Ever since Abbé Saint-Pierre wrote his magisterial *Projet d'une Paix Perpétuelle*, published in the aftermath of the Utrecht Peace in 1713, it has been questioned whether the "system of peace" could tackle the "system of war". Earlier, "times of war" followed "times of peace" or vice versa. Under the umbrella of a pontifical order, the organisation of peace could manage to cool the inner dynamics of armed conflicts though the pope was definitely sometimes part of heated campaigns and war endeavours, as at the time when he initiated the first crusade in 1095. During the so-called Italian Wars, from 1494 to 1559, the combined dynamics of state organised campaigns were loaded with new heavy weapons as guns and soon after specialised warships; defensive strategies of fortifications followed by the religious conflicts of the Reformation did indeed rupture whatever could still be established as a pontifical peace (Porter 1994; Autrand 1998). The last such half-hearted peace endeavour was the Trento Council in the middle of the 16th century. Albeit the "Landesfrieden" in 1555 established a peace between Catholic and Protestant princes inside the Roman Empire of the Holy German Nation, an ongoing explosive conflict began in France in 1561 between Catholics and Huguenots only to be followed by the rebellion of Dutch provinces against the rule of Spanish Philip II in 1566.

From that moment a still stronger whirl of war increased the call for state organisation and its justification principle, the "necessities" entailed by a "raison d'État", only to be followed by an increased competition among militarily organised states that copied each other's innovations with a still higher speed. The so-called Thirty Years War took its departure in that context with the Bohemian rebellion, the "defenestration", against Austrian rule in 1618; it faded of exhaustion in the years before the famous Treatises of Münster and Osnabrück that concluded the Westphalian Peace in 1648. Still, the French-Spanish Peace of the Pyrenees and the Danish-Swedish Peace had to follow in 1659.

After a hundred years of war, the system of war won an internal self-reference and was established as a functional system that was ungovernable for any other system outside itself. Its means were too strong, its dynamics too necessary and the powers that did not follow its imperatives were annihilated such as Burgundy in the 16th century, Denmark-Norway nearby

in 1659 and Poland at the end of the 18th century. When Carl von Clausewitz, in the aftermath of the Napoleon Wars, was able to write that "war is the continuation of politics with other means" (Clausewitz 1832/1952: 888), it was because even absolute wars were in need of real supplies, and logistics could be governed. The still more complex and professional military organisation system could be controlled and governed; but not the war system.

The struggle between control and ungovernable dynamics has always been tested as one of finance. Seemingly politics could control war finance when the political legitimacy of still higher taxes disappeared, and loans and credits were stopped; however, this turned out not to be the case. Wars demand extremely increasing supplies of finance, and they have always exceeded any limitations whatsoever. The invention of not only new taxes but especially new credit systems far beyond imagination turned out to be part of the competition, symmetric or asymmetric, of wars. Every major war was decided less by the so-called decisive battles and more by the exhaustion of resources and their financial sinews.

What happened to the peace system? If the war system had its own hard-hitting dynamics, what about the dynamics of the peace system? Could any dynamics and self-referential codes of communication be identified in what was once called a peace system? Or did the peace system disappear after 1648 or 1713 as anything worth mentioning as a "system"? What are the semantics, he codes and resources to be found in such a system? And which potentialities could be detected inherent to a peace system (Bély 1993)?

This does indeed question: What precisely does "system" mean? What advantages, if any, could such a conception offer to a description of peace potentialities?

I will begin with a short outline of some frames offered by recent system theory. Although several system theories have been presented since Jean Bodin, Thomas Hobbes, Gottfried Leibniz and Abbé Saint-Pierre presented the first system theories – and especially has been established with great endeavours from German immigrants in America after the 1930s – the only system theory I find just remotely adequate to answer these questions is German sociologist Niklas Luhmann's. He did not himself undertake the task of writing anything like "Der Frieden des Gesellschaft" comparable to his many magisterial books about *Das Wirtschaft der Gesellschaft* (1988), *Der Wissenschaft der Gesellschaft* (1990), *Das Recht der Gesellschaft* (1993; *Law as Social System* 2004), *Die Kunst der Gesellschaft* (1995; *Art as*

*Social System* 2000) *Die Politik der Gesellschaft* (2000), *Die Religion der Gesellschaft* (2000; *A Systems Theory of Religion* 2013) *Das Erziehung der Gesellschaft* (2002), *Die Moral der Gesellschaft* (2008) and not even his greatest achievement *Die Gesellschaft der Gesellschaft 1-2* (1997; *Theory of Society 1-2*, 2013). As a German, born in 1927, he did not feel that he himself was sufficiently at a distance to write a "Der Krieg der Gesellschaft" nor a similar book on peace, on it functions, its communication codes, semantics and self-descriptions, its evolutions, organisations, structural couplings, sense and whatever else such a theory would imply. Though, comparable to a so-called "contingency formula" of for example "justice", he several times wrote about the importance of a contingency formula of war/peace indicating when a war or a peace begins and ends. Gertrud Brücher wrote *Frieden as Form* (2002) and later *Gewaltspiralen* (2011) to compensate this lack in the theory of self-referential systems; but she did not focus on the form of communication and the codes of diplomatic communication according to the historical evolutions of diplomatic self-descriptions.

Yet, Luhmann wrote an important booklet on *Trust* (*Vertrauen*, 1968). From this he embarked into studies of risk and mistrust. Diplomacy and peace establishment is constituted by trust in order to cope with mistrust, and we may say that trust re-enters into mistrust, interprets mistrust and interprets war and conflict with peace, negotiations and contracts. Whereas Luhmann in his major general theory of *Social Systems* (1984) writes about conflict as the continuation of communication but in other means, he does not only paraphrase Clausewitz' "war is the continuation of politics, but in other means" he also describes how conflicts could be displaced into law and contracts. To Luhmann the evolution of law and contracts was his answer to the solutions necessary to replace war with peaceful if not conflict free and dissent free means.

No other system theory is not even close to the level of theoretical and historical elaboration offered by Luhmann's theory of self-referential communication systems. In the first section, I shortly introduce some of the basic conceptions of the theory useful for a construction of a system theory of peace (I). In the second section, I mark some of the basic self-references and use communication codes of diplomacy as an example (II). In the third and concluding section, I indicate what diplomatic communication codes mean in the actual modern world.

## I. Medium, code, function and system: Giving sense to peace

Niklas Luhmann was not the only one to warn against identifying society with a nation-state, its territory, its population, its language and its narration of a national history. Émile Durkheim, Norbert Elias, Jürgen Habermas, Anthony Giddens and, more recently, Slavoj Zizek have done the same, and before them, perhaps more than any, Karl Marx. The problem is to detect exactly what the problem is. Using Gaston Bachelard's famous concept, Luhmann describes the distorted identification as an "obstacle épistemologique". The strive to concretise by identifying society with a certain spot to be circumscribed as the green, yellow or blue surface on a map, repeated over and over in schools for the past two hundred years, dissolves the possibilities to observe exactly what is the object in question. In fact, several obstacles are layered into each other.

Another obstacle is to conceptualise society as if it could be adequately observed as a sum of individuals or eventually as more than the sum of a mass of individuals, as if the little word "more" is adequate to answer questions about the dynamics of the mass. On the contrary, a Dutch society is not more flat than a Swiss, and an American society is not discovered to be heavier than a Japanese even if statistics show that Americans have another bodily weight than Japanese citizens.

Rather, "society" is a concept used in history in order to establish a communication with certain concerns. Above all, "society" is a medium of the communication that takes form in society itself, i.e. in the object in question. Hence the failure or obstacle is to turn immediately to the object rather than to constitute the conceptualisation with the concept of communication. Society is about communication. Society has the form communication offers, and it is very possible that the course of history has led society to communicate about territories, population statistics and grammatically well-defined languages. However, communication has led in all different kinds of directions. The spatial reference of communication has throughout history also and perhaps mainly been occupied with water, with rivers, the Mediterranean, the Baltic, the Chinese Sea, but also with marital alliances and links between princes, princesses, uncles, aunts and parents. Even more to the point, the

post-Jewish monotheist theologies developed conceptions about a trans-territorial and transcendent spirit of interpretation, whether the *Umma* or the Holy Spirit enabled synchronisation of communication across huge distances. More than anything, this re-established a conception of society after the dissolution of the Roman *societas civilis*. Society was constituted as a body of differentiated societal orders and estates (Luhmann 1980). Such a system of orders – to speak with Bodin (1583/1961: 562, 1056) – could use historical records of hereditary privileges in order to structure its own ordered hierarchy and even later on call it national history in order to exclude incomers.

Accordingly Luhmann defines society as a communication system and not a society of individuals, but what is communication? Communication cannot proceed without reference to individuals or space; but above all communication must be able to refer to communication itself and leave individuals, space, organic or mechanical systems outside in the environment of a communication system. Communication is not able to communicate about everything at the same time. Complexities have to be reduced if social communication about any matter should give any actual sense. In a social dimension, communication has to reduce complexities in order to establish communication about any substantial matter in any temporal delimited sense. When sense and nonsense is defined in communication, it is because communication can establish distinctions between left out external complexities and internal reduced complexities handled inside communication. Communication operates with distinctions. But these distinctions are asymmetric; they observe communication from the side of the internal operations of communication, not from the external overly complex side of communication. Thus, the distinction operated in communication can be designated in the following way (Figure 1) just as Niklas Luhmann does when he follows George Spencer Brown's logical designation technique (Baecker 1999; 2005).

Figure 1. The form of distinction

| marked side | unmarked side |
| --- | --- |
| Form | |
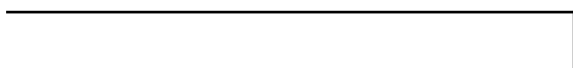
More advanced communication theories usually go back to a tripartition of communication in order not to reduce communication to a transfer of information or transfer of intention – again two epistemological obstacles well-known to communication analyses. Since Charles Sander Pierce and Karl Bühler, several proposals have designated such tripartitions. Luhmann distinguishes between information, message and understanding. Full communication operates with a temporal dimension of ongoing understanding of information as a substantial dimension in the form of the social dimension of messages. This tripartion could be indicated as in Figure 2.
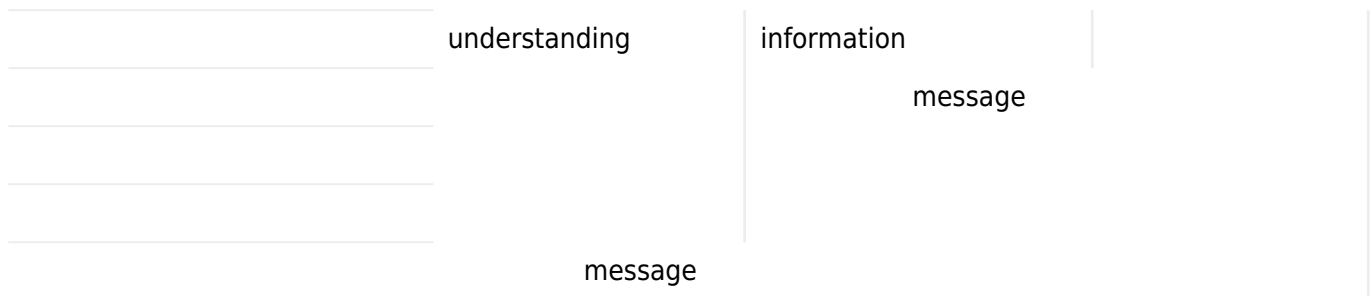
Figure 2. The form of communication

| under-standing | information |
| --- | --- |
| Message | |
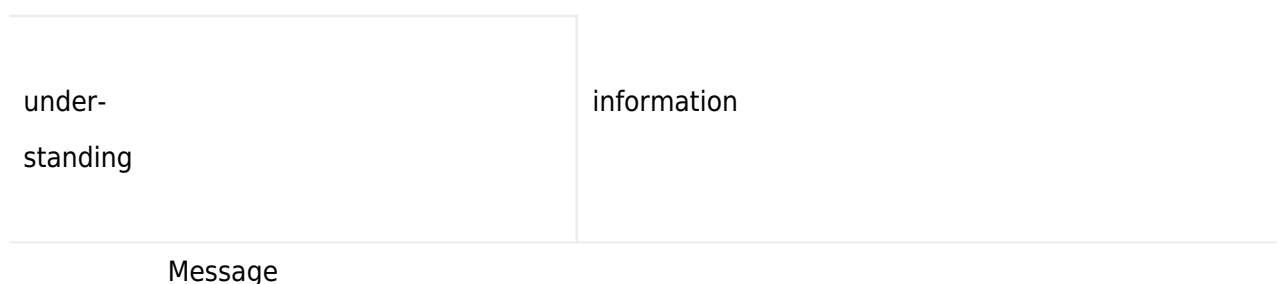
Thus, understanding is, in fact, only possible if communication can operate with its own understanding of whatever is accounted for as information. Information might appear as if it handles some observation of an outside world, but information only makes sense if operated by an ongoing communication interpreting information as if changing information is the difference that makes a difference to the understanding itself. Such operations are possible because messages take form as all kinds of semantics some of which are coded in binary ways as for example justùunjust peaceùwar or trueùfalse. The operation of such binary codes allows for a duplication of the form of codes, hence the distinction can be handled in a way that in itself is justùunjust; this duplication can be established and in the course of history even monopolised by a legal system that has monopolised communication about the code justùunjust in such a way that it can claim to communicate about it in a just way. Hence Luhmann describes how communication re-enters into itself in a form of self-reference separated from other forms, as law communication is differentiated from political communication, aesthetic communication or communication about war. With a reconstruction proposed by Dirk Baecker this could take a form as sketched in figure 3.

Figure 3. The differentiated form of communication separated from other forms

|  |  | understanding | information |
|---|---|---|---|
| Communication = |  |  |  |

|  | understanding | information |  |
|---|---|---|---|
|  |  | message |  |
|  | message |  |  |

The same construction of re-entered communication can be observed in cases of the codes of war and peace. And communication of war could even re-enter into – what Luhmann terms a "structural coupling" of law communication – the communication war has on war, this might happen with the so-called *jus in bello* and its codes of conduct.

However, operations of war were originally coded in terms belonging to the peace side, such as honour, justice, sacral virtues etc. The tactical codes of war as a form of interchanges about annihilation of force were in operation and can be traced in Roman or Greek warfare. However, war communication had not fully managed to communicate about tactics, strategy and operations; it only did so in the self-referential hard-hitting form that professionalised itself according to its own codes since the Thirty Years War. Ever since Cicero's *Republic* and Augustin's *The City of God* (book 19, chap. 12), the code peaceùwar was communicated as if it was self-evident that peace was understood as being the side from which the observation of the code was undertaken. This might still apply to systems of legal communication or political communication; however, in war communication the opposite distinction replaced it at latest with the Thirty Years War and, accordingly, Clausewitz could write his masterpiece as if the code peaceùwar was replaced by one of warùpeace *as if* war could strive towards absolute war without moderation of realities. All functional systems communicate about themselves as if they can neglect the moderations imposed by their environments; this is of course an illusion but, indeed, a very real illusion filled with consequences when wars go on and are planned as if their opponents have no plans of destroying those plans and accordingly planned without thought for constraints to the gravitation centres of moral, sorrow, public opinion, finance and credit.

Here the question is: What happens with the code of peaceùwar observed from the peace loving side?

## II. Diplomatic communication about peace

The semantics and codes of peace communication can be observed in diplomatic communication. This entrance to the analysis of peace systems is obvious due to the fact that diplomacy throughout history has been extremely concerned with communication in every obvious way. The role of diplomatic communication has been described according to the communication form that wars begin and stop when diplomacy stops respectively begins.

In his penetrating book *A History of Diplomacy*, respected British historian Jeremy Black describe three functions typical of modern diplomacy as it emerged since the 17th century: Information gathering, representation, and negotiation (Black 2010: 12, 73ff). Other functions such as tribute and vassalage can also be observed, for instance in the Osman Empire, in Russian traditions, Popal diplomacy and in Chinese Ming or Manchu traditions. If anything was the result of the Westphalian peace system, it would probably appear to be a certain shift in diplomatic communication, a transformation that did not occur during the negotiations in Osnabrück and Münster, but rather in the interpretations that stabilised some of the codes of communication that *ex post* were traced back to 1648, and even better, they could also be traced back to the *Landesfrieden* in 1555 or the Italian and especially Venetian republican interaction system of diplomacy. Under Louis XIV, French semantics conditioned a diplomatic communication structurally established and coupled to a bureaucratic organisation system. Diplomats travelled to other monarchies instructed with codified dispatches as if they were commissioned as commissaries, later called intendants or prefects. They should inform about who, how and what (Harste 2013; King 1948; Bely 1990; they should negotiate for and represent their absent monarch This was no evident commission given the fact that the telegraph, not to say telephone, internet or even a regular postal service was well established. Black describes the interdependency of those functions as if they were held together by the communication form figured above. Hence I will re-describe diplomatic

communication as in Figure 4.

Figure 4. The form of diplomatic communication

| Negoti-ating | information |
|---|---|
| representation | |
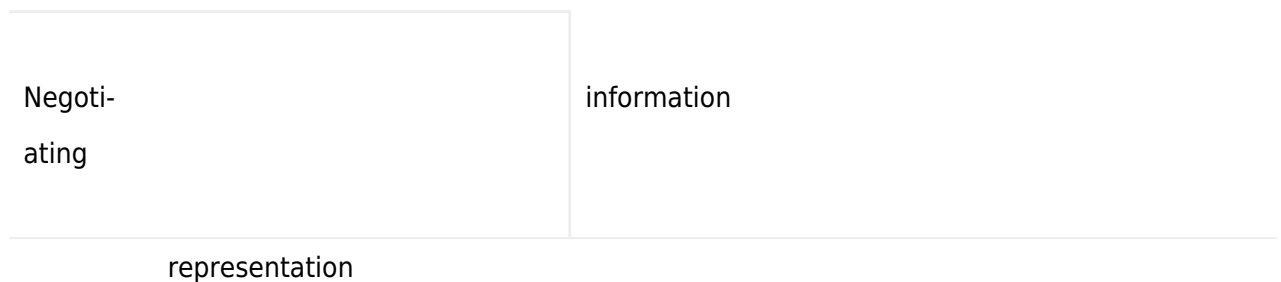
The representation form enables the temporal dimension of ongoing communication. Representation is about a lot of often extremely costly rituals establishing what communication theory normally calls phatic communication: keep in touch, especially when the presence of political decision-makers (princes, ministers, generals) is quite absent.

The communication established among diplomats emerged as a form structurally coupled to the organisation system of foreign ministries. The French foreign ministry was probably the first ministry to departmentalise itself into resorts, simply because foreign affairs have many sides. In other states, the departmentalisation into resorts often followed linguistic skills, but in Paris and among diplomats the language was French anyway, especially after the transition with Versailles, Colbert and Louis XIV 1660-1680. Organisation systems can be observed with system theory as communication systems specialised in decisions are always in the temporal form of decisions about decisions (Luhmann 2000). Furthermore, organisation systems do include members and offer them positions as responsible persons in hierarchies according to a stratified ordered society; responsibility is communicated as a form that can

be delegated and, in extreme cases, decentralised by sending persons far away from the present organisation to re-present positions. This construction was established by the church organisation of a body of monks, coordinated and synchronised inside the communication form of a Holy Spirit. During the 17th century, this theologically interpreted *corpus spiritus* was replaced by a secular form of an *esprit de corps* that permitted delegates to interpret their commissions according to the same codes present at the organisational and political centre, for instance in the councils and the court in Versailles.

Thus, as a whole, war communication took place as a certain self-codifying form; but it was structurally coupled to the war system, inside it but also striving for control of war, at least from a distant position, organisation systems did increase their decision-making communication and their organisational complexities; then again, inside organisational systems, diplomatic communication took place in a form oscillating between internal and external positions. Diplomatic communication could very seldom offer anything like a securitisation of a link between internal decision-making operations and external negotiations. Stretching the figures of form analyses to their outmost possibilities, the form of classic early modern diplomatic communication could be sketched somewhat sophisticated as in Figure 5.

Figure 5. The form of diplomatic communication structurally coupled to war communication and organisation systems

| | | war | peace | |
|---|---|---|---|---|
| | organisational decision-making | | negotiating | information |
| | | | | |

| negotiating | Information | | representation |
|---|---|---|---|
| Representation | | | |

Of course there was a paradox inherent to classic diplomatic communication: Displaced and departed negotiators could only negotiate as if they were still to be trusted as representatives, as if they did not have their own interests and as if they somehow were online with the spirit of decision-making present at the organisational centre. Therefore, cities emerged as a medium of credibility where entrusted representatives could inform themselves and at the same time interpret and understand which decisions their far away organisational centre, who financed their costly commission, would favour. Seemingly absurd forms of communication in diplomatic communication offers far less non-sense to the careful symbolisation of respect, politeness and forms of listening inherent in diplomatic communication; a famous example is offered by Rousseau:

The context of what Kant had in mind was provided by Rousseau who, in his somewhat ironical commentary to Abbé Saint-Pierre in _Extrait du Projet de paix perpétuelle_, wrote about the common sense of diplomatic deliberations that

"From time to time there are convoked in Europe certain general assemblies called Congresses, to which deputies from every State repair solemnly, to return in the same way; where men assemble to say nothing; where all the affairs of Europe are overhauled in detail; where men lay their heads together to deliberate whether the table they sit at shall be square or round; whether the hall shall have six doors or five; whether one plenipotentiary

shall sit with his face or his back to the window, whether another shall come two inches further, or less far, into the room on a visit of ceremony: in fine, on a thousand questions of equal importance which have been discussed without any settlement for the last three centuries and are assuredly very fit to engross the statesmen of our own. It is possible that the members of one of these assemblies may, once in a way, be blessed with common sense. It is even not impossible that they may have a sincere desire for the general good. For reasons to be assigned shortly, it is further conceivable that after smoothing away a thousand difficulties, they will receive orders from their sovereigns to sign the Constitution of the Federation of Europe." (Rousseau 1761/1971: 340)

No doubt, Rousseau himself behaved as a careless communicator with disrespect of everything and everyone. Yet, the main formula for respect and carefully coded communication is found in Le Callières *Comment negocier avec les princes* from 1716.

The costs covered by those who commissioned the delegate was in itself a symbol of trust; high costs signified the standing of the negotiator at the same time as the centre sending the entrusted diplomat could risk that they invested to much in the symbols. Thus, fixed embassies are a relatively new phenomenon, especially outside Paris, since Paris was, so to say, as a city the centre of negotiation, information and representation. The central position is revealed by the fact that the absolutist Danish king found his foreign minister, Johan Bernstorff, in Paris. He was a Hanoverian diplomat, who was probably, even for a while, a close friend or even the lover of Madame Pompadour; his nephew and two sons later also became foreign ministers, one of them first in Denmark and later in Prussia.

The risky oscillation of diplomatic communication could be short cut with congresses among princes, dukes and others with similar standings. This bracketed the organisation system and even the functional system of war. The mythical position of such meetings is still absolute in the mass media. In reality, diplomats always made the hard work in negotiations, information, argumentation, deliberation among possibilities etc. in such a way that the decisions made were embedded in form of communication responsible to all kinds of accounting. Jean-Jacques Rousseau, who had a background as a diplomat in Venice, was sceptical of the possibility for self-referential peace systems to be something that could

match war systems. He revised Saint-Pierre's project about the possibilities of a peace system and his description of classic diplomatic communication signifies the form of meaning he accounts for when describing diplomatic communication.

## III. Conclusion

The legacy of classic diplomacy seems obsolete and absurdly embedded in l'ancien regime, but it is not. Rather it was truly an early modern way of communication in a modern functionally differentiated society in which status, at that time, was important, but the point was to communicate across lines of divisions. Divisions took place between different functional systems, different status layers, across borders, cultures and languages (even if the main post-Latin language was French). Already Hugo Grotius displayed how rules and normative orders are possible across confessional divisions (Grotius 1625/1999).

A very important example may give a hint of why communication constituted by codes of honour and respect is not obsolete. When George W. Bush's diplomacy in 2002 – 2003 should convince the world public and Saddam Hussein that Iraq had delivered on the issue of weapons of mass destruction (WMDs), the classic (French) diplomatic code of communication said that Hussein, as an Arab clan leader, in no way could admit that he had a less threatening weapon arsenal than he had claimed in his military diplomacy of threats towards Iraq's most important enemy, Iran. In fact, earlier, USA strongly supported Iraq in its deterrence policy against Iran; materials used in weapons of mass destruction were sold to Iraq in order to build up such deterrence. An Arab leader had to sustain his glory and be feared by his opponents. This is not a substantial question of facts and materials, but an unavoidable and indispensable symbolic fact. This code of honour was far more important in the 6,000-year-old Mediterranean and Mesopotamian cultural context than life and death. In cultures based on honour, the identity of persons and positions is constituted beyond life and death into eternity.

This is well-known to informed diplomacy. Governments that do not recognize such cultural foundations for diplomatic communication will be unable to establish peace communication. Peace systems are not constituted only by one actor or one state. Peace systems are built in co-operation with a system that tolerates differences in actors including differences of their communication form and how they communicate about responsibility and honour. Instrumental responsibility of materials (WMDs) is ontologically secondary to the primary code of deontological communication, which Western diplomats should have known. The result of this neglect was a war that has cost at least 120,000 lives plus an extra one million lives; thousands of US soldiers have been killed and even more continue to commit suicide because of such communication failures. The financial system of the world lost its stability and USA its position as a monolithic superpower.

A reflexivity of opposed temporal orders is established by such codes. It is possible to proceed into the future with Immanuel Kant's theory of post-national con-federal networks and his theory of a self-organisation among such systems; at the same time, it is possible, historically, to trace the constitutionalist potentialities detected by Kant back to the legal and organisational means invented and constitutionalised during the pontifical reconstruction of canon law since the 12th century (Thornhill 2008; 2011; Brunkhorst 2012). The European Integration re-constitutionalised the first sufficiently self-referential peace system (Harste 2009). This system does not proceed without risks; it is especially risk differentiated by incoherent system dynamics that unfold their internal temporal structures in unbalanced ways; rather than having a well constitutionalised separation of powers, more than anything the capitalist logics used in its beginnings and, in combination, the intellectual deficit – not any so-called "democratic deficit" – among political elites and mass media has distorted the risk structure of a European peace system. An admittedly risky further conclusion can describe some of the risk structures inherent in a modern future world society. The lack of a political legitimacy of the war induced debt structure of US as a falling star, – or a falling 50 stars – is a political risk outside imagination. At the same time, Chinese diplomacy will induce a more vassalage based peace system not constitutionalised by law and justice but by a far stronger state legacy than the absurdly incoherent *Pax Americana*. Kant outlined the possibilities of a convergent system among great powers. This is what Europe could hope for, the risk, however, is that a US population, still reluctant to pay taxes after the 1776 – 1783 War of Independence, will be unable to accept China as a main creditor and step into a still more neo-fascist desperate strife for claims of a worldly rule of the American Way of Life.

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