ON THE ADVANTAGE AND DISADVANTAGE
OF TRANSCENDENTAL-PRAGMATICS FOR LIFE

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Abstract

This meta-philosophical essay intends to "situate" transcendental-pragmatics: It presents some hypotheses about changes in the intellectual constellation and at the institutional level, from the post-war period to recent times. It points at some philosophical trends in the development within transcendental-pragmatics; and makes a few suggestions about inherent changes and situational adjustments that should be undertaken, as an *aggiornamento* of transcendental-pragmatics under these new constellations.

Key words: transcendental-pragmatics, historical constellations, situational adjustments

What do we mean by "transcendental-pragmatics"? Briefly stated, the term refers to philosophical reflection on speech-act inherent presuppositions,[1] where the term "pragmatics" indicates that it is *action-based*[2] and the term "transcendental" refers to *self-reflective presupposition analyses*.[3] By making the "*linguistic-pragmatic turn*",[4] transcendental-pragmatics focuses on validity-claims inherent in speech-acts as communicative activities. On this background, transcendental-pragmatics seeks *universal validity*, also for some basic norms. This is done by strict self-reflection and by serious argumentation (based on a mutual recognition among fallible participants and the ideal of the "forceless force of the better argument").[5] At the same time, transcendental-pragmatics is characterized by a practical concern, a *mission*, in favor of a civilized society in a modern world challenged by scepticism, cynicism, and civilization crises.

Why transcendental-pragmatics? At the outset, three blunt statements on my behalf: (i) Transcendental-pragmatics is important, philosophically and otherwise. (ii) Nevertheless, today, among philosophers and intellectuals, there is no general agreement on its importance and relevance.[6] (iii) However, to my mind, there are both external (situational and institutional) and internal (philosophical) reasons why transcendental-pragmatics has lost some of its public appeal, even though – rightly understood and by recognizing its new surroundings – I do think that transcendental-pragmatics is still important and relevant, both philosophically and for some of the major challenges in modern societies.

I shall focus on four main points: (1) I shall delineate what I see as the strength and relevance of transcendental-pragmatics within the intellectual

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[1] Transcendental-pragmatics is different from pragmatism as in James and Dewey, though in both cases (pragmatics versus pragmatism) epistemic questions are conceived as communication- and action-related, and not conceived in terms of a passive reception of sense impressions within a subject-object model.

[2] In contrast to semantics. Though there is an interconnection between pragmatics and semantics, cf. the performative-propositional double structure of speech-acts, in Öfsti 1994.

[3] Reminiscent on Kantian thinking; hence "transcendental" has to be distinguished from "transcendent".

[4] Cf. Böhler et al. eds.1987.

[5] Mentioned already in "Wahrheitstheorien" 1972, cf. Habermas 1984, pp. 127-183.

[6] One reason could be that philosophers tend to disagree among themselves, cf. Hellesnes 2002.

setting in the post-war period. (2) I shall indicate how the discussions within transcendental-pragmatics have revealed inherent challenges, (3) at the same time as the intellectual and institutional surroundings have changed unfavorably during the last decades. (4) And I shall briefly indicate how these inherent challenges and new constellations could and should be met, to the effect that transcendental-pragmatics could reveal its philosophical importance and practical relevance under changed conditions. In short, I shall "situate" transcendental-pragmatics, in a meta-philosophical essay.[7]

1. The post-war constellation and the role of transcendental-pragmatics

I start with the following suggestion: Transcendental-pragmatics should be conceived as a philosophical and existential response to scepticism and civilization crises. Hence, it is no accident that transcendental-pragmatics emerged after the Second World War, nor that it primarily emerged in Germany and not in the victorious anglophone world.

More specifically, transcendental-pragmatics could be seen as a response to "European nihilism" conceived of as an intellectual challenge and an existential experience, and hence there is a close relationship between transcendental-pragmatics and scepticism: From the very beginning, transcendental-pragmatics represented a response to radical scepticism and cynicism, not only intellectually, but also existentially and as an experience of civilization crisis.[8]

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[7] It goes without saying that this is a sweeping project, in need of reservations. Hence, to make the epistemic status of my claims explicit: I shall present some hypotheses about changes in the intellectual constellation and at the institutional level, from the post-war period to recent times; I shall point at some philosophical trends in the development within transcendental-pragmatics; and I shall make a few suggestions about inherent changes and situational adjustments that should be undertaken, as an aggiornamento of transcendental-pragmatics under these new constellations.

[8] For this reason, transcendental-pragmatics makes real sense primarily for those who are faced with these challenges. Those who remain unconcerned and self-content without questioning their own foundations will hardly grasp the intellectual importance and existential impact of transcendental-pragmatics. (Cf. the difference in early life experiences for Richard Rorty and for Karl-Otto Apel: during WWII, Rorty was peacefully looking for wild orchids, while Apel was exposed to a civilization breakdown on the East Front, see Rorty 1999, pp. 6-7.) The same holds true for pseudo-sceptical intellectuals who refuse to pursue the sceptical challenge to the bitter end; as a critique of this attitude, see Skirbekk 1958.

This is now my first hypothesis: the general intellectual constellation in the post-war period, when transcendental-pragmatics gradually emerged, can be characterized by challenges from three angles:

(i) There was a need to respond to *the War and the Nazi period*,[9] to cope with the civilization damages, internationally manifested by the Nürnberg Trial and the United Nation with its attempt to posit universally valid Human Rights, not merely to impose the rights as conceived by those who happened to win the war. But how can universally valid norms be found and justified? Mere decisions will not do, nor the blunt fact of a majority vote; and traditional metaphysical and theological claims will not do when confronted with sceptical doubt and critical counterarguments. In this situation, transcendental-pragmatics represented an attempt to formulate a post-sceptical response to the question of how to justify universally valid meta-norms for a civilized society.

Moreover, broadly speaking there were two dominant intellectual positions in this post-war period, on the one hand (ii) *existentialism,* advocating normative decisionism[10] (and cognitive relativism), and on the other hand (iii) *positivism,* defending normative decisionism and emotionalism (and epistemic scientism). Hence, transcendental-pragmatics had clearly recognizable adversaries in these two philosophical positions, existentialism and positivism.

Intellectually and politically, the emerging transcendental-pragmatics could in this sense be seen as located within a triangular constellation, with the challenges of war experiences as the overall background and with existentialism and positivism as two competing intellectual positions on each side. Within this constellation, the importance of the emerging transcendental-pragmatics was easily understood and recognized. This goes for the attempt to elaborate a post-sceptical justification of basic meta-norms. The same is true for the criticism of epistemic shortcomings in positivism and in existentialism.[11]

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[9] See Apel 1988b.

[10] At least in its popular versions.

[11] In Germany, the intellectual and political elaboration of war experiences was particularly painful. The same holds true for existentialism, since Martin Heidegger, a collaborator, with his existential *Fundamentalontologie,* for political and intellectual reasons represented a painful challenge. Moreover, the switch from existential decisionism (*Entwürfe*) in early Heidegger to historically changing imaginaries (*Welterschließungen*) in late Heidegger

Add to this that the first generation of the Frankfurt school (T. W. Adorno and M. Horkheimer) relied heavily on a dichotomy of power-infected instrumental reason on the one hand and liberating aesthetics on the other, with a similar neglect of argumentative and liberating reasoning as in Heideggerian existentialism. Against both these positions (Heidegger and Adorno/Horkheimer), and also against logical positivism (as in the Vienna School), a reconsideration of *various kinds of rationality* became an urgent task for the emerging transcendental-pragmatics. Thus, a discursive and reflective notion of rationality was elaborated and defended by those who tended toward transcendental-pragmatics (in the first place, Apel and Habermas), and at the same time the notion of rationality was being differentiated according to different sciences and different basic acts.[12]

In other words, in these cases there were clearcut adversary positions that could be analyzed and criticized philosophically by means of a self-reflective and argumentative transcendental-pragmatics.

In addition to this overall *intellectual* setting, there were *institutional* and *societal* constellations that were favorable for the emergence of intellectually demanding discussions and learning processes:

(i) Universities were at that time to a large degree serious academic institutions, hosting an elite of students who gradually became politically active (especially in reaction to the Vietnam War), with interest-oriented reading, open discussions, and political concern. There was a political awakening, triggered by the cold war and nuclear armament, and an increasing uneasiness with the former generation and the "establishment", ranging from a criticism of science and its institutions to a criticism of capitalism and various kinds of political repression.

(ii) The public sphere was widened and intensified. Intellectually demanding texts were being read and written. Intellectually demanding questions were

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remained within a horizon that excluded truth-oriented argumentation and liberating reasoning.

[12] It goes without saying that the possibility and necessity of self-critical argumentative rationality were crucial points in the critical reorientation against Nazism and other totalitarian ideologies.

being raised and discussed. This institutional and societal setting was a fertile ground for the elaboration and reception of intellectually complex and comprehensive ideas and debates, including those that led to transcendental-pragmatics.

Bluntly stated, sufficient intellectual energy was there, and so were the institutions.

Before looking at some main points in the internal discussions within transcendental-pragmatics, I shall recall a few commonplaces, starting with the claim that the virtues of transcendental-pragmatics are basically of two kinds, namely critical and constructive.

The *critical* usage operates against scepticism and relativism by pointing out the performative inconsistency[13] in their claims, and against universalistic statements that directly or indirectly deny the possibility of their own validity.[14] Moreover, discussions of different forms of rationality and of different sciences and cognitive interests were integrated in transcendental-pragmatics, and hence there is a criticism of infelicitous forms of epistemic one-sidedness, as in logical positivism and naturalist reductionism.

The *constructive* usage is first and foremost located in strict self-reflection, pointing at unavoidable preconditions for argumentation,[15] i.e., pragmatic preconditions for serious discussions such as the search for better arguments ("the forceless force of better arguments") and a mutual recognition among the participants as equally fallible and reasonable persons, and thus as linguistically communicative – hence including the "linguistic turn", largely inspired by speech-act theory.[16]

2. Inherent discussions and challenges

Before turning to the internal discussions (as those between Apel, Habermas, and Wellmer), I shall briefly recall how Karl-Otto Apel elaborated a version of

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[13] *Performativer Selbstwiderspruch.*

[14] Cf. the „principle of self-inclusion" (*Selbsteinholungsprinzip*) in Apel.

[15] Cf. the use of "arguments from absurdity", in Skirbekk 2002, pp. 27 f.

[16] Cf. Austin 1975 and Searle 1969.

transcendental-pragmatics as "first philosophy",[17] more precisely, as a third and final "paradigm" in a dialectical sequence of three major philosophical positions: ontology (Aristotle), epistemology (Descartes, Kant), and transcendental-pragmatics (or "transcendental semiotics", in Apel's terminology) as a linguistic-pragmatic position.

The crucial case, in this sequence of paradigmatic changes, is the concept of truth and its problems. Briefly stated and according to Apel: At the outset, the correspondence theory of truth (as in Aristotle) entails the problem as to how to look in between statements and states of affairs, that is, without presupposing a "God's eye" view. The Kantian position tries to solve this problem by a transcendental notion of the epistemic subject, but with the aporia of the *Ding an sich*. Husserl approaches this problem by a phenomenological notion of "fulfillment" (*Erfüllung*), to explain the knowledge-acquiring process of the epistemic subject, but without an appropriate notion of language and communication. Tarski elaborated a semantic notion of truth, but without the pragmatic and communicative dimension. Then we have Apel's transcendental semiotics as a final paradigm-shift and a dialectical sublation (*Aufhebung*) of these earlier paradigms. By transcendental-pragmatic arguments, as a *via negativa* by avoiding performative self-contradictions, Apel presents a notion of truth in terms of the regulative idea of an ideal consensus "in the long run" by an ideal community of researchers and discussants – seen as a transcendental-pragmatic reformulation of the Peircean notion of truth, incorporating a strong notion of fallibilism, reminiscent of Popper.

In transcendental-pragmatics, four speech-act inherent validity-claims are paramount in this connection: truth claims, rightness claims, claims to truthfulness, and claims to meaningfulness. Briefly stated, truth and rightness claims are seen as argumentatively ("discursively") "redeemable" under ideal conditions, characterized by "the forceless force of the better argument" and mutual recognition among the participants[18] – in short, under free and equal

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[17] Apel 2011.

[18] Personal autonomy (*Mündigkeit*) is not an empirical fact; it is a task (for each individual and also for society), and in that sense it is a regulative idea. This is a point with practical implications, though often overlooked in political theory. Cf. Skirbekk 2011, pp. 183-185.

conditions for all participants, and by a willingness to seek better arguments and to listen to each other.[19] In transcendental-pragmatics, rightness claims are seen as claims for *norms* of justice and fairness, primarily for the regulation of conflicts, not as claims concerning *values*. Truthfulness claims are not seen as discursively redeemable. Such claims are "redeemed" by interpersonal experiences among those concerned. Moreover, meaningfulness is construed as a precondition of meaningful argumentation (and communication), though it may also be related to questions of conceptual adequacy or inadequacy. These are main characteristics of the discourse theory of truth and rightness that pertains to transcendental-pragmatics (or respectively to "universal" and "formal" pragmatics in Habermas).

However, there are various critical remarks to this conception of four validity claims, for instance: (i) There are arguments in favor of *further differentiations*, e.g. between truth claims of singular statements and truth claims of comprehensive theories, and also between these truth claims and claims of (relative) conceptual adequacy.[20] (ii) Simultaneously there are arguments in favor of *transitions* between various validity claims, e.g. between theoretical truth claims and conceptual adequacy claims, and also between conceptual adequacy claims and value questions. (iii) Thus there are arguments in favor of the view that the relative conceptual adequacy of "*situation descriptions*" is *decisive for normative (moral and ethics) validity claims*.[21]

Just a few comments to the notion of truth: At the point of departure, we have the relationship between justification and truth. Justification "can be lost", it may change by "time and space" and by the persons involved, and justification is seen as gradual, as more or less well established, whereas truth "cannot be lost", being independent of time and space and of the persons holding it.

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[19] Similar points, e.g. John Stuart Mill 1859 and Knut Erik Tranøy 1976.

[20] Wellmer 1986, p. 168, Skirbekk 2003 and 2012, pp. 73 f.

[21] Wellmer 1986, e.g. pp. 125, 134-5. In Skirbekk 2003 and 2012 questions of conceptual adequacy and of different "situation descriptions" are related to the plurality of scientific and scholarly perspectives, whereas Wellmer tends to refer to socio-cultural cases such as the fight for a revision of the "description" of women, children and homosexuals, see Wellmer ibid., p. 125.

Hence, identifying truth with justification renders truth relative. For Rorty, who holds this position, the notion of truth is obsolete.[22] But if one defines truth and justification as radically different, it is hard to see how truth could ever be reached by humans, because as fallible beings we depend on investigation and discussion, that is, on processes of justification.

The transcendental-pragmatic response to this dilemma consists in an attempt to conceive the notion of truth as an "idealization" in a transcendental-pragmatic sense, that is, as an unavoidably presupposed regulative idea.[23] However, discussions within and around the community of transcendental-pragmatic philosophers reveal that this notion of truth remains controversial. Briefly, these are some main points in that respect:

Apel (we recall) conceives of the notion of truth as a transcendental-pragmatical precondition in terms of an "ultimate opinion" of an ideal community of researchers and discussants "in the long run", and hence as a speech-act inherent "regulative idea", unavoidably presupposed in our interaction and at the same time indicating the direction of our search for truth, but never fully realizable in real life and in human history.

This Apelian notion of truth as "ideal consensus" was attacked from various angles, for instance by Albrecht Wellmer who presented various counterarguments:[24]

(i) According to Wellmer, Apel's notion of an "ideal consensus" in terms of an "ultimate opinion" entails a "God's eye" view, contrary to Apel's own intention. It entails a metaphysical rest, despite Apel's claim of overcoming theoretical metaphysics by speech-act inherent transcendental arguments.

(ii) Moreover, due to our human finitude, there will always be a plurality of linguistic approaches and thus a "fight about truth",[25] and hence there can be no final consensus.

(iii) The notion of an ideal consensus is therefore conceptually meaningless: It presupposes the end of history, the end of human conditions, and thus it does

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[22] Except when used as a warning against the belief of having a final answer with no need for further investigations

[23] Not "idealization" in the sense of "idealized models" as in economics or physics.

[24] Wellmer 2003.

[25] *Streit um die Wahrheit,* ibid.

not make sense as a goal for human efforts. More specifically, it presupposes, according to Wellmer, complete transparency, absolute knowledge, and moral perfection – which makes the notion meaningless.[26]

The latter claim[27] is explicitly repudiated by Apel, adding that such a claim would indeed have been absurd. However, to my mind, a problem remains in Apel's own position due to the unavoidable pluralism of languages in most cases; not necessarily as a "fight" between conceptual perspectives (as Wellmer says), but as a linguistic and conceptual pluralism due (e.g.) to the differentiation of a manifold of discipline-inherent conceptions and languages in modern science-based societies.

Another problem is related to the question of how to conceive "those concerned" when norms and values are to be discussed, not only in practical terms for those here-and-now, but also for "those concerned" among future generations (and for other sentient beings).[28]

What about Wellmer's own position? Basically, Wellmer refers to what he sees as a grammatical point, namely a switch of perspectives between "my beliefs" and "the beliefs of the others",[29] the former perceived as true, that is, for me here and now, and the latter conceived as fallible. To my mind, the strength of Wellmer's point lies in his emphasis on the unavoidability of truth-claims here-and-now, grammatically in the first-person indicative mood. But there are questions to be raised (as Apel was quick to point out), for instance whether Wellmer's own claim about a grammatically founded epistemic switch should be conceived as a universal validity-claim, and thereby as a claim to consensus under ideal conditions, despite linguistic pluralism and human finitude.

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[26] Wellmer 1993, p. 162, where he says that Apel presupposes *vollkommene Transparenz, absolutes Wissen,* and *moralische Vollkommenheit.*

[27] Ibid., p. 153.

[28] E.g. Skirbekk 1997 and 2012, pp. 57-72.

[29] We may recall that Habermas has made similar points (like those made by Wellmer) by emphasizing the possibility of ongoing switches between "taking something to be true" and "questioning something in further research". As a sociological point about scientific and scholarly research this is a valuable insight, but its philosophical importance is more limited. Furthermore, in Habermas' latest work on the notion of truth there is an element of epistemic realism (Habermas 1999), which goes against Wellmer's insistence on a pragmatic approach to truth-claims.

Let me recall some further objections to Wellmer.[30] A distinction between "my beliefs" (in the first-person indicative) and "the beliefs of the others" (in a third-person perspective) should not be construed as a strict dichotomy. There are evidently interconnections between the two perspectives, in the sense that "my beliefs" are those beliefs that have been established and tried out in interaction with other persons. Moreover, even though I take "my beliefs" here-and-now to be true, from experience (with other persons) I am at the same time reflectively aware of my own fallibilism. I know I am fallible; and that is exactly the reason why I recognize an urge to go further, to be open for trying out my present opinions by new investigations and renewed argumentations, possibly with new conceptual and disciplinary perspectives. But then we are underway, if not towards perfection, at least away from what can be recognized as less reasonable opinions – in short, a *gradualist meliorism*,[31] as a transcendental-pragmatic precondition, and thus as a "constitutive regulative idea".

Moreover, there is a danger of talking in ideal-type categories and dichotomies[32] and underestimating the complexity and variety of human fallibilism and linguistic pluralism: Not every kind of insight is equally fallible, nor is linguistic pluralism always a problem. *Case-sensitive analyses* may teach us to be more *conceptually nuanced*,[33] e.g. by pointing at differences between doubt and fallibilism in theoretical disciplines (as both Popper and Kuhn argue) on the one hand, and on the other, questions of doubt and fallibilism for basic human acts and for "tacit knowing" inherent in these acts (as in Polanyi and the late Wittgenstein).[34]

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[30] Here we refer to Wellmer 2003, not Wellmer 1986; see next footnote.

[31] This is in accordance with main points in Wellmer 1986, pp. 124-131 and 171-172, and 1993, p. 175, where he argues for a gradualist approach and for "negative justification" (*negative Rechtfertigung*). Similar points in Skirbekk 2002. Also Kettner, in Apel and Kettner eds. 1992, p. 22: "Der diskursethische Ansatz kritisiert das Bestehende im Lichte *regulativer* Ideen. […] Regulative Ideen sind […] Orientierungsinstrumente für die melioristisch-kritische Arbeit bestimmter Negation".

[32] In philosophy (as in everyday life) *distinctions* are necessary, but the same is true for the awareness of *gradual transitions*. On the other hand, it is often infelicitous to stick to strict *dichotomies*, since nuances and transitions may then be overlooked.

[33] A main point in Skirbekk 2002, in accordance with Wellmer 1986.

[34] For tacit knowing, cf. e.g. Yu 2006. Concerning "basic acts", see Tranøy 1976 on methodologies as normative systems, and also Meløe on basic bodily movements in his "praxeology", for the latter, see Skirbekk 2002, pp. 121 f.

In addition, as to the idea of general fallibilism: there are cases of scientific research where even the scientific results are undeniably true, beyond any reasonable doubt – think of the basic insights in descriptive macro anatomy of the human body. This is no longer a discipline for research, since we "know it all"; this is now merely a discipline for teaching medical students. Surely, there are various changes concerning our body, for instance in terms of weight etc., and these changes in descriptive macro characteristics of the human body are objects for further empirical research. But that is not the case for basic characteristics such as the number and position of bones and muscles. Nor is there any question of changing the linguistic and conceptual perspective, as long as we stick to the macro description of these organs.[35]

This is my main conclusion so far: The discussions within and around transcendental-pragmatic philosophers on the notion of truth, including the rightness of basic norms, turned out to be complex and hard to follow for those who are not professional participants.

There are similar conclusions to be drawn from other discussions within and around transcendental-pragmatics. For instance, transcendental arguments, as a *via negativa* in terms of "arguments from absurdity", entail an attempt to formulate as adequately as possible those pragmatic preconditions that were violated or broken in the first place. Hence, an argumentation is required concerning the relative conceptual adequacy of the various proposals for a formulation of these preconditions.[36] However, critical rationalists (e.g., Keuth[37]) who work within a framework of deductive reasoning and a semantic notion of language, interpret the formulations of supposedly transcendental-pragmatic preconditions as fallible *empirical* claims, based on *psychological* experiences of a *personal* kind. They reject or overlook the claim of a communicative-

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[35] Similar points could be made concerning the research on finite literary corpora, such as that of Norse literature, when apparently there are no further scriptures to be found. Though in these cases there is always a possibility of new linguistic and conceptual perspectives that may lead to new interpretations and insights.

[36] Cf. Apel's arguments against subject-focused interpretations of "cogito ergo sum" in Descartes (e.g. Apel 2011, pp. 210 f).

[37] Keuth 1993.

pragmatic conceptualization of these insights and a verbalization in a natural (i.e., non-technical) language.

A counterargument to this Popperian point, articulated from a transcendental-pragmatic position, comes from Audun Øfsti who emphasizes the constitutive interplay of the first-person perspective and the second and third person perspectives.[38]

But again, these discussions have become demanding and hard to follow for those who are not deeply involved. The same holds true for the discussion about various formulations of the supposedly transcendental-pragmatic preconditions within the core of transcendental-pragmatic reasoning. For instance, looking at various formulations of claims in Apel's writings, Matthias Kettner has spelled out the epistemic differences between some such formulations.[39] When looking carefully at various cases of supposedly transcendental-pragmatic preconditions we may thus come to recognize a variety of "absurdities", from claims that are downright incomprehensible to claims that could reasonably be seen as "strong" empirical falsehoods.[40]

Along the same lines, there are discussions as to the relationship between transcendental-pragmatic insights and conceptual and empirical ones. Some philosophers (Apel being one of them) stick to a strict distinction between the two, and prefer to work philosophically on a high level of reflection and abstraction. Others[41] argue in favor of gradual transitions, and prefer to work cautiously and analytically with cases of different kinds, and not merely or primarily with high-level philosophical positions and dichotomies.

This point relates to the question how philosophical insights could possibly be seen as important and relevant in society at large, for instance how transcendental-pragmatic arguments about truth and universal validity and about different types of rationality could be implemented in societal institutions

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[38] Öfsti emphasizes the "double double structure" of performative and propositional elements in speech-acts, cf. Öfsti 1994.

[39] For instance, a pragmatic contradiction like "I do not exist" differs in various ways from the claim that "I do not accept the idea of an ideal consensus as the constitutive precondition and final goal for this serious discussion". Cf. Kettner 1996, pp. 196-197.

[40] Skirbekk 2002, pp. 27 f.

[41] Like myself.

and in public debates. Here are a few cases, although these attempts turned out to be controversial:

(i) Habermas has worked extensively in the philosophy of *law*,[42] arguing for a "neutral" discourse principle,[43] behind a distinction between a "moral principle" and a "democracy principle", thus trying to avoid the constructive use of transcendental-pragmatic reasoning (as in Apel). For Apel, this approach is characterized by a lack of strict philosophical reflection.[44] Other opponents have pointed at severe problems inherent in the idea of an "ideal consensus" among "all concerned".[45]

(ii) Habermas has recently argued for a renewed recognition of *religion*, but also for a critique of religion (in a Kantian sense) in terms of a "modernization of consciousness";[46] the latter, due to the institutional differentiations and the pluralism of "comprehensive doctrines"[47] in modern science-based societies. However, his claim that religious persons are so deeply entrenched in their faith that for them secular arguments are hard to take, runs counter to his own idea of a modernization of consciousness. Nor is the claim empirically well founded.[48] Moreover, Habermas eschews defining the term "religion",[49] thus falling short of basic argumentative virtues of analytic philosophy.

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[42] Habermas 1992.

[43] Ibid. pp. 138 f. as to the definition of the discourse principle (that includes a notion of consensus): „Gültig sind genau die Handlungsnormen, denen alle möglicherweise Betroffenen als Teilnehmer an rationalen Diskursen zustimmen könnten".

[44] Apel, final chapter in 1998.

[45] This definition of the discourse principle is problematic: (i) It transcends the realm of *real* discussions with role taking and need interpretation, and that is contrary to Habermas' own claim in Habermas 1983 p. 78: „Eine Diskursethik steht und fällt [] mit [der] Annahme[], […] daß die Begründung von Normen und Geboten die Durchführung eines realen Diskurses verlangt […]." (ii) There is a *gap* between possible participants (discussants) and those possibly "concerned" (cf. the "hard cases" in bio-medical ethics). (iii) E.g. since future generations have to be considered (as "possibly concerned"), the very notion of "alle möglicherweise Betroffenen" (all possibly concerned) is *in principle indeterminable* (see e.g. Skirbekk 2012, pp. 39 and 57 f.). (iv) Thus the idea of consensus, inherent in the discourse principle, is *aporetic*. In short, this Habermasian attempt to avoid the problems of the Apelian notion of an ideal consensus is not successful.

[46] Habermas 2005, p. 146.

[47] Rawls 1993.

[48] Cf. Jakobsen 2012.

[49] See Skirbekk 2012, pp. 9-23, 25-38.

(iii) Both Apel and Habermas, in their response to the *war* against Serbia, based on NATO's new interventionist strategy, were surprisingly quick in inferring from their overall *philosophical* positions to what they saw as right and wrong on the *political* level,[50] without cautiously considering the complexity of the situation.[51]

In short, the relationship between philosophical thinking and socio-political insight and reasonableness is a tricky one, requiring more than high-level principles and a straight application top-down.[52]

All in all, this means that there are inherent changes with increasing complexity, within and around the community of transcendental-pragmatic thinkers. Thus, it has probably become more difficult for outsiders to get a clear idea of what is going on and to grasp the intellectual importance and practical relevance of these discussions. This is our conclusion at this point, concerning internal discussions within transcendental-pragmatics and the increasing problem of communicating with outsiders.

We shall now look at changes in the institutional constellations and in the general intellectual environment.

3. Intellectual and institutional changes

I shall start with a remark on changes on the intellectual level: (i) After World War Two, we recall, positivism was a philosophically well-articulated position and an easily recognized target for criticism. Today the situation is more diversified and more amorphous. Modes of thinking reminiscent of positivism are certainly still around, but often embedded in implicit attitudes and suppositions within highly specialized disciplines and professions, such as neuroscience and biology, or economics and political science, professions that often disregard epistemic questions of a self-referential nature and questions of

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[50] See Apel 2001, pp. 29-39, Habermas 2001, pp. 27-39.

[51] Including questions of consistency (what about ethnic cleansing in Palestine?), of demography (Serbs and Kosovars, who are likely the be the winner in the long run?), and of strategic precedence (could the war against Serbia possibly open up for future interventions, for the sake of noble goals – as in Iraq, Afghanistan, and Libya?).

[52] This is a main point in Wellmer 1986.

normative justification. Hence, in order to articulate a philosophical criticism that those concerned in these fields of research cannot ignore, it is decisive to be well informed about what is going on in these sciences and professions and to articulate one's criticism in a language and in a way that is seen as relevant and important for those who are the addressees of this kind of criticism. Arguing mainly in general terms for a supposedly superior philosophical counter position will not be convincing. In order to be relevant, such criticism has to be specific and inherently situated in the disciplines and professions that are its target.

(ii) Today, existentialism is no more a dominant position. But again, there is a variety of disciplines and professions that incorporate similar epistemic and normative shortcomings as did existentialism in the post-war era, such as ethical decisionism and cultural relativism with a disregard for argumentative and self-critically reflexive reasoning. For instance, within the humanities and social sciences and related professions there are various versions of contextualism, constructivism and post-modernism, each with a disregard or even an explicit rejection of self-critically reflexive argumentation in the search for truth and universal validity, seen as eurocentrism or logocentrism, and for these presumed flaws "western enlightenment" is blamed. For instance, there are strands within "cultural studies" that are uncritically inspired by M. Foucault and "French theory". There are strands in political multiculturalism and in academic postcolonial studies that are reminiscent of former leftist criticism of class-suppression and power in disguise, often without arguments for legitimate and universal principles in opposition to illegitimate and contextual ones.

In short, in both cases (i and ii) the intellectual situation has become more opaque and amorphous, more difficult for the kind of criticism that transcendental-pragmatics articulates.

(iii) The same holds true for the general mood and basic political challenges: No more the predominant post-war front against the atrocities of the Nazi regime and its neglect of normative universality and self-critical argumentation. No more the cold war and the fight against Soviet totalitarianism. No more the politically motivating reactions against American warfare in Vietnam. Today, the situation is less clear. How should the main challenges be conceived? Is capitalism the main challenge? Or is modern technology the core of our problems, with its unprecedented and detrimental potentials? And what about

politicized religion and premodern cultures, well equipped with technically modern means of destruction? What about new and increased differences between rich and poor? And what about environmentally unsustainable consumption and reproduction?

In short, after the Second World War the role and importance of the ideas brought forward by the emerging transcendental-pragmatics were easily recognizable, at least for an enlightened audience, against the backdrop of positivism, existentialism, and Nazism. Today the overall intellectual and political situation has changed. Even where transcendental-pragmatic philosophers argue convincingly for the philosophical strength of their mode of thinking, they are no more within an intellectual and political constellation where these ideas are easily recognized as relevant and important for a broader audience.

I shall briefly recall some *institutional* changes, i.e., at the universities, in public space, and in party politics.

(i) In the post-war period, *universities* in the western world were often elite institutions, with considerable room for free research and for research-based teaching, and for unfettered discussions among colleagues and students. In many cases, the main disciplines were presented as comprehensive study units, with a joint examination as the end. Furthermore, it was often the case that students, on a voluntary basis, read extensive books and discussed important academic and politically urgent questions, beyond the formal requirements for their studies.[53] In short, by the time of the students' revolt, universities provided an ample ground for intellectual *Bildung* and reorientation. This was a favorable setting for those ideas that led up to transcendental-pragmatics.

This situation has changed as most universities gradually became mass institutions, reorganized on the global market and run by market principles, that is, by administrative control of measureable "products" that ought to be useful in

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[53] For instance, at the University of Århus in Denmark, hundreds of copies of Habermas' two volumes work, the theory of communicative action, were bought and read, in German, soon after this work was published.

economic terms.[54] For instance, full-scale disciplines in the humanities are often divided into smaller units, such as one third or one sixth of a semester, and the new academic degrees have shorter time-schedules than before.[55] In short, university studies have increasingly become "schools" with little room for academic activities beyond the given reading lists.

To see the contrast, keep in mind that transcendental-pragmatics is a comprehensive subject that requires an extensive knowledge of former thinkers; a case in point is Apel's extensive argumentation in terms of major paradigm-switches from ancient Greek philosophers up to a whole range of contemporary thinkers.[56]

In short, transcendental-pragmatics is an intellectually demanding endeavor that does not fit easily into a system where the students are supposed to "shop around" and choose a number of small and independent units, and where teachers are supposed to give short standard courses, which means that there is hardly any time or motivation for spontaneous and voluntary participation in seminars that are given by colleagues.

(ii) At the outset, there are similar changes in the *media* and the *public sphere* as at the universities: Major media, dominating the public sphere – newspapers, television, and radio – are now to a large degree institutionally situated in the market. Newspapers and television programs have to a large degree become commodities in strongly commercial markets. Consequently, there is a trend toward "popular products", focusing on persons and personal conflicts, pictures and entertainment, with little space for extensive analyses and serious argumentation, and definitely only scarce possibilities for reflection on basic intellectual preconditions.[57]

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[54] This development has become politically enforced in Europe by the Bologna reform-process.

[55] For instance, six semesters for a bachelor degree.

[56] That is, an argumentation that requires a genuine acquaintance with various kinds of self-reflective (transcendental) reasoning and of surrounding disciplines, from hermeneutics to theories of language and human development.

[57] Journals and magazines aiming at a general audience tend to be shaped by similar forces. Surely, those aiming at special audiences may allow themselves to publish intellectually more demanding issues, but then in most cases within the perspective of that special audience (as in journals for business people or engineers or doctors). Similar trends are seen in the publishing houses, even in those called "university press": text books for a safe market and intellectual "easy readers" are preferred, for economic reasons. Certainly, new digital

(iii) In *politics*, ideally speaking, there should be interplay between legitimate exercises of power and a public debate on how to understand and to improve the current situation. Moreover, since modern technology-based activities often have long-term and unintended consequences, often beyond national borders, there is an urgent need for a realistic understanding of these long-term consequences and for institutional frames that allow us to cope with these extensive and long-term challenges. However, in this respect, there are major shortcomings: Democratic institutions, based on frequent elections, tend to act *shortsightedly*, focusing on what could be done in order to win the next election, and there are hardly any international institutions capable of negotiating reasonable responses for serious global and long-term issues.[58] Moreover, political activities are often influenced by narrowly oriented interest groups, or by lobbyists and PR-agents who try to persuade[59] by using a simplistic language in the media and by using a professionally one-sided language in political arenas.[60]

These are challenges for serious philosophy in general. But there are reasons for the claim that these challenges are particularly painful for transcendental-pragmatics: (i) Transcendental-pragmatics is characterized by a "mission", a *concern for a civilized society*. Hence, it is problematic when the institutional conditions for open and enlightened public discussions are weakened. (ii) Transcendental-pragmatics is oriented toward critical *transdisciplinary* discussions and reflection of given paradigms. Hence, it is problematic when the academic world is institutionally fragmented and

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technologies have largely changed and improved the material conditions for communication and for alternative voices. But this is mixed blessing. For instance, on the one hand, the emergence of "social media" (facebook, twitter, blogs, smart phones) represents a new and important possibility for "other voices" and for political discontent, but at the same time these media foster faceless and anonymous bashing and general "bullshit" (in the technical sense of Harry Frankfurt, see Frankfurt 2005), contrary to the requirements of serious argumentation, supported by the ideas and ideals of transcendental-pragmatics.

[58] A case in point is the incapacity of coping responsibly with major and long-term environmental issues.

[59] To persuade (in German: *überreden*) by rhetoric means and manipulation, instead of trying to convince (in German: *überzeugen*) by reason and better arguments.

[60] For instance: the usage of a neoliberalist and technocratic language tends to cover up the fact that there are other conceptual perspectives, thereby undermining the possibility for open discursive processes and thereby depoliticizing the debate.

professionally specialized to the extent that critical interdisciplinary learning-processes are marginalized.[61] (iii) Transcendental-pragmatics is nourished by scepticism and fallibilism, but at the same time it claims to be *philosophically superior*. Hence, it is problematic when the philosophical world is fragmented and specialized to the extent that different kinds of philosophy and different philosophical schools tend to stick to themselves, working within their own paradigms and presuppositions, often without serious discussions (*Auseinandersetzungen*) with other philosophical positions.[62]

In other words, there are reasons for the claim that recent institutional and intellectual changes are particularly infelicitous for transcendental-pragmatics. However, that does not mean that the ardent search for universal validity, as an inherent urge in transcendental-pragmatics, is outdated – nor does it mean that its sense of mission, fostered by deep civilization crises, should be abandoned. On the contrary, the self-critical search for universal validity and better arguments revails, and so does the awareness of civilization crisis and the concern for improvements, bottom up.

4. The philosophical importance and practical relevance of revised transcendental pragmatics under new constellations

It is time to sum up what I see as the philosophical importance and practical relevance of a revised transcendental-pragmatics under new institutional and intellectual constellations. Here it comes: (i) Transcendental-pragmatics represents a resource for defending claims to universal validity for basic norms as well as for cognitive validity-claims in general. The clue consists in self-

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[61] The situation is ambiguous in the sense that there are extensive demands for interdisciplinarity and for generalist formation. However, to my mind these demands are often professionally naïve, underestimating what a successful interdisciplinarity takes in terms of double competence and synergetic creativity.

[62] For instance, at the XXIII World Congress of Philosophy in Athens in August 2013 there are plans for 75 different groups, each with its philosophical speciality, but none for transcendental-pragmatics, and apparently not much space for critical *Auseinandersetzungen* between different philosophical positions.

reflective arguments concerning act and speech-act inherent preconditions.[63] In a pluralistic world, with a need to overcome "the fight of gods" (Max Weber), this is a decisive contribution. (ii) Moreover, transcendental-pragmatics, when conceived cautiously and melioristically, supports and protects a discursive culture and an awareness of different types of rationality and reasonableness. In a pluralistic and precarious world, this is an important contribution. In this respect, transcendental-pragmatics represents a defense of a post-sceptical and self-critical enlightenment.

At the same time, transcendental-pragmatic thinkers ought to recognize and relate themselves to the considerable changes that have occurred within their institutional and intellectual setting. To my mind, the following revisionary steps ought to be undertaken: (a) Argumentative virtues of classical analytic philosophy should to a larger degree be incorporated into the mood and mode of thinking among transcendental-pragmatic philosophers.[64] (b) Hence, we should more openly recognize and investigate the epistemic variety of what we conceive of as transcendental preconditions of valid thinking and argumentation. (c) Moreover, we should investigate the variety of basic preconditions inherent in various activities and professions in modern institutionally differentiated and science-based societies. In so doing, we should also investigate in which sense there are gradual transitions between philosophical reasoning and discussions in the public sphere, and between philosophical insights on the one hand and everyday actions and science-based activities on the other.[65]

To the extent that such requirements are fulfilled, this revised transcendental-pragmatic philosophy could possibly play a positive role by fostering and

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[63] In addition to strict self-reflection (as in the transcendental-pragmatics of Karl-Otto Apel) there are also self-referential arguments in a broader sense, as in "arguments from absurdity" applied on contextual inconsistencies and category mistakes, cf. Skirbekk 2002.

[64] There should be less sweeping overviews and careless usage of comprehensive concepts on a high level of abstraction, such as the crude dichotomy between man and nature, criticized in Skirbekk 2012, pp. 57-72.

[65] When investigating the various specific or general preconditions for different societal and scientific activities, the investigators ought to be knowledgeable about what is going on in the field under investigation, be it in physics or social science, in short, they ought to have a "double competence".

strengthening a self-critical and self-conscious enlightenment in academic life, in public opinion-formation, and in politics in general.

However, we should recall that philosophy is more than transcendental-pragmatics, even when the latter is revised and extended beyond the hard core of strict reflection[66] on the primordial situation of argumentation.[67] In philosophy, there is *one focus* on truth, on validity-claims and argumentative redemption, but there is *another focus* on conceptual creativity and originality (on "world disclosure", in Heidegger's terminology[68]). In philosophy, and in life in general, both foci are needed.

There are urgent questions facing our world today. These challenges are utterly complex, and to a large degree beyond the scope of transcendental-pragmatics. Nevertheless, a reasonably revised transcendental-pragmatics has a role to play in an ongoing and case-oriented critique of science and rationality, and in the critique of religion, not least of the three monotheistic world religions with their inherent validity-claims for their specific notions of god and their interpretations of sacred scriptures. In this sense, transcendental-pragmatics could contribute to a moderating "modernization of consciousness". And by furthering a dialogue between cultures, based on mutual recognition and a search for better understanding and better reasons – in contrast to unilateral and condescending preaching – the ideas and ideals of transcendental-pragmatics do have an important role to play in our contemporary and complex world.

In short. New civilization crises may emerge. Dependent on form and extension, many things will be required, but also this: A defence of universally valid normative principles, across cultures and material interests. A defence of Enlighenment as a project with an ongoing strengthening of personal autonomy, against ignorance and narrowness. A defence of serious discussion and open dialogue, across conflicting positions. Hence there is hardly any reason to assume that transcendental-pragmatics will lose its relevance in times to come. Rather the other way round.

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[66] "Strikte Reflexion", in Wolfgang Kuhlmann's terms, cf. Kuhlmann 1993, p. 230.

[67] "Primordialer Diskurs", in Karl-Otto Apel's terms, cf. Apel 1998, pp. 794-797.

[68] *Welterschließung.*

Terms

Linguistic-pragmatic turn, speech-act inherent validity claims, fallibilism, scepticism, universal validity claims, strict self-reflection, discursive reasoning, mutual recognition, forceless force of the better argument, civilization crisis, mission, political constellation, intellectual constellation, institutional constellation, truth and justification, ideal consensus, linguistic pluralism, those concerned, modernization of consciousness, conceptual adequacy, situation description, world disclosure, regulative ideas, gradual meliorism, gradual transitions

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