³⁴ Whether the new truth consists in refuting old findings by proving them wrong or by adding new aspects to a topic is secondary to this *operational imperative*. A crisis is uti-

³² The most visible figure in the German discourse is Christoph Deutschmann. See C. Deutschmann, *Soziologie kapitalistischer Dynamik*. Max Planck Institut für Gesellschaftsforschung Working Paper (2009) available at http://www.mpifg.de/aktuelles/SiR/MPIfG-Deutschmann_0902.pdf (last visited 23 November 2009).

³³ P. Bourdieu, *Vom Gebrauch der Wissenschaft. Für eine klinische Soziologie des wissenschaftlichen Feldes* (1997), 22.

³⁴ Luhmann, *Ecological Communication*, *supra* note 2, 78.

lised within the scientific system to generate new results and to test hypotheses and implications. The *pressure of time* during crises often prevents empirical results from a current crisis to be generated within a frame of time where they could be used to counter its effect. It is the *pre-existence* of conflicting theories, methods and findings that guarantees instead that at least some of them are immediately applicable to the problem at hand. Different positions and findings that at the time of publication both seemed valid are reinterpreted in the face of a crisis and form the basis for further research.

If the events and dynamics of a crisis fit a theory or model developed *before* the crisis began, science observes this as a *confirmation* of these approaches. Their methods and frameworks are considered to be usable and useful to solve the crisis at hand, giving them an upper hand compared to conflicting theories.³⁵ However, those other theories do not disappear, instead the crisis is copied into those theories invalidated by the new developments. The theories and methods diverging from the actual events are seen as experiencing a crisis themselves that either motivates a *reformulation* and modified approaches to incorporate the new reality of the crisis, or attempts to prove the new criticism unfounded some other way. The financial crisis at hand provides new fuel for the old feud between neoclassical and Keynesian approaches to economy, while at the same time no decisive victory for one side or the other seems close.³⁶

The *scientific system* in this way does not offer a single true explanation for a crisis but its resonance to the problematic events rather *supplies society with a multitude of models and technologies* that can be applied. The scientific system is only able to react to a crisis by diverting its attention to the problem and thus generating new truths by presenting new approaches or even fields of study. Old and problematic models are adjusted if possible, or otherwise discarded.

This creates an array of new perspectives and technologies from which to choose. At the same time science is not able to provide certainty or a holistic point of view despite its self-declared claim of striving to do so.

More often than not it is not the scientists who decide about the *implementation* of the developed technologies or who determine which model creates resonance outside the scientific community. Scientists discover this

³⁵ See Deutschmann on the assertion of a continuing relevance of Mathias Binswanger's publication of 2001 written before the financial crisis at hand. C. Deutschmann, Einleitung, in C. Deutschman (ed.), *Die gesellschaftliche Macht des Geldes* (2002), 18.

³⁶ A recent example for the continuation of this discussion can be found in the contributions of 33 *Cambridge Journal of Economics* (2009) 4.

fact when they try to influence politics and have to realise that policies are not determined by *scientific truth* but *political feasibility*. They inadvertently find themselves in the position of a political actor facing opposition. Even worse, to each expert supporting a specific position on an issue another expert can be found who is equally convincing at arguing for an opposite course of action. Science therefore cannot relieve politics from the need to decide and to find a way to generate enough support to do so.

The specific way a crisis gains traction within the political system and generates resonance can be made visible by studying Barack Obama's speech on the first anniversary of the collapse of Lehman Brothers and the German leaders' debate during the parliamentary election campaign of 2009.

The *political system* functions by *making collectively binding decisions*. The *collective* so addressed has to be continually reproduced in doing so; it *cannot be expected to just exist*.³⁷ To do so Obama draws on the collective "we" to create the collective he represents:

"We could not separate what was happening in the corridors of our financial institutions from what was happening on the factory floors and around the kitchen tables [...]. So the only way to address successfully any of these challenges was to address them together. And this administration, under the outstanding leadership of Tim Geithner and Christy Romer and Larry Summers and others, moved quickly on all fronts, initializing a financial -- a financial stability plan to rescue the system from the crisis and restart lending for all those affected by the crisis. By opening and examining the books of large financial firms, we helped restore the availability of two things that had been in short supply: capital and confidence."³⁸

In these few sentences, the whole mode of political resonance to crises becomes evident. The crisis is construed as a threat not caused by those in power but still within their responsibility. Only by communicating a crisis in terms of necessary political decisions can it generate resonance within the political system. At the same time a critical issue can *circumvent* many of

³⁷ For an elaborated system theoretical concept of politics applied here see A. Nassehi, *Der Begriff des Politischen und die doppelte Normativität der „soziologischen“ Moderne*, in A. Nassehi & M. Schroer (eds), *Der Begriff des Politischen* (2003), 133-169.

³⁸ Obama, *supra* note 24.

the usual political routines, such as lengthy debates or even formal requirements for decision, potentially leading to the threats to democratic legitimacy discussed before.

So while scientists may disagree and claim that a crisis cannot be solved because it might have progressed too far or is inherent in the dynamic of the system affected this is no option for politics. The existence of an opposition guarantees that at least one party will put the crisis on its agenda and use it to call for action or to criticise the inaction of the ruling party. This dynamic guarantees that a crisis has to become a topic for all parties without any decision on their part.

Apparent here is the *form of attribution* within politics. The ruling party attributes successful measures and positive developments in the crisis to its actions and reads them as confirmation for the effectiveness of future actions:

“While full recovery of the financial system will take a great deal more time and work, the growing stability resulting from these interventions means we're beginning to return to normalcy. But here's what I want to emphasize today: Normalcy cannot lead to complacency.”³⁹

The *risky* future has to be managed by the right factual choices in the present. These decisions are only possible by evoking a consensus in the social dimension of meaning. The attribution of the opposition is a mirror image to the ruling party. Successes are attributed to environmental dynamics, while negative trends are communicated as a result of the choices made by the government. In doing so a crisis allows parties to *delineate* themselves from the others by offering alternative definitions of the crisis and programmes to combat it. At the same time the *underlying assumption that the crisis is indeed manageable* by political means is not challenged.

What is at stake is the decision on the best way to confront the critical future. In crisis communication each party describes itself as being best suited to guide the nation safely out of danger, while the choice of another party is connected to negative outcomes. This can be observed in Frank-Walter Steinmeier's comment on possible coalitions without SPD involvement:

³⁹ Obama, *supra* note 24.

“One direction is black-yellow: black-yellow means that those who count among the originators of the crisis will not be held accountable for the consequential costs. Black-yellow means that the divide between the poor and the rich will deepen. Yellow-black means a return of nuclear power.”⁴⁰

Elections enable a periodic shift in the programme of the political system. The *structure of time* within the political system reflects on this cycle and the parties aim their actions at a maximum chance at (re)election at these moments.⁴¹ As elections happen every few years, policies are favoured that produce visible and therefore presentable successes within a short time. This can lead to clashes between strategies that have moderately positive short-term effects and long-term strategies that might be more effective in the long run but take a long time to result in visible changes.

So far the presentation of the resonance global crises can cause within the political system has been rather bleak. Making visible that crises have to be *translated* into the political language of collectively binding decisions first does not imply a total impotence of politics. If this translation is possible a wide array of tools is available to policy makers. The ability to pass new laws and ordinances is the most important among these. In the case of the financial crisis the state combined this ability to set generally binding frameworks with fiscal policies.

The state cannot order market stability or economic growth, but it can set incentives to influence market movements and introduce regulatory bodies to observe them:

“This is in part because there is no single agency charged with making sure that doesn't happen. That's what we intend to change. The Consumer Financial Protection Agency will have the power to make certain that consumers get information that is clear and concise, and to prevent the worst kinds of abuses. Consumers shouldn't have to worry about loan contracts designed to be unintelligible, hidden fees attached to their mortgage, and financial penalties – whether through a credit card or a debit card – that appear without warning on their statements. And responsible lenders, including community banks, doing the

⁴⁰ Merkel & Steinmeier, *supra* note 25. Translated by the author.

⁴¹ Luhmann, *Ecological Communication*, *supra* note 2, 92.

right thing shouldn't have to worry about ruinous competition from unregulated competitors.”⁴²

The political system here is being able to *observe* the economic system and its tendency to maximise profit by exploiting any possible loophole. Instead of going against this core principle of capitalist economic activity the proposed policies aim at designing the framework for economic activities in a way that makes the desired behaviour the most profitable. At the same time this cannot guarantee that the new regulations themselves do not open up new loopholes.

Political response to global crises is operating under another restraint inherent to the system. The segmented *sub-differentiation in the form of nation states* necessitates the coordination between many political entities but simultaneously offers the participant governments another chance at describing themselves as being proactive in combating the crisis and external scapegoats in the case of failing policies:

“The United States is leading a coordinated response to promote recovery and to restore prosperity among both the world's largest economies and the world's fastest growing economies. [...] And this work will continue next week in Pittsburgh when I convene the G20, which has proven to be an effective forum for coordinating policies among key developed and emerging economies and one that I see taking on an important role in the future.”⁴³

It is this *capacity for self-transformation* of the political system that is an important effect of the semantics of the crisis. It has to be noted that possible developments are not limited to democratic outcomes; a crisis can result in non-democratic forms of government too. In the current crisis an attempt to move toward increased international coordination and supranational structures can be observed but it remains to be seen if lasting chances will be achieved.

A perceived crisis therefore forces the political actors to adjust their programs and decision routines to be able to offer solutions. A *crisis* is not always a political issue from the start, but it *has to be translated into a go-*

⁴² Obama, *supra* note 24.

⁴³ *Id.*

vernable form in the first place for the political system to be able to react to it. There, programmes and proposed courses of action are formulated as alternatives the voting public can decide on and the actions taken to combat the crisis become the measure by which success is to be determined. The semantics of the crisis at the same time lead to a focus on the problematic topic and force a decision to deal with it while generating alternative courses of action that can be substituted.

E. Crisis Communication as Impetus for Evolutionary Adaption

Looking back at the two exemplary functional systems studied in regards to their resonance to global crises, a few conclusions can be drawn.

Instead of a central perspective on global crises society is characterised by a fractured approach to solving them. For the scientific system the reaction to a crisis consists in the production of a multitude of conflicting descriptions of the crisis, its causalities, actors and consequences. This follows the *system rationality* of science, the attempt to formulate true statements about the crisis and to falsify others.

The political system processes a crisis differently, according to its own incongruent logic. Here not a scientific true definition of the crisis is of the essence, but a conceptualisation of the crisis that allows for solution strategies using the tools of legislation and finance available to the political bodies. While the solutions indeed can be and often are effective, they have to conform to the form political programmes in democracies are decided, namely elections and the generation of majorities. While observers of the political system such as scientists often lament this fact they find themselves forced to act under the same logic of campaigning for majorities to have a chance at implementing their solution strategies, becoming political speakers in the process.

In both cases *crisis communication directs attention* to the issue at hand. The most important effect of this has been shown to be an increase of perspectives, positions and approaches instead of singular and unambiguous plans of action. *No unified rationality* emerges from interdisciplinary scientific discourse on the crisis; political differences do not disappear in a flash of sudden enlightened unity. On the contrary: in light of the crisis the differences between parties become more pronounced. Not reason but political majorities guarantee that decisions are made to counter the effects of crises.

Niklas Luhmann spoke of too much and too little resonance at once when looking at the social responses to ecological communication.⁴⁴ Too much resonance within functional systems whose reactions to the ecological dangers could prove to be destabilising to themselves and other systems, while society as a whole might not be able to exhibit enough resonance to address the problem in a way guaranteeing its survival. This diagnosis can be generalised to global crises in general. Crisis communication is able to incite function systems to focus their attention on an issue but *there is no guarantee the results of this attention add up to an effective solution* or that the solution is a desirable one.

Crisis communication does not allow for an overarching rational and coordinated effort by society as a whole. Calls for intervention and solution based on this premise are doomed to failure. If implemented they are surprised by *unintended reactions and side effects* that their contributions cause in other areas of society, often lessening or inverting the intended consequences.

Crisis communication has another function. It serves as catalyst within functional systems by *reintroducing contingency* to their operations, thereby *encouraging a variation of forms* and approaches while making theories and political programmes unviable that prove unable to adapt to the new societal environment. This does not ensure optimal outcomes or a higher level of reason. The systems provide themselves with the ability to adapt to a changing environment by replacing failing programmes with a variation that is more suited to the changes. This is no teleological progress but rather operating under the *principle of social evolution* instead.⁴⁵

The concept of the crisis in its ambiguity and universal applicability might be unsuitable to be a scientific category, to deny its importance because of this means closing our eyes to society. It is exactly the ambiguous nature that enables crisis communication to function as *a way for society to observe itself* and to spur its evolution. A scientific contribution to solving global crises therefore is not an illusory idea but it has to be able to reflect

⁴⁴ Luhmann, *Ecological Communication*, *supra* note 2, 116.

⁴⁵ Organisations have been left outside the scope of this contribution but a similar function of crisis communication enabling organisational change and reorientation seems likely. For a theory of organisation focusing on the idea of differentiation and a model of evolution instead of a rational control of change processes see N. Thygesen & N. Aakerstroem Andersen, 'The Polyphonic Effects of Technological Changes in Public Sector Organisations: A System Theoretical Approach', 7 *Ephemera: Theory & Politics in Organisation* (2007) 2, 326-345.

on the society it is formulated within to maximise its chances at generating meaningful societal resonance.

