



INTRODUCTION. THE HISTORY OF SORTITION IN POLITICS: INSTRUMENTS, PRACTICES AND THEORIES

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INTRODUCTION. THE HISTORY OF SORTITION IN POLITICS: INSTRUMENTS, PRACTICES AND THEORIES, BY LILIANE LOPEZ-RABATEL AND YVES SINTOMER

Since the 1990s, historians, sociologists and political scientists have all shown renewed interest in sortition, a device which has also resurfaced in public discussions in many countries around the world.¹ However, this ancient form of decision-making and designation — which many believed had been relegated to the dustbin of history — was rediscovered along two relatively distinct trajectories by historians on the one hand, and sociologists and political scientists on the other.

The return of sortition

While historiography has devoted a certain amount of attention to the use of sortition in politics, in particular during Greek and Roman Antiquity as well as during the Middle Ages in Italy and Spain, such interest was relatively incidental. Over the years, the studies that focused on random selection in politics were few and far between. If we look at European Antiquity specifically, there are no more than half a dozen important contributions to list: Fustel de Coulanges (1891) and John Wycliffe Headlam (1891) at the beginning of the 1890s, Victor Ehrenberg (1923) in the 1920s, Christian Meier (1956), then Lili Ross Taylor (1966) and finally Eastland Stuart Staveley (1972) a few decades later.

Renewed interest in random selection in politics

Starting in the 1990s, and drawing on advances made in the fields of historiography, archaeology and epigraphy, the number of studies on sortition began to proliferate and break new ground. Mogens H. Hansen's seminal work (1995) marked a turning point in research on Ancient Athens and was quickly followed by other studies (cf. in particular Boegehold, 1995; Demont, 2003, drawing on the pioneering work done by Dow, 1937). A parallel movement took place with regard to studies on Ancient Rome,

¹ This volume is partially drawn from a conference organized by Liliane Lopez-Rabatel and Yves Sintomer, held in October 2015 at the *École Française d'Athènes* [French School of Athens] in collaboration with the *Institut de Recherche sur l'Architecture Antique* [Research Institute on Ancient Architecture], CNRS-MSH MOM, *Université Lumière Lyon 2*), CSU-CRESPPA (CNRS-Université Paris 8), the *GIS Démocratie et Participation* [Scientific Interest Group in Participatory Democracy] and the *Association Française de Science Politique* [French Political Science Association]. The theme of the conference was "Random selection and direct democracy. Ancient accounts and their legacy".

with publications by Claude Nicolet (1976), Azedine Beschaouch (1991) and Roberta Stewart (1998), as well as synthesis like the one elaborated by Frédéric Hurlet (2006). Interestingly enough, there was also renewed interest in the Italian Communes, especially following the publication of John N. Najemy's work (1982), and some general comparisons have begun to be published (Tanzini, 2014; Keller, 2015) rather than only monographs. This movement has expanded outside of the West, including in countries such as China (Will, 2002) and Mexico (Aguilar Rivera, 2000). More generally, sortition has been examined in various studies that seek to deconstruct different modes of designation and appointment (Ruffini, 1977; Schneider, Zimmermann, 1990; Dartmann *et al.*, 2010), whereas its uses in divinatory practices and pre-modern politics has already been the subject of a preliminary overview (Cordano, Grottanelli, 2001).

At the same time, interest in random selection has resurfaced, growing exponentially within activist circles and in the domain of political science research. First mentioned by a few pioneers in the late 1960s and early 1970s (Dahl, 1970), the political use of random selection was then further studied in Germany, where Peter Dienel proposed the use of "planning cells", or *Planungszellen* in 1969, the first of which were tried out in the winter of 1972–73; and concurrently in the United States, where Ned Crosby created a very similar mechanism in 1974 that he called "citizen juries". The latter term would be broadly disseminated, whereas Dienel's "planning cells" would largely remain a German use (Dienel, 1997; Crosby, 1975). In 1988, James Fishkin invented deliberative polling, testing the process out for the first time in 1994 in Great Britain (Fishkin, 1997). Militant authors such as John Burnheim (1985), Benjamin Barber (1997), Lynn Carson and Brian Martin (1999) and Barbara Goodwin (2005) also helped to popularize the idea. In France, as demonstrated by Samuel Hayat's essay in this volume, the seminal work of Bernard Manin (1997) on representative government played a crucial role in rousing activist interest in sortition, even despite a certain misunderstanding of Manin's arguments, given that the author is far from supporting this form of decision-making. The French blogger Étienne Chouard and the Belgian intellectual David Van Reybrouck (2016) also published a number of very popular essays on the subject. Other academics, whether active in politics or not, helped to rehabilitate the concept of sortition, including John Gastil (2000), Philippe C. Schmitter and Alexander H. Trechsel (2004), Dominique Bourg (2011) and Jon Elster (2013); this trend even

reached countries as distant from Europe as China (Wang, 2018). The British publisher Imprint Academic has played a significant role in this regard, republishing recent titles that were already out of print, as well as new works in the field (Callenbach, Phillips, 2008; Barnett, Carty, 2008; Sutherland, 2008; Delannoi, Dowlen, 2010). As Julien Talpin demonstrates in this volume, there has been fruitful cross-pollination between theoretical work on deliberative democracy and research on randomly selected mini-publics, leading to an explosion in the number of publications on the subject, as well as the proliferation of democratic experiments in the use of random selection across the Global North and beyond. A number of collective manifestos were published at the end of the 2010s, with contributions from Erick O. Wright, the former president of the American Sociological Association and Jane Mansbridge, the former president of the American Political Science Association (Gastil, Wright, 2018; 2019).

An unprecedented historical panorama

At the turn of the 2000s and 2010s, four political scientists and sociologists — Anja Röcke (2005), Yves Sintomer (2007, 2011), Oliver Dowlen (2008) and Hubertus Buchstein (2009) — published historical surveys of the use of random selection in politics. At the same time, archaeological studies (Lopez-Rabatel, 2011) and the experimental reconstruction of an ancient Greek *kleroterion* under the aegis of the IRAA by Nicolas Bresch in Paris allowed us to finally understand the true uses of the famous “lottery machine” described by Aristotle in his work *The Athenian Constitution*. The material conditions of this form of decision-making have thus been greatly elucidated. By situating itself at the intersection of these two avenues of research, this volume seeks to build upon the significant advances made in studies on sortition. It contains an unprecedented overview of the theories, uses and instruments of political sortition from Antiquity to the present day. It sheds new light on the historical, ideological and institutional foundations of random selection, as well as on the material conditions of its practice.

To this day, no equivalent overview exists at the international level. The fact that this volume brings together leading specialists studying a wide variety of different time periods and geographical regions means that it can go further, in terms of both depth and precision, than the aforementioned studies which sought to provide a panoramic overview of the historical uses of random selection. Conversely, sortition has until now

generally been the subject of very narrow studies focusing on specific periods and cultural areas. The extreme level of specialization of such studies has not allowed their authors to venture interpretations about other peoples and places, and has therefore stymied a global understanding of the uses of sortition. This text is therefore unique in more than one way, as it seeks to be interdisciplinary and trans-historical. Its innovation lies in the interdisciplinary approach used by experts in different academic fields who examine random selection in all its theoretical, procedural and physical dimensions. While the approaches used by political scientists, historians, philosophers, political sociologists, archaeologists and philologists are different both within and across disciplines, they remain largely complementary and therefore all add to the immense value of this volume.

The composition of this volume is governed by both chronological and geographical factors. For the first time, studies are brought together that stretch from Greek Antiquity to the present day and from all four corners of the globe. While the chapters which focus on the Ancient World, the Middle Ages, and the modern period mostly concern Mediterranean Europe, with a few incursions into East Asia, France and Switzerland, the scope of the volume as a whole is much broader, including a study of China's use of sortition from the very end of the 16th century to the beginning of the 20th century. Looking at very recent history, a number of authors in this volume also analyze the numerous experiments in random selection that have been conducted in Western Europe as well as Iceland, British Columbia and several American states during the 21st century.

In this volume, three dimensions of sortition are investigated: the instruments used to implement sortition and the role they played; the various practices of random selection and their historical and political context; and the theoretical principles that helped to promote, or on the contrary hinder, the use of sortition in politics. Given these different concerns, varying types of sources are used as applicable: literary and philosophical texts ranging from Greco-Roman Antiquity to the present day; epigraphic texts and archaeological vestiges (for the Athenian and Roman periods); sociological studies, observations and analyses of contemporary practices; iconographic documents; and statistical data. These sources — which differ in their accessibility, readability and completeness, depending on the period in question — are compared and contrasted with other sources from an interdisciplinary and trans-historical perspective which drew

significantly on a number of thematic conferences that were held during the writing of this volume.

Given that they stem from the nature of the sources and the academic disciplines from which they are drawn, the methods used in this volume are diverse. Studying the vocabulary of sortition offers a kind of lexical framework to look at the physical tools and logistical procedures employed in Greco-Roman Antiquity (Milano, Lopez-Rabatel) and during the Middle Ages (Tanzini); this is complemented by an analysis of archaeological vestiges and their representations. While the research focuses on the terms used to describe the tools of sortition, it also includes generic terms describing “random selection” and “election”, two concepts that are not as mutually exclusive as is often imagined. In the absence of technical texts, cross-reference with institutional or philosophical works sometimes allows for a better understanding of the political contexts in which sortition was used. Conversely, but in the same vein, philosophical writings from Antiquity, while sometimes the primary subject of a study (Macé), are also pitted against political realities or material circumstances. Such writings are likewise referenced to determine the nature of their contribution to theories of modern and contemporary political philosophy, in particular with regard to the role played by sortition (Moreno Pestaña). In the fields of science and political sociology, fieldwork examines the political scope and functioning of deliberative mini-publics (Fourniau, Dowlen), various mechanisms of democratic deliberation, and the many guises of random selection both inside and outside of the political sphere (Courant). Ultimately, the “survival” of random selection in politics is interpreted in an unprecedented fashion using A. Warburg’s concept of the “pathos formula” (Sintomer).

Divinatory sortition and distributive sortition: The historical construction of random selection in politics as a specific practice

In our contemporary world, that fact that most uses of random selection for political, scientific and entertainment purposes have been secularized means that we assume there is an essential difference between secular and religious uses of sortition, without even questioning the historical pertinence of such a distinction. This volume doubtless partly rests upon this assumption — aside from the chapter by Romain Loriol, most of the essays contained herein focus on practices that we would today designate as “political” in nature and only mention the divinatory uses of sortition in passing, if at all.

While the practice of divinatory sortition was used in a wide variety of civilizations, the political use of random selection was largely (though not exclusively) developed in the West, where it became particularly widespread and increasingly rationalized (Hacking, 1990). To our knowledge (although a systematic investigation of non-Western sources would likely produce a few surprises), only China under the Ming and Qing dynasties witnessed a similar development of sortition practices, as discussed in the chapter by Pierre-Étienne Will.

Religious and political

Nevertheless, the dichotomy between political and religious sortition was — and is — not a self-evident one. The question of the relationship between random selection and religion is therefore examined in a number of the studies contained in this volume, in different contexts ranging from Antiquity to the modern era. In the Near East, in Greece and in Rome, no hard-and-fast distinction was made between religion and politics: religion was a civic engagement and many political acts were embedded within religious rituals. Random selection was included in a broad range of activities, including both divinatory practices and what we might today call political practices, but whose religious or at least ritual dimensions remained nonetheless significant. At first glance, the similarities between the instruments first used in the Near East, Ancient Greece and Ancient Rome are striking, in terms of both political and divinatory uses of drawing lots. In Rome especially, all political acts were ritualized. Although some authors now distinguish between random selection in terms of pure chance and random selection as revealing the divine will, it may be that this distinction had little significance during some periods in the Ancient World.

The religious dimension of random selection is illustrated in the Homeric epics, where the procedure is accompanied by a prayer to the gods. For a long time, and in the wake of the arguments made by Fustel de Coulanges (1891), the idea that random selection in Antiquity was predominantly a religious matter prevailed. This situation began to change, however, with the work of Hansen (1995). While today, the common view is that the practice of random selection was completely detached from religious signification by the time it was employed in the radical democracy of 4th-century BCE Athens, some scholars have argued that the matter is perhaps not so cut and dry. In his *Laws*, Plato differentiates between two kinds of sortition. One form, based on

“proportional” equality and equity, is the expression of divine will; the other is used for the “seventh form of rule”, which is more trivial and allows for the allocation of public offices. In the latter case, prayers are addressed to the gods so that they may guide chance appropriately. Arnaud Macé argues that Plato attributes a religion dimension to chance by incorporating the question of divine approval into the process. As a staunch opponent of democracy, Plato grants the use of random selection in the ideal city a value that it probably did not have in his contemporary democratic Athens. Lotteries were held in the Theseion as early as the 4th century BCE, and the description of the random selection of members of the people’s jury by the author of *The Athenian Constitution* illustrate a ritualized civic procedure. Moreover, in the 2nd century CE, several *kleroteria* were displayed in the sanctuary where lotteries took place. While these elements all suggest that we cannot overlook the ritual dimension of the procedure, they do not imply that when Athenians proceeded to randomly select citizens for public offices, they believed they were revealing the will of the gods. In fact, Plato’s text suggests quite the opposite. The lotteries used to distribute political duties gradually lost their initially religious signification. This evolution can be seen in Athens starting in the 5th century, and in Rome after the fall of the Republic. Although the ritual dimension continued to be important, perhaps even fundamental, the idea that the will of the gods was expressed every time public offices were randomly allocated was no longer a belief shared by the majority of citizens (or, if we are to believe Cicero (1923), by the majority of educated citizens). From this point of view, it is significant that the lottery machine, the *kleroterion* (starting in the 4th century BCE) as well as the rotating urn, the *urna versatilis* (starting in the 1st century BCE) were never used for divinatory purposes, according to extant sources. Nevertheless, it was only during the Christian Middle Ages that the norms governing religious practices and political acts were to diverge radically with regard to the use of sortition; it was likewise only at this point that the distinction between the two uses began to be theorized.

Thomas Aquinas: *Sors divisoria* vs. *sors divinatoria*

By investigating the distinction between political and religious uses of chance, we are revisiting a traditional argument dating back from the Christian Middle Ages. Thomas Aquinas was the first to establish a rigorous classification of the different uses of sortition. In the section on divination in his *Summa Theologica* (2007 [1269–72]) and a short treatise called *De Sortibus* (1963 [1270–71]), Aquinas explains that “there are three kinds

of divination. The first is when the demons are invoked openly, this comes under the head of ‘necromancy’; the second is merely an observation of the disposition or movement of some other being, and this belongs to ‘augury’; while the third consists in doing something in order to discover the occult; and this belongs to ‘sortilege’” (2007, volume 3, p. 1596).

The rationales for the first two kinds of divination are at antipodes from each other. The first, which is illicit, consists of directly invoking demons, illegitimately trying to discern the divine will, and possibly giving into superstition — the last two practices ultimately amount to letting demons act surreptitiously. In opposition to this demonic form of divination, condemned for both theological and rationalist reasons (which had already been established by Cicero, 1923), Thomas Aquinas describes a licit form of divination, essentially what is practiced by augurs. It consists of analyzing and interpreting certain natural phenomena in order to predict the future. According to Aquinas, it is both useful and necessary to consult the movement of the stars to better manage agricultural cycles, either by directly analyzing causal chains (the movement of the stars leading, for example, to eclipses and thus exerting a direct influence over natural bodies), or by looking for clues of causal dynamics not immediately perceptible (the flight paths of birds or the behavior of animals in general could reveal on-going natural events that humans could not detect directly (Aquinas, 2007 [1269–72])). This kind of divination could be subject to a process of rationalization.

The third kind of divination, using lots, deserves a description of its own: it is a kind of halfway point between the other two forms. In the *Summa Theologica*, it is defined as a process “practiced by observing certain things done seriously by men in the research of the occult, whether by drawing lots, which is called ‘geomancy’; or by observing the shapes resulting from molten lead poured into water; or by observing which of several sheets of paper, with or without writing upon them, a person may happen to draw; or by holding out several unequal sticks and noting who takes the greater or the lesser; or by throwing dice, and observing who throws the highest score; or by observing what catches the eye when one opens a book, all of which are named ‘sortilege’” (Aquinas, 2007 [1269–72], article 3, p. 1596).

In *De Sortibus* (1963 [1270–1271]), Aquinas further develops his reflections on the subject. Aquinas gives a new theological foundation to the condemnation of chance-based divinatory practices (*sors divinatoria*, or *sortes sanctorum*), which the Church had

outlawed since the Council of Vannes in 462, but which widely remained in practice (as can be observed in the life of Saint Francis of Assisi, 1180–1226) (Courcelles, 1963). The *Decree of Gratian* (*Decretum Gratiani*), written between 1139 and 1158 and which had helped to establish canon law, likewise condemned the practice. In the context of a discussion on divinatory practices, Gratian comments on the idea that “chance was not evil; it was something that indicated the divine will amidst human doubt”. Gratian also writes: “we respond thusly: before the Gospels flourished, many things were permitted, that have since been completely eradicated in our era of more perfect discipline. For example, the marriage of priests, or of related persons, was not forbidden by ancient laws, the laws of the Gospel, or the laws of the Apostles, but is nevertheless completely forbidden by ecclesiastical law. Moreover, we recognize that there is no harm in the [act of drawing] lots, but the practice is forbidden to the faithful, so that they are not tempted to return to the old idolatries under the guise of practicing divination” (*Decretum Gratiani*, Question II, C. I; see also C. VII).

Thomas Aquinas’ originality lies elsewhere, however. He takes into account the growing use of random selection for magistrates in the Italian Communes, as the latter were rediscovering a procedure that had apparently disappeared for centuries. He also argues for the banning of random selection procedures for official Church positions. His contemporary political context was quite unique: the use of random selection for public offices was widespread in Northern and Central Italy, where in most cases it was combined with various forms of co-option and election, with the result that this reintroduction of chance into politics is now seen as the primary procedural contribution of the Italian Communes to political history (Keller, 2015). Although the practice was tolerated for a long time,² in 1223 (several decades before Aquinas was writing), Pope Honorius III ultimately decided to prohibit random selection for Episcopal nomination procedures; two years later, he extended this prohibition to other ecclesiastical offices (Keller, 2015). Whereas the use of sortition in the political sphere sought precisely to distribute power and avoid its monopolization by a single individual or faction, its

² According to Saint Jerome, several passages in the *Decretum Gratiani* define the clergy, etymologically speaking, as *kleros*, or those whose lot has been dedicated to God. In the medieval context, however, this was no longer a reference to sortition strictly speaking, but to chance in the sense of destiny and divine election. Nonetheless, the *Decretum* does not refer to the prohibition of random selection for religious offices. Cf. *Decretum Gratiani*, Distinctio XXI, C. I; Pars secunda, Cause XII, Question I, C. V and C VII. We would like to thank Julien Théry for his insightful commentary on these points.

transfer into the religious sphere ran counter to the predominant trend of entrenching Church hierarchies and firmly establishing the Pope's authority, an ambition illustrated by the 11th-century Gregorian Reforms. The principle of resorting to a higher authority in the case of a disagreement at any given level of the hierarchical pyramid was thus clearly reinforced.

By distinguishing three different types of sortition, Thomas Aquinas provided a theological basis for the prohibition on sortition in canon law. The first kind, which he called *sors divisoria* ("distributive sortition"), he deemed the most legitimate. This procedure could be used in secular affairs, when it was necessary to distribute goods or attribute functions. But since the Church had become an institution, it was forbidden from using such expedient measures: to do so would be to offend the Holy Spirit and the wisdom with which it had endowed its clerics, its bishops in particular. Hierarchy could always be relied on in cases of disagreement. The second type of selection, "consultative sortition" (*sors consultatoria*) was also permitted in secular affairs alone: it consisted of leaving a decision to chance when it was unclear which side to take after exhausting one's reasoning capacities. The third kind of random selection, called "divinatory sortition" (*sors divinatoria*), entailed unduly soliciting God's judgment by the use of divination techniques. Here Thomas Aquinas reiterated his prohibition and even expanded it, arguing that divinatory sortition could only entail a pact with the Devil or, at the very least, could allow demons to intervene in human affairs; the seriousness of the sins involved depended on the kind of divination practiced.

A typology of the different uses of sortition

By freely drawing on Aquinas' analysis and the various other attempts to classify the different uses of sortition that began to emerge in the Middle Ages, we can today use, with slight modifications, the typology proposed by Cristiano Grottanelli (2001, p. 158). From the perspective of 21st-century scholars, the uses of random selection can be divided into three major categories: (1) *sors divisoria* (distributive sortition), which consists of randomly distributing goods or functions; (2) *sors divinatoria* (cleromancy), a specific kind of divination (or, to use a different kind of vocabulary, of "mantic", or knowledge of the divine) using the drawing of lots; and (3) games of chance. To be truly systematic, a fourth category should be added: the scientific and statistical use of chance to calculate probabilities; however, we shall leave this category aside as it is not pertinent here.

These three categories can in turn be subdivided. Distributive sortition (*sors divisoria*) can entail distributing goods (and different kinds of goods), or functions. Cleromancy (*sors divinatoria*) can entail revealing someone's destiny or the expression of a divine will — the two not being the exact same thing. In fact, destiny can refer to a supernatural realm or a cosmic order that does not involve the personal will of a deity, and the idea of destiny or fate can persist in ritual uses even when secularization and rationalization have discredited belief in the direct intervention of the gods down on earth. Cleromancy can moreover refer to a number of various techniques. And finally, games of chance can be divided into many different categories, in particular depending on the instruments used (cf. figure 1).

Figure 1: The uses of random selection

| Distribution of goods and functions: distributive sortition (<i>sors divisoria</i>) | | Cleromancy: divinatory sortition (<i>sors divinatoria</i>) | | Games of chance |
|--|---|---|---------------------------|---|
| Distribution of goods in lots: land, territories, loot, real estate, rare healthcare items, etc. “Negative” distribution: punishments, decimation, conscription, taxes, etc. | Distribution of functions: political, military or religious positions | Reveals a destiny | Expresses the divine will | Games of dice and anklebones (several millennia BCE); lotteries (China, 200 BCE, Roman Empire, 15th-century Europe); card games (China, 9 th century, Europe, 14 th century); lotto (Genoa, 16 th century), etc. |
| Distribution of political powers seen as properties over the governed and their goods | | Extraction of an object (<i>sors</i> , <i>kleros</i> – cleromancy in the strictest sense), of cards (cartomancy), random selection of a book page (bibliomancy); divination using dice or astragals (astragalomancy), small sticks (achilleomancy); the burning of turtle scales (cheloniomancy); etc. | | |
| Distribution of goods and functions as revealed destiny or the expression of divine will | | | | |
| | | Interpretation of fortune or misfortune in games as a sign of fate or (more rarely) divine will | | |
| Potential use of the same instruments for distributive sortition, cleromancy and games of chance, shifting techniques from one realm to another | | | | |

Source: Sintomer, 2019.

These distinctions are of course largely analytical. Any use of this typology must of course take into account that it has been elaborated in the current climate, where the religious and political uses of random selection are generally distinct practices — which

was not the case in Antiquity. In historical practice, the different domains influenced each other and transfers frequently occurred. The original unity of distributive sortition (*sors divisoria*) stemmed from a view of power as a sort of property over people, territories and movable objects. In that regard, it was logical to confuse the distribution of goods with the allocation of functions. Moreover, the revelation of destinies and expressions of divine will often have shifting borders, especially in societies where belief in the voluntary action of supernatural forces remains strong. The idea that distributive sortition drew its significance from divine intervention or some other manifestation of a deity was likewise very widespread throughout history. Finally, the techniques and instruments used to operate random selection procedures were often the same as those used in games of chance, cleromancy and politics; conversely, the creation of specific tools like the *kleroterion* generally marked one realm's growing autonomy from another, and in particular the growing autonomy of politics with regard to religion.

Three lessons

What are the main lessons imparted by this volume, regarding the political uses of distributive sortition? Below, we shall outline what we believe to be our three primary conclusions.

Random selection, a political procedure that was widespread throughout history

Our first conclusion, which becomes apparent thanks to the cumulative effect of the contributions in this volume, nonetheless runs counter to the common perception of 21st-century citizens — and doubtless that of the majority of political researchers. In addition to election, dynastic succession and patronage, random selection was in fact one of the most widespread procedures used to designate public offices throughout history. A number of comparative studies on election as a designation procedure have been published recently, focusing on both the Ancient world (Borlenghi *et al.*, 2018) and contemporary society (Deloye and Ihl, 2008). These studies have allowed us to historically contextualize the institutional mechanism of election by examining how it operates in the real world, which practices give it meaning and what ideological universes it helps to establish. Such studies have moreover investigated the continuities and turning points in the history of election. It is high time that random selection received a similar treatment.

In fact, the procedural importance of random selection across a wide variety of contexts is striking. Its role in democratic Athens is relatively well known, and the chapters provided herein by Liliane Lopez-Rabatel, Arnaud Macé and Paul Demont further this line of inquiry. The phenomenon of Athenian sortition, examined in all its complexity — including its lexicon, its material requirements, its location, its non-political uses, and its institutional and theoretical frameworks — paints the picture of a society whose organizational processes largely relied on the use of chance. With the exception of a handful of specialists, however, few are aware that sortition was, as Lucio Milano demonstrates, equally present in the Middle East, and that it likewise played a major role in republican Rome and during the Principate. In this regard, the chapters contributed by Virginie Hollard, Julie Bothorel, Wolfgang Blösel and Romain Lorient provide an unprecedented historical perspective. Analyzing the lexicon of sortition highlights the omnipresence of chance in Rome, whether it was a question of playing games or managing everyday life. The use of random selection by institutions can be interpreted, depending on the case and point of view, as an avatar of republicanism, or on the contrary, as forming part of the sovereign's system of tyrannical power.

The importance of random selection in the Italian Communes, a topic which has doubtless received less attention than Ancient Athens by activists in the public sphere interested in the return to politics of sortition procedures, is nonetheless an important historical subject. The chapter penned by Lorenzo Tanzini provides an unparalleled analysis of sortition's use in different Italian cities during the Middle Ages, while the chapter written by Claire Judde de Larivière looks at the Venetian history of random selection and illustrates the wide variety of popular uses of sortition, uses that go far beyond the well-known election of the Doge. Looking at the modern period, the chapter provided by Yann Lignereux on French town magistrates of the 17th century illustrates that the use of chance was far from being an exclusively Italian procedure during that period. Raphaël Barat (writing about the Republic of Geneva at the end of the 17th and during the 18th century), Antoine Chollet and Aurèle Dupuis (discussing the canton of Glaris from the 17th to the beginning of the 19th century) all demonstrate to what extent the random selection of town magistrates, variously coupled with election and/or direct democracy constituted a crucial procedure in Switzerland during the modern era. This

remained the case until the revolutionary period at the end of the 18th century, which saw the birth of the Helvetic Republic, a period examined by Maxime Mellina.³

It is perhaps surprising for contemporary French readers to realize that the political use of random selection was far from being limited to Christian Europe. Sortition was a widespread practice throughout Imperial China during more than three centuries, where it was used to distribute provinces amongst high-ranking civil servants who had passed the imperial examination. This arrangement, astutely analyzed by Pierre-Étienne Will, harks back to the mode of allocating the different Roman provinces amongst consuls and other high magistrates. The Chinese coupling of random selection and competitive examinations was unique, however, and was not replicated anywhere in European history.

Next, the chapters which look at the contemporary period shed new light on the return of random selection to the political sphere today. José Luis Moreno Pestaña accounts for the rather limited interpretation of sortition by Jacques Rancière and Cornélius Castoriadis, authors for whom it nonetheless remains crucial to refer to Ancient Athens when discussing democratic theories.⁴ How sortition has worked in practice is elucidated in a particularly innovative way by Dimitri Courant, who describes the instruments used to draw lots in the contemporary world. Jean-Michel Fourniau similarly peers into the “black box” of the allegedly random selection of contemporary mini-publics and analyzes how the recruitment of such participants is not a simple act of sortition. Oliver Dowlen looks at the stated objectives of random selection and compares them with the different ways of conducting sortition procedures. In a synoptic essay, Julien Talpin analyzes randomly selected mini-publics in light of various theories of deliberative democracy, highlighting just to what extent this encounter has been circumstantial, and could end up merely being a transitional phase.

Two concluding essays round out the volume. First, Yves Sintomer examines the historical occurrences of the figure of the child drawing lots, from Antiquity to the present day, and its fluctuating significance. Yves Deloye then draws a number of methodological

³ A collective work edited by Antoine Chollet has even more systematically illustrated the role of random selection in politics, as well as the importance of transfers between Swiss cantons (cf. for a preliminary overview, Chollet and Dupuis, 2018).

⁴ This contribution is part of a larger collective research project which also gave rise to the publication of a special issue of the journal *Daimon: Revista Internacional de Filosofía* on random selection (Costa *et al.*, 2017).

and historiographical conclusions from studies on voting in order to determine the pertinence, scope and limits of the perspectives on random selection contained in this volume.

The significance of instruments

Drawing on developments in France in the fields of the sociology of science (Callon, Latour, 1991) and the historical sociology of politics, one significant element that emerges from all the essays contained in this volume is the physical importance of the various instruments without which sortition would remain unfeasible. The instruments used to conduct random selection procedures are linked to the various social interests that govern their use, and which they in turn embody and promote.

Analyzing the material conditions of random selection is fruitful in this regard, as such an approach highlights strong elements of continuity as well as two major turning points in the procedure's historical evolution. On the one hand, such an analysis underscores the formal similarities exhibited by the different objects and procedures used over long periods of time. The original set-up for sortition included a receptacle (*hydria*, vase, cylinder, drum, etc.) which held the lots (cubes, wax or cloth balls, gold or silver marbles, coins, straws, slips of paper, pieces of bamboo, etc.) that were then publicly extracted to designate the person who would occupy the public office in question. This process was streamlined over the years, with the objects used being increasingly refined and manufactured, and the practices gradually losing their magical character, while still remaining heavily ritualized. The equipment used for sortition could include both naturally occurring and manufactured objects that could be employed for a variety of purposes; overall, the instruments used exhibit an undeniable continuity, even today. Many activist movements currently use random selection in a way that does not differ fundamentally from the procedure as it was used several millennia ago.

Nevertheless, the history of sortition witnessed two important technical innovations, which represented turning points with regard to the political significance of random selection. The first turning point, analyzed in depth by Liliane Lopez-Rabatel, occurred during the Classical era. The Greek invention of the lottery machine, or *kleroterion*, attests to the new needs that arose thanks to the exponential use of lottery practices in Athens and a few other politically similar cities. The *kleroterion* was a tangible manifestation of a political logic that preceded it: while the random selection of political

offices was a common enough practice in Archaic Greece and the Classical Middle East (cf. Milano), the practice took on a radically new democratic significance in Athens during the 5th century BCE. The larger number of people included in the drawing pool, as well as the greater number of public offices that had to be filled by lottery, led to the technical invention of the lottery machine. In turn, the *kleroterion* helped to standardize the procedure while highlighting both its impartial and democratic aspects. It is interesting to note that the tools of sortition exhibit a certain degree of inertia: just as the original instruments continued to be used for several decades after the establishment of a radical democracy, so the gradual decline of the latter did not bring about immediate disappearance of the *kleroterion*, which continued to be used well into the 2nd century BCE. The fact that archaeological remains of *kleroteria* were only identified in the 20th century cannot be the sole explanation for why the machine had no heir or equivalent in later societies, from Republican Rome until the 19th century. Being based, procedurally speaking, on rotating mandates, random selection and a full citizen assembly, Athenian radical democracy has no historical parallel, even if we look at the Italian Communes (which entailed a certain degree of self-governance). In later experiments with sortition, the tools were first borrowed from the *instrumentum* of everyday, as had been the case during the Homeric era — they were drawn from craftsmen's tools or the implements employed in games of chance. The procedure was not refined much further, except in Switzerland during the 18th century (Chollet and Dupuis, 2018). And when random selection machines were reinvented in the modern era, in order to distribute lots amongst a much larger number of people, they were primarily used for lotteries. Their function would thus remain overwhelmingly limited to the sphere of entertainment (and indirectly, finance), with little technical transfer towards the world of politics until the end of the 20th century.

The turning point illustrated by the advent of the *kleroterion* nonetheless finds a parallel occurrence during the last third of the 20th century, with the transition from mechanical tools to digital ones. This second technical innovation — which has not, however, completely eliminated the use of older technologies — is analyzed in depth by Dimitri Courant. To conduct opinion polls and also to create deliberative mini-publics, sophisticated computer programs have been developed which allow for recruitment to occur from millions of potential participants. It may seem strange that digital technologies

are used alongside artisanal selection methods, based on integer tables and various demographic constraints (age, geographic location, gender, etc.), to “hand-pick” individuals. However, this baffling situation can be explained by the new function performed by random selection whenever it is used to establish a representative sample — or at least a fair cross-section of the people, to use the words of the United States Supreme Court.⁵ The concept of the representative sample may be well known to 21st-century readers, who have been bombarded with decades of statistics and opinion polls. However, it was only invented at the end of the 19th century, and it was only used to establish mini-publics during the 1970s. Consequently, before the invention of the representative sample, no relationship could have been established between random selection and descriptive representation, a situation where representatives are endowed with social characteristics that are similar to those they represent (Sintomer, 2011). For all of the experiments described in this volume, including those occurring in the beginning of the 19st century, the idea that random selection could create a sample that statistically resembles the people was not yet scientifically conceivable. It was only when this notion was theoretically and empirically verified that the use of digital tools took off, thanks to the growing presence of information technologies in everyday life. However, when the stated goal is to achieve a representative sample or at least a diverse cross section of the people, random selection can give way to the creation of quota-based samples, thanks to stratified random selection (generally used by pollsters) and quasi-artisanal methods which, as Jean-Michel Fourniau convincingly argues, help to “correct” the vagaries of chance using a limited pool of people, especially when financial incentives are absent and such mechanisms lack real power.

If we set aside these technical innovations and the turning points they marked, the parameters that matter when we are examining the political significance of random selection methods are less the relatively minor variations in the instruments used, than the fact that the procedures are performed by “incorruptible” individuals in a public and ritualized manner. In fact, historical continuity can be observed with regard to the individuals in charge of performing sortition procedures. In Ancient Greece, randomly selected officers or *archons*, were deemed to be honest, impartial and above all

⁵ *The Jury Selection and Service Act*, 28, United States Supreme Court, sections 1861–69.

accusations of wrongdoing. In other contexts, special civil servants were responsible for the extraction of the lots. Likewise, even if it was not systematically applied, the use of a child to draw lots was widespread in political contexts from the 13th to the 18th century, with the result that it can be seen as a paradigmatic representation of the action of drawing lots. Sortition, whose most famous depiction is likely the complex procedure used to elect the Doge in Venice, developed from a base of secular (pagan, Christianized and then secularized) practices that used a child to draw lots in the context of both games and divination.

The different experiments in random selection analyzed in this volume are all ritualized procedures. They present a number of functional similarities, despite being codified according to their specific historical contexts and being necessarily dependent on the equipment and the locations available. In this regard, it is notable that lottery drawings in Ming China were organized by the Ministry of Rites. The key element of these ceremonies lay in the performance of transparency and impartiality, which required a certain degree of public openness (note that it is only thanks to modern information technologies that random selection can now take place in private). The spaces where random selection takes place are part of the procedure's ritual staging, insofar as they define a specific trajectory for the candidates and those randomly selected, whether such spaces are public (as in Athens, where sortition took place in front of one of the ten entrances to the People's Court, or in the Theseion); closed (as in Venice, in the Grand Council chamber); or in small spaces (as in Geneva, where ballots were filled out "between the two doors"). Random selection can also take place in courtrooms, to select jurors, or in political meeting halls, as in the case of the Mexican political party Morena. In most cases, random selection procedures are subject to a certain degree of performative staging, expressed by a contrast between inside and outside, the entrance and exit of candidates and elected officials (here again, however, some contemporary procedures are exceptions). No buildings seem to have ever been specifically devoted to random selection; in fact, many accounts tell us that sortition generally occurred in places which primarily served other purposes (including, for instance, to hold meetings of the bodies in question). When the performative staging of sortition was pushed to the extreme, as was the case in Lyon and Marseilles in the 17th century, the procedure was sometimes stripped of its original purpose, becoming another tool for the political elites to confiscate

and then consolidate power. How sortition locations are configured depends in large part on the degree of transparency required with regard to both procedure and results — and hence, on the most effective way to prevent potential fraud. Regardless of whether a limited group of people or a large public is concerned, the key requirement is portraying impartiality so that the process and its results will be judged favorably by the group in question.

One procedure with many different meanings

In the political realm, the highly self-reflexive society of Ancient Greece produced philosophical inquiries into the nature of random selection as early as the 4th century BCE, with the emergence of Plato and Aristotle's unprecedented reflections on the subject. Setting aside the wide variety of practices and historical contexts, should we conclude that there exists an essential meaning to the practice of random selection? While such a question may seem suspicious to historians, it should nevertheless be asked, especially when considering whether random selection is a more democratic mechanism than election. This argument comes from a reading (too cursory, as demonstrated by Buchstein, 2015) of Aristotle's famous statement "it is thought to be democratic for the offices to be assigned by lot, for them to be elected oligarchic" (1932, IV, 9, 1294-b). This hypothesis, which may seem counterintuitive to most citizens and political leaders today, was nonetheless revisited by Bernard Manin (1997) and has in fact played an important role with regard to the current popularity of random selection among sortition activists.

Nevertheless, this volume illustrates that this hypothesis (that random selection is inherently more democratic than election) does not withstand historical scrutiny. In reality, sortition has no more of an "essential" meaning than election does; it never exists independently of a historical and political context. Moreover, democratic objectives seem to have only been at play in a minority of the cases studied in this volume. From a comparative sociological perspective drawing on the work of Max Weber, the most we can do is elaborate a handful of ideal-type reasons for using sortition, keeping in mind that their value is analytic and that historically they have been combined in various ways (Sintomer, 2011). In the first ideal-type scenario, which is particularly common in contexts where religion and politics do not represent two distinct spheres of activity, using random selection to attribute public offices reveals the will of the gods (or at least fate), which would otherwise remain unknown to human minds. Democratic objectives

did play an important role in Athens, since random selection helped to expand the recruitment base and the number of citizens performing a public duty. Under the attenuated form of republican self-government, which opened up the process to a somewhat larger group of active citizens, the same democratic logic can also be found in the Italian Communes of the Middle Ages and the Renaissance. And in the 21st century, the democratic virtues of sortition have been touted in militant circles, as mentioned above. Random selection is often seen as ensuring equality, since each individual has an equal chance of being selected to perform a public duty. The logic governing the selection of jurors preserves this value of equality, despite being subtly different. In fact, jury selection is less concerned with rotating public offices amongst citizens who can adopt general laws that apply to the whole public, than it is with ensuring that every individual is capable of passing judgment on particular cases. The reasoning behind contemporary mini-publics is different yet again. Mini-publics are based on representative samples (or at least fair cross-sections) of the people and in addition to this “descriptive” value, their legitimacy is closely linked to the fact that they provide the locus for deliberations conducted in quasi-ideal situations — which was far from being the case in past experiments with sortition. While such mechanisms of democratic deliberation help to develop collective intelligence with regard to negotiation and decision-making skills, they also run the risk of turning the democratic deliberations of a small group of selected citizens against mass democracy, thus only ensuring the civic participation of the majority by proxy. Mini-publics do not truly encourage access to deliberation for those who already engage in it the least, as they are neither spaces where public duties are attributed nor where decisions are made. In that regard, they help to redefine the relationship between random selection and democracy.

The studies contained in this volume nonetheless point to the special importance of impartiality. Although it would be overreaching to make impartiality the essential or exclusive characteristic of random selection in politics, it can nonetheless be observed across all the mechanisms analyzed. Consequently, one can conclude that the use of sortition operates as a fundamental element of social cohesion, as it entrusts to an impartial mechanism the task to select without provoking conflict and power struggles that would threaten group unity. Throughout history, the unifying function of impartiality has been associated with the use of random selection, which assigns the non-human

mechanism with the responsibility for managing any “divisions” that may arise within a group seeking to divide and attribute goods and functions in a consensual manner (see Thomas Aquinas’ category of *ars divisoria*, for example). Since time immemorial, the pacifying role of random selection has been recognized. In *The Iliad*, for instance, Zeus, Hades and Poseidon receive their respective realms via sortition; random selection also acts as an urban planning tool and a social demiurge in Plato’s ideal city. The use of sortition outside of politics is attested to during all eras and in a wide variety of domains, not just in religious contexts as its ritual dimension might otherwise suggest.

Embodying a sort of collective resolve to achieve a shared objective according to the rules established by the group (and accepted by the individuals), the ritualization and solemnity of sortition procedures ensure the legitimacy of their results and help individuals to feel like they belong to a common social, religious, civil and/or political community. Sortition is supposed to transform political rivals into the civil servants. It attributes a social or political role to participation in a shared “mission”.

Conclusion: An uncertain fate for random selection

The renewed interest in random selection that we see today cannot be understood unless we also consider the deep-seated crisis of representative democracy in the 21st century. Free and fair elections held between political rivals had long been seen as the be-all and end-all of democracy. After the fall of the Berlin Wall, some intellectuals even proclaimed “the end of history”, arguing that this political event marked the culmination of humanity’s ideological evolution. More than three decades later, the political landscape looks very different. The competitive party system in old democracies is suffering from a growing lack of legitimacy, while new authoritarian and proto-Fascist tendencies are popping up everywhere. On the other hand, China, which is now the second largest world power, seems to offer a functionally effective political model but can hardly be characterized as democratic, regardless of how one chooses to define the term.

Amidst this context, an increasing number of democratic innovators are turning to sortition, whether to create deliberative mini-publics or to mitigate factional tensions within political parties (Sintomer, 2018). The idea of institutionalizing this new selection method, including for instance by using it to create a new legislative chamber, has gained popularity among activist circles (Van Reybrouch, 2014) and in academia (Gastil and

Wright, 2018; 2019). Although it had fallen into disuse with the rise of representative government, sortition has now resurfaced in theories of deliberative democracy.

This volume looks at both the return to politics of random selection mechanisms and the major trends in academic studies studying this mode of designation. The chapters in this book were contributed by researchers whose objective was first and foremost to gain a deeper understanding of the instruments, practices and theories of random selection throughout the ages. This volume consequently provides a vast overview of random selection in politics, looking at its material conditions, its staging and the ideal frameworks that give it meaning. Although the studies here mainly focus on the Western world, several forays are made into other regions, in support of a more systematic global analysis of sortition.

While some of the authors may also have militant objectives, this volume primarily seeks to make an interdisciplinary contribution to academic research. However, this contribution may likewise be useful to current social and political discussions of the crisis and renewal of democracy. This illustrates one of the main values of the social and human sciences: by meticulously analyzing concepts, practices and tools, such studies can enrich public discussion of political issues and help individuals and groups to make more informed decisions. Thanks to its impartiality — at a time when politics is everywhere suspected of only serving the particular interests of the professional politicians in power, random selection seems like a promising method to a growing number of actors. While its use in the radical democratic sense is far from being a historical constant, it is evident that this potential accounts for sortition's newfound popularity today. The good deliberation achieved by randomly selected mini-publics is increasingly linked to decision-making processes in contexts that are typical of traditional representative democracy, but also of direct or participatory democracy. Recent experiments in randomly allocating the right to speak in the "Occupy movements" in Greece and Spain illustrate that random selection can take place within the exercise of a radical deliberative democracy.

In the 21st century, the tools used for random selection hark back to two sometimes complementary and sometimes contradictory dimensions. On the one hand, sortition today continue to use some traditional implements, everyday objects and mechanical lotteries. On the other, the advent of the digital age has marked a turning point in sortition procedures. For now, the two kinds of sortition tools co-exist and are deployed to varying

ends. It can be argued that the use of the *kleroterion* died out more for political reasons than because the machine no longer met the technical requirements of the age. Digital sortition poses a similar political question: under what conditions can the undeniable technical efficiency of digital sortition be compatible, in the medium and long term, with the injunctions of impartiality and transparency expressed by the calls to reintroduce random selection into politics? To what extent will new practices need to be ritualized in order to ensure the procedure's legitimacy?

This volume hopes to shed light on these questions, by offering studies that have all the rigor of academia but may also be of interest to intellectuals and activists who advocate for the return of random selection, to practitioners who currently use sortition, and to the wider public interested in understanding how politics and citizen participation function today.

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