

## REVIEW ESSAY

### **The Normative and the Transcendental: Comments on Colin Koopman's *Genealogy as Critique***

Amy Allen, Dartmouth College

Colin Koopman's *Genealogy as Critique: Foucault and the Problems of Modernity*<sup>1</sup> is an ambitious and exciting book that makes significant contributions to the now vast secondary literature on Foucault, and to the ongoing Foucault-Habermas "debate." Despite Foucault's enormous influence across multiple disciplines, his philosophical method, according to Koopman, has all too often been misunderstood not only by his harshest critics but also by his most ardent supporters. Hence, Koopman proposes a wholesale revision of our understanding of Foucault's work, a revision that turns on two fundamental issues: first, rethinking Foucault's relationship to Kant's notion of critique; and, second, re-interpreting Foucault's oeuvre through the lens of the master concept of problematization. Re-reading Foucault's work in light of these two issues allows us to see not only how his diverse writings hang together as a consistent whole but also how his work provides a valuable and effective model of historico-philosophical critique that has much more in common with the traditions of American pragmatism and German critical theory than it does with some of the French and Italian philosophers—Derrida and Agamben, particularly—with whom Foucault is more often associated.

To my mind, the most impressive and significant achievements of this book are two-fold: first, the interpretive re-reading of Foucault's oeuvre through the lens of problematization and, second, the related constructive articulation of a Foucaultian model of critique as problematization. Foucault was notoriously prone to re-describing his earlier work in light of his present concerns. His late interviews in particular are littered with claims about what he was really up to all along: his main concern was not power but the subject, not the subject but truth, neither power nor the subject nor truth but problematization, and so on. What makes Foucault's work so unique—not to mention so tremendously productive and fertile—is that all of these claims are plausible. One can productively read Foucault's work as a whole in light of the concept of power, or of subjectivity, or of truth, or of problematization, and each of these readings is capable of yielding important insights. Koopman's book stands out as the best systematic reconstruction of Foucault's work through the lens of problematization to date, and

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<sup>1</sup> Colin Koopman, *Genealogy as Critique: Foucault and the Problems of Modernity* (Bloomington: Indiana University Press, 2013). Henceforth cited parenthetically in the text.

for this reason alone it is worth reading. However, following in the footsteps of Raymond Geuss and others, Koopman also goes beyond Foucault interpretation to articulate a powerful constructive model of genealogy as a practice of critique that aims at the ongoing problematization of our practices and our selves.<sup>2</sup> Although Koopman is forthright about the limits of the critical work that genealogy as problematization can do, hence the need for a modest methodological reconciliation with the nearby projects of Habermasian critical theory and pragmatism, he convincingly defends the value and coherence of Foucault's distinctive brand of historico-philosophical critique. As a result, this book deserves to be read not only by Foucault scholars but also by critical theorists more generally.

Not only do I find Koopman's re-interpretation of Foucault through the lens of problematization to be highly insightful and productive, I am also very sympathetic to his argument that Foucault's genealogical method constitutes a "transformative renewal of the Kantian critical project from within" (15), and to his attempt to leverage this insight into a reassessment of the longstanding and by now somewhat moribund Foucault-Habermas debate.<sup>3</sup> My comments in what follows will thus focus not on the big picture aims of Koopman's project, but rather on some of the fine-grained interpretive and constructive philosophical details of his argument. My first two points have mostly to do with issues of Foucault interpretation, though they do also bear on more constructive philosophical issues; my third point concerns Koopman's proposed strategy for reconciling Foucaultian genealogy with Habermasian critical theory. All three of these points circle around the key concepts of the normative and the transcendental, and the relationship between the two. These comments are offered in the spirit of asking not whether but how best Koopman's project of mobilizing Foucault's genealogical method for the task of a historico-philosophical critique of the present may proceed.

The first issue concerns the role of normativity in Foucault's work. Koopman's Foucault is resolutely non-normative, and this reading is key to his presentation of Foucaultian genealogy and to his inventive attempt to defend Foucault against the familiar genetic fallacy objection.<sup>4</sup> Unlike Nietzsche, whose genealogy aims at the subversion of Christian morality, and Bernard Williams, whose genealogy aims at the vindication of the value of truth, Foucaultian genealogy aims at a problematization that, Koopman argues, is normatively neutral in that it draws no normative conclusions about our current practices, institutions, or forms of life. It aims simply to problematize them, in the dual nominal and verbal senses of revealing certain problematics and also of actively problematizing certain features of our social world. Thus, unlike Nietzsche or Williams, Foucault can't commit the genetic fallacy; his work simply isn't normatively robust or ambitious enough for him to do so. If it draws no normative conclusions, then it cannot be guilty of basing those normative conclusions on genetic arguments.

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<sup>2</sup> See especially Raymond Geuss, *Outside Ethics* (Princeton: Princeton University Press, 2005).

<sup>3</sup> For my own attempt to re-read Foucault in relation to Kant and Habermas, see Allen, *The Politics of Our Selves: Power, Autonomy, and Gender in Contemporary Critical Theory* (New York: Columbia University Press, 2008).

<sup>4</sup> This objection has been raised forcefully by Nancy Fraser, "Michel Foucault: A Young Conservative?" in *Unruly Practices: Power, Discourse and Gender in Contemporary Social Theory* (Minneapolis: University of Minnesota Press, 1989).

This non-normative reading of Foucault not only offers a response to the genetic fallacy objection, it also provides the motivation for the turn to Habermas and pragmatism later in the book, since Koopman assumes that critical theory broadly construed requires both genealogical problematization and normative reconstruction. If Foucault's genealogical method is resolutely non-normative, and if, as Koopman further argues, his late work in ethics does not offer sufficient resources for the project of normative reconstruction, then this provides a partial justification for Koopman's turn to the nearby traditions of pragmatism and Habermasian critical theory, both of which excel at the work of normative reconstruction even as they are weak on genealogical problematization.

As I said, this is an enormously inventive response to the genetic fallacy objection, and it offers a compelling way of understanding Foucault's method. But it isn't without its problems, some of which are interpretive and some of which are conceptual. Some of these problems emerge in Koopman's clarifications of his claim that Foucaultian genealogy is not normatively robust. Koopman's first caveat is that Foucaultian genealogy is not incompatible with normative evaluation, but that "normative evaluation was just not Foucault's project" (91). His second caveat is that Foucault's genealogy can still have critical bite even if it is not normatively robust: "we can show that practices are problematic, dangerous, fraught, and in need of additional attention without making any normative claims about these practices" (92). Overall this reading leans heavily on Foucault's well-known claim that his view is not that everything is bad but that everything is dangerous, and that the aim of his work is to alert us to these dangers. But even if I would agree with Koopman that it is not Foucault's project to offer us a full-blown normative theory that can allow us to diagnose such dangers, saying that his work makes no implicit or explicit normative claims seems to me to be going too far. Not only is it difficult to square this reading with Foucault's late essays in which he situates himself within the normative inheritance of the Enlightenment, including its emphasis on autonomy and freedom,<sup>5</sup> it also just seems conceptually confused to say that we can identify something as dangerous without implicitly making a normative judgment about it. What else does dangerous mean if not "likely to lead to something bad or harmful?" In that sense, doesn't calling something dangerous rest ultimately on some kind of normative judgment? It is true, as Koopman notes, that there was nothing in Foucault's work that prevented him from taking a stand on local political struggles (see 92), but this is not the only level at which he was normatively committed. How else are we to understand Foucault's choices about which aspects of our modernity to problematize if not as having some normative political point? Koopman maintains that Foucault's work aims simply to identify those things that have become problems for us in modernity, but a great many things would fit this description—traffic, for example, is a problem of modernity. Foucault made specific choices about which aspects of modernity to problematize, and it seems obvious that he chose to problematize madness, criminality, and sexuality because he thought that certain features of our modern understanding of

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<sup>5</sup> See, especially, "What is Enlightenment?" in Paul Rabinow (ed.), *Ethics, Subjectivity, and Truth: The Essential Works of Michel Foucault*, volume 1 (New York: The New Press, 1997), 303-319. I discuss these aspects of Foucault's work in more detail in chapters two and three of *The Politics of Our Selves*.

these categories are problematic in the normative sense of that term, and, as such, ought to be resisted or transformed.

Another way to put this point is in terms of Koopman's perceptive claim that genealogy must be understood as uncovering not only the contingency of our current beliefs, concepts, practices, and so forth, but also the complex processes by means of which those contingent formations have been constructed. This is a seemingly small but nonetheless crucially important point that Koopman quite rightly insists is often overlooked in the Foucault literature, which usually focuses solely on the contingency claim. But showing that our concepts and practices are contingent, Koopman argues, only shows us that they can be changed. In order to see how they can be changed, we have to understand how they have been complexly constituted. Drawing on this insight, Koopman goes on to argue that complexity plus contingency invites the work of normative reconstruction (see 140-148). But it seems to me that we need something normatively more robust than contingency—which allows us to see that our practices and forms of life could be otherwise—plus complexity—which allows us to see how they were constituted—to actually invite the work of normative reconstruction. Contingency plus complexity may show that normative reconstruction is possible, but in order to show that it is necessary or desirable we need the further thought that our current practices are in some way normatively problematic or deficient and thus in need of being transformed. Unlike Koopman, I think that although Foucault certainly does not offer anything like a full blown normative theory, he actually does have the normative resources to make such claims, inasmuch as he understands himself as drawing on the normative inheritance of the Enlightenment in the service of engaging in an ongoing project of the self-critique of the Enlightenment.

The second interpretive issue concerns Koopman's reading of Foucault as a thoroughgoing empiricist (see chapter 3). Here, Koopman is pushing back against readers such as Béatrice Han-Pile, Johanna Oksala, and Kevin Thompson, all of whom have emphasized the transcendental nature of Foucault's project and its proximity to phenomenology.<sup>6</sup> Against such readings, Koopman argues that the ideas of critique and transcendentalism are separate in Kant's work, and that Foucault takes from Kant the former but not the latter. Kantian critique is, according to Koopman, simply an inquiry into conditions of possibility; these conditions could be transcendental or historical, and nothing about the idea of critique itself necessitates that that critique be transcendental. Admittedly, Kant's own critique was transcendental, but Foucault, Koopman claims, did not follow him in this.

The object of Foucault's histories is to discern the conditions of possibility—not of any object of thought whatsoever, but rather of distinctive objects whose possibility for our ways of thinking and doing are constitutive of our historical present. My way of putting this is to say that Foucault practiced critique but not transcendental critique. (112)

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<sup>6</sup> See Béatrice Han-Pile, *Foucault's Critical Project: Between the Transcendental and the Historical*, translated by Edward Pile (Stanford: Stanford University Press, 2002); Johanna Oksala, *Foucault on Freedom* (Cambridge: Cambridge University Press, 2005); and Kevin Thompson, "Historicity and Transcendentalism: Foucault, Cavallès, and the Phenomenology of the Concept," *History and Theory*, vol. 47 (Feb. 2008), 1-18.

Here I worry that Koopman's strong rejection of any and all talk of the transcendental leaves his Foucault embracing the empirical side of the empirical-transcendental doublet that Foucault diagnosed so brilliantly in *The Order of Things*, Koopman's claims to the contrary notwithstanding. In light of the central role that that diagnosis plays in Foucault's early work, I'm not convinced by Koopman's claim that "Foucault himself is not....philosophically invested in the Kantian diremption between the empirical and the transcendental" (117); he certainly seems invested in this diremption, at least to the extent that he takes it seriously as a problem that is constitutive of the modern episteme. His philosophical investment in this problem is also evidenced by his frequent use of the notion of the historical a priori in his early work. In light of the important role that this concept plays in Foucault's early work, it seems implausible to suggest, as Koopman does, that Foucault just wasn't interested in the philosophical puzzles surrounding the relationship between the empirical and the transcendental that preoccupied Kant, Hegel, Husserl, and Heidegger. An alternative interpretation here would be to see Foucault not as rejecting the transcendental critical project altogether, but rather as historicizing it. Not only would this reading fit with Koopman's overall idea that Foucault is engaged in transforming the Kantian project from within, it would also enable us to understand how Foucault took himself to be transforming the empirical-transcendental doublet that for him is constitutive of the modern episteme, precisely by working through it.

Koopman's attempt to hold apart transcendental and historical forms of critique also leads him to underestimate the depth and radicality of Foucault's critique of Kant. In a conciliatory gesture toward Kantians (and phenomenologists, I suppose), Koopman maintains that transcendental and historical critique are not mutually exclusive and may even be mutually enriching (see 114), and that Kant and Foucault, though they practiced the transcendental and historical forms of critique, respectively, were each open to the insights of the other form. Whether or not this is true for Kant, I leave it to Kant scholars and Kantians to decide (for Koopman's argument to this effect, see 114ff), though I suspect that the official Kantian line would hold that historical critique is valid only if it is understood as a subsidiary to transcendental critique, which is understood as primary. As for Foucault, however, he certainly seemed to understand his form of critique as a replacement for the Kantian transcendental version.<sup>7</sup> Moreover, the argument of Foucault's secondary thesis on Kant is that Kant himself opened the door to such a radical reformulation of the project of critique in his *Anthropology from a Pragmatic Point of View* by revealing the extent to which his own critical philosophy is rooted in temporality and historicity.<sup>8</sup> As such, Foucault seems to view the relationship between historical and transcendental critique not as one of complementarity but rather as one of internal transformation.

Thus, I take issue with Koopman's suggestion that Foucault would be willing to grant the legitimacy of transcendental critique, and even that inquiry into cognition demands such a form of critique, even though this was not his project (see 118-119). I just don't think that Fou-

<sup>7</sup> See, for example, Foucault, "What is Enlightenment?", 315-316.

<sup>8</sup> See Michel Foucault, *Introduction to Kant's Anthropology*, translated by Kate Briggs, and edited by Roberto Nigro (Los Angeles: Semiotext(e), 2008). I discuss these issues in more detail in Allen, *The Politics of Our Selves*, Chapter 2.

cault was quite this agnostic on the viability and usefulness of transcendental critique. After all, it seems that one of the major points of his early, archaeological work is precisely to show that the conditions of possibility that shape our thought, our discourses, our knowledge are themselves historical and not transcendental in Kant's sense. What room is left for Kant's transcendental project once, like Foucault, we take the linguistic turn and then further follow Heidegger (or, if you prefer, Wittgenstein) in seeing languages as embedded within historically and culturally variable forms of life? It isn't just that Foucault found transcendental critique with its attendant notions of a priori necessity distasteful or not to his liking; rather he thought that they had been historically superseded (to use a dangerous term), and it is precisely the notion of historicity that is distinctive of the modern episteme.

Perhaps this disagreement is primarily the result of a difference in interpretive emphasis, since it isn't so much that I object to the weight that Koopman places on the empirical and historical aspects of Foucault's project. Clearly its empirical and historical dimensions are absolutely central to Foucault's critical method. My concern is more that characterizing Foucault as a thoroughgoing empiricist while at the same time claiming that he is agnostic about the value of transcendental critique misses the philosophical force of his internal transformation of Kant's critical philosophy. That internal transformation sought to replace Kantian transcendental critique not with a wholly empirical or historical form of critique but rather with a historicized version of transcendental critique, the centerpiece of which is the notion of the historical a priori.

The final issue that I would like to raise concerns Koopman's proposed methodological reconciliation of the Foucaultian and Habermasian critical projects. Although, as I already noted, I am utterly sympathetic with this impulse, I do wonder whether such a reconciliation can really be as philosophically modest as Koopman claims it can be. I see two significant conceptual stumbling blocks to this reconciliation that I would love to see Koopman wrestle with a bit more. The first concerns his insightful rereading of the relationship between contingency and universality. As we have already seen, Foucaultian genealogies aim to uncover the contingency of our beliefs, commitments, and practices, including our normative commitments, whereas Habermas is well known for defending a staunch moral-political universalism. This is typically taken to be a major stumbling block to the reconciliation of Foucault and Habermas, and yet, Koopman argues, this need not be the case. After all, as he notes, "contingency picks out a modality, and universality picks out a scope. There is, therefore, no obvious (no necessary) contradiction in their being deployed together" (224). Normative principles, for example, could easily be viewed as contingent in their modality and yet still universal in their scope of application. Once again this is a seemingly small but nonetheless crucially important point, and it seems to me to suggest a very helpful way of thinking about how we might strive to combine Foucaultian and Habermasian insights into normativity. However, unlike Koopman, I would argue that such a project requires significantly recasting Habermas's own understanding of normativity, since he understands normativity as not only universal (though in a rather peculiar sense) but also as necessary for human socio-cultural forms of life (again, in a particular, weakly transcendental but nonetheless still transcendental, sense), and both of these are bound up in his understanding of the context-transcendence of validity claims.

The second stumbling block emerges in the context of Koopman's tendency to present genealogical problematization as oriented toward the past and pragmatist critical theory as oriented toward the future (see, for example, 227 and 267). On his view, genealogical problematization is best suited for the backward looking critical-diagnostic tasks of revealing the problems of the present while critical-theoretical normative reconstruction is best suited to the forward looking anticipatory-utopian task of envisioning a better future. But this way of characterizing the aims of Habermasian critical theory is problematic inasmuch as it overlooks the important role that Habermas's theory of modernity—specifically, his understanding of modernity as the outcome of a process of social evolution and historical learning—plays in undergirding his normative project. It is difficult to see how Habermas's post-metaphysical, contingent, and deflationary but nonetheless progressive reading of the history that leads up to European modernity could be reconciled with Foucault's resolutely non-progressive understanding of history in a philosophically modest way. All of which is to say not the project of methodological reconciliation is quixotic or impossible but rather that more substantial recasting of the views of either Foucault or Habermas—or perhaps both—is required in order to facilitate such a reconciliation.

However these interpretive, conceptual, and methodological disagreements get resolved, I'm enormously grateful to Colin Koopman for writing such a perspicacious and provocative book. I look forward to his response to the papers in this symposium as I am sure that he will continue, as he has already done in this important book, to push the conversation about these issues forward in interesting and productive new directions.

Amy Allen  
Department of Philosophy  
Dartmouth College  
[amy.r.allen@dartmouth.edu](mailto:amy.r.allen@dartmouth.edu)