FUTURES

Words

Constitution

Kirk W. Junker*

Duquesne University School of Law, 600 Locust Street, Pittsburgh, PA 15282, USA

Available online 10 August 2005

Abstract

In looking toward the futures of Europe, the focal point of the legal and governmental aspects of European life has recently become the Treaty Establishing a Constitution for Europe—or just the 'Constitution' as it has become colloquially known. That socio-linguistic act of referring to a document as a constitution is a mammoth move. First, it ignores all of the concerns and hand-wringing around the idea of producing a legal document called a constitution that might immediately be thought of as a sovereign-building document, such as the German constitution or the Irish constitution. Second, it suggests that the people of Europe are in some way similarly situated as together to constitute something. In this article, the author continues a series of reflections on words regarding futures, and takes an extensive look at the use, misuse and power of the word 'constitution'.

© 2005 Elsevier Ltd. All rights reserved.

1. Deduction or induction?

Without claiming any causal connection, there seems to be among the peoples of the English language tradition, a discernible preference for induction as a fundamental thought force in a variety of areas, most notably law and perhaps philosophy as well. Thus, one finds, for example, the common law process of inducing a rule of law from a progeny of cases (or even a constitution from a series of legal documents, as is the case in the UK), the scientific process of inducing a rule of science from empirical experiments, and the linguistic process of inducing word meanings from usage, as found in the standard-bearing reference source, the *Oxford English Dictionary*. In contrast, on the European continent deduction is more often the norm, as evidenced by the Roman law process of deducing a case's outcome from an axiomatic rule of law, by the superiority of rationalisim over

---

* Tel.: +1 412 396 1047; fax: +1 412 396 4014.
E-mail address: junker@duq.edu

empiricism in philosophy and science, and by the *Gesellschaft für Deutsche Sprache* (Society for the German Language or G.D.S.), *Academie Francais* and other such language institutions as they police denotations and connotations from the top down.

For example, the G.D.S. in Wiesbaden, Germany annually chooses an *Unwort des Jahres* or 'non-word of the year'. Perhaps not as strident as the *Academie Francais* in Paris, and received by the German public largely as entertainment, the non-word is nevertheless a rather earnest public exercise by the G.D.S. and represents one of its minor gatekeeping functions to the culture. The G.D.S. selection for 2004, for example, was 'Hartz IV' in reference to the much maligned German employment and job market plan. Unlike *Time* magazine's 'man of the year', which *Time* claims to base upon what it perceives to be total impact on the world, positive or negative, thus having Adolf Hitler and Josef Stalin among its past selections, the G.D.S. selection is clearly understood to be a word with a negative impact. In a way that perhaps reflects the internal foci of individual European countries on their own individual cultures and languages, 'Hartz IV' was no surprise for Germany. But if we were to combine *Time*'s suggestion of looking to total impact, positive or negative, with the G.D.S.' focus on a word (not a human then), a European, rather than a German or a Frenchman or a Latvian might well have selected the word 'constitution' for 2004.[1]

If one looks to the frequency of use and discussion, the impact of 'constitution' in 2004 demonstrated its impact beginning with resilient ruminations during the December 2003–January 2004 break after the failed vote in favour of a 'Treaty Establishing a Constitution for Europe' in Rome in December. At the conclusion of the annual *Fédération internationale de droit européen* (F.I.D.E.) Congress in June of 2003, Chairman of the European Policy Centre and member of the Advisory Board of the Centre for European Reform Peter Sutherland noted that the use of the word 'constitution' was alone enough to prevent people from supporting the Treaty. [22] After all, even for those who are not schooled in government, law or politics, 'constitution' sounds like something that forms the organisational structure for one's state—*the* state. And if that state is called 'Europe', then it looks like a superstate that by simple analogy must be intended to be the place where all the power will be that formerly would have been in London, Stockholm, or Copenhagen. Even the name of the document that did pass—'Treaty Establishing a Constitution for Europe'—dares not to be so bold as to call the thing simply a 'constitution'. If one doubts the impact of the name, then one might well be reminded that in Germany, after World War II, the most fundamental law, referred to colloquially as a constitution was in fact called a *Grundgesetz* (basic law), as a political statement against recognising a completely constituted Germany without those states occupied by the Soviet Union. Of note is the fact that in German, as in English, the word *Verfassung* (constitution) just as easily connotes composition. Thus the shared connotative resonance in these specific sister languages is worthy of note, as has been so poetically explained by Seamus Heaney in the introduction to his translation of *Beowulf*, wherein he expounds on the usages of 'so' in both its Saxon roots and Northern Irish usage [13].

―――――――

[1] The Society's word for 2005 had not yet been chosen at the time of this writing.

2. Connotations and denotations for 'constitution'

Although I am focusing upon just one word here, the broader question that I am raising is how much impact upon our thinking about the futures of Europe that one word has as an example of the constitutive nature of language. Even the natural sciences do not escape questions concerning the degree to which human activity is constituted by language. Indeed for some historians of science [24], philosophers of science [21], rhetoricians of science [12], sociologists of science [1] and practitioners of science [19], the primary question that must be answered regarding the relationship of language to science is: 'Is language constitutive of science?' For these people, there are varying degrees of interest and relevance to other questions regarding the relationship of language to sciences. For historians or sociologists, the connexion may be extremely important at the level of *their* practices, which are obviously and essentially textual practices, but even then, the connection may be one of practical utility. The connexion may even be what some would call derivative or second order, because, says the scientist, the scientist is working with material nature, not words about material nature. (This position fails to address what 'working with' in fact is, however.) If practicing scientists can be said to be represented by such practitioners as former chair of the UK's Committee on the Public Understanding of Science (C.O.P.U.S.), Lewis Wolpert, who claims to speak for scientists, then it would seem that for practicing scientists language has nothing to do with science [27].

Even the rhetorician of science, in all but his most radical form is likely to be willing to acknowledge that when it comes to language and science, while language may constitute many of the scientists' practices, even as Latour and Woolgar have noted with their lasting work on inscription devices and practices, *Laboratory Life* [17], there comes a point at which the material world may ineloquently remain reluctant to behave in such a way that could be said to be constituted by any language practice. Borrowing from Kenneth Burke's ideas on recalcitrance, McGuire and Melia call this position one of 'minimal realism' [18]. My own position, based in rhetoric, borrows from several points made by the philosopher Martin Heidegger when he says such things as *die Welt weltet* ('the world worlds') and *die Sprache spricht* ('language languages') [14]. When the material world is doing its own thing, that is, 'worlding', it is admittedly an extra-linguistic doing. And when language is doing its own doing—that is, 'languaging'—it is a practice that is not limited to representations of the material world.

Regarding Heidegger's provocations, one should notice that he does not say 'language *only* languages but the material world worlds' or some such statement privileging the material world. In fact, a review of his work fails to find any comparative conclusions of the two separate statements at all. In the end, there remains space in the Heideggerian formulations, as regards language and science, to say that while language does not constitute the material world, we cannot say and, therefore, know anything meaningful about the material world, until we comport ourselves to it through language. This position echoes one of the remaining fragments of Gorgias from twenty-five centuries ago. In that fragment, known to us as *On Nature*, Gorgias posits three possible natures of truth, the last of which hangs heavily upon the relationship of language to truth: first there simply is no truth, second there is truth but we cannot know it, and third there is truth, we can know it, but we cannot communicate it [11]. Obviously, there would be many who disagree with

one, two or all three of these hypotheses. The point here is not to argue the merits of these or any of the other hypotheses mentioned above. The point is to explore the breadth and nature of the relationship we mean, in English, when we ask whether one thing *constitutes* something else.

The first connotation that one commonly encounters today is the legal one. In fact it is such a common connotation, that it has the traits of Nietzsche's image-less coin—worn out and without sensuous power, having lost its image and functioning only as metal, not as a coin [20]. The image-less coin now falls so disproportionately often into the legal slot that we have developed a sense that the denotation of 'constitution' must be its legal one. This is not surprising if one reflects upon the linguistic nature of law practice and the number of lawyers in English speaking cultures, not to mention the trend toward understanding law always through constitutional issues [9], then of course the greatest frequency for saying or writing 'constitution' will be law-related—hence the worn-out slot and the imageless coin.

Moreover, even within the legal connotation, an irrefutable element of materialism has taken over. One hears the statement for instance the 'the United Kingdom has no constitution' because there is not a single document with the word 'constitution' across the top of the front page. Even legally-educated persons make the false statement that 'the United Kingdom has no *written* constitution'. There is in fact a constitution for the United Kingdom, and its nature can be induced from written documents like the Magna Carta, the Petition of Rights, the Bill of Rights, the Acts of Settlement, and the Human Rights Act, but it is not written in one place nor is there a single document entitled 'constitution' from which one may deduce the rule of law in a particular matter. Nor should the lack of a single document entailing all legal relationships be taken to be a sign that a society is not in some way constituted. Indeed, attempting to reduce the constitution of a society to one document has its own problems. 'The limits of human foresight guarantee the eventual failure of any constitutional document as an ordering principle of political experience. And insofar as emergencies expose those limits, they demonstrate the ultimate contingency of all constitutional orders'. [28: p. 5]

One could indeed make the argument that Europe, as a legal entity of some sort, prior to the June, 2004 Dublin Treaty, had a constitution in a very similar way to that of the United Kingdom, but that the thought process necessary to induce a constitution from the *acquis communautaire* did not sit as comfortably with continental thinking as the thought process does with the British in inducing a constitution from the Magna Carta, the Bill of Rights, the Acts of Settlement and so forth. Of course if one were to embark on the rather lengthy task of weighing how much legislation currently puts social, economic, environmental or employment programs into place in the member states of Europe either through the indirect European legislative tool of directives, or directly through regulations, one may be shocked to see that one's life is impacted already in so many places and ways not by domestic legislation, but by those same people who threatened to create a constitution. That legislation, which together with the constitutive treaties is known as the *acquis communautaire*, need not contain a document called a 'constitution' to indeed already constitute Europe in its legal sense.

In either case, it would take some thinking and examining by a reader to determine what that constitution is, rather than dismissively pointing to a document labelled 'constitution'. But with that exercise, one might well come to better understand what it is to say that

something is legally 'constituted'. And once we have gone through this exercise, we may have liberated thinking for considering other connotations for the word 'constitution'. There are of course the connotations of constitution that are concerned with body type and even the connection of body type with one's personality or spirit. These connotations would seem to move the focus more in the direction of 'incorporation' or 'embody', however. Likewise, one can reconstitute food products, for instance, by re-storing a necessary ingredient, such as water, thereby giving the product body once again.

And so it remains that when one asks 'what constitutes what?' one returns to examining what it means 'to constitute'. From there, one can move somewhat laterally to the worn slot of 'constitution' and see if we can sharpen the edges a bit in order to bring our linguistic practices to consciousness and break out of one cell at least, even if we remain in Jameson's prisonhouse of language [16].

3. States in the mirror and unions through the windscreen

If one were to reflect upon the history of governmental organisations, it would appear likely that at some point in time, the organisation of persons that we know as the 'nation-state' or *Staat* will likely cease to exist [15]. Marshall McLuhan warned us that although we are all in the driver seat, we are looking in the rear-view mirror and consequently going backwards into the future.[2] If we are looking through the rear-view mirror, on the distant horizon we might see vestiges of governmental forms that we called 'holy empires', 'empires' in general, or pure 'monarchies'. (While indeed some monarchies still exist, they typically do so in some modified form, as with a presidential or constitutional monarchy.) If we look in that same rear-view mirror to the more immediate horizon, we would see nation-states.

If, on the other hand, we were looking through the windscreen, rather than through the rear-view mirror, what would we see? We would see unions, not states. We would see the United Nations, the European Union, the new African Union, the Caribbean Community, and the World Trade Organisation. True, these unions seem to stretch out to us from far in the future, but we are heading in their direction, and like it or not, they have already begun to arrive. Insofar as these new forms and institutions of governance have not come into being as slate-clearing revolutions or clear-cutting shopping mall developments—and will not do so—we must consider them as being on the horizon in front of us.[3] The movement is from a world organised publicly by nation states, to one organised in other ways. In between, that period in which we have been living for at least 50 years, is characterised by living through the change; the change from nation states to unions, confederations and even federations that are constituted by nation states.

―――――――

[2] According to McLuhan Associates, Ltd, his statement was 'We look at the present through a rear-view mirror. We march backwards into the future'. Copyright © 1986, McLuhan Associates, Ltd, http://www.marshallmcluhan.com/poster.html, accessed March 23, 2004.

[3] Here it is worth noting that the idea that the future is in front of us and the past behind us is itself a function of our times. To the language of classic Roman civilization, the reverse would have been the case.

In the history of legal constitutions, one can witness a change from those governments constituted by their own powers, leaving the individual person (the legal object) completely without mention. Gradually, the individual's rights gathered importance over and against the government's powers, and were made explicit in legal documents called 'constitutions'. In the more than 400 paragraphs of the Treaty Establishing a Constitution for Europe, the catalogue of citizens' rights is repeated in two separate places, in fact.

Yet the focus here is on the word 'constitution', not the thing. In structuralist terms, that would be the symbol, not the referent. It is a concern that has resonances with literary critic Kenneth Burke in his often-cited *Grammar of Motives*, which one should note began with a prolonged consideration of constitutions, and appropriate to the present discussion, a work in which he dwells largely in a discussion of the legal sense of constituting [3]. 'Strictly speaking, we mean by a grammar of motives a concern with the terms alone, without reference to the ways in which their potentialities have been or can be utilized in actual statements about motives' [3: p. xvi]. But my concerns are more akin to deriving meaning from usage, as does Raymond Williams in *Keywords*, or as does the inspiration for Williams' form in *Keywords*, the *Oxford English Dictionary* [26].

Being concerned with the word 'constitution' means that one must look at how it is used as a word. As we are reminded each year when it selects its 'man of the year', *Time* magazine says it is selecting someone whose impact has been the greatest, whether positively or negatively. Hence *Time* selected Adolf Hitler (1938) and Josef Stalin (1939 and 1942) and defended its selection of George W. Bush in 2004 as being non-partisan.

4. Linguistic atomism (also known as 'definition')

Too often one is tempted to begin thinking about a word by defining it. With definition itself, there is already the need, however, to understand its function as social invention, rather than as an ontological statement about the word or its referent. Definition, practiced as linguistic atomism, is found among the common *topoi* in the discovery of arguments, presented in that same Greek culture in which material atomism made its mark. As such, it is not the final or most basic one, but rather just one of many *topoi* [5]. 'Defining is a basic mode of discourse. As such, Definition is one of the Topics of Invention, serving as a common method for developing or supporting an argument. Even if definition is not employed to support a main point or develop the section of a speech, many figures are based on some kind of definition' [4].

The appeal to definition is an appeal to a cultural sense; a cultural enthymeme, dependent upon cultural learning (said in a positive way) or bias (said in a negative way). We take the notions that ideas can be expressed in words, and to a greater degree that words can be understood by reducing them to other words (definition) as though it is some sort of natural process, or even common sense. This linguistic relation to ideas is a linguistic manifestation of atomism, much as we have seen it since Democritis in the natural sciences. Approximately 100 years ago, Ferdinand de Saussure launched linguistic structuralism by pointing out that the meaning of words is not determined by the material things to which we relate the words. While structuralism as a movement may no longer be fashionable, even among those who are post-structuralist, some of the

simpler structuralist concepts not only have staying power, but extend beyond understanding the workings of language. "The relationship of the signifier to the signified is arbitrary" Saussure wrote [6]. Defining words is a matter of taking the infinity of meanings and making it finite to correspond with a specific utterance or ink squiggle on a piece of paper. Thus, we learn the meaning of a word by distinguishing it from what it is not. Even without the nuances of poststructuralism or deconstruction, the immediate message of Saussure's structuralism here would be to note that the phenomenon of language is explained by words relating to ideas, not things, and the non-linguistic idea then in turn is related to the thing; a multilinear structure of three moments, not a unilinear structure of two moments. If one thinks long enough about definition this way—the process of making finite what is infinite—one may see that it results in circular reasoning: x is defined as y, y as z, z as a, a as b all the way back to x. It is a micro hermeneutic circle of interpretations.

An alternative sense of definition is to think of it as the drawing of a Venn diagram circle around the meaning and separating the finite from the infinite [6]. Nearly 100 years after Saussure, this emphasis upon what a thing is not was successfully applied to teach computers natural language. In September of 2003, the German weekly magazine *Der Spiegel* reported that a German researcher in California had created something of a furore when he was able to 'teach' natural languages to a computer in record time. His secret was to let the computer run through the thousands of usages of one word with another to learn how to distinguish the newly-acquired word [7]. Six years earlier, during a plenary address to those in attendance at the American Association of the Advancement of Science in Seattle, Washington in 1997, guest speaker Bill Gates told that audience that his company's researchers had recognized that computers need context to recognize speech just like humans do. As an example, the speech group at Microsoft is called 'Wreck A Nice Beach' because without context, those words could be phonetically understood as 'Recognise Speech' [10].

Having recognised the historical basis and social contingencies of definition, in consideration of definition one then faces the distinction of inductive from deductive thought once again. When an English speaker explores the history of definition as a *topus* related to invention, he or she might compare the different figures used to support definition through the inductive method of etymological context, in the way that the *Oxford English Dictionary* does or in which Raymond Williams does in his *Keywords*. By contrast, one may compare the atomistic deduction that occurs in a desktop lexicon that defines a word by breaking it down into its constituent parts. In the former, meaning is based upon usage, just as meaning in the common law is based upon usage, or as the truth of one's belief is based upon experience in philosophic empiricism. In the latter, meaning is based upon a covering model or rule of meaning for the word, just as the civil law relies far more upon the application of a covering law to a case to determine justice, or as when the truth of one's belief is based upon a priori reasoning in philosophic rationalism.

And so one needs to ask what 'constitute' is not, in order to see what it is. As noted, a piece of paper with the word 'constitution' is not necessary for something to be constituted. And we know that nations may constitute states, or a multiplicity of nations may constitute states, or even less than a complete nation could constitute a state. So the nation is not necessary either in order to understand how a state is constituted.

5. From Kenneth Burke to Edmund Burke

One need not invent a new application of the usages of linguistic constitution in order to arrive at meanings for the constitution of Europe. Focusing as he did on the British constitution in his *Reflections on the Revolution in France*, Edmund Burke re-inserted 'constitute' into 'constitution'.[2] Picking up not only on the message of Burke, but on his spirit as well, in *When Words Lose Their Meaning*, James Boyd White tells us first how communities are linguistically constituted, and second how linguistic constitution *is* legal constitution [25]. In reflecting upon the word 'constitution', Edmund Burke

> offers his reader a 'British Constitution' that is at once a version of the world that is England and a way of maintaining and improving it, since for him 'constitution' has the force not only of a noun but of a verb: it is a structure of relations that includes the method of its own change, an activity in which we all engage. And since this activity is necessarily individual in character, the 'British Constitution' of which Burke writes, and which he wishes to improve and to perpetuate, is in its deepest form internal (as well as external) to the reader; it is a way of making and remaking identity and community through language. [25: pp. 218–219]

How is identity and community constituted through language? One way is through the medium of the law. For Edmund Burke, the law 'is the constitution of a world by the distribution of authority within it; it establishes the terms on which its actors may talk in conflict or cooperation among themselves' [25: pp. 266–267]. Moreover, 'for Burke, civilization is a kind of art, for it involves, as he repeatedly says, the 'composition' or 'constitituion ' of a world out of preexisting 'materials'; but it is an art of a remarkable kind, for the composition affects, as we have seen, both the human and physical materials of which it is made…. The activity of 'constitution' is conversational and imaginative and difficult and creative, a kind of cultural art; it takes place within the individual, in his relations with others—in his friendships—and in his relation to his culture' [25: pp. 229–230].

The connection of Edmund Burke's motivation to justify the constitution of Britain is not so far removed from the Treaty Establishing a Constitution for Europe as it may appear to be at first glance. According to White, Edmund Burke says of the British Constitution 'that it achieves a remarkable 'unity' amidst enormous 'diversity' [25: p. 208]. This 'unity among diversity' is precisely the theme then picked up by the EU for the intergovernmental discussions of the European constitution [23]. Specifically, the preamble contains the following passage:

> Convinced that, while remaining proud of their own national identities and history, the peoples of Europe are determined to transcend their ancient divisions and, united ever more closely, to forge a common destiny, convinced that, thus 'united in its diversity', Europe offers them the best chance of pursuing, with due regard for the rights of each individual and in awareness of their responsibilities towards future

generations and the Earth, the great venture which makes of it a special area of human hope [8].

Edmund Burke recognises the limits of such a formulation of community and identity through the language of the law, however. As White emphasises, 'There have been many elegant and coherent 'constitutions'—like the French Constitution described by Burke— which in the event came to nothing. What matters is always what place, if any, such an instrument will have in the lives of those it is intended to regulate' [25: p. 245].

6. Conclusion

Is to constitute to define? If so, who is permitted to do the defining act; that is to make finite that which had been infinite? In the social sciences, it is typically frowned upon to use self-reporting alone as one's information source unless one has some tested interpretive framework in place. The European invaders took fewer than 200 years to constitute North and South America as 'European'. The process just happened to be during a 200 years period of relatively fluid travel and communication, aided by industrial expansion. Transportation, communication and open government have speeded the process of constituting Europe. Hence in North America in a land mass and population relatively the same size as Europe, one is more likely first self-described as a 'Canadian' or '(U.S.) American' than as an 'Ontarian' or a 'North Dakotan'. What framework might one put in place to determine the reliability of these self-definitions? Is there another corroborating way to determine if in fact these people really are 'Europeans' instead of Portuguese or Greeks? This seems to have fuelled the sometimes frighteningly xenophobic debate regarding race, religion and geography that began with the latest and largest expansion, and continues with the enduring talks about and with Turkey.

Looking forward to futures for Europe, then, one must consider that the form of the state will not permanently be the way by which we know that we are constituted. The state in fact may be added to the list of things on the outside of the Venn diagram ring fence, and be included among those things by which people make their identity finite by saying what they are not. The issue before us is the reverse of that which White analyses from Edmund Burke. There, White's analysis skilfully demonstrates the constitutive nature of language for law. But with the Treaty Establishing a Constitution for Europe, one needs to reverse the timeline to attempt the analysis. The Treaty (or constitution, if one sees fit to call it that) is here. Now the nations legally bound by the document must examine what it means not only to constitute 'Europe' legally, but in doing so, as does White, so see how the languages of Europe constitute the community of Europe. In the end, all that may synthesise a Europe that agrees to be 'united in diversity' are the legal and political institutions of the Union itself. But even if that is the case, one might well inform the understanding of what that means not in the technocratic sense of legislated rules backed by economic sanctions, but rather in the ways in which language constitutes the law, and in turn, law the institutions of the Union.

References

[1] B. Barnes, D. Bloor, Relativism, rationalism and the sociology of knowledge, in: M. Hollis, S. Lukes (Eds.), Rationality and Relativism, MIT Press, Cambridge, MA, pp. 21–47.

[2] E. Burke, Reflections on the Revolution in France, Doubleday, New York, 1961.

[3] K. Burke, Grammar of Motives, University of California Press, London, 1969.

[4] G.O. Burton, Silva Rhetoricae: The Forest of Rhetoric, http://humanities.byu.edu/rhetoric/default.htm, accessed January 23, 2004.

[5] E.P.J. Corbett, R.J. Connors, Classical Rhetoric for the Modern Student, fourth ed, Oxford University Press, Oxford, 1999.

[6] F. de Saussure, Course in General Linguistics, translated and annotated by Roy Harris, Duckworth, London, 1983.

[7] Der Spiegel, 38/2003, September 9, 2003, 'Hindi in vier Wochen'.

[8] European Communities, Treaty Establishing a Constitution for Europe, Brussels, 2005.

[9] J.E. Finn, Constitutions in Crisis: Political Violence and the Rule of Law, Oxford, 1991.

[10] W. Gates, American Association for the Advancement of Science (AAAS), annual conference plenary address, Seattle, Washington 1997.

[11] Gorgias, On the Nonexistent or On Nature, (appr. 440 BC), translated by G. Kennedy, in: The Older Sophists: A Complete Translation by Several Hands of the Fragments in Die Fragmente Der Vorsokratiker, edited by Diels-Kranz, Edited by R. Kent Sprague, University of South Carolina Press, Columbia SC, 1972.

[12] A.G. Gross, The Rhetoric of Science, Harvard University Press, Cambridge, MA, 1990.

[13] Heaney, Seamus, Beowulf, Farrar, Strauss and Giroux, New York, 2000.

[14] M. Heidegger, Unterwegs zur Sprache, Pfullingen, 1959.

[15] S. Hobe, Individuals and Groups as Global Actors: The Denationalization of International Transactions in: H. Rainer (Ed.), NonState Actors as New Subjects of International Law: Proceedings of an International Symposium of the Kiel Walther-Schücking-Institute of International Law, Duncker & Humbolt, Berlin, 1999, pp. 115–135.

[16] F. Jameson, The Prison-House of Language, Princeton University Press, Princeton, 1972.

[17] B. Latour, S. Woolgar, Laboratory Life: The Construction of Scientific Facts, Princeton University Press, Princeton, 1986.

[18] J.E. McGuire, M. Trevor, in: J. Krips, J.E. McGuire, M. Trevor (Eds.), How to Tell the Dancer from the Dance: Limits and Proportions in Argument About the Nature of Science, in Science, Reason and Rhetoric, University of Pittsburgh Press/Universitätsverlag Konstanz, Konstanz, 1995, pp. 73–93.

[19] S.L. Montgomery, The Scientific Voice, Guilford, London, 1996.

[20] F. Nietzsche, On Truth and Lie in the Extra-Moral Sense, transl. Walter Kaufmann, in: The Portable Nietzsche, The Viking Press, New York, 1954.

[21] R. Rorty, Philosophy and the Mirror of Nature, Princeton University Press, Princeton, 1979.

[22] P. Sutherland, Fédération internationale de droit européen (F.I.D.E.) Congress, Dublin, June 2003. http://www.euro-ombudsman.eu.int/fide/en/default.htm.

[23] G.N. Toggenburg, Unification via Diversification-what does it mean to be 'united in diversity'? http://www.eumap.org/journal/features/2004/bigday/diversity/#footnote20.

[24] H. White, Metahistory, Johns Hopkins University Press, Baltimore, 1972.

[25] J.B. White, When Words Lose Their Meaning, University of Chicago, London, 1984.

[26] R. Williams, Keywords: A Vocabulary of Culture and Society, Fontana Press, London, 1976.

[27] L. Wolpert, The Unnatural Nature of Science, Faber, London, 1992.

[28] J.E. Finn, Constitutions in Crisis: Political violence and the rule of law, Oxford, 1991.