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“Democratic Accounts and Miscounts? Rancière and Spinoza”.

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Introduction

Luke Rhinehart’s marvellous novel *The Dice Man*¹ shows absurdly and tragically the developments of a personal life entirely subject to sortition. Broadening this perspective, I would like to offer here a critical presentation of the very notion of sortition in political matters. The fact that I will refer to the philosophies of Spinoza and Rancière in order to deal with such a question will no doubt come as a surprise. It is justified from my point of view by the fact that both are theoreticians of democracy understood in a radical way, and basically share, in very different contexts and according to very different formulations, the same questioning about the possibility of legitimizing the power in general, and democratic power in particular. And sortition is nothing more than a way of legitimizing democratic power.

In the last chapter of his very last work, the *Political Treatise*, Spinoza made democracy the "absolute regime", *imperium absolutum*, a statement

¹ *The Dice Man*, New-York : William Morrow, 1971.

unexampled in its time and which was to prove prophetic, especially if we consider the fact that democracy has steadily spread across the surface of the Earth over the past three centuries, and today seems to many nations a regime not only desirable above all others, but unsurpassable. Spinoza had an entirely extensive or numerical conception of democracy. As such, he was part of the current of modern philosophy which established "the reign of quantity"² against the "occult qualities"³ of the Aristotelian and scholastic world: the aristocrat (or "man of quality"⁴) was then giving way to the man of democratic societies ("the man without qualities"⁵, the "plus one" of the generalized equivalence of votes). In a particularly striking passage of the *Political Treatise*, Spinoza declares that "we must estimate [...] the power of a State, and consequently its right, according to the *number* of citizens"⁶, thus, the political, legal, and arithmetical planes are folded back exactly one on the other. What I have called "the law of counting", and which I have been trying to highlight for several decades in my readings of Spinoza and in my other works, thus places elections or democratic counts at the heart of a philosophy, a politics and an ethics of immanence (nothing is above accounts), governed by the single conceptual doublet "law of the account / unjustified preferences"⁷.

Jacques Rancière, starting from his fundamental thesis of "the equality of intelligences"⁸, also makes democracy the "absolute regime" (even if he does not use Spinoza's expression). According to him, no politics is possible without the implicit postulate of the "equality" of citizens: when I give an order to another person, when I exercise my power over him, I thereby recognize his ability to understand what I command him to do. And, therefore, the very exercise of power (of domination) paradoxically presupposes the recognition of

² To refer to the title of the book by René Guénon *The Reign of Quantity And The Signs of the Times*, Translated from French [*Le règne de la quantité et les signes des temps*, Paris : Gallimard, 1945] by Lord Northbourne, London : Luzac & Co, 1953.

³ See Spinoza, *Ethics*, Part 5, Preface.

⁴ See for example Antoine Prévost d'Exiles (known as "L'abbé Prévost"), *Memoirs of a man of quality*, from which *Manon Lescaut* is taken, 1728-1731.

⁵ Robert Musil, *The Man Without Qualities*, Translated from German [*Der Mann ohne Eigenschaften*, Band 1, Berlin: Rowohlt, 1930; Band 2, Berlin: Rowohlt 1933; Band 3, Lausanne: Rowohlt 1943] by Sophie Wilkins and Burton Pike, London : Picador, 2011.

⁶ Spinoza, *Political Treatise*, chp. 7, § 18 : *Nam imperii potentia et consequenter jus ex civium numero aestimanda est.*

⁷ See the Conclusion of my recent *Introduction to Spinoza*, Paris: La Découverte, 2023.

⁸ I developed this fundamental thesis, and its genesis, in *Rancière – Equality of Intelligences* (Paris: Belin, 2019), from which I take up here some analyzes from chapter 13.

the equality of intelligences, and of a kind of "arche-democracy" present in all forms of political regimes. Unlike Spinoza, however, Rancière offers a vision of democracy that would escape the law of counting. I therefore propose to explain, shed light on, and finally discuss Rancière's unexpected proposal in favour not of democratic "accounts", but of sortition which, according to him, must accompany democratic "miscounts".

1. Rancière: Equality without numbers

According to Rancière, the emancipation of a person most often consists of borrowing speeches, attitudes, or lives which are not intended for him, and which are not "proper" to him (for example, for a worker, doing poetry or philosophy), which allows him to get out of a path traced in advance, to "reconfigure" a situation that presented itself as frozen. Like this emancipation of the individual, there exists, according to Rancière, collective, political emancipations, which are the result of "collective subjects"⁹, or collective processes of subjectifications, during which a community will monopolize, "usurp"¹⁰, a sermon which was not necessarily made for her, but which allows her to "recut", or to propose a new "distribution of the sensible". These "hazardous subjectifications"¹¹ - in every sense of the word "hazardous", that is to say, made at random, in a non-concerted way, with an uncertain result, never given in advance - are another way by which Rancière conveys the idea of the "politics" or the "part of those without a part".

The "part of those without a part", being both the "nothing" and the "everything" of the political community, cannot be measured. The "police" is the level of management of current affairs, of exchanges. We sell, we buy, we count, we vote. "Politics", for Rancière, presupposes a qualitative leap that suddenly takes us out of the "reign of quantity" specific to democracies. According to him, "politics", even in a democratic regime, installs us in the "supernumerary" or in the "dis-agreement" – all so many ways of saying that it escapes the law of counting, or quantification.

As Rancière states in the back cover of *The Dis-agreement*, "Politics begins when the natural order of domination and the distribution of parts among the

⁹ Jacques Rancière, *Political Moments*, p. 9.

¹⁰ Jacques Rancière, *Dis-agreement*, p. 22 *passim*.

¹¹ Jacques Rancière, *Words of History*, p. 152.

parts of society are interrupted by the appearance of a supernumerary part, the demos, which identifies the collection of the uncounted with the whole of the community. From this initial disappointment, a logic of misunderstanding is established, equally far removed from consensual discussion and absolute wrong." Rancière plays on the proximity between "miscount" (disappointment, disillusion) and "wrong" (injury). Miscounts are not just mistakes in accounts. They cause suffering, as in litigation or conflict. A democracy in which there would be only "accounts" without "miscounts" would be a democracy of "consensus", a democracy (falsely) appeased, pacified, without litigation. For Rancière, it would be a regime of "police" and not of "politics". For there to be politics, it is therefore absolutely necessary that something escapes the "account".

These theses may surprise. On the one hand, the democracies governed by the law of account (those regimes that Rancière would associate with the "police" or the management of current affairs), far from refusing litigation, continue to organize it in all its forms. Elections, election campaigns, demonstrations, party platforms, clashes between candidates, petitions, media inquiries, justice, polls... all of this creates, in our democracies, at many levels and on many occasions, disputes, conflicts, and dis-agreements, sometimes stormy, sometimes violent, sometimes fatal.

It is therefore difficult to see why a democracy of the type that currently exists in Europe and in France would necessarily be "polite" (or policed), "consensual", incapable of reconfiguring its parts as well as its political parties. On the contrary, we are witnessing great surprises in the electoral process, which seem to attest to an undeniable "process of subjectivation" at work. The same goes for certain absolutely unforeseen protest processes (such as the famous "yellow vests", which no one had seen coming before they decided to end their "invisible" status in a particularly spectacular way).

In a democratic regime, it is even difficult to see what could remain "uncounted". Anyone can stand for election, create an association, launch a petition, or get together with friends or colleagues to parade or block roundabouts... no doubt there are accounts prohibited by law. There is no right in France, for example, to make "ethnic statistics". Or again, we do not count as "cast" the blank ballots during elections. One could then imagine the "uncounted" designate in Rancière, not as uncounted individuals (because every

individual is counted or can be counted in our democratic systems), but as categories which would not have been “taken into account” until then. For example, for a long time the women present in political parties, on the boards of directors of large companies, or on the selection committees of universities, were not counted. Then “quotas” were established, which means that now we count the members of this categories.

The alliance of certain categories could also create new categories, which previously had not been taken into account, but which could be formed following some event or other. For example, before May 1968, it is unlikely that there were statistics that counted students and workers together. But their alliance during the “events” of May 1968 created a new category that had to be taken into account. The same goes for the recent category of “femicide”: we count them today whereas we did not count them yesterday. So one could think that Rancière, speaking of the “uncounted”, designates this kind of category: those which only give rise to a count under some form of possible pressure causing new “categories” to emerge in our societies (new divisions, new “distributions” of the community) previously uncounted or unaccounted for.

But Rancière does not see things from this angle. For him, the “uncounted” are not categories of the excluded or the hitherto unnoticed that should then be reintegrated into the accounts of the community. Because (he thinks) if we proceeded in this way, we would gradually eliminate the uncounted until everyone would be counted or taken into account. And in doing so, we would not have progressed towards “politics”, but towards “police”. “Police” represents a dream of complete accounts without remainder, a dream of “saturated”¹² accounts, while “politics” distinguishes itself by maintaining disputes or “miscalculations”. Rancière’s “miscounts” or “dis-agreements” are therefore not to be thought of as the “exclusion” of those who should be “included”, because total inclusion is for him a dream of police and not of politics. As he puts it, “the part of those without a part is not the part of the excluded”¹³.

Rancière did not express a desire for ethnic statistics, or a count of blank ballots in elections, or the generalization or multiplication of quotas. Neither does he support intersectionality. Moreover, he does not have an immoderate

¹² Jacques Rancière, *Dis-agreement*, p. 67, 114, 115, 117, 126; *On the Edge of Politics*, p. 188; *And Too Bad For the Tired People*, p. 187, 316, 658.

¹³ Jacques Rancière, *And Too Bad For the Tired People*, p. 490.

taste for elections in general, which are the very symbol of the democratic law of counting. He explains this in *Hatred of Democracy*: “Democracy”, he declares for example, “is not a type of constitution nor a form of society. The power of the people is not that of a people gathered together, of the *majority* [emphasis CR], or of the working class. It is simply the power peculiar to those who have no more entitlements to govern than to submit. [...] The drawing of lots is its essence”; “Nor is the vote in itself a democratic form by which the people makes its voice heard. It is originally the expression of a consent that a superior power requires”; “universal suffrage is in not at all a natural consequence of democracy”, which moreover “has no natural consequences”¹⁴.

The “hate of democracy” is certainly not shared by Rancière, who, on the contrary, vigorously defends democracy against a certain type of new criticism that has been addressed to it in recent years. Moreover, Rancière often repeats (this is one of his most striking and endearing theses) that he is not one of the people who believe that the people are “dumb” or “backward”. From this point of view, Rancière is very different from Badiou, for example, since he refutes the position of “activist” as well as that of “spokesperson”, “leader” or “pedagogue”. He absolutely does not conceive of political action as the action of small, enlightened groups guiding the people. As he keeps repeating, emancipation presupposes self-learning, learning by oneself, and can never pass through an instruction delivered by a master.

As a result, one would have expected Rancière to value elections. If people aren’t “dumb”, why not trust their vote? But Rancière’s preference for “sortition” actually stems from his thesis of “equality of intelligences”. If everyone has exactly as many rights to govern as everyone else, wouldn’t it be the right way to organize democracy if we were to somehow reflect this absolute egalitarianism and constantly reshuffle the election cards to prevent the gradual establishment of a political class which would continuously seek and produce justifications for its own existence, its *perseverentia in existendo*? Higher education, the ability to deal with complex issues, but also rhetorical skill, experience of responsibility... all of this could gradually self-justify the perpetuation of a political class initially composed of “representatives”, then soon of “leaders” installed for entire decades who would weave together all the networks of influence necessary to maintain their power. Sortition, on the contrary, constantly reminds us that “anyone” in a democracy is entitled to

¹⁴ Jacques Rancière, *Hatred of Democracy*, p. 46-47, 53, 54.

anything. Equality of opportunity (to be drawn) is here the image of equality of intelligences.

2. Objections and Conclusions

There is, however, an objection to sortition in politics, which Rancière (unless I am mistaken) does not consider. It is very unlikely that several governments drawn by lot would wish to pursue the same policy. Sortition would therefore prevent the implementation of long-term policies, for example: land-use planning, the construction of high-speed train lines or highways, or major infrastructure (canals, forest plantations, etc.) that require continuity of public action. Sortition, for the same reasons, would prevent the conduct of courageous long-term policies: taxing the large international companies, modifying the distribution of the large budgetary masses in favour of the poorest rather than the wealthiest, etc. At the very moment when it would be the perfect image of an entirely egalitarian society, sortition, with its random results, would thus paradoxically prevent us from realizing this equality in practice, and could, therefore, hinder the type of resolutely social policy that we might well imagine Rancière would support. The principle of drawing lots is indeed very different from that of polls, which can always (despite / thanks to their innumerable failures) claim a certain scientificity, due to the “corrections” which are made to the answers according to the previous answers, and to the determination of the standard samples. The drawing of lots, in its nakedness, is much more random, is much more likely not to represent the preferences of citizens and could not fail to lead to absurd policies where laws wanted by most people would not be enforced while laws that the people would not want would be imposed on them.

The very positivity of the sortition (this would be a second objection) further loses the essence of politics, which is the possibility of questioning any rule or decision or direction previously taken, and which therefore has an essentially negative essence. As strange and paradoxical as it may seem, it is indeed impossible to assign a positive end to politics without losing it (just as Orpheus could not look at Eurydice without losing her). To say that the end of politics is “happiness”, or “security”, or “freedom”, or “power”, or “wealth”, or “the health” of peoples, would immediately take away from the political that which makes it specific, namely the freedom and the capacity for a people to change and give up old aspirations. If, for example, one were to posit that the

ultimate goal of politics is the “wealth” of a population, the “growth” of its economy, the increase of its Gross Domestic Product, etc., as is almost constantly the case nowadays, then politics would not be distinguished from economics and finance, and all its transactions would have to be done on the stock market. If we posed life expectancy, or the extension of the lifespan of citizens, as the end of politics, then politics would not be so different from medicine and should be the responsibility of doctors. If it was “security”, politics would not be very different from policing, and would have to be the responsibility of the police and the military. If it was “happiness”, it would not be very different from a religion or a wisdom and should belong to priests. We can no doubt imagine other justifications or other purposes. But any positive definition of politics will be a way of confusing politics with another practice or art. We can therefore maintain a specificity of politics only as the “negative” of all the ends mentioned above, and indeed of all ends.

Properly understood politics should therefore be defined, not by this or that end, but by the possibility left to peoples to modify their ends as they wish. “We the people” may one day want security, another day want freedom; one day we might want adventures, even conquests, another day we might want calm and prosperity. In this there is an intrinsically revolutionary dimension to democratic politics. This point, which today haunts the thought of Jacques Rancière (since in his eyes “politics” consists in de-legitimizing the forms of power that “political philosophy” has always tried to legitimize) had, in my opinion, been seen by Spinoza in his refusal to subordinate politics (like the order of the world in general) to any meaning, to any purpose, or to any play of values. Indeed, it was this that enabled him to present a particularly pure and exact vision of the very essence (all negative) of politics in the *Political Treatise*. But this absence of finality, this immanence, and this radical equality enveloped by democracy adapt much better to the intentionalities and collective preferences manifested by elections and accounts of all kinds than they do to random draws, which can undoubtedly give absurd results, but precisely not negative results. Rancière never wanted to admit that there was a revolutionary dimension to the accounts themselves. From Rancière’s point of view, which I extend in my own way, between the total confidence that could be given to elections because of the equal intelligence that it presupposes among the voters, and the total mistrust of elections, such as we find for example in Badiou and which always envelops the idea of an insufficiently enlightened people, the middle way of

sortition does not therefore seem to me practicable as a political way, however scientifically it may be envisaged.

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Summary

Both Spinoza and Rancière are theoreticians of absolute or radical democracy. Spinoza however defines democracy solely by the law of “account”, while Rancière, on the contrary, defines it by the “miscount”. This is one of the reasons why Rancière thinks that the essence of democracy lies in “sortition”, and not in “elections”. We present and discuss here Rancière's point of view, in the light of a quantitative-extensive-spinozistic conception of democracy. For this, we ask ourselves in the first section what Rancière means exactly by the notion of “uncounted”: which categories of a given population can be considered as “uncounted” in our contemporary representative democracies? We show that Rancière does not mean by “uncounted” sub-parts or subsets of a given population, mainly because he does not adopt an “intersectionalist” point of view. But then, the Spinozist quantitative-universalist position can be opposed to Rancière as an objection: this is what we do in the second part of the presentation, before concluding on the superiority of elections compared to drawing lots.

Key words

Spinoza; Rancière; democracy; absolute regime; equality of intelligences; sortition; elections; quantity; law of account; miscount; dis-agreement; policy; police.

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Charles RAMOND is a University Professor (Paris 8, Department of philosophy / Research Unit 4008 LLCP). His work focuses on modern (mainly Spinoza) and contemporary philosophy. Latest books published: *Jacques Rancière. The Equality of Intelligences*, Paris: Belin, 2019, 208 p.; *Twenty-Four Studies in the Philosophy of Ordinary Language*, Limoges: Lambert Lucas, 2022, 472 p.; *Introduction to Spinoza*, Paris: La Découverte, 2023, 128 p. [Professional page](#).