4 Normalization/Normativity
In Disagreement with Michel Foucault, or: Taking Account of the Constitutive Outside

Preface

As noted in the Introduction to this book, it is far less common in the Anglophone context than in Germany or Austria to use the terms *normalization* and *normativity*, or *normalizing* and *normative*, as an opposition – at least within queer theory. In fact, it is more common in English-language queer theory to construe these terms as closely connected; often, with reference to Foucault's analyses of disciplinary power. Nonetheless, the critique developed in this chapter of the opposition found in publications in German between 'normativity' and 'normalization' has some pertinence for Anglophone queer theory, too. For, what is shared across these contexts is a distinctively dualistic pattern in dealing with what, in Foucault's own usage, was in fact a *three*fold distinction: In his lecture series at the Collège de France during the years 1977 to 1978, entitled *Security, Territory, Population* (Foucault 2007, 4), he differentiated the terms *normativity*, *normation* and *normalization* from one another where previously (e.g. in *Discipline and Punish* [Foucault 1991]) he had himself used only two of these terms, and had treated them largely interchangeably.

The dualistic pattern which I identify in the reception of Foucault – with a focus primarily on his queer-theoretical reception, which I consider politically more radical than, for instance, the

governmentality school[1, 2] – is nowhere more apparent than in the following phenomenon: In both German- and English-language research associated with queer theory, which engages with the few pages in *Security, Territory, Population* on which Foucault introduces the conceptual distinction in question (Foucault 2007, 56–63), most writers focus on – or even mention, in the first place – solely *two* of the three terms he defines here, while ignoring the third term, largely if not entirely. In the writings in German upon which I focus in the main part of this chapter – which was originally published in German and addressed to a German-language discursive context – the term 'normation' has been ignored for the most part, while 'normalization' (or, alternatively, 'normalism') has been construed as a novel technology of power in contrast with 'normativity'. By contrast, within the mere handful of English-language publications I have been able to identify which engage the same passage in *Security, Territory, Population* from a queer-theoretical angle (or which take up Foucault's term 'normation', newly introduced here), it is the term 'normativity' that has been omitted by the majority of writers, who have given consideration only to the terms 'normation' and 'normalization' instead (McWhorter 2012;

1 Jürgen Link's theory of *normalism* (1998; 2013) – which forms a post-Foucauldian diagnosis or analytics of the present – has been received very widely in Germany, not least in radical political theory as well as queer theory. This is why I include a critical discussion of Link's work in the main part of this chapter, even though it is not itself queer-theoretical.

2 Amongst the references to the passage in which Foucault differentiates normalization from normation and normativity which have been published in English – and more generally, amongst the English-language references to the terms 'normalization' or 'normalizing' – I have been able to identify queer-theoretical rather than more explicitly queer-feminist texts. In contrast, some of the texts from the German-language context which I address in the main part of this chapter are more clearly queer-feminist – as well as antiracist – in orientation. It is this intersectional orientation from which I consider myself to be writing as well. In the main part of this chapter, I therefore make reference to queer feminism rather than (only) to queer theory in formulating a critique of Foucault (2007; 2010), Ludwig (2016b) and Link (1998; 2013).

Sauer *et al.* 2017; Amir/Kotef 2018; see also Chambers 2017[3] and – writing without reference to queer theory, but following the same pattern – May/McWhorter 2015; Kelly 2019). Obviously, to consider only two of the three terms Foucault distinguished from one another as a way of defining them is at the very least to pave the way for treating those terms in dualistic fashion – if this move is not actually motivated, in the first place, from within a dualistic sensibility.

As a caricature of this pattern, Sauer *et al.* actually mischaracterize the term 'normation' as denoting sovereign power (2017, 107) – with which Foucault had instead associated 'normativity'; a term Sauer *et al.*, too, omit.[4] To support this mischaracterization, they do not even cite the only passage from Foucault's oeuvre in which the term 'normation' actually appears (Foucault 2007, 56–57), at least to my knowledge. Instead, the only work by Foucault which Sauer *et al.* (2017) cite is *The History of Sexuality*, Volume 1 (Foucault 1990), to which the authors wrongly attribute both the terms 'normation' and 'governmentality' (neither of which is ever mentioned there). Such binarization and misattribution of the differences which Foucault outlined between sovereign or juridical power, disciplinary power, and governmentality – with which he associated the terms 'normativity', 'normation' and 'normalization' respectively – certainly indicates a

3 Samuel A. Chambers (2017) mentions the Foucauldian distinction between all three terms, but fails to specify how Foucault defined normativity in the relevant passage, and how Foucault set apart both senses of 'normalization' from this first term (see below). This enables Chambers to omit the fact that Foucault defined "normalization in the strict sense" (Foucault 2007, 63) as basically non-normative, as we shall see. Chambers' own definition of the terms 'normativity' and 'normalization' contradicts Foucault's in this regard; a fact that does not come to light in Chambers' account.

4 Sauer *et al.* further associate '*normation*' with a (right-wing) use of "*normative* human rights language" (2017, 114; emphasis added). Normativity as associated by Foucault with juridical power is thus conflated with normation, as associated by Foucault with disciplinary power – a move which enables Sauer *et al.* to establish the following binary opposition: "Thus, while governing through normation is based on sovereign power, governing through normalisation is grounded in statistics and mean value." (2017, 107)

dualistic theoretical imagination. It is due to the need to question such dualistic tendencies in any variant that I believe this chapter is of interest to Anglophone audiences as well. Furthermore, illuminating certain differences between German- and English-language receptions of Foucault within queer theory, along with what is shared across these contexts, can contribute to de-familiarizing – and thus to de-hegemonizing – Anglo-American versions of such theory (and of 'Foucault').

Whereas in publications in German, 'normalization' (or 'normalism') has been opposed in sometimes dualistic fashion to 'normativity', in English-language texts which treat the pertinent passage from *Security, Territory, Population*, 'normalization' has been used, in several instances, in a meaning contrary to the one which Foucault gave it here – namely, to signify a (disciplinary) *deployment of norms* (McWhorter 2012; Chambers 2017; Kelly 2019, 2). This occurs despite the fact that, as we shall see in more detail in the course of this chapter, Foucault in this very passage defined "normalization in the strict sense" (2007, 63) in contrast to the neologism "normation" as *non-disciplinary*, in that – unlike normation or what he also referred to as "*disciplinary* normalization" (2007, 56–57; emphasis added) – normalization proper operates essentially in a manner *other than through norms*. As read by Meraf Amir and Hagar Kotef,

> "Foucault distinguishes between two types of normal (even if this distinction shifts and blurs at times). The first is the normal as it appears *within disciplinary apparatuses* [emphasis added] (such as mental disability or gender non-conformity). This 'normal' functions *in relation to a model, a pre-given standard* [emphasis added] of propriety, health, mental stability, identity, efficiency or productivity to which one should conform: 'the normal being precisely that which can conform to this norm, and the abnormal that which is incapable of conforming to the norm'. (Foucault, 2007: 85). The processes of measuring against this module and adopting [sic] subjects to it he then calls *normation* [emphasis in the original]. The second type of normal is that of biopolitics, which is, as Elden (2007: 573) observes,

> 'the means by which the group of living beings understood as a population is measured in order to be governed'. *This second meaning is devoid of judgement* [emphasis added], and is extrapolated from the calculated measurement of particular characteristics: here 'normal' marks a certain frequency of a trait and its location on a Gaussian curve, presumably reflecting the natural order of things. Accordingly, 'it is calculation (*calcul*). . . which is the model for these rationalities'; (ibid) [sic] rationalities that, in turn, are *connected both to liberalism and to security* [emphasis added] (and indeed the two often merge in the 1977–1978 lectures). *Within this domain 'normal' is not defined by a pre-given social model – marking a 'good' or a 'should' to which one must conform* [emphasis added] – but is *extrapolated* [emphasis in the original] from natural processes; *it is derived from empirical reality rather than being imposed on it in order to shape it* [emphasis added]. This, in short, is *the normalizing technology of security* [emphasis added]: a calculation of the frequency of a given phenomenon, which is inferred from the natural flow of things and living beings, their patterns of movement and modes of action." (Amir/Kotef 2018, 246–247)

While Amir and Kotef, too, simply ignore the third term defined by Foucault when he introduced the term 'normation' in contradistinction to 'normalization', leaving the term 'normativity' entirely unmentioned, I fully agree with them when they emphasize that Foucault considered normalization proper – unlike disciplinary normation – to be "*devoid of judgement*" (emphasis added) and, as such, "*derived from empirical reality rather than being imposed on it in order to shape it*" (emphasis added) (see quotation above). As my close reading of Foucault in the main part of this chapter will demonstrate in detail, this means that he considered normalization (as against normation) to operate in an essentially non- or post-normative manner – in accordance with neoliberalism which, as we shall see, he understood as essentially post-normative. It is this view of neoliberalism which I wish to problematize about Foucault, contrary to a widespread tendency to idealize his work as maximally critical.

While Amir and Kotef go some way towards deconstructing the opposition set up by Foucault between normalization as an essentially *descriptive* (statistics-based) mechanism of security, on the one hand, and normation as a properly normative, i.e. *prescriptive* disciplinary technology, they arguably do so in an ambiguous fashion that partially questions and partially affirms the above opposition. Certainly they do not critique Foucault for himself maintaining this opposition – a step I consider necessary as a way of specifying what, in Foucault's later studies of governmentality and neoliberalism, rather than in his earlier work on disciplinary power, is insufficiently critical when it comes to social exclusions that are based on what I hold is indeed *normative* about neoliberalism. My critique of Foucault is that his framing of neoliberal governmentality as essentially non-normative obscures its constitutive outsides – social exclusions which indeed continue to be based on pathologizing norms that abject some of us as 'abnormal'.

It is with a view to this necessary critique that the omission of the term 'normativity' from some of the few English-language texts in queer theory which attend to Foucault's distinction between 'normalization' and 'normation' (see above) assumes significance. As the third component of Foucault's threefold terminological distinction, the term 'normativity' was defined by him in terms of juridical power, understood as operating in negative terms of *pro*scription, and in binary fashion (Foucault 2007, 56, 46, 5). In this chapter, I argue that Foucault's juxtaposition of normalization (in the narrow sense associated with apparatuses of security and governmentality) against both disciplinary normation (defined by him in terms of *pre*scription, and hence, as involving norms [2007, 63, 57, 46–47]) and juridical normativity (2007, 56, 46–47, 4–6) chimes with his characterization of neoliberalism as devoid of pathologizing norms, as de-subjectifying, and as non-exclusionary. (This characterization occurs in the lecture series published under the title *The Birth of Biopolitics* [Foucault 2010], which he conducted between 1978 and 1979, immediately following his lecture series *Security, Territory, Population*.) It is via his *threefold* terminological distinction that Foucault marks out normalization as operating in an *essentially non-normative* manner, as we shall see –

contrary to his earlier understanding of normalization as *essentially disciplinary and, hence, as normative* (e.g. in *Discipline and Punish* [Foucault 1991]). This fact – this new, problematic development in Foucault's work – seems to have been ignored *throughout the queer-theoretical reception of Foucault within the Anglophone regions*. Amir's and Kotef's (2018) contribution here is singular and highly commendable in that it goes some way towards deconstructing the uncritical – indeed, the quasi-positivist – opposition between prescriptive normation and supposedly purely descriptive statistical techniques as associated with governmentality. However, as mentioned, Amir and Kotef do not critique Foucault himself for maintaining such an opposition, even though he clearly did, as my close reading of his lectures will demonstrate (see also the Postscript to this chapter).

Other writers on the subject either uncritically adopt Foucault's opposition between technologies of power presupposing norms vs. technologies of power supposedly devoid of any such presupposition, without problematizing its quasi-positivism, *or they do not take to heart Foucault's redefinition of normalization as non-disciplinary*. Thus, much like Gundula Ludwig (2016b), whose update on Foucault's diagnosis of the present will be in focus in my subsequent discussion of the reception of Foucault in the German-language context, so Shannon Winnubst (2012) constructs neoliberalism as having superseded a normative, juridical, identitarian rationality as previously analyzed by Foucault. (Winnubst does not actually cite *Security, Territory, Population*, but her reading of Foucault's subsequent lecture series *The Birth of Biopolitics* is clearly informed by the Foucauldian opposition between normativity vs. a neoliberalism which, like Foucault, Winnubst reads as "non-normative" [Winnubst 2012, 87]. This is why I include her text on Foucault, neoliberalism, and queer theory in this discussion.) In contrast, Ladelle McWhorter (2012, 72) has insisted (much as I do) that neoliberalism is indeed *normative*, but has ignored the fact that this claim cannot by any means be reconciled with Foucault's own words on the subject in the very passage at issue here, with which she does engage (McWhorter 2012, 66). Thus, she too fails to consider Foucault's very own definition of the term 'normativity' in contradistinction to

'normalization' and 'normation'. Surely this omission appears to be somewhat motivated, in that the contradiction between Foucault's words on neoliberal governmentality and McWhorter's own reading of neoliberalism as normative would require her to critique Foucault's analysis of neoliberalism along the very lines which I pursue in the pages that follow.

Whether one takes on board the uncritical aspects of Foucault's work on neoliberalism, governmentality and apparatuses of security (as distinct from disciplinary as well as juridical power), *or* whether one modifies its tenor in a more critical spirit while failing to note the discrepancy of one's own analysis from Foucault's: Either move adds up to an unnecessary idealization of his later work, which shields it from problematization and, hence also, from being developed further. I argue in this chapter that such problematization and further development is indeed necessary from an intersectional perspective, lest we take over from Foucault a euphemistic view of neoliberalism which obscures its constitutive exclusions. (As is hopefully clear by now, it is this risk that is at stake in Foucault's redefinition of normalization in contrast with normativity as well as normation, i.e. as essentially non-normative.) My own specific proposal for how to do so draws upon Foucault's own terminology (as well as on Ludwig's [2016b]), reframing it. There is no question here, then, of falling into the opposite extreme to that of an idealization of Foucault's work; of 'bashing' it instead. That would be, obviously, to maintain a dualistic either/or-ism (see Introduction, note 1) in which Foucault's tremendous contribution to our understanding of the present can only either be rejected wholeheartedly or be accepted uncritically, freezing it in time. Either approach to Foucault would obviously be as uninteresting as it would be unproductive.

A more productive reception of Foucault must of necessity be tuned to historical developments that occurred after his death. (The exclusionary force of neoliberalism, and its continued intimacy with binary, pathologizing norms is certainly even more apparent by the 2020s than it was at the time of Foucault's pioneering turn to the subject.) This has been one of the points made by writers in the field of queer theory who have warned that the latter needs to move

beyond an understanding of power, and of heteronormativity, purely in terms of discipline or a juridical, identitarian normativity (Winnubst 2012; McWhorter 2012). Parts of queer theory have indeed neglected Foucault's later work on governmentality and neoliberalism, preferring to engage primarily *The History of Sexuality*, Volume 1 (Foucault 1990; see, e.g., Jagose 2015; Wiegman/Wilson 2015). Yet there must be an alternative to either producing an *opposition* between neoliberalism and disciplinary regimes or juridical power (Winnubst 2012, esp. 90; McWhorter 2012; Ludwig 2016b) or ignoring any differences between them entirely (whether by simply ignoring Foucault's more recent work per se, or by ignoring any differences he outlined between these various technologies of power [e.g. Chambers 2017; Kelly 2019]) in what is ultimately an identitarian logic. As indicated in the Introduction to this book, these alternatives, taken together, constitute a meta-dualism akin to the one identified by Lena Gunnarsson (2017) to pertain in debates on intersectionality: one in which either identity, affinity or continuity is given precedence over difference, or the other way round. Ultimately, a reception of Foucault's work which, in seeking to understand the present and its most recent history, privileges *either* 'discipline' *or* 'governmentality' at the expense of the other one of these *dispositifs* risks splitting apart power's productive dimensions from its more negative, coercive operations. (Much as occurs in Foucault's implicit construction of 'normalization', as associated with governmentality and apparatuses of security, in contrast to a 'normativity' which he defined as a modality of power operating *negatively* [2007, 46–49, 55–63]. As we shall see below, Foucault at the same time tended to identify the present predominantly with the first modality of power [2007, 8–11, 106–110].) This is reductive and politically problematic, as argued in the Introduction and, in more detail, in the course of this chapter. Rather than reinscribe any tendencies on Foucault's part to engage in dualistic splitting in this regard, doing justice to his genealogical approach with its emphasis on historical discontinuities *as much as* to the intersectional imperative to refuse to obscure the persistence of inequality, social exclusion, and other destructive operations of power – as Foucault unfortunately has tended to do in his work on neoliberalism

– requires us to read power's negativities and its productive effects *together*, as mutually *related*, yet irreducible to one another. (In a manner analogous to my proposal, in the preceding chapter, for conceiving of the relationship between discourse and affect, namely, in terms of the figure of the chiasm.) It is as a contribution to this project that the present chapter is intended. As such, it seeks to add to the rare instance of a 'queer' reception of Foucault's distinction between normalization, normation and normativity in which neoliberal and disciplinary power are read in terms of a *contemporaneous constellation* (Amir/Kotef 2018; see also May/McWhorter 2015; McWhorter 2017) rather than either as mutually exclusive (qua matter of historical succession) or as devoid of relevant differences.[5]

Introduction

Michel Foucault's distinction between normativity and normalization, understood as different technologies of power, has been incorporated into recent diagnoses of the present. In this chapter I aim to demonstrate that this distinction is deeply problematic from an intersectional perspective. For, this distinction incorrectly implies that normalization is post-normative. This serves to render invisible the social exclusions constitutive of neoliberal governmentality – which Foucault did indeed elide in his lectures on governmentality, in the course of which he introduced the said distinction (Foucault 2007, 56–63).

In order to substantiate this thesis, I will engage – on the one hand – with Foucault's distinction between normativity, normation

5 McWhorter's position in this regard has changed across successive publications. Whereas at an earlier point she asserted that disciplinary regimes and "networks for disciplinary normalization" are decreasing in significance (2012, 69), more recently she has analyzed neoliberalism and 'disciplinary normalization' – i.e. what Foucault referred to as 'normation' – in terms of a (changing) interplay (McWhorter 2017; see also May/McWhorter 2015, 254–255).

and normalization in a close reading. I will show that, with this distinction, he abandoned his earlier characterization of normalization as *fundamentally shaped by norms*, which in my view had been much more productive. On the other hand, I will demonstrate – by reference to Jürgen Link's work (1998; 2013) and, in some more detail, to the example of Gundula Ludwig (2016b) – that diagnoses of the present which take on board Foucault's later distinction between normativity and normalization thereby take on board as well the implication which I critique here: that normalization is non-normative (in the sense that it is free of evaluative norms). Finally, I argue that normalization is *constitutively normative*, pointing to Judith Butler's understanding of normativity in support of this argument. I propose to correct Ludwig's queer-theoretical diagnosis of the present through the thesis that, in neoliberalism, (hetero-)normalization and (hetero-)*normation* go hand in hand, operating *in normative fashion jointly, qua biopolitical tandem*. Throughout, I am concerned with a conceptual analysis of the relationship between normalization (or 'normalism' in Link's terms) and normativity, and with asking to what extent the (post-)Foucauldian terminology is adequate to a diagnosis of the present.

Diagnosing the present, with Foucault: normalization *versus* normativity?

Diagnoses of the present which draw upon Foucault's work at times oppose the terms 'normalization' and 'normativity' to one another whilst framing these terms as mutually potentially independent technologies of power (Ludwig 2016b; Engel 2002; see also Link 2013; Lorey 2011) – that is, as mutually independent at a conceptual level. In some cases this opposition operates as a dichotomy, whereby the third term which Foucault distinguished both from 'normalization' and from 'normativity' – the term 'normation' – is neglected (Ludwig 2016b; Bargetz/Ludwig 2015; Engel 2002). Some writers identify the present primarily with normalization (Ludwig 2016b) or, in the case of Link (2013), with what he terms 'flexible normalism' in contradistinction to a

more rigid 'protonormalism'. (The latter term largely corresponds to the Foucauldian term 'normation' insofar as both of these terms are tailored to correspond closely to Foucault's analyses of disciplinary regimes [Link 1998, 266; Foucault 2007, 56–57].) All of the above needs to be questioned. In connection with doing so, I wish to take up the largely-ignored term '*normation*'.

I address Link's work here due to the widespread reception of his theory of normalism, which builds upon Foucault's oeuvre. I address Ludwig's text (2016b), and do so in somewhat greater detail, because Ludwig presents a relatively recent diagnosis of the present which in my view is especially apt – it is simultaneously queer-theoretical and antiracist – yet whose intersectional perspective is obstructed by the Foucauldian terminology which she uses, as I hope to show. My proposal for how to remove this conceptual obstruction – by reframing Foucault's tripartite distinction *normativity*, *normation* and *normalization* – can therefore fruitfully start out from Ludwig's contribution, building upon the terminology developed by her.[6]

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6 In this chapter I refer to publications in German by Ludwig (2016b) as well as Link (1998; 2013), upon which the original, German version of my own text is based. Link (1998) is also available in an English translation (Link 2004) – unlike Link (2013). Ludwig's theoretical account (2016b) has been published in English in a somewhat similar version (Ludwig 2016a), yet which differs substantively in some details from her account in German, to which my critique in the main text relates. Accordingly, my critique of her account would be substantially similar if spelled out with respect to her article in English, yet would likewise differ in some details. Suffice it to indicate that I consider her article in English to be even more problematic than her article in German, in that it entails a fundamental self-contradiction. The article published in English concludes on the following note:

"As long as queer struggles fail to address sexualized, racialized, capitalist, neo-colonial biopolitics on a larger scale, the dynamics that Foucault has described as crucial for modern Western biopolitics in a capitalist society cannot be overcome: a dynamics that not only *divides humans into a group that is seen as worth of protection and a group that is framed as 'disposable'* but also a dynamic where the 'good life' of the former requires the (social) death of the latter." (Ludwig 2016a, 426; emphasis added).

As I point out in the main text, this intersectional perspective – which draws upon Foucault's *earlier* notions of biopolitics and of normalization – contradicts his *later* insistence that, unlike normativity as well as normation, normalization is non-binary. I suggest that these two (earlier vs. later) Foucauldian modes of analysis simply cannot be squared with each other since this would amount to claiming both that p and that non-p (see also note 12 to this chapter). Ludwig's attempt to combine them in her diagnosis of the present results in a self-contradiction in that, contrary to how her sentence, quoted above in this note, is framed – but in line with Foucault's subsequent redefinition of normalization – she claims that: "Heteronormalization is not built upon a binary of given norms and deviances, but instead it produces normality by integrating (some of) its deviances." (Ludwig 2016a, 423). As I argue in this chapter, (hetero-)normalization is indeed framed by a binary (i.e. bifurcating) dividing practice *in that* it operates in terms of a racializing biopolitics. Foucault's later notion of normalization as non-binary and post-normative (see main text) obscures this fact. In taking this notion on board as the basis for her own term, "heteronormalization", which she proposes to conceive of "as [n]eoliberal [t]echnology of [p]ower" (2016a, 422), Ludwig undercuts the intersectional perspective which she otherwise seeks to formulate – especially when, in addition, she identifies "flexible heteronormalization" as *the one*, prototypical technology of power in neoliberalism to the exclusion of a more "rigid", supposedly outdated, "heteronormativity" (2016a, 425). (Hetero-)Normalization can be framed as "flexible", not "rigid" only if it is inscribed as applying to 'whites' only. Indeed, it seems that gays and lesbians are inscribed as 'white' by Ludwig while racialized 'Others' are imagined as 'heterosexual' – in fact, it seems that she imagines the government of sexuality per se as a government of 'whites' – when she formulates as follows:

"The flexibilization of the apparatus of sexuality means that lesbians and gays as '"ordinary", "normal" citizens' (Richardson 2005, 519) have become part of the population whose lives should be optimized and proliferated whereas at the same time certain groups of people are rendered as 'disposable' – especially illegalized migrants" (Ludwig 2016a, 425).

This sentence comes close to emulating the hegemonic notion that "All the Women are White, All the Blacks are Men" (Hull/Scott/Smith 2015) – erasing from view queers of color and lesbian/gay illegalized migrants. In order to formulate a more rigorously and coherently intersectional perspective – which, likewise, draws upon Foucault, yet reframes his analytics of neoliberalism in line with queer-feminist and simultaneously antiracist concerns – I propose in this chapter that (hetero-)normalization must be analyzed as

I will now briefly introduce the terminologies used by Ludwig (2016b) and Link (1998; 2013), respectively, as related to the Foucauldian keyword 'normalization'. In opposing the terms 'normativity' and 'normalization' to one another in a Foucauldian sense, normativity is described as operating in a binary or dichotomous fashion (Link 2013, 33; Ludwig 2016b, 34); in contrast, normalization is said to operate on a "continuum of normality" ("Normalitätskontinuum") (Ludwig 2016b, 28). Normativity is characterized as a technology of power that categorically prohibits and sanctions (Link) or excludes (Ludwig) – with respect to sexuality, for instance, by way of categorically criminalizing and pathologizing homosexual practices and modes of existence. In contrast, normalization is defined as regulating 'deviations' from the mean value through partial adjustment; based on including a part of the previously stigmatized. Thus, Ludwig (2016b), starting out from Foucault's conceptual tripartition which juxtaposes normativity, normation and normalization, develops a distinction between 'heteronormativity' and 'heteronormalization'. In contrast to the first term, the second one denotes a flexibilization and "neoliberalization of the apparatus of sexuality" ("Neoliberalisierung des Sexualitätsdispositivs") (2016b, 43). Based on the example of the *Lebenspartnerschaft* (same-sex-partnership law) introduced in Germany in 2001, Ludwig characterizes heteronormalization as assimilating a proportion of the sexually 'deviant' to standards defined by a neoliberal majority society – for instance, concerning "the ideals of privatized relations of care inherent in heterosexual marriage" (Ludwig 2016b, 32; transl. C.B.). Her text is ambiguous with a view to whether the social operation of heteronormativity has been replaced

operating in conjunction with disciplinary (hetero-)*normation*, understood as an intersectional tandem of technologies of power which – contrary to Foucault's and Ludwig's claim that "normalization does not operate based on an a priori given binary norm" (Ludwig 2016a, 423) – *does* bifurcate the 'population' in binary, hierarchizing terms, and as such is constitutively normative in a sense which is indeed "a priori given", i.e. operative in advance of any statistical analysis. The above claim is deeply euphemizing and depoliticizing, as will become apparent in the course of the present chapter.

by heteronormalization entirely or only in part (Ludwig 2016b, 34–35, 39–41).

Largely in analogy with the term 'normalization', Link's term 'flexible normalism' describes 'normality' as a social frame of reference which, as Link avows, remains indebted – like the more rigid alternative, named 'protonormalism' by him – to normality's conceptual counterpart, 'the abnormal'. But, according to Link, the boundaries between 'normal' and 'abnormal' in the case of flexible normalism are fluid rather than fixed and impermeable, as they are in protonormalism: abnormality in flexible normalism is constructed as alterable and, therefore, as highly amenable to normalization (Link 2013, 207–208). Link considers flexible normalism within the global North since World War II to be culturally dominant (Link 2013, 108), but protonormalism in his view has not been fully displaced. He rather postulates a dynamic interaction between the two types of normalism which, in the future, might result in a shift from flexible normalism to a renewed dominance of protonormalism. Both variants of normalism are based upon statistical data processing and, as such, are specifically modern phenomena. *Normality*, Link maintains, accordingly is a question of descriptively specifiable degrees (as in a normal distribution curve) and, as such, differs essentially from the *normative* binary opposition between 'permitted' and 'prohibited'. The latter is found, according to Link, transhistorically in all societies and, thus, in modernity as well (Link 1998). However, he insists upon conceptually situating normality as well as normalism outside normativity – i.e. outside of norms (Link 1998, 2013, 32–34).

In my view it is misleading to oppose normalization (or normalism) to normativity – much as Foucault did so himself at one specific point (2007, 56–63). It is misleading insofar as that opposition suggests (in a manner which is itself remarkably dichotomizing) that *normalization is devoid of normativity at least potentially*. Contrary to this suggestion, I will argue that normalization *is constitutively normative* – a recent historical variant of normativity. This fact makes itself felt particularly to those who are *not* earmarked for inclusion within the framework of normalization. Most of the theorists mentioned (Ludwig 2016b;

Bargetz/Ludwig 2015; Link 2013; see also Lorey 2015) assert, after all, that only *parts* of those who previously were categorically stigmatized as 'abnormal' are normalized today. Yet, what about everyone else? Is an integration into the hegemonic social order in the sense of 'normalization' really available, for instance, to trans persons of color, and to the same extent as it is to 'white' lesbian or gay cis persons? The term 'normalization' as defined by Foucault in his lectures on governmentality (2007) is incompatible with a negative answer to this question, as I will demonstrate. The term 'normalization' is a misnomer, therefore, when it comes to technologies of power as they make themselves felt to those who are excluded from normalization partially or entirely. It particularly forestalls a thoroughly intersectional perspective.

"Who's Being Disciplined Now?"[7]

As Susanne Spindler (2006) argues in the context of racism, for minoritized subjects at the margin of the 'continuum of normality' – in the case of her analysis, these are imprisoned young migrants – other technologies of power take hold than they do for those who successfully distance themselves from such subjects (thereby successfully participating in normalization [see below]): For subjects in the first category, it is less a matter of the neoliberal mantra of responsible self-government and self-optimization than of overt repression, direct coercion and blatant subordination as well as exclusion (see also Tyler 2013; Haritaworn 2015). Spindler analyzes the racism to which these subjects are exposed such that they are excluded from neoliberal governmentality. With Foucault (2007), such technologies of power must be understood in terms of normation, as associated by him with discipline.[8] Similarly to Spindler, other writers

7 I here cite from the title of May/McWhorter (2015).

8 To this must be added technologies of power which Foucault might have classified as 'sovereign', even as they are not exclusively associated with state

have asked: "Who's Being Disciplined Now?" (May/McWhorter 2015). The various answers to this question add up to the view that discipline today applies (within the global North) to subjects of whom Foucault (1999; 2003) had already designated some as 'abnormals' in a critical spirit – such as psychiatrized and strongly handicapped persons (May/McWhorter 2015) – as well as, framed in terms of class, to workers in the global South (May/McWhorter 2015) and the so-called 'dangerous classes' in the global North (Rehmann 2016; see also Hark 2000). Thus, Jan Rehmann writes:

> "[G]overnmentality studies overlook the fact that neoliberal class divides also translate into different strategies of subjection: on the one hand, 'positive' motivation, the social integration of different milieus, manifold offers on the therapy market; on the other hand, the build-up of a huge prison system, surveillance, and police control. The former is mainly directed toward the middle classes and some 'qualified' sections of the working class; the latter mainly toward the dangerous classes. According to Robert Castel [1991, 294, C.B.], today's power is defined by a management that carefully anticipates social splits and cleavages: 'The emerging tendency is to assign different social destinies to individuals in line with their varying capacity to live up to the requirements of competitiveness and profitability'" (Rehmann 2016, 152).[9]

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actors (May/McWhorter 2015, 255–257). Todd May's and Ladelle McWhorter's designation of such technologies as 'premodern', and the fact that these writers partially locate the relevant practices outside neoliberalism, is problematic from a postcolonial perspective, however. We need to grasp the multiplicity of, and articulation amongst, technologies of power which operate in the neoliberal, global present in their contemporaneity; as (late) modern ones.

9 I cite from Rehmann's text (2016) with some hesitation since I find it rather polemical and even devaluing vis-à-vis some other writers. Nonetheless, I agree with Rehmann on those points concerning which I do cite him in this chapter.

'Normalization' in Foucault's analysis of disciplinary power

Framing technologies of power monolithically in terms of a single, dominant technology involves the risk that discrepancies in the social treatment of different categories of subjects, and between their respective social locations, will be obscured. From a queer-feminist and antiracist perspective it is essential, rather, to frame the social relationally, i.e. in terms of power *relations*, and thus, of differences. As Ann Laura Stoler (2015) and Megan Vaughan (1991, esp. 11) have made clear, Foucault gave little attention to systematic social distinctions amongst racialized and gendered groups of subjects (especially insofar as such distinctions are not confined to the framework of 'the nation', i.e. with a view to colonial relations of power). This applies all the more to the threefold distinction between normativity, normation and normalization which Foucault drew at one point in the course of his lecture series *Security, Territory, Population* (Foucault 2007, 56–63) (the first volume of his lectures on governmentality and neoliberalism). Therefore it is necessary to be especially cautious with a view to any attempt to characterize the present primarily in terms of normalization as a technology of power (see Ludwig 2016b, 41; Lorey 2011, 265–266) – something Foucault already did himself in connection with the said conceptual tripartition (see below).

Earlier on he had, however – more productively, in my view – analyzed disciplinary power as a form of power which operates via "techniques of socio-police division" (Foucault 1994, 75; transl. C.B.): "a permanent classification of the individuals, a hierarchization […], the establishment of boundaries", where "the norm becomes the criterion for the division amongst individuals" (1994, 75; transl. C.B.), as Foucault had said as late as 1976. Even if he focused less on gendered and racialized norms than on norms related to illness/health, madness/sanity or criminality/conformity in analyzing disciplinary society, this analysis – conducted as it was in terms of "dividing practices" (Foucault 1982, 208) – did offer some purchase for reflecting upon the gendered and racialized dimensions of such practices as well: What I find decisive about Foucault's studies of disciplinary

power is the relational emphasis of his focus upon the distinction 'normal/abnormal' (Foucault 2003). This emphasis makes it possible to attend to inequalities, hierarchizations and exclusions – in other words, to power *relations*. The relational emphasis of Foucault's analytics during this phase of his work was made possible by the fact that – unlike in his later lectures on governmentality (2007) – he did *not* set normalization, normation and normativity (understood in a wide sense of evaluation and directives for action) apart from each other. Instead, he emphasized precisely the value-laden character of normalization as a technology of power. Thus, in *Discipline and Punish* he asserted that what "*normalizes*" also "hierarchizes" and "excludes" (Foucault 1991, 183; emphasis in the original; see below for full quotation), and expressly related the term "normalization" – as well as the terms "[n]ormal" and "normality"– to the term "norm" (Foucault 1991, 184). Here he also spoke of "[n]ormalizing *judgement*" (Foucault 1991, 177; emphasis added), thereby emphasizing the evaluative character of normalization as he *then* conceived of it. And in 1976 he stated that: "We are becoming a society essentially articulated by the *norm*" (Foucault 1994, 75; transl. C.B.; emphasis added), specifying the meaning of a "society of normalization" (Foucault 1994, 76; transl. C.B.) *in this sense*.

Neoliberalism according to Foucault: post-normative and non-exclusionary

By contrast, Foucault in his lectures on governmentality develops a conceptual separation between normativity, normation and normalization qua different technologies of power which he represents as potentially mutually external (2007, 56–63). He thereby gives the term 'normalization' a new meaning which sets it apart from his earlier construction of this technology of power as fundamentally normative, i.e. value-laden and prescriptive. 'Normalization' is now redefined by Foucault as essentially value-free and non-prescriptive, as I will demonstrate in the next section. I offer the thesis that Foucault introduces this redefinition of the term 'normalization' on

account of the fact that he considers neoliberalism to have left behind a normative, pathologizing division of individuals into 'normal(s)' vs. 'abnormal(s)'.[10] In the present section, I will first demonstrate this highly problematic transformation of Foucault's diagnosis of the present.

This transformation is perhaps clearest in Foucault's remarks concerning criminality (2010, 248–260). With a view to the genealogy of neoliberalism he asserts in *The Birth of Biopolitics* (the second volume of his lectures on governmentality and neoliberalism): "*Homo penalis*, the man who can legally be punished […] is strictly speaking a *homo oeconomicus*." (Foucault 2010, 249; emphasis in the original). Within a neoliberal grid of intelligibility, individuals qua potential law-breakers are assumed to act rationally in line with a cost/benefit analysis according to Foucault – an assumption which he takes to be depathologizing. Thus he glosses the tenor of a 1975 text by Isaac Ehrlich, whom Foucault refers to as one amongst a number of "neo-liberals" (2010, 248):

> "In other words, *all the distinctions that have been made between* born criminals, occasional criminals, *the perverse and the not perverse*, and recidivists *are not important*. We must be prepared to accept that, in any case, however pathological the subject may be at a certain level and when seen from a certain angle, he is nevertheless 'responsive' to some extent to possible gains and losses, which means that penal action must act on the interplay of gains and losses, in other words, on the environment" (Foucault 2010, 259; emphasis added).

According to Foucault, taking the individual qua instrumentally rational subject of an action as one's point of departure within a neoliberal grid of intelligibility "does not involve throwing psychological knowledge

10 The original French title of Foucault's earlier lecture series "Abnormal" (Foucault 2003) is in fact "Les Anormaux" (Foucault 1999) which, translated more strictly, would mean 'The Abnormals'. This 'substantivizing' French title drives home the essentializing disqualification of those labeled as 'abnormals', i.e. abnormal subjects, even more clearly than its English rendering as an adjective.

or an anthropological content into the analysis" (2010, 252). "This also means that in this perspective the criminal is not distinguished in any way by or interrogated on the basis of moral or anthropological traits. The criminal is nothing other than absolutely anyone whomsoever. *The criminal, any person, is treated only as anyone whomsoever* who invests in an action, expects a profit from it, and who accepts the risk of a loss. [...] *The penal system itself will not have to deal with criminals*, but with those people who produce that type of action" (Foucault 2010, 253; emphasis added) – meaning that, as Foucault concludes: "there is an anthropological erasure of the criminal." (Foucault 2010, 258)

These remarks by Foucault could lead one to conclude that, when it came to neoliberalism, he no longer deemed social exclusion, as associated with the stigmatizing pathologization of certain social groups, to be relevant. Is *discrimination* – for instance, based upon racism or heteronormativity – even thinkable when the neoliberal approach to crime is characterized along these lines? Doesn't this characterization obscure discrimination qua institutionalized practice that fundamentally shapes the criminal justice system (Braunmühl 2012a; Spindler 2006)? In my view, the latter is indeed the case: Social inequalities, which registered in Foucault's earlier analysis of disciplinary power in terms of an exclusionary division between 'normals' and 'abnormals' (Foucault 1999; 2003), are rendered systematically invisible by his account of neoliberal governmentality. This is due to its unitized, non-relational character, which fails to attend to differences between the hegemonic treatment of dominant vs. minoritized categories of subjects. The claim that, in a neoliberal perspective, "[t]he criminal is nothing other than absolutely anyone whomsoever" and "is treated only as anyone whomsoever" (see quotation above) is downright suggestive of an equal treatment of all, as if discrimination were unknown within neoliberalism. Accordingly, Foucault expressly states:

> "you can see that what appears on the horizon of this kind of [neoliberal, C.B.] analysis is not at all the ideal or project of an exhaustively disciplinary society in which the legal network hemming

> in individuals is taken over and extended internally *by, let's say, normative mechanisms*. *Nor is it a society in which a mechanism of* general normalization and *the exclusion of those who cannot be normalized is needed*. On the horizon of this analysis we see instead the image, idea, or theme-program of a society in which there is an optimization of systems of difference, in which the field is left open to fluctuating processes, *in which minority individuals and practices are tolerated*, in which action is brought to bear on the rules of the game rather than on the players, and finally in which there is an environmental type of intervention *instead of the internal subjugation of individuals*." (Foucault 2010, 259–260; emphasis added)

This passage unmistakably clarifies that Foucault considers the neoliberal approach to crime as he characterizes it to be *non-normative* and even straightforwardly non-subjugating. *An exclusion of those who cannot be normalized is not needed*, as stated explicitly in the passage just quoted.

'Normalization' in *Security, Territory, Population*: post-normative

Judging from how Foucault constructs the term 'normalization' in *Security, Territory, Population* (2007) in distinction from 'normation' as well as 'normativity', he understands not solely neoliberalism, but also and especially 'normalization' as post-normative in a certain sense, and thus implicitly – in line with his remarks upon neoliberalism as considered above – as non-exclusionary; at least with a view to social exclusions that put to work hierarchizing and pathologizing norms. In my view, this fact renders the distinction between 'normalization', 'normation' and 'normativity' as drawn by Foucault unproductive and deeply problematic for the purposes of a queer-feminist, antiracist diagnosis of the present. For, ultimately, the said distinction results in a denial of pathologizing forms of social hierarchization and exclusion – in stark contrast to the elementary concerns of both antiracism and

queer feminism. This happens by way of a unitizing analysis which suggests either that societies of the present are no longer organized in terms of social exclusions which operate on the basis of norms, or that such exclusions are no longer relevant to a diagnosis of the present.

This is exactly the theoretico-political thrust of the term 'normalization' as developed by Foucault in *Security, Territory, Population* in contradistinction both to 'normation', as associated by him with discipline, and to 'normativity' – the meaning of which term he confines to the operation of the law (2007, 56). This restriction unduly narrows the meaning of 'normativity' in a manner that is depoliticizing insofar as it fails to recognize as 'normative' forms of normative assessment – i.e., forms of assessment that involve norms – other than those associated with the law. The value-laden character of such non-legal forms of normativity is thereby rendered invisible. According to Foucault, normativity as associated with the law is a negative technology which operates in terms of a binary distinction between what is permitted and what is prohibited (Foucault 2007, 46, 5–6) – much as in Link's and Ludwig's accounts (see above). By contrast, discipline on Foucault's account operates via the norm in a prescriptive sense: while the law prohibits, discipline prescribes (2007, 47). Foucault coins the term '*normation*' for a modality of power that involves norms, which he had already analyzed in terms of disciplinary power in the past (2007, 56–57; see above). That is to say, he understands 'normation' as a relational and hierarchizing differentiation between 'normal' and 'abnormal' which is shaped by norms in the sense that it is value-laden and entails prescriptions for conduct (whether explicitly or implicitly). Put in Foucault's own words,

> "discipline fixes the processes of progressive training (*dressage*) and permanent control, and finally, on the basis of this, it establishes the division between those considered unsuitable or incapable and the others. That is to say, on this basis it divides the normal from the abnormal. Disciplinary normalization consists first of all in positing a model, an optimal model that is constructed in terms of a certain result, and the operation of disciplinary normalization consists in

> trying to get people, movements, and actions to conform to this model, *the normal being precisely that which can conform to this norm, and the abnormal that which is incapable of conforming to the norm*. In other words, it is not the normal and the abnormal that is fundamental and primary in disciplinary normalization, it is the norm. That is, *there is an originally prescriptive character of the norm* and the determination and the identification of the normal and the abnormal becomes possible in relation to this posited norm. *Due to the primacy of the norm in relation to the normal*, to the fact that disciplinary normalization goes from the norm to the final division between the normal and the abnormal, I would rather say that what is involved in disciplinary techniques is a normation (*normation* [emphasis in the original]) *rather than normalization*. Forgive the barbaric word, *I use it to underline the primary and fundamental character of the norm*." (Foucault 2007, 57; emphasis added)

In other words, Foucault now understands the term 'normation' in the very way in which, in *Discipline and Punish*, he had used the term '*normalization*' in general (1991, 182–184). In his subsequent lecture series entitled *Security, Territory, Population*, by contrast, he draws a distinction between – on the one hand – 'normation', which he also refers to as "disciplinary normalization" (Foucault 2007, 56–57; see quotation above) and – on the other hand – "normalization in the strict sense" (Foucault 2007, 63), which he identifies with the apparatus of security (Foucault 2007, 57–63). It is this apparatus that he now wants to study (2007, 6). By the time of this lecture series, Foucault tends to assess *security* as the dominant technology of power in the present (2007, 8–11, 106–110); as the essential technical instrument of a governmentality in whose "era" we live according to him (2007, 108–109) – that is, in a "society controlled by apparatuses of security" (Foucault 2007, 110). (Whereas only two years earlier, he had diagnosed that: "We are becoming a society essentially articulated by the *norm*" [Foucault 1994, 75; transl. C.B.; emphasis added], as we saw above – i.e. in terms of what, by 1978, he would rename as 'normation' as opposed to 'normalization in the

strict sense'.) Foucault determines apparatuses of security to be *non-prescriptive*:

> "In other words, the law prohibits and discipline prescribes, and the essential function of security, *without prohibiting or prescribing*, but possibly making use of some instruments of prescription and prohibition, is to respond to a reality in such a way that this response cancels out the reality to which it responds – nullifies it, or limits, checks, or regulates it. I think this regulation within the element of reality is fundamental in apparatuses of security." (Foucault 2007, 47; emphasis added)

Since Foucault describes the mechanism of security to which he assigns the notion of a 'normalization in the strict sense' as non-prescriptive (see also Foucault 2007, 45, 46), while simultaneously emphasizing that he chooses the term 'normation' due to the centrality of norms to this latter technology, from which he sets apart the technology of 'normalization in the strict sense' (Foucault 2007, 57; see above), this means that he considers 'normalization in the strict sense' to be tied to norms – understood as what is value-laden – less fundamentally than normation.[11] This is also confirmed directly by how Foucault defines 'normalization in the strict sense':

> "We have then a system that is, I believe, exactly the opposite of the one we have seen with the disciplines. *In the disciplines one started from a norm*, and it was in relation to the training carried out with reference to the norm that the normal could be distinguished from the abnormal. Here, instead, we have a plotting of the normal and the abnormal, *of different curves of normality*, and the operation of normalization consists in establishing an interplay between these different distributions of normality and [in, *translator's note*] acting to bring the most unfavorable in line with the more favorable. So we have here something that *starts from the normal* and makes use of certain

11 Isabell Lorey, too, reads Foucault in this way (2011, 280–281, 275, n. 136), as do Amir/Kotef (2018) (see Preface and Postscript to this chapter).

> distributions considered to be, if you like, *more normal than the others*, or at any rate more favorable than the others. *These distributions will serve as the norm*. The norm is an interplay of differential normalities. *The normal comes first and the norm is deduced from it*, or the norm is fixed and plays its operational role *on the basis of this study of normalities*. So, I would say that what is involved here is no longer normation, but rather normalization in the strict sense." (Foucault 2007, 63; emphasis added)

According to this passage, Foucault does view "normalization in the strict sense" as involving a norm. But unlike in the case of normation, in normalization in the strict sense he views the norm as secondary vis-à-vis "a plotting of the normal and the abnormal" which he casts as *descriptive* rather than prescriptive – as Sushila Mesquita too observes (2012, 46; see also Amir/Kotef 2018). Foucault thereby sets apart a normality which purportedly is measurable in an initially merely descriptive sense from a normation which, by contrast, he considers to be constitutively determined by prescriptive, evaluative norms and assigns to disciplinary regimes (see above). In doing so, he naturalizes the intrinsically value-laden character of any possible distinction between 'normal' and 'abnormal'. He thus renounces his earlier, politicizing and – therefore – more productive conception of normalization as being fundamentally shaped by norms (and as normative *in this sense*). This makes it impossible to take account of the hierarchizing, exclusionary character of any possible notion of 'normality'. (Any possible notion of 'normality' is exclusionary in virtue of the constitutive relationship of this term to its stigmatizing, devaluing counterpart, the 'abnormal', as I will argue below.) This step, which Foucault undertakes in the first of his two consecutive lecture series on governmentality and neoliberalism (2007), corresponds to his negation of neoliberalism's exclusionary character, discussed above, in the second lecture series on these subjects (Foucault 2010): With his redefinition of the term 'normalization' in contrast to the terms 'normation' and 'normativity' he paves the way for his thesis, treated above, according to which the neoliberal project can do without pathologizing, exclusionary divisions of 'normal vs. abnormal' at least

in the context of crime. I now want to address a second case in point on which I base my reading of Foucault along these lines, i.e. as denying the exclusionary parameters of neoliberalism: a significant change in his understanding of biopolitics, as articulated in the second of the said two lecture series – *The Birth of Biopolitics* (2010).

Biopolitics and neoliberalism: post-racist?

In his earlier lecture series *Abnormal*, Foucault (2003, 291–321) had related 'abnormality' to theories of heredity and had analyzed them as a form of racism. In his next lecture series, *Society Must Be Defended* (Foucault 2004, 239–264), he developed a notion of biopolitics or biopower according to which the protection and optimization of the lives of some is *based upon* the annihilation of others – whether literally or through indirect forms of murder. Foucault explicitly turns away from this notion of "biopolitics" (2004, 243), which was still shaped entirely by the idea that it is framed by practices that *divide* subjects (a "caesura" [2004, 255]) in accordance with the opposition 'normal vs. degenerate', in *The Birth of Biopolitics* (Foucault 2010, 227–229). Here he thus abandons his earlier – short-lived (cf. Stoler 2015, 333) – analysis of racism as constitutive of modern and contemporary societies (Foucault 2004, 254–263). In the context of his account of American neoliberalism and its reframing of *homo oeconomicus* as entrepreneur of himself, he maintains that, in the present, "the political problem of the use of genetics arises in terms of the [...] improvement of human capital" (Foucault 2010, 228) – for instance, in the context of genetic risk factors which might play a role in selecting a spouse or co-producer for reproductive purposes – *and not* as a question of racism (Foucault 2010, 227–229). In *The Birth of Biopolitics*, Foucault states:

> "What I mean is that if the problem of genetics currently provokes such anxiety, I do not think it is either useful or interesting to translate this anxiety into the traditional terms of racism. If we want to try to grasp the political pertinence of the present development of genetics,

> we must do so by trying to grasp its implications at the level of actuality itself, with the real problems that it raises [sic]. As soon as a society poses itself the problem of improvement of its human capital in general, it is inevitable that the problem of the control, screening, and improvement of the human capital of individuals, as a function of [sexual/marital, C.B.] unions and consequent reproduction, will become actual, or at any rate, called for. So, the political problem of the use of genetics arises in terms of the formation, growth, accumulation, and improvement of human capital. What we might call the racist effects of genetics is certainly something to be feared, and they are far from being eradicated, but this does not seem to me to be the major political issue at the moment." (2010, 228–229)

Here Foucault clearly uncouples biopolitics (as it obviously plays into the subject of these remarks) from racism. These remarks demonstrate that, at the time of his lectures on governmentality and neoliberalism, Foucault no longer considered racism to be constitutive of biopolitics, at least not in the present. At the same time, the above quotation implies that Foucault dissociates *neoliberalism* from racism, for (American) neoliberalism and specifically the neoliberal theory of human capital form the immediate context of his just-cited remarks. I regard this as providing further evidence supporting my thesis that, on Foucault's conception of neoliberal governmentality, exclusion no longer plays a decisive or politically important role with respect to it. This corresponds exactly to the politico-theoretical thrust of his account of the neoliberal approach to crime, on the one hand, and his distinction between normativity, normation and normalization, on the other, as analyzed above. My conclusion from Foucault's remarks as examined above, then, is this: It is part of the very sense of his distinction between 'normativity', 'normation' and 'normalization' to construct the latter as post-normative and, in virtue of this, as no longer in need of mechanisms of excluding 'the abnormal'.

While it would unduly disambiguate Foucault's work to argue that he either exclusively legitimized or exclusively critiqued neoliberalism (Zamora/Behrent 2016; Lorey/Ludwig/Sonderegger 2016), I do find it

necessary to assert that he smoothed out all tension between neoliberal rhetoric and the actual operation of neoliberalism (see note 13 to this chapter; see also Duggan 2004, 18; Rehmann 2016, 143–144, 148), and that he thereby exposed himself to the risk of taking on board neoliberalism's euphemizing construction of itself. This applies especially with a view to the question of whether neoliberalism or the apparatuses of security advance normative hierarchizations and social exclusion or not – as is evident from Foucault's words, as cited above. In denying this, his analysis of neoliberalism promotes the tendency of the latter to dissimulate its own violence (which, by contrast, is emphasized by Ludwig [2016b, 25–27]). In the next section, I want to demonstrate, based upon the example of Ludwig (2016b), that taking over Foucault's distinction between normalization and normativity for the purposes of a diagnosis of the present is to run the risk of reinscribing the euphemistic character of his notion of normalization as non-normative and devoid of norms in a prescriptive-evaluative sense.

'(Hetero-)Normalization' and intersectionality

Ludwig elucidates the concept of heteronormalization, starting out from the distinction made by the later Foucault between normalization, normation and normativity, as follows: According to her, a privileged part of the formerly categorically excluded sexual minorities today is offered social integration on neoliberal parameters, while groups racialized as 'Other' – whether sexually minoritized or not – continue to be socially excluded. The social integration of 'white' gays and lesbians – which other queer theorists have described in terms such as (for instance) *homonormativity* (Duggan 2004) or projective integration (*projektive Integration*) (Engel 2009) – takes place, then, at the expense of subjects excluded on the basis of racism; as a process of 'white' lesbians' and gays' refusal of solidarity. This analysis contradicts Foucault's account of neoliberalism and of the term 'normalization' as post-normative and non-exclusionary, as examined above with regard to his lectures on governmentality and neoliberalism (2007; 2010). It

also ignores the crucial transformation which Foucault's notion of biopolitics undergoes within these lectures, in which he forsakes his earlier thesis that racism is constitutive of modern and contemporary societies (Foucault 2004, 243, 254–263), as we have seen.[12]

The effect, indicated above, of a dissimulation of neoliberalism's violence on Foucault's part – which corresponds conceptually to his definition of 'normalization' as non-normative – is in turn reinscribed by Ludwig in symptomatic fashion, even though I am certain that this is contrary to her intentions. Symptomatically for the euphemism entailed in Foucault's later usage of the term 'normalization' – namely, for the notion that normalization qua technology of power is non-normative – the structure of Ludwig's article (2016b) militates against a thoroughly intersectional perspective: Her analysis of the government of sexuality in terms of the concept of heteronormalization, modeled as it is on Foucault's terminology, in the (middle) part of her text within which this this concept is introduced and contextualized (Ludwig 2016b, 29–36) privileges the dimension of sexuality while largely ignoring racism. Arguably, this forms the condition of possibility for

12 Ludwig (2016b, 17–19, 41–43) refers to Foucault's earlier remarks on racism to support her reading of Foucault's term 'normalization' in line with her own antiracist theoretical framework. Years earlier, Foucault had analyzed racism as a constitutive moment of biopower; namely, in *The History of Sexuality*, Volume 1 (1990) and in his lecture series *Society Must Be Defended* (2004). However, as argued above, Foucault's own later remarks in his lectures on governmentality and neoliberalism are at odds with this critical notion of biopolitics. By this I mean not merely his remarks about neoliberalism, but also specifically about the term 'normalization' as well as about racism (see above). In my view, moreover, there is nothing to be found either in *Security, Territory, Population* or in *The Birth of Biopolitics* that would support a reading of Foucault according to which his earlier, critical, antiracist notion of biopolitics coheres with his later analysis of neoliberalism in general and normalization in particular. I see a radical discrepancy, therefore, between the latter analysis and the antiracist intention underpinning Ludwig's analysis of heteronormalization as a fundamentally racialized technology of power. As argued in the main text, her intention is partially thwarted by her use of the Foucauldian terminology as shaped by Foucault's views on neoliberalism. See also note 6 to this chapter.

Ludwig's rendering of heteronormalization in terms of a *flexibilization* of the apparatus of sexuality (see above). Only in a further part of her article does Ludwig (2016b, 39–43) assert that the neoliberal *inclusion* of lesbians and gays into the societal mainstream – i.e., heteronormalization – operates as an offer of integration to '*white*' (and, as would need to be added in my view, middle- and upper-class) gays and lesbians *and not* to racialized minorities. Considering this thesis, which in terms of the structure of Ludwig's article is added only belatedly to her account of the term '(hetero-)normalization', the latter term turns out to be a misnomer in that it is introduced as a *global* technology of power rather than a technology addressed selectively to relatively privileged queers; namely, to 'white' members of the middle and upper classes and – it must be added – even amongst these, possibly only to those who are neither inter nor trans nor (being) handicapped nor subjected to psychiatric 'treatments'. In other words, Ludwig describes the neoliberal government of sexuality *in general* by the term 'heteronormalization' – as if it could also be used to apply to the 'government' of those subjects of whom she writes herself that their social integration is not envisaged; on whose backs heteronormalization operates as an offer of integration specifically to 'white' gays and lesbians (2016b, 39–43). Yet how could this term possibly designate an *exclusion* of subjects when, to the contrary, it connotes an *assimilation* to the standards of majority society – a technology of making-normal, as Link puts it (2013, 10–11) – and when it is elaborated in just this way by Ludwig (following Foucault) (Ludwig 2016b, 29–36)? Especially given that Ludwig distinguishes heteronormalization on exactly this count from a hetero*normativity* which she defines as exclusionary, and of which she writes at one point that, in neoliberalism, it has been replaced by heteronormalization qua technology of power (Ludwig 2016b, 34–36, 41)? By definition, 'normalization' as a technology of power can apply only to those subjects who, hegemonically, are regarded as 'able to integrate' and 'optimizable'. *This is why a universalizing use of the term '(hetero-)normalization' in the sense of 'the' one or the main neoliberal technology of power covers over the disciplining of subjects who are not accorded such assessment. It contributes at the level*

of political theory to rendering the hegemonic treatment of such subjects and their social positionalities invisible, that is, subaltern. I consider such use of the term '(hetero-)normalization' to entail violence, which is certainly unintended by Ludwig, yet which inheres in the term 'normalization' when it is used in such a way as to qualify it as 'the' (dominant) neoliberal technology of power, i.e. as applying 'across the board' – as conceived by Foucault. It should become clear that this term as he characterized it in connection with apparatuses of security, governmentality and neoliberalism is incompatible with an intersectional analysis of the government of sexuality which attends to racism and other axes of power from the very first, as soon as one asks: How are queers of color and other marginalized queers 'governed' – when it comes to sexuality and otherwise (see, e.g., Haritaworn 2015) (see also note 6 to this chapter)? This question in turn raises the question: With what further technologies of power is "heteronormalization" associated?

But even if one does not designate heteronormalization as the dominant or even the only technology of governing sexuality within neoliberalism (as Ludwig does at one point in her essay [2016b, 41]) but instead restricts oneself to advancing the thesis that heternormalization has joined heteronormativity as a further technology of power (see Ludwig 2016b, 34–35), even this would be politically problematic. For – contrary to how the latter thesis, as formulated by Ludwig, can be understood – both modes of government do not co-exist contingently by any means, as mutually independent technologies. Rather, according to the principle of intersectionality "(hetero-)normalization" and "(hetero-)normativity" as defined by Ludwig would need to be understood *relationally*, in the sense that they form systematically connected – more specifically: intertwined – discriminatory *dividing practices* (see above). Within their bifurcating framework, different categories of subjects are exposed to what tend to be diverging technologies of power: Whereas normalization targets primarily subjects who, from an intersectional perspective, tend to be positioned hegemonically, for other subjects, techniques associated with normation remain at least as virulent as the technology of normalization – insofar as subjects exposed to normation are

addressed by normalizing interpellations *at all* at the same time.[13] (This is questionable, for instance, for the jailed young migrants whose exclusion from governmentality Spindler analyzes [2006].)

For this reason it would be more coherent to juxtapose heteronormalization to a further technology of power named hetero*normation*, whilst conceptualizing both technologies of power as *constitutively normative* (not least as hetero-normative), as detailed in the following section. To instead frame hetero*normativity* as one technology of power amongst others, such as heteronormalization – as Ludwig does – is to suggest incorrectly, if true to Foucault, that normalization is *not* normative.

No 'normality' without 'the abnormals'

As soon as one understands technologies of power relationally and intersectionally as plural as well as mutually constitutively intertwined – and for the purposes of a diagnosis of the present, as a biopolitical *tandem involving normalization for some and normation for others* – it becomes clear that *both* technologies of power are constitutively

13 Beside other technologies of power, most subjects in neoliberalism may be addressed as well by normalization *to a certain extent* (cf. Engel 2002, 78, 80). But I wish to emphasize that the extent to which subjects can find themselves '*intended*' by normalizing interpellations varies strongly by social location. With subjects who, from an intersectional perspective, tend to be socially subordinated more than superordinated, neoliberal technologies of power can register through a contradictory constellation of interpellations: The promise that one can be normalized, which may animate attempts to self-optimize, here coexists with messages according to which the subjects concerned are *inapt* in a biopolitical sense (Foucault 2004, 239–264) – *and, as such, unsuitable – for optimization*. There is thus a discrepancy between the rhetoric of equal opportunity and an experience of impermeable boundaries which remain shaped to a strong degree by axes of social inequality such as gender and racism. In asserting this, I draw (much as does Ludwig [2016b]) on an earlier Foucauldian notion of biopolitics as constitutively racist and, as such, exclusionary (Foucault 2004, 254–263). See also note 12 to this chapter.

normative in the sense that not only normation, but normalization too depends upon a division between 'normal' and 'abnormal' which is indeed dichotomous (contra Ludwig [2016b, 34] as well as Engel [2002]). However fluid the boundaries between 'normal' and 'abnormal' may have become in recent times, in line with Ludwig's expression of a 'continuum of normality' (2016b, 28): The term 'normal' cannot do without its Other, the term 'abnormal', by definition (cf. Hark 1999, 79–80). Towards the end of any 'continuum of normality' there remains an arbitrarily set boundary which differentiates it from the 'absolutely abnormal', and beyond which a pathologization of subjects continues to hold – of those subjects who do not count as optimizable or for whom no inclusion is intended. (This is evident, for instance, in the institutional practices of psychiatry and psychology which – in conjunction with the comprehensive therapeutization of society – continue to operate through 'asylums' with closed wards, where 'measures' such as physically tying up 'patients', and medicating them forcibly, are maintained [Thesing 2017].)

Link recognizes this at certain points (e.g. Link 2013, 9, 58–59, 112). But his characterization of normalism as essentially independent of normativity (Link 1998, 2013) contradicts this acknowledgment. This characterization is based on a static, dehistoricized (see Link 1998, 254) and very narrow notion of normativity which corresponds to Foucault's reduction of normativity to the operation of a law understood in terms of prohibition (see above). The claim made by both writers that normalization or normalism is non-normative covers over its exclusionary character. The dependency of the term 'normality' upon its counterpart, the term 'abnormal', makes the first term *constitutively normative* in a much wider sense which, at the same time, is elementary: in the sense, that is, that the duality 'normal/abnormal' has a value-laden, hierarchizing as well as prescriptive character.

Link's theory of normalism in my view wouldn't be invalidated if he took to heart the critically inclined insight into the constitutive implication of 'normality' in value-laden normativity. Rather, his theory would become coherent only by way of this move. For, in the absence of this insight, it is unclear how the pressure or drive

towards (self-)normalization comes about which, according to Link (2013), is central both to protonormalism and to flexible normalism, as well as to the dynamic interaction between both variants of normalism. According to my thesis, this pressure is generated via the abjecting designation 'abnormal', which provides the incentive or motivation for the drive to 'normalize', in the first place (see below). Link seems to assume this himself at many points in his writings. However, his characterization of the construct 'normality' as non-normative is inconsequent in that it fails to match this assumption. This characterization is also politically uncritical, as it makes it impossible conceptually to take account of the constitutive part borne by the stigmatized 'abnormal' for the establishment of *any* normalism – even 'flexible normalism', which hence is by no means wholly flexible (in the sense that it would involve entirely permeable boundaries) but does have a repressive side.

The constitutive interlocking of the 'productive' side from which power today shows itself to *some* subjects predominantly – namely, in its constructionist modality – with the rigid, even repressive side from which *others* experience power (including neoliberal power) in large part has been taken account of theoretically in the most apposite way by Butler: From the abjective (Butler 1993, 3) designation 'abnormal' (or 'pathological'), implying as it does an injunction to differentiate from it (i.e. not to be identified with such a label), there results a movement of just such differentiation; a distancing movement – even as the latter is not performed with equal success by everyone. Along with the disciplining of 'abnormals', involving normation – with a view to gender, this affects particularly trans and inter persons by way of their continuing pathologization – (self-)normalization too, as engaged in by those who are (found to be) 'apt' and are permitted to do so, is therefore inherently normative in the sense in which Butler (1993) has analyzed normativity: namely, in the sense just described, of the *normalizing effect of abjection, i.e. its effect of approximating the latter subjects to the norm* (see also Tyler 2013).

Theorizing that severs the link between the 'flexible' and the 'rigid' faces of power whilst privileging its 'flexible' face analytically (flexible,

that is, only for certain subjects) generates a dualistic rather than a relational perspective. Moreover, this perspective ironically is itself *normative* in that it is conceptually based and, hence, modeled upon the social location, living conditions, and experience of subjects who tend to be positioned hegemonically, rendering these *as the norm*. And in a naturalized form, i.e. without this step being critically reflected upon and thereby marked as such, in the first place.

To conceive of normativity – and, hence, of heteronormativity – as a purely juridical distinction between the permitted and the forbidden which, qua technology of power, operates negatively and which exists only in a single form – no matter whether in doing so one follows Foucault (2007, 56, 46, 5) or Link (2013) – is to obscure more subtle modes in which normativity operates. It is therefore counterproductive for political and social analyses which are queer-feminist and antiracist at the same time (cf. Mesquita 2012). In contrast, a Butlerian understanding of norms as existing exclusively in their citation and, thus, as subject to historical transformation – an iterative resignification (Butler 1993) – makes it possible to conceive of normativity as a dimension of discourses *as such*, in the sense that *any* discourse entails an evaluative and prescriptive dimension (whether explicitly or implicitly so) (see also chapter 5). As a principal dimension of the discursive, normativity frames technologies of power per se, in their multiplicity. Normativity is at work in different technologies of power *in historically differing modalities*.

Taking a Butlerian understanding of normativity as a point of departure, the relationship between normalization and normation qua intersecting technologies of power can be sketched as follows, drawing as well upon the insight of an *earlier* Foucault into the intrinsic normativity of any possible notion of 'normality' – which applies as well to any accumulation of statistical knowledge orienting, for instance, to 'normal distributions' that would profess to be 'purely descriptive' (as implied uncritically by the later Foucault as well as by Link [see above]). In *Discipline and Punish*, Foucault wrote with a view to quantifying – continuous rather than binary (1991, 180–184) – systems for the measurement of subjects' performance, which qua

"'value-giving' measure" (Foucault 1991, 183) he regarded as essential to disciplinary power:

> "And by the play of this quantification, this circulation of awards and debits, thanks to the continuous calculation of plus and minus points, the disciplinary apparatuses hierarchized the 'good' and the 'bad' subjects in relation to one another. Through this micro-economy of a perpetual penality operates *a differentiation that is not one of acts, but of individuals themselves, of their nature*, their potentialities, their level or *their value*. By assessing acts with precision, discipline judges individuals 'in truth'" (Foucault 1991, 181; emphasis added; see also Foucault 1991, 182–183).

Foucault added:

> "The perpetual penality that traverses all points and supervises every instant in the disciplinary institutions compares, differentiates, hierarchizes, homogenizes, *excludes* [emphasis added]. In short, it *normalizes* [emphasis in the original]. […] For the marks that once indicated status, privilege and affiliation were increasingly replaced – or at least supplemented – by a whole range of *degrees of normality* [emphasis added] indicating membership of a homogeneous social body but also playing a part in classification, hierarchization and the distribution of rank." (1991, 183–184)

Informed by these remarks, I posit with a view to the present that those subjected to technologies of normation continue to be defined *in terms of an essence, their (imputed) 'character'* (contra Engel 2009, 151) – contrary to (the later) Foucault's construction of neoliberalism as a grid of intelligibility in whose terms "[t]he criminal is nothing other than absolutely anyone whomsoever" (Foucault 2010, 253; emphasis added; see above). Today, the violent essentialization of the pathologized and excluded coexists with constructionist discourses revolving around optimization and a 'responsible' government of self (cf. Engel 2009, 151; von Osten 2003, 9; see also Villa 2008, 248, 250, 267). But the latter discourses – this must be emphasized – are available primarily to subjects who at least tend to be positioned hegemonically; that is,

particularly to 'white' middle- to upper-class persons who are neither trans nor inter, and have been neither psychiatrized nor handicapped, whether physically or mentally. This discursive contrast seems to me to be definitive of discrimination today, whether it takes the form of (inter alia) racist or/and ableist practices. That is to say, this discursive contrast makes for the decisive difference between normation on the one hand and normalization on the other.

Conclusion

To conceptualize (hetero-)normativity and (hetero-)normalization as separate, (potentially) mutually independent technologies of power of which one has replaced the other entirely or at least as the main one is to risk rendering invisible, on the level of theory, the part played by those who do not count as 'suited for integration'. (Whether it be, for instance, trans persons of color, those unemployed long-term, or/and those subjected to psychiatric 'treatment'.) It is to risk reinforcing their subalternization even further. We need to take account more consistently, in producing theory and diagnosing the present, of the role of those affected by exclusion *as abjected subjects*[14] *from whom others seek to set themselves apart in the spirit of normalization*. This makes it necessary to frame their social abjection as *constitutive* of normalization; its constitutive outside (Butler 1993, esp. 3; contra Engel 2002, 228) and, thus, to clarify normalization's exclusiveness, of which Foucault failed to see that it marks not merely discipline, but also neoliberalism fundamentally. As a way of bringing into view the functionalization of 'abnormals' (see note 10) as 'Western' societies' constitutive outside in the present more vigorously – i.e. with greater theoretical and political consequence – I have proposed to theorize (hetero-)normalization and (hetero-)*normation* (not least of trans and inter persons) as a tandem of mutually intersecting technologies of power, which *qua*

14 Or, phrased more accurately, as those whose status as subjects is precisely being questioned/repudiated.

tandem is *normative in a Butlerian sense*. Specifically, in the sense that the constitution of self, and the neoliberal government, of hegemonic subjects (too) operates via an abjection of their essentialized Others: of those pathologized as 'abnormal'.

Postscript

Amir and Kotef (2018), whose reading of Foucault with a view to his distinction between 'normalization' and 'normation' comes closer to my own reading of Foucault than any other authors', have gone some way towards deconstructing the opposition which I criticize in Foucault, between a 'normalization' understood as purely descriptive or non-judgmental and 'normation' as its prescriptive counterpart. They do so in the specific context of their study of full-body scanners, used at airports, as a technology of power. The authors point out that this technology is designed to operate in a manner free of discrimination, in line with an understanding of 'normal' in the statistical sense of 'frequent', by the logic of which *in*frequent bodily features are identified as potential security threats. They identify this sense of 'normal' with Foucault's term 'normalization' as a technology of power *devoid of judgment*, i.e. in contrast with 'normation' as a technology of power understood as *involving norms* (see the extensive quotation from Amir/Kotef [2018] at the beginning of this chapter). However, as the authors argue: "While 'normal' in this context supposedly represents the mere prevalence of a given phenomenon, these [security, C.B.] systems ultimately reproduce categories which are very much aligned with social norms." (Amir/Kotef 2018, 237). They elaborate:

> "the objectively calculated normalization would *necessarily* replicate the categories of normation. This assertion rests on the claim that processes of empirical (statistical) normalization of the body, measuring human behaviour and constitution, are *irrefutably entangled* in the ways in which the body has been *disciplined* and categorized, deciphered and signified. This entanglement, queer

> theory teaches us, is always already immersed in *normation* processes. *Bodies can be sorted, measured, compared and averaged* only after they have been normalized; *only after they have been construed by the categories that render bodies intelligible and are, thus, the effects of prior disciplinary processes* (Butler, 1993). At least when engaged in the particularities of bodies, then, the second type of normalization (that of biopolitics) [i.e. normalization in the strict sense as defined by Foucault, C.B.] unavoidably carries with it the first type (of discipline) [i.e. the type of normalization in a wider sense which Foucault calls 'normation', C.B.]. What we have here is a technological manifestation of Butler's structural claim that the liberal paradigm of inclusion can never achieve its promise: *there will always be forms of exclusion*. Even if such algorithms were designed under different sets of assumptions concerning the structure of gender categories, *abnormalities of some kind would necessarily still be produced* by these technologies and marked as a security problem (be it heart rate, body heat, size, mobility or functionality for instance). As we have argued, *without such a production, there would be no meaning to 'threat' within this paradigm*." (2018, 249–250; emphasis added)

In other words, the very purpose of the full-body scanner, of identifying potential threats to security, is inscribed with the notion of the 'abnormal': "the logic of operation of the algorithm [based on which the full-body scanner functions, C.B.] is designed to identify threat with *deviation (from the 'normal' body or 'normal' human behaviour)*" (Amir/Kotef 2018, 249; emphasis added). Hence, "in such systems *without 'abnormalities' the concept of 'threat' loses its meaning*." (Amir/Kotef 2018, 244; emphasis added)

Amir and Kotef in the above quotations come close to arguing, as I have done above, that the notion of the 'abnormal' is both constitutively devaluing (and, hence, far from being non-judgmental, involves norms) and constitutive of *any possible notion of 'normal'*. However, they confine their argument to the specific empirical case on which their study focuses, and to norms *pertaining to the body* which form its context. They stop short of actually advancing the argument that *any possible notion*

of 'normal' is constitutively *normative* (in the sense of 'involving norms'). Instead of making this argument as a matter of theoretical principle (with Butler, whom they do cite; much as I have above), they actually validate the notion advanced by Foucault that there are two possible meanings of 'normal', only one of which is evaluative whereas the other is devoid of normative judgment. Thus, in the concluding section of their paper, they reiterate their view that:

> "the two meanings of 'normal' obtained by these two configurations of power [disciplinary power and biopower/security, C.B.] remain distinct. While one is a predefined and an ethically-loaded model that dictates judgement based on one's ability to conform to it, the other is a *purely empirical measurement*, extrapolated from the order of things." (Amir/Kotef 2018, 250; emphasis added)

Like Ludwig (2016b), Link (1998; 2013) and other writers mentioned in this chapter, Amir and Kotef thus ultimately take on board the Foucauldian notion that normalization ('in the strict sense') is non-normative in principle.[15] I have argued in this chapter that this theorem

15 More unambiguously than Amir and Kotef, Chambers (2017) seems to me to perpetuate a quasi-positivism that resonates with Foucault's own, even if it comes in a different terminological version than Foucault's. (As stated in note 3 to this chapter, Chambers defines Foucault's terms differently than does Foucault. This applies especially to the term 'normativity', the Foucauldian definition of which term Chambers simply omits.) Chambers for his part seeks to maintain a "distinction between the norm and the *dispositif* of power that upholds and enforces norms" (2017, 21), as if norms themselves could be situated outside power. Stating that "the norm is a distribution of cases, *a dispersion across the entire* [bell, C.B.] *curve*" (2017, 14; emphasis in the original), he actually argues that a "statistical distribution of sex and sexuality" – that is, presumably, of bodily features as much as of sexual practices, for instance – is not what "the critique of heteronormativity" opposes, and that to do so would be "naive" (2017, 21–22). "[I]t would be illogical to be against the basic idea that there is a norm around sexuality in the sense that there is a normal statistical distribution of sexual identities and practices" (2017, 23). In my view, to state this is to miss the Butlerian argument that there is no 'sex' before 'gender', that is, before or outside power (Butler 1990, 1993). The very technique

is uncritical and impedes an understanding of neoliberalism as being based on constitutive exclusions which pathologize and abject some of us as 'abnormal'.

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of statistical measurement is always already inscribed with the normatively charged, hierarchizing, *discursive* notion of 'normal' vs. 'abnormal' – without which it would have no *raison d'être* – and, more generally, with 'the will to knowledge' (Foucault 1990). To define 'norms' in terms of a statistical 'normal distribution' understood as 'natural' and outside of power is in fact analogous to ontologizing 'sex' as prediscursive (cf. Bruining 2016; see also Amir/Kotef 2018, as quoted in the Postscript to this chapter). Chambers, however, seems to be doing as much when he writes:

"norms are more than averages; they are distributions. Normativity is more than a norm; it is a name for the power relations produced and sustained when a norm comes to *matter* within a particular social order (or subculture of that order). Normativity connotes, in a way that 'norm' by itself need not, a distribution understood to be – and often culturally and politically enforced as – proper, truthful, and/or *right*. This compulsive power of normativity can thereby render the tails of a normal curve as wrong, deviant, and/or pathological. Hence normativity can generate a polarity between the normal and the abnormal." (Chambers 2017, 22; emphasis in the original).

Contrary to these words, the thrust of my argument in this chapter has been that statistically measurable 'facts' are unintelligible in the absence of the hierarchical opposition 'normal/abnormal'. In this sense, statistically measurable 'facts' are discursively constituted. This does not mean that 'facts' – such as bodily features, for instance – are therefore not material, or '*nothing but* discourse' (Butler 1993, 2015b, 17–35). See chapter 2 in this book for further discussion.