



Review of Yves Sintomer's The Government of Chance: Sortition from Athens to the Present

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Review of Yves Sintomer's

The Government of Chance: Sortition from Athens to the Present

(Cambridge University Press, 2023)

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This is a wonderful book, which brings together and updates Yves Sintomer's two volume *Petite histoire de l'expérimentation démocratique. Tirage au sort et politique d'Athènes à nos jours*, published in 2011. It covers the history and use of sortition in masterful detail and readable prose and is likely to become the 'go to' book on the topic for many. The book is notable for its geographic coverage, which involves a careful discussion of China, not merely the more usual examples of Athens, Venice, Florence, and Berne, and draws on a huge literature in several languages, although some readers may notice the absence of Neil Duxbury's 1999 book on *Random Justice*, and Peter Stone's 2011 book, *The Luck of the Draw*. Sintomer has written an immensely scholarly, engaging and generally persuasive book. We are lucky that his long and deep engagement with sortition and democracy is now available in one highly readable volume.

The book starts by situating its interest in sortition in the context of the exhaustion of the postwar model of liberal democracy, with its mass parties, bureaucratized administration, and limited opportunities for more deliberative and participatory forms of representation. It sees renewed interest in sortition-based forms of politics as evidence of that crisis but, also, as indicators of a new way of doing democratic politics that might respond to that crisis. Nonetheless, Sintomer wishes to nuance and correct the idea that sortition is an inherently democratic way to select people for office, as compared to elections, rejecting the idea that 'sortition in politics has preserved a transhistorical democratic logic', as 'more myth than historical fact'. He also emphasizes the range of political functions – including the alleviation of competitive tensions amongst oligarchical élites – which sortition has filled historically (pp 11; 66 -124). His examination of its use in pre-democratic Athens contributes to this complexity and, to my mind, increased rather than decreased the appreciation one feels for its ingenuity

and practical character which, in conjunction with appointment and election, created an inclusive deliberative and participatory form of government for male citizens – a democracy (pp 46-54).

Sintomer also provides a nuanced account of the demise of lotteries in the wake of the age of revolutions. According to Bernard Manin, the explanation for that demise lies in the desire of most revolutionaries to establish elective aristocracies rather than democracies; and the acceptance of natural rights-based accounts of legitimacy, which made consent to government, by the governed, the hallmark of a legitimate régime. While elections could, at a stretch, be seen as fulfilling this role, (despite the problem of minority votes, abstentions and those who are ineligible to vote or to stand), sortition could not. Hence, according to Manin, sortition falls out of favour and, ultimately, into oblivion, even amongst those with democratic political objectives. However, according to Sintomer, this story needs nuance not simply because aristocratic régimes in Europe continued to use sortition in the revolutionary period and, even, into the nineteenth century, but because the same people who rejected it when choosing *political* representatives celebrated its use in *judicial* settings, as a way of giving voice to 'common sense' rather than to elite or professional judgement. Hence, understanding the fate of sortition in the post-revolutionary period requires attention not just to the appeal of natural rights-based conceptions of legitimacy (repudiated by Utilitarians, who nonetheless, sought to include women, racial and religious minorities, and workers amongst the electorate of a representative republic), but to ideas of rationality, reasonableness, meritocracy and, I would add, individuality. (134- 158; 168 – 171).

To my mind, what is less persuasive, despite multiple references to 'taming chance', and to the supposed benefits of modern polling, with its stratified randomized samples, is Sintomer's explanation of the contemporary *political* interest in sortition. As Sintomer notes, there are different ways of thinking about the place of sortition as a democratic component of contemporary politics (237-247). One of these, which he supports, he identifies with radical democracy and sees it as embodying an appealing conception of democracy and a potential solution to contemporary political woes. However, when barely four per cent of those invited to participate in sortition-based citizen assemblies of a couple of hundred people are willing and/or able to take part, it is unclear what is so democratic about their construction, their deliberations or decisions, or why we should identify radical democracy with *their* potential, rather than that of other contemporary experiments in democratic association, deliberation and mobilization. More seriously, without a better understanding of the differences between democratic and undemocratic conceptions of legitimacy, and of the role of consent within them, it is

hard to know what forms of sortition, appointment, election or direct decision-making are democratic, and what combination of them might best respond to the political challenges facing different democracies. Engaging with Duxbury and Stone's conception of random selection as justified where reasoned decision-making is impossible or undesirable might have deepened the normative underpinnings of this book. Still, these reservations about the normative political theory, and contemporary political analysis, shaping the last chapters of this book in no way detract from their interest or the quality of Sintomer's historical and textual analysis.