Democratization

Dahl's Procedural Democracy: A Foucauldian Critique

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Using Michel Foucault's insights into the operations of power this article assesses the theoretical strengths of Robert Dahl's procedural democracy. It assumes a 'perfect' procedural democracy that functions according to the ideal standards, or five criteria, that Dahl introduces. Insofar as this imaginary democracy is 'perfect' it will, according to Dahl, ensure a variety of goods such as equality and freedom. Theoretically speaking the controlling mechanisms that Foucault describes will not be able to function within Dahl's model, since they tend to annihilate the goods that it is meant to secure. The article reveals two central difficulties with Dahl's account. First it shows that a range of controlling mechanisms that suppress freedom and engender inequality could legitimately function within a 'perfect' democracy. Second, it argues that within this democracy, human traits inconsistent with the values considered essential by Dahl can still be generated. On a deeper level, the article concludes that a 'perfect' procedural democracy is untenable because procedures can never be divorced from power relations.

Using Michel Foucault's insights into the operations of power, this article assesses and evaluates the theoretical strength of Robert Dahl's model for a procedural democracy in his *Democracy and its Critics*.[1] While the scholarly literature discussing Foucault has proliferated over the years, only a few studies have examined the relevance of his writings to democratic theory.[2] Moreover, no one, to the best of the writer's knowledge, has argued that Foucault's analysis of power sheds light on the procedural/substantive democracy debate. The working hypothesis here is straightforward: it assumes a 'perfect' procedural democracy that functions according to the ideal standards (five criteria) that Dahl introduces. Insofar as this imaginary democracy is 'perfect', it will, according to Dahl, ensure a variety of goods such as equality, freedom, human development, and human worth. Theoretically speaking, then, the different controlling mechanisms described by Foucault in his many writings on power will not be able to function within it, since these mechanisms often annihilate the same goods that Dahl's perfect model is meant to create and protect.[3]

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This study discloses two central difficulties in Dahl's model. First, it shows that a range of controlling mechanisms that suppress freedom, undermine plurality, and engender inequality, can legitimately function even within a 'perfect' procedural democracy. These mechanisms, it will be argued, manage to prevail because they do not contradict the procedures and rules informing Dahl's model. This argument does not make the claim that the 'perfect' procedural democracy necessarily consists of mechanisms which suppress freedom and undermine equality, but rather that these mechanisms can legitimately operate within it.

The second difficulty is tied to the first one, and involves the conception of power underlying the procedural version of democracy and its relation to the individual. In his writings, Dahl appears to assume a Cartesian imagery according to which the individual's formative modes of conceptualization ontologically precede society, politics and culture. He is, to be sure, aware that power affects the individual in numerous ways, not least of which are economic constraints that limit access to knowledge and foreclose a variety of opportunities. Yet, he fails to suggest that the individual's very interests and identity are at least partially *constituted* by the power relations circulating in society. The claim here is thus made up of two inextricable criticisms: first, Dahl employs an overly narrow notion of power; and second, he conceives power's primary mode of domination as repressive, that is, the limitation and constraint of individuals, rather than as positively constituting behaviour, interests and identities.

Insofar as power affects people positively, it becomes apparent that both government and procedures are not merely a reflection of human nature,[4] but also contain a productive component that helps shape human conduct. More importantly, in this context, if the political arena helps produce interests and identities, then we need to examine what kind of interests and identities the procedural democracy engenders. In what follows, it is claimed that, on one level, the ideal democratic model envisioned by Dahl can generate human traits that are inconsistent with values he himself considers essential to democratic life. On a deeper level, a 'perfect' procedural democracy is untenable not so much due to practical difficulties (Dahl's argument), but because procedures can never be divorced from existing power relations (Foucault's claim).

Effective Participation

For many years now, scholars have been criticizing the procedural emphasis of democratic rule and the corresponding de-emphasis of substantive goods.[5] Robert Dahl, to be sure, is well aware that a just process may lead to unjust results, but maintains that when substance takes over process, we

are often left with dictatorship. Following John Rawls in *A Theory of Justice* (1971), he claims that it is not so much a question of procedure versus substantive goods, but rather the priority of the procedure over substantive goods. Simultaneously, however, Dahl disrupts the procedure/substance binary – which is a corollary of Rawls' rights/good binary – when he stresses that the democratic process presupposes and entails an array of democratic goods, goods that are actually inherent in the procedures themselves. The procedural democracy is not oblivious to substantive issues, Dahl claims, but rather endorses and ensures certain goods like freedom of speech and freedom to assemble: 'So while my explicit concern is with political equality', he writes, 'my implicit and real concern is with freedom, human development, and human worth.'[6]

From a voluntarist vantage point, the five criteria that Dahl cites as standards against which democratic procedures ought to be evaluated are indeed compelling. The criteria are effective participation, voting equality at the decisive stage, enlightened understanding, control over the agenda, and inclusion.[7] He maintains that these criteria are ideals and that due to practical reasons it is highly unlikely that they can ever be fully realized. They constitute a utopian imagination to which we should aspire, since 'any process that met them perfectly would be a perfect democratic process, and the government of the association would be a *perfect* democratic government' (italics added).[8] This ambitious claim requires careful examination. The example provided in Plato's *Republic* leads us to try to imagine a utopian democratic regime that functions according to these standards. This exercise proves revealing, since it discloses that even the 'perfect' procedural democracy – the one that entirely meets Dahl's standards – cannot ensure freedom, equality, plurality, and so on. Only two of the five criteria will be explored here, owing to constraints of space, to see what kind of promise they hold if they could be fully realized. The only twist in the following analysis is that, following Foucault, the individual is conceived to be situated in a complex web of power relations.

Recognizing the central significance of participation to democratic life, Dahl dedicates his first criterion to this issue, formulating it thus:

> Throughout the process of making binding decisions, citizens ought to have an adequate opportunity, and an equal opportunity, for expressing their preferences as to the final outcome. They must have adequate and equal opportunities for placing questions on the agenda and for expressing reasons for endorsing one outcome rather than another.[9]

Dahl explains the importance of this criterion, stating that to 'deny any citizen adequate opportunities for effective participation means that

because their preferences are unknown or incorrectly perceived, they cannot be taken into account. But not to take their preferences … into account is to reject the principle of equal consideration of interests.'[10] Dahl seems to be making a corrective move, responding to some of the criticisms levelled against his earlier writings, such as those by Bachrach and Baratz.[11] These critics pointed out that Dahl's notion of power did not capture the instances whereby organizations, groups and individuals are restrained even before their conflicting interests actually manifest themselves in the political arena. Stephen Lukes, in *Power: A Radical View* (1974) defines this power as two-dimensional: the power that confines the scope of decision-making by determining in advance what constitutes the agenda. It accordingly appears that 'effective participation' takes into account the fact that the lack of participation may result from some form of control, and aspires to overcome the difficulty by offering every citizen the 'equal opportunity' for expressing preferences regarding the outcome of binding decisions.

Without trying to spell-out which procedures would be needed in order to satisfy the criterion of 'effective participation', let us begin our scrutiny by imagining a regime that already has a set of procedures that secure the criterion as Dahl conceives it. From a voluntarist point of view, equal opportunity to express preferences regarding binding decisions does indeed bring into relief the inequality arising from the power to control the agenda (Lukes' two-dimensional power). Procedures ensuring 'effective participation' would enable each citizen to question the agenda and to offer an alternative position. They consequently guarantee the freedom to express one's convictions and to influence the decision-making process.

Having created an imaginary democratic regime in which the criterion or ideal standard of 'effective participation' is actualized, we can now turn to examine whether this regime secures equality and freedom to a *situated* citizen affected by intricate power relations as it does to a *voluntarist* citizen. Dahl is partially aware that a difficulty could arise and therefore stresses, '"equal opportunity" means "equal opportunity"'. This, he suggests, undermines the Marxist critique that a wealthy person will always have more influence than an indigent person; the two, he concludes, will *actually* have equal opportunity.[12] Dahl recognizes that inequality in resources engenders political inequality. Ownership and control, he says, 'contribute to the creation of great differences among citizens in wealth, income, status, skills, information … [and] differences like these help in turn to generate significant inequalities among citizens in their capacities and opportunities for participating as political equals in *governing the state*'.[13] Thus, some form of large-scale redistribution of resources is needed to guarantee 'effective participation'; wittingly or unwittingly, Dahl

concedes that the procedures ensuring equal opportunity to participate are dependent on the substantive equalization of resources.

This line of criticism gains ground when one considers that Dahl calls the criterion *effective* participation, while providing a definition that is limited to the equal *opportunity* to participate. Dahl can do so, because within his imaginary anyone who has an opportunity can actualize it so long as he or she has sufficient resources and *wills* it. The will, it is important to note, is considered to be autonomous, suggesting that given the circumstances the individual is totally free to make decisions. Yet, once the individual is understood to be situated within a web of power relations that affects him or her positively, then it becomes clear that 'effective participation' is a much stronger concept than equal opportunity, and that adequate resources and human will are not the only variables determining whether an opportunity is actualized. Indeed, there are a variety of practices and mechanisms that engender interests and constitute identities, thus helping to shape the will. It is in this context that Foucault's discussion of discursive practices, disciplinary techniques, and bio-power helps one understand the limits of the procedural model.

Interestingly, Foucault shares Dahl's commitment to political participation. In *Discipline and Punish,* he describes a range of disciplinary techniques that produce an inverse relation between economics and politics. These techniques render the population more efficient in economic terms, while simultaneously depleting it of its political force, so that the population becomes submissive and complacent. 'Let us say', Foucault writes, 'that discipline is the unitary technique by which the body is reduced as a "political" force at the least cost and maximized as a useful force'.[14] For Foucault, these two processes are inextricably tied and there exists a dialectical relation between them: economic efficiency and political passivity reinforce one another.[15] Elsewhere, he writes, 'The problem, then, is not try to dissolve [power relations] in the utopia of completely transparent communication but to acquire the rules of law, the management techniques, and also the morality, the *çthos*, the practice of the self, that will allow us to play these games of power with as little domination as possible'.[16]

In his writings, Foucault shows that power operates primarily in a positive way by fabricating, manufacturing, and shaping interests and identities. The notion that power has a constitutive capacity is based on Foucault's genealogical approach, which assumes that there are 'no fixed essences, no underlying laws, no metaphysical finalities'.[17] The so-called essences that surround us, the social practices that seem so normal that they are considered to be natural, are, according to Foucault, produced by power relations. Power, Foucault claims, is ubiquitous, thus suggesting that

nothing escapes its web. One's interests, aspirations, ambitions, desires and the way one identifies one's self are accordingly influenced by power relations.[18] Put differently, one is not a pre-existing entity, whose formative modes of conceptualization precede society.

If the individual is, at least partially, constituted by the power relations existing in society, then Dahl's contention that a set of procedures can secure 'effective participation' becomes untenable. Consider the percentage of women within industrialized countries who are either members of the legislature or hold a position in government. While in most of these countries the procedures pertaining to political participation do not discriminate against women, according to the United Nations, only 13.6 per cent of all legislative positions and 12 per cent of all government offices are actually occupied by women.[19] Whereas women's diminished access to resources can partially explain this disparity, it seems that other variables play a part as well. Most conspicuous among these has been the widespread promulgation of normative gender roles.

Foucault describes a range of mechanisms that help 'normalize' and 'naturalize' gender roles. At least since Karl Marx – who argued that poverty is not natural but caused by violation and exploitation – it has become acceptable among certain theorists to claim that one of the more effective ways to control a population is to convince people that a certain phenomenon is 'normal' and/or 'natural'. Foucault's studies strive to expose that we are always enveloped by background practices, which appear to be transhistorical and beyond contingency, but are in fact constructed by power relations. In a sense, Foucault politicizes phenomena that had been previously considered to be natural, that is, 'beyond politics'. For instance, a Foucauldian analysis suggests that the series of traits linked to masculinity (active/rational/independent/penis) and femininity (passive/emotional/dependent/vagina) are not naturally connected. Rationality is not inherent to masculinity or to the penis and there is no natural affinity between them, as there is no natural affinity between a vagina, emotions, and passivity. Rather, these traits are artificially concatenated in the service of specific social hierarchies. The individual, in turn, adopts and 'performs' these traits, and the dialectical relation between the fabricated unity of disparate attributes and their 'repetitious performance' reinforces their 'natural' status.[20] This artificial unity, created by an array of mechanisms, constitutes, in turn, a range of social norms and practices. An analysis of television commercials reveals that girls and boys receive very different messages; it is frequently implied that girls will fulfil themselves by satisfying men, while boys will fulfil themselves by pursuing a successful career.[21] So while a girl and a boy might, in terms of procedures, regulations, and even material resources have equal opportunity to become a politician once they

grow-up, the socialization processes have, historically, rendered the girl less prone to seek political office (also, men are more likely to reject, block and hinder women from entering political office due to these norms). It is precisely these processes, as well as material inequalities, that help us make sense of the paucity of women in the upper echelons of politics and corporate management.

This claim becomes much more potent when one considers Foucault's analysis of sex. While the gender/sex distinction – whereby sex is considered biological and gender a social construct – is by now familiar, at least in academic circles, very few scholars consider sex to be a social construct. And yet, Foucault claims that sex is a construct as well. His genealogical examination of 'sex' reveals that a variety of characteristics that pertain to totally different domains – 'anatomical elements, biological functions, conducts, sensations, and pleasures' – were artificially unified and attributed to the concept sex.[22] In other words, power often operates by organizing disparate attributes together in a particular way in the service of social hierarchies. The 'fictitious unity' which comprises the concept sex is accordingly a manifestation of power, and it is put into use in order to create and/or sustain hierarchy, to facilitate domination, to check and control.

The relevance of this radical move to our discussion is Foucault's claim that each individual has to pass through sex 'in order to have access to his [*sic passim*] own intelligibility … to his identity'.[23] In other words, power relations that serve social hierarchies produce our understanding of sex,[24] while simultaneously the world, including ourselves, becomes intelligible to us through sex. If sex is saturated with power and we have to pass through it in order to make sense of our interests and identity, then our interests and identity are always already informed by existing power relations. Thus, an analysis of gender and sex discloses not only that equal opportunity is a very abstract concept that can never be fully actualized, but also, more significantly, that human will is saturated with power.

In sum, Dahl's notion of 'effective participation' does not address three intricately connected difficulties. The first difficulty involves material inequality. Dahl avers that material inequality engenders political inequality, but fails to note that this claim destabilizes the procedural account itself, since it underscores the way in which procedures are contingent upon radical substantive changes. In other words, widespread substantive transformation is the condition of possibility of the procedures' actualization. Second, even if citizens did have equal opportunity to participate in terms of equal resources and accessibility to participatory institutions, as individuals who live and thrive in an existing web of power relations, their identities and interests are constituted in such a way as to render them even formally unequal. As mentioned, the very idea that there

can be some kind of formal equality between human beings is typically based on the Cartesian notion of the autonomy of the will. Counter to Descartes, who conceives the worldless *cogito* to be the philosophical Archimedic point, Martin Heidegger – who was among the first to criticize Descartes on this issue – considers our primordial experience as *situated*, as being-in-the-world. He suggests that the Cartesian *cogito* is dependent on, and conditioned by, its being-in-the-world, and it is not coincidental that Descartes' *Meditations* begins by stripping the *cogito* of the world. The world, Heidegger argues, is not surmised from the *cogito,* as Descartes would have us think, but rather humans are always already in-the-world.[25]

Foucault takes this insight one step further and politicizes it, as it were, by suggesting that the power relations existing in society engender individual interests. He describes a variety of controlling mechanisms that help shape behaviour, affecting the individual in complex ways which can have, for example, a detrimental affect on political participation. The will, Foucault claims, is always already saturated with power, and therefore never autonomous. In other words, politics as well as culture and economics are not merely an effect of interests, but in many ways precede and create interests by producing norms, customs, and rules. This indicates that Foucault and Dahl have radically different conceptions of the political. Foucault equates the political with power, rather than with interests, and conceives interests to be products of politics, rather than vice versa.

Finally, and stemming from the latter difficulty, Foucault also suggests that institutions and procedures can never be neutral *vis-à-vis* social agents since they reflect power relations that already exist in society. For instance, in *Madness and Civilization*, we read that medical institutions are not 'objective', but rather governed by political considerations. The mental asylum 'is not a free realm of observation, diagnosis, and therapeutics; it is a juridical space where one is accused, judged, and condemned, and from which one is never released except by the version of this trial in psychological depth – that is, by remorse. Madness will be punished in the asylum, even if it is innocent outside of it.'[26] Although institutions and procedures frequently present themselves as impartial, they are permeated by power and actually strive to advance specific programmes. Moreover, they function in the service of power. These last two difficulties become clearer through an examination of Dahl's criterion of 'enlightened understanding'.

Enlightened Understanding

Dahl is, at least partly, conscious that equal opportunity to participate does not guarantee that citizens will be able to place questions on the agenda and

to express *reasons* for endorsing a specific programme. He consequently offers another criterion that is supposed to provide the individual with the proper tools for participation. He calls this criterion 'enlightened understanding' and formulates it in the following manner: 'Each citizen ought to have adequate and equal opportunity for discovering and validating (with the time permitted by the need for a decision) the choice on the matter to be decided that would best serve the citizen's interests.'[27]

Dahl explains that this criterion would make it 'hard to justify procedures that would cut off and suppress information which, were it available, might well cause citizens to arrive at a different decision; or that would give some citizens much easier access than others to information of crucial importance; … and so on'.[28] He convincingly argues that in order to reach an informed decision that is consistent with one's interests one must have access to information. His suggestion that information can be deliberately suppressed is also extremely persuasive. Interestingly, though, it appears that he unwittingly adopts the orthodox Marxist notion of false interests. The very suggestion that information may be suppressed in order to camouflage an *objective reality* presumes a situation whereby a person adopts a view that does not *really* reflect his or her interests.[29]

Dahl, one should also note, is trying to solve a difficulty that has disturbed political commentators from the advent of western philosophy, namely how citizens can attain the knowledge needed to reach informed decisions (while Plato's parable of the cave is probably the best known passage discussing the relation between knowledge, justice and politics, political theorists are constantly returning to re-examine the issue). Several modern thinkers have underscored this difficulty by examining different forms of manipulation and indoctrination in democracies. For instance, in his analysis of propaganda, Walter Lippmann coined the phrase 'the manufacture of consent'. Lippmann claims that the creation of consent in democracies is *not* a 'new art', but one that has 'improved enormously in technique, because it is now based on analysis rather than on rule of thumb'. He adds that propaganda is a regular organ of 'popular government'.[30] It seems that Dahl develops the criterion of 'enlightened understanding' because he agrees with Lippmann's analysis. The criterion is meant to overcome different forms of manipulation by ensuring that each citizen will have adequate and equal opportunity for discovering and validating the choice on the matter to be decided.

Let us once again assume an imaginary community in which Dahl's five criteria are satisfied, but focus this time on the set of procedures guaranteeing 'enlightened understanding'. Given that each citizen in this 'perfect' democratic community has adequate and equal access to the resources of knowledge, we need to examine whether democratic qualities

like plurality, equality, and freedom are actually secured. In order to address this issue it is important to consider a number of underlying assumptions informing Dahl's (and Lippmann's) arguments. The criterion of 'enlightened understanding' is articulated from within the conceptual framework informing liberalism (and to a certain extent orthodox Marxism). Once again the individual is characterized as an autonomous agent, a self-interested acquirer of benefits. It is further assumed that once one has adequate information one will make a rational decision in one's best interest. Real interests, according to this view, precede politics. In addition, there exists an *objective or true reality* that is, at times, manipulated or camouflaged and needs to be uncovered.[31] The difficulty with this is not Dahl's assumption that knowledge is frequently suppressed (which it often is), but with his supposition that there exists knowledge that is cut-off from power relations and is waiting to be deciphered. Put differently, Dahl assumes knowledge that is neutral *vis-à-vis* social hierarchies, and the criterion of 'enlightened understanding' is meant to ensure access to this knowledge.

Foucault spends much time criticizing the very same assumptions upon which Dahl's criteria are founded. Only a few central points can be summarized here. As mentioned in the previous section, Foucault espouses a genealogical approach, suggesting that the 'very project of finding a deep meaning underlying appearances may itself be an illusion, to the extent that it thinks it is capturing what is really going on'.[32] A Foucauldian would, for example, disagree with the orthodox Marxists who claim that 'liberal democracy' is a facade employed by the bourgeoisie in order to create the impression that everyone is equal. Liberal democracy does not conceal an authentic reality, but is an expression of the relation among certain forces operating in society. Since there are no constants or fixed essences, liberal democracy neither hides an objective reality, nor is it the manifestation of some true primordial existence. Power is 'both much more and much less than ideology', Foucault says, by which I understand him to mean that power is more than ideology because it produces intelligibility, it is less than ideology because it does not have the capacity to conceal and hide 'true reality'.[33]

While Lippmann and Dahl share a profound belief in matters of fact, Foucault, who to be sure, is also concerned with facts, believes that facts are constituted via discursive practices and various other mechanisms.[34] Since there are no fixed essences, the genealogical approach precludes the idea of an original and unitary cause or ultimate justification. In other words, no specific event can fully explain why a given phenomenon unfolds. The idea of an ultimate justification is implied in most propaganda models – which assume that propaganda hides real causes – as it is in the distinction between

real and false interests. Discursive practices, Foucault argues, do not hide reality, but rather create it; there is no pre-given true and natural object or reality behind the discursively constituted one. For example, the conception of madness in the eighteenth century did not, according to Foucault, reveal a more authentic and genuine madness nor did it conceal true madness. Rather the eighteenth century conception of madness was, at least partially, produced by discursive practices and is a reflection of specific social relations characterizing a particular community in a given era.

Knowledge, in Foucault's analyses, is not, so to speak, out there in the world waiting to be revealed, but produced by a variety of social practices. So when one talks of 'enlightened understanding', that is, the acquisition of true knowledge, one is failing to acknowledge the possibility that power relations produce knowledge itself. In other words, even if the criterion of 'enlightened understanding' were satisfied, the information or knowledge one attains is not divorced from power relations and is often informed by existing social hierarchies. Power and knowledge are inextricable, Foucault writes, 'power produces knowledge … power and knowledge directly imply one another … there is no power relation without the correlative constitution of a field of knowledge, nor any knowledge that does not presuppose and constitute at the same time power relations'.[35] This is one of Foucault's basic claims in *The Order of Things* (1994), where he criticizes the 'enlightened understanding' of 'Man'. The crucial point for our discussion is that the promise of adequate and equal access to 'knowledge' does not necessarily entail more freedom, equality or plurality. While one should not conflate the power that produces knowledge with domination, one of the ways power does manifest itself is through domination. Thus, equal access to 'knowledge' can actually have a detrimental effect, in the sense that access to the prevailing conceptions of reality can serve the hegemonic world view by homogenizing a heterogeneous population on the level of consciousness, while helping to sustain material inequality.

To illustrate why an array of procedures ensuring 'enlightened understanding' are not necessarily conducive to democratic life and can actually facilitate oppression, let us briefly consider Foucault's discussion of disciplinary techniques. Disciplinary techniques function on the minutest level, penetrating the social body through simple procedures, instruments, architectural edifices and the like. Disciplines, Foucault notes, were first introduced 'when an art of the human body was born': an art 'which was directed not only at the growth of [the body's] skills, nor at the intensification of its subjection, but at the formation of a relation that in the mechanism itself makes it more obedient as it becomes more useful, and conversely'.[36] The body, he adds, has become the cardinal object of power relations in modern society. Foucault thus advocates a bottom-up approach

to the investigation of disciplinary power, an approach that is very different from the prevailing tendency among political scientists to analyze governments, political parties, economic trends, social movements, non-governmental organizations, military build-up and so on. This latter tendency is also apparent in Dahl's focus on institutions, procedures, and rights associated with national governments.

'Anything', Foucault explains, 'can be deduced from the general phenomenon of the domination of bourgeois class' or in contemporary parlance, anything can be inferred from the ascendancy of a free-market economy. This indicates, according to Foucault, that if one is interested in examining power, it is not so much the overarching system or its manifestations that need to be investigated, but rather the minute devices constituting the apparatus that makes up the system and enables it to function. Foucault finds that surveillance is one of the most efficacious techniques of disciplinary society. He discusses one of its paradigmatic examples, the panopticon, the architectural model designed by the eighteenth-century utilitarian Jeremy Bentham. The perpetual 'gaze' of an unverifiable observer situated inside the panopticon tower acts directly on prisoners by projecting constraints and norms which ultimately render the permanently visible prisoner docile. 'There is no need for arms, physical violence, material constraints', Foucault says, 'Just a gaze. An inspecting gaze, a gaze which each individual under its weight will end by internalizing to the point that he is his own overseer, each individual thus exercising this surveillance over, and against himself'.[37]

> Thanks to the techniques of surveillance, the 'physics' of power, the hold over the body, operate according to the laws of optics and mechanics, according to a whole play of spaces, lines, screens, beams, degrees, and without recourse, in principle, at least, to excess, force or violence. It is a power that seems all the less 'corporeal' in that it is subtly 'physical'.[38]

The internalization of disciplinary requirements is even more apparent in Foucault's analysis of the confession practice, in which he illustrates that not only exterior relationships help mould the subject; it is as if the confessor's gaze penetrates the subject, ensuring that the 'soul' conforms to the existing rules, codes, and mores.[39] The soul, he says, becomes the prison of the body.

Foucault also mentions the process of examination as a manifestation of power that has proliferated in the past century, and while it does not necessarily entail domination, the examination is often used as a form of control. The employment of examination is pervasive in disciplinary society, and one encounters it in a variety of forms throughout life.

Moreover, examinations, as such, are not in any way at odds with Dahl's five criteria. Put differently, even in Dahl's perfect democracy examinations could be utilized and might even be a useful tool in disseminating enlightened knowledge.

Foucault, nonetheless, shows that examinations have a twofold capacity to facilitate social control. On the one hand, examinations constantly sift the members of society through a strainer, thus evaluating and categorizing individuals according to established criteria – criteria which are hardly neutral, reflecting existing societal norms which are expressions of power relations. Those who deviate can be sent to prisons or psychiatric institutions, while the rest are further categorized and compartmentalized according to their particular 'abilities'. In this way, the examination distinguishes, divides, and ultimately isolates the different members of society. On the other hand, in order to succeed in passing the examination, individuals are required to appropriate an already determined field of knowledge and behaviour. If one wishes to be a bank teller, one needs to satisfy a whole range of conditions. One has to demonstrate the ability to calculate and be mindful of money; one has to show that one can comply with a dress code, adopt certain mannerisms, and appropriate the accepted business proprieties. This example emphasizes not only that exams can be used to check and control a population, but that every society functions according to norms, norms that operate in the service of power and reflect existing social hierarchies.

My criticism has two complementary dimensions: on the one hand, mechanisms of control can operate undisturbed within a procedural democracy, while on the other hand the procedures themselves are not outside of power. The first point is demonstrated in Foucault's analysis of exams in educational institutions. Students are constantly requested to take tests or hand-in papers, which the teacher uses in order to evaluate progress and accomplishments. The examination, Foucault explains, enables the teacher to establish a 'visibility through which one differentiates [the students] and judges them'. Most professors teaching the module Political Theory 101 in a big American university will not remember all their students, but can differentiate them by giving the students exams and assignments. Through the exam each student 'receives as his [*sic passim*] status his own individuality', or even more poignantly the exam marks the student as a case. Foucault adds that insofar as the examination is considered to be a reflection of the student, the student is also conceived of as an object that can be defined, categorized, and channelled in a specific direction.

The crucial point here is not only that the examination, like other forms of surveillance, differentiates and insulates the students, but that

simultaneously it homogenizes them, since it allows the teacher to transmit specific information and 'to transform his [*sic*] pupils into a whole field of knowledge'.[40] And homogeneity, as Iris Marion Young convincingly argues, has a tendency to become assimilationist and to consume any form of heterogeneity or plurality.[41] From a slightly different perspective, even if students had some kind of direct access to a field of knowledge, who is to say that through 'enlightened understanding' of the field they gain access to principles that are consistent with democratic life? I can readily imagine a situation whereby enlightened understanding divulges knowledge that is antithetical to democratic principles.

As mentioned at the outset, according to Foucault, in modern society disciplinary techniques produce an inverse relation between economics and politics, whereby the individual becomes more efficient in economic terms, while his or her political force diminishes. This process does not just happen, but is dependent on the dissemination and circulation of fields of knowledge, values and norms within society. Foucault's suggestion that economic efficiency and political passivity reinforce each other can help explain why in the United States – the wealthiest country in the world which has been experiencing economic growth for almost a decade – 43 million citizens, who have no health insurance, conduct their daily lives with little more than a murmur of public objection. These citizens can legitimately protest and request social change, yet they avoid practising their rights and are, in many respects, politically apathetic. Disciplinary techniques, Foucault seems to be arguing, help produce social tranquility, by promulgating fields of knowledge that extol consumption and economic productivity, while depreciating political activism. Who is to say that if each citizen has 'enlightened understanding' in Dahl's sense of adequate and equal opportunity in making decisions that would best serve the citizen's interests, then decisions would not focus on improving production and consumption?

Thus, even if one could imagine a community whereby equal opportunity to participate and 'enlightened understanding' were actually satisfied, it appears that an array of disciplinary techniques could still thrive in this community. Insofar as disciplinary techniques can legitimately function within the ideal procedural democracy – and I think that they can – then the perfect procedural regime cannot protect its citizens from processes that undermine the very goods which Dahl's model attempts to secure. Moreover, if imaginary perfect procedures are unable to ensure political freedom, then imperfect procedures surely cannot.

Thus the demands of a perfect procedural democracy are in fact much greater than Dahl acknowledges, since they would ultimately have to account for the more subtle and thus all the more effective operation of

positive power. But this, I believe, is unfeasible, for, as mentioned, Dahl's project is based on the assumption that there is objective knowledge, which is similar to the Cartesian will in the sense that it precedes the social, or is, more specifically, autonomous. While Heidegger might have argued that knowledge is always already within a world, Foucault translates the German philosopher's insight into a language of power. A Foucauldian analysis thus implies that knowledge, like social norms, is always saturated with power. Foucault might have added that when knowledge is portrayed and grasped as if it were outside power's web, power triumphs. Once this level of analysis is taken into account the criticism waged against Dahl's model becomes stronger. It is not only that the ideal procedural democracy cannot realize the goal it has set for itself (that is, perfect democracy), but that the whole project is philosophically unsound.

Beyond Proceduralism

Perhaps the most apparent conclusion that can be inferred from the analysis of Dahl's criteria is that insofar as the individual's interests and identity are at least partly socially constituted, then altering procedures is insufficient for strengthening democracy. In addition, the preceding discussion suggests that one of the reasons the existing controlling mechanisms manage to thrive within modern liberal democracies is because they can coincide comfortably with democratic procedures. History teaches that the mechanisms suppressing freedom and plurality and engendering inequality constantly modify themselves in order to synchronize their ongoing operation with neoteric procedural requirements.

Another conclusion, one that has implications that are much more far-reaching, is that some of the major concepts used within the discipline of political science need to be rethought. Foucault not only dramatically broadens our notion of power, but his analysis also changes the meaning ascribed to basic concepts such as freedom, equality, citizenship, justice and so on. Examining precisely how our understanding of these concepts needs to be modified is a task beyond the scope of this project, but one that several theorists have already begun doing.[42]

While Foucault's insights reveal the limitations of Dahl's model, his claims are not free of difficulties either. Indeed, a number of scholars have argued that his knowledge/power nexus leaves us in an epistemological abyss.[43] It is important to keep in mind, however, that although Foucault does not conceive knowledge to be transcendental or to have some kind of neutral or objective status, he is constantly wrestling with the knowledge/power relation. He is perfectly aware of the philosophical difficulties arising from his writings. During an interview with Gérard Raulet, Foucault admits that

the thesis 'knowledge is power' has been attributed to him: 'I begin to laugh', he says, 'since studying their relation is precisely my problem … The very fact that I pose the question of their relation proves clearly that I do not *identify* them'.[44] Although Foucault conceives truth to be epochal, it still compels him to engage in political action.[45] It impels him to make certain judgements, rather than others; Foucault is not a relativist. 'Nothing is more inconsistent', Foucault says, 'than a political regime that is indifferent to truth; but nothing is more dangerous than a political system that claims to lay down the truth. The function of "telling the truth" must not take the form of law … The task of telling the truth is an endless labor: to respect it in all its complexity is an obligation which no power can do without – except by imposing the silence of slavery'.[46]

This latter passage offers yet another criticism of Dahl's project, while simultaneously providing productive advice regarding the direction one can take when trying to promote a more just democratic society. In a sense, Foucault takes us back more than two millennia to some of the ideas proposed by Plato. In *The Laws*, Plato convincingly argues that formal prescriptions are unable to capture the complexity of political and social life, and therefore cannot become the basis for the best regime (1988). Foucault draws out Plato's claim when he criticizes those who think that truth can take the form of law. Formal solutions not only fail to take into account the complexity of human existence, but the accentuation of abstract formulas can also be dangerous. On a slightly more positive note, Foucault, once again following Plato, tells his interlocutor that there is no simple answer: the task of telling the truth is an endless labour that one should struggle with daily. Perhaps a good instance of this kind of labour is portrayed in *The Laws*. The best regime is a promise that cannot be attained via abstract guidelines; one must continuously endeavour to realize it while respecting the full spectrum of lived experience and the complexity of human existence.

NOTES

1. R. Dahl, *Democracy and its Critics* (New Haven: Yale University Press, 1989).
2. See F. Dallmayr, 'Democracy and Post-Modernism', *Human Studies*, Vol.10 (1987), pp.143–70; B. Hindess, 'Liberalism, Socialism and Democracy: Variations on a Governmental Theme', *Economy and Society*, Vol.22, No.3 (Aug. 1993), pp.300–13; O. Lee, 'Culture and Democratic Theory: Toward a Theory of Symbolic Democracy', *Constellations*, Vol.38, No.1 (Dec. 1998), pp.433–55; and M. Dean, 'Normalising Democracy: Foucault and Habermas on Democracy, Liberalism and Law', in S. Ashenden and D. Owen (eds.), *Foucault Contra Habermas: Recasting the Dialogue Between Genealogy and Critical Theory* (London: Sage, 1999).
3. Works by M. Foucault: *Discipline and Punish* (New York: Vintage Books, 1979); *Power/Knowledge*, ed. C. Gordon (New York: Vintage Books, 1980); 'The Ethics of the Care of the Self as a Practice of Freedom', in J. Bernauer and D. Rasmussen (eds.), *The Final Foucault* (Cambridge, MA: MIT Press, 1988); *Madness and Civilization* (New York: Vintage

Books, 1988); *The History of Sexuality*, Vol.I (New York: Vintage Books, 1990); The *Archaeology of Knowledge* (New York: Barnes and Noble, 1993); *The Order of Things* (New York: Vintage Books, 1994).

4. See R. Dahl, *A Preface to Democratic Theory* (Chicago: University of Chicago Press, 1956).

5. Examples are B. Barber, *Strong Democracy* (Berkeley, CA: University of California Press, 1984); M. Sandel, 'The Procedural Republic and the Unencumbered Self', *Political Theory*, Vol.12, No.1 (1984), pp.81–96; and D. Lummis, *Radical Democracy* (Ithaca, NY: Cornell University Press, 1996).

6. Dahl, *Democracy and its Critics*, p.323.

7. Ibid., pp.108–29.

8. Ibid., p.109.

9. Ibid.

10. Ibid.

11. P. Bachrach and M. Baratz, *Power and Poverty. Theory and Practice* (New York: Oxford University Press, 1970).

12. Dahl, op. cit., p.115.

13. R. Dahl, *A Preface to Economic Democracy* (Berkeley, CA: University of California Press, 1985), pp.54–5.

14. Foucault, *Discipline and Punish*, p.221.

15. Foucault's claim concerning the inverse relation between a population's economic efficiency and its political force is, of course, contextually derived. It does not purport to be valid beyond society's present configuration, for it is clear that, at least theoretically, economic efficiency could allow people to devote more time to political participation and to become active citizens who influence the character of their community.

16. M. Foucault, *Ethics, Essential Works of Foucault 1954–84*, Volume I, ed. P. Rainbow (London: Penguin, 1997), p.298.

17. H. Dreyfus and P. Rainbow, *Michel Foucault Beyond Structuralism and Hermeneutics* (Chicago: University of Chicago Press, 1983), p.106.

18. It is sometimes said that Foucault portrays the social agent as if it is totally programmed. This view is mistaken, since he clearly states that the very possibility of power relations is dependent upon freedom, upon the possibility 'of violent resistance, of escape, of ruse, of strategies that reverse the situation'. See Foucault, 'The Ethics of the Care', p.12; also consult W. Connolly, 'Taylor, Foucault, and Otherness', *Political Theory*, Vol.13, No.3 (1985), pp.365–76; and N. Gordon, 'Foucault's Subject: An Ontological Reading', *Polity*, Vol.XXXI, No.3 (1999), pp.395–414.

19. Data from S. Swirski and Y. Yechezkel, *Representation of Women in the Legislative and Government, both in Israel and the World* (Tel-Aviv: Adva Center for Social Justice, 1999).

20. Foucault, *Discipline and Punish; The History of Sexuality*.

21. For example, in many commercials women are portrayed as married, taking care of the household, or as a sex object who is supposed to please men's desires, while men are presented as those in charge of technical difficulties, as pursuing a successful career. See N. Gordon, 'Human Rights', *Mitzad Sheni* (in Hebrew) (March 2000), pp.12–15.

22. Foucault, *The History of Sexuality*, p.154. Judith Butler, in *Gender Trouble* (New York: Routledge, 1985), adds that the hierarchy, which privileges sex over gender, is disrupted through Foucault's analysis because one has to pass through gender in order to reach sex. In other words, we understand sex only through language and the language we use is already informed by the existing gender norms.

23. Foucault, *The History of Sexuality*, p.156.

24. For instance, within a different web of power relations, sex could be understood more as an act of pleasure, which has little to do with procreation. Along the same lines, sexual orientation could be considered more in terms of postures and frequency of sexual activity and less in terms of the gender involved in the sexual act. See E. Sedgwick, *Epistemology of the Closet* (Berkeley, CA: University of California Press, 1990).

25. See M. Heidegger, *Being and Time*, trans. J. Macquarie and E. Robinson (Oxford: Blackwell, 1988), esp. chapter titled 'The Worldhood of the World'.

26. Foucault, *Madness and Civilisation*, p.269.

27. Dahl, *Democracy and Its Critics*, p.112.

28. Ibid.
29. Later in the book Dahl criticizes the orthodox notion of false interests. He rhetorically asks 'How then could we possibly justify saying that what A is choosing is not in A's interests?' To do so, he continues, 'would presuppose that we possess privileged knowledge, not accessible to A, of an absolute standard independent of A's own enlightened understanding of his desires, wants, needs, and ideal values'. Dahl, op. cit., p.182. While it is obvious that there is a paternalistic danger underlying the Marxist notion of false interests, this does not necessarily mean, as Dahl himself suggests through his criterion of enlightened understanding, that people do not make decisions which are against their interests. People in fact frequently adopt a worldview that is inconsistent with their 'interests'. Nonetheless, one does not need to assume, as Dahl does in the passage just cited, that absolute knowledge is needed in order to claim that another person is acting against his or her interests. Antonio Gramsci, for example, states that false interests result from incoherency in a person's thought, so one does not need to have access to higher forms of knowledge, but rather to decipher and expose the incoherency in the thought process. See A. Gramsci, *Selections from the Prison Notebooks*, ed. and trans. Q. Hoare (New York: International, 1971).
30. W. Lippmann, *Public Opinion* (New York: Free Press, 1965), p.158.
31. Other assumptions include the notion that there is an identifiable site of control and that power is *intentionally employed* in order to manipulate the public. Foucault, *The History of Sexuality*, pp.93–5.
32. Dreyfus and Rainbow, op. cit., p.106.
33. Foucault, *Power/Knowledge*, p.102.
34. Discursive practices create fields of knowledge, so that within a particular historical period, medicine, for example, has a specific mandate that isolates the objects of observation (who is considered a patient and what is considered a disease); it has particular regulations governing acceptable practices (is 'cupping' still within the boundaries of medicine?); and a defined membership that determines who should be considered a physician, nurse, etc. In other words, medicine, like all other institutions, is discursively constituted. Foucault, however, qualifies this claim when he suggests, for example, that statements constituting a specific mandate cannot be considered autonomous units. Rather statements gain meaning as they cut across a domain of structures and possible unities, and which reveals them, with concrete contents in time and space. So while an institution is constituted by statements (that determine its mandate, membership and so on), a statement is dependent on the institution for its meaning (the statement 'cupping is not permitted' gains meaning within the context of medicine).
35. Foucault, *Discipline and Punish*, p.27.
36. Ibid., pp.137–8.
37. Foucault, *Power/Knowledge*, p.155.
38. Foucault, *Discipline and Punish*, p.177. The flaw of the panopticon is that the gaze is centralised whereas power, according to Foucault, is not located in one identifiable site. See C. Colwell, 'The Retreat of the Subject in the Late Foucault', *Philosophy Today*, Vol.38, No.1 (Spring 1994), pp.56–69.
39. Foucault, *Power/Knowledge*, p.155
40. Foucault, *Discipline and Punish*, p.187.
41. I. Young, 'Together in Difference: Transforming the Logic of Group Conflict', in W. Kymlicka (ed.), *The Rights of Minority Cultures* (Oxford: Oxford University Press, 1995), p.162.
42. E. Laclau, *New Reflections on the Revolution of Our Time* (London: Verso, 1990); I. Young, *Justice and the Politics of Difference* (Baltimore, NJ: Princeton University Press, 1990); C. Mouffe (ed.), *Dimensions of Radical Democracy* (London: Verso, 1992); Connolly op. cit.
43. N. Fraser, 'Foucault on Modern Power: Empirical Insights and Normative Confusion', *Praxis International*, No.1 (1981), pp.272–87; C. Taylor, 'Foucault on Freedom and Truth', in D. Hoy (ed.), *The Critical Foucault* (Oxford: Blackwell, 1986).
44. M. Foucault, *Politics, Philosophy, Culture*, ed. L. Kritzman (New York: Routledge, 1990), p.43.
45. For a portayal of Foucault's political activities see D. Macey, *The Lives of Michel Foucault* (New York: Pantheon, 1993).
46. Foucault, op. cit., p.267.