The Theoretical Debate about the Sortition Turn*

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Abstract:
Modern democracies have long faced several problems often described as a crisis of representative democracy. This review essay addresses the debate regarding the possible return and implementation of sortition as a tool to solve or mitigate many problems facing modern democracies. The review essay follows three authors who address this return to sortition, representing three distinct approaches. While two of the books under review think through the possible return and implementation of sortition, the third one presents a criticism of these efforts and finds such a return problematic. This review essay thus asks whether a return of this historically democratic tool is even possible and whether it can provide a solution for some of the problems associated with what we refer to as the crisis of representative democracy.

Keywords: sortition; representation; democracy; mini-publics; democratic innovation; non-electoral representation

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James S. Fishkin, *Democracy When the People Are Thinking: Revitalising Our Politics through Public Deliberation.* Oxford, Oxford University Press 2020.
Hélène Landemore, *Open Democracy: Reinventing Popular Rule for the Twenty-First Century.* Princeton, Princeton University Press 2020.
Nadia Urbinati – Luciano Vandelli, *La democrazia del sorteggio.* Torino, Einaudi 2020.

Modern representative democracies have long faced problems ranging from low voter turnout to distrust in elected institutions and politicians, from the rise of various populist and radical movements to the much-thematized issue of *fake news*. In the context of these problems, we can thus hear about

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the crisis of representative democracy, and at the same time, we can observe the efforts to overcome this crisis. Using a random selection to select assembly members from the public, British Columbia (2004), Ontario (2006), Iceland (2010–2013), and Ireland (2016),[1] as well as other experiments with citizens' assemblies and *deliberative opinion polls* (James S. Fishkin), open a space for debate on returning to sortition and implementing it in modern democracies. In addition to highlighting widespread participation and deliberation's benefits, political theorists who have explored these experiments have also addressed criticisms of elections and elected institutions. They point to several problems associated with elections and electoral representation, such as under-representation, distrust of elected politicians and institutions, declining voter turnout, and the rise of various populist and extremist movements.

This review essay focuses on the work of political theorists who return to sortition as a potential tool that can help solve many of the abovementioned problems. The paper discusses two works that advocate sortition or random selection and its possible implementation in representative democracy, as well as one criticism of efforts to introduce sortition within legislative institutions. Hélène Landemore, in her book *Open Democracy: Reinventing Popular Rule for the Twenty-First Century*, defends sortition from the position of epistemic democracy and attempts to replace elected representation with non-elected forms as more appropriate to democratic representation. James S. Fishkin, in his book *Democracy When the People Are Thinking: Revitalising Our Politics Through Public Deliberation*, advocates the random selection from the position of deliberative democracy as a complement to electoral representation that ensures broader citizen participation and greater representativeness of the randomly selected assembly. Nadia Urbinati, in their book *La democrazia del sorteggio* (*The Democracy of Sortition*) – written with Luciano Vandelli – provides a criticism of efforts to implement sortition in the context of legislative institutions. Through this criticism, we

1 All these experiments used sortition to select members of citizens' assemblies from among ordinary citizens. The aim of these citizens' assemblies was to involve ordinary citizens in deliberation on legislation that affected them and in decision-making processes. In the case of the citizens' assemblies in British Columbia and Ontario, randomly selected citizens participated in electoral reform (see e.g., Smith, G., *Democratic Innovations: Designing Institutions for Citizen Participation*. Cambridge, Cambridge University Press 2009, pp. 72–110). In the case of the Icelandic experiment, randomly selected citizens participated in the drafting of a new constitution (see e.g., Landemore, H., Inclusive Constitution-Making: The Icelandic Experiment. *The Journal of Political Philosophy*, 23, 2015, No. 2, pp. 166–191. Available online at www: https://doi.org/10.1111/jopp.12032 [cit. 29. 5. 2023]). In case of Ireland, randomly selected citizens also deliberate about constitutional reform – among other things about the topic of abortion (see Landemore, H., *Open Democracy: Reinventing Popular Rule for the Twenty-First Century*. Princeton, Princeton University Press 2020).

can glimpse the possibilities of deliberative democrat advocates, who often think of sortition as a complement to existing processes and institutions. This position is represented here by the work of James S. Fishkin. All three reviewed books represent different positions within the debate on the return of the sortition to representative democracy and its problems.

In her book *Open Democracy*, Hélène Landemore proposes a new democratic paradigm that can transform representative democracy into what she calls *open democracy*. This concept of democracy is no longer based on the principles of elections and electoral representation. Still, it seeks to ensure the broadest possible participation of citizens in decision-making through non-electoral forms of democratic representation (*lottocratic representation*, *self-selected representation*). Landemore thus seeks to replace elections and electoral representation with, among other things, the mechanism of sortition. In doing so, she turns both to the historical experience of sortition in the period of Athenian democracy and to recent experiments that use random selection (e.g., the Icelandic experiment). In other words, Landemore is critical of elections, which pose many of the abovementioned problems and replace elections and the transformation of the institutions built on their principles through non-electoral forms of representation and the mechanism of sortition.

Building on the criticism that Nadia Urbinati will present here, we can reject the rather radical tendencies that Landemore proposes. In other words, while the criticism of the efforts to implement sortition in the context of legislative institutions leads us to reject the new democratic paradigm, it does not entirely release us of the actions to implement sortition at least partially as a complement to existing institutions. This brings us to James S. Fishkin's book *Democracy When the People Are Thinking*, in which he discusses the role of the deliberative microcosm as a complement to existing institutions. In the context of these deliberative mini-publics, Fishkin also thinks about random selection as a democratic tool for selecting these mini-publics from ordinary citizens.

In *La democrazia del sorteggio*, Urbinati and Vandelli criticize the instrument sortition and the efforts to bring it back ("*torniamo al sorteggio*"), called for in Italy by the populist movement Movimento 5 Stelle (M5S) led by Beppe Grillo. However, it is not only Italian populists who seek a change in the composition of parliament in which one of the chambers (the Senate) should be selected by lot. The implementation of sortition is also encountered in the context of the various mini-publics that have taken place in different parts of the world in recent years. Among the most famous experiments that have also used random selection is the Icelandic experiment, to which Urbinati also relates her criticism.

For Urbinati, these attempts to return sortition into practice are problematic for several reasons, which I divide into three levels of criticism: 1) the historical role of sortition and the transformation of society; 2) the absence of accountability, responsibility, and the problem of representation; and 3) sortition as populist propaganda (anti-partisanship). It is not the first time Urbinati has criticized sortition.[2] Still, in this book, she looks deeper at sortition and attempts to implement it in modern representative democracy. Urbinati also finds it problematic to talk about representation in the context of sortition or random selection. Urbinati and Vandelli thus want to "challenge the idea that a parliament by lot is a parliament that a randomly selected assembly can be representative to the whole people. Parliament and representation are associated with 'election,' not 'sortition' ".[3]

The Historical Importance of Sortition and the Transformation of Society

Political theorists concerned with the mechanism of sortition, its political potential, and efforts to bring it back into modern democracy turn to the historical experience with this instrument. The historical background of sortition in Athenian democracy is the most frequently discussed. Still, the Florentine Republic during the Renaissance is the second historical experience that is not addressed to the same extent as the possibility of the return of sortition. Each of these historical experiences refers to different reasons to use the mechanism of sortition.

Both Landemore and Fishkin focus on the experience of Athenian democracy in relation to sortition and its defence. Thus, both authors advocate sortition as a democratic tool that ensures equality among citizens and allows participation. Both Fishkin and Landemore expose a criticism of electoral representation that widens the gap between political elites and ordinary citizens. Fishkin thinks of the random selection in the context of *deliberative microcosms*, which are intended to supplement existing (often elected) institutions. Landemore, on the other hand, calls for a new democratic paradigm within the concept of democratic representation, one form of which is *lottocratic representation*.

Landemore, in *Open Democracy*, argues that "new forms of participation in the political process that are often nested under the label of 'direct democ-

2 Urbinati, N., *Democrazia in diretta: Le nuove sfide alla rappresentanza.* Milano, Feltrinelli 2013, pp. 148–160.

3 Urbinati, N. – Vandelli, L., *La democrazia del sorteggio.* Torino, Giulio Einaudi editore 2020, p. 20. All translations from Italian to English are my own.

racy' (also 'participatory,' 'deliberative,' or even 'citizen' democracy) should be conceptualized instead as new forms of democratic representation".[4] Related to this is the criticism of electoral representation, or elections, which in this sense are understood as "a selection mechanism that is intrinsically discriminatory and has a built-in (i.e., not empirically contingent) oligarchic bias".[5] Landemore rejects the idea that representative democracy and representation are necessarily based solely on choice but instead argues that forms of democratic representation can exist beyond elections. One of these forms is *lottocratic representation*, based on the mechanism of sortition. Concerning *democratic representation*, in which *lottocratic representation* is one of the non-electoral forms, Landemore adopts Andrew Rehfeld's definition and understands it as a form of "standing for" that is "as the act of standing for someone or some others in order to perform a certain function in a way that is de facto accepted by a relevant audience".[6] Hanna F. Pitkin understands descriptive and symbolic representation as "standing for" representation. Descriptive representation is representation built on the mutual similarity of the representative and the represented; the key here is who the representative is and what they are like. She links this representation with random selection[7] as the mechanism that gives rise to the assembly that reflects society. Descriptive representation, according to Pitkin, poses several problems, including those related to the absence of accountability of representatives, since a representative cannot be held accountable for who they are. Landemore, in contrast to Pitkin, offers a conception of democratic representation unencumbered by normative requirements such as goodness, justice, legitimacy, and democracy. In this regard, she defines democratic representation as "a species of representation, specifically a kind of 'standing for', that is an activity open to all on an egalitarian and inclusive basis". Sortition, in this sense, thus becomes an instrument that allows the requirement of openness, equality, and inclusion to be fulfilled. Indeed, for Landemore, a selection mechanism capable of fulfilling the principle of equality and inclusiveness becomes crucial.[8]

"The democratic credentials of lottocratic representation come from its egalitarian and temporally inclusive features. The combination of sortition and rotation indeed ensures that power is equally accessible to all over time."[9] Landemore thus works more with the concept of Athenian democracy, in

4 Landemore, H., *Open Democracy*, pp. 79–80.
5 Ibid, p. 80.
6 Ibid., p. 86.
7 Pitkin, H. F., *The Concept of Representation.* Berkeley, University of California Press 1972, p. 7.
8 Ibid., p. 87.
9 Ibid., p. 82.

which sortition was used to ensure an egalitarian principle in her defence of representation based on sortition (and rotation). For Landemore, "openness" becomes crucial in relation to the concept of democratic representation and to the new democratic paradigm, which she calls "open democracy". Thus, it is not just about the mechanism of selection and the form of representation. Still, democratic institutions should be open to ordinary citizens and provide equal participation opportunities. These values thus correspond to Athenian democracy, which aimed to ensure the political equality of all citizens and prevent the consolidation of power by one group.

Both Fishkin and Landemore, then, work with the idea that *popular control* is insufficiently implemented in representative democracy. While Fishkin considers the implementation mentioned above of *deliberative microcosm* to help fulfil *popular control*, Landemore proposes a complete transformation of representative democracy that would rely not on electoral democracy but openness and non-electoral forms of democratic representation. This "openness" to ordinary citizens allows them to participate in the decision-making process based on the historical experience of Athenian democracy.

Urbinati raises two objections related to the historical use of sortition. The first objection or argument concerns the need to uncover differences in the use and understanding of selection by lot in Athenian democracy and the Florentine Republic. The second objection relates to the attempts to return sortition to modern democracy, or rather to replace elections and introduce sortition into existing political institutions. Urbinati thus alludes to (some) current efforts to implement sortition in the context of parliament.[10] Therefore, she also considers it essential to address the question of where sortition has been used, as the selection process also affects the institution's function. Both in Athenian democracy and later in the Florentine Republic, sortition was used not in institutions with a legislative function but in institutions whose role was advisory, judicial, or controlling.[11]

Urbinati points out the different reasons for using selection by lot in the Athenian democracy and the Florentine republic. While in the case of Athenian democracy it was more about emphasizing equality and freedom or the right to public expression (*isegoria*), in the case of Florentine society, the motivation for introducing sortition was different, namely to avoid violence and to remove conflict from the process of distributing the various offices. Many advocates of sortition, who seek to restore it to democratic selection

10 An example is the above-mentioned M5S, which advocates a combination of a draw and an election, with the draw being used to select senators.

11 Urbinati, N. – Vandelli, L., *La democrazia del sorteggio*, p. 37.

processes or replace elections with this mechanism, link sortition purely to the democratic constitution and thus understand it as a democratic mechanism that ensures (democratic) equality and participation and limits corruption. Equality appears to be crucial here, but it is important to distinguish between aristocratic and democratic equality in arithmetic equality (*uno vale uno*). In other words, the drawing of lots may not be only a democratic instrument; what matters is not only the reason for using the instrument but also who was involved in the process of sortition. Urbinati also points out that sortition in Athenian democracy (and indeed in the other historical case) did not stand alone but in combination with the rotation. It is the rotation that Urbinati sees as crucial in Athenian democracy, as it helped fulfil the egalitarian principle of sortition, prevent corruption, and create a political class that would accumulate power. Confidence and consensus about the neutrality of the sortition mechanism were also important.

However, the society of the Florentine Republic during the Renaissance was very different from that of Athens. The Florentine republic faced a high degree of instability, violent conflicts between factions, and a society characterized by considerable inequality among its citizens. Sortition thus played a different role here than in the Athenian democracy. The main task of sortition was to ensure at least partial stability in an otherwise conflicted society. Thus, in this case, sortition was used because of its neutrality and confidence in its impartiality. Florentine society, therefore, did not seek to ensure equality among its citizens, nor did it fear the influence of the aristocracy, but rather violent conflicts between the various families and factions that sought power in the republic.[12]

Thus, Urbinati points to the importance of sortition in the context of such a conflicted and unstable society, in which the use of sortition was an ideal tool to choose political offices and thus it removed conflict from the selection process.[13] In this context, Urbinati asks why an election later replaced sortition, even though sortition had played an essential role in such an unequal and conflictual society. Urbinati finds the answer in the equality of citizens as electors (*elettori*)[14] – equality that the Florentine Republic did not know. This case then relied on sortition to ensure equality in an otherwise socioeconomically unequal society. Urbinati points to sortition as an instrument blind to the differences between those from whom it selects and not based on the will of citizens:

12 Ibid., pp. 59–61.
13 Ibid., p. 58.
14 Ibid., p. 64.

"The reason why elections in modern democracies perform the same task that was performed by sortition in the Florentine Republic (i.e., the legitimisation of selection and thus pacification) consists in the fact that in modern democracies the equality of citizens is placed at the foundation of the normative and political order. Without this foundation the election would not be better service than it did in the 15th century in Florence."[15]

Sortition and the Question of Accountability and Responsibility

As noted above, Landemore is concerned with criticizing modern representative democracy based on the principle of elections and offers an alternative in the form of *open democracy*. In the context of the new democratic paradigm, she also puts forward a concept of democratic representation that is not based on elections. Landemore thus proposes non-electoral representation forms (*lottocratic* and *self-selected representation*). These forms of non-electoral representation are based on the principles of inclusion and political equality, which she refers to as *democraticity*. These principles are also central to the concept of *open democracy*. Let us now focus on *lottocratic representation* and the question of *accountability* in relation to this form of representation arising from the sortition process.

The key values of (democratic) representation are "inclusiveness and equality among citizens"; Landemore refers to these values as "democraticity". These values of representation are intrinsic, whereas she sees accountability or responsiveness as *extrinsic*. She acknowledges that forms of non-electoral representation, such as *lottocratic and self-selected representation*, lack this external but important democratic element of accountability. Institutions built on sortition principles cannot be "electorally accountable" partly because of the nature of their creation, a process that is independent of the will of the public. Secondly, the reason is that we do not assume here that they will remain in office, as in the case of elected representatives. It is, therefore, necessary to focus on the form of accountability in the context of *lottocratic representation*.

Landemore suggests accepting the minimal definition of political accountability as "a relationship between rulers and ruled that ensures that the rulers are bound to give a proper account of their actions, including the policies and laws that they push, to the represented".[16] However, she rejects that representation is necessarily a *principal-agent relationship*. Landemore,

15 Urbinati, N., *Democrazia in diretta*, p. 152.
16 Ibid., p. 98.

therefore, excludes any mechanisms from the understanding or definition of political accountability and thus emphasizes the giving of accounts in the sense of defending or explaining representatives' individual decisions and actions. At the same time, Landemore notes that the criticisms directed at the lack of *political accountability* in the case of representation based on sortition often refer primarily to other forms of accountability, such as "the capacity to sanction rulers; the capacity to prevent them from acting badly; and the capability to nudge them into doing good"[17] –, i.e., what she terms a broad conception of accountability. Although Landemore concedes that the mechanism of elections can better fulfil forms of accountability even in its broad sense, it is not the only mechanism.

On the other hand, Landemore argues that it is also possible to fulfil all forms of accountability (in the broad sense) in the case of unelected representation through instruments other than elections. She thus shows that, like the understanding of representation and representative democracy, the notion of accountability is in thrall to elections. In addressing the alleged lack of accountability in the case of sortition, Landemore turns his attention back to Athenian democracy and its solutions in the form of rotation, people's courts, or mechanisms to ensure sanctions.[18]

So how should accountability be ensured in *open democracy* institutions built on non-electoral procedures? Landemore argues that at least three principles[19] that underpin *open democracy* (*participation rights*, *deliberation*, and *transparency*) can meet this external requirement.[20] These principles aim to ensure accountability in its broader sense, i.e., the other, abovementioned conditions concerning the ability to sanction or claim good behaviour and *political accountability*: "Deliberation inscribes accountability *stricto sensu* at the heart of the system, namely the opportunity and requirement to give reasons for political decisions and laws. Participatory rights and transparency serve to disincentivize bad behaviour on the part of officials".[21] Thus, in this conception of democracy and its institutions, accountability does not stand purely on the electoral procedure but is embodied and enforced through the various institutions and their mechanisms.

17 Ibid., p. 99.
18 Ibid., pp. 100–101.
19 Landemore lists 5 principles that underpin open democracy: participatory rights, deliberation, the majoritarian principle, democratic representation, and transparency. He discusses these principles in Chapter 6 (Landemore, H., *Open Democracy*, pp. 128–152).
20 Ibid., p. 203.
21 Ibid.

Urbinati, on the other hand, finds sortition highly problematic in terms of accountability and responsibility. Urbinati argues that one of the conditions[22] under which sortition can be considered a democratic method of candidate selection is that it "is not applied to the legislative function (sovereign par excellence)".[23] These conditions are based on the historical experience of the use of sortition. The examples Urbinati deals with in her book reflect on sortition precisely in the context of the legislative function. She discusses the Icelandic experiment in which randomly selected citizens participated in the drafting of the constitution, and the efforts of the Italian populist movement M5S, which seeks to introduce a lottery to choose one of the chambers of parliament. Both examples represent several issues that Urbinati addresses. One of the problems is the question of accountability and the form of representation that sortition creates. The second problem or issue, according to Urbinati, is the motivation for returning to sortition. I will address this problem related to anti-partisanship tendencies in the next section of this paper. For now, I will focus on the issue of accountability and the representativeness of sortition.

Why is sortition so problematic in the context of the involvement of ordinary citizens in legislative processes? Urbinati finds the reason in the very nature of sortition as a tool independent of human action and will.[24] As we have seen, impartiality and independence from the human effort make the mechanism of sortition attractive. We can also see from historical cases that this is one of the crucial reasons why sortition has been used to select public officials. On the other hand, this independence and impartiality make sortition problematic since "the sortition presumes irresponsibility".[25] Thus, sortition is a procedure that deprives the process of providing or selecting responsibility since it is independent of the will of the citizens.

This leads Urbinati to the second problem: the lack of accountability of candidates selected through sortition. Urbinati refers again to the historical experience of sortition in the Athenian democracy, where the Athenians solved this lack of accountability in two ways: by swearing an oath at the beginning of the term of office and by submitting an account at the end of the term. Thus, in a way, the officials chosen by lot were accountable to their *polis*

22 Urbinati lists two other conditions, which are related to the fact that a) there must be a sortition among all citizens, and b) there must be a cyclical selection for public office (Urbinati, N. – Vandelli, L., *La democrazia del sorteggio*, p. 42).

23 Ibid.

24 Oliver Dowlen discusses the arational nature of the draw in the context of this moment. See Dowlen, O., *The Political Potential of Sortition*. Exeter, Imprint Academic 2008.

25 Urbinati, N. – Vandelli, L., *La democrazia del sorteggio*, p. 54.

and to the law, but not to the citizens, as is the case with modern democracy and elected representatives. At the same time, it should be remembered that in the case of Athenian democracy, sortition was used, as Urbinati points out, for advisory and supervisory functions. Therefore, it would be problematic to achieve accountability in the case of the M5S proposal to draw senators from the public.

While Landemore presents a new conception of democracy outside of elections and the institutions built upon them, James S. Fishkin stays on the ground of representative democracy and its elected institutions. However, he supplements these with *deliberative microcosms* that serve as a link between elected elites and ordinary citizens. Fishkin points to several problems related to elections, including the growing distrust in electoral institutions and *fake news*, low citizen awareness, and the role of populists. The issue of information appears to be crucial, as citizens are often influenced and manipulated by elected elites. Fishkin thus proposes a *microcosm*, a deliberative space that offers conditions that would allow ordinary citizens to make the decisions they would make if they had all the relevant information and reasoning. These *microcosms* are based on Dahl's mini-publics.[26] Fishkin, like Landemore, also addresses the question of the occupancy of these mini-publics, arriving at two mechanisms: random sampling (or sortition) and self-selection, preferring random sampling to self-selection. Because of, among other reasons, the lack of representativeness of the self-selected mechanism. I will discuss this point more in the next section.

I would like to show the third position in the case of the problematic nature of sortition and accountability presented here by James S. Fishkin. He (unlike Urbinati and Landemore) does not address the role of accountability in the context of *deliberative mini-publics* or *microcosms*, since the purpose of these institutions is not to adjudicate or make law. These deliberative microcosms aim to present *considered judgment* and "offer a counterfactual representation of what the people *would* think, presumably under good conditions for thinking about the issue discussed".[27] He addresses why those not present at deliberations, and political elites, should be concerned with the results generated by *deliberative microcosms*. The answer Fishkin offers to this question lies in a total of 8 "good conditions" that relate to representativeness and deliberation: "1) demographic representativeness; 2) attitudinal representativeness; 3) sample size; 4) arguments for and against;

26 Dahl, R. A., *Democracy and Its Critics*. New Haven, Yale University Press 1989.

27 Fishkin, J. S., *Democracy When the People Are Thinking: Revitalizing Our Politics Through Public Deliberation*. Oxford, Oxford University Press 2020, p. 71.

5) knowledge gain; 6) opinion change; 7) avoiding distortions; and 8) identifiable reasons."[28] It is the last-mentioned condition that plays an important role in why the views emerging from the *microcosm* should be heard. "The goal is to provide a picture not only of what priorities the sample has but also of the arguments that really have weight with the participants. The result is a route to responsible advocacy."[29]

The Return of Sortition: Motivation, Anti-Partisanship, and Representation

We now turn to the final question Urbinati asks in relation to sortition: the motivation for returning to sortition and the form of representation produced. As previously suggested, Urbinati turns her attention to two cases where sortition figures in an institution possessing a legislative function: the Icelandic experiment and proposal of M5S. Modern technology (e.g., the internet) also plays a crucial role in both cases. The internet "facilitated the practice of sortition, getting to know and select people outside political circles, and finally a direct discussion between and with citizens via social media."[30] The role of modern technology in the Icelandic experiment has led, among other things, to questioning the current form of democracy or partisanship. The same logic can also be found in the Italian example, which involves the ideas and efforts of Beppe Grillo and M5S, who sought to introduce sortition into one of the chambers of parliament. Or rather, a combination of random selection and elections.

In the context of this effort, Urbinati questions the motivation for the return of sortition as an effort to redress representative democracy. She then finds the answer in two elements: anti-partisanship and efficiency.[31] In doing so, she also refers to the efforts of political theorists who think of this remedy through sortition to increase efficiency in decision-making and the functioning of democratic institutions. However, Urbinati warns against this technocratic approach, which she finds in Plato's *Kallipolis*, the perfect aristocracy. According to Urbinati, then, these theoretical approaches "want to remedy democracy of its irrational elements that derive, among other things, not only from representative assemblies but also from those who elect them, from the individual vote."[32]

28 Ibid., pp. 73–79.
29 Ibid., p. 79.
30 Urbinati, N. – Vandelli, L., *La democrazia del sorteggio*, pp. 78–79.
31 Ibid., p. 81.
32 Ibid., p. 83.

Urbinati turns her attention purely to the efforts promoted in Italy by the M5S to introduce a kind of mixed system of parliamentary representation. In addition to the emphasis on efficiency, she notes the criticism of the political parties, which points to a lack of representativeness. She links the advocacy of a combination of random selection and elections as a mechanism for selecting parliament (in the context of the Italian experience) with populist rhetoric critical of partisanship. Urbinati shows that the proposals of the Italian populist movement M5S, and their founder Beppe Grillo, originate in the Italian politician Guglielmo Giannini, who advocated the replacement of elections by sortition. Giannini was also critical of political parties and sought to rid political space of conflict and competition.[33]

The motivation associated with anti-partisanship points to the lack of pluralism of political parties and the issue of inadequate representation. But what kind of representation is shaped by sortition? According to Urbinati, sortition creates a statistical representation that mirrors a given society. The institution or group being drawn is a scale model of society, which Urbinati calls *"un bonsai della società"*.[34] However, Urbinati finds such a form of representation highly problematic and again turns to Plato's ideas and concerns about social engineering. Although statistical or photographic representation reflects the form of society (*bonsai*, as Urbinati refers to it), it appears to be a problematic part of that representation. Urbinati points out that it is indeed a proportionality, but only a social one, not an ideological or interest one. Thus, she warns against social engineering that artificially divides society into different social and demographic groups. Who would decide on this division? Last but not least, this form of statistical representation is also problematic in terms of representation. In other words, it is not the case that a woman of a certain age and education necessarily represents other women of the same age and education. According to Urbinati, this form is "a passive representation, not a political one."[35] Since this form of representation is not based on ideas and interests, it is problematic in the context of legislative institutions. "[The] parliament remains an organism that wants and must be an expression of the sovereign will with the legislative function for all citizens: men and women, workers and clerks, unemployed and doctors."[36]

As I have shown, Landemore turns her attention to non-electoral forms of democratic representation because elected representation does not fulfil democratic principles or *democraticity* (*inclusiveness and equality among*

33 Ibid., pp. 67–71.
34 Ibid., p. 86.
35 Ibid., p. 88.
36 Ibid., p. 89.

citizens). One form of this democratic representation is *lottocratic representation*. *Lottocratic representation* is based on the experience of Athenian democracy, where some institutions were selected by sortition combined with rotation. "Lotteries express a principle of equality as well as a principle of impartiality between citizens. Random selection, unlike election, does not recognize distinction between citizens, because everyone has exactly the same chance of being chosen once they have been entered into the lottery".[37] While for Landemore, this lack of distinction within the selection mechanism is instead to the advantage, for Urbinati this blindness (*cecità*) seems problematic. Landemore, on the other hand, sees a different problem with *lottocratic representation*, namely that it is not completely open to everyone, as those not drawn are excluded from the decision-making process. However, "the combination of sortition and rotation that ensures equal access to all citizens over time"[38] makes *lottocratic representation* a more open form of representation than electoral representation. When Landemore mentions rotation, she means a regular rotation in a (randomly selected) institution or office along the lines of Athenian democracy.

Landemore thematizes the need for the decentralisation of power and the emergence of local mini-publics, in the context of this form of representation based on sortition and rotation, thus deepening equality and open access for ordinary citizens. The problem of local mini-publics relates to the size of the mini-publics themselves – here, she alludes primarily to the issue of citizen juries, consisting of only a few randomly selected participants. There are problems with low diversity within these randomly selected institutions and a lack of representativeness. Therefore, Landemore proposes the creation of larger mini-publics based on the principle of local sortition to ensure both diversity and statistical or demographic representation of the population in question.

While Landemore emphasizes the statistical representation that sortition should provide, Fishkin argues that demographic representation is inadequate. One of the key conditions for *deliberative microcosm* is representativeness. In order to achieve the true representativeness of a given assembly, it is necessary to ensure not only demographic representativeness but also *attitudinal representativeness*, which is the purpose of various questionnaires that help to ensure that a plurality of interests in a given assembly is truly ensured. However, questionnaires can also play another role in the rest of society. Certainly, Fishkin is also interested in the changes that happen to interests and opinions during deliberation. So, it is also important to have

37 Landemore, H., *Open Democracy*, p. 90.
38 Ibid., p. 91.

this data on non-participants so that comparisons can be made between those who were directly involved in the event and those who were not. Another aspect that needs to be considered when creating a *microcosm* is the size of these gatherings – the *sample size*: "The microcosm needs to be large enough that its representativeness and the statistical significance of any opinion changes can be meaningfully evaluated."[39] In the context of *popular control* criteria, Fishkin discusses *inclusion*, and therefore what mechanisms should be used to populate deliberative *microcosms*. In addition to the *self-selected* mechanism, in which Fishkin sees some problems associated with *unrepresentativeness*,[40] he focuses specifically on sortition, or random sampling, which fulfils the inclusion criterion in that "it should be representative of the population in its political attitudes and demographics".[41]

One of the motivations Urbinati mentions for the return to sortition is anti-partisanship. What is Landemore's take on the role of political parties in *open democracy* based on non-electoral forms of democratic representation? Landemore does not question the role of political parties and does not seek their abolition. On the contrary, their role should be an integral part of politics, even in this new democratic paradigm: "parties would likely remain an element of the democratic landscape even in an open democracy".[42] What is important, however, is how we define political parties themselves. Landemore then argues that if we associate political parties purely with elections, then there is no use for such parties in a democracy built on non-electoral mechanisms. However, if we understand political parties as "associations of the like-minded for the purpose of bundling various issues into a coherent political platform, then it becomes a real empirical question as to whether a democratic system can do without them".[43]. In the context of open democracy, political parties can thus be understood more as interest groups of professional politicians and experts. Landemore then also mentions that parties are not even necessarily associated with elections, or rather that elections as such do not require the existence of political parties, pointing to the historical experience of Athenian democracy in particular, where the mechanism of elections filled some offices, without the presence of political parties (certainly in today's sense).

The role of political parties (unless it is possible to think of democracy without political parties, which Landemore does not see as a problem) in *open democracy* is, therefore, more a source of information, opening up spe-

39 Fishkin, J. S., *Democracy When the People Are Thinking*, p. 74.
40 Ibid., pp. 15–16.
41 Ibid., p. 16.
42 Landemore, H., *Open Democracy*, p. 145.
43 Ibid., p. 146.

cific topics or bringing citizens together around similar or shared interests. In other words, in the conception that Landemore puts forward, political parties are a form of interest groups that do not seek to gain political power and victory because they exist outside of electoral mechanisms. Thus, their aim is not to win the most significant number of votes from the citizens, to govern, and to decide based on these votes, but rather to perform an informative function.

Where is the Sortition Turn Going?

Where are the considerations for the return of sortition in the context of twenty-first-century democracy? What possibilities does the lottery offer us? And is it even possible to overcome the problems facing modern democracies through random selection? In this review essay, I put forward three possible approaches for dealing to some extent with these questions. Landemore offers a new democratic paradigm to overcome the so-called crisis of representative democracy in the form of *open democracy*, which is based, among other things, on the principles of sortition. Fishkin introduces deliberative microcosms that use random selection as a mechanism that, despite its possible shortcomings, appears to be the most appropriate tool to ensure broad citizen participation and engagement in public deliberation. Urbinati, on the other hand, sees these tendencies to bring back sortition as dangerous and highly problematic. It should be noted that Urbinati's focus is purely on efforts to introduce sortition in the context of legislative institutions (i.e., parliament). To Urbinati, this appears to be dangerous for representative democracy, as one of the crucial powers of the people, the *will*, is being eroded. However, Urbinati completely overlooks efforts to implement sortition to complement existing (elected) institutions. In the context of democratic innovations[44] that also involve drawing lots, as in the case of Fishkin's *deliberative microcosms*, we can observe efforts to create a public space that allows ordinary citizens to participate in deliberations on matters that affect them. In this case, sortition appears to be a suitable tool for populating these mini-publics, as it offers an equal opportunity for all to participate in these discussions.

However, Urbinati's criticism of sortition reveals several problems with which advocates of sortition must necessarily grapple. One of the critical problems appears to be the form of representation that sortition creates. The second problem that needs to be dealt with in the case of a return to

44 The forms and possibilities of these democratic innovations are explored, for example, by Graham Smith in his book *Democratic Innovations: Designing Institutions for Citizen Participation*.

sortition is the issue of accountability. Landemore finds an answer to these problems in her work by referring to the historical experience of sortition in Athenian democracy. On the other hand, if our thinking about the return of sortition stays within its reflection within various mini-publics (i.e., some kind of advisory and deliberative groups), these potential problems seem less pressing. At the same time, Landemore points out that the criticisms levelled at sortition are somehow captive to elections, and she considers it necessary to move beyond this perspective and look at this democratic mechanism beyond elections.

In my view, the debate devoted to the return of sortition into modern democracy should move not so much in the direction of replacing elections and elected institutions, as Landemore proposes in her new democratic paradigm, but instead in an order that thematizes the implementation of the lottery as a complement to existing institutions. I argue that sortition, combined with democratic innovations such as deliberative mini-publics, can help overcome problems related to the perceived lack of influence of ordinary citizens on policy-making, ensure broader participation and representativeness, and ultimately strengthen the power of opinion.