

The systems of art and media: autonomy and critique in the work of Phil Collins
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1 - Introduction

There are 2 main problems with Niklas Luhmann’ systems theoretic account of art. First the system of art is a functionally distinct and operatively closed system. This autonomy would seem to rule out the possibility of art to have agency and act as critique. The problem is that if it’s a separate system it would seem to not be possible for it to have any influence on other social systems.

Second Luhmann describes the operations of the art system, in a very broad, perhaps vague way. He describes “the medium of art” which produces a special type of communication. This lacks specificity. It is a definition that is independent of particular genres such as painting or music and does not engage with specific works of art. The problem, then, would appear to be that a systems-theoretical account of art negates, or at the very least ignores the medium specificity and material sensuous qualities of works of art by making their identity contingent upon the system of art.

In this paper I want to offer a challenge to these criticisms. And I want to do so for 2 reasons.

First (and I won’t focus on this aspect in today’s paper), I argue that the systems-theory description of art is convincing precisely because it uncouples ‘art’ from materiality. Luhmann does so by moving they focus of his theory way from objects to instances of communication or events within systems. It is thus, as I have argued elsewhere, consistent with the dematerialized art object after Modernism.¹

Second, I argue that the autonomy of art system does not negate the possibility of its functioning as part of critique, but actually makes that critique possible. The autonomy of the art system does not mean that it does not exist in society, but rather that, on the one hand, it has society as its environment (whilst being distinct from it) whilst on the other meaning that whilst it doesn’t effect change in other social systems it, nonetheless observes them.

I’ll do so using a work of art by Phil Collins: “How to Make a Refugee” (1999). In this short video work Collins films a journalistic photo shoot of a Kossovian boy and his family. It provides an example of the art system observing the media system. I think this example can be used to question how such observation of the media system by the art system works; and further how such observation by the functionally distinct and operatively closed art system can be used as a means by which to observe and critique how the media system operates. To test Luhmann’s claim that “Art renders accessible what is invisible without it.”²

¹ Francis Halsall, ‘Danto and Luhmann: Ontological Systems of Art’, *Arthur Danto’s Transfiguration of the Commonplace: 25 Years Later*, <http://www.vanderbilt.edu/AnS/philosophy/events/OCA/HalsallDantoConference.pdf> (Dec. 2006); Francis Halsall, ‘No Medium Just a Shell: How Works of Art Configure Their Medium’, *The Journal of Visual Art Practice*, (April 2007)

² Art as a Social System, pg. 17

2 – Problems with Systems Theory and Art

Luhmann's description of modern society is that it is comprised of a variety of sub-systems that are operatively closed and functionally distinct from one another. These systems include the economic, legal, scientific, religious, educational, mass media and art systems. Each system operates according to its own internal and self-defined codes by which it observes its environment (the world) and re-describes that environment in its own terms. So, for example, the economic system observes and re-describes its environment in terms of economic value whilst the legal system observes and re-describes its environment in terms of legality and illegality.

It's the aspect of Luhmann's description of society that it is functionally differentiated toward which the standard criticisms of social systems theory are directed. Three aspects of these criticisms are:

First, that the systems-theoretical account of society reduces it to a number of social systems that are autonomous from one another, and that by virtue of that autonomy not only is no explanation given for how the systems might interact with one another, but also the role of individual humans in those systems.

Second, that systems theory is radically anti-humanist. There is no place for humans in these systems and systems-theory subordinates the human subject to the systems of society removes human agency from those systems and ignores the inter-subjectivity of sensuous bodies interacting in a shared lifeworld.

Third, that the systems theoretical description of society is radically constructivist. That is it denies the possibility of any concrete social reality outside of the systems of observation. So, whilst the economic system observes in terms of fiscal value, the law system in terms of justice and so on, there is no extra-systemic "reality" to which they are referring. Luhmann says:

"Operational closure is a necessary condition for observations, descriptions and cognitions, because observing requires making a distinction and indicating one side of the distinction and not the other. The other side, the unmarked side, can be anything that is, for the time being, of no concern. Such distinctions have to be made by the system within the system. For we cannot suppose an environment (or world) where everything is multiplied by anything, a world where every observable item includes the exclusion of everything else, or a world in which every thing has the properties of the absolute spirit in Hegel's sense."³

What this means is that it is not possible, Luhmann argues, to have access to reality that is independent from the observation of that reality; and that observation will always be performed from the perspective of a situated system. He says:

"The question whether it is the world as it is or the world as observed by the system remains for the system itself undecidable. Reality, then, may be an illusion, but the illusion itself is real."⁴

³ Luhmann, "Why Does Society Describe Itself as Postmodern?" in William Rasch and Cary Wolfe, *Observing Complexity*, (University of Minnesota Press, 2000), pg. 36

⁴ Luhmann, "Why Does Society Describe Itself as Postmodern?" in William Rasch and Cary Wolfe, *Observing Complexity*, (University of Minnesota Press, 2000), pg. 37

These 3 points of criticism are clearly interrelated. They form the basis of Habermas' sustained critique of Luhmann's systems-theory as a "Technocratic" one which negated human experience and the production of human meaning to a functional principle within an operational system. In doing so, Habermas argues, Luhmann ignored the self-determination of free and rational human agents. In short, Habermas argues that Luhmann rationalizes and instrumentalises the lifeworld of shared human experience.

[Expand on Habermas critique here – show what's at stake, in order that the defense of the systems-theoretical position has more agency]

And Luhmann himself admitted that there was a cool-ness to his descriptions as Rasch observed: 'Luhmann once remarked in an interview that whenever he wants to provoke Habermas, he exposes him to a "moral super-cooling" [moralische Unterkühlung].'⁵

This critique of Luhmann is to read him as a anti-modernist or post-modernist. William Rasch, for example, has identified points of connection between systems-theory and what he calls the "anti-foundationalism" of the various engagements with (and critiques of) enlightenment reason after Nietzsche's identification of perspectivism that could include Weber (and the differentiation of value spheres) Wittgenstein (multiplicity of language games), Heidegger, Adorno/Horkheimer, Gadamer, Derrida, Rorty, Kuhn and Lyotard.

However, to counter such criticisms, and Rasch does this⁶, the acknowledgement of the contingency of observation on the perspective from which that observation occurs is not a cause for epistemological and political nihilism. Instead it gives a new impetus to the establishment of new grounds for discursive engagement; ones that are not constrained by traditional or outmoded values. Instead, systems theory gains its efficacy by operating with a heightened reflexivity toward the complex relationships between discourse/object, language/referent and system/environment.

3 The Reality of the Mass Media

Luhmann acknowledges how his position could be described as constructivist, although argues that this description needs to be re-described in systems-theoretical terms. Luhmann states that the dichotomies of subject/object and transcendental/empirical which are central to the construction of knowledge in both idealism and realism maintain the same problematic relationship between knowledge of the one hand and reality on the other. Luhmann is critical of both Idealism and Realism as accounts of the construction of knowledge because both maintain the binaries of subject/object and transcendental/empirical which he wants to collapse. Idealism draws distinction from the side of the subject/transcendental side of the binary whilst Realism maintains the same structures and draws distinction from the object/empirical side. The structure, Luhmann argues, should be replaced by the dichotomy of system/environment.⁷

⁵ William Rasch and Eva M. Knodt, 'Systems Theory of and the System of Theory,' *New German Critique*, 61 (2001), pp. 3-7

⁶ Rasch ...

⁷ "The mistake [in objectivism] lies in the assumption that it is possible to describe an object completely (we wont go so far as to say "explain") without making any reference to its relation to its environment (whether this relation be on of indifference, of selective relevance and capacity for stimulation, of disconnection, or of closure). In order to avoid these problems, which arise from the point of departure take, both subjectivist and objectivist theories have to be replaced by the system-environment distinction, which then makes the distinction subject-object irrelevant." Luhmann, "The Cognitive

For Luhmann, then, there is no “reality” outside of the systems by which the world is observed. And each system will observe the world by making distinctions⁸ according to the codes specific to that system. This leads to the recognition of a situation which Luhmann describes in the following terms: “The effect of the intervention of systems theory can be described as a *de-ontologization of reality*.” But, Luhmann continues, “This does not mean that reality is denied, for then there would be nothing that operated – nothing that observed, and nothing on which one would gain a purchase by means of distinctions. It is only the epistemological relevance of an ontological representation of reality that is being called into question.”⁹

The radical anti-ontological implications of Luhmann’s position are made clear in his late writings, where he further unpacks his claim that “Cognitively all reality must be constructed by means of distinctions and, as a result, remains construction.”¹⁰

This is developed in *The Reality of the Mass Media* (1996) where Luhmann argues that the mass media observe and construct what is experienced as reality. He poses the following question: “So our question now has the form: how do mass media construct reality? Or, to put it in a more complicated way (and related to one’s own self-reference!): how can we (as Sociologists for example) describe the reality of their construction of reality? The question is not: how do the mass media distort reality through the manner of their representations? For that would presuppose an ontological, available, objectively accessible reality that can be known without resort to construction; it would basically presuppose the old cosmos of essences.”¹¹

In approaching the reality of the mass media Luhmann identifies a “dual sense” of his title: On the one hand he means the conditions by which the mass media operate:

‘The reality of the mass media, their real reality, as we might say, consists in their own operations. Things are printed and broadcast. Things are read. Programmes received. [...] It makes good sense, therefore, to regard the real reality of the mass media as the communications which go on within and through them.’¹²

The second meaning, however, refers to the reality that is constructed through the mass media system:

‘However, we can speak of the reality of the mass media in another sense, that is, in the sense of what appears to them, or through them to be reality. Put in Kantian terms the mass media generate a transcendental illusion.’¹³

Program of Constructivism and Reality That Remains Unknown,’ in Niklas Luhmann, *Theories of Distinction*, (ed. William Rasch), (Stanford University Press, 2002), pg 131

⁸ “In other words, any kind of observing system, whatever its material reality (be it biological or neuro-physiological or psychological or sociological), can be described as determined by the distinction it uses.” Niklas Luhmann, “Deconstruction as Second Order Observation, in Niklas Luhmann, *Theories of Distinction*, (ed. William Rasch), (Stanford University Press, 2002), pg. 99

⁹ Luhmann, “The Cognitive Program of Constructivism and Reality That Remains Unknown,’ in Niklas Luhmann, *Theories of Distinction*, (ed. William Rasch), (Stanford University Press, 2002), pg 132-33

¹⁰ Luhmann, “The Cognitive Program of Constructivism and Reality That Remains Unknown,’ in Niklas Luhmann, *Theories of Distinction*, (ed. William Rasch), (Stanford University Press, 2002), pg 144

¹¹ Luhmann, *The Reality of the Mass Media*, (Polity Press, 2000), pg. 7

¹² Luhmann, *The Reality of the Mass Media*, (Polity Press, 2000), Pg. 3

¹³ Luhmann, *The Reality of the Mass Media*, (Polity Press, 2000), Pg. 4

What Luhmann seems to mean by this is that the media constructs the reality of the world in which a society is situated. It provides society with its shared reference points, information and horizons. The participants of the social system get to know what they know through the mass media.¹⁴

There are two main points which can be used to situate Luhmann's claims about the construction of reality by and through the mass media, in relation to the historical conditions of late (perhaps post) modernity.

First, the role of the mass media in the construction of reality emerges in parallel with the modernity of science. The modern science (Wissenschaft) system (Luhmann argues) observes the world in terms of truth/false but experiences a "loss of reference" whereby it can no longer represent the world as it is, and thus loses its authority. This resonates with Lyotard's argument in the Postmodern Condition that science can no longer 'legitimate the rules to its own game' through its own operations

[see too how Husserl argues this in the *Crisis of the European Sciences* and Adorno/Horkheimer in *The Dialectic of Enlightenment* - follow up].

The science system tests the truth of claims about "reality", but it cannot produce that reality. The point being that mass media system are the system by which "reality" as it is experienced by the social system is constructed. As Luhmann argues, the science system can test the truth of claims about the world, but it needs a world to pre-exist it. It needs to test, experiment and investigate *something*. Luhmann states:

'In everyday life one normally assumes that the world is as it is and that differences of opinion are a result of different "subjective" perspectives, experiences, memories. Modern, post-theological science has reinforced this assumption and has tried to support it methodologically. Whereas the natural sciences of this century placed a question mark over it, the social sciences still seem to be on the lookout for "the" reality, even when they speak of "chaos theory" and suchlike and to allow only for a historically, ethnically, or culturally conditioned relativism. For research to go on at all, some kind of "object" has to be presumed, so the argument goes, to which the research refers; otherwise one is always talking about everything and nothing at the same time. [...] In that case, then, it cannot only be the system of science that guarantees the materialization of reality for society. Instead, we should think of the knowledge of the world that the system of the mass media produces and reproduces.'¹⁵

The second point (and there is not the time here to unpack this point in further detail) relates Luhmann's systems-theory to phenomenology (specifically Husserl.)¹⁶ In 'The Modern Sciences and Phenomenology' Luhmann gestures toward the phenomenological heritage in systems-theory, whilst acknowledging that:

¹⁴ "The mass media construct a reality – they construct the common reality of society. What we know in general about our society we know through the mass media. But while the mass media construct a reality for the entire society, this reality is of course not the "entire reality". And so its description cannot claim to be a description of the entirety of reality. The mass media construct a "public" reality. But this reality is not more or less real than the reality constructions of other observing systems." H.G Moeller, *Luhmann Explained*, (Open Court, 2006), pg. 150

¹⁵ Luhmann, *The Reality of the Mass Media*, Pg. 76

¹⁶ Luhmann, 'The Modern Sciences and Phenomenology,' *Theories of Distinction*; Axel T. Paul, 'Organizing Husserl: On the Phenomenological Foundations of Luhmann's Systems Theory,' *Journal of Classical Sociology* 2001; 1; 371;

‘A reencounter with Husserl’s transcendental philosophy and with the forms it takes in his late work will have to account for this [the changed historical conditions of late modernity, which Husserl had not experienced]. This should be understood neither as criticism nor, as is widely held among philosophers, as an autopsy or as objective textual management. Rather, it is a question of searching for a form in which the unconditional theoretical interest accepted under the name of philosophy can be continued in the face of changed conditions.’¹⁷

With this in mind, the ‘reality’ that emerges from the mass media can be thought of in terms comparable to phenomenological ones. Luhmann says:

‘The theory of operational constructivism does not lead to a “loss of world”, it does not deny that reality exists. However, it assumes that the world is not an object but is rather a horizon, in the phenomenological sense. It is, in other words, inaccessible. And that is why there is no possibility other than to construct reality and perhaps to observe observers as they construct reality.’¹⁸

Here Luhmann seems to be taking the phenomenological model but of Husserl but replacing the transcendental ego with an observing system. What this would mean, therefore, is the restating of the phenomenological horizons of the life-world with the ‘reality’ of the mass-media. Or, to put it another way, Luhmann wants to provide an account of collective knowledge of a social system, but to do so in a way that uncouples it from subjectivity and, crucially, inter-subjectivity; hence the role of the mass media in the description of reality.

4 Observing the Mass Media’s re-description of reality

Thus far, I’ve outlined Luhmann’s account of how the mass-media observe and describe reality.

They do so by operating like other social systems; that is by drawing distinctions. However, Luhmann argues that social systems are operatively closed and distinct from both their environment and one another and Systems distinguish themselves from their environments by virtue of being closed to the complexity of their surroundings. So, the economic system operates according to a set of principles that are distinct from those of the legal system. The formation of a system involves an ordering, via what Luhmann calls ‘selective relations amongst its elements’ of the multiple relations of a complex environment. In short, systems reduce complexity; and they do so according to the structure which is distinct to that system. This, then, creates a problem, namely, how can the mass-media’s re-description reality can itself be observed and re-described.

To explain how distinctions are drawn Luhmann introduces his radical concept of *Observation*. Observation is the process by which distinctions are indicated from a position relative to the system in which it takes place. This is a paradigm shift from a more traditional sociological notion of representation to a concept of social meaning that is contingent not only on particular systems but also upon the process of observation itself. Without observation no differentiation would occur. Thus, the economic system observes and differentiates the world in terms of economic value and so on. The

¹⁷ Luhmann, ‘The Modern Sciences and Phenomenology,’ *Theories of Distinction*, pg. 37

¹⁸ Luhmann continues, “granted, it may be the case that different observers then have the impression that they are seeing “the same thing” and that theorists of transcendentalism are only able to explain this through the construction of transcendental a priori – this invisible hand which keeps knowledge in order in spite of individuality. But in fact this too is a construction, because it is simply not possible without the respective system-specific distinction between self-reference and other reference.” Luhmann, *The Reality of the Mass Media*, Pg. 6

corollary to observation is the important concept of 2nd order observation. This is the process by which a system observes its own actions and blind-spots. This is a process of self-reflexivity that recalls deconstruction in that it is a process by which a system observes its own observing. Thus, in the process of 2nd order observation, the media system can observe how reality itself is constituted by that system's processes of observation and distinction. And, likewise, systems-theory can observe itself as a discursive system that observes the world from a particular perspective. Luhmann states:

“All three main sectors of mass media operations – that is news and reports, advertisements and entertainment, cooperate in producing a rather coherent image of the world we are living in. We know that this is preselected information, but we do not and cannot in everyday life reflect upon and control the selectivity of this selection. To see the contingency of the result, we need a more reflective second order observing to see not what but how mass media select.”¹⁹

However, as already noted, the observation of reality has no recourse to a world outside of the horizon of an observing system. Or, as Luhmann states:

“There is an external world, which results from the fact that cognition, as a self-operated operation, can be carried out at all, but we have no direct contact with it. Without knowing, cognition could not reach the external world. In other words, knowing is only a self-referential process. Knowledge can only know itself, although it can – as if out of the corner of its eye – determine that this is only possible if there is more than only cognition. Cognition deals with an external world that remains unknown and has to, as a result, come to see that it cannot see what it cannot see.”²⁰

So, a problem emerges as to how to observe the media system in terms external to it. Yet to do so in a means that provides the opportunity to further understand its operations. It could, for example, be possible for the legal, economic or science system to observe the media system, but each of these would only be able to observe it in their own terms; namely according to the codes of legality, economics or science. And none of these would provide further explanation of the construction of reality by the media system. In my conclusion I will suggest that art might provide the possibility of such observations.

Art and communication

All systems are based on the communications that happen within them (money is communication within the economic system; laws are communications within the legal system and so on.) The art system however produces a special type of communication because it is grounded in (i) indeterminate judgments (ii) based on sensuous engagement with material, perceptual form and (iii) is open for agreement and disagreement. Art is about perception, but revealing the contingency and ambiguity of that perception or, as Luhmann states:

‘art aims to retard perception and render it reflexive – lingering upon the object in visual art (in striking contrast to everyday perception) and slowing down reading in literature, particularly in lyric poetry.... Works of art by contrast [to everyday perception] employ perceptions

¹⁹ Niklas Luhmann, ‘Deconstruction as Second-Order Observing,’ *Theories of Distinction*, pg. 108

²⁰ Luhmann, ‘The Cognitive Program of Constructivism and Reality That Remains Unknown,’ in Niklas Luhmann, *Theories of Distinction*, (ed. William Rasch), (Stanford University Press, 2002), pg 129

exclusively for the purpose of letting the observer participate in the invention of invented forms.²¹

The meaning of art arises in the particular type of communication that it generates; one that mediates between the individual perceptions of consciousness (psychic systems) and the operations of the social system. As Luhmann says: ‘Art, then, becomes everything that is described or grasped by applying the evaluative categories of the beautiful and the ugly.’²² In art its contingency, the fact that it is always up for grabs - what it is made of, what its about, and whether it’s any good or not - is part of its meaning.

In other words, because it is always grounded upon re-presenting the contingency of its presentations the very business of art the art system is the presentation of 2nd order observation. Or, to put it another way, the meaning of art lies in how it makes obvious that its representation of the world is always, artificial, contingent and incomplete. A painting of a bowl of apples, for example, will, by the very nature of the opacity of its medium, never be mistakable for a bowl of apples; and this is part of its meaning.

‘[Art] too organizes for itself a medium in the natural world in order to separate itself from the world’s conspicuous events and play with its own. Through art, new possibilities of the acoustical and optical world are discovered and made available, and the result is this: strategies of dissolution permit more possibilities of ordering the world than would otherwise appear.’²³

What this means, then, is that the system of art makes 2nd order observations possible, and makes those observations and observations *about* communication, part of its subject matter. As Luhmann observes:

‘Second-order observation makes possible various types of communication – both utterance and understanding – that would be inconceivable without it. Modern art is a good example. It cannot be adequately described as supporting the normative pretensions of religion or political power, nor does it progress toward ever more excellent works, spurred on by perpetual self-criticism. Art makes visible possibilities of order that would otherwise remain invisible. It alters the conditions of visibility/invisibility in the world by keeping invisibility constant and making visibility subject to variation. In short, art generates forms that would never exist without it.’²⁴

Conclusion

In the reality of the mass media Luhmann poses a question of the mass media:

‘how can we... describe the reality of their construction of reality? The question is not: how do the mass media distort reality through the manner of their representations? For that would presuppose an ontological, available, objectively accessible reality that can be known without resort to construction.’²⁵

My conclusion is that art provides something of an answer to this question. Art does so *not* by giving us deeper, or more authentic access to reality. Instead, art provides a position of observation outside the media system by which to re-describe its operations. Art does this via its 2nd order observations. It is

²¹ Luhmann, *Art as a Social System*, pg. 14

²² Reference required here.

²³ Luhmann, *The Medium of Art.*, pg. 219

²⁴ *Art as a Social System*, pg. 96

²⁵ *Reality of the Mass Media*, pg 7

communication about communication. Art uncouples observation from “truth”, and makes the act of observation itself the meaning of its observations. In Luhmann’s terms, the function of art:

“is to make the world appear within the world – with an eye toward the ambivalent situation that every time something is made available for observation something else withdraws, that, in other words, the activity of distinguishing and indicating that goes on in the world conceals the world.”²⁶

This can be seen in the work of Phil Collins. Collins continues to embed his practice in social, cultural, and media systems. This has included the installation of a television production company in Tate Britain for his nomination for the Turner Prize in 2006; and *The World Wont Listen*, a project in which he recorded Smiths fans in Indonesia, Columbia and Turkey singing the songs from The Smiths greatest hits.

In *How to Make a Refugee* (1999), Collins filmed a journalistic photo shoot of a Kossovan boy and his family at Czagrane on the Kossovan border. Its only 11 minutes long, but it makes for extremely uncomfortable viewing. The shaky hand held camera that Collins uses emphasizes the voyeuristic position of camera crews and the viewer. We can hear an awkward conversation going on between the news crew and the family through a translator. It is difficult to not feel complicit in the representation that is taking place here, whilst simultaneously being self-conscious of its artificiality. Writing in *Frieze Magazine* Alex Farquharson describes what goes on

‘The photographer asks the Kosovar boy to remove his shirt. He’s 15, he says, but his chest is still that of a child. A bullet wound circles his navel, and his leg is in plaster, right up to the groin. ‘Should he put his baseball cap back on?’ the translator asks the photographer. ‘Yeah, hat on’, comes the reply. After a minute or two a vase of flowers comes between the boy’s torso and us. The manoeuvre, in itself modest, seems full of significance. We sense, for the first time, the presence of the video camera through which we view the scene, and with it the ethical and emotional distance that separates its operator from the stills photographer and the feature writer, who are out of the frame but whose speech we overhear. In retreating behind the bouquet, it seems as if the camera is being directed by our own feelings of discomfort at having been implicated in this choreographed exploitation of another’s misfortune. Only a moment ago he was being used as a cipher for war and its victims, but now, with his head and shoulders protruding from the colourful flora, the boy – whose name is Beshar – is no longer a social type but a fulcrum of individualized ideals: youth, health, beauty, happiness, sensitivity, etc. He could be the privileged, poetic subject of a society painter circa 1890, rather than the victim of a brutal civil war. While this transfiguration takes place, the bouquet scrolls through various functions: it metaphorically dresses Beshar’s wounds; it screens his modesty; it hides our shame; it pays tribute to his beauty and bravery; it consoles his pain.’²⁷

The title further emphasizes what’s going on here, ‘how to make a refugee,’ and it is the media system, as much as the complex situation on the ground, who are responsible for the construction of reality that we experience in Western Europe.

²⁶ Continues “it goes without saying that striving for completeness or restricting oneself to the essential would be absurd. Yet a work of art is capable of symbolizing the reentry of the world into the world because it appears – just like the world – incapable of emendation.” *Art as a Social System*, pg 149

²⁷ A. F. ‘Minority Report’ *Frieze*, Issue 94 (October 2005)

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